

MEETING:	PLANNING COMMITTEE
DATE:	14 June 2017
TITLE OF REPORT:	163879 - DEMOLITION OF EXISTING OUTBUILDINGS AND ERECTION OF NEW DWELLING WITHIN LANDSCAPED SETTING AT LAND ADJACENT BROADFIELDS, ASTON INGHAM, ROSS-ON-WYE. For: Ms Tucker per Mr Colin Goldsworthy, 85 St Owen Street, Hereford, Herefordshire, HR1 2JW
WEBSITE LINK:	https://www.herefordshire.gov.uk/info/200142/planning_services/planning_application_search/details?id=163879&search=163879
Reason Application submitted to Committee – Departure from policy	

Date Received: 2 December 2016

Ward: Penyard

Grid Ref: 368033,223400

Expiry Date: 30 January 2017

Local Member: Councillor H Bramer

1. Site Description and Proposal

- 1.1 The site is located in an open countryside location to the west of Aston Ingham and to the east of the existing dwelling, Broadfields, a bungalow, in an area that formed part of a redundant poultry yard. Currently the whole property comprises Broadfields and its gardens; the central driveway with access into the fields; a vegetable garden; a small holding paddock; a timber workshop and a group of aging redundant timber outbuildings. The new house and gardens are within the current domestic curtilage. The site comprises 3.36 hectares in total, including Broadfields, its gardens and associated non domestic land. It is bounded by a stream in a deep gully along the eastern perimeter. The topography of the site is relatively flat.
- 1.2 Review of the Environment Agency's Flood Map for Planning indicates that the site is located within the low risk Flood Zone 1. Flood Zone 1 comprises land assessed as having less than a 1 in 1,000 annual probability of river flooding. Review of the Environment Agency's *Risk of Flooding from Surface Water* map indicates that the site is not located within an area at significant risk of surface water flooding.
- 1.3 Broadfields was formerly a poultry farm dating from circa 1970. The large poultry barn became a farrier's forge briefly, but since then has only been used for domestic and firewood storage.
- 1.4 Broadfields is currently accessed from the B4222 via a tarmac driveway and splay. The drive extends into the site, opening up into a large tarmac area that was the former farmyard, but now part of the garden. The large poultry barn dominates the eastern boundary. Behind the shed and continuing around to the south, high hedges and a deep gully screen the site from the B4222.

- 1.5 The proposal includes the demolition of the large, dilapidated barn and other associated sheds and stores, to be replaced by the new house and landscaped grounds. The site and the buildings have been subject to an Ecology Appraisal and an Asbestos Survey.

2. Policies

2.1 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 Environment

2.3 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
- SD2 - Renewable and Low Carbon Energy
- SD3 - Sustainable Water Management and Water Resources

2.4 Neighbourhood Development Plan

No Neighbourhood Area designated

- 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

DCSE2006/0057/F – Extension and alterations to existing bungalow – Approved w/conditions 16th February 2006

DCSE2006/2038/F – Erection of timber workshop to replace existing derelict chicken house – Approved w/conditions 30th August 2006

SH892017PF – Extension of dwelling – Approved w/conditions 29th November 1990

4. Consultation Summary

Statutory Consultations

4.1 None

Internal Council Consultations

4.2 The Council's Conservation Manager (Ecology) comments:

I note the ecological report and I am happy that this covers the protected species present on the site and appropriate risk avoidance measures and should be implemented via a Condition should permission be granted. I note that there appears to be no biodiversity enhancements over and above required bat mitigation – eg bird boxes and invertebrate/pollinator homes. Requested conditions are added to the recommendation, below.

Further to original comments regarding drainage and further details being provided, the Conservation Manager (Ecology) comments *I can confirm that I am very happy that the applicant can accommodate the change we discussed on the phone to a full spreader-soakaway system for managing the final outfall from the proposed foul water package treatment plant; thus ensuring there will be no direct discharge of any phosphates (or residual nitrogen or suspended solids) from this development in to the Ell Brook. This will then ensure there is no unmitigated 'likely significant effect' on the nearby and downstream locally important and SSSI designated wildflower hay meadows.*

With reduced surface water run-off volumes and the soakaway final outfall this development will have a small, but beneficial impact, on the Ell Brook, its water quality and reduce local potential flood risk.

4.3 The Council's Transportation Manager considers the proposal is acceptable subject to numerous conditions and informatives. These are added to the recommendation, below.

5. Representations

5.1 Aston Ingham Parish Council has no objection. No further comments are offered.

5.2 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=163879&search=163879

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 Housing Land Supply

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*'.

6.2 Where the existence of a five year land supply cannot be demonstrated, there is a presumption in favour of granting planning permission for new sustainable housing unless the development can be shown to cause demonstrable harm to other factors that outweigh the need for new housing.

- 6.3 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.”*
- 6.4 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 as regards its location and other material constraints and considerations.
- 6.5 This position has been crystalised following a recent Supreme Court Decision and the implications of this position following the *Suffolk Coastal DC v Hopkins Homes & SSCLG and Richborough Estates v Cheshire East BC [2017] UKSC 37 On appeals from: [2016] EWCA Civ 168, [2015] EWHC 132 (Admin) and [2015] EWHC 410 (Admin)*.
- 6.6 The Supreme Court has delivered its verdict on the application and meaning concerning paragraphs 14 and 49 of the National Planning Policy Framework (NPPF), overturning the Court of Appeal’s interpretation of the phrase “relevant policies for the supply of housing”. The legal case brought the two together: *Hopkins Homes v Suffolk Coastal District Council and Richborough Estates v Cheshire East Borough Council*.
- 6.7 The Court of Appeal’s judgment broadened the definition of the “relevant policies for the supply of housing” detail in paragraph 49 of the NPPF so that it can be taken to refer to all policies that create or constrain land for housing development, such as green belt designation. Therefore, where a local authority cannot demonstrate an up-to-date five-year land supply, these relevant policies were to be considered as not up to date.
- 6.8 The Supreme Court has considered and found that the Court of Appeal’s interpretation of what *“relevant policies for the supply of housing”* means was wrong. It said that the “straightforward interpretation is that these words refer to the policies by which acceptable housing sites are to be identified and the five-years supply target is to be achieved. That is the narrow view”.
- 6.9 *“In neither case is there any reason to treat the shortfall in the particular policies as rendering out of date other parts of the plan which serve a different purpose.”*
- 6.10 According to the Supreme Court, the important question is not how to define individual policies, but whether the result is a five-year supply in accordance with the objectives set by paragraph 47.
- “If there is a failure in that respect, it matters not whether the failure is because of the inadequacies of the policies specifically concerned with housing provision, or because of the over-restrictive nature of other non-housing policies. The shortfall is enough to trigger the operation of the second part of paragraph 14.”*
- 6.11 Like the Court of Appeal, the Supreme Court said it is paragraph 14, not paragraph 49, that provides the “substantive advice by reference to which the development plan policies and other material considerations relevant to the application are expected to be assessed”.
- 6.12 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.

- 6.13 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.
- 6.14 Core Strategy policy RA2 – *Housing outside Hereford and the market towns* identifies the settlements in each HMA area where the main focus of proportionate housing development will be directed, along with other settlements where proportionate housing growth is appropriate.
- 6.15 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.
- 6.16 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.

Legislation

- 6.17 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.*”
- 6.18 The development plan for Herefordshire is in the main part the Herefordshire Local Plan – Core Strategy. The Core Strategy was adopted on 16 October 2015.

Assessment

- 6.19 The application is supported by Officers as a departure from adopted local plan policies on the following basis:
- Having regard to the Council’s housing land supply position
 - The relative sustainability of the site with regard to its location and proximity to RA2 settlement Aston Ingham and Lea and facilities at the undesignated settlement Aston Crews
 - The use of a ‘brownfield site’
 - Potential fall back position of conversion of the existing building to be removed
 - Landscape 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
- 6.20 Officers recognise that the site is not locationally sustainable in the purest policy terms, however it is near to Aston Ingham, a settlement identified under Core Strategy RA2 as a suitable location for residential development. Furthermore Lea is reasonably accessible from the site and Aston Crews, an undesignated settlement, and near to the application site, has a public house. The site and existing barn are prominent within the immediate open countryside, which adjoins the highway and principle route from Gorsley/ Lea to Aston Ingham and is a well used route from Newent/ Gorsley to the A40/ Ross areas. Furthermore, sustainability is more than 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.

- 6.21 The National Planning Policy Framework (NPPF) has 'sustainable development' central to planning's remit and objectives. The NPPF also seeks positive improvements in the quality of the built, natural and historic environment and as regards people's quality of life.
- 6.22 The NPPF is a material consideration in the assessment of this application. The following sections are considered particularly relevant:
- Introduction - Achieving sustainable development
 - Section 7 - Requiring good design
 - Section 11 - Conserving and enhancing the natural environment
- 6.23 Paragraph 14 of the Framework sets out the presumption in favour of sustainable development. For decision-taking this means that where the development plan is absent, silent or relevant policies are out of date, granting permission unless any adverse impact of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole, or specific policies in the Framework indicate that development should be restricted.
- 6.24 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*.
- 6.25 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 in requiring that planning and also where the application is deficient or does not comply:
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
- 6.26 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.

- 6.27 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.
- 6.28 Whilst LPAs are advised not to impose architectural styles, paragraph 60 states it is proper to seek to promote or reinforce local distinctiveness.
- 6.29 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.
- 6.30 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.
- 6.31 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.*
- 6.32 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.*
- 6.33 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.*
- 6.34 Core Strategy policy LD1 criteria requires new development must 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.

- 6.35 Policy RA2 sets out that housing proposals will be permitted in settlements such as Aston Ingham 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.
- 6.36 Policy RA3 – Herefordshire’s countryside specifies in rural locations outside of settlements either listed under RA2 or adopted Neighbourhood Plans, residential development will be limited to proposals which satisfy one or more of the seven exception criteria.
- 6.37 The site is regarded as one that could be in compliance with criterion 4, which enables development which would result in the sustainable re-use of a redundant or disused building(s) where it complies with Policy RA5 and leads to an enhancement of its immediate setting.
- 6.38 The applicants also have a fallback position in that policy RA3 and RA5 would enable the conversion of the existing barn building to residential use, however having regard to the existing building and context, it is clear a far better more sustainable solution is to replace the existing building with a high quality design. It is noted the site is a brownfield site and an existing building is to be demolished, however it is located separate from the main built core of Aston Ingham, however it is within reasonable distance.
- 6.39 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.
- 6.40 The proposal is not advanced as an NPPF Paragraph 55 dwelling however this has been used to inform the development of the proposal and act as a basis to work with. Paragraph 55 permits dwellings in the open countryside where the proposal is of exceptional quality or innovative nature of the design of the dwelling. Such a design is required to:
- be truly outstanding or innovative, helping to raise standards of design more generally in rural areas;
 - reflect the highest standards in architecture;
 - significantly enhance its immediate setting; and
 - be sensitive to the defining characteristics of the local area.

Assessment of Proposed Design

- 6.41 The dwelling is a single storey unit with a J shape in plan, created by the attached garage. The east and west elevations echo a parallelogram with the elevations running parallel with each other.
- 6.42 The design of the dwelling purposely lacks ornamentation, using traditional reclaimed multi-stock brickwork for the external walls of the house and for the garden parapet walls. The colours within the bricks are proposed to reference the colours found in the natural stone from the area. Panels of reclaimed, square edged horizontal boarding are used and intended to provide contrast in colour and texture. The building draws upon local vernacular materials, but presents

them in a simple, reduced form. This approach is considered an appropriate response demonstrates an understanding of the local context regarding both historic common building materials hereabouts and the character of the location.

- 6.43 Internally, the house allows lots of natural daylight into the house, with the open plan living/dining/kitchen space being capable of subdivision by a sliding wall. Along the central corridor and continuing into the main accommodation areas, a run of automatic rooflights brighten what could be the darkest area of the floor plan and form part of the buildings natural ventilation system.
- 6.44 The new dwelling is intended to meet Passivhaus standard and incorporates renewable energy and water efficiency measures. The proposed dwelling follows the key principles of Passivhaus design and will provide a highly insulated external envelope with a high standard of air tightness. The building will be naturally cooled in summer and have an internal heat recovery system. This MVHR system will supply fresh air for living spaces by recycling the heat from the stale air.
- 6.45 The dwelling will be constructed using Structural Insulated Panel (SIP) technology and clad externally using reclaimed bricks and timber as sustainable building materials. The SIP system will achieve the high levels of insulation required in both the external walls and the roof to minimise heat loss through its inherently high air tightness.
- 6.46 The dwelling is orientated to face south in order to maximise passive solar gain (with shading and natural cooling available to control excessive heat gains in summer). The dwelling can create a major proportion of its heat energy requirements from on-site micro-generation (using solar, thermal and PV panels on the roof). Solar panels mounted on the roof will be hidden from view from the ground. A wood burning stove is provided as an important secondary heat source, the wood for which is currently obtained on site through the planting, management and harvesting of trees for firewood.
- 6.47 Water saving measures will allow water to be harvested for gardening as well as for reuse within the dwelling using an underground storage system that will offset mains water consumption. As a key component of this system, a syphonic rainwater drainage system is proposed. this system is tailored to suit the roof and entails specialist design. This type of drainage system is unusual and not generally specified for domestic projects but with this roof design, it can provide environmental benefits by reducing ground works and materials by 80%.
- 6.48 To treat the waste water from the house, the design includes a WPL Eco Vortex Sewage Treatment Plant. It has a pollution reduction level of 98.9%. Reed beds have been discounted due to the recent reports of performance failure in our northern climate. This system has been selected for:
- a. Having the lowest electrical energy requirements of any electric treatment plant.
 - b. Its verified high performance in reducing pollutants when independently tested to EN12566-3 by the PAI in Germany.
 - c. Its high performance when compared with other treatment plants against the Environment Agency standards for compliance.
- 6.49 External surfaces form part of the SUDS proposal, with permeable gravel for the courtyard and paving blocks for the terraces. Water conservation and attenuation is becoming increasingly important with the threat of climate change.

6.50 These details will be secured by condition and form part of the high sustainability and design qualities that justify 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

6.51 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

6.52 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.*

6.53 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.*

6.54 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.

6.55 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

6.56 The proposed development site, whilst a residential curtilage, is characterised by the previous poultry and agricultural uses over much of its area. Once the outbuildings are cleared, the grounds can be landscaped to create south facing gardens with a woodland area. Whilst the simple landscaped gardens provide broad interrupted views, there will be low maintenance, easy to manage raised herb, shrub and vegetable beds close to the house with an integrated watering system linked to the rainwater harvesting.

- 6.57 To provide further ecological enhancement and in accordance with the Core Strategy policies, the landscaping proposals include a new dedicated orchard for old Herefordshire heritage apple varieties to be created in the fenced vegetable garden. The landscaping will include measures beyond the immediate site boundaries to include further tree planting within the fields.
- 6.58 A landscaping masterplan informs the approach, with detailed landscaping plans to be agreed by condition based upon this masterplan. The proposed landscaping masterplan indicates the intention to enhance the site to provide significant overall gains in biodiversity, to include enhancement for both plants and wildlife. Overall it is considered there are both landscape and biodiversity enhancements as an integral and integrated part of the proposal. The retention of important trees and hedgerows on the site boundary will support the existing green infrastructure of the site.
- 6.59 As such Core Strategy policies SS6, LD1, LD4 and SD1 and the relevant landscape aims and objectives of the NPPF are satisfied.

Summary

- 6.60 The proposal, notwithstanding its location, is considered to be representative of sustainable development, being of a quality design and making use of a brownfield site with landscape and ecological enhancements which comply with relevant local and national planning policies. The proposal includes replacing a poor building with a contemporary designed building of superior energy efficiency and making a modest contribution to housing delivery in a Parish that is proving challenging with regards to housing delivery. The proposal will raise design standards locally. As part of this conclusion weight has been given to the Council's housing land position, which combined with the above, concludes the proposal is sustainable 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 on assessing the planning balance, the benefits of the proposal including enhancement of the site, quality of design, use of a brownfield site and modest contribution to housing supply are considered to outweigh the harm of its open countryside location. As such the recommendation is approval with conditions.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

- 1. C01 – Time limit for commencement (full permission)**
- 2. C07 – Development in accordance with approved plan and details**
- 3. CAD – Access Gates, 5m**
- 4. CAE – Vehicular access construction**
- 5. CAH – Driveway gradient**
- 6. CAK – Parking and turning**
- 7. CE6 – Water efficiency**

8. The recommendations (mitigation, protection and working methods) as identified in the ecological report by Clarke Webb Ecology dated June 2016 shall be fully implemented as stated, unless otherwise required to obtain a European Protected Species Mitigation Licence, and agreed in writing by the planning authority.

Reason: To ensure that all species are protected having regard to the Wildlife and Countryside Act 1981 (as amended), the Conservation (Natural Habitats, &c) Regulations 1994 (as amended) and Policy LD2 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework. NERC Act 2006.

9. Prior to commencement of the development, and based on the ecological report by Clarke Webb Ecology dated June 2016 and the outline landscape plan ref 15/768.27, a detailed habitat enhancement scheme integrated with a detailed landscape scheme and accompanied by a 10 year establishment and maintenance plan should be submitted to and be approved in writing by the local planning authority. The scheme shall be implemented as approved.

Reason: To ensure that all species are protected and habitats enhanced having regard to the Wildlife and Countryside Act 1981 (as amended), the Conservation (Natural Habitats, &c) Regulations 1994 (as amended) and Policy LD2 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework, NERC 2006

10. 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.

11. **C65 – Removal of Permitted Development Rights**
12. **C95 – Landscaping details**
13. **C96 – Landscaping and planting implementation**
14. **CA1 – Landscape Management Plan**
15. **CC2 – External lighting details**
16. **C13 – External materials and details**

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. **The enhancement plan should include details and locations of any proposed Biodiversity/Habitat enhancements as referred to in NPPF and HC Core Strategy. At a minimum we would be looking for proposals to enhance bat roosting, bird nesting and invertebrate/pollinator homes to be incorporated in to the new building as well as consideration for amphibian/reptile refugia; and hedgehog houses within the landscaping/boundary features. No external lighting should illuminate any of the enhancements or boundary features beyond any existing illumination levels and all lighting on the development should support the Dark Skies initiative. The detailed landscaping scheme should include full details of planting and protection methods as well as a 5 year establishment & replacement scheme and a subsequent 5 year management plan.**
3. **I11 - Mud on highway**
4. **I09 - Private apparatus within highway**
5. **I45 - Works within the highway**
6. **I05 - No drainage to discharge to highway**
7. **I47 - Drainage other than via highway system**
8. **I35 - Highways Design Guide and Specification**

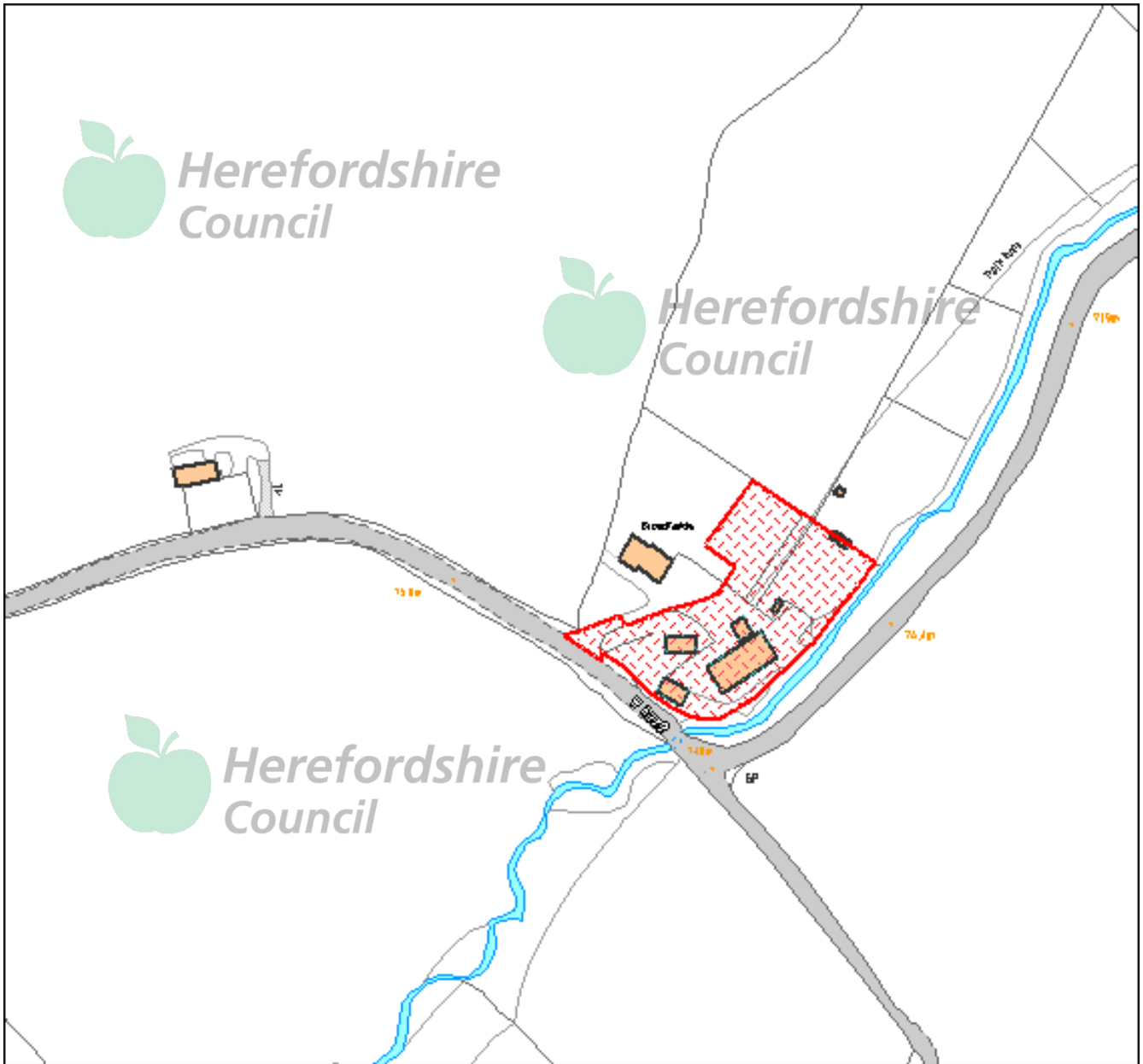
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: 163879

SITE ADDRESS : LAND ADJACENT BROADFIELDS, ASTON INGHAM, ROSS-ON-WYE, HEREFORDSHIRE

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