

11 DCSE2005/2651/F - CONSTRUCTION OF 32 HOLIDAY APARTMENTS AT HARTLETON FARM, BROMSASH, ROSS-ON-WYE, HEREFORDSHIRE, HR9 7SB**For: Hartleton Village Ltd per Trevor Hewett Architects, 25 Castle Street, Hereford HR1 2NW****Date Received: 10th August, 2005 Ward: Penyard and Old Gore Grid Ref: 64696, 25611****Expiry Date: 5th October, 2005**

Local Members: Councillor H. Bramer and Councillor J.W. Edwards

1. Site Description and Proposal

- 1.1 The application site is on the south-west side of Hartleton Water, one of the two man-made lakes in open countryside between Crow Hill and Bromsash. The lakes are close to the M50 motorway to the north-east. The site forms a natural amphitheatre with lines of trees along the north-western and south-western boundaries and a number of mature trees along the lakeside. There are several houses, including Hartleton, a listed former farmhouse about 100m to the north and a converted barn about 250 m to the south-east, in addition to Hartleton Farm a modern farmhouse which is within the application site. The land on both sides of the lake does not seem to be intensively used for agriculture, if at all. Access to the site is to the north-west along a long track only a part of which is tarmacadamed to the B42245 at South Herefordshire Golf Club.
- 1.2 It is proposed to erect 32 holiday chalets. The chalets would be two-storey detached buildings with one holiday unit on each floor i.e. 16 buildings in all. Each unit would comprise a two-bedroom flat with combined living/dining/kitchen and a bathroom. A first-floor balcony would project at the front of each building. Access to the first floor would be up an external staircase (one between each pair of buildings) and a short walkway. The chalets would be arranged in two informal rows: the northern row would be quite close to the lake, the southern row would be further back into the site. The chalet buildings would have a variety of external materials, with a stone plinth, boarded or rendered above with clay tile roofs. The vehicular access road would cut diagonally between the two rows to two car parking areas at the rear of the chalets, which would be linked by footpaths.
- 1.3 As submitted the proposal included a further 12 chalets in 6 buildings on the opposite bank of the lake. This part of the application has been withdrawn.
- 1.4 The scheme is intended as an alternative to an earlier proposal for 30 chalets (60 holiday units) for which outline planning permission was granted in 1988. This proposal was part of a wider leisure development at Hartleton but apart from a golf course and golf driving range (South Herefordshire Golf Club) has not been developed. Planning permission for the chalets was renewed in 1995 but for 22 chalets (44 units) as Hartleton Farm was to be built on part the original site. This was renewed again in 1999 and on appeal in 2000. Works to form an access were undertaken to implement this permission during 2003.

2. Policies

2.1 Planning Policy Guidance

PPS7	-	Sustainable Development in Rural Areas
PPS9	-	Biodiversity and Geological Conservation
PPG21	-	Tourism

2.2 Hereford and Worcester County Structure Plan

Policy TSM1	-	Tourism Development
Policy TSM2	-	Tourism Development
Policy TSM6	-	Tourist Accommodation
Policy CTC9	-	Development Criteria

2.3 South Herefordshire District Local Plan

Policy TM1	-	General Tourism Provision
Policy TM5	-	Proposals for Small Guesthouses, Bed and Breakfast And Self-Catering Accommodation
Policy TM6	-	Holiday Caravan/Chalet/Camp Parks
Policy C1	-	Development Within Open Countryside
Policy GD1	-	General Development Criteria
Policy ED8	-	Farm Diversification
Policy C9	-	Landscape Features
Policy C13	-	Protection of Local Nature Conservation Sites
Policy C14	-	Ponds and Wetlands
Policy C16	-	Protection of Species

2.4 Herefordshire Unitary Development Plan (Revised Deposit Draft)

Policy S8	-	Recreation, Sport and Tourism
Policy DR1	-	Design
Policy DR2	-	Land Use and Activity
Policy DR4	-	Environment
Policy LA2	-	Landscape Character and Areas least reliant to Change
Policy RST1	-	Criteria for Recreation, Sport and Tourism Development
Policy RST12	-	Visitor Accommodation
Policy RST13	-	Rural and Farm Tourism Development
Policy RST14	-	Static Caravan, Chalets and Camping and Touring Caravan Sites

3. Planning History

3.1	SH861405PO	New access road and 45 holiday chalets	-	Refused 18.02.87
	SH870594PO	New access road and 30 holiday chalets	-	Approved 26.09.88
	SH891228PM	30 holiday chalets	-	Approved 6.11.89
	SH931077PF	22 holiday chalets	-	Approved 10.7.95
	SS980398PF	Renewal of permission for 22 chalets	-	Approved

19.4.99

SE99/2612/F	Removal of conditions 5, 10 and 11 of -	Allowed
	SS980398PF	3.7.2000
SE2004/3958/F	Construction of 44 holiday chalets -	Withdrawn
		14.2.05

4. Consultation Summary

Statutory Consultations

- 4.1 West Midlands Regional Assembly confirms that the proposal is in General Conformity with the Regional Spatial Strategy (RSS).
- 4.2 Environment Agency has no objections to the proposed development and notes that a discharge consent has been granted for the proposed package treatment plant.

Internal Council Advice

- 4.3 Traffic Manager recommends that conditions be imposed to effect access via B4224 not off Fordings Lane which is very narrow and passing bays would need to be provided. The proposed development will affect public footpath LTR1 and the developer should ensure that the access track is of sufficient width to ensure vehicles can pass pedestrians safely. The Drainage Engineer points out that under storm conditions Rudhall Brook can flood adjacent land and it will be necessary to restrict flows from the site to that of existing run-off (10 litres/sec/ha) recommended by Environment Agency must be regarded as maximum rate and may need to be reduced.
- 4.4 The Conservation Manager comments:

"I note that units 1-12 have been removed from the scheme. In my opinion this is a positive step forward and I would not wish to raise objections from an architectural point of view.

Hartleton Water is large in scale, being approximately one kilometre in length and linear in form. It is a Special Wildlife Site, designated mainly for its bird interest but with a known use by otters, great crested newts and water voles, all protected species. The land between the lake and the M50 is described as 'Wooded Hills and Farmlands' by the County Landscape Character Assessment (LCA).

On landscape grounds, I cannot support this application. Although the site is adjacent to the farmhouse, the only other dwellings visible are two cottages on elevated ground adjacent to the M50. The development, as a whole, would greatly intensify development in the stream valley. This would be out of keeping with the sparse settlement pattern in this area. With regard to this landscape type 'Wooded Hills and Farmlands' developing housing on greenfield sites would be inappropriate. The LCA SPG states that 'Opportunities for additional housing should respect the settlement pattern and be concentrated on the existing clustered communities in order to maintain the low settlement density'.

The development would be highly visually intrusive and would have a harmful effect on the character of the countryside. The site is very prominent, because it is on a north-east facing slope. This development is very large in scale in relation to the farmhouse.

It would be readily visible from the public right of way and would thus detract from the amenity of this route. The development would therefore be contrary to Policy C1 'Development within Open Countryside' and Policy C9 'Landscape Features' of the South Herefordshire District Local Plan (1999).

Notwithstanding the above, I am aware that permission already exists for similar development on this site. The current application is an improvement in terms of design and visual impact. I have met the applicant's Landscape Architect on site and discussed the proposals with him. The submitted plans reflect these discussions. If permission is granted we will require more detailed landscape proposals and details of tree protection.

I support the removal of units 1-12 as indicated on the revised drawings. These units were situated remotely from the other proposed development and in a totally unrelated location. Notwithstanding this, my original objections to the overall development still stand. However, if permission is granted, I consider that the layout and overall landscape proposals are probably the optimum for the development of the site.

The ecological survey is deficient in many respects and does not adequately identify potential protected species issues or address impact upon them for such a large development. The survey does not provide sufficient evidence that the nature conservation value of the site and its surrounding environs is safeguarded. Recommend that proposal not be determined until comprehensive surveys are carried out for protected species together with a submission of rigorous mitigation and enhancement proposals."

4.5 Herefordshire Wildlife Trust does not consider that the ecological assessment has done enough survey to establish the presence or status of protected species particularly regarding great crested newts and otters. Evidence of otter spraint was documented in August 2005. Very strongly recommend that application be withdrawn until further, more detailed and accurate survey work is undertaken.

4.6 Director of Adult and Community Services comments that:

"We do currently have an oversupply of self-catering accommodation for the tourism industry in Herefordshire and I would be concerned if this development were to receive planning permission. I understand that planning cannot be determined on the amount of competition in the area but I feel that an application of this scale would seriously impinge on other self-catering businesses in the county. I wonder if the applicants have considered if this is going to be part of a much larger development e.g. will it be an activity centre or is it going to be a time-share development if the development is likely to be developed in this way then my comments would be more supportive."

5. Representations

5.1 The applicant's agent has submitted a Design Statement which in summary, states as follows:

(1) Background

The current scheme is a redesign of a previously withdrawn application. The changes to the design have been as a direct result of discussions with planning officers.

(2) Site Description

Both banks to the lake are on steeply sloping ground. This has had a major influence on the positioning and layout of the holiday units. The site is located adjacent to Hartleton Water. A full ecological study of the site has been made and the report has been included with the application documents. A previous application for holiday apartments was granted permission after appeal for removal of conditions (ref no APP/W1850/A/00/1039625).

(3) Design Considerations

To minimise the impact of units 13-44, they have been positioned along and follow the contours of the site. The approach is to give the effect of simple "chalets in the woods". The landscape proposal is of a deliberately "simple" nature, reinforcing the existing tree patterns and softening the edges of existing arable fields to form 'meadow' like structures. The access paths and roads will be finished in natural aggregates compatible with reasonable access. During discussions with the conservation officer, it was agreed that the colours found in the flora of the surrounds should provide inspiration for the colours used on the cladding of the apartments. The units have been designed to give a rural character using local vernacular and simple materials.

(4) Materials

A "strong" base of either local limestone or a combination of stone and render anchors the units to the landscape. A timber clad upper storey gives local character and is stained using a range of colours. Changes of plane in the timber façade give interest and depth. Timber balconies and stone piers are varied over four types (A1, A2, B1 and B2) to give further variety. Slight variation in fenestration gives interest and variety around the building. A summary of cladding materials used:

Roof	Plain clay tiles "Rosemary"
Masonry Bases	Forest of Dean limestone buttresses with rendered flank walls
Balconies	Mainly stained softwood
Paths	Bound aggregate finish – flush edges
Roads (to 13-44)	Bonded aggregate finish – no kerbs

The appearance of the apartments in summertime is of barn-like structures peeping between a fairly dense coverage of mature trees which exist at the front of both banks of the site. The colours will be an effective "camouflage" both in summer and winter.

The car parking for the development has been grouped into amorphous shapes following the existing contours very closely. The position and finish of the parking areas behind the units means that there will be very little visual impact on the landscape.

(5) Conclusion

We believe that the careful consideration of design, materials and landscape treatment have resulted in a scheme which is sympathetic to and in harmony with the surroundings.

In addition an Ecological Assessment has been submitted the conclusions of which are as follows:

Most of the habitat is improved and semi-improved species-poor grassland with small areas of broadleaved woodland. In addition the site contains two large areas of standing water. The standing water and woodlands present on site are considered to be of County value as they are habitats of ecologically viable size that are included in the Herefordshire Biodiversity action Plan (BAP). The site is considered to be of Parish value for badgers, the assemblage of breeding birds and as a bat feeding area.

The majority of habitats found on site will be retained within the development, with a small loss of semi-improved species-poor grassland (of Negligible value). The main ecological impact of the development is the proposed temporary exclusion of the subsidiary badger sett to allow access to the site for development. Exclusion will be in line with best practice guidance and is unlikely to result in any long term effect on the badger population. Mitigation measures will also help to ensure the conservation of reptiles and breeding birds. In addition, landscape proposals provide for ecologically sensitive management of areas of the site once development has been completed.

A detailed justification of the survey has also been submitted.

5.2 Linton Parish Council make the following comments:

“The Parish Council does not support this application for the following reasons:

- (1) It is a departure from the Hereford and Worcester County Structure Plan and the SHDLP. We do not consider there are any material planning considerations that would merit a departure from these plans.
- (2) The development would seriously conflict with the Environment Strategy of the Local Plan, which states in various parts that:
 - a) Development proposals must have regard to the need to maintain and enhance the environmental quality of the area.
 - b) The location of development should contribute to reducing the need to travel.
 - c) Areas of wildlife and nature conservation are to be afforded the appropriate protection. Built environment is to be of a high quality and sympathetic in scale and character with the surroundings.

We suggest this development of 44 apartments and the attendant traffic generated would negate this strategy.

- (3) This complex would not fulfil the general development criteria, Policy GD1 in respect of ‘Design and Setting’, ‘Highway and Transport’, ‘Landscape and Environmental Impact’.

We are unable to support an application that contravenes this policy.

- (4) The overall aim of the SHDLP with regard to tourism, as stated, is to encourage the development of tourism and related facilities for the benefit of both residents and visitors without detriment to the environment or disruption of community life.

The Parish Council does not consider that this holiday complex would meet this aim. It does not comply in any way with Policy TM1 general tourism provision,

Policy TM5 proposals for small guesthouses, bed and breakfast and self-catering accommodation, nor Policy TM6 holiday caravan/chalet/camp/parks.

- (5) This Planning Application would also be a departure from Planning Policies RST1, RST12 and RST14 in the emerging Herefordshire UDP.
- (6) Herefordshire Council in their SPG Landscape Character Assessment has defined this site on the 'Map of Landscape Management Objectives' as an area for 'Conservation, restoration and enhancement' furthermore Policy LA2 Landscape character and areas least resilient to change states: 'Proposals for new development that would adversely affect either the overall character of the landscape as defined by the Landscape Character Assessment and the Historic Landscape Characterisation, or its key attributes or features will not be permitted'.

The Parish Council are of the opinion that this large development would have an adverse affect on the site. We suggest that it is essential for Herefordshire Council to require an independent Environmental Impact assessment to be made.

- (7) The Ecological Assessment of land at Hartleton Farm carried out by Casella Stanger on behalf of the developer does not appear to be of a sufficiently rigorous nature to accurately assess the wildlife and the impact such a large development would have on the area. Their report under Methodology shows the contacts made to collate biological records. A member of the Parish Council spoke to Francesca Griffiths, Conservation Manager of Herefordshire Nature Trust; she had no recollection of any contact with Casella Stanger.

We consider it would be advisable for Herefordshire Council to request a further independent survey of a more reliable nature.

- (8) The main objectives for the conservation of biodiversity in planning are stated to be 'Survey and Appraise'. 'Retain and Protect'. These objectives will not be achieved if this development is allowed to proceed.
- (9) Hartleton is within the Wye Local Environment Agency Plan (LEAP) and Hartleton Water is River Ecosystem Class 3, i.e. water of fair quality suitable for high-class coarse fish populations. It does not appear from the plans that sufficient consideration has been given to the affect of extra surface water from the site or the foul water system. The outfall from the Sewage Treatment Plant serving units 1-12 would flow directly into Hartleton Water. If the anticipated performance of this sewage treatment plant is comparable to the existing plant serving the present buildings on the south side of the lake, which discharges into the Rudhall Brook below Drummonds Dub, then this situation is totally unacceptable. The effluent from the existing plant, which must be working at very much below design capacity, is polluting the brook. The proposed action of LEAP is to promote a sustainable approach to land management that improves landscapes, habitats and water quality. It further states that the whole of the Wye LEAP area is of great natural beauty and its protection needs to be given high priority to ensure its maintenance for future generations. To give planning permission for this holiday complex would completely jeopardise these aims.

- (10) It has also been noted that the Wye Lea holiday centre, which is approximately 5 miles from the Hartleton site has failed to create a viable business and has been given planning permission for a change of use to retirement homes. Therefore it is unlikely that 44 holiday apartments at Hartleton would be an economic proposition for any developer. Herefordshire Council's tourism officer is reported to have told Planning Officers that there is an over-supply of this kind of holiday accommodation and that fewer people are taking this kind of break. If planning permission is given for the holiday complex at Hartleton it seems likely that it will prove to be unviable and attempts would be made to obtain a change of use to residential property and the apartments marketed as individual permanent dwellings – to the detriment of the area. It would mean that a beautiful unspoilt valley with a public footpath running along its length would be lost forever.

The Parish Council has received numerous letters, telephone calls and visits from parishioners who object very strongly to this development and these have been taken into account. At a public meeting last week the large number of parishioners attending were asked if anyone wished to speak in favour of the development, no one wished to do so.

However, whilst taking all submissions into account Linton Parish Council has considered this application in accordance with the South Herefordshire Local Plan and Supplementary Planning Guidance. Our conclusion is that there are no other material planning considerations to be taken into account. This application is considered to be an over development of the site which, if allowed would be an unacceptable departure from all the relevant planning policies and should be refused.”

5.3 Upton Bishop Parish Council make the following comments:

“We are completely opposed to this application. The project, if it goes ahead, will create a new settlement in the open country and is contrary to the parish plan and the adopted planning policies of the Herefordshire Council. The traffic implications are considerable as the road to the project is already very busy and the Parish council is already looking into traffic calming. Due to our concerns a public meeting is to be held so members of the public can express their views.

The Parish Council are still completely opposed to this [amended] application for the reasons stated. Also we believe that the original planning was with the South Herefordshire District Council and do not feel that it can be renewed 4 times. The ecological report authorship is doubtful. This we feel must be treated as a new application.”

5.4 Upton Bishop Parish Council also reports a public meeting held on 5th September 2005 and attended by 48 members of public plus some Councillors. The general consensus was that size of development would be detrimental to the area, ecological impact would be devastating and excess traffic would raise serious safety issues. Specific concerns (in summary) included:

- (1) development in open countryside contrary to parish plan and adopted council policies,
- (2) ecological report not wholly satisfactory - Council should carry out own survey,

- (3) increase in traffic a major concern both on lane leading to site and through village of Upton Bishop,
- (4) what stops permanent residential and how enforced?
- (5) original proposal would bring employment to the area - no longer the case, so what benefit to local communities?

5.5 46 letters have been received including a letter from Paul Keetch MP plus a petition with 140 signatures objecting to the proposed development. In summary the main reasons are as follows:

- (1) there can be no justification for a development of this size in a rural location of natural beauty - it is too dense and out of proportion with the area,
- (2) the natural beauty of the lakes would be ruined by this intrusive and highly visible development, completely out of character; one objector referred to visual sprawl along M50 margins,
- (3) quietness and tranquillity would be lost - a fragile habitat currently enjoyed by locals, people, wildlife enthusiasts, anglers, walkers,
- (4) all 10 nearby houses are of stone (sandstone not limestone) and two-storey timber-clad buildings would be at odds with these historic/listed buildings,
- (5) original stone chalets would blend in but now totally changed in materials, design, positioning and purpose; unimaginative,
- (6) landscaping proposal only indicative - full plans required before a decision can be made,
- (7) would destroy wildlife and their habitats - construction works and activities of holidaymakers (noise, lights, fishing, boating, jet skis?),
- (8) a special wildlife site and a County Value Site in Herefordshire Biodiversity Plan and deserves protecting - value important to wildlife has been increasing,
- (9) many objectors do not accept conclusions of Ecological Survey that no real harm and contradict the findings - there are otters, water vole and great crested newts (all endangered); a profusion of bird life (Herefordshire Ornithological Club refers to 56 breeding species including species on amber and red lists; survey either at wrong time or too superficial e.g. too late to hear 5 species of breeding warblers as they stop singing by mid-June
- (10) only large still water in area that could attract water fowl and passage waterside birds - any disturbance would move these birds from County,
- (11) any problems during construction or later e.g. leaking oil tank, rubbish will pollute the lake and cause ecological disaster,
- (12) traffic problems are a further major concern - inadequate local road network with busy, fast and dangerous stretch of road between Bromsash and Upton Bishop (B4224),
- (13) proposed access at golf club has dangerous access with limited visibility onto B4224,
- (14) track from access is 1.2 km long and with lots of children at PGL site - also follows along public footpath (LTR1) and potential danger to children, horse riders, anglers etc. Could be 100 plus cars using this track on change over day,
- (15) how will much shorter route via Fordings Lane be prohibited? This is single track, with no passing places but avoids 3 mile detour to shops and already used by workers at Hartleton Farm and have been minor accidents,
- (16) proposal is radically different from original proposal and changes in local plan forbid acceptance today - it is totally contrary to Development Plan, failing the tests of TM1 (in particular that development is small scale, can be absorbed into landscape and not visually intrusive, adequate road network, no adverse affect on amenity of surrounding land users) and TM5 only allows new building in villages or to complement existing accommodation,

- (17) also contrary to national advice PPS7 and PPS9,
- (18) serious doubts that can limit use to holiday accommodation - currently being marketed and some objectors think these chalets will be second homes (only way to make scheme viable) and will become full time homes in due course, as has happened elsewhere,
- (19) need for development has not been demonstrated - it is not farm diversification, will not bring local employment (as original wider scheme would have done) or benefits to local economy and is not sustainable,
- (20) maintenance in longer term is of concern.

- 5.6 One letter has been received stating that the proposal would not appear to affect the interests of the Open Spaces Society.

The full text of these letters can be inspected at Southern Planning Services, Blueschool House, Blueschool Street, Hereford and prior to the Sub-Committee meeting.

6. Officers' Appraisal

- 6.1 Policy C1 of South Herefordshire District Local Plan (SHDLP) includes sustainable tourism as one of the possible exceptions which can be allowed in open countryside. However Policy C1 states that the overall aim for the countryside is to conserve its natural beauty and amenity and new development needs special justification. This is qualified further by the policies relating to tourism. Thus Policy TM1 lists a number of criteria that all tourism developments must meet. In particular development must be small scale, be absorbed into the landscape and not be visually intrusive. Although reduced in size since its original submission these 16 two-storey units cannot be considered to be small scale. The proposals as regards design, materials, layout and car parking have been well thought out and as noted above the Conservation Manager accepts that they would be appropriate and would minimise their visual impact. Nevertheless a scheme of this size would not be absorbed into the landscape but would be visually intrusive. There is a public footpath between the site and the lake from which the chalets, on slightly higher ground would be fully in view. Screening would not be practicable and would at least partially obscure the views of the lake which is one of the attractions of the site for holiday accommodation. The development would also be visible over a much wider area.
- 6.2 Furthermore Policy TM5 limits new building for tourism accommodation to villages. This limitation does not apply to chalet parks (Policy TM6). The policy does not define 'chalets' and it is not clear that these substantial buildings, which would not be prefabricated or brought onto the site fully constructed, fall within the scope of this policy. Nevertheless the criteria for acceptable development under this policy would not be met which regard to scale, harmonising into the landscape and not being visually intrusive.
- 6.3 In view of the Conservation Manager's comments and the independent views of other responsible wildlife organisations, as well as keen amateur naturalists, there is serious doubt regarding the adequacy of the ecological survey and consequently of the conclusions of the study. Consequently policies regarding nature conservation (C13 and C14) have not been met.
- 6.4 Access would be along the track towards the golf club rather than to Fordings Lane. It is accepted that enforcement of a condition proscribing access to Fordings Lane would be difficult unless some physical barrier could be erected. The Traffic Manager is

satisfied that the access to the B4224 by the golf course has adequate visibility. The traffic generated by these 32 units would not result in such high volumes that the safety of pedestrians and other users would be prejudiced. The proposal would not be sustainable however in the sense that there is no public transport link and that existing buildings would not be re-used.

- 6.5 It is concluded that the proposal conflicts with current Development Plan policies. The earlier proposal was also considered to be a departure from the Development Plan and referred to the Secretary of State. In these circumstances it is necessary to consider whether there is special justification to make an exception to the development plan. Planning permission has been granted for a comparable development (22 chalets with up to 44 holiday units) which the applicant has sought to implement. This is therefore a material consideration. The two schemes are very different architecturally, as the earlier scheme comprises terraces of stone buildings with slate roofs. These would match other buildings in the locality in materials and to a degree in design. Nevertheless the current scheme is well designed and probably more appropriate for holiday accommodation than the stone buildings which would look more permanent and more suited to a village. The external materials of the new proposal, particularly wooden boarding would be typical of non-residential buildings in the countryside. It would also be laid out to take account of the contours and to minimise the visual impact of car parking and access road. In comparison the approved scheme involves prominent covered car parking. Furthermore the scheme is smaller being limited to the site next to Hartleton Farm whereas that approved also includes an additional 6 chalets (12 units) actually on the lakeside, in a prominent location near the north-eastern end of Hartleton Water. The landscaping scheme now proposed would do more to retain the distinctive character and habitats of this attractive area than the approved landscaping. The current proposal therefore has a number of advantages over that approved. Overall I consider that it is a better scheme.
- 6.6 It has been questioned however whether the approved scheme would ever be built. There are some pointers to this. The cost of the development would be considerable (natural stone and slate) and the original permission was granted 17 years ago and has not been built (only very limited works were undertaken in order to keep the permission alive). In addition there appear to be practical difficulties in building the approved layout. It is also questioned in the representations whether the permission was implemented, as the access is that shown on the landscaping drawings rather than the approved layout.
- 6.7 If one of these schemes is constructed there would be distinct advantages favouring the new proposal. There is doubt however, although no certainty, whether the earlier development would be built. Both these considerations need to be weighed in making a decision. On balance it is recommended that permission be refused as the new proposal is clearly contrary to current policies.

RECOMMENDATION

That planning permission be refused for the following reasons:

- 1 The proposed development, because of its size and location, would be very prominent and visually intrusive and thereby harm the character of the countryside. The proposal would conflict therefore with the Council's policies for tourism, in particular TSM1 and TSM6 of Hereford and Worcester County**

Structure Plan, TM1, TM5, TM6 and C1 of South Herefordshire District Local Plan and RST1, RST12, RST13 and LA2 of Hereford Unitary Development Plan (Revised Deposit Draft).

- 2 The Council is not satisfied that the Special Wildlife Site has been adequately surveyed and the mitigation proposed may not be adequate to protect the nature conservation interest of the site. The proposal conflicts therefore with Policies C13, C14 and C16 of South Herefordshire District Local Plan and Policies NC1, NC4, NC5, NC7 and NC9 of Hereford Unitary Development Plan (Revised Deposit Draft).**

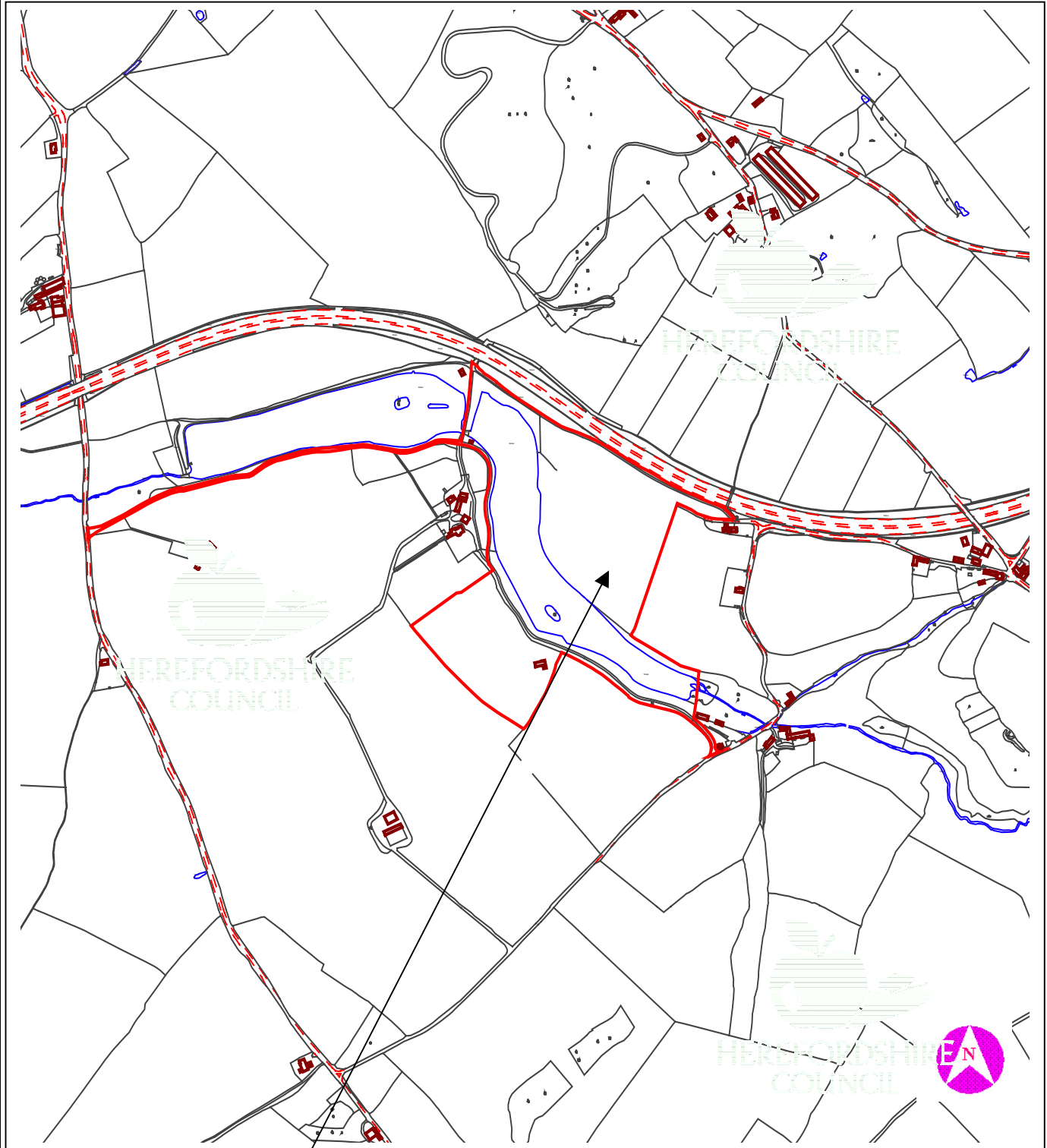
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCSE2005/2651/F

SCALE : 1 : 10000

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