

From: Web <web@herefordshire.gov.uk>
Sent: 14 May 2019 20:20
To: Planning Enquiries <planning_enquiries@herefordshire.gov.uk>
Subject: Planning application comment was submitted

The following is a comment on application 'P191313/O' by 'Martin Brooks'

Nature of feedback: Objecting to the application

Comment:

Objection to Planning Application Number P191313/O - Land at Lyde Cross Tree Farm

Lyde Cross

Lyde Cross as a very small Hamlet consisting mainly of open rural countryside. In the last 4 years or so approval for 5 new dwellings has been granted which is an increase of nearly 50% from the 11 existing homes. This represents a significant increase which should be considered more than sufficient to meet the requirement for "proportional growth".

Herefordshire Council's growth target for Holmer and Shelwick rural areas has been set as 17 new homes for the period 2011-2031 based on policy RA1 growth targets for this rural area. 27 new houses have been approved for this rural area which already far exceeds Herefordshire Council's quota and as such any additional development cannot be justified.. In addition the Furlongs development is literally minutes away which provides more than sufficient new builds to serve this locality.

Loss of Amenity for existing Properties

The property "Highcroft" is directly opposite and to the East of the site for this proposal. This development would look directly at and into "Highcroft". Shadows may be cast over "Highcroft" from the West in the evenings. These factors constitute a significant loss of amenity for the property "Highcroft". The properties of "Fowey" and "Brynhyfryd" would also be similarly affected.

Current Application

This application tries to claim that Lyde Cross is part of Munstone which is incorrect and that all the relevant planning policies are complied with which is also incorrect. This application essentially puts forward the same arguments as the previous application for this open field that was comprehensively rejected. It offers nothing new and in reality it is more detrimental to the open countryside because now 3 houses are proposed.

Rejections Relevant to this Application

The claims of this application have already been thoroughly disproven with the rejections of Applications 172270 "Land adjacent to Lyde Cross", 174412 "The Barns" and "The Rosie" failed Appeal 161482.

The refusals of the above applications contain compelling evidence that completely refutes the claims of this application as described below:-

Previously rejected application for this field (172270) Refusal dated 26th Sept 2017. The previous application for development of this site was comprehensively rejected by the Planning Officer Mrs. Atkins for many reasons.

Mrs. Atkins in her report refusing this application concluded that Lyde Cross is not part of Munstone. Mrs. Atkins describes Munstone as being "ribbon development along Coldwells Road as far as the Crossroads with C1127 and NOT to the North of this location". She goes on to explain that there is a distinct gap of open fields between Munstone and Lyde Cross. Also the nature and character of Lyde Cross is Open rural Countryside that is significantly different from the ribbon development that is Munstone.

This conclusion is further validated by the refusal of "The Rosie" Application and subsequent failed appeal (161482) conducted by an Independent Inspector. This confirmed Mrs. Atkins' assessment that the areas of Munstone and Lyde Cross are separate and distinct with different characteristics. Munstone being ribbon development and Lyde Cross being open rural countryside that is not suitable for any kind of development.

Mrs. Atkins finally concludes with a variety of reasons for refusal due to non-compliance with relevant Policies including:- Page 10

Reason 1:- represents unjustified unsustainable new residential development in an open countryside location contrary to Herefordshire Local Core Strategy policies SS1, SS7, SD1, RA2 and RA3.

Reason 2:- The proposal by its very nature would result in material harm to the character and appearance of the landscapes it represents an unacceptable encroachment into the open countryside, contrary to Herefordshire Local Plan Core Strategies SS6 and LD1 and the relevant aims and objectives of the NPPF.

Reason 3:- On the basis of submitted plans it has not been demonstrated that a safe vehicular access can be provided. This is contrary to the requirements of Herefordshire Local Plan - Core Strategy Policy MT1 and paragraph 32 (2nd bullet point) of the NPPF.

Mrs. Atkins acknowledges the approval for a dwelling on land to the south (171008), but explains that is on an existing contained plot, with a resulting different visual impact, rather than being a section of a larger field with the requirement to remove a section of roadside hedgerow to achieve visibility. In addition Mrs. Atkins considers that a dwelling at this location would not fall within or adjacent to 'a main built up area' of an RA2 settlement.

Moxley "The Barns" Application (174412). Refusal dated 13th March 2018

In the Delegated Report refusing this application Mrs. Atkins confirms that Lyde Cross is not part of Munstone, that it is a distinct separate area of open rural countryside with no amenities and is not suitable for any further development.

Page 7 Mrs. Atkins describes the location of the Retreat and the Barn as being visually divorced from the main built up area and some distance from it, the only dwellings on the Western side of the Lane being The Retreat and Lyde Cross. Mrs. Atkins acknowledges the approval for a dwelling next to the Barn but concludes that the decision was merely an "anomaly".

The reasons for refusal of this application include the same set of reasons as for the refusal of Application (172270) which validates and reinforces the correctness of the original refusal.

These include from page 10:-

Reason 1:- represents unjustified unsustainable new residential development in an open countryside location contrary to Herefordshire Local Core Strategy policies SS1, SS7, SD1, RA2 and RA3.

Reason 2:- The proposal by its very nature would result in material harm to the character and appearance of the landscapes it represents an unacceptable encroachment into the open countryside, contrary to Herefordshire Local Plan Core Strategies SS6 and LD1 and the relevant aims and objectives of the NPPF.

Reason 3:- On the basis of submitted plans it has not been demonstrated that a safe vehicular access can be provided. This is contrary to the requirements of Herefordshire Local Plan - Core Strategy Policy MT1 and paragraph 32 (2nd bullet point) of the NPPF.

A Preplanning Advice Letter dated 22nd September 2014 was sent to Mr. Moxley (email 402783.pdf) and was published as part of "The Barns" Application (174412). In this letter Mr. Simon Withers from the Economy, Communities and Corporate Directorate states that "Furthermore your site does not relate closely to what one might regard as the settlement of Munstone which is focused more on the cross roads to the south".

This Letter provides yet more independent evidence that Lyde Cross is not part of Munstone and therefore should be treated independently from a planning perspective.

Moxley "The Barns" (174412) refusal provides further evidence from various sources that validates the decision to refuse the previous "Lyde Cross Tree" (172270) application and confirms that Mrs. Atkins decision was in fact the correct decision.

The Strategic Housing Land Availability Assessment (SHLAA) is an evidence based document which identifies and assesses sites with potential for housing. Although this is not policy it has been prepared at great length and in great detail to assess the suitability of land for development and its findings should be adhered to.

The Land which this Applicant wishes to develop is part of site HLAA/108/001, Lyde Cross Tree Farm, Lyde. This site has already been assessed as unsuitable for development in the SHLAA Page 119 as follows:- No, the site is not considered suitable on landscape and access grounds. The site has no relationship with built form and would not integrate well.

Additional Supporting Information.

Lyde Cross has a very poor and woefully inadequate infrastructure that cannot support any further developments.

Land Permeability of this site is questionable. Drainage from site may not be sufficient and water runoff could be problematic due to the elevation of the site which drains towards the road.

Country lane C1127 where this development is located is a single track lane where the national limit of 60mph applies along this part of the Lane. This is already busy lane with heavy Farm Traffic and Lorries which is also used as short cut from the A49. No new Domestic Access Points should be added to the Lane as this would increase the danger of accidents on an already dangerous road. There are no passing places and providing safe vehicular access points along this Lane would be very difficult to achieve.

The Electricity Supply along the Lane is limited to a single 415V 3-phase local spur starting at Lyde Cross Tree that may not have sufficient capacity..

The Water Supply is a limited capacity local spur that may not have sufficient capacity.

The Telephone service is limited to a low bandwidth Copper installation at least 2 miles from the exchange and may not have sufficient capacity.

No Mains Gas Supply exists along the Lane.

No Mains Sewage exists along the Lane.

Conclusions.

The above Rejections provide independent proof from different sources that Lyde Cross is a separate distinct area from Munstone with very different characteristics. Lyde Cross is open rural countryside and as such is not suitable for development of any kind.

The proven reasons for rejecting the above Applications fully apply to this current Application. This application offers nothing new but merely reiterates the flawed and incorrect arguments of the previously rejected application (172270) and therefore must also be rejected.

There is compelling evidence compiled from different independent and impartial sources that development of any kind on this site does not comply with any of the Planning Policies in force. This proposal offers no benefits and will be significantly detrimental to the open rural countryside locality and community. In fact it would be much more intrusive and damaging to the area than the previously rejected application for this open field.

This area is open rural countryside with an already overstretched infrastructure and development of any kind for this area is not suitable, sustainable or required. This proposal would necessitate removing hedgerows and building on open fields.

For these reasons the proposal is therefore unnecessary, damaging to the open countryside, unsustainable and should be rejected.

Attachment:

Their contact details are as follows:

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https://www.herefordshire.gov.uk/info/200142/planning_services/planning_application_search/details?id=191313