

## **Much Marcle Neighbourhood Plan**

### **Assessment of material constraints for proposed housing land allocations and re-use/conversion of redundant buildings**

#### **1. Introduction**

A sub-group of the Much Marcle Neighbourhood Development Plan (MMNDP) Working Group, composed of J Gibbon, J Marsden and B Morgan, met on 30 January 2015 to review and revise an initial draft assessment by J Marsden of the locations suggested for building new residential properties in Appendix C of the MMNDP 'Analysis of Residents Questionnaire'.

This report presents a revised assessment, based on the Core Strategy modifications following examination, and includes existing buildings proposed for re-use/conversion for housing following the public meetings held on 22 and 23 March.

#### **2. Summary**

- A total of 7 potential/possible housing land allocations in Kynaston (2), Rushall (2) and Much Marcle (3) highlighted green in the Table below could be made available for development in accordance with Core Strategy policies and without material constraints;
- If all were to be developed, these 7 potential/possible housing land allocations could provide a net increase of perhaps 10-12 new houses in the parish up to 2031;
- Several more potential/possible housing land allocations (e.g. beside and opposite Glebe Orchard, Much Marcle) could be made available for development, depending on the definition of a settlement boundary, if material constraints are mitigated/compensated or outweighed by other material issues in the planning process;
- Many of the other proposed locations for new housing are agricultural land/greenfield, traditional orchard (UK Biodiversity Action Plan priority habitat with associated priority species), and land liable to flood (Flood Zone 3 – 1/100 year risk);
- Conversion and/or re-use of existing redundant buildings, subject to meeting the criteria of policy RA5, could enable the residual target for new houses to be met or exceeded;

- Changes in national planning policy for planning contributions (Section 106 planning obligations) to introduce a >10 unit threshold, which came into effect in November 2014, could mitigate against provision of affordable housing unless Herefordshire Council can invoke Policy H2 – Rural exception sites.

### 3. Methodology

The locations suggested for building residential properties in Appendix C of the MMNDP 'Analysis of Residents Questionnaire' were identified on maps (red outline) with environmental constraints (green shading), ponds and watercourses (blue shading). These maps are available for public inspection.

Each suggested location/individual site was assessed through an objective analysis against:

- Herefordshire Council draft Core Strategy policy content (as modified following examination);
- Strategic Environmental Assessment (SEA) Scoping: Task A1 Appendix 1 – Identification and review of relevant plans, policies and programmes (September 2014);
- SEA Scoping: Task A2 Appendix 2 – Baseline information for Much Marcle, derived from the Pre-Submission Core Strategy Appraisal Assessment (May 2014):
  - Objective 13: Value, maintain, restore or expand county biodiversity;
  - Objective 14: Use natural resources and energy more efficiently;
  - Objective 15: Value, protect, enhance or restore the landscape quality of Herefordshire, including its rural assets and open spaces;
  - Objective 16: Reduce Herefordshire's vulnerability to the impacts of climate change as well as its contribution to the problem;
  - Objective 17: Reducing the risk of flooding and the resulting detriment to public wellbeing, the economy and the environment;
  - Objective 18: Minimise local and global pollution and protect or enhance environmental resources;
  - Objective 19: Ensure integrated, efficient and balanced use of land;
  - Objective 20: Value, protect or enhance the character and built quality of settlements and neighbourhoods and the county's historic environment and cultural heritage;
- SEA Scoping: Task A3 Appendix 3 – Environmental issues identified from the Much Marcle baseline;
- SEA Scoping: Task A4 Appendix 4 – SEA framework (objectives, indicators and targets);

- Comments on SEA Scoping presented to the MMNDP Steering Group on 17 September 2014 by James Marsden & Helen Woodman;
- Environment Agency Flood Map, which uses Flood Zone definitions set out in National Planning Policy Guidance to identify land assessed as having a <0.1% (Flood Zone 1); a 1% - 0.1% (Flood Zone 2); or >1% annual probability of river flooding in any year.

The results of this 'screening' assessment, together with relevant comments from responses to the residents' questionnaire, are presented in a Table set out below.

#### **4. Relevant extracts on housing from draft Core Strategy**

##### Policy H1 – Affordable housing – thresholds and targets

All new open market housing proposals on sites of more than 10 dwellings which have a maximum combined gross floor space of more than 1000 m<sup>2</sup> will be expected to contribute towards meeting affordable housing needs. The affordable housing provision target for Much Marcle Parish (within Ledbury & Ross Rural Hinterland) is 40%.

##### Policy H2 - Rural exception sites

Proposals for small affordable housing schemes in rural areas may be permitted on land, which would not normally be released for housing, where:

1. The proposal could assist in meeting a proven local need for affordable housing; and
2. The affordable housing provided is made available to, and retained in perpetuity for local people in need of affordable housing; and
3. The site respects the characteristics of its surroundings, demonstrates good design and offers reasonable access to a range of services and facilities normally in a settlement identified in Policy RA2 (rural housing).

In order to enable the delivery of affordable housing some market housing may be permitted as part of the development to subsidise a significant proportion of affordable housing provision. However, evidence will be required – by way of financial

appraisal, in order to demonstrate that the proposed scale of the market housing is that required for the successful delivery of affordable housing.

#### Gardens and Brownfield Land

Classification of gardens as brownfield changed in 2010 (PPS3, 2010) and gardens, or sites that used to be gardens, which used to be considered brownfield sites and are now treated as greenfield land.

The [national planning policy framework \(NPPF\)](#) defines [previously developed land](#) (PDL, or [brownfield land](#)) as: 'Land which is or was occupied by a permanent structure, including the [curtilage](#) of the developed land (although it should not be assumed that the whole of the [curtilage](#) should be developed) and any associated fixed surface [infrastructure](#). This excludes: land that is or has been occupied by agricultural or [forestry](#) buildings; land that has been developed for minerals extraction or waste disposal by landfill purposes where provision for restoration has been made through development control procedures; land in built-up areas such as private residential gardens, parks, recreation grounds and [allotments](#); and land that was previously-developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape in the process of time.

#### Policy RA1 – Rural housing strategy

In Herefordshire's rural areas around 5,300 new dwellings will be provided between 2011 and 2031 to help meet the county's housing needs, with the development of affordable housing being a priority. The regeneration of the rural economy will be promoted and supported, and the unique local environment will be protected and, where appropriate, enhanced.

#### Policy RA2 – Herefordshire's villages

Modification MM036 clarifies that housing development in rural areas will be delivered through neighbourhood development plans and a Rural Areas Sites Allocation (where neighbourhood plans do not exist).

For Much Marcle the number of new houses required to 2031 is 41, less 2 housing completions 2011-2014, less 16 housing commitments (planning permission granted) as at 1 April 2014 = total housing requirement remaining of 23.

In accordance with national planning guidance, the focus for new development should be within or adjacent to settlements and the proposed modifications seek to add clarity by suggesting settlement boundaries are drawn to define those areas subject to policy RA2 and those classified as countryside under RA3.

Housing growth will be permitted only where the residential development proposal is considered to be locally appropriate by:

1. Ensuring the proposal reflects the size, role and function of each village and is located within or adjacent to the main built up area(s) of the village;
2. Giving priority to the development of suitable brownfield sites;
3. Being of a high quality sustainable design which is appropriate to its context and makes a positive contribution to the surrounding environment and rural landscape;
4. Contributing to the delivery of a mix of dwelling types and sizes, including affordable housing.

Settlement boundaries for those places villages detailed listed in Policy RA2 will be defined in either neighbourhood development plans or the Rural Areas Site Allocation. Outside of the villages these settlements new housing will be restricted strictly controlled to avoid unsustainable patterns of development. Isolated development in the countryside will not be permitted in order to protect the landscape and wider environment. In the period leading up to the definition of appropriate settlement boundaries the Council will assess any applications for residential developments against their relationship to the main built up form of the settlement. Residential development will therefore be limited to proposals that meet the criteria listed in Policy RA3. Proposals should seek to make use of existing buildings through conversion and adaption in preference to new development.

#### Policy RA3 – Herefordshire’s countryside

Requires, among other criteria, that “In rural locations outside of settlements, as to be defined in either neighbourhood development plans or the rural areas site allocations, away from Herefordshire’s villages, residential development will be limited to proposals which satisfy one or more of the following criteria:

- Involves the replacement of an existing dwelling (with a lawful residential use) that is comparable in size and scale with, and is located in the lawful domestic curtilage, of the existing dwelling;
- Would result in the sustainable re-use of a redundant or disused building(s) where it complies with Policy RA5 and leads to

an enhancement of its setting;

- Is rural exception housing in accordance with Policy H2 (i.e. social/affordable housing); or is of exceptional quality and innovative design.

Paragraph 4.8.30 states "Replacement dwellings will only be permitted provided that the existing building has established and continuing residential use rights and has not been abandoned. Proposals should ordinarily be sited in the same a similar position as the original dwelling unless there is technical justification to consider an alternative location within the existing lawful domestic curtilage. To safeguard the character and appearance of the rural landscape from the visual impact of large buildings, the size of any replacement dwelling will be of a comparable total cubic volume (measured externally) to the existing dwelling. To minimise the impact of the proposal on the surrounding area, the design of the dwelling and any associated development should respect the local character of the area and/or make a positive contribution to the rural landscape. As such the mass, scale, height and external appearance of the resultant development should be taken into account.

James Marsden

1 June 2015

	Location	GR	Core Strategy	SEA A1-A4	Survey Responses	Conclusion
	<b>Kynaston</b>					
1	Land by The Steppes	642361	Greenfield/agric land	Greenfield/garden or derelict allotment land?	Open/green spaces & gardens valued	Loss of garden/open space acceptable?
2	Land behind Bridge Cottage	642359	Garden		Open/green spaces & gardens valued	Loss of garden/open space acceptable?
3	Opposite council houses	643357	Greenfield/agric land	Unused/derelict agric land?	Village centre/infill	Part of Old chapel site?
4	Old chapel site	643358	Brownfield	Previously developed land	Village centre/conversion/rebuild	Supported by CS & SEA
	<b>Rushall</b>					
5	Opposite council houses	642353	Greenfield/orchard	Objectives 13,15, 17,18 & 19	Greenfield/agric land, traditional orchard & pond (probable newts?)	Contrary to CS & SEA
6	Land at rear of council houses	643351	Greenfield/agric land	Objectives 18 & 19	Greenfield/agric land	Contrary to CS & SEA
7	Land below council houses	643352	As above?			
8	Land & opposite Rushall Club	641350	Brownfield	Previously developed land?	Village centre redevelopment	Supported by CS & SEA
9	Land & barns around Gatchapin	642349	Brownfield	Previously developed land	Village centre redevelopment & conversion of existing buildings	Supported by CS & SEA Possible employment land?
	<b>Much Marcle</b>					
10	Between New House Farm & Harold Farm	642322	Greenfield/agric land	Objectives 18 & 19	Greenfield/agric/village edge	Contrary to CS & SEA
11	Old Pike	644326	Garden	Open space/play area	Open/green spaces & gardens valued	Loss of green/open space & play area acceptable?
12	Hazerdine	644331	Garden	Open space/play area	Open/green spaces & gardens valued	Loss of green/open space & play area acceptable?
13	Bounds	648330	Greenfield/agric land	Open space/play area/farm park	Open/green spaces valued	Loss of green/open space & farm park acceptable?
14	Gardens of Houses, Watery Lane	650333	Garden	Open space	Open/green spaces & gardens valued	Loss of green/open space & garden acceptable?
15	Watery Lane	651333	Greenfield/agric land	Objectives 13,15,18 & 19	Greenfield/agric land & traditional orchard	Contrary to CS & SEA
16	Slip & area around	651332	Brownfield	Previously developed land	Village centre/conversion/rebuild	Supported by CS & SEA Loss of pub/community asset acceptable?
17	Rye Meadows – plot between	653341	Brownfield	Previously developed land	Village edge redevelopment	Adjacent to Flood Zone 3

Farleys & New Normandy						land liable to flood
18	Opposite Walwyn – Police House	657333	Greenfield/agric land	Part Flood Zone 3 & Objectives 17, 18 & 19	Greenfield/agric land/village edge & part liable to flood	Contrary to CS & SEA
19	Land behind school	656330	Greenfield/agric land	Part Flood Zone 3 & Objectives 17, 18 & 19	Greenfield/agric land/village edge & part liable to flood	Contrary to CS & SEA
20	Ross Road, behind Walwyn Arms	656332	Greenfield/agric land	Part Flood Zone 3 & Objectives 17, 18 & 19	Greenfield/agric land/village edge & part liable to flood	Contrary to CS & SEA
21	Kempley Road, village end	658325	Greenfield/agric land	Objectives 13,15,18,19 & 20	Greenfield/agric land, traditional orchard (with BAP priority species) & impact on Homme House setting	Contrary to CS & SEA
22	Top of field opposite Walwyn Arms (behind Walwyn Court)	658333	Garden	Part greenfield/agric land, part garden/previously disturbed land	Open/green spaces & gardens valued	Loss of garden/open space acceptable?
23	Kempley Road, ridge nr Redlands	659315	Greenfield/agric land	Objectives 18 & 19	Greenfield/agric land/village edge	Contrary to CS & SEA
24	a. Land beside Glebe Orchard b. Land opposite Glebe Orchard	661327 659326	Greenfield/agric land Greenfield/agric land	Objectives 13,15,18 & 19 (both sites)	Greenfield/agric land & traditional orchard (both sites). Few orchard trees remain. Mature hedge & watercourse should be retained.	Contrary to CS & SEA, but within Settlement Boundary (2000)?
25	Arable [pasture] land behind Phillip's House	659328	Greenfield/agric land	Objectives 18, 19 & 20	Greenfield/agric land/village edge & impact on Phillip's House setting	Contrary to CS & SEA
26	Dobbins Pitch	662326	Brownfield – outside settlement boundary	Previously developed land	Redevelopment to improve/increase housing stock to provide net increase of 1 or 2 houses	Supported by CS (subject to policies RA2 & RA3) & SEA
27	Land by The Croft	663326	Greenfield/agric land	Objectives 18 & 19	Greenfield/agric/village edge	Contrary to CS & SEA
	<b>Conversion and/or re-use of existing redundant buildings</b>					
28	Whittocks End	660298			Permission granted for single building conversion	
29	Bickerton Court	656307			?	
30	Gwynne's Hill Farm	655305			Barn conversion	
31	Gamage Farm	645312			Dutch barn conversion	
32	Street Farm	658325			Conversion of small barn by road	
33	Playford, Dymock Road	657324			Conversion of small barn by road	
34	Great Moorcourt Farm	663326			Conversion of small barn by road	
35	Audley Farm	658326			Barn conversion	
36	Bodenham Farm	652319			Barn conversion (others already	

					done)	
37	Lyne Down Farm	646313			Conversion of disused cider barn	
38	Avenue Cottage	648322			Conversion of outbuildings (currently sculptor's studio)	
39	Hill Barn	644323			Conversion	Permission recently refused. New regs ignored.
40	Nuttal	637330			Dryer shed at end of drive	
41	Chandos	644344			Stone walled enclosure opposite manor house	
42	Hill End	636352			Conversion of stabling/barns	
43	Upper Redding End	660343			Conversion of outbuildings	
44	The Stocking	665343			Conversion of outbuilding by A449	
45	Hill Farm	659337			Conversion of recently restored barn	
46	The Venning	553332			Conversion of recently restored barn behind house	
47	Land adjacent to ???	648355				
48	Lower Wolton	645337			Conversion of small barn at end of track	