

MEETING:	PLANNING COMMITTEE
DATE:	15 JULY 2015
TITLE OF REPORT:	143787 - PROPOSED CONSTRUCTION OF THREE NO. TWO STOREY DWELLINGS WITH ASSOCIATED GARAGES AND LANDSCAPING AT LAND AT QUEENSWOOD, CRADLEY, HEREFORDSHIRE. For: Mr Darrall per Miss Heather Rees, 1A Colston Yard, Bristol, BS1 5BD
WEBSITE LINK:	https://www.herefordshire.gov.uk/planning-and-building-control/development-control/planning-applications/details?id=143787&search=143787
Reason Application submitted to Committee – Contrary to policy	

**Date Received: 19 December 2014 Ward: Bishops Frome Grid Ref: 373715,247436
and Cradley**

Expiry Date: 5 March 2015

Local Member: Councillor PM Morgan

1. Site Description and Proposal

- 1.1 The application is located outside but adjacent to the defined settlement boundary of Cradley. As such the site is in open countryside and is in the Malvern Hills Area of Outstanding Natural Beauty. Cradley is designated as a 'main village' in the Herefordshire Unitary Development Plan under policy H4. This settlement has a range of local services and facilities including primary school, Doctors, village hall, Church, shop, employment site and is served by public transport.
- 1.2 The site is around 0.2 hectares in extent and forms land associated with the property Queenswood located to the west comprising a paddock. Existing established residential development including the post War Buryfields estate and Grade II listed Buryfields Cottage are located to the north, opposite, on the far side of the C1162 from which access is gained. This road in turn links to the A4103 Worcester Road to the East. Open countryside adjoins south and east, where a Public Right of Way runs through the adjoining field adjacent to the application boundary.
- 1.3 The proposal is the erection of three detached dwellings, associated garages and landscaping.

2. Policies

- 2.1 National Planning Policy Framework (NPPF)

The following sections are of particular relevance:

Introduction - Achieving Sustainable Development

Further information on the subject of this report is available from Mr C Brace on 01432 261947

- 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
- Section 12 - Conserving and Enhancing the Historic Environment

2.2 Herefordshire Unitary Development Plan (UDP)

- S1 - Sustainable Development
- S2 - Development Requirements
- DR1 - Design
- DR2 - Land Use and Activity
- DR3 - Movement
- H4 - Main vilages
- T8 - Road Hierarchy
- HBA4 - Setting of Listed Buildings
- LA1 - Areas of Outstanding Natural Beauty
- LA2 - Landscape Character and Areas Least Resilient to Change
- LA3 - Setting of Settlements
- LA6 - Landscaping Schemes
- NC1 - Biodiversity and Development
- NC6 - Biodiversity Action Plan Priority Habitats and Species
- NC7 - Compensation for Loss of Biodiversity
- NC8 - Habitat Creation, Restoration and Enhancement
- NC9 - Management of Features of the Landscape Important for Fauna and Flora

2.3 Herefordshire Core Strategy:

- SS1 - Presumption in Favour of Sustainable Development
- RA1 - Rural Housing Strategy
- RA2 - Herefordshire's Villages
- LD5 - Historic Environment and Heritage Assets
- SD1 - Sustainable Design and Energy Efficiency

2.4 Neighbourhood Plan

Cradley Parish Council has successfully applied to designate the Parish as a Neighbourhood Area under the Neighbourhood Planning (General) Regulations 2012. The area was confirmed on 7 August 2013. The Parish Council will have the responsibility of preparing a Neighbourhood Development Plan for that area. There is no timescale for proposing/agreeing the content of the plan at this early stage, but the plan must be in general conformity with the strategic content of the emerging Core Strategy. The plan is presently being drafted therefore no weight can be attached in the decision making process.

2.5 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:-

<https://www.herefordshire.gov.uk/planning-and-building-control/planning-policy/unitary-development-plan>

3. Planning History

3.1 None

4. Consultation Summary

Statutory Consultees

- 4.1 Seven Trent Water has no objection to the proposal subject to the inclusion of a planning condition to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution.

Internal Consultees

- 4.2 Transportation Manager has no objection subject to conditions and informatives.
- 4.3 Conservation Manager (Ecology) confirms they have read the ecological report accompanying the proposal and accept that this is a site of poor biodiversity value but there is scope to take up the recommendations of the report and to seek enhancements for the development. A non-standard condition is recommended to be attached to any planning approval so to ensure recommendations set out in the ecologist's report accompanying the application are followed in relation to species mitigation and habitat enhancement. This includes An appropriately qualified and experienced ecological clerk of works is appointed (or consultant engaged in that capacity) to oversee the ecological mitigation work.

5. Representations

- 5.1 Cradley Parish Council *strongly object* to this proposal. The land is within the AONB and within the conservation area. It is outside the settlement boundary. Following the inspector's report into the Herefordshire Core strategy, Cradley is earmarked for 102 new houses between 2011 and 2031. We already have 94 of these houses and "windfall" sites are likely to take us well beyond 102 houses by 2031. We are currently working on our NDP and Cradley Parish Council who represent the village, want to have a strong say in how our village is developed.

If a development of this size at an important gateway into our village is to be considered, then it should be decided by the planning committee rather than by a planning officer.

If these houses are to go ahead, then surely there should be a little more imagination rather than just placing three identical rather dull red brick houses onto the site, especially as it is within the AONB and immediately opposite black and white Grade II character listed properties.

- 5.2 Two letters of objection have been received from local residents. These comments are summarised as –
- These properties are outside the settlement boundary
 - They will adversely affect the rural environment
 - The proposal provides a precedent for further development of the village outskirts
 - The extension to the garden of the existing property also uses existing pasture which is outside the settlement boundary
 - The proposal does not fit in with the surrounding landscape and with the existing large Victorian gabled building at Queenswood. They will also be sited opposite a black and white half timbered Herefordshire cottage
 - The development will block the views towards the Church from Buryfields and vice versa. Part of the design statement for the village is to conserve these views, being graded as an example as one of the best. The development of this land would compromise these views
 - This is an overdevelopment of this site affecting the rural environment and the conservation area and AONB.

- 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:-

<https://www.herefordshire.gov.uk/government-citizens-and-rights/customer-services-enquiries/contact-details?q=customer&type=suggestedpage>

6. Officer's Appraisal

- 6.1 The local authority is currently failing to provide a 5 year Housing Land Supply, plus a 20% buffer, which must be met by all local authorities in accordance with paragraph 47 of the NPPF. Paragraph 49 of the NPPF states that *'relevant policies for the supply of housing should not be considered up to date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites'*.
- 6.2 Where the existence of a five year land supply cannot be demonstrated, there is presumption in favour of granting planning permission for new housing unless the development can be shown to cause demonstrable harm to other factors that outweigh the need for new housing.
- 6.3 Paragraph 14 of the NPPF states that there *"is a presumption in favour of sustainable development and for decision taking this means... where the development plan is absent, silent or relevant policies are out of date, granting planning permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole... or specific policies in this Framework indicate development should be restricted."*
- 6.4 The NPPF is therefore emphasising the importance of the presumption in favour of sustainable development. In reaching a decision upon new housing the housing land supply position will need to be balanced against other factors in the development plan and/or NPPF which could result in the refusal of planning permission. This site is therefore assessed and considered on its suitability as being sustainable in regards its location and material constraints and considerations.
- 6.5 In order to establish a degree of consistency in the absence of housing policies that are considered to be up-to-date with the National Planning Policy Framework (NPPF), the Council has adopted an interim protocol for the consideration of applications that would otherwise be contrary to Policy H7 of the UDP. It accepts that appropriate residential development outside the development boundaries of main settlements may be permitted to help address the housing shortfall, subject to all other material planning considerations, and specifies that sites should be located adjacent to main settlements defined by Policy H4 of the UDP. This approach is consistent with the NPPF which presumes in favour of sustainable development.
- 6.6 The site clearly is located adjacent to the defined settlement boundary of Cradley, a designated main village identified under policy H4 of the UDP and thus in a sustainable location for new residential development. The site adjoins existing residential development associated with Cradley, including period detached properties and the post War Buryfields estate. The site is read as being related to part of the built form area of the village. The site is in close proximity to various local facilities, including Primary School opposite and bus stop adjacent. Other local facilities in walking distance include shop, Doctors and village hall. From a landscape and streetscape assessment, the plot represents a natural rounding off of linear development to the existing built form of the village that will not undermine the historic character and setting of Cradley hereabouts or the overall character and appearance of the wider landscape or countryside.
- 6.7 Sustainable development and sustainability are more than a matter of location. The NPPF states that good design is a key aspect of sustainable development and indivisible from good

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planning. It is not just a matter of aesthetics. Amongst other things, it says that decisions should aim to ensure that developments function well and add to the overall quality of the area; and optimise the potential of the site to accommodate development. Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

- 6.8 UDP Policy S1 defines sustainable development by reference to level, location, form and design, and lists a number of means whereby it will be promoted. Policy DR1 sets out design policy principles. Development which does not adequately address these or is of poor design, including schemes which are out of scale or character with their surroundings will not be permitted. Further criteria relating to residential design, landscape character and the setting of settlements are found respectively within policies DR2, LA3 and HBA9.
- 6.9 Cradley has no dominant architectural vernacular and as a village comprises a significant mix of design types and styles, from large period dwellings, to post War and post 1970's estate development, to contemporary architecture.
- 6.10 The Cradley and Storridge Village Design Statement states *There are 2 broad categories of vernacular buildings in Cradley. The earlier vernacular style in Cradley is that of Timber framed buildings on a stone built base course with clay tiled roofs. The later vernacular style, still maintaining a rural scale, uses brick, local stone and roofs of clay tiles. Many of these are to be found in Westfields. Good examples are Stony Croft and Sundown Cottage on Chapel Lane with the mix of stone and brick and arched window lintels.*
- 6.11 The proposal is for three detached dwellings and their associated garages arranged in a linear arrangement following the C Class road, extending development of the village to the East. The dwellings are set behind the extensive, retained mature hedge and tree line that delineates the highway and access utilises an existing driveway serving Queenswood that is upgraded to serve the proposal. The dwellings measure 11.5 x 11.5 metres in plan at their greatest extent and have a height to ridge of 9.5 metres. The dwellings include a feature principle gable and ground floor bay window and open porch. The garages are positioned to the left of each dwelling and set behind the rear building line and measure 7.5 x 6.7 metres in plan with a height to ridge of 6 metres and eaves at 2.5 metres. This design, size and arrangement reduces the mass and bulk of the development as a whole when viewed from public vantage points through creating 'blue sky' gaps between buildings.
- 6.12 In design terms the scheme has been designed in a traditional style, with pitched tiled roofs and gable ends to reflect the local vernacular of the village. Design clues are taken from the neighbouring buildings, including materials and character details proposed for the dwellings such as red facing brickwork, brick corbelling, gable-end roofs, feature chimneys and plain tiled roofs.
- 6.13 New native species hedgerow is proposed to form the South and West boundaries. The small coppice and tree and hedge liner forming the East boundary is to be retained. The depth and width of this screening provides a substantial buffer between the proposal, open countryside and forms a distinct solid natural boundary to the extent of Cradley's 'natural' growth in this direction.
- 6.14 Having regard to the sustainability of the site, the immediate context and Council's housing land position it is considered the fact the site is within the AONB and the proposal is not major development, that the proposal along with having no significant adverse impact on the character and appearance of the AONB also does not conflict with UDP policy LA1 or the NPPF. The proposal represents a natural rounding off of the village's built form hereabouts and through the landscaping proposed provides a strong edge to this part of Cradley and the transition from/ to open countryside.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

1. C01 – Time limit
2. C07 – Development in accordance with approved plans
3. C13 – Samples of external materials
4. C59 – No conversion of garage to habitable accommodation
5. C65 – Removal of permitted development rights
6. C67 – No new windows in specified elevation
7. CAL – Access, parking, turning
8. The development hereby permitted shall not commence until drainage plans for the disposal of surface water and foul sewage have been submitted to and approved by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the development is first brought into use.

Reason: To ensure that the development is provided with a satisfactory means of drainage as well as to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution.

9. The recommendations set out in the ecologist's report from Betts Ecology dated October 2014 should be followed in relation to species mitigation and habitat enhancement. Prior to commencement of the development, a habitat enhancement plan integrated with any landscape proposals should be submitted to, and be approved in writing by, the local planning authority, and the work shall be implemented as approved.

Reason: To ensure that all species are protected having regard to the Wildlife and Countryside Act 1981 (as amended), NERC Act 2006, the Conservation of Habitats and Species Regulations 2010, relevant aims and objectives of the National Planning Policy Framework and Policies NC1, NC6, NC7, NC8 and NC9 of the Herefordshire Unitary Development Plan.

10. An appropriately qualified and experienced ecological clerk of works should be appointed (or consultant engaged in that capacity) to oversee the ecological mitigation work.

Reason: To ensure that all species are protected having regard to the Wildlife and Countryside Act 1981 (as amended), NERC Act 2006, the Conservation of Habitats and Species Regulations 2010, relevant aims and objectives of the National Planning Policy Framework and Policies NC1, NC6, NC7, NC8 and NC9 of the Herefordshire Unitary Development Plan.

11. C97 – Landscaping scheme – implementation
12. C96 – Landscaping scheme
13. C95 - Boundary treatments and hedgerow planting

14. C90 – Protection of trees/hedgerows that are to be retained

INFORMATIVES:

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. Negotiations in respect of matters of concern with the application (as originally submitted) have resulted in amendments to the proposal. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.**
2. **I 09 - HN04 Private apparatus within highway**
3. **I 35 - HN28 Highways Design Guide and Specification**
4. **I 45 - HN05 Works within the highway**

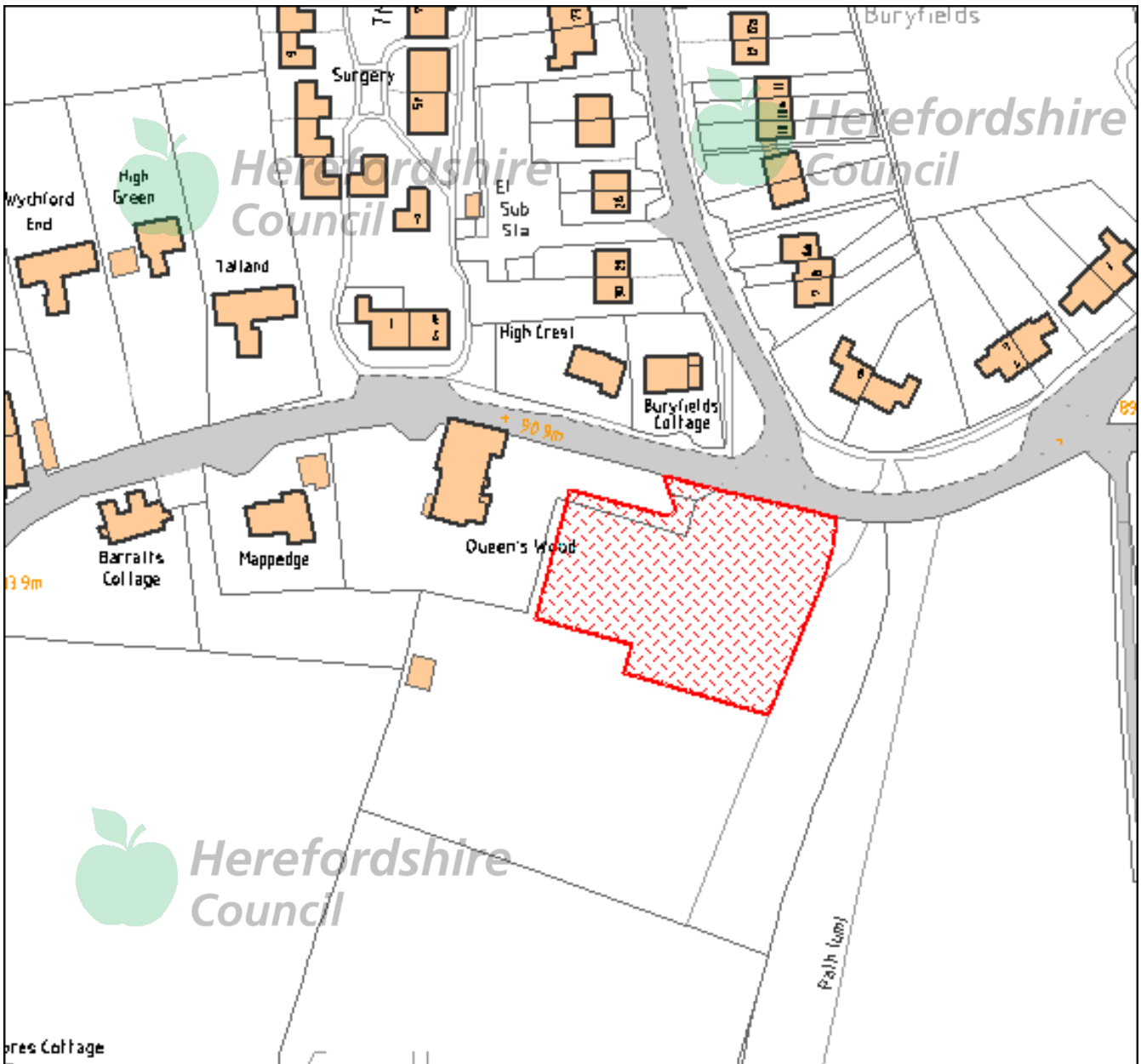
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: 143787

SITE ADDRESS : LAND AT QUEENSWOOD, CRADLEY, HEREFORDSHIRE

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