

## Appeal Reference 3141403 Kingcup Cottage Wellington Marsh HR4 8DT

Submission by Wellington Parish Council, agreed at full Parish Council meeting 7<sup>th</sup> April 2016

When refusal for application 143792 was requested by Wellington Parish Council, it was on the basis of an application for 26 additional homes. There is confusion as the documentation attached with this appeal includes a scheme showing six detached homes only. The case work manager who has considered this appeal has confirmed 'the plan for six houses is included for illustrative purposes'. We question why?

If the applicant intends to develop only six homes, In our view this is an entirely new application and should NOT have been allowed as an appeal.

It is against the background of confusion that Wellington Parish Council submits its response.

If the applicant intends to build only six homes, the only comment made in our submission of 29<sup>th</sup> January 2015 requesting refusal that is affected is the one concerning the percentage impact of 26 homes on the existing 37 at Wellington Marsh. If the appeal is made in connection with the 26 homes this comment has to stand.

The objections made in our submission of 29<sup>th</sup> January 2015 stand in relation to EITHER scheme and are summarised as follows:

**POLICY** – it does not meet the criteria of Policy RA3 in Herefordshire's Core Strategy  
**ACCESS** – the level of traffic on the A49 passing the entrance and the danger created by the access at the location has in no way diminished

**SAFETY AND SUSTAINABILITY** – no safe pedestrian access to Wellington village; remote facilities. There is reference to uncontrolled crossings on the A49 – but no evidence provided that Highways England will consider these.

**SEWAGE & FLOODING** – remains of major concern. Access to the land in question to improve drainage for existing residents was requested within the last year and was not gained within a suitable timeframe despite negotiations. This resulted in a more complex and expensive system being installed to try to alleviate some of the problems; this is as yet unproven and work continues with Welsh Water in this regard.

Referring now to the appellant's statement of case, specifically:

3.5 Where are the total costs shown for creating of the footway to Moreton Business Park which is referred to and **where is Herefordshire Council's agreement that this is even feasible?** What proportion of the total cost is represented by £50,000 'pledged'? Whilst a footway may be desirable there is no evidence provided to show cost -v- benefit.

5.1 We do not accept the statement that the 'main thrust' of the refusal is due to shortcomings of the highways and transportation links to the site. We refer the Inspector to the reasons for refusal item 1.

5.7 'Provision of a new land drain' – see earlier comments in bold type – when access was requested to carry out drainage work, negotiations proved to be difficult.

5.7 (2) 'Future provision of a road link to Marsh Lane' – as far as the Parish council is aware no agreement has been reached with the landowner to create any such link and it should not be considered as part of the case. Any proposal of this nature would be fiercely contested by residents of Marsh Lane who have made it clear they do not wish for a 'one-way system'. Appendix reference AFM2 states "...land that **can** be purchased..." this is a misleading statement and should read 'might' unless evidence can be provided to prove that negotiations with the landowner have been successful.

**6.1 and 6.2 Wellington's Neighbourhood Development Plan has now been approved for referendum which will take place on July 7<sup>th</sup>. It was submitted for independent examination before the end of 2015.** The applicants DID NOT submit the land in the 'call for sites' conducted at the start of the NDP process and it was not included in the SHLAA. The Neighbourhood Development Plan steering group considered new land put forward by landowners and land identified as having potential from the 2012 Herefordshire Council Strategic Housing Land Availability Assessment.

6.5 The reference to the site at Mill Lane being 'further away from a bus stop' is spurious – the Hereford to Leominster bus service travels down Mill Lane and there is a recognised pick up and drop off a few yards from what would be the entrance to any development in that location. This also applies to the school bus.

6.6 The Wellington Neighbourhood Development Plan would not have been amended to take account of this site.

6.11 "...proceeds of development of the appeal site CAN assist...." (*note wording, can not might*). At no point has the Parish Council made any undertaking that future CIL money would be invested in improving access to a site which it considers unsuitable for development.

**In summary Wellington Parish Council reiterates its original view that this site should NOT receive planning approval.**