

5 DCSW2007/2543/O - SITE FOR NEW DWELLING IN GARDEN OF SANDRIDGE, SANDRIDGE, BARRACK HILL, KINGSTHORNE, HEREFORDSHIRE, HR2 8AY.

**For: Mr R Poole & Mrs G Phillips per Mr C Goldsworthy
85 St Owens Street, Hereford, HR1 2JW.**

Date Received: 3rd August, 2007

Ward: Pontrilas

Grid Ref: 50429, 32276

Expiry Date: 28th September, 2007

Local Member: Councillor RH Smith

1. Site Description and Proposal

- 1.1 The proposal site is reached off the western side of Barrack Hill. It comprises an arbitrary area of garden area to the east of Sandridge, a modern bungalow. Sandridge is at the entrance of a cul-de-sac of development of various dwelling types and materials, i.e. stone, render, slate and concrete tiles, mostly standing in large gardens.
- 1.2 Sandridge fronts onto the unadopted driveway (Eden Lane). A double garage, just under 6 metres away, will remain with the property. The existing access serving the property will also be utilised by the proposed new dwelling. Indicative plans submitted provide for a two-storey four bedroom dwelling with 99.34m² floor area and angled towards the north-west, i.e. at an angle to Barrack Hill. The rear or southern boundary is of evergreen hedging, the eastern roadside boundary is a post and rail one well supplemented by trees and hedging. There is a low stone rubble wall on the northern boundary which provides open views across the otherwise well screened site.
- 1.3 This is a planning application for which only the means of access, i.e. the existing one is to be determined at this stage. The remaining reserved matters or details will be determined at a later stage in the event that planning approval were granted for the principle of developing the site.

2. Policies

2.1 Planning Policy Statement

- | | | |
|-------|---|--|
| PPS.1 | - | Delivering Sustainable Development |
| PPS.7 | - | Sustainable Development in Rural Areas |

2.2 Herefordshire Unitary Development Plan 2007

- | | | |
|------------|---|--|
| Policy S.2 | - | Development Requirements |
| Policy H.7 | - | Housing in the Countryside Outside Settlements |

3. Planning History

- | | | | | |
|-----|-----------------|------------------------|---|------------------|
| 3.1 | DCSW2006/3917/O | New dwelling in garden | - | Refused 05.02.07 |
| | DCSW2007/1087/O | New dwelling in garden | - | Refused 14.05.07 |

4. Consultation Summary

Statutory Consultations

- 4.1 No statutory or non-statutory consultations required.

Internal Council Advice

- 4.2 The Traffic Manager's recommendation is awaited.

5. Representations

- 5.1 The applicants' agent has submitted a Design and Access Statement. The following main points are raised:

- daughter wishes to move to Sandridge to be near her independent and elderly mother
- design of house will be as eco-friendly as possible
- site is flat, bounded by Barrack Hill and private road. Two yew trees at corner of plot will be retained
- garage will be retained
- small 4 bedroom house proposed, two parking spaces and garden area to front and rear
- floor area (99.4m²) consistent with Policy H.6 in the UDP
- percolation tests undertaken
- designed to be life-time home, i.e. 3 bedrooms on first floor and fourth on ground floor for future use
- landscaping, little alteration required.

- 5.2 In a further letter, a copy of which has been sent to all Members, the following main planning issues are raised:

- evident site is in Kingsthorpe, as it was previously
- neither of the previous applications have attracted any objections and the Parish Council fully support the proposal
- policies are for guidance, with regard to 30 metres infill gap and 30 metres infill plot, referred to in Policy H.6 have substantial differences in meaning
- the 30 metres requirement relates to frontage and must be considered in general terms as it cannot be site specific (the site has two frontages)
- each of nine properties (in cul-de-sac) fronts onto the road and not all squeezed into a gap between properties fronting onto Barrack Hill

comments on notes to Policy H.6:

- given client cannot afford dwelling in Kingsthorpe, therefore need and low cost requirements are established (5.4.60)
- states development permissible in the form of small infill opportunities (5.4.61)
- the plot sits comfortably within proposed limitations (5.4.62) meets needs of local people and contributes to housing targets, i.e. making best use of land (PPG.3) (5.4.63) based on assessment of community sustainability better to be larger than smaller, be near facilities described in section 5.4.63
- proposal falls within the remit of policies, for this essential and worthy application.

5.3 The Parish Council's observations are awaited.

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

6. Officer's Appraisal

6.1 The main issue relates to the policy framework relating to Kingsthorne.

6.2 There are not issues of highway safety nor the infringement of amenity of residents in the vicinity. The site is also comparatively well screened from view. Kingsthorne is the name of a settlement but which does not relate to a parish of that name. It comprises two parishes, Much Dewchurch and Much Birch. Much Dewchurch is on the western side of the C1263 road, the main thoroughfare, and indeed the only classified road in Kingsthorne. Much Birch which contains the proposal site also has a cluster of dwellings along the A49(T) road and is named in Policy H.6, along with Kingsthorne, as being a smaller settlement. Development in smaller settlements, as defined in Policy H.6, is limited to infill plots of no greater than 30 metres between dwellings which are in built up frontages. The objective of the policy is to provide limited infilling in gaps in established frontages for prescribed dwellings, such that those dwellings will provide more affordable dwellings than in the larger settlements.

6.3 These smaller settlements as defined in Policy H.6 in the Unitary Development Plan do not have delineated settlement boundaries, as is the case for the larger settlements. Therefore, it is not sufficient for the purposes of what is current Development Plan policy to have regard to the previously identified settlement boundary. The main cluster of dwellings follows the C1263 road on the western side and then follows the Wrigglebrook Valley. The unclassified roads that lead off eastwards and then both turn south-eastwards following the declining topography from the boundaries to the north and south of the sprawling settlement. The proposal site is within a distinct and separate cluster of dwellings that starts some 175 metres from the bottom of Barrack Hill. This cluster of dwellings is separate enough visually to be recognised as the Barrack Hill area which has the village hall in the northern area. It is not considered that this group of dwellings primarily fronting onto Barrack Hill, or just sited off it, as is the case with Sandridge, are within the distinct entity of Kingsthorne.

6.4 The second issue relates to the interpretation of Policy H.6 which requires that new plots are no more than 30 metres in frontage and between existing dwellings. It is not possible for this plot to meet this criterion, which has been tested on Appeal to the Secretary of State. Sandridge has no dwelling to the east of it, only Barrack Hill. It is not sufficient to state that there are dwellings across the cul-de-sac entrance to the north-east (Elland Cottage) and south-west (Anfield House). Policy H.6 is clear in not encouraging corner plots; the cornerstone of the policy is the identification of plots between existing dwellings, which in turn are in frontages.

6.5 The proposal plot is not within the main cluster of dwellings of Kingsthorne, it is within a distinct and separate grouping of dwellings located around Barrack Hill, therefore the development constitutes development in open countryside as it falls outside the identifiable limits of an identified settlement.

RECOMMENDATION

That planning permission be refused for the following reason:

1. This site does not form part of the smaller settlement of Kingsthorpe, as defined by Policy H.6 of the Herefordshire Unitary Development Plan 2007 and as such it lies within open countryside. The proposal does not satisfy any of the exceptional criteria allowing for housing in the open countryside and it is therefore contrary to Policy H.7 of the Herefordshire Unitary Development Plan 2007 and Planning Policy Statement 7, Sustainable Development in Rural Areas.

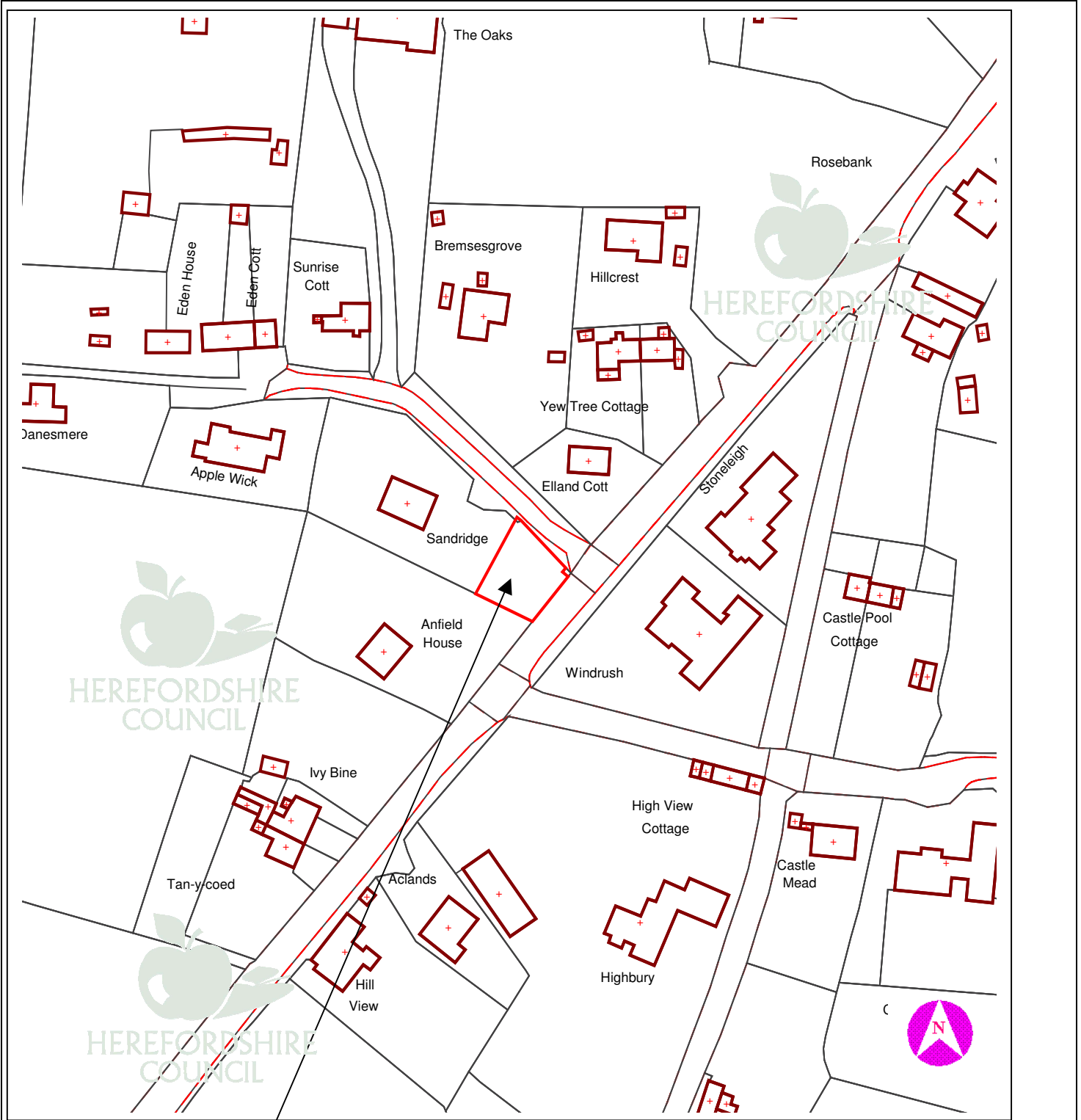
Decision:

Notes:

.....

Background Papers

Internal departmental consultation replies.



This copy has been produced specifically for Planning purposes. No further copies may be made.

APPLICATION NO: DCSW/2007/2543/O

SCALE : 1 : 1250

SITE ADDRESS : Sandridge, Barrack Hill, Kingsthorne, Herefordshire, HR2 8AY

Based upon the Ordnance Survey mapping with the permission of the controller of Her Majesty's Stationery Office, © Crown Copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Herefordshire Council. Licence No: 100024168/2005