



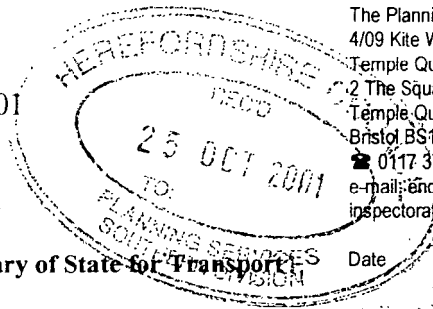
Appeal Decision

Site visit made on 15 October 2001

by Neil Pope BA (Hons) MRTPI

an Inspector appointed by the Secretary of State for Transport,
Local Government and the Regions

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Date

24 OCT 2001

Appeal Ref: APP/W1850/A/01/1068841

Land at Part OS Plot 0085, off Fernbank Road, Ross-on-Wye, Herefordshire.

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
- The appeal is made by P J Williams against the decision of Herefordshire Council.
- The application (Ref. SE2000/3121/O), dated 8 November 2000, was refused by notice dated 9 January 2001.
- The development proposed is the removal of an agricultural building and the erection of one dwelling.

Summary of Decision: The appeal is dismissed.

Main Issue

1. I consider that the main issue in this appeal is the effect of the proposed development upon the character and appearance of the area, having regard to the site's location within the Lower Wye Valley Area of Outstanding Natural Beauty (AONB).

Planning Policy

2. The development plan includes the Hereford and Worcester County Structure Plan, which was adopted in 1993, and the South Herefordshire District Local Plan, which was adopted in 1999. My attention has been drawn to a number of policies of which I consider the following to be most relevant to this appeal.
3. Within rural areas Structure Plan policy H.16A provides that new development must meet a number of identified criteria. This includes development being acceptable in relation to the environment and helping to sustain the rural community. Under the provisions of Structure Plan policy H.18 residential development may be permitted where it forms a natural extension to settlements and accords with policy H.16A. Within the open countryside policy H.20 only permits residential development in certain instances. This includes development that is necessary for agriculture or forestry, and replacement of buildings that have established residential use. Within the AONB policy CTC.1 gives priority to the conservation and enhancement of the landscape.
4. Local Plan policy GD.1 sets out criteria against which all new development is to be assessed. This includes not having a detrimental impact on the landscape quality of the surrounding area. The appeal site lies outside the defined settlement boundary for Ross-on-Wye. Policy C.2 provides that such areas are treated as open countryside, and development on land adjacent to settlement boundaries will only be favourably considered if it is environmentally acceptable and meets identified exceptional cases. The proposal does not fall within any of the identified cases. Policy C.4 reflects Structure Plan policy CTC.1. Policy C.5 permits development within the AONB where it would be small scale and would

enhance or have minimal adverse effect upon the special scenic qualities of the area, and comply with other relevant policies including GD.1. Having regard to the expected over-provision of housing within the area, policy SH.1A seeks to reduce further unwarranted housing by only allowing development on allocated sites where a local need exists. Policy SH.11 broadly reflects Structure Plan policy H.20 and policy C.11 seeks to protect the best and most versatile agricultural land.

Reasons

5. The appeal site comprises a corner of a large open field that is situated on the southern side of Fernbank Road. A modest sized agricultural building has been erected on part of the site. This is visible from parts of Fernbank Road and the small estate known as Woodmeadow Road to the north east. A public footpath runs alongside the north eastern boundary of the site. From here there are views across the appeal site and remainder of the field towards the wooded hillside known as Chase Wood. There is vehicular access into the site from Fernbank Road.
6. Although the appeal site lies in close proximity to existing residential development in my opinion, it comprises an integral part of the attractive countryside setting to the town of Ross-on-Wye. When walking south along Fernbank Road the suburban character of the area changes markedly on reaching the entrance to Woodmeadow Road. Immediately beyond this point open countryside, of which the appeal site forms part, penetrates the streetscene providing a distinct end to the built limits of the town. Whilst the agricultural building that occupies part of the site is clearly visible, it is of a type that is commonplace within the countryside. Its simple form and appearance and distance from any other building clearly set it apart from residential development within the area.
7. In my judgement, the proposal would not comprise rounding off or a natural extension to the town. Instead it would extend the ribbon of development along Fernbank Road and the southern limits of the town, and would be a most unfortunate encroachment into the surrounding open countryside. I consider that it would not accord with Structure Plan policies H.16A and H.18, and would also be poorly related to the remainder of the field. This would be likely to result in further pressure for residential development alongside which the Council would have difficulty in resisting, undermining the objectives of policy SH.1A of the Local Plan. In this respect I note that previous applications have been submitted for residential development on the site and adjoining land.
8. From what I saw during my site inspection, and from the representations from some local residents, the area is popular with walkers. I consider that from parts of Fernbank Road and the public footpath alongside, residential use of the appeal site would contrast awkwardly with the agricultural land to the south and would mar important views across the site towards Chase Wood. Although landscape planting could be made a condition of any permission, I consider that this would be very unlikely to screen the impact of residential activity on the site. Such planting or other boundary treatment would appear contrived and discordant features within the landscape. In my opinion, the proposed development would result in serious harm to the attractive and unspoilt landscape qualities of the area, at variance with Local Plan policy GD.1.
9. The qualities of the area are recognised as being of national importance, with the site included within an AONB. Paragraph 4.8 of Planning Policy Guidance Note 7 entitled 'The Countryside-Environmental Quality and Economic and Social Development' (PPG7)

advises that development control considerations affecting AONBs should favour conservation of the natural beauty of the landscape, and that the environmental effects of new proposals will be a major consideration. In my opinion, the benefits to the visual qualities of the landscape arising from the removal of the existing agricultural building on the site would be limited. Moreover, this would be outweighed by the harmful impact of a dwelling on the site, however well designed, which would fail to conserve or enhance the natural beauty of the area and would conflict with Structure Plan policy CTC.1 and Local Plan policies C.4 and C.5.

10. I note the appellant's arguments that the site is already developed and that the proposal would sustain the rural community. Agricultural land and buildings (including those vacant or derelict) are however excluded from the definition of previously developed land as defined within Annex C to Planning Policy Guidance Note.3 entitled 'Housing' (PPG3). No evidence of any special need has been advanced in support of the proposal and it is unclear to me how it would help to sustain the rural community, particularly given the availability of existing housing nearby within the town of Ross-on-Wye. I consider that the proposal would conflict with Structure Plan policy H.20 and Local Plan policies C.2 and SH.11.
11. I therefore conclude that the proposed development would have a serious adverse effect upon the character and appearance of this part of the Lower Wye Valley AONB, and would be contrary to Structure Plan policies H.16A, H.18, H.20, CTC.1, Local Plan policies GD.1, C.2, C.4, C.5, SH.1A, SH.11 and the advice contained within PPGs 3 and 7.

Other Matters

12. The proposal would involve development on grade 2 agricultural land as identified on the Agricultural Land Classification Map. Paragraph 2.17 of the revised text to PPG7 (March 2001) advises that development of greenfield land, including the best and most versatile agricultural land (including grade 2 land) should not be permitted unless opportunities have been assessed for accommodating development on previously developed sites and on land within the boundaries of existing urban areas. Whilst I note the appellant's remarks concerning the development plan review, I have not been provided with any details of emerging policies. I have determined the application on the basis of the development plan. Having regard to my findings above, I consider that the proposal would conflict with the provisions of Local Plan policy C.11 and the advice contained within PPG7 relating to the protection of the best quality agricultural land.
13. I also note the concerns of some local residents concerning drainage, access arrangements and traffic flows. I have no information before me to substantiate concerns regarding drainage matters and no such objections were raised by the Council. During my site inspection, I noted the existing access arrangements and from what I saw vehicular traffic flows along Fernbank Road were low. In my opinion, I do not consider that the additional traffic associated with a single dwelling on this site would compromise highway safety.

Conclusions

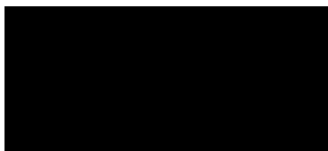
14. Although I do not consider that the proposal would harm highway safety or land drainage interests, I have found that there would be serious harm to the character and appearance of the AONB and conflict with established policies concerning the protection of the best quality agricultural land. Having regard to all other matters raised, I conclude that the appeal should not succeed.

Formal Decision

15. In exercise of the powers transferred to me, I dismiss the appeal.

Information

16. A separate note is attached setting out the circumstances in which the validity of this decision may be challenged by making an application to the High Court within 6 weeks from the date of this decision.



Inspector