

1. **NEIGHBOURHOOD DEVELOPMENT PLAN - POLICY H2: LOCATION OF NEW DEVELOPMENTS**

The Neighbourhood Development Plan (NDP) for Weston under Penyard, made on 20 May 2016, forms part of the Development Plan for Herefordshire. The Weston under Penyard Village Policies Map linked to the NDP illustrates the settlement boundary for Weston-under-Penyard Policy H2. The application site sits outside of this line. Policy H2 of the NDP clearly states that new build residential development will not be permitted outside the Weston village Settlement Boundary unless there are exceptions stated in sub items (e-j) within H2. The Parish Council does not consider the proposal to fit within any of these criteria (rural workers dwellings, conversion or replacement dwellings) and subject to the limitations in Herefordshire Council's Core Strategy: the proposed holiday chalet would not comply with Policy RA3 and Policy H2 in the Core Strategy, so it does not fall within paragraph (j). Therefore, we find the application to be contrary to this policy.

When considering an application for a bungalow on the site in March 2016 and for the later application for a chalet in April 2019, Herefordshire Council identified the above as a main reason for rejection of both applications.

In our opinion the undated plan included as Appendix 6 of the appellant's statement of case has no bearing on the planning applications for the application site, submitted since 2016. Prior to The Link cottage being sold around 1990 its curtilage included the site to which the recent applications relate. Since settlement boundaries normally follow the outer boundaries of the curtilages of village properties it seems logical that settlement boundaries prior to 1990 (such as illustrated in Appendix 6) could have included the application site due to its inclusion as part of the curtilage of The Link cottage. At the sale of The Link cottage the application site no longer formed a curtilage of any dwelling house and it was therefore correct that settlement boundaries would not include the site. Maps dated 2002 and 2005 confirming this are recorded in the 2006 Parish Plan for Weston under Penyard as copied below. The most recent settlement boundary defined in the current NDP repeats the same settlement boundary by including the curtilages of The Link but excluding the application site to the south.

# APPENDICES

## APPENDIX 1: SETTLEMENT BOUNDARY



U.D.P. SEPT 2002



### W.U.P. PARISH COUNCIL OBSERVATIONS 2005

Areas edged in red within the settlement were no development should be allowed. Areas edged in yellow outwith the settlement should be specifically kept as open areas

## **2. RESIDENTIAL DEVELOPMENT**

The opinion of the Parish Council is that, when considered in accordance with the Neighbourhood Development Plan (NDP), the appellant's remark that the application is for holiday accommodation and not for residential development is irrelevant.

In common parlance "residential" means where people live as opposed to "commercial" buildings which accommodate businesses.

The NDP does not attempt to distinguish between permanent residences and temporary accommodation in using the expression "residential development". It is merely making provisions in relation to building dwellings in the parish, whatever their ultimate use. Referring to "full residential development" in the appellant's Full Statement of Case is misleading. The policies in the NDP and in Herefordshire Council's Core Strategy apply even if the dwelling is to be left empty and not occupied as a "residence". Temporary accommodation is irrelevant.

## **3. VEHICULAR ACCESS**

Since 2016 several planning applications have been submitted to Herefordshire Council in respect of developing the subject land, ranging from residential through to garden use and finally a holiday chalet.

With the exception of one application, all have been rejected for various reasons, although one common reason running throughout is that of access to the site and the likely increase in traffic entering and leaving the narrow entrance lane.

The one successful application was for the land to be maintained as a garden, with access obtained via retrospective planning approval for the entrance (access). This was only permitted due to the small amount of proposed vehicle movements associated with the garden proposal. The chalet application would increase the number of movements significantly.

An increasing number of large farm vehicles and forestry logging trucks use the road/track and cars are already having to reverse in order to enable this type of vehicle to pass. The additional traffic from any new dwelling would further exacerbate the situation.

## **4. UTILISATION OF SITE**

The chalet proposed under this application utilises approximately only a half of the site. This leaves open the important question of what the other half of the site is intended to be used for. The Parish Council considers that this lack of information is another reason why the application should not be approved.

## **CONCLUSION**

The latest outline planning application for a chalet is no different in principle to the 2016 application for a bungalow, which was refused. Both applications are for dwellings outside the settlement boundary and both applications cannot meet the requirement for safe vehicular access. Furthermore, the application for a chalet creates additional concerns regarding the intended utilisation of the southern half of the site.

In recognition that the application site has planning approval for use as a garden the Parish Council would be willing to consider and possibly support an arrangement whereby the land would be utilised as a community garden or orchard, thereby utilising the true value of the site within the open countryside.