

12 DCNW2006/0444/F - CHANGE OF USE FROM GARDEN CENTRE TO HOLIDAY CHALET DEVELOPMENT. ERECTION OF FIVE HOLIDAY CHALETS AT AYMESTREY HOUSE GARDEN CENTRE, AYMESTREY, LEOMINSTER, HEREFORDSHIRE, HR6 9ST

**For: Mr & Mrs K Williams, Reed Architects LLP,
Herongate, Carmel Court, Presteigne, Powys, LD8 2LD**

Date Received:
14th February 2006

Ward: Mortimer

Grid Ref:
42477, 65176

Expiry Date:
11th April 2006

Local Member: Councillor Mrs O Barnett

1. Site Description and Proposal

- 1.1 The site for the proposal development is presently in use as a retail garden centre trading to members of the public, from where direct access is obtained onto the A4110 public highway.
- 1.2 On site are a range of glasshouses used for the propagation and storage of plants, as well as a timber framed structure used for the display of gardening accessories and as the base for the retail shop.
- 1.3 To the rear of these structures is an area of open land that rises slightly from the rest of the application site and faces east. On the other side of the rear boundary is farmland and woodland.
- 1.4 On part of the application site alongside its frontal section is the applicants residential dwelling occupied by themselves. This dwelling is of substantial proportions, of external brick construction under a tiled roof, this dwelling although not listed, has significant historic charm being of the Queen Anne/Georgian period. Situated on both the northern and southern sides of the application site are other residential dwellings outside the control of the applicant.
- 1.5 The application proposes change of use of the site to a holiday chalet development for the siting of five holiday chalets of various sizes ranging from a one bedroomed unit to two three bedroomed units.
- 1.6 As part of the application the applicant has submitted a report from Hoseasons Holidays Limited, which states that the proposed 5 Swedish round log lodges will be supplied by First Leisure and that they will be sited in a superb location that will be extremely popular with their customers and that there is currently a shortage of this form of development in this part of rural Herefordshire, where demand for the most outweighs supply.

2. Policies

2.1 Leominster District Local Plan

Policy A1 – Managing the District's Assets and Resources
Policy A2(D) – Settlement Hierarchy
Policy A9 – Safeguarding the Rural Landscape
Policy A23 – Creating Identity and an Attractive Built Environment
Policy A24 – Scale and Character of Development
Policy A38 – Rural Tourism and Recreational Activities
Policy A39 – Holiday Chalet Caravan and Camping Sites
Policy A54 – Protection of Residential Amenity

2.2 Herefordshire Unitary Development Plan (Revised Deposit Draft)

Policy S1 – Sustainable Development
Policy S2 – Development Requirements
Policy S8 – Recreation, Sport and Tourism
Policy DR1 – Design
Policy DR2 – Land Use and Activity
Policy E5 – Safeguarding Employment Land and Buildings
Policy E11 – Employment in Smaller Settlements and Open Countryside
Policy LA6 – Landscaping Schemes
Policy RST12 – Visitor Accommodation
Policy RST13 – Rural and Farm Tourism Development
Policy RST14 – Static Caravans, Chalets, Camping and Touring Caravan Sites
Policy CF2 – Foul Drainage

3. Planning History

- 3.1 99/2021/F – Change of use of flat to tea rooms with internal alterations, addition of glazed entrance doors and provision of car parking for an additional 12 cars – Approved 02/09/1999

4. Consultation Summary

Statutory Consultations

- 4.1 Welsh Water (DWR Cymru) raises no objections to the proposed development.

Internal Council Advice

- 4.2 Environmental Health Manager has no objection subject to the inclusion of three conditions to be attached to any subsequent approval notice issued.
- 4.3 Minerals and Waste Officer raises no objections.
- 4.4 Highways Manager raises no objections to the proposed development.
- 4.5 The Council's Tourism Development Manager has responded to the application stating:

"I would strongly object to this application to develop further self catering accommodation that is more than adequately supplied with this type of accommodation. If there was to be any more development it would have a serious

economic impact on other self catering businesses in the county. The over supply of self catering accommodation would ultimately result in further planning applications for conversion to full time living accommodation in rural areas."

5. Representations

5.1 Aymestrey Parish Council state in their response:

"The Council would prefer to see a low cost housing development on this site. Otherwise the Council has no objection to the current plans."

5.2 Seven letters have been received from members of the public. Six letters of objections and one of support.

The objection letters are from:-

Wendy M Duggan, The Lodge, Yatton Court, Aymestrey, W A and P J Cartwright, Vicarage Cottage, Amestrey, R.M. Holland, The Cottage, Aymestrey, K. Holland, The Cottage, Aymestrey, D. G. Allport, Romana, Bacon Lane, Aymestrey and Mary and Jonathan Heale, Aymestrey Court, Aymestrey. These letters can be summaries as follows:-

- Impact of the proposal on the nature of the village environment.
- Increase in traffic through the village, and lack of adequate village amenities.
- Impact on population of Aymestrey.
- Adequate accommodation in area for 'rural tourism'.
- Concerns about future development on site.
- Concerns about proposed foul water drainage from the proposed development and flood risk and impact on adjoining residential dwellings.
- Impact on amenity and privacy of adjoining residential dwellings to the application site.
- No provision in Aymestrey for 'local needs'.

5.3 The letter in support is from Pamela Smith, The Farmhouse, Aymestrey. This letter can be summarised as follows:-

- Proposal will have no detrimental impact on adjoining residential dwellings outside the control of the applicants.
- Proposal will provide a valuable resource to the village.
- There is demand for this form of development within the 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 The key issues for planning consideration with regards to this proposal are:-

- Impact of proposal on surrounding landscape.
- Loss of existing business on site.
- Privacy and amenity of surrounding neighbouring residential dwellings.

6.2 Impact of proposal on surrounding landscape

The proposed development is for five Swedish round log cabins on approximately a two acre site that is currently in use as a retail garden centre. The five individual units are to consist of one, one bedroomed unit, two, two bedroomed units and two three bedroomed units, all self contained and set in substantial landscaped grounds in order to minimise the proposal on the applicants dwelling within the site as well as on surrounding dwellings adjacent to the application site and the surrounding countryside. Presently on site is a range of glasshouses, timber constructed shed and extensive plant and compost retail/display/storage area. It is considered the proposal subject to this application will be no more detrimental than the existing site arrangement, which has no vegetative landscaping in order to integrate it into the surrounding environment.

6.3 Loss of existing business on site.

The present business on site is a retail garden centre and therefore in policy terms is not classed as small scale local business service, such as a village shop or public house. The site is already in business use albeit a different one to that as proposed, however the existing business conducted on site is largely a family concern and therefore complies with all relevant local plan policies as the proposed subject to this application will not cover any larger of an area.

6.4 Privacy and amenity of surrounding neighbouring residential dwellings.

The proposal is for five log cabins set back into the site with extensive landscaping in order to integrate the proposal into the landscape as well as to provide privacy not only to existing neighbouring dwellings but also to occupants of the proposed development. It is noted in representations received from members of the public, that one immediate neighbour to the proposed development site has written in support of the proposed development.

6.5 Aymestrey Parish Council as well as one of the members of the public have commented about the site being better used for 'local needs' housing. However the application must be considered on its merits, not on what the preferred use of the site by a third party is.**6.6 The Highways Manager raises no objections to the proposal on public highway grounds. Welsh Water raise no objections with regards to proposed foul water disposal, however due to concerns about the close proximity of the proposed septic tank in relationship to a residential dwelling with a private water supply, if Committee are mindful to approve the application, it is recommended that a condition be attached to the approval notice with regards to foul water disposal. Building Regulations will also address this issue of concern. Finally the objections raised to the proposal from the Councils Tourism Development Manager with regards to oversupply of this type of holiday development is not a material planning consideration.****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 - A06 (Development in accordance with approved plans)

Reason: To ensure adherence to the approved plans in the interests of a satisfactory form of development.

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 proposed development to the property known as Aymestrey House and the fact that the site is outside of a recognised development boundary in accordance with the Leominster District Local Plan.

5 - During the construction phase no machinery shall be operated, no process shall be carried out and no deliveries taken at or despatched from the site outside the following times: Monday - Friday 7.00 am - 6.00 pm, Saturday 8.00 am - 1.00 pm nor at any time on Sundays, Bank or Public Holidays.

Reason: To protect the amenity of local residents.

6 - No materials or substances shall be incinerated within the application site during the construction phase.

Reason: To safeguard residential amenity and prevent pollution.

7 - All machinery and plant shall be operated and maintained in accordance with BS5228:1997 'noise control of construction and open sites'.

Reason:

8 - G01 (Details of boundary treatments)

Reason: In the interests of visual amenity and to ensure dwellings have satisfactory privacy.

9 - G04 (Landscaping scheme (general))

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 - The existing structures on site to be demolished shall be demolished and removed from site prior to any other development on site.

Reason: In the interest of the amenity of the surrounding area.

12. Notwithstanding the approved plans details will be submitted and approved in writing with regards to the method of foul water disposal and location of the

proposed septic tank, which must be located 50 metres from any residential dwelling outside the control of the applicant.

Reason: In the interests of the amenity of surrounding residential dwellings.

INFORMATIVE:

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

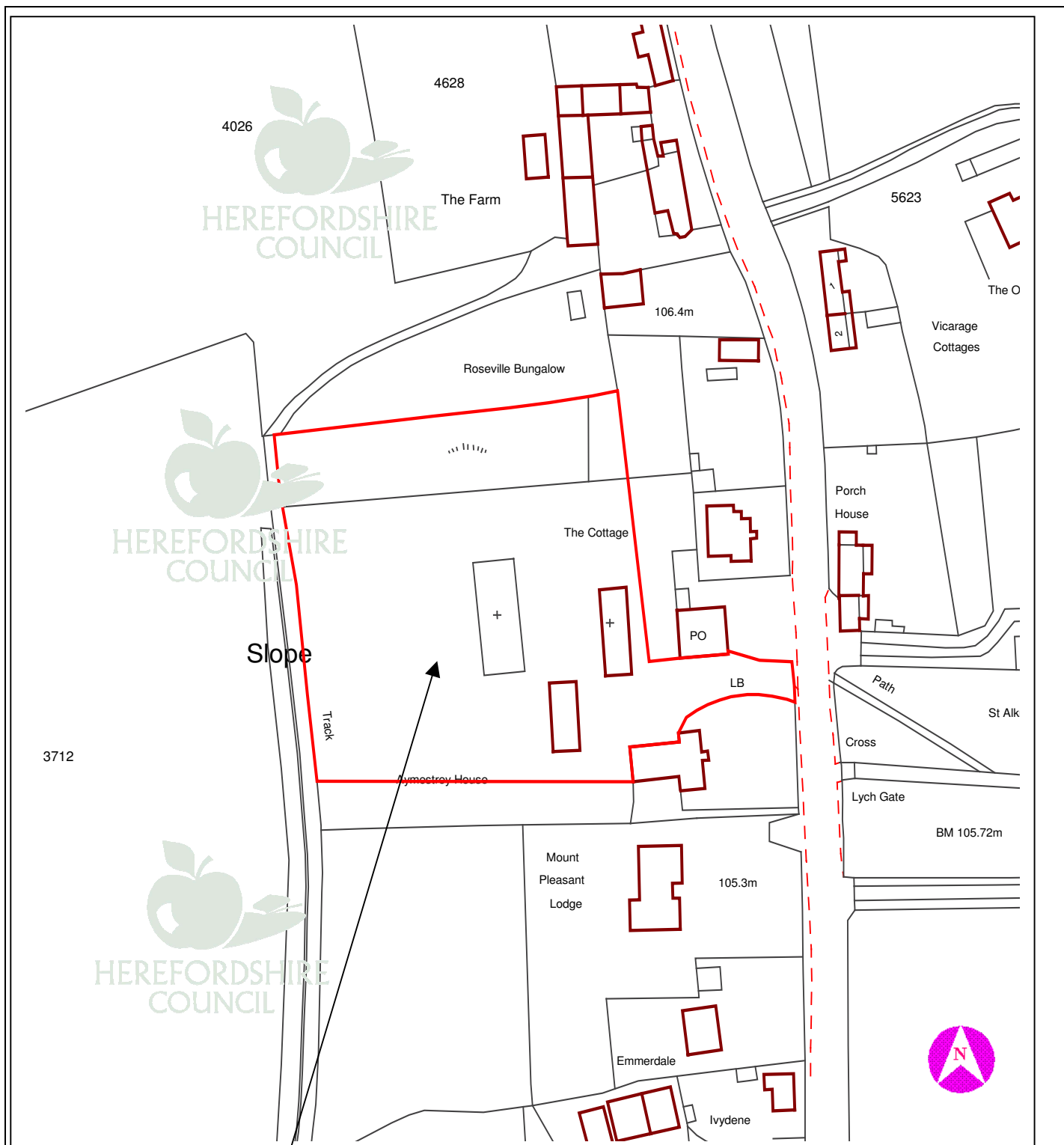
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCNW2006/0444/F

SCALE : 1 : 1250

SITE ADDRESS : Aymestrey House Garden Centre, Aymestrey, Leominster, Herefordshire, HR6 9ST

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