

MEETING:	PLANNING AND REGULATORY COMMITTEE
DATE:	11 February 2020
TITLE OF REPORT:	193682 - VARIATION OF CONDITION 2 OF 171321/F (PROPOSED RESIDENTIAL DEVELOPMENT OF 2 NEW DWELLINGS). TO ALLOW REVISED DRAWINGS, WITH NEW ACCESS WITH DRIVES AND GARAGES RE-POSITIONED AT DEV 1 LAND ADJACENT BRAMPTON ABBOTTS VILLAGE HALL, BRAMPTON ABBOTTS, HEREFORDSHIRE, HR9 7JD For: Hampton Kirk Developments Ltd per Mr David Kirk, 100 Chase Road, Ross-On-Wye, Herefordshire, HR9 5JH
WEBSITE LINK:	https://www.herefordshire.gov.uk/info/200142/planning_services/planning_application_search/details?id=193682&search=193682
Reason Application submitted to Committee – Re-direction	

Date Received: 22 October 2019

Ward: Old Gore

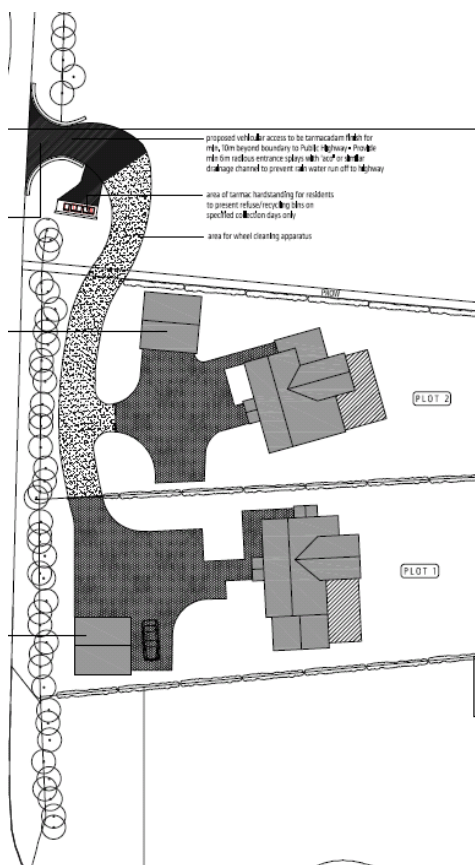
Grid Ref: 360271,226649

Expiry Date: 17 December 2019

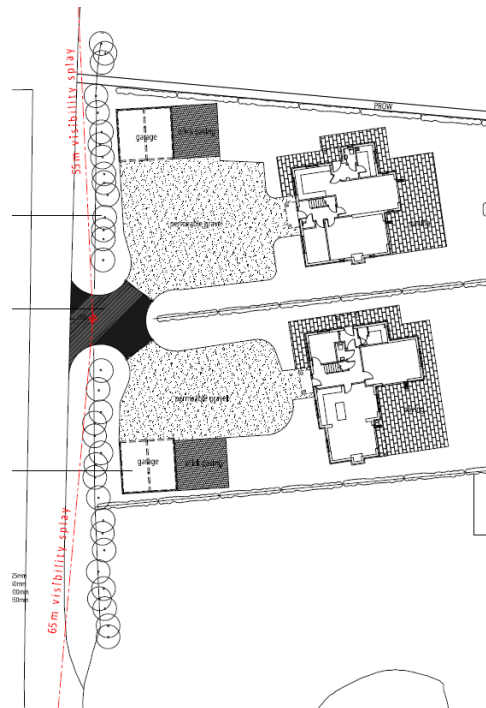
Local Member: Councillor Barry Durkin

1. Site Description and Proposal

- 1.1 The proposal site comprises two detached dwellings approved under application ref: 171321/F. The dwellings are nearing completion and currently utilise an access located to the north. This access was permitted under application ref: 172040/F which was allowed at appeal and granted permission for 4 detached dwellings located to the north of the application site. Currently the permission allows for a shared access point between all 6 dwellings.
- 1.2 The site currently benefits from hedgerows along the boundary with Turners Lane (which runs along a north-south axis to the west of the site). Public Right of Way (BA18) runs to the north of the site and is crossed by the permitted access.
- 1.3 This application seeks to vary condition 2 on planning permission ref: 171321/F in order to create a new access to be shared between the two dwellings on the site and leave the northern access for the separately permitted 4 dwellings. As part of this there will be some alterations to the proposed layout with the relocation of the garage building associated with plot 2.
- 1.4 The block plan below and on the left shows the development as permitted (with the access to the north). The plan on the right shows it as now proposed with the access centrally located between the two dwellings.



As permitted



As proposed

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 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

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

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 Brampton Abbotts Neighbourhood Development Plan (NDP)

POLICY BAF1	-	New housing development in Brampton Abbotts
POLICY BAF2	-	Good quality design
POLICY BAF3	-	Protecting local non designated heritage assets
POLICY BAF4	-	Landscape and scenic beauty
POLICY BAF5	-	To support the growth of small-scale rural businesses
POLICY BAF6	-	Polytunnels
POLICY BAF7	-	Community facilities and open spaces
POLICY BAF8	-	The management of traffic safety around the neighbourhood development plan area
POLICY BAF9	-	Public sewerage network and wastewater treatment works (WWtw)
POLICY BAF10	-	High speed internet and communications

- 2.4 The site falls within the Brampton Abbotts & Foy Group Neighbourhood Area, which published a draft Neighbourhood Development Plan (NDP) for Regulation 16 consultation running from 25 November 2019 until 20 January 2020. The Plan was sent for examination on 24 January 2020 and at this stage is considered to attract limited weight.

3. **Planning History**

- 3.1 171321/F – Proposed residential development of 2 new dwellings. Approved
- 3.2 172040/F – Residential development of 4 new dwellings. Allowed on appeal (located to the north of the site but the scheme approved under ref: 171321/F utilised a shared access with this development).

4. **Consultation Summary**

Statutory Consultations

4.1 **Welsh Water** – no objection

We have no further comments to make on the variation of condition 2, however we respectfully request that any drainage related conditions are maintained on any new consent granted for the development.

4.2 **Natural England** – commented that a HRA was required.

Internal Council Consultations

4.3 **Transportation Manager** – no objection

No objections

Please condition the access to be built to road standard construction to provide a passing bay.

CAB - Visibility Splays - see submitted plan

CAD - Access gates

CAE - Vehicular access construction
CAH - Driveway gradient
CAI -- Parking – single/shared private drives
CAT - Construction Management Plan
CB2 - Secure covered cycle parking provision

4.4 **Conservation Manager (Ecology) – object**

There would appear to be no evidenced ‘overriding public interest’ in allowing this additional loss and impacts on existing hedgerow (Priority Habitat) in this location in order just to create a new ‘private’ access for two of the six previously approved properties. The new hedgerow planting on the site is already approved and should not be considered a mitigation to this additional approval.

By the time the actual access is installed with surfacing, edging, drainage and associated groundworks and foundations it is likely that significantly more hedgerow than the stated 3m will be removed, damaged or impacted.

The scheme was approved and ecology comments based on retention of the hedge line along the road to provide retention of wildlife corridor and visual amenity within the area that is part of the Wye valley Area of Outstanding Natural Beauty. Recent appeal decisions have recognised the importance of visual amenity within, from and to AONB areas as identified in July 2019 planning guidance notes.

With no reasons of overriding public interest and potential effects on local ecology (wildlife corridor and priority habitat) this application would appear to be contrary to Conservation of Habitats and Species Regulations (national priority habitat), NPPF para 170, 174-175, 180 (ecology and habitat) and 184 and 192 (Historical heritage), NERC Act, and Core Strategy SS6, LD1, LD2, LD3 and LD4 (historic).

With regard to the HRA request from Natural England the Council’s Ecologist comments:

Just to confirm that as this application only relates to access and as the River Wye SAC is not currently failing its conservation objectives this application can be screened out from requiring any further assessment under the Habitat Regulations (2017). There are no identified Likely Significant Effects.

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

5. Representations

5.1 **Brampton Abbots and Foy Parish Council – object**

At the meeting of Brampton Abbots and Foy Parish Council held on Tuesday 26th November, it was resolved to object to this application, as the Council recognises the level of public objection and feels that the application does not improve the local situation.

5.2 To date a total of 36 objections have been received from 24 households. The comments therein are summarised below:

- Previous discussions were held to avoid having series of accesses on that side of the lane
- Many of the objections at the time related to how the development and its access point would compromise the integrity and rural aspect of Turners Lane
- The Wye Valley AONB should be protected
- Hedgerow and verge will be lost to form access and visibility splays. Removing hedgerow will destroy more wildlife habitat

- Precedent will be set for the other four properties being built
- To put forward this variation at this late stage demonstrates poor judgement in the original project planning by the developers
- If there's more accesses they'll ask for more houses
- With 2 entrances to the whole site this will double the potential safety issues on this single track road
- Nothing in the application warrants the change
- Surely there was a reason to condition that no trees/hedgerows will be removed
- It was clear from the original application that the footpath would be compromised
- The developer has actually made safety worse for pedestrians by all the extensive earth-moving and landscaping
- Idea that 3m wide entrance will act as passing place is ridiculous
- Turners Lane does not have the infrastructure to support yet another junction
- The variation will increase the value of the northern-most house
- The changes will be of great benefit to the developer and no-one else
- Suggest the reason for the application is that the sloping site drains south to the pond in the field to the south. As this is no longer possible, the site floods hence why temporary piping was used to divert water to the road, again in breach of the planning
- Proposed hedging between the two houses will not lessen the negative impact on the rural nature of the lane. The current hedge screens the houses and provides privacy to the development
- Was permission given to the other alterations (*Officer comment: these have been passed on to enforcement and are not for consideration under the current application*)
- Users of the footpath may not have to cross the driveway but if coming from the village hall they would have to cross the proposed new driveway

5.3 **Ramblers Association** – comment

Many thanks for the notification of this planning application which has been sent to me to respond to on behalf of the Ramblers' Association.

The proposed variation will improve use of public footpath Brampton Abbots 18 (BA18) as vehicles will no longer be driven across it to access the two dwellings as envisaged in approval P171321/F.

However, the Ramblers' Association recognises local concern about two entrances/exits to the road, rather than one in the original application. Multiple entrances could increase hazards to pedestrians walking along the road. Local lanes are important links in the public right of way network, and this application would appear to potentially increase the risk to the safety of pedestrians walking along the public highway.

The Ramblers' Association therefore neither support or object to this application.

- 5.4 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=193682

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. It is also noted that the site falls within the Brampton Abbotts & Foy Group Neighbourhood Area, which published a draft Neighbourhood Development Plan (NDP) for Regulation 16 consultation running from 25 November 2019 until 20 January 2020. The Plan was sent for examination on 24 January 2020 and at this stage is considered to attract limited weight.
- 6.3 Noting the nature of the proposal, to vary a condition on an existing permission that has been implemented, I do not find it necessary to re-visit the principle of the development. Rather, the amendments between the two schemes are to be assessed. As stated above, the application looks to amend the access arrangements and rather than share the one permitted under permission ref: 172040/F, would create a wholly new one utilised by the two dwellings on the site directly onto Turners Lane. It will also amend the approved layout in terms of the siting of the garage building associated with plot 2.

Highways

- 6.4 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).
- 6.5 The proposal will create a new access to the east of Turners Lane. On this side of the road the access will be in addition to the permitted (and created) one to the north granted under application ref: 172040/F and an access to the south which serves a dwelling permitted under ref: 190819/F (this was previously an existing field access). The access will be located centrally between the two dwellings and lead to the parking and turning areas for each plot.
- 6.6 The plan submitted with the application indicates a set back of 2.4m from the nearside edge of the carriageway with visibility splays of 55m to the north and 65m to the south. While it is appreciated the Council’s Transportation Manager has no objections to the scheme as proposed, noting the nature of the lane and that the Traffic Regulation Order made in December 2019 reduced the speed of the road to 30mph, the splays are in excess of what is required. Having spoken with the Transportation Manager, based on Manual for Streets these can be reduced to 44m in each direction with a 1m running lane. This reduces the level of hedgerow removal as a result.
- 6.7 Policy MT1 of the Core Strategy also comments on protecting existing local and long distance footways. The proposed access will avoid the need for vehicular traffic to travel over footpath BA18 and increase the pedestrian safety in this respect. While it is acceptable for the approved arrangement to occur, there is a clear benefit in avoiding this situation which is touched on within the comments provided by the Ramblers Association and endorsed by the no objection from the Public Right of Way Officer.
- 6.8 With regard to the highway safety implications as a result of the proposed access, an additional access at this point in the lane is not found to be unacceptable. It will be visible to drivers travelling both north and south and will serve two dwellings. In relation to the proposal, there will

be no uplift in traffic movements and no highway safety dis-benefit of one additional access point - it will be neutral in this regard. In light of this, the proposal is not found to amount to severe cumulative highway impacts.

- 6.9 In terms of the internal layout, the proposed accesses will still ensure adequate parking and turning areas so that any vehicle can enter the highway in a forward gear. The parking provision will still meet the standards contained within the Highways Design Guide.
- 6.10 In light of the foregoing, while the comments contained within the representations relating to highways impacts are noted, the proposal is not found to result in cumulative impacts of development that are severe and would direct the decision maker to refuse the application.

Ecology

- 6.11 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 assets of the County and protect, manage and plan for the preservation of existing and delivery of new green infrastructure.
- 6.12 The proposal will require the removal of hedgerow along the shared boundary with the road in order to accommodate the new access point and the objection from the Council's Ecologist in this regard is noted. It is appreciated that this removal was not assessed under the original application given that the shared access that had already been permitted was to be utilised.
- 6.13 In terms of public benefits of the proposal, this will be weighed up against the ecology objection within the planning balance section of this report.

Landscape

- 6.14 Appreciating that the site is located in a rural area and within the Wye Valley Area of Outstanding Natural Beauty (AONB), policy LD1 of the Core Strategy is engaged. This policy states that development proposals should demonstrate that character of the landscape has positively influenced the design, scale, nature and site selection, protection and enhancement of settlement and designated areas. Proposals should also conserve and enhance the natural, historic and scenic beauty of important landscapes and features such as AONBs. This is reinforced through policy BAF4 of the NDP, which also touches on the conservation and management of hedgerows and mature trees.
- 6.15 In terms of the NPPF, paragraph 172 states that *great weight should be given to conserving and enhancing landscape and scenic beauty in...Areas of Outstanding Natural Beauty. The scale and extent of development within these designated areas should be limited.*
- 6.16 As stated above, the proposal will result in hedgerow removal along the boundary with Turners Lane. There will be additional planting where the existing access will be closed up. The changes in terms of the acceptable level of visibility splays and a running lane will ensure more hedgerow being retained than indicated on the proposed block plan submitted with the proposal. Notwithstanding this, it is appreciated there will be at least 3m for the access itself. This level of harm is to be assessed within the planning balance.
- 6.17 While the designation of the AONB is fully appreciated, the level of hedgerow removal is not found to alter the character of the landscape to a detrimental degree at this stage along the lane. The dwellings are visible from the lane and while the existing hedgerow provides some screening, the site is within the main built up part of Brampton Abbots, hence why the principle of residential development was found to be acceptable under the previous application. It is not found to be uncharacteristic or of demonstrable harm to view the dwellings at this point through

an access. It could be argued than an access shared between two dwellings is more in keeping with the surrounding pattern of development than one between six.

- 6.18 Noting the nature and scale of the proposal, I do not find the impact on the character of the wider AONB or landscape to be detrimental as a result of the proposed shared access.

Other matters

- 6.19 Within the planning process there is no such thing as a precedent, rather each application is assessed on its own merits. With regard to any future applications for additional dwellings or accesses, this is not relevant to the assessment of the current application.
- 6.20 The financial implications of the proposal, on the dwellings or on the developer are not material planning considerations.
- 6.21 While the plan containing the details relating to wheel washing facilities and site operative parking has not been publically consulted on, ordinarily these details would come forward as part of a discharge of condition application which is not open to public consultation. As such, it is not considered that anyone has been prejudiced by not having the opportunity to comment on this aspect.

Planning balance

- 6.22 Both CS policy SS1 and paragraph 11 of the National Planning Policy Framework engage the presumption in favour of sustainable development and require that developments 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.
- 6.23 Paragraph 11 of the NPPF states that decisions should apply a presumption in favour of sustainable development. For decision taking, this means that proposals which accord with an up-to-date development plan should be approved without delay. At 11 d), it states that where there are no development plan policies relevant or the policies which are most important for determining the application are out-of-date, permission should be granted unless policies within the framework (outlined at Footnote 6) provide a clear reason for refusing the proposal or the adverse impacts of approving the scheme would significantly and demonstrably outweigh the benefits.
- 6.24 The application here is for variation to a permitted scheme where the principle of residential development has already been established and does not need to be re-assessed, noting that the permission has been implemented and the dwellings almost completed. Given the nature of the proposed changes the policies most important for determining the application are concerned with highways safety, ecology and landscape character matters, and the development plan contains a number of policies of this nature which are considered to be 'up-to-date'. In applying the presumption as set out by Paragraph 11 (c) of the NPPF therefore, the proposal should be approved without delay provided it accords with the development plan.
- 6.25 The proposal seeks permission for an alternative access to two dwellings already permitted. The proposed access will avoid the need for vehicular access to cross a public right of way in order to arrive at the dwellings and the proposed access point is not found to amount to severe highways implications in itself. The creation of a shared access between two dwellings is not out of keeping with surrounding development and the character of the area and the wider AONB would not be detrimentally affected, being mindful of the relatively low level of hedgerow removal and additional planting when the existing access is closed up. While it is appreciated there is a policy conflict in ecological terms due to this removal, the benefits of avoiding the

public right of way and creating a development arguably more in keeping with the surrounding built form is found to outweigh this level of harm.

- 6.26 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 avoid the need to travel over a public right of way and leave this unobstructed. The environmental level of harm identified is not found to amount to severe noting the nature and scale of the proposal. The application is therefore recommended for approval. Noting that this is a new permission, the conditions on the previous permission will be re-attached. Given that the permission has been implemented, re-attaching the time limit for this is not necessary.

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. C07 - Development in accordance with approved plans and materials**
- 2. CBK - Restriction of hours during construction**
- 3. CE6 – Efficient use of water**
- 4. The recommendations set out in the ecologist's report from Betts Ecology dated April 2015 and the scheme indicated within the Ecological Management Plan dated January 2017 should be followed unless otherwise agreed in writing by the local planning authority.**

An appropriately qualified and experienced ecological clerk of works should be appointed (or consultant engaged in that capacity) to oversee the ecological mitigation work.

Reasons: To ensure that all species are protected having regard to the Wildlife and Countryside Act 1981 (with amendments and as supplemented by the Countryside and Rights of Way Act 2000), the Natural Environment and Rural Communities Act 2006 and the Conservation of Habitats and Species Regulations 2010 (and 2012 amendment).

To comply Herefordshire Council's Policies LD2 Biodiversity and Geodiversity, LD3 Green Infrastructure of the Herefordshire Local Plan Core Strategy 2013 - 2031 and to meet the requirements of the National Planning Policy Framework (NPPF).

- 5. Notwithstanding the visibility splays indicated on drawing number 683-PL10, these shall be provided from a point 0.6 metres above ground level at the centre of the access to the application site and 2.4 metres back from the nearside edge of the adjoining carriageway (measured perpendicularly) for a distance of 44 metres in each direction with a 1m running lane into the adjoining carriageway. Nothing shall be planted, erected and/or allowed to grow on the triangular area of land so formed which would obstruct the visibility described above.**

Reason: In the interests of highway safety and to conform to the requirements of Policy MT1 of Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

- 6. Prior to the first occupation of the dwellings hereby approved, and in accordance with drawing number 683-PL10, the driveway and/or vehicular turning area shall be**

consolidated and surfaced at a gradient not steeper than 1 in 8. Private drainage arrangements must be made to prevent run-off from the driveway discharging onto the highway.

Reason: In the interests of highway safety and to conform with the requirements of Policy MT1 of Herefordshire Local Plan - Core Strategy and the National Planning Policy Framework.

7. Prior to the first occupation of any dwelling to which this permission relates an area for car parking shall be laid out within the curtilage of that property, in accordance with drawing number 683-PL10, shall be properly consolidated, surfaced and drained and shall not thereafter be used for any other purpose than the parking of vehicles.

Reason: In the interests of highway safety and to ensure the free flow of traffic using the adjoining highway and to conform with the requirements of Policy MT1 of Herefordshire Local Plan - Core Strategy and the National Planning Policy Framework.

8. Development shall not begin until the wheel cleaning apparatus, as detailed on drawing number 683-PL05, is provided on site and shall be operated and maintained during construction of the development hereby approved.

Reason: To ensure, with immediate effect, that the wheels of vehicles are cleaned before leaving the site in the interests of highway safety and to conform with the requirements of Policy MT1 of Herefordshire Local Plan - Core Strategy and the National Planning Policy Framework.

9. Development shall not begin until parking for site operatives and visitors has been provided within the application site, in accordance with drawing number 683-PL05, and shall be retained and kept available during construction of the development.

Reason: To prevent indiscriminate parking, with immediate effect, in the interests of highway safety and to conform with the requirements of Policy MT1 of Herefordshire Local Plan - Core Strategy and the National Planning Policy Framework.

10. The cycle parking, indicated on drawing numbers 683-PL10 shall be installed and made available for use on first occupation of the dwellings.

Reason: To ensure that there is adequate provision for secure cycle accommodation within the application site, encouraging alternative modes of transport in accordance with both local and national planning policy and to conform with the requirements of Policies SD1 and MT1 of Herefordshire Local Plan - Core Strategy and the National Planning Policy Framework.

11. The development hereby approved shall not be brought into use until the the access, turning area and parking facilities shown drawing number 683-PL10 have been properly consolidated, surfaced, drained and otherwise constructed and these areas shall thereafter be retained and kept available for those uses at all times.

Reason: In the interests of highway safety and to ensure the free flow of traffic using the adjoining highway and to conform with the requirements of Policy MT1 of Herefordshire Local Plan - Core Strategy and the National Planning Policy Framework

12. **None of the existing trees or hedgerows on the site (other than those specifically shown to be removed on the approved drawings) shall be removed, destroyed or felled without the prior approval in writing of the Local Planning Authority.**

Reason: To safeguard the amenity of the area and to ensure that the development conforms with Policies SD1 and LD1 of the Herefordshire Local Plan - Core Strategy and the National Planning Policy Framework.

13. **Notwithstanding the new access hereby permitted, the works to the boundary treatments shall be carried out in accordance with the drawing number 16/431/03 contained within the Peter Quinn Landscape and Visual Amenity Study and completed before the dwellings are occupied.**

Reason: In the interests of visual amenity, to ensure the development has an acceptable standard of privacy and to conform to Policy SD1 of the Herefordshire Local Plan - Core Strategy and the National Planning Policy Framework.

14. **Notwithstanding the new access hereby permitted, the soft landscaping scheme indicated on drawing number 16/431/03 contained within the Peter Quinn Landscape and Visual Amenity Study shall be carried out concurrently with the development hereby permitted and shall be completed no later than the first planting season following the completion of the development. The landscaping shall be maintained for a period of 5 years. During this time, any trees, shrubs or other plants which are removed, die or are seriously retarded shall be replaced during the next planting season with others of similar sizes and species unless the Local Planning Authority gives written consent to any variation. If any plants fail more than once they shall continue to be replaced on an annual basis until the end of the 5-year maintenance period. The hard landscaping shall be completed prior to the first occupation of the development hereby permitted.**

Reason: In order to maintain the visual amenities of the area and to conform with Policy LD1 of the Herefordshire Local Plan - Core Strategy and the National Planning Policy Framework.

15. **Notwithstanding the new access hereby permitted, all hedge planting shall be carried out in accordance with drawing number 16/431/03 contained within the Peter Quinn Landscape and Visual Amenity Study and planted in the first planting season following removal of the existing hedgerow.**

The hedges shall be maintained for a period of 5 years. During this time, any shrubs that are removed, die or are seriously retarded shall be replaced during the next planting season with others of similar sizes and species unless the Local Planning Authority gives written consent to any variation. If any plants fail more than once they shall continue to be replaced on an annual basis until the end of the 5-year maintenance period.

Reason: In order to maintain the visual amenities of the area and to conform with Policy LD1 of the Herefordshire Local Plan - Core Strategy and the National Planning Policy Framework. The hedge planting scheme contained within drawing number 16/431/03 contained within the Peter Quinn Landscape and Visual Amenity Study

16. **Notwithstanding the provisions of article 3(1) and Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015, (or any order revoking or re-enacting that Order with or without modification), no development which would otherwise be permitted under Classes A, B, C, D, E and H**

of Part 1 and of Schedule 2, shall be carried out.

Reason: In order to protect the character and amenity of the locality, to maintain the amenities of adjoining property and to comply with Policy SD1 of the Herefordshire Local Plan - Core Strategy and the National Planning Policy Framework.

17. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no windows other than those expressly authorised by this permission shall be constructed in any elevation of the property and no dormer windows other than those expressly authorised by this permission shall be constructed in any facing roof slope of the property.

Reason: In order to protect the residential amenity of adjacent properties and to comply with Policy SD1 of the Herefordshire Local Plan - Core Strategy and the National Planning Policy Framework.

18. The garages hereby permitted shall be used solely for the garaging of private vehicles and for purposes incidental to the enjoyment of the dwelling house as such and not for the carrying out of any trade or business.

Reason: To ensure that the garage is used only for the purposes ancillary to the dwelling and to comply with Policy SD1 of the Herefordshire Local Plan - Core Strategy and the National Planning Policy Framework.

19. The garage and access thereto must be reserved for the garaging or parking of private motor vehicles and the garage shall at no time be converted to habitable accommodation.

Reason: To ensure adequate off street parking arrangements remain available at all times and to comply with Policy MT1 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.

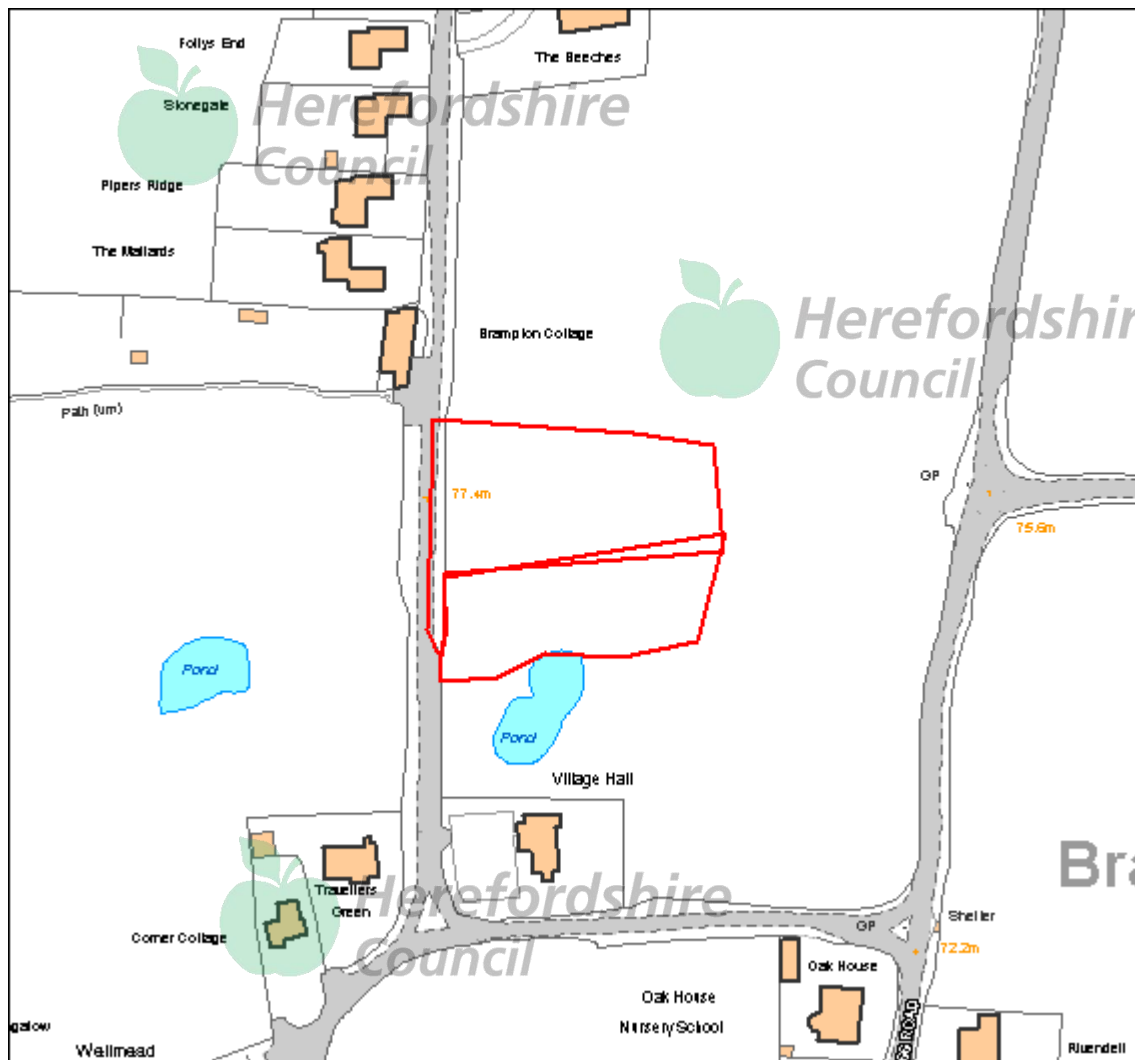
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: 193682

SITE ADDRESS : DEV 1 LAND ADJACENT BRAMPTON ABBOTTS VILLAGE HALL, BRAMPTON ABBOTTS, HEREFORDSHIRE, HR9 7JD

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