

DELEGATED DECISION REPORT

APPLICATION NUMBER

190199

Gospel Oak, Bringsty Common, Bringsty, Herefordshire,

CASE OFFICER: Mr Matthew Neilson

DATE OF SITE VISIT:15/03/2019.....

**Relevant Development
Plan Policies:**

**Herefordshire Local Plan – Core Strategy
Policies:**

SS1 (Presumption in favour of sustainable development)
RA6 (Rural economy)
E4 (Tourism)
LD1 (Landscape and townscape)
LD2 (Biodiversity and geodiversity)
LD4 (Historic Landscape and Heritage Assets)
MT1 (Traffic management)

Brockhampton Group Neighbourhood Development Plan:

Neighbourhood Area has been identified but to date a plan has yet to be drafted.

National Planning Policy Framework:

Chapters 2, 4 and 11

Relevant Site History: N/A

CONSULTATIONS

	Consulted	No Response	No objection	Qualified Comment	Object
Parish Council	X		X		
Transportation	X		X		
Historic Buildings Officer	X		X		
Ecologist	X		X		
Common Land	X	X			
PROW	X		X		
Hereford WT	X	X			

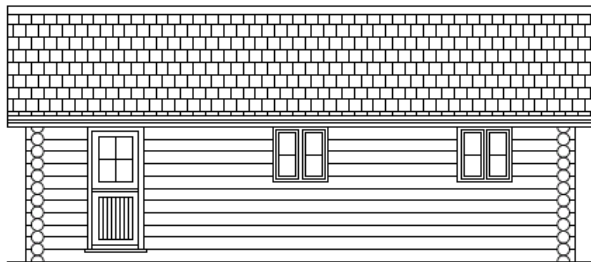
Press/Site Notice	X	X			
Local Member	X		X		

PLANNING OFFICER'S APPRAISAL:

Site description and proposal:

Gospel Oak is situated in the heart of Bringsty Common. A large area of common land covering an area of approximately 200 acres in the north east of the county circa 4.5km east of the market town of Bromyard. The wider landscape is characterised by open common land, punctuated with dispersed dwellings and areas of dense areas of vegetation and woodland.

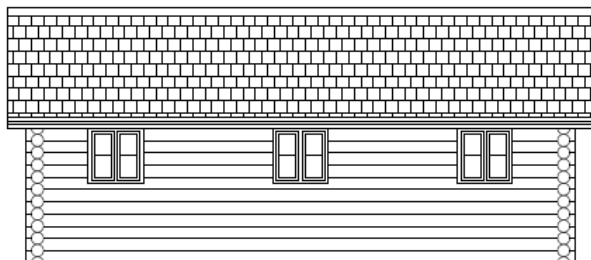
The proposed development is for the erection of two log cabins to provide holiday accommodation. The structures would measure 9m (L) x 5m (W) x 4m (H to ridge). They would be finished in timber cladding with grey pan tiles.



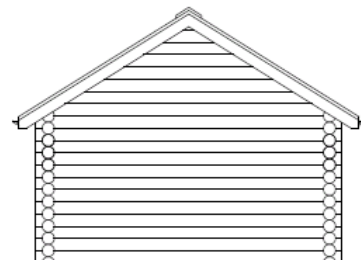
North Elevation (Front)



East Elevation (Side)



South Elevation (Rear)



West Elevation (Side)

Representations:

Whitbourne Parish Council – No objection

“Whitbourne Parish Council have agreed that there is no objection to this application but will defer to the neighbouring Parish of Linton for a decision.”

Historic Buildings Officer – No objection

The two small log cabins in the location proposed in the materials described will not harm the setting of the grade II listed Gospel Oak, and we have no objection to the proposal.

Transport – Object (Original Plans)

Whilst the local highway authority have no objection 'in principle' to the concept of holiday cabins with associated access at this location the parking and turning area is not considered to be adequate. The turning area should be made larger, the proposals would not allow a vehicle to easily turn if a vehicle is parked at the other cabin. All vehicles should be able to turn into the access in a forward gear, turn in the parking area and exit back onto the highway in a forward gear.

It is also noted that a telegraph pole is located close to the proposed access, the exact location of the pole should be shown on the plan to confirm that the access can be achieved.

Until the above issues are addressed the local highway authority object to the planning application.

Transport – No objection (Amended Plans)

Further to receipt of the amended plans the local highway authority has no objection to the planning application subject to the first 5m of the access being constructed of a hard surface such as tarmac.

Ecology – No objection

PROW – No objection

Local Member – Councillor Shaw confirmed delegated authority of this application on 6th June 2019 via email.

Pre-application discussion:

None.

Constraints:

Road No. – Unclassified

Listed Building – Adjacent Grade II and II*

PROW – Adjacent Bridal way

Protected Species – Adjacent

SSSI Impact Zone

Common Land (Access)

SWS - Adjacent

Appraisal:

Policy context and Principle of Development

Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states as follows:

“If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.”

is also noted that the site falls within the Brockhampton Group Neighbourhood Area, where the Plan is not yet at draft stage. At this time the policies in the NDP can be afforded no weight as set out in paragraph 48 of the National Planning Policy Framework 2019, which itself is a significant material consideration

Policy RA6 states that a range of economic activities will be supported including proposals which promote sustainable tourism proposals of an appropriate scale in accordance with policy E4. Policy E4 recognises that many visitors to the county come to enjoy the countryside, as such there is likely to be a demand for new facilities and accommodation associated with this. While retaining and enhancing existing, and encouraging new, accommodation is supported, significant new development for such developments should be focused in Hereford and the other market towns. However, small scale tourism associated development may be appropriate in rural areas.

The siting of the proposed huts is considered to be appropriate and sympathetic to the local landscape as it is obscured to the immediate north west by the topography of the landscape and established hedgerow in a landscape where the topography renders the site relatively hidden, which will obscure the structures from public view. This will comply with policy SD1 and LD1 of the Herefordshire Core Strategy (HCS). In addition the use of timber cladding and steel to will help the structures integrate into the rural landscape.

The scale of the proposed development is considered to be sympathetic as the overall footprint and height of the huts are modest, therefore the overall impact on the landscape is considered to be limited when the nature of the topography and established hedgerows are taken into account. The introduction of a hard standing and track to allow improved access to the huts is considered to be of limited impact on the landscape. This complies with policies SD1 and LD1 of the HCS.

As the site of the proposed development is adjacent to Grade II and II* listed buildings it is important to assess the possible impact that the development may have upon heritage assets. It is considered that the proposed development would not represent any appreciable harm to the heritage asset as there is no direct material change to the heritage asset as the distance between the proposed development and the heritage asset is considered sufficient that and the development would not result in a significant change to the setting of the heritage asset. Therefore the development complies with policy LD4 of the HCS.

In regards to the objection raised by the transport consultant, after amended plans were received this objection was removed with the recommendation of a condition (found below). The proposed development site will provide adequate turning space for vehicles using the garage within the curtilage of the property. This development will therefore result in a negligible impact on traffic management on the transport network, thus complying with MT1.

The application should be assessed in terms of the presumption in favour of sustainable development as set out by paragraph 11 of the NPPF and SS1 of the Core Strategy. The three overarching objectives towards sustainable development are well established –

economic, social and environmental, and these are mutually inter-dependent when determining whether a proposal represents a sustainable form of development.

The application is clearly set in open countryside as it is wholly within Bringsty Common. As such, there may arguably be a negative environmental impact as a result of the scheme. This however is considered to be limited due to the relative small scale of the proposed development. Furthermore the very nature of holiday accommodation for the purpose of enjoying Herefordshire's countryside which is a key draw for tourists necessitates locations that are set in open countryside or arguable remote locations. This complies with policies SD1 and LD1 of the HCS.

The provision of tourist accommodation has clear economic benefits as well as social ones where the local facilities and services are utilised by visitors. With this in mind, on balance, and as a result of the modest scale and nature of development proposed, the scheme is found to be sustainable and supported under policy E4. Under these terms it is considered that the proposal complies with planning policy notably RA6, E4, SD1, LD1 and MT1 of the HCS, the local member has been updated and the application is justified as sustainable development in accordance with SS1 of the CS. The application is therefore recommended for approval with conditions attached.

RECOMMENDATION: **PERMIT** ☒ **REFUSE** ☐

CONDITION(S) & REASON(S) / REASON(S) FOR REFUSAL:

(please note any variations to standard conditions)

C01 - Time limit for commencement.

C07 - Drawings No. 1853-01 (amended), 1853-02 (amended), 1853-03 (amended), 1853-04, 1853-05, 1853-06, 1853-07.

C81 - Use as holiday accommodation.

CAD - Access gates (5m)

CAH - Driveway gradient

CAL - On site roads

CC2 - External Lighting

Informatives:

IP2 – Application approved with amendments.



Signed:

Dated:06/06/2019.....

TEAM LEADER'S COMMENTS:

DECISION:

PERMIT

☒

REFUSE

☐

Signed:

AB

..... Dated: 13/6/19