

MEETING:	PLANNING COMMITTEE
DATE:	6 APRIL 2016
TITLE OF REPORT:	151755 - PROPOSED ERECTION OF 4 NO. DWELLINGS AND ASSOCIATED LANDSCAPING AND INFRASTRUCTURE AT LAND AT DILWYN COMMON, DILWYN, HEREFORDSHIRE For: Ms Powell per Mr Jim Hicks, Second Floor Offices, 46 Bridge Street, Hereford, Herefordshire, HR4 9DG
WEBSITE LINK:	https://www.herefordshire.gov.uk/planning-and-building-control/development-control/planning-applications/details?id=151755&search=151755
Reason Application submitted to Committee – Redirection	

Date Received: 10 June 2015

Ward: Weobley

Grid Ref: 341897,254712

Expiry Date: 8 April 2016

Local Member: Councillor MJK Cooper

1. Site Description and Proposal

- 1.1 The application site is located on the edge of Dilwyn approximately 9km to the south west of Leominster and 20km to the north west of Hereford.
- 1.2 The site is situated on the eastern edge of the village within short walking distance of a range of services and facilities, including a public house, church, primary school, village hall and tea room/craft centre. The village has a population of over 750 and includes more than 200 dwellings.
- 1.3 The village has many historic buildings and other interesting features, including the 12th Century Grade I St Mary's Church, the village school building, the Old Forge, Karen Court, Great House and the Village Green. Overall, the parish contains some 40 listed buildings, including a number of listed dwellings, barns and historic agricultural buildings.
- 1.4 The village forms part of a designated Conservation Area, which extends from the nucleated, historic village core to the eastern part of the village where the development pattern becomes more organic and dispersed. A more linear settlement pattern is present along Common Road (U93209), which provides a connection between the C1091 to the west, which runs through the village and joins to the A4112 to Leominster, and to residential development in Dilwyn Common and the A4110 to Hereford to the east.
- 1.5 Existing residential land uses are located to the east and west of the site. Opposite the site to the north is a traditional orchard and to the south is the remaining portion of grazing land with open farmland beyond.
- 1.6 The site itself comprises 0.79 hectares and is bounded by an existing 1.4 metre high native species hedge to the north, east and west. The foundations and part of two walls of a former

Further information on the subject of this report is available from Mr Nicholas Hall on 01432 261808

Methodist church are located in the north eastern corner of the site, which would be left intact. A minor watercourse is located approximately 20m to the north-east of the site.

- 1.7 It is proposed to construct four dwellings comprising two three and two four bedroomed properties with generous sized gardens. The layout of the scheme involves two detached pairs of dwellings that are set back from the highway and separated by an apple orchard to maintain the existing visual break between the settlement of Dilwyn and residential development in Dilwyn Common to the east. To reflect the scale of other buildings in the vicinity of the site, the dwellings are proposed to be 1.5 storeys in height.
- 1.8 Varying building footprints are proposed as an organic extension to the historic development pattern and would appear as a collection of vernacular buildings. Proposed external materials to be used to construct the dwellings would be hand made red brick and timber boarding under natural slate roofing.
- 1.9 Vehicular access would be via a new junction formed with Common Road to the north of the site, which would involve removing a short section of hedgerow. Two existing field gate access points would be retained to provide continued access into the adjoining fields. An access strip running along the side of the orchard area would provide continued access to the rear of the site for the annual Dilwyn Show. An existing public footpath runs along the eastern boundary of the site.
- 1.10 A new boundary hedgerow would be required to the south to provide separation between the proposed development and the undeveloped, remaining fields to the rear of the site. Existing mature hedgerow and trees running along the edges of the site would be retained and supplemented with additional planting.

2. Policies

2.1 The 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	-	Environmental quality and local distinctiveness
RA1	-	Rural Housing Distribution
RA2	-	Housing in Settlements Outside Hereford and the Market Towns
H1	-	Affordable Housing – Thresholds and Targets
H3	-	Ensuring an Appropriate Range and Mix of Housing
MT1	-	Traffic Management, Highway Safety and Promoting Active Travel
LD1	-	Landscape and Townscape
LD2	-	Biodiversity and Geodiversity
LD3	-	Green Infrastructure
LD4	-	Historic Environment and Heritage Assets
SD1	-	Sustainable Design and Energy Efficiency
SD3	-	Sustainable Water Management and Water Resources
SD4	-	Wastewater Treatment and River Water Quality
ID1	-	Infrastructure Delivery

2.2 National Planning Policy Framework

The following chapters are of particular relevance to this proposal:

Introduction - Achieving Sustainable Development

Further information on the subject of this report is available from Mr Nicholas Hall on 01432 261808

Section 4	-	Promoting Sustainable Communities
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 Historic Environment
Section 12	-	Conserving and Enhancing the Natural Environment

2.3 Neighbourhood Planning

Dilwyn Parish Council has opted not to prepare a Neighbourhood Development Plan at the present time.

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

<https://www.herefordshire.gov.uk/planning-and-building-control/planning-policy/core-strategy/adopted-core-strategy>

3. Planning History

3.1 The site has no specific planning history.

4. Consultation Summary

Statutory Consultees

4.1 **Historic England** did not wish to offer any comments on the application but recommended that the application should be determined in accordance with national and local policy guidance and on the basis of specialist conservation advice.

4.2 **Welsh Water** had no objection to the application, subject to the inclusion of planning conditions to protect the integrity of the public sewerage system, prevent hydraulic overload of the public sewerage system and to minimise the risk of pollution. Welsh Water also envisaged that there would be no capacity issues with the provision of water supply to the proposed development.

Internal Council Consultations

4.3 **Transportation** originally objected to the application on the following basis:

The access visibility splays of 2.4m x 60m are acceptable though the application does not identify the impact on the hedge, a section of the hedge needs to be pulled back to prevent future growth impeding on the splays, this needs to be set out in a drawing.

The hedge will need to be maintained, how will this be managed for the whole site? This will need to be conditioned.

The main issue is with the u93209, this is a single width lane with a large number of properties being served, the additional traffic could make this development unacceptable. A proper assessment of the usage of the lane is required in terms of peds, cycles, equine and vehicles. The assessment needs to identify, what, if any, mitigation measures need to be implemented. Without this, the development could have an unacceptable level of impact.

However, following consideration of additional information, including a Transport Assessment, this submission was updated as follows:

The applicant and the local residents have provided information relevant to the application. The route appears to be well used by pedestrians and vehicles.

The development will impact on the location but the scale of impact is not deemed to be severe due to the number of trips and the existing road layout, the close proximity to the C1091, Dilwyn Village Road.

The footpath link would be beneficial as would the improved visibility with the hedge being pulled back.

Concern has been raised of further development in the same location, with the information provided, I could not support any further development in this location over and above what has been proposed.

The proposal as it is currently presented is not one I would or could recommend refusal, I believe the scheme would be better with the link.

4.4 Conservation Manager (Historic Buildings) had no objection to the amended scheme:

The proposed scheme for the residential development of the site has changed significantly since the submission of the first iteration. Comments made in relation to the original scheme were as follows:

The proposed development site is situated between the settled areas of Dilwyn and Dilwyn Common and is a key open space (together with the orchard opposite) within the Dilwyn Conservation Area. It traditionally separates the two areas of the settlement and conservation area and is an important feature of the local area. Together with the village's buildings and structures, the area's mature trees and hedgerows, walls, gardens, open spaces and views, contribute to the special architectural and historic character of Dilwyn Conservation Area.

The proposed development would join the two settled areas and while an open field would remain behind the proposed houses, my concern is that the character and appearance of the traditional and historic break within the conservation area would be diminished as a result of the proposals and through the discordant character of the proposed houses. As noted above, the hedgerows and fields around and between pockets of settlement contribute significantly to Dilwyn's character and appearance. The development of four houses with associated driveways, garages and other domestic features would have a profound impact on that character.

I think in its current form, the proposed development is out of character with the conservation area as a whole.

It was recommended that the applicant consider ways of keeping a visual break at the centre of the site, review the general architectural character of the proposed buildings and consider ways in which a more vernacular treatment could be applied to the new houses while working with local character.

The amended scheme now proposed does address these points and I would consider the form and site layout to be appropriate. The proposed architectural form, materials, detailing and landscape treatment are considered to be an improvement on the previous scheme and the variety across the site will generate buildings of more distinctive character as seen in other parts of the village. I therefore raise no objection to the proposed scheme.

Conditions to relate to materials and detailed drawings of doors and windows.

- 4.5 **Conservation Manager (Ecology)** had no objection to the application subject to the following condition being imposed:

Thank you for consulting me on the above application. The ecological report finds this a low biodiversity site with which I would agree. The important aspects of the site are focussed upon the hedgerows which should be retained and protected. I would suggest that the recommendations of the ecological report are taken up and that a non-standard condition is attached as follows:

The recommendations set out in the ecologist's report from Star Ecology dated May 2015 should be followed unless otherwise agreed in writing by the local planning authority. Prior to commencement of the development, a habitat protection and enhancement scheme integrated with the landscape scheme should be submitted to and be approved in writing by the local planning authority, and the scheme shall be implemented as approved.

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 (as amended), the Conservation of Habitats and Species Regulations 2010 and Policies NC1, NC6 and NC7 of Herefordshire Unitary Development Plan.

To comply with Herefordshire Council's Policy NC8 and NC9 in relation to Nature Conservation and Biodiversity and to meet the requirements of the NPPF and the NERC Act 2006

- 4.6 **Conservation Manager (Archaeology)** had no objection to the application:

P151755/F, Land at Dilwyn common Dilwyn: proposed erection of 4 no. dwellings etc. Further to our discussions about this case, I am providing the following comments as confirmation:

- At pre application stage [P150215/CE] I advised Mr Hicks that although in general I regarded the site as being of low sensitivity archaeologically, I was concerned that there should be no direct impact on the (largely subterranean) remains of the former Methodist chapel present in the far north eastern corner of the site. This concern was based on the desirability of preserving any surviving building fabric, and in lessening potential risks to any buried human remains that potentially might be present here.*
- At the time, I explained to Mr Hicks that with such chapels, human remains were either likely to be present in very close association to the chapel building itself, or not present at all. There was as far as I was aware no evidence of any human remains being present at all, even adjacent to or under the chapel. I also explained to Mr Hicks that were any human remains present, they would not necessarily be regarded as an archaeological issue per se. This is principally because of their likely date. Human remains would in any case be dealt with via the Burial Acts.*
- With reference to the communication subsequently received from Mr Brown, I am interested in the views expressed, but I'm afraid I do not agree with them. The historic configuration and naming of the fields in question does not in my view suggest an earlier / more extensive burial ground, nor indeed any greater archaeological potential generally.*
- Given that the layout now proposed by Mr Hicks does - as advised - achieve a 'standoff' and avoids direct impact, I have no objection to it.*

- 4.7 **Public Rights of Way Manager** had no objection to the application on the basis that the proposal would not appear to affect public footpath DW9.

4.8 **Land Drainage Manager** had no objection to the development on drainage and flood risk grounds provided the following additional information is provided to the Council prior to construction as part of a suitably worded planning condition:

- *a detailed surface water drainage strategy, with supporting calculations, showing how surface water from the development will be disposed of. The drainage strategy should demonstrate that surface water runoff from the site will be restricted to no greater than pre-developed greenfield runoff rates (with climate change allowance), that no flooding from the drainage system will occur up to the 1 in 30 year event and that flooding arising from extreme rainfall events (up to the 1 in 100 year event) can be managed without placing people and property at risk;*
- *evidence of infiltration testing in accordance with BRE365 to support the design of infiltration systems, and evidence of groundwater levels to demonstrate that the invert levels of any proposed soakaways are a minimum of 1m above the groundwater level;*
- *a drawing showing details of the foul water drainage system. The Applicant should also submit a confirmation from Welsh Water that the foul water from the development can be discharged to the public sewers, or if it is not feasible, details of the proposed package treatment plant with associated outfall arrangements. If the treated water from the package treatment plant is discharged to the ground, the Applicant should submit calculation of infiltration rate undertaken in accordance with Part H Building Regulations; and*
- *confirmation of the proposed authority responsible for the adoption and maintenance of the proposed drainage systems.*

4.9 **Parks and Countryside, Education and Housing** were consulted on the application and provided advice on the application, including the financial contributions required to be levied in this case. However, Section 106 contributions are not required for a residential scheme of this size provided that the applicant agrees to a one-year commencement, such as in this case.

5. Representations

5.1 **Dilwyn Parish Council** objected to the original application for the following reasons:

- *the style of housing is not in accordance with Dilwyn Parish Plan;*
- *the visual impact of the proposed development would have more than a moderate impact on surrounding residential properties, particularly Hazelwood and Woodstock;*
- *the site's location within the conservation area should be considered;*
- *additional vehicles entering/exiting the lane on a bend increases the danger of traffic hazard. The road is regularly used by children, walkers, horse riders, cyclists and agricultural/local building firm vehicles, as well as already existing domestic traffic;*
- *If there is any issue concerning the road (pot holes, water pipes, broadband, flooding, etc.), the narrowness of the road almost inevitably means it has to be shut;*
- *Dilwyn's sewage system in the past is said to be at capacity;*
- *the road along the development also suffers from flooding during heavy rain, which can be several times a year and to depths over 2 feet (most notably in 2007). The Parish Council previously has had to acquire and keep sandbags for the residents in the vicinity already affected. The access will inevitably be blocked on these occasions;*
- *the Parish Council are pleased that the remains of the Methodist chapel (built in 1835 and an important part of our parish social history) have been retained (on the advice of the County Archaeologist) and can hopefully be consolidated/preserved in the future. However, it was brought to Council's attention that the county archaeologist may have been unaware of the 1837 Title Map which indicates that the current Development site (including the Chapel) was at that time part of a strip of land separated from 'Chapel field', called 'Chapel Sling'. This may possibly have been an area designated for burial ground and further investigation may well be needed to establish if this was the case before any development were to take place; and*

- *consideration should be given if there are any issues with electricity pylons being added or moved; and*
- *over 20 residents in attending at the recent Parish Council meeting expressed concerns over the possibility of further, future development on the Chapel Field site if permission was granted for this application.*

5.2 There were 41 objections to the application, which cited similar issues to those that were raised by the Parish Council. In addition, a number of submissions also objected to the principle of redeveloping the site for residential purposes, that the style of housing goes against what the community needs and that some affordable housing should be provided for local families.

5.3 There were also a series of objections to the amended application, including the following further submission from Dilwyn Parish Council:

- *That Dilwyn Parish Council objected to this application as the amended has now changed from a ribbon development which is not in keeping with the area.*

5.4 A further 11 objections to the amended plans were submitted and the following supplementary additional issues were raised:

- the development is not in keeping with existing ribbon development along the road;
- Plot 2 is too close to the existing lane, would be a dominant visual feature and alter the character of the lane;
- the development would be more visible to pedestrians on footpaths along the lane as it is no longer shielded by the orchard behind;
- the submitted Transport Assessment does not address the highway authority's concerns;
- the chapel site has been incorporated into the Plot 2 garden and should be removed from the scope of the development;
- the houses are unattractive and not in keeping with the style of other properties in Dilwyn; and
- none of the representations made by the community were taken into account.

5.5 The Council also received 1 representation from a local resident who expressed support for the application. This view was made on the basis that the site itself is appropriate for residential development, the road is quiet and the site does not flood and the road only floods rarely during extreme weather conditions. The submission also stated that the demographics of the village that is ageing needs to be adjusted and that local infrastructure needs to be sustained. Concern was raised however over whether the dwellings are of the right type for the village's needs as identified in the Parish Plan.

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

5.7

<https://www.herefordshire.gov.uk/planning-and-building-control/development-control/planning-applications/details?id=151755&search=151755>

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 Planning law requires that applications for planning permission must be determined in accordance with the Development Plan, unless material considerations indicate otherwise.

- 6.2 The Development Plan for this area is the Herefordshire Local Plan – Core Strategy, which includes policies that establish the County’s housing land supply and distribution over the plan period, in particular Policies SS2, SS3 and, for rural areas, Policy RA1.
- 6.3 Paragraphs 47-49 of the NPPF state that to significantly boost the supply of housing, local planning authorities should identify and annually update a supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements with an additional contingency buffer.
- 6.4 Further, it states that applications should be considered in the context of a presumption in favour of sustainable development and that 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.
- 6.5 A recent appeal decision for development at Rosemary Lane, Leintwardine confirms that, at this point, the Council is unable to demonstrate a five-year supply of housing land. As a result, the Core Strategy Policies relevant to the supply of housing, as referred to in Section 6.2 of this report, cannot be given any weight and instead, Paragraph 14 of the NPPF is engaged:

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:

- *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 as a whole; or*
 - *specific policies in this Framework indicate development should be restricted.*

- 6.6 Core Strategy Policies may be attributed weight according to their consistency with the NPPF: the greater the consistency, the greater the weight that may be afforded. As the Core Strategy was adopted only recently, the Policies contained in the Core Strategy can be attributed considerable weight given their consistency with the NPPF (with the exception of those related to housing land supply for the reasons outlined above).
- 6.7 Enshrined in Paragraph 14 and throughout the NPPF, as well as Policy SS1 of the Core Strategy, is a presumption of favour of sustainable development, which meets the three indivisible dimensions of this concept.
- 6.8 In summary, where proposals can be shown to be sustainable, there should be a presumption in their favour, unless material considerations (including up to date Core Strategy and NPPF Policies) indicate otherwise.

Principle of Development

- 6.9 National planning policy supports a sustainable approach to development in rural areas which is locally responsive, reflecting local housing needs with an emphasis on supporting services, employment and facilities in villages, and avoiding new homes in open countryside.
- 6.10 Policy RA2 deals with housing in settlements outside Hereford and the market towns and states that sustainable housing growth in each Rural Housing Market Area (HMA) will be supported in and adjacent to those settlements identified in Figures 4.14 and 4.15 of the Core

Strategy. Dilwyn is a settlement that has been identified in Figure 4.14 in the higher of the two settlement tiers as one that will be the primary focus of proportionate housing development.

- 6.11 Neighbourhood Development Plans (NDP's) will be the principal mechanisms by which new rural housing will be allocated and settlement boundaries established. Dilwyn Parish Council has opted not to prepare a NDP at the present time. Until such time as a settlement boundary is defined through a NDP, the Council will assess any applications for residential development against their relationship to the main built up form of the settlement with a presumption in favour of sustainable development and provided it meets the criteria in Policy RA2 of the Core Strategy.
- 6.12 It is the view of Council officers that the proposal complies with these criteria on the basis that:
- the application site immediately abuts the built up form of Dilwyn and is adjacent to existing residential development in Dilwyn Common to the east;
 - the site is located in a sustainable location within easy walking distance of a range of local services and facilities;
 - this is a modest housing development which is proportionate to the size, role and function of the settlement;
 - the proposal would result in the development of a high quality, sustainable scheme which has been designed to be appropriate to its rural agricultural context and makes a positive contribution to the surrounding environment and its landscape setting; and
 - based on the Herefordshire Local Housing Market Assessment (November 2013), the proposal would result in the delivery of a scheme that would generate the size, type, tenure and range of housing that is required in this HMA, reflecting local demand.

Design and Layout

- 6.13 The application site is positioned between the settled areas of Dilwyn and Dilwyn Common and is a key open space (along with the orchard opposite) within Dilwyn Conservation Area. It traditionally separates the two areas of the settlement and conservation area and is an important feature in the local area.
- 6.14 Together with the buildings and structures in the village, the area's mature trees and hedgerows, walls, gardens, open spaces and views, contribute to the special architectural and historic character and appearance of Dilwyn Conservation Area, a designated heritage asset.
- 6.15 Whilst the existing residential development is aligned along a short stretch of the highway near to the site and the original proposal would have continued this form of ribbon development, it would also have resulted in the two settled areas being joined. Whilst an open field would have remained behind this frontage development, Council officers had concerns that the character and appearance of the traditional and historic break within the conservation area would be diminished as a result of the original proposal and through the discordant design character of the proposed houses. The development of four houses with associated driveways, garages and other domestic features would have had a profound impact on that character.
- 6.16 It was recommended by Council officers that the Applicant consider ways of keeping a visual break at the centre of the site, review the general architectural character of the proposed buildings and consider ways in which a more vernacular treatment could be applied to the new houses while working with local character.
- 6.17 The proposed architectural form, materials, detailing and landscape treatment are considered to be an improvement on the previous scheme and the variety across the site would generate buildings of more distinctive character as seen in other parts of the village and the wider area.

- 6.18 The amended scheme addresses the points raised and Council officers are satisfied that the design and layout is appropriate in this locality.

Transportation

- 6.19 In response to the original objection to the application by the Council's highways manager, the Applicant commissioned Cotswold Transport Planning (CTP) to consider the appropriateness of the junction visibility splays at the proposed site access and to assess the capacity and suitability of the road to accommodate the additional traffic associated with the proposed development.

Suitability of junction visibility splays

- 6.20 The road consists of a single track lane although there are several locations where the carriageway widens (or where a grass verge is present) to more than 4.5 metres which is wide enough for two cars to pass. The geometry of the highway in the vicinity of the site and the presence of high boundary hedgerows which restrict forward visibility mean actual vehicle speeds are below the 30mph speed limit.
- 6.21 CTP carried out surveys of vehicle speeds and flows in the vicinity of the site access, which recorded 85th percentile speeds of 21.7mph eastbound and 20.6mph westbound. Based on the survey results, and having regard to relevant highway design guidance, 2.4m x 43m junction visibility splays are considered appropriate to enable safe and appropriate access to be provided. The existing roadside hedgerow is in the ownership of the Applicant and will be trimmed back and managed as necessary to enable the appropriate junction visibility to be provided and maintained in perpetuity.
- 6.22 The area within the necessary junction visibility splay to the west of the proposed site access currently occupied by hedgerow and verge would be surfaced with tarmac to enable a passing place to be provided. This would result in the overall width of this section of carriageway being widened to 5.5 metres to enable a car and a large vehicle to pass one another.
- 6.23 An additional passing place would also be provided on the northern side of the highway by resurfacing and extending the length of another existing verge which is currently informally used for parking and as a passing place.

Capacity and suitability of the highway to accommodate additional trips

- 6.24 The survey of the highway confirmed 7-day average two-way vehicle flows of 193 vehicles per day, with an average of 18 to 20 vehicles (two-way) during the weekday AM and PM peak hours.
- 6.25 Based on relevant industry standards, the proposal would generate between 20 and 28 daily vehicle trips and around 4 vehicle trips during AM and PM peak hours respectively.
- 6.26 This equates to an increase in daily traffic flows on this road of between 10% and 15% and an increase of 20% in vehicular traffic flows during peak hours.
- 6.27 The proposal is also forecast to generate 4 additional pedestrian trips and 1 cycle trip per day and 1 pedestrian trip during peak times.
- 6.28 The CTP Report also included a review of the Crash Map database which confirms that there have been no recorded personal injury accidents involving vehicles, bikes, pedestrians or equestrians in the vicinity of the site in the preceding 10 year period to 2014.

6.29 Overall, Council officers are generally satisfied with the findings of the Transport Assessment. It is acknowledged that the development proposal would increase traffic flows along this stretch of the highway, however, the scale of this impact is not deemed to be severe due to the relatively low number of trips that would be generated by the proposal, the geometry of the existing highway and the close proximity of the site to the C1091.

Landscape and Visual

6.30 The application was accompanied by a Landscape and Visual Impact Assessment by John Challoner Associates, which considered the likely landscape and visual effects of the proposal.

6.31 The assessment found that due to the character of the surrounding landscape, existing topography and the extensive coverage of mixed tall hedgerows, orchard trees and other vegetation in the vicinity of the site, the zone of visual influence is comparatively small.

6.32 The proposal would add a relatively small amount of built development to the fringes of Dilwyn and the layout has been designed to reduce any adverse impacts to neighbouring properties. The scheme is comprised of detached houses set in generous gardens, enclosed with hedges and scattered trees.

6.33 The visual impacts of the proposal from a range of viewpoints are summarised below:

Viewpoint	Viewpoint Location	Level of Impact
1	Site frontage along the lane (road level)	Low, increasing to moderate where new access formed
2	Site frontage along the lane (on site)	Low, increasing to moderate where new access formed
3	South west to west of the site	Very low
4	Public footpath east of the site	Very low
5	Footpath at the top of Highlow Field	Very low
6	Public footpath running south (boundary hedge)	Moderate
7	Public footpath running south	Moderate
8	Across valley towards the skyline ridge and woodland of Henwood	Moderate seasonal impact
9	Across valley towards the skyline ridge and woodland of Henwood (further west)	Low to moderate
10	East from the footpath along Hill Top	Very low
11	South east from the public footpath that crosses the parkland at Henwood Farm	Very low
12	Off public road skirting Henwood	Low
13	Zoomed in lay-by on A4112 roadside verge	Low
14	West across the site towards Dilwyn:	
	Woodstock Cottage, Hazelwood and Brooklyn	Moderate
	The Bramlings, Sunnyside, Red Rowans and Brookside	Low
	No. 11 and 12 The Glebelands	Very low

6.34 The introduction of new built form would inevitably result in some visual intrusion of specific viewpoints in the area. To the south and south east of the site, the overall impact is assessed as being low to moderate and there would be little or no change to views along public viewpoints west and north of the site. However, it is acknowledged that neighbouring properties would experience a moderate impact in terms of physical intrusion and partial loss of views, particularly during the construction phase and as new planting and landscaping becomes established.

- 6.35 However, the dwellings would be set back from the road and be low density, which would help the development to integrate into the environment. The planting of trees and hedges in the form proposed, including the planting of an orchard, would soften and filter views of the houses, and help retain the green character of the village, where the abundance of mature trees is a characteristic feature.
- 6.36 Aside from a section of hedgerow that would need to be removed to accommodate the proposed access, existing hedgerows and trees along the site boundary, would be retained and enhanced through a robust landscaping scheme, including some landscaping aimed at reducing the visual impact of the proposal from nearby properties, including Hazelwood and Woodstock. The Applicant has set this out conceptually in the submitted Landscape Strategy, which would be developed further and formalised and implemented by planning conditions.
- 6.37 With this landscaping in place Council officers are satisfied that this issue can be mitigated and managed to within an acceptable level.

Flooding and Drainage

- 6.38 The Environment Agency Flood Map for Planning (Rivers and Sea) indicates that the site is located in the low risk Flood Zone 1, where the annual probability of flooding from fluvial flood sources is less than 0.1% or 1 in 1,000 (essentially all land outside Flood Zones 2 and 3).
- 6.39 Residential development is classified in Planning Practice Guidance (Flood risk vulnerability and flood zone compatibility) as appropriate development in Flood Zone 1.
- 6.40 Surface water runoff generated by each dwelling is proposed to be discharged to individual SUD's designed soakaway trenches and the access road within the site boundary would be constructed of permeable paving.
- 6.41 The Applicant would also be required to consider the management of surface water during extreme events that overwhelm the existing drainage system and/or occur as a result of blockage. Whilst the drainage system may be designed for the 1 in 30 year or 1 in 100 year event, the features that convey water to the drainage system are often not capable of managing intense rainfall events and temporary storage of water within the development is required in this case.
- 6.42 Foul water would be either discharged to the public sewer, or if this is found to not be feasible, the foul water from individual dwellings can be discharged to private water treatment and outfall arrangements dealt with on site.
- 6.43 Following the provision of additional information, Council officers have no objection to the application on drainage and flood risk grounds subject to recommended conditions being imposed, including the provision of a detailed drainage strategy being developed and implemented on the site, which incorporates the above.

Ecology

- 6.44 The application was accompanied by an Ecological Assessment of the site by Star Ecology, which found that the habitat of the site (being intensively managed improved grassland agricultural field) is of very low ecological value, and that the development of the site would not adversely affect the status of protected species in the locality.
- 6.45 The native hedgerows bounding the site provide a valuable local resource for small breeding birds and possibly for foraging bats. To mitigate the impact of hedge removal required for the

proposed site access, this activity would only take place when no nesting birds are present (i.e. between October and March) or following a survey by a qualified ecologist.

- 6.46 A series of biodiversity and enhancement measures are also proposed on site, including the provision of bat boxes on site and the planting of wildlife hedge, shrubs and trees. This would include the planting of around 50 new fruit trees which would help integrate the new built form into its conservation area setting and provide for biodiversity enhancement.
- 6.47 It is considered that implementation of these management and mitigation measures in conjunction with the landscaping scheme would adequately address the ecological impacts of the proposed development.

Archaeology

- 6.48 The foundations and part of two walls of a former Methodist chapel are located in the north eastern corner of the site, which is archeologically of low sensitivity.
- 6.49 The layout of the proposal has been designed such that any potential impact on the chapel remains would be avoided.

Conclusion

- 6.50 Currently, where proposals can be shown to be sustainable, there should be a presumption in their favour, unless material considerations indicate otherwise.
- 6.51 The pursuit of sustainable development is a golden thread running through both plan-making and decision-taking and identifies three dimensions to sustainable development: the economic, social and environmental roles. This is carried on in the provisions of the Core Strategy objectives which translate into policies encouraging social progress, economic prosperity and controlling environmental quality.
- 6.52 When considering the three indivisible dimensions of sustainable development as set out in the NPPF, officers consider that the scheme when considered as a whole is representative of sustainable development and that in the absence of significant and demonstrable adverse impacts, the application should be approved.
- 6.53 The site immediately adjoins the settlement of Dilwyn. Also, based upon the Inspector's finding in a recent appeal in Leintwardine, since there is not a 5 year housing land supply at the present time, it is concluded that, as Dilwyn has been identified as a settlement to be the main focus for growth, this proposal is not only environmentally acceptable in relation to this part of the settlement but it would also make a modest contribution to the dwellings required given the stated shortfall in housing land supply. It is considered to be a sustainable location with good access to a wide variety of services and facilities. In this respect, the proposal is in broad accordance with the requirements of Chapter 4 of the NPPF.
- 6.54 Further, the layout of the proposed development would ensure that the historic break and open space between Dilwyn Village and the hamlet of Dilwyn Common is retained and the special character and appearance of the conservation area of the area is maintained. The architectural form, materials, detailing and landscape treatment would add variety across the site resulting in distinctive built form as seen in other parts of the village and the wider area.
- 6.55 The contribution the development would make in terms of jobs and associated activity in the construction sector and in generating local business turnover should also be acknowledged as fulfilment of the economic role. In providing a greater supply of housing and breadth of choice officers consider that the scheme also responds positively to the requirement to demonstrate fulfilment of the social dimension of sustainable development.

- 6.56 Whilst the development proposal would inevitably result in some residual adverse impacts, it is considered that these impacts are able to be avoided, mitigated, managed and compensated for.
- 6.57 Officers conclude that there are no overriding landscape and highways, visual, flooding and drainage, ecological or archaeological issues that should lead towards refusal of the application and that any adverse impacts associated with granting planning permission are not considered to significantly and demonstrably outweigh the benefits in accordance with the provisions of the NPPF.
- 6.58 It is therefore recommended that planning permission be granted subject to the following planning conditions.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

- 1. A01 (one year commencement)**
- 2. B03 Amended plans**
- 3. C01 Samples of external materials**
- 4. D04 Details of window sections, eaves, verges and barge boards**
- 5. F08 No conversion of garages to habitable accommodation**
- 6. G02 Retention of existing trees/hedgerows**
- 7. G04 Protection of trees/hedgerows that are to be retained**
- 8. G09 Details of boundary treatments**
- 9. G10 Landscaping scheme**
- 10. G11 Landscaping scheme – implementation**
- 11. H03 Visibility splays**
- 12. H06 Vehicular access construction**
- 13. H09 Driveway gradient**
- 14. H13 Access, turning area and parking**
- 15. H17 Junction improvement/off site works**
- 16. H20 Road completion in 2 years**
- 17. H27 Parking for site operatives**
- 18. H29 Covered and secure cycle parking provision**

19. The recommendations set out in the ecologist's report from Star Ecology dated May 2015 should be followed unless otherwise agreed in writing by the local planning authority. Prior to commencement of the development, a habitat protection and enhancement scheme integrated with the landscape scheme should be submitted to and be approved in writing by the local planning authority, and the scheme shall be implemented as approved.

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

20. CD3 Foul/surface water drainage

21. CD5 No drainage runoff to public system

22. I20 Scheme of surface drainage

23. I21 Scheme of surface water regulation

24. I18 Scheme of foul drainage disposal

25. I16 Restriction of hours during construction

26. Prior to the first occupation of any of the residential development hereby permitted written evidence / certification demonstrating that water conservation and efficiency measures to achieve the 'Housing – Optional Technical Standards – Water efficiency standards' (i.e. currently a maximum of 110 litres per person per day) for water consumption as a minimum have been installed / implemented shall be submitted to the Local Planning Authority for their written approval. The development shall not be first occupied until the Local Planning Authority have confirmed in writing receipt of the aforementioned evidence and their satisfaction with the submitted documentation. Thereafter those water conservation and efficiency measures shall be maintained for the lifetime of the development;

Reason: - To ensure water conservation and efficiency measures are secured, in accordance with Policy SD3 of the Hereford Local Plan – Core Strategy

27. I32 Details of external lighting

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. Negotiations in respect of matters of concern with the application (as originally submitted) have resulted in amendments to the proposal. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework
2. HN01 Mud on highway
3. HN04 Private apparatus within highway
4. HN05 Works within highway

- 5. **HN07 Section 278 Agreement**
- 6. **HN08 Section 38 Agreement & drainage details**
- 7. **HN21 Extraordinary maintenance**
- 8. **HN24 Drainage other than via highway system**
- 9. **HN28 Highways design guide and specification**
- 10. **N16 Welsh Water informative**

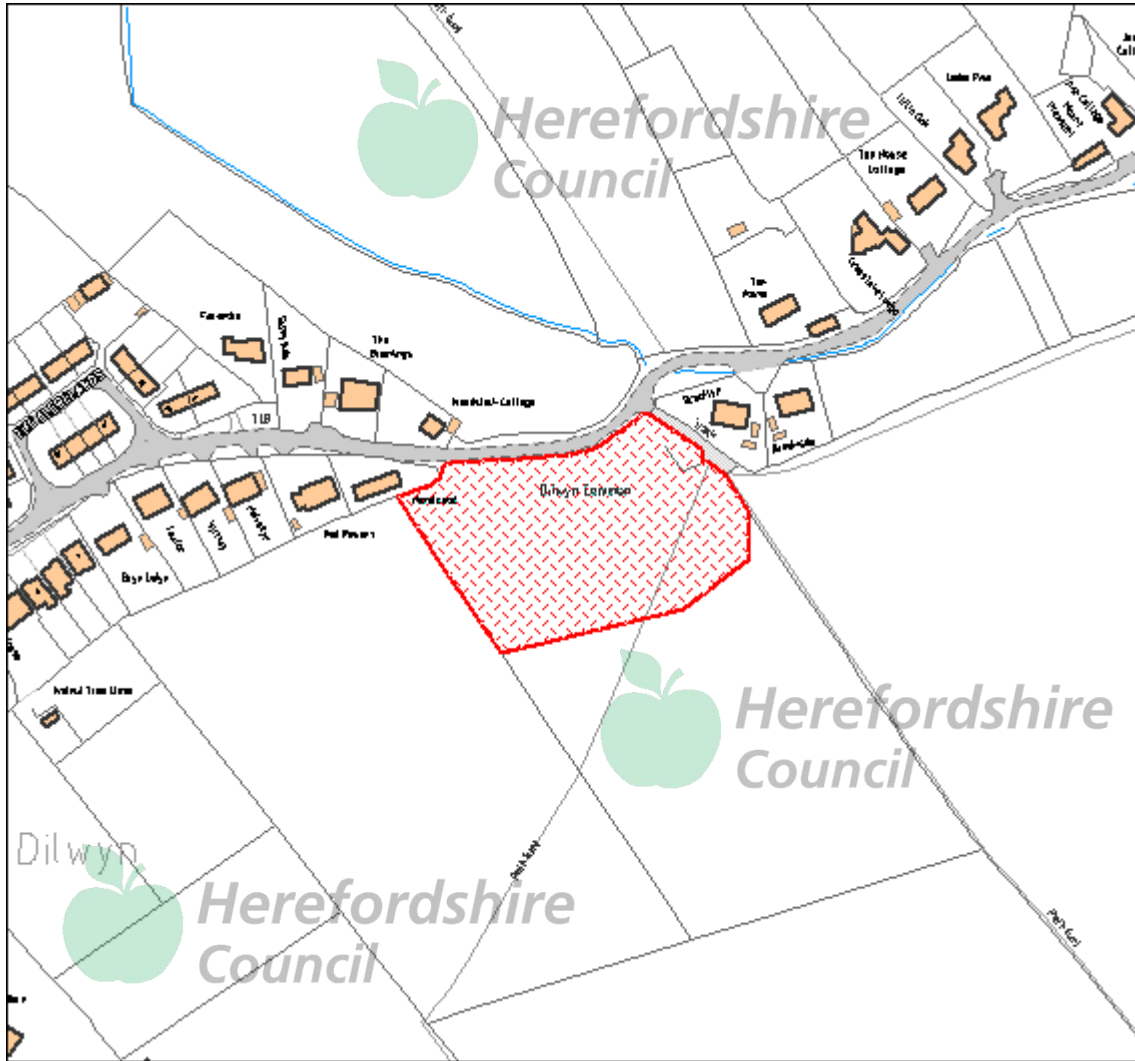
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: 151755

SITE ADDRESS : LAND AT DILWYN COMMON, DILWYN, HEREFORDSHIRE

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