

13 SH950300PF – ERECTION OF TWO PROPOSED DWELLINGS WITH ADJOINING GARAGES AT WOODLANDS FARM, WATERY LANE, DINEDOR, HEREFORD**For: Mr. F.G. Morris, Woodlands Farm, Watery Lane, Dinedor, Hereford****Date Received: 17th March, 1995 Ward: Hollington Grid Ref: 5288 3734****Expiry Date: 11th May, 1995**

Local Member: Councillor W.J.S. Thomas

Introduction

This application was previously the subject of a resolution by South Herefordshire District Council in 1995 not to determine it following a direction by the Highways Agency in 1995 to refuse the application. The application has remained undetermined since then. On 2nd September, 2005 the Highways Agency withdrew their direction and the planning application can now be determined by the local planning authority.

1. Site Description and Proposal

1.1 Woodlands Farm is situated at the eastern end of Watery Lane (an unclassified road) on the north side of Dinedor Hill. Immediately to the north of the farmhouse is an area used for the open storage of scrap cars. This is bounded by a hedgerow. The application site lies to the north of the hedgerow and stands in open countryside.

1.2 It is proposed to construct two new detached two storey houses. The site is outside the settlement boundary for Hereford and there is no supporting agricultural justification or other basis for an exception to policies restricting development in the open countryside.

1.3 The agent provided the following statement in support of the application:

“We propose to settle the development some three metres into the hillside where it would nestle well below the disused restaurant and be screened by a tall quickthorne hedge looking from the direction of the City.

A retaining wall built in local sandstone stepped to follow the contour of the ground to be constructed to the rear.

To conclude, the site would be cleared of all dilapidated and rusting vehicles at present occupying the site”.

1.4 The line of the proposed Rotherwas Access Road crosses the site.

2. Policies

2.1 South Herefordshire District Local Plan:

- SH11 - Housing in the Countryside
- C1 - Development in the Open Countryside
- GD1 - General Development Criteria
- T1 - Safeguarding Highway Schemes

2.2 Hereford & Worcester County Structure Plan:

- H20 - Housing in Rural Areas Outside the Green Belt
- T9 and
T10 - Major Road Proposals

2.3 Herefordshire Unitary Development Plan (Revised Deposit Draft):

- H7 - Housing in the Countryside Outside Settlements
- T10 - Safeguarding of Road Schemes

2.4 National Planning Policy Guidance:

- PPS1 - Delivering Sustainable Development
- PPS7 - Planning and the Rural Economy

3. Planning History

- 3.1 SH890029ZZ – Enforcement action in respect of the storage of scrap vehicles.
- 3.2 SH920282PO – Site for erection of two dwelling houses. Granted 16th June, 1992 (permission not implemented and lapsed in 1995).
- 3.3 SH941265PF – Proposed development of two houses. Withdrawn 28th February, 1995.

The site is also affected by:

- 3.4 CE2002/2558/F – Proposed Rotherwas Access Road. Approved 21st February, 2003.
- 3.5 CE2004/3753/F – Amendments to CE2002/2558/F to include drainage, private access provision, landscaping and associated works. Undetermined pending the views of the Highways Agency and Environment Agency.

4. Consultation Summary

Statutory Consultations

- 4.1 The National Rivers Authority (now the Environment Agency): Recommended conditions to be attached to any permission.
- 4.2 The Highways Agency directed refusal of permission in 1995 but, on 2nd September, 2005, then withdrew that direction advising that they had no objection to the grant of permission. The Highways Agency considers that the proposal will have no significant effect on the trunk road network

Internal Council Advice

- 4.3 In 1995 the then County Highway Authority recommended conditions in the event that permission was granted.
- 4.4 With the exception of the Highways Agency none of the other consultees (or their successors bodies as appropriate) has been re-consulted.

5. Representations

- 5.1 The Parish Council had no objections in 1995 and wished to see the whole site cleared of dilapidated and rusting vehicles.

6. Officers Appraisal

- 6.1 The site lies partly across the line of the Rotherwas Access Road as shown on both the Proposals Map of the UDP and the approved plans for the road. However the Highways Agency regards the Rotherwas Access Road as a matter for the Herefordshire Council to determine as a County Highway Authority. The erection of two houses in this position will compromise the implementation of the road and be contrary to the policies in both the South Herefordshire District Local Plan and the UDP which seek to protect the line of the road.
- 6.2 The application also falls to be considered on the basis of open countryside policies. In this regard the proposal is contrary to policy at every level: national, strategic, local and emerging policies. There is no justification put forward to argue for rural exception housing.
- 6.3 The lapsed permission dating from 1992 is no longer of any significance; the policy framework against which the application must be considered has evolved significantly since then. The application must be considered against the policies as they exist now.

RECOMMENDATION

That planning permission be refused for the reasons that:

1. **The site lies in open countryside outside a settlement boundary and is not supported by any agricultural or other relevant justification for development in such an area. The proposed development would thereby be contrary to the following policies and the interests they seek to protect:**

Planning Policy Guidance PPS7

Hereford & Worcester County Structure Plan Policy H20

South Herefordshire District Local Plan Policies SH11, C1 and GD1

Herefordshire Unitary Development Plan (Revised Deposit Draft) Policies H7 and S1.

2. **The site lies on the line of the Rotherwas Access Road as shown on the proposals maps of the South Herefordshire Local Plan and the emerging Unitary Development Plan. The development of the site for residential purposes would compromise the implementation of the proposed road which is an important part of the highway strategy for Hereford. The proposal would thereby also be contrary to the following policies:**

**Hereford & Worcester County Structure Plan Policies T9 and T10
Herefordshire Unitary Development Plan (Revised Deposit Draft) Policy T10
South Herefordshire District Local Plan Policy T1**

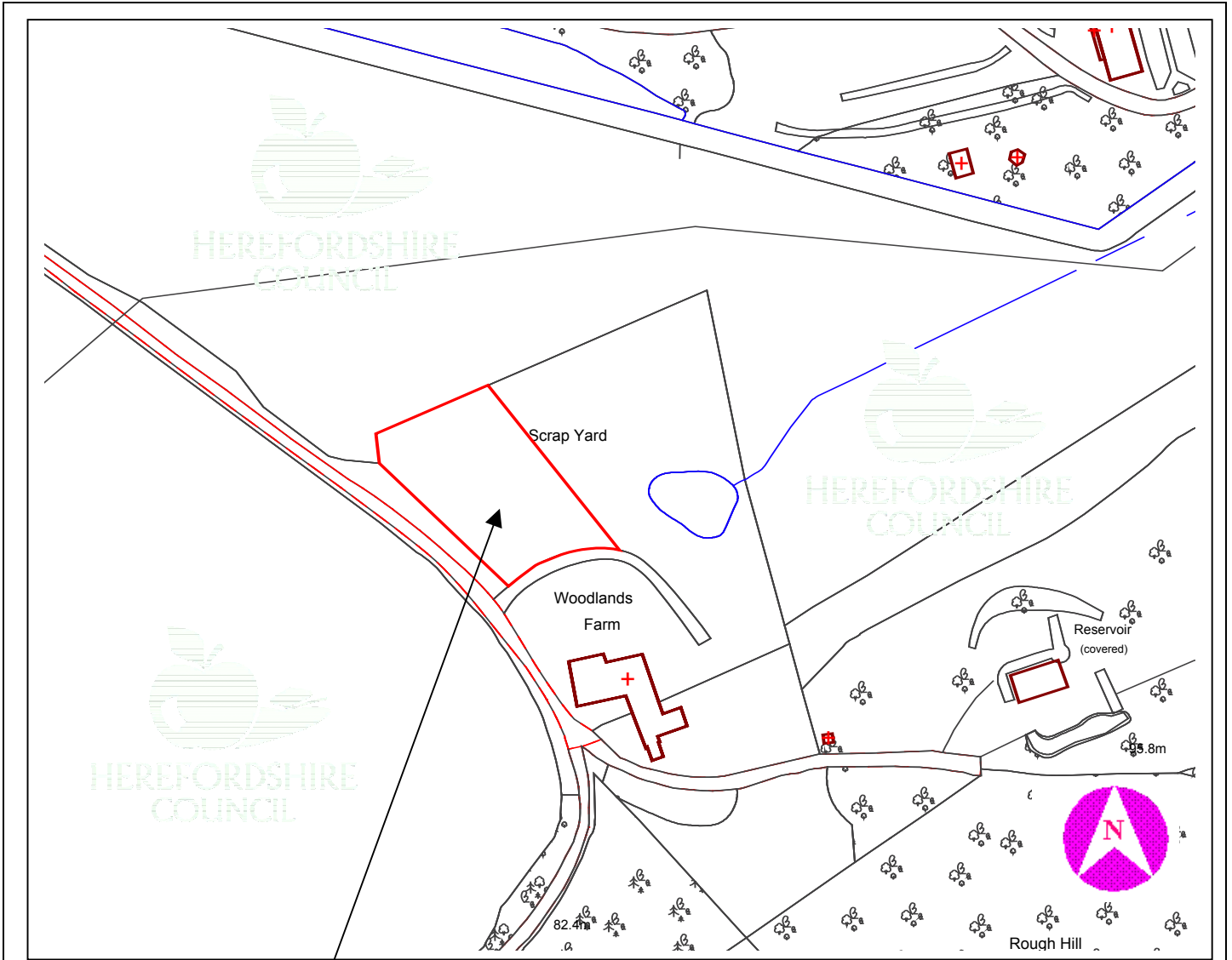
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: SH950300PF

SCALE: 1 : 1250

SITE ADDRESS: Woodlands Farm, Watery Lane, Dinedor, Hereford



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