

MEETING:	PLANNING COMMITTEE		
DATE:	28 OCTOBER 2015		
TITLE OF REPORT:	151299 - PROPOSED NEW DWELLING AT LAND WEST OF LARKSMEAD, CHURCH ROAD, BRAMPTON ABBOTTS, HEREFORDSHIRE, HR9 7JE For: Mr & Mrs Fraser c/o Agent per Mr David Kirk, 100 Chase Road, Ross-On-Wye, Herefordshire, HR9 5JH		
WEBSITE LINK:	https://www.herefordshire.gov.uk/planning-and-building-control/development-control/planning-applications/details?id=151299&search=151299		
Person Application submitted to Committee – Pedirection			

Reason Application submitted to Committee – Redirection

Date Received: 28 April 2015	Ward: Old Gore	Grid Ref: 359989,226435
Expiry Date: 25 June 2015		
Local Member: Councillor B A Durkin		

1. Site Description and Proposal

- 1.1 The site lies to the south of the existing dwelling known as Clouds Harrow, Brampton Abbotts which comprises the applicants' horse paddock and is accessed by a track that also provides access to Clouds Harrow and further agricultural land.
- 1.2 Brampton Abbotts is designated under policy RA2 of the Core Strategy as a sustainable location for appropriate proportional residential growth.
- 1.3 The village benefits from a Church, village hall and children's' nursery, whilst the Primary School is located on the main road between Ross-on-Wye and the village. Brampton Abbotts lies approximately 2.5km from Ross-on-Wye Town Centre.
- 1.4 The site, as is the whole of Brampton Abbotts and surrounding area (including parts of Ross-on-Wye), is within the Wye Valley Area of Outstanding Natural Beauty.
- 1.5 The proposal is the erection of a single dwelling, associated access and turning area, double garage, domestic curtilage and wider landscaping.

2. Policies

2.1 National Planning Policy Framework (NPPF)

The following sections are of particular relevance:

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 Environment
- Section 12 Conserving and Enhancing the Historic Environment
- 2.2 Herefordshire Core Strategy (HCS):

SS1	-	Presumption in Favour of Sustainable Development
SS2	_	Delivering New Homes
SS6	_	Environmental Quality and Local Distinctivness
SS7	_	Addressing Climate Change
SD1	_	Sustainable Design and Energy Efficiency
RA1	_	Rural Housing Strategy
RA2	_	Herefordshire's Villages
LD1	_	Landscape and Townscape
LD3	_	Green Infrastructure
LD4	_	Historic Environment and Heritage Assets
SD1	_	Sustainable Design and Energy Efficiency
SD2	—	Renewable and Low Carbon Energy

2.4 Neighbourhood Plan

Brampton Abbotts and Foy Group Neighbourhood Area was approved under the Neighbourhood Planning Regulations 2012 on 29th January 2013. Work has commenced on drafting the plan however it has not reached a stage where it can be given weight in the decision making process

2.5 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/planning-and-building-control/planning-policy/core-strategy/adopted-core-strategy

3. Planning History

3.1 SH94/0987/PO – Erection of a bungalow – Refused, Appeal Dismissed

4. Consultation Summary

- 4.1 Historic England are considered to have no objection commenting our specialist staff have considered the information received and we do not wish to offer any comments on this occasion.
- 4.2 Welsh Water has no objection. Requested conditions and informatives are included in the recommendation, below.

Internal Council Consultations

- 4.3 The PROW Manager has no objection.
- 4.4 The Conservation Manager (Ecology) comments and confirms he has read the report from Betts Ecology and agrees that there are no protected species issues constraining the development. I welcome the measures proposed for enhancement including translocating the yellow meadow ant hills on the site.
- 4.5 The Conservation Manager (Landscapes) has no objection, commenting –

I am satisfied that the proposed dwelling upon this site will respect the existing settlement pattern of Brampton Abbots; a nucleated settlement focused around the Church of St Michael.

The alignment of the proposal is such that it represents a continuation of built form extending from Larksmead northwards.

The proposal is in line with the existing built form of Larksmead and does not project further west into open countryside beyond the adjacent residential curtilage of Clouds Harrow.

The boundary of the curtilage of the proposal reflects the contours of the land and where the landform falls westwards in the direction of the river this has been retained as natural landscape.

The landscaping proposed is in line with management guidelines for the landscape character type; Principal Settled Farmlands. Both conserving and enhancing the hedgerow pattern as well as planting of orchards.

It is my understanding that the proposal is to be timber clad, with limited glazing to the north, when viewed from the PROW BA1 which links with the Herefordshire Trail the proposal will bear resemblance to an agricultural barn and is not therefore considered unduly harmful within the landscape.

4.5 The Transportation Manager

No objection, the dwelling accesses the adopted highway by an existing drive area. The existing access enters the adopted highway via at a bend. The road is subject to a national speed limit however due to the geometry of the road this is highly unlikely to be attainable. Requested conditions and informatives are included in the recommendation, below.

5. Representations

5.1 Brampton Abbotts and Foy Group Parish Council objects on the following grounds:

Objections have been received from local residents that they are opposed to the principle of any new residential development outside the boundary of the settlement area of Brampton Abbotts, and there is also serious concern that this could create an unacceptable precedent.

They are concerned about the impact of vehicles crossing the right of way to the proposed development for people using the public footpath. They believe the design and size of the proposed 2 storey dwelling in this conspicuous location would have an adverse effect on their visual amenities and a consequent detrimental effect on their property values.

It is considered that the exposed and conspicuous position and size of this development on a green field, would be damaging to the landscape of this designated Area of Outstanding Natural Beauty.

An application for a development on this land was refused by The South Herefordshire District Council on 7th September 1988 and an appeal against this decision was dismissed on 8th February 1995 based on the fact the Inspector considered the exposed position of the site would have a harmful and damaging effect to The Landscape of This Area of Outstanding Natural Beauty.

The Brampton Abbotts & Foy PC consider the reasons for turning down the previous application for a development on this site in 1995 are equally compelling today, because of the adverse impact on The Area of Outstanding Natural Beauty it is also outside the boundary of the settlement and voted that this Application be refused.

In the event that The Herefordshire Planning Committee disagrees with the Planning Inspectors report for the previous application, and the Brampton Abbotts & Foy Parish Council's

recommendation to turn down this application, it is formally requested that Members of the Planning Committee make a site visit to assess the position for themselves.

- 5.2 Two letters of objection have been received, comments are summarised as follows:
 - Unsustainable development
 - Existing equine related buildings do not justify replacement with a dwelling
 - Impact on the character and appearance of the AONB
 - Development outside the village envelope
 - Impact on users of the PROW
 - Concern regarding design and materials
 - Conflict with Neighbourhood Plan
 - References finding of Appeal Inspector
- 5.3 The consultation responses can be viewed on the Council's website by using the following link:-

http://news.herefordshire.gov.uk/housing/planning/searchplanningapplications.aspx

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

 $\label{eq:https://www.herefordshire.gov.uk/government-citizens-and-rights/customer-services-enquiries/contact-details?q=customer&type=suggestedpage$

6. Officer's Appraisal

- 6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990 requires local planning authorities to determine applications in line with the provisions of the local development plan unless material circumstances dictate otherwise.
- 6.2 Paragraph 14 of the NPPF clearly defines 'presumption in favour of sustainable development' as the golden thread running through the NPPF. It goes on to state that for decision taking this means approving development proposals that accord with the development plan without delay 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 the NPPF indicate development should be restricted.
- 6.3 HCS policy SS1 states that Herefordshire Council will take a positive approach that reflects this presumption in the NPPF. As part of this, this means locating new residential development within or adjoining the settlements listed under policy RA2. Brampton Abbotts is listed under this policy. These settlements have been selected to maintain and strengthen a network of locally sustainable communities across the rural parts of Herefordshire, in the villages best able to support development and bolster existing service provision, improving facilities and infrastructure and meeting the needs of communities.
- 6.4 The NPPF is clear that the three dimensions of sustainable development are indivisible. This assessment demonstrates that the adverse impacts associated with granting permission would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF taken as a whole. Paragraph 8 of the NPPF sets out the economic, social and environmental roles of planning should not be undertaken in isolation, because they are mutually dependent. Economic growth can secure higher social and environmental standards, and well-designed buildings and places can improve the lives of people and communities. Therefore, to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously through the planning system. The planning system should play an active role in guiding development to sustainable solutions.

- 6.5 Paragraph 9 of the NPPF states 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.
- 6.6 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.
- 6.7 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.

Whilst local planning authorities are advised not to impose architectural styles, paragraph 60 states it is proper to seek to promote or reinforce local distinctiveness.

- 6.8 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.
- 6.9 Paragraph 64 states 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.
- 6.10 Brampton Abbotts is considered a sustainable location for residential development as assessed against the NPPF by virtue of its range of services and facilities, proximity and accessibility to Ross on Wye and its designation in the Core Strategy under Policy RA2 as a settlement for growth. Whilst Brampton Abbotts is wholly within the Wye Valley Area of Outstanding Natural Beauty, this does not preclude small scale development in sustainable locations on suitable sites.
- 6.11 Policy RA2 acknowledges the importance of the Herefordshire landscape, and particularly the Malvern Hills and Wye Valley Areas of Outstanding Natural Beauty. As such it states new dwellings should make a positive contribution to their rural landscape by being built to a high standard, incorporating appropriate materials and landscaping. High quality design that is sustainable and reinforces the locally distinctive vernacular will be particularly encouraged. Innovative and/or contemporary design will also be supported where it is appropriate to its context, it makes a positive contribution to the architectural character of the locality and

achieves high levels of sustainability in terms of energy and water efficiency, as set out in Policy SD1.

- 6.12 The unacceptability of development within the AONB is explained within the NPPF as being a scenario whereby:
 - 1. specific policies of the NPPF indicate otherwise; or
 - 2. where harm associated with the development would outweigh its benefits when held against the NPPF as a whole 'the planning balance'.
- 6.13 The appropriate method of determination in the context of the above hinges on whether or not the scheme is considered 'major development' in the context of paragraph 116:
 - If the development is found to meet the definition of major development then the costbenefit analysis required by paragraph 116 becomes the test of acceptability; or
 - If the scheme does not meet the definition of major development, the planning balance remains the relevant test of acceptability albeit with great weight afforded to retaining the landscape character and scenic beauty of the AONB required at paragraph 115.
- 6.14 Officers do not consider the provision of a single dwelling to represent major development in the context of Brampton Abbotts and paragraph 116 of the NPPF. The planning balance therefore applies.
- 6.15 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, 6, 7 and 11 of this paragraph are most relevant in requiring that planning:

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;

6. support the transition to a low carbon future in a changing climate and encourage the use of renewable resources (for example, by the development of renewable energy);

7. contribute to conserving and enhancing the natural environment and reducing pollution; and

11. actively manages patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus development in locations which are or can be made sustainable.

- 6.16 The proposal is for a single dwelling in a settlement that is identified in the Core Strategy as both sustainable and a location for proportionate residential growth. Brampton Abbotts will during the Core Strategy period accommodate a minimum of 19 dwellings. This is in the knowledge the settlement is wholly within the Wye Valley AONB.
- 6.17 This proposal includes high quality sustainable design that also creates a safe, accessible, well integrated environment. In conjunction with this, the proposal incorporates the following relevant requirements of Core Strategy policy SD1:

- ensure that proposals make efficient use of land taking into account the local context and site characteristics,
- 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;
- ensure that distinctive features of existing buildings and their setting are safeguarded;
- utilise sustainable construction methods which minimise the use of nonrenewable resources and maximise the use of recycled and sustainably sourced materials;
- Where possible, on-site renewable energy generation should also be incorporated;
- ensure that proposals make efficient use of land-taking into account the local context and site characteristics, including land stability and contamination;
- ensuring designs can be easily adapted and accommodate new technologies to meet changing needs throughout the lifetime of the development;
- utilise sustainable construction methods which minimise the use of non-renewable resources and maximise the use of recycled and sustainably sourced materials;

Furthermore it satisfies the additional policy SD1 requirement *All planning applications will be expected to demonstrate how the above design and energy efficiency considerations have been factored into the proposal from the outset.*

- 6.18 The design approach interprets characteristics and materials common to and representative of agricultural and equine buildings (both of which are common and recognised features within this area and AONB) in a contemporary form to create a modern aesthtic.
- 6.19 The palette of natural materials is respectful and complementary to this rural setting. When viewed from the adjoining Public Right of Way or from any medium and long range views, the dwelling takes the form and general appearance of an agricultural/ equine building, thus through its, scale, design, form (and materials) have a neutral to low impact on a viewer as such buildings are expected in such a landscape. It should be noted there are mimimal openings on the elevation facing the adjoining PROW.
- 6.20 The dwelling has been designed, located and orientated following discussion and assessment to fulfill three distinct functions and appropriately integrate and relate to its context. These are:
 - Minimise landscape impact
 - Minimise impact on adjoining dwellings
 - Maximise solar gain
- 6.21 The dwelling is located within an identified area created by running lines from the rear extent of Larksmead and the curtilage boundary of Clouds Harrow. It is considered within this 'zone' the location of a dwelling effectively 'rounds off' Brampton Abbotts, without 'breaking' beyond these existing residential areas thus not creeping or extending into open countryside beyond existing visible residential development when viewed from the North or West. In addition this location also sets the proposal away from the highest part of the field so it does not sit on the skyline, in particular as viewed from Ross on Wye. It is located broadly in the area currently developed with equine related buildings thus replaces existing buildings that have an established landscape presence. As referenced, careful consideration has been given to external materials in order to complement and be appropriate to the location.
- 6.22 The north east elevation which faces Larksmead, the nearest third party dwelling, has a single window opening at ground floor level, furthermore it is a linear high level window. In addition the

nearest part of the proposal to Larksmead is single storey in extent (height to ridge 3.4 metres, height to eaves 2.25 metres) and is some over 25 metres distant. The two storey element (height to ridge 6.5 metres and eaves 3.6 metres) is 32 metres distant, at an offset angle, with existing and proposed planting and landscaping inbetween. The garage is single storey and discretely located in the North East corner of the site, screened on its North and East boundaries by existing and enhanced landscaping. Vehicular movements associated with one dwelling are considered to be minimal and not detriemental to adjoining dwellings.

- 6.23 The south west elevation features the majority of glazing in order to capture natural light, solar gain and maximise views. By contrast and in addition to the north east elevation, the north west elevation has minimal openings. Reduced openings also help increase the thermal efficency of the dwelling.
- 6.24 The house has been future proofed with the following low energy features to aim to achieve Passivhaus standards:

1. The external walls, floor and roof are insulated to a high standard and air infiltration is minimised.

2. Thple glazed windows with warm edge spacer bars, thermally broken frames and inert gas filled to achieve a whole window u-value of 0.7W/m2K.

3. Heat pump using a borehole as the ground source for the undertloor heating and hot water system with a closed combustion woodburning stove as back up.

4. Whole house heat recovery ventilation system.

5. Micro generation of renewable electricity using roof mounted Photovoltaic / Solar Panels.

- 6.25 This approach accords with the NPPF, Core Strategy policy S1 and SD2. In addition it fulfils the criteria of policy SS7 which states development proposals will be required to include measures which will mitigate their impact on climate change. In particular, in addition to the sustainability of location, the proposal will:
 - Reduce carbon emissions and use resources more efficiently
 - Use renewable energy and low carbon energy
 - Make use of sutainable drainage measures
 - Use passive solar gain
 - Reduce heat island effects
- 6.26 As noted by the Conservation Manager (Ecology) and (Landscapes), the proposal also comprises a landscaping strategy that includes significant planting with associated biodiversity and landscaing benefits. This more than satisfies the objectives of Core Strategy policy LD2 which aims where possible to secure the restoration and enhancement of existing biodiversity and geodiversity features on site and connectivity to wider ecological networks and the creation of new biodiversity features and wildlife habitats.
- 6.27 The landscaping is not proposed to mitigate the proposed dwelling, although it will filter views of the proposal. The driver for the significant planting is to deliver a high quality proposal that enhances this existing field and by association local context through an holistic approach. The existing field has both very limited ecological value and landscape quality. Two banks of orchard planting featuring apple and pear varities with plum, damson and cherry either side of a wildflower meadow will, along with the significant boundary planting, greatly enhance biodiversity value and landscape character. Standard trees introduced in the landscaping planting include field maple, common alder, silver birch, wild cherry and English oak. New and enhanced hedgerow planting comprises mixed deciduous species including hazel, hawthorne, dog rose and Guelder rose in line with the Council's recommended and preferred specification. This is all considered positive planning gain that fulfils local and, in particular, national planning policies, in regards enhancing the local and natural environment. Naturally, all of this would be

ensured through condition and thereafter protected from future development. All of this satisfies Core Strategy policies LD1 – Landscape and townscape, and policy LD3 – Green infrastructure, where in particular proposals will be supported where new green infrastructure e4nhances the network.

6.28 As such the requirements of Core Strategy policies SS1, SS2, SS6, SS7, RA1, RA2, LD1 and LD3 are satisfied along with the relevant aims and objectives of the NPPF.

Other Matters

- 6.29 Reference is made to the findings of a Planning Inspector in 1995 against refusal of a residential development under reference SH94/0987/PO. Whilst those Inspectors' comments are noted and respected, I do not consider they can be considered an 'absolute position' precluding development. This opinion is reached having regard to the fact these comments are twenty years old and in the interim, both local and national planning policies have evolved and developed, including the current position regarding housing land supply, acceptability of small scale development in the AONB and sustainability detailed in this report.
- 6.30 For the avoidance of doubt, Brampton Abbotts has no settlement boundary. As described above, the acceptability in principle of residential development in Brampton Abbotts is enshirned through the NPPF and designation of Brampton Abbotts in the Core Strategy. It is noted under policy RA2 development is directed to the main built up area of a settlement. At the present time there is no Neighbourhood Plan that can be attributed weight.
- 6.31 The proposal is not considered to have any significant impact on the character or setting of the Church of St Michael, a Grade II* listed Church that within its complex includes 19 tombs that have a group listing Grade II designation. This is through the existing context, lack of direct relationship, and in regards to the proposal as a whole, its distance from interdividing existing buildings and comprehensive landscaping. The proposal is set further north than the existing two storey dwelling Larksmead which is adjacent to the Church, therefore given this and all the above, it is concluded there would be no adverse impact on these listed heritage assets or their setting when viewing the proposal from the PROW BA4 which runs up to the churchyard and offers a full panorama when walking northwards.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

- 1. A01 Time limit for commencement (full permission)
- 2. B02 Development in accordance with approved plans and materials
- 3. H01 Single access no footway
- 4. H13 Access, turning area and parking
- 5. Foul water and surface water discharges shall be drained separately from the site.

Reason: To protect the integrity of the public sewerage system.

6. No surface water shall be allowed to connect, either directly or indirectly, to the public sewerage system unless otherwise approved in writing by the Local Planning Authority.

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no detriment to the environment.

- 7. G10 Landscaping scheme
- 8. G11 Landscaping scheme implementation
- 9. The recommendations set out in the ecologist's report listed under Condition 2 of this Decision Notice should be followed unless otherwise agreed in writing by the local planning authority. Prior to commencement of the development, a species mitigation and habitat enhancement scheme integrated with the landscape scheme should be submitted to and be approved in writing by the local planning authority, and the scheme shall be implemented as approved.

Reasons:_To ensure that all species are protected having regard to the Wildlife and Countryside Act 1981 (as amended), the NERC Act 2006, Conservation of Habitats and Species Regulations 2010 and relevant Policies of the Core Strategy.

10. Prior to the first occupation of the development a scheme demonstrating measures for the efficient use of water as per the optional technical standards contained within Policy SD3 shall be submitted to and approved in writing by the local planning authority and implemented as approved.

Reason: To ensure compliance with Policies SD3 and SD4 of the Hereford Local Plan – Core Strategy

11. Removal of permitted development rights

Reason: To ensure the quality of the proposal is maintained and remains a Passivhaus, to protect the character and appearance of the AONB and in the interests of adjoining amenity

12. No conversion of garage to residential use

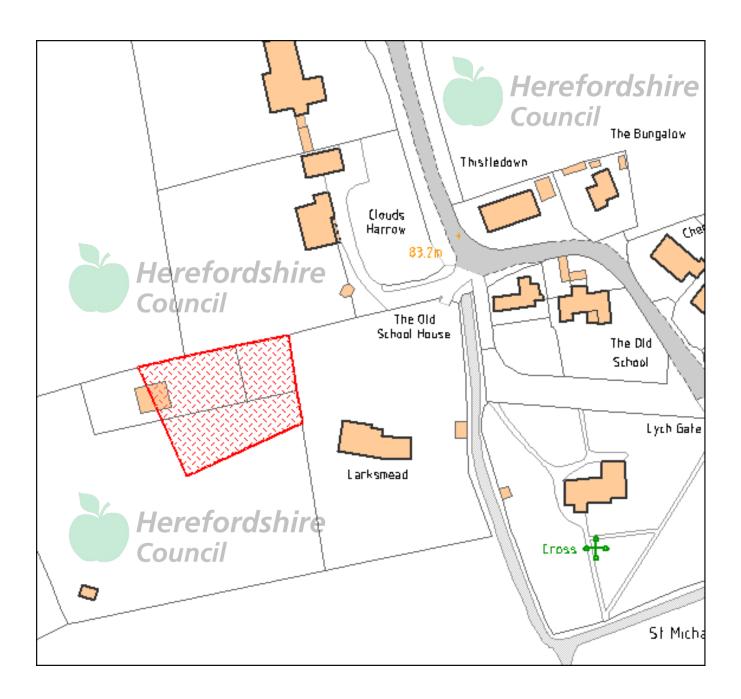
Reason: In the interests of adjoining amenity

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

Background Papers

Internal departmental consultation replies.



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APPLICATION NO: 151299

SITE ADDRESS : LAND WEST OF LARKSMEAD, CHURCH ROAD, BRAMPTON ABBOTTS, HEREFORDSHIRE, HR9 7JE

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