



Appeal Decision

Inquiry held on 18-20 July 2012

Site visit made on 23 July 2012

by Elizabeth Hill BSc(Hons), BPhil, MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 18 September 2012

Appeal Ref: APP/H1840/A/12/2172588

Land off Station Rd, Honeybourne, Worcs.

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Sharba Homes Ltd against the decision of Wychavon District Council.
 - The application Ref W/11/02686/PN, dated 30 November 2011, was refused by notice dated 9 March 2012.
 - The development proposed is the demolition of agricultural buildings and the construction of 44 dwellings and public open space.
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Decision

1. The appeal is allowed and planning permission is granted for the demolition of agricultural buildings and the construction of 44 dwellings and public open space at land off Station Rd, Honeybourne, Worcs in accordance with the terms of the application, Ref W/11/02686/PN, dated 30 November 2011, subject to the conditions in the attached schedule.

Procedural matters

2. The development for the area includes the West Midlands Regional Spatial Strategy (2008) (RSS), Worcestershire County Structure Plan 1996-2011 (2001)(SP) and Wychavon District Local Plan (2006) (LP). Paragraph 214 of the National Planning Policy Framework (the Framework) gives full weight for 12 months to plans adopted under the Planning and Compulsory Purchase Act 2004 and in paragraph 215, to other cases, only due weight to policies according to their degree of consistency with the Framework. The West Midlands Regional Spatial Strategy (RSS) incorporated the revisions to the 2004 RSS under Phase 1. These changes impacted only a small part of the plan and most of the document was not prepared under the 2004 Act. Together with the Secretary of State's intention to abolish such plans, it was agreed at the inquiry that its policies fall to be considered under paragraph 215 of the Framework, along with the SP and LP. The development plan document, South Worcestershire Development Plan (SWDP), is at preferred options stage and it was agreed at the inquiry to be of little weight.

Main Issues

3. The main issues in this case are:

- 1) Whether the proposal would be in accordance with the settlement pattern for the District set out in the local development plan policies, and local and national policies which protect the open countryside;
- 2) The adequacy of the District's housing land supply;
- 3) The effect of the proposal on heritage assets, in the form of archaeological remains on the site;
- 4) The effect of the proposed development on the character and appearance of the area, in terms of the local landscape;
- 5) Whether the development would constitute high quality design, consistent with local and national policy;
- 6) Whether the proposal would be socially inclusive, having regard to the location of affordable housing within the development;
- 7) The effect of the proposal on highway safety; and,
- 8) Whether the requirements for infrastructure provision are in accordance with local planning policy and Regulation 122 of the Community Infrastructure Regulations 2010.

Reasons

Settlement policy

4. The site lies outside the development boundary for Honeybourne but it was accepted by the Council at the inquiry that the development plan settlement boundaries and housing allocations in the LP are out-of-date. All three sites in Honeybourne (appeal site, Lioncourt site and Grange Farm) currently being considered for inclusion as housing allocations in the SWDP are outside the existing boundary. It was also agreed that the Council had recently been granting planning permission for sites outside development boundaries, where they are supportive of SWDP policies. Nevertheless, the Council's view that development should be directed first to the main settlements and then to the category 1 villages in the SWDP, of which Honeybourne is one. Its sustainability is high with a railway station on the Cotswold line with direct access to London and a large employer, Long Lartin high security prison, within cycling, if not walking, distance.
5. The proposal would be contrary to policy GD1 of the LP, which defines development boundaries in villages and directs development to the area within them, and policy D10 of the SP, as it would not be an exception set out in this policy that would be allowed in the countryside. Nevertheless the village is acknowledged as a sustainable location for development and one of the villages in which limited growth will be sought in the SWDP.

Housing land supply

6. Paragraph 47 of the Framework states that, in order to boost significantly the supply of housing, local planning authorities should provide a supply of specific deliverable sites to supply five years worth of housing with an additional buffer of 5%. Where there has been a persistent under delivery of housing, the buffer is increased to 20%. The Council's view at the outset of the inquiry was that it had a 5-year housing land supply but without any buffer. In questioning,

the Council conceded that their persistent underperformance in terms of housing delivery over the past 11 years meant that they needed to show a 20% buffer, as required by paragraph 47 of the Framework. However, there was considerable difference between the main parties in the working of the figures, which evolved over the course of the inquiry.

7. Firstly, there was a difference in terms of which evidence base to accept. Paragraph 47 of the Framework says that a Local Plan should meet the full, objectively assessed needs for market and affordable homes. In this case the SWDP is still at an early stage. The Strategic Housing Market Assessment (SHMA) which will inform the SWDP is reasonably up-to-date with a 2008 base. The SHMA uses a variety of scenarios and sensitivities, but none of these have been tested as an evidence base by an independent examination as part of the development plan process. The RSS Phase II has been the subject of public examination and panel report but has a 2006 evidence base. It is common ground that whichever evidence base was chosen that there will need to be a significant increase in housing provision. In addition, the Council favour the residual method of calculation, which spreads any deficit over the plan period, as opposed to the appellants' preferred "Sedgefield" method, which makes up the shortfall over the first 5 years.
8. The appellants question the deliverability of three of the large sites included in the Council's housing land supply, Willow Court, Droitwich Canal Basin and Copcut Lane, Evesham, in terms of footnote 11 to paragraph 47 of the Framework. There is an outstanding issue delaying the development of Willow Court, as part of the site/ buildings are subject to a lease. Whilst the Council are confident that such matters might be overcome and an application submitted within a year, no compelling evidence was submitted to support that view. The site at Droitwich canal basin has been the subject of Supplementary Planning Guidance (SPG) since 2004, with a tyre depot remaining on part of the site. Whilst the canal has now been restored and the Council say that development could take place on the remainder of the site, there is no scheme for the site or any known developer interest. Copcut Lane, Droitwich is a large site with permission for 750 dwellings and it is the rate at which dwellings would come forward which is disputed. The Council accepted at the inquiry that a cautious approach was appropriate. The rate of 350 dwellings over 5 years included in the Council's figures was a developer's estimate. Whilst there has been relatively little development in Droitwich recently, which might improve sales, another large site at Badsey Lane, Evesham was achieving only 36 dwellings per year sales point, more in line with the appellants' estimate for Copcut Lane.
9. The five year supply figures were revised and agreed over the course of the inquiry for flat rate, 5% and 20% buffers, using the residual and Sedgefield methods and using RSSII and SHMA. With the agreed 20% buffer, the Council's view, using the SHMA and residual method, is that there is a 4.2 year supply and the appellants' view, using the RSSII and Sedgefield method is that there is a 2.1 year supply. Therefore even under the most favourable scenario there is not a 5 year supply. The questions about the deliverability of the three sites above and the likelihood that there will be an increased future need as shown in the 2011 Census, indicate that further significant housing provision needs to be made. Whilst the deficit might not seem that great using the Council's preferred method, other methods show a greater deficiency and the

uncertainty around such estimates point to the need for a more cautious approach.

10. Therefore, it is concluded that there would not be a 5 year housing land supply and in order to boost significantly the supply of housing, in accordance with paragraph 47 of the Framework, there is a need for the release of further housing land, within the context of the presumption in favour of sustainable development, which is considered in the planning balance below.

Heritage assets

11. It is common ground that the site contains non-designated heritage assets in the form of ridge and furrow and buried archaeological remains. The development of the site would result in the loss of the heritage assets, as the only undeveloped area of the site, the pocket park, contains little evidence of the ridge and furrow. The excavations carried out as part of the archaeological evaluation revealed an Iron Age pit, a relatively rare feature. The presence of the Roman road and the historic nature of the settlements, for example the remains of the Mediaeval settlement at Church Honeybourne suggest that more buried remains might exist on the site.
12. However, the proposal was not the subject of objection by the County Council's archaeological advisor. The appellants' archaeological appraisal of ridge and furrow was based on Turning the Plough, a methodology for the assessment of the significance of ridge and furrow endorsed by English Heritage (EH). The methodology assesses the overall township field system. The site is not part of a priority township and the significance of the site is low as it is visually divorced from other features which would have given a greater understanding of it. This is unlike the ridge and furrow which abuts the Mediaeval settlement remains and church at Church Honeybourne. The ridge and furrow on the site is also significantly degraded in terms of being truncated to about half its original length, eroded by trackways and other uses and deposition of material. The height of any of the ridges, which are mainly about 40cm but up to 70cm on part of the site, are not influential in establishing archaeological significance, despite making it more of a feature in the central area of the site. Whilst a local objector has said that a book about the locality indicates that the ridge and furrow on the site is the best preserved in the village and it is clearly of interest to local people, this would not outweigh the methodologies for assessment supported by EH.
13. It was agreed by the Council's archaeological advisor that both the ridge and furrow and any further buried archaeological remains on the site could be covered by a suitably-worded condition, requiring a programme of archaeological work and recording. Therefore, although the development would result in the likely total loss of the heritage assets, it is concluded that their overall significance is low. The Council have relied on policy ENV10 of the LP, which they conceded at the inquiry is not in accordance with the Framework, where paragraph 135 is the relevant policy. Policy CTC.17 of the SP would not apply, since the site is not an archaeological site of local or regional importance and it was acknowledged by the Council's archaeological witness that there was no reason why preservation in situ would be justified in this case. Policy CTC.19 of the SP aims to protect relic agricultural landscapes but similarly, only the better preserved townships would be sufficiently significant to warrant retention under this policy, rather than a programme of work and recording.

14. Local residents have made representations that there would be an adverse effect on the Conservation Area. However, this covers the older part of Cow Honeybourne and there would be sufficient distance between the site and the conservation Area to ensure that its setting was not affected.
15. Therefore it is concluded that, although the loss of heritage assets would be total, their significance on the site is low and therefore would be adequately mitigated by recording, subject to a suitably-worded condition. As such, it would be in accordance with paragraph 135 of the Framework

Landscape

16. In terms of landscape the site lies within the Principal Village Farmlands landscape character area in the County Landscape Character Assessment, which is characterised by nucleated villages, with open and empty farmland between them. Honeybourne historically was two settlements, Church Honeybourne and Cow Honeybourne, each with a church, divided by the floodplain of a brook and a Roman road, which some have described as an hourglass shape. The development out from the core areas of the two settlements has been in the form of ribbon development, together with two more modern estates in Church Honeybourne. However, there is no "Green Wedge" defined in the development plan dividing the two. The overall shape of the settlements has largely been defined by the natural feature of the floodplain and the location of the modern estates in Church Honeybourne.
17. The site is currently open, although it has an agricultural building on it and formerly had extensive fencing as sheep pens for the annual sheep sale. It is seen particularly in views on the approach to the village crossroads on Weston Road, but it would not be unduly prominent in these views. The extent of the openness of the area between the two settlements on the western side of Station Road is disputed. There is development, but of a more sporadic nature, like the buildings of the Domestic Fowl Trust and The Ranch caravan park, although most of the caravans cannot be seen from the road. The high hedges along the road, which are agreed to be characteristic of the area, limit views from the main roads of the area behind them. Nevertheless the area is not open and empty farmland and the more dense modern development at Stephenson Way is apparent before leaving the settlement. The site also contains ridge and furrow. As a landscape feature, it is readily seen from the footpath which crosses the site but only visible through gaps in the hedgerow when walking or driving past the site.
18. Policy ENV1 of the LP requires proposals to safeguard, restore or enhance the character of the natural environment and not adversely affect the landscape and policy CTC.1 of the SP requires development to contribute to landscape character and local distinctiveness, which includes specific mention of ridge and furrow. It was acknowledged in questioning by the appellants' landscape witness that there would be harm to the landscape by the development of the field but this would be the case for the development of any open area.
19. Therefore there would be harm to the character and appearance of the area, in terms of landscape, particularly in respect of the ridge and furrow as a locally distinctive feature, contrary to a policy ENV1 of the LP and CTC.1 of the SP.

Design

20. The Council criticised the lack of dialogue on the design and layout of the scheme, including the detailed design of the highway and parking areas, at the inquiry. However, this decision can only cover the scheme as submitted. The Framework, in paragraph 56, states that good design is a key aspect of sustainable development and goes on in paragraph 64 to say that planning permission should be refused for developments of poor design.
21. The Council has claimed that the proposal is cramped, with small areas of private amenity spaces to plots 20-33 and 40-41, especially if permitted development rights were to be exercised subsequently. Most of these dwellings would be terraced where a smaller garden might be expected and there are no standards for private amenity space in the development plan or other policy, for example the Council Residential Design Guide (RDG) Supplementary Planning Document (SPD). This document requires at the blue box following paragraph 4.47 that there should be sufficient space to extend upwards or backwards and a garden that would allow for a conservatory to be added whilst maintaining sufficient private amenity space. In questioning the Council's witness agreed that the proposal would comply with these parts of the SPD.
22. Parking areas would be clustered together in parking courts, particularly in the north-west area of the site. Apart from those immediately outside plots 20-24 these would have no great visual impact on the occupiers of the housing, since they are mainly to the side or rear. The parking area and fenced gardens opposite the houses on plots 12-17 would be seen in views from the front of these dwellings but there is sufficient space for the proposed landscaping to mitigate any adverse effect. The parking area in the turning head would not be seen as a whole when approaching down the access road or the pedestrian/cycle link and its impact in views from the street would be reduced. There would be parking directly outside the terrace at plots 20-23 but the spaces would be separated by a footpath and the position of the houses helps to provide surveillance for the whole of the parking court. Other parking courts have surveillance from other dwellings. Access to the parking spaces to the bungalows would be from the rear and would not involve any great walking distance for the mobility-impaired. Some spaces, for example plots 24-25, are a little way from their dwellings but the allocation of parking spaces would be a matter for later management. It was also claimed at the inquiry that the distance to parking spaces might be problematic for emergency vehicles. However, access to plots 24-25 would be available either from Station Road or the access road on the development.
23. The dwellings at plots 24-31 would comprise one pair of semi-detached houses and two terraces of three dwellings, separated by two pedestrian walkways. The Council has said that this would be out of character with the surrounding rural area, in terms of space around the dwellings. Whilst the area to the north is characterised by more sporadic development, the nearest area of housing would be opposite on Station Road. The proposal would be different in character from the development on the opposite side of Station Road, which is mainly detached dwellings on larger plots, but there are similar terraces elsewhere in the settlement, within the estate to the rear of Station Road, and the ratios of lengths of frontage and gap would be similar to the housing opposite. The dwellings which would face towards Station Road would be

separated from it by tall hedging and a footpath link. Although vehicular access for residents in these houses would be from the rear, for most other purposes, including deliveries and walking access to facilities and transport links in the settlement, would be from the front. Therefore the proposed frontage would be active and, although each scheme needs to be considered on its merits, this design principle is similar to the scheme at Badsey Rd, Evesham, which has been approved by the Council.

24. The Council objects to the gable ends at plots 1, 39, 31 and 32 on houses which would form the entrances to the site. There would be sufficient space, with landscaping and other features between plots 31 and 32 to break up the effect of the views of the gable and there would be a small first floor window and brick feature on each side wall. The gables to plots 1 and 39 would also not be blank. The submitted plans show a ground floor window and a feature in the brickwork near the ridge to plot 1 and a first floor window and a feature in the brickwork near the ridge to plot 39. There is also some space for landscaping along the roadside to these plots. Whilst none of these elevations would have a door and access to them they would have some active features, such as windows, to them.
25. Plots 11 and 12 would be detached dwellings, with side elevations close to each other. The Council is concerned that the position of the house on plot 11 would have an adverse impact on the main and side lounge window to the house on plot 12. It was accepted that the appellants' report on daylight had overcome the Council's concerns on this matter and the remaining issue was one of visual impact. It was suggested that the house on plot 11 could slide back on the plot but this would impact on the rear garden size and utility door of this house. As discussed at the inquiry, minor changes to the relative position and design of these houses, including handedness and interior layout, could be the subject of a scheme within the context of this application, to be required by a suitably-worded condition.
26. Although a number of criticisms of the design have been raised by the Council, they are minor in nature. The development would constitute high quality design, consistent with policy SUR1 of the LP and paragraph 56 of the Framework.

Social inclusiveness

27. The proposed development would include 16 affordable dwellings, 4 of which would be shared ownership and 2 of which would be bungalows. Both the Affordable Housing SPG and policy COM2 of the LP both express the need for up to 30% affordable housing on larger sites. The site would provide 36.4% affordable units. In the context of the Council's agreed backlog in the delivery of affordable units, as shown in the SHMA, the overprovision is not excessive and has significant weight in favour of the development.
28. The provision would be in 3 small groups: plots 20-23, plots 24-31 and plots 32-35, split by roads/ footpaths and parking areas; but all are in the northern part of the site. The SPG in paragraphs under 9.2 suggests that groups of up to 10 dwellings are acceptable, in accordance with paragraph 5.2.17 of the LP, with a preference for dispersal around the site. The proposed social landlord in this case is satisfied with the layout. The RDG, in the box following paragraph 4.11, refers to well-dispersed affordable housing but this is in respect of mixed use schemes. It is likely that the affordable housing would be readily

differentiated from the market housing on the site but this is so on many such sites. The provision of the 16 affordable houses in three distinct groups and different styles of housing (terraced, semi-detached houses and bungalows) would break up the groups of dwellings into numbers below ten which is supported, although not required by, policy.

29. Therefore the proposed development would be socially inclusive, having regard to the location of affordable housing within the development, in accordance with policy COM2 of the LP and paragraph 50 of the Framework.

Highway safety

30. The highway authority has no objections to the scheme in terms of the adequacy of the proposed access and the effect of the proposed development in terms of trip generation on the local road network. Their concerns mainly relate to matters which flow from the highway design. The design speed of the roads/ shared surfaces within the estate is the underlying concern in that the junctions and visibility have been designed for 12mph but the highway authority state that speeds could reach 20mph, which would not give sufficient visibility at junctions.
31. The access road within the estate would be a shared surface, which incorporates two straighter sections, which the Council say would allow speeds of up to 20mph to be achieved. The appellants have not only submitted evidence from a highway engineer but have also subjected their scheme to independent road safety audit. The audit had some additional suggestions to improve road safety but endorsed the scheme as having no significant road safety issues, despite it not being to the highway authority's adoptable standards.
32. The first length from the access is agreed to be about 55m and there would be a second section which incorporates a curve which would be longer at about 65m. The highway authority's view is that these lengths are excessive in terms of its Design Guide which recommends lengths of no more than 40m. However, the roads in this case have been designed in accordance with MfS and MfS2, whereas it was agreed at the inquiry that the Design Guide is based on Design Bulletin 32 which has been superseded. The straight lengths have a number of features which would reduce speed, for example, changes in surface texture, sharp bends and junctions and changes in width, which each reduce speed, making it suitable as a shared surface. It would be unlikely that vehicles would speed up when they could see features such as bends and junctions in front of them. A 12mph design speed would improve overall safety and also mean that the visibility splays provided would be sufficient.
33. It has not been suggested that the number of parking spaces provided would generally give rise to any problems with highway safety. However, issues were raised that visitor parking might block visibility at the junction of the parking bays at the end of plot 1. Although there is the potential for a vehicle to park in this location, this area would be part of the managed area, rather than private parking space. Drivers using the parking bays for Plot 20 would need to reverse in or out for about 15m. However, this assumes that all the other parking bays are full and cannot be used for turning. In practice, the number of cars parked and turning movements taking place would not be great and the risk from such manoeuvres would be low. A similar argument exists for the parking bays in the area of the pedestrian/cycle link to Station Road.

34. The pedestrian crossing, shown on plans as it was requested by local residents no longer forms part of the scheme, as there was insufficient distance between the proposed crossing and junctions. Minor changes to the scheme in terms of the width of the shared cycle/pedestrian path and the protection of visibility splays could be secured through a suitably-worded condition.
35. The proposed layout would not be adopted by the highway authority, but the estate is intended to be privately managed, with lower design speeds and it has been accepted by the independent road safety audit. There would be no significant road safety issues with the scheme and therefore it would comply with policy GD2 of the LP, the RDG SPD and paragraph 35 of the Framework.

Infrastructure provision

36. The submitted planning obligation provides for affordable housing, recycling, and cycling, which are not disputed. However, although also including public art and provision for leisure/ community facilities, the appellants dispute the need for their provision. Contributions to transport and education are no longer being sought by the Council.
37. The proposed contribution of affordable housing, as discussed above, is appropriate and would comply with policy COM2 of the LP and the SHMA which recommends a higher level of affordable housing provision. As such it would comply with the tests in paragraph 204 of the Framework and the Community Infrastructure Levy Regulations 2010 (CIL Regs). A contribution to recycling provision is required by the SPG on Service Provision and would be used to enhance the existing recycling facility at the Gate Inn Public House. The contribution to cycling would be used to support the provision of a cycle link to Pebworth to Bretforton through Honeybourne. This is supported by the SPG on Service Provision and policy SR5 of the LP which relates to minimising car dependency. Both the cycling and recycling contributions would meet the tests in paragraph 204 of the Framework and the CIL Regs.
38. The appellants question the need for a contribution to public art. The requirement is set out in the SPG on Service Infrastructure but the Council has given no specific reason for provision on this site. Nevertheless, on-site public art could make a contribution to local distinctiveness and a link to local history which would make the development acceptable and the amount proposed by the appellants would be in accordance with the guidance in the SPG. Therefore the requirement is necessary, capable of being directly related to the development and fairly and reasonably related to it. As such, I consider that it would meet the tests in paragraph 204 of the Framework and the CIL Regs.
39. The proposed development would include a play area and the Council requires a contribution for its management. However, this would be carried out by the management company for the site. As part of the public open space obligation, the Council has also asked for a contribution to playing pitches for the village. The principle for this contribution has also been supported by Sport England and the need for these facilities was identified in the Parish Plan and, although a site has been bought, no scheme for the development has been put forward. The Council has also requested a contribution to a building for changing facilities for the pitches. The appellants have agreed an amount for the off-site leisure contribution, provided that it meets the tests in the CIL Regs, to be used towards village sports facilities. I consider that this would comply with the CIL Regs in being necessary, capable of being directly related to the

development and fairly and reasonably related to it and that this should remain in force in the obligation.

40. Therefore I conclude that the contributions to be made for affordable housing, cycling, recycling, public art, leisure services and the provision of a play area would be in accordance with local planning policy, relevant SPG and SPD, the CIL Regs and paragraph 204 of the Framework.

Other matters

41. Other matters raised by local residents and others include the use of high grade agricultural land. However, the survey undertaken shows the land to be Grade 3, consistent with its recent grazing use and there would not be any loss of higher quality land. The sheep sale which took place on the site has ceased and although local people value this historic link to the agricultural origins of the area, the site owner has said that the sales will not recommence, whatever the outcome of the appeal. One area of the site is within the Environment Agency's flood zone 3 and Station Road is prone to flooding at times from the brook. The area of the site which floods would not be developed but remain as open space and the sustainable drainage scheme should ensure that additional water would not be added to the system at times of flood.
42. The design of the scheme and the conditions attached to it would protect the high hedgerow which is characteristic of the area. A number of representations have been made in connection with the protection of wildlife. A survey carried out was towards the end of the season but the Council's advisor has settled any outstanding matters with the appellants and no further work is needed. Whilst the landscape impact assessment was undertaken on a slightly different layout with 48 dwellings, there would be less development in the appeal scheme and therefore there would be likely to be a lesser impact. A petition has also been submitted showing significant opposition to the scheme, although this was general and no grounds for the objection were given. There are also a small number of letters of support for the proposal, especially the affordable housing.

Conditions/obligation

42. The suggested conditions have been examined in the light of the advice in Circular 11/95: The Use of Conditions in Planning Permissions. For the most part they were agreed between the main parties. Some of the conditions have been amended in the interests of precision.
43. A condition identifying the approved plans would be necessary for the avoidance of doubt and in the interests of proper planning. Conditions requiring the submission and approval of slab levels, material samples, tree protection, landscaping and boundary treatment would be necessary in the interests of protecting the character and appearance of the area. Conditions requiring the submission of details of a sustainable drainage scheme would be necessary to prevent pollution and reduce the risk of flooding. Conditions requiring the investigation of potential contamination and refuse storage would be necessary to prevent pollution. A condition to ensure the provision of the play area, renewable energy, water and construction materials, cycle parking and protection of the public footpath would be necessary in the interests of sustainable development and transport.

44. In order to protect existing neighbours' living conditions, conditions would be needed for a construction management plan, hours of working and a site waste management plan. In order to protect future residents' living conditions in terms of visual impact, conditions would be required for a scheme for the siting of the housing on plots 11 and 12. Conditions would be needed to protect heritage assets, in terms of a programme of archaeological work, recording and its completion. In order to protect highway safety, conditions would be needed to ensure the submission and approval of details of the junction arrangements, visibility splays at Station Road, surfacing and drainage of the estate roads prior to occupation, closure of former site entrances, minor pedestrian and cycle access works and a scheme for the maintenance of the roads, shared surfaces and parking courts.
45. It was suggested at the inquiry by the Council that there should be a scheme that identified the affordable housing to be provided, including those to be social rented and those to be shared ownership. However, paragraph 97 of Circular 11/95 states that conditions should not be used to identify housing tenure. However, it would be necessary for the affordable housing to be transferred to the provider before 50% of the market housing was beneficially occupied to ensure that the affordable housing was provided in a timely way.

Conclusions and planning balance

46. There are proposals for development on two more sites in the village: one for 75 dwellings at Grange Farm which the planning Committee have resolved to approve (subject to further details and consultation on them); and, an outline application on the opposite side of Station Road for mixed use development. If all of the dwellings were to be approved this would result in the release of about 190 dwellings, compared to the indicative number in the SWDP of 75 dwellings. Whilst this might be about a third of all the dwellings to be allocated by the plan in the villages of the area, Honeybourne is a highly sustainable location with a main line railway station, facilities such as a school, shops, public houses and a church and a major employer within cycling distance. At the inquiry, it was stated that this site is the least acceptable to the Council and local residents. This is the only site to which there are landscape objections and there would be a greater impact on ridge and furrow than either of the other two sites. However, the details of those cases are not before me and this case has to be determined on its own merits. The SWDP is at such an early stage that it has little weight in determining the number and location of dwellings locally.
47. Paragraph 14 of the Framework requires applications to be considered in the context of the presumption in favour of sustainable development and paragraph 49 of the Framework states that relevant policies for the supply of housing should not be considered up-to-date if a 5-year housing land supply cannot be demonstrated, as it the case here. The site is outside the village settlement boundary but the settlement boundaries were acknowledged to be out-of-date by the Council and there is an acknowledged need for new housing, as there is no 5-year housing land supply. Paragraph 47 of the Framework seeks to boost significantly the supply of new housing.
48. There is acknowledged to be harm in terms of the effect of the landscape, in so far as an open site would be developed. However, that is more than outweighed by the need for the housing, including affordable housing within the District. The development would be of a high quality design, be socially

inclusive and would make provision for heritage assets, in terms of archaeology, to be investigated and recorded. The scheme has been shown to have no adverse impacts on highway safety. Contributions to local infrastructure, where they have been shown to be in accordance with the relevant guidance and regulations, would ensure that the proposal would support any infrastructure necessary as a result of the development.

49. Therefore, I conclude that the scheme would represent sustainable development, in accordance with paragraph 14 of the Framework. As such, for the reasons given above and having regard to all other matters raised, I conclude that the appeal should be allowed.

E A Hill

INSPECTOR

Richborough Estates

APPEARANCES

FOR THE LOCAL PLANNING AUTHORITY:

Mr J Smyth of Counsel	Instructed by Ian Marshall, Wychavon District Council (WDC)
He called	
Ms S Everest BSc CEng MICE MCIHT	Highways, Worcestershire County Council
Mr M Glyde B Archaeological Science	Planning, WDC
Mr A Ford BA DipTP Dip Urban Design MPhil MRTPI	Planning, WDC
Mr E Davies MTCP MRTPI	Planning, WDC
Mr D Nash MSc BA BPI MRTPI	Planning, WDC
Mr J Mytton	Legal, WDC

FOR THE APPELLANT:

Mr P Goatley of Counsel	Instructed by Graham Parker, PJ Planning
He called	
Mr J Hurlstone BSc(Hons) CMILT MCIHT	Hurlstone Partnership
Mrs G Stoten BA(Hons) MIFA	Cotswold Archaeology
Mr M Scott DipTP MA MRTPI CMLI	Malcolm Scott Consultants Ltd
Mr G Parker DipTCP(Dist) MRTPI	PJ Planning

INTERESTED PERSONS:

Cllr Adams	Wychavon District Council
Mr K Graves	Local resident
Cllr B Johnson	Honeybourne Parish Council

DOCUMENTS SUBMITTED DURING AND AFTER THE INQUIRY

- 1 2nd Letter of notification
- 2 Cllr Adams Statement
- 3 Turning the Plough: Midland open fields: landscape character and proposals for management
- 4 Suggested conditions
- 5 Appendix B Estimates of 5-year Housing Land Supply – large sites
- 6 Droitwich Canals – SPG, WDC 2004
- 7 Agreed estimate of the 5-year supply, as amended 20 July 2012
- 8 Net housing commitments and completions 2005/06-2010/11
- 9 Resolution on Grange Farm, Honeybourne, WDC Planning Committee 19/7/12.
- 10 Certified copy of unilateral undertaking

- 11 Additional suggested condition on affordable housing
- 12 Statement of Cllr B Johnson, Honeybourne Parish Council
- 13 Worcestershire Strategic Housing Market Assessment, February 2012
- 14 WDC Closing submissions
- 15 Appellants' closing submissions

PLANS

- A Appendix 4 – Housing Development Sites in Honeybourne
- B Residential development at Badsey Road, Evesham

PHOTOGRAPHS

- 1 Photos of the site

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Schedule of conditions

1. The development hereby permitted shall begin not later than two years from the date of this permission.

2. The development hereby permitted shall be carried out in accordance with the following approved plans: P110518-109-P1, 110-P7, 111-P2, 112-P2, 113-P1, 114-P2, 115-P1, 116-P1, 120-P1, 121-P1, 122-P2, 123-P2, 124-P1, 125-P2, 126-P2, 130-P3, 130.01-P2, 131-P3, 132-P3, 133-P2, 134-P3, 135-P3, 136-P3 and 137-P3.

3. The floor slab level of each new dwelling and building hereby approved, relative to the level on the site boundary at the centre point of the proposed vehicular access, shall be submitted to and approved in writing by the local planning authority prior to the commencement of the development. Development shall be carried out in accordance with the approved details.

4. A sample of the materials to be used externally on the walls and roofs of all the buildings hereby permitted, as specified on drawing P110518-112-P2, shall be submitted to and approved in writing by the local planning authority before any work on the erection of the buildings commences. Development shall be carried out in accordance with the approved details.

5. No development shall take place until sustainable drainage plans for the disposal of surface water and foul sewage have been submitted to and approved in writing by the local planning authority. The details shall include an implementation timetable. The scheme shall be implemented in accordance with the approved details.

6. Prior to the occupation of any of the dwellings hereby approved, details of the on-site play and open space provision shall be submitted to and approved in writing by the local planning authority. The details shall include a management plan for and specifications of the play facilities to be provided on the proposed amenity spaces. Planting details shall be provided as required under condition (8). The proposals shall be implemented in accordance with all approved details. Not more than 50% of the open market dwellings shall be occupied prior to the complete installation of the play equipment.

7. All works to existing trees and hedgerows shall be carried out in accordance with the proposals set out in the Tree Protection Plan at Appendix A of the Arboricultural and Planning Integration Report by Arbortrack Systems Ltd (November 2011), unless otherwise agreed in writing by the local planning authority. The temporary protective fencing shall be erected in accordance with BS 5837: 2012 before any materials or machinery are brought onto site and before any demolition or development, including the erection of site huts, is commenced. This fencing shall be retained until the completion of development, and nothing shall be stored or placed, nor shall any ground levels be altered, within the fenced areas. There shall be no burning of any material within 10m of the extent of the canopy of any retained tree or hedge.

8. No part of the development shall be commenced until details of soft landscaping works have been submitted to and approved in writing by the local planning authority. The details submitted shall incorporate proposals for ecological mitigation and enhancement and shall include:

- plans showing the planting layout of proposed tree, hedge, shrub and grass

areas, all of which shall have regard to the associated objective of providing biodiversity enhancement.

- a schedule of proposed planting - indicating species, size at time of planting and numbers or densities of plants.
- a written specification outlining cultivation and other operations associated with plant and grass establishment.
- a schedule of maintenance, including watering and the control of competitive weed growth, for a minimum period of five years from first planting.
- a programme setting out the reasonable and practical provision of each area of soft landscaping.

All planting, seeding/turfing and associated ecological works shall be carried out in accordance with the approved details. Any trees or plants which, within a period of five years from the completion of the planting, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless otherwise agreed in writing by the local planning authority.

9. Notwithstanding the details of enclosure shown on drawing P110518-111-P2, no development shall take place until there has been submitted to and approved in writing by the local planning authority a revised plan indicating the positions, design, materials and type of boundary treatment to be erected around the site and residential properties and a timetable for its erection. The boundary treatment shall be completed in accordance with the approved details and timetable.

10. No development shall take place until a Construction Environmental Management Plan has been submitted to and approved in writing by the local planning authority. The approved plan shall be adhered to throughout the construction period. This plan shall provide for:-

- measures to protect the amenities of nearby properties from noise, vibration and dust during construction;
- the parking of vehicles of site operatives and visitors;
- the storage of materials used in constructing the development; and
- the location of site operatives' facilities, including offices and toilets.

11. Demolition, clearance or construction work and deliveries to and from the site in connection with the development hereby approved shall not take place outside the hours of 0800 and 1800hrs Monday to Friday and 0800 and 1300hrs on Saturday. There shall be no demolition, clearance or construction work or deliveries to and from the site on Sundays or Bank/Public Holidays.

12. No development shall take place until a Site Waste Management Plan has been submitted to, and approved in writing by, the local planning authority. Development shall be carried out in accordance with the approved plan.

13. No development shall take place until the following details have been submitted to, and approved in writing by, the local planning authority:

- renewable energy measures to be incorporated into the development, unless those measures remain as proposed in the submitted Energy Statement (Version 3);
- energy efficiency measures to be incorporated into the development, unless those measures remain as proposed in the submitted Energy Statement (Version 3);
- measures to conserve and recycle water to be incorporated into the proposed development; and

- construction materials to be used in the proposed development, with the aim of minimising the use of primary non-sustainable materials.
The approved measures shall be incorporated into the development and shall thereafter be retained.

14. No development shall commence until a programme of archaeological work and historic building recording has been implemented in accordance with a Written Scheme of Investigation which has been submitted to and approved in writing by the local planning authority. No demolition or development shall take place other than in accordance with the approved scheme. The scheme shall include:

1. an assessment of significance and research questions;
2. a programme and methodology for site investigation and recording;
3. a programme for post investigation assessment;
4. provision for analysis of the site investigation;
5. provision for the publication and dissemination of the records and analysis of the site investigation;
6. provision for the archive deposition of the analysis and records of the site investigation; and
7. the nomination of a competent person, persons or organisation to undertake the work in the approved scheme.

15. Not more than 50% of the open market dwellings shall be occupied until the site investigation and post investigation assessment has been completed in accordance with the approved archaeological Written Scheme of Investigation and the analysis, publication and dissemination and archive deposition of the records and analysis of the site investigation has been secured.

16. No development shall take place until a site investigation of the nature and extent of contamination has been carried out in accordance with a methodology which has previously been submitted to and approved in writing by the local planning authority. The results of the site investigation shall be made available to the local planning authority before any development begins. If any contamination is found during the site investigation, a report specifying the measures to be taken to remediate the site to render it suitable for the development hereby permitted shall be submitted to and approved in writing by the local planning authority. The site shall be remediated in accordance with the approved measures before development begins.

If, during the course of development, any contamination is found which has not been identified in the site investigation, additional measures for the remediation of this source of contamination shall be submitted to and approved in writing by the local planning authority. The remediation of the site shall incorporate the approved additional measures.

17. No individual dwelling shall be occupied until refuse storage facilities to serve that dwelling have been provided in accordance with details that shall have been submitted to and approved in writing by the local planning authority. The approved facilities shall thereafter be retained.

18. No development shall commence until the engineering details and specification of the proposed junction arrangements within the limits of the public highway have been submitted to and approved in writing by the local planning authority. Development shall be in accordance with the approved details.

19. Before any other works hereby approved are commenced, visibility splays at the junction with Station Road shall be provided from a point 0.6m above ground level at the centre of the access to the application site and 2.4 metres back from the nearside edge of the adjoining carriageway, (measured perpendicularly), for a distance of 90 metres in each direction along the nearside edge of the adjoining carriageway. Nothing shall be planted, erected and/or allowed to grow on the triangular area of land so formed which would obstruct the visibility described above and these areas shall thereafter be retained and kept available for visibility purposes at all times.

20. No individual dwelling shall be occupied until the estate road, service strips and individual private drives, entrances, turning areas and parking facilities necessary to serve that dwelling, as shown on the approved plan, have been consolidated, surfaced, drained and otherwise constructed in accordance with details to be submitted to and approved in writing by the local planning authority and these areas shall thereafter be retained and kept available for those uses at all times.

21. No individual dwelling shall be occupied until secure cycle parking to serve that dwelling, in accordance with the details shown on drawing P110518-111-P2, has been provided within the curtilage of the dwelling, and these facilities shall thereafter be retained available for the parking of cycles.

22. Prior to the occupation of the of the first dwelling hereby approved the two existing vehicular accesses to the site, firstly to the north of and secondly approximately 25m to the south of the proposed estate road junction onto the adjoining highway, Station Road, shall be permanently closed. Details of the means of closure and reinstatement of these existing accesses shall be submitted to and approved in writing by the local planning authority prior to the commencement of work on the development hereby approved. The closures shall be in accordance with the approved details.

23. No works shall take place which obstruct the existing public right of way crossing the application site. No development shall take place until details of any proposed changes to the surfacing, width and boundaries of that length of the public footpath lying within the site shall have been submitted to and approved in writing by the local planning authority. Not more than 50% of the open market dwellings shall be occupied prior to the implementation of any approved changes to the public footpath.

24. No development shall commence until a scheme for the siting and design of the dwellings on plots 11 and 12 has been submitted to and approved in writing by the Local Planning Authority. Development shall be in accordance with the approved scheme.

25. No development shall commence until details relating to the following vehicular, cycle and pedestrian movements have been submitted to and approved in writing by the local planning authority:

- a footway adjacent to plot 24 connecting to Station Road;
- a cycleway 2.5m wide parallel to Station Road and connecting to Station Road/site access; and,
- the north-west boundary of plot 42 to be set behind the visibility splay.

26. No development shall commence until a scheme has been submitted to and approved in writing by the local planning authority for providing that no more than fifty per cent of the open market units should be beneficially occupied until such time as the land comprising the affordable housing has been transferred to an affordable housing provider.

27. No development shall commence until a scheme for arrangements for the maintenance of the roads, parking courts and shared surfaces has been submitted to and approved in writing by the local planning authority. The development shall hereafter be maintained in accordance with the approved scheme.

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