

**Outline Planning Permission for construction of  
detached dwelling on plot of land towards rear  
of The Croft Ledbury Road, Wellington Heath,  
Herefordshire, HR8 1NB**

**Planning Statement**

## Introduction

Studio Charrette has been instructed to act on behalf of, Gillian Sheldon (the Applicant). This Application seeks an outline application for the construction of a new dwelling on land towards rear of The Croft Ledbury Road, Wellington Heath. The application is seeking an approval for outline only for proposed layout and scale with matters associated with access, appearance and landscaping to be submitted as reserved matters at a later stage.

The site is within the settlement boundary. The surroundings have other residential properties all served by Ledbury Road. This document outlines the proposals compliance with the NPPF, Local Plan and Core strategy.

## Application Site

The application site relates land to the rear of The Croft Ledbury Road, within the settlement boundary of Wellington Heath Parish Council. The site is bordered by The Croft and other newly built residential properties to the west, public highway to the south and east and joins to Ledbury Road to the north. Beyond the public highway to the east are other residential properties. The site currently holds a green area which has not been developed before and is enclosed by hedges along the borders.

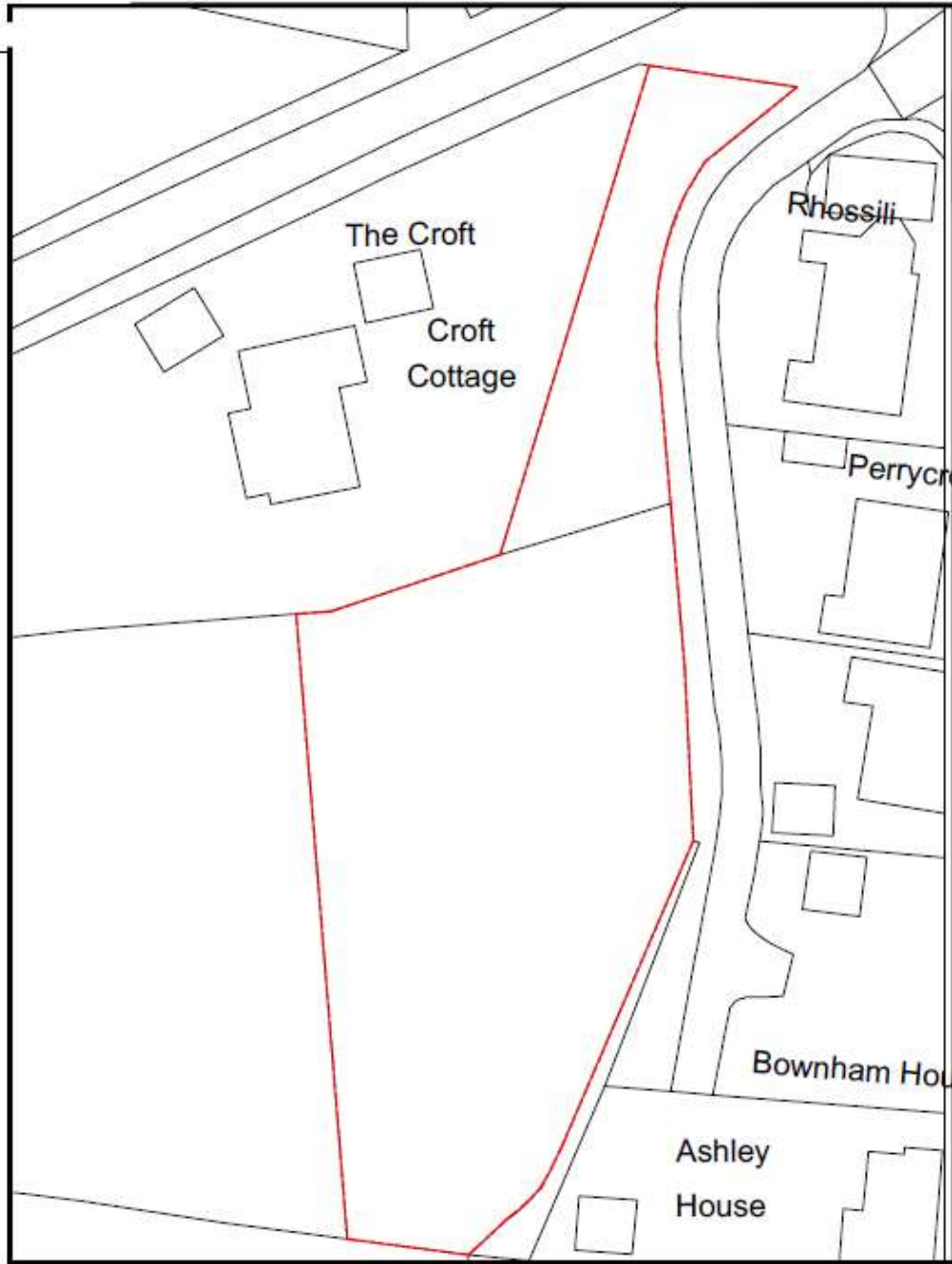
The Site lies at the western edge of the Malvern Hills AONB. The Grade II Hope End Registered Park and Garden lies approximately 1.14km to the north-east of the Site. It is considered unlikely that there would be any visibility of the Proposed Development from this designated landscape.

The Site lies within the village of Wellington Heath, with existing residential properties located on all sides of the Site. 4.10 Ledbury lies approximately 1.15km to the south of the Site at its closest, while there are a number of isolated residential and farm properties within the surrounding area.

**Figure 1: Aerial view of site with new dwellings at adjoining site towards the west now under construction:**



Figure 2: Site Location Plan



## The Proposal

The proposal is seeking a Outline Planning Permission for the construction of a detached dwelling on the plot of land located towards the rear of The Croft Ledbury Road, Wellington Heath, Herefordshire. This is to establish the suitability, location, and land use of the site for its development as a detached house.

**Figure 2: Proposed suggested elevation of dwelling to be constructed.**



## Planning History

Of relevance to this proposal is the development approved and currently under construction on land towards the west of the application site:

200681 - Proposed erection of 3 detached dwellings with garages and associated access.  
GRANTED

Proposed non-material amendment to planning permission 200681 (Proposed erection of 3 detached dwellings with garages and associated access) to allow, Plot 1: reduction of main



bedroom window east from 1300 to 600 and redesign of french doors/windows composition in Kit/diner moving door element to left. Plot 2: increasing depth of changing room window to match en-suite window next to it - minor reposition inwards from wall end

and adding skylight to eastern roof of garage. Plot 3: move garage 1.5m to west - GRANTED.

## Planning Policies

The following policy and guidance documents are recognised as primary considerations for the decision of the associated application at the site location:

National Planning Policy Framework (NPPF 2021)  
National Planning Practice Guidance

### **Herefordshire Local Plan – Core Strategy adopted October 2015**

Policy SS1 – Presumption in favour of sustainable development  
Policy SS2 – Delivering new homes  
Policy SS4 – Movement and transportation  
Policy SS6 – Environmental quality and local distinctiveness  
Policy RA1 – Rural housing distribution  
Policy MT1 – Traffic management, highway safety and promoting active travel  
Policy LD1 – Landscape and townscape  
Policy LD2 – Biodiversity and geodiversity  
Policy LD3 – Green infrastructure  
Policy LD4 – Historic environment and heritage assets  
Policy SD1 – Sustainable design and energy efficiency

### **Wellington Heath Neighbourhood Development Plan was made on 18 October 2018**

Policy WH1 – Settlement Boundary  
Policy WH2 – Protected Local Green Spaces  
Policy WH4 – Mix of New Housing and Design for Changing Needs  
Policy WH13 – Biodiversity  
Policy WH14 – Viewpoints and Ridgelines  
Policy WH17 – Vehicle Parking and Access Arrangements

## Assessment

Paragraph 8 of the NPPF explains that achieving sustainable development means that the planning system has overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

i) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;

ii) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible

services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and

iii) an environmental objective – to protect and enhance our natural, built and historic environment, including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

The proposal is for an outline application only to establish the principle for the proposed site. This is to assess the suitability of the site, the location, land use and development. This would include considering the prevailing pattern and character of development in the area, the footprint of existing development and the existing spatial standards.

The site covers a fairly large plot of land which according to the Wellington Heath NDP Policy WH1 falls within the settlement boundary. According to Policy WH2, the site is allocated for green space and therefore proposal should meet the purpose for which it was allocated for. While the Local Plan, NPPF and NDP protect green spaces, the proposed site for housing development which has now all been constructed is located adjacent to this green space not far from the application site. The site is surrounded with residential properties and the proposed development would not significantly eradicate the green space. Paragraph 149 of the NPPF also supports development in the green space where the provision of appropriate facilities is in connection with the existing use of land or a change of use and does not result in disproportionate additions to the site. Therefore, the principle of development should be accepted.

Paragraph 124 of the NPPF requires planning policies to support development that makes efficient use of land, taking into account the desirability of maintaining an areas prevailing character and setting. The proposal would comply with the use of the site. Also, Hereford is the focus for new housing development according to Policy SS2 of the Local Plan and therefore this proposal would seek to contribute to the housing development.

The site is near to Grade II Listed Building, public right of way, protected Species, SSSI Impact Zone, NE Priority Habitat, at the western edge of the Malvern Hills AONB and not within a flooding zone. Wellington Heath's local distinctiveness is illustrated both by its landscape and the diversity of styles of its built character. The landscape includes native hedgerows and trees. Policy WH13 requires new development to maintain, enhance, and help connect existing wildlife, habitat and landscape features and biodiversity. The proposal would respond

positively to character of the area and would in our view be in compliance with Policy LD1 and Policy SS6 of the Core Strategy.

A new dwelling here would be consistent with the three overarching objectives of sustainable development. Throughout the NPPF, there is an emphasis on delivering a wide choice of homes and to making effective use of land. Paragraph 60 of the NPPF reaffirms the Government's objective of significantly boosting the supply of homes, emphasising that a sufficient amount and variety of land can come forward where it is needed. Furthermore paragraph 69 states that planning policies should identify a mix of sites, taking into account their availability, suitability and likely economic viability.

The NPPF seeks to deliver a wide choice of homes. Additionally, the NPPF places an emphasis on securing good design. The redevelopment does represent an opportunity to construct a sensitively designed detached bungalow in keeping with the other properties in the area.

The proposed site is large whilst the proposed development is a small scale, complying with Policy WH7 which states that development of up to 3 storeys will be accepted on the allocated and associated land. The proposed dwelling to be constructed on the site is suggested as a two storey property. The topography of the site with varied hills and a lower valley result in a development which sits comfortable within its site and surroundings. A potential two storey property on the hill of the site would be consistent with the surroundings in as much as not to obstruct with the ridgeline and view of the area, consequently not affecting the Malvern Hills AONB and complying with Policy WH14. This is in our view in keeping with character of the area, not significantly changing the land use of the site and ensuring that the proposed development is well screened along Ledbury Road.

Whilst it is noted that this land did not form part of the original allocation for residential development, it is surrounded now by dwellings and is within the village boundary. In assessing the village envelope consideration should be given to the concentration, scale, massing, extent and density of built form on either side of the identified village settlement boundary and the physical proximity of the proposal site to the identified village settlement boundary.

In terms of the issue of 'limited infilling in villages', as allowed by both paragraph 149 of the NPPF and the Local Plan, whether the site is within a 'village' or within the identified settlement boundaries, as established in the Court of Appeal case *Wood v Secretary of State*, the fact that a site is outside a village boundary as designated in a development plan is not determinant. It is necessary to consider whether, as a matter of fact on the ground, a site appears to be within a village. In this case, the application site is physically part of the built-up area, forming part of the collection of continuous residential development along the road and in this immediate locality. Accordingly, as viewed 'on the ground', the application site is clearly part of the existing built-up area of residential properties.

For the above reasons, it is our view that the proposed development complies with the definition of 'limited infilling in villages' as set out in the NPPF and with 'limited infilling', as



included in Local Policy. Therefore, as a matter of fact the proposal does not constitute inappropriate development.

In terms of commercial and retail activities, areas around Ledbury is considered as a secondary retail area with a considerable transport connectivity to local amenities. Therefore the proposed development will have access to commercial activities making the site suitable for its use. The main access to the site is through Ledbury Road. There are other minor roads to the east through to the south which make site accessible.

In regards to the above, it is a clear indication that the site does not have any constraint that the proposal would not comply to. The site is consistent to the proposed development plan and would not cause any adverse impacts.

Overall, the location, footprint and design of the proposed dwelling will be designed in an appropriate scale and massing with suitable materials to reduce the visual impact on the surroundings and fit with the natural landscape and landform with no impact on biodiversity and ecological features. The layout would represent a logical infill development and can be viewed in the context of the existing recently constructed dwellings. There would be sufficient distance between the proposed development and the boundary and therefore it would not cause any impact on neighbouring amenities.

The local authority is currently failing to provide a 5 year Housing Land Supply, plus a buffer. As such, Paragraph 11 is triggered due to the conflict with the relevant requirements of NPPF chapter 5, delivering a sufficient supply of homes. For confirmation, the LPA's current 5-year HLS is 3.69 years as of 1 April 2020 (dated August 2020). Where the existence of a five year land supply cannot be demonstrated, there is a presumption in favour of granting planning permission unless the development can be shown to cause demonstrable harm to other factors that outweigh the need for new housing. In reaching a decision, the housing land supply position needs to be balanced against other factors in the development plan and/or NPPF which could result in refusal of planning permission. This site is considered on its suitability as being sustainable in regards to its location and material constraints and considerations. Policy SS1 of the CS sets out that proposals will be considered in the context of the 'presumption in favour of sustainable development' which is at the heart of national guidance contained within the NPPF.

Policy WH1 of the NDP states proposals for new housing will be supported within the identified settlement boundary in Wellington Heath. This is the case.

Given the above, the proposal amounts to Sustainable Development which accords with the prevailing policies of the Development Plan and NPPF. As highlighted from the supplied elevations and proposed plans, the proposal will not have any significant impact on streetscape character or surrounding amenities. The National Planning Policy Framework (NPPF) has a general presumption in favour of sustainable development. Paragraph 11 of the NPPF confirms that there is a presumption in favour of sustainable development and that development that accords with the development plan should be approved unless material considerations indicate otherwise. Paragraph 11 of the NPPF (and footnote 8) also advises

that where the development plan is absent, silent or relevant policies are out of date, permission should be granted unless there are specific policies in the NPPF that indicate that

development should be restricted. This applies to a variety of designations, including SSSIs, Green Belt, AONBs, designated heritage assets and locations at risk of flooding.

## Conclusion

Overall, it is considered that the proposal is fully compliant with the policies as set out above.

We, therefore, see no reason for the Council to withhold our request for an outline planning permission in relation to the proposed scheme and kindly request for a timely decision to be made in line with the guidance of the National Planning Policy Framework. Should for whatever reason, the associated scheme not be deemed as acceptable, we would welcome the opportunity to discuss any issues with the designated case officer and be given an opportunity to amend the proposal prior to any decision notice.

If any further information is required to assist in the Council's decision of the proposed scheme and associated application, please do not hesitate to contact Studio Charrette directly, who will be more than happy to accommodate any reasonable request.

Contained within the Appendix below are some site photos.

Thank you,

Kind regards,

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## Appendix site photos.

Access to the site:



Views of site and surrounding built development:







**New houses to the lower part of field**



