

Herefordshire Council cannot demonstrate a five year supply of deliverable sites and as such, in accordance with paragraph 49 of the National Planning Policy Framework, its housing supply policies are not considered up to date. Furthermore, paragraph 14 of the framework states that there is a presumption in favour of sustainable development and for decision taking this means that where the development plan is absent, silent or relevant policies are out-of-date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

As with any residential development there are clearly economic and social benefits that the proposed development would deliver, in particular the provision of housing (including affordable housing) to help meet the Council's five year shortfall. I would therefore agree that some further housing should be provided in settlements such as Bosbury. However, the scale and location of the proposed development is not acceptable as there are a number of adverse impacts that would significantly and demonstrably outweigh these benefits. These include the following:-

- It is acknowledged that there is a primary school, pub, parish hall, church and hairdressers located within the village. However, the village is not self-sufficient in many respects with the result that existing and future occupiers would need to rely on the private car to meet their everyday needs regarding matters such as shopping, employment, Doctors appointments, secondary education and post office facilities. The proposal is therefore contrary to UDP Policies DR2(Land Use and Activity), S6 (Transport) and the framework including paragraph 17 (11th bullet point).
- Bosbury is a settlement identified in the emerging Core Strategy as being sustainable and appropriate for proportionate growth. In the case of the Ledbury HMA this is considered to be 14% growth over the plan period. Whilst little weight can be attached to the emerging core strategy, the evidence base behind it is a material consideration. In this instance, there are 143 dwellings within the main village envelope according to the Rural Settlement Hierarchy Paper (2010). This means that a proposed development of 46 houses would result in an increase in the size of the village of 32%. This is clearly well beyond 14% and would result in a disproportionate expansion that would detract from the character and setting of the village contrary to UDP Policies DR1 (Design), S2 (Development Requirements) and H13 (Sustainable Residential Design) and the framework including paragraph 61.
- The impact of the excessive size of the development is exacerbated by the fact that the village has an important historic core. The application site lies immediately adjacent to the village's Conservation Area; sharing a western boundary, and is also adjacent to a number of listed buildings that abut the northern boundary. Beyond the northern and western boundaries are further listed buildings including the Grade I listed Church of Holy Trinity and scheduled monuments. The historic core of the village itself has a linear settlement pattern along the B4220. The development of up to 46 houses would not only be disproportionate, but would also fail to respect the linear pattern of the historic core of the village or the setting of the conservation area and listed buildings that are contained within it. The proposal is therefore contrary to UDP Policies S2, H13, HBA4 (Setting of Listed Buildings) and the framework including paragraphs 131 and 17 (10th paragraph).
- Access to the site is proposed via Upper Court Road and Forge Bank. The applicant states that the access and internal road layout have been designed in accordance with Manual for Streets and Herefordshire's Highway Design Guide. However, the Highway Design Guide states that minor access roads serving up to 100 dwellings should have a standard

carriageway width of 5.5m, possibly reduced to 4.8m where less than 50 houses served. 2m wide footways should also be provided. In this case, the width of the road on Forge Bank, in places, is slightly below 5.5m. Furthermore, the footways are not 2m wide. As such it does not comply with the Council's Highway Design Guide and would provide a sub-standard access to the development. In addition, Manual for Streets, paragraph 7.2.2 states that carriageway widths should be appropriate for the particular context and take into account factors such as whether parking is to take place in the carriageway and, if so, its distribution, arrangement, the frequency of occupation, and the likely level of parking enforcement. Upper Court Road (and Forge Bank) is heavily parked due to many houses not having convenient off-street parking. This reduces the width of the usable highway and would result in congestion and prejudice highway safety.

- Paragraph 5.13 of the applicant's planning statement says that the site has been assessed as a suitable location for housing in the SHLAA. However, the most recent SHLAA for Bosbury (dated 2009) states that *"the site is too large if developed in totality and would also be contrary to the pre-existing settlement pattern. Access is not possible direct from the main road and there is only limited capacity via the housing estate"*. The SHLAA therefore states the site has *"significant constraints"*.
- The play area has been located in the south-east corner of the site as the applicant's consider that retaining this as open land would preserve long distance views of the church. Policy H19 of the UDP requires areas of open space to be well related to the development it is intended to serve, and be useful, safe, secure and accessible to all. However, the proposed location of the play area would not be well overlooked, remote from the dwellings that it is intended to serve and not well related to dwellings on Upper Court Road. It is therefore contrary to UDP Policy H19.
- Bosbury also has a well documented history of severe flooding and drainage issues (including on this site) and as such any development would need to ensure that it would not exacerbate these problems. The applicant states that there is no information regarding historic flooding. However, when I moved into my property in 2007 the western part of the site was in Flood Zone 2 and according to the applicant the site abuts flood zone 3. The western part of the site has flooded on more than one occasion since I moved here. There is no mention of this history of flooding on the site and surrounding land in the applicant's FRA which is a fundamental flaw. For example, contrary to paragraph 6.4 of the FRA, floodplain storage does occur within the site when serious flooding occurs, as it has done twice since 2007.
- Users of the public footpath that adjoins the western boundary of the site and Southfield Lane some 250m to the east of the application site would be able to see the development. This would result in the prospect of the site being changed from open fields with a backdrop of the historic core of the village to a modern housing development that screens/ dominates the historic core. This would seriously detract from the views of the historic core of the village and its setting.
- The proposed development would detract from the outlook of the occupiers of the properties that adjoin the application site to the north and east as their prospect would be changed from one of open countryside to that of a modern housing development.

It is acknowledged that not all of the above would justify a refusal reason in their own right. However, cumulatively these adverse environmental and social impacts would *"significantly and*

demonstrably outweigh the benefits of the proposal" and as such the proposal does not constitute sustainable development as defined by the NPPF. Furthermore, the proposal would be contrary to the UDP including policies DR1, DR2, S2, S6, H13, HBA4, and H19 of the adopted UDP. The application should therefore be refused.

Regards