

Design & Access statement for a 4 bedroom house in a sustainable location-
At Losito Stud, Whitchurch HR9 6EG.

7/5/2016



Site

A commercial equine business which already has one dwelling on site with no EOC, the site is in the village of Whitchurch which is a main settlement listed in RA2. The site is a sustainable location as already concluded by an Inspector appointed by the Secretary of State for Communities and Local Government, at a recent appeal (appeal ref APP/W1850/A/13/2203539).

The site is within an AONB, Paragraph 115 of NPPF advises that "great weight" should be given to conserving the landscape and scenic beauty of an AONB. Paragraph 116 advises that planning permission should be refused for major developments in an AONB but this policy does not necessarily preclude all new built development.

The proposed development would be 68 metres from the old settlement boundary of Whitchurch as currently due to the new Core Strategy Whitchurch has yet to establish its settlement boundary. The dwelling already on site is 98 metres from the old settlement boundary. Although the proposed development would be seen as a new element of built development in this landscape setting, taking account of the other development in this vicinity, it would not appear wholly incongruous or incompatible with the character of the landscape around the site. The proposed dwelling is within the curtilage of the existing dwelling as clarified to a planning officer for Herefordshire Council by an Inspector for the Secretary of state at a recent appeal.

The scheme could have economic benefits in that the construction phase would create jobs, albeit in the short term. It is also possible that additional population could bring some economic support for the businesses in Whitchurch. Socially, the scheme would have the obvious benefit of addressing the identified housing need in Whitchurch. Taking into account the limited harm to the AONB, on balance the proposed scheme would represent sustainable development in the terms discussed in NPPF.

Local Authority's Core Strategy

Herefordshire Council does not have its housing supply for rural areas and its Core Strategy which was adopted on the 16th October 2015 states-

4.8.23

Where appropriate, settlement boundaries or a reasonable alternative for those settlements listed in Policy RA2, will be defined in either Neighbourhood Development Plan or The Rural Sites Allocation DPD.

In the period leading up to the definition of appropriate settlement boundaries the council will assess any application for residential developments in fig 4.14 and 4.15 against their relationship to the main built up form of the settlement.

Other

Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires that the determination of applications under the Planning Acts should be in accordance with the development plan unless material considerations indicate otherwise;

Subsection 5 of Section 38 also states "if to any extent a policy contained in a development plan for an area conflicts with another policy in the development plan the conflict must be resolved in favour of the policy which is contained in the last document to be adopted, approved or published (as the case may be)". It has also been confirmed by case law that a proposal does not need to accord with each and every policy in the statutory development plan. The key issue is that it accords with the "overall thrust" of the policies "taken as a whole" (R vs Rochdale Metropolitan Borough Council – (2001) ENV.LR22.