

Abbeydore & Bacton Group Parish Council

Minutes of an Extraordinary Meeting of
Abbeydore and Bacton Group Parish Council
held in Bacton Village Hall
on Wednesday 8th April 2015

No ABPC/MW/073E

Present

Councillor Mrs. M. J. Jenkins Vice – Chairman
Councillor Mr. D. Bannister
Councillor Mr. D. Cook
Councillor Mrs. W. Gunn
Councillor Mr. M. J. Jenkins
Councillor Mr. W. Millington
Councillor Mr. T. Murcott

Clerk Mr. M. Walker

Also Present

Ward Councillor Mr. Graham Powell and four further members of the public

The Parish Council Meeting was formally opened by the Vice - Chairman at 8.00pm

1.0 Apologies

Apologies were received and accepted from Councillor Mr. D. R. Watkins Chairman

2.0 Declarations of Interest

2.1 To receive any declarations of interest in agenda items from Councillors

There were no declarations of interest made

2.2 To consider any written applications for dispensation

There were no written applications for dispensation made

3.0 To Consider Planning Application

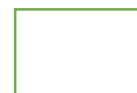
Site	Upper House Farm Bacton, Hereford HR2 0AU
Description	Proposed campsite for 5 no demountable tents (6 months holiday season)
Application No	150612
Grid Ref	OS 336161, 232016
Application Type	Planning permission
Website Link	www.herefordshire.gov.uk/searchplanningapplications

“The Parish Council at their meeting held on the 8th April 2015 considered application No 150612 Upper House Farm, Bacton, Herefordshire HR2 0AU The proposed campsite for 5no demountable tents (6 month holiday season).

The Parish Council resolved by majority **not to support** the application and their objection is based on a clear and unambiguous precedent set by a decision in the High Court.

The precedent was set by Planning Application number S121503/F which was objected to by Abbeydore and Bacton Group Parish Council, many local residents, and refused by Herefordshire Council. The applicant appealed and the appeal went through the full process to the Secretary of State and the High Court where it was quashed and the original refusal upheld. This is a very strong precedent as it has been upheld by the High Court.

This new application P150612/F is identical in almost every way to the refused application S121503/F, and in some points is worse than the original. Therefore in reviewing this application we tested it against the reasons for refusal of the previous failed application.



The inescapable conclusion is that every point that was cited as a reason to refuse the first application remains in this current application. Indeed the new application appears to make the situation worse with regard to the effects on the character and appearance of the surrounding countryside - the reason that the original application was turned down. Therefore, this application should be refused on the same grounds.

The overall issue is that the previous application, P150612/F, was turned down because it failed to: “respect the character of the local landscape and would thereby be contrary to the provisions of both Policies RST14 and I_A2 of the adopted UDP”.

The tents in the current application are identical, the layout of the site identical, the proposed use is identical as is the time they will be in use. The only difference is that this current application has moved the site to the adjacent field. It sits at slightly lower elevation by about 10-20 metres but has significantly less woodland screening. The original site was screened by woodland on three sides, the current application is screened by woodland on just one half of one side as shown on the plans provided - a considerable loss of cover. The applicant is proposing planting shrubs as an aid to screening but even mature shrubs, let alone newly planted, are very different to the screening afforded by mature woodland. As a result the new site is in a significantly more prominent position. Every single argument for refusal made in paragraph 8 is either replicated or made worse by this change of location. As a result, it is our contention that the impact on the nature and character of the environment is as bad if not worse with the current application.

We lay out the details of the refused application and compare them with the current application as follows.

The relevant document is the High Court Redetermined Decision, available here. <https://www.herefordshire.gov.uk/documents?id=59117d24-f2f9-11e3-a094-0050569f00ad>

The relevant paragraphs are 6, 7, 8, 9 and 10.

Paragraphs 6 and 7 lay out the regulatory background to the decision which are unchanged with regard to this application.

Paragraph 9 details the relevant mitigating circumstances which again remain unchanged.

Paragraph 10 gives the reasons for the rejection of the appeal. It reads:

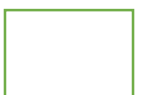
"On balance, I conclude that the scale of the proposed tents and the prominence of the proposed campsite within a rural landscape with little built development would result an intrusive feature that would fail to respect the character of the local landscape and would thereby be contrary to the provisions of both Policies RST14 and I_A2 of the adopted UDP."

Paragraph 8 contains the material facts which led to the rejection of appeal, upholding the original refusal of planning permission. It is this paragraph that contains the details of why the proposed campsite will be as detrimental to the character of the local landscape as the previous application. The full paragraph is:

8. The proposed tents would be large, something under 60m² in area and with a ridge height in excess of 3m. They would consequently be prominent structures and, when taken in combination, would represent a conspicuous feature in the landscape. Moreover, the appeal site is on rising ground with open views to and from the north east. There would thereby be glimpses of the proposed development from the lane that runs east to Bacton, and from the land around Upper Grange Farm. In addition, a public right of way passes from west to east directly across the site within a few metres of the proposed siting of the nearest tent. Longer distance views would also be provided across the valley, although I accept that these would be from some distance.

Sentences 1 and 2 detail the nature of the tents, which are identical to the ones in the current application.

Sentence 3 reads “... the appeal site is on rising ground with open views to and from the north-east.” The new site is on the same rising ground, albeit a little lower, but is more exposed and now has open views to a much greater extent, almost 180 degrees from north to south. Therefore, this site fails on the same grounds.



Indeed, the grounds for rejection have increased rather than decreased.

Sentence 4 reads: “There would thereby be glimpses of the proposed development from the lane that runs east west to Bacton, and from the land around Upper Grange Farm.” The new site is more prominent, the glimpses from the east west road to Bacton will be more frequent and longer. What’s more, the new position means that there would be the same potential for a similar glimpses from Tremorthic Road U 74209 which runs north south adjacent to Upper House Farm. Therefore, this site fails on the same grounds, in fact the grounds for rejection have increased rather than decreased.

Sentence 5 reads “...a public right of way passes from west to east directly across the site within a few metres of the proposed siting of the nearest tent...”. That same public right of way passes at the same distance from the nearest tent. Therefore this application fails on these grounds as well.

The final sentence reads “Longer distance views would also be provided across the valley, although I accept that these would be from some distance.” These view remain exactly the same if not made more likely by the more prominent position compared with the previous application. This application fails on the same grounds.

This current application fails on all of the points on which the previous application was refused and therefore we have no choice but to object. Furthermore, it is our contention that Herefordshire Council has no choice but to refuse the application on the same grounds.

While this precedent is the formal basis of our objection we wish to note the following.

In addition we note that the application includes plans for three picnic sites. These are all close to public footpaths, yet as far as can be determined from the plans these will be private facilities exclusive to the camp site visitors. One of the grounds for rejecting the original application was the fact that a footpath passed very close to the proposed tents considered an intrusion on the character of the landscape. This application has the same issue and the addition of further picnic sites adjacent to public footpaths is likely to make the impact on the character and nature of the environment even more pronounced.

The original application produced an unusually high level of objection in the local community. We have received submissions that demonstrate the same level of local concern.”

4.0 Agenda of Next Meeting

5.0 Date, Time and Venue of Next Meeting

Confirmed that the next meeting will be the Annual Meeting of the Group Parish Council and will be held on **Tuesday 12th May 2015** in **ABBEYDORE Village Hall** meeting to commence at 7.40pm or immediately on completion of the Parish Meetings if later

Parish Council meeting declared closed at 8.35pm

Signed..........

Parish Councillor Mrs M J Jenkins

Dated this day 12th May 2015