

**17 DCNC2005/2341/F - 3 NO. HOLIDAY CHALETs AT
BROXMERE, BODENHAM, HEREFORD,
HEREFORDSHIRE, HR1 3JB****For: Mr & Mrs James per Derrick Whittaker Architects
1 Fargeon Close New Mills Ledbury Herefordshire
HR8 2FU****Date Received:****15th July 2005****Expiry Date:****9th September 2005**

Local Member: Councillor K. Grumbley

Ward: Hampton Court**Grid Ref:****55992, 49971****DT/CR****1. Site Description and Proposal**

- 1.1 Broxmere is located on the west side of the unclassified 94017, a narrow lane that runs south of the A417 across Maund Common. To the rear and within the residential curtilage of Broxmere is a disused poultry shed, and a stable. The site is located in open countryside and within a flood plain.
- 1.2 This application proposes to replace the poultry shed with a building of the same size to provide three holiday chalets each accommodating sitting/kitchen, bedroom and bathroom. The chalet is to be constructed in weatherboarding under a shingle roof. Parking for three vehicles is also proposed.
- 1.3 Foul drainage will be to a Klargestor Bio-disc that will be located to the north side of the chalets with run-off drainage onto adjoining land that is within the ownership of the applicant.

2. Policies**2.1 Leominster District Local Plan (Herefordshire)**

Policy A.1: Managing the District's Assets and Resources

Policy A.2: Settlement Hierarchy

Policy A.9: Safeguarding the Rural Landscape

Policy A.15: Development and Watercourses

Policy A.39: Holiday Chalet, Caravan and Camping Sites

2.2 Hereford and Worcester County Structure Plan

TSM1: Criteria for Tourism Related Development

TSM6: New Holiday Chalets

CTC9: Development Criteria

2.3 Herefordshire Unitary Development Plan (Revised Deposit Draft)

RST1: Criteria for Recreation, Sport and Tourism Development
RST13: Rural and Farm Tourism Development
RST14: Static Caravans, Chalets, Camping and Touring Caravan Sites
DR7: Flood Risk

PPS1: Delivering Sustainable Development
PPS7: Sustainable Development in Rural Areas
PPG21: Tourism
PPG25: Development and Flood Risk

3. Planning History

95/0361/N – Extension – Approved 12 June 1995

4. Consultation Summary

Statutory Consultations

4.1 Environment Agency: No in principle objection

Internal Council Advice

4.2 Traffic Manager: No objection

4.3 Conservation Manager: No objection

5. Representations

5.1 Bodenham Parish Council:

“The applicants propose to erect three new holiday chalets of oak frame and timber weatherboard construction under a tile hung roof within the garden curtilage of Broxmere which is situated on the west side of the unclassified lane leading from Maund Bryan to Upper Maund. Foul water would be to a Bio Disc mini-treatment plant then via spreader drains across land to the north of the site which is in the applicant's ownership.

It is likely that the proposal will be appraised with reference to three principle Local Plan policies i.e.:

- A9 Conserving & Enhancing the Rural Landscape
- A24 Scale & Character of Development &
- A39 Holiday Chalets, Caravans & Camping Sites

Also of relevance is emerging UDP policy RST12 “Visitor Accommodation” which states *“Outside of identified settlements, the provision of permanent serviced or self-catering accommodation for visitors will only be permitted if it consists of the re-use and adaptation of a rural building”*. In a recent appeal case (DCNC2004/2409/F) involving a proposal to build three holiday log cabins 1.5km to the west of Luston the Planning Inspector, in dismissing the appeal, laid stress on the content of national Planning Position Statement 7 “Sustainable Development in Rural Areas” paras. 30 to 40 and in particular on para.37, Tourist Accommodation, which states *“The Government expects most tourist accommodation requiring new buildings to be*

located in, or adjacent to, existing towns or villages". The Inspector also agreed with the Local Planning Authority reasons for refusal in that case i.e. that the erection of holiday cabins in a relatively isolated rural location would intensify the sparse pattern of development so as to detract from the remote character and visual amenities contrary to the Local Plan policies mentioned above.

Broxmere is also located approx. 1.5km from Bodenham (2km to the Post Office) with a similarly sparse pattern of local development. Although it may be thought that a single accommodation block of the design proposed would be more in sympathy with the rural surroundings than log cabins it may also be felt that it would, nevertheless, be visually intrusive in this relatively flat but attractive landscape close to Maund Common to the north & Upper Maund Common to the south. Landscape protection is one of the central themes of policy A9 and PPS7.

Response by Parish Councillors

Following a discussion at the latest Parish Council meeting there were doubts as to whether the development would be visually intrusive. The general view of Councillors was that they had no objections to the plans. At the same time, they were aware that the Holiday Chalets would be outside the Bodenham Development area, and did not see that there were any special circumstances for supporting the application".

5.2 Objection received from D.S. Jenkins, 31 Friar Street, Hereford.

(a) The site is located in a flood plain, the former Leominster District Council would not have permitted development for this reason.

(b) The adjoining road network is very narrow.

5.3 The applicant has said:

(a) Leominster Tourist Board agree there is little accommodation of the type we propose in our area, largely due to the closure of two established concerns in recent months.

(b) Brockington Golf Club, approximately one mile away, has recently upgraded and acquired a licence for weddings. They have in principle agreed it will be advantageous to us both to recommend us to any guests they cannot accommodate.

(c) We are well placed for Herefordshire and the surrounding Counties finest tourist attractions - Hereford, Ludlow, Ledbury, Bromyard, Worcester, Gloucester and we are also close to high quality restaurants.

(d) As the business grows I foresee the need to employ additional help, creating employment for the local area.

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

6. Officers Appraisal

6.1 Policy A.9 of the Leominster District Local Plan (Herefordshire) seeks to conserve and enhance the beauty and amenity of the rural landscape by, among other matters, paying particular regard to the design, the scale, character and location of development proposals to ensure that they do not detract from the quality and visual appearance of the landscape within which they sit. PPS7 contains national policy, in that new building development in the open countryside away from existing

settlements should be strictly controlled. The diversification into non-agricultural activities is vital to the continuing viability of many farm enterprises and be supportive of well conceived farm diversification schemes.

- 6.2 The main matter and issue is whether or not this proposal would constitute a justifiable and acceptable form of new build development in the open countryside. In this case it is proposed to replace a disused poultry house with a building of the same size to provide holiday accommodation.
- 6.3 The site is in the open countryside with only a sparse scattering of development (a few houses and farms) in the vicinity. It has a remote quality. In this case the proposed development will visually and physically relate to other development in this location.
- 6.4 While, the site is located within a flood plain Zone 1 – Little or no risk - (at the edge of flood Zones 2 – Low to medium risk, and 3 – High risk) the Environment Agency advises that this is outside of the high-risk flood area. However, the EA has raised concern that access from the development onto the lane lies within flood Zone 3 (1% annual probability) thus preventing dry access to when such a flood event. The applicant has been able to demonstrate the route of a dry access, on the south west entrance to the chalets onto adjoining farm land then in a north west direction towards Maund Bryan House and onto Watery Lane. The Environment Agency has advised the access route is outside the 1% flood risk. Accordingly they have raised no objection to the proposal.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

1 - A01 (Time limit for commencement (full permission))

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990.

2 - A09 (Amended plans)

Reason: To ensure the development is carried out in accordance with the amended plans.

3 - B01 (Samples of external materials)

Reason: To ensure that the materials harmonise with the surroundings.

4 - E31 (Use as holiday accommodation)

Reason: The local planning authority are not prepared to allow the introduction of a separate unit of residential accommodation, due to the relationship and close proximity of the building to the property known as Broxmere.

5 - F18 (Scheme of foul drainage disposal)

Reason: In order to ensure that satisfactory drainage arrangements are provided.

Informative:

1 - N15 - Reason(s) for the Grant of PP/LBC/CAC

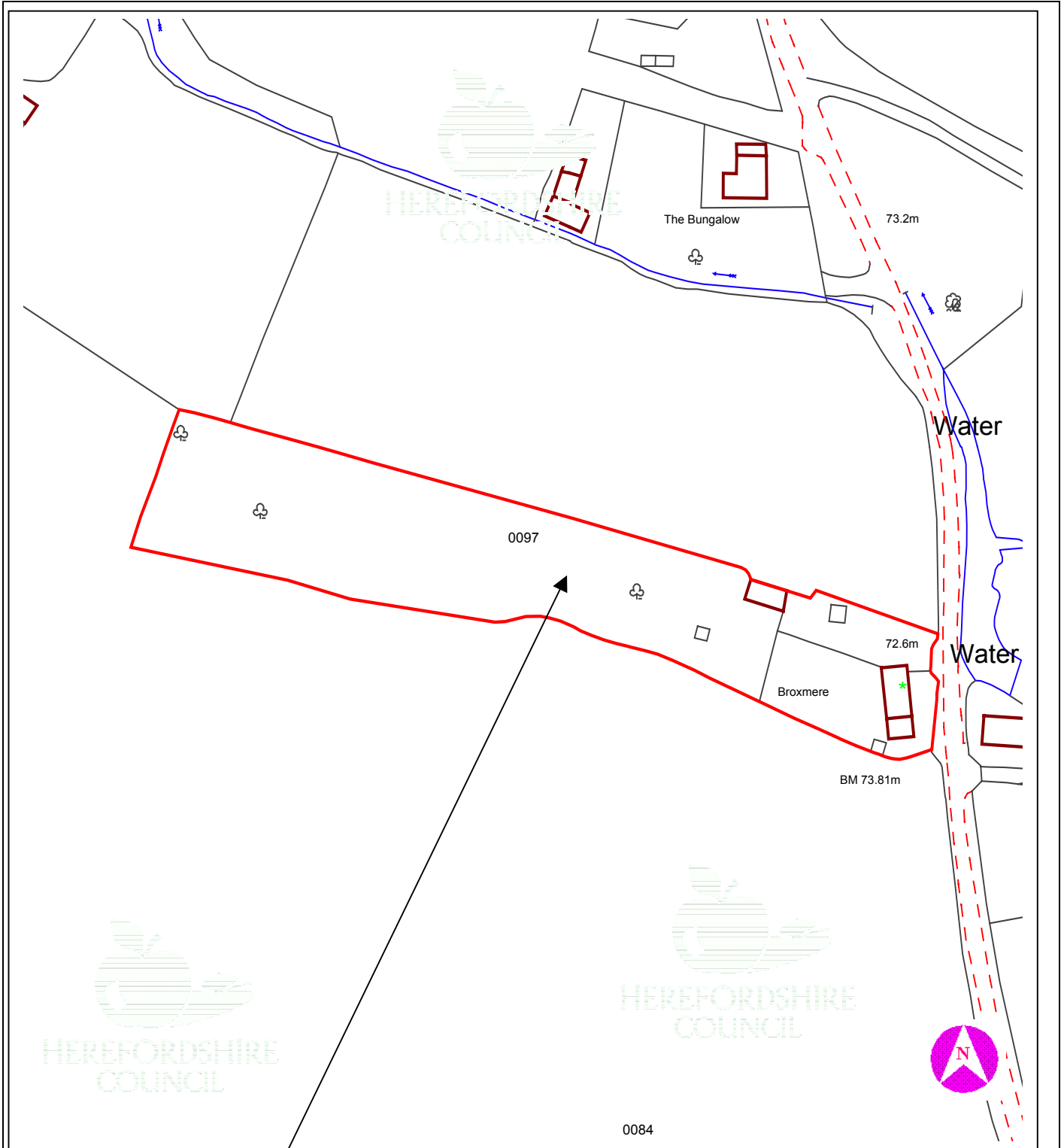
Decision:

Notes:

.....

Background Papers

Internal departmental consultation replies.



This copy has been produced specifically for Planning purposes. No further copies may be made.

APPLICATION NO: DCNC2005/2341/F

SCALE : 1 : 1250

SITE ADDRESS : Broxmere, Bodenham, Herefordshire, HR1 3JB

Based upon the Ordnance Survey mapping with the permission of the controller of Her Majesty's Stationery Office, © Crown Copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Herefordshire Council. Licence No: 100024168/2005