

Wigmore Group Parish Council objection to planning application

P232691/F Castle Inn Caravan Park

Wigmore Group Parish Council (WGPC) objects to retrospective planning application P232691/F.

Summary of objections:

1. The retrospective nature of the application.
2. Incorrect information in the Design and Access statement.
3. Discrepancy in the number of consented plots.
4. Incorrect description of 'new native hedge' in the site plan. Request for condition.
5. Inadequate re-planting proposals (following the removal of a garden, hedgerow, and trees), and subsequent insufficient biodiversity net gain.

WGPC requests that the application is refused, and that the applicant is directed to restore the site to its original condition prior to a planning application being made.

Agreement to the retrospective application would be contrary to public interest, setting a dangerous precedent that landowners may, in full knowledge of the planning application process, ignore legal process and first complete their developments on the basis that they will get away with it after the fact. The applicant has had other applications approved on this site and is fully conversant with required process. WGPC's view is that it is time for Herefordshire Council to put its foot down

Given the history of multiple unresolved planning breaches concerning this site, and the absence of enforcement action, WGPC has limited confidence that HCC planning officers will make appropriate decisions or enforce them. Therefore, WGPC has asked Councillor Gandy to request that this retrospective application be called in for full Herefordshire Council planning committee consideration.

Objections detail.

1. WGPC **objects** to retrospective applications in principle, and this application in particular, as it is confident the developer would have known that permission for works already undertaken was required.
2. *Design & access statement (D&A) page 1.* states that; *"This document describes the application scheme for the change of land-use of what is currently part of the public house garden..."*. This is a false statement: the entire former public house garden, including its fringing mature hedgerows and trees, has been destroyed by the non-permitted development works.
WGPC **objects** to the destruction of the garden and removal of trees/hedgerows.
3. *Location of caravan plots.* The D&A refers to 18 "consented plots". The site plan shows Plot 1 (Warden's Lodge) as being "Approved". This is incorrect. The location of this plot, as previously advised to Herefordshire Council, is outside the currently permitted area for caravans. This caravan has been installed without planning consent. Plots under consideration, 19-22, are as follows:
Plot 19: excavated and new chalet installed.

Plot 20: excavated and concrete base installed. Last remaining of the old green caravans currently parked on it.

Plots 21 & 22: excavations and concrete base platforms installed. No new chalets installed. The "Open space" between Plot 20 and 21 has several cars parked upon it.

4. *Site plan, western boundary - hedgerow*. This correctly states "open timber post and rail fencing" which has been installed. But it also states (showing as within the site boundary) "new native hedgerow". This does not (yet) exist within the caravan park boundary. WGPC requests that if permission is granted, a condition is set requiring a new native hedge to be planted on the western boundary of the site, which due to the nature of the plan, would need to be within the boundaries of existing plots.

WGPC wishes to advise that, as a consequence of the un-authorised destruction of the mature hedgerow and trees along the western boundary of the caravan site, the landowners of the adjacent property (Ford Farm) have at their own cost planted a new hedgerow on their own land, so as to reinstate some screening of their property from the caravan park. Any claims which may be made that this hedgerow has been planted by the caravan site developers are incorrect.

5. *Biodiversity net gain*. This is a requirement under current planning legislation. Nothing in the current developer's proposals adequately address this matter, given the removal of mature hedgerows and trees from the site. The only remediation proposed in the application is planting a row of trees into the hard landscaping down the central access track. The current application does not adequately address this biodiversity requirement.

The Council Ecology Officer recommends a condition concerning installation of bird nesting and bat boxes. Given that all mature trees and hedgerows on the site have already been destroyed without the necessary permissions, it is very hard to see upon what these boxes could be installed.

5. *PROW*. The PROW officer says: "An application to divert public footpath WQ1 has been received. **The current legal route should not be obstructed until a legal order has been made.** However, the current legal PROW route has been massively obstructed, it even runs underneath a new chalet installed at the bottom (NW corner) of the site.

Background

Over the last few years, there have been multiple breaches of planning law concerning the development of this site. These include, but are not restricted to, the following issues, all of which have been previously reported to Herefordshire Council planning and enforcement by the WGPC:

1. Unauthorised destruction of a mature hedgerow and mature poplar trees along the western boundary of the site, within the Wigmore Conservation Area.
2. Blocking, without permission, the current route of the PROW running down the western boundary (within the site) through the construction of new chalets and hard landscaping. Note that a proposal has been submitted to re-route this PROW down the newly created central access road, but that this does not yet appear to have been resolved or approved.

3. Breaches of earlier (2007) planning consent conditions concerning the external appearance of chalets (required to be timber-clad or dark green painted) – the newly installed chalets are mostly bright (white or off-white) external appearance and intrude into the historic landscape setting of the Grade I-listed Wigmore Castle.
4. Destruction of mature hedgerows and trees in what was the former pub garden on the southern end of the site; major excavations and installation of new chalets – all outwith the area previously consented for chalet installation; and exceeding the total number of permitted chalets on this site previously permitted by planning consents.
5. Lack of clarity as to the terms of the selling of new chalets, and whether the new owners have purchased these in the belief that these are for full-time permanent occupation. If so, this is incorrect – this caravan park has been consented as a holiday park, not a residential park. The consent is for occupation at any time of year, but not all year round. In other words, these chalets cannot be the primary residence of the owners.

This is a subtle but important distinction. If this is a holiday park occupation, then the owners pay no taxes into the local economy and cannot live there full time. From informal conversations reported with chalet owners, it appears that some may believe that they have purchased these for their permanent occupation. [REDACTED]

[REDACTED]

6. *Site licence*. For legally valid sale and purchase of holiday chalets, there must be a valid chalet park site license issued. Previous investigations by WGPC established that there is no valid site licence for this site – not even for the chalets on the lower (northern) part of the site, for which there is earlier planning consent.

Despite these many breaches of planning law reported to Herefordshire Council by the WGPC (and others), there has been little, or no enforcement action taken other than eventually requiring the developer to halt further works (after almost all of the un-authorised works had been undertaken).

This new retrospective application appears to make little or no attempt to address any of the issues of breaches in planning law identified above. It also perpetrates several factual errors and inconsistencies already reported to Herefordshire Council by WGPC on previous versions of this application.