

TITLEY & DISTRICT GROUP PARISH COUNCIL

(Incorporating Knill, Nash, Rodd and Little Brampton with Staunton On Arrow And Titley)

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7th June 2023

Mr John Slater BA (Hons), DMS, MRTPI, FRGS
Examiner, Planning Inspectorate

By Email only

Dear Mr Slater

Thank you for your initial comments in the examination of the Titley & District Group Neighbourhood Development Plan. The Steering Group's responses are set out below, following a meeting on 30th May 2023 and are organized by reference to your paragraph numbers.

We have replied to some of the questions put to Herefordshire Council, where the Steering Group has additional information.

Paragraph 12.

The five houses subject to planning application ref. P160581/O are not included in Table 1 of the Neighbourhood Development Plan. If permission is granted, the additional houses would be counted as windfall development. They were not allowed for in the windfall assessment in the housing numbers.

Paragraph 13.

Fig. 1 is an extract from www.Crashmap.co.uk, which shows the record of accidents on the B4355 through Titley over the past 20 years, including two incidents at the Eywood Road junction.

The Crashmap data, derived from Department for Transport information, does not record all accidents and/or near misses at this junction. In one recent example, a motorcyclist was in collision with a horse and its rider. The parties' injuries were not severe and the incident was not reported to the Police. Local residents are concerned by the poor visibility at this junction and many drivers do not turn right towards Kington, instead heading left into the village to turn around the traffic island at the War Memorial.

Paragraph 18.

The use of the land will be a matter for the landowner, who also owns the Titley Court Barns complex and the allocated sites in Titley, which were proposed in response to the call for sites in 2017. The land at Titley Court Barns subject of planning application ref. P193183/F, was not put forward in response to the Call for Sites. The land you refer to was left outside the settlement boundary, because it was not proposed as land for development.

We note Herefordshire Council's response to the question at Paragraph 19 as to whether Mr Forbes' fears that the making of the Neighbourhood Development Plan would be a material factor in the determination of application ref. P193183/F, are justified.

The view of the Steering Group is that the Neighbourhood Development Plan would not preclude approval of the application. The majority of the proposed development falls within land that was subject of planning approval ref. P141075F and already has permission for residential use.

The buildings themselves would be on the site of a barn that was approved for ancillary use as storage and a cycle shelter and the development would re-allocate existing parking spaces originally provided for the barn conversions. The land within the planning application outside the already permitted area would provide gardens and includes an extant access track. See Figs. 2 and 3.

The development is viewed as an infill to an existing residential development, with a limited extension into agricultural land to provide garden space. The proposals have the support of the Parish Council and in terms of the Neighbourhood Development Plan would be counted as windfall development.

The Steering Group did not revisit the Settlement Boundaries following the failure of the Neighbourhood Development Plan at referendum, because this element of the Plan had been widely consulted upon and had the support of the local community. The Neighbourhood Development Plan returned to Regulation 14 and there was no new call for sites.

Paragraph 21

The land is within the settlement boundary and so would be acceptable as a housing site. It is not shown as an allocation because the land was not put forward in response to the Call for Sites and so there was no assessment of this site's capacity for housing delivery.

Paragraph 22

The policy positively supports "well-designed" new buildings, although the expression used is "sympathetically designed" to ensure that any development is compatible with the local environment. The policy also accepts alternative approaches where these are demonstrated through a design statement to be justified.

Your question appears to suggest that the policy permits only conversion of existing buildings. This is not the case. The policy refers to "development proposals" as a whole and although it makes reference to conversions and extensions, these are specified as "included" within rather than limiting the scope of the policy. The only change to this policy since the previous examination is the addition of TG9 6), introducing the design requirement and bringing the policy into alignment with NPPF paragraph 84 in the context of the Titley & District Group neighbourhood area.

Balance Farm Site

The timeline attached as Appendix 1, records the planning history of the Balance Farm site (subject of planning application ref: P160581/0) and may assist your understanding of local concerns about the proposals, as the planning history of this application is well understood by the community and known by the Parish Council to be the primary source of the significant vote to reject the prior version of the Neighbourhood Development Plan.

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Yours sincerely

Titley & District Group Parish Council and Steering Group

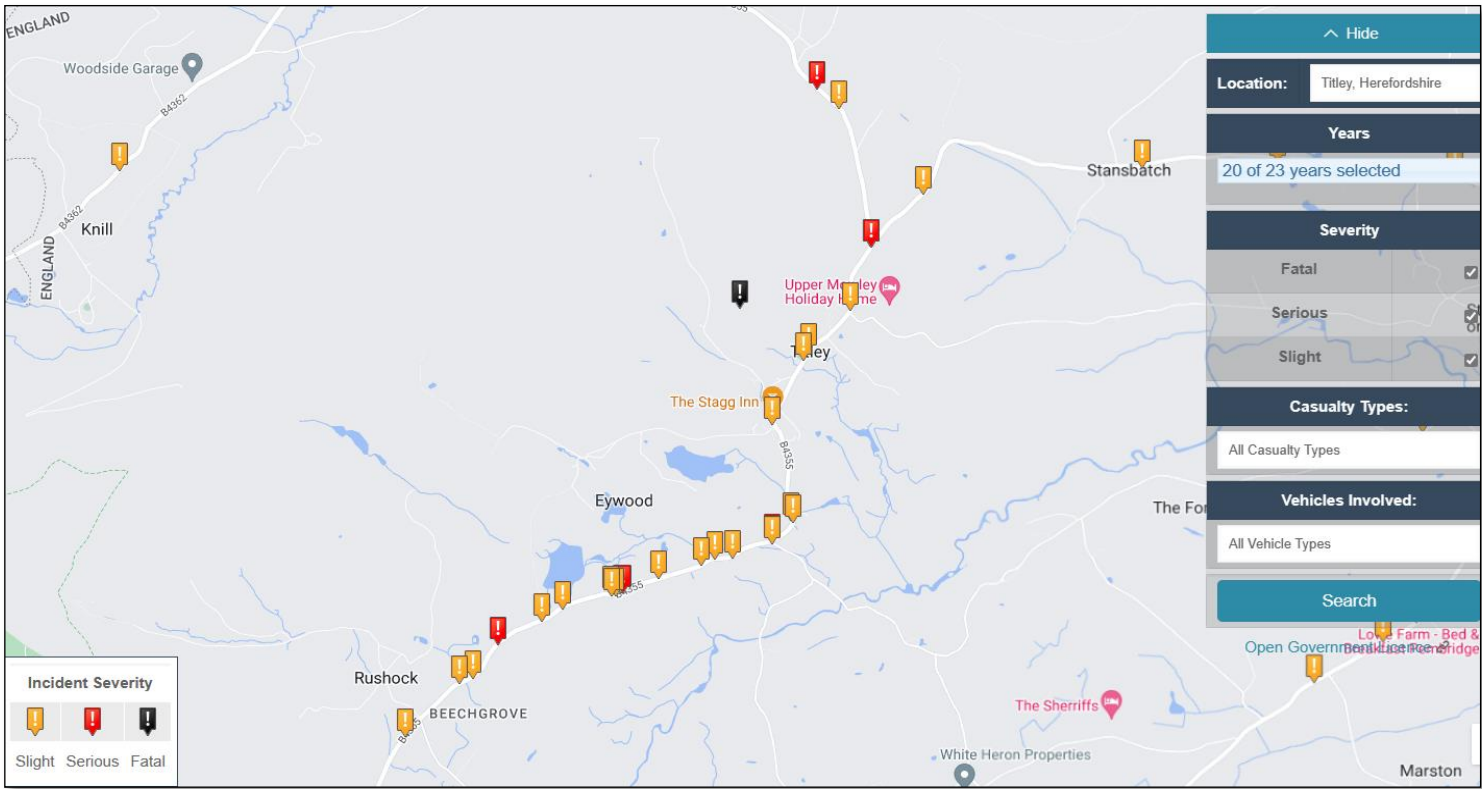


Fig. 1) Extract from www.crashmap.co.uk showing road accidents 2002-2022

DATE	DECISION
2008 Application ref. DCNW2007/3778/F	Planning application to use the site, including the farm building, to store caravans refused on grounds the development would have adverse impacts on the landscape, neighbours' amenity and highway safety.
2015	The site and large adjoining field (total 4.54 ha) is included in Rural Areas Strategic Housing Land Supply Availability Assessment (SHLAA). The agricultural site is incorrectly classified as brownfield land.
August 2015 Application ref. P152468/O	Outline Planning application for 5 four-bedroom dwellings. Hereford & Worcester Gardens Trust objects. Parish Council objects on several ground including concerns about highway safety.
October 2015	Application withdrawn
February 2016 Application ref. P160581/O	Re-submitted application for 5 four-bedroom dwellings. No conservation officer consulted although the development is within the setting of a listed building and a registered park and garden. The Gardens Trust did not realise this was a new application, not a re-consultation, and did not submit a further response. Parish Council objects on several grounds, including concerns about highway safety.
July 2016	Outline application approved
October 2016	Strategic Planning Officer Stuart Powell confirms that the site was incorrectly designated as brownfield land in the SHLAA
September 2016 P162824/O	Outline application submitted for five more houses on the remainder of the site. Case is taken to appeal for non-determination.
July 2017 Appeal ref. APP/W1850/W/17/3168668	Appeal is refused on the grounds that the development would cause "significant harm to highway safety."
September 2018 Reserved Matters Application ref. P181476/RM Appeal ref. APP/W1850/W/19/3225568	Application for approval of reserved matters - access only. The Council refuses on highway safety grounds, although it had no powers to do so. Applicant appeals and the appeal is allowed.

January 2019 Reserved Matters Application (Access Only) P190122/RM	Further application for reserved matters approval of access - submitted with legal opinion following refusal of the previous application. Application withdrawn due to access having been determined at appeal.
July 2019 P192515/RM	Application submitted for approval of remaining reserved matters. Decision held up by Habitats Regulations Assessment relating to potential risk from foul drainage to the River Wye Special Area of Conservation.