

<b>MEETING:</b>	<b>PLANNING AND REGULATORY COMMITTEE</b>
<b>DATE:</b>	<b>15 JANUARY 2020</b>
<b>TITLE OF REPORT:</b>	<p><b>193156 - APPLICATION FOR APPROVAL OF RESERVED MATTERS FOLLOWING OUTLINE APPROVAL 161674/O (CONSTRUCTION OF THREE DWELLINGS AND ALTERATIONS TO THE EXISTING ACCESS) FOR APPEARANCE, LANDSCAPING, SCALE. AT LAND TO THE REAR OF THE LAURELS VETERINARY PRACTICE, PONTRILAS ROAD, EWYAS HAROLD, HEREFORDSHIRE</b></p> <p><b>For: Mr Buchanan per Mr Russell Pryce, Unit 5, Westwood Industrial Estate, Ewyas Harold, Hereford, Herefordshire HR2 0EL</b></p>
<b>WEBSITE LINK:</b>	<a href="https://www.herefordshire.gov.uk/info/200142/planning_services/planning_application_search/details?id=193156&amp;search=laurels%20ewyas%20harold">https://www.herefordshire.gov.uk/info/200142/planning_services/planning_application_search/details?id=193156&amp;search=laurels%20ewyas%20harold</a>
<b>Reason Application submitted to Committee – Councillor Application</b>	

**Date Received: 6 September 2019      Ward: Golden Valley      Grid Ref: 339200,227668 South**

**Expiry Date: 1 November 2019**

Local Member: Councillor Peter Jinman (Councillor Sebastian Bowen has fulfilled the role of local ward member for this application)

## **1. Site Description and Proposal**

- 1.1 The application site is found within the village of Ewyas Harold, located about 12 miles to the south-west of Hereford City.
- 1.2 As with the majority of development in the vicinity, the site is located to the south-western side of the B4347, otherwise known as Pontrilas Road, the main road connecting the A456 and the neighbouring village of Pontrilas with Ewyas Harold and the Golden Valley. The location of the site is denoted by the red star on the map shown below.



- 1.3 The site is to the rear of the Laurels Veterinary Practice, with shared access taken from the B4357. Public Right of Way EH32 runs along the north-western boundary of the site in a north-east south-west trajectory. At present, the site comprises redundant agricultural buildings to the north-western portion of the site which give the site a rather unkempt appearance. The large proportion of the site however, is grassed and is relatively flat. The site is bound to the south-east by a post and wire fence where it adjoins the long and narrow rear garden of 'The Furlong'. Noting the irregular shape of the site, the rear boundary of 'New House' abuts the north-eastern boundary of the application site, bound by a leylandii hedgerow. The site is bound to the rear of the aforementioned redundant buildings by a tall, leylandii hedge which runs for the entirety of the north-western boundary of the site. The site backs onto open agricultural land which rises up to the west gently before forming a relatively low ridge at Cae-newydd Wood.
- 1.4 This site benefits from an outline planning permission for the erection of three dwellings with appearance, scale and landscaping reserved for future consideration. The application was made under planning reference 161674/O and was approved in September 2016.
- 1.5 The application now to be considered is one for Reserved Matters and therefore in this instance seeks to deal with the appearance, scale and landscaping in order to satisfy Condition 3. Matters relating to access and layout were dealt with at the outline stage and thus will not be revisited.

## 2. Policies

### 2.1 Herefordshire Local Plan – Core Strategy

The following policies are considered to be of relevance to this application:

SS1	-	Presumption in Favour of Sustainable Development
SS2	-	Delivering New Homes
SS3	-	Releasing Land for Residential Development
SS6	-	Environmental Quality and Local Distinctiveness
RA1	-	Rural Housing Strategy
RA2	-	Housing in Settlements Outside Hereford and the Market Towns
LD1	-	Landscape and Townscape
SD1	-	Sustainable Design and Energy Efficiency

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](https://www.herefordshire.gov.uk/info/200185/local_plan/137/adopted_core_strategy)

## 2.2 The National Planning Policy Framework (Revised February 2019)

1. Introduction
2. Achieving sustainable development
4. Decision-making
6. Building a strong, competitive economy
8. Promoting healthy and safe communities
11. Making efficient use of land
12. Achieving well design places
15. Conserving and enhancing the natural environment

## 2.3 Abbeydore, Bacton, Ewyas Harold, Dulas, Llancillo, Rowlestone and Kenturch Parish Neighbourhood Development Plan (made 20 April 2018)

- |     |   |   |
|-----|---|---|
| G1  | – | Protecting and enhancing the landscape of the Golden Valley |
| G2  | – | Design  |
| G5  | – | Golden Valley green infrastructure                          |
| G8  | – | Dark skies  |
| EH1 | – | Housing in the village of Ewyas Harold                      |
| EH3 | – | Housing design in Ewyas Harold and Rowlestone               |

[https://www.herefordshire.gov.uk/download/downloads/id/13407/neighbourhood\\_development\\_plan\\_february\\_2018.pdf](https://www.herefordshire.gov.uk/download/downloads/id/13407/neighbourhood_development_plan_february_2018.pdf)

## 2.4 The Core Strategy policies together with any relevant supplementary planning documentation can be viewed on the Council's website by using the following link:-

[https://www.herefordshire.gov.uk/info/200185/local\\_plan/137/adopted\\_core\\_strategy](https://www.herefordshire.gov.uk/info/200185/local_plan/137/adopted_core_strategy)

## 3. **Planning History**

- 3.1 161674/O - Construction of three dwellings and alterations to the existing access – Approved Thursday 15 September 2016

## 4. **Consultation Summary**

Statutory Consultations

### 4.1 Welsh Water

We refer to your planning consultation relating to the above site, and we can provide the following comments in respect to the proposed development.

We have no objection to the application for approval of the reserved matters subject to compliance with the requirements of the drainage conditions imposed on the outline planning permission, and the subsequent applications to vary the conditions thereon.

Our response is based on the information provided by your application. Should the proposal alter during the course of the application process we kindly request that we are re-consulted and reserve the right to make new representation

## Internal Council Consultations

4.2 Public Rights of Way Manager- No objection

4.3 Transportation Manager – No objection, commenting as follows; -

Please condition the following: -

CAT Construction Management Plan  
CB2 Secure covered cycle parking provision

I11 Mud on highway  
I09 Private apparatus within the highway (Compliance with the New Roads and Streetworks Act 1991, the Traffic Management Act 2004 and the Highways Act 1980)  
I45 Works within the highway (Compliance with the Highways Act 1980 and the Traffic Management Act 2004)  
I35 Highways Design Guide and Specification  
I47 Drainage other than via highway system  
I05 No drainage to discharge to highway

4.4 Ecologist – No objection, commenting as follows; -

There are no conditions on outline application 161674 requiring any ecology approval or discharge

## 5. Representations

5.1 Ewyas Harold Group Parish Council – Support the application

5.2 Ramblers Association Herefordshire – the comments received are summarised as follows; -

- Footpath passing through the site is poorly maintained and is blocked by obstructions and overgrown hedge.
- Impossible to use footpath with a pushchair.
- Developer or landowner should be required to improve and maintain the footpath here in the future.

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=193156&search=laurels%20ewyas](https://www.herefordshire.gov.uk/info/200142/planning_services/planning_application_search/details?id=193156&search=laurels%20ewyas)

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

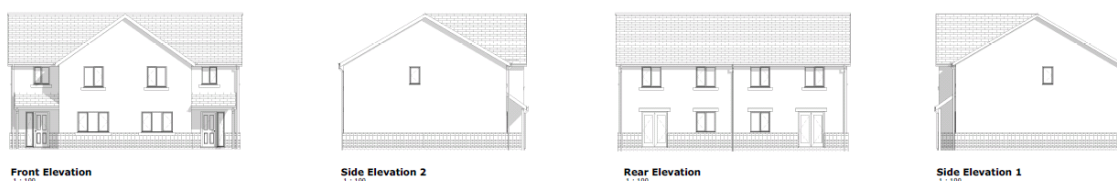
6.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states as follows:

*"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. The National Planning Policy Framework (NPPF) is also a significant material consideration. It is also noted that the site falls within the Abbeydore, Bacton, Ewyas Harold, Dulas, Llancillo, Rowlestone and Kentchurch Neighbourhood Area. The Abbeydore, Bacton, Ewyas Harold, Dulas, Llancillo, Rowlestone and Kentchurch Neighbourhood Development Plan (NDP) was ‘made’ on 20 April 2018 and therefore now forms part of the development plan.
- 6.3 The principle of development of this land has been established via the outline planning permission and the reserved matters application now made is submitted in accordance with the relevant conditions. With this in mind, it is not for this reserved matters application to re-visit this. Rather, the matters which were reserved under the outline permission are to be assessed. For the avoidance of doubt these are appearance, landscaping and scale. Both access and layout were approved under the outline permission.

### Appearance

- 6.4 As defined under in article 2 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 appearance means:
- ‘the aspects of a building or place within the development which determine the visual impression the building or place makes, including the external built form of the development, its architecture, materials, decoration, lighting, colour and texture’*
- 6.5 The design of any building is to be assessed against policy SD1 of the Core Strategy. This states that proposals should be designed to maintain local distinctiveness through detailing and materials, respecting scale, height, and 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.
- 6.6 At a the local level, Policy EH3 of the NDP seeks to set a series of guidelines for design approach to new development in the villages of Ewyas Harold and Rowlestone which includes ensuring that designs take account of existing roof lines, respect existing buildings and using local material where possible.
- 6.7 The proposed dwellings would be constructed from red-facing brickwork plinth and light cream rendered elevations under ‘Marley duo rustic red’ roof tiles. Having regard to the drawings of the proposed dwelling as shown below, it is accepted that the designs of the dwellings are neither innovative, exemplar nor pre-possessing by way of their appearance. Notwithstanding this, noting the variety of materials used on dwellings within the vicinity, the proposal is found to be in keeping. Furthermore, having regard to the fact that there is no particular architectural lead for the development to take, the design approach does reference the use of light coloured render and external facing brick which can be found in the locale, albeit without pattern along the southern side of Pontrilas Road.



**Semi-detached dwelling type**





### **Detached dwelling type**

- 6.8 With the above in mind, officers are content that the proposals have paid particular regard to Policy SD1 and LD1 of the Core Strategy and Policy EH3 of the NDP.

### **Scale**

- 6.9 As defined in article 2 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 scale means:

*‘the height, width and length of each building proposed within the development in relation to its surroundings’*

- 6.10 Policy EH3 of the NDP sets out that development proposals should be designed to take account of existing roof lines and respect existing buildings. Policy SD1 of the Core Strategy requires proposals to respect the scale, height, proportions and massing of surrounding development with LD1 seeking to ensure that the landscape or townscape character of the area has positively influenced, inter alia, the scale of the development.
- 6.11 The three dwellings are two-storey and are in the form of detached and semi-detached. The scale, in terms of numbers along with the layout, has been already been agreed and considered acceptable and therefore the proposal is consistent with the outline permission in this regard.
- 6.12 For the purposes of this assessment, officers are content that the scale of development with regards to massing and proportions of the dwellings themselves is acceptable, according with Policy LD1 and SD1 of the Core Strategy and Policy EH3 of the NDP.
- 6.13 Notwithstanding that the layout of the scheme was considered acceptable with regards to residential amenity at the outline stage, the scale of the proposed dwellings is not considered to be such that it would be prejudicial to the occupiers of neighbouring dwellings by way of overshadowing, overlooking or through their overbearing appearance. Therefore, no conflict is found with Policy SD1 of the Core Strategy and Policy G2 of the NDP.
- 6.14 Finally, having due regard to the Housing Market Study for the Golden Valley Housing Market Area (HMA), the proposal presents 1 No. 4 bedroom dwelling and 2 No. 3 bedroom dwellings. Noting the identified need for 3 bedroomed dwellings, the housing mix proposed is not considered unacceptable and accords with Policy H3 of the Core Strategy and Policy EH1 of the NDP.

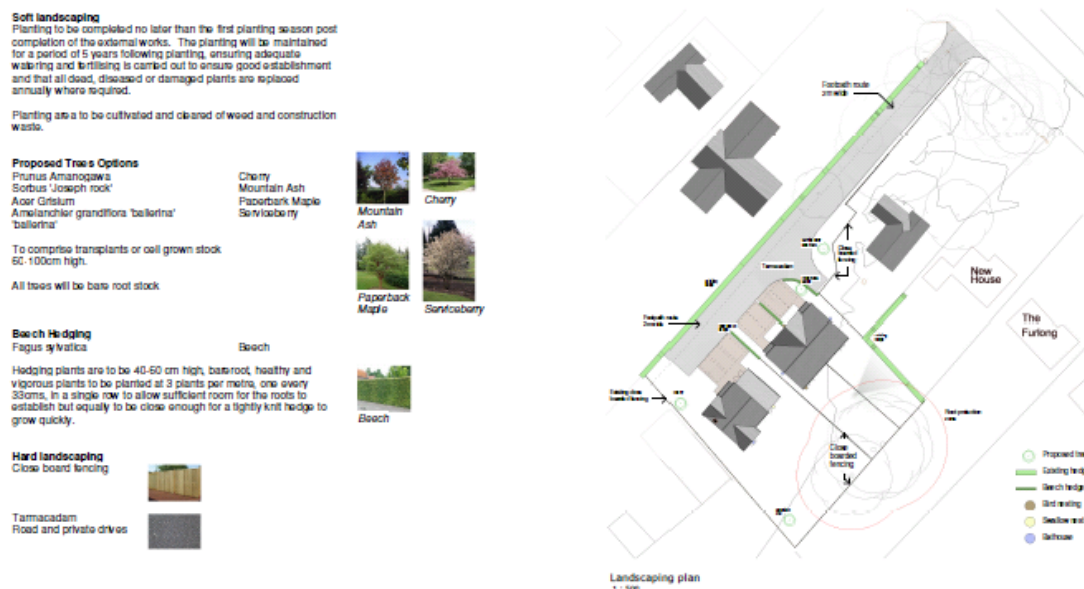
### **Landscaping**

- 6.15 As defined under in article 2 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 landscaping means:

*‘the treatment of land (other than buildings) for the purpose of enhancing or protecting the amenities of the site and the area in which it is situated and includes: (a) screening by fences, walls or other means; (b) the planting of trees, hedges, shrubs or grass; (c) the formation of*

*banks, terraces or other earthworks; (d) the laying out or provision of gardens, courts, squares, water features, sculpture or public art; and (e) the provision of other amenity features'*

6.16 The below drawing illustrated the layout of the site with the proposed landscaping features.



6.17 Whilst noting that the site is already rather enclosed, the proposed landscaping has been illustrated on drawing number AB-01. It illustrates the retention of the existing, mature leylandii hedge along the boundary with New House and that along the entirety of the north-west boundary with Dros-y-ffin. This would also serve to protect the residential relationship between the new dwellings and New House and Dros-ffin, preventing any unacceptable levels of overlooking. The close-boarded fencing would delineate the rear garden boundaries of the proposed dwellings along the southern boundary of the access road and adjacent to the Laurels Veterinary Practice. The close-boarded fencing along the western and southern boundaries of the site would be retained. This treatment is considered sympathetic to the setting of the site. The tree planting of suitable garden species is welcomed and would assist the softening of the appearance of the dwellings within the immediate locale.

6.18 The hardstanding proposed is not considered to be excessive and is commensurate for the scale of the dwellings. It is with this mind that the proposal is considered to accord with Policy EH3 of the NDP.

6.19 As such, officers are of the view that the proposed landscaping is acceptable and, in terms of amenity, impacts are found to respect neighbouring properties through the retention of existing boundary treatments. As such, the proposal is acceptable in terms of the requirements of Policy SD1 and LD1 of the Core Strategy and Policy EH1 and EH3 of the NDP.

### Other Matters

6.20 Concerns raised with regards to the Public Right of Way by the Herefordshire Ramblers Association are recorded. It is noted that the Council's Public Right of Way Officer does not raise any objection to the proposal and regard is had to the proposed site plan demonstrating the footpath route being 2 metres wide and unobstructed. Therefore, whilst it is appreciated that the route may be in a poor condition at present, the proposal would allow for clear and unobstructed use of the right of way and is thus considered an improvement to the existing.

- 6.21 Noting the comments received from the Council's Transportation Manager which suggests recommended conditions for this application, The National Planning Practice Guidance makes it clear that:

*'Conditions relating to anything other than the matters to be reserved can only be imposed when outline planning permission is granted. The only conditions which can be imposed when the reserved matters are approved are conditions which directly relate to those reserved matters.'*

Officers are mindful that access and layout was considered at the outline stage and therefore the recommendations made by Transportation do not directly relate to the reserved matters of scale, appearance and landscaping as being considered by this reserved matters application. It is also noted that the suggested condition relating to the provision of cycle storage was imposed on the outline permission and must be satisfied prior to the occupation of any dwellings hereby approved. The suggested informatives were also attached to the decision of the outline consent and thus need not be repeated.

### Conclusion

- 6.22 The scheme provides the requisite detail in respect of the matters reserved for future consideration by the outline approval. It is of an appropriate scale in terms of the amount of development proposed and also in terms of the type and mix of dwellings. The appearance of the dwellings is found to be in keeping with the surrounding built environment and has taken reference from surrounding properties in the vicinity. The proposal ensures that residential amenity is safeguarded and the proposed landscaping features are considered appropriate and well responsive to the site and wider setting. Officers are therefore satisfied that the scheme is in accordance with the Herefordshire Local Plan – Core Strategy, the Abbeydore, Bacton, Ewyas Harold, Dulas, Llancillo, Rowlestone and Kentchurch Neighbourhood Development Plan and the National Planning Policy Framework. Accordingly, the application is recommended for approval.

### **RECOMMENDATION**

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

- 1. The development hereby approved shall be carried out strictly in accordance with the approved plans (drawing nos. AB-01, AB-02a, AB-03a – Received: 06 September 2019) and the schedule of materials indicated thereon.**

**Reason:** To ensure adherence to the approved plans and to protect the general character and amenities of the area in accordance with the requirements of Policy SD1 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

### **INFORMATIVES:**

- 1. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against planning policy and any other material considerations, including any representations that have been received. It has subsequently determined to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.**

### **Background Papers**

Internal departmental consultation replies.





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**APPLICATION NO:** 193156

**SITE ADDRESS :** LAND TO THE REAR OF THE LAURELS VETERINARY PRACTICE, PONTRILAS ROAD, EWYAS HAROLD, HEREFORDSHIRE

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