

MEETING:	PLANNING COMMITTEE
DATE:	19 DECEMBER 2012
TITLE OF REPORT:	S122572/F - PROPOSED NEW BUNGALOW AT LAND AT THE PARKS, BROCKHAMPTON, HEREFORD, HR1 4SD For: Mr & Mrs Hope per Mr Nigel Teale, Bramble Farm, Naunton, Upton Upon Severn, Worcestershire, WR8 0PZ
WEBSITE LINK:	http://www.herefordshire.gov.uk/housing/planning/58286.aspx?ID=122572&NoSearch=True

Date Received: 14 September 2012

Ward: Old Gore

Grid Ref: 359565,232219

Expiry Date: 16 November 2012

Local Member: Councillor BA Durkin

1. Site Description and Proposal

- 1.1 The application site is located in open countryside and outside of, and a significant distance from, any designated main village or smaller settlement identified under Unitary Development Plan policies H4 or H6. The nearest designated settlement is Fownhope, some 5.1 km (3.2 miles) away. This location is within the Wye Valley Area of Outstanding Natural Beauty. The site comprises the residential curtilage associated with the existing dwellings known as The Parks Cottages. In this area, which is open in nature, the development pattern is isolated and sporadic and comprises individual dwellings, the notable exception being Brockhampton Court, a substantial residential care home. Access is achieved from the C1272 via a track which serves four existing residential properties and agricultural land. This lane also forms part of a Public Right of Way.
- 1.2 The proposal is for the erection of a single storey dwelling and provision of associated curtilage to meet the personal needs of the applicant's. The dwelling measures 14.9 x 10.4 metres in plan with an integrated car port measuring an additional 4.0 x 6.5 metres located on the east elevation. The maximum ridge height is 5.3 metres and the proposal has an eaves height of 2.7 metres.

2. Policies

2.1 National Planning Policy Framework (NPPF)

- The presumption in favour of sustainable development – Resistance to residential development within AONB's – para 14
- Core planning principles – Design quality – para 17
- Delivering a wide choice of high quality homes – Sustainable rural development – Chapter 6 paras 49, 55
- Requiring good design – quality, context and local character and distinctiveness – Chapter 7 paras 58, 60, 61, 64
- Conserving and enhancing the natural environment – protected landscapes – paras 109, 115

- Determining applications – determination in accordance with the approved plan unless material conditions indicate otherwise – para 196

2.2 Herefordshire Unitary Development Plan (HUDP):

S1	-	Sustainable development
S2	-	Development requirements
DR1	-	Design
DR2	-	Land use and activity
DR3	-	Movement
H4	-	Main villages
H6	-	Smaller settlements
H7	-	Housing in the countryside outside settlements
H10	-	Rural exception housing
H13	-	Sustainable residential design
T8	-	Road hierarchy
LA1	-	Areas of Outstanding Natural Beauty
LA2	-	Landscape character and area least resilient to change

2.3 The Unitary Development Plan policies together with any relevant supplementary planning documentation can be viewed on the Councils website by using the following link:-

<http://www.herefordshire.gov.uk/housing/planning/29815.aspp>

3. Planning History

3.1 None

4. Consultation Summary

Internal Council advice

4.1 The Transportation Manager makes no objection.

4.2 The Council's Senior Landscape Officer requires that the dwelling is built of stone in order to properly reflect the local character, and that boundary treatments are appropriate to this rural and sensitive location.

4.3 The Council's PROW Officer has no objection.

5. Representations

5.1 Brockhampton Parish Council supports the proposal and although acknowledging it is contrary to policy sets out the following grounds of support and their considered opinion for an exception in this case –

- The application is made by a family who have resided in the parish their whole lives and have contributed significantly on a community level
- The applicant's needs can not be met through adaptation of their existing home
- No suitable properties exist in the parish to meet their personal needs
- The proposal is modest in scale
- The proposal would not adversely affect the locality

5.2 Eight letters of support have been received from local residents, most of which take the form of character references for the applicant. Comments regarding planning matters are summarised as –

Further information on the subject of this report is available from Mr C Brace on 01432 261947

- The proposal provides essential space and facilities allowing a family to remain together
- The proposal will not impact upon third parties
- The applicant's existing accommodation can not be converted to meet their essential requirements

5.3 The consultation responses can be viewed on the Council's website by using the following link:-

www.herefordshire.gov.uk/housing/planning/searchplanningapplications.aspx

Internet access is available at the Council's Customer Service Centres:-

www.herefordshire.gov.uk/community_and_living/consumer_advice/41840.asp

6. Officer's Appraisal

- 6.1 The most significant local plan policy applicable to this application is H10 which allows for individual affordable houses and requires that these are within or adjoining an established rural settlement. This policy applies to settlements which are not specifically designated in policies H4 – Main Villages, or H6 – Smaller Settlements and which have some facilities. It is expressly stated that *'it is not the intention of the policy to allow isolated new housing in the countryside'*.
- 6.2 The application site and its environs are divorced from, and have no physical connecting relationship, with any settlement whether designated or not. The immediate locality is not considered to be capable of being described as an established rural settlement in its own right, and is simply in terms of development pattern, a small number of isolated and sporadic dwellings located, in the main, with a road frontage. There are no facilities or services in close proximity of the site.
- 6.3 Given this, the proposal is not considered to represent a sustainable form of development and in terms of location criteria is contrary to local plan policy.
- 6.4 The NPPF puts sustainable development at its core and recognises three dimensions to this. The environmental dimension outlines how development and decision making should contribute to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.
- 6.5 Furthermore the NPPF clearly states that there is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking. The granting of planning permission should occur unless specific policies in the Framework indicate development should be restricted.
- 6.6 To promote sustainable development in rural areas, the NPPF advises that housing should be located where it will enhance or maintain the vitality of rural communities which includes supporting existing local services. As already outlined the site is not located in a sustainable location, it not being part of an existing settlement and having no services or facilities readily available. In addition Footnote 4 paragraph 14 of the NPPF confirms that sites within Areas of Outstanding Natural Beauty fall outside those areas where the presumption in favour of development applies and indeed is a location where development should be restricted or resisted. As such the proposal is contrary to the core principles of the NPPF.

Need

- 6.7 The application is advanced on the basis of the specific personal need of the applicants. Evidence to support this claim has been provided from appropriate professionals and is accepted to be genuine. It is also accepted the applicants' existing dwelling can not be altered or adapted to meet their needs. Notwithstanding that, neither the local plan or the NPPF makes provision for permitting individual dwellings on the basis of a personal need that is not related to an established business and it's functional need. Furthermore the application does not fulfil any of the requirements or criteria of local plan policy H10, being outside of any established rural settlement.

Sustainability

- 6.8 The proposal would introduce a dwelling in an isolated open countryside location, undermining the key aims of local plan policies S1, S3, DR1, DR2, and H7. The occupiers of the proposal would be dependent on using a private vehicle to access any services or facilities.
- 6.9 To offset this clear conflict a number of sustainable techniques regarding energy and resource efficiency, and construction are incorporated within the built form. The dwelling would meet and exceed existing Building Regulations Standards, incorporates rain water harvesting, and is built using Structurally Insulated Panels (SIPS). This method of construction provides the following benefits –
- Low U-values – 0.19W/m².K in walls and 0.18W/m² in the roof with no additional insulation mean the system exceeds current Building Regulations and can also be expected to meet u-values set for the next level of changes as the government pushes for zero carbon by 2016.
 - Limited Cold Bridging – Due to the continuity of the rigid insulation the Kingspan TEK system provides enhanced thermal reliability when compared with more traditional forms of construction.
 - Air tightness – The TEK system is ideal for the construction of an air-tight building envelope. With the proprietary system providing an effective air seal, results achieved from blower door tests are 0.08 air changes per hour at normal air pressures or 0.91m³/hr/m² air changes at 50Pa. (current part L recommendations are 10m³/hr/m²)
 - Solid and strong - 5x times stronger than timber frame and nearly double that of a standard masonry house.

Landscape and Visual Impact

- 6.10 The proposal would itself have a detrimental impact on the character and appearance of the open countryside through its very presence. Individually and cumulatively such proposals dilute the intrinsic character of the open countryside. The subdivision of the existing garden plot results in an arbitrary shape which can be considered detrimental to the existing development pattern and existing character and appearance hereabouts. Given this application is located within a designated protected landscape area – the Wye Valley Area of Outstanding Natural Beauty, this is an issue to which significant weight should be attached.

Design

- 6.11 To mitigate the landscape impact concern, attention has been paid to the design and detailing of the proposal. The design form proposed echoes a traditional simple single storey rectangular plan agricultural building. This modest sized and 'simple' type of building is not uncommon throughout the Area of Outstanding Natural Beauty, being found in isolated positions and in relation to other buildings. The use of stone in the construction and facing on the principle elevation is appropriate to the location and indeed rural Herefordshire. The rear section is formed from a timber clad section which introduces the notion of a building evolved and extended over time. Clearly using this material on part of the building also helps reduce build costs.

- 6.12 Design detailing emphasising and reinforcing the 'agricultural barn' aesthetic utilised here includes two 'cart entrance' features with brick arch detailing. This also has the added benefit of providing a large natural light source to functional rooms. The use of 'arrow slit' openings further replicates agricultural building features whilst providing light to rooms.
- 6.13 Given the location and orientation of the proposal, set in the north east corner of the Parks Cottages curtilage, the local topography with the highway at a significantly lower level than the application site and the existing retained natural screening, domestic paraphernalia associated with the adjoining existing dwellings, there will only be limited glimpsed views from the C1272, a principle route into and out of this rural area. Users of the adjoining public right of way will view the principle elevation partly screened by the existing garage block and domestic curtilage of the existing adjoining properties.
- 6.14 Overall the design, detailing, siting and approach utilised is considered to be of sufficient quality, respecting the local context and sensitive nature of the location. As set out above, the proposal is considered to respond adequately to the established local character and reflects the identity of its surroundings. It is advanced that the proposal represents a design solution whereas a 'standard' or 'typical' bungalow design would be wholly unacceptable having regards to this location and context which requires a more considered approach.
- 6.15 The proposal has an appropriate level of private amenity, and also does not result in undue impact upon the amenity and privacy of the existing adjoining residential land uses. Third Party rights of access to an adjoining agricultural field are not compromised.
- 6.16 Along with satisfying the design requirements of the National Planning Policy Framework, the proposal satisfies the design standards criteria of local plan policies S2, DR1 and H13.

Further mitigation

- 6.17 The applicants` have agreed to a Section 106 Agreement being placed upon the dwelling ensuring it would remain as an affordable dwelling in perpetuity and be available to any persons meeting the adopted local needs criteria. Whilst not overcoming the in principle objection to the proposal, it can be considered an attempt to provide mitigation against the clear policy objection by virtue that there would be some social benefit to the community beyond that of the applicants. The Draft Heads of Terms for the Agreement is attached to this report.

Conclusion

- 6.18 Notwithstanding the personal needs outlined, the mitigation included within the submission and the acceptable design solution proposed, the application is contrary to national and local planning policies, representing unjustified housing development in an unsustainable open countryside location, which is within an Area of Outstanding Natural Beauty.

RECOMMENDATION

That planning permission be refused for the following reason:

- 1. The application represents an unjustified development in an unsustainable open countryside location which is also within an Area of Outstanding Natural Beauty. The proposal is therefore unacceptable in principle and the visual harm associated with the proposed dwelling is not outweighed by the personal circumstances of the applicant and accordingly the proposal is considered contrary to Herefordshire Unitary Development Plan Policies S1, S2, H7, H10, and LA2 and the National Planning Policy Framework.**

Informative:

- 1. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against planning policy and any other material considerations and identifying matters of concern with the proposal and discussing those with the applicant. However, the issues are so fundamental to the proposal that it has not been possible to negotiate a satisfactory way forward and due to the harm which have been clearly identified within the reason(s) for the refusal, approval has not been possible.**

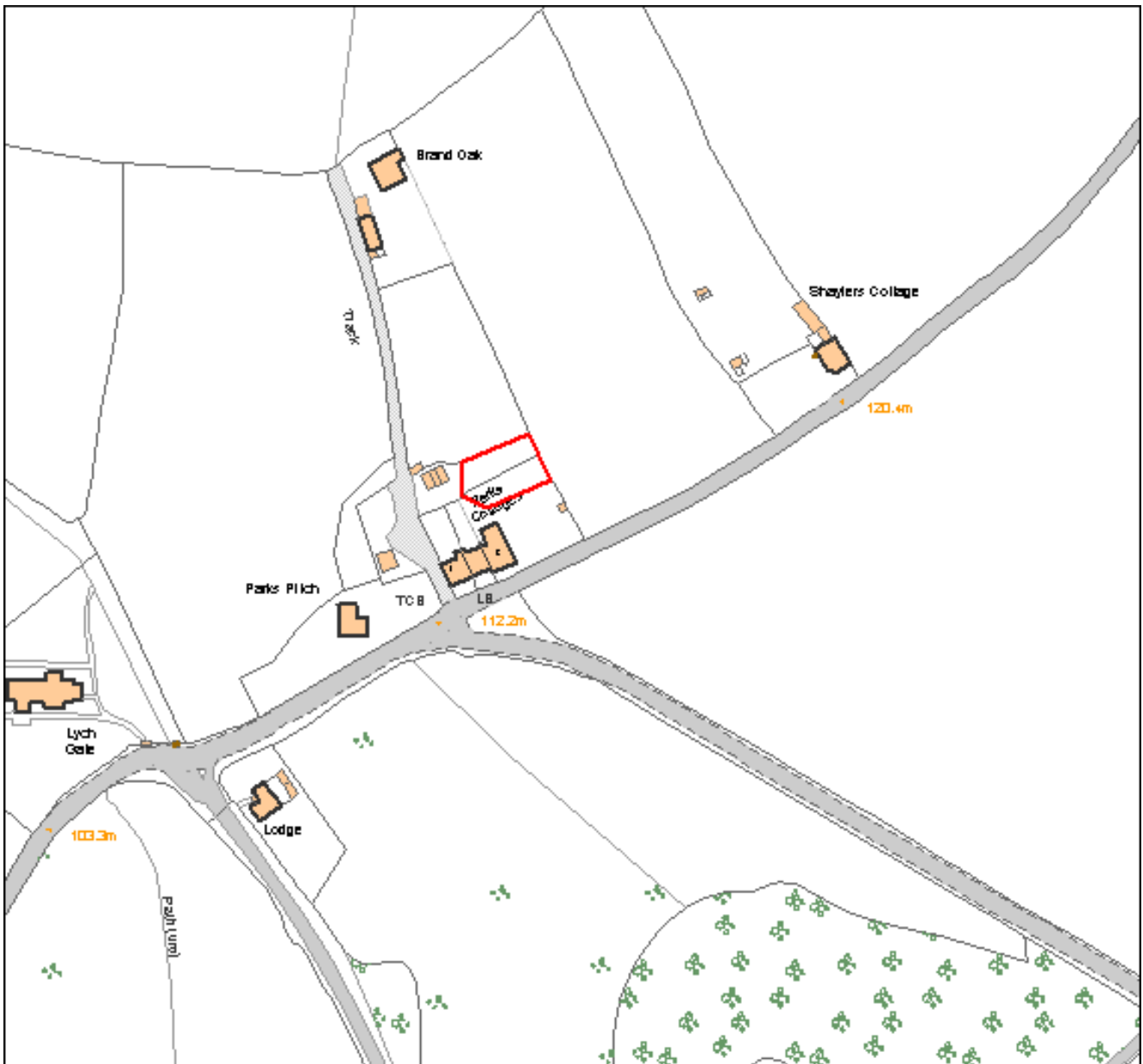
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: S/122572/F

SITE ADDRESS : LAND AT THE PARKS, BROCKHAMPTON, HEREFORD, HR1 4SD

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