

MEETING:	PLANNING COMMITTEE
DATE:	9 OCTOBER 2013
TITLE OF REPORT:	S122304/F - CHANGE OF USE TO ACCOMMODATE SIX MOBILE HOMES (RETROSPECTIVE) AT WHITEHALL FARM, HAMPTON BISHOP, HEREFORDSHIRE For: Mr Rogers per Mr Colin Goldsworthy, 85 St Owen Street, Hereford, Herefordshire, HR1 2JW
WEBSITE LINK:	http://news.herefordshire.gov.uk/housing/planning/58286.aspx?ID=122304&NoSearch=True

Date Received: 13 August 2012

Ward: Backbury

Grid Ref: 355577,238127

Expiry Date: 15 October 2012

Local Member: Councillor J Hardwick

1. Site Description and Proposal

- 1.1 The application site lies to the rear of a group of large agricultural style buildings, some of which are now in use for commercial purposes, on the north side of the unclassified 72203 road that loops through Hampton Bishop. The site lies within the Hampton Bishop Conservation Area. It is largely screened from the dwellings to the north by an earth bund.
- 1.2 This is a retrospective application for the retention of 6 mobile homes (static caravans) for unrestricted residential use.
- 1.3 The following report, (ref 122305) relates to an adjacent site and should be read in conjunction with this report.

2. Policies

2.1 National Planning Policy Framework

Chapter 1. Delivering sustainable development
 Chapter 6. Delivering a wide choice of high quality homes
 Chapter 12 Conserving and enhancing the historic environment

2.2 Herefordshire Unitary Development Plan (HUDP)

- S1 - Sustainable development
- S2 - Development requirements
- DR1 - Design
- H4 - Main villages:settlement boundaries
- H7 - Housing in the countryside outside settlements
- H8 - Agricultural and forestry dwellings and dwellings associated with rural business

Further information on the subject of this report is available from Mr M Tansley on 01432 261815

- HBA6 - New development in conservation areas
- E12 - Farm diversification

2.3 Herefordshire Local Plan Draft Core Strategy

- S1 - Presumption in favour of sustainable development
- RA2 - Herefordshire's villages
- LD4 - Historic environment and heritage assets

2.4 The Unitary Development Plan policies together with any relevant supplementary planning documentation can be viewed on the Council's website by using the following link:-

<http://www.herefordshire.gov.uk/housing/planning/29815.aspp>

3. Planning History

3.1 S121411/U certificate of existing lawful development for two mobile homes- withdrawn 13/7/12

4. Consultation Summary

4.1 Transportation Manager - no objection.

4.2 Natural England - no objection.

5. Representations

5.1 Hampton Bishop Parish Council: No comment received.

5.2 Two local residents have written in support of the application.

5.2 In support of the application the agent advises

The six units have gradually appeared on site over a number of years and they house persons who have been employed on the farm to assist with the seasonal work. When their work had finished they carried on living in the homes because other low cost living accommodation was very difficult to find and they later found other work. When KDR Farms needed seasonal workers at a later date the accommodation was not available and new mobile homes were installed. Clearly this was a situation that could not be allowed to continue ad infinitum and the business has capped it, at a total of ten units. Four for seasonal workers and six for the permanent residents. There has been a benefit to the business in that the occupation of the six units has provided additional income and is considered as farm diversification as encouraged in appendix c of PPS7.

In all the years that these units have existed there has only ever been one complaint reported to the council. This was in November 2010. This is testimony to the fact that the existence of the mobile homes causes no real concerns to the community. They are well sited being screened and serviced in such a way that few people are aware of their existence.

This application is being submitted in tandem with another application covering the four units for seasonal workers that exist at the same farm.

5.3 In addition information regarding drainage details have been submitted to address phosphate issues in the rivers.

5.4 The consultation responses can be viewed on the Council's website by using the following link:-
<http://news.herefordshire.gov.uk/housing/planning/searchplanningapplications.aspx>

Internet access is available at the Council's Customer Service Centres:-
www.herefordshire.gov.uk/government-citizens-and-rights/complaints-and-compliments/contact-details/?q=contact%20centre&type=suggestedpage

6. Officer's Appraisal

- 6.1 This application follows an enforcement investigation that commenced in 2010. The delay in bringing the application to Committee is a result of the need to satisfy the requirements of the Habitat Regulations in respect of the potential impact on water quality associated with increased phosphate levels in the rivers Wye and Lugg. The additional information recently submitted has addressed those concerns.
- 6.2 It appears that this use of land originated when additional temporary farm labour was required, but when that need ceased residents stayed on and found employment elsewhere. The continued need for such workers is addressed in the following report (122305).
- 6.3 Hampton Bishop is not identified as a main village within policy H4. Since the mobile homes do not claim to meet an agricultural need policy H8 is not applicable either. Accordingly policy H7 applies. Since the proposal does not meet any of the exceptions set out therein, the proposal is contrary to that policy.
- 6.4 The site lies within the Hampton Bishop Conservation Area, where there is a duty to preserve or enhance the character of such areas. The siting of 6 static caravans clearly fails such a test and is consequently contrary to policy HBA6.
- 6.5 There is no guidance in the National Planning Policy Framework, nor the Draft Core Strategy to suggest that there are other policies or material considerations to outweigh these policies and as such the application is recommended for refusal.

RECOMMENDATION

That planning permission be refused for the following reasons:

1. **The proposal is contrary to policy H7 of the Herefordshire Unitary Development Plan in that it fails to meet any of the exception tests which would support residential development in the open countryside. Furthermore in the absence of an identified need, it is considered that the proposal constitutes an unsustainable form of development contrary to Policy S1 of that Plan and the guidance provided by the National Planning Policy Framework.**
2. **The appearance of the development fails to either preserve or enhance the character or appearance of the Hampton Bishop Conservation Area and is consequently contrary to Policy HBA6 of the Herefordshire Unitary Development Plan and the guidance provided by the National Planning Policy Framework.**

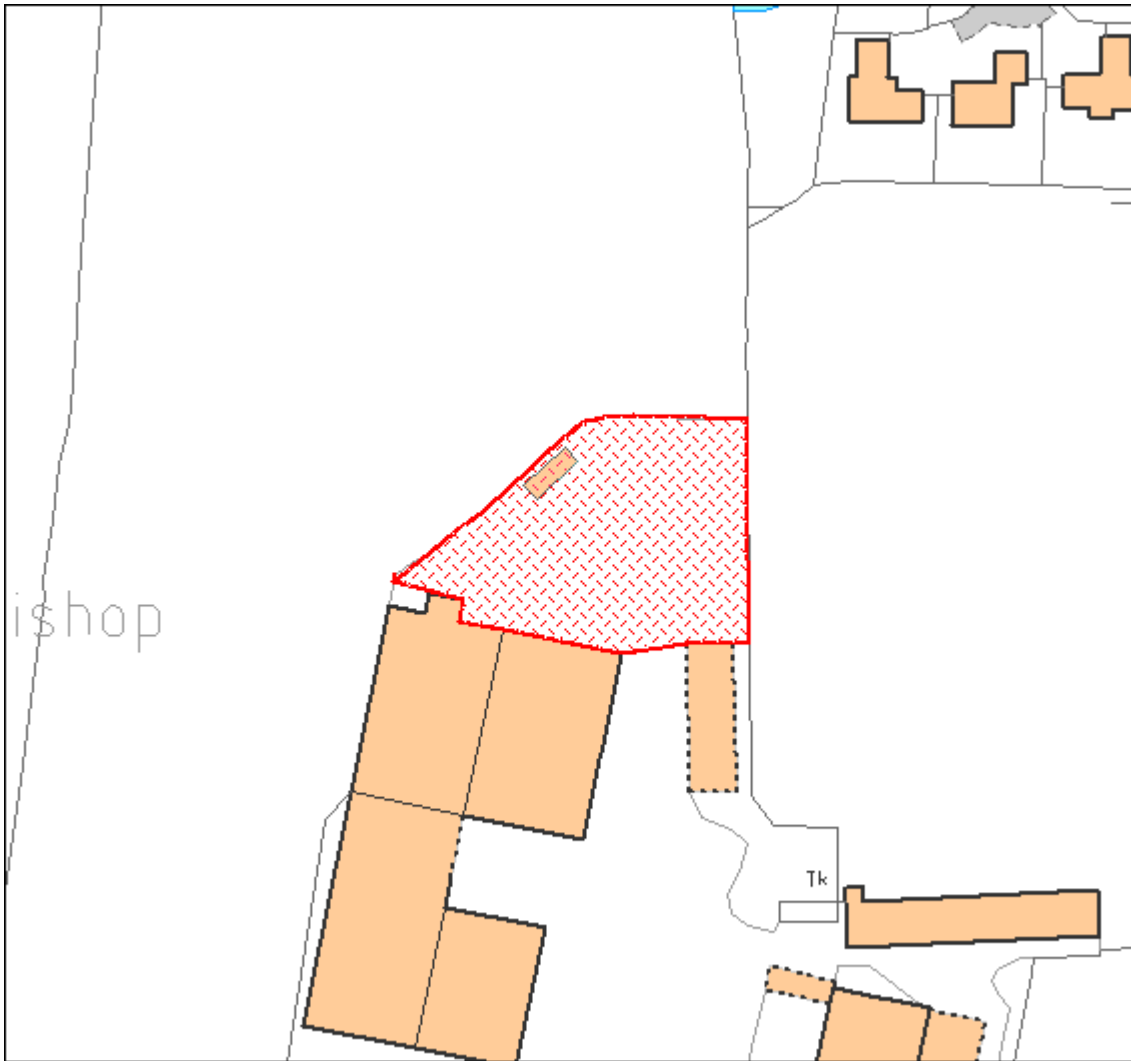
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: 122304/F

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