

8th DELEGATED DECISION REPORT

APPLICATION NUMBER

181673

River Wye Caravan Park, Symonds Yat West, Nr Ross-on-Wye, HR9 6BY

CASE OFFICER: Mr C Brace

DATE OF SITE VISIT: 8th October 2018

Relevant Core Strategy Policies:

- SS1 – Presumption in favour of sustainable development
- SS4 – Movement and transportation
- SS5 – Employment provision
- SS6 – Environmental quality and local distinctiveness
- OS1 – Requirement for open space, sport and recreation facilities
- OS2 – Meeting open space, sport and recreation needs
- RA6 – Rural economy
- MT1 – Traffic management, highway safety and promoting active travel
- E4 – Tourism
- LD1 – Landscape and townscape
- LD2 – Biodiversity and geodiversity
- LD3 – Green infrastructure
- LD4 – Historic environment and heritage assets
- SD1 – Sustainable design and energy efficiency
- SD3 – Sustainable water management and water resources

Other Relevant Plans: Wye Valley AONB Management Plan

Neighbourhood Plan: At Regulation 14, no weight

Relevant Site History: DCSE2005/1284/F – Erection of four chalets – Approved w/conditions

CONSULTATIONS

	Consulted	No Response	No objection	Qualified Comment	Object
Parish Council	√		√		
PROW	√		√		
Site Notice	√		√		
Other					
Natural England	√				
Welsh Water	√		√	√	

Local Member	√		√		
--------------	---	--	---	--	--

PLANNING OFFICER'S APPRAISAL:

Site description and proposal:

The application site forms part of the wider River Wye Caravan Park which, although in separate ownerships, combines to form a comprehensive range of tourist and visitor attractions and facilities in Symonds Yat. The site is within the Wye Valley AONB and is adjacent to a PROW.

The proposal is a retrospective application for five static caravans

Representations:

Whitchurch Parish Council has no objection.

The **Council's PROW Officer** has no objection.

Welsh Water has no objection however will require appropriate notification on the intent to connect to the mains sewerage system. A condition regarding surface water requested has been added on the recommendation, below.

Local Member updated by email on 22/10/2018, delegated approval agreed.

Pre-application discussion:

None

Constraints:

Impact on the character and appearance of an AONB

Impact on the setting of a listed building

PROW

Flood Zone 2 and 3

Impact on SAC and SSSI

Appraisal:

Legal Framework

The legal framework for AONBs in England and Wales is provided by the Countryside and Rights of Way Act (CROW) 2000 which reaffirms the primary purpose of AONBs: to conserve and enhance natural beauty, and sets out responsibilities for their management. In particular relevance to the appeal are the following section –

Section 82 reaffirms the primary purpose of AONBs: to conserve and enhance natural beauty.

Section 84 confirms the powers of local authorities to take appropriate action to conserve and enhance the natural beauty of AONBs.

Section 85 places a duty on all public bodies and statutory undertakers to 'have regard' to the 'purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty.'

Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states *"In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses."*

Herefordshire Core Strategy

Policy RA6 – *Rural economy* supports 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 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 and 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.

The preamble to the above policy recognises the rural areas have consistently played a strong role in local, regional and national food and drink production, particularly in areas such as agriculture and farming. Other uses within the rural economy consist of local businesses and services, village shops and public houses, tourism activities and accommodation, home

working businesses, military uses, as well as farm diversification enterprises. The strengthening of the rural economy is also important in retaining a skilled labour force. In order to allow the rural economy to grow the following policy provides flexibility for start-ups and continuation of business enterprises, business diversification and home working. It also embraces new technologies and methods to allow the rural economy to prosper.

Core Strategy paragraph 4.8.44 identifies Tourism plays a role within the rural economy. The varied tourism facilities enable existing farms and rural businesses to diversify as well as accommodating the needs of visitors.

Policy E4 – *Tourism* describes that 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 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

Core Strategy paragraph 5.2.21 recognises by encouraging more overnight stays and associated increased expenditure, there is potential for revenue from tourism to make a greater contribution to the county's economic well-being. The provision of new accommodation and the enhancement of existing accommodation will help achieve this goal. Many visitors to the county come to enjoy the beautiful countryside and there is likely to be a demand for new facilities and accommodations associated with this.

Policy E4 recognises the contribution that tourism makes to the Herefordshire economy and seeks to ensure that this continues and is enhanced through new developments which are of an appropriate scale, type and location.

Core Strategy policy SS6 describes proposals *should conserve and enhance those environmental assets that contribute towards the county's distinctiveness, in particular its*

settlement pattern, landscape, biodiversity and heritage assets and especially those with specific environmental designations. Policy SS6 then states in its list of criteria that Development proposals should be shaped through an integrated approach and based upon sufficient information to determine the effect upon landscape, townscape and local distinctiveness, especially in Areas of Outstanding Natural Beauty.

Core Strategy Policy LD1 – *Landscape and townscape* 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;
- conserve and enhance the natural, historic and scenic beauty of important landscapes and features, including Areas of Outstanding Natural Beauty, nationally and locally designated parks and gardens and conservation areas; through the protection of the area's character and by enabling appropriate uses, design and management;
- incorporate new landscape schemes and their management to ensure development integrates appropriately into its surroundings; and
- maintain and extend tree cover where important to amenity, through the retention of important trees, appropriate replacement of trees lost through development and new planting to support green infrastructure.

National Planning Policy Framework

The NPPF has 'sustainable development' central to planning's remit and objectives. The NPPF also seeks positive improvements in the quality of the built, natural and historic environment and in regards people's quality of life. The National Planning Policy Framework has been considered in the assessment of this application. The following sections are considered particularly relevant:

- 2. Achieving sustainable development
- 6. Building a strong, competitive economy
- 12. Achieving well-designed places
- 15. Conserving and enhancing the natural environment
- 16. Conserving and enhancing the historic environment

Paragraph 11 of the Framework sets out the presumption in favour of sustainable development. For decision-taking this means 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 the application of policies of the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed or 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.

The National Planning Policy Framework has Supporting a prosperous rural economy has a key part of building a strong competitive economy. Paragraph 83 states Planning policies and decisions should enable:

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

- the development and diversification of agricultural and other land-based rural businesses;
- sustainable rural tourism and leisure developments which respect the character of the countryside; and
- 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.

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

NPPF Paragraph 124 states *The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.* Paragraph 127 outlines Planning decisions should ensure that developments:

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

Policies specific to protected landscapes (including AONBs) are detailed at paragraph 172 and states *Great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty. The scale and extent of development within these designated areas should be limited.*

Assessment

Having regard to the wider local area, caravan accommodation is readily visible and part of the tourist accommodation offer hereabouts. As such the siting of the caravans is not incongruous and is read as part of the wider tourist facilities and accommodation. The impact on the listed building is considered to be limited because of its general setting and as such there would be less than substantial harm and on this consideration alone it would not be sufficient reason to refuse the application in the light of the public benefits associated with encouraging tourism and the viability of the existing established rural business. Given the existing development and land uses, it is considered there would be no additional impact over that already existing and permitted on the character and appearance of the AONB or adjoining amenity. Furthermore it is clear from a business and tourism position, caravans are, in this location, required and the proposal benefits an existing rural enterprise.

A condition regularising and restricting use of the caravans is recommended so to ensure a consistent approach over the overall complex and caravans within the enterprise.

As such Core Strategy Policies SS1, RA6, E4, LD1 and LD4, the relevant policies of the Wye Valley AONB Management Plan and NPPF are satisfied and approval is recommended.

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

CONDITIONS & REASONS:

1. C01
2. C07 – plans
Received 31st August 2018
3. No surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment and to comply with Herefordshire Core Strategy policies SD3 and SD4.

4. The land and buildings which are the subject of this application shall be used for holiday accommodation only and for no other purpose including any other purpose within Class C of the Schedule of the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.

Reason: The local planning authority wish to control the specific use of the land/premises, in the interest of sustainable development, local amenity, regard to the location within an Area of Outstanding Natural Beauty and flood zone 2 and 3 and to comply with Policies SS1, SS6, LD1, SD1 and SD3 of the Herefordshire Local Plan - Core Strategy and the National Planning Policy Framework.

Informatives

1. Pro active Reason 1

Signed: CB Dated: 24/10/2018

TEAM LEADER'S COMMENTS:

DECISION:

PERMIT

☒

REFUSE

☐

Signed:



..... Dated: 24 October 2018.....