

Planning Enquiries

From: Morris, Sonya
Sent: 23 May 2016 09:11
To: Planning Enquiries
Cc: wigginb@parliament.uk
Subject: FW: URGENT -New planning application at Marsh Farm (Case Ref: ZA3823) PRuB
Attachments: our response to MF app16.pdf

Hi

Please see attached correspondence from Bill Wiggin, MP and his constituent Mr Curry in connection with the above planning application at Marsh Farm

Many thanks
Sonya

From: Office of Bill Wiggin MP [<mailto:OfficeOfBillWigginMP@parliament.uk>]
Sent: 20 May 2016 14:10
To: David, Maxine
Subject: FW: URGENT -New planning application at Marsh Farm (Case Ref: ZA3823) PRuB

Dear Mr Neill

I have corresponded with Herefordshire Council on several occasions in the past about Marsh Farm. My constituent, Charles Curry, has sent the email correspondence below together with a letter of objection to the proposal.

I will be most grateful if you would arrange for a full review of this case. I look forward to hearing from you.

Yours sincerely

Bill Wiggin MP

From: Charles Curry
Sent: 13 April 2016 22:28
To: Jesse Norman jesse4hereford@gmail.com, WIGGIN, Bill bill.wiggin.mp@parliament.uk
Subject: FW: URGENT -New planning application at Marsh Farm

Jesse, Bill

Local news on a planning application in Upton Bishop by people connected to the problem we had a couple of years ago when we set up PRuB.

All the best

Charles Curry
The Old Vicarage, Upton Bishop, Ross-on-Wye, Herefordshire, HR9 7UL

From: E O'Sullivan [REDACTED]
Sent: 13 April 2016 15:09
To: godfrey farr; Charles Curry; Alastair Stevenson; chris pilborough; alison; jocelyn;
geoffrey.walker@ [REDACTED]
Subject: URGENT -New planning application at Marsh Farm

Hello all

There is a new application to convert the metal barn alongside the lane into 2 semi detached houses, within an area outlined to match the old traveller Inquiry site alongside the lane. They are using new legislation to try to get this through.

Here is the link to the application.

<https://www.herefordshire.gov.uk/planning-and-building-control/development-control/planning-applications/details?id=160757>

This new legislation allows for the conversion of barns outside the usual planning constraints. To qualify the barn has to have been in agricultural use as part of an agricultural unit (specifically defined and not including any unit with mixed use, horses do not count, hobby farming does not count), on 20 March 2013. They can convert up to 450sqm into up to 3 residential units per agricultural unit. The larger barn is therefore also at risk although not mentioned in this particular application.

PRuB will be objecting to this application, but that will count only as one objection, we therefore all need to object to get the Council to refuse the application - Council's have had difficulty resisting such applications and we believe Herefordshire may well let this one slip through if residents do not call for it to be refused.

Comments have to be with the Council by 21 April and we at Maytree Cottage are sending a letter spelling out our reasons for it to be refused. Given the short time available we confidentially attach a copy of our letter so that you can draw on its content to write your own - but please do not pass ours on to anyone else. You will want to use your own words and draw on your own knowledge of Marsh Farm happenings but we hope our comments will help.

It is still not clear what is happening at Marsh Farm now. At the auction on 30 March, 2 lots - the threshing barn and Holmes Grove - appeared to be sold (but we have seen this used as a ruse before), while the 3rd lot, the vineyard, did not sell.

regards
Liz O'Sullivan

UK Parliament Disclaimer: This e-mail is confidential to the intended recipient. If you have received it in error, please notify the sender and delete it from your system. Any unauthorised use, disclosure, or copying is not permitted. This e-mail has been checked for viruses, but no liability is accepted for any damage caused by any virus transmitted by this e-mail. This e-mail address is not secure, is not encrypted and should not be used for sensitive data.

Ms Emily Reed
Planning Services
Herefordshire Council
PO Box 230
Blueschool House
Blueschool Street
Hereford HR1 2ZB

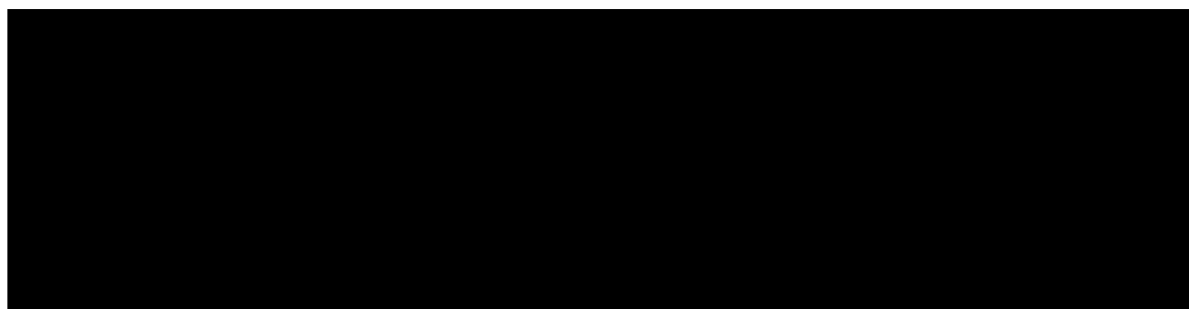
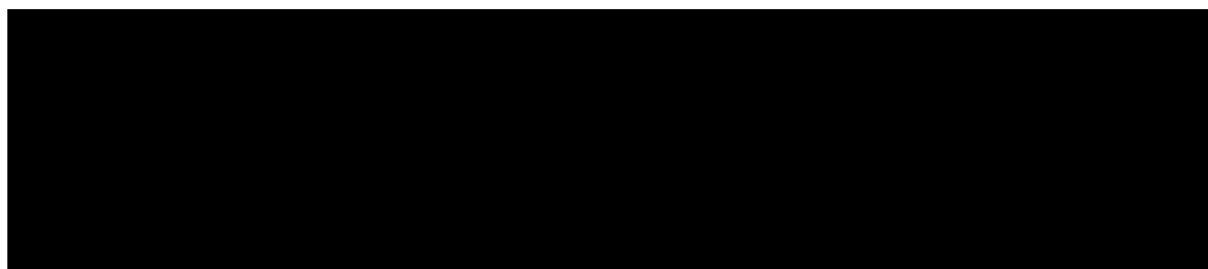
Mr and Mrs M P O'Sullivan
Maytree Cottage
Upton Bishop
Ross on Wye
HR9 7UP

13 April 2016

Dear Ms Reed

Application:- Marsh Farm conversion of barn under Town and Country Planning (General Permitted Development) Order 2015 Schedule 2 part 3 Class Schedule Q GDO

We are writing to object to this application. We understand that to qualify under this provision the barn must have been in agricultural use within an established agricultural unit, as defined, on 20 March 2013. This barn does not qualify on either count.



On the due date there had been no farming on the farm lands for many years and the vineyard was left weedy and untended. It had never produced a crop and was not prepared for one during Spring 2013. The farm had not been worked as a commercial farm since we bought our house in late 2008. Although there were new metal barns on site, one being the current application barn, they were used for carpet storage and fairground equipment storage.

In 2009 there were several applications to establish a traveller site on the old orchard at Marsh Farm opposite our house, being the area now outlined blue in the current application and including the two new metal barns. The traveller applications gave rise to a planning inquiry which identified several occupations of the owners /occupants of Marsh Farm, some being carpet sales, garden and fencing services. It is our understanding that travellers cannot be regarded as farmers, one negating

the other way of earning a living according to the then planning guidance. Their traveller means of earning a living were at least in part carried on from the old farm, that was part of their case at Inquiry, making it at best of mixed use when Mr Dinsdale purchased it in June 2012. But we saw no attempt on his part to run it as a farm. There were occasionally cob ponies grazed in the fields, as there had been with the previous owners, but no agricultural activity. He also seemed to allow overnight parking of miscellaneous vehicles on site, for example various lorries, a large luxury touring coach, a large luxury camper van, a traditional gypsy caravan.

The parking of such large vehicles was particularly worrying as contrary to the claims of the agents for the current application, the whole of Tan Hose Lane (not Tan house Road) is single track with just three formal passing places and none of them visible one to the other. During the 2010/11 Planning Inquiry the Council incensed local residents by suggesting that their drives could be used for informal passing places so allowing it to be said that there was no highways concern over access. This statement and the use of private driveways was subsequently ridiculed by the Department for Transport making it clear that reliance on private land would require the Council to negotiate maintenance agreements with those of us with such driveways. The agent's comments on access for the current application are therefore misguided. Also we do not understand their comments about traffic from this development replacing traffic generated by Marsh Farm. It seems to us that the rest of the land will still have access from the same driveway proposed for use by this development.

We have been led to believe that under this Schedule Q provision there is scope to consider the desirability of the barns for conversion to residential accommodation but that all the usual issues of sustainability, wildlife and landscape value, and Local Plan policy are not considered. These issues would we believe make this proposal untenable.

So we shall concentrate on desirability. The woodland and remnants of old protected orchard, all within the blue line, have recently been cut down without the required permissions. This exposes the metal barn to full exposure to the south and the public footpath crossing the Marsh Farm lands. With no scope to create a garden because the permitted area around the barn is all hard concrete yard, and the loss of screening of the felled woodland, the building is completely exposed to public gaze thus providing no private outside space for eventual occupants. This is not desirable in the open countryside where such housing might be expected to be occupied by young families or the elderly.

In these days of advanced building techniques we suppose it is possible to turn any structure into a house. However, we do not believe it desirable to create 2 semi detached houses out of this ugly modern barn when there is no scope under the GDO to disguise it. The resulting houses would be completely out of place resembling post modern urban cells representative of high density city living and completely at odds with the rural scene of this particularly attractive medieval landscape of Upton Bishop. Of course it is so beautiful that anyone who could not otherwise live here might jump at the chance even if in a converted tin shed because their view would be so lovely.

There are affordable houses just a short drive away in Gorsley completed only 2 years ago and we have all just been canvassed on our interest in newly planned affordable houses to be available soon in Upton Bishop itself. These are desirable and built to a standard controlled by planning policy. By contrast this barn is close to a listed building where only recently historic analysis has led to a planning judgement that the buildings around it can still be read in the context of the original farmyard setting. This proposal would cut through that.

So we do not believe anyone would think it is desirable to turn this barn into 2 houses, except that is, a speculator seeking extra profit via the short cut provided by this schedule Q measure. We cannot agree with the agent's apparent judgement that the conversion would provide cheap and cheerful little houses. We believe that 3 bedrooms have been squeezed into the design while all

other aspects of living have been lumped into one small utilitarian space. The houses are mean and cramped and the limited space is emphasised by the only outside space permitted being the concrete hardstanding. We point out that however much the agents seek to describe sweet little gardens within the blue outlined area, the schedule Q provision does not permit such conversion of old orchard pasture into garden.

We ask you to refuse this application.

Yours sincerely

Mr and Mrs M P O'Sullivan.