

MEETING:	PLANNING COMMITTEE
DATE:	15 JULY 2015
TITLE OF REPORT:	150717 - PROPOSED DETACHED SINGLE STOREY BUNGALOW WITH STORAGE/GARAGING UNDER. AT LAND AT WRIGGLEBROOK LANE, MUCH BIRCH, HEREFORDSHIRE, For: Mr & Mrs Davies per Mrs Julie Joseph, Trecorras Farm, Llangarron, Ross-on-Wye, Herefordshire, HR9 6PG
WEBSITE LINK:	https://www.herefordshire.gov.uk/planning-and-building-control/development-control/planning-applications/details?id=150717&search=150717
Reason Application submitted to Committee – Re-direction	

Date Received: 11 March 2015

Ward: Birch

Grid Ref: 350470,230856

Expiry Date: 6 May 2015

Local Member: Councillor DG Harlow

1. Site Description and Proposal

- 1.1 The application site is located to the north of the village of Much Birch, approximately 280 metres along Wrigglebrook Lane. The site at present is a large open field which is bound on all sides by native species hedgerow. The ground level of the field drops steadily from the roadside down to a valley before adjoining fields start to rise again approximately 300 metres to the north. At present, the site does not accommodate any buildings.
- 1.2 The application proposes the provision of a dwelling which is single storey at the front (south), but two-storey at the rear. The second storey (lower ground floor) is afforded by falling site levels and an increasing mono-pitched roof gradient. The lower ground floor would be used for the storage of agricultural and domestic vehicles being accessed from the rear. The building would measure approximately 16 x 14 metres in plan form with a 7.2 metre eaves height at the rear and 2.5 metre eaves height at the front. The proposed dwelling is of a contemporary design with the higher storey recessed from the lower storey when viewed from the north. The 'ledge' created by this effect would accommodate an outdoor terraced area and a projecting feature which would utilise a mono-pitched roof albeit running perpendicular to that of the main mass of the dwelling. Solar panels would be provided on the roof of this projecting feature. The dwelling would be afforded two large windows on this elevation, either side of this feature. Otherwise, the dwelling would be clad in timber and render under a zinc standing seam roof.
- 1.3 The site is accessed off Wrigglebrook Lane which is unclassified. Two tracks would be provided, one to the front of the proposed dwelling which would run around the west elevation of the building before leading to an agricultural building in an adjacent field to the north of this site. The other track would run immediately to the east of the proposed dwelling and would serve the garaging accessed at the rear of the site. A large hard surface apron measuring 16 x 10 metres would be provided beyond the garages.

Further information on the subject of this report is available from Mr Matt Tompkins on 01432 261795

2. Policies

2.1 National Planning Policy Framework (NPPF)

The following sections are of particular relevance to this application:

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

2.2 Herefordshire Unitary Development Plan 2007 (HUDP)

S1	-	Sustainable Development
S2	-	Development Requirements
S3	-	Housing
S6	-	Transport
S7	-	Natural and Historic Heritage
DR1	-	Design
DR3	-	Movement
DR4	-	Environment
H6	-	Housing in Smaller Settlements
H7	-	Housing in the Countryside Outside Settlements
H13	-	Sustainable Residential Design
T8	-	Road Hierarchy
LA2	-	Landscape Character and Areas Least Resilient to Change
LA5	-	Protection of Trees, Woodlands and Hedgerows
LA6	-	Landscaping
NC1	-	Biodiversity and Development
NC6	-	Biodiversity Action Plan Priority Habitats and Species
NC7	-	Compensation for Loss of Biodiversity
CF2	-	Foul Drainage

2.3 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>

2.4 Herefordshire Local Plan Core Strategy

SS1	-	Presumption in Favour of Sustainable Development
SS2	-	Delivering New Homes
SS3	-	Releasing Land for Residential Development
SS4	-	Movement and Transportation
SS6	-	Addressing Climate Change
RA1	-	Rural Housing Strategy
RA2	-	Herefordshire's Villages
H1	-	Affordable Housing – Thresholds and Targets
H3	-	Ensuring an Appropriate Range and Mix of Housing
MT1	-	Traffic Management, Highway Safety, Promoting Active Travel
LD1	-	Local Distinctiveness
LD2	-	Landscape and Townscape
LD3	-	Biodiversity and Geo-Diversity

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SD1	-	Sustainable Design and Energy Efficiency
SD3	-	Sustainable Water Management and Water Resources
ID1	-	Infrastructure Delivery

2.5 The Examination in Public into the Draft Local Plan – Core Strategy (CS) has taken place and was completed on 25 February 2015. The Inspector found conflict between a number of Core Strategy policies and the NPPF. The Council have modified those policies to overcome the Inspector’s concerns. The report of the inspector is awaited.

2.6 Neighbourhood Plan

Much Birch Parish Council are not producing a neighbourhood plan.

3. Planning History

3.1 None applicable to this application

4. Consultation Summary

4.1 Statutory Consultees

Welsh Water no objection as the applicant intends to use a private treatment plant.

Internal Consultees

4.2 Transportation Manager - objects to the application. Following a speed survey visibility is now considered acceptable, though concern remains over the connectivity of the site to the village and the facilities therein:

4.3 Drainage Manager - comments awaited

5. Representations

5.1 Much Birch Parish Council no objections

5.2 12 letters of support have been received and can be summarised as follows:

- A one level home would be of help to Mrs Davies given her health problems;
- Mr Davies has lived and worked around Little Birch all his life;
- The Davies’ are a well deserved couple; and
- The Davies’ are active members of the local community, supporting the many functions that are organised locally; and
- The dwelling is of an appropriate design.

5.3 2 letters of objection have been received and can be summarised as follows:

- The site is agricultural and the development is incongruous and possibly inappropriate for the setting;
- The site is a field does not differ in any meaningful way from the other fields in the area. The various plots of land in the very short distance between the A49 and the application site belong to 5 or 6 different people and the granting of consent in this case might lead to a flood of applications which might be granted, precedent having been established;

- The land surrounding our property is designated 'open countryside', being outside the village boundaries, and also an 'area of outstanding landscape value';
- The proposed development runs contrary to several of the planning policies which are set out very clearly within Herefordshire Council's existing UDP and also those within the Rural Housing Strategy of the Core Strategy which is due to replace the UDP;
- This type of build does not fit with the above policies, does not help meet local needs and will not help provide affordable homes locally for them and others of their generation;
- The 'linear' approach to Kingsthorpe along and down Wrigglebrook Lane is at present very attractive and affords wonderful views across the surrounding countryside. This build would certainly 'adversely damage the character and setting of a village and its local environment'; and
- There is no shortage of Bungalows available locally.

5.4 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

Policy Context

6.1 S38 (6) of the Planning and Compulsory Purchase Act 2004 (PCP) states:

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 Therefore, the first consideration is for the proposal's compliance with the local development plan. The Council's current development plan is the Herefordshire Unitary Development Plan 2007 (UDP). 'Saved' Policy H6 of the UDP is relevant to the principle of providing housing in small settlements, of which Much Birch is one, resisting residential development comprising anything other than one 'infill' dwelling. In being remote from the settlement, this proposal would not represent 'infill' and is contrary to UDP Policy H6. Resultantly the application site is in open countryside where UDP Policy H7 seeks to resist unexceptional residential development. In meeting none of the listed exceptions under UDP Policy H7, the application is therefore contrary to the development plan. It should be noted that the applicant's spouse's degenerative lower lumbar disease is not considered to be an exceptional circumstance which would advocate the setting aside of the overarching policy position.

6.3 Notwithstanding that the proposal is contrary to the development plan, the two-stage process set out at S38 (6) also requires an assessment of other material considerations. In this instance, and in the context of the housing land supply deficit reported in greater detail below, the NPPF is the most significant material consideration to the determining of this application.

6.4 At paragraph 14, the NPPF sets out its requirements of decision makers:

At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking.

For decision-taking this means:

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- *approving development proposals that accord with the development plan without delay; and*
- *where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:*
 - *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or*
 - *specific policies in this Framework indicate development should be restricted.*

6.5 Therefore the first question is whether or not the development plan is absent or silent or its policies are out-of-date. In this regard and in the context of decision making, paragraphs 211, 212, 214 and 215 of the NPPF are relevant – 213 relates to plan making only.

211. *For the purposes of decision-taking, the policies in the Local Plan should not be considered out-of-date simply because they were adopted prior to the publication of this Framework.*

212. *However, the policies contained in this Framework are material considerations which local planning authorities should take into account from the day of its publication. The Framework must also be taken into account in the preparation of plans.*

214. *For 12 months from the day of publication, decision-takers may continue to give full weight to relevant policies adopted since 2004 even if there is a limited degree of conflict with this Framework.*

215. *In other cases and following this 12-month period, due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).*

6.6 The UDP has a plan period of 2007-2011. However, and as per the guidance of paragraph 211, the UDP and its policies are not considered obsolete merely by virtue of its plan period having lapsed.

6.7 The NPPF was published in March 2012 and its 12 month adoption period has expired. As such, the test of paragraph 215 is applicable and the UDP's policies must be appraised for their degree of consistency with the NPPF. If the UDP's policies comply with the aims and objectives of the NPPF then an application must be determined against the UDP as laid out at paragraph 6.2 of this report. Alternatively, if the UDP's policies conflict with the NPPF then the application must be determined favourably if it is found to be representative of sustainable development.

6.8 Chapter 6 of the NPPF is relevant to Council's supply of housing land and consequently the weight which may be apportioned to the housing policies of the UDP. Paragraph 47 requires that Local Planning Authorities have an identified five year supply of housing plus a 5% buffer. Where there has been a record of persistent under delivery of housing, local planning authorities should increase this buffer to 20%. Paragraph 49 requires that the relevant policies for the supply of housing should not be considered up-to-date if the Local Planning Authority cannot demonstrate a five-year supply of deliverable housing sites.

6.9 Herefordshire Council cannot currently demonstrate a five year housing supply neither have they identified a sufficient quantity of land on a persistent basis – a position recently upheld at appeal – triggering the requirement for a 20% buffer. The Council's housing policies therefore

conflict with the provisions of paragraphs 47 & 49 of the NPPF. On this basis, and as per the compliance tests of paragraphs 215 and 49 of the NPPF, the Council's housing policies cannot be relied upon to determine the location of housing. 'Saved' UDP Policies H6 and H7 are not therefore up-to-date policies in the context of this planning application.

6.10 Turning to the emerging Herefordshire Local Plan Core Strategy (CS), the NPPF requires, at paragraph 216, that decision-takers give weight to relevant policies in emerging plans according to:

- *the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);*
- *the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and*
- *the degree of consistency of the relevant policies in the emerging plan to the policies in this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).*

6.11 The Examination in Public into the Draft Local Plan – Core Strategy (CS) has taken place and was completed on 25 February 2015. The Inspector found conflict between a number of Core Strategy policies and the NPPF. The Council have modified those policies to overcome the Inspector's concerns. Public consultation has now concluded for the amended policies. The CS is not yet at a stage of preparation whereby it can be attributed significant weight in the determination process.

6.12 Given that insufficient weight can be apportioned to policies of the UDP and CS to determine the principle of development in this instance, the second limb of paragraph 14 becomes the test of the development's acceptability. Essentially the NPPF supersedes the UDP given the inconsistency in approach and objectives. Therefore, and having failed to identify specific policies of the NPPF which individually would indicate that development should be restricted, permission must be granted unless:

Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

Locational sustainability having regard for the site's proximity to services and facilities

6.13 Within the foreword to the NPPF the purpose of planning is described as being to help achieve sustainable development. The Government's definition of Sustainable Development is considered to be the NPPF in its entirety though paragraph 17 lays out a concise set of 'core planning principles'. Amongst these principles are that planning should:

“actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus development in locations which are or can be made sustainable.”

6.14 The NPPF expands on this core principle at paragraphs 29 and 32 requiring development proposals to afford people a real choice about how they travel, having particular regard for public transport provision, and providing safe and suitable access for all. Moreover, paragraph 55 requires development to be sited so as to enhance or maintain the vitality of rural communities and paragraph 69 requires development to be safe and accessible, containing clear and legible pedestrian routes.

- 6.15 Although based on now superseded government policy, similar aims to those of the NPPF are manifested in UDP Policies S1 and DR2 which require, amongst other things, that development proposals be directed to locations which reduce the need to travel, securing safe and convenient accessibility between land uses by modes other than personal motor transport. Given their level of consistency with the NPPF, UDP Policies S1 and DR2 continue to attract significant weight.
- 6.16 In determining the application site's ability to represent a 'sustainable location' within the context of the aforementioned, the following are relevant considerations:
- The level of amenities within a walking distance of the site;
 - The availability of truly usable public transport; and
 - The nature of the route between services and facilities and its ability to provide safe and convenient access thereto.

It should be noted that the NPPF concedes *some* use of the private motor vehicle is likely to be necessary in rural localities.

- 6.17 Residential development at this part of Much Birch is largely contained to the south of the A49. The application site is approximately 280 metres to the north of the A49 along Wrigglebrook Lane. The following facilities and services are reasonably proximal to the application site. The distance to the facilities from the site is in brackets, measured approximately and as one would walk rather than as the crow flies:
- Doctors Surgery (350 metres);
 - Parish Church (365 metres);
 - Community Centre (380 metres);
 - Primary school (760 metres);
 - The Pilgrim Hotel (830 metres); and
 - Axe and Cleaver Public House (1,550 metres).
- 6.18 Two bus stops, one on either side of the road, are located at the end of Wrigglebrook Lane from where the number 33 bus provides approximately 12 half hour trips a day to and from the more extensive facilities of Hereford and the same number of similarly timed trips to Ross.
- 6.19 It is considered that the above represents a good level of facilities for a village in a rural location and that these facilities are within a distance which one could regularly walk to although the Axe and Cleaver is towards the extremity of such as distance. The frequency and journey times of buses to the largest serviced settlement in the County represents a truly usable service.
- 6.20 Turning to the nature of the route between the site and the above listed facilities, the first 300 metres of ones journey would likely be along Wrigglebrook Lane before utilising the footpath which flanks the northern side of the A49. Being located to the south of the A49, all facilities other than the Primary School would require one to cross the trunk road. Access to the school would require one to cross the C1142 which, at peak times, is narrowed by cars parking along the side of the road.
- 6.21 Wrigglebrook Lane is an unclassified road of a narrow width with limited forward visibility, no pavement or street lighting and a lack of informal pedestrian refuge. Reference is made within the applicant's submission to a track which leads from a point 80 metres to the north of the site to the pavement at the junction of the C1142 and A49. However, this is not a public right of way and perpetual use of the track cannot be guaranteed. Furthermore, other than for the primary school and hotel, one would be unlikely to use the track to access services and facilities given its indirect route.

- 6.22 In having to cross the A49 to access a large proportion of the village's facilities, one would have to negotiate a large volume and disparate type of vehicular traffic within 40mph and 50mph limited zones. Crossing points which benefit from dropped kerbs are provided and the road is, at these points, relatively straight providing good visibility in either direction. On this basis, I do not consider the A49 to individually represent a barrier to safe and convenient pedestrian movement.
- 6.23 To conclude on this point, it is officer opinion that the restrictive characteristics of Wrigglebrook Lane render it unconducive to safe or convenient pedestrian movement. The development would not therefore provide access for all to the services and facilities at Much Birch. Potential occupants of the site would not be offered a genuine choice as to how they may wish to travel and would be overly reliant on the private motor vehicle giving rise to undue carbon emissions. Whilst not considered to be of sufficient magnitude to individually undermine the site's sustainability, the requirement for one to cross the A49 without the benefit of a designated pedestrian crossing point compounds the overall concern for the ability of the development to offer safe and convenient access to facilities within Much Birch. The application is therefore contrary to 'saved' UPD Policies S1 and DR2 and the NPPF even recognising that sustainable transport solutions will vary from urban to rural areas.

Landscape impact, character and appearance

- 6.24 The second pertinent 'core planning principle' of the NPPF cited at paragraph 17 is that decision taking should:
- "Take account of the different roles and character of different areas, recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it."*
- 6.25 In more detail, paragraph 55 of the NPPF seeks to direct development towards existing settlements so as to avoid isolated dwellings in the countryside. Paragraph 58 requires that development responds to local character and history, and reflects the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation. Paragraph 61 requires development to integrate with the existing natural, built and historic environment. Paragraph 111 encourages the reuse of Brownfield land over greenfield sites.
- 6.26 Locally, UDP Policy S1 seeks to ensure that development proposals respect patterns of local distinctiveness and landscape character in both town and country. UDP Policy H13, supported by UDP Policy DR1, similarly requires that development should promote or reinforce the distinctive character of the locality particularly in terms of settlement pattern, layout, orientation, density, scale, massing, detailed design and material use. UDP Policy LA2 seeks to protect and uphold the character and appearance of the County's landscape types as defined by the Herefordshire Council Landscape Character Assessment (LCA). These policies are generally consistent with the advice on design and distinctiveness set out in the NPPF (chapter 7) and so continue to attract considerable weight.
- 6.27 The application site and its context has a particularly rural character afforded by the narrow width of Wrigglebrook Lane, the consistent mature hedgerow boundaries which flank the lane and the predominantly agricultural use of land – consistent with the Principal Settled Farmlands landscape character type as defined by the LCA. The site is located approximately 280 metres along the lane from the A49 and is clearly distinct from the more urban environment of Much Birch. The surrounding land remains largely undeveloped save for small clusters of agricultural buildings, though two dwellings are provided 40 and 120 metres respectively to the north. Where dwellings are provided they are individually accessed, of historic provision, often linked (historically or through current use) to the agricultural use of surrounding land and cumulatively comprise a dispersed pattern of development of a low density.

- 6.28 The site sits prominently above land to the north and north-east of the site. Reciprocal views of the proposed development would be available from the network of public footpaths and roads, particularly Mense Lane, to the north and north-east of the site. The dwelling would sit on the skyline by virtue of its comparatively higher ground level to surrounding land. Although the application site is within 50 metres of another dwelling, the proposed residential development of this site would be discernibly isolated from the nucleated settlement of Much Birch giving rise to an unfocussed pattern of development which would be seen against a rural backcloth. The provision of a further dwelling along this side of Wrigglebrook Lane would therefore serve to erode the rural character of the countryside. The proposed dwelling would also obscure vistas from Wrigglebrook Lane to the rolling landscape beyond.
- 6.29 Turning to the detailed design of the proposed dwelling, a single storey frontage would be presented to Wrigglebrook Lane before a drop in sight levels affords an under-croft to the rear (north). The contemporary approach to design works well within the site and is not one which is inherently out of keeping within the site's rural context. The dwelling's form is influenced by the character of the landscape, utilising the site's sloping gradient to provide an undercroft at the rear. However, the large massing and scale of the proposed dwelling, which is 16 x 14.2 metres in plan form with a maximum eaves height of 7.2 metres, is of concern particularly given the site's prominence to public view. The asymmetry of the mono-pitched projection to the rear elevation is also of concern, detracting from the otherwise symmetrical form of the building. The amount of hardstanding, particularly the apron to the rear of the dwelling which provides 160 square metres of hardstanding (16 x 10 metres), would further erode the character of the countryside. The amount of hardstanding is disproportionate to that which is necessary for parking and turning.
- 6.30 To conclude on this matter, there is significant and overriding concern for the principle of developing this site for residential purposes by virtue of its prominent, open countryside location. This is further compounded by the scale and massing of the proposed building. Therefore, in the officer's opinion, the proposed dwelling in this location would unduly erode the rural character of the countryside failing to take account of the different roles and character of different areas and to recognise the intrinsic character and beauty of the countryside, as required by paragraph 17 of the NPPF. Development would also conflict with the UDP Policies S1, DR1 and LA2.

Other matters

- 6.31 A 24/7 vehicle speed survey has been provided showing traffic speeds and volume at a point adjacent to the site access on Wrigglebrook Lane. It is on this basis and in consulting Manual for Streets and Manual for Streets 2 that the Transportation Manager recommends that, in order to minimise safety risk to existing highway users and proposed occupiers of the site, minimum visibility at the site entrance should be at least 44 metres in both directions. The applicant, by virtue of submitting diagrammatical drawings, has shown that the requisite visibility can be provided without requiring the removal of hedgerow other than to create the access itself. Parking and turning within the site is sufficient to allow one to enter and leave the site in a forward gear. Therefore and in failing to identify severe harm to the safety of the highway, the application complies with the NPPF, where paragraph 32 is most pertinent, and UDP Policy DR3 in terms of highway safety.
- 6.32 The development, by virtue of its isolation, would not give rise to an undue reduction of privacy or amenity of neighbouring dwellings, the closest of which is Trewenn, 50 metres north of the site.

Conclusion

- 6.33 Given the Council's lack of a published five-year housing land supply, the housing policies of the UDP are considered out of date. The appropriate method of determining this application must therefore be the 'planning balance' required by the first limb of the second bullet point of the decision taking part of paragraph 14. Unless it can be demonstrated that the harm associated with the scheme would substantially outweigh its benefits, then the development must be considered sustainable and the positive presumption engaged.
- 6.34 The NPPF, at paragraph 7, offers a framework within which the potential benefits and harm of development should be assessed. Development must essentially fulfil the three dimensions of sustainable development: Social, Economic and Environmental. It is important to note that whilst this framework is provided, in weighing up the scheme the three dimensions of sustainable development should not be considered in isolation. Indeed paragraph 8 requires that gains in all three dimensions should be jointly sought meaning that a scheme which robustly fulfils two dimensions may be unacceptable for its failure to fulfil the outstanding dimension – thus 'the planning balance'.
- 6.35 The scheme's economic benefits include short term job creation in the construction sector during the building phase and the long term support for local businesses. To a lesser extent businesses further afield would also benefit. In a social context, the scheme would make a modest provision to the Council's supply of land for housing and the dwelling would be sited as to contribute to the community of Much Birch. In terms of its environmental dimension, the uncondusive nature of Wrigglebrook Lane to pedestrian movement makes it unlikely that one would access the limited services and facilities of Much Birch, or more extensive provisions at Hereford and Ross, on foot or by public transport. Potential occupiers of the proposed dwelling would therefore have little option but to use the private motor vehicle in order to undertake everyday activities. Furthermore, the proposed development would give rise to an unfocussed pattern of development, failing to respect the character and role of the open countryside and eroding its intrinsic beauty.
- 6.36 On this basis, it is officer's opinion that the modest social and economic benefits attributed to the development are significantly and demonstrably outweighed by the environmental harm identified above. The scheme is not therefore representative of sustainable development and is contrary to the provisions of paragraph 14 of the NPPF and it is recommended that planning permission be refused.
- 6.37 Notwithstanding the lack of weight which can be apportioned to the Core Strategy at this present time as reported at paragraph 6.11 above, the officer's recommendation provided at the conclusion of this report would be unlikely to differ should members find the Core Strategy to be at a stage of preparation whereby it was apportioned significant weight in the decision making process by virtue of the application site's isolation from the nucleated clusters of development which comprise Much Birch.
- 6.38 Members may also wish to note that whilst each application must be determined on its own merits, the proposed development could, if found to be acceptable, be repeated in many locations along Wrigglebrook Lane which would give rise to ribbon development extending away from Much Birch and into the countryside beyond. Development in this manner, along a prominent ridge, would have a substantial landscape impact resulting in a pattern of development which could not be considered sustainable.

RECOMMENDATION

That planning permission be refused as follows:

In view of the significant and demonstrable harm identified, the Council considers the proposal not to be representative of sustainable development and that the positive presumption enshrined in the NPPF is not applicable for the following reasons:

- 1. The proposed development fails to offer safe or sustainable means of accessing local facilities and services by virtue of the uncondusive nature of Wrigglebrook Lane to regular pedestrian use, thereby severely limiting opportunity for one to undertake everyday activities by means other than the private motor vehicle. The proposal is therefore contrary to the requirements of policies S1 and DR1 of the Herefordshire Unitary Development Plan and the NPPF, particularly paragraphs 17, 29, 32, 55 and 69.**
- 2. The erection of a dwelling in this open field, along with the provision of associated hardstanding and residential paraphernalia, would give rise to an unsustainable pattern of development serving to erode the well preserved rural character of the locality. This would represent a failure to take account of the different roles and character of different areas, and to recognise the intrinsic character and beauty of the countryside contrary to the requirements of UDP Policies S1, DR1 and LA2 and the NPPF, particularly paragraphs 17 and 55.**

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.**

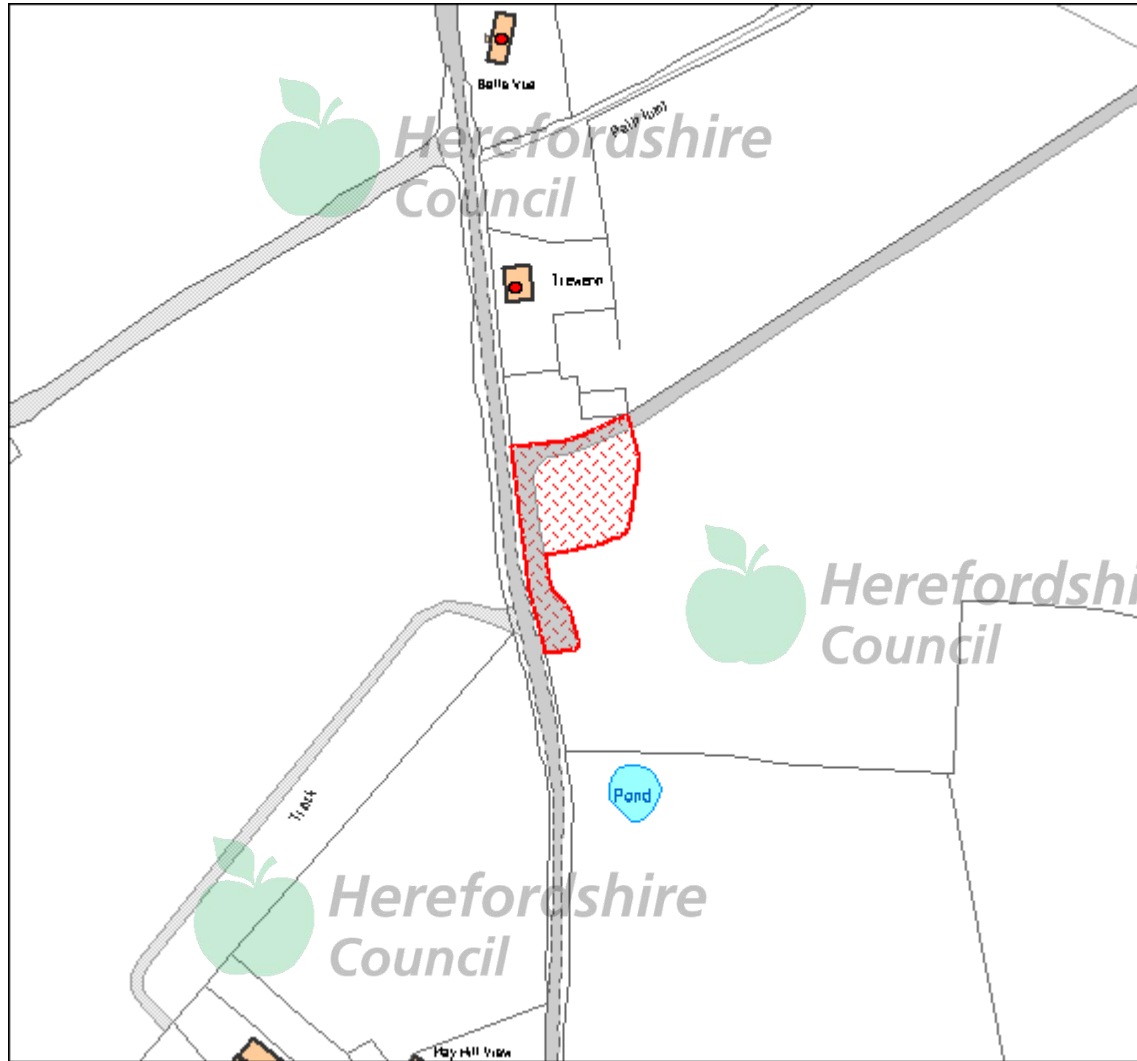
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: 150717

SITE ADDRESS : LAND AT WRIGGLEBROOK LANE, MUCH BIRCH, HEREFORDSHIRE

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