

233688 - CHANGE OF USE OF AGRICULTURAL LAND TO USE FOR HOLIDAY HUTS. 2 SHEPHERD HUTS AND CREATION OF CAR PARKING AREA. AT LAND AT UPPER HOUSE, LYNE DOWN, HEREFORDSHIRE,

For: Mr & Ms Judd & Dray per Mr Derrick Whittaker, 1 Farjeon Close, Ledbury, Herefordshire, HR8 2FU

ADDITIONAL REPRESENTATIONS

Two further representations have been received:

1. I wish to express my serious concerns in your report and information contained within. Your submissions are riddled with inaccuracies, errors and poor processes. The Highways submissions are lacking in detail and professionalism it comes across that no one has done their job properly or consistently. I am so concerned with you and your colleagues submitted reports I feel you should stop the planned committee meeting and write to them expressing that your information is flawed, if you do and it goes ahead with planning granted I will demand a Judicial Review.”- **Mr T Newbrook 03 June 2024 [Email]**
2. We raised concerns over the application with the Parish Council and made representations in objection. At the Parish council meeting this application was discussed at length and the applicants were advised that permission would be required for use of the access. The Parish Council expressed their apologies that they were limited in the support they could provide but would recommend that the access be properly considered. Subsequently the representation from the Parish Council was made conditional on the access being properly considered. When it became clear to the applicants that ourselves and our neighbours at the White House would not support the application and that the Parish Councils support was conditional on proper consideration of the access, the applicants amended the application by changing the outline plan so it no longer included the access. This was supported by a statement from the agent claiming that the access was ‘an unadopted public road’. It is clear from the area definitive map that the access is not a public road and has no public rights.

The evidence and timeline of the alteration to the application would strongly suggest that removing the access from the application against an obviously false statement which cannot be supported by public record is a deliberate attempt to manipulate the planning process and mislead the planning officer. The application site is an Island surrounded by private property, the ownership of which is not disputed by anyone including the applicants. No public right of way crosses this private property, and no permission has been given for its use in conjunction with this application.

It would appear that the planning officer has been duped into proceeding with an application that has not been properly presented and does not respect the rights of the landowners.

I would also bring to your attention a serious error in the planning officer’s report which states the access to be ‘some 4 meters wide’. The access is 1.8 meters wide at its narrowest point and little more than 2.4 meters wide at its widest. You need only view it on google street view to confirm this point which will also become clear during the site visit on the 4th June. The determination regarding visibility splays at the exit of our driveway onto

the public road has also not been properly considered. This will become very much apparent to those who visit the site.”- **Mr M Botfield 02 June 2024 [Email]**

OFFICER COMMENTS

For the avoidance of doubt the reference to a gravity fed system was in connection with the existing arrangement for the Septic Tank. The proposal would be to replace this with a pumped system discharging into a drainage field through a Package Treatment Plant.

In response to further concerns expressed following the publishing of the report, it is confirmed that the proposed access road has been measured on site. At its widest it is 4.2 metres and at its narrowest it is 2.8 metres

CHANGE TO RECOMMENDATION

Additional Informative

Herefordshire Council would remind the operators of the units that they will need to make provision for commercial waste arrangements and should not dispose of any waste associated with the use of the shepherds huts the by using the service provided for households. Further advice can be sought from Herefordshire Council. <https://www.herefordshire.gov.uk/rubbish-recycling/business-waste>