

|   |   |
|---|---|
| <b>MEETING:</b>   | <b>PLANNING COMMITTEE</b>   |
| <b>DATE:</b>  | <b>15 JULY 2015</b>   |
| <b>TITLE OF REPORT:</b>   | <p><b>150962 - PROPOSED CONSTRUCTION OF A 3 BED SINGLE STOREY PASSIVHAUS, ASSOCIATED LANDSCAPING, BIO-DIVERSITY ENHANCEMENT, ACCESS AND FLOOD PREVENTION FOR ADJACENT LISTED BUILDINGS AT LAND TO THE NORTH OF HOPE END FARM, RIDGEWAY CROSS, CRADLEY</b></p> <p><b>For: Mr and Mrs Iwanczuk per Mr Dean Benbow, 21-22 Mill Street, Kington, Herefordshire, HR5 3AL</b></p> |
| <b>WEBSITE LINK:</b>  | <a href="https://www.herefordshire.gov.uk/planning-and-building-control/development-control/planning-applications/details?id=150962&amp;search=150962">https://www.herefordshire.gov.uk/planning-and-building-control/development-control/planning-applications/details?id=150962&amp;search=150962</a>   |
| <b>Reason Application submitted to Committee – Contrary to policy</b> |   |

**Date Received: 30 March 2015**

**Ward: Bishops Frome and Cradley**      **Grid Ref: 371981,247171**

**Expiry Date: 26 May 2015**

Local Member: Councillor PM Morgan

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

- 1.1 The application site is physically divorced from and has no such spatial, architectural or visible relationship with the defined settlement area comprising Cradley, rather it is one of a number of isolated dwellings in a sporadic pattern of development north of Cradley village and around the Ridgeway Cross area.
- 1.2 Hope End Farm is a Grade II Listed former farmhouse. The farm complex has been subdivided into 5 separate residences through a number of conversions. Two residences use the original driveway and three residences, including Hope End Farm, use a driveway that was newly created in 2008. The Farmhouse itself no longer has any attached farmland apart from a steeply sloping area of rough grassland to the north of the property which extends to some 5.8 acres. Divorced from any working agricultural unit this land currently has no purpose apart from a small area at the base of the slope that is currently used for vegetables and fruit growing. This land forms the application site and associated land that will provide landscape planting.
- 1.3 The steep slope combined with the open character of the field has created flooding problems in the past for the residences at the base of the field.
- 1.4 The field is completely enclosed by mature hawthorn hedgerow interspersed with mature trees around the site boundaries. The site itself is completely open rough grassland and featureless

apart from two lines of telephone poles that cross the site and the small area of fruit frames in the southwest corner. The site is elevated with a south facing aspect.

- 1.5 The application proposes a 3 bed single storey Passivhaus, associated landscaping, bio-diversity enhancement, access and flood prevention for adjacent listed buildings.

## 2. Policies

### 2.1 National Planning Policy Framework (NPPF):

The following sections are of particular relevance:

|              |   |  |
|--------------|---|--|
| Introduction | - | Achieving Sustainable Development                |
| Section 4    | - | Promoting Sustainable Transport                  |
| Section 6    | - | Delivering a Wide Choice of High Quality Homes   |
| Section 7    | - | Requiring Good Design                            |
| Section 8    | - | Promoting Healthy Communities                    |
| Section 11   | - | Conserving and Enhancing the Natural Environment |

### 2.2 Herefordshire Unitary Development Plan:

|     |   |   |
|-----|---|---|
| S1  | - | Sustainable development   |
| S2  | - | Development requirements  |
| DR1 | - | Design  |
| DR2 | - | Land use and activity   |
| DR3 | - | Movement  |
| DR4 | - | Environment   |
| DR7 | - | Flood risk  |
| H6  | - | Housing in the smaller settlements                                    |
| H7  | - | Housing in the open countryside outside settlements                   |
| LA2 | - | Landscape character and areas least resilient to change               |
| LA6 | - | Landscaping schemes   |
| NC1 | - | Biodiversity and development  |
| NC6 | - | Biodiversity Action Plan priority habitats and species                |
| NC7 | - | Compensation for loss of biodiversity                                 |
| NC8 | - | Habitat creation, restoration and enhancement                         |
| NC9 | - | Management of features of the landscape important for fauna and flora |

### 2.3 Draft Core Strategy:

|     |   |  |
|-----|---|--|
| SS1 | - | Presumption in Favour of Sustainable Development               |
| SS4 | - | Movement and Transportation                                    |
| RA3 | - | Herefordshire Countryside                                      |
| MT1 | - | Traffic Management, Highway Safety and Promoting Active Travel |
| LD1 | - | Landscape and Townscape  |
| LD2 | - | Biodiversity and Geodiversity                                  |
| SD1 | - | Sustainable Design and Energy Efficiency                       |
| SD2 | - | Renewable and Low Carbon Energy                                |
| SD3 | - | Sustainable Water Management and Water Resources               |

### 2.4 Neighbourhood Plan

Cradley Parish Council has successfully applied to designate the Parish as a Neighbourhood Area under the Neighbourhood Planning (General) Regulations 2012. The area was confirmed on 7 August 2013. The Parish Council will have the responsibility of preparing a Neighbourhood Development Plan for that area. There is no timescale for

proposing/agreeing the content of the plan at this early stage, but the plan must be in general conformity with the strategic content of the emerging Core Strategy. The plan is presently being drafted therefore no weight can be attached in the decision making process.

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

<https://www.herefordshire.gov.uk/planning-and-building-control/planning-policy/unitary-development-plan>

### **3. Planning History**

None

### **4. Consultation Summary**

Statutory Consultees

- 4.1 Severn Trent Water has no objection, subject to conditions.

Internal Consultees

- 4.2 Transportation Manager has no objection.

- 4.3 Conservation Manager (Historic Buildings) It is rare and inspiring to see a scheme of the highest "production values" being evolved by client and architect. Clearly, every effort has been made to take account of the landscape and the setting of the listed building, and there will be, paradoxically, little effect on the immediate surroundings of the listed group because of the particular land form and planting there. The listed building setting experienced when close to or in the buildings themselves will not be harmed.

I must however raise a concern about views of the listed complex in the landscape. These are readily obtainable views from Tanhouse Lane and the footpaths to the north of it. Hope Ends stands quite magnificently against the open hillside as seen in the public view from Tanhouse Lane.

The proposed range of terraces, walls and glass façade, and the inevitable paraphernalia of domestic life which, in the above view, would extend across the whole width of the listed group, will have a profound impact on this aspect of the setting of the building, and that must, unfortunately be considered a harmful effect.

I understand that this scheme is being put forward under "Clause 55". Whilst this scheme is head and shoulders above the majority of applications that come before us, it does not, as you note in your pre-application advice, meet the very exceptional demands of Clause 55 in terms of innovation and specialness.

In this case, when the many complex issues are balanced, you may consider that setting is the more weighty matter.

- 4.4 Conservation Manager (Ecology) has no objection confirming following further information provided and exchanged emails with the applicant's ecologist, he is happy to accept their perspective on protected species provided a requested condition is attached to any approval.

- 4.5 Public Rights of Way Manager has no objection.

## 5. Representations

- 5.1 Cradley Parish Council objects to the proposal commenting we cannot support the precedent of development in rural areas outside the settlement boundary and do not consider that this proposal satisfies the requirements as set out by Para 55 of the NPPF to allow the exception of development in open countryside. We acknowledge the positive elements of woodland planting and the proposed orchard but do not consider this sufficient to offset the potential impacts of development ie the property is visible from the AONB and footpath No. CD14 passes across the valley field where the development is proposed.
- 5.2 Thirty-six letters of support have been received, comments are summarised as –
- The proposal is of a high/ the highest design standard
  - The proposal enhances the landscape
  - The proposal is environmentally sensitive and considerate
  - The proposal reflects the local landscape character
  - Biodiversity enhancements
  - The flood mitigation is welcomed
  - This sets very high standards for future development in the countryside
  - this proposal for a zero-carbon house is exciting and should be of interest to the wider public
  - If possible, the owners should be 'forced' to share their experience with experts
  - The proposal will not add load on to the existing sewerage infrastructure
  - The impact of the building will be negligible on neighbours
  - The proposal is entirely in line with the village plan
  - The proposal enhances the setting of Cradley
  - Herefordshire is leading the way in 'eco homes'
  - This is the most researched, well-thought out and sensitive application
  - The knowledge and experience should be shared with any other local builders; this might help to reduce the impact of any further developments.
- 5.3 Three letters of objection have been received, comments are summarised as –
- the applicant should rethink the design and density of this development
  - This type of triple level contiguous housing is more suited to cities
  - These properties will have very little recreational space for children and are not in keeping with the rest of the village
  - The large windows are only required due to the developer choosing a north orientation
  - Four properties would allow for alternative orientation and more green space, around two story housing in keeping with the rest of the village housing stock.
  - It looks odd that most of those in favour don't even live next to the proposal
  - It's a pity that support seems to be driven by a friendship motive rather than out of consideration for the application
  - Other schemes have been opposed and rejected due to lack of amenities
  - The Red Lion is the village pub not the British Legion as the map suggests

---

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

- The village shop closed. The shop on the map is a butchers.

5.4 The Campaign to Protect Rural England (CPRE) object to the proposal, commenting the site is in the open countryside some 300 metres from Westfield village. A public footpath runs through it roughly south-north, ending at the crossroads where the A4103 is crossed by the B4220, Council policy rules out residential development in the open countryside and none of the exceptions to this rule appear to apply in this case. To make an exception would, in our view, create an undesirable precedent for any future applications to build outside the Westfields settlement area.

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

<http://news.herefordshire.gov.uk/housing/planning/searchplanningapplications.aspx>

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

6.1 The application site is considered to be unsustainably located away from facilities and services contrary to the NPPF and as such it is not suitable for residential development. In order to reach services and facilities necessary for most day to day living, there would therefore be a strong likelihood of a significant reliance on the use of the car. Numerous appeals in comparable locations have been dismissed at appeal on this basis.

6.2 Notwithstanding the unsustainability of the site, NPPF Paragraph 55 permits dwellings in the open countryside where the proposal is of exceptional quality or the design of the dwelling is of an innovative nature. Such a design is required to:

- be truly outstanding or innovative, helping to raise standards of design more generally in rural areas;
- reflect the highest standards in architecture;
- significantly enhance its immediate setting; and
- be sensitive to the defining characteristics of the local area.

6.3 Inextricably linked into the concept of accounting for the locality is the landscape design. This must not and cannot be landscaping as an afterthought, rather landscape design is a fundamental aspect of the whole scheme. It is considered such a proposal should be presented on the basis of the whole site and its context rather than just the house. Not every plot of land is suitable for a paragraph 55 dwelling, and as an example of the incredibly high threshold applied to such proposals, these should be for a house that can only be achieved on that particular site. It is on this basis that so many such applications are unsuccessful and it is upon this reason and approach taken that having regard to the proposal, approval is recommended. In this application, landscape consideration, context and understanding has underpinned and influenced the design and resultant proposal as a whole.

6.4 Furthermore, the Innovation requirement requires a constant raising of the bar, whether in respect of design, construction techniques, materials or functionality. Done once, by definition, it cannot be replicated. As such a Paragraph 55 dwelling is a 'one off' and should be considered in terms of being a 'landmark building'.

6.5 The proposal was on Officers' advice submitted to MADE for their panel's review. A positive response received on 29<sup>th</sup> January 2015 stated –

The woodland is a very important part of the concept, and whilst an overall natural character is appropriate, this should not exclude some imaginative planting arrangements; pathways through the woods and blocks of different tree species could create areas of distinctive character within the woods. Extending part of the woodland down one side of the site would also contribute to the control of water run-off.

The panel suggested that more detail would be required for Planning Committee members to appreciate the concept and subtleties of this scheme, including the quality of materials that are proposed to be used. A model would also be beneficial to help appreciate how it sits within its wider setting. A clear presentation should emphasise that the woodland, the house and its walls, and the meadow are integral elements of a comprehensive design concept.

In conclusion, the panel concluded that this project, with its high architectural standards and sensitivity to its context, is on its way to meeting the criteria in paragraph 55, subject to a more developed approach to the landscape design to further enhance the setting.

- 6.6 Following this, a scale model was created and, with Officers, the landscape design reconsidered and evaluated to the proposal now considered. It is Officers' opinion the proposal satisfies the exacting standards of Paragraph 55. This exception clause follows in the similar manner to that that was in PPG7 and its successor PPS7. The uniqueness of such approvals and the recommendation is demonstrated in that less than 100 dwellings have been reported to have been built in 15 years or so since the exemption was introduced.
- 6.7 The proposal divides the site into three areas, although this is done in a seamless way. The upper part of the site is to be planted with indigenous species of deciduous trees, whilst the lower part of the site will be replanted as wildflower meadow and orchard. This creates the new context within which the single storey dwelling will occupy the margin between the two landscapes. The building will have an elongated linear appearance so it resembles a landscape feature such as a boundary wall and in doing so integrate into the new landscape. The proposed solution is generated from an understanding and appreciation of both the immediate and wider landscape context and built form heritage hereabouts. Stone walls both as a means of enclosure or as part of structures around the site are the defining built form feature.
- 6.8 Over 50% of the site is allocated to woodland tree planting. The purpose of this is fourfold:
- To provide a landscaping context that ensures the proposed dwelling will integrate successfully into the site and the surrounding area
  - To alleviate flood risk to the properties at the base of the slope by reducing the volume and slowing the rate of run off
  - To increase the bio-diversity of the site by providing a wider range of habitats
  - To create a sound barrier to the traffic noise from the A4103 that passes north of the site.
- 6.9 Whilst the comments of MADE were noted, the applicant and Officers agreed that the landscaping and planting should not itself create a feature or landscape pattern that was pronounced or not in keeping with the wider setting. An agreed enhancement proposal that has a neutral/ natural appearance was formulated and is as now presented. The wildflower meadow is fronted by a stone terrace that further integrates and ties the stone wall of the dwelling to the existing stone walls of the listed farmhouse and its enclosure. This reoccurring linear stone wall helps anchor the proposal to the existing built form repeating and building on the relationship between these existing stones structures. This is helpful in the overall proposal immersing into the existing and proposed context when viewed from public vantage points.
- 6.10 The design concept utilised is to construct a simple form structure that is a single storey, single aspect dwelling designed and constructed to the Passivhaus standard. A pre construction Passivhaus verification assessment has been undertaken by a suitably qualified professional

and demonstrates the Passivhaus standard can/ will be achieved. It should be noted this in itself does not result in a dwelling being paragraph 55 compliant as Passivhaus is not new or in this instance unique to this proposal.

- 6.11 The habitable space is contained in a simple rectangle to achieve the most thermally efficient building envelope. This space is built into the bank to minimise its impact and a wildflower planted roof will further integrate the proposal into its context. Stone terracing below the building will create a visual link between the proposals and the existing complex of stone buildings further down the slope.
- 6.12 The building is laid out so the principal habitable spaces (kitchen/dining/living, bedroom, office) and therefore the majority of the glazing faces due south to maximise passive heat gains and maximise light. To prevent overheating and to minimise the impact of the glazing within the landscape the facade is set back behind a colonnade supporting a large framed opening punched through a stone wall which extends the length of the proposed building and beyond. The main visible element of the building will be the stone wall and this stone will be sourced from the site itself further emphasising the link between the development and its location and reinforces the sustainability of the development in terms of 'resource mileage' as it will be built, literally, from the landscape in which it will sit. This also ensures the stone is the same and therefore does not clash with or detract from the listed stone farmhouse and barns when viewed in the wider landscape creating a uniform, harmonious natural material palette over the site.
- 6.13 The extended wall masks the separate timber clad garage/workshop block, vehicle parking area and an area for ground array photovoltaic panels from wider public views and in particular the setting of the listed farmhouse and its complex. This unifying element creates a strong visual identity for the property whilst simultaneously suppressing the domestic paraphernalia that accompanies a dwelling. The concept of the stone wall is based on the characteristics of the adjoining listed building and its surrounding setting.
- 6.14 In addition to and over the Passivhaus qualities of the proposal the dwelling will also include the installation of ground array photovoltaic panels, and rainwater harvesting and aims to attain a "zero carbon" rating alongside the Passivhaus standard. The building will feature over 300mm of insulation to walls, floors and roof together with triple glazed windows and doors, Mechanical Ventilation Heat Recovery and very high standards of build quality to achieve the standard of airtightness required.
- 6.15 There is a record of surface water flooding at Hope End Farm as a result of runoff from the site of the proposed development. In addition to the significant planting and soft landscaping which will help address this existing issue, a surface water management plan has been devised, which recommends measures to ensure that runoff can be managed on site and does not increase flood risk elsewhere. The runoff from the new residence and any hardstanding are routed into an attenuation pond, limiting runoff from the site to a rate no greater than the 1:100 year Greenfield runoff rate of 12.144 l/s/ha. The attenuation pond then will discharge through an orifice at a controlled rate, to an existing drainage pond which will ultimately outflow to the Cradley Brook, south east of the proposed pond.
- 6.16 In conclusion, with regard to the requirements of paragraph 55 it is considered Innovation can be interpreted in a design context. Innovation is in general something that fits in more naturally with contemporary schemes but it doesn't mean that traditional schemes can't be used. This proposal has a contemporary form, however, it utilises a nod to tradition, replicating and utilising the concept of a stone wall as the 'dominant visible feature' of the dwelling and shows how a design concept has evolved through a contemporary style utilising a particular innovation in a design feature, in this instance through use of perspective, materials and layout. Innovation can also be interpreted in terms of the home's engineering – 'the house as

machine', and this proposal, as described, in terms of functionality and efficiency has been designed with this and the landscape context as the main emphasis. It is considered the proposal fulfils the innovation requirement.

- 6.17 The significant point about this development is the opportunities it provides for an integrated approach to a sustainable, low energy, environmentally-friendly style of living. The house is designed as part of a wider sustainable and mutually dependent system involving home and landscape using best environmental practices and technologies. The concept is linked to a hillside rural open countryside setting and landscaping scheme designed to provide for the needs of the local environment and occupants. The proposal is considered innovative in the way it marries heritage, landscape, living and working aspects, existing and integrated in the proposal.

## **RECOMMENDATION**

**That planning permission be granted subject to the following conditions:**

- 1. C01 – Time limit for commencement**
  - 2. C07 – Development in accordance with approved plans and details**
  - 3. C13 – Samples of external materials**
  - 4. Details of windows, doors and other external details and finishes**
  - 5. C61 – No balconies/roof amenity area**
  - 6. C65 – Removal of permitted development rights**
  - 7. C67 – No new windows in specified elevation**
  - 8. C97 – Landscaping scheme – implementation**
  - 9. C98 – Hedgerow, tree and landscape planting**
  - 10. CA1 – Landscape management plan**
  - 11. CC2 – External lighting**
  - 12. The development hereby permitted shall not commence until drainage plans for the disposal of surface water and foul sewage have been submitted to and approved by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the development is first brought into use.**
- Reason: To ensure that the development is provided with a satisfactory means of drainage as well as to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution and to comply with Herefordshire Unitary Development Plan policies DR2 and DR7.**
- 13. The recommendations set out in of the ecologist's report should be followed in relation to species mitigation and habitat enhancement. Prior to commencement of the development, a species and habitat enhancement plan integrated with the landscape proposals should be submitted to, and be approved in writing by, the local planning authority, and the work shall be implemented as approved. Any further information on protected species gathered from the site together with any proposed mitigation should also be submitted.**



**Reasons: To ensure that all species are protected having regard to the Wildlife and Countryside Act 1981 (as amended), NERC Act 2006, the Conservation of Habitats and Species Regulations 2010, relevant aims and objectives of the National Planning Policy Framework and Policies NC1, NC6, NC7, NC8 and NC9 of the Herefordshire Unitary Development Plan**

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

**Reasons: To ensure that all species are protected having regard to the Wildlife and Countryside Act 1981 (as amended), NERC Act 2006, the Conservation of Habitats and Species Regulations 2010, relevant aims and objectives of the National Planning Policy Framework and Policies NC1, NC6, NC7, NC8 and NC9 of the Herefordshire Unitary Development Plan**

- 15. C89 – Retention of existing trees/hedgerows/ development in accordance with Tree Survey & Arboricultural Impact Assessment**
- 16. Hard landscaping details and implementation**

**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, 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.**

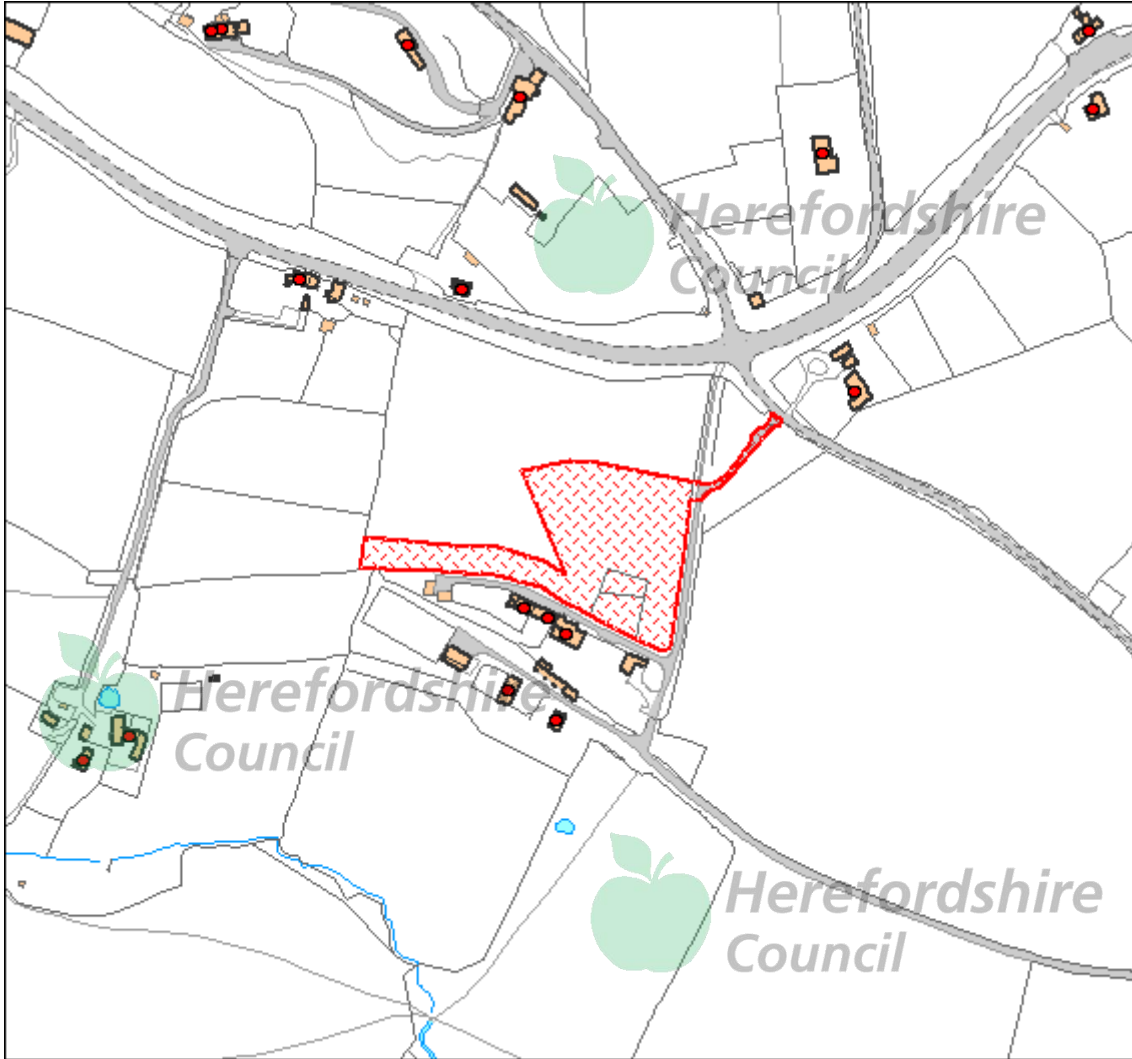
Decision: .....

Notes: .....

.....

**Background Papers**

Internal departmental consultation replies.



This copy has been produced specifically for Planning purposes. No further copies may be made.

**APPLICATION NO:** 150962

**SITE ADDRESS :** LAND TO THE NORTH OF HOPE END FARM, RIDGEWAY CROSS, CRADLEY, HEREFORDSHIRE

Based upon the Ordnance Survey mapping with the permission of the controller of Her Majesty's Stationery Office, © Crown Copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Herefordshire Council. Licence No: 100024168/2005

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