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Sent: 07 March 2025 14:48

To: Planning Enquiries <planningenquiries@herefordshire.gov.uk>

Subject: UBPC Response to the Planning Response Statement submitted by the applicants for application 241664 (Fishing Lakes + 40 cabins)

Importance: High

Good afternoon,

Please find attached the following documents for Upton Bishop Parish Council which comprise the parish council's formal response which has been agreed and supported by all councillors:

- Covering letter - with an executive summary of our objection and comments.
- Attachment 1 – Parish Council detailed comments regarding the applicant's Planning Response Statement.
- Attachment 2 – Parish Council re-submission of original Parish Council Objection submitted in Nov 24.

As you will note the parish council OBJECT to the planning application with full details and comments as attached.

Please can you confirm receipt.

Kind regards

Andrée Mitchell
Clerk/RFO to Upton Bishop Parish Council

UPTON BISHOP PARISH COUNCIL (UBPC) – COMMENT ON PLANNING RE-CONSULTATION – 241664 – LAND AT UPTON BISHOP FISHING LAKES, ROSS-ON-WYE, HEREFORDSHIRE, HR97UH

References:

- A. **Upton Bishop Parish Council comment on planning application 241664 – OBJECTION** submitted by email to Herefordshire Council on 11 Nov 24.
- B. **Herefordshire Council Planning Department letter: Planning Re-Consultation (reference 241664 dated 3/3/2025)** to Upton Bishop Parish Clerk – with confirmation of amended plans and documentation including a new submission from the applicants (Dinmore Leisure) in the form of a Savilles Planning Response Statement dated Jan/Feb 25.

Upton Bishop Parish Council held a meeting on Tue 4 Mar 24 to consider the Planning Response Statement submitted by the applicant to planning application 241664 and highlighted by Herefordshire Council at Reference B.

- 1. The Parish Council **unanimously voted to OBJECT to the Planning Response Statement** submitted by the applicant (Reference B).
- 2. Find attached (**attachment 1**) **detailed comment by the Parish Council to the Planning Response Statement.**
- 3. **The Parish Council also reiterate their original Objection submitted on 11 Nov 24** and to avoid any ambiguity is resubmitted (attachment 2) and must be considered in a future consideration in relation to the planning application and Response statement.

As a point of note, there was concern raised by councillors and parishioners that the applicant may attempt to have previous objections set aside if this application was to be reviewed purely on the basis of the 'new' Response and associated 'new' information. It is for that reason that the previous council Objection is included in the councils Objection and comment on the applicant's response.

There was also concern expressed that objections from local residents which the council already has in response to the original application (over 100), may get set aside should this application be reviewed purely on the basis of the 'new' Response and associated 'new' information. The Parish Council would want assurance that this would not happen, and all previous objections get carried forward into any future consideration or appeal.

Attachments:

- 1: Upton Bishop Parish Council detailed comments on planning application 241664 Planning Response Statement.
- 2: Upton Bishop Parish Council OBJECTION to planning application 241664

Dated: March 2025

UPTON BISHOP PARISH COUNCIL - COMMENTS ON APPLICATION 241664
LAND AT UPTON BISHOP FISHING LAKES – PLANNING RESPONSE

New Submissions from the Applicants (Dinmore Leisure)

Saville's Planning Response Statement on behalf of Dinmore Leisure (dated January & February 2025)

1. HOLIDAY OCCUPATION.

The quoted conditions to be applied on occupation provide no further clarification and amount to saying little more than they intend to abide with what are the usual conditions of planning permission applied for a caravan park. The language used in their explanation is somewhat obscure.

The applicants have not changed their intent for year-round 12 month occupation of the park.

If they intend to operate 12 months of the year, then whether it is for rental by different people or rental for some undetermined period deemed not to be permanent, or providing residents' sole address, it makes no difference to the development's impact of the site. The intensity of use is the same and probably greater because of changeover servicing and the need for a resident manager to monitor the occupation and compliance.

Such a manager would presumably live there for 12 months to ensure compliance as the owners are located 25 miles away.

Equally if the units are to be sold individually, then presumably the only control that could effectively be applied would be through conditions applied at the time of purchase by some kind of ground rent condition or leasehold. We understand the legislation on leasehold control is currently under review and it would therefore be premature to reach a decision on the application before it is clear that the conditions identified by the applicants would be capable of enforcement in the future.

All these options are filled with complexity and scope for departure from the proposed non-residential status of the units. It simply does not seem a practical proposition on this site.

Such conditions are notoriously difficult to enforce both practically since they require someone on site to keep a record of who is staying on site at any one time, and in law since it is not clear what the long-term status of the site might be. A holiday site this year can easily become a residential development as status is changed through sale, variation of conditions over time, and changes in legal status of ownership after sale of units.

There are many examples of ruses used to circumvent such conditions for example 2 families could buy 2 units and move from one to the other for the 2 months which is the usual vacant time required to ensure no year-round occupation.

However, length of occupation is also difficult to manage since if a unit is sublet by the owner, the owner may not be living there for 12 months but a third party is for

some of the year i.e. the unit is in use for 12 months but just not by the same people. The earlier submission seemed to suggest that units were to be sold individually so how would they know who was where when? Such sites are a nightmare for local enforcement authorities.

The only way to properly police the 10-month occupation rule is for the whole site to close for 2 months and that period to be policed by the enforcement authority. But since this is not the proposed operating mode we suggest this site is not suitable for the development.

2. CLAIMS THAT THE SITE HAS BEEN USED AS A FISHING LAKE. (LAWFUL USE COMMERCIAL FISHING LAKE)

We assume it is felt important that the site can be recognised as an existing commercial site hence this reference.

We are not aware of any established use or lawful use documentation for the site.

We assume that the reference is to acceptance by the LPA that planning permission conditions, have been met via the completed fishermen's lodge and so in planning terms the site has permanent permission to operate as a fishing lake.

This in no way establishes actual operation of the site as a commercial fishing lake so Saville's notes represent nothing more than a statement of the lake's planning permission status - and they have been selective in their planning references which are by no means the full story of the history of the site.

They fail to mention the multiple applications for 6 traveller units between 2009-2012 including a high-profile planning Inquiry. None of the evidence submitted for that period included anything about the actual use of the site as a commercial fishing lake. The planning applications were for traveller occupation and made no mention of commercial fishing.

As far as local residents are concerned there has never been any commercial fishing at the site. Checks with DEFRA confirm that fishing licences are not issued in relation to sites but in relation to individual fishermen. Therefore, there is no way to tally use of a site via the fishing licences issued.

Where is the evidence of the site ever having been run as a commercial venture for leisure fishing? If it has operated as a business there must be records of earnings from daily fishing permissions, company accounts or personal income statements for tax purposes.

Where is the evidence of accounts for maintenance, restocking fish, maintaining and managing water quality and water levels?

Where are the H&S arrangements e.g. lifebuoy rings, safety notices for users of site, risk assessment etc for members of the public using an unattended site?

What was the turnover and customer numbers?

Residents have never seen signs outside the site advertising its existence or inviting enquires for fishing. There have been no competitions or local fishing events advertised. For all intents and purposes the site has remained unused for fishing as a commercial venture. It has been a privately owned site, managed only occasionally for the owners by the owners. We fail to see why anyone interested in fishing would want to fish in the lake once it was surrounded by 40 intensely sandwiched cabins. It seems to us to be a wholly fanciful idea and reference to the site being a commercial fishing facility is a vain attempt to suggest the site has an established commercial presence within the local environment. That is simply a fiction.

For many years Holmes Grove was owned by Mr [REDACTED] as part of Two Park Farm, the listed farmhouse being opposite the lake. Mr [REDACTED] was listed for all the usual agricultural subsidies for the farm and lived in a caravan beside Two Park Farm Farmhouse, the house itself being in a poor state and having been up for sale for many years.

In 2008, Mr [REDACTED] who bought the lake site and Marsh Farm in 2007, extended the large pond and landscaped some of its banks to form the larger lake from what had historically been a spring fed pond. The banks were dug by JCB with little attention to landscaping to tie-in with the surrounding lie of the land but more to ensure location for traveller mobile homes and access from the site to his land at Marsh Farm. Eventually a track link was made across the fields to his residential farm access track from further up the B4221 at Hill Top. That track was granted permission in 2008.

When the Planning Appeal for traveller occupation at Marsh Farm and the lake (Holmes Grove) failed in 2012 the lake was acquired in 2013 by Mr [REDACTED] [REDACTED] which also bought Marsh Farm and Two Park Farm.

Mr [REDACTED] made improvements to Two Park Farm farmhouse and sometimes stayed there but never lived permanently in the house. We were told that his manager lived in a caravan on site but no-one else lived there. So how would anyone get permission to fish at the lake without an address to get permission and pay the fee enshrined in any commercial status? It is believed that the [REDACTED] family lived in Upton on Severn at the time. [REDACTED]

[REDACTED] It is understood that the current owners of the Lake purchased the site from the previous owners [REDACTED]

Overall the commercial fishing status is a [REDACTED] If Savilles maintain otherwise they need to submit proof of volume usage for fishing via receipts and income. Accounts should be provided to indicate scale of the fishing business for comparison with the size of the now proposed commercial holiday operation on the same site.

In the meantime we maintain it is a [REDACTED].

3. HERITAGE STATUS IMPACT

The Saville's notes refer to the planning appeals at Holmes Grove.

There was no heritage mention in the Appeals evidence because the impact of 6 mobile homes on the setting of the listed buildings would be minimal located as proposed on the bank from the road down to the lake, even though the mobile homes were determined to be harmful to the wider landscape.

40 units intensively packed onto the site as now proposed is very different. Units are proposed to be intensively located on the facing bank to the main road and in direct view of the gateway entrance and thereby the setting of Two Park Farm farmhouse as approached from either direction on the B4221.

The current proposals are much more impactful on the historic setting of the farmhouse in scale, density of development, infra structure, lighting and internal network, not to mention likely comings and goings by holiday makers and servicing vehicles.

Historic setting applies as much to the landscape quality of the setting of Two Park Farm farmhouse and its appreciation within its wider historic landscape than just the views from that listed farmhouse towards the lake. The historic landscape of the farmhouse and the sweeping view across the ridge to the lake gives the full setting of the operation of the farm. So, the landscape in this vicinity would be massively impacted by the 40 high density unit development. No amount of weathering of buildings or growth of trees could disguise the jarring foreign nature of the proposed development, compared with the local open countryside landscape with its isolated dotted farmhouses and small-scale communities. The infrastructure of internal roads and parking for large numbers of vehicles, and lighting pollution from the site would have major landscape impact compared with 6 mobile homes with no fixed infrastructure which even so were deemed by the Planning Inspector to have harmful impact on the landscape because of their wider visibility to people travelling through the landscape.

4. COMMENTS ON LANDSCAPE REPORT

Landscape type, local geomorphology and geology and hydrology

In 2011 the Council's senior landscape officer, Juliet Wheatley, produced her proof of evidence submitted for the Holmes Grove Appeal (publicly available document). That stated that the site is wooded estatelands with wooded hills and farmland adjoining. The report is attached but an extract from that report follows: -

- 1.5 The appeal site is described as the landscape type Wooded Estate lands; the adjacent land to the west falls within the landscape type Wooded Hills and Farmlands.
- 1.6 Statutory policies and guidance comprise the European Landscape Convention, PPS 7, the RSS for the West Midlands and Unitary Development Plan policies S1, S2, DR1, LA2 and H12.
- 1.7 The landscape consultation response to the planning application that is the subject of this appeal identified that the proposed development would harm the rural landscape and thus conflict with Unitary Development Plan Policy LA2.

3. The Context of the Appeal Site

- 3.1 The site comprises a grass field, elongated in shape, which is situated in rolling open countryside on the northern side of the B4221, just over a kilometre to the south-east of Crow Hill.
- 3.2 There are remnants of the Holmes Grove woodland to the north-west of the site and on the steeply rising ground above the B4221, to the west of the appeal site. The site is bounded to the east by a field hedgerow, beyond which agricultural ground rises to Two Park Wood, which contains a golf course. To the south of the B4221 there is agricultural land which falls towards the M50 motorway.
- 3.3 There are views into the site from the B4221 and from the northern end of the public right of way (Herefordshire Council reference LTR8), which joins the B4221 close to the site entrance. The viewpoints are identified in Figure 4 and illustrated in Figure 5. The views are described in Section 5, *The Case for the Council*.

In the applicant's latest response, they submitted a report prepared by Blades Landscape Consultants (dated June 24), where the report suggests that the ridge of which the fishing lake site forms a part is 'a limestone ridge'. This is an error as the ridge is Herefordshire red sandstone overlain with heavy red clay often impermeable in places.

We agree it is 'a wooded ridge' identified, as indicated above, wooded hills and wooded estate lands in the 2012 Planning inquiry. The often-impermeable nature of the clay soil means that drainage is a problem for many sites on the ridge especially when associated with the spring line that rises along this ridge running broadly north to south through the parish. The idea therefore that changes in land formation and levels can be easily achieved on this site especially with the introduction of closely aligned concrete pads would be a misconception especially bearing in mind the

recent history of flooding of the B4221 close by the entrance to the site. This was corrected some years ago by a previous owner of the site but it is not known what engineering works were undertaken to achieve this relief as we understand there were no plans submitted.

Therefore, the agreement that there is major change to landscape and slope on the site, which is acceptable, is misguided if there has been an assumption that this site is located on limestone.

The Holmes Grove site is on the watershed between the Wye and Severn catchments. The site in fact drains west eventually into the Wye. Holmes Grove lake is a spring fed water feature. We believe that changes to the slope and drainage of the site, even with attenuation basins, would, quite apart from changing the wildlife habitat of the site, which is not a marshland site, have wider impact on surrounding agricultural fields. The extent of hard surfacing coupled with surface runoff would lead to major drainage problems and flooding both on adjoining land and the highway. It was only a few years ago that potato production in the adjoining fields was a total loss due to waterlogging. Also flooding of the road may be seen as impacting only a minor road, but it is nonetheless the relief road for the M50 to Ross on Wye. The M50 has flood warning signs not too far from junction 3 linking with the B4221. The hydrology of the area is complex and difficult to manage when intensive development is carried out.

5. LANDSCAPE APPRECIATION

Views from the bus are stated as not important – what an odd judgement that people travelling through open countryside have no interest in the landscape. The proposal is for a tourist attraction in an area known for its attractive landscape so why would anyone passing the site not be interested to see the landscape? The Proof of evidence submitted by the Council's Landscape Officer back in 2011 for this site identifies the importance of local views.

In the applicant's report prepared by Blades Landscape Consultants, Para 2.22 suggests that eventually the 40 wooden chalets would just blend into the landscape and not be seen. We simply do not agree. While agricultural buildings do mature to a point and there are many traditional wooden barns in the county, this development would always be prominent because of its infra structure, its parked vehicles and constant servicing requirements. Inevitably the intensity of use of the site would attract attention and inevitably draw attention to its bulk sitting incongruously in the traditional small-scale landscape so imposing its presence on an otherwise rural scene. 40 units in intensive close alignment do not equate to a natural rural scene no matter what colour they are and no matter what trees or other attempts to disguise them might be introduced.

6. ACCESS ARRANGEMENTS TO THE SITE

It is not clear whether the earlier access arrangements over land belonging to the adjoining fields has been resolved or even whether this in the event had any impact on the proposals from a Highways point of view. Clarification would be helpful as it could alter some of the profiles indicated in the photography.

UPTON BISHOP PARISH COUNCIL (UBPC) – COMMENT ON PLANNING APPLICATION 241664 – LAND AT UPTON BISHOP LAKES, HR9 7UH

UBPC **OBJECT** to the planning application 241664. The objection is based around four key areas:

- *The application is of a scale and nature that will have a serious detrimental impact on local Open Countryside¹*
- *The proposed application looks to be a speculative residential development and is not a sustainable local holiday business.*
- *The proposed application will have a serious negative impact on Traffic and Access.*
- *The proposed application has serious Sustainability issues and detrimental impact on the surrounding area.*

This OBJECTION is supported by a more detailed explanation/statement below.

IN PRINCIPLE

THE SITE

1. Landscape Detrimental Impact on Local Open Countryside and previous development proposals rejected.

- a. This site is known as Holmes Grove in the local community also on maps of the locality. There was a planning application for 5 cabins and 5 day rooms with associated parking and play areas back in 2009 – refused by HC on basis of Open Countryside status of the site and impact on the locality's visual landscape - the application ran in association with the bigger application at Marsh Farm for traveller caravans retention/installation.
- b. The end result was a conjoined Planning Inquiry on Appeal by the applicants (same owners for both sites) who owned the whole of Marsh Farm – 70+ acres and Holmes Grove. That conjoined Inquiry rejected the Appeal for Holmes Grove (and Marsh Farm) in 2012, *the development at Holmes Grove was rejected on grounds of impact on the Open Countryside and visual landscape.*
- c. The current application is for a much larger installation of cabins for year-round occupation just like the previous application but 8x as many and still confined to the same area, so increasing the density of development and building, in effect a settlement, so causing *greater detrimental impact on the Landscape.*
- d. There has been no material change in the situation or status of the site which was an approved fishing lake stemming from a permission in the 1990s. As

¹ Of note the application makes reference to the Upton bishop neighbourhood Development Plan (NDP) in that the development area indicated in Red is outside the NDP, however the northern part of the development area indicated in Blue is within the NDP

far as anyone locally knows, this site has not been subject to regular use as a fishing facility and has not been advertised as such either as Holmes Grove or Upton Bishop Lakes – in fact no one locally has heard of the name Upton Bishop Lakes until now. It is not a public facility as claimed.

- e. In 2012 the Planning Inspector in her decision referred to the landscape type as open countryside with scattered housing. There have been no additional houses built in this block of some 300 acres since 2012. There are only 17 houses on the block of land containing the application site all scattered along the c 4.5k of lanes bordering the block. All are detached houses with considerable open land between them as well as their large gardens mostly in excess of 1 acre or more.

But the majority of the land is Golf Course, 3 private residences with land with a few acres of Equestrian status, another larger equestrian facility of some 20+ acres at Heart but with no residential facility, and an organic farm with some 27 acres but again no residential facility. Arable fields to the south of Holmes Grove are owned by Upton Court to the north with access across its estate to those fields, or by road.

Since 2012 both the Organic Farm operating under 2 titles - Little Puckmore and as Tanhouse Farm - and more recently the Heart operation, have had their applications for cabins and houses refused.

- f. The appellants for the Planning Inquiry Appeal in 2011/12 were claiming traveller status but even with acknowledged exception for travellers in the Local Plan it was not deemed reason enough to permit exception for caravans on the Holmes Grove site in that Open Countryside location (nor Marsh Farm).

2. Open Countryside and Landscape impact

- a. The block of land on which the site is located sits between the M50 junction 3 and Upton Crews/Crow Hill. Junction 3 of the M50 is now being developed with warehousing and transit facilities on the Gorsley/Linton side to the south of the westbound carriageway, and by commercial storage facilities on Revill's Lane to the north of the eastbound carriageway where there is also Jays Green a long-term traveller facility at Revill's Lane's junction with the B4221.
- b. From junction 3 up to Upton Crews/Hill Top, there are 4 main blocks of activity – the golf course, 2 large arable fields and Holme's Grove being remnants of the old Two Parks Farm, and the Heart equestrian facilities. There are just 2 houses in this stretch plus the listed historic farmhouse and barn opposite at Two Park Farm with entrance opposite the Holme's Grove (Upton Bishop Fishing lakes) entrance.

Permitting installation of 40 residential units of any kind on Holmes Grove would change the status of the land, which when seen in the wider context of development at Junction 3 and loss of agricultural grazing at Heart, would *virtually demolish the divide of Open Countryside* between Gorsley/Linton and Upton Crews/Crow Hill being 2 of the settlements making up Upton Bishop. *Such development of extensive residential accommodation would inevitably lead to pressure for ribbon development of houses along the B4221.* Heart

has already sold two plots within its land adjacent to the B4221 and one has been the subject of a rejected planning application for a newbuild house. The other plot next to Hill Top Barn is currently under offer and there is no public knowledge on what the buyers intent is for that site which sits just north west of the Holmes Grove site.

- c. The development site would have a *major detrimental impact on the setting of listed buildings at Two Park Farm* which at one time included Holmes Grove in its land holding,

3. The Proposed Holiday Lets Business and possible Park Home development

- a. The current applicant is Dinmore Leisure of Hope Under Dinmore near Leominster, some 25 miles distant taking 40 minutes or so to travel to/from Upton Bishop. Their application is made in the name of Dinmore Leisure to install 40 units for holiday lets. However, a quick check of their website identifies that *their business is sale and repair of caravans and motorhomes, plus operation of a Park Home site* adjacent called Northside Park. There is no indication of a holiday lets business. The named owners of Dinmore Leisure appear to live at [REDACTED] nearby their current business site. That [REDACTED]

- b. The proposal for the Upton Bishop/Linton site strongly *emphasises the intent for 12-month occupation* and caravan status of the cabins at Upton Bishop Lakes. The *rules quoted for running the site are rules typically used for fulltime residential Park Home sites*. Northside Park is a fully residential site apparently with permanent residents purchasing their units from Dinmore Leisure. Indeed, the Dinmore Leisure *website extols the virtues of equity release to buy a park home to live in permanently* enjoying the local countryside. It seems that this is the business expertise that the applicants would be bringing to development of the Upton Bishop/Linton site.
- c. So the *current application amounts to speculative purchase of the site* by an outfit that is based a considerable distance away. *It is not clear how the site would be managed as a holiday lets business* with regular turnover of guests and hand over of keys to new arrivals etc. Running a holiday let business usually requires onsite management yet there is no indication of how this development would function in that way. This *reinforces speculation that intent is for permanent occupation of the Holmes Grove site* in intensively located typical park home units.
- d. However, *whether 12 month holiday accommodation or residential ownership of park home units is the intent, neither would be acceptable on this site already identified as open countryside and with a history of refusal at Appeal* even for lower density usage for cabins. Back in 2009/2012 the appellants back were seeking something similar and it was rejected even given their traveller status. (The family concerned were in fact extensive Park Home owners).

4. Traffic and access

- a. The Planning Inquiry in 2012 did not find a major impact of the proposals on the B4221 road, that judgement was made in respect of only 5 families living on the site. *The current proposed development is 8 times larger and inevitably would have much greater impact* when servicing of the site, oil deliveries, gas deliveries and day to day online delivery couriers which are extensively used locally by residents would *significantly increase traffic to and from the site*. The planned 80 parking spaces clearly indicate a substantial increase in traffic with 160 traffic movements just getting on and off the site once. This would increase exponentially with normal pattern of life from occupiers. Holiday lets traffic would of course be a lesser impact in this respect because there would be multiple units being topped up with oil and /or gas and relatively few deliveries of the kind associated with permanent occupation. *The submitted figures therefore need to be challenged* as much of the survey data is erroneous and makes presumptions based on no understanding of the locality.

5. Sustainability

- a. **Management.** The management of the site would require regular long-distance trips from the company base at Hope under Dinmore. Round trips of 50 miles to service the site would *not be a sustainable proposition*.
- b. **Isolation.** The *site is isolated from facilities and services and not suitable for travel to or from on foot* as there are no pavements and no lighting on the 60mph national speed limit B4221 which is the relief road for the M50 motorway.
- c. **Supply.** All supplies for the site would need to be transported onto site from some distance in all practicality from Ross On wye or Newent, both some 4 miles distant. Although there is a small community shop and post office in Gorsley this is not suitable for weekly shopping for food. *All general services would need to be accessed in Ross or Newent or further afield*.
- d. **Public Transport.** The local bus service does not stop at the site so residents would have to walk to Upton Bishop over a mile away on a fast road, with no pavements or lights. *This is not safe and not sustainable*. The local bus service links Ross and Ledbury with services roughly every 2 hours but the use of Ledbury station is not very practical as the last bus back leaves before 5pm. Gloucester is the more practical station but few locals use the bus to get there, most driving to park at the station or go by taxi – again *not a sustainable option*.
- e. **National Landscape.** The site is adjacent to the Wye National Landscape boundary which runs through Upton Bishop to the north. *This application is not sympathetic to the Wye National Landscape*.

- f. **Wildlife.** There are many *rare species* locally, including Internationally threatened bat roosts and an important dormouse population close to the site. Also, raptors and rare amphibians and snakes have been recorded close to the site. (see Phase 1 survey for Marsh Farm planning application and Bat Survey). There is a Lesser Horseshoe bat roost that will be using the Holmes Grove site. There is also great concern about the suggestion in the application to remove hedgerows which are important wildlife habitats. The Holmes Grove ancient woodland acts as a *wildlife corridor* for many species not only mammals but also birds and insects moving between Lynders Wood and Queens Wood, all susceptible to human disturbance. There is concern for the *water-based wildlife downstream* from the development, in the book and lakes in Linton parish and the wider Wye catchment area.
- g. **Pollution.** A development of this density and activity will have a major impact on *light pollution* in an area of Open Landscape and countryside, again impacting on wildlife. The extra human activity and *potential water pollution* are also of concern for wildlife (see below).
- h. **Sewerage and water pollution.** The impact on *local drainage is of serious concern*. Holmes Grove lake has been created out of a spring-fed natural pond arising at the eastern edge of the site and that pond drains westwards under the B4221 across Two Park ending up in Linton Brook and ultimately the *Wye catchment*. The small-scale treatment plant and the drainage is not suitable for increased discharge from the usual small scale site treatment plant identified to be used by the development. There has *historically been serious flooding* on the B4221 from the lake and this is likely to be exacerbated by discharge from the site with extra run off from roads and buildings. There are also local concerns that the site may *affect the water table* and in turn impact on water flows towards Tanhouse which has been affected by flooding.
- i. **Access.** The *local footpath* network evolved historically to link settlements to the church at Upton Bishop and various manor estates as workers travelled to work cross the fields on foot. These footpaths were not conceived as part of the 1948 Access to the Countryside legislation and *were not therefore designed for mass access such as might be generated by the installation of a completely new settlement at Holmes Grove*. There is thus overemphasis on the idea of extensive walking being available locally. Much of the footpath network is across pastureland with grazing animals and not suitable for extensive intensive use. Access to the footpaths from the Holmes Grove site would require walking along the B4221 to join the network. There is no free access across fields from the site.

COMMENT ON DETAILS OF THE DEVELOPMENT SHOULD THE PRINCIPLES ABOVE NOT RULE OUT DEVELOPMENT.

1. The business proposal

- a. The current application amounts to speculative purchase of the site by an outfit that is based a considerable distance away. It is not clear how the site would be managed as a holiday lets business with regular turnover of guests and hand over of keys to new arrivals etc. Running a holiday let business usually requires onsite management yet there is no indication of how this development would function in that way. This reinforces speculation that intent is for permanent occupation of the Holmes Grove site in intensively located typical park home units.
 - *There must be a condition that this clearly is run as a holiday business including on site management*
 - *There must be a condition for a maximum of 11 month occupation and no permanent occupation.*
 - *There must be a condition that this development is not to be a residential development, including a Park Home development.*
- b. No business plan has been submitted so there is no indication of demand locally or what sector of the market this business would be satisfying. This is important as there are already local holiday let businesses run by local residents and there would be no point permitting a new development which was going to compete with existing local businesses without assessment of demand and supply.
 - *There must a condition that a clear business plan is submitted that is sustainable and not detrimental to local holiday business.*

2. Cabin and site design and use

- a. The design of the cabins is poor, being clad in resin-based timber fibre board that bears no relation to the clapboard roadside barns at Two Park Farm opposite – that shows a total lack of understanding and empathy with the local vernacular farm buildings.
 - *There must be a condition that the design and cladding is clearly sympathetic to the local area and with the listed farm buildings opposite the site.*
- b. The lined, close proximity of the cabins bears no relationship to the shape of local settlement development and is visually totally incongruous in this setting.
 - *There must be a condition to review and reduce the density and proximity of cabins to be more sympathetic to a development in Open Landscape.*
- c. The density of layout is like nothing else locally and reflects an urban layout totally inappropriate for the setting. Such density would lead to the site being lit up like a Christmas tree at night bringing disturbance to local residents at Hill Top and in Tanhouse, as well as protected wildlife such as the local bat and owl populations.
 - *There must be a condition to change the layout to a development more in tune with the Open Landscape setting.*

3. Wildlife

- a. The development is of a scale that will seriously impact on the wildlife corridor between Lynders Wood and Queens Wood and on local rare species.
 - *There must be a condition to reduce and minimise the size of the development that is more sympathetic to the impact on wildlife.*
 - *There must be a condition to minimise light pollution and minimise impact on wildlife and its setting within Open Landscape.*
 - *There must be a condition to not remove hedgerows or disturb important wild life habitats without a full ecological study and impact plan.*

4. Pedestrian Access

- a. The lack of pavements along the B4221 makes it dangerous for pedestrians with no street lighting as it is in a totally rural setting. Therefore whether day time or nighttime, private vehicles would have to be used to travel safely from the site.
 - *There must be a condition to provide pavements and safe pedestrian access to the public transport link that stops in Upton Bishop (Crow Hill).*

5. Drainage & sewage

- a. The impact of the development on local drainage is of serious concern. The small-scale treatment plant and the drainage is not suitable for increased discharge. There serious concern about flooding on the B4221 from the lake, exacerbated by discharge from the site with extra run off from roads and buildings and from the usual small scale site treatment plant.
 - *There needs to be a condition to produce a comprehensive sewage and drainage plan to cope with the size of the development.*
 - *There must be a condition to ensure suitable robust drainage across the B4221 to alleviate flooding.*
 - *There must be a robust sewage treatment and drainage plan that ensures no pollution of the local water courses.*

6. Transport road network access

- a. There is concern about the size of the development access being directly onto the B4221 with its national speed limit regulations and which is known to be a very fast road. There have been a number of accidents on this stretch of road.
 - *There needs to be a condition to produce a comprehensive transport plan that includes the development of a safe access onto the B4221.*
 - *As mentioned previously there needs to be a condition to produce a comprehensive and safe pedestrian access plan onto and across the B4221. This to include pedestrian access to Upton Bishop Crow Hill.*