

The Planning Inspectorate

COMMENTS ON CASE (Online Version)

Please note that comments about this case need to be made within the timetable. This can be found in the notification letter sent by the local planning authority or the start date letter. Comments submitted after the deadline may be considered invalid and returned to sender.

Appeal Reference: APP/W1850/W/19/3221175

DETAILS OF THE CASE

Appeal Reference

Appeal By

Site Address

SENDER DETAILS

Name

Address

Company/Group/Organisation Name

ABOUT YOUR COMMENTS

In what capacity do you wish to make representations on this case?

- Appellant
- Agent
- Interested Party / Person
- Land Owner
- Rule 6 (6)

What kind of representation are you making?

- Final Comments
- Proof of Evidence
- Statement

- Statement of Common Ground
- Interested Party/Person Correspondence
- Other

YOUR COMMENTS ON THE CASE

It was RESOLVED to continue to oppose this application for the following reasons:

1. Proximity to a Farmyard

The main reason for refusal has been the very close proximity to the farmyard used for animals on a regular basis and for storing hay bales, which present a risk of combustion.

2. Absence of a Suitable Access

The Herefordshire Highways Design Guide Policy states that the unmade, unadopted lane, called Access to Croft Court, should serve no more than 5 properties. This number has already been exceeded and so it would contravene the policy to an even greater extent if permission were granted for increased use of this very narrow, poor quality access route.

3. Lack of Private Amenity Space

Local residents, including the farmer, have legal rights of passage across the proposed private amenity area meaning that it would not be viable as such. All of the other cottages in the terrace have an area of garden as well as an area of off-lane parking and bin storage. These facilities would not be available to the proposed conversion. Surely any future residential dwelling in the countryside should have an area of private amenity space.

4. NDP

We have an adopted NDP and we have already exceeded our minimum housing target number in the group parish for the period until 2031. The proposed development does not comply with NDP Policy BL5: Housing in the Countryside: Part iii) which states that Proposals must be in accord with Policy BL3: Infilling and Windfalls. Policy BL3: Part ii) states that applications will be supported provided they do not impact adversely on the amenity of neighbouring properties; BL3: Part iv) states that there must be a safe and suitable access to a public highway. We do not think that permission should be granted to develop a building that does not comply with planning rules when there is no shortage of housing in the group parish and there are other sites within the settlement boundary that could be developed.

5. Conditions

This application was originally recommended for approval by the Planning Officer subject to 13 quite stringent conditions. Given the past record of the applicant for carrying out work on this 'curtilage listed' property without planning permission, the Parish Council is not at all confident that he would adhere to those conditions nor that the enforcement team would have the man-power to ensure that he did.

The Parish Council requests that planning application is refused by the appeal being dismissed for the reasons given: Proximity to a farmyard, absence of suitable access, absence of amenity space, adverse impact on the amenity of neighbouring properties, which means that it is not in compliance with our NDP.