

Agenda

Planning and regulatory committee

Date: **Wednesday 14 March 2018**

Time: **2.00 pm (or on conclusion of the Committee's meeting
in the morning if later)**

Place: **Council Chamber, The Shire Hall, St Peter's Square,
Hereford, HR1 2HX**

Notes: Please note the time, date and venue of the meeting.

For any further information please contact:

Tim Brown, Democratic Services Officer

Tel: 01432 260239

Email: tbrown@herefordshire.gov.uk

If you would like help to understand this document, or would like it in another format, please call Tim Brown, Democratic Services Officer on 01432 260239 or e-mail tbrown@herefordshire.gov.uk in advance of the meeting.

Agenda for the meeting of the Planning and regulatory committee

Membership

Chairman	Councillor PGH Cutter
Vice-Chairman	Councillor J Hardwick
	Councillor BA Baker
	Councillor CR Butler
	Councillor PJ Edwards
	Councillor DW Greenow
	Councillor KS Guthrie
	Councillor EL Holton
	Councillor TM James
	Councillor JLV Kenyon
	Councillor FM Norman
	Councillor AJW Powers
	Councillor A Seldon
	Councillor WC Skelton
	Councillor EJ Swinglehurst

Agenda

	Pages
1. APOLOGIES FOR ABSENCE To receive apologies for absence.	
2. NAMED SUBSTITUTES (IF ANY) To receive details of any Member nominated to attend the meeting in place of a Member of the Committee.	
3. DECLARATIONS OF INTEREST To receive any declarations of interest by Members in respect of items on the Agenda.	
4. CHAIRMAN'S ANNOUNCEMENTS To receive any announcements from the Chairman.	
5. 173477 - LAND TO THE WEST OF THE NOGGIN FARM, MUCH MARCLE, HEREFORDSHIRE Proposed erection of agricultural buildings, associated infrastructure and landscaping to support a new agricultural enterprise.	7 - 18
6. 173476 - LAND TO THE WEST OF THE NOGGIN, MUCH MARCLE, HEREFORDSHIRE Proposed erection of temporary agricultural workers dwelling with associated parking and residential curtilage.	19 - 30
7. 174198 - LAND AT SOUTH LEA, ASTON CREWS, ROSS-ON-WYE, HR9 7LW Proposed new 3 bedroom, single storey, eco-fully-accessible house.	31 - 46
8. DATE OF NEXT MEETING Date of next site inspection – 3 April 2018 Date of next meeting – 4 April 2018	

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- Attend all Council, Cabinet, Committee and Sub-Committee meetings unless the business to be transacted would disclose 'confidential' or 'exempt' information.
- Inspect agenda and public reports at least five clear days before the date of the meeting.
- Inspect minutes of the Council and all Committees and Sub-Committees and written statements of decisions taken by the Cabinet or individual Cabinet Members for up to six years following a meeting.
- Inspect background papers used in the preparation of public reports for a period of up to four years from the date of the meeting. (A list of the background papers to a report is given at the end of each report). A background paper is a document on which the officer has relied in writing the report and which otherwise is not available to the public.
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The Chairman or an attendee at the meeting must take the signing in sheet so it can be checked when everyone is at the assembly point.

MEETING:	PLANNING AND REGULATORY COMMITTEE
DATE:	14 MARCH 2018
TITLE OF REPORT:	<p>173477 - PROPOSED ERECTION OF AGRICULTURAL BUILDINGS, ASSOCIATED INFRASTRUCTURE AND LANDSCAPING TO SUPPORT A NEW AGRICULTURAL ENTERPRISE AT LAND TO THE WEST OF THE NOGGIN FARM, MUCH MARCLE, HEREFORDSHIRE</p> <p>For: Mr Boulton-Brooks per Mr Matthew Tucker, Embassy House, Queens Avenue, Bristol, BS8 1SB</p>
WEBSITE LINK:	https://www.herefordshire.gov.uk/info/200142/planning_services/planning_application_search/details?id=173477&search=173477
Reason Application submitted to Committee – Member redirection	

Date Received: 14 September 2017 **Ward: Old Gore** **Grid Ref: 363358,234212**
Expiry Date: 13 November 2017
Local Member: Councillor BA Durkin

1. Site Description and Proposal

- 1.1 The site is located in open countryside opposite The Noggin and its historic farm complex, which is under separate ownership. The application site is an agricultural field and part of the applicants' wider land holding within the area. The field is relatively well contained with existing hedgerows and trees. The site is bound by well established vegetation and some mature trees to the west and east, with an existing access to the east of the site. The north boundary of the site is open agricultural land. The location is very elevated, sitting on or below Marcle Ridge, with various points along the highway and public rights of way offering dramatic expansive views towards Ledbury, the Malvern Hills Area of Outstanding Natural Beauty (MHAONB).
- 1.2 Marcle Ridge and the Three Choirs Way right of way, is approximately 250 metres to the west. There are two fields that lie between the bridle path and the application site that are also part of the applicant's land holding. A mature boundary hedge separating the two fields obscures views of the application site from the Three Choirs Way.
- 1.3 The site is not within or immediately adjoining an Area of Outstanding Natural Beauty, however there is inter-visibility between the general location and MHAONB as identified above. The site itself is not visible from the MHAONB due to intervening buildings, topography and vegetation.
- 1.4 There are no heritage designations on or adjoining the site.

Further information on the subject of this report is available from Mr C Brace on 01432 261947

- 1.5 The surrounding land is predominantly in agricultural use. The application site can be considered to be in an isolated location with only The Noggin and a dwelling Messcott to the north, within 250 metres. Messcott is located 150 metres to the north of the nearest proposed agricultural building, The Noggin around 70 metres to the east. The wider site borders Marcle Ridge and falls from west to east towards the small hamlet of Rushall. The hamlets of Little Hill and Hill End lie to the northern extent of the applicant's land and Firs Farm lies to the south.
- 1.6 The proposal is for the erection of agricultural buildings; associated infrastructure and landscaping to support a new agricultural enterprise. These buildings and infrastructure form the basis of the new business and requirement for the dwelling under consideration.
- 1.7 Members attention is drawn to the parallel application 173476 for the proposed erection of a temporary agricultural workers dwelling with associated parking and residential curtilage.

2. Policies

2.1 Herefordshire Local Plan Core Strategy

- SS1 - Presumption in Favour of Sustainable Development
- SS4 - Movement and Transportation
- SS5 - Employment Provision
- SS6 - Environmental Quality and Local Distinctiveness
- RA4 - Agricultural, Forestry and Rural Enterprise Dwellings
- RA6 - Rural Economy
- MT1 - Traffic Management, Highway Safety and Promoting Active Travel
- LD1 - Landscape and Townscape
- LD2 - Biodiversity and Geodiversity
- LD3 - Green Infrastructure
- SD1 - Sustainable Design and Energy Efficiency
- SD2 - Renewable and Low Carbon Energy
- SD3 - Sustainable Water Management and Water Resources
- SD4 - Waste Water Treatment and River Water Quality

2.2 Neighbourhood Plans

The site is located within the Much Marcle Neighbourhood area. The Neighbourhood Development Plan is at the examination stage. The Neighbourhood area was designated on 11 September 2013, Regulation 14 draft plan submitted on 4 November 2016 and Regulation 16 plan submitted on 21 December 2017. The Neighbourhood Development Plan was sent for examination on 27 February 2018.

The following policies are of particular relevance:

- Policy SD1 - Sustainable Development
- Objective MM06 - Value and Support Agriculture as an Integral Part of our Community
- Policy EM1 - Employment and Economy
- Policy NE1 - Landscape

2.3 National Planning Policy Framework

The following chapters are of particular relevance:

Achieving Sustainable Development

1. Building a Strong, Competitive Economy
3. Supporting a Prosperous Rural Economy
4. Promoting Sustainable Transport
7. Requiring Good Design
11. Conserving and Enhancing the Natural Environment

2.4 The Core Strategy policies together with any relevant supplementary planning documentation can be viewed on the Council's website by using the following link:

https://www.herefordshire.gov.uk/info/200185/local_plan/137/adopted_core_strategy

3. **Planning History**

3.1 162797 – Proposed erection of agricultural buildings and supporting infrastructure. Withdrawn.

162798 – Proposed erection of temporary agricultural workers dwelling with associated parking and residential curtilage. Withdrawn.

The above planning applications on adjoining land were withdrawn on 21 November 2016 primarily for reasons of their adverse landscape impact.

4. **Consultation Summary**

Statutory Consultations

4.1 Natural England has no comments to make on this application, stating *you may wish to consult your own ecology services for advice and The lack of comment from Natural England does not imply that there are no impacts on the natural environment, but only that the application is not likely to result in significant impacts on statutory designated nature conservation sites or landscapes. It is for the local planning authority to determine whether or not this application is consistent with national and local policies on the natural environment.*

Internal Council Consultations

4.2 The Transportation Manager states the proposal is acceptable, subject to a number of conditions and informatives. *These are attached to the recommendation, below.*

4.3 The Conservation Manager (Ecology), has no objection, commenting: Thank you for consulting me on this application. I have read the ecological report from EDP and would agree with the conclusions. There is mitigation and enhancement to be implemented and to ensure this I recommend a number of conditions. *These are attached to the recommendation, below.*

4.4 The Conservation Manager (Landscapes) comments I have read the Landscape and Visual Appraisal as well as the Tree Report and I am satisfied that whilst there will be some impact upon local landscape character in terms of minor cut and fill for the agricultural units as well as a small amount of hedgerow and tree loss the overall impact will not be significant.

In terms of visual effects whilst the proposal is located upon rising ground, views from the Malvern Hills AONB will be seen in the context of other local farmsteads and obscured from the Wye Valley AONB by landform. The trails upon the ridgeline are sensitive and there will be views however the proposal is not incongruous with the existing pattern of the landscape and extensive mitigation is proposed which is in line with the character type.

I would therefore recommend a condition be applied in respect of the detail of the landscaping proposed and its management for a period of 10 years.

- 4.5 The Conservation Manager (Arboriculture) comments I have visited the site and read the submitted tree report. I am satisfied that that the correct provisions have been provided to mitigate potential impacts on the two mature Ash trees located adjacent to the proposed access road. I would suggest that some remedial work might be required to raise the height of the canopy of these two trees over the access road to prevent high sided vehicles coming into contact with lower braches.

The trees and part of the hedge to be removed for the site access will be mitigated with the new planting.

- 4.6 The Public Rights of Way Manager has no objection.

- 4.7 The County Land Agent supports the application. He comments: *In my opinion the proposals should produce an efficient small/medium size mixed farm enterprise in 3 years time capable of sustaining a long term farming business. It has to be accepted that the return on capital will be minimal and that the long term future of small/medium sized mixed farms looks very challenging.*

The proposal for the farm to be a starter farm for a young farmer(s) is very welcome and the applicants are likely to be of a very high quality, such opportunities are few and far between.

In my opinion the proposals have every chance of success.

- 4.8 The Drainage Manager comments they have no objections in principle to the proposed development. However, prior to granting planning permission, we recommend that the applicant confirms the management of any contaminated washdown water from the livestock and sheep buildings.

Should the Council be minded to grant planning permission, it is recommended that the Applicant submits the information requested above along with further drainage information in a suitably worded planning condition. *This is attached to the recommendation below.*

5. Representations

- 5.1 Much Marcle Parish Council objects to the application for the following reasons:

- Temporary dwelling not temporary a pre-cursor for a permanent dwelling
- Outside the settlement boundary
- Need not proven
- The impact on Marcle Ridge, which is within the Wye Valley AONB
- Run off from the site into the stream, a priority habitat, then into the River Leadon which is a Nitrate Vulnerable zone
- The Impact on the amenities and the bore hole, which is the only source of fresh water, to the neighbouring properties
- Increase of flooding problem, which will be within 20 metres of the borehole

5.2 Ten letters of objection have been received, comments are summarised as:

- The landowner also owns a Woolhope farm at Bent Orchards SO 618368 and a farmstead at Canwood 612368 – a new greenfield development approved a few years ago on the basis of ag business need, including the servicing of land in Marcle parish.
- Concern regarding increased traffic on the local rural road network
- Impact on adjoining amenity
- Noise and light nuisance
- Impact on character and appearance of the area
- Conflict with Core Strategy policies SD1, SD3 and RA6
- Impact on property values
- Impact on water supplies and quality
- Impact on wildlife
- Adverse landscape impact
- Concern regarding surface water run off and flooding
- Arable farming, not livestock is practiced hereabouts
- No business case for the proposal
- Upper Greens Place, owned by the applicant and adjacent to his land would make a much more suitable location. The site is only 250 meters to the North of the proposed site. This would be a preferable location as the agricultural workers dwelling already exists.

5.3 The consultation responses can be viewed on the Council's website by using the following link:

https://www.herefordshire.gov.uk/info/200142/planning_services/planning_application_search/details?id=173476&search=173476

Internet access is available at the Council's Customer Service Centres:

<https://www.herefordshire.gov.uk/government-citizens-and-rights/customer-services-enquiries/contact-details?q=customer&type=suggestedpage>

6. Officer's Appraisal

6.1 Core Strategy Policy RA6 is in principle supportive of development proposals that enable the County's regeneration of its economic base, of which agriculture and farming is an important part. The policy criteria support and strengthen local food and drink production and the retention and/ or diversification of existing agricultural businesses.

6.2 Policy SD1 requires development proposals, as relevant to the proposal, should:

- new buildings should be designed to maintain local distinctiveness through incorporating local architectural detailing and materials and respecting scale, height, proportions and massing of surrounding development. while making a positive contribution to the architectural diversity and character of the area including, where appropriate, through innovative design;
- safeguard residential amenity for existing and proposed residents;
- ensure new development does not contribute to, or suffer from, adverse impacts arising from noise, light or air contamination, land instability or cause ground water pollution

6.3 The proposal includes the erection of two agricultural buildings for the purposes of cattle, sheep and fodder storage for a new agricultural business. The larger livestock building measures 42 x 27.5 metres in plan with height to ridge of 9.8 metres, with the sheep building measuring 24 x 12 metres in plan with height to ridge of 7.22 metres. These buildings will be finished with a mixture of vertical shiplap timber boarding and concrete panels set under a metal profile roof, materials which are typical of agricultural buildings in the locality.

- 6.4 A degree of ground engineering works will be required to ensure that the two buildings are set on level ground respectively. The proposal includes an element of hardstanding for the two buildings of a sufficient size to aid circulation and facilitate movement of farm and delivery the largest known farm vehicles that would visit the site. Landscape planting is also proposed to mitigate the development.
- 6.5 The landholding which relates to the proposal was purchased from two neighbouring holdings, The Noggin and Hill End. In total, it extends to some 300 acres located to the west of Much Marcle. The land has been purchased without any farm buildings or residential properties.
- 6.6 The intention is for a standalone farming unit that will run a mixed farming system. The enterprises will include 300 breeding ewes plus lambs that will be finished as fat lambs; a calf rearing enterprise selling to an established marketing company such as Meadow Quality or Blade Farming and a combinable crops enterprise. As far as possible the farm will be self sufficient in terms of animal feed production. The objectives for this business are:
1. To run a profitable and sustainable mixed farming enterprise
 2. To generate value for all partners involved
 3. To help young entrants into agriculture
- 6.7 The principal arable crops will continue to be wheat and oilseed rape. Forage crops will include grass, maize and stubble turnips to be utilised by the livestock enterprises, with maize silage being used as winter forage for the beef enterprise.
- 6.8 A mixed system has been proposed as the most viable option for the business, with suggested benefits including:
- Farm Yard Manure from housing the cattle and sheep (during lambing) can be used on the arable land to add back organic matter and nutrients to the soil.
 - Mixed grazing of cattle and sheep will improve sward quality and will also help to reduce potential health risks and worm burden.
 - The arable operation will provide straw for the livestock operation.
 - A mixed farming system will help to spread the financial risk over a number of enterprises.
 - Buildings will be fully utilised (general purpose agricultural building to be used for grain storage post-harvest and by sheep in the run up to and during lambing).
- 6.9 The sheep flock will consist of approximately 300 breeding ewes, chosen for their relatively high prolificacy and easy care characteristics. The proposal is to graze the flock on some of the grass area with cattle grazing the rest of the grass. Ewes will be scanned in January each year and those scanned with twins or more will be lambed indoors, with singles lambing outdoors. Lambs will be fattened on stubble turnips and sold as finished lambs.
- 6.10 With regards to the beef enterprise, the proposal is for a calf rearing enterprise to be established. The models researched include Blade Farming and Meadow Quality. This requires the business to take in batches of seven day old calves and rear them up to 12 weeks (allowing up to 4 batches per year). Further options under consideration are to take the calves on to approximately 18 months of age and sell as fat cattle and to retain some of the females for breeding if they were deemed to be of good enough quality to establish a suckler herd. The enterprise will be farm assured for both beef and sheep.
- 6.11 Policy LD1 requires proposals to demonstrate that character of the landscape has positively influenced the design, scale, nature and site selection, protection and enhancement of the setting of the wider area. The policy requires proposals –
- demonstrate that character of the landscape and townscape has positively influenced the design, scale, nature and site selection, protection and enhancement of the setting of settlements and designated areas;

- conserve and enhance the natural, historic and scenic beauty of important landscapes and features, including Areas of Outstanding Natural Beauty, nationally and locally designated parks and gardens and conservation areas; through the protection of the area's character and by enabling appropriate uses, design and management;
- incorporate new landscape schemes and their management to ensure development integrates appropriately into its surroundings; and
- maintain and extend tree cover where important to amenity, through the retention of important trees, appropriate replacement of trees lost through development and new planting to support green infrastructure.

- 6.12 The application is accompanied with an assessment of alternative sites, a Landscape and Visual Impact Assessment and landscaping plan.
- 6.13 The landscape mitigation plan for the overall development under this and the parallel application 173476 includes the creation of a new hedgerow to the south of the proposed access road and additional planting to the west of the existing livestock building which, combined, provide a landscape block reminiscent of the surrounding historic landscape character. An additional copse is to be planted to the north proposed sheep building and temporary agricultural workers dwelling to provide screening and preserve and enhance the amenity of the neighbouring residential property, Messcott which is located over 150 metres away to the North. This, combined with location of existing mature trees and vegetation, supplemented by additional hedgerow planting to the south of the access road, results in the temporary agricultural workers dwelling being largely screened from public views from the unclassified road to the east and more broad reaching public views further afield. Appropriate conditions ensure the implementation, retention and management of the landscaping. As such it is considered policy LD1 is satisfied.
- 6.14 In landscape terms, it is considered this proposal and that under consideration pursuant to 173476 is preferable and more readily assimilated into the landscape than development at and around Upper Greens Place would be, given the relative exposed nature and greater visibility of that location, including from the Three Choirs Way and Marcle Ridge. It is also considered, albeit marginally, that the proposed site is preferable on highway grounds as it has better connectivity to the main and strategic road network.
- 6.17 The objections raised by third parties are noted but having regard to the lack of objection from technical consultees and the ability to control and mitigate the impact of the development through conditions attached to the recommendation, it is considered that the proposal is worthy of support. Given intervening distances, mitigation and existing land uses hereabouts, it is considered there is no adverse impact on adjoining dwellings justifying refusal. With regards to drainage, the Council's drainage engineers are satisfied approval can be granted subject to a pre-commencement condition securing appropriate technical evidence and details to mitigate the development, as such policies SD3 and SD4 are satisfied. As such on the basis of the assessment set out above, approval is recommended.

RECOMMENDATION

That planning permission be granted subject to the following conditions and any other further conditions considered necessary by officers named in the scheme of delegation to officers:

- 1. A01 - Time limit for Commencement (Full Permission)**
- 2. B02 - Development in Accordance with Approved Plans and Materials**
- 3. H03 - Visibility Splays**
- 4. H09 - Driveway Gradient**

Further information on the subject of this report is available from Mr C Brace on 01432 261947

5. **H06 - Vehicular Access Construction**
6. **H13 - Access, Turning Area and Parking**
7. **H20 - Road Completion in 2 Years**
8. **H27 - Parking for Site Operatives**
9. **H29 - Secure Covered Cycle Parking Provision**
10. **The recommendations for species mitigation and habitat enhancements set out in the ecologist's report from EDP dated August 2017 should be followed unless otherwise agreed in writing by the local planning authority. A working method statement for protected species together with an enhancement plan integrated with the landscape scheme should be submitted to the local planning authority in writing. The plan shall be implemented as approved.**

Reason: To ensure that all species are protected having regard to the Wildlife and Countryside Act 1981 (with amendments and as supplemented by the Countryside and Rights of Way Act 2000), the Natural Environment and Rural Communities Act 2006 and the Conservation of Habitats and Species Regulations 2010 (and 2012 amendment) and to comply Herefordshire Council's Policies LD2 Biodiversity and Geodiversity, LD3 Green Infrastructure of the Herefordshire Local Plan Core Strategy 2013 – 2031 and to meet the requirements of the National Planning Policy Framework (NPPF).

11. **An appropriately qualified and experienced ecological clerk of works should be appointed (or consultant engaged in that capacity) to oversee the ecological mitigation work.**

Reason: To ensure that all species are protected having regard to the Wildlife and Countryside Act 1981 (with amendments and as supplemented by the Countryside and Rights of Way Act 2000), the Natural Environment and Rural Communities Act 2006 and the Conservation of Habitats and Species Regulations 2010 (and 2012 amendment) and to comply Herefordshire Council's Policies LD2 Biodiversity and Geodiversity, LD3 Green Infrastructure of the Herefordshire Local Plan Core Strategy 2013 – 2031 and to meet the requirements of the National Planning Policy Framework (NPPF).

12. **F13 - Restriction on Separate Sale**
13. **G02 - Retention of Trees and Hedgerows**
14. **G04 - Protection of Trees/Hedgerows that are to be Retained**
15. **G10 - Landscaping Scheme**
16. **G11 - Landscaping Scheme – Implementation**
17. **I32 - Details of Floodlighting/External Lighting**
18. **Pre commencement drainage condition requiring and securing:**
 - **Detailed construction drawings that demonstrate the inclusion of SuDS,**

- where appropriate, and location and size of key drainage features;
- Detailed construction drawings of proposed features such as attenuation features and outfall structures;
- Amended calculations of the proposed discharges rates and attenuation volumes using FEH 2013 data;
- If unlined attenuation features are proposed, confirmation of groundwater levels to demonstrate that the invert level can be located a minimum of 1m above groundwater levels;
- Assessment of potential failure of above-ground attenuation features, including assessment of residual risks to downstream receptors, and proposed mitigation and management measures;
- Details of how overland flows from outside of the site boundary have influenced the design of the drainage system;
- Detailed drawing demonstrating the management of surface water runoff during events that may temporarily exceed the capacity of the drainage system;
- Detailed construction drawings of the foul water drainage strategy showing how foul water from the development will be disposed of and illustrating the location of key drainage features;
- Infiltration rates at the location(s) and proposed depth(s) of any proposed foul water drainage fields, undertaken in accordance with BS6297 and Building Regulations Part H;
- If infiltration to ground is proposed, confirmation of groundwater levels to demonstrate that the invert level of any drainage fields can be located a minimum of 1m above groundwater levels;
- Detailed calculations of proposed infiltration features informed by the results of infiltration testing;
- Demonstration that appropriate access is available to maintain drainage features;
- Completed application for Ordinary Watercourse Consent for any proposed structures within an ordinary watercourse or works within 8m of an ordinary watercourse.
- Details of management of any contaminated washdown water from the livestock and sheep buildings.

Reason: To ensure adequate drainage arrangements are in place and to protect and prevent pollution and to comply with Herefordshire Core Strategy policies RA6, SD3 and SD4.

INFORMATIVES:

1. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against planning policy and any other material considerations, including any representations that have been received. It has subsequently determined to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.
2. **HN01 - Mud on Highway**
3. **HN04 - Private Apparatus within Highway**
4. **HN05 - Works Within the Highway**
5. **HN10 - No Drainage to Discharge to Highway**
6. **HN24 - Drainage Other than via Highway System**

Further information on the subject of this report is available from Mr C Brace on 01432 261947

7. HN28 - Highways Design Guide and Specification

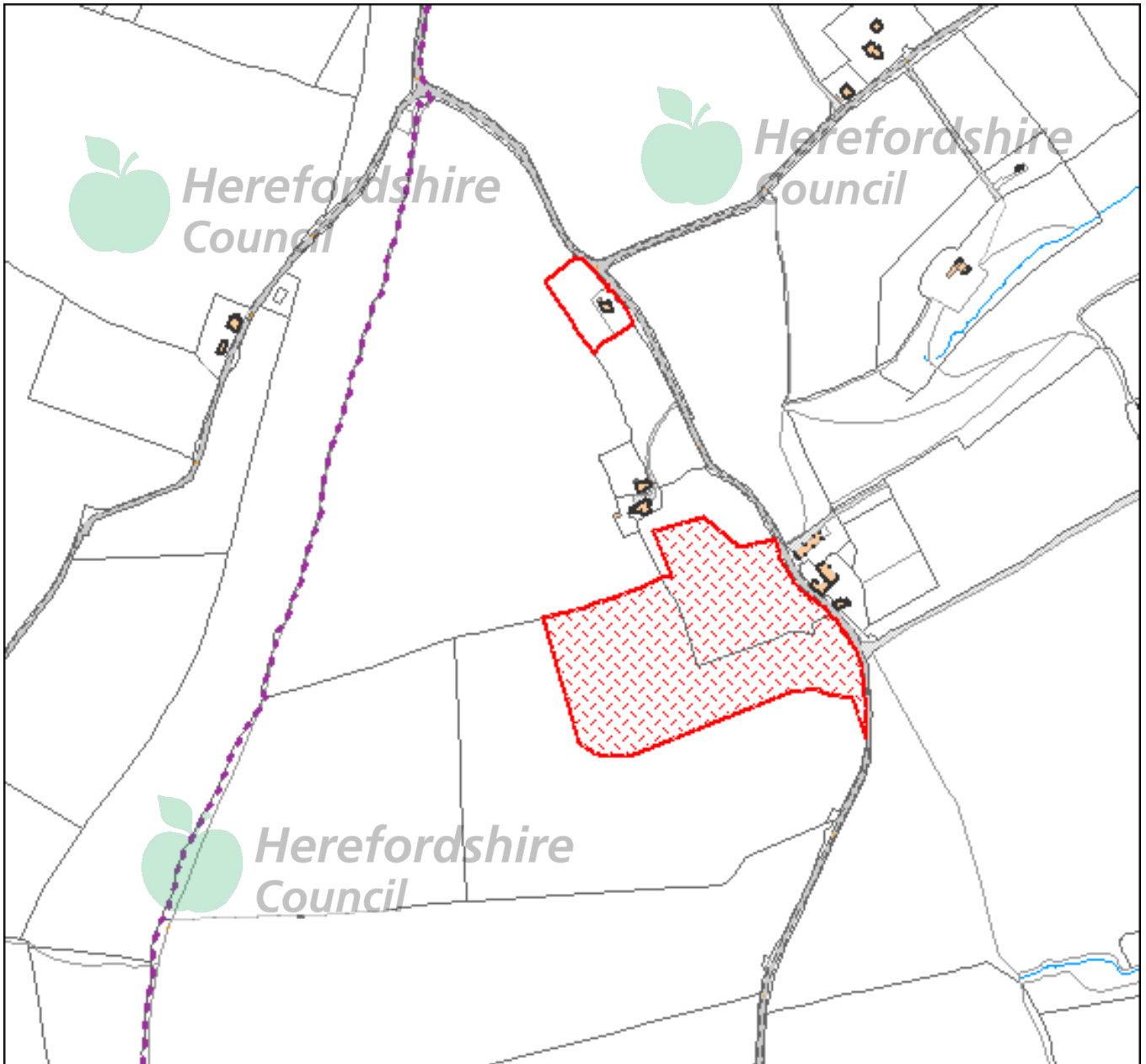
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: 173477

SITE ADDRESS : LAND TO THE WEST OF THE NOGGIN FARM, MUCH MARCLE, HEREFORDSHIRE

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Further information on the subject of this report is available from Mr C Brace on 01432 261947

MEETING:	PLANNING AND REGULATORY COMMITTEE
DATE:	14 MARCH 2018
TITLE OF REPORT:	173476 – PROPOSED ERECTION OF TEMPORARY AGRICULTURAL WORKERS DWELLING WITH ASSOCIATED PARKING AND RESIDENTIAL CURTILAGE AT LAND TO THE WEST OF THE NOGGIN, MUCH MARCLE, HEREFORDSHIRE For: Mr Boulton Brooks per Mr Matthew Tucker, Embassy House, Queens Avenue, Bristol, BS8 1SB
WEBSITE LINK:	https://www.herefordshire.gov.uk/info/200142/planning_services/planning_application_search/details?id=173476&search=173476
Reason Application submitted to Committee – Redirection	

Date Received: 14 September 2017 **Ward: Old Gore** **Grid Ref: 363358,234212**
Expiry Date: 13 November 2017
Local Member: Councillor BA Durkin

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- 1.2 Marcle Ridge and the Three Choirs Way right of way, is approximately 250 metres to the west. There are two fields that lie between the bridle path and the application site that are also part of the applicant's land holding. A mature boundary hedge separating the two fields obscures views of the application site from the Three Choirs Way.
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- 1.4 There are no heritage designations on or adjoining the site.
- 1.5 The surrounding land is predominantly in agricultural use. The application site can be considered to be in an isolated location with only The Noggin, as referenced, and a dwelling Messcott to the north, within 250 metres. The wider site borders Marcle Ridge and falls from west to east towards the small hamlet of Rushall. The hamlets of Little Hill and Hill End lie to the northern extent of the applicant's land and Firs Farm lies to the south.

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- 1.6 The proposal is for the erection of a temporary agricultural workers dwelling with associated parking and residential curtilage.
- 1.7 Members attention is drawn to the parallel application 173477 for the proposed erection of agricultural buildings; associated infrastructure and landscaping to support a new agricultural enterprise. These buildings and infrastructure form the basis of the new business and requirement for the dwelling under consideration.

2. Policies

2.1 Herefordshire Local Plan Core Strategy

SS1	-	Presumption in Favour of Sustainable Development
SS2	-	Delivering New Homes
SS4	-	Movement and Transportation
SS5	-	Employment Provision
SS6	-	Environmental Quality and Local Distinctiveness
RA1	-	Rural Housing Distribution
RA2	-	Herefordshire's Villages
RA3	-	Herefordshire's Countryside
RA4	-	Agricultural, Forestry and Rural Enterprise Dwellings
MT1	-	Traffic Management, Highway Safety and Promoting Active Travel
LD1	-	Landscape and Townscape
LD2	-	Biodiversity and Geodiversity
LD3	-	Green Infrastructure
SD1	-	Sustainable Design and Energy Efficiency
SD2	-	Renewable and Low Carbon Energy
SD3	-	Sustainable Water Management and Water Resources
SD4	-	Waste Water Treatment and River Water Quality

2.2 Neighbourhood Plans

The site is located within the Much Marcle Neighbourhood Area. The Neighbourhood Development Plan is at the examination stage. The Neighbourhood Area was designated on 11 September 2013, Regulation 14 draft plan submitted on 4 November 2016 and Regulation 16 plan submitted on 21 December 2017. The Neighbourhood Development Plan was sent for examination on 27 February 2018.

The following policies are of particular relevance:

Policy SD1	-	Sustainable Development
Policy HO1	-	Housing Sites
Policy HO5	-	Exception Sites outside Much Marcle Settlement Boundary
Objective MM06	-	Value and Support Agriculture as an Integral Part of Our Community
Policy EM1	-	Employment and Economy
Policy NE1	-	Landscape

2.3 National Planning Policy Framework

The following chapters are of particular relevance:

Achieving sustainable development

1. Building a strong, competitive economy
3. Supporting a prosperous rural economy
4. Promoting sustainable transport
7. Requiring good design
11. Conserving and enhancing the natural environment

2.4 The Core Strategy policies together with any relevant supplementary planning documentation can be viewed on the Council's website by using the following link:-

https://www.herefordshire.gov.uk/info/200185/local_plan/137/adopted_core_strategy

3. **Planning History**

3.1 162797 – Proposed erection of agricultural buildings and supporting infrastructure. Withdrawn.

162798 – Proposed erection of temporary agricultural workers dwelling with associated parking and residential curtilage. Withdrawn.

The above planning applications on adjoining land were withdrawn on 21 November 2016 primarily for reasons of their adverse landscape impact.

4. **Consultation Summary**

4.1 Statutory Consultations

Natural England has no comments to make on this application, stating *you may wish to consult your own ecology services for advice and The lack of comment from Natural England does not imply that there are no impacts on the natural environment, but only that the application is not likely to result in significant impacts on statutory designated nature conservation sites or landscapes. It is for the local planning authority to determine whether or not this application is consistent with national and local policies on the natural environment.*

4.2 Internal Council Consultations

4.3 The Transportation Manager states the proposal is acceptable, subject to a number of conditions and informatives. *These are attached to the recommendation, below.*

4.4 The Conservation Manager (Ecology), has no objection, commenting: Thank you for consulting me on this application. This is an attendant application to 173477 and I have read the ecological report from EDP and would agree with the conclusions. Likewise, for this proposal, there is mitigation and enhancement to be implemented and to ensure this I recommend a number of conditions. *These are attached to the recommendation, below.*

4.5 The Public Rights of Way Manager has no objection.

4.6 The County Land Agent supports the application. Commenting –

- The labour requirements are agreed in that there is a demand on standard time basis for 2 + labour units.

- The house will be for a farm worker/manager to live on the holding, and in my opinion the need is clear due to the number of young calves that will be on milk at any one time and are so vulnerable to sudden sickness that if not caught quickly can quickly cause losses, the other stock do not need 24 hour attention, except the ewes at lambing time when a shepherd could be accommodated in a temporary caravan. A dwelling on site will help to ensure the five freedoms of animal welfare.
- It is agreed that rural crime is on the increase, and it is also agreed that it is a contributing factor to the need for a dwelling, in this case temporary, on site.
- It is agreed that there are no suitable houses in the immediate area, and to cover the requirements it has to be in the immediate area.
- Financial, the proposals are sound and there has been caution in the anticipated forecast prices for the stock and arable enterprises. Due to Brexit and the uncertainty concerning subsidies makes forecasting very difficult, I would not anticipate them to continue at the present level, if at all except for conservation, which may well be higher for specific habitats or improving existing ones. It may prove very challenging to achieve the financial objective in 3 years time.

Summary

In my opinion the proposals should produce an efficient small/medium size mixed farm enterprise in 3 years time capable of sustaining a long term farming business. It is appreciated that the first 4 points may seem trivial, but they do need to be addressed to clarify the future management of the farming enterprise.

It has to be accepted that the return on capital will be minimal and that the long term future of small/medium sized mixed farms looks very challenging.

The proposal for the farm to be a starter farm for a young farmer(s) is very welcome and the applicants are likely to be of a very high quality, such opportunities are few and far between.

In my opinion the proposals have every chance of success.

5. Representations

5.1 Much Marcle Parish Council objects to the application for the following reasons:

- Temporary dwelling not temporary a pre-cursor for a permanent dwelling
- Outside the settlement boundary
- Need not proven
- The impact on Marcle Ridge, which is within the Wye Valley AONB
- Run off from the site into the stream, a priority habitat, then into the River Leadon which is a Nitrate Vulnerable zone
- The Impact on the amenities and the bore hole, which is the only source of fresh water, to the neighbouring properties
- Increase of flooding problem, which will be within 20 metres of the borehole

5.2 Eight letters of objection have been received, comments are summarised as:

- The landowner also owns a Woolhope farm at Bent Orchards SO 618368 and a farmstead at Canwood 612368 – a new greenfield development approved a few years ago on the basis of ag business need, including the servicing of land in Marcle parish.
- Concern regarding increased traffic on the local rural road network
- Impact on adjoining amenity

Further information on the subject of this report is available from Mr C Brace on 01432 261947

- Noise and light nuisance
- Impact on character and appearance of the area
- Conflict with Core Strategy policies SD1, SD3 and RA6
- Impact on property values
- Impact on water supplies
- Impact on wildlife
- Adverse landscape impact
- Concern regarding surface water run off and flooding
- Arable farming, not livestock is practiced hereabouts
- No business case for the proposal
- House in open countryside outside settlement boundary
- Upper Greens Place, owned by the applicant and adjacent to his land would make a much more suitable location. The site is only 250 meters to the North of the proposed site. This would be a preferable location as the agricultural workers dwelling already exists.
- Upper Greens Place previously met and still does meet all the criteria required.
- The proposed dwelling is not temporary, it's a permanent structure

5.3 Ledbury Area Cycle Forum (LACF) objects to the application. Herefordshire Council's Highway Design Guide requires that cycle parking be provided for all new residential developments, in the form of a covered, lockable shed or garage.

The LACF further recommends that the level-access storage area is big enough to store one bike per bed-space, and that it is provided with a power point so that it can be used for parking rechargeable electric cycles and mobility scooters, thereby reducing car-dependency.

In spite of references in the Design and Access Statement to 'the promotion of active travel', P173476/F has no provision for cycle storage and therefore does not meet Herefordshire Council's Highway Design Guide requirements nor LACF recommendations.

5.4 The consultation responses can be viewed on the Council's website by using the following link:-

https://www.herefordshire.gov.uk/info/200142/planning_services/planning_application_search/details?id=173476&search=173476

Internet access is available at the Council's Customer Service Centres:-

<https://www.herefordshire.gov.uk/government-citizens-and-rights/customer-services-enquiries/contact-details?q=customer&type=suggestedpage>

6. Officer's Appraisal

6.1 One of the few circumstances in which isolated residential development in the countryside may be justified is when accommodation is required to enable rural enterprise workers to live at, or in the immediate vicinity of their place of work to provide essential supervision and management. The need to make an exception to the general policy approach to development in the countryside in order to meet the requirements of rural businesses has long been recognised and this approach to rural workers has been endorsed by the National Planning Policy Framework.

6.2 Applications for planning permission for new dwellings advanced through Core Strategy policy RA4 will be based on an accurate assessment of the needs of the rural enterprise. Rural enterprises comprise land related businesses including agriculture, forestry and other activities that obtain their primary inputs from the site, such as the processing of agricultural, forestry and mineral products together with land management activities and support services, tourism and leisure enterprises. The sustainability of the business will be scrutinised to ensure any essential need established can be sustained so the criteria set out in Policy RA4 are not abused.

- 6.3 Therefore, in terms of agricultural workers dwellings it will be essential to firstly establish that stated intentions to engage in agriculture are soundly based, reasonably likely to materialise and capable of being sustained for a reasonable period of time. Where proposals are advanced in association with non-agricultural rural enterprises it should also be established that the business could not exist without close and continual supervision.
- 6.4 Policy RA4 – *Agricultural, forestry and rural enterprise dwellings* states:
- Proposals for dwellings associated with agriculture, forestry and rural enterprises will be permitted where it can be demonstrated that there is a sustained essential functional need for the dwelling and it forms an essential part of a financially sustainable business, and that such need cannot be met in existing accommodation. Such dwellings should:*
- 1. demonstrate that the accommodation could not be provided in an existing building(s);*
 - 2. be sited so as to meet the identified functional need within the unit or in relation to other dwellings and*
 - 3. be of a high quality, sustainable design which is appropriate to the context and makes a positive contribution to the surrounding environment and rural landscape.*
- 6.5 Where evidence of the economic sustainability of the rural enterprise is not proven or where an enterprise is not yet established, planning permission for temporary accommodation may be granted for a maximum period of three years to enable the sustainability of the enterprise to be assessed. Successive extensions will not normally be granted. Temporary accommodation should be carefully sited within the unit or in relation to other dwellings.
- 6.6 Dwellings permitted in accordance with this policy will be subject to occupancy controls secured through a Section 106 Agreement. In some situations it will be appropriate to use legal agreements to tie other dwellings to the unit and/or restrict the occupancy of other dwellings within the farm/business unit.
- 6.7 The emerging Neighbourhood Plan states under Policy HO1 – *Housing Sites* criteria C –
- Development proposals for good quality market housing, self-build or custom build, and affordable homes for local people will be supported where they... meet an agricultural or forestry need or other farm diversification enterprise for a worker to live permanently at or near to their place of work and complies with Core Strategy Policy RA4*
- 6.8 Objective MM06 of the NDP is to *Value and support agriculture as an integral part of our community*
- 6.9 The landholding which relates to the proposal was purchased from two neighbouring holdings, The Noggin and Hill End. In total, it extends to some 300 acres located to the west of Much Marcle. The land has been purchased without any farm buildings or residential properties.
- 6.10 The intention is for a standalone farming unit that will run a mixed farming system. The enterprises will include 300 breeding ewes plus lambs that will be finished as fat lambs; a calf rearing enterprise selling to an established marketing company such as Meadow Quality or Blade Farming and a combinable crops enterprise. As far as possible the farm will be self sufficient in terms of animal feed production. The objectives for this business are:
1. To run a profitable and sustainable mixed farming enterprise
 2. To generate value for all partners involved
 3. To help young entrants into agriculture

- 6.11 The principal arable crops will continue to be wheat and oilseed rape. Forage crops will include grass, maize and stubble turnips to be utilised by the livestock enterprises, with maize silage being used as winter forage for the beef enterprise.
- 6.12 A mixed system has been proposed as the most viable option for the business, with suggested benefits including:
- Farm Yard Manure from housing the cattle and sheep (during lambing) can be used on the arable land to add back organic matter and nutrients to the soil.
 - Mixed grazing of cattle and sheep will improve sward quality and will also help to reduce potential health risks and worm burden.
 - The arable operation will provide straw for the livestock operation.
 - A mixed farming system will help to spread the financial risk over a number of enterprises.
 - Buildings will be fully utilised (general purpose agricultural building to be used for grain storage post-harvest and by sheep in the run up to and during lambing).
- 6.13 The sheep flock will consist of approximately 300 breeding ewes, chosen for their relatively high prolificacy and easy care characteristics. The proposal is to graze the flock on some of the grass area with cattle grazing the rest of the grass. Ewes will be scanned in January each year and those scanned with twins or more will be lambed indoors, with singles lambing outdoors. Lambs will be fattened on stubble turnips and sold as finished lambs.
- 6.14 With regards to the beef enterprise, the proposal is for a calf rearing enterprise to be established. The models researched include Blade Farming and Meadow Quality. This requires the business to take in batches of seven day old calves and rear them up to 12 weeks (allowing up to 4 batches per year). Further options under consideration are to take the calves on to approximately 18 months of age and sell as fat cattle and to retain some of the females for breeding if they were deemed to be of good enough quality to establish a suckler herd. The enterprise will be farm assured for both beef and sheep.
- 6.15 Whilst the application is for a temporary agricultural workers dwelling, in the event that permission is granted, the applicants intend replacing that with a permanent dwelling after a three year period, assuming that the enterprise can demonstrate that it is economically sustainable.
- 6.16 The temporary agricultural workers dwelling proposed is considered essential to ensure the new agricultural operation is functional and financially viable as a farmstead. The justification supporting this accommodation requirement is outlined in the Agricultural Needs Report and is accepted by the County Land Agent.
- 6.17 The temporary agricultural workers dwelling is located to the east of the sheep building proposed under parallel application 173477, and set between two existing mature trees. The siting of the temporary agricultural workers dwelling in this location is for two reasons:
- the dwelling is located within sight and sound of the agricultural buildings so that the stocks person can attend to emergency incidences within either proposed agricultural building and
 - the location of the temporary agricultural workers dwelling to the access road is required to provide natural surveillance of people entering the agricultural enterprise.
- 6.18 Furthermore, due to the location of existing mature trees and vegetation which will be supplemented by additional hedgerow planting to the south of the access road, the temporary agricultural workers dwelling will be largely screened from public views from the unclassified road to the east and more broad reaching public views further afield.

- 6.19 The accommodation proposed is a single storey, three bedroom chalet with associated parking and residential curtilage. The dwelling measures 13.5 x 6.8 metres in plan with a height to ridge of 4.64 metres. The chalet is considered to be modest, providing 92 square metres of accommodation, excluding porch. The vehicular access to the temporary agricultural workers dwelling will be the same as for the proposed farm buildings.
- 6.20 In order to ensure that the temporary accommodation is situated on a level platform, a small degree of engineering works will be required. The proposed materials will ensure that the building is sympathetic to the character of the immediate and wider landscape setting. In this respect, it is proposed that the dwelling is finished in horizontal timber boarding set under a timber shingle roof.
- 6.21 The landscape mitigation plan for the overall development under this and the parallel application 173477 includes the creation of a new hedgerow to the south of the proposed access road and additional planting to the west of the existing livestock building which, combined, provide a landscape block reminiscent of the surrounding historic landscape character. An additional copse is to be planted to the north proposed sheep building and temporary agricultural workers dwelling to provide screening and preserve amenity with the neighbouring residential property, *Messcott*. This, combined with location of existing mature trees and vegetation, supplemented by additional hedgerow planting to the south of the access road, results in the temporary agricultural workers dwelling being largely screened from public views from the unclassified road to the east and more broad reaching public views further afield. Appropriate conditions ensure the implementation, retention and management of the landscaping.
- 6.22 On the basis of design, context and landscape impact, the proposed temporary dwelling is considered to meet the relevant policies of the Core Strategy and NPPF.
- 6.23 The Applicant owns a dwelling, Upper Greens Place, which is 600m to the north of the application site. Planning permission under 163596 for a 'replacement dwelling' was granted in January 2017 and its occupancy is not subject to a restrictive conditions. Members should note a current application under 180153 is being considered to vary the previously approved plans.
- 6.24 The applicants' agent advises that the applicant intends to implement this permission as an open market dwelling and once built, states it would far exceed the accommodation requirements of a stocks person. Members are advised that the lack of any occupancy restriction on Upper Greens Place does not preclude its occupation by an agricultural worker. Officers would also state that the basis of that application was to retain an existing undesignated heritage asset, the original modest cottage as an ancillary building, and allow a new build contemporary dwelling as opposed to allowing the demolition and replacement of the cottage which contributes to the character and appearance of the landscape.
- 6.25 The applicants contend that the existing dwelling (or the approved replacement) at Upper Greens Place is not within sight and sound of the livestock that would be housed in the agricultural buildings and therefore, it would not meet the functional requirements of the agricultural enterprise. For this reason, the dwelling at Upper Greens Place is suggested by the applicant as not reasonable, alternative accommodation and it is not available for use as a dwelling associated with the agricultural enterprise.
- 6.26 In landscape terms, it is considered this proposal and that under consideration pursuant to 173477 is preferable and more readily assimilated into the landscape than development at and around Upper Greens Place would be, given the relative exposed nature and greater visibility of that location, including from the Three Choirs Way and Marcle Ridge. It is also considered, albeit marginally, that the proposed site is preferable on highway grounds as it has better connectivity to the main and strategic road network.

- 6.27 The objections raised by third parties are noted but having regard to the lack of objection from technical consultees and the ability to control and mitigate the impact of the development through conditions attached to the recommendation, it is considered that the proposal is worthy of support.
- 6.28 Furthermore, on the basis that the proposal is for a temporary dwelling, and with regards to the criteria of policy RA4, a Section 106 agreement is not considered necessary in light of the temporary nature of the proposal. Should a subsequent permanent dwelling be sought this would need to be secured by a legal agreement restricting occupancy and tying the dwelling to the landholding. As such on the basis of the assessment set out above, approval is recommended.

RECOMMENDATION

That planning permission be granted subject to the following conditions and any other further conditions considered necessary by officers named in the scheme of delegation to officers:

:

1. **A01 - Time Limit for Commencement**
2. **B02 - Development in Accordance with Approved Plans and Details**
3. **H03 - Visibility Splays**
4. **H09 - Driveway Gradient**
5. **H06 - Vehicular Access Construction**
6. **H13 - Access, Turning Area and Parking**
7. **H20 - Road Completion in 2 Years**
8. **H27- Parking for Site Operatives**
9. **H29 - Secure Covered Cycle Parking Provision**
10. **The recommendations for species mitigation and habitat enhancements set out in the ecologist's report from EDP dated August 2017 should be followed unless otherwise agreed in writing by the local planning authority. A working method statement for protected species together with an enhancement plan integrated with the landscape scheme should be submitted to the local planning authority in writing. The plan shall be implemented as approved.**

Reason: To ensure that all species are protected having regard to the Wildlife and Countryside Act 1981 (with amendments and as supplemented by the Countryside and Rights of Way Act 2000), the Natural Environment and Rural Communities Act 2006 and the Conservation of Habitats and Species Regulations 2010 (and 2012 amendment) and to comply Herefordshire Council's Policies LD2 Biodiversity and Geodiversity, LD3 Green Infrastructure of the Herefordshire Local Plan Core Strategy 2013 – 2031 and to meet the requirements of the National Planning Policy Framework (NPPF).
11. **An appropriately qualified and experienced ecological clerk of works should be appointed (or consultant engaged in that capacity) to oversee the ecological mitigation work.**

Reason: To ensure that all species are protected having regard to the Wildlife and Countryside Act 1981 (with amendments and as supplemented by the Countryside and Rights of Way Act 2000), the Natural Environment and Rural Communities Act 2006 and the Conservation of Habitats and Species Regulations 2010 (and 2012 amendment) and to comply Herefordshire Council's Policies LD2 Biodiversity and Geodiversity, LD3 Green Infrastructure of the Herefordshire Local Plan Core Strategy 2013 – 2031 and to meet the requirements of the National Planning Policy Framework (NPPF).

12. **F13 - Restriction on Separate Sale**
13. **F14 - Removal of Permitted Development Rights**
14. **F20 - Temporary Permission and Reinstatement of Land**
15. **F27 - Agricultural Occupancy**
16. **No development shall take place on the construction of the temporary dwelling as hereby permitted until the agricultural buildings approved under planning permission 173477 have been constructed are ready for use.**

Reason: Having regard to the agricultural need, ensuring the agricultural business is established and to facilitate the integration of the dwelling into the landscape in this open countryside location and to comply with Herefordshire Core Strategy policies SS1, RA3, RA4, LD1 and SD1

17. **G02 - Retention of Trees and Hedgerows**
18. **G04 - Protection of Trees/Hedgerows that are to be Retained**
19. **G10 - Landscaping Scheme**
20. **G11 - Landscaping Scheme – Implementation**
21. **I32 - Details of Floodlighting/External Lighting**
22. **I18 - Scheme of Foul Drainage Disposal**

INFORMATIVES:

1. **The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against planning policy and any other material considerations, including any representations that have been received. It has subsequently determined to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.**
2. **HN01- Mud on Highway**
3. **HN04 - Private Apparatus within Highway**
4. **HN05 - Works within the Highway**
5. **HN10 - No Drainage to Discharge to Highway**

Further information on the subject of this report is available from Mr C Brace on 01432 261947

6. **HN24 - Drainage other than via Highway System**

7. **HN28 - Highways Design Guide and Specification**

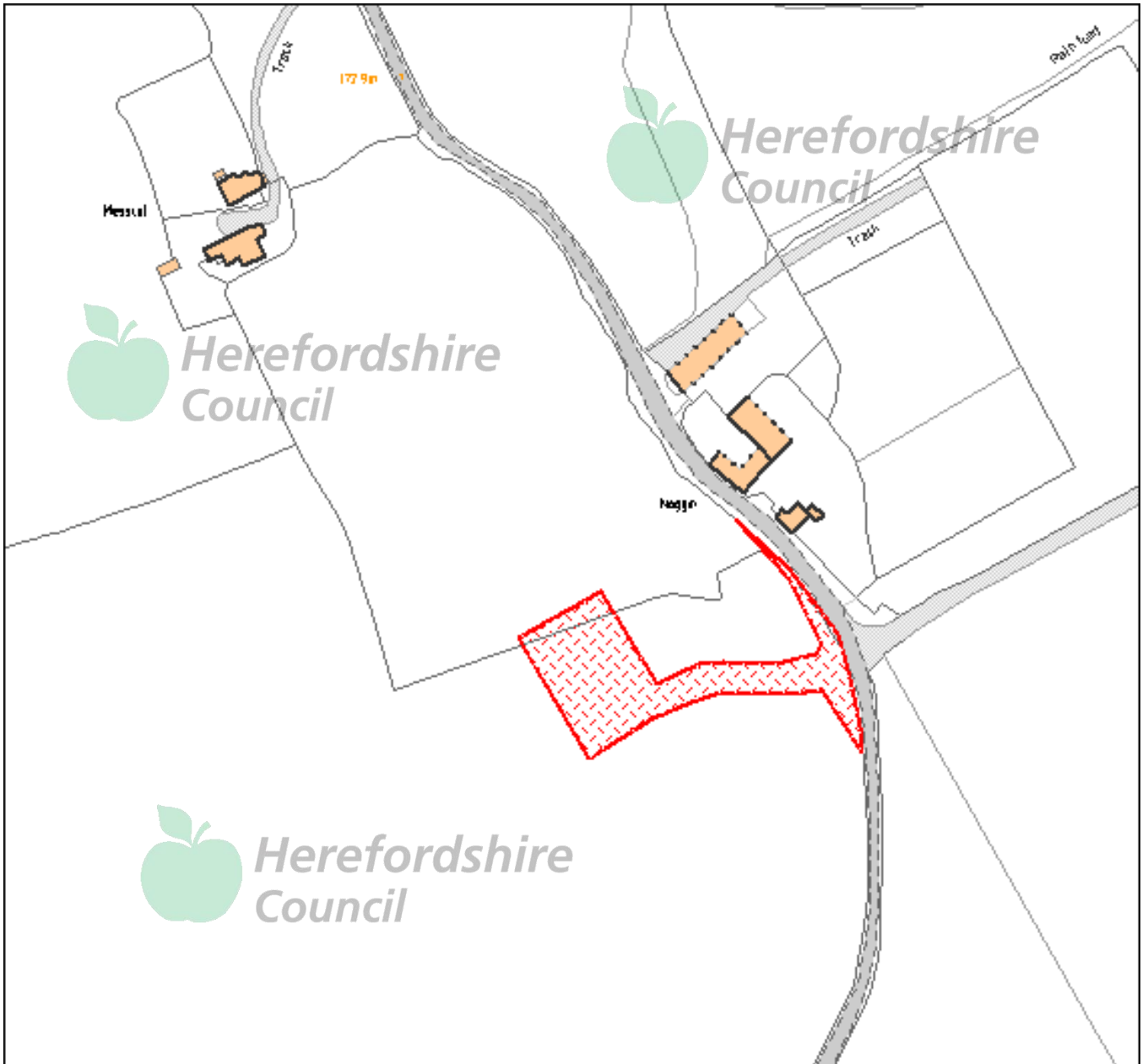
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



This copy has been produced specifically for Planning purposes. No further copies may be made.

APPLICATION NO: 173476

SITE ADDRESS : LAND TO THE WEST OF THE NOGGIN, MUCH MARCLE, HEREFORDSHIRE

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MEETING:	PLANNING AND REGULATORY COMMITTEE
DATE:	14 MARCH 2018
TITLE OF REPORT:	174198 - PROPOSED NEW 3 BEDROOM, SINGLE STOREY, ECO-FULLY-ACCESSIBLE HOUSE AT LAND AT SOUTH LEA, ASTON CREWS, ROSS-ON-WYE, HR9 7LW For: Mrs Burns per Studio Bark, Studio 1k Autumn Yard, Autumn Street, London E3 2TT
WEBSITE LINK:	https://www.herefordshire.gov.uk/info/200142/planning_services/planning_application_search/details?id=174198&search=174198
Reason Application submitted to Committee – Departure from Development Plan	

Date Received: 7 November 2017

Ward: Penyard

Grid Ref: 367156,223189

Expiry Date: 8 January 2018

Local Member: Councillor H Bramer

1. Site Description and Proposal

- 1.1 The application site is in a countryside location outside of any settlement designated under Core Strategy policy RA2. The site is part of an agricultural land holding adjoining the main built form of Aston Crews, a small hamlet featuring a public house which is located between the villages of Lea and Aston Ingham, both designated RA2 settlements with a range of services and facilities. There are no landscape or heritage designations on or adjoining the site.
- 1.2 The proposal is for a three bedroom single storey fully accessible 'eco house' with a gross internal area of 127 square metres together with associated landscaping and drainage.

2. Policies

2.1 Herefordshire Local Plan Core Strategy

SS1	-	Presumption in Favour of Sustainable Development
SS2	-	Delivering New Homes
SS5	-	Employment Provision
SS6	-	Environmental Quality and Local Distinctiveness
SS7	-	Addressing Climate Change
RA1	-	Rural Housing Strategy
RA2	-	Herefordshire's Villages
RA3	-	Herefordshire's Countryside
LD1	-	Landscape and Townscape
LD2	-	Biodiversity and Geodiversity
LD3	-	Green Infrastructure
SD1	-	Sustainable Design and Energy Efficiency

Further information on the subject of this report is available from Mr C Brace on 01432 261947

- SD2 - Renewable and Low Carbon Energy
- SD3 - Sustainable Water Management and Water Resources

National Planning Policy Framework – NPPF

2.2 The following sections of the NPPF are considered particularly relevant to the assessment of this application:

- Introduction - Achieving Sustainable Development
- Section 6 - Delivering a Wide Choice of High Quality Homes
- Section 7 - Requiring Good Design
- Section 10 - Meeting the Challenge of Climate Change, Flooding and Coastal Change
- Section 11 - Conserving and Enhancing the Natural EnvironmentHerefordshire Core Strategy

2.3 Neighbourhood Development Plan

No Neighbourhood Area designated

2.4 The Core Strategy policies together with any relevant supplementary planning documentation can be viewed on the Council's website by using the following link:-

https://www.herefordshire.gov.uk/info/200185/local_plan/137/adopted_core_strategy

3. **Planning History**

3.1 None

4. **Consultation Summary**

Statutory Consultations

4.1 Natural England has no objection – Natural England has assessed this application using the Impact Risk Zones data (IRZs). Natural England advises your authority that the proposal, if undertaken in strict accordance with the details submitted, is not likely to have a significant effect on the interest features for which Wye Valley & Forest of Dean Bat Sites SAC has been classified. Natural England therefore advises that your Authority is not required to undertake an Appropriate Assessment to assess the implications of this proposal on the site's conservation objectives.

In addition, Natural England is satisfied that the proposed development being carried out in strict accordance with the details of the application, as submitted, will not damage or destroy the interest features for which the Wigpool Ironstone Mine SSSI has been notified. We therefore advise your authority that this SSSI does not represent a constraint in determining this application. Should the details of this application change, Natural England draws your attention to Section 28(l) of the Wildlife and Countryside Act 1981 (as amended), requiring your authority to re-consult Natural England.

Welsh Water has no objection – As the applicant intends utilising a private treatment works we would advise that the applicant contacts The Environment Agency / Herefordshire Council Land Drainage Department who may have an input in the regulation of this method of drainage disposal.

Internal Council Consultations

- 4.2 Transportation Manager – Proposal acceptable, subject to conditions and / or informatives being attached to any planning permission. *These are set out in the recommendation, below.* No objection after ownership issue was resolved.

Conservation Manager (Ecology) – Thank you for consulting me on this application. I have read the ecological survey and the great crested newt survey and I am content with the findings. The mitigations proposed are acceptable. In relation to bats, I would wish to highlight the importance of enhancing the site conditions. I note that no hedgerows are to be removed and the mitigations proposed are suitable but enhancement should be fully detailed incorporated into the landscape scheme. The site is within 4 km of the Forest of Dean Bat Site Special Area of Conservation and I have completed an appraisal of the potential impact on bats from this site as an HRA screening brief as follows:

Details of potential HRA issue:

The scale and nature of this householder application has a low risk to the bats (qualifying features) Forest of Dean Bat Sites SAC. The site is approximately 4 km in direct line to Wigpool Common but bats ranging from hibernation sites are more likely to utilize flight lines such as hedgerows (eg lesser horseshoe, some *Myotis* spp), or stream channels (Daubentons) involving a more considerable distance. The development site and its immediate environs is intensively managed agricultural land only partially populated with hedges and trees. There is no substantial woodland at the site which might provide foraging or roosting for such as noctule, bechstein or barbastell bats. The site would is not conducive over and above other sites for significant bat activity from the bat hibernation sites.

CONCLUSION: No Likely Significant Effect

With regard to mitigation and enhancements required I would suggest a number of non-standard conditions are added to any approval. *These are set out in the recommendation, below.*

5. Representations

- 5.1 Aston Ingham Parish Council do not have any objections to the proposed application, but have reservations about the drainage arrangements as there have apparently been problems with flooding in the past.
- 5.2 Two comments have been received from local residents, one supporting the application and the other a general representation, as follows:
- As the owner of the neighbouring property I'd like to record my support for this application. I believe it will be a building of distinction that will provide an exemplar for Herefordshire and improve the village
 - The proposed site is not in a flood plain but is subject to extensive seasonal flooding due to road water run off & springs in the hillside opposite. A nearby pond would provide a good catchment to extensive site drainage
 - A recent application on my property for a green roof was rejected. Green roofs are difficult to maintain & this is an application for a person with mobility problems a pitched roof would be better & provide a platform for solar panels & rain harvesting in line with the ecological application
 - A site survey to establish the contours and a floor slab level should be part of the planning conditions to ensure the low profile of the building is not left to a contractor.
 - Internally hinged doors are a problem for wheelchair access & door & corridor widths should take this into account

- These comments are meant to be constructive from someone living adjacent to the site & witnessing its problems

5.3 The consultation responses can be viewed on the Council's website by using the following link:

https://www.herefordshire.gov.uk/info/200142/planning_services/planning_application_search/details?id=174198&search=174198

Internet access is available at the Council's Customer Service Centres:

<https://www.herefordshire.gov.uk/government-citizens-and-rights/customer-services-enquiries/contact-details?q=customer&type=suggestedpage>

6. Officer's Appraisal

Legislation and Policy

- 6.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states *"If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."*
- 6.2 The development plan for Herefordshire is the Herefordshire Local Plan – Core Strategy. There is no Neighbourhood Development Plan.
- 6.3 Core Strategy policy RA1 – *Rural housing distribution* sets out the strategic way housing is to be provided within rural Herefordshire and to deliver a minimum 5,600 dwellings. Herefordshire is divided into seven Housing Market Areas (HMAs) in order to respond to the differing housing needs, requirements and spatial matters across the county.
- 6.4 Core Strategy policy RA2 – *Housing outside Hereford and the market towns* identifies the settlements in each HMA area where both the main focus of proportionate housing development will be directed, along with other settlements where proportionate housing growth is appropriate.
- 6.5 Aston Ingham is within the Ross on Wye HMA and one of thirty one settlements designated to be the main focus of proportionate growth in that HMA. The Ross on Wye HMA is to provide a minimum 1150 dwellings in the Plan period with an indicative housing growth target of 14%. It is noted the application site is located outside of what is considered to be the main built form of Aston Ingham and is also not adjacent to it.
- 6.6 Core Strategy policy RA3 – *Herefordshire's countryside* identifies exceptional circumstances where residential development can occur within the open countryside outside settlements listed under RA2 or Hereford city and the market towns.
- 6.7 The local authority is currently failing to provide a 5 year Housing Land Supply, plus a 20% buffer, which must be met by all local authorities in accordance with paragraph 47 of the NPPF. Paragraph 49 of the NPPF states that *'relevant policies for the supply of housing should not be considered up to date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites'*.
- 6.8 Paragraph 14 of the NPPF states that there *"is a presumption in favour of sustainable development and for decision taking this means... where the development plan is absent, silent or relevant policies are out of date, granting planning permission 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... or specific policies in this Framework indicate development should be restricted."*

- 6.9 In reaching a decision upon new housing, the housing land supply position will need to be balanced against other factors in the development plan and/or NPPF which could result in the refusal of planning permission. This site is therefore assessed and considered on its suitability as being sustainable in regards its location and other material constraints and considerations.
- 6.10 This means permission should be granted unless adverse impacts would significantly and demonstrable outweigh the benefits when assessed against the NPPF's policies taken as a whole. This would also apply where specific policies in the NPPF indicate development should be restricted.

Assessment

- 6.11 The application is presented as a departure from development plan policies and the following considerations are particularly relevant:
- The Council's housing land supply position
 - The relative sustainability of the site with regard to its location and proximity to RA2 settlements of Aston Ingham and Lea and facilities at the undesignated settlement of Aston Crews
 - Landscape and biodiversity enhancement
 - The proposal is considered to represent high quality contemporary design and architecture, raising the standards of design locally and presenting an example of what can (and should) be achieved in terms of design quality.
- 6.12 It is recognised that the site is not locationally sustainable in the purest policy terms as it is not within or adjoining any settlement listed under Core Strategy policy RA2. The site is however located within and adjoining the main built form of Aston Crews, an undesignated settlement of some 20 dwellings with direct road links to Aston Ingham and Lea. Aston Crews also has a public house. Aston Ingham, a settlement identified under Core Strategy RA2 as a suitable location for residential development, is some 1.5km to the east. Furthermore Lea is reasonably accessible from the site. The site adjoins nine dwellings and their curtilages and is an agricultural field bounded by the B4222, C1280 and an unclassified road. Agricultural land and the wider open countryside extend to the west and south-west. Furthermore, it is advised that sustainability is more than just a matter of location. The NPPF states that good design is a key aspect of sustainable development and as such is indivisible from good planning. Amongst other things, it states that decisions should aim to ensure that developments function well and add to the overall quality of the area; and optimise the potential of the site to accommodate development. Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.
- 6.13 The NPPF sets out 12 core land-use planning principles in paragraph 17 which should underpin decision taking. These include the principle to *'proactively drive and support sustainable economic development to deliver homes, businesses and industrial units, infrastructure and thriving places that the country needs'*. Amongst the core planning principles set out in paragraph 17 of the Framework are that plan making and decision taking *should conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations.*
- 6.14 If a proposal is considered to represent sustainable development, then the decision taker is required by paragraph 14 of the NPPF and Core Strategy policy SS1 to engage the positive presumption in favour of the proposal. The Government's definition of sustainable development is considered to be the NPPF in its entirety, though a concise list of core planning principles is offered at paragraph 17. In terms of residential development, bullet points 4, 5 and 7 of this paragraph are considered to be most relevant:

4. Always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings;
 5. Takes account of the different roles and character of different areas, recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it;
 7. Contribute to conserving and enhancing the natural environment and reducing pollution
- 6.15 Paragraph 9 of the NPPF states that pursuing sustainable development involves seeking positive improvements in the quality of the built, natural and historic environment, as well as in people's quality of life, including (but not limited to) improving the conditions in which people live, work, travel and take leisure. The Ministerial foreword to the NPPF states *our standards of design can be so much higher. We are a nation renowned worldwide for creative excellence, yet, at home, confidence in development itself has been eroded by the too frequent experience of mediocrity* and goes on to set out the Government's policies, aims and objectives in Section 7 Requiring Good Design, paragraphs 56-68.
- 6.16 It is clear from the NPPF that the Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. Paragraph 58 states planning policies and decisions should aim to ensure that developments:
- will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
 - establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit;
 - optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses (including incorporation of green and other public space as part of developments) and support local facilities and transport networks;
 - respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation;
 - create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion; and
 - are visually attractive as a result of good architecture and appropriate landscaping.
- 6.17 Paragraph 55 states: *To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. For example, where there are groups of smaller settlements, development in one village may support services in a village nearby. Local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances.*
- 6.18 Paragraph 61 acknowledges that although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Therefore, planning policies and decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment.
- 6.19 Section 11 of the NPPF, titled 'Conserving and enhancing the natural environment' in its opening paragraph 109, sets out *The planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes.*
- 6.20 Core Strategy policy SS6 describes proposals *should conserve and enhance those environmental assets that contribute towards the county's distinctiveness, in particular its settlement pattern, landscape, biodiversity and heritage assets and especially those with specific environmental designations.*

6.21 Policy SS6 then states in its list of criteria:

Development proposals should be shaped through an integrated approach and based upon sufficient information to determine the effect upon landscape, townscape and local distinctiveness, especially in Areas of Outstanding Natural Beauty.

6.22 Core Strategy policy LD1 criteria require new development to achieve the following:

- *demonstrate that character of the landscape and townscape has positively influenced the design, scale, nature and site selection, including protection and enhancement of the setting of settlements and designated areas;*
- *conserve and enhance the natural, historic and scenic beauty of important landscapes and features, including Areas of Outstanding Natural Beauty, through the protection of the area's character and by enabling appropriate uses, design and management*

6.23 Policy RA2 states housing proposals will be permitted in designated settlements where the following criteria are met:

1. Their design and layout should reflect the size, role and function of each settlement and be located within or adjacent to the main built up area.

2. Their locations make best and full use of suitable brownfield sites wherever possible;

3. They result in the development of high quality, sustainable schemes which are appropriate to their context and make a positive contribution to the surrounding environment and its landscape setting; and

4. They result in the delivery of schemes that generate the size, type, tenure and range of housing that is required in particular settlements, reflecting local demand.

6.24 Policy RA3 Criterion 6 allows for dwellings of exceptional quality and innovative design satisfying the design criteria set out in paragraph 55 of the NPPF and achieving sustainable standards of design and construction.

6.25 In light of the above assessment, it is considered that the proposal would help support the community and facilities of Aston Crews and nearby identified settlements and is representative of sustainable development warranting in principle support and having regard to paragraph 55 of the NPPF does not represent isolated new development in the countryside.

Assessment of Proposed Design

6.26 The dwelling is a single storey unit with a square plan form featuring an internal garden courtyard and external terracing. The dwelling has a consistent height from finished floor level of 3.1 metres. The proposal is modest in size and presented as a low maintenance dwelling, with a completely open plan interior space. The comprehensive landscaping proposal is intrinsic to the development and integration of the built form to its context and setting.

6.27 The massing of the dwelling is derived from its fully accessible internal layout, creating a form that reflects the function. The concept has been developed from an appreciation and assessment of the rural setting and the idea of architecture transforming over time and with the seasons. A lightweight frame sits over the form expressing the structure of the building, while providing the support for plants to grow and gradually envelop the frame.

- 6.28 The garden courtyard is a principal feature of the design. The living accommodation encloses the garden courtyard. This space will be surrounded by low maintenance climbers, that over the years will grow up and over the structure, providing shading during the summer. Species such as Wisteria, Clematis and Honeysuckle will be chosen to enhance biodiversity.
- 6.44 The site benefits from being in a high quality landscape location with dramatic views across a valley. This has, with the environmental strategy, shaped the design of the dwelling.
- 6.45 The environmental strategy underpinning the design aims to ensure occupants are able to adapt the space to their needs over their lifetime. The form has been designed to maximise ventilation with high-level openings at the perimeter and internal courtyard to draw the air through the space and circulate fresh air. Additionally the width of the space is kept to a minimum with window openings on either side of the space to create cross-ventilation.
- 6.46 The solar strategy has informed the development's design for the building location and form. Orientated as it is, the location of the glazing on the southwest corner provides solar heat gain on to a concrete floor in the winter. The trellis will provide solar shading during the summer to avoid overheating.
- 6.47 Each bedroom space has a pivot window and a minimum room depth to create cross-ventilation. The design principle here is to allow for a large picture window to the views across the fields without compromising the environmental design of the room. Partially set down in the ground and shaded from the sun these rooms will be well insulated and stay a consistent temperature throughout the year. The "living zone" is orientated to the south-east and south-west axis, with glazing on the southern corner to maximise solar gains. While the "sleeping zone" is orientated to the northeast and north-west.
- 6.48 A feature of the design is to ensure all living spaces are naturally lit. The central courtyard allows light to penetrate into the centre of the living space maintaining a natural light source through out the day. This again, reduces energy consumption, and adds to the sustainability of the proposal.
- 6.49 In light of the significant weight being attributed to the design quality and sustainability credentials of the proposed dwelling, it is considered appropriate to assess these in some detail. The principles underpinning the proposal are as follows:

Solar Gain and Solar Shading

- 6.50 The building has been placed to minimise unwanted solar gain in the summer and maximise solar gains in the winter. Deep window reveals have been designed as fixed solar shading. The hot summersun is blocked out by the overhang, whereas the cooler winter sun is able to enter into the thermal envelope.
- 6.51 The trellis on the south-east to south-west facades creates season specific solar shading. During the summer the climbing plants will fill out, shading the interior from overheating while the low winter sun will penetrate through the thinning plants into the living space. A combination of these passive elements provide a zero impact and season specific passive heating and cooling system.

Fabric First Approach to Materials

- 6.52 Materials would be locally sourced to minimise carbon footprint, for building and technical features include:
- Highly insulated and airtight timber frame
 - U values (thermaltransfer) of between 0.1- 0.15 W/(m²K) provide fantastic building fabric performance (more than 2 times better than current building regs)
 - Use of timber in the building industry helps to sequester carbon from the atmosphere
 - Timber frame construction ensures that the building is lightweight, robust, flexible and cost effective
 - Aim for airtightness of 0.6m³/(h·m²) at 50 Pa (more than 10 times current building regs)
- 6.53 Wood fibre insulation will be used where appropriate as a sustainable alternative but also achieving higher U-values and healthier living environment. All glazing would be triple glazed to reduce heat loss with U-values equal to or less than 0.85 W/(m²K).
- 6.54 To maximise the thermal mass behind southern glazing, ground granulated blast-furnace slag 'GGBS' is to be used. Ground granulated blast-furnace slag is a by-product of iron and steel making which would otherwise not be utilised. GGBS concrete is combined with Portland cement to create a more sustainable more durable product which can last up to twice as long as ordinary concrete and as it is a primarily recycled product, this reduces the carbon footprint of using concrete significantly. GGBS is also recognised by Leadership in Energy and Environmental Design (LEED) as improving the sustainability of projects, and will count towards certification.
- 6.55 Concrete has a very high density and as a result, the proposed GGBS groundslab provides high levels of thermal mass. The exposed polished GGBS screed creates a dense element absorbing the sun's heat, only releasing it into the space once the internal temperature drops, hugely improving the thermal stability of the whole building and reduces the cost of heating the space.

Passive Ventilation

- 6.56 The application also sets out the following features:
- Openable window positions for natural cross ventilation
 - Openable windows are positioned and sized to make the most of the prevailing wind, maximising the potential for natural cross-ventilation and periodic air purging
 - Ceiling height to plan depth ratio is kept to a maximum, promoting passive airflow around the building
 - The heightened living space with high level windows creates the opportunity for stack ventilation and periodic air purging at the centre of the house

Lifetime home

- 6.57 The layout circulating around a central garden is a consequence of the approach to accessibility. The layout and form reflecting the building's function and despite the sloping site, a single level dwelling is created. Features in the dwelling that enhance livability, inclusivity and house for life approach include:
- Level external entry with a covered porch and flush threshold at entry door.
 - Identifiable entry and approach to the building.
 - Provision for wheelchair storage adjacent to the main entry.
 - Open plan living area provides easy access without obstruction.
 - Low level and inclusive furniture, hardware and fittings.

Further information on the subject of this report is available from Mr C Brace on 01432 261947

- Step free access to sleeping areas.
- All bedrooms to be accessible, with sufficient space and structure above the ceiling to fit a single point static hoist above the bed.
- Wide 1.2m hallway circulating around the garden courtyard, free from obstruction.
- Wheelchair accessible bathrooms with structural provision for ceiling mounted hoist.
- All heights of electrical outlets, switches, controls and meters to follow BS 9266:2013 Fig. 5
- Full-height glazing to allow seated occupants to benefit from the views out.
- Step free access out to terrace.
- Step free access to external store and plant room.
- Internal wayfinding for easy navigation and seamless transition through out the space

6.58 The technical details and design finishes described above will be secured by condition and form part of the high sustainability and design qualities that are considered to justify and underpin the Officer recommendation of approval. On this basis and having regard to the above, the proposal is considered to satisfy the design and built sustainability requirements of Core Strategy policies SS1, SS6 and SS7, RA3, LD1, SD1, SD3 and SD4 and the relevant design aims and objectives of the NPPF.

Landscape Character

- 6.59 Paragraph 17 of the NPPF describes twelve core planning principles. This includes taking account of the different roles and character of different areas, recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it, and contributing to conserving and enhancing the natural environment and reducing pollution
- 6.60 Section 11 of the NPPF – *Conserving and enhancing the natural environment*, in its opening paragraph 109, sets out *The planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes.*
- 6.61 Core Strategy policy SS6 describes proposals *should conserve and enhance those environmental assets that contribute towards the county's distinctiveness, in particular its settlement pattern, landscape, biodiversity and heritage assets and especially those with specific environmental designations.* Policy SS6 then states in its list of criteria that *Development proposals should be shaped through an integrated approach and based upon sufficient information to determine the effect upon landscape, townscape and local distinctiveness, especially in Areas of Outstanding Natural Beauty.*
- 6.62 Core Strategy Policy LD1 – *Landscape and townscape* states Development proposals should:
- *Demonstrate that character of the landscape and townscape has positively influenced the design, scale, nature and site selection, protection and enhancement of the setting of settlements and designated areas;*
 - *Conserve and enhance the natural, historic and scenic beauty of important landscapes and features, including Areas of Outstanding Natural Beauty, nationally and locally designated parks and gardens and conservation areas; through the protection of the area's character and by enabling appropriate uses, design and management;*
 - *Incorporate new landscape schemes and their management to ensure development integrates appropriately into its surroundings; and*
 - *Maintain and extend tree cover where important to amenity, through the retention of important trees, appropriate replacement of trees lost through development and new planting to support green infrastructure.*

- 6.63 There are no formal landscape designations applicable to the site or its location but inextricably linked into the concept of accounting for the locality within a Paragraph 55 dwelling is the landscape design. In this case it is considered that landscape considerations and context along with an overall enhancement of the landscape setting has underpinned and influenced the design and resultant proposal as a whole.

Landscape and Visual Effects

- 6.64 Significant assessment and consideration has been given to the landscape character and how the proposal can integrate and enhance the landscape character and provide ecological benefits. There are as a result, seven landscape elements to the proposal –

Wild Flower Garden & Green Roof

- 6.65 A wild flower meadow is proposed to the east, framing the new building upon entering the site and blending with the green roof. Species to be used as recommended by the Ecologist include: Snowdrop, Garlic mustard, Primrose, Wood anemone.

Mixed Hedgerow

- 6.66 To further reduce the visual impact of the new property a new hedgerow will be introduced hugging the new building to the north and circulating around to the site entrance to define the domestic gardens. Furthermore the hedge to the west directs your views out of the building creating a viewing corridor out over the Wye Valley. The hedgerow will be planted with local species identified in the Ecology report such as; Field maple, Blackthorn, Crab apple, Hawthorn, Holly. Within the hedgerow Schwegler insect boxes will be installed to enhance biodiversity.

Domestic Orchard

- 6.67 The landscaping builds on the orchard heritage of Herefordshire. Historic maps indicated an orchard just south of the proposed site. It is therefore historically appropriate to bring back the traditional character of the landscape with the introduction of an apple orchard. The layout is set on a 6 metre grid in line with the recommended planting distances. The orchard is located to the north of the site wrapping around from east to west to obscure views from the neighbouring properties. The planting of local species, such as the Russet Apple, enhances the historic accuracy of the proposals and legacy of the landscape herreabouts.

Gabion Retaining Walls

- 6.68 The building is set into the hillside by using gabion retaining walls that will be exposed on the cut faces. It is envisaged grass will grow over the top edge leaving the inside faces exposed. The gabions will therefore be faced with rocks found on site and locally quarried sandstone, for a red-brown finish.

Site Enclosure

- 6.69 The site will be 'fenced off' with a new hedgerow planted to the southern boundary.

Domestic Garden

- 6.70 The end of the gabion retaining wall creates a small hard landscaped seating area in close proximity to the kitchen. It will slightly sunken at the level of the house creating a private area that is not overlooked by the neighbours.

The Trellis

- 6.71 As part of the architectural detailing the trellis will be planted with local species identified in the Ecological Report. This feature will not only work with the dwelling it will also create nesting areas for birds and increase biodiversity more generally.

Grasslands

- 6.72 This area will remain much the same in nature as existing, however resown and enhanced with a native grass mix as identified in the Ecology report.
- 6.73 These individual and cumulative landscape proposals represent not only sensitive appropriate responses to context but are also considered to represent landscape and biodiversity enhancements that would not be delivered without the development. Whilst enhancing the site, these will also enhance the wider location and setting of Aston Crews. As such Core Strategy policies SS6, LD1, LD4 and SD1 and the relevant landscape aims and objectives of the NPPF are satisfied.

Highways

- 6.74 The site is currently accessed to the north from Bures Road, with large trees lining the entrance to the west and a hedgerow to the east. The proposed access to the site uses the existing entry point to the farm just off B4222 which has a speed limit of 60mph. The use of the existing access avoids disruption along the main highway. The new house access will be shared with the entry road currently catering for farm vehicles as well as entry to the existing house, at Southlea. Visibility splays will therefore be maintained at the site entrance.
- 6.75 A newly proposed permeable driveway will run from the east heading west following the contours of the land and existing dirt track to the farm. The road will then split curving back up to the proposed new dwelling. This has been located to avoid trees, however it will be located within the Root Protection Area of one large tree. It is therefore proposed to use a cellular underlay grid such as Terram *Bodpave 85*, for root protection, gravel retention and ground stability. This system also allows for surface water to drain away naturally preventing unwanted surface water retention. Any excavation around this zone would be done in accordance with a tree root protection plan meeting the relevant British Standards.
- 6.76 Parking is provided directly from the driveway with 2 parking spaces (2.5x5metres) with access to the side for wheelchair access into the dwelling. The new dwelling also provides external storage area at the side entrance. Additionally the single access route down to the dwelling has a turning circle at the house to ensure vehicles can manoeuvre with ease through the site.
- 6.77 The hard landscaping is important to be even and stable for use with a wheelchair. The surfacing will be Terram's *BODPAVE 40* which is an open cell structure that allows unrestricted water infiltration to be used as part of Sustainable Urban Drainage Systems (SUDS).
- 6.78 It is not considered that the proposed dwelling will result in a serious adverse effect upon the highway network as there will not be a significant intensification of vehicle use to and from the site. It is noted the Transportation Manager has no objection and accordingly, the proposal satisfies CS policy MT1.

Ecology

- 6.79 The Council's Ecologist has reviewed the application and the ecological survey accompanying the application, along with the great crested newt survey and is content with the findings. He comments that the mitigations proposed are acceptable, and recommends approval with conditions with respect to the ecological remit of his position.

6.80 A number of biodiversity enhancements are proposed. The significant landscaping strategy utilising appropriate planted species, detailed above, provides a raft of ecological and biodiversity enhancements and benefits. BAP priority habitats such as native species-rich hedgerow planting and native wildflower grassland sowing features as habitat creation within the development. Further to that, other measures include bird and bat boxes.

Drainage

6.81 In addition to the land within the applicant's control and topography of the site, the significant landscape planting will reduce surface water run off and increase infiltration rates. This has a net betterment over the existing situation as an open field. A detailed drainage strategy would be secured by condition.

Conclusion

6.82 The proposal, notwithstanding its location, is considered to be representative of sustainable development, being of a high quality design with landscape and ecological enhancements which comply with relevant local and national planning policies. The proposal makes a modest contribution to housing delivery in a relatively sustainable location and in an aspirational and exemplary manner. The proposal will raise design standards locally.

6.83 As part of this conclusion, weight has been given to the Council's housing land position, which combined with the above, leads to the view that the proposal is a sustainable form of development, compliant with the NPPF. Reference is made to Core Strategy policies SS1, SS6, RA3, LD1, LD4 and SD1 and the relevant aims and objectives of the NPPF along with the lack of a Neighbourhood Plan that can be attributed any weight. As such, assessing the planning balance, the benefits of the proposal including enhancement of the site, quality of design and modest contribution to housing supply is considered to outweigh the modest environmental harm attributed to its open countryside location.

6.84 As such the recommendation is approval with conditions.

RECOMMENDATION

That planning permission be granted subject to the following conditions and any other further conditions considered necessary by officers named in the scheme of delegation to officers:

- 1. A01 - Time Limit for Commencement (Full Permission)**
- 2. B02 - Development in Accordance with Approved Plans and Materials**
- 3. H20 - Road Completion in 2 Years**
- 4. H06 - Vehicular Access Construction**
- 5. H09 - Driveway Gradient**
- 6. H12 - Parking and Turning - Single House**
- 7. M17 - Water Efficiency - Residential**
- 8. H27 - Parking for Site Operatives**
- 9. H29 - Secure Covered Cycle Parking Provision**

10. The recommendations for species and habitat enhancements set out in the ecologist's report from November 2016 and great crested newt report of June 2017 should be followed unless otherwise agreed in writing by the local planning authority. A working method statement for protected species present together with an enhancement plan integrated with the landscape plan should be submitted to the local planning authority in writing. The plan shall be implemented as approved.

Reason: To ensure that all species are protected having regard to the Wildlife and Countryside Act 1981 (with amendments and as supplemented by the Countryside and Rights of Way Act 2000), the Natural Environment and Rural Communities Act 2006 and the Conservation of Habitats and Species Regulations 2010 (and 2012 amendment) and to comply Herefordshire Council's Policies LD2 Biodiversity and Geodiversity, LD3 Green Infrastructure of the Herefordshire Local Plan Core Strategy and to meet the requirements of the National Planning Policy Framework (NPPF).

11. An appropriately qualified and experienced ecological clerk of works should be appointed (or consultant engaged in that capacity) to oversee the ecological mitigation work.

Reason: To ensure that all species are protected having regard to the Wildlife and Countryside Act 1981 (with amendments and as supplemented by the Countryside and Rights of Way Act 2000), the Natural Environment and Rural Communities Act 2006 and the Conservation of Habitats and Species Regulations 2010 (and 2012 amendment) and to comply Herefordshire Council's Policies LD2 Biodiversity and Geodiversity, LD3 Green Infrastructure of the Herefordshire Local Plan Core Strategy and to meet the requirements of the National Planning Policy Framework (NPPF).

12. Prior to the commencement of the development hereby permitted, the following details shall be submitted to the Local Planning Authority for written approval –
Provision of a detailed drainage strategy that demonstrates that opportunities for the use of SUDS features have been maximised, where possible, including use of infiltration techniques and on-ground conveyance and storage features:

- A detailed surface water drainage strategy with supporting calculations that demonstrates there will be no surface water flooding up to the 1 in 30 year event and allowing for the potential effects of climate change;
- Details of proposed outfall structures. Any discharge of surface water or foul water to an ordinary watercourse will require Ordinary Watercourse Consent from Herefordshire Council prior to construction.
- Results of infiltration testing undertaken in accordance with BRE365;
- Confirmation of groundwater levels to demonstrate that the invert level of any soakaways or unlined attenuation features can be located a minimum of 1m above groundwater levels in accordance with Standing Advice;
- A detailed foul water drainage strategy showing how foul water from the development will be disposed of.
- Demonstration of the management of surface water during extreme events that overwhelm the surface water drainage system and/or occur as a result of blockage

The development shall thereafter be carried out in accordance with the approved details and thereafter be maintained as such.

Reason: To protect water quality hereabouts, in the interests of the environment and public safety, minimise the impact of development on water quality and surface water flooding and to comply with Herefordshire Core Strategy policies SS1, LD2, SD3 and SD4.

- 13. F14 - Removal of Permitted Development Rights
- 14. G09 - Details of Boundary Treatments
- 15. G10 - Landscaping Scheme
- 16. G14 - Landscape Management Plan
- 17. I33 - External Lighting
- 18. C01 - Samples of External Materials

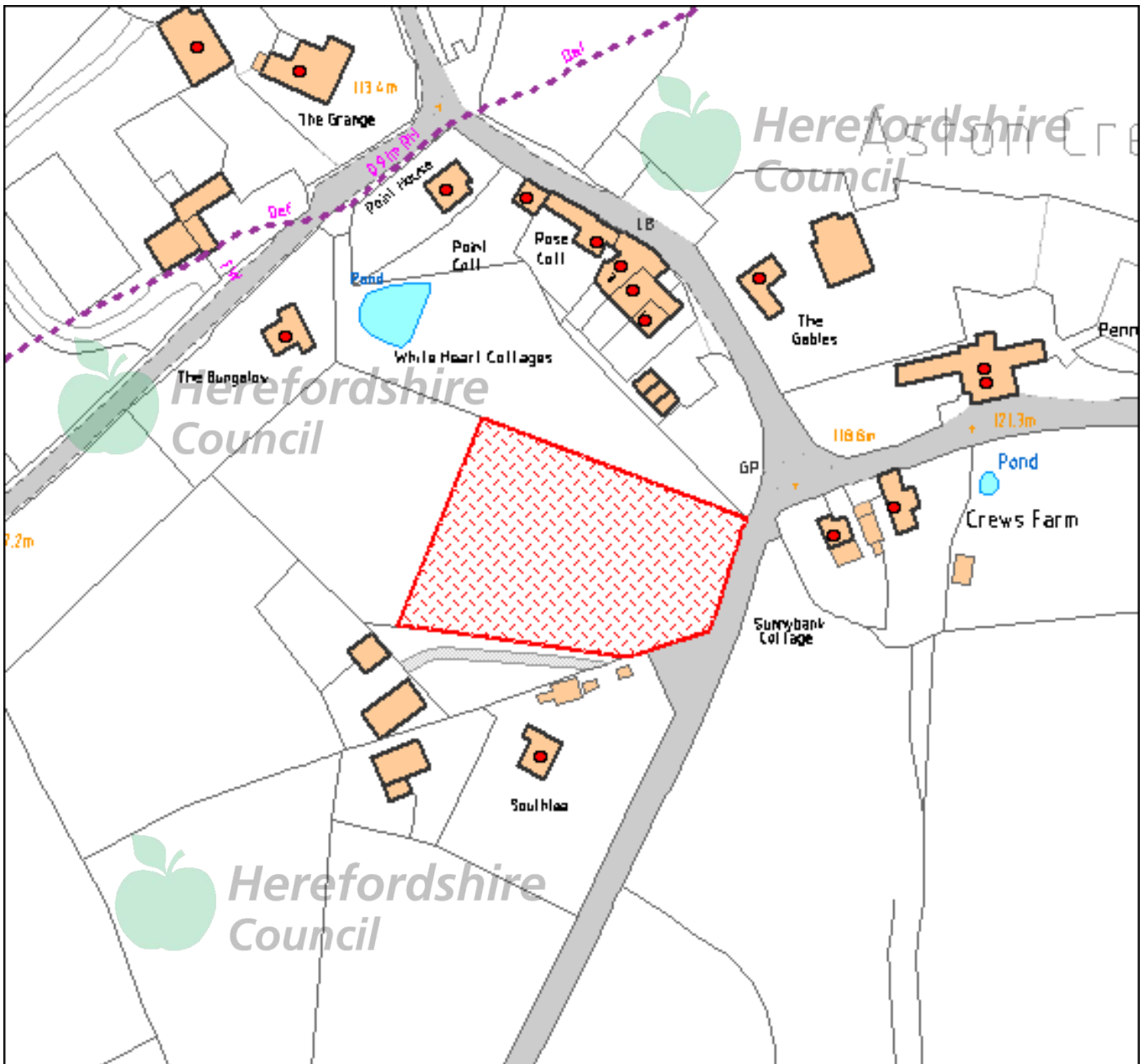
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: 174198

SITE ADDRESS : LAND AT SOUTH LEA, ASTON CREWS, ROSS-ON-WYE, HEREFORDSHIRE, HR9 7LW

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