

6 DCNW2005/0295/O - SITE FOR THE ERECTION OF ONE DWELLING AT LAND ADJACENT TO WISTERIA COTTAGE, LEINTWARDINE**For: Mr L Morgan per Mr S Angell, Stone Cottage, Pipe Aston, Nr Ludlow, Shropshire SY8 2HG****Date Received:**
31st January 2005**Ward:**
Mortimer**Grid Ref:**
41113, 74204**Expiry Date:**
28th March 2005

Local Member: Councillor Mrs O Barnett

Introduction

At the site visit, members raised queries relating to a recently completed dwelling that lay immediately to the south of the application site. This dwelling has an agricultural worker's dwelling restriction attached to it.

A plan showing the settlement boundary of Leintwardine in relation to the application site will be available for members to view at Committee.

1. Site Description and Proposal

- 1.1 The application site comprises a 0.1 hectare plot of land that lies in an elevated position directly opposite (to the east) the applicants property, Wisteria Cottage. The site is currently used as garden associated with the dwelling. A detached workshop lies immediately to the east of this garden and is used by the owner for the storage of vehicles in relation to the applicants hobby as well as for other purposes incidental to the enjoyment of Wisteria cottage. Access to the site is via an existing driveway from the unclassified road that runs between Whitton and Kinton onto an area of hardstanding (turning area). The site frontage is defined by a post and rail fence with herbaceous planting. The site lies outside of any defined settlement boundary and within an Area of Great Landscape Value.
- 1.2 The application requests outline consent for the erection of a single residential dwelling reserves all matters for future consideration. An indicative site plan has been submitted with the application.

2. Policies**Government Guidance**

PPS1 – Delivery Sustainable Development
PPG3 – Housing
PPS7 – Sustainable Development in Rural Areas
PPG13 - Transport

Hereford and Worcester County Structure Plan

CTC9 – Development Criteria
A4 – Development Considerations
H20 – Residential Development in Open Countryside

Leominster District Local Plan

Policy A2D – Settlement Hierarchy

Herefordshire Unitary Development Plan (Revised Deposit Draft)

S1 – Sustainable Development
S2 – Development Requirements
S7 – Natural and Historic Heritage
DR1 – Design
DR2 – Land Use and Activity
H7 – Housing 1 the Countryside outside settlements

3. Planning History

DCNW2004/3846/0 - Site for the erection of one dwelling - Refused 17th December 2004.

DCNW2004/2051/0 - Proposed holiday Cottage - Refused - 28th July 2004.

DCNW2003/2574/F - Constructed of hobby shed/garage - Approved with Conditions 1st November (erected).

4. Consultation SummaryStatutory Consultations

- 4.1 Environment Agency raises no objection but recommends conditions relating to the submission of foul and surface water drainage details.

Internal Council Advice

- 4.2 Traffic Manager has no objections to the granting of permission subject to conditions.

5. Representations

- 5.1 Leintwardine Parish Council object to the application which is identical to the previous application.

- 5.2 The applicant's agent has previously commented that:
'The dwelling will be designed as Affordable Housing for my client's son. Affordable Housing needs in Leintwardine are non-existent. My client has an established business in Leintwardine and employs his son who has lived in the village all of his life. The son does not want to move away from the village and travel to his place of work and sees this as an opportunity to build an affordable dwelling within an already developed area'.

- 5.3 The owners of Dower House and Dower Cottage (Anne Douthwaite and Susan Wharfe) and have submitted an objection and included copies of letters of objection submitted in respect of the previous applications. These can be summarised as follows:
- The site is outside of the building zone of the village and allowing a property to be built would set a precedent.
 - Dwellings in this location, directly opposite existing dwellings, would be aesthetically wrong and out of character with the surrounding area making the area look overcrowded.
- 5.4 The full text of these letters can be inspected at Northern Planning Services, Blueschool House, Blueschool Street, Hereford and prior to the Sub-Committee meeting.

6. Officers Appraisal

- 6.1 This application is for outline consent only and as such the principle of development on the site is the primary issue for consideration. Policy H20 of the Hereford and Worcester Structure Plan, policy A2 (d) of the Leominster District Local Plan and Policy H7 of the Unitary Development plan (revised deposit draft) all state that residential development will not be permitted outside of the defined settlement boundaries unless it accords with certain exceptional circumstances. This is limited to agricultural/forestry workers dwelling, the re-use of a rural building or a replacement dwelling. The proposed development as submitted does not offer any agricultural or forestry justification is not a replacement dwelling or conversion scheme. As such it clearly fails to demonstrate any of the exceptional circumstances required and as such there is a fundamental policy objection to the proposal.
- 6.2 Policy does allow in some circumstances for the provision of 'affordable housing for local people' on the edge of or within settlement boundaries. In the first instance this application site clearly lies outside of the settlement boundary of Leintwardine and fails to provide a genuine evidence of local need in the form of a housing needs survey or Housing Association Involvement. As such the 'affordable housing' argument raised in the supporting letter is unfounded and cannot be supported.
- 6.3 In addition to the clear in principle policy objection, National Planning Policy in the form of PPG3 – Housing, PPG13 – Transportation and Policies S1, S2, DR2 and DR3 of the Herefordshire Unitary Development Plan discourage development that would place dependence on the private car as the principal mode of travel and promote sustainable forms of development within established settlements.
- 6.4 Notwithstanding the objection in principle to the development. I would also raise concerns relating to privacy, overlooking and landscape impact that a dwelling may have due to the elevated position and context of the site.
- 6.5 To conclude, the proposal is undoubtedly contrary to the national and local plan policies that seek to protect the open countryside by restricting new residential development unless it falls within one of the specified exceptions. The proposal fails to comply with any of these exceptions and as such cannot be supported.

RECOMMENDATION

That the application be refused for the following reasons:

1. It is considered that this proposal is contrary to Policy A2(D) of the adopted Leominster District Local Plan, and Policy H7 of the Herefordshire Unitary Development Plan (Revised Deposit Draft). The development would constitute new residential development in the open countryside and the Local Planning Authority is of the opinion that the application fails to satisfy any of the specified exceptions criteria.

2. The proposal is considered contrary to Planning Policy Guidance Note : Housing, and Planning Policy Guidance Note 13: Transportation, and Policies S1, S2, DR2 and DR3 of the Herefordshire Unitary Development Plan (Revised Deposit Draft) in that it would reinforce dependence on the private car as the principal mode of travel.

Decision:

Notes:

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Background Papers

Internal departmental consultation replies.