

<b>MEETING:</b>	<b>PLANNING COMMITTEE</b>
<b>DATE:</b>	<b>3 APRIL 2013</b>
<b>TITLE OF REPORT:</b>	<p><b>N123463/F - PROPOSED CONSTRUCTION OF A NEW TWO STOREY DWELLING AND DETACHED GARAGE AND CYCLE STORAGE AT LAND ADJACENT TO THE NEW INN, STAUNTON ON WYE, HEREFORDSHIRE, HR4 7LR</b></p> <p><b>For: Mr Kinsey per Mr Jim Hicks, Second Floor Offices, 46 Bridge Street, Hereford, Herefordshire, HR4 9DG</b></p>
<b>WEBSITE LINK:</b>	<a href="http://www.herefordshire.gov.uk/housing/planning/58286.aspx?ID=123463&amp;NoSearch=True">http://www.herefordshire.gov.uk/housing/planning/58286.aspx?ID=123463&amp;NoSearch=True</a>

**Date Received: 12 December 2012    Ward: Castle    Grid Ref: 336673,245196**  
**Expiry Date: 12 March 2013**  
 Local Member: Councillor JW Hope MBE

**1. Site Description and Proposal**

- 1.1 The application relates to a parcel of agricultural land located immediately to the east of the New Inn public house in Staunton on Wye. The site is bounded to the north by the C class road that runs through the village, the boundary being comprised of a mature hedgerow and trees, set atop a bank. All other remaining boundaries to the land are similarly comprised of native species hedgerows.
- 1.2 The land slopes from the road, down across the site to its lowest point at its south-easterly corner. A topographical survey submitted with the application shows an overall change in level of 9 metres.
- 1.3 The site has an existing field gate access at its north eastern corner which emerges directly onto the C class road. It lies on the eastern edge of the village, just beyond the settlement boundary as identified by Policy H4 of the Herefordshire Unitary Development Plan. The village contains a number of services including a doctor's surgery, public house and recently completed replacement primary school. A number of rural businesses are also located within and around the immediate environs of the village.
- 1.4 The proposal is for the erection of a single four bed dwelling and garage on the land. The plans submitted show this to be located approximately 40 metres to the east of the New Inn public house, and 60 metres from another property known as Cartref. The proposed dwelling is orientated in a north / south direction with its ridge running in an east / west plane. Two storey gabled wings project north and south and a single storey element is included on the eastern gable end. A parking and turning area is positioned to the north and a double garage in the north-west corner of the plot. The proposal relies on the existing access to the north east.
- 1.5 The plans show the dwelling to be faced in a combination of brick and timber boarding under a slate roof. It is to be served by a bio-disc sewage treatment plant, discharging to a reed bed filtration system, the precise details of which are not included. The supporting documentation

---

Further information on the subject of this report is available from Mr A Banks on 01432 383085

also indicates that the dwelling will utilise renewable energy technologies to include solar thermal panels and ground or air source heating.

## **2. Policies**

### **2.1 Herefordshire Unitary Development Plan**

S1	–	Sustainable development
S2	–	Development requirements
DR1	–	Design
DR2	–	Land use and activity
DR3	–	Movement
H4	–	Settlement boundaries: main villages
H7	–	Development in the countryside outside settlements
H13	–	Sustainable residential design
T8	–	Road hierarchy
NC1	–	Biodiversity and development
NC6	–	Biodiversity Action Plan priority habitats and species

### **2.2 National Planning Policy Framework**

The following sections are of particular relevance:

Introduction	–	Achieving sustainable development
Section 6	–	Delivering a wide choice of high quality homes
Section 7	–	Requiring good design
Section 8	–	Promoting healthy communities
Section 11	–	Conserving and enhancing the natural environment

2.3 The Unitary Development Plan policies together with any relevant supplementary planning documentation can be viewed on the Councils website by using the following link:-

<http://www.herefordshire.gov.uk/housing/planning/29815.aspp>

## **3. Planning History**

3.1 None identified

## **4. Consultation Summary**

### Statutory Consultations

4.1 Welsh Water – No objection subject to conditions to ensure that surface water drainage does not discharge to the main sewer.

### Internal Council Consultations

4.2 Transportation Manager – No objection subject to conditions

4.3 Conservation Manager

Landscape – No objection subject to conditions

## **5. Representations**

5.1 Staunton on Wye Parish Council – Comment as follows:

---

Further information on the subject of this report is available from Mr A Banks on 01432 383085

Noted that the application site is outside the UDP envelope. In the past, the Parish Council has worked to the UDP rules and consistently refused to support applications outside the envelope and the Herefordshire Council has refused permission on these grounds.

However, in the case of the recent application at Bliss House in Staunton-on-Wye, and in the case reported in the Hereford Times of an application in Colwall, it appears that the Herefordshire Council has changed the rules of the UDP without any notification and consultation with Parish Councils involved. In both these cases the relevant Parish Council has not supported the application for this reason but their views have been overridden by Herefordshire Council and permission granted. In these circumstances, the Parish Council feels that it cannot comment on the current application.

- 5.2 The consultation responses can be viewed on the Council's website by using the following link:-

[www.herefordshire.gov.uk/housing/planning/searchplanningapplications.aspx](http://www.herefordshire.gov.uk/housing/planning/searchplanningapplications.aspx)

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

[www.herefordshire.gov.uk/community\\_and\\_living/consumer\\_advice/41840.asp](http://www.herefordshire.gov.uk/community_and_living/consumer_advice/41840.asp)

## **6. Officer's Appraisal**

- 6.1 The site falls outside of the settlement boundary for Staunton on Wye as defined by the Herefordshire Unitary Development Plan (UDP) and therefore falls within open countryside. The proposal does not satisfy any of the exception criteria outlined by Policy H7 of the UDP and therefore is contrary to it. However, it is necessary to consider whether there are any other planning policy or material planning considerations to support the principle of development.
- 6.2 The Core Strategy is not sufficiently advanced to be given due weight in the consideration of the application and in any event, there are no specific policies or proposals that relate to this particular site. The National Planning Policy Framework (NPPF) came into force in March 2012. Paragraph 215 of the NPPF clarifies that due weight can still be given to the relevant UDP policies for a period of 12 months from the date of adoption of the NPPF providing those policies are largely consistent with the NPPF. The consistency of the UDP housing policies within the UDP is therefore key to whether the principle of development can be supported.
- 6.3 At the heart of the NPPF is a general presumption in favour of sustainable development and applications for housing should be considered in this context. The NPPF now requires that local planning authorities should identify a rolling five year supply of deliverable housing land to ensure choice and competition in the market. Additionally, the NPPF requires an additional buffer of 5% (increased to 20% if a planning authority has persistently under delivered housing land). On the basis of the evidence available to date, it is considered the requirement for a 5% buffer is applicable to Herefordshire.
- 6.4 The Council's 2012 Annual Monitoring Report (AMR) which monitors housing land availability, identified that the Council currently has a shortfall of 216 units, which equates to a 4.6 year supply. This shortfall does not account for the requirement to maintain the additional 5% buffer which would amount to a further 140 units and therefore a total of 356 units.
- 6.5 Paragraph 49 of the NPPF stipulates that relevant policies concerning the supply of housing land should not be regarded as up to date if a five year land supply cannot be demonstrated. In view of this, there is a requirement to release further land for housing that is deliverable within the next five years and is sustainable. There remains a requirement for the development to accord with other relevant UDP policies and NPPF guidance but in terms of the principle, if

the development is acceptable in all other respects, the conflict with UDP policy H7 is not a reason for refusal of the application that could be sustained.

- 6.6 The proposed dwelling is set within a large parcel of land and is well spaced from the closest dwelling and pub, which both lie to the west. Due to the distances between them, and also the orientation of the proposed dwelling which has few openings in the west facing elevation, the proposal will not give rise to any demonstrable detriment to residential amenity, either to existing property, or to this proposal itself. The Land is not connected to the pub and the proposal will not affect its viability. The scheme is therefore considered to accord with Policies DR1 and H13 of the UDP.
- 6.7 The site is well placed in Staunton on Wye. The village has a good range of services that include a primary school and doctors surgery, and the location of the site is considered to be sustainable in accordance with policies S1 of the UDP and the guiding principles of the NPPF.
- 6.8 The detailed design of the proposed dwelling is considered to be appropriate and the plans show an intention to make best use of sustainable energy methods, and the use of rainwater harvesting. These aspects of the scheme accord with Policies S1 and H13 of the UDP, and also the guiding principles of the NPPF which advocates sustainable development.
- 6.9 At pre-application stage, the significance of the roadside hedge was identified as a significant constraint to development. The creation of a new access would have required at least its partial removal and this was considered to be unacceptable due to the detrimental visual impact that would result from its loss. Hedgerows are also a Biodiversity Action Plan (BAP) priority habitat, and its loss would also conflict with the objectives of Policy NC6 of the UDP. In order to address these concerns, the application therefore relies on an existing access point in the north eastern corner of the site, avoiding the need to remove the hedge and therefore complying with Policy NC6.
- 6.10 The access is considered to provide adequate visibility in both directions in light of the low traffic speeds along the road and its primary use by local traffic that will be familiar with the road conditions. The Council's Highway Engineer is content that splays can be provided in both directions simply by ensuring that the roadside hedge is trimmed, and also suggests the imposition of a condition to ensure that any gates are set back from the road by a minimum of five metres. On this basis the proposal complies with Policy DR3 of the UDP.
- 6.11 In conclusion, the lack of a five year housing land supply and the guidance given by the NPPF is considered to provide a material planning consideration of sufficient weight to allow the requirements of Policy H7 of the UDP to be set aside. It has been demonstrated that the proposal is compliant with all other policies of the UDP and therefore the application is recommended for approval.

## **RECOMMENDATION**

**That planning permission be granted subject to the following conditions:**

- 1. A01 - Time limit for commencement (full permission)**
- 2. B01 - Development in accordance with the approved plans**
- 3. C01 - Samples of external materials**
- 4. G04 - Protection of trees/hedgerows that are to be retained**
- 5. G10 - Landscaping scheme**
- 6. G11 - Landscaping scheme – implementation**
- 7. H03 - Visibility splays**
- 8. H05 - Access gates**

---

Further information on the subject of this report is available from Mr A Banks on 01432 383085

- 9. L01 - Foul/surface water drainage
- 10. L02 - No surface water to connect to public system
- 11. L03 - No drainage run-off to public system
- 12. I16 - Restriction of hours during construction

**Reason for Approval**

- 1. The Council’s five year housing land supply demonstrates a shortfall in provision. Policy H7 of the Herefordshire Unitary Development Plan does not reflect the most current advice contained within the National Planning Policy Framework and is therefore considered to be out of date. The site is considered to be sustainable as one on the edge of Staunton on Wye. The design is acceptable and access can be provided to the site without the loss of the roadside hedgerow. The proposal therefore accords with the Unitary Development Plan in all other respects and accords with the guiding principles of 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 material considerations. 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.
- 2. HN28 - Highways Design Guide and Specification

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:** N/123463/F

**SITE ADDRESS :** LAND ADJACENT TO THE NEW INN, STAUNTON ON WYE, HEREFORDSHIRE, HR4 7LR

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