

13 DCNE2006/2623/F - ERECTION OF A LOG CABIN FOR USE AS HOLIDAY ACCOMMODATION AT LITTLE VERZONS GARDEN CENTRE, HEREFORD ROAD, LEDBURY, HEREFORDSHIRE, HR8 2PZ**For: Little Verzons Fruit Farm per Bruton Knowles, Bisley House, Green Farm Business Park, Bristol Road, Gloucester GL2 4LY****Date Received:**
10th August 2006**Ward: Frome****Grid Ref:**
66560, 39337**Expiry Date:**
5th October 2006

Local Member: Councillor RM Manning

1. Site Description and Proposal

- 1.1. The application site lies to the southern side of the A438 within the Parish of Munsley. The site forms part of a larger land ownership where the applicant lives, operates a "Farm Shop" and operates an existing self-catering tourist unit. That self-catering tourist unit has been relatively successful achieving a 52.6% occupancy rate for the period March 2005 - March 2006. During the March 2006-March 2007 season 105 days of occupancy had already been booked in March of this year.
- 1.2 The site is not in close proximity to a village with a defined settlement boundary or a Town.
- 1.3 The full planning application under consideration proposes to erect a new build three bedroomed single storey dwelling to be occupied by tourists. The building would have a width of 16.46 metres and a depth of 8.53 metres. It would have a central projection to the front and rear of 6.7 metres x 1.83 metres. Thus the total floorspace would be 164.92 square metres. The eaves height of the building would be 2.1 metres, main ridge height 4.1 metres and the ridge height of the "cross-wing" of 5.7 metres.
- 1.4 The building would be sited some 230 metres south-south-east of the existing complex of farm buildings in the vicinity of the "Farm Shop". It would be sited within an existing plum orchard. Access to the building would be via the existing access to the "Farm Shop", an existing internal agricultural access track and a new access track with a length of approximately 100 metres.
- 1.5 The existing vehicular means of access onto the A438 would be improved by re-aligning an existing close boarded fence to the east thus improving the near-side visibility splay.
- 1.6 It appears that the external walls would be constructed of timber.

2. Policies

Central Government advice

Planning Policy Statement 1 - 'Delivering Sustainable Development'
Planning Policy Statement 7 - 'Sustainable Development in Rural Areas'
Planning Policy Guidance Note 13 - 'Transport'
Good Practice Guide on Planning for Tourism

Hereford and Worcester County Structure Plan June 1993

Policy CTC.9 'Development Requirements'

Malvern Hills District Local Plan 1998

Tourism Policy 2 - Development of Tourism
Tourism Policy 8 - Holiday Caravan and Chalet Sites
Tourism Policy 10 - Holiday Accommodation - Planning Permission Limitations
Tourism Policy 13 - Farm Tourism
Landscape Policy 1- Development Outside Settlement boundaries

Herefordshire Unitary Development Plan Revised Deposit Draft (May 2004)

S1 - Sustainable Development
DR1 - Design
LA2 - Landscape character and areas of least resilient to change
RST12 - Visitor accommodation
RST13 Rural and Farm Tourism Development
RST14 - Static caravans, chalets, camping and touring caravan sites

3. Planning History

DCNE2003/1841/F - Change of use of land from agricultural to site for log cabin for tourist accommodation - Approved 15/10/03

DCNME2005/3825/F - Erection of log cabin for use as holiday accommodation - Refused 18/01/06

4. Consultation Summary

Statutory Consultations

4.1. None

Internal Council advice

4.2 Landscape Officer - No objections

4.3 Transportation Section - views upon amended plan awaited.

4.4 The Tourism Development Officer objects on the basis that "there is already too much self-catering accommodation in the County and to add a further log cabin could be detrimental to the other self-catering businesses in the area".

5. Representations

- 5.1 Munsley Parish Council recommends approval of the application.
- 5.2 The Council for the Protection of Rural England object to the proposed development on the following summarised grounds: -
- The proposal represents new build permanent development in the open countryside; and
 - the proposed development is of a large scale and would detract from the landscape.
- 5.3 Councillor Manning has requested that the application be reported to Committee on the following summarised grounds: -
- Log cabins in this area are in demand by tourists;
 - The applicant already has one log cabin that achieves high occupancy rates and provides for the needs of disabled persons; and
 - The proposal would attract income into the local economy.
- 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 application raises the following main issues: -
- The principle of the proposed development;
 - The impact of the proposed development upon the landscape; and
 - The adequacy of the proposed vehicular means of access.
- 6.2 Firstly, it must be clarified that this is a proposal for a permanent building and not for a "caravan" (including a static caravan) as defined in Section 13 of the Caravan Sites Act 1968.
- 6.3 The application site lies outside of any defined settlement boundary and as such lies within the open countryside in planning policy terms.
- 6.4 The Central Government advice contained within Planning Policy Statement 7 entitled 'Sustainable Development in Rural Areas' makes it clear that "New development in the open countryside should be strictly controlled;" The policies within the Development Plan basically establish a presumption against new development in the open countryside. However, exceptions are provided for.
- 6.5 The Local Planning Authority's approach to the development of accommodation (as opposed to attractions) for tourists in the open countryside is set out in the Herefordshire Unitary Development Plan Revised Deposit Draft (May 2004).
- 6.6 In March of this year the Inspector's report was received into objections raised to the provisions of the Herefordshire Unitary Development Plan Revised Deposit Draft May 2004. Where objections were lodged to a specific policy but the

Inspector has recommended no change to the policy significant weight should now be attached to the policy.

- 6.7 In terms of new build self-catering accommodation (as opposed to the siting of moveable caravans), policy RST12 specifically states that proposals for such facilities within identified settlements will normally be permitted subject to certain criteria being met. The policy goes on to state: -

“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...”

- 6.8 The site lies outside of any defined settlement and does not involve the re-use and adaptation of a rural building. As such there is a fundamental policy objection to the proposal.

- 6.9 An objection was lodged to this policy on the basis that it should allow for an element of new build in the open countryside (i.e. outside of the defined settlements). However, the Inspector reporting into objections to the emerging Unitary Development Plan considered this matter and concluded that: -

“I consider the policy reflects the advice contained in PPS7, particularly as regards accessibility and new buildings in the countryside away from existing settlements.”

- 6.10 He did not recommend any modification to the policy in response to the objections. The Council has accepted this recommendation.

- 6.11 Therefore it is concluded that the proposal would represent unjustified new build development in the open countryside contrary to the Central Government advice contained within Planning Policy Guidance Note 7 and policy RST12 of the Herefordshire Unitary Development Plan Revised Deposit Draft (May 2004).

- 6.12 In addition, it should be recognised that the Tourism Development Officer now considers there to be an oversupply of such self-catering accommodation within the County. For example “new starts” are struggling to maintain occupancy rates of 25%. In the long-term the over supply of such accommodation is inevitably going to lead to applications to release holiday occupancy conditions, as they are merely dwellings with an occupancy condition attached. In the event of such applications being successful the net result would be new dwellings in the open countryside.

- 6.13 Caravans on the other hand are genuinely capable of being easily moved off-site if the demand no longer exists.

Impact upon the landscape

- 6.14 The proposed building would not be sited in close proximity to the existing group of Farm building and as such it would not appear as part of a group of Farm buildings. In this respect the proposed chalet represents sporadic development in open countryside. Furthermore the floorspace/footprint of the proposed building is substantial. Nevertheless, the plum orchard in which it is proposed to site the building is bounded by high hedges and mature trees. The site is relatively well screened from public vantage points.

- 6.15 As explained above, the access would be via existing tracks with an additional short section of stoned track along the orchard boundary hedge. This is proposed as tyre tracks with grass growing between them.
- 6.16 It is not considered that the proposed development would be visually intrusive in the landscape. Nevertheless this is not a justification for the development as it could be repeated in numerous locations.

Vehicular Means of Access

- 6.17 There are currently two vehicular means of access from the A438 to Little Verzons Fruit Farm. Both are sub-standard in terms of visibility. However, the easternmost point of access is particularly poor from a highway safety point of view. Rather than utilise that access, it is proposed to utilise the existing vehicular means of access that serves the "Farm Shop" and main Farmyard. That vehicular means of access is safer and it is proposed to improve the eastern / nearside visibility splay by realigning the fence. The Transportation Section has raised no objections.

Sustainability / Accessibility

- 6.18 The site is physically remote from tourist attractions, retail and leisure facilities. Furthermore the site is not well served by other modes of transport other than the private car. As such, the tourists who would stay within the accommodation would be highly reliant upon the private motor vehicle. This represents an unsustainable form of development. Whilst it can be argued that any self-catering tourism accommodation in the countryside is unsustainable in terms of location, at least those proposals that re-use an existing building are sustainable to a degree in that they recycle / re-use an existing resource.

Conclusion

- 6.19 In conclusion the proposal represents sporadic new build development in the open countryside in an unsustainable location.

RECOMMENDATION

That planning permission refused for the following reason:

- 1. The proposal represents new built development outside of any settlement boundary in an unsustainable location. As such the proposal is contrary to the Central Government advice contained within Planning Policy Statement 7, Planning Policy Guidance Note 13, 'Good Practice Guide on Planning for Tourism and policies S1 and RST12 of the Herefordshire Unitary Development Plan Revised Deposit Draft (May 2004).**

Informatives

- 1. For the avoidance of any doubt the plans to which this decision relate are:-**

Application Site Plan (Scale 1:2500) received 21 September 2006;

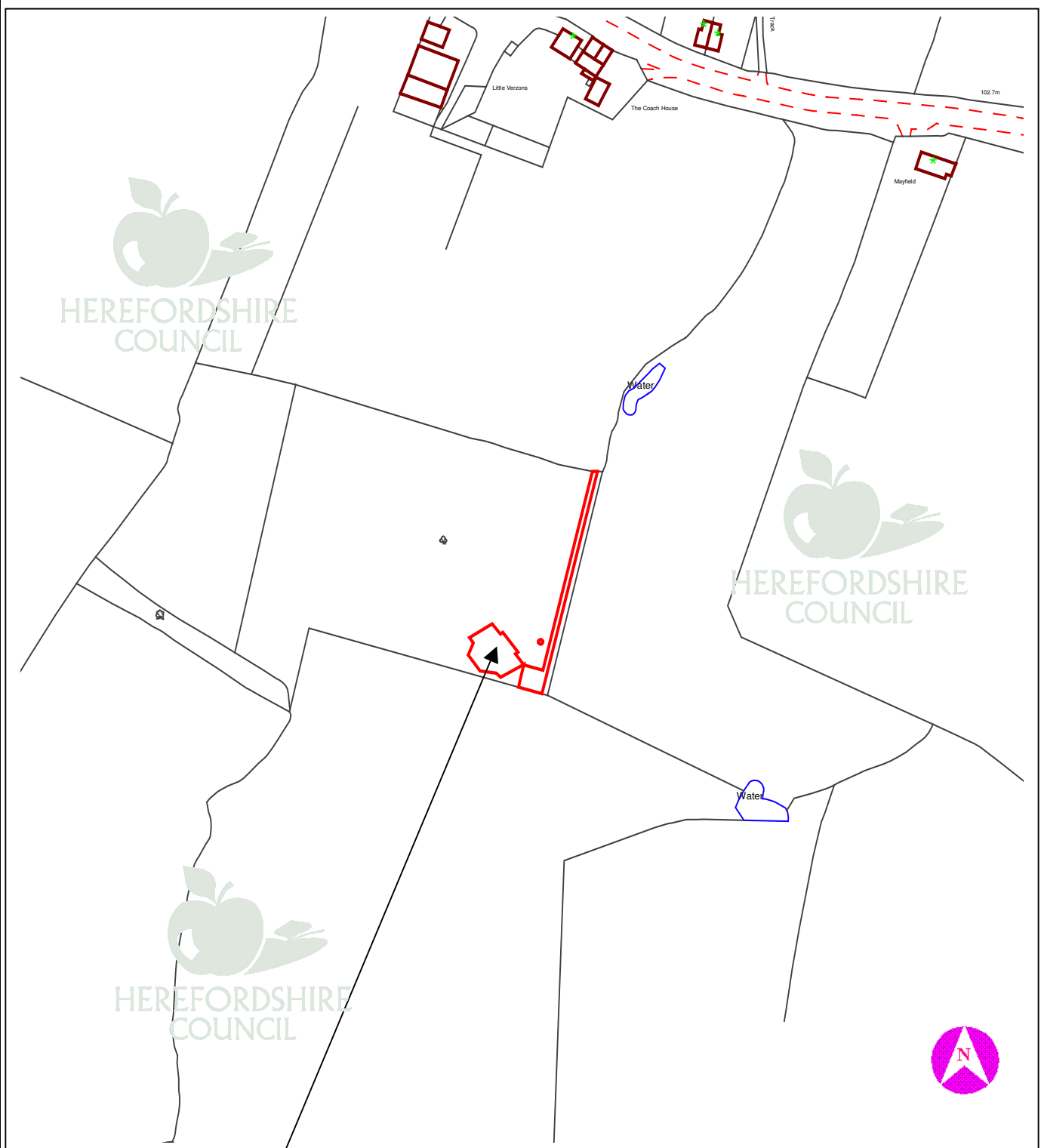
- Plan showing fence re-alignment (Scale 1:200) received 21st September 2006;**
- Proposed Floor Plan (Scale 1:100) received 7th September 2006;**

- Proposed Rear and Left Elevation (Scale 1:100) received 21st September 2006;
- Proposed Front and Right Elevation (Scale 1:100) received 7th September 2006;
- Cross-Section - Drawing number BS/109567-50-02 Rev.A received 10th August 2006.

Decision:

Notes:

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APPLICATION NO: DCNE2006/2623/F

SCALE : 1 : 2500

SITE ADDRESS : Little Verzons Garden Centre, Hereford Road, Ledbury, Herefordshire, HR8 2PZ

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