

MEETING:	PLANNING AND REGULATORY COMMITTEE
DATE:	17 January 2018
TITLE OF REPORT:	174094 - ERECTION OF ONE FOUR-BEDROOM FAMILY HOUSE WITH A GARAGE AT LAND AT OFFAS DENE, PROSPECT LANE, DINEDOR, HEREFORDSHIRE. For: Mr Smart per Mr Chris Smart, Offas Dene, Dinedor, Hereford, Herefordshire HR2 6LQ
WEBSITE LINK:	https://www.herefordshire.gov.uk/info/200142/planning_services/planning_application_search/details?id=174094&search=174094

Reason Application submitted to Committee - Officer Application

Date Received: 31 October 2017 Ward: Dinedor Hill Grid Ref: 353399,236891

Expiry Date: 19 January 2018

Local Member: Councillor D Summers.

1. Site Description and Proposal

- 1.1 The site is part of the garden of Offas Dene to the west of an unclassified road on the northern edge of Dinedor south – east of Hereford City.
- 1.2 The proposal is for a detached dwelling in timber cladding and render to wing under a natural slate roof.
- 1.3 Access to the site would be via a new opening off the unclassified dead end road.
- 1.4 Some new tree planting is shown with a gabion retaining wall along the northern boundary with the host dwelling due to the changes in levels.
- 1.5 To the immediate south lies a plot of land presently under construction with new dwellings, with Spring Hill and Bodenham House to the east on the opposite side of the road. Spring Cottage lies to the north on the western side of the application site.

2. Policies

2.1 Herefordshire Local Plan: Core Strategy

- SS1 - Presumption in Favour of Sustainable Development
- SS2 - Delivering New Homes
- SS4 - Movement and Transportation
- SS6 - Environmental Quality and Local Distinctiveness

Further information on the subject of this report is available from Mr Fernando Barber-Martinez on 01432 383674

- RA2 - Housing settlement outside Hereford and the market towns
- MT1 - Traffic management, highway safety and promoting active travel
- LD1 - Landscape and townscape
- LD2 - Biodiversity and geodiversity
- LD3 - Green infrastructure
- SD1 - Sustainable Design and Energy Efficiency;
- SD3 - Sustainable water management and water resources
- SD4 - Waste Water Treatment and River Water Quality

2.2 Dinedor Parish Council submitted their draft Neighbourhood Development Plan to Herefordshire Council on 31 October 2017. The consultation runs from 31 October to 12 December 2017. This is at Regulation 14 draft plan stage and therefore whilst a material consideration has no weight in decision making process.

2.3 National Planning Policy Framework

Paragraphs 14, 47 and 49 (5 year housing land supply) are engaged. This is presently 4.54 years (published at April 2017).

2.4 The Core Strategy policies together with any relevant supplementary planning documentation can be viewed on the Council's website by using the following link:-

https://www.herefordshire.gov.uk/info/200185/local_plan/137/adopted_core_strategy

3. Planning History

3.1 None to site.

4. Consultation Summary

Statutory Consultations

4.1 Welsh Water:

As the applicant intends utilising a private treatment works we would advise that the applicant contacts The Environment Agency / Herefordshire Council Land Drainage Department who may have an input in the regulation of this method of drainage disposal.

However, should circumstances change and a connection to the public sewerage system/public sewerage treatment works is preferred we must be re-consulted on this application.

Our response is based on the information provided by your application. Should the proposal alter during the course of the application process we kindly request that we are re-consulted and reserve the right to make new representation. If you have any queries please contact the undersigned on 0800 917 2652 or via email at **developer.services@dwrcymru.com**. Please quote our reference number in all communications and correspondence.

There is a potable water supply network in the road, our records shows that the nearest public sewer is over 600m away, due north in Rotherwas industrial estate.

4.2 Natural England: No objection subject to planning conditions.

We consider that without appropriate mitigation the application would:

- have an adverse effect on the integrity of River Wye Special Area of Conservation

- damage or destroy the interest features for which River Wye / Lugg Site of Special Scientific Interest has been notified.

In order to mitigate these adverse effects and make the development acceptable, the following mitigation measures are required / or the following mitigation options should be secured:

- Foul sewage to be disposed in line with Policy SD4 of the adopted Herefordshire Core Strategy. Where a package treatment plant is used for foul sewage, this should discharge to a soakaway or a suitable alternative if a soakaway is not possible due to soil/geology.

Internal Council Consultations

- 4.3 Transportation Manager (Highway Engineer): No objection. I have reviewed the above application and have concluded that the available visibility splay distance equates to 41m in a southern direction, this meet MfS2 2.0 sec reaction time for 25 mph, due to the rural nature and geometry of the lane, speeds will be low.

If likely to approve, please condition and informatives as follows: -

CAB – 2.4 X 41M (South) and 2.4 x 52m (north)
CAD, CAE, CAH, CAL, CAS, CAZ, CB2

I11, I09, I45, I05, I47, I35.

- 4.4 Conservation Manager (Trees Officer): No response received at the time of writing.
- 4.5 Conservation Manager (Ecologist): No objection subject foul drainage, ecological protection and mitigation, and nature enhancement planning conditions.

5. Representations

- 5.1 Dinedor Parish Council: Dinedor Parish Council has considered this application and notes that this development would fall outside the village envelope as identified within the draft Neighbourhood Development Plan which is currently at Regulation 14. However, it was agreed that there are no objections to this development although concerns were expressed at the impact of this development on traffic flows in this narrow country lane. Some concern was also expressed at historic issues with drainage on the proposed site.

- 5.2 The consultation responses can be viewed on the Council's website by using the following link:-
https://www.herefordshire.gov.uk/info/200142/planning_services/planning_application_search/details?id=174094&search=174094

Internet access is available at the Council's Customer Service Centres:-

<https://www.herefordshire.gov.uk/government-citizens-and-rights/customer-services-enquiries/contact-details?q=customer&type=suggestedpage>

6. Officer's Appraisal

- 6.1 S38 (6) of the Planning and Compulsory Purchase Act 2004 states as follows:

"If regard is to be had to the development plan for the purpose of any determination to be made the plan unless material considerations indicate otherwise."

- 6.2 The Core Strategy (CS) sets the overall strategic planning framework for the county, shaping future development. The Neighbourhood Development Plan (NDP) here has no material weight in decision making.

- 6.3 The strategic Policy SS1 sets out a presumption in favour of sustainable development as required by the National Planning Policy Framework (NPPF) and directs that proposals which accord with the policies of the CS shall be approved, unless material considerations indicate otherwise. One such consideration is the NPPF which advises at paragraph 47 that Local Authorities maintain a robust five year supply of housing land. At present, the Council cannot demonstrate a 5-year supply of housing land and as such the policies of the CS cannot be inherently relied upon, although they still retain weight dependent upon their consistency with the NPPF.
- 6.4 The delivery of sustainable housing development to meet objectively assessed needs is a central CS theme, reflecting the objectives of the NPPF. Policy SS2 'Delivering new homes' directs that Hereford and the market towns shall be the main focus for new housing development with proportionate growth of sustainable rural settlements, which are listed at figures 4.14 and 4.15, also supported.
- 6.5 Dinedor is identified as being suitable for new housing in the Core Strategy as a paragraph 4.15 settlement within the Hereford housing market.
- 6.6 In particular Dinedor is identified for new housing in policy RA2 of the Core Strategy as a Para 4.1.5 settlement and therefore the principle of development in or adjacent to the built form is acceptable. Whilst the Parish Council comments regarding the proposed settlement boundary within the emerging Neighbourhood Development Plan are noted, this is not yet at a stage where it can be afforded any weight. It is considered that given the presumption in favour of sustainable development and the relationship of the site to other residential development in the locality, the principle of residential development can be supported.

Design/Landscape/Amenity

- 6.7 The design of the proposed dwelling is considered to be modern but not of any particular architectural style. The design uses vertical timber cladding and render to the side wing which gives this an individual design appearance rather than the more established typology of brick and tile on the older buildings found dispersed in Dinedor. As this lies behind an established hedge with limited street scene implications, this on balance is considered acceptable in terms of 'street scene' implications.
- 6.8 Furthermore, this curtilage housing proposal raises no wider landscape implications due to the intervening built development (existing and under construction) on this side of the road within Dinedor.
- 6.9 This proposal does not give rise to any adverse neighbouring amenity concerns either for existing or future occupants at Offas Dene, Spring Hill, Spring Cottage, Bodenham House nor the new dwellings under construction on land to the south (which is on lower ground).

Accessibility

- 6.10 This Council's Highway Engineer raises no objection to this proposal. It is considered that the new access into the site from the unclassified road along with the additional vehicle movements would not give rise to adverse highway safety implications at this location due to the generally slow speeds anticipated along this dead end lane (which rises gently from south to north). It is considered acceptable to agree such detail at a future date by way of a planning condition (see conditions 9 and 10 below).

Ecology

- 6.11 Ecological protection during construction and enhancement of the field location can be secured by way of planning conditions. Matters relating to surface water drainage and discharge related matters can be dealt with by way of a planning condition.

Foul and Surface Water Disposal

- 6.12 There is potable water available to the site, however the nearest public sewerage network is 600m due north in Rotherwas industrial estate. There is sufficient undeveloped land within the application site to accommodate a bespoke package sewage treatment unit in what would be a garden area. This is considered acceptable, and a planning condition will secure that feature.

Conclusion

- 6.13 The proposal accords with the above identified planning policies in the Core Strategy. Furthermore in applying the planning balance under paragraph 47, 49 and 14 of the National Planning Policy Framework this proposal is considered to be in a sustainable location and there are no specific planning concerns of overriding material harm in respect of highway safety, neighbouring amenity, ecology or landscape which would lead to an alternative recommendation.
- 6.14 Consequently a recommendation of approval is put forward subject to planning conditions.

RECOMMENDATION

That planning permission be granted subject to the following conditions and any other conditions considered necessary by officers names in the scheme of delegation to officers:

1. **C01 (implementation);**
2. **C07 Drawings (Site Location Plan (untitled); OD03B; OD05B; OD06B);**
3. **C95 (boundary treatments);**
4. **C13 (materials);**
5. **C65 (remove PD rights –dwelling and curtilage);**
6. **CE6 (water resources);**
7. **CD2 (habitat enhancement);**
8. **CBK (controls during construction- amenity);**
9. **CAE (vehicle access construction);**
10. **CAL (access, turning and parking);**
11. **CB2 (cycle parking).**
12. **CBM (waste water treatment).**
13. **CAD (access gates set back)**

14 CAH (driveway gradient)

15. The ecological protection, mitigation and working methods scheme as recommended in the Ecological Report by Just Mammals Consultancy LLP dated September 2017 shall be implemented in full as stated unless otherwise approved in writing by the local planning authority.

Reason: To ensure that species are protected and habitats enhanced under Policy LD2 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

INFORMATIVES:

1. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against planning policy and any other material considerations, including any representations that have been received. It has subsequently determined to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

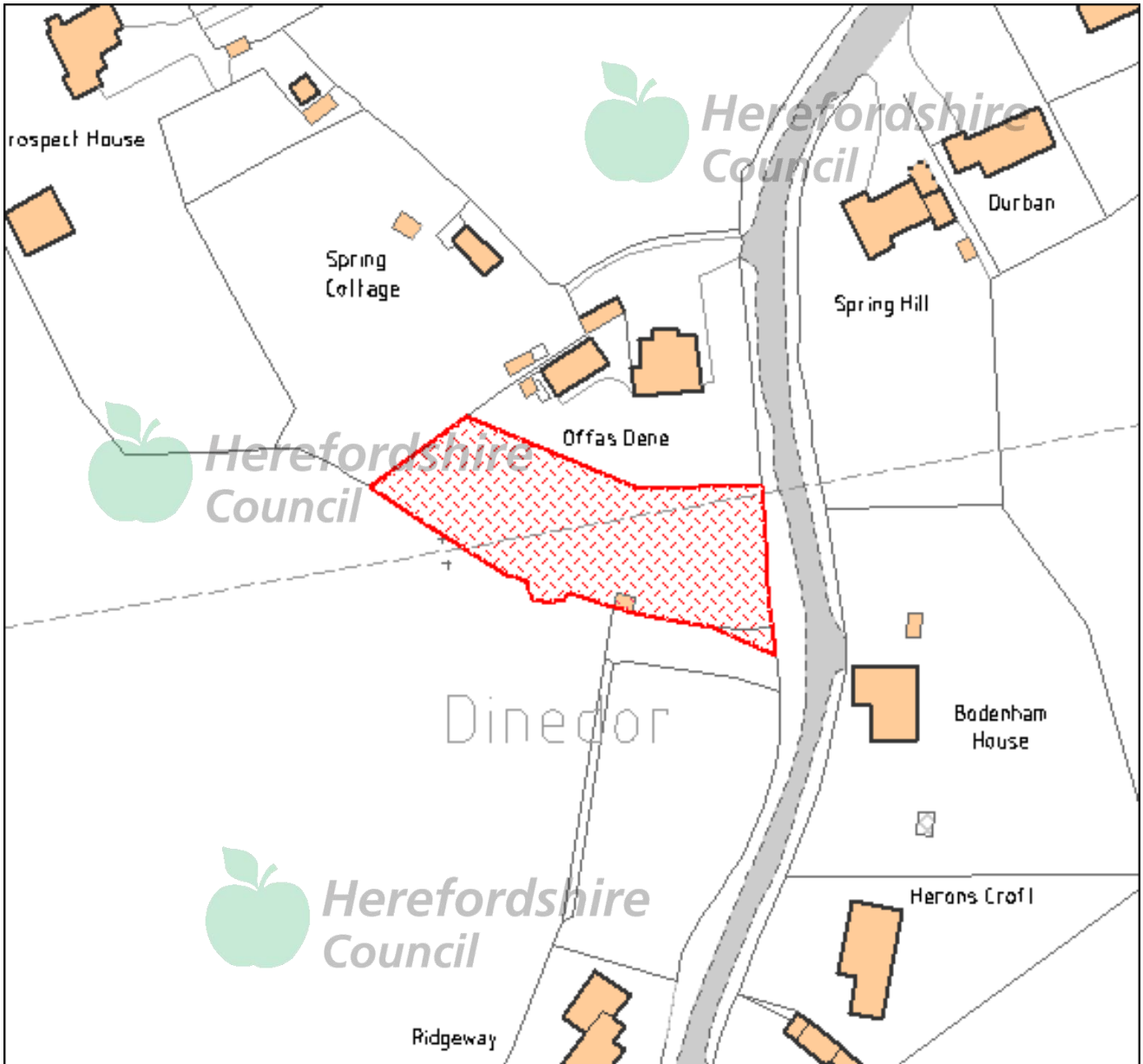
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: 174094

SITE ADDRESS : LAND AT OFFAS DENE, PROSPECT LANE, DINEDOR, HEREFORDSHIRE

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