

**10 DCCE2006/1798/O - SITE FOR ERECTION OF
MAXIMUM OF 5 DWELLING UNITS. A RESUBMISSION
OF APP. NO. DCCE2005/2160/O LAND ADJACENT TO
HOLME CROFT, HOLME LACY, HEREFORD,
HEREFORDSHIRE, HR2 6LW**

**For: Mr. & Mrs. Norman, RRA Architects Ltd, Packers
House, 25 West Street, Hereford, HR4 0BX**

Date Received: 31st May, 2006 Ward: Hollington Grid Ref: 55458, 35694

Expiry Date: 26th July, 2006

Local Member: Councillor G.F.M. Dawe

1. Site Description and Proposal

1.1 This application seeks Outline Planning Permission for the erection of five dwellings on land at Stony Yeld, Holme Lacy. The application site is currently home to a single bungalow with a vacant garage and outbuildings associated with the last use of the site, which was a HGV goods yard. The site fronts the main B4399 through Holme Lacy. Holme Lacy is a designated Smaller Settlement in the Herefordshire Unitary Development Plan 2007.

1.2 The application seeks Outline Permission only with all matters reserved except the proposed access.

2. Policies

2.1 Planning Policy Guidance:

PPS1	-	Delivering sustainable development
PPS3	-	Housing
PPG13	-	Transport
PPS23	-	Planning and pollution control

2.2 Herefordshire Unitary Development Plan 2007:

S1	-	Sustainable development
S2	-	Development requirements
S3	-	Housing
S6	-	Transport
DR1	-	Design
DR2	-	Land use and activity
DR3	-	Movement
H6	-	Housing in smaller settlements
H15	-	Density
H16	-	Car parking
T11	-	Parking provision

2.3 Manual for Streets – March 2007

3. Planning History

3.1 DCCE2005/2160/O - Site for erection of 11 dwelling units. Withdrawn 5th August, 2005.

4. Consultation Summary

Statutory Consultations

4.1 Environment Agency: No objection subject to conditions.

4.2 Welsh Water: No objection to private drainage system, no comment in respect of intention to connect to the mains system.

Internal Council Advice

4.3 Forward Planning Manager: Advised that Holme Lacy is defined as a smaller settlement in the Unitary Development Plan (Policy H6) and in such a location residential development is allowed, although controlled, to meet rural housing needs. In this case, the plot and frontage size is such that permission is limited to affordable housing. The need and requirements for affordable housing to meet local housing need needs to be demonstrated. The application has not supplied any such evidence of local affordable housing need and is therefore contrary to Policy H6.

4.4 Environmental Health Manager: No objection subject to conditions.

4.5 Conservation Manager: The Council's Archaeologist has previously advised on this site that a watching brief is necessary and should be secured through the appropriate standard condition.

4.6 Traffic Manager: Objection on the grounds that, notwithstanding the highway improvement works and extant use of the site, inadequate access arrangements are available and as such this proposal is detrimental to highway safety.

5. Representations

5.1 Holme Lacy Parish Council: Raise the following concerns:

1. The access is on a blind bend. The village is on a commuter route through to Rotherwas and there is a large amount of traffic passing through. It is very dangerous to get onto the road from the site;
2. There is a need for affordable housing in the village;
3. The density proposed is of concern and parking restricted. This could lead to inappropriate parking with the associated problems to the access arrangements.

5.2 Local Residents: A single letter of objection has been received objecting to the proposal on the following grounds:

1. Concern over the number of dwellings proposed (11);
2. The access is close to a bend, its use will increase the likelihood of accidents;

3. A 'young mature' oak tree may be lost, this is a healthy tree which contributes positively to the visual amenities of the locality and provides for wildlife;
4. Drainage is a concern;
5. Siting of the houses is of concern;
6. It is suggested that 5 houses or less should be pursued

5.3 It is understood that the above comments were made prior to the number of units on site being clarified as 5. The full text of these letters can be inspected at Central Planning Services, Garrick House, Widemarsh Street, Hereford and prior to the Sub-Committee meeting.

6. Officers Appraisal

Principle

6.1 Holme Lacy is Smaller Settlement in the Herefordshire Unitary Development Plan 2007. Policy H6 states that proposals for residential development on plots arising from the infilling of small gaps between existing dwellings will be permitted where:

1. the dwelling size is limited to a habitable living space of 90 sq m (3 bedroom house) or 100 sq m (4 bedroom house);
2. the plot size is limited to a maximum area of 350 sq m; and
3. the infill gap is no more than 30 metres frontage.

Where a plot does not comply with the above criteria affordable housing schemes can be pursued where a need has been evidenced. In this case the site fails to comply with the above criteria by reason of the plot sizes and infill gap width between built development.

6.2 Notwithstanding the Policy provisions above, the other material considerations pertinent to this case require consideration. The application site was last used as a HGV goods yard and as such some limited potential exists for a 'fall back' use of this site for this purpose. The site is currently in a relatively poor condition and the existing buildings on site are in a comparably poor state of repair. The site itself is also contaminated due to its historical use. In this respect the benefits of 'cleaning' and redeveloping the site for a residential use are of some note, particularly in respect of the potential visual and residential amenity improvements. The characteristics of Holme Lacy as a settlement also bear consideration. Although not an 'identified' settlement in the Herefordshire Unitary Development Plan 2007, Holme Lacy does offer some local facilities and limited public transport is available through the village.

6.3 In addition to the above considerations, there are two more specific material considerations. Firstly, the Traffic Manager has advised that even with highway improvement works and the provision of the maximum visibility splay available, the site access would be unsuitable for a development exceeding 5 units. This is substantially below the density typically required for a site of this area in accordance with national and local planning policy. On this basis the redevelopment of this site for residential purposes, if supported, is effectively limited to 5 units. Secondly, and as noted briefly above, the site is currently contaminated by virtue of the historic use as a HGV goods yard. The financial implications of remediation works together with the limit on unit numbers imposed by the access limitations, would potentially make an affordable development financially unviable.

- 6.4 The pre-application discussions for this proposal were considered whilst the South Herefordshire District Local Plan was still the adopted Plan. Under the provisions of this Plan, Holme Lacy was an identified 'larger' settlement and as such the proposal was, in principle, in accordance with planning policy. However, the issues associated with this site, principally the access, led to lengthy delays and as a result this application is now considered under the provisions of the Herefordshire Unitary Development Plan 2007. The lengthy delays are most unfortunate but it is nevertheless the case that planning policy has evolved significantly since this application was submitted. The current adopted policy framework is contained within the Herefordshire Unitary Development Plan 2007 and the proposed is contrary to Policy H6 and therefore unacceptable in principle.

Access

- 6.5 The access arrangements for this site have proved to be problematic. The position of this site on a bend is such that the site is unsuitable for a development exceeding 5 units. On the basis of a scheme of 5 units, the Traffic Manager has advised that under current guidance the road conditions/actual vehicle speeds in this location would necessitate an access with visibility splays of 2.4m x 56m. However, in this case there are two mitigating factors. Firstly, highway traffic calming workings are proposed by the agent/applicant to reduce actual traffic speeds in this location. Secondly, the implications of the existing HGV goods yard and the potential traffic generated by this activity require consideration. Having regard to both these factors the Traffic Manager has confirmed that, under the new guidance contained in 'Manual for Streets', he would be prepared to accept a visibility of 2.4m x 40m. This is achievable but requires third party land to the west. Without this land to the west the visibility splay available is reduced to approximately 2.4 x 20m. This is significantly below the required standard, and falls short of the minimum considered necessary by the Traffic Manager with the mitigating factors considered. The agent has not secured the necessary control over the land to the west. On this basis the Traffic Manager objects to the proposal and is of the opinion that this scheme would be detrimental to highway safety.

Other Issues

- 6.6 The Environmental Health and Trading Standards Manager advises that records indicate that the adjacent site was historically used as a sawmill site, for wood preservation and as an engineering works, prior to its development for housing. A site investigation revealed significant levels of contamination on the sawmill site and remediation was required. Due to contaminative land use adjacent to the development plot at Stony Yeld and taking into consideration that the development is for a sensitive land use i.e. houses with gardens, a phased contamination land assessment is required to determine if the site is affected by historical contamination from the adjacent site and to undertake any remedial action, (if necessary) to ensure that the land will be suitable for its new use. These matters could be resolved by condition if necessary.
- 6.7 The scheme originally proposed a private drainage system. However, upon the advise of the Environment Agency, and in accordance with the provisions of PPS23, it was confirmed that a connection to the mains would be pursued. No comment on this proposal has been received from Welsh Water, although they have confirmed no objection to the originally proposed private drainage system. Appropriate conditioning would therefore be necessary to secure acceptable drainage provision on this site.

Conclusion

6.8 The Policy position now in plan is such that this scheme is now contrary to policy. In addition, the inability of the applicant/agent to provide the necessary minimum standard of visibility splays is such that this proposal in its current form is unacceptable and hazardous to highway safety.

RECOMMENDATION

That planning permission is refused for the following reasons:

- 1. The application site lies within a designated Smaller Settlement and the proposal, by reason of the site characteristics, is one where only affordable housing would be permitted. The application fails to demonstrate any proven local need and therefore is contrary to Policy H6 of the Herefordshire Unitary Development Plan.**
- 2. The proposed development would be served by an unsuitable and substandard access which, if allowed, would be detrimental to highway and pedestrian safety. The proposal is therefore contrary to PPG13, Planning Guidance and Advice Document: Manual for the Street – March 2007, and Herefordshire Unitary Development Plan 2007 Policies S1, S2, DR3 and H1.**

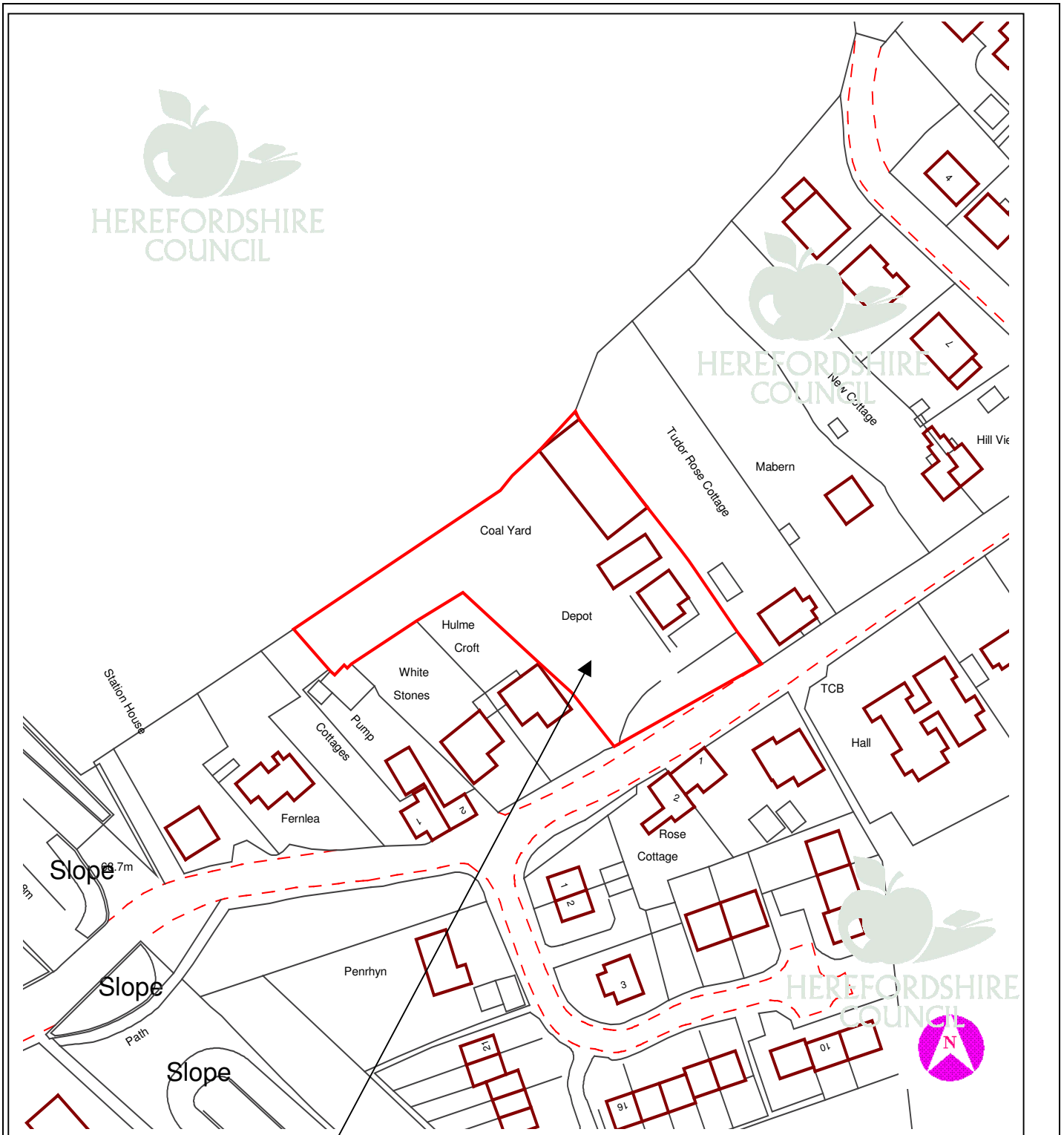
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCCE2006/1798/O

SCALE : 1 : 1250

SITE ADDRESS : Land adjacent to Holme Croft, Holme Lacy, Hereford, Herefordshire, HR2 6LW

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