

MEETING:	PLANNING AND REGULATORY COMMITTEE
DATE:	21 November 2018
TITLE OF REPORT:	172156 - ERECTION OF DWELLING FOR AGRICULTURAL MANAGER. AT HAZELFIELD, BROAD OAK, HEREFORD, HR2 8QZ For: Mr Breakwell per Mrs Julie Joseph, Trecorras Farm, Llangarron, Ross-on-Wye, Herefordshire, HR9 6PG
WEBSITE LINK:	https://www.herefordshire.gov.uk/info/200142/planning_services/planning_application_search/details?id=172156&search=172156
Reason Application submitted to Committee – Redirection	

Date Received: 13 June 2017

Ward: Birch

Grid Ref: 347700,219722

Expiry Date: 31 January 2018

Local Member: Councillor DG Harlow

1. Site Description and Proposal

- 1.1 The application site consists of a farmstead located to the west of the C1239 and is approximately 1.5km to the south of Broad Oak. The farmstead relocated to the current location from Llanrothal Court to the west in 2005/06 following conversion of the barns on that site and consists of three main agricultural buildings – a fodder store, grain store and part workshop and a covered yard with central feed passage. The farmstead currently amounts to 225 acres for arable cropping, approximately 60 suckler cows and typically between 250 – 300 ewes.
- 1.2 The majority of the land and buildings are within the ownership of the applicant's parents with some land in the applicant's name. Hazelfield House lies at the access to the highway and is within the ownership of the applicant's family but currently occupied by a worker on Hazelfield. There is also Hazelfield Barn to the north-west which the applicant's parents live in.
- 1.3 A static caravan was permitted on the site for the use of a stockman in 2006 with a three year temporary permission. The caravan is still on site and resided in by the applicant.
- 1.4 This application seeks planning permission for the erection of a detached agricultural workers dwelling to the south/south east of the agricultural buildings. It will accommodate a kitchen/dining room, lounge, utility and garage/store on the ground floor with three bedrooms, an ensuite, bathroom and office on the lower floor.

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
RA1	-	Rural Housing Distribution
RA2	-	Housing in Settlements Outside Hereford and the Market Towns
RA3	-	Herefordshire's Countryside
RA4	-	Agricultural, Forestry and Rural Enterprise Dwellings
MT1	-	Traffic Management, Highway Safety and Promoting Active Travel
LD1	-	Landscape and Townscape
LD2	-	Biodiversity and Geodiversity
LD3	-	Green Infrastructure
SD1	-	Sustainable Design and Energy Efficiency
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/planning-and-building-control/planning-policy/core-strategy/adopted-core-strategy>

2.2 National Planning Policy Framework (NPPF):

Chapter 2	–	Achieving sustainable development
Chapter 5	–	Delivering a sufficient supply of homes
Chapter 6	–	Building a strong, competitive economy
Chapter 9	–	Promoting sustainable transport
Chapter 12	–	Achieving well-designed places
Chapter 14	–	Meeting the challenge of climate change, flooding and coastal changes
Chapter 15	–	Conserving and enhancing the natural environment

2.3 Neighbourhood Development Plan

Garway Neighbourhood Development Plan is at the drafting stage and therefore afforded no weight at the present time.

3. Planning History

3.1 **143012/F – Proposed erection of dwelling for farm manager. Refused** on the following grounds:

The application fails to demonstrate that there is an agricultural need for the proposed dwelling and the scheme is therefore representative of an unjustified dwelling in open countryside, contrary to Policy RA3 of the Herefordshire Local Plan Core Strategy and the NPPF for the following reasons:

- i. The submission fails to substantiate an agricultural need for a third dwelling to be available to the enterprise by virtue of the relatively low stock numbers and that existing dwellings available to the farmstead meet the need. The proposal is therefore contrary to Policy RA4 of the Herefordshire Local Plan – Core Strategy and the NPPF.

- ii. Submitted accounts do not demonstrate that the business is one which is considered financially sustainable. As such, a dwelling in this location would likely become unjustified and, being in a location where housing would not ordinarily be supported, would lead to an unsustainable pattern of development. The proposal is therefore contrary to Policy RA4 of the Herefordshire Local Plan – Core Strategy and the NPPF.
- iii. The proposed agricultural need could have been met by Llanrothal Bungalow which was severed from the farmstead in 2012 at a time when the applicant was, objectively, of the opinion that Hazelfield Farm had an agricultural need for a dwelling. This is contrary to Policy RA4 of the Herefordshire Local Plan – Core Strategy which prefers that the existing housing stock be utilised to meet agricultural need as opposed to a new dwelling.

S122445/F – Removal of condition 3 – agricultural occupancy condition. Approved at Llanrothal Bungalow

DCSW2007/2372/F Proposed conversion of existing redundant barn to dwelling: Refused (Allowed at appeal) at Hazelfield Barn

DCSW2006/3290/F – Static caravan for new farmstead for a stockman (retrospective application). Approved for a temporary period of 3 years.

DCSW2006/0692/F – Static caravan on new farmstead for stockman. Refused on the following ground:

1. Having regard to Policies H16A, H20(b) and A4 of the Hereford and Worcester County Structure Plan and Policies GD1, C1 and SH17 of the South Herefordshire District Local Plan and Government Advice contained in PPS7 Annex A, and Policies S1, S3, H7 and H8 of the Herefordshire Unitary Development Plan (Revised Deposit Draft) the Local Planning Authority considers the application to be unacceptable. The caravan for an agricultural worker at Hazelfield Farm fails the functional and financial tests as outlined in PPS7 Annex A to justify that there is a genuine need for the caravan by virtue that there is the existing farmhouse upon the agricultural holding. Thus the proposal does not outweigh local plan policies and Government Advice, which seeks to strictly control development within the open countryside.

There have been six permissions on the site for various agricultural buildings and a prior approval application for a track.

4. Consultation Summary

Statutory Consultations

4.1 Welsh Water – No objection

We would request that if you are minded to grant Planning Consent for the above development that the Conditions and Advisory Notes provided below are included within the consent to ensure no detriment to existing residents or the environment and to Dwr Cymru Welsh Water's assets.

SEWERAGE

As the applicant intends utilising a private treatment works we would advise that the applicant contacts Natural Resources Wales who may have an input in the regulation of this method of drainage disposal. However, should circumstances change and a connection to the public sewerage system/public sewerage treatment works is preferred we must be re-consulted on this application.

Internal Council Consultations

4.2 **Conservation Manager (Ecology) - No objection**

I see from the plans that Foul water is proposed to be managed by a new Package Treatment Plant with final outfall through a soakaway field. This is supported and will ensure no direct release of potential contaminating phosphates (or residual nitrogen or suspended solids) in to local water courses with associated detrimental impacts on water quality and local ecology (in line with Core Strategy Policy SD4). I would request that this management of foul water is subject to the standard implement as per agreed plans Condition if permission is granted.

In line with national guidance (NPPF & NERC Act) and local Core Strategy (Policy LD2) all developments should show how they will enhance the local biodiversity value. To ensure this I would request a relevant pre-commencement condition is included.

Nature Conservation – Enhancement

Prior to commencement of the development, a detailed 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:

The enhancement plan should include details and locations of all proposed Biodiversity/Habitat enhancements as referred to in NPPF and HC Core Strategy. At a minimum we would be looking for significant 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 and hedgehog movement 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.

4.3 **Conservation Manager (Landscape) - Qualified comment**

The application is for an agricultural dwelling on land at Hazelfield, an earlier application (P143012/F) was refused in December 2015 on grounds that the application failed to demonstrate an agricultural need for the proposed dwelling.

I have visited the site and walked its extents with the applicant. The site comprises a levelled area just west of the apex of the hill (188m AOD), it has 2 large agricultural units set back on a plateau to the east of the site, with a smaller open sided barn sitting at the top of the ridge on the western edge. The land falls steadily away to the west in the direction of the River Monnow.

The site benefits from screening by both vegetation and landform on three sides, however along the western boundary views from the wider landscape are possible. The proposed house is substantial in scale and there is potential for adverse visual effects as a result of the proposal, in what is essentially a natural landscape.

I have discussed with the applicant the potential for relocating the location of the dwelling immediately north of the larger units upon the existing plateau which is a less prominent location, however I recognise the need for surveillance.

An alternative approach would be to reconsider the nature and scale of the proposal. A number of revisions could be made to secure a development which will blend into the wider landscape rather than act as a focal point. I will set these out below in order that these can be considered by both the case officer and the applicant:

- The current proposal is relatively substantial in size a proposal more modest in scale may be more appropriate in this location. This could be achieved by several means; consideration given to the height in particular in relation to the existing adjacent barn.
- A split level proposal would reduce the degree of prominence along the western edge.
- The use of local materials in keeping with the local landscape character type; Sandstone Farmlands; such as stone slate would ensure the proposal assimilated into its surroundings.
- Appropriate landscaping in the form of trees and hedgerows would soften the built form along the western boundary.

4.4 **Transportation Manager - No objection subject to recommended conditions**

4.5 **Public Right of Way Officer – No objection**

We have received an application for a by way open to all traffic, as shown on the attached plan. The proposed dwelling will not affect the BOAT, but the applicant should be made aware of the application.

4.6 **Agricultural/Rural Business Consultant – No essential need for a further dwelling** (an extract from the consultation response is found below)

Clause 28 of the National Planning Policy Framework (NPPF) states that local planning policy should, in future, promote the development and diversification of agricultural and other land based rural businesses. In accordance with Clause 55 of this framework, local planning authorities are required to promote sustainable development in rural areas with regard to housing but “should avoid new isolated homes in the countryside unless there are special circumstances such as:

- the essential need for a rural worker to live permanently at or near their place of work in the countryside.”

This exact wording originated from clause 10 of PPS7, the only difference being was that clause 10 went on to recommend that planning authorities should follow the advice in Annex A to PPS7.

Despite the status of the NPPF, Annex A of PPS7 provided clear criteria to assess the ‘essential need’ for a dwelling. This guidance is tried and trusted and continues to be used by professionals and accepted as a process for assessing essential need by planning inspectors, and one which I continue to use.

Importantly, Policy RA4 – Agricultural, forestry and rural enterprise dwellings of the Core Strategy clearly reflects the criteria of justification as set out in PPS7.

Functional Need

The most frequent reason for a functional need for a rural worker to be permanently based on a site is so that there is somebody experienced to be able to deal quickly with emergency animal

welfare issues that are likely to arise throughout the majority of the year and during the middle of the night.

The majority of duties associated with any livestock, will largely be routine, but naturally there would be times as with most livestock enterprises where urgent action might be necessary for welfare reasons eg calving cows.

Generally during the farming year, the majority of livestock husbandry duties involving housed cattle would be routine such as handling, sorting, feeding, checking, and treating, which in any case would be carried out during the working day, with a check first and last thing.

However, during calving time there will be need for extra vigilance and frequent observation, which will require some attendance outside normal working hours. In some cases, calving might need to be assisted, and possibly a vet might be required. There will also be after birth care for calves in some cases which again might well involve an out of hour presence. Suckler cows are hardy beasts and frequently calve unaided without any complications, however there would be a functional need for there to be an experienced stockman within easy access of the cows during the spring calving period.

With regard sheep enterprises then for the majority of the year the sheep will be out to grass.

However, during the actual lambing time there will be required for there to be somebody on duty in and around the ewes during the day and night time hours.

The important point to make here is that whether there is a dwelling on site or not, does not affect the welfare of the ewes and lambs during lambing, since lambing is something that is planned for, and the duties to be actually in and around the lambing ewes can be likened to shift work.

In other words, a dwelling on site is superfluous when comes to the practicalities of lambing, as the person responsible will be in and around the ewes and not inside a house.

Even if it was found that there was a functional need for there to be somebody based on site during the lambing period, it would only be for a few weeks of the year, in other words at best a seasonal need.

Some farming businesses station a touring caravan on site to house a student (typically veterinary or agricultural) during seasonal lambing. Not necessarily because there is a functional need, but to provide "off shift" accommodation for that person who might have come far, and the business not being in a position to source short term accommodation, plus of course provision of basic facilities where they are not already on site.

A touring caravan can be useful during seasonal calving where there is no nearby dwelling available and an overnight stay is considered prudent further to a last thing check and for example a cow is showing signs.

Arable farming does not create a functional need to be on site. Of course, there are issues of security and potential theft of equipment, and a house on site will serve as a deterrent. Although this might contribute to the functional need for an onsite presence it does not equate to an overriding need.

Overall it would seem that there is a functional need for there to be somebody based on site for the spring through to early summer period. For the rest of the year the stock will be out to grass or can be managed out of hours with checks last and first thing. In other words, the functional need for somebody to be on site is a seasonal requirement.

Full time labour

The management of the livestock enterprises would justify at least one full time worker.

Establishment and viability

A dwelling cannot be considered essential unless the enterprise on which the proposed essential need is based is likely to continue into the foreseeable future, which in turn is reliant on the enterprise being able to survive financially.

I have had sight of historic farm accounts and it is clear that the farming business is viable and that the beef and sheep enterprises make a significant contribution.

Other Dwellings

The question is whether or not there is an existing dwelling that is available or potentially available to the business that would cover any functional need requirement.

A functional need to be based on site when it comes to cattle does not mean that the stock need to be within sight and sound of somebody. However, that person should be with easy walking distance for easy checking and monitoring during calving for instance.

I do not think that much weight can be given to Llanrothal Bungalow due to the lifting of the tie and sale 6 years ago.

Some weight can be given to Hazelfield Barn. Although the conversion was intended for the applicant's parents to retire to and there is no agricultural tie, the case at present is that it is in the same ownership as the majority of the farm, and could be made available.

Hazelfield House, is less than 250 metres from the farmstead buildings at the track entrance. It is therefore well positioned in respect of security and easy access to the buildings. It is occupied by the farm worker and his family however it could be made available to the applicant by choice. The fact that the farm worker would have to re-locate is not a reason to render the dwelling unavailable for the purposes of assessing essential need.

Conclusion

There is currently no essential need for the development of a further dwelling at Hazelfield.

5. Representations

5.1 Welsh Newton & Llanrothal Group Parish Council – Object (adjacent parish)

1. The applications fails to demonstrate that there is a sustainable agricultural need for an additional dwelling
2. Tied to point 1 above, the submitted information does not adequately establish that the business is one which is considered financially sustainable in the mid to long term
3. The proposed accommodation need could have been met by Llanrothal Bungalow. The fact that the decision was made 4 years ago to sever that property from the farm, must have been made on logical and economic grounds. It is unlikely that the agricultural and business case would have completely reversed in 4 years.

5.2 To date a total of **24 letters of support** for the proposal. The contents of these are summarised below:

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

- Account Manager for the farm states that the bank wish to support and fully fund if required the building of a dwelling and consider the request to wholly valid and appropriate
- Have been employed by the applicant and lucky enough to move into the farmhouse at the top of the drive and work at Hazelfield and Caldicott Farm. I support the local community, businesses and my children attend the local school
- The applicant has lived on the site for years for security and welfare of the farm. The need has been demonstrated by the applicant living in a temporary mobile home for years
- A new build will not have detrimental effects on the local community by blighting the landscape, creating a new access or increasing pressure on resources
- Other permissions have been granted and are far more visible than this application
- Building does not impinge on the views of neighbours and will blend in
- There is no accommodation in the area to rent
- Having a stockman living on site greatly improves the management of the herd and its welfare
- Is a logical progression from the decision to move to the farm in 2004 given the sale of the bungalow at Llanrothal, the farmworker residing in Hazelfield House and the converted barn being occupied by the applicants parents
- Helping the applicant grow his business would have a positive effect on the local economy
- Applicant business is not only sustainable from a business point of view but also the way it utilises solar and wind energy and encourages wildlife and habitat
- As a young keen farmer he should have the opportunity to push his business forward
- Need to allow farm businesses to build a productive, profitable and progressive industry for the future.

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=172156&search=172156

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

Policy context and Principle of Development

6.1 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."

6.2 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.

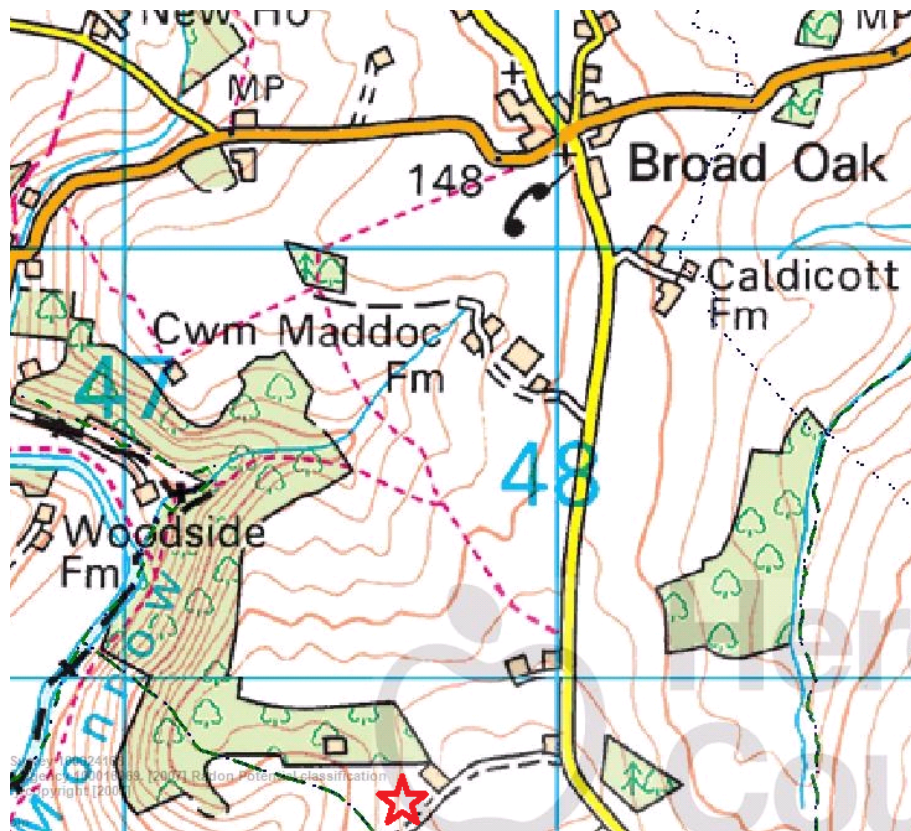
6.3 Despite the relatively recent adoption of the Core Strategy, the Council is unable to demonstrate a 5-year housing land supply. As set out in paragraph 11 of the NPPF, in such circumstances the relevant policies in the Development Plan for the supply of housing should not be considered to be up to date.

6.4 Paragraph 11 of the Framework states that there is a presumption in favour of sustainable development. For decision takers this means approving development proposals that accord with

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the development plan without delay and where there are no relevant development plan policies or the policies which are most important for determining the application are out of date, granting permission unless the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed or 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. This goes back to the weight to be afforded to policies relevant for the supply of housing with an absent a 5 year supply. With this in mind, the spatial strategy is sound and consistent with the NPPF; which itself seeks to avoid isolated development (paragraph 79). It is therefore considered that Policies RA1, RA2 and RA3 of the Core Strategy continue to attract significant weight.

- 6.5 The approach to housing distribution within the county is set out in the Core Strategy at Policy SS2. Hereford, as the largest settlement and service centre is the recipient of up to 6,500 of the requisite 16,500 homes, with the market towns identified in the second tier as recipients of approximately 4,700 dwellings.
- 6.6 Housing in the rural parts of the County is delivered across the settlements identified at figures 4.14 and 4.15 of the Core Strategy (pp. 109 -110). Here the identified settlements are arranged according to the seven identified housing market areas. Figure 4.14 identifies the settlements which will be the main focus of proportionate housing development. Figure 4.15 classifies the 'other' typically smaller settlements where proportionate housing will be appropriate.
- 6.7 There are 119 'main' villages (figure 4.14) and 98 'other settlements' (figure 4.15), giving 217 rural settlements where proportionate growth will be acceptable in principle. The nearest settlement to the application site that is identified within either figure 4.14 or 4.15 is Broad Oak which lies approximately 1.5km to the north.
- 6.8 Notwithstanding the above, the preamble to Policy RA2 states that NDPs will be the principal mechanism by which new rural housing will be allocated. As stated above, while Garway is currently drafting an NDP this cannot be afforded any weight. As such, it is the relationship between the site and the main built up part of the settlement that is to be assessed.
- 6.9 The site is indicated by the red star on the following map and indicates the relationship between it and the main part of the nearest settlement.



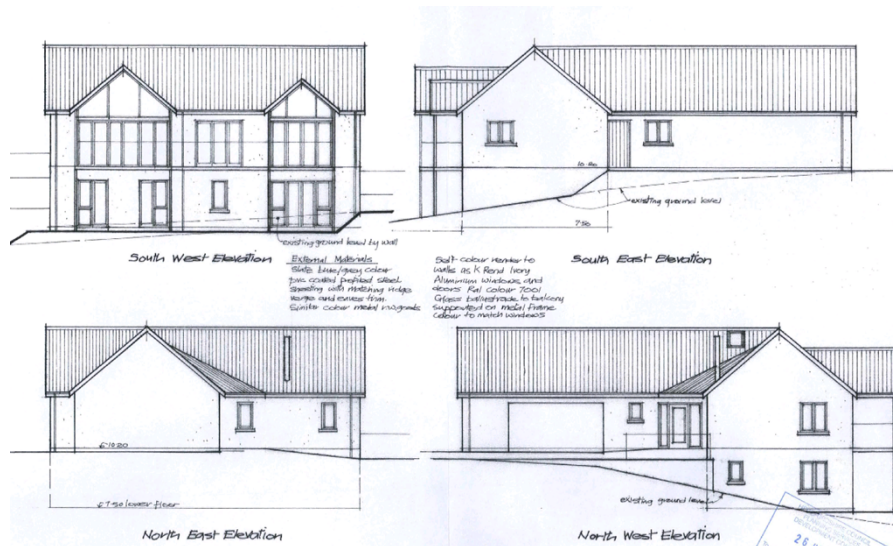
- 6.10 With the above in mind, the site is found to be located away from the main built up part of the settlement and divorced from it. As such, the proposal does not meet the aims of policy RA2.
- 6.11 In such locations where there is conflict with policy RA2, the proposal falls to be assessed against policy RA3. This policy includes a list of excepted residential developments where sites lie outside of settlements and therefore in open countryside. One excepted criteria is stated under criterion 1 of this policy is where a proposal *meets an agricultural or forestry need or other farm diversification enterprise for a worker to live permanently at or near their place of work and complies with Policy RA4.*
- 6.12 Policy RA4 states that proposals for dwellings associated with agriculture, forestry and rural enterprises will be permitted where it can be demonstrated there is a sustained essential functional need for the dwelling and forms an essential part of a financially sustainable business and that such need cannot be met in existing accommodation. This is an approach supported by paragraph 79 criterion 1 of the National Planning Policy Framework. Policy RA4 states that such dwellings should:
1. demonstrate that the accommodation could not be provided in an existing building(s);
 2. be sited so as to meet the identified functional need within the unit or in relation to other dwellings and
 3. be of a high quality, sustainable design which is appropriate to the context and makes a positive contribution to the surrounding environment and rural landscape.
- 6.13 Having visited the site, while I acknowledge there are no buildings that could be converted to such accommodation, there is Hazelfield House at the entrance to the site within the applicant's family's ownership as well as Hazelfield Barn to the north west. I note that the previous refused application made reference to Llanrothal Bungalow. However, as this had the agricultural tie lifted and has been subsequently sold a number of years ago, I appreciate that this does not represent a viable option for the applicant. It is however a consideration when weighing up the need for a further dwelling. While the presence of the caravan on the site is noted, no weight is

attached to this fact given that it is on the site unlawfully and should have been removed in 2009.

- 6.14 Accounts for the year ending March 2017 have been submitted in support of the proposal. These have been viewed by the Council's Agricultural/Rural Business Consultant and as can be seen from his comments above, there is found to be no essential need for the development of a further dwelling on the site.
- 6.15 In light of the above, the proposal is found to conflict with policy RA4 and therefore does not represent an exception to residential development in the open countryside. The principle of this type of development in this location is therefore found to be unacceptable. Notwithstanding this, the technical areas of the application will be assessed below.

Design and amenity

- 6.16 The design of any building 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. Paragraph 127 of the National Planning Policy Framework reinforces this stating that developments should be visually attractive as a result of good architecture, layout and appropriate and effective landscaping and be sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change.
- 6.17 In terms of impact on the landscape policy LD1 of the Core Strategy is also relevant stating that development proposals should demonstrate that the character of the landscape has positively influenced the design, scale, nature and site selection.
- 6.18 The materials for the dwelling include slate blue/grey coloured pvc coated profiled steel sheeting on the roof with rendered elevations using K rend in ivory. While the site is not directly adjacent to other dwellings, Hazelfield House benefits from rendered elevations and Hazelfield Barn is a converted stone barn. Given the proximity to the modern agricultural buildings, the proposed materials are not found to be completely out of keeping with the context. If approved exact details of these would be conditioned.
- 6.19 The building will be a an 'L shaped' dwelling with a two storey element and single storey projection to the front. This is as a result of the topography of the site, which slopes from north to south. Notwithstanding the materials being acceptable in this location, the scale of the building is large with a length of 19.7m in total when viewing from the south east and a width of 14m from the south west. The elevations below indicate the large proportions.



6.20 While the metal roof may be redolent of an agricultural building, the form and design of the dwelling is not found to have been influenced by the rural context of the site. The proportions are more akin to a dwelling within an suburban setting, particularly from the south west and arguably the most prominent view given its open boundary. The scale is not in keeping with a rural cottage vernacular nor converted agricultural building, something far more likely to be found in this location, and will appear stark when viewing from the south and south east. The inclusion of the dormers punctuating the roof are a domestic feature and while the backdrop of the agricultural buildings is appreciated, this feature will draw the viewers eye. The solid to void proportions are also at odds with the simple nature of the site at the present time. I would argue that the fullest opportunities have not been taken to design a dwelling that responds fully to its context. As such, conflict with policies SD1 and LD1 is identified.

6.21 Given the proximity to neighbouring dwellings, issues affecting the amenity of these occupants are not anticipated. In relation to the amenity of any future occupants of the proposed dwelling, there would be adequate private amenity space for it to function as a detached property.

Access and parking

6.22 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.

6.23 The proposal would utilise the existing track to the farm buildings which terminates at Hazelfield Barn. Given the splays at the junction with the road, and any uplift in movements not being classed as severe, no objection has been received from the Council's Transportation Manager.

6.24 With the proposal being for a three bedroom dwelling a minimum of two car parking spaces are required to meet the standards contained within the design guide. Given the area proposed to the front of the dwelling, these could be accommodated allowing for adequate turning space.

Drainage

6.25 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).

- 6.26 The application form which accompanies the proposal states that foul sewage will be disposed of by a package treatment plant with surface water utilising a sustainable urban drainage system and soakaway. Given the size of the land within the applicants ownership, these are found to be appropriate and policy compliant methods.

Planning balance and conclusions

- 6.27 Both Core Strategy policy SS1 and paragraph 11 of the National Planning Policy Framework engage the presumption in favour of sustainable development and require that development should be approved where they accord with the development plan. The NPPF encompasses the government's view of what is meant by sustainable development in practice. The three themes, economic, environmental and social should be pursued jointly and simultaneously.
- 6.28 The application is for housing and in the light of the housing land supply deficit must be considered against the test prescribed at NPPF paragraph 11 and CS Policy SS1. Permission should be granted, therefore, unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the NPPF when considered as a whole.
- 6.29 The site is located outside of the main built up part of Broad Oak, a settlement identified for growth under policy RA2. Given the divorced relationship between the two, open market housing would not be compliant in this location. Moving onto exceptions for rural housing, the applicant seeks to make the case that an agricultural workers dwelling is required on the site. However, noting the other dwellings within close proximity to the farm that are capable of being accommodated by the applicant and the lack of an essential need for an additional dwelling on the complex, the proposal is not found to be justified.
- 6.30 Notwithstanding the in principle objection above, the design is one that does not respond positively to this open, rural location and as a result of the prominence of the site and suburban design, is found to be unacceptable.
- 6.31 In terms of the overall planning balance, in light of the lack of need for an additional dwelling and the harm identified in relation to the design, the proposal is not found to represent sustainable development and is therefore recommended for refusal in line with the reasons outlined below.

RECOMMENDATION

That planning permission be refused for the following reasons:

- 1. In light of the information provided with the application, it has not been demonstrated that there is an essential need for an additional dwelling at Hazelfield, noting that there is Hazelfield Barn and Hazelfield House in close proximity to the site that could be utilised. The proposal is therefore contrary to policies RA3 and RA4 of the Herefordshire Local Plan – Core Strategy and paragraph 79 of the National Planning Policy Framework.**
- 2. The proposed dwelling, by virtue of its scale, prominence and overall design approach, is not one that has been influenced by the local context of the site and**

would result in landscape harm. The proposal is therefore contrary to policies SD1 and LD1 of the Herefordshire Local Plan – Core Strategy and paragraph 127 of the National Planning Policy Framework.

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(s) for the refusal, approval has not been possible.

Decision:

Notes:

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Background Papers

Internal departmental consultation replies.

