

MEETING:	PLANNING AND REGULATORY COMMITTEE
DATE:	22 August 2018
TITLE OF REPORT:	180193 - PROPOSED ERECTION OF 5 SINGLE BED HOLIDAY CHALETS AND ASSOCIATED PARKING AT LAND AT WESTBROOK COURT, WESTBROOK, HEREFORD. For: Mr & Mrs Morgan per Mr Sam Organ, Lower Galfog, Llanigon, Hay On Wye, HR3 5QB
WEBSITE LINK:	https://www.herefordshire.gov.uk/info/200142/planning_services/planning_application_search/details?id=180193&search=180193

Reason Application submitted to Committee – Re-direction

Date Received: 16 January 2018

**Ward: Golden Valley
North**

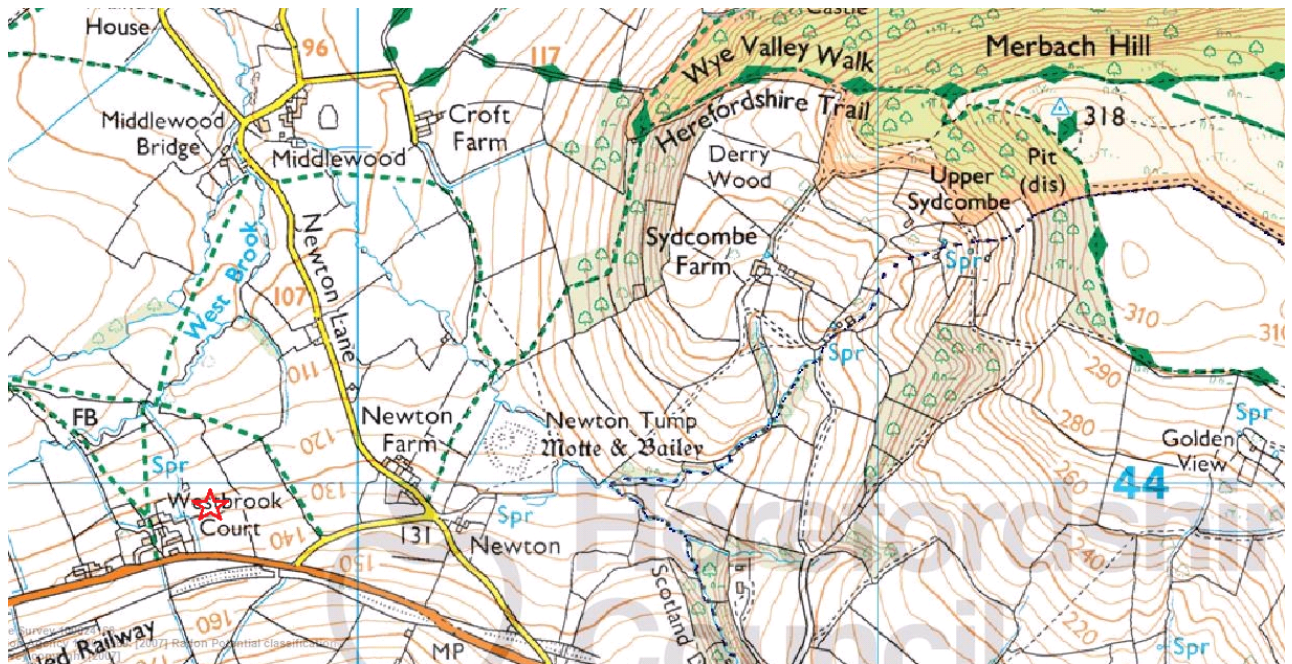
Grid Ref: 328710,243919

Expiry Date: 26 March 2018

Local Member: Councillor PD Price

1. Site Description and Proposal

- 1.1 The site lies to the north of the B4348 within the parish of Clifford and comprises an undeveloped field. It is accessed via a private driveway to Westbrook Court, a large detached property as well as through field accesses to the east. To the south of the host dwelling and adjacent to the road is a Grade II listed barn all within the same ownership. Lying to the north west of the host dwelling is an outbuilding that was permitted in 2012 consisting of five holiday chalets. This building replaced an existing stable block.
- 1.2 The site rises from north to south up to the road and benefits from thick boundary hedging to the east and west boundaries. A new hedge has been planted along the north of the site subdividing the field. Given the recent nature of the planting, this is presently very thin.
- 1.3 There are public rights of way to the east of the field, joining another to the north. Merbach Hill is located to the east of the site over which the Herefordshire Trail and Wye Valley Walk both pass. These paths can be identified on the map below with the approximate site identified by the red star.



1.4 The application seeks planning permission for the erection of five individual holiday chalets with associated parking. The chalets will accommodate a double bedroom with bathroom and living area. The units are orientated in a linear pattern travelling along an east-west axis with a pedestrian walkway along the rear.

1.5 The proposal is accompanied by a Design and Access Statement.

2. Policies

2.1 Herefordshire Local Plan – Core Strategy:

- SS1 - Presumption in Favour of Sustainable Development
- SS2 - Delivering New Homes
- SS3 - Releasing Land For Residential Development
- SS4 - Movement and Transportation
- SS6 - Environmental Quality and Local Distinctiveness
- RA6 - Rural Economy
- E4 - Tourism
- MT1 - Traffic Management, Highway Safety and Promoting Active Travel
- LD1 - Landscape and Townscape
- LD2 - Biodiversity and Geodiversity
- LD3 - Green Infrastructure
- LD4 - Historic environment and heritage assets
- SD1 - Sustainable Design and Energy Efficiency
- SD3 - Sustainable Water Management and Water Resources
- SD4 - Waste Water Treatment and River Water Quality

The Herefordshire Local Plan 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

2.2 National Planning Policy Framework (NPPF)

- Section 2 - Achieving sustainable development
- Section 4 - Decision making

Further information on the subject of this report is available from Miss Emily Reed on 01432 383894

Section 6	-	Building a strong, competitive economy
Section 8	-	Promoting Healthy Communities
Section 9	-	Promoting sustainable transport
Section 12	-	Achieving well-designed places
Section 15	-	Conserving and enhancing the natural environment
Section 16	-	Conserving and enhancing the historic environment

2.3 Neighbourhood Development Plan (NDP)

Clifford NDP is at drafting stage and as such whilst a material consideration cannot be afforded any weight at the present time.

3. Planning History

3.1 123367/F – Creation of 5, one bedroom holiday lets as Bed & Breakfast. Approved 11/2/13

3.2 120883/F - Creation of 5, one bedroom holiday lets as Bed & Breakfast. Refused: 28/8/12

4. Consultation Summary

Statutory Consultations

4.1 Welsh Water – 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 Conservation Manager (Ecology) –

The site falls within the Discharges "any discharge of water or liquid waste, including to mans sewer" SAC & SSSI Impact Risk Zone (River Wye SAC & SSSI and Moccas Park SSSI & NNR)) and so sufficient and detailed information is required to be submitted with any future outline or full applications to allow the authority to assess the proposal through its Duty of Care under NERC Act and Habitat Regulations. Natural England will also need to be a statutory consultee and will require sufficient information, like ourselves, to determine that the development(s) will have NO 'likely significant effects' on the relevant SAC & SSSI.

The applicant is proposing a new package treatment plant with final discharge in to a local watercourse. This direct discharge is not an acceptable solution due to the direct discharge of phosphates (Phosphorous) in to the local aquatic ecology (including native Crayfish) and hence down stream and cumulatively detrimentally impacting the River Wye SAC/SSSI which is notified for phosphate/nutrient sensitive species. The applicant is requested to supply plans and supporting information clearly detailing that final outfall from the proposed PTP will be through a soakaway drainage field of suitable size on land under the applicant's control. (Habitat Regulations, NPPF, NERC Act, Core Strategy SD4 and LD1-3).

Subject to this I am satisfied that other ecology considerations can be managed through pre-commencement conditions

There are some trees and hedgerows that could be impacted through the development process and the site itself may have some ecology interests, including foraging and commuting by protected species such as Dormice, Otters and Bats.

Nature Conservation Protection

Before any work begins, equipment or materials moved on to site, an Ecological Working Method Statement (EWMS) shall be supplied to the planning authority for written approval.. The approved EWMS shall be implemented and remain in place until all work is complete on site and all equipment and spare materials have been finally removed.

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

Advisory: The EWMS should include details of all proposed works to or loss of trees and hedgerows and an associated root protection plan and arboricultural working methods. The EWMS should cover all potential use of the site and boundary features by protected species (such as otters, reptiles/amphibians and dormice) and general wildlife and detailed relevant mitigation and working methods detailed.

Lighting of the development has a potential impact on both local biodiversity (eg bat foraging and commuting) and the wider local 'dark skies'. A detailed lighting plan to ensure all lighting is kept to a minimum and is designed to mitigate potential impacts should be supplied. If necessary, the use of low level, low power 'warm colour temperature', directional lighting with time/PIR controls is suggested. This plan should be submitted with a detailed plan showing proposed green infrastructure/planting (including species, planting methodology and 5 year establishment and subsequent 5 year management plan. Beech is not considered a locally characteristic species) and full details of proposed biodiversity enhancements (eg for bat roosting, bird nesting, reptiles/amphibians, hedgehogs and pollinating insects).

Nature Conservation – Enhancement-Protection

Prior to commencement of the development, a detailed Green Infrastructure and Habitat Enhancement scheme should be submitted to and be approved in writing by the local planning authority, and 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

Informative:

In addition to full details of proposed planting the plan should include details and locations of 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 buildings as well as consideration for amphibian/reptile refugia, hedgehog houses within the landscaping/boundary features. The plan should include details of proposed lighting for the site, 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.

4.3 Conservation Manager (Landscape) – Object

The proposal is for the erection of 5 chalets at Westbrook Court. I have visited the site and discussed the proposal with the applicant. Whilst I acknowledge the applicant is seeking to create high quality accommodation which fully enjoys the scenic beauty of this valued landscape there is a balance to be met between business needs and impact upon the natural environment.

The site proposed in conjunction with the current layout represent an incursion into open countryside which is harmful to the landscape character, having walked the popular trail along Merbach Hill I consider there is also potential for harmful visual effects.

I am not fully satisfied with the rationale provided within the Design and Access site for the site selection and I would recommend the case officer seek further information as to why the alternative parcel of land which relates more closely to the existing built form cannot be utilised.

In terms of the design detail; a green roof has been proposed the detail of which would need to be supplied. The hard landscaping for both the parking area and the access to the chalets as well as any proposed planting should be shown upon a landscape plan, in order to establish compliance with policy LD1 of the Core Strategy.

Further comments were provided following a meeting and emails with the applicant:

From a landscape perspective the harm is potentially twofold:

In terms of landscape character the site lies within the local landscape type; Principal Timbered Farmlands, the key characteristics for which are;

- small scale landscapes with an organic enclosure pattern with hedgerows defining the field boundaries.
- An ancient wooded character portrayed by hedgerow trees; predominantly oak and woodland, leading to filtered views.

The landscape harm lies not from the removal of the components of these key characteristics but from the introduction of alien features into what is an essentially natural landscape.

The Landscape Character Assessment for this type states; these landscapes typically have a dispersed settlement pattern of frequent roadside dwellings and farmsteads set amongst winding lanes. This is the rationale for recommending the proposal be developed in such a way that it related to the farmhouse and outbuildings at Westbrook Court. By situating the proposal within the field to the east of the farmstead it protrudes into the wider open countryside and is physically and visually separate from the farmstead. The linear pattern to the layout of the proposal jars with the surrounding organic field pattern. This is further exacerbated by the introduction of the associated hard landscaping and potentially also by the external materials proposed for the chalets which include mirrored glass and aluminium doorways.

Insofar as visual effects are concerned the site lies within a landscape that whilst undesignated can be described as high quality, with little in the way of surrounding development it is sensitive to change. There are a number of footpaths within the locality which link to popular tourist trails and filtered views of the proposal giving rise to adverse effects are considered likely.

There is also the potential for the development to become a focal point in views from elevated ground such as Merbach Hill; common land which forms part of the route of both the Herefordshire Trail and the Wye Valley Walk.

Having identified both the potential for landscape harm and adverse effects upon visual amenity during a number of site visits and discussions with the applicant, I have concluded the proposal is not compliant with policy LD1 of the Core Strategy as it does not demonstrate that it has been positively influenced by the character of the local landscape and neither would it successfully integrate into its surroundings.

4.4 Conservation Manager (Historic Buildings)

The two barns at Westbrook Court are Grade II listed and are timber framed barns dating from the C17. The experience of the immediate agrarian landscape is a key part of their setting which contributes to their significance. Whilst we note that there is a degree of enclosure to the farmstead, it is felt that the experience of the wider landscape setting does contribute to the significance and understanding of the buildings. As such we feel that the proposals would cause less than substantial harm and that policy 196 of the NPPF would apply requiring an LPA to weigh up any harm against the public benefits of the proposals.

4.5 Transportation Manager – No objection

5. Representations

5.1 Clifford Parish Council - Object

Local Parishioners strongly object to building on open green pasture land, should this be granted would set a precedent. Local need is for affordable housing within the Core Strategy.

The design is not in keeping with the grade II listed building already on site. There is a redundant barn which is suitable for conversion in the garden which should be considered first.

The increase to 10 holiday dwellings is in keeping with holiday camp size the access and volume of traffic onto highway, this stretch of highway is continually an issue with neighbours, parish council continually receive complaints from neighbours this would increase the volume issues. There holiday dwellings are large and will be visible from PROW and local views. Concern that the glass will cause issue for the local birds.

5.2 To date 24 letters of support have been received to the proposal. The contents therein are summarised as follows:

- Existing business is well established
- Guests from the existing business eat at the local restaurants, shop in Hay and surrounds and use local activity providers like canoeing, biking and foraging which all brings money into the local economy. It also creates local employment
- Field is hidden from the main road and the design is sympathetic to the environment so will not be detrimental to the landscape
- The ability to house tourists in a way which represents a holiday in terms of luxury and quality is critical to the economy and to provide accommodation year round
- Additional cars that the small development will attract will not negatively impact on the B4348. The splays are good
- Proposal will enhance the reputation of the Golden Valley as a thriving tourist destination offering rural idyll and recreation
- The site does not lend itself obviously to farming or other use

One letter of comment has been received. The contents therein are summarised below:

- Building on green fields will destroy the natural landscape and beauty
- The barn could be converted or new buildings be located near their house but cost and nearby cattle buildings are reasons for not doing so
- Will be visible from the road
- There are young people who would love to build affordable houses in fields they own but can't due to it not being within the development plan. The holiday lets could be lived in 52 weeks a year

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=180193&search=180193

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 The proposal is for the erection of 5 individual holiday chalets which would form an extension of an existing bed & breakfast business ran by the applicants at Westbrook Court. The proposal has generated a relatively high level of public interest, much of which is supportive of the aims of the scheme. The following considerations are relevant to the determination of the application:

- Principle of development and site sustainability
- Impact on the landscape character and visual amenity
- Design of the scheme and impact on residential amenity
- Impact on nearby grade II listed barn
- Access and highway safety
- Ecological impacts
- Foul and surface water implications

Principle of Development and Site Sustainability

6.2 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states as follows:

"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."

6.3 In this instance the adopted development plan is the Herefordshire Local Plan – Core Strategy (CS). The National Planning Policy Framework (NPPF) is also a significant material consideration.

6.4 With the proposal being for a tourist development, Policies RA6 and E4 of the Core Strategy are engaged in the first instance.

6.5 Policy RA6 states that a range of economic activities will be supported which help diversify the rural economy including proposals which promote sustainable tourism proposals of an appropriate scale in accordance with Policy E4. Proposals which involve the small scale extensions of existing businesses will also be supported under the same policy. Such schemes will be permitted where they:

- are of a scale which is commensurate with its location and setting;
- do not cause unacceptable adverse impacts to the amenity of nearby residents by virtue of design and mass, noise, dust, lighting and smell;
- do not generate traffic movements that cannot safely be accommodated within the local road network
- do not undermine the achievement of water quality targets in accordance with Policies SD3 and SD4.

6.6 In relation to Policy E4, this lists a number of measures that will be supported in order to promote Herefordshire as a tourist destination. Within this list is the retention and enhancement of existing, and encouragement of new, accommodation which will help to diversify the tourist provision, extend the tourist season and increase the number of visitors staying overnight. The

Further information on the subject of this report is available from Miss Emily Reed on 01432 383894

postscript to the Policy acknowledges that with many visitors to the County coming to enjoy the beautiful countryside, there is likely to be a demand associated with this. However, while some small scale tourist associated development may be appropriate in rural areas, any significant new development for accommodation and facilities should be focused in Hereford and the market towns to maximise sustainable transport opportunities and to protect environmental amenity.

- 6.7 Policies RA6 and E4 are both reinforced through chapter 6 of the NPPF which acknowledges the role sustainable tourism and leisure developments can play in providing a prosperous rural economy. Paragraph 84 of the NPPF recognises the balance that needs to be struck in such locations stating that:

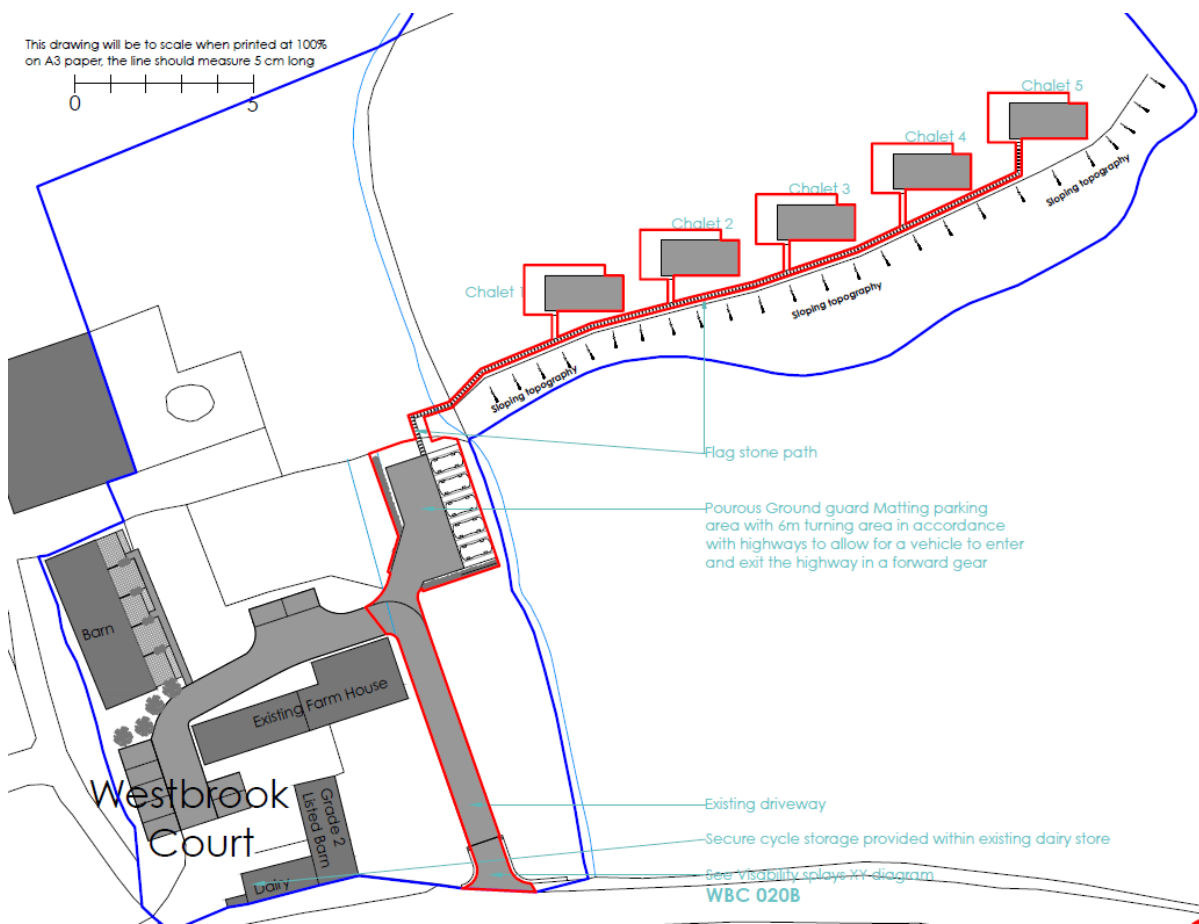
Planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist.

- 6.8 With the open countryside location of the site, away from settlements, Policy LD1 of the Core Strategy is also engaged. This states that 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.

- 6.9 The site lies within open countryside and approximately 2.5km to the south east of Priory Wood, the nearest settlement to the site that is identified for residential development under Policy RA2. With this in mind, the location would not be one supported for open market housing. However, the scheme proposes tourist accommodation, the benefits of which are acknowledged under policy E4 as well as the expansion of an existing business. While it is unlikely visitors to the site would be readily able to access amenities and facilities within the neighbouring settlements without dependence on vehicles, the pattern of movements of tourists are generally different to that of permanent residents. The close proximity to the public rights of way is also noted. As such, officers do not find the resultant scale of the proposal, added to the existing five units, to be unacceptable in principle.

Impact on the landscape character and visual amenity

- 6.10 The proposed site is for the five units along an east-west axis close to the field boundary to the south. This is demonstrated on the site plan below that accompanies the proposal:



6.11 While there is the farmhouse, listed barn and outbuilding permitted in 2012 all located to the west of the site, there is little built context otherwise - it is very much a natural landscape with the field being undeveloped and inaccessible directly from the road. The relationship between the field and the existing built form can be seen on the aerial photograph below.



Further information on the subject of this report is available from Miss Emily Reed on 01432 383894

- 6.12 The chalets will project into the field in a regimented pattern that is at odds with the nearby development. Most surrounding development is close to the road; in a wayside pattern; and consists of outbuildings or agricultural buildings.
- 6.13 The units proposed are of a modern design and form (touched on further below) comprising of rectangular 'pods' sited on stilts in order to provide a light touch approach whereby the turf can be replaced. While the contemporary approach has been taken in order to provide the customer experience the applicants are trying to achieve, as a result of both the siting and rectangular form of the chalets, the scheme would lead to alien features in the landscape. With regard to visual harm, wider views of the site can be clearly obtained from the top of Merbach Hill as well as from certain points on the public rights of way that travel around the site. In light of this, and as a result of the form, the proposal would become a focal point that is out of keeping with the pattern of surrounding development and the local landscape character. The inclusion of mirrored elevations also gives rise to concerns regarding potential light reflection that may be caused as a result.
- 6.14 Discussions have taken place with the applicant in relation to re-siting the chalets. The field to the north of the host dwelling was suggested as a potential alternative by Officers as this would provide a better relationship with the existing buildings, prevent spread and ensure the development is read in conjunction with the other existing built form. It is understood that the agricultural building to the north west of the farmhouse is outside of the Applicant's ownership and the alternative siting of the chalets within this area has not been progressed due to the impacts of being in close proximity to this. However, given that this alternative site has not been fully explored as well as the location of the existing holiday accommodation being next to the agricultural building, officers are unconvinced this would not be a more appropriate way forward. This approach is reflected within paragraph 84 of the NPPF.
- 6.15 With the foregoing paragraph in mind, and based on the plans that are for consideration as part of the proposal, the scheme would result in an unnatural, uncharacteristic spread of development into the open countryside that, due to public viewpoints from the footpaths to the east and west which taper to a joint one at the north and views gained from Merbach Hill, would be readily visible. Since the siting is at odds with the existing built form, both the landscape character and visual amenity are not protected through the proposal and therefore give rise to conflict with the aims of Core Strategy Policies LD1 and RA6.

Design of the scheme and impact on residential amenity

- 6.16 The design of the scheme is to be assessed against policy SD1 which states that proposals should be designed to maintain local distinctiveness through detailing and materials, respecting scale, height, proportions and massing of surrounding development. The proposal should also safeguard the amenity of existing and proposed residents in terms of overlooking, overshadowing and overbearing impact.
- 6.17 As stated above, the chalets will be sited along an east-west axis with a path leading along the rear of the buildings to the parking area located to the north east of the farmhouse. The chalets will be constructed from timber and metal clad elevations, mirrored glass and green roofs.
- 6.18 Notwithstanding the comments in relation to the wider landscape impact of the modern approach, it is acknowledged that the design of the units will arguably attract a wider spectrum of end users than the traditional B&B service. The units will provide the benefits of a B&B stay while being divorced from the main dwelling and the applicants assert that the contemporary design will offer an attractive option for guests.

6.19 Given that the applicants own and reside in the farmhouse and the existing holiday accommodation on the site, the proposed use will be largely self-managing. There are also no neighbouring dwellings within the vicinity and on this side of Westbrook Court. This, together with the level of accommodation that each chalet will provide, leads me to conclude that the site can operate without having unacceptable effects upon residential amenity in accordance with CS policy SD1.

Impact on Grade II listed barn

6.20 Given the proximity to the Grade II listed barn, adjacent to the roadside and to the south west of the proposal site, S66 of the Listed Building Acts Planning (Listed Buildings and Conservation Areas) Act 1990 is engaged requiring the decision-maker to have special regard for the desirability of preserving the setting of such assets.

6.21 Policy LD4 of the Core Strategy is also relevant in terms of local planning policies. This policy states that development proposals affecting heritage assets and the wider historic environment should protect, conserve and where possible enhance heritage assets and their settings in a manner appropriate to their significance through appropriate management, uses and sympathetic design in particular emphasising the original form and function where possible.

6.22 NPPF section 16 sets out the position regarding conserving and enhancing the historic environment. Specific principles and policies relating to the historic environment and heritage assets and development are found in paragraphs 184 – 202.

6.23 The NPPF sets out in paragraph 185 that there should be a positive strategy for the conservation of the historic environment. It is recognised that heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance taking into account:

- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation
- the wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring
- the desirability of new development making a positive contribution to local character and distinctiveness
- opportunities to draw on the contribution made by the historic environment to the character of a place.

6.24 Paragraphs 193 – 196 set out what and how LPAs should consider in determining planning applications which feature historic assets. Paragraph 195 states that where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- a) the nature of the heritage asset prevents all reasonable uses of the site; and
- b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and
- d) the harm or loss is outweighed by the benefit of bringing the site back into use.

6.25 Paragraph 196 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

Further information on the subject of this report is available from Miss Emily Reed on 01432 383894

- 6.26 Given the comments received from the Council's Historic Buildings Officer, the proposal is found to lead to less than substantial harm to the designated asset but is a significant material consideration that directs that refusal should ensue unless the public benefits of the proposal outweigh the harm. This test will be covered below having regard for all the factors of the planning application.

Access and highway safety

- 6.27 The highways implications of any proposal are to be assessed against Policy MT1 of the Core Strategy. This policy states that development proposals should demonstrate that the strategic and local highway network can absorb the traffic impacts of the proposal without adversely affecting the safe and efficient flow of the traffic, be designed and laid out to achieve safe entrance and exit with appropriate operational and manoeuvring space and have regard to the parking standards contained within the Council's Highways Design Guide.
- 6.28 Paragraph 109 of the NPPF is also relevant in relation to highways safety stating that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 6.29 The existing access into Westbrook Court will be utilised with a parking area located to the north west of the farmhouse. It would then be for occupiers of the chalets to walk from the parking area to the chalets along the proposed pedestrian path.
- 6.30 The existing access has a fairly large splay onto the north of the B4348 and while the driveway is only the width of one car, the proposed parking area would be beneficial should a car meet leaving the site and one entering. In light of the existing use on the site with five holiday units, the provision of an additional parking area and no objections received from the Transportation Manager, while the comments raised by the Parish Council are noted, having regard for Policy MT1 and paragraph 109 refusal of the application on this ground would not be justified.
- 6.31 The parking area referred to above will accommodate 6 car parking spaces as well as a turning area enabling any vehicle to turn within the site and leave in a forward gear. Amendments have been sought in relation to this layout and to re-orientate the parked cars away from the farmhouse so that some gap is retained and the amenity of the farmhouse is protected. With this level of parking and layout meeting the requirements stated within the highways design guide, the proposal is found to be acceptable as assessed against Policy MT1.

Ecological impacts

- 6.32 Policies LD2 and LD3 of the Core Strategy are applicable in relation to ecology and the impact on trees. These state that development proposals should conserve, restore and enhance the biodiversity and geodiversity asset of the County and protect, manage and plan for the preservation of existing and delivery of new green infrastructure.
- 6.33 The design and access statement that has been submitted comments upon the biodiversity and ecological benefits of the proposal including the provision of green roofs, the lack of hedgerows and trees that would need to be removed as well as the provision of bat roosts and the light touch construction.
- 6.34 Subject to the conditions that have been recommended by the Council's Ecologist, the aims of policies LD2 and LD3 can be met.

Foul and surface water implications

- 6.35 Policy SD3 of the Core Strategy states that measures for sustainable water management will be required to be an integral element of new development in order to reduce flood risk, avoid an adverse impact on water quality, protect and enhance groundwater resources and to provide opportunities to enhance biodiversity, health and recreation and will be achieved by many factors including developments incorporating appropriate sustainable drainage systems to manage surface water. For waste water, policy SD4 states that in the first instance developments should seek to connect to the existing mains wastewater infrastructure. Where evidence is provided that this option is not practical alternative arrangements should be considered in the following order: package treatment works (discharging to watercourse or soakaway) or septic tank (discharging to soakaway).
- 6.36 The design and access statement that accompanies the proposal states that a private treatment plant will be utilised for foul sewage disposing into a watercourse. In light of the comments received from the Council's Ecologist, this is an unacceptable method of foul drainage given the proximity to the River Wye SSSI/SAC. The agent has confirmed that they would accept conditions requiring a soakaway drainage field to be utilised.
- 6.37 In relation to the drainage of surface water, while the application form states that a sustainable drainage system/soakaway will be utilised, the design and access statement comments that due to the still construction and 'innovative gargoye outlet' the surface water will enter the ground as though the building is not there.
- 6.38 Given the size of the site within the ownership of the applicant, it is anticipated that an acceptable drainage method can be established. As such, it is considered that the requirements of Policies SD3 and SD4 would be satisfied subject to suitably worded conditions.

Conclusion and planning balance

- 6.39 Paragraph 8 of the NPPF advises that there are three dimensions to sustainable development; economic; social and environmental. Paragraph 11 of the NPPF sets out how this is to be applied in practice, advising that proposals that accord with the development plan should be approved without delay. Policy SS1 of the Core Strategy reflects this guidance.
- 6.40 Economically, the contribution to tourist provision is accepted and supported throughout the Core Strategy, as is the expansion of an existing business. The proposal represents a scheme that would provide additional overnight accommodation of a contemporary nature that would add to the diversity of holiday units on offer across the County. The provision would increase the number of visitors to the locality, benefit local businesses and facilities further afield as well as provide additional hours for local cleaners and fulltime employment for the two applicants.
- 6.41 Socially, the benefits of this type of proposal will be limited as it is unlikely that visitors will become integrated into the local community, partly as a result of the distance from the nearest settlements but also due to the nature of the accommodation proposed being for tourist provision.
- 6.42 Environmentally, the site is divorced from the built up part of the settlements, but given that the proposal represents an expansion of an existing business, this is not found to be a reason to refuse the application. However, as a result of the form and siting of the proposal, the scheme is found to represent an incursion into the open countryside in a way that has not been influenced by the surrounding development. As such there is a resultant landscape harm in terms of the character and visual amenity.
- 6.43 Whilst officers have had regard to the comments of the Council's Historic Building Officer, regard must also be had to the public benefits accruing from the development proposal and as

such whether the scheme passes the test under paragraph 196 of the NPPF. Given the expansion of an existing business, provision of additional and diverse tourist accommodation and the associated impacts of increasing tourism income, the public benefits are considered to outweigh the less than substantial harm to significance. As such, officers conclude that the test within paragraph 196 is passed.

- 6.44 Notwithstanding the foregoing paragraph, given that the three roles of sustainability are mutually dependent and should not be undertaken in isolation, it is concluded that the proposal would not represent sustainable development and as such, on the basis of the evidence submitted, I conclude that the proposal would conflict with the development plan as a whole as it is contrary to Core Strategy policies SS1, SS6, RA6, and LD1 and the guidance provided by the NPPF.

RECOMMENDATION

That planning permission be refused for the following reasons:

- 1. As a result of the siting and form of the chalets, the proposal protrudes into the wider open countryside and is physically and visually separate from the farmstead. This is contrary to the landscape character and has resultant adverse visual amenity impacts. As such, the proposal is contrary to policies SS1, SS6, RA6 and LD1 of the Core Strategy as it does not demonstrate that it has been positively influenced by the character of the local landscape and neither would it successfully integrate into its surroundings.**

Informative:

- 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 and identifying matters of concern with the proposal and discussing those with the applicant. However, the issues are so fundamental to the proposal that it has not been possible to negotiate a satisfactory way forward and due to the harm which have been clearly identified within the reason for the refusal, approval has not been possible.**

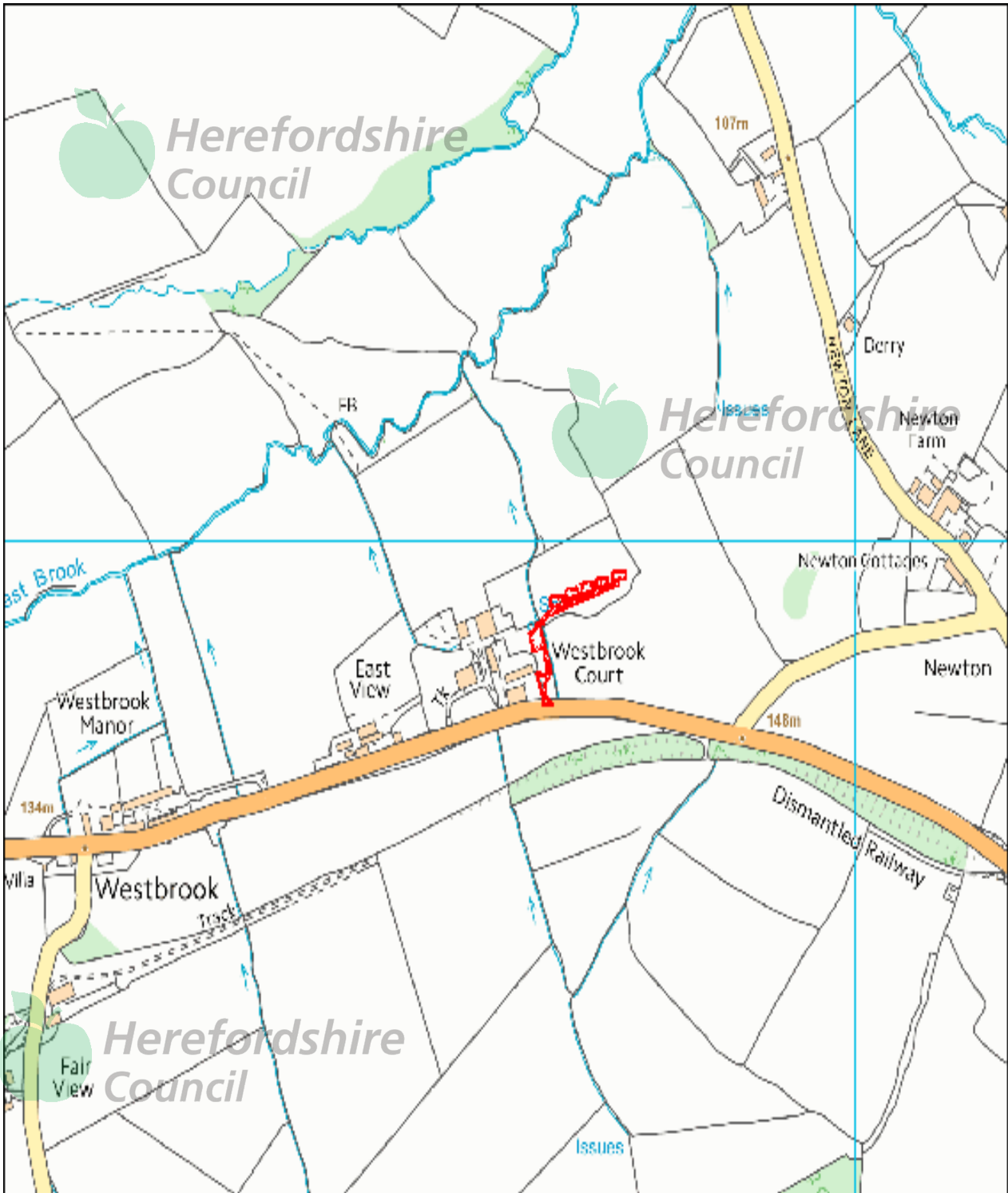
Decision:

Notes:

.....

Background Papers

Internal departmental consultation replies.



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

APPLICATION NO: 180193

SITE ADDRESS : LAND AT WESTBROOK COURT, WESTBROOK, HEREFORD

Based upon the Ordnance Survey mapping with the permission of the controller of Her Majesty's Stationery Office, © Crown Copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Herefordshire Council. Licence No: 100024168/2005

Further information on the subject of this report is available from Miss Emily Reed on 01432 383894

Further information on the subject of this report is available from Miss Emily Reed on 01432 383894