

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 Rogers Farm nearby their current business site. That farm is an intensive poultry business although it would presumably be possible for them to live at Northside Park their park home business adjacent to their caravan sales site which is given as the applicant address.
- 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.*