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Objection re planning application P232727/F

Proposed 3 no. Glamping pods for guest use, along with service cabin, EV Charging, refuse/recycling storage, secure bike storage and parking/turning facilities.

Banbh Farm has a long and contentious planning history. The previous application from this owner for five glamping pods was refused by the Council. Prior to that, numerous planning applications have been submitted since 2006 to try and obtain development on this greenfield site in open countryside. The current owner applied for a large agricultural barn which was refused on appeal. Previous owners proposed many other schemes, for change of land use and all these inappropriate proposals were refused or withdrawn.

This site was used to dispose of demolition waste, including potentially hazardous asbestos cement sheet roofing materials, a fact not disclosed in the current application, despite the large demolition waste pile onsite. (See published officers' delegated report for conditions dealing with investigation of soil contamination re planning application Ref 183055). This omission of detail, in the application form, of the historic contamination onsite, should result in the rejection of this application. (See Appendix 1 below).

Residents' of Breinton Parish expressed their concerns to us in relation to the previous planning application, ref 222921/F, by the same agent, Glampitech, for change of land use to enable development of five glamping pods. They highlighted increased road traffic, increased noise, increased disturbance from lights, pervasive smoke, impact on nature, declining road safety and loss of amenity as the key issues. The current planning application for change of land use from agricultural grazing to a short stay campsite, raises the same issues, albeit on a lesser scale, but with potential to increase in the future.

The residents of this parish and their visitors are particularly concerned about the potential loss of amenity, peace and tranquillity, if a change-of-use is granted. The site is in the Breinton Gorge, (noted in Core Strategy as a significant local geological site LGS), where the red Ragland Mudstones form a river cliff that define a natural amphitheatre in the landscape between Upper Breinton and Breinton Common. It is adjacent to the protected river Wye, site of special scientific interest (SSSI) and a special area of conservation (SAC) with nesting peregrines. The river Wye's ecological status was recently downgraded by Natural England from stable to a declining. These protected and recognised significant features were not referenced in the application form for this development.

Breinton Parish Council considered this application on 30th October at a meeting following 26 published objections up to the 24 October. The Parish Council is totally opposed to this application and urges the Planning Authority to reject it outright. Residents, referring to the current proposal, expressed their additional concerns that the business plan is far from robust and, if permission were granted, the business would be forced to expand to survive. They also noted it is much easier to permit a campsite expansion from an operating base than a greenfield site.

The proposal is for three, closely spaced north-facing, short-let, accommodation pods with no external fires, no barbeques, no parties, no music, no external lighting, no woodburning stoves and no river swimming allowed. The business plan is to offer courses such as yoga, pilates and to hire out kayaks and fishing tackle to guests despite the

complete lack of any planning for safety infrastructure to access the river. We return to this point in our comments under policies SS1, SS6 and E4. (See Appendix 2).

Strict site management rules are proposed by the applicant to address concerns raised in the previous application for 5 pods. We note provision for a night watchman in the business plan but doubt this would be enforceable. We cannot see how the business plan would generate enough revenue to cover onsite costs plus the equivalent of two full-time jobs and a return on investment.

(The sector benchmark 60% occupancy rate for three pods would barely generate enough revenue to pay two full time staff, let alone a return on investment. Even with the cycle and kayak hire business at the proposed limited scale, the net income would be severely limited by high fixed operating costs).

The economic justification for this development, without permitted growth, hinges on the potential incremental increase in land value, not the long term cashflow from operations. Limited leisure developments typically provide additional revenue for diversified farms with camping, not as stand-alone investments. We will return to the business plan later in relation to planning policy E1 Employment Provision.

This Parish has an excellent Local Neighbourhood Development Plan (NDP) that defines a comprehensive long-term strategy for development agreed and supported by the Parish residents.

Policy B1 states development should not take place on Grade 1, Grade 2 or Grade 3A land where possible and should not have a significant adverse effect on the river Wye SAC.

However, this leisure development proposal for short stay accommodation with kayak and fishing tackle hire is proposed on Grade 2 farmland. It would result in 1,500 to 2,000 visits a year to a short circa 100m section of steep friable soil riverbank, without site supervision or any suitable safety infrastructure, such as fishing platforms, rails and permanent steel fencing above the flood zone. (See Appendix 2).

This site is not suitable for investment for the high growth leisure sector because of its fragile and protected natural state on Grade 2 farmland. We ask the relevant planning officer to revisit and consider very carefully the impact of this proposal on the river Wye SSSI and SAC given the limited regulation of expanding campsites with growing kayak hire operations.

Policy B6 Sustainable design and energy efficiency. While the proposed design of the campsite accommodation is single storey and with no reflective surfaces, there are no similar buildings in the landscape, and we suggest that the design will not enhance local distinctiveness and is not sympathetic to the historic and natural characteristics of the area. While the cabins are wooden with energy efficient design, they will, by necessity, face north, not gathering the natural thermal energy from the sun through windows or solar cells. No onsite commercial battery energy storage is proposed, despite the car chargers for each pod. **The transportation to and from the site would be by car, to access to surrounding services, because the site is at least 75 mins walking and 30 minutes cycling from Hereford City services.**

Breinton Parish NDP Policy B7 states that development of agricultural land Grades 1,2, and 3A should be avoided in favour of poorer quality land and will only be permitted when poorer quality land is not available and the economic benefits clearly out way the economic benefits of retaining the land open, this includes impact on loss of landscape beauty, impacts on biodiversity and tranquillity for residents and visitors to the area.

The proposed site is on Grade 2 agricultural land, classified by Natural England as very good. The business plan for this proposal offers little or no economic benefit to the Parish. The revenue from three pods and the small-scale hire business for kayaks, cycles and fishing tackle would barely cover salaries and operating costs. Compared with the base case 5 pod plan, revenues would be 40% lower (detailed on Glampitech's website). **We believe the potential economic benefits to the Parish of developing a leisure business on site, do not outweigh the potential amenity losses to the city and local community and the loss of natural capital.**

Proposed removal of the hedge and mature trees for road access is contrary to NDP policies B10 Moving Around Breinton and B11 Green Infrastructure:

NDP policy B10 states Any road should be designed and developed to minimise adverse impacts or physical damage to habitats ... residential amenity... the significance and setting of heritage assets and the historic character of the wider landscape, as a result of noise pollution, vibration, light pollution and air pollution.

NDP B11 states any development proposal leading to loss or breaks in the green infrastructure network will not be permitted except where unavoidable, in such cases mitigation or compensation should be provide.

According to the proposal, all hedgerows will be maintained or replanted where necessary including the addition of a new hedgerow running the full width of the field. In the design statement applicant wrote: *'No trees will be required to be removed as part of the proposal so will not have any adverse effects on the biodiversity of the site'*.

This statement is not correct as a mature ash tree is within the hedge to be removed approximately 30m west of the entrance. The hedge is on a raised 1m high linear bank, which drops down to the south, and may indicate its ancient origins. This high bank would also be destroyed if the hedge was removed for a visibility splay.

While the promise of regenerated green networks is welcomed it is not the case to date on Banbh Farm, where much of the hedges remain internally unfenced, evidenced by the photographs in the applicant's ecology report.

The proposed access splay will result in the removal at least 40m of mature holly, field maple and hazel tree hedge, including a much larger mature ash tree, not disclosed in the application form and not highlighted in the ecology survey. We note that the visibility splay suggested includes the recently erected powerline pole which is closer (10m) to the entrance than the ash tree (30m).

NDP B12 Small scale renewable and low carbon energy schemes. We note that the current proposal does not include a sustainable power generation system from PV cells, despite the chargers for cars and bicycles. **The absence of these schemes is disappointing, but it highlights the unsuitable nature of the site because the reflections from PV panels would impact on the adjacent historic promontory and landscape, visible over Wye valley's Breinton Gorge from National Trust's Ancient Camp at Eaton Bishop.**

NDP B13 *Countryside recreation policy to maintain the countryside free of chemicals, noise, and light pollution on the boundary of Hereford City providing recreational facilities including walking, running, cycling and riding in exceptional countryside.*

The access roads from Hereford City to the proposed site are important recreational facilities for the population of the City. The Wye Valley National Walking Trail also follows part of the access lane out to Breinton Common. The waste management onsite for 14-day collection cycles will result in large collection bins, smells and will attract vermin. **The need for pest controls and frequent cabin cleaning will result in pesticides and cleaning agents in the surrounding environment in the form of solid baits, pellets, airborne and water borne chemicals. We do not believe the proposed lack of external lighting is practical for a short stay site and foresee essential lights would be installed for visitors' health and safety. Such changes will become a necessity in future. Increased traffic from frequent short stay visits and site visits by staff will decrease road safety for numerous regular users.**

Under NDP B13, development appropriate to the tranquil rural area will be encouraged, but this proposed development is not appropriate to the area without onsite management to maintain the campsite rules and ensure no fires are lit and no wood is gathered from nearby orchards. Groups of holiday makers book sites together for a party atmosphere, this cannot be controlled. **The campsite rules can be changed, without recourse, and the impact on all residents and visitors to the area would be affected. The lack of proposed external lighting, while reducing impact on the neighbours, is both impractical and unsafe for a short stay campsite.**

NDP B14 *Protecting the landscape and the heritage assets by enhancing the local landscape character.* The design concept includes a 6-acre floodplain woodland plantation of mixed native trees to replace the riverside meadow. It also calls for a small traditional orchard planted west of the campsite and damson trees on the foot of and along the

flood banks. **Since the woodland and cider orchard proposed south and west of the site are not within the development site plan the planting is not enforceable and should not be considered part of the development proposal.**

NDP B15 new developments must incorporate sustainable urban drainage systems but the proposed soakaway from the foul water processing system overlies the local aquifer and is adjacent to the only agricultural water well on the floodplain. **While the proposed drainage appears to meet planning requirements it is unsympathetic to the declining ecological status of the river Wye and the need to protect the only well onsite which is the natural sustainable water supply to the meadow, (not disclosed in the application).**

Policy SS1 -A change of use would be opening the floodgates to mass tourism in this area. It would be contrary to policy SS1. Rural campsites can and do experience high growth in accommodation provided with additional huts, vans and tents through a process of planning creep. The light-touch regulations on operations of a camping and kayak hire business enable business owners to change the campsite rules without recourse. The proposed development is at odds with the current policies in both location, access and activities proposed. It could also result in a far greater impact on residents and the environment. The proposal for three holiday lets on this agricultural land, if granted, would enable the current and future owners to develop a much larger commercial enterprise. Planning conditions to restrict growth for this proposal would likely result in business failure because the proposed static business case has low revenues and high fixed costs.

Policy SS4 – Movement and Transport. Banbh Farm’s location, at the bottom of a steep hill in either direction, means it is extremely unlikely that any guests will choose ‘to use sustainable transport methods to visit local shops and restaurants either by cycle or on foot’, given the distance from essential services. The Institution of Highways and Transportation guidance document ‘Providing for journeys on foot’ that the preferred maximum walking distance is 2km or about 25 minutes. In the open countryside of Breinton there is a seasonal farm shop for local produce (usually only open autumn and winter), but no restaurants, pubs or take-aways within 75 minutes walking distance and 30 minutes cycling distance of the site. Claims to the contrary in this proposal, demonstrate a lack of local knowledge.

Residents of the campsite will be dependent on car transport during their stay to access Hereford City for food and entertainment. There is no public transport in Breinton Common other than a single ‘market day’ service once a week into Hereford city returning almost immediately. Banbh Farm is accessed via stretches of narrow, undulating, unlit, poorly drained, C class lanes that include blind bends. They are not ‘well maintained’ as the applicant’s agents suggest.

The Parish Council has long campaigned for the creation of a 40mph rural speed zone across the whole parish without success to date. We are fortunate that Breinton’s lanes are well used by hikers, dog walkers, horse riders, cyclists and runners, including part of the Wye Valley Walk a designated national trail. The lanes are also used by extremely large agricultural vehicles, sometimes in convoy.

Policy MT1 Traffic management, highway safety

In our opinion, the increase in service traffic and guest traffic for both access and purchase of supplies, will create a detrimental impact on the local road network, which could result in a 50% increase the current traffic, based on the latest road counts, before considering the 28-day camping rule that would allow far more traffic for camping, without further planning permission. Traffic management is extremely limited on the 60mph limit single-track access roads with few passing bays and poor visibility. **Highway safety would rapidly decline for Parish residents and City residents who use the lanes for recreation.**

Policy MT1 promoting active travel

On promoting active travel see notes above re Policy SS4. Banbh Farm is accessed via stretches of narrow, undulating, unlit, poorly drained, C class lanes that include blind bends. Reference to promotion of trips to the Weir Gardens and Breinton Springs Park and Gardens using active travel in this development proposal are irrelevant. These trips from Banbh Farm would be additional, discretionary, leisure-based journeys and not replace any existing

trips. Visitors would also be disappointed to find there is neither a park nor gardens at Breinton Springs despite claims to the contrary in the design statement.

The introduction of these pods with rapid turnover of guests as well as service traffic can only increase road safety concerns locally and potentially increase the risk of accidents particularly involving drivers lacking local knowledge, looking for and arriving at an unlit campsite.

SS6 – Environmental Quality and Local distinctiveness The Parish Council disputes the agents' assertion that 'existing and new indigenous shrubbery and a cider apple orchard' will 'reinforce the identity of the surrounding area.' We also would argue that the ecologists report has overlooked the potential detrimental impact of up to 2,000 visitors a year to a riverside meadow with a steep soil riverbank of circa 100m with no safety infrastructure.

- We believe the natural habitat is at risk, riverside woodland and floodplain dwelling species including otters, bat colonies and barn owls will be displaced by the smoke and noise from holiday makers and light pollution from the increased traffic.
- The solids from waste sewage must be collected by regular tankers for removal. Services for the pods will introduce chemical cleaning agents, some toxic to invertebrates, to the surrounds.
- The waste disposal collections on a 14-day cycle will result in large storage bins that attract animals. Badgers from the hill, north of the site, are known to pass through the site to access crops and the river below. These creatures will be vulnerable to more traffic and the night-time activities on the site.
- Rats are prolific in late summer as adjacent fruit and cereal crops mature the floods push them up off the floodplain. Poisons to control rodents can impact raptors as by-kill including the resident buzzards, sparrow hawks, owls and peregrine falcons.
- This proposal would require careful management of activities impacting wildlife on the fragile and protected nature of the site, but the management would live offsite. The proposal lacks fishing platforms on steep soil banks and a safe boat launch at different river levels, without which it will result in erosion and the rapid degradation of the natural environment to this and adjoining lands.

The River Wye SSSI has been declared as unfavourable declining and the LPA has a duty to ensure developments do not make this situation worse or hinder the improvement of the condition of this SSSI. This proposal will generate up to 2,000 visitors a year to a short stretch of steep soil riverbank on the Wye SSSI without plans or designs to protect the fragile riverbank and enable visitor safety while fishing or entering the river with kayaks. Activities on the riverbank would encourage other tourists using the river to stop and explore the site, looking for toilets and other facilities. The impact from disturbance of proposed activities in this short section will have a significant detrimental effect on the flora and fauna both upstream and downstream.

We believe the site location, proposed activities and inadequate infrastructure plans to protect the environment, from human impacts are contrary to policies LD2. If planning for safe infrastructure was sought it would be contrary to LD3, Green Infrastructure. These inconsistency with the local Neighbourhood development plan are grounds to refuse this application.

Policy E1 – Employment Provision

This policy aims to support opportunities for new and existing businesses which can create growth and where possible, employment. This Parish Council supports opportunities for new business that create jobs with the potential for growth. However, the proposal only aims to create two full time, low paid equivalent jobs. That is a very small benefit considering the impact on the Parish. The growth potential of this proposed business is a threat to the attractions of the surrounding area and its community.

The business plan presented is marginal at best and unattractive for long term investment without substantial growth in the business. With just three pods and nine beds the maximum capacity for individual visits is 1,970 people based on the benchmark industry occupancy rates of 60%. This would provide revenues that are unlikely to cover the site running cost and salaries,. The additional cost of planting over a thousand trees with necessary tree guards to protect them from deer and goats would not be recovered for many years. On paper the proposal looks like a marginal start-up business that will need to expand rapidly to survive and provide a return on capital.

The Breinton Parish Council objects to this application because the capacity for expansion of camping is substantial if planning permission was granted. The growth potential of riverside camping, glamping kayak-hire and cycle-hire far

exceeds the capacity for this natural and protected site to accommodate without significant environmental impact and a decline in road safety. Restricting the occupation level of the pods will not stop the permitted use of land for summer camping under the new 60-day rule and future owners could expand the camping and hire business without further planning permission.

The leisure sector lacks regulatory controls, and this development should not be permitted in such a sensitive area with no shops, pubs and restaurants.

Policy E4 – Tourism

This policy looks to support the development of new and existing tourist spaces which would be consistent with the rural character of Herefordshire, 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.

We are not convinced that the proposed business with dark north facing cabins, no campfires, no BBQs, no swimming, no pets and no internal wood fires would constitute desirable luxury rural accommodation for short term holiday makers. In fact, the idea of providing access for up to 2,000 people a year to just 100m of steep soil riverbank with no plans or provisions for safe access is both totally impractical and potentially very dangerous.

- The fishing capacity on the owner's riverbank is just a third of the proposed accommodation, which would result in overfishing, poaching and considerable bank erosion.
- The lack of any planning designs of safe fishing platforms is a major oversight given the safety issues and the potential impacts on river users, guests and wildlife.
- In addition, the plans for kayak hire from steep soil banks without permanent steps and handrails down to a launch and recovery platform, on a river that frequently rises 4m rapidly and can rise to 7m at this location, suggests the business plan is far from complete.
- A kayak rental business for nine guests is a loss leader but could grow to a substantial operation if not restricted by the local authority.
- The site design also lacks any plans for secure steel safety fencing to restrict vulnerable and aged guests from entering the flood zone meadow when the river is rising fast or in full spate.
- The riparian rights to the river are opposite and adjacent to the unstable and crumbling Raglan Mudstone 'Red Rocks' river cliffs, home to protected nesting peregrines. Allowing frequent short-term visitors, unsupervised, to this site in summer will inevitably result in river crossings, trespass, erosion, rock climbing and disturbance of a protected species.

This business proposal would have significant detrimental impact on the environment. Particularly the River Wye SSSI, SAC and the character of the quiet lanes and hamlets of Breinton. It's very likely to have unpleasant consequences with increased littering, traffic and noise along the Wye Valley walks in the vicinity of heritage assets for the local and City communities.

Policy SD1 - Sustainable design and energy efficiency

The pod designs cannot incorporate PV cells for electric power in this sensitive landscape. The site access and most off-site visits will be made by car given the distance to services and amenities. This location is not suited to sustainable transport lacking in buses and trains. Nevertheless, the design statement claims this box is ticked. It is clearly the wrong choice of location for this business.

Policy SD2 – Renewable and Low Carbon Energy Generation

The site is not suitable for renewable energy generation with PV cells. This application states it will incorporate **some of the following** in order to become carbon positive; 500 to 1,000 native & wetland trees as well as an abundance of shrubbery and planting. The proposed planting would be particularly expensive given the propensity for deer, rabbits and goats to eat saplings. and not within the designated site considered for this planning application. Therefore it is not enforceable and should be disregarded.

•**Policy SD3** – Sustainable Water Management and Water Resources

The applicant also intends to collect surface water, and re-use this for watering of the new plants and trees. However, the applicant failed to disclose the agricultural well just south of the foul water soakaway which has been used by farmers on the meadows for generations. If the water treatment plant fails through malfunction or blockage, the agricultural aquifer will be polluted and so will the Wye SSSI. This is a poor example of sustainable water management and water resources.

•**Policy SD4** – Wastewater Treatment and River Water Quality

A Sewage treatment tank and appropriately sized soakaway will be installed with the treated water discharging via a suitably sized soakaway. See comments re Policy SD3 above on poor site chosen for the soakaway.

- All proposed parking and footpaths will be of a permeable construct to aid with the reduction of surface water discharge, along with permeable borders around each of the units. We believe the limited proposed parking is a design flaw and will prove inadequate given the propensity for visitors to arrive in separate cars and parking on the surrounding soils would become the norm, resulting in compaction and local flooding. Currently anglers are driving to the riverbank and often stranded when trying to drive back up the muddy access track from the to the floodplain.
- The proposal states livestock will no longer be kept on the land, to reduce nutrient levels to the River Wye (SAC), but balanced grazing is the most efficient management method for biodiverse pasture and regenerating natural woodlands. The design and management of the area surrounding the site were planned to address carbon capture without reference to practical management issues. Once again this highlights the lack of a robust business plan for the site.

Policy LD2 – Biodiversity and Geodiversity

The proposal is contrary to LD2 which seeks retention and protection of nature conservation sites and habitats, and important species in accordance with their status as follows :

- a) Development that is likely to harm sites and species of European Importance will not be permitted.
- b) Development that would be liable to harm Sites of Special Scientific Interest or nationally protected species will only be permitted if the conservation status of their habitat or important physical features can be protected by conditions or other material considerations are sufficient to outweigh nature conservation considerations.
- c) Development that would be liable to harm the nature conservation value of a site or species of local nature conservation interest will only be permitted if the importance of the development outweighs the local value of the site, habitat or physical feature that supports important species.
- d) Development that will potentially reduce the coherence and effectiveness of the ecological network of sites will only be permitted where adequate compensatory measures are brought forward.

NPPF Policies that are contrary and pertinent to this planning application P/232727F with relevant text underlined:

Supporting a prosperous economy.

85. 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 settlements,** should be encouraged where suitable opportunities exist.

9. Promoting sustainable transport.

104 d) the environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account – including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains.

Considering development proposals

110. In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:

b) **safe and suitable access** to the site can be achieved for **all users**.

111. Development should only be prevented or refused on highways grounds if there would be an **unacceptable impact on highway safety**, or the residual cumulative impacts on the road network would be severe.

112. Within this context, applications for development should:

b) **address the needs of people with disabilities and reduced mobility in relation to all modes of transport**

d) allow for the efficient delivery of goods, and **access by service and emergency vehicles**;

130. Planning policies and decisions should ensure that developments:

a) 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.

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

c) 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)

15. Conserving and enhancing the natural environment

174. Planning policies and decisions should contribute to and enhance the natural and local environment by:

b) recognising the **intrinsic character and beauty of the countryside**, and the wider benefits from natural capital and ecosystem services – **including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland**

Ground conditions and pollution

183. Planning policies and decisions should ensure that:

a) **a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. This includes risks arising from** natural hazards or **former activities** such as mining, and any proposals for mitigation including land remediation (as well as potential impacts on the natural environment arising from that remediation)

185. Planning policies and decisions should also ensure that new development is **appropriate for its location** taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, **as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development**. In doing so they should: a) mitigate and reduce to a minimum potential adverse impacts resulting from **noise from new development** – and avoid noise giving rise to significant adverse impacts on health and the quality of life;

b) identify and **protect tranquil areas** which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason; and

c) limit the impact of **light pollution from artificial light on local amenity**, intrinsically dark landscapes and nature conservation.

188. The focus of planning policies and decisions should be on whether proposed development is an **acceptable use of land**, rather than the control of processes or emissions (where these are subject to separate pollution control regimes). Planning decisions should assume that these regimes will operate effectively. Equally, where a planning decision has been made on a particular development, the planning issues should not be revisited through the permitting regimes operated by pollution control authorities.

16. Conserving and enhancing the historic environment

Proposals affecting heritage assets

194. In determining applications, local planning authorities should require an applicant to describe the **significance of any heritage assets affected, including any contribution made by their setting**. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

195. **Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset)** taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.

Despite the care and attention to reduce the size and impact on the surrounding landscape the detail that was omitted in preparing this application is regrettable. The lack of disclosure in the application of the history of on site contamination is an important issue given the proposed change of use to enable up to 2,000 annual visits to the site a year. The lack of suitable safe infrastructure proposed to accommodate the fishing and kayaking business is also a major oversight in planning for safe site access and the functioning the proposed business. It undermines the planning process and shows a lack of respect for local people who will suffer most should this poorly thought, inadequately justified development be granted approval.

In Planning terms Breinton Parish Council does not believe that the application complies with national, county or local planning policy and fails to strike the necessary balance between the economy, the environment and society.

In our view, there are few, if any, benefits supported by evidence. In contrast there are a significant number of clear disadvantages in terms of its location, proposed activities and impact on the community and the environment. Quite simply there is no economic, environmental or social justification for this development to be approved.

Appendix 1

Contaminated land issues should be disclosed in the application.

This proposed development site was used to dispose of construction waste in pits, including the concrete and roofing of an agricultural barn. The issue was raised in 2018 when an application was made to develop a general-purpose barn on the site. In response to the concerns raised by the Parish Council, planning officers stipulated rigorous procedures and conditions for site investigation in the published officers' delegated report for planning application Ref 183055 by the same applicant.

Given the proposed change of use that would see a marked increase (up to 2,000 people a year) in visits by the public to this site, it would be prudent to thoroughly investigate the ground conditions prior to development for the leisure industry. The evidence of site contamination from construction waste, in the form of concrete blocks, were moved from the centre to East boundary of the proposed development site in recent years. See photos in figures 1 and 2 below.



Figure 1 Construction waste, now on east boundary of development site.



Figure 2 Construction waste tips on Google Street View 2009 at entrance of proposed development site.

On the grounds of lack of disclosure of this serious issue, in our opinion, in the public interests this current application should be refused.

Appendix 2

Major safety concerns for multiple use leisure activities for 1,500 to 2,000 visitors a year.

The proposed site is accessed via single track roads, with a 60mph speed limit. Road safety is a major concern for the residents and visitors to the Parish. While the impact of this development may be considered limited, it will affect the lives of circa 900 residents and many more City dwellers who use the network of quiet lanes to exercise, ride and walk their pets.

The proposed development on this site has capacity for up to 2,000 individuals to visit the river a year based on daily bookings, occupancy rates of 60% and the proposed accommodation capacity. With just 100m of river frontage and the limited space to fish a single river pool from steep soil banks, the impact on this special site of scientific interest will be significant.

The development is adjacent to the river Wye floodplain seen below in full flood. This illustrates that visitors to the green paddock in the left middle-ground would be above but next to the meadows liable to flood. With no external lighting and no permanent onsite management, the arriving guests would be oblivious to the risks. This section floods, at short notice making it unsafe for numerous unfamiliar and vulnerable visitors.



Figure 2 Flooded meadows adjoining the proposed development site

Yours sincerely,

Lisa Law, Clerk

Breinton Parish Council