

214539 - PROPOSED RESIDENTIAL DEVELOPMENT OF FIVE DWELLINGHOUSES WITH ASSOCIATED VEHICLE ACCESS FROM C1059 TOGETHER WITH DRAINAGE INFRASTRUCTURE AND PLANTING AT LAND ADJACENT C1059, HATFIELD, LEOMINSTER, HR6 0SG

For: Mr Andrews per Mr D F Baume, Little Dinmore, Burford, WR15 8HR

UPDATES

1. Updated Ecology Report

An updated Ecology Report has been received. This is awaiting review by the Council's Ecology Team. The officer recommendation has therefore been updated as follows, to reflect this.

That subject to the acceptability of the updated, planning permission be granted subject to the following conditions and any further conditions or variations thereof deemed necessary by the officers named in the scheme of delegation to officers shall be included.

2. Additional representation (objection)

Since the publication of the Officer Report, 1no. further representation has been received; -

I am now writing to you regarding a residential planning application in the village of Hatfield, where I live, where the interpretation of the Core Strategy by the Herefordshire Planning Office has raised significant local concern and residents have asked me to write to you as Leader of the Council to ask for clarification of planning policy for smaller rural settlements in Herefordshire as there would appear to be wider implications for housing development that the public should, I believe, be informed of. This application has gone on for over 2 ½ years now and after a number of requests from our ward Councilors going back to 2022 this application has now been referred to Planning Committee but with a recommendation to approve from the planning officer(s) concerned. This meeting will now take place on Wednesday 17th July 2024 at 10am next week.

What is deeply troubling for residents regarding this planning application is that in the absence of a neighbourhood development plan (NDP), the interpretation of the Core Strategy, in regard to smaller rural settlements, would appear to be biased towards development and largely at the discretion of the officers concerned and, in this case, seems contrary to many of the policy's contained therein. It is unclear what is driving this, but I can only assume there was pressure on planning officers to clear a backlog in development coming forward due to the cancelling of the Hereford bypass previously and the problems of phosphates in the Wye. It seems one of the unintended consequences is now pressure from speculative developers to get planning for as many houses as possible in rural Herefordshire especially where no neighbourhood plan exists as it may be easier to get these approved despite any local opposition or other legitimate concerns. This, I expect, is not what people would expect our Council to endorse. We believe the interpretation of the Core Strategy should be fair to all parties and as residents we do not feel this has so far been the

case. By way of background, I would like to outline the unusual circumstances of this case which may point to a wider problem within planning policy. Specifically

1. Hatfield is classed as a smaller rural settlement under policy RA2 Section 4.4.22 and listed under table 4.15 as Rural Areas Sites Allocation (RASA) and as such additional considerations should be given regarding development. Specifically, it says 'proposals will be expected to demonstrate particular attention to the form, layout, character and setting of the site and its location in that settlement ...' Also, the Rural Housing background paper (2013 pages 12 and 13) indicates that proportionate development should be restricted to market homes which meet the needs of people with local connections. The application is for 5 residential homes on existing farmland on what local residents, and indeed planning officers involved in the preparation of the Strategic Housing Land Availability Assessment (SHLAA 2019), consider to be outside the natural village boundary. To quote the planning officers involved in the SHLAA 2019 and published on the council's own web site it says that the site has '**no potential for development**' as it is '**distinctly outside the village settlement**' and '**the site is visually and physically disconnected from the village**'. The SHLAA is an evidence-based document to inform plan making and **decision taking**. The SHLAA would clearly suggest the proposed site is not in keeping with the settlement form and should carry material importance to any decision. However, it appears that this earlier view of planning officers who prepared the SHLAA is to be simply ignored by current officers who have come to a completely different view. We do not understand why.
2. The proposed form and layout (5 brick-built dwellings to include two semi-detached two story dwellings) is also not in keeping with the form, layout and character of the settlement. Existing settlement is a mix of former farm houses, stone built cottages and half-timbered buildings. There are no semi-detached two storey houses in the locality nor any developments of this form, size or density. Again, this is ignored in the current planning recommendation to committee.
3. RA2 also states any development should be proportionate to the existing settlement form. The adjacent settlement form referred to in the original pre planning advice consists of only some 11 dwellings. 8 additional new dwellings have already developed with another to follow in the last 3 years by re-purposing the original farm buildings at Common Farm adjacent to the proposed development site on the same original farmland. These together with three more new dwellings to the west of the village, all in the last 3 years, already represents considerable development within Hatfield with only some 24 houses along the 1 mile of road. When I asked the planning office for a definition of what is proportionate, I am told there is none as it is a 'planning judgement' so it seems there is no limit to how much development can take place on smaller rural settlements in Herefordshire. The Core strategy identifies only 15% growth target from 2011-2031 for the area so Hatfield has already experienced more than double this growth with recent development just in the last few years.
4. The Hatfield District and indeed the wider Bromyard Housing Market Area (HMA) are already well ahead on housing delivery. Bromyard HMA has already exceeded targets set for planning development by 2031 and the wider Hatfield, Puddleston and Docklow parishes have only 2 dwellings to deliver before 2031 so there is no requirement to simply keep building more housing in the area to meet wider targets for the county as a whole. More development of this size, form and number as proposed cannot be considered proportionate for rural hamlets.
5. The pre planning advice provided to the applicant (April 2021) was positive to development and this was justified on the grounds that there was a housing

undersupply and hence policy 11D of the National Planning Policy Framework (NPPF) in favour of unfettered sustainable development applied. However, this has not been the case since July 2021 (application submitted in December 2021) and therefore justification in the pre planning advice is no longer valid. The pre application advice was given by the same officer who was subsequently appointed as Case Officer and whilst residents have no complaint regarding the professionalism or conduct of the Case Officer concerned it is clearly not best practice, in terms of due process, to appoint the same officer to both roles.

- 6. The application has dragged on for an inordinate amount of time. It is now 2 ½ years since submission when Planning targets advise applications should be determined within 8 or 13 weeks from submission for minor or major developments respectively. The reasons appear to be issues experienced in satisfying Land drainage and Ecology resulting in the applicant increasing the development area from 0.52 ha to 1.23 ha just last January. This was to incorporate additional farmland to be used to re-site the sewage package treatment plant (there is no mains sewage in Hatfield) and an attenuation basin. The site as reported by the applicants' own representatives has very poor soil infiltration and the water table below the required 2m depth. It is located within the Red Zone of the River Lugg catchment Special Area of Conservation (SAC) so has struggled to satisfy requirements for sewage and surface water treatment as well as nutrient neutrality. Measurements of soil infiltration were only made in the months of July and August when the ground is at its driest and despite Expert Evidence in the form of a report provided by residents representatives questioning nutrient neutrality calculations (which were based on soils with good infiltration - which is not the case) and also why seasonal variations in the water table, proximity of effluent outflows to open ditches and surface water ponding in winter, were not considered. It appears that only the applicant's evidence has been accepted as factual despite known drainage issues with the site in winter. It also drains directly into historic woodland area with ponds that flow directly into the River Humber tributary's and on into the Lugg river SAC. Specific details of how the applicant will actually overcome concerns regarding drainage and effluent treatment are now simply deferred and approval recommended with conditions.*
- 7. It is mentioned by the Case Officer that the site is considered a minor development however when we check the Town and Country Planning Order 2015, Article 2 , it states 'a major development' as defined in section (e) is one with ' development carried out on a site having an area of 1 hectare or more' . Again, when we query this, we are told it is the officers 'view' that it is a minor development so there does not appear to be a precise definition adopted by the council.*
- 8. Hatfield is a very small hamlet of just a few houses arranged mainly in two clusters either end of the village with a few houses between, stretched along a mile or so as a ribbon development. There are extensive areas of potential infill (as identified in the SHLAA 2019) and other farm buildings that can be re-purposed for future development more sympathetic and in keeping with the hamlet. It seems illogical to extend the settlement form further and transpose a new 'urban style' housing development at the entrance to the hamlet. Policy RA2 section 4.2.22 of the Core Strategy and the National Planning Policy Framework (NPPF) indicate the importance of NOT promoting patterns of unsustainable development in rural areas. The hamlet is bounded by the 13th century Hatfield St Leonards Church in the west and my own property , Curates Cottage, dating to 1850 where there was originally an old Methodist church opposite I believe. This has formed the natural boundaries of the Hamlet for over 170 years. Why elongate it further as the current planning office wishes to do ?*

9. *Hatfield is located on a single-track road with few passing places and traffic, including farm vehicles, is already straining the road infrastructure. There are no amenities whatsoever in the hamlet save the church which holds services infrequently. It is an 8-mile round trip to the nearest village hall at Puddleston or local pub at Docklow. There are no bus services operating to the hamlet and it is a 14-mile round trip by vehicle to local shops in Bromyard, Leominster or Tenbury. The development does nothing to enhance local amenity.*
10. *Almost all local residents have objected to this planning application – 55 objectors in a very small community. The Hatfield Parish Council are also opposed to it. It is not that the community is against development as they have largely supported earlier developments close to the proposed site at Common Farm for conversion of old farm buildings into 9 new homes and an additional three new dwellings in the village already. Indeed the Parish Council recently supported an application which had been deemed outside the village boundary but was actually adjacent to the old schoolhouse within the natural boundary of the village so there seems no consistency in what one planning officers deems to be within the settlement boundary compared with another.*

I appreciate planning applications are always contentious but there are genuine concerns regarding how this application has progressed. The local opinion is that this is simply the wrong type of development of the wrong size and in the wrong location (as supported by planning officers who prepared the SHLAA) and which if it is approved by planning committee will have an irreversible impact on one of Herefordshire's more picturesque hamlets. People locally simply do not understand why planning would pursue such a policy contrary to earlier opinion given by other planning officers who prepared the SHLAA. There is simply no consistency, and the entire process seems to be determined by the opinion of just one officer.

We can only hope those Councillors on the Planning Committee have the time to study this application and arrive at what the residents hope will be a common-sense view and fair interpretation of the Core Strategy policies.

We would be grateful for clarification on what procedures are in place with checks and balances regarding interpretation of the Core planning strategy as it appears to be overtly subjective. It would also be helpful to have a better definition of what constitutes proportionate and appropriate development of smaller settlements in rural areas.

Many thanks

John

Officer Response: The comments have been examined, and they do not bring up any significant planning matters that were not already taken into account by officers in preparing the report.

3. Amendment to wording of Condition 5

With the exception of any site clearance and groundwork, no development shall take place details of the design of the proposed foul and surface water drainage arrangements shall be submitted to and approved in writing by the Local Planning Authority. The details shall include, but may not be limited to the following; -

- Details of the size and siting of the proposed surface water attenuation features including outfall location;
- Details of the size and siting of the proposed foul water drainage mound feature;
- Relevant calculations where appropriate and;

- Management and maintenance schedules for all drainage infrastructure

The approved scheme shall be implemented before the first use occupation of any of the dwellings hereby approved.

Reason: In order to ensure that satisfactory drainage arrangements are provided and to comply with Policies SD3 and SD4 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

CHANGE TO RECOMMENDATION

That subject to the acceptability of the updated Ecology Report, planning permission be granted subject to the following conditions and any further conditions or variations thereof deemed necessary by the officers named in the scheme of delegation to officers shall be included.