

MEETING:	PLANNING AND REGULATORY COMMITTEE
DATE:	18 September 2019
TITLE OF REPORT:	184574 - ERECTION OF 2 DETACHED DWELLINGS AT LONG BARN HOUSE, LANE FROM JUNCTION WITH SPARROW LANE TO QUARRY ROAD, LINTON, ROSS ON WYE, HR9 7RT For: Mr & Mrs Hunter 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=184574
Reason Application submitted to Committee - Re-direction	

Date Received: 17 December 2018 Ward: Penyard

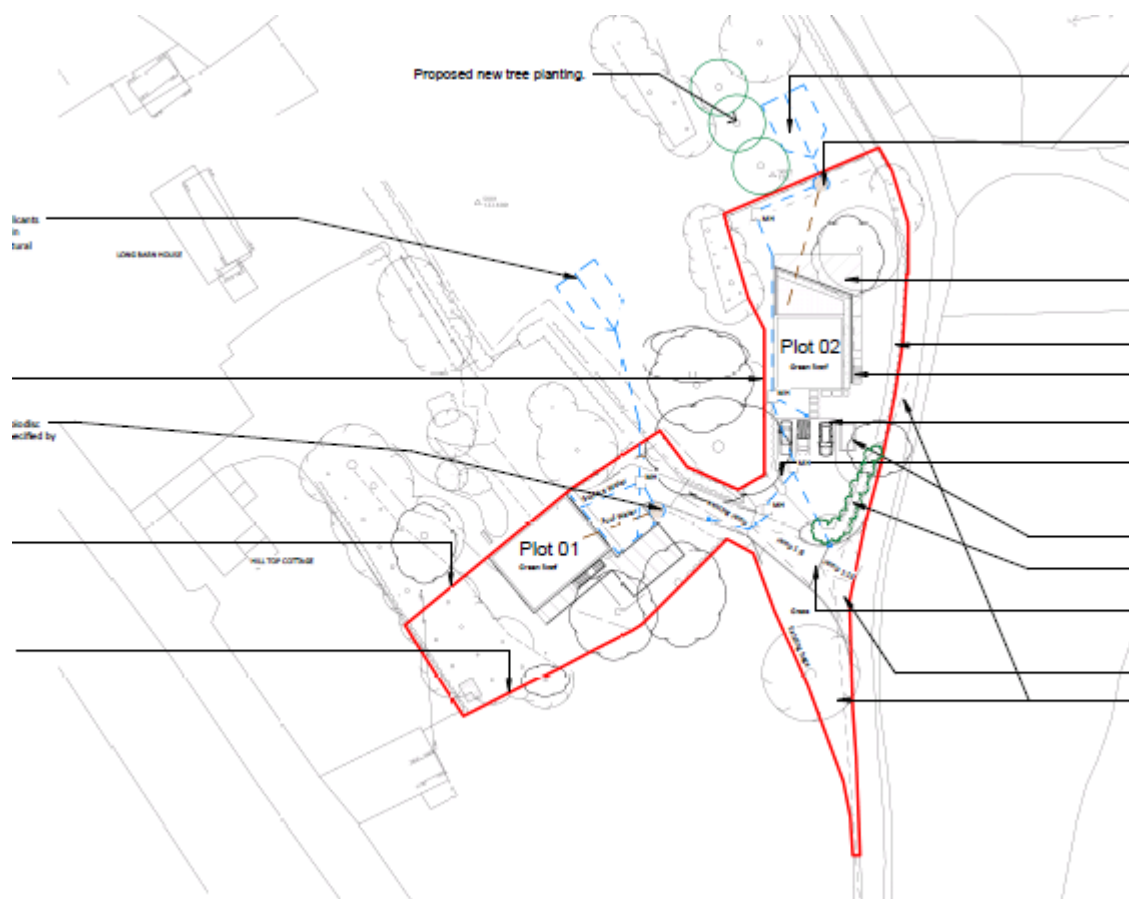
Grid Ref: 366744,224477

Expiry Date: 11 February 2019

Local Member: Councillor William Wilding

1. Site Description and Proposal

- 1.1 The application site comprises of land associated with Long Barn, a detached two storey dwelling which lies to the east. There is a garage building located within the south west of the site which utilises an existing vehicular access to the south off The Line. The site benefits from hedging along the common boundary with Long Barn as well as the boundary with the road. The site is located within the Parish of Linton.
- 1.2 Within this part of Linton there are two roads travelling in a north-south direction (The Ridge to the west – U70239 and The Line to the east – U70238) and the land falls from west to east between the two. This is representative on the site which also falls in the same direction. There are no local or national landscape or heritage designations either within the site or the local area.
- 1.3 This application is submitted in full for the erection of two dwellings. The proposal will utilise the existing access into the site to the south and include the removal of the garage building. Through the process of the application additional information has been submitted in relation to trees, access and drainage and relevant re-consultations have taken place.
- 1.4 Below is the submitted block plan that shows the proposed dwellings in relation to neighbouring dwellings:



2. Policies

2.1 Herefordshire Local Plan – Core Strategy (CS):

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
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/info/200185/local_plan/137/adopted_core_strategy

2.2 National Planning Policy Framework (NPPF):

Chapter 2	-	Achieving sustainable development
Chapter 4	-	Decision making
Chapter 5	-	Delivering a sufficient supply of homes
Chapter 6	-	Building a strong, competitive economy

Chapter 8	-	Promoting healthy and safe communities
Chapter 9	-	Promoting sustainable transport
Chapter 11	-	Making effective use of land
Chapter 12	-	Achieving well designed places
Chapter 14	-	Meeting the challenge of climate change, flooding and coastal change
Chapter 15	-	Conserving and enhancing the natural environment

2.3 Linton Neighbourhood Development Plan (NDP)

Linton Neighbourhood Development Plan is currently at the drafting stage and therefore afforded no weight.

3. **Planning History**

3.1 While there is history in relation to Long Barn there is none directly relevant on the site itself

4. **Consultation Summary**

Statutory Consultations

4.1 **Severn Trent** – no objection

With Reference to the above planning application the company's observations regarding sewerage are as follows.

As the proposal has minimal impact on the public sewerage system I can advise we have no objections to the proposals and do not require a drainage condition to be applied.

4.2 **Natural England** – no objection

Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on designated sites and has no objection.

Internal Council Consultations

4.3 **Transportation Manager** – no objection following amended plans

I have visited the site and reviewed the concerns with the visibility splays.

The visibility splay can be achieved in land which is classed as highway. The submitted plan shows a distance of 25m in a south direction with a visibility shown to the edge of the carriageway. In rural settings like this one the visibility splay can be taken to the centre of the road, therefore can achieve a greater distance.

One concern I do have is that the access should be 90 degrees to the carriageway, now I know there may be a potential issue with the gradient, however if the access can be straightened up a bit more, it will give a greater level of visibility. Just make sure a vehicle can sit at the access fully. Also if the access can be made wider then it will allow for vehicles to get off the highway quicker. I have put a rough position on a plan, however I do note the potential amount of hedgerow which may need to come out for the access.

Following confirmation that the access meets the Herefordshire Council gradients of 1:12 for the access and 1:8 for the driveway and an amended site plan the Transportation Manager recommends approval of the application subject to standard conditions.

4.4 **Conservation Manager (Ecology)** – no objection

The applicant has confirmed that foul water will be managed through connection to sewage treatment plant and surface water will be managed on-site through SuDS/Soakaway including additional capacity from green roofs. These proposals are compliant with Herefordshire Council Policy SD4.

The advice and working methods as provided in the ecologist's report (Churton Ecology, dated September 2018) should be followed, in particular regarding the following items:

Hedgerows: Proposals for native hedgerow and tree planting and timing of works to avoid the bird breeding season.

Bats & lighting: The site is located slightly over 4km from the Forest of Dean & Wye Valley Bat SAC (Wigpool Iron Mines SSSI), and is within an area of known importance for bats and bat foraging, in particular greater and lesser horseshoe bats which are known to be light sensitive species: Proposed lighting for the new dwellings should be kept to a minimum, as per recommendations within the ecologist's report.

Biodiversity enhancements including proposed no. bird and bat boxes should be installed on suitable trees as per the advice and specification of the ecologist/ecology report.

4.5 **Conservation Manager (Trees)** – no objection following additional details

The plans appear to show both plots can be facilitated within the site with out having a detrimental to the short and long term condition of existing trees, this is supported by the findings within the accompanying report – Tree Survey, categorisation and constraints report – Steve Ambler & Son Tree Specialists.

There is however a requirement for further information because there is an abundance of trees which will be in close proximity of any proposed construction. Areas where constraints may arise are:

Boundary treatments – New fencing goes within the Root Protection Areas (RPA) of trees, how will the fencing be erected without causing damage to tree roots.

Drainage – if drainage has to go through RPAs can it be avoided and if not what mitigation is there?

Access – is the existing access staying intact, will facilitation pruning be required for construction vehicles to gain access?

Further information:

Arboricultural Impact Assessment

Tree Protection Plan

Tree Method Statements (if required)

Following the submission of an Arboricultural Implications Assessment the Tree Officer comments as follows:

Having read the arboricultural Impact assessment and Tree Protection plan I am in agreement with the reports conclusion that that development is achievable without causing adverse damage to the retained trees.

I am satisfied that the application is compliant with policies LD1 & LD3 of the Herefordshire Core Strategy and have no objections.

4.6 Conservation Manager (Landscape) – no objection

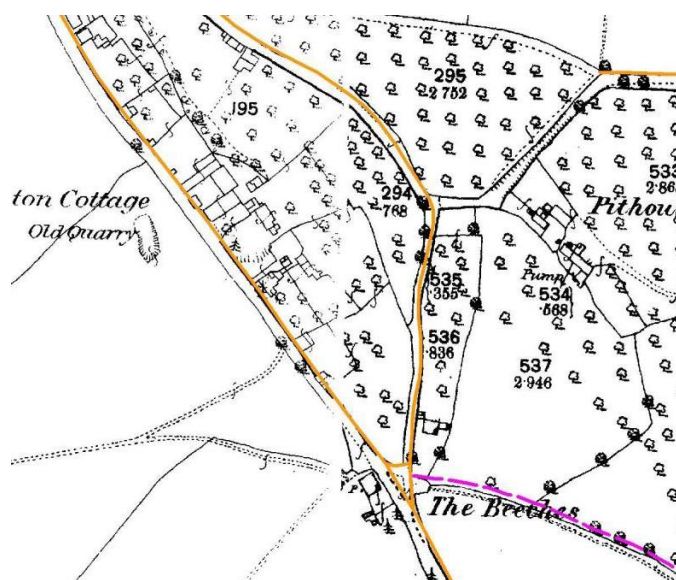
The proposal is for the erection of two detached dwellings on land at Long Barn House. I have visited the site and discussed the proposals at length with the applicant, having now reviewed the supporting documents I have the following comments to make:

In relation to plot 1, I consider this plot relates relatively well to the existing built form. It represents a slight deviation from the wayside settlement pattern however the existing garage and levelled site with access provide a domestic context. The proposed design of the built form demonstrates consideration has been given both to the topography of the land and minimising impact on the wider surroundings. The green roof will further minimise any visual interruption from dwellings located along the ridge.

I do however seek clarification in relation to two aspects of this site:

The tree report appears to show the need for the removal of a number of trees on site T10, T11, T13, T14 and T15. T10 is a category B Ash and T11 a category B Sessile Oak (I believe mistakenly shown as T12 in photograph 5?), please can the applicant confirm this is the case? I await confirmation from highways in terms of the extent of any hedgerow removal or tree works?

Plot 2 relates less well to the existing built form; being set in isolation within a parcel of land which has been retained as rough pasture. The site falls within the landscape character type; Wooded Hills and Farmlands which are defined as; *upstanding wooded landscapes with a sloping topography and well defined character* (LCA 2009) and historic mapping indicates these hills were indeed once wooded, defining the settled parts of Linton. I have read the parish council's comments in respect of the distinct settlement pattern, which is clearly defined along both the Ridge and The Line and I concur with the view that development which erodes the clear division between the two should be avoided, as this will harm the landscape character. However I recognise that Linton has been the subject of infill over the last century and whilst the proposal may represent a deviation from the pattern; this deviation within an undesignated landscape is questionable as to whether it constitutes significant landscape harm.



In terms of visual amenity because of the wooded nature of the site and its immediate surroundings I don't envisage the visual effects from long views to be significant; however there will most likely be a degree of adverse effects experienced by walkers along The Line. I consider there may be some potential to reduce these effects through mitigating planting.

To conclude therefore I seek clarification on the points raised in relation to plot 1, plot 2 I consider there will be a degree of harm to landscape character which the planning officer will need to consider when weighing the planning balance.

Following the submission of amended plans the Landscape Officer comments as follows:

The points raised in the initial landscape response have been answered and addressed within the amended plans. – Additional planting of trees to screen plot 2 have been included and any loss of hedgerow to create required visibility splay have been compensated for by proposals to plant additional new hedgerow back behind the visibility line and along the line of the drive.

No further landscape comments

5. Representations

5.1 Linton Parish Council - object

The Parish Council **Objects** to this application on the following grounds

1. Unsafe access off The Line. (Conflicts with points 1 and 4 of CS Policy MT1)

The stretch of the line at the proposed entrance splay is a steep single-track road. Whilst traffic speeds are recorded typically at approx. 20mph on this stretch this is considered an issue by several residents who spoke at our meeting. It is an old sunken lane, damp, with lots of debris / vegetation on it and treacherous in the winter ice. We would request a site visit by highways to look carefully at this issue given the specific nature of this lane given its increased use and the potential for highway collisions.

More traffic down this section of the line is also a danger to pedestrians. The Line and Ridge circuit is a very popular with local residents for walking and riding. The sunken lane part of The Line where the access is proposed is particularly narrow such that a car cannot pass a pedestrian without the pedestrian climbing into the hedge to avoid collision. The line is not a suitable road to be increasing traffic numbers it's a single track lane where there are no passing places, nor none possible due to the local topography.

2. Impact on the character of the area. (In conflict with point 1 of CS Policy RA2)

The proposed development is out of character with the existing development pattern on Linton Hill as all development on the South side of the line is currently only on the flat section. At either end of Linton Hill, The Line ascends to meet the ridge road. On the North west side this is a heavily wooded area and on the south east side, near the application site, currently lies a large area of open countryside / woodland which is not perceived as garden land.

These steep roads on either side of the main flat section of the line have a charming rural feel to them and create a buffer at each side of the Linton Hill which contains the current built up area on the hill. Developing on one of these buffers will materially change the character of the landscape when seen from short and long distances, affecting its local distinctiveness.

Removing the existing established hedge to create the visibility splay for access to the site, in the old sunken lane, will also detrimentally affect the appearance and character of the area.

Whilst the applicant has tried to come up with a design that will reduce the impact on this sensitive site, the design is out of keeping with all other properties on the Hill (there are no properties with flat roofs). Whilst setting them into the hillside will have the effect of them being less visible from above, when viewed from the sunken lane below they will look quite overbearing. Along with the big expanses of glass (causing much additional light spillage at night) this area of hillside will become more urbanised in appearance character, especially when considering the car parking, to the detriment of its rural character. The sustainability credentials of the design are also questionable given that the solar heat gain that is referred to is likely to be non-existent in the winter months given the site topography and that the main windows face north / north east.

3. The development is an encroachment into a large area of undeveloped hillside and does not represent infill. (In conflict with point 4 of CS Policy RA2)

In the applicants planning statement weight is given to 3 houses that have been approved on the North East Side of the Ridge and Line. The 3 houses approved represented infill development where they are within 10-15 metres of properties on either side. The entrance to the proposed development in question is some 250 – 300 meters from the next house on the same side of the line going downhill (1 & 2 Talbot cottages).

This objection is strengthened by the feedback from residents in the recent consultation exercise as part of the Linton Parish NDP production.

Of the options listed for new housing in the parish, only the provision for limited further development through single plots between houses within the built-up area of the villages received more agreement (70% of respondents agreed or strongly agreed) than disagreement (22% disagreed or strongly disagreed) leading to a large majority in support.

As this is not infill then approving this application is likely to lead to development across this whole area of open hillside alongside and will lead to further material harm to the landscape character of the area.

4. These houses are not needed and do not address local housing needs. (In conflict with CS Policy RA2, supporting paras 4.8.18 and 4.8.19)

Even if it were felt appropriate to develop this site despite the objections already made above, the housing proposed is not in keeping with the type of housing required in this parish. The housing proposed are 3 and 4 bed houses. Given their specification they would fall into the category of executive houses. To date 63% of houses completed or approved in Linton Parish have been 4 / 4+ bed roomed, and 23% 3 bed houses, this compares to the Ross on Wye HMLA requirement of -1% for 4 bed houses and 28% for 3 bed houses.

This is supported by the Linton Parish NDP consultation results on house types.

The majority of respondents agreed or strongly agreed that the parish will need small family homes (84%), adapted or easy access homes (71%) or starter homes (66%) while a majority disagreed or strongly disagreed that there would be a need for flats/ apartments including subdivision of larger properties (71%) or large family / executive homes (59%).

5. Drainage and water run – off issues (CS Policy SD3 point 5)

We have been contacted by local residents concerned that the development will add to existing sewerage and drainage problems in the area. These are

a. Water run off onto the Line which will be exacerbated by the addition of hard surfaces on the hillside and excess from the proposed sewerage treatment plants. As well as eroding the lane this causes ice build-up on the stretch of The Line below the development where it is permanently shaded in the winter months.

Following the submission of amended plans and additional information, re-consultations were carried out. The Parish Council maintain their objection and comment as follows:

The Parish Council discussed this re-consultation referring to the agents e-mail dated 25th June 2019 and have the following additional comments

The Parish Council wish to acknowledge the amendments to the application in particular the drainage report, steps taken to mitigate damage to trees and the planting of additional trees to the north of plot 2 to try and limit the visual impact from The Line. Although it was noted that with the proposed access having been moved slightly further downhill, there would be an increase loss of hedgerow and bank and despite some hedgerow replanting, the landscape impact on the sunken lane remains of concern.

Concerns over highway safety were raised by members of the public attending the meeting and there have been no changes to the scheme to mitigate the concerns regarding highways and pedestrian safety raised in our original objection.

Further, since access to these homes will be exclusively by car. There is no public transport to the village or to this outlying area of the village. Therefore there will need to be generous parking space for a these large family homes – who doubtless will have visitors and tradesmen. We do not believe that adequate area has been provided for vehicles.

There are references made to “inconsistencies in the Parish Councils objections” We would kindly point out that each application is considered on it’s own merits and in particular the application P190738/FH is an extension to an existing dwelling, which already has access and drainage and is completely different in this respect from two new dwellings with new access and significant new landscape impact. So this comparison does in no way provide support for the principle of development for application P184574

We agree that a major concern of the Parish Council is the principle of locating dwellings in the outer reaches of the settlement, so that a car is essential for virtually every journey. We note a recent SHLAA report for Linton published in March 2019 which assessed an area of land somewhat closer to the village centre (Site HLAA/519/001) and concluded that the site had no potential in the plan period, highlighting that the site was down narrow country lanes, steep access, poor roads and with the actual village located around 800m away. These same issues apply in the application now being considered .

Following a re-consultation on amended plans the Parish Council **OBJECTION** continues to stand on the following grounds:

1. Unsafe access off The Line. (Conflicts with CS Policy MT1)

See initial objection

2. Impact on the character of the area. (In conflict with CS Policy RA2)

Although some mitigation measures are proposed we continue to believe that this proposed development is out of character with the existing development pattern on Linton Hill as all development on the South side of the line is currently only on the flat section.

3. The proposed development is in the wrong location in relation to the settlement, it is an encroachment into a large area of undeveloped hillside and does not represent infill. (In conflict with CS Policy RA2)

See original objection plus new comments above.

4. These houses are not needed and do not address local housing needs. (In conflict with CS Policy RA2)

See original objection

5.2 To date a total of 30 letters of representation have been received. The comments therein are summarised below.

15 letters of objection from 10 properties:

- Drainage is a problem all along Linton ridge
- Plans show irrigation outside proposed property boundaries and will be a future management problem
- Access is on a steep and dangerous part of a single track on edge of bend so visibility cannot be achieved without significant damage. Risk to drivers and pedestrians
- The Line is single track and showing sign of subsidence. Is in poor condition and will only get worse with increased vehicle movements
- Access to the properties will result in the destruction of part of the ancient sunk lane
- Designated Area of Natural Beauty and has not need for new development of this nature i.e. executive homes that will impact on the whole surrounding area
- Planning application refused some twenty years ago and nothing has changed. This was upheld by Planning Inspector
- Design does not 'significantly enhance the immediate area' and is not 'sensitive to the defining characteristics of the local area'
- Design is modern and currently fashionable but not in keeping with local character
- Affordable housing not executive housing is required in the area
- The site has a small number of dwellings around it and would have a disproportionate effect on density of housing
- Linton Parish has already accommodated new dwellings in excess of the numbers suggested by the Core Strategy
- New houses of this type have limited 'sustainability'. Not apparent how the buildings will operate from energy efficiency perspective and likely to increase vehicle usage
- Ecological assessment has been provided but the overall visual benefits of the site to the area have not been recognised nor have the benefits for creatures to use the route
- Ecological assessment was undertaken as a 'desk top' exercise. Light pollution is mentioned but no answer to the problem is identified
- There is a great risk of harm to protected species by the proposed development
- Believe that part of the land owned by ourselves (neighbouring dwelling) is incorporated in the application
- Proposed dwellings are actually 4 or 5 bedroom if examined carefully and therefore insufficient parking and increased use of single track road
- Site is on very edge of Linton and plot 2 is open countryside, a field not a garden. Impact of creeping urbanisation is exacerbated at night due to outside lights and walls of glass
- Significant quantities of soil have been dropped on the site in recent weeks. Extensive earthworks required for the build will significantly change the site contours and disturb watercourses
- Linton is not designated as a suitable development. Is sparsely populated with no amenities except a pub
- Dwellings are positioned as far away from the applicant's house as possible while directly and adversely affecting neighbouring properties
- Insufficient time allowed for interested parties to comment on the development *The site notices were displayed with a consultation of 21 days (the statutory minimum) and additional comments have been received and considered since the closing of the consultation period*

- Proposal will have a detrimental impact on the rural area and cause removal of trees and ancient hedgerow and hindrance of views
- Site plan is labelled incorrectly and makes it difficult to see how the properties will in fact be orientated
- Our own property (neighbouring dwelling) has suffered from land slips. Further development on this steeper part of the ridge could cause further instability
- This development will have strategic consequences for inappropriate future development with no shops, post office, bank, school, regular or reliable public transport
- 5 year supply should be weighted to market towns. Small villages are taking the brunt of development
- Houses are not within or adjacent to main built up part of the settlement. They will impact dramatically on the long views from Gorsley and surrounding area
- Community support is not demonstrated by the vote to oppose by the Parish Council and number of objections
- Opens floodgates to further inappropriate sites
- Although not part of an AONB the landscape is valued by many local people and attention should be paid to paragraph 170 of the NPPF which highlights the need to protect and enhance valued landscapes through the planning system
- Natural England recommend a landscape and visual impact assessment be considered. Without this, and particularly given the topography, is impossible to appraise what the impact will be
- Topographical survey has not been produced
- The field already has two septic tanks (applicant's and neighbouring dwelling). If two more were added would become sewage farm. Would be concerned about stability of my own tank and the noxious effects
- Question the sustainability of the materials proposed
- Note Highways Officer concerns relating to gradient. Ice and snow in the winter months greatly increases the danger
- Appreciate that the NDP has not yet been completed but the feelings of local residents should surely be taken into consideration

15 supporting letters from 13 properties:

- Has been very little development in Linton compared with that in Gorsley
- Tasteful properties with very little impact on outlook
- Seen many changes, much of it I class as progress
- Plans have very little impact on the environment/local area
- Other planning applications that have been recently passed in Linton are situated in less accessible locations
- The proposal on the surface potentially delivers against planning requirements
- A place as unique as Linton does not lend itself to larger multi-dwelling developments but I see no reason why smaller one/two house sites should not proceed where suitable
- The site is ideal, two dwellings completed in a considerate manner in my opinion would have little or no negative impact on the surrounding environment/community. Nor would it impact on the views from houses nearby
- If the council want to be consistent they will approve and ensure there is sufficient drainage for foul waste
- It would seem there is a bit of a NIMBY attitude to this application
- These dwellings would be built on proper footings not as some of the houses on the ridge suffering with subsidence
- We need more housing to grow
- The site falls in one of the only undeveloped parcels of scrub land on the ridge. Otherwise it has been often randomly developed, with in places poor architectural foresight which further promotes this development

- Two family homes would be a wonderful idea as hopefully a young family using the local facilities
- Would infill gaps

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=184574

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

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. It is also noted that the site falls within the Linton Neighbourhood Area, which is currently at drafting stage. At this stage the NDP is afforded no weight.

6.3 Policy SS1 of the Herefordshire Local Plan – Core Strategy (CS) sets out that proposals will be considered in the context of the 'presumption in favour of sustainable development' which is at the heart of national guidance contained within the NPPF. This policy states:

'When considering development proposals Herefordshire Council will take a positive approach that reflects the presumption in favour of sustainable development contained within national policy. It will always work proactively to find solutions which mean that proposals can be approved wherever possible and to secure development that improves the social, economic and environmental conditions in Herefordshire.'

Planning applications that accord with the policies in this Core Strategy (and, where relevant, with policies in other Development Plan Documents and Neighbourhood Development Plans) will be approved, unless material considerations indicate otherwise.

Where there are no policies relevant to the application or the relevant policies are out of date at the time of making the decision then the Council will grant permission unless material considerations indicate otherwise – taking account whether:

- a) Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in national policy taken as a whole; or*
- b) Specific elements of national policy indicate that development should be restricted.'*

6.4 It is acknowledged at this moment in time, the Council is unable to demonstrate a five year housing land supply (this has recently been reduced to 4.05 years). Paragraph 11d of the Framework echoes the above in that it advises the following in respect of decision making:

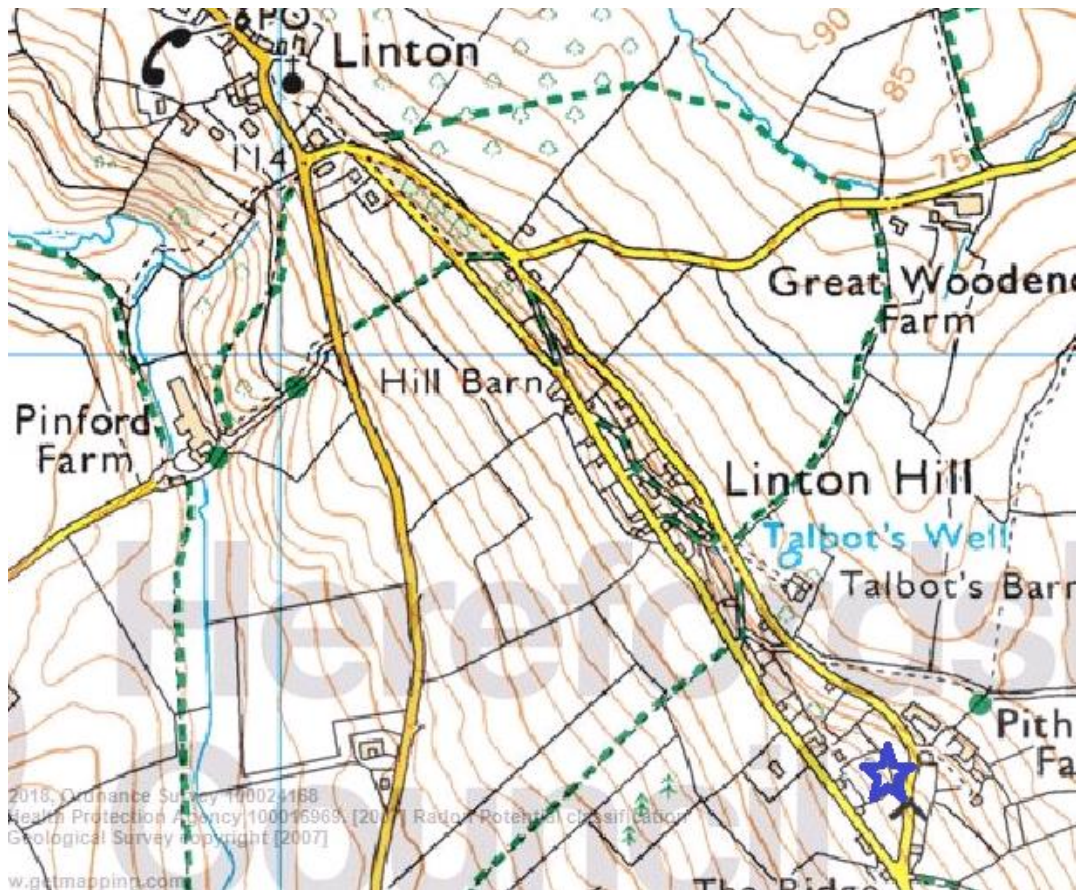
'Where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date, granting permission unless:

- i. *the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development; or*
- ii. *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.*

Location of residential development

- 6.5 In locational terms, paragraph 79 of the Framework seeks to restrict development in isolated locations, but does acknowledge in rural locations it may be the case that development in one village supports the services in another village nearby. That said, the adoption of the Core Strategy represents a shift in policy that recognises proportionate growth is required in rural areas for social and economic purposes. It is with this in mind that the proposal is assessed under the CS policies alongside the Framework, notwithstanding the out of date nature of the policies.
- 6.6 Policies SS2 (Delivering new homes) and SS3 (Releasing land for residential development) of the CS clearly set out the need to ensure sufficient housing land delivery across the County. In order to meet the targets of the CS the Council will need to continue to support housing growth by granting planning permissions where developments meet with the policies of the CS, (and, where relevant with policies in other Development Plan Documents and Neighbourhood Development Plans). Policy SS2 states that a supply of deliverable and developable land will be identified to secure the delivery of a minimum of 16,500 homes in Herefordshire between 2011 and 2031 to meet market and affordable housing need. 6,500 of these will be in Hereford, where it is recognised that there is a wide range of services and consequently it is the main focus for development.
- 6.7 Outside of Hereford City, and the market towns, CS Policy RA1 identifies that Herefordshire Rural areas will need to find a minimum of 5,300 new dwellings between 2011 and 2031 to contribute towards the county's housing needs. The dwellings will be broadly distributed across the seven Housing Market Areas (HMA's). Linton is within the Ross-on-Wye HMA, which is earmarked for an indicative 14% indicative housing growth and is listed in Figure 4.14 under policy RA2 as a settlement which will be the main focus of proportionate housing development. This percentage increase translates to 61 dwellings being required across the plan period.
- 6.8 Notwithstanding the above, the preamble to Core Strategy Policy RA2 states that NDPs will be the principal mechanism by which new rural housing will be allocated. Where these are not in place, it confirms that applications for residential developments in Figure 4.14 and 4.15 settlements will be assessed against their relationship to the main built up form of the settlement. As stated above, the Linton NDP is afforded no weight at this stage.
- 6.9 Policy RA2 then goes on to outline that housing proposals will be permitted 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. In relation to smaller settlements identified in Figure 4.15, proposals will be expected to demonstrate particular attention to the form, layout, character and setting of the site and its location in that settlement; and/or they result in development that contributes to or is essential to the social well-being of the settlement concerned;*
 - 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 development 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 a particular settlement, reflecting local demand.*

6.10 The site is identified on the map below by the blue star:



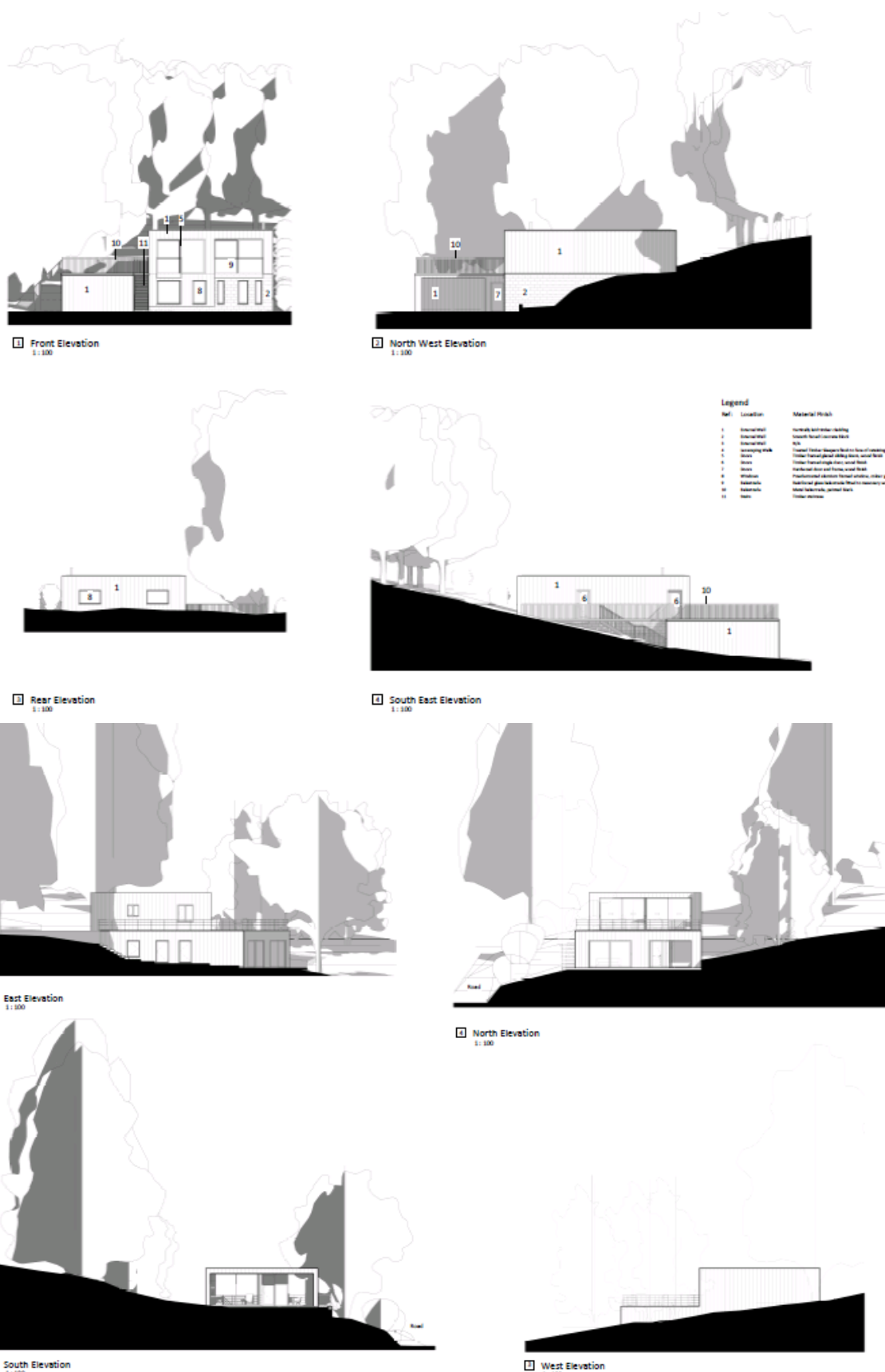
- 6.11 Linton benefits from a public house, Church and village hall which are all located approximately 1km to the north west of the site. There is then The Ridge and The Line which have been mentioned above. There is residential development along these roads although it is largely contained within the area between the two roads and along either side of The Ridge. The proposed development will effectively be located between the two roads. I consider that there are two built form areas that constitute Linton – one around the services that Linton benefits from and one along The Ridge and The Line. With this in mind, the proposal would represent a 'rounding off' of the built development in this location. It is not an isolated site with neighbouring dwellings located to the east and west but is at the periphery of the settlement.
- 6.12 In terms of the built form, I now turn to the comments provided by the Landscape Officer. It is clear that plot 1 (which will be sited in the location of the existing garage) is found to relate relatively well to the surrounding built form. Upon the submission of additional information, this plot is not found to be out of keeping with the pattern of development.
- 6.13 Turning now to plot 2, the slight tension with the surrounding pattern is acknowledged. The dwelling has the possibility to erode the clear distinctions between the upper and lower roads which are due to the topography and The Line sitting far lower. However, as the Landscape Officer states, the site is located within an undesignated landscape and there has been infill in the past that has arguably already impinged on the clear pattern. With this in mind, and the harm not being identified as 'significant' the comments do not direct the decision maker straight to refusal but rather to weigh up this harm in the planning balance.
- 6.14 The scheme proposed is for one 3 bedroom dwelling and one 4 bedroom dwelling. Within the Ross-on-Wye Housing Market Assessment the main requirement is for 3 bedroom dwellings (at 63.2%) followed by 2 bedrooms (at 24.3%). While the size of the proposed dwellings does not

align completely with this, it is not found to justify refusal of the scheme given the relatively small scale of the proposal for two dwellings.

- 6.15 The proposal is considered to be acceptable in terms of general location and assessing this against the main built up parts of Linton as a settlement identified for residential growth. In terms of the siting of the dwellings there is a degree of landscape harm in relation to plot 2 but this will be weighed up in the planning balance at the end of this report. The following sections will go on to consider whether there are any other material considerations of such weight and magnitude that might lead to a conclusion that the proposal represents an unsustainable form of development.

Design and amenity

- 6.16 The detail of the design is assessed by policy SD1 of the Core Strategy. This policy 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.
- 6.17 The dwellings proposed are split level working with the topography of the site as it slopes from west to east. Plot 1 will benefit from two bedrooms, study, utility, ensuite, bathroom and double garage on the ground floor with an open plan kitchen/dining room, bedroom, bathroom and sitting room on the first floor. Plot 2 will be arranged with 4 bedrooms, two ensuites, utility and living room on the lower floor with an open plan kitchen, dining room, living room and study on the first floor.
- 6.18 The form of the dwellings has been designed in order to work with the topography of the site rather than against it. The lower floors of both dwellings will be built into the banks so that the dwellings appear as single storey from various points. This can be seen on the elevation plans below:



6.19 Both dwellings will be constructed with timber clad elevations (with blockwork to the ground floor of plot 1) and green roofs. Noting the variety of materials within the immediate vicinity and the inclusion of a green roof to limit the wider landscape impact these are not found to be unacceptable or out of keeping in principle. However, it is found to be appropriate to condition exact details and finishes of the materials on any approval.

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

- 6.20 The sustainability credentials of providing a green roof are touched on within the Design & Access Statement and include insulating the house and regulating the temperature in winter and summer as well as rainwater retention. The dwellings have also been designed in order to maximise solar gains where possible by including south facing glazing, most notably on plot 2.
- 6.21 Turning now to amenity impacts, each dwelling will benefit from private gardens to the rear as well as terraced areas over the single storey elements. The curtilages are found to be of adequate sizes and noting the proximity to neighbouring dwellings, lie of the land, vegetation on boundaries and the position of the road, issues of overlooking or overshadowing are not anticipated. A condition requiring details of boundary treatments will be placed on any approval to ensure that they are in keeping with this rural location.
- 6.22 In light of the foregoing, the design is found to have been carefully considered given the constraints of the site and while it is modern, this is not found to be a reason to refuse the application in itself. The choice of materials and orientation of dwellings has also been well thought through and results in a scheme that works with the topography of the site and respects the sensitivity, noting that it sits on the periphery of the settlement. As such, the proposal is found to accord with the aims of policy SD1.

Transport

- 6.23 Policy MT1 of the CS and NPPF policies require development proposals to give genuine choice as regards movement. NPPF paragraph 103 requires local planning authorities to facilitate the use of sustainable modes of transport and paragraph 108 refers to the need to ensure developments generating significant amounts of movement should take account of whether safe and suitable access to the site can be achieved for all people and whether improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where 'the residual cumulative impacts of development are severe.'(NPPF para. 109).
- 6.24 The proposal will utilise the existing access into the site to the north of The Line. The application is accompanied by a traffic survey undertaken 14 July – 20 July 2018. The Council's Transportation Officer has reviewed this and is satisfied with the visibility splays of 25m in each direction. It is noted that there are concerns in relation to works to land/hedges that are not within the applicants ownership in order to achieve the required splays. Noting the rural nature of the lane, and that the Transportation Officer will accept the splays going to the centre of the carriageway as opposed to the nearside edge I am content that achieving the splays will not depend on third party land but land within the applicants ownership and highways land. This will also minimise the extent of hedgerow removal required and the mitigation hedgerow will be sited behind the splays. Confirmation that the access can be constructed to 1:12 has been received and will be conditioned on any approval.
- 6.25 It is recognised that one of the main concerns raised in local responses to the application relate to the suitability of the local road network. With regard to the cumulative highways impacts as a result of the proposed development, the addition of two new dwellings would not result in highways impacts that would be classed as severe and lead the decision maker to refuse the application (as directed by paragraph 109 of the NPPF).
- 6.26 The size of dwellings indicate the level of car parking required, with the standards being contained within the Council's Highways Design Guide. For a three bedroom property a minimum of two car parking spaces are required. For a four bedroom property a minimum of three spaces are necessary. As seen on the proposed block plan, plot 1 will benefit from a double garage and an adjacent parking/turning area with an area for three cars being indicated adjacent to plot 2. These parking arrangements meet the standards and provide adequate areas so that any vehicle can turn on the site and enter the highway in a forward gear.

- 6.27 The comments received from the Council's Transportation Manager endorse the above view and raise no objections to the scheme subject to recommended conditions being attached to any approval. On this basis, the proposal accords with policy MT1 of the CS.

Ecology and trees

- 6.28 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.
- 6.29 The application is accompanied by an Ecological Assessment of the site as well as a Tree Survey and Arboricultural Implications Assessment which were submitted during the application process. The survey makes several recommendations including that hedgerow removal should be kept to a minimum along with bat and bird enhancements. The Council's Ecologist has had sight of the assessment and does not object to its conclusions and recommendations. It is noted that Natural England also have no objections to the proposal or the HRA AA that was sent for their consultation.
- 6.30 The Council's Tree Officer has had sight of the Arboricultural Implications Assessment and agrees with the conclusions therein. The proposal is found to be achievable without detriment to the retained trees.
- 6.31 With the foregoing in mind, subject to recommended conditions being attached to any approval the proposal is found to be compliant with policies LD2 and LD3.

Drainage

- 6.32 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).
- 6.33 Additional information has been supplied through the application process in relation to drainage methods. Foul water will be disposed of using private treatment plants with outfall into soakaway drainage fields. Surface water will be disposed of using a Sustainable Urban Drainage system. These methods have been supported by drainage calculations and it is anticipated that the soakaways can be reduced further after a final strategy is produced. Given the size of the site and the supporting information, the methods are found to be policy compliant and achievable on the site. As such, it is considered that the requirements of Policies SD3 and SD4 would be satisfied subject to suitably worded conditions.
- 6.34 While it is acknowledged that the drainage fields lie outside of the application site, they are within land owned by the applicant. As such, I do not have concerns on whether they can be brought forward. How these are managed in the future would be civil matter between the landowner and occupant of the dwelling.

Other matters

- 6.35 The site is not located within an Area of Outstanding Natural Beauty as has been suggested within representations. Notwithstanding this, the impact on the wider landscape has been identified above and will be fully covered in the following planning balance.
- 6.36 Each application is assessed on its own merits and does not create precedents or 'open the floodgates'. While I note comments relating to a previously refused application on the site some twenty years ago, I am unable to find a record of this on the system. Notwithstanding this, the proposal needs to be assessed in light of the planning policies in place at this point in time. There were different policies in place twenty years ago.
- 6.37 In terms of the number of dwellings required within Linton Parish through the Plan period (2011-2031), it is acknowledged that the minimum has been surpassed with 87 dwellings being approved to date compared to the 61 required taking into account the 14% indicative growth. However, this figure is a minimum and it is noted that the majority of those permitted have been within Gorsley which lies within the same Parish. If an application is found to be acceptable in other regards this is not a reason to refuse an application – particularly in light of the lack of a 5 year housing land supply.

Planning balance and conclusion

- 6.38 Both CS 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.
- 6.39 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.
- 6.40 Without an NDP clearly identifying the settlement boundary, while on the periphery, the site is found to be located within one of the built up parts of Linton, a settlement identified for residential growth under policy RA2, and not spatially isolated. Part of the site is brownfield noting the presence of the existing garage building and plot 1 in this location is found to respond well to the surrounding built form. Some tension is identified in relation to plot 2 and the pattern of development historically. However, the infill over the last century has changed this to a degree.
- 6.41 The design (in terms of both form and materials) is well thought out and works with the topography of the site, looking to produce a scheme that sits within its context and avoiding adverse harm for the amenity of neighbouring properties.
- 6.42 Adequate visibility splays can be provided and while the nature of the road is appreciated, the proposal of two dwellings is not found to amount to severe highway implications. As such, compliance with the requirements of policy MT1 of the CS and with the guidance contained within the National Planning Policy Framework is found. Matters of impact upon biodiversity have been considered, as have implications on trees on the site, and the Council's Ecologist and Tree Officer are content that the mitigation measures proposed in the ecology report and supporting information that accompany the application are sufficient to ensure that the requirements of policy LD2 are met.

- 6.43 In weighing up the harm identified by the Council's Landscape Officer the three elements of sustainability are assessed. Economic benefits would be derived from the construction of two dwellings and associated infrastructure through both the supplies and employment of the required trades. After completion occupiers would contribute some disposal income to the local economy. The provision of housing would provide social benefits and make a contribution to village life. From an environmental perspective, the site is located on the periphery of a built up part of Linton and the design has been thoroughly considered in order to limit the wider landscape impacts. While the siting of plot 2 arguably goes against the historic pattern of development, along the road there is a presence of built form – noting the dwelling to the east and the north – and the infill over the last century has arguably shifted the character already. As such, I do not find the introduction of a dwelling in this location to amount to such harm that it outweighs the benefits of the scheme.
- 6.44 In assessing the three indivisible dimensions of sustainable development as set out in the CS and NPPF, officers are of the opinion that the scheme is representative of sustainable development and that the presumption in favour of approval is engaged. The scheme will bring forward two dwellings with the associated economic and social benefits that small developments in rural hamlets support.

RECOMMENDATION

That planning permission be granted subject to the following conditions and any further conditions considered necessary by officers named in the scheme of delegation to officers.:

1. **A01 Time limit for commencement (full permission)**
2. **C07 Development in accordance with approved plans and materials**
3. **C13 Samples of external materials**
4. **CBK Restriction of hours during construction**
5. **CAB Visibility splays (2.4m x 25m to centre of carriageway)**
6. **CAE Vehicular access construction**
7. **CAD Access gates (5m)**
8. **CAI Parking – single/shared private drives**
9. **CAH Driveway gradient**
10. **CAT Construction management plan (including parking for site operatives)**
11. **CB2 Secure covered cycle parking provision**
12. **The ecological protection, mitigation, compensation and working methods scheme including the Biodiversity Enhancements, as recommended in the report by Churton Ecology dated September 2018 shall be implemented and hereafter maintained in full as stated unless otherwise approved in writing by the local planning authority. No external lighting should illuminate any boundary feature, adjacent habitat or area around the approved mitigation and biodiversity enhancement features.**

To ensure that all species are protected and habitats enhanced having regard to the

Wildlife and Countryside Act 1981, Conservation of Habitats and Species Regulations (2017), National Planning Policy Framework (2018), NERC Act (2006), Herefordshire Core Strategy (2015) policies LD2 and, Dark Skies initiative (DEFRA-NPPF 2013/18).

13. The ecological protection, mitigation, compensation and working methods scheme, as included within the Arboricultural Impact Assessment by Steve Ambler & Sons dated June 2019 shall be implemented and hereafter maintained in full as stated unless otherwise approved in writing by the local planning authority. No external lighting should illuminate any boundary feature, adjacent habitat or area around the approved mitigation and biodiversity enhancement features.

To ensure that all species are protected and habitats enhanced having regard to the Wildlife and Countryside Act 1981, Conservation of Habitats and Species Regulations (2017), National Planning Policy Framework (2018), NERC Act (2006), Herefordshire Core Strategy (2015) policies LD2 and, Dark Skies initiative (DEFRA-NPPF 2013/18).

14. Prior to the commencement of any works a method statement for trees T8 & T9 or where no dig has been specified, must be submitted and approved by the local planning authority and the development shall be carried out in accordance with the approved method statement.

Reason: To safeguard the character and amenity of the area and to ensure that the development conforms with Policies LD1 and LD3 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework

15. CBM Scheme of foul and surface water disposal
16. C65 Removal of permitted development rights
17. C95 Details of boundary treatments

INFORMATIVES:

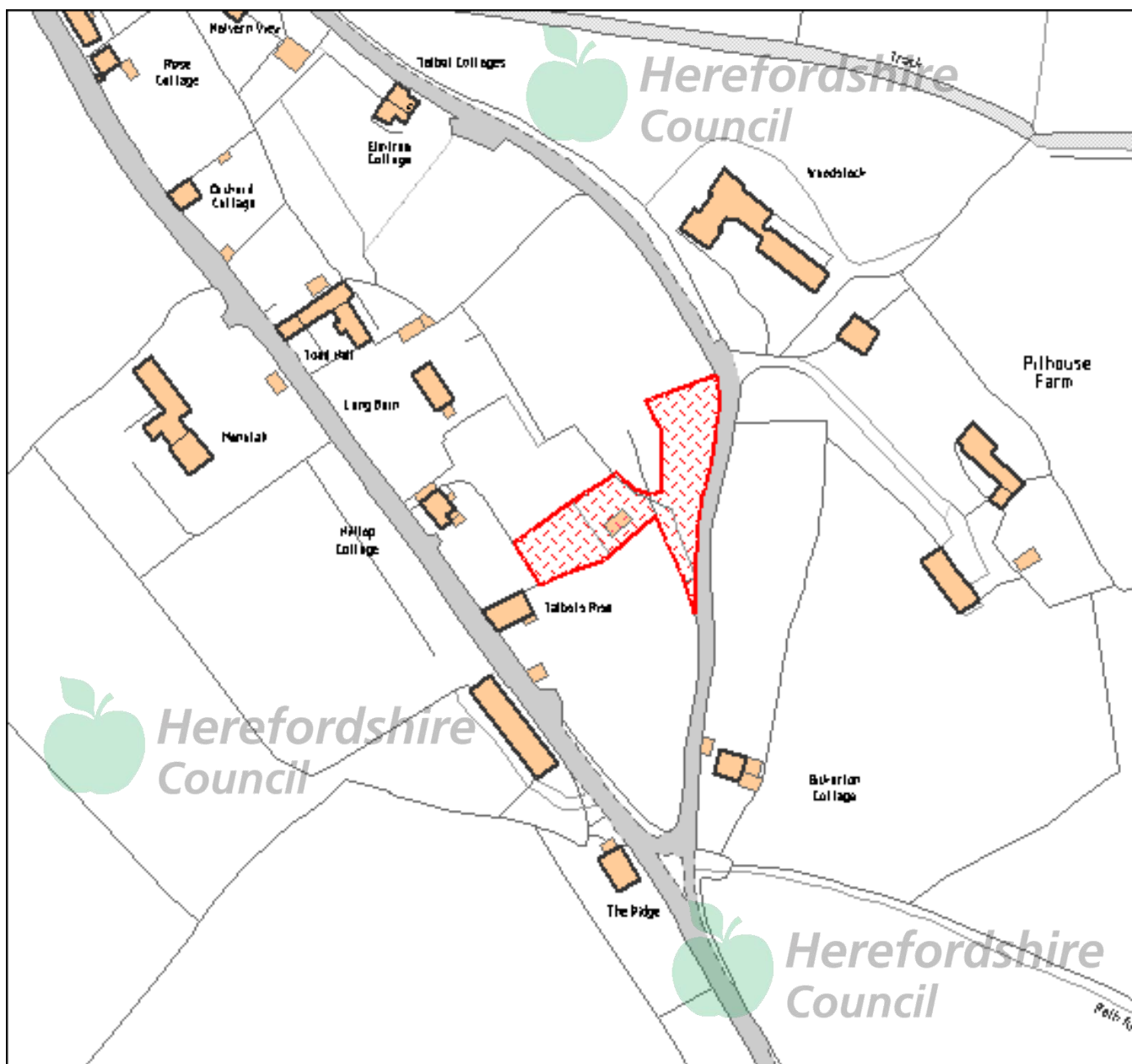
1. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against planning policy and any other material considerations. Negotiations in respect of matters of concern with the application (as originally submitted) have resulted in amendments to the proposal. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Decision:

Notes:

Background Papers

Internal departmental consultation replies.



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APPLICATION NO: 184574

SITE ADDRESS : LONG BARN HOUSE, LANE FROM JUNCTION WITH SPARROW LANE TO QUARRY ROAD, LINTON, ROSS ON WYE, HR9 7RT

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