

**DCSE2007/2898/F - 3 DWELLINGS FOR RENT
COMPRISING 2 NO. 2 BED & 1 NO. 3 BED HOUSES,
ADJACENT TO NO. 4 MARTINS CLOSE, WOOLHOPE,
HEREFORD, HEREFORDSHIRE, HR1 4QS**

**For: Festival Housing Group per JBD Architects,
Mortimer House, Holmer Road, Hereford, HR4 9TA**

Date Received: 12th September 2007 Ward: Old Gore

Grid Ref: 61110, 35804

Expiry Date: 7th November 2007

Local Member: Councillor Miss T M R McLean

Introduction

Members visited this site on 23rd October, 2007.

This application was considered by the Southern Area Planning Sub-Committee at its meeting on 7th November 2007 when Members resolved to refuse planning permission contrary to the recommendation of the report. This decision was accordingly referred to the Head of Planning Services to determine if it should be reported to the Planning Committee for further consideration.

The application follows the refusal of a similar proposal in June 2007, also contrary to recommendation. On that occasion the Area Sub-Committee found the proposals to be acceptable in all matters apart from the detailed design which, they felt, was inappropriate in the conservation area and in the setting of the grade II* Parish Church (on the adjacent site). The applicants had, accordingly, submitted a revised scheme with a different design which sought to overcome the Sub-Committee's objections.

In the debate on 7th November the Members of the Area Sub-Committee took a different stance from their views last June. In particular they gave weight to the views of the Parish Council and local residents who felt that the scheme has an unsatisfactory access, would cause over looking, and would detract from the setting of the listed building. They also felt that there was no need for this type of development in Woolhope (although this view was not unanimous). None of these issues had changed since the earlier application, and those objections were not supported by the views of the Conservation Manager, the Transport Manager or the Head of Strategic Housing. Even the overlooking point would be difficult to substantiate because the separation distances between the proposed houses and the nearest existing ones are fairly typical and would not cause an unusual degree of overlooking.

It was resolved to refuse planning permission

The application raised the following issues:

1. There is a proven housing need, as evidenced by a recent housing needs survey, and the location within the village is appropriate as a site to satisfy that need. This basic need for the development weighs strongly in favour of the development which

has the strong support of the Head of Strategic Housing as helping to meet the need for affordable housing in this parish.

2. The objections which have been raised at this stage were all issues which were considered in June of this year and found to be acceptable. The Area Sub-Committee did a site visit on this occasion, but that alone cannot justify the new position they now wish to take. They now object in principle to the development of three houses on this site and not, specifically, to the design of the houses.
3. The development complies with local and national policies for residential development and, in particular, for affordable housing.
4. The new objections by the Area Sub-Committee are not supported by the Conservation Manager or the Transport Manager.

Having reviewed the facts of this application it is clear that the proposal accords with the relevant development plan policies and national planning guidance regarding residential development in villages and would help to deliver affordable housing in an appropriate way. Given the support for the scheme from the relevant consultees, and the change in position by the Area Sub-Committee, an appeal against a refusal would be very difficult to defend. For these reasons the application is referred to this meeting for further consideration.

The report to the Southern Area Planning Sub-Committee on 7th November follows.

1. Site Description and Proposal

- 1.1 The site is a grassed area between Martins Close and St George's Church, a Grade II* Listed building. An iron railing fence bounds the site on its south side, a rubble stone wall runs along the boundary with the church and wooden panel fencing and hedges form the boundaries with Martin Close.
- 1.2 The site is located in the Woolhope Conservation and the Wye Valley Area of Outstanding Natural Beauty.
- 1.3 This application proposes a row of 3 dwellings that comprise 2, 2-bedroomed dwellings and 1, 3-bedroomed dwellings that will be available for rent.

2. Policies

2.1 Planning Policy Statements

PPS1	-	Delivering Sustainable Development
PPS3	-	Housing
PPS7	-	Sustainable Development in Rural Areas
PPG15	-	Planning and the Historic Environment

2.2 Herefordshire Unitary Development Plan 2007

Policy S1	-	Sustainable Development
Policy S2	-	Development Requirements
Policy S3	-	Housing
Policy S7	-	Natural and Historic Heritage
Policy DR1	-	Design
Policy DR3	-	Movement
Policy DR5	-	Planning Obligations
Policy H6	-	Housing in Smaller Settlements
Policy H9	-	Affordable Housing

Policy H10	-	Rural Exception Housing
Policy H16	-	Car Parking
Policy LA1	-	Areas of Outstanding Natural Beauty
Policy HBA4	-	Setting of Listed buildings
Policy HBA6	-	New Development within Conservation Areas

3. Planning History

- 3.1 DCSE2006/3612/F 3 dwelling units for rent - Refused 20.06.07

4. Consultation Summary

Statutory Consultations

- 4.1 No statutory or non-statutory consultations required.

Internal Council Advice

- 4.2 The Traffic Manager - No reply received. Previously had no in principle objection.
- 4.3 The Conservation Manager - Support.

5. Representations

- 5.1 The applicant has submitted a Design and Access Statement:

- The dwellings will comply with the Housing Corporation Design Standards, Life Time Homes and Eco Homes Standards as well as Building Regulations and Secure by Design;
- The dwellings will be designed to a higher standard level of insulation to minimise energy costs and are orientated due south to maximise solar design during winter months;
- Extensive shading will protect the dwellings from excessive heat during the summer months;
- The dwellings will be constructed using a local timber supplier and the cladding will utilise locally sourced oak cladding as well as brick and render at lower levels;
- The dwellings have been positioned to minimise obstruction and overlooking to neighbours;
- Whilst being contemporary in appearance the dwellings reflect local characteristics and materials;
- The site is close to the village centre and is adjacent to the church;
- The site relatively flat and it is not envisaged there will be any change in levels requiring steps or ramps; and
- The surfacing of the car park and approaches to the dwellings will be wheelchair accessible.

- 5.2 Woolhope Parish Council unanimously oppose this application.

- “1. Access - insufficient width for access in view of existing lane to the church and there is a lack of visibility to motorists leaving the proposed development particularly on the left hand turn into the village. The road narrows here.
2. The quantity of proposed dwellings on the size of the plot will cause overlooking to neighbouring properties.

3. The application is within a conservation area and area of great landscape value and the style of the proposed dwellings are not in keeping with neighbouring properties especially in view of the close proximity to the church which is a listed building
4. The proposed dwellings do not meet the needs of parishioners because they may not come under a 106 Agreement

If permission is granted the Parish Council would like:

1. A section 106 on the properties to enable the local housing needs to be met
2. Adequate double glazing because of the close proximity to the church and there is a very enthusiastic bell ringing team
3. Windows, which blend in with neighbouring properties
4. Deliveries should be made before 8.30 to allow the school bus to pass through as the road to the village narrows
5. Colour of brick and roof tiles chosen to match the neighbouring old properties
6. The eco friendly features mentioned in the design statement to be adhered to."

5.3 6 letters of objections have been received:

- Scale and density of the development is not appropriate for this sensitive site in the Woolhope conservation area.
- It will be detrimental to the setting of the adjoining church, a Listed building.
- Unsuitable access.
- Adverse impact on adjoining dwellings.
- The style and type of houses are not appropriate.
- It will be an overdevelopment of the site.
- Our garden will be overlooked.
- Loss of trees.

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 This application has been submitted following the refusal of DCSE2006/3612/F which, was refused for the following reason:

"In the opinion of the local planning authority the design, materials and fenestration of the proposed dwellings would be out of keeping with and cause harm to the character of this part of the Woolhope Conservation Area so as not to preserve or enhance its appearance. Accordingly, the proposal conflicts with policy HBA6 of the Herefordshire Unitary Development Plan 2007."

6.2 Principally this application is as the previous proposal. The appearance of the dwellings have been altered substituting brick and render for the previously proposed oak cladding. In addition, a simpler window pattern and chimneys are proposed. It is

considered these alterations solve the reason for refusal of the previous application. The dwellings are of a rural vernacular considered appropriate for this site.

- 6.3 The site is located in the smaller settlement of Woolhope. Housing development in smaller settlements is allowed but controlled by policy H6. The policy sets a criterion for consideration that allows development; house size, infill frontage and affordable housing on infill sites with frontages larger than 30metres and site over 350square metres where there is a proven housing need.
- 6.4 In terms of need, the Council's Strategic Housing Service undertook a housing needs study in Woolhope as part of the on-going surveys across the County. Residents were consulted as part of the Woolhope Parish Plan process early 2006. The result of this survey shows there is an affordable housing need for 8 dwellings. This application for 3 rented dwellings will fulfil part of that need. Detailed advice on affordable housing is given in policies H9 and H10. It will be necessary for a Section 106 Agreement to be completed and the proposed Heads of Terms are attached as an appendix.
- 6.5 The site is also located in the Woolhope Conservation Area and the Wye Valley Area of Outstanding Natural Beauty. Within conservation areas it is a statutory requirement for development either to preserve or enhance the characteristics of the area. In this matter the Conservation Manager comments the site is relatively secluded and the scheme will be most visible from the churchyard to the east. However, there is an appropriate degree of visual separation between the east elevation and St George's church so this proximity is not considered problematic as another recent development south of Martins Close has established a precedent. This revised application is somewhat more conservative than the previous scheme but its sustainability credentials remain central to its design and functional elements such as solar shading, which were seen, as "non-traditional" must be understood in this context. The design utilises prevailing local materials such as brick, plain tiles and render to establish continuity but its restrained modern aesthetic is nevertheless appropriate in its context. Accordingly, it is not considered the proposal will cause harm to the historic environment.
- 6.6 The submitted plan shows that the rear wall of the proposed dwellings to the gable flank wall of the neighbour to be a distance of 12metres. This is considered to be an acceptable minimum distance given that there are no living room windows in the gable elevation of the neighbouring dwellings so as to compromise outlook and to avoid the development being visually intimidating.
- 6.7 Access to the site is off an unsurfaced track, which also provides access to the church car park and Martins Close. The Traffic Manager has advised the means of access is substandard and its junction onto the C1297 is restricted. However, given the existing usage of the access it is not considered the proposal will cause significant disruption to the users of the highway.

RECOMMENDATION

- That 1. The Legal Practice Manager be authorised to complete a planning obligation agreement under Section 106 of the Town and Country Planning Act 1990 to ensure:**
- a) The dwellings shall be retained available for rent in perpetuity for local people.**

2. Upon completion of the aforementioned planning obligation that the officers named in the Scheme of Delegation to Officers be authorised to issue planning permission subject to the following conditions:

1. A01 (Time limit for commencement (full permission))

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990.

2. B01 (Samples of external materials)

Reason: To ensure that the materials harmonise with the surroundings.

Informative(s):

1. N19 - Avoidance of doubt

2. N15 - Reason(s) for the Grant of Planning Permission

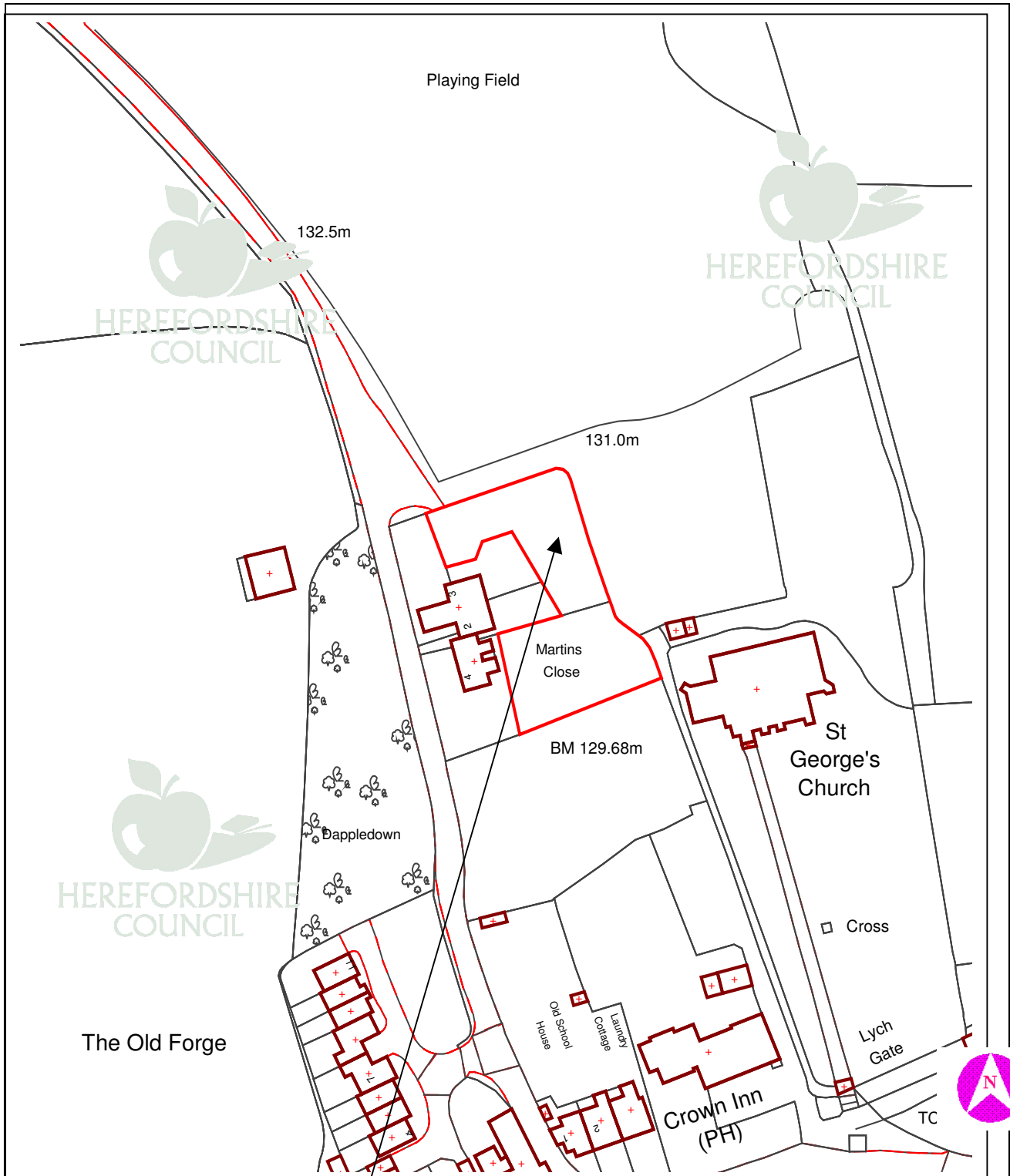
Decision:

Notes:

.....

Background Papers

Internal departmental consultation replies.



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

APPLICATION NO: DCSE2007/2898/F

SCALE: 1 : 1250

SITE ADDRESS: Adjacent to No. 4 Martins Close, Woolhope, Hereford, Herefordshire, HR1 4QS

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

APPENDIX

DRAFT HEADS OF TERMS

Proposed Planning Obligation Agreement

Section 106 Town and Country Planning Act 1990

Planning Application DCSE2006/3612/F

2 dwellings for rent comprising of 2, 2-bedroomed dwellings and 1, 3-bedroomed dwelling at Martins Close, Woolhope

- 1. The approved houses shall be affordable housing units which meet the criteria set out in Section 5.5 of the Herefordshire Unitary Development Plan 2007 and related to Policy H9 or any statutory replacement of those criteria and that policy. None of them shall be occupied unless and until the Herefordshire Council has given written agreement to the means of securing the status of these units as affordable housing.**
- 2. The developer shall pay to the Council, or on completion of the Agreement, the reasonable legal costs incurred by Herefordshire Council in connection with the preparation and completion of the Agreement.**
- 3. The applicant shall complete the Agreement by 7 January 2008.**