

MEETING:	PLANNING COMMITTEE
DATE:	30 OCTOBER 2013
TITLE OF REPORT:	132098/O - OUTLINE APPLICATION FOR RESIDENTIAL DEVELOPMENT (UP TO TWO DWELLINGS) AT LAND ADJACENT TO WHITE HOUSE, BARTESTREE, HEREFORD, HR1 4BY For: Dr Karayiannis, White House, Bartestree, Hereford, Herefordshire, HR1 4BY
WEBSITE LINK:	http://news.herefordshire.gov.uk/housing/planning/58286.aspx?ID=132098&NoSearch=True

Date Received: 4 September 2013

Ward: Hagley

Grid Ref: 355819,241048

Expiry Date: 30 October 2013

Local Member: Councillor DW Greenow

1. Site Description and Proposal

- 1.1 The site lies on the south eastern side of the A438, Ledbury to Hereford road at Bartestree, to the southwest of its junction with the vehicular access that serves the village hall, playing fields and Stalls Farm, farmhouse and cottage.
- 1.2 Currently the 0.3 hectare site comprises part of the residential curtilage of The White House, a large detached property, with access off the A road. The site is 48 metres in width with a depth ranging between 35 and 55 metres. A mature hedge runs parallel and adjacent to the roadside boundary and a fence and hedgerow, including a mature tree, demark the boundary to the village hall and playing fields access. The site is level, laid to lawn and partly used for the keeping of chickens.
- 1.3 Outline planning permission is sought for residential development, with all matters reserved for future consideration. As such the application seeks to establish solely the acceptability of the principle of development. The applicant has confirmed that the proposal is for up to two dwellings and has submitted a plan for illustrative purposes, which indicates that a single vehicular access would be provided onto the A438.

2. Policies

2.1 National Planning Policy Framework:

Achieving Sustainable Development

Chapter 1 - Building a Strong Competitive Economy

Chapter 6 - Delivering a Wide Choice of High Quality Homes

Chapter 7 - Requiring Good Design

Chapter 11 - Conserving and Enhancing the Natural Environment Decision-taking

Further information on the subject of this report is available from Mrs Charlotte Atkins on 01432 260536

2.2 Herefordshire Unitary Development Plan (UDP):

S1	-	Sustainable Development
S2	-	Development Requirements
S3	-	Housing
DR1	-	Design
DR2	-	Land Use and Activity
DR5	-	Planning Obligations
H1	-	Hereford and the Market Towns: Settlement Boundaries and Established Residential Areas
H7	-	Housing in the Countryside Outside Settlements
H9	-	Affordable Housing
H13	-	Sustainable Residential Design
H14	-	Re-Using Previously Developed Land and Buildings
LA2	-	Landscaped Character and Areas Least Resilient to Change

2.3 Supplementary Planning Document – Planning Obligations

2.4 Herefordshire Local Plan Draft Core Strategy:

SS1	-	Presumption in Favour of Sustainable Development
SS2	-	Delivering New Homes
SS3	-	Releasing Land for Residential Development
SS6	-	Environmental Quality and Local Distinctiveness
SD1	-	Sustainable Design and Energy Efficiency
RA2	-	Herefordshire's Villages
RA3	-	Herefordshire's Countryside
LD2	-	Biodiversity and Geodiversity
LD3	-	Green Infrastructure
ID1	-	Infrastructure Delivery
H1	-	Affordable Housing – Thresholds and Targets

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

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

3. Planning History

3.1 SH88/0196/PO – Two bedroomed bungalow – refused 6.4.1988.

4. Consultation Summary

4.1 Transportation Manager: Further information is required regarding proposed means and location of access to the residential development to enable an assessment to be made as to the suitability of the access.

Amended plan: The proposed splayed entrance would be acceptable and any gates conditioned for setback. Visibility splays will require removal of the front hedge and the applicant has confirmed this in writing. The provision of a footway along the south side of A438 to link to the village hall access and existing signalised crossing should be considered. My recommendation is therefore approval subject to conditions.

4.2 Environmental Health Manager: No objection.

5. Representations

- 5.1 Parish Council: Application supported.
- 5.2 Mr G Watts, Hagley Hall: Only reservation relates to the boundary hedgerows, which should be retained as they are an important wildlife habitat. The loss of hedgerows in the country means that the importance of retaining those left is paramount.
- 5.3 The consultation responses can be viewed on the Council's website by using the following link:-
<http://news.herefordshire.gov.uk/housing/planning/searchplanningapplications.aspx>

Internet access is available at the Council's Customer Service Centres:-
www.herefordshire.gov.uk/government-citizens-and-rights/complaints-and-compliments/contact-details/?q=contact%20centre&type=suggestedpage

6. Officer's Appraisal

- 6.1 In planning policy terms, the site falls outside of the settlement boundary for Bartestree, as defined in the adopted Herefordshire Unitary Development Plan (UDP). Therefore, as stipulated in policy H7 open market residential development would not be acceptable in principle. However, the Council's published position is that currently it does not have a readily deliverable 5 year housing land supply. As specified in paragraph 49 of the National Planning Policy Framework, this renders the housing delivery policies of the UDP out of date. As such, in accordance with the paragraph 14 of the NPPF, there is a presumption in favour of the approval of sustainable development and planning permission should be granted unless negative impacts significantly and demonstrably outweigh the benefits.
- 6.2 Sustainability is considered by the NPPF to be three dimensional, providing social, economic and environmental roles. The site lies in relatively close proximity to services and facilities, such as a primary and secondary school, a children's nursery, village hall and playing fields, village shop and public house, and a regular daily bus service between Ledbury and Hereford. On this basis the site is considered to be suitably located for residential development. There is a need for additional dwellings and the site could readily accommodate development and help to satisfy this. A well planned scheme would ensure that the natural and built environment is protected. It is considered that the site is sustainable.
- 6.3 With regards to the planning history of the site an outline planning application for a bungalow was refused in 1988. The reasons for refusal were based on the fact that the site was outside the settlement boundary; contrary to the established pattern of development and that there was no demonstrated need for additional housing. This planning history, whilst being a material planning consideration, does not set a precedent preventing development of the site at this time. By virtue of the lack of a deliverable housing land supply and the requirements of the NPPF there has been a significant change in planning policy, such that it is necessary to consider whether the proposal is acceptable when considered against the Council's interim protocol.
- 6.4 Under the protocol consideration may be given to sites where they fall at locations that currently have settlement status within the UDP, are located adjacent to the existing settlement boundary and in terms of sites of 5 or more units, they should be sites that have been assessed through the Strategic Housing Land Availability Assessment as having low or minor constraints. The site lies on the opposite side of the road to the settlement boundary and would not be capable of accommodating 5 or more units. On this basis it is considered to accord with the requirements of the protocol.

- 6.5 In terms of the Draft Core Strategy, Bartestree is identified as a village for proportionate housing development where further growth is directed. However policy RA1 has been contested and in light of this it is considered that it cannot be afforded significant weight at this time.
- 6.6 All matters have been reserved for future consideration, however the Transportation Manager advised that details of the vehicular access were required to ensure that it would be achievable. An illustrative plan has been submitted indicating a single new vehicular access sited towards the centre of the roadside boundary onto the A438. On the basis of this plan the Transportation Manager has no objections, subject to conditions controlling the visibility splay, siting of any gates, provision of off road parking and turning areas and a pedestrian link to the controlled crossing point adjacent to the Village Hall access. As this application is in outline form, with all matters reserved for future consideration, the details of the access would be appraised and conditioned under the future reserved matters application. With regards to the provision of a footway to link to the crossing point adjacent to the village hall access, it is considered that this is achievable as it would cross land in the applicant's ownership and highway owned land. A pedestrian link would increase the accessibility of the site and improve its sustainability credentials. A condition is recommended to ensure that this is provided.
- 6.7 Under Policy H9 of the UDP proposals for housing development on windfall sites of 6 or more dwellings or more than 0.2 hectares in extent require affordable housing provision at an indicative target of 35%. The application site exceeds 0.2 hectares in area. The established pattern of development on the south eastern side of the A438 is relatively low density and any application for the reserved matters of siting and layout would need to respect this context. Taking these issues into account the applicant has confirmed that the proposal would be for not more than two dwellings with no affordable housing provision. Given the context of the site at this outline stage this is considered to be appropriate.
- 6.8 The local resident's comments are noted. It is likely that the provision of a new vehicular access would result in the loss of a significant length of the hedgerow. However, it could be a requirement of the reserved matters that a native hedgerow is planted to the rear of the visibility splay and habitat enhancement provided within the site. It should be noted that hedgerows that define the curtilage of residential properties are not afforded protection under the Hedgerows Regulations, as would be the case on more rural areas.
- 6.9 In accordance with the Council's temporary suspension for financial contributions for developments of 5 or less dwellings, the applicant has requested that if permission is granted the time limit for the commencement of development is reduced and no financial contributions are made. As the application is in outline form commencement must be within 2 years of the date of the permission. Prior to commencement the reserved matters must be submitted and approved.
- 6.10 In conclusion, the principle of development is acceptable, because the proposal accords with the NPPF, which outweighs the UDP in terms of housing land supply policies.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

- 1. A02 Time limit for submission of reserved matters (outline permission) reduced to 2 years – no contributions**
- 2. A03 Time limit for commencement (outline permission) reduced to 2 years – no contributions**

- 3. **A04 Approval of reserved matters**
- 4. **A05 Plans and particulars of reserved matters**
- 5. **Prior to the first occupation of either of the dwellings hereby approved a full specification of the construction of a footpath, parallel and adjacent to the A438 from the vehicular access into the site to the junction of the vehicular access to the Village Hall with the A438, shall be submitted to, approved in writing, and carried out fully on site in accordance with the approved details.**

Reason: In the interests of highway safety, to improve pedestrian access to and from the site and to conform with the requirements of Policies S1 and DR3 of Herefordshire Unitary Development Plan and the principles of the National Planning Policy Framework.

Informative:

- 1. **The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against planning policy and any other material considerations, including any representations that have been received. 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.**

Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: 132098/O

SITE ADDRESS : LAND ADJACENT TO WHITE HOUSE, BARTESTREE, HEREFORD

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Further information on the subject of this report is available from Mrs Charlotte Atkins on 01432 260536