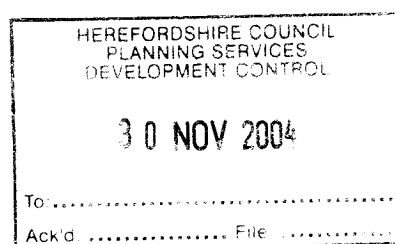


Ack'd 19/12

Kate & Andrew Garman
Orchard House
Lower Hergest
Kington
HR5 3EN

29th November 2004

The Planning Officer
Northern Planning Services
PO Box 230
Blueschool House
Blueschool Street
Hereford HR1 2ZB



Dear Sir/Madam

Re: Application No. DCNW2004/3725/F. The Bothy, Lower Hergest, Kington.

Thank you for your letter of 3rd November concerning the above retrospective planning application.

We have enclosed a plan showing our property in relation to the proposed development as this is not clear on the application.

Background

The majority of the land in question adjoins our small paddock which measures approximately half an acre. This land has always been used for livestock grazing though the land itself has not been managed in some years. We are continuing this use with our own sheep and are planning to enhance the habitat by fruit tree planting and laying/coppicing of the hedgerows.

On the south east boundary approximately 11 feet of the land adjoins our garden.

Whilst the majority of the development land was used for vegetable growing by the previous owners of The Bothy there was an intensification of its use when a permanent seating area, lawn and garden planting were established at point x on plan. This resulted in a loss of privacy in our garden. We mitigated this by putting up an area of fencing. We also planted a hedgerow around the boundary when the previous owners insisted we remove the livestock from our paddock in case said livestock should break through their stock proof fencing and cause damage to the development land. Subsequently this hedging was severely cut back (beyond the boundary of the Bothy) on the north east side, mainly by the previous owners but also by the applicants. This is presumably because they would like the benefit of the view on this side of the plot. This has successfully inhibited the growth of the hedge on this side.

To date no consideration has been given to the use of the land that surrounds the development land or the effects any change may have on existing uses. We would ask that this is taken into

account when considering this application and that any change of use does not prejudice the existing or future use of our land.

Enclosure of the development land.

1. The development land is some 7 feet higher than the existing house and garden of the Bothy and Rose Cottage. This has served to provide a natural boundary and buffer between incompatible uses.
2. Residential use of this land would not relate well to the existing form of the settlement. The effect of any domestic paraphernalia e.g. greenhouses, garden ornaments, lights, climbing frames, decking, washing lines etc would have a detrimental effect on the otherwise open and undeveloped character and appearance of the landscape.

Hedging around the entire boundary of the plot would provide a new buffer between incompatible uses (protecting the development land from the livestock and the livestock from noxious planting, chemical use etc), and would also serve to mitigate the effects of garden paraphernalia. Whilst we are happy to replant and maintain the existing hedging there is no guarantee it will be permitted to grow on the north west boundary.

We therefore consider it would be a reasonable condition of consent that the applicants provide fencing (to the same height as existing fencing on other parts of the boundary) along the NW edge of the plot. This would establish a precedent of enclosure and a recognition of both the differing needs of the adjoining plots and the effect of residential use on the landscape. This would enable us to grow the hedging unhindered on our side of the boundary.

Permitted development rights

Permitted development rights if change of use is granted may further prejudice our amenity as: -

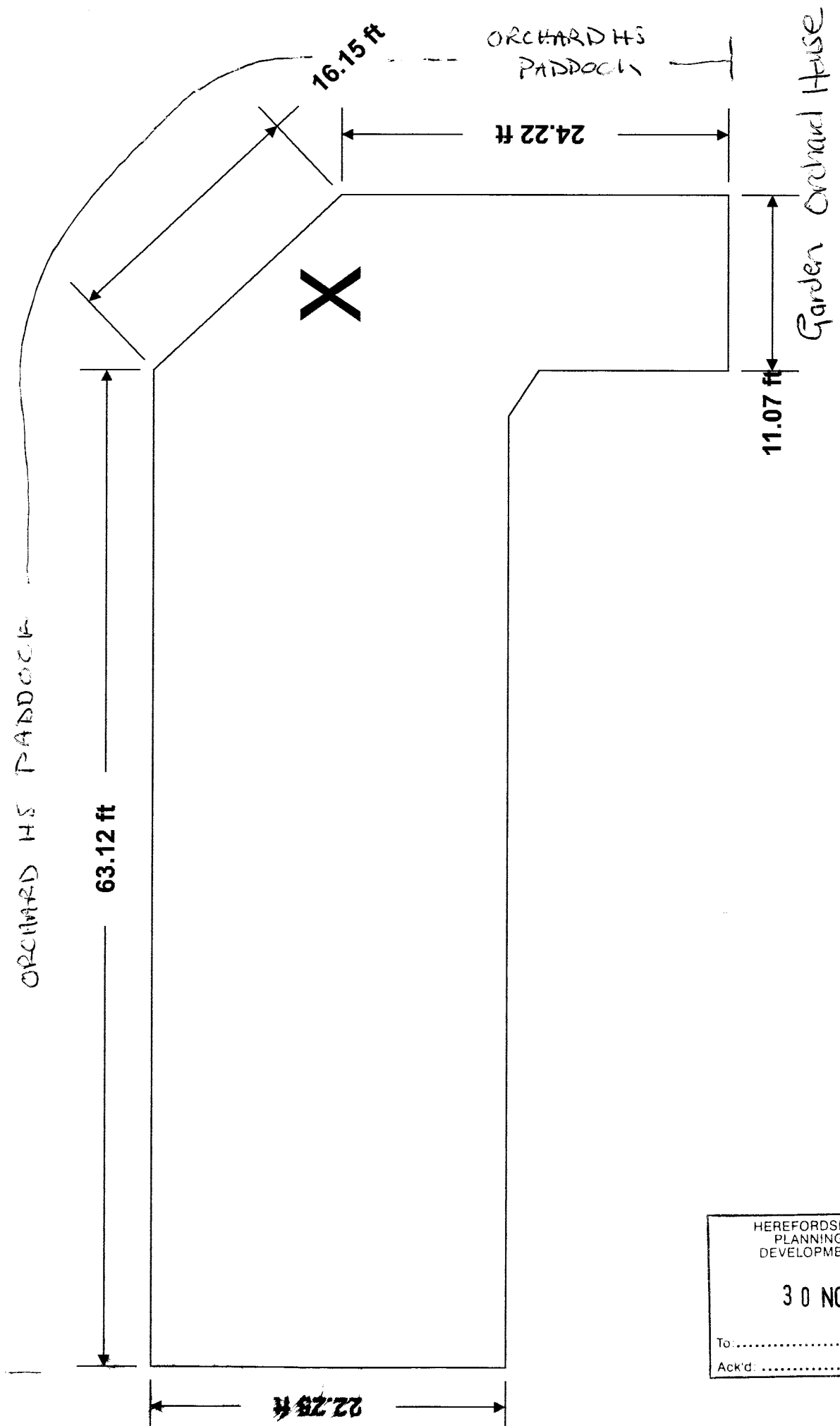
- a) Back to back gardens are not in keeping with the character of this settlement and this has already created a cramping effect.
- b) Given that our livestock have only half an acre of space we would be concerned that intensive use of the development land may prejudice our continued use of the agricultural land for livestock grazing.

Yours faithfully



Andrew and Kate Garman

HEREFORDSHIRE COUNCIL PLANNING SERVICES DEVELOPMENT CONTROL
30 NOV 2004
To:
Ack'd: File:



HEREFORDSHIRE COUNCIL
 PLANNING SERVICES
 DEVELOPMENT CONTROL

30 NOV 2004

To:

Ack'd: File:

Act'd 19/12

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