

Planning Supporting Statement

‘Erection of Tepee to accommodate outdoor dining (resubmission)’.

Colwall Park Hotel, Colwall, Malvern,
Worcestershire, WR13 6QG

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Introduction

1. This supporting statement accompanies an application for planning permission for the erection of a Tepee within the extended grounds of Colwall Park Hotel to provide covered outdoor dining for Hotel guests.
2. The Hotel and the hospitality industry in general have been severely affected by the restrictions imposed due to the Covid-19 pandemic. It is crucial for the Hotel to extend its outdoor space as guests begin to return. Not only is outdoor dining more likely to be allowed as restrictions are relaxed but it is also in demand by customers who are naturally cautious about returning to indoor settings. This proposal would provide a covered area to extend the outdoor dining capacity with the aim of attracting customers back to the venue in the coming months.
3. Permission was granted for the proposed development reference 211751 on 22nd September 2021. However, condition 7 of the permission restricted the months that the Tepee may be erected on site as follows: -

The tepee shall be open to the public between 1st April – 30th November each calendar year. Outside of these times, the tepee shall be dismantled, including removal of all associated poles and stored away appropriately.

4. The applicant's original submission was perhaps unclear, but the intention is for the tepee to be erected on site between the months of March and December so the tepee would be removed from the site in January and February. This resubmission seeks to amend the condition as follows: -

The tepee shall be open to the public between 1st March – 31st December each calendar year. Outside of these times, the tepee shall be dismantled, including removal of all associated poles and stored away appropriately.

Policy Context

5. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning decisions are taken in accordance with the development plan unless material considerations indicate otherwise. For this application The Development Plan comprises The Herefordshire Local Plan Core Strategy. The National Planning Policy Framework and The National Planning Policy Guidance are material considerations that carry substantial weight.

National Planning Policy Framework

6. National policy is set out in the National Planning Policy Framework, supported by the National Planning Practice Guidance. The revised National Planning Policy Framework was published on 24th July 2018 and updated on 19th February 2019. The revised Framework at paragraph 2 repeats that applications for planning permission are required to be determined in accordance with the development plan and reinforces that the Framework is a material consideration in planning decisions.

‘Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The National Planning Policy Framework must be taken into account in preparing the development plan, and is a material consideration in planning decisions...’

7. The Framework sets out that plans and decisions should apply a presumption in favour of sustainable development which is explained at paragraph 11;

For decision-taking this means:

*c) approving development proposals that accord with an up-to-date development plan without delay;
or*

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole

8. The Framework at paragraph 8 states: -

‘Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;

b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being; and

c) an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

9. Paragraphs 83 and 84 of the Framework encourage Local Authorities to take a positive approach to supporting economic development in rural areas and state: -

83. Planning policies and decisions should enable:

a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings;

b) the development and diversification of agricultural and other land-based rural businesses;

c) sustainable rural tourism and leisure developments which respect the character of the countryside; and

d) the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship.

84. Planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist.

The Herefordshire Local Plan Core Strategy

10. The Herefordshire Local Plan Core Strategy (CS) was adopted on 16th October 2015. It represents the vision for the County to 2031 and provides the context for future work on the preparation of the Hereford Area Plan, the Minerals and Waste Local Plan and the Travellers' Sites Development Plan Document. At present it is the only adopted Policy document of the Local Plan and such some Unitary Development Plan Policies have been saved and may form part of the Development Plan.

11. The CS acknowledges the importance of tourism for the County of Herefordshire and the vital role that tourism and visitors play in supporting the local economy. Paragraph 2.22 'Tourism in the Herefordshire Context' states: -

With fine, tranquil, rural landscapes where leisure activities can be enjoyed, cultural and historic interest, together with a calendar of varied events and a strong creative offer that includes local food produce, Herefordshire has much to appeal to visitors. Tourism has become an important part of the local economy with visits and tourist expenditure growing. In 2011 there were 5.1 million visitors, spending £466.8 million and 9% of employees in Herefordshire worked in tourism¹⁷. There remains potential to grow Herefordshire's tourism offer and further investment will have benefits for the county.

12. The Core Strategy sets out 12 strategic objectives including 5 objectives relating to economic prosperity which are directly relevant to this application: -

8. To strengthen the economic viability of the market towns, rural settlements and their surrounding rural areas by facilitating employment generation and diversification, improving delivery and access to services through housing (including affordable housing) and improved ICT as well as realising the value of the environment as an economic asset.

8a. To support and to encourage the development and diversification of the county's historic strength in land-based industries, including agriculture and food production, to provide for the maintenance of a thriving, productive efficient, competitive and sustainable agricultural sector, recognising the high importance of this sector to the county's economy as a whole and to the rural economy in particular.

9. To develop Herefordshire as a destination for quality leisure visits and sustainable tourism by enabling the provision of new, as well as enhancement of existing tourism infrastructure in appropriate locations.

13. Policy RA6 titled 'Rural Economy' and Policy E4 titled 'Tourism' of the CS are considered to be relevant to this application.

Policy RA6 - Rural economy

Employment generating proposals which help diversify the rural economy such as knowledge based creative industries, environmental technologies, business diversification projects and home working will be supported. A range of economic activities will be supported, including proposals which:

- support and strengthen local food and drink production;*
- support and/or protect the vitality and viability of commercial facilities of an appropriate type and scale in rural areas, such as village shops, petrol filling stations, garden centres and public houses;*
- involve the small scale extension of existing businesses;*
- promote sustainable tourism proposals of an appropriate scale in accordance with Policy E4 - Tourism;*
- promote the sustainable use of the natural and historic environment as an asset which is valued, conserved and enhanced;*
- support the retention of existing military sites;*
- support the retention and/or diversification of existing agricultural businesses;*

Planning applications which are submitted in order to diversify the rural economy will be permitted where they:

- ensure that the development is of a scale which would be commensurate with its location and setting;*
- do not cause unacceptable adverse impacts to the amenity of nearby residents by virtue of design and mass, noise, dust, lighting and smell;*
- do not generate traffic movements that cannot safely be accommodated within the local road network; and*
- do not undermine the achievement of water quality targets in accordance with Policies SD3 and SD4.*

Policy E4 – Tourism

Herefordshire will be promoted as a destination for quality leisure visits and sustainable tourism by utilising, conserving and enhancing the county's unique environmental and heritage assets and by recognising the intrinsic character and beauty of the countryside. In particular, the tourist industry will be supported by a number of measures including:

- 1. recognising the unique historic character of Hereford and the market towns as key visitor attractions and as locations to focus the provision of new larger scale tourist development;*
- 2. the development of sustainable tourism opportunities, capitalising on assets such as the county's landscape, rivers, other waterways and attractive rural settlements, where there is no detrimental impact on the county's varied natural and heritage assets or on the overall character and quality of the environment. Particular regard will be had to conserving the landscape and scenic beauty in the Areas of Outstanding Natural Beauty;*
- 3. retaining and enhancing existing, and encouraging new, accommodation and attractions throughout the county, which will help to diversify the tourist provision, extend the tourist season and increase the number of visitors staying overnight. In particular proposals for new hotels in Hereford will be encouraged. Applicants will be encouraged to provide a 'Hotel Needs Assessment' for any applications for new hotels;*
- 4. ensuring that cycling, walking and heritage tourism is encouraged by facilitating the development of long distance walking and cycling routes, food and drink trails and heritage trails, including improvements to public rights of way, whilst having special regard for the visual amenity of such routes and trails, and for the setting of heritage assets in their vicinity; and*
- 5. The safeguarding of the historic route of the Herefordshire and Gloucestershire Canal (shown on the Policies Map), together with its infrastructure, buildings, towpath and features. Where the original alignment cannot be re-established, a corridor allowing for deviations will be safeguarded. New developments within or immediately adjoining the safeguarded corridor will be required to incorporate land for canal restoration. Development not connected with the canal that would prevent or prejudice the restoration of a continuous route will not be permitted.*

Principle of the Development

14. Paragraph 28 of the Framework highlights the importance that sustainable new development has in supporting a prosperous rural economy. Specific examples of the types of development that should be encouraged in rural areas are identified at paragraph 28 and include agricultural diversification and enterprise, tourist and visitor facilities and the development of local services and community facilities.
15. Paragraph 28 of the Framework is implicitly clear that the sustainable growth and expansion of all types of business and enterprise in rural areas should be supported, both through conversion of existing buildings and well-designed new buildings. The development subject of this application is aimed at supporting a successful business in what is an unprecedented difficult time for the hospitality sector. Restrictions imposed due to the covid-19 pandemic mean that indoor dining is presently restricted. The opportunity to serve food in a covered outdoor setting is crucial for the business as it begins to open and start trading once again. The proposed tepee would provide such accommodation.
16. This development will offer benefits to the local rural economy by increasing visitor numbers and increasing demand for goods and services from local suppliers. One of key aims of the Framework and the Core Strategy is to increase rural employment.
17. Turning to the CS, Policy RA6 deals specifically with the rural economy and states that a range of economic activities will be supported. Specific examples provided are proposals which, support and strengthen local food and drink production, support and/or protect the vitality and viability of commercial facilities of an appropriate type and scale in rural areas, promote sustainable tourism proposals of an appropriate scale. The development would support economic activity that is fully supported by Policy RA6.
18. Policy EP4 deals more specifically with Tourism and Visitor Accommodation. The Policy highlights that the intrinsic beauty of the countryside can act as an attraction for tourism and visitors. The location of the proposed development within Colwall, within easy reach of attractive countryside is a crucial ingredient of its current success. The future success of the business will rely on its continuing ability to attract customers to the venue. The proposed tepee would extend the Hotels offering and encourage visitors to the Hotel and the wider area.
19. Policy EP4 seeks to retain and enhance existing, and provide new, accommodation and attractions throughout the County with the aim of diversifying tourist provision, extending the tourist season and

increasing the number of visitors staying overnight. The development meets each of these aims and fully accords with Policy EP4.

20. The principle of the development accords with Paragraphs 19, 20 and 28 of the Framework and is supported by Policies RA6 and E4 of the Core Strategy.

Design

18. Good design is a key theme outlined in the revised Framework as a fundamental component of sustainable development. Paragraph 124 highlights the importance that well-designed buildings can have in improving the lives of people and communities. Paragraph 127 states;

Planning policies and decisions should ensure that developments:

a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;

b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;

c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);

d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;

e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and

f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

19. Policies SS6 and LD1 relate to the design and the impact of new development on the environment, landscape and townscape. Policy LD1 states;

Development proposals should:

- *demonstrate that character of the landscape and townscape has positively influenced the design, scale, nature and site selection, protection and enhancement of the setting of settlements and designated areas;*

14. The application site is within the existing grounds of the Hotel in an area that is very well screened by mature boundary trees and hedges. The Tepee proposed has been selected because of its attractive design and the natural colour and appearance of the materials. This is a temporary structure that is intended only to be erected during the warmer months and not during the winter. The structure is relatively modest in height and due to its shape, it is less bulky in massing compared to a marquee. The tepee would not appear unduly prominent and would not be readily visible from any public vantage point.

20. The proposal represents high quality design and accords with Policies SS6 and LD1 of the CS, Paragraphs 124 and 127 of the Framework and the guidance published in the AONB Building Design Guidelines.

Ecology

30. The application site consists of an area of well-maintained lawn. No mature or significant trees would be affected by the proposed development. There are no protected/notable habitats as listed under section 41 of the Natural England and Rural Communities Act (2006) within the site boundary. There would be no detrimental impact on any species or their habitat. The proposal accords with Policy LD2 of the CS and Paragraphs 170 and 175 of the Framework.

Access

31. The existing access arrangements would not be altered. Access to the site is achieved via Lockyear Close from B4218 to the Hotels Car Park. The development would not affect the existing car parking numbers or arrangements.

32. Visibility from the access onto Lockyear Close is good, with a clear line of sight to the junction with the B4218 to the north west and the end of Lockyear Close opposite the train station to the south east. The junction of Lockyear Close and the B4218 achieves sight lines in excess of the minimum standards for a 30mph zone. There would be no detrimental impact on highway safety as a result of the proposed development.

Conclusion and 'Planning Balance'

21. The impact of the covid-10 pandemic on this business and the hospitality sector more generally has been severe. In order to attract customers back to the Hotel the proposed development would facilitate additional covered outdoor dining. The principle of the development accords with Paragraphs 19, 20 and 28 of the Framework and is supported by Policies RA6 and E4 of the Core Strategy.
22. The development would benefit the local economy by increasing visitor numbers and increasing demand for goods and services from local suppliers. One of key aims of the Framework and the Core Strategy is to increase rural employment. There are obvious and significant economic benefits associated with the development which weigh significantly in favour of the proposal.
23. The application site is within the existing grounds of the Hotel in an area that is very well screened by mature boundary trees and hedges. The Tepee proposed has been selected because of its attractive design and the natural colour and appearance of the materials. The tepee would not appear unduly prominent and would not be readily visible from any public vantage point.
24. There would be no detrimental environmental impact associated with the proposed development. The social and economic benefits associated with the proposed development, demonstrate that the proposal fully accords with the presumption in favour of sustainable development set out in the revised Framework. At worst, any '*adverse impacts*' of the proposal are very limited and certainly do not amount to the '*significant*' impact referred. For the above reasons, we respectfully submit that the application should be approved.