

6 SE2003/0801/O - SITE FOR THE ERECTION OF EIGHT DWELLINGS COMMERCIAL YARD, PONTSHILL, NR. ROSS-ON-WYE, HEREFORDSHIRE**For: Mr & Mrs P Powles per Paul Smith Associates
Chase View House Merrivale Road Ross-on-Wye
Herefordshire HR9 5JX****Date Received: 6th March 2003 Ward: Penyard Grid Ref: 6396 2199****Expiry Date: 1st May 2003**

Local Member: Councillor H Bramer

1. Site Description and Proposal

1.1 The application site comprises a haulage and timber yard, about 0.3 ha in area. It is situated at Pontshill. This settlement comprises in the main houses along two roads: Bartwood Lane and the short local road linking the C1275 and C1277 (Pontshill - Coughton and Pontshill - Bailey Lane End roads respectively). The access to the yard is off the south-west side of the latter, between two houses. The south-western boundary of the site is a small stream with fields beyond that and to the south-east; the remaining boundaries are with residential properties. There are a number of buildings in the yard, partly of wooden construction.

1.2 It is proposed to redevelop the site for residential development. As originally submitted this outline application was for 8 detached and semi-detached dwellings, with siting as well as access reserved for later decision. The application has been amended following negotiations however and the number of dwellings is now not specified and siting together with design, external appearance and landscaping are reserved matters.

2. Policies**2.1 Planning Policy Guidance**

PPG3	-	Housing
PPG.7	-	The Countryside: Environmental Quality and Economic & Social Development

2.2 Hereford and Worcester County Structure Plan

Policy CTC2	-	Area of Great Landscape Value
Policy CTC9	-	Development Requirements
Policy H16A	-	Housing in Rural Areas
Policy H18	-	Housing in Rural Areas

2.3 South Herefordshire District Local Plan

Policy C1	-	Development Within Open Countryside
Policy C8	-	Development Within Area of Great Landscape Value

Policy SH10	-	Housing in Smaller Settlements
Policy SH14	-	Siting and Design of Buildings
Policy SH15	-	Criteria for New Housing Schemes
Policy ED4	-	Safeguarding Existing Employment Premises
Policy GD1	-	General Development Criteria
Policy T1A	-	Environmental Sustainability and Transport
Policy T3	-	Highway Safety Requirements

3. Planning History

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|-----|-------------|-------------------------------------|-------------------|
| 3.1 | SH901593/PO | 4 pairs semi-detached starter homes | - Refused 6.3.91 |
| | SH910380/PO | 4 pairs semi-detached starter homes | - Refused 10.7.91 |

4. Consultation Summary

- 4.1 Environment Agency's comments are awaited.

5. Representations

- 5.1 The applicants' agent makes, in summary, the following case:

- (1) The application site has long been used as a haulage and timber yard and its owner is presently considering his long-term business plans.
- (2) The present level of use is modest, but the hours of operation are unrestricted.
- (3) In addition the applicant possesses an H.G.V. Operators license for four lorries and six trailers. Therefore, the full commercial use of this site would have a detrimental impact upon the amenities of occupants of adjoining residential properties.
- (4) Its alternative use for housing would avoid this scenario protecting residential amenities enhancing the appearance of this site and its surroundings.
- (5) The site lies entirely within the village envelope hemmed in to the south by a brook and associated tree line and in all other directions by buildings, most of them dwellings.
- (6) Structure Plan and Local Plan Policies allow new housing in this settlement.
- (7) Policy SH10 refers to "small scale" development although no definition is given of the number envisaged.
- (8) PPG3 'Housing' requires a housing density of between 30 and 50 houses per hectare i.e. between 11 and 19 houses for this site.
- (9) The applicant proposed fewer houses to better reflect the types and plot sizes in accordance with Local Plan Policy SH9, including small, semi-detached properties.
- (10) The application site comprises a previously developed site the development of which is strongly emphasised in central government pronouncements.

- (11) The whole scheme would use the existing vehicular access to this site and improvements required by Highway Officers can be secured by use of additional land in the applicant's ownership.
- (12) The removal of extensive buildings abutting the brook would assist in the drainage of the site.
- 5.2 In addition a local estate agent has written to confirm that he has "no doubt that there exists a local housing requirement for the proposed housing in terms of type, number and location".
- 5.3 Parish Council's observations are as follows:
- (a) as far as they were aware, there is no demonstrable need for this number of new houses locally;
 - (b) they would prefer to see the site used as a source of employment e.g. for light industrial use - this would be more beneficial for the wider community;
 - (c) an additional eight houses would increase traffic on the narrow Pontshill roads considerably;
 - (d) in view of the proximity of the brook, if permission is given for houses to be built on this site, provision should be made to slow down run-off of stormwater;
 - (e) although the view was expressed that a modest housing development might be more appropriate for the setting than the continuation of industrial use, particularly bearing in mind the unknown implications of noise and heavy traffic, the majority of councillors decided to object to the application.
- 5.4 One letter has been received from a local resident stating that he has no objection to this planning application.

The full text of these letters can be inspected at Southern Planning Services, Blueschool House, Blueschool Street, Hereford and prior to the Sub-Committee meeting.

6. Officers Appraisal

- 6.1 The key issue in this case is the principle of residential development of this site. This resolves into 4 questions:
- (i) Is the site within the settlement of Pontshill?
 - (ii) Are there environmental/community benefits that outweigh the advantages of retaining these commercial premises?
 - (iii) Is there a local housing requirement?
 - (iv) Is it sustainable in terms of reducing the need to travel by car?
- 6.2 There is no defined boundary for Pontshill. As noted above this settlement extends along two roads with primarily frontage development. However the section adjoining the appeal site has housing extending behind the frontage houses with access off Old Alley and the yard access itself. This together with the tall screen of trees along the stream ties the site visually into the settlement. Furthermore housing on this site would not be conspicuous in the landscape. For these reasons it is considered that the site is within the settlement.
- 6.3 The site does not have a light industrial use and activities cannot therefore be restricted to those which would not cause detriment to residential amenities. From the

submissions and several site visits it appears that the use is currently not intensive. Nevertheless this could change and there is potential for considerable noise and disturbance affecting much of Pontshill. There are no planning restriction on hours of operation. In addition the site is not attractive and is directly overlooked by 4 houses, although as noted above the yard is not prominent in wider views. It is considered that the environmental benefits do outweigh the employment that could be provided on this site.

- 6.4 Only limited evidence has been submitted regarding local housing requirements. However less substantial evidence has been held on appeal to be sufficient. The evidence indicates a continuing demand for housing in this area.
- 6.5 The site is about 0.3 km from a good rural bus route (Hereford – Ross – Gloucester). There are local facilities (school, church and pub) at Weston under Penyard, although this village is about 1.5 km away. Nevertheless as the site is within a settlement in which residential development is encouraged it is considered that the sustainability criterion would be met.
- 6.6 Other issues are highway safety and surface water drainage. The existing access is sub-standard but it is proposed to improve visibility particularly to the east and on this basis the Head of Engineering and Transportation, Divisional Surveyor (South) considers the scheme to be acceptable. There would not necessarily be a greater drainage problem if development goes ahead as there are yard buildings but a scheme to alleviate any potential difficulties could be required by planning consideration.
- 6.7 It is concluded that residential development would accord with the Council's policies and that a safe access and acceptable drainage can be achieved. On this basis it is recommended that outline planning permission should be granted.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

- 1 A02 (Time limit for submission of reserved matters (outline permission))**
Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990.
- 2 A03 (Time limit for commencement (outline permission))**
Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990.
- 3 A04 (Approval of reserved matters)**
Reason: To enable the local planning authority to exercise proper control over these aspects of the development.
- 4 A05 (Plans and particulars of reserved matters)**
Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990.

5 F18 (Scheme of foul drainage disposal)

Reason: In order to ensure that satisfactory drainage arrangements are provided.

6 No development shall take place until details of the improvements to the access and access drive and of the vehicle parking and turning areas have been submitted to and approved in writing by the local planning authority.

Reason: In the interests of highway safety and to ensure the free flow of traffic using the adjoining highway.

7 No dwelling hereby approved shall be occupied until the details approved pursuant to condition No. 6 above have been implemented and these areas shall thereafter be retained and kept available for those uses at all times.

Reason: In the interests of highway safety and to ensure the free flow of traffic using the adjoining highway.

Decision:

Notes:

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Background Papers

Internal departmental consultation replies.