

From: Paul Smith [mailto:paulsmithplanning@outlook.com]
Sent: 04 February 2019 15:00
To: Reed, Emily <Emily.Reed@herefordshire.gov.uk>
Cc: e.gee47@btinternet.com
Subject: Application 184496/F - Old Court Farm, Whitchurch

Dear Ms. Reed,

Please see attached a response to the objections raised thus far to the proposed development.

In my view, no objection has been raised to justify the refusal of planning permission.

Yours sincerely,

Paul Smith MRTPI

Paul Smith Associates

Chartered Town and Country Planners

Ms. Emily Reed,
Principal Planning Officer,
Planning Services,
Herefordshire Council,
Plough Lane Offices,
P O Box 4,
Hereford.
HR4 0XH

My Ref PMS/H/Gee/19/01

Council Ref: **184496/F**

30 January 2019

Dear Ms. Reed,

**Re: Proposed Erection of Two Semi-Detached Dwellings and Garaging,
Land Rear of Old Court Farm, Whitchurch. Ross-on-Wye. HR9 6DA**

I refer to the planning application submitted last month for the above proposed development (Council reference: **184496/F**).

Objections have been raised to this proposal, most from a single correspondent, to which I wish to respond under the headings of the issues raised.

Relationship with Draft NDP

The proposed dwellings would straddle the settlement boundary of the draft NDP with the garages lying within. However, under paragraph 48 of the Framework, only very limited weight can be given to this draft settlement boundary at this stage due to the early stage the NDP has reached towards its adoption and the unresolved objections that exist.

Planning law dictates that the development plan which supports new housing within and adjoining the village takes clear precedence over the draft NDP.

In addition, a correspondent confirms that the site “...*has been disused and left derelict for over 8 years*”. This confirms the site to be brownfield land and comprising mainly of hardstanding the redevelopment of which is supported under national planning policy.

There is no policy requirement for the applicant to have to demonstrate an exceptional or essential need for the proposed development.

In its representations, the Parish Council fails to mention fully draft Policy WG3 which would permit the erection of self-build dwellings on the edge of the settlement boundary. The applicants as owners of the proposed dwellings have been involved in the design and layout of the proposed dwellings in accordance with this draft policy.

Alleged Site Contamination

In alleging site contamination the correspondent is misinformed. The applicants stored their chemicals adjoining the old farmhouse not on the application site.

Overdevelopment

The erection of two-medium-sized dwellings on a plot of this size does not constitute overdevelopment whether or not one takes into account the extant permission to convert the barn to three dwellings.

Indeed, the conversion scheme entails the removal of buildings of a greater footprint than the proposed dwellings. Therefore, the amount of ground covered by buildings would reduce with the implementation of the proposed and previously-approved housing schemes.

Noise

The proposed dwellings would be insulated to modern standards and stand 28 metres from the tall boundary wall of the hotel and about 45 metres from the nearest part of the hotel building.

There is no reason to suppose that occupiers of the proposed development would be adversely affected by noise to any greater degree than those of the approved converted barn scheme which would stand much closer to the hotel.

A correspondent has referred to a single complaint being made to evening noise emanating from the hotel. This is a poor comparator to the proposed development. That complaint was made at 1.30 am (well beyond the stated hotel closing hour of midnight) by one who was living at time on the application site in a poorly-insulated mobile home rather than a modern, insulated dwelling.

Herefordshire Council raised no objection in principle to the erection of dwellings on the application site in response to an earlier version of the NDP.

Building Scale

The proposal would be 1½ storey with a ridge height no greater than 7 metres high - only 0.2 metres higher than those of an approved, much more extensive modern house that abuts the south-east flank of the hotel (Council permission: 150263/F).

Effect on Newly-Built Houses

The proposed dwelling would stand over 60 metres from and at an angle to the rear of the modern houses to the north-west which is sufficiently distant to avoid overlooking. Further, an extensive tree belt will be planted in March to the rear of this new housing which will create a substantial intervening barrier.

Effect on Setting of Listed Old Court Hotel

The rear aspect of the hotel is hemmed in on one side by trees beyond which the proposed development would stand. The proposed dwellings would stand obliquely to the rear of the hotel shielded almost entirely from the rear of the original hotel building by a tall, modern rear extension and walling.

It is inconsistent to cite these grounds against the proposed development when the Council in recent times granted permission for a very large house erected abutting the hotel grounds to the south-east in an exposed location.

There is no legal bar to development that affects the setting of listed buildings. The proposal would cause not harm to this setting for the reasons given above.

Adverse Impact on Running of Business by Virtue of Noise Generated by the Hotel

The proposed dwellings would be sufficiently insulated, distant and shielded by buildings and tall walling from the rear of the hotel to avoid being affected adversely by the running of the hotel to the extent that the hotel business operations would be compromised. No such issues prevented the grant of planning permission to convert the adjoining barns to three dwellings.

In response to an earlier draft NDP proposal to allocate the application site and adjoining land for housing, Herefordshire Council no objection was raised in principle.

Constructional Traffic

The vehicular access to the site is sufficient to accommodate constructional traffic. However, a reasonable planning condition can be imposed to control this traffic and the times of construction.

Landscape Effect

The proposed development would be elevated but it would be a 1 ½ storey with a simple dual-pitched slate roof no more than 7 metres high. It would stand alongside a tree and behind and parallel to two lines of large barns and a line of detached modern housing. The issue of external lighting could be the subject of a reasonable planning condition.

Therefore, I do not accept that the proposal would result in a discordant, unmitigated extension into open countryside harmful to the landscape.

Drainage/Flood Risk

The proposed development save for the existing access junction lies well beyond the land prone to flood.

No objection is raised by Welsh Water.

Other matters

The proposal coincides only with the access to the adjoining approved conversion scheme. The proposal has been designed to dovetail with this extant permission so as not to compromise its full implementation. The fact that the conversion scheme has not yet been implemented is not a material consideration.

Please take these responses into account in your determination of the planning application.

Yours sincerely,

Paul Smith

Paul Smith MRTPI

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