

7 DCCW2005/2579/F - CHANGE OF USE FROM AGRICULTURAL TO A ONE FAMILY GYPSY CARAVAN SITE, PERMISSION FOR 2 CARAVANS AND STABLE BLOCK AT ASHGROVE CROFT, MARDEN, HEREFORD, HR1 3HA

For: Mr. R. Jones, Ashgrove Croft, Marden, Hereford, HR1 3HA

Date Received: 8th August, 2005 Ward: Sutton Walls Grid Ref: 54016, 49365

Expiry Date: 3rd October, 2005

Local Member: Councillor J.G.S. Guthrie

Members will recall that the determination of this application was deferred at the Central Area Planning Sub-Committee meeting of 19th October, 2005 in order for a site visit to be held. The site visit took place on 1st November, 2005.

1. Site Description and Proposal

- 1.1 The application site is comprised of approximately 0.4 hectares of agricultural land, which forms part of a total holding of 1.6 hectares, located on the north side of an unclassified road which leads to the hamlet known as The Vault, situated approximately 1.5 kilometres to the southwest of the village of Bodenham.
- 1.2 The application seeks retrospective approval for the siting of a residential caravan, accompanied by a smaller touring caravan, which the applicant requires to continue their nomadic lifestyle. The application also proposes the erection of a small stable block, together with the laying out of an access track and parking area.
- 1.3 The application is submitted with an accompanying statement, which sets out the applicant's status as gypsies and their reason for resorting to the application site. It includes three letters of support and reference to the personal circumstances of the applicant's family.

2. Policies

2.1 Government Guidance:

PPG3	-	Housing
PPG7	-	The Countryside – Environment Quality and Economic and Social Development
PPG12	-	Development Plans
Circular 1/94	-	Gypsy Sites and Planning
Circular 18/94	-	Gypsy Sites Policy and Unauthorised Camping and Associated
Revision of Advice on Tolerance Camping.		A Good Practice Guide issued February 2004

2.2 Hereford and Worcester County Structure Plan:

Policy H16A	-	Development Criteria
Policy H20	-	Residential Development in Open Countryside
Policy G1	-	Provision of Sites
Policy G2	-	Location of Sites
Policy RC2	-	Locational Requirements
Policy CTC9	-	Development Criteria

2.3 South Herefordshire District Local Plan:

Policy GD1	-	General Development Criteria
Policy SH1	-	Housing Land Supply
Policy SH11	-	Housing in the Countryside
Policy SH14	-	Siting and Design of Buildings
Policy SH25	-	Gypsy Caravan Sites

2.4 Herefordshire Unitary Development Plan (Revised Deposit Draft):

Policy S1	-	Sustainable Development
Policy S2	-	Development Requirements
Policy S3	-	Housing
Policy DR1	-	Design
Policy DR2	-	Land Use and Activity
Policy H7	-	Housing in the Countryside Outside Settlements
Policy H12	-	Gypsies and Other Travellers

2.5 Herefordshire Council Travellers policy – adopted in November 2002

3. Planning History

3.1 None relevant.

4. Consultation Summary

Statutory Consultations

4.1 None required.

Internal Council Advice

4.2 Traffic Manager: no objection, subject to the imposition of standard conditions.

4.3 Head of Environmental Health and Trading Standards: no objection.

4.4 Conservation Manager – The present location of the mobile home on the western side of the site gives rise to a modest impact on the visual amenity of the rural landscape, which can be overcome by relocating the siting to the east supplemented by a landscaping scheme.

5. Representations

5.1 Marden Parish Council: objection, summarised as follows:

- The application is retrospective.
 - The site is not within reasonable distance of local services.
 - The site is not adequately screened.
 - No evidence that the family is nomadic.
 - If this application was for a house and not gypsy accommodation, it would be refused.
- 5.2 One letter of objection has been received from Mr. Wingfield, The Headlands summarised as follows:
- The application is retrospective.
 - Loss of visual amenity within the open countryside.
- 5.3 A non-committal letter was also received from Mr. Priday, The Old Vicarage, which questioned whether or not the application site is served by mains water, the enquires about the suitability of any proposed drainage scheme.
- 5.4 Three general letters of support also accompanied the application from Mr. Bache, 1 & 2 Bowley Cottages; Mr. Troia, The Nook and Mr. Linton, Rowberry Court.

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

6. Officers Appraisal

- 6.1 The application site is located in an area of open countryside, outside of any identified settlement boundary, in either the adopted Local Plan or the emerging Unitary Development Plan, where residential development will not normally be permitted unless exceptional circumstances can be demonstrated.
- 6.2 Policy SH25 of the South Herefordshire District Local Plan makes specific provision for gypsy caravan sites, provided there is an identifiable need, and that the proposal is otherwise in accordance with relevant policies.
- 6.3 Independent confirmation has been received from the West Midlands Consortium Education Service for Travelling Children that Mr. & Mrs. Jones are of a traveller background having been previously known to the project officer for approximately 30 years.
- 6.4 It is considered that this information substantiates the documentation which accompanies the application indicating that Mr. & Mrs. Jones were born and bred into the local traveller community with relatives continuing to live in the Herefordshire area on other sites or having been now settled in permanent accommodation.
- 6.5 In light of the above, it is considered that the application can legitimately be considered against the provisions of Policy SH25 which deals specifically with Gypsy Caravan Sites.

- 6.6 Therefore key issues for consideration are the acceptability of the location of the application site in terms of sustainability and the associated visual impact of the residential caravan and associated structures on the character and appearance of the locality.
- 6.7 Whilst outside the settlement boundary, the site is located within reasonable proximity to Bodenham, which provides access to local services including a shop, public transport and a school which is attended by the applicant's younger daughter. Approximately 3 kilometres to the south Marden offers a similar range of services. The applicant's three elder children attending Minster School in Leominster, travelling via the school bus service which serves Bodenham and its surrounding area.
- 6.8 The application seeks consent for the stationing of one static and one mobile caravan and is therefore considered to be of a limited scale in terms of its effect upon the character and visual amenity of the area, the impact of which can be further reduced by conditions requiring the provision of a comprehensive landscaping scheme.
- 6.9 In conclusion, the supporting information satisfactorily sets out the genuine need of the development, and it is not considered that the impact and the effect of the development upon the visual amenities of locality would represent justifiable grounds for refusal in this instance.

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. Within two months of the date of this permission a layout plan for the re-siting of the mobile home, touring caravan and associated structures onto the eastern side of the application site shall be submitted to and approved by the local planning authority. The relocation of these structures shall be undertaken with a timescale to be agreed in writing with the local planning authority and shall thereafter be retained in the approved locations.**

Reason: In order to protect the visual amenities of the area.

- 3. This permission shall enure for the benefit of Mr. Ronald Jones and Mrs. Dorothy Jones only and not for the benefit of the land or any other persons interested in the land.**

Reason: The nature of the development is such that it is only considered acceptable in this location having regard to the applicant's special circumstances.

- 4. This permission relates to the siting of one mobile home and one touring caravan only. No other units of accommodation shall be brought onto, or occupied, on the site.**

Reason: The nature of the development is such that it is only considered acceptable in this location having regard to the applicant's special circumstances.

5. E11 (Private use of stables only).

Reason: In order to safeguard the residential amenity of the area.

6. Within two months of the date of this permission, details of the proposed foul and surface water drainage arrangements shall be submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented within three months of that written approval.

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

7. F32 (Details of floodlighting/external lighting).

Reason: To safeguard local amenities.

8. G09 (Retention of trees/hedgerows).

Reason: To safeguard the amenity of the area.

9. Within two months of the date of this permission details of a scheme of landscaping shall be submitted to and approved by the local planning authority, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of development and any necessary tree surgery. All proposed planting shall be clearly described with species, sizes and planting numbers.

Reason: In order to protect the visual amenities of the area.

10. G05 (Implementation of landscaping scheme (general)).

Reason: In order to protect the visual amenities of the area.

11. H05 (Access gates) (5 metres).

Reason: In the interests of highway safety.

12. H06 (Vehicular access construction).

Reason: In the interests of highway safety.

Informatives:

1. N01 - Access for all.
2. HN01 - Mud on highway.
3. HN05 - Works within the highway.

4. N15 - Reason(s) for the Grant of PP.

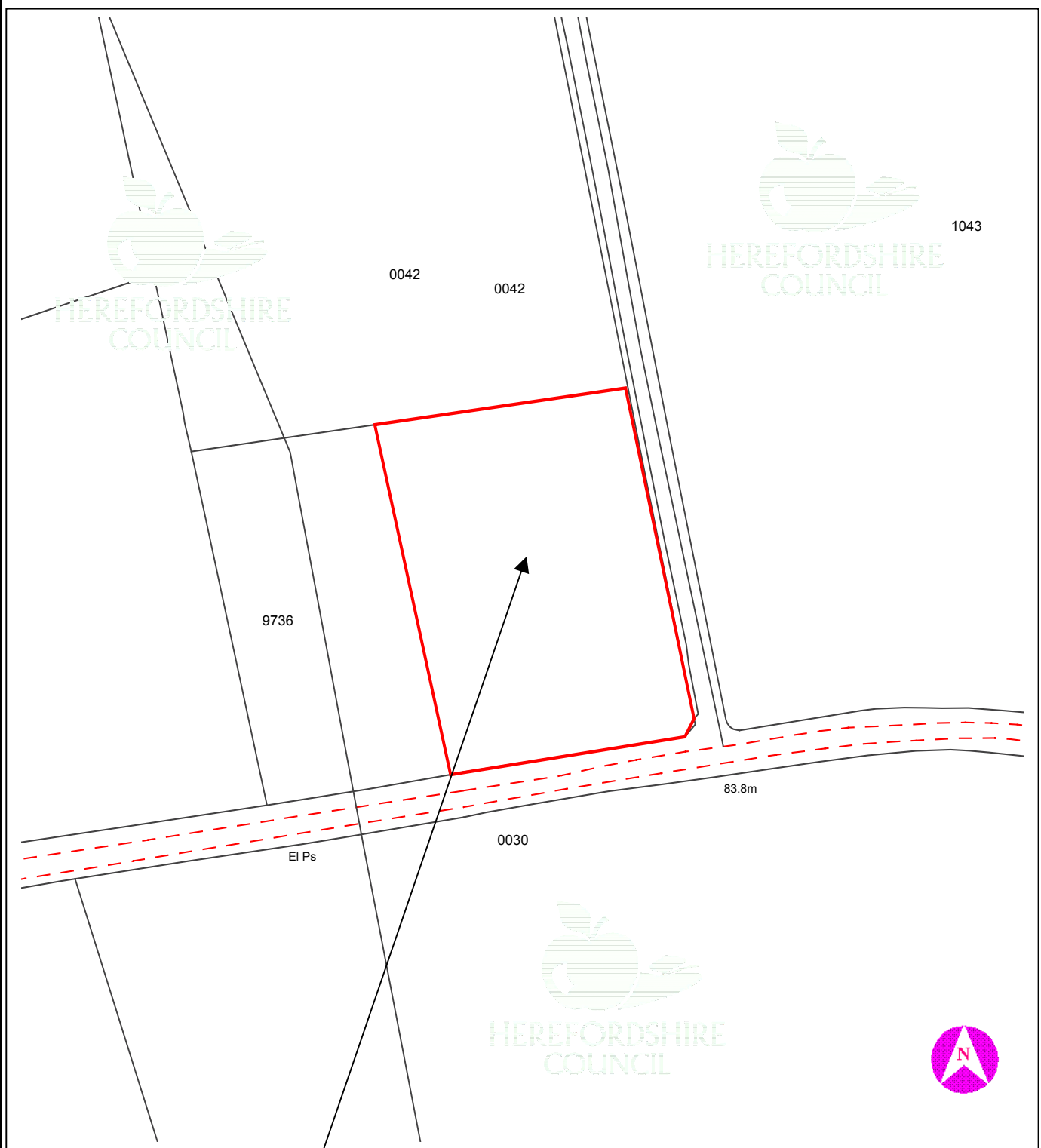
Decision:

Notes:

.....

Background Papers

Internal departmental consultation replies.



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

APPLICATION NO: DCCW2005/2579/F

SCALE : 1 : 1250

SITE ADDRESS : Ashgrove Croft, Marden, Hereford, HR1 3HA

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