Herefordshire Council

MEETING:	**PLANNING COMMITTEE**
DATE:	**13 JULY 2106**
TITLE OF REPORT:	**152041 - PROPOSED RESIDENTIAL DEVELOPMENT OF 10 DWELLINGS (AMENDMENT TO ORIGINAL APPLICATION) AT LAND TO THE NORTH OF ASHPERTON VILLAGE HALL, ASHPERTON, HEREFORDSHIRE** **For: Mr Davies per Twyford Barn, Upper Twyford, Hereford, Herefordshire HR2 8AD**
WEBSITE LINK:	https://www.herefordshire.gov.uk/planning-and-building-control/development-control/planning-applications/details?id=152041&search=152041
Reason Application submitted to Committee – Re-direction	

Date Received: 13 July 2015 **Ward: Three Crosses** **Grid Ref: 364355,241955**
Expiry Date: 15 June 2016
Local Member: Councillor J G Lester

1. Site Description and Proposal

1.1 The application site features an undeveloped agricultural field located adjacent to the main built core of Ashperton, a settlement designated under Core Strategy policy RA2 as a sustainable location for residential development outside Hereford city and the market towns.

1.2 Ashperton is located in east Herefordshire 7 miles from the market town of Ledbury, 15 miles from Leominster and 11 miles from Hereford. Though there are a number of services and facilities in and around the village, furthermore Ashperton has good proximity and road connectivity to other local settlements and their facilities. There is a (albeit) limited bus service, a primary school, church and village hall in Ashperton and a pub just outside of the main village to the south about half a mile from the site.

1.3 The site is an agricultural field which is currently part of Walsopthorne Farm. It is located at the northern edge of the village immediately to the North of the Village Hall and east of the A417. The site is predominantly surrounded by agricultural land and existing development.

1.4 Existing development in close proximity of the site is varied in size, age, design and orientation and includes a number of Grade II listed dwellings. The site is undulating in character with high and low points along the main road, with the land plateauing and levelling out and falling away to the East. The site is higher in topography than the adjoining road, the A417 and existing adjacent dwellings opposite, however the village hall sits at a higher and more prominent level on the crest of the rising land.

1.5 There is a wide hedgerow around the site which currently provides visual screening between the site and the highway. The A417 is recognised as a significant strategic and busy road used as a main route by HGVs as it connects the A49, A4103 routes with road links to Gloucester,

the M50 and wider national strategic road network. The speed limit adjacent to the site forms a 30 & 40 mph zones.

1.6 The proposal is an outline application for the erection of 10 dwellings with all matters reserved for a future Reserved Matters application other than the site access and site layout.

2. Policies

2.1 Herefordshire Core Strategy

SS1 - Presumption in Favour of Sustainable Development
SS2 - Delivering New Homes
SS4 - Movement and Transportation
SS6 - Environmental Quality and Local Distinctiveness
SS7 - Addressing Climate Change
RA1 - Rural Housing Strategy
RA2 - Herefordshire's Villages
OS1 - Requirement for Open Space, Sport and Recreation Facilities
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 - Waste Water Treatment and River Water Quality

2.2 Neighbourhood Plan

Ashperton Neighbourhood Plan Area was designated on 3rd June 2015. Whilst it is a material consideration it is not sufficiently advanced to attract weight for the purposes of determining planning applications.

2.3 National Planning Policy Framework

The following sections of the National Planning Policy Framework (NPPF) are particularly relevent:-

Ministerial foreword
Introduction
Achieving Sustainable Development
Delivering Sustainable Development
Section 6 - Delivering a Wide Choice of High Quality Homes
Section 7 - Requiring Good Design
Section 8 - Promoting Healthy Communities
Section 10 - Meeting the Challenge of Climate Change
Section 11 - Conserving and Enhancing the Natural Environment
Section 12 - Conserving and Enhancing the Historic Environment

2.5 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 None

4. Consultation Summary

Statutory Consultations

4.1 Welsh Water has no objection, commenting no problems are envisaged with the provision of water supply for this development.

Internal Council Consultations

4.2 Transportation Manager is satisfied the proposal satisfies Core Strategy policies SS4 and MT1 and also offers opportunities for connectivity between the development and village. Technical standards regarding the internal roadway, turning and parking areas are secured through condition. A number of conditions and informatives requested are added to the recommendation.

4.3 Conservation Manager (Landscape) - I have read the amended landscape planting plan in conjunction with the landscape materials plan as part of the amended drainage strategy.

4.4 As stated I am satisfied that having walked the site on two occasions with both the architects and the planning officer that whilst accepting that the site is sensitive as a result of its undulating landform the impact upon the landscape and visual receptors will not be substantially harmful:

4.5 In terms of landscape character, the proposed layout does not unduly conflict with the settlement pattern of the village of Ashperton which has clusters of dwellings radiating outwards from the village green and the historic core. The chosen layout enables the proposal to be situated on the lower contours of the land located between two high points and some 5m below that of the core of the existing settlement.

4.6 Whilst it is readily acknowledged that the undulations of the land render it sensitive in character, the visual impact of the proposal is confined to near distant views. Road users, particularly of a road such as the A417, are considered low sensitivity receptors (GLVIA3) as they experience transient views.

4.7 Views from existing properties have been taken into consideration as well as the setting of nearby listed buildings, as demonstrated within the Village Analysis Study, with built form set back from the roadside in order to retain vistas of the village hall and avoid overshadowing of existing dwellings. Extensive mitigation is proposed inline with the landscape character type; Principal Settled Farmlands, which can be secured at the reserved matters stage.

4.8 Conservation Manager (Ecology) - as a general comment notes the application site is currently under agricultural management as pasture and so of fairly low ecological value overall. The landscaping, biodiversity mitigation and enhancements that will come as part of the development will provide a significant enhancement of habitat value above current for local wildlife and protected species.

4.9 The contents of the additional 'Phase 2' detailed ecological surveys and report by Europaeus Land Management Services dated December 2015 are noted and I am happy that these address the concerns and request for further information made previously [by my colleague Rob Widdicombe]. I note in particular that they recommend that a European Protected Species Licence is required in respect of the local potential for Great Crested Newts. This licence will require a detailed protection, mitigation and enhancement plan, and should include the proposed off-site attenuation pond in the proposals. In addition the creation of new hedgerows

and copse/woodland will provide additional habitat. The inclusion of bird nesting and bat roosting opportunities (eg. bird boxes, sparrow terraces, bat bricks and tiles) within the construction of the new houses would further enhance the habitat.

4.10 To ensure that the required ecological protection, mitigation and enhancements are included numerous conditions are recommended. These are attached to the recommendation, below.

4.11 PROW Manager notes Public footpath AP28 has been shown on plans, and would not appear to be obstructed by the development. The path has a historic width of at least 4m which must not be encroached upon.

4.12 Waste Services Manager comments throughout the design and access statement there is reference to the Homezone standards and verge planting to reduce speed of movement through the development. The area is serviced by an 18 tonne refuse collection vehicle (RCV) which will need clearance space for width, height and manoeuvring across the development as well as adequate turning circles. This vehicle will access the site every week.

4.13 The County Land Agent has no objection, considering there will be no impact on the village green.

4.14 Conservation Manager (Archaeology) - has no objection, making the following comments:

- There is certainly some interest in relation to Roman-period archaeology in the broader landscape context. The existing road forming the western edge of the development in all probability traces the alignment of the former Roman road that ran southwards from the forts and settlements at Stretton Grandison in the north, towards [ultimately] the Roman city of Gloucester to the south.
- However, both in regard to Roman-period remains, and indeed to remains of other periods, it would seem that the application site itself does not have great archaeological potential. It has plainly been subject to a degree of comparatively recent disturbance, which would have damaged pre-existing deposit profiles, and there are no traces of the kind of medieval earthworks that are present (for instance and n.b.) in some of the fields to the south of the village hall.
- In the circumstances, in relation to this particular case, I have no objections and no requirements to advise.

5. Representations

5.1 Ashperton Parish Council objects to the proposal. Ashperton Parish Council is of the opinion that the revised application for 10 dwellings would result in some reduction to the harm to the character and appearance of the landscape and visual setting of the village, and other harm, it remains of the opinion that the detriment would remain severe and would outweigh any benefit in terms of additional housing. Furthermore, whilst the removal of the northern “cluster” of dwellings would mean that there would be reduced detriment to the living conditions of those residents opposite that part of the site, there would remain significant harm to the living conditions of occupiers of properties to the west of the A417 with regard to outlook.

5.2 **The Parish Council’s full objection and further comments are appended to this Report**

5.3 Ashperton Neighbourhood Plan steering group advises they have for the last 12 months been gathering information and have began the process of creating a draft plan using data provided by public consultation. The response rate to our first questionnaire was 74%.

5.4 Some of the questions asked that are perhaps pertinent to the above application are:

- What do you like about the Parish? : 48% chose the rural views and unspoilt and peaceful location of the village.
- The Herefordshire Core Strategy states that Ashperton Parish must have at least 15 new houses by 2031. How would you like to see these distributed? : 71 %> responded that there should be less than 3 dwellings on any one site.
- Should this development take place gradually until 2031 or take place all at once? : 90% want gradual development within the Parish.
- Are there any locations where houses should not be built? : 57% responded that houses should not be built on greenfield sites including this land but 36%) specifically not on the land as proposed in this application.
- When asked if the Neighbourhood Plan should protect natural features and the landscape within the Parish (Q5.2), 56% answered yes.
- How important are heritage features of the village to you? : 93%) responded important or very important.

5.5 The intention is for public consultation on the draft plan to begin in August / September 2016. The proposed development does not fit in any way and clearly shows that despite having gone out to public consultation last year, the applicant has not taken on board the thoughts and feelings of the current residents.

5.6 48 letters of objection have been received from local residents. Comments are summarised as:

- Criticism over number of amendments allowed to be considered
- Concern over surface water and foul drainage
- Safety issue regarding attenuation basin
- Concern regarding pollution of watercourses
- Concern over highway safety
- The illustrative layout and landscape is only indicative and might not happen
- Substantial increase in number of dwellings in the village
- Impact on listed buildings
- The layout is inappropriate and out of character and context with this rural setting
- Proposal is not rural in concept
- Detrimental impact on the character and setting of the village
- Landscape harm
- Impact on existing residential amenity and privacy
- Impact on wildlife and biodiversity
- This is not a small scale development
- The landscape assessment and the Council's assessment of landscape impact is wrong
- Noise and pollution from extra traffic
- Lack of services and infrastructure in the village
- Inadequate consultation has taken place
- Proposal will have an overbearing impact on the village
- Loss of views from properties
- Loss of views from PROW/ countryside
- Shadowing and loss of light
- Loss of dog walking/ recreation facility
- Proposal is not in accordance with the Neighbourhood Plan
- If approved could lead to development of the rest of the field
- Unsustainable development
- Conflicts with local and national planning policies

5.7 Herefordshire Ramblers object, their objection is summarised as:

- Concern regarding the impact on PROW AP28

- Impact on the pleasant aspect and views from the local PROW network
- Potential impact on tourism

5.8 The Open Spaces Society comments nowhere on the plans are PROW AP28 annotated. The proposed Attenuation Basin, appears near the route of FP AP28, also consider must be suitably fenced for H & S reasons, also the registered path must be kept free of obstructions/works during the proposed development.

5.9 Ledbury and District Civic Society comments: The development would add to existing problems associated with the road through the village. There are no jobs available, no shops, few facilities and hardly any bus services for Ashperton; the village is already not self sufficient and many additional car journeys to and from would be generated to reach such facilities. There are very real concerns about how to discharge rainwater and foul water from the site, given possible flooding of adjacent areas lower than the site and lack of capacity for sewage effluent.

5.10 8 letters of support have been received, comments are summarised as:

- Proposal will meet local and county housing needs
- Well considered proposal
- Area lacks diversity of population, this will help address that
- Rural feel to layout
- Spacious development
- Clear need for housing in the area
- Villages such as Ashperton need to grow
- Will help support existing local facilities
- Views expressed at the public consultation have been considered
- Will help me secure a house in the area

5.11 West Mercia Police comment there is a clear opportunity within the development to achieve the Secured by Design award scheme. The development appears to have good access control and natural surveillance already built into the design. The principles and standards of the award give excellent guidance on crime prevention through the environmental design and also on the physical measures. The scheme has a proven track record in crime prevention and reduction which would enhance the community well being within this village.

5.12 Canon Frome cricket club supports the application as it welcomed the additional families that the proposed application would bring into the village. This, hopefully, would give it a greater pool of potential players for its senior and thriving junior section. Like all small clubs, playing numbers are always a problem, and so the club welcomes any opportunity to increase the pool of potential players.

5.13 Ledbury Area Cycling Forum comments in the light of the Government's *Cycling and Walking Investment Strategy* every opportunity to improve active travel infrastructure to encourage a reduction in car dependency and encourage people to walk and cycle. It is noted on the outline planning application that a shared cycle/pedestrian path runs through the development and terminates near the village hall, with a new pedestrian crossing at that point and a second new pedestrian crossing a short distance to the north. This shared use path should have priority where it crosses the southern vehicular access road to the site. The crossings over the A417 should accommodate pedestrians and cyclists and should be light controlled. An off-road shared-use cycle/pedestrian path connecting with the A417 should be provided, together with a road crossing, to connect with the proposed path running through the site. This will provide a safe link for local residents to access the new public amenity space and other village facilities. Each new residential unit should be provided with its own fully enclosed, secure cycle parking accommodation. By supplying the storage spaces with mains electricity, they can also be used for parking rechargeable e-bikes, thereby increasing the scope of cycle use to take advantage of the quiet lane network connecting Ashperton to Ledbury and other centres.

5.14 The consultation responses can be viewed on the Council's website by using the following link:-
https://www.herefordshire.gov.uk/planning-and-building-control/development-control/planning-applications/details?id=152041&search=152041

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

Background

6.1 Ashperton is designated under Core Strategy policy RA2 as a sustainable location for residential development outside Hereford city and the market towns. The village is within the Ledbury Housing Market Area and is one of ten villages that are the main focus of proportionate housing development.

6.2 Ashperton was designated under the previous local plan, the Herefordshire Unitary Development Plan policy H6 as a smaller settlement, however, from the adoption of that preceeding plan to today's date the village has only provided planning permission for three new dwellings, all permitted under planning reference 143420/F at Planning Committee on 15th July 2015. This permission however has yet to commence. In summary, in over ten years Ashperton has actually delivered no new dwellings and only has advanced three units through extant planning permission despite its long standing identification as a sustainable location for residential development.

6.3 Discussions for development of the site considered here began prior to the adoption of the Core Strategy and developed during a period of the Council failing to demonstrate a five year supply of housing land against the knowledge Ashperton was a designated settlement for proportionate housing development.

6.4 Community consultation has been undertaken with the local community and stakeholders at events held on 28th January 2015 and 12th May 2015 by the applicants' agent. There have been three rounds of full formal public consultation as part of the application consultation and determination process.

6.5 A proposal of 27 dwellings of which 9 would be affordable, significant public open space and landscaping provision, along with a s106 agreement proposing financial contributions totalling £24,8017 and above and beyond that a land donation providing land and dedicated new car parking for the village hall adjoining the site was put forward in a formal planning application, registered and open to public consultation from 16th July 2015. The proposal was unanimously rejected by the local community and the offer of land and car parking for the village hall was rejected by the Parish Council on 13th August 2015, who commented: *The application proposes an extension to the Village Green on the highest land next to the Village Hall. Not only is this land of no use to the applicant but it would serve no useful purpose as public space. It is land some 1.5-2m above Dognall Lane alongside the Hall and high above the road. It would demonstrably be an unsafe place for children to play. The Parish Council would not be prepared to take on responsibility for this land*.

6.6 Following this rebuttal from the local community, the applicant has worked with Officers to address the concerns raised and as such an amended reduced proposal of ten dwellings and associated landscaping replaced the original proposal and was reconsulted on from 16th March 2016. An amendment to the red line area to incorporate drainage strategies recommended and to address the Council's drainage consultants comments led to a further full reconsultation process running from 16th May 2016.

6.7 Herefordshire through the Core Strategy is to provide a minimum 16,500 homes during the Plan period to 2031.

Proposal Summary

6.8 The proposed scheme is to develop the site to accommodate 10 new dwellings on an approximately 0.91ha site. The proposal includes the provision of areas of amenity space for the development. The site will contain varying sized residential units to create a mixed community, the whole development comprised of smaller sized properties as well as larger family homes.

6.9 10 dwellings are proposed in response to the rejection of the larger 27 unit development and because It enables Ashperton to accommodate the level of housing it is likely to require over the coming years, in a well planned rather than piecemeal fashion. Furthermore the proposal creates less housing on the site compared to a typical developer scheme and allows an appropriately 'rural' balance of housing and green space, responding to context.

6.10 The density of housing in the site is 12.5 d.p.h and has been informed by a study into neighbouring housing development. The Core Strategy recommends housing densities to be between 30 and 50 d.p.h across the county, although sets out that the density should be informed by the characteristics of the area.

Policy Assessment

6.11 The local authority is currently failing to provide a 5 year Housing Land Supply, plus a 20% buffer, which must be met by all local authorities in accordance with paragraph 47 of the NPPF. Paragraph 49 of the NPPF states 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*'.

6.12 Where the existence of a five year land supply cannot be demonstrated, there is presumption in favour of granting planning permission for new housing unless the development can be shown to cause demonstrable harm to other factors that outweigh the need for new housing.

6.13 Paragraph 14 of the NPPF states that there "*is a presumption in favour of sustainable development and for decision taking this means… where the development plan is absent, silent or relevant policies are out of date, granting planning 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."*

6.14 The NPPF is therefore emphasising the importance of the presumption in favour of sustainable development. In reaching a decision upon new housing the housing land supply position will need to be balanced against other factors in the development plan and/or NPPF which could result in the refusal of planning permission. This site is therefore assessed and considered on its suitability as being sustainable in regards its location and material constraints and considerations.

6.15 The NPPF sets out 12 core land-use planning principles in paragraph 17 which should underpin decision taking. These include the principle to *'proactively drive and support sustainable economic development to deliver homes, businesses and industrial units, infrastructure and thriving places that the country needs'*.

6.16 NPPF section 12 sets out the position regarding conserving and enhancing the natural environment. Specific principles and policies relating to the natural environment and its assets and development are found in paragraphs 109 – 125.

6.17 Paragraph 215 of the NPPF applies and due weight should be given the policies of the existing plan, in this instance the Herefordshire Core Strategy, according to their degree of consistency with the NPPF.

Herefordshire Core Strategy

6.18 Core Strategy Policy SS1 – *Presumption in favour of sustainable development,* in line with the NPPF, has a positive approach to such development. Furthermore, planning permission will be granted unless the adverse impact of the permission would significantly and demonstrably outweigh the benefits of the proposal.

6.19 Core Strategy Policy SS2 – *Delivering new homes* sets out Herefordshire is to deliver a minimum 16,500 dwellings during the plan period and that designated rural settlements play a key role in that delivery and support the rural economy, local services and facilities. Such settlements will deliver a minimum 5,600 dwellings.

6.20 Core Strategy policy SS7 – *Addressing climate change* describes how developments will be required to mitigate their impact on climate change, and strategically, this includes:

- focussing development to the most sustainable locations
- delivering development that reduces the need to travel by private car and encourages sustainable travel options including walking, cycling and public transport

6.21 Core Strategy policy RA1 – Rural housing distribution sets out the strategic way housing is to be provided within rural Herefordshire and to deliver a minimum 5,600 dwellings. Herefordshire is divided into seven Housing Market Areas (HMAs) in order to respond to the differing housing needs, requirements and spatial matters across the county.

6.22 Core Strategy policy RA2 – Housing outside Hereford and the market towns identifies the settlements in each HMA area where both the main focus of proportiante housing development will be directed, along with other settlements where propotianate housing growth is appropriate.

6.23 Ashperton is within the Ledbury HMA and one of ten settlements designated to be the main focus of proportiante growth in that HMA. The Ledbury HMA is to provide a minimum 565 dwellings in the Plan period with an indicative housing growth target of 14%.

6.24 The application site is therefore sustainably located, being adjacent to the main built core of Ashperton, a settlement designated under Policy RA2. Development is therefore acceptable in principle on a locational basis. The Parish of Ashperton has 101 dwellings and the indicative target within this HMA is 14% meaning an additional 15 dwellings, therefore the proposal for ten dwellings is considered to be proportionate housing growth.

6.25 In principle and strategically, the proposal is acceptable as it represents sustainable and proportionate development, complying with Core Strategy policies SS1, SS2, SS7, RA1 and RA2 and the relevant requirements of the NPPF.

Assessment

6.26 Sustainable development and sustainability are more than a matter of location. The NPPF states that good design is a key aspect of sustainable development and indivisible from good planning. It is not just a matter of aesthetics. Amongst other things, it says that decisions should aim to ensure that developments function well and add to the overall quality of the area; and optimise the potential of the site to accommodate development. Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

6.27 Section 7 (*Requiring good design*) of the NPPF requires developments should function well and add to the overall quality of an area, establishing a sense of place to create attractive places to live, work and visit through responding to local character and history and reflecting local identity, whilst at the same time not stifling inovation. This approach is reinforced through Core Strategy policies SS6, LD1 and SD1 and the criteria of policy RA2 which requires development should reflect the size, role and function of the settlement and be located within or adjoining its main built up area. Attention is required to be paid to the form, layout, character and setting of the site and its location, resulting in high quality sustainable development.

6.28 As such, given the sustainable location and in principle acceptability of the development on those terms, the decision making process turns to the assessment of material considerations.

Heritage

6.29 Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states "*In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses."*

6.30 NPPF section 12 sets out the position regarding conserving and enhancing the historic environment. Specific principles and policies relating to the historic environment and heritage assets and development are found in paragraphs 126 – 141.

6.31 The NPPF sets out in paragraph 126 that there should be a positive strategy for the conservation of the historic environment. It is recognised that heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance taking account of:

- The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation
- The wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring
- The desirability of new development making a positive contribution to local character and distinctiveness
- Opportunities to draw on the contribution made by the historic environment to the character of a place.

6.32 Paragraphs 131 – 133 set out what and how LPAs should consider in determining planning applications featuring heritage assets. This includes:

- The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- The desirability of new development making a positive contribution to local character and distinctiveness.

6.33 The Core Strategy sets out heritage policy under LD4. The historic environment is defined as all aspects of the environment resulting from the interaction between people and places through time, including all surviving physical remains of past human activity, whether visible, buried or submerged, and landscaped and planted or managed flora. Those elements of significance with statutory protection are referred to as designated heritage assets. Policy LD4 is applicable to heritage assets throughout Herefordshire whether formally designated e.g. listed buildings and conservation areas, or not.

6.34 Policy LD4 – *Historic environment and heritage assets* requires Development proposals affecting heritage assets and the wider historic environment should:

- Protect, conserve, and where possible enhance heritage assets and their settings in a manner appropriate to their significance through appropriate management, uses and sympathetic design, in particular emphasising the original form and function where possible;
- The conservation and enhancement of heritage assets and their settings through appropriate management, uses and sympathetic design. Where opportunities exist, contribute to the character and local distinctiveness of the townscape or wider environment, especially within conservation areas;
- Use the retention, repair and sustainable use of heritage assets to provide a focus for wider regeneration schemes;
- Record and advance the understanding of the significance of any heritage assets to be lost (wholly or in part) and to make this evidence or archive generated publicly accessible and where appropriate, improve the understanding of and public access to the heritage asset.

6.35 The application site as a whole has been assessed regarding its impact on all heritage assets hereabouts, with particular regard to the nearest five listed buildings. These are:

a) No.47, a Grade II listed building South West of the application site
b) Chandlers, a Grade II listed building South West of the application site
c) No. 42/43, a Grade II listed building West of the application site
d) The Farmhouse, a Grade II listed building North West of the application site
e) The Green, a Grade II listed building South East of the application site

6.36 It is noted listed buildings a) and b) are located immediately adjacent to the extant planning permisssion under reference 143420/F for the erection of three dwellings. This development immediately adjoins these listed buildings and is viewed as part of their setting and vista as viewed, in particular from the PROW adjoining the site and village hall, and on approaching the village from the North. Despite the direct proximity of that proposal, no explicit objection on the impact of that development on the setting of these adjoining listed cottages was received.

6.37 Regarding the proposal under consideration here, it is noted the siting of the proposed dwellings is both located and orientated to minimise impact on all dwellings on the West side of the A417, and with further regard to listed buildings a), b) and c), a significant open space landscaping area provides a buffer between those listed buildings and the development. This protects and provides a long term guarantee to the protection of these buildings setting and in particular, views from the PROW, open space proposed and development itself. As such the setting of these listed buildings is widely protected and their historic context still appreciable from the PROW and application site itself.

6.38 Listed building d) is located 111 metres North West of the nearest dwelling within the application site on the opposite side of the A417. This building is set back and orientated at 90 degrees to the road. Having regard to context, topography, intervening buildings, the distance from the nearest proposed dwelling and landscaping proposed, it is considered there is neither significant or demonstrable harm to its setting.

6.39 Listed building e), through its existing setting, topography, intervening buildings and layout and landscaping of the proposal, is similarly considered to suffer neither significant or demonstrable harm to its setting over that already existing.

6.40 The proposal, as part of its wider landscaping and integration strategy, will reveal and re-emphasise an old village pump that adjoins the highway.

6.41 As such it is considered there is not only no demostrable, significant adverse impact upon the setting of heritage assets hereabouts to justify refusal, but there is also a positive consideration and strategy to ensure the setting of these assets is adequately protected and maintained in the longer term. Quite simply, if it is considered the impact of the proposal would justify refusal on the basis of the setting of adjoining heritage assets, it would be reasonable to conclude no development could take place *anywhere* within or adjoining any listed building and its curtilage. Accordingly Core strategy policies SS6, RA2, LD1, LD4 and SD1 and the heritage aims and objectives of the NPPF are considered to be satisfied.

Landscape

6.42 Paragraph 17 of the NPPF decribes twelve core planning principles. This includes taking 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, and contributing to conserving and enhancing the natural environment and reducing pollution.

6.43 Section 11 of the NPPF – *Conserving and enhancing the natural* environment, in its opening paragraph 109, sets out: *The planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes.*

6.44 Core Strategy policy SS6 describes proposals *should conserve and enhance those environmental assets that contribute towards the county's distinctiveness, in particular its settlement pattern, landscape, biodiversity and heritage assets and especially those with specific environmental designations*. Policy SS6 then states in its list of criteria that *Development proposals should be shaped through an integrated approach and based upon sufficient information to determine the effect upon landscape, townscape and local distinctiveness, especially in Areas of Outstanding Natural Beauty.*

6.45 Core Strategy Policy LD1 – *Landscape and townscape* states Development proposals should:

- Demonstrate that character of the landscape and townscape has positively influenced the design, scale, nature and site selection, protection and enhancement of the setting of settlements and designated areas;
- Conserve and enhance the natural, historic and scenic beauty of important landscapes and features, including Areas of Outstanding Natural Beauty, nationally and locally designated parks and gardens and conservation areas; through the protection of the area's character and by enabling appropriate uses, design and management;
- Incorporate new landscape schemes and their management to ensure development integrates appropriately into its surroundings; and
- Maintain and extend tree cover where important to amenity, through the retention of important trees, appropriate replacement of trees lost through development and new planting to support green infrastructure.

6.46 There are no formal landscape designations applicable to the site or its location and the site does not form part of the visual setting of an Area of Outstanding Natural Beauty, however the Public Right of Way AP28 Dognall Lane runs past the Village Hall in close proximity to the site.

6.47 The landscape character type in which the site falls is *Principal Settled Farmlands* described as settled agricultural landscapes of dispersed scattered farms relic commons and small villages and hamlets. The Landscape Character Assessment (updated 2009) states additional housing in hamlets and villages should be modest in size in order to preserve the character of the original settlement.

6.48 The development site relates well to the existing settlement in terms of proximity and the proposed number of units now reduced to 10 is not considered to substantially adversely affect

the character of the village which has several small clusters of houses located to the west of the A417.

6.49 Significant concern has been raised regarding the impact that the proposals would have on the visual and landscape character of the village, its setting and views into and from Ashperton. The proposal has been designed and informed with regard to this concern with the dwellings being set back from the road, and located at a low point of the site with a landscape strategy which aims to soften the impact of the proposal on the village.

6.50 The development will be visible from views along the A417 travelling in both north and southerly directions, however, this is minimised through the design layout and further softened by landscape planting.

6.51 It is ackowledged the views through the village will be altered, particularly when approaching the village from the north, as the view range is wider and longer. The proposed development has been designed to maintain views to the village when approaching from the north, in particular the recognisable Village Hall building, and the open countryside where development has been kept to a minimum area upon the lowest topography. Consideration has been given to the high point of the field adjacent to the village hall where no development is proposed.

6.52 Viewing the site when travelling through the village from the south the views to the open countryside have been altered, however, filtered views of the open countryside will remain. Planting strategies which include trees and hedges aim to give a soft screening edge to the development in order to preserve the rural aesthetic and mitigate significant negative change to views.

6.53 The Strategy advanced by the proposal regarding the overall layout is fully responsive to assessment and consideration of the context and landscape character hereabouts. The proposal creates one distinct area of housing arranged to follow the contours of the site, with a cohesive landscaping strategy. Development is avoided on the highest parts of the site and conditions restricting the heights to ridge are proposed on certain plots to further minimise and mitigate impact, both in landscape terms and in respect of maintaining and enhancing the setting of the village and heritage assets (as outlined above). Significant areas of amenity space with pedestrian links, that ties into the grain of the existing village create connectivity both functionally and visually. The use of Green corridors of landscaping and swales accommodate informal play and social space for the site and enhancements to the biodiversity of the site.

6.54 The layout of the proposed development integrates the proposal into the village by locating the dwellings close to existing developed parts of the Ashperton, and by being immediately adjacent to one of the key local facilities, the village hall. Rather than replicate the broadly linear development pattern on the West, opposite of the A417, the proposal replicates and is informed by a ‘cluster’ layout, concentrating development into one area. Ten new units is considered to be a moderate addition to the built fabric of the Ashperton and therefore the proposal has been designed sensitively to sit as far as possible in the lower point of the site with predominantly building gables, rather than main elevations facing the A417 road and adjacent houses. The dwellings have been orientated in this way to allow filtered views through the development to the wider landscape and to present a low density proposal, with the intention that from the main road the proposal appears to be smaller than it is. The orientation also allows the posibility that Pasivhaus standard dwellings could be designed as part of any Reserved Matters application.

6.55 This layout strategy is further reinforced by a landscape design strategy which takes reference from the local landscape with swales, an orchard and informal play spaces, with native tree and plant species, all contributing towards providing landscape amenity. Landscaping is to comprise:

- Public open space in the form of a community orchard.

- Ecological enhancements and habitat creation
- Homezone access with pedestrian priority
- A focus on native planting and orchard planting
- Woodland screening planting and hedgerow planting

6.56 The proposals present a community orchard space, and woodland buffer and hedgerow planting to the boundary. These areas provide opportunity for community use, informal recreation and children's play and overall amenity opportunities to all residents and the local community. The planting proposals are focused on creating natural habitats through native species planting and enhancing the overall biodiversity of the site and also helping to alleviate surface water runoff.

6.57 The proposed planting will enhance ecological value and diversity. The planting character reflects the rural nature of the site, the dynamic SUDS functions of the landscape, and significantly contributes to the amenity value of the proposals. The variety of planting types includes:

- Proposed fruit tree planting
- Grass and wildflower verges
- Native mixed hedgerows and woodland screening planting to the boundaries
- Native marginal planting to the swales.
- Amenity lawn planting is proposed within private gardens and public open spaces

6.58 There are no existing trees within the site boundary. Existing hedgerow borders the south, west and north of the site. The majority of the existing hedgerow is to be retained and protected during construction. Some hedgerow will be removed to enable pedestrian and vehicular access into the site. The proposed quantity of mixed native hedgerow is 210 linear metres equating to 245 sqm area, which outweighs the loss of 165 sqm area of existing hedgerow. The proposed hedgerow also provides enhancement to the diversity of species in the existing species poor hedgerow.

6.59 Whilst the development, like any, will have a 'landscape impact' through its very presence over the current situation (undeveloped agricultural land), it is noted the location is not a protected landscape and the site adjoins and relates to the existing built form of Ashperton, a village identified for growth. The density and layout responds to the landscape context and further mitigates its impact through landscaping design. As such it is considered the landscape harm is acceptable when balanced against this position, conditions that can be impossed and requirement to deliver housing, both in the village and Herefordshire generally. As such Core Strategy policies SS6, RA2, LD1 and SD1 and the relevant aims and objectives of the NPPF are satisfied regarding landscape character and design.

Amenity

6.60 A core planning principle of the NPPF is that planning should seek to ensure high quality design and a good standard of amenity for existing and future occupants of land and buildings. This is reinforced in Core Strategy policy SD1 which requires development to safeguard residential amenity for existing and future residents.

6.61 The most sensitive views are considered to be those from the closest neighbouring properties. The proposed dwellings will be particularly visible from the upper floors. In order to reduce this impact the proposed dwellings have been well set back from the road, accommodated in the lowest possible points of the site and broken up in massing. Orchard 'buffer' planting adjacent to the road is intended to mitigate some direct views to the closest dwellings, and reinforces a rural aesthetic. The highest point adjacent to the village hall has been left clear from development.

6.62 The eleven existing dwellings to the application site and proposed dwellings range in distance as follows (distance from nearest part of existing dwellinghouse to nearest part of nearest proposed dwelling):

- 42 Ashperton Road – 80 metres
- 43 Ashperton Road – 102 metres
- 47 Ashperton Road – 71.6 metres
- 52 Ashperton Road – 60 metres
- Chandlers – 51.9 metres
- Goshen Cottage – 75 metres
- Green House (obscured from site by Village Hall) 62 metres
- Orchard Leaze – 131 metres
- The Ditch/ 44 Ashperton Road – 45.8 metres
- The Farm – 111 metres
- Westward – 138 metres

6.63 Green House and 52 Ashperton Road are located East of the village Hall. Given the context, orientation of properties, existing and proposed landscaping and intervening distances it is considered there is no adverse impact on their amenity.

6.64 Chandlers and 47 Ashperton Road (both Grade II listed) front the A417 and face the open space area formed around the highest part of the site adjoining the village hall. The nearest proposed dwellings are at an oblique angle to these dwellings and set on land sloping away from them. Given the context, distances and intervening distances, their amenity is adequately protected and will be further safeguarded at the detailed design stage.

6.65 42 and 43 Ashperton Road (Grade II listed), Goshen Cottage and The Ditch are sited at a significantly lower level than the application site. Having regard to the application site, The Ditch has always been recognised as the dwelling which risks the most impact upon it. To that end, the access is positioned so it is not directly opposite the dwelling and, landscape planting is proposed inbetween it and the nearest proposed dwellings, which also in turn are orientated so as not to directly face The Ditch and furthermore a condition is recommended restricting the height to ridge of these nearest proposed units. Having regard to this and intervening distance, it is considered the amenity of The Ditch is adequately protected and will be further safeguarded at the detailed design stage. Given the orientation and existing context regarding 42 and 43 Ashperton Road, it is considered there is no adverse impact upon these dwellings from the proposal.

6.66 Orchard Leaze, The Farm and Westward are all at a distance of over 100 metres from the nearest proposed dwelling, which will have a height to ridge restiction enforced by condition. Furthermore having regard to their orientation and that of the proposed dwellings, landscaping and topography, it is considered there is no adverse impact upon their amenity from the proposal.

6.67 Regarding concerns over noise and lighting, it is considered the existing noise from the A417 provides significant background noise levels. Given there are already over ten dwellings hereabouts, a further ten dwellings is not considered to create such additional disturbance above that existing to justify refusal. Similarly the light from the proposed development and associated vehicular movements would not be so detremental or out of context, given this is a village with post War estate and primary school, located on an A road and opposite linear ribbon development and adjacent to a well used village hall (one located in an elevated position with hardstanding providing vehicular parking adjoining the road and dwellings opposite) to justify refusal or demonstrate an unacceptable impact on the character and apperence of the area.

6.68 As such having regard to the proposed layout and proposed conditions regarding landscaping and specific height to ridge, the context of existing dwellings in the vicinity and adjoining the site

and ability at the Reserved Matters stage to further safeguard amenity, it is considered there is no adverse impact on existing adjoining residential amenity. Furthermore it is considered the proposal will ensure future occupiers of the dwellings will also have suitable and significant levels of amenity.

Surface Water, Drainage and Flooding

6.69 Flood risk and drainage aspects have been assessed, with information obtained from the following sources:

- Environment Agency (EA) indicative flood maps available through the EA website;
- EA groundwater maps available through the EA website;
- Ordnance Survey mapping;
- Strategic Flood Risk Assessment for Herefordshire;
- Core Strategy 2011 - 2031.

6.70 Furthermore Officers have discussed the proposal in regards surface water, drainage and flooding with the Council's and applicants' drainage consultants in detail.

6.71 The application site is a greenfield site. The site area is stated to measure 0.8 hectares (ha). The site is located within the catchment of the River Frome, located approximately 1.4km north of the site.

6.72 Fluvial Flood Risk – the site is located in the low risk Flood Zone 1, where the annual probability of flooding from fluvial sources is less than 0.1% (1 in 1000). A FRA has been submitted by the Applicant and confirms the low risk to the site from fluvial flood risk. Officers concur with this assessment.

6.73 Other Considerations and Sources of Flood Risk – The submitted FRA considers the risk of flooding to the development from off-site overland flows, groundwater, reservoirs and sewers to be minimal. Again, Officers concur with this assessment.

6.74 A revised outline surface water drainage strategy, showing how surface water from the development will be disposed of was provided following comments and discussion with the Council's Drainage consultants. The drainage strategy demonstrates how discharges from the site are restricted to no greater than pre-developed rates (with climate change allowance) between the 1 in 1 year event and up to the 1 in 100 year event and allowing for the potential effects of climate change.

6.75 A sustainable drainage solution is considered to be demonstrated and deliverable at this site, complying with relevant planning and legislative criteria. The most important function of this drainage strategy is to demonstrate that the development will not increase flood risk elsewhere.

6.76 The amended FRA and supporting Technical Note demonstrates infiltration is not viable. As such attenuation and controlled discharge to a watercourse is the preferred option of surface water management in the hierarchy set out in the NPPF consisting of controlled discharge to an existing watercourse. As such the surface water drainage strategy for the site utilises an attenuation basin and control chamber, such as a Hydrobrake, along with other surface water conveyance features (swales) to ensure that water quality parameters are met. surface water runoff will be discharged to a local watercourse (the disused canal) to the north east of the development. Discharging all surface water runoff from impermeable areas to the north east does change the hydrology of the site slightly, however this involves a slight decrease of runoff onto the adjacent highway.

6.77 Controlled discharge to 2 l/s will ensure flood risk downstream of the site is not increased. In order to achieve this runoff rate attenuation is required. Calculations carried out on

MicroDrainage demonstrate that a volume of 121m^ is required for the proposed development. Attenuation can be provided in a number of forms including ponds, basins, tanks, swales, permeable paving etc. however due to the varying levels at the site, and for water quality purposes, above ground storage in a basin is proposed.

6.78 Due to the levels on and around the site, the basin will be positioned to the north east of the proposed dwellings, between the development and the disused canal. This will also allow surface water conveyance downstream of the basin in a swale ensuring that with the basin and swale there are two treatment stages in the SuDS train. The number of stages of treatment that are considered to be acceptable depend on what treatment structure was being proposed at each stage. However, if the treatment train includes permeable paving, two stages are typically considered acceptable for a residential development. For a development of the size proposed here, the use of SUDS to provide natural treatment of runoff is welcomed and supported.

6.79 Roadside swales have also been included within the development, primarily as an aesthetic feature, however, they will add small amounts of attenuation and will act as an additional treatment stage to aid water quality. Furthermore the significant landscape planting will further add attenuation and aid water quality. During the detailed design stage, it is possible that other attenuation features are utilised in the surface water drainage of the site, however it is considered that a minimum two treatment stages should be present for all runoff from any trafficked areas as proposed (and agreed by the Council's Drainage consultant).

6.80 Regarding climate change allowance, the Flood Risk Assessment discusses a 30% allowance for climate change. As this document predates the new EA guidance the Council's Drainage consultants consider a 30% allowance to be acceptable. During events more extreme than the design storm (Q100 plus climate change) surface water flows will follow the topography of the site. This will result in runoff to the north east which would likely be captured within the basin's spare capacity, or overflow to the local watercourse network. There would also be some runoff to the highway to the west of the site, replicating the existing conditions, though it is worth noting that this would occur far less frequently than under the current conditions and also does not factor in the landscape planting proposed and other potential attenuation measures possible.

Ecology

6.81 A Phase 2 protected species survey and assessment has been undertaken to support the application and following original comments from the Council's Conservation Manager (Ecology). A great crested newt presence was identified in several of the off-site ponds including breeding. Some bat activity associated with foraging and commuting was identified at the site and these results are herewith presented. No signs of a hazel dormouse presence were identified via the survey methodology at the survey site. No signs of other protected species groups were identified and no further dedicated surveys for other protected species were undertaken, nor are deemed necessary.

6.82 The site with current proposals for change and the identified flanking and nearby habitat components, was considered relatively easy to access leaving negligible potential for oversight of ecological matters within the assessment. No other protected species or habitats issues were identified other than the possibility of nesting birds in due season.

6.83 Great crested newts are present within a metapopulation, and dispersal and terrestrial use of the open grassland cannot be ruled out albeit to a limited extent. It is the Council's position that appropriate mitigation and habitat enhancement is possible within the development proposals to minimise any negative effects on this population and its favourable conservation status. A mitigation package will need to be devised and a European Protected Species Mitigation licence acquired prior to any potentially disturbing works. This is likely to involve fencing off from the

development site during works and habitat creation for dispersal and terrestrial habitat connectivity. Appropriate conditions are recommended to secure this, as is standard practice.

6.84 The use of the site by bats is limited and it is considered that diversification of the habitat via the proposals contained within the development will positively enhance the potential for use of the location by the commoner bat species. A lighting strategy will need to be adopted.

6.85 The site has low ecological value in itself, comprising agricultural pasture/ grazing land. The Council's Conservation Manager (Ecology) has found the relevant ecological assessments satisfactory and notes the significant opportunities of ecological and biodiversity enhancement. The significant planting strategy is also welcomed as part of this.

6.86 The proposal is therefore considered to conserve and enhance the biodiversity of the area and create new biodiversity features and wildlife habitat over and beyond the existing situation. As such Core Strategy Policy LD2 – *Biodiversity and geodiversity* is satisfied, along with the relevant aims and objectives of the NPPF.

Highways

6.87 The applicant proposes visibility splays of 2.4m x 120m, this is acceptable in this location, the hedge will need to be set back to allow growth,. There will need to be a footpath linking to a suitably located crossing with similar spay to accommodate safe crossing.

6.88 The development would benefit from a footway cycle link to the village hall to the south and the internal layout needs to be to adoptable standards including turning head, parking, cycleparking, easement strips, etc, the proposed needs to be amended to be included but this can be conditioned.

6.89 The Transportation Manager is satisfied the proposal satisfies Core Strategy policies SS4 and MT1 and also offers opportunities for connectivity between the development and village. Technical standards regarding the internal roadway, turning and parking areas are secured through condition.

Summary

6.90 The proposal represents sustainable, proportionate residential development in a settlement designate for such growth. In weighing the planning balance, the delivery of ten dwellings in such a location and having regard to the Council's housing land supply position and no detrimental impact regarding highway safety, heritage assets, drainage and ecology (indeed there are material benefits) outweighs any landscape impact or harm, which officers note is mitigated through sensitive locating and orientation of the proposed units, and a comprehensive landscaping strategy which can be enforced and protected through conditions.

6.91 Officers also note the lack of either housing delivery hereabouts historically and the absence of any other sites previously or currently coming forward to deliver housing growth in the locality. Furthermore it is also highlighted the Neighbourhood Plan is a significant distance away from having any weight.

6.92 As such, when assessed against local and national planning policies, approval is recommended.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

1. C02 – Time limit for submission of reserved matters (outline permission)

2. **C03 – Time limit for commencement (outline permission)**

3. **C04 – Approval of reserved matters**

4. **C06 – Development in accordance with the approved plans**

5. **Drainage and surface water mitigation details and implementation**

6. **C62 – Restriction on height of building**

7. **C63 – Restriction on number of dwellings**

8. **C87 – Earthworks**

9. **C90 – Protection of trees/hedgerows that are to be retained**

10. **C95 – Details of Boundary treatments**

11. **C96 – Landscaping scheme**

12. **C97 – Landscaping scheme – implementation**

13. **CA1 – Landscape management plan**

14. **CA4 – Provision of open space areas (outline permissions)**

15. **Nature Conservation – site protection**

16. **Habitat Enhancement Scheme – Approval and implementation**

17. **CAB – Visibility splays**

18. **CAE – Vehicular access construction**

19. **CAL – Access, turning area and parking**

20. **CAR – On site roads – phasing**

21. **CB2 – Covered and secure cycle parking provision**

22. **CAH – Driveway gradient**

23. **CAG – Access closure**

24. **CAJ – Parking – estate development**

25. **CAP – Junction improvement/off site works**

26. **CAS – Road completion in 2 years**

27. **CAT – Wheel washing**

28. **CAZ – Parking for site operatives**

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. **N11A – Wildlife and Countryside Act 1981 (as amended) – Birds**

3. **N11C – Wildlife – General**

4. **I42 – European Protected Species Licence**

5. **I06 – Public rights of way**

6. **The applicant is encouraged to consider utilising the new off-site attenuation pond as part of the Great Crested Newt mitigation/enhancement plan and EPS Licence**
7. **External lighting and ecology**

8. **I11 – Mud on highway**

9. **I45 – Works within the highway (Compliance with the Highways Act 1980 and the Traffic Management Act 2004)**

10. **I08 – Section 278 Agreement**

11. **I07 – Section 38 Agreement & Drainage details**

12. **I35 – Highways Design Guide and Specification**

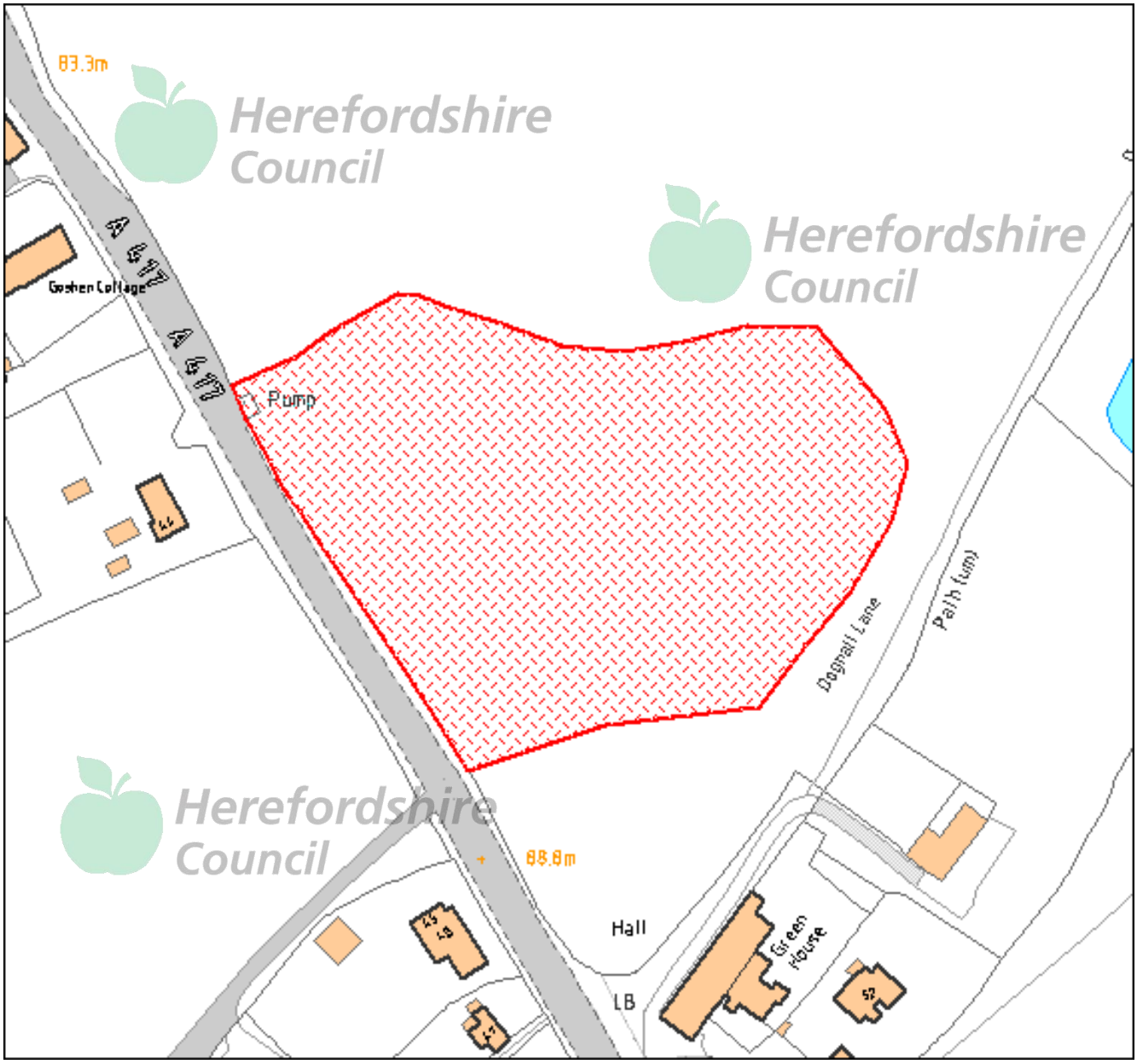
Decision: .....

Notes: .....

.....

Background Papers

Internal departmental consultation replies.



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APPLICATION NO: 152041

SITE ADDRESS : LAND TO THE NORTH OF ASHPERTON VILLAGE HALL, ASHPERTON, HEREFORDSHIRE

Annex
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Dear Carl

Ref: Planning application 152041 as amended.
Land North of Ashperton Village Hall - Proposed residential development of 10 dwellings

Although Ashperton Parish Council is of the opinion that the revised application for 10 dwellings would result in some reduction to the harm to the character and appearance of the landscape and visual setting of the village, and other harm, it remains of the opinion that the detriment would remain severe and would outweigh any benefit in terms of additional housing. Furthermore, whilst the removal of the northern "cluster" of dwellings would mean that there would be reduced detriment to the living conditions of those residents opposite that part of the site, there would remain significant harm to the living conditions of occupiers of properties to the west of the A417 with regard to outlook.

The Parish Council therefore strongly OBJECTS to the proposed development and this objection replaces that dated 13th August. It is divided into three main sections, the objections, elaboration of objections 1 & 2 and a critique of the Amended Design and Access Statement (DAS), and in particular the Indicative Views.

SECTION 1 The objections

1) The application site forms a key element defining the rural character of Ashperton being continuously visible as an open green hillside in views along the approaching A417 from a point outside the 40MPH speed limit. The development would introduce visually intrusive development of a suburban appearance into the prominent elevated location compromising its essential contribution to the character, appearance and landscape setting of the small rural village of Ashperton.
2) A significant aspect of the character of Ashperton results from it having developed in a piecemeal manner to provide a variety of house sizes and styles but with common threads. Although the proposal has been reduced to one "cluster" of 10 dwellings, this would, nevertheless result in a significant influx of population in one tranche to a village with a central core of around 61 dwellings. The DAS describes the access and layout of the proposal as resulting in a "community" and, given that there would be no pedestrian interconnection with the village, the Parish Council is of the view that the proposal would result in an enclave of uncharacteristic dwellings standing apart from the remainder of the village.
3) Although the applicant now proposes fewer dwellings than in the original scheme, he maintains the original approach to drainage and has not addressed the concerns expressed by local residents and the results of the Council's own internal consultation as to the suitability of the surface water drainage strategy and the (existing) risk of flooding of adjacent low lying properties. The Parish Council therefore considers that an acceptable form of surface water drainage has not been demonstrated. The ground does not drain naturally as can frequently be seen "on the ground" and as demonstrated by the applicant's own percolation tests.

4) The proposed dwellings would be set considerably higher than the properties to the opposite side of the A417, some of which are lower than the road level. Whilst it is acknowledged that there is no "right to a view", and that the indicative plan shows the properties nearest the road removed from the scheme, the proposed dwellings would be set up high above the level of the road such that they would appear overbearing and potentially intimidating, to the significant detriment of the living conditions of the occupiers of those dwellings, with particular regard to outlook.
5) Three of the buildings to the opposite side of the road, No. 42/43, No. 45/46 (Chandlers) and No. 47 [Note: NOT Pound House as indicated in the Village Analysis] are Grade II listed as is No. 52 (Walnut Cottage) on the Village Green. The applicant has provided no description of the significance of these heritage assets as required by paragraph 128 of the National Planning Policy Framework and, given the fundamental errors in the descriptions of listed buildings in the Amended Village Analysis it appears unlikely that any basic analysis can have been undertaken. (In addition to the error described above, the diagram of "Site Analysis – Historical Buildings" describes all listed buildings in the village, with the exception of the former Box Bush Inn, as being "timber frame with sandstone plinth, thatched", including the Church!).
   Whilst it may be that a proper assessment concludes that there is not substantial harm to the significance of these heritage assets and their setting, the effect on the setting, including that on views of No. 52 in views from the north, together with views from footpath AP33 where the roofscape would probably be visible in the background, is a matter which falls to be taken into account in determining the application as is the effect on listed buildings to the opposite side of the A417.
   Without any evidence of proper consideration or evidence to the contrary, the Planning Committee is invited to agree that there would be an <u>adverse effect on listed buildings</u> and their setting and attribute appropriate weight to that harm.
6) The public right of way along the southern boundary of the application site (Footpath AP28) follows the route of Saxon lane from the village of Ashperton, itself Saxon or earlier in origin, to a long abandoned group of dwellings, known as Dognall End, and beyond. Land to the immediate south of the application site, behind the Village Hall, shows signs of potentially having been terraced. In the view of the Parish Council there is potential for archaeological remains on the application site and therefore any grant of planning permission should be subject to appropriate conditions.

The Parish Council acknowledges that the provision of additional housing is at the core of Government Policy and that the Framework has a presumption in favour of sustainable development. However the Parish Council, having received the unanimous views of residents of the village at a special meeting of the Council on 30 March, consider that the proposal is environmentally unsustainable with the adverse effects significantly and demonstrably outweighing any benefit accruing from the provision of 10 additional dwellings.

<u>Given the level of local opposition to the proposed development, and the potential impact on the landscape, the Parish Council requests that the application be determined by the Planning Committee and that a site visit takes place in advance</u>. It is important that members are clear as to the actual impact and do not rely on sketch visualisations which may be misleading.

<u>Section 2 Elaboration on objections 1 & 2</u>

The applicant contends that the proposed development would be substantially screened by the roadside hedge and by the existing landform. This is blatantly not so as a site visit would clearly show. The "cluster" of 10 dwellings would be located either side of a "Homezone" access snaking up from the A417 in a shallow "S" shape from a point just outside the 30MPH speed limit towards the clearly visible Oak tree, with the uppermost property being located in the foreground of that tree in views from the north and from the access. The proposed dwellings would be in full view on rising land in many views above the hedgerow and through the gap in the hedgerow to provide highway visibility.

Furthermore, whilst the applicant states, in the Landscape Baseline Study, that the site is not visible from Footpath AP33 the Council consider that this claim has not been substantiated and that the roofscape would probably indeed be visible between hedgerow trees, extending back from the main road.

The applicant describes the site layout as being along a "Homezone" access. The concept of Homezones, as described by the Institute of Incorporated Highway Engineers in their Design Guidelines, is more applicable to larger suburban schemes where they provide access for vehicles, pedestrians and cyclists into and through residential development of generally larger scale. The proposal does not follow the Guidelines and the Parish Council suspect that this term may have been used loosely by the applicant to describe a shared surface access which, even so, would still appear suburban in nature and out of character in its elevated location on the edge of a rural village.

The application site is currently an elevated hillside open pasture which is a defining feature of the character, appearance and landscape setting of the village and its existing buildings. The development would be prominent and obtrusive and

would result in a degradation or total loss of this crucial landscape feature. Its replacement with built development of a suburban nature would hijack views from the north when entering Ashperton. The suggested landscape planting, which is not included in the outline application and which no longer includes the "Community Orchard" proposed in the original scheme, would do little to screen these views, even after several years, and would, in itself be incongruous in its setting. The development would NOT be in keeping with the linear nature of the existing village but would introduce in-depth development on rising ground in the form of a HIGHLY VISIBLE and OBTRUSIVE development of a suburban character into a small rural village and hence be ENVIRONMENTALLY UNSUSTAINABLE. The Parish Council contend that the development would cause severe permanent detriment to the character and appearance of Ashperton and its landscape setting, contrary to Herefordshire Core Strategy Policy SS6 and the aims of the National Planning Policy Framework regarding protection of the built and natural environment.

Section 3 the Design and Access Statement

The Parish Council considers that the Statement aims merely to justify the scheme by stating, without justification, that it has been designed with careful consideration of the local context and vernacular. Given the many errors and shortcomings in the statement it is difficult to accept this claim. The text that follows does not attempt to identify all the errors and omissions in the Statement.

The Statement explains that the "vision" is new housing in Ashperton that is distinctively site specific, rural and "Herefordshire" in the design of housing, layout, orientation and landscape. The application is in outline with only access and layout for determination.

Whilst the application has been amended, unfortunately the Statement has been hastily edited and does not always reflect the amendments to the application, such as repeated references to the "northern cluster", the screening provided by the community orchard planting, the provision of the new village green area and the additional parking for the Village Hall, none of which form part of the current application.

Strangely, the Statement also refers to the proposal continuing the linear pattern of development in the village and repeatedly claims that it is located on lower ground, whereas the reality is that the proposal is for development in depth on rising ground to a ground level almost 5m above the road level at the access, at an approximately 45° angle to the main road, to a point around 100m from the A417. The depth of the development can be seen in the views that follow.

Similarly reference is made to analysis of the village context including listed buildings and village character. Given that no details of such analysis have been provided other than in a Village Analysis Study that refers to all the listed buildings, with the exception of the former Box Bush, as being timber framed and thatched (including the Church) and one of the listed buildings being incorrectly identified, very little faith can be given to this "study" or the claim that listed buildings have been taken into account in the development of the scheme.

The Statement suggests that the density of housing proposed is 12.5 d.p.h. as opposed to 30 d.p.h. in the Herefordshire UDP. The Core Strategy refers to an average NET density across the County with local variation. The figure of 12.5 is a gross figure which does not take into the landscaping area (which it is inferred would be public open space) or the access (See Proposed Adoption Plan). A realistic net figure would be more near to 25 d.p.h. The diagram in the Statement clearly shows that the density proposed is higher than that prevailing in the village. Note that the diagram also shows existing outbuildings, barns etc. which gives a distorted impression of residential density.

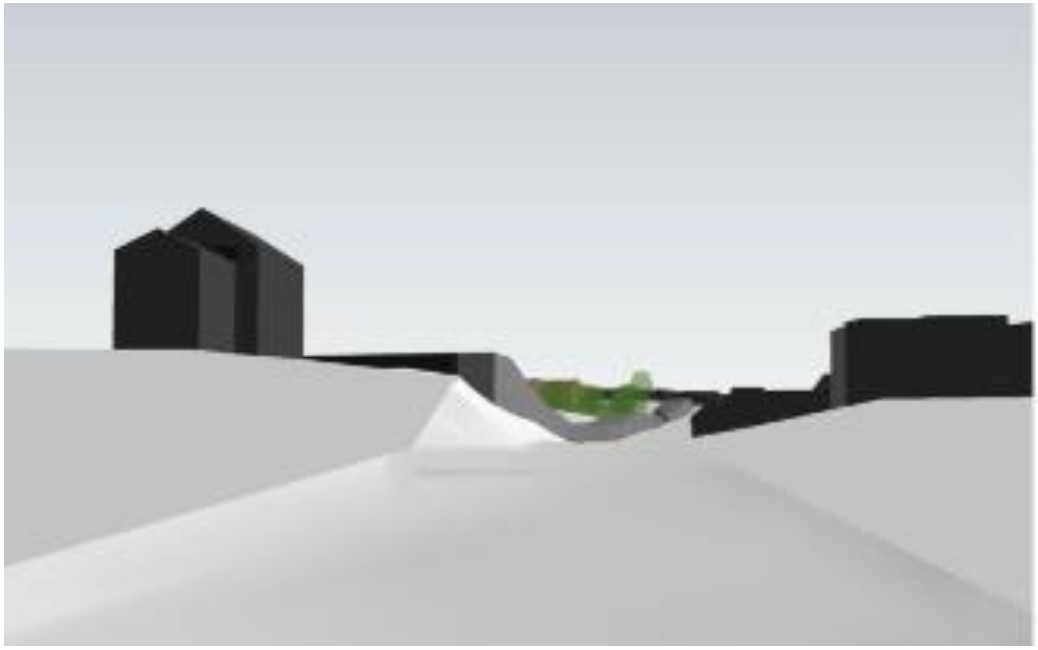
The Statement claims that the proposal has been designed with sensitively (sic) with gables rather than main elevations facing the road. Such an arrangement would be generally uncharacteristic of Ashperton but, in any event, the layout clearly shows the dwellings aligned alongside either side of the access which runs at approximately 45° to the A417.

In the pages that follow each of the indicative views included in the Statement is compared with a Google Streetview image from, as near as possible, the same viewpoint. It can be clearly seen that the claims as to the scheme continuing the linear development of the village, avoiding higher ground and maintaining views are without foundation.

Yours Sincerely

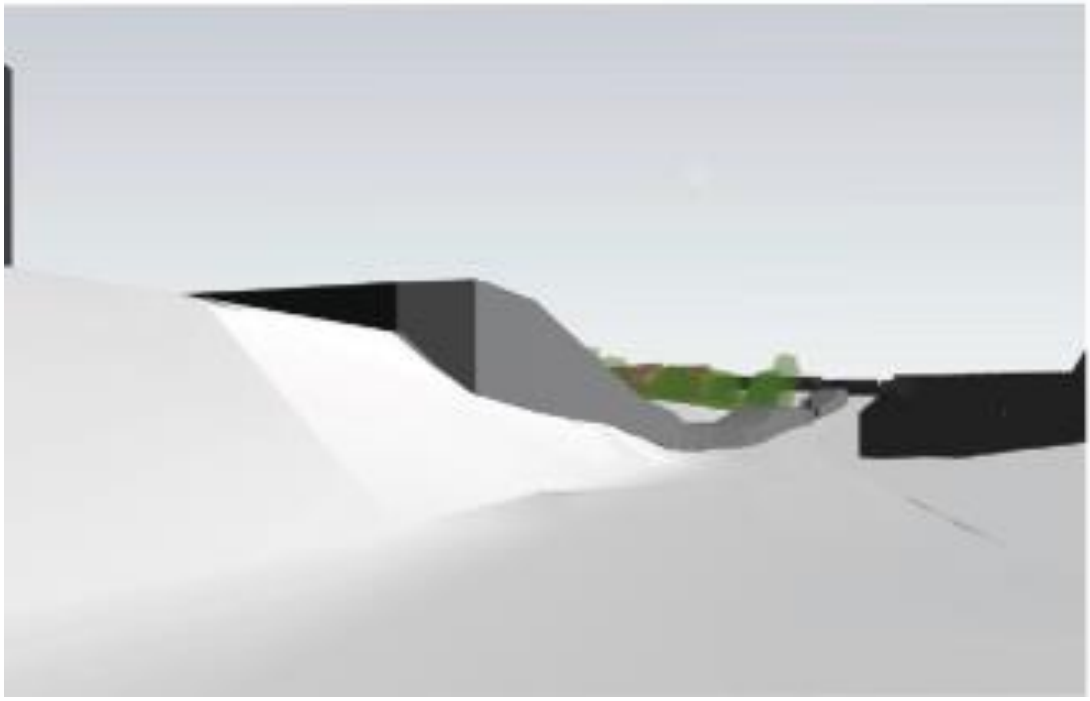
J L Chester

Janet Chester
Clerk to Ashperton Parish Council



Indicative view from north 1. This view cannot be reproduced. As soon as buildings to the right side of the road come into view the "Old Police House" on the left cannot be seen. As with all the indicative views the existing buildings are shown in solid black/grey which exaggerates their bulk and mass whilst the proposed dwellings are shown in pastel orange which lessens their apparent impact. Compare with Google Streetview image from the same point on the road.

Note the dwellings on the right hand side of the road are screened from view and do not have the same appearance as indicated in the indicative view. The proposed dwellings would extend back from the road from a point in front of the Village Hall (indicated by blue arrow) across the view of No 52 (grade II listed) (indicated by orange arrow). Approximate extent of development indicated by the black line. Most of the iconic green sward would be lost.



Indicative view from north 2. Again massing and colouring of existing dwellings is deceptive. Effect of hedge exaggerated.

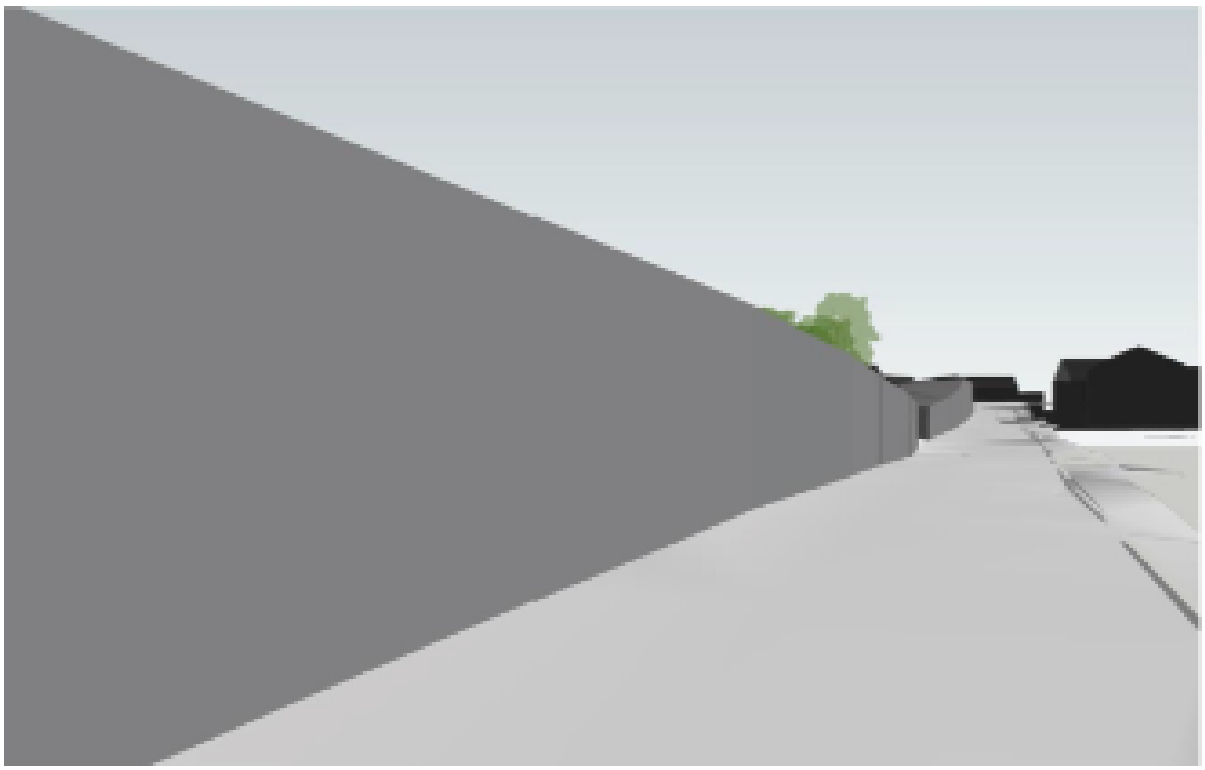
Same viewpoint as indicative view 2. Note existing buildings on right not visible let alone dominant in the view. Proposed dwellings would be highly visible extending back in depth from the main road.

Indicative view from north 3. The accompanying text suggests that "The orchard planting screens the southern (*sic*) cluster". The orchard planting no longer forms part of the application. Colouring again deceptive.

Looking south from the same viewpoint. The most easterly dwelling would be in front of the oak indicated by the green arrow not the one indicated by the red arrow which is in the field beyond. Note lack of screening by hedge and the depth of the proposed development. The proposed development would appear to cover most of the width of the sward.

Indicative view from north 4. Compare with Streetview.

Whilst the floor level of some of the houses would be obscured by the highest ground, the highest point is only around 2m above the floor level of the most easterly of the dwellings and around the same level as the highest of the dwellings.

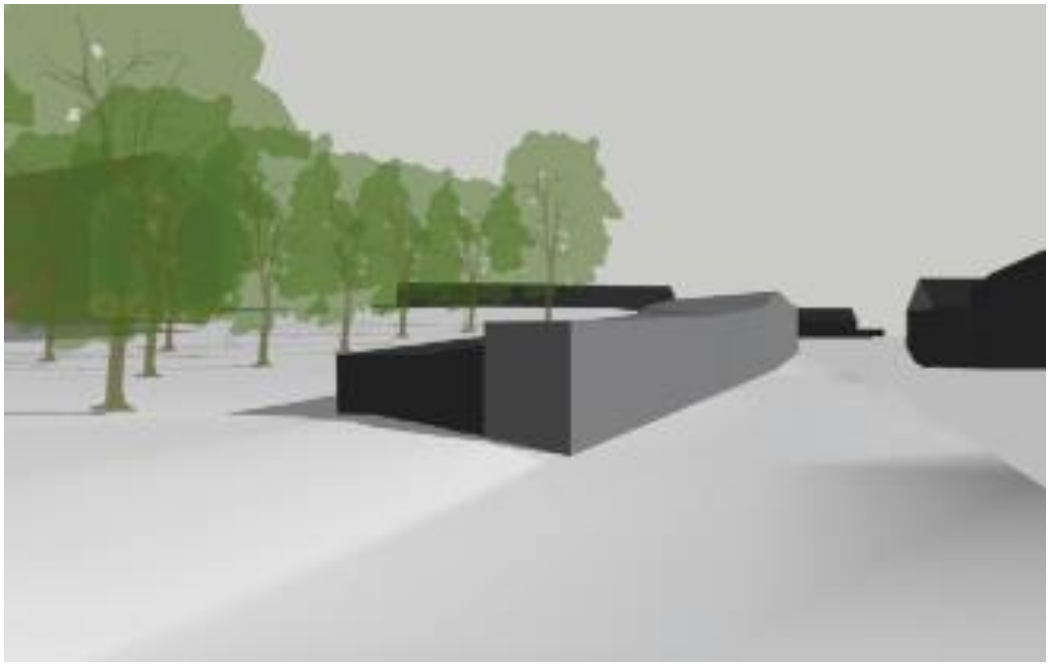


Indicative view from the north 5. Screening by hedge grossly exaggerated. Reference in text to the orchard being visible behind the hedge.

Development would be clearly visible behind/above hedge. Hedge would be cut back to provide visibility for the entrance in the approximate location of the car.

Indicative view from the north 6. Screening from hedge exaggerated. Text refers to the additional village green area which no longer forms part of the application.

Similar viewpoint. Note level of hedge and lack of prominence of existing buildings.

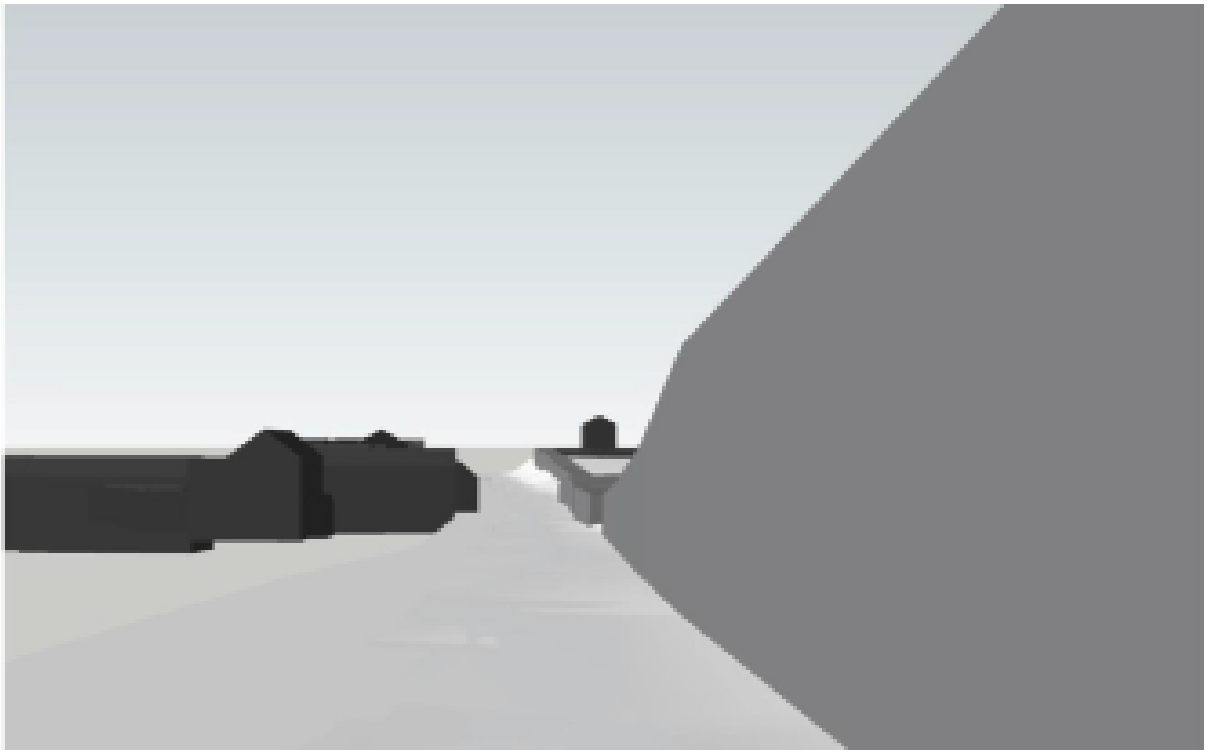


Indicative view from north 7. Cut back of hedge for visibility not shown and screening effect of proposed trees (in full leaf) appears exaggerated. Compare with view below which looks slightly more to the left.

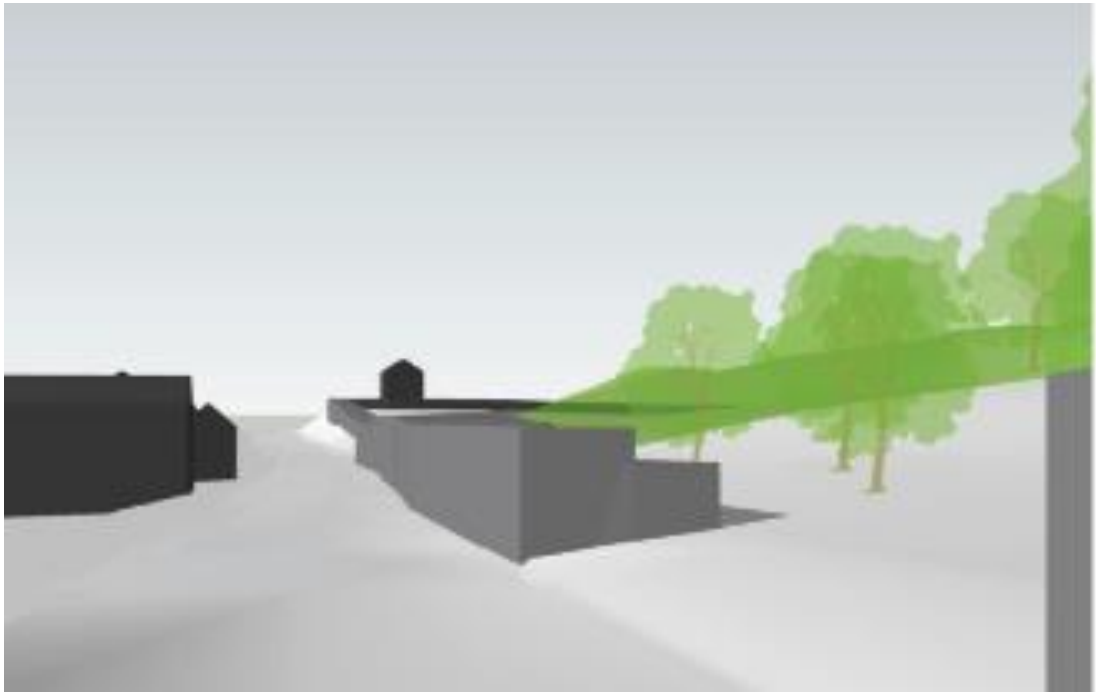
The access "Homezone" driveway would climb to a point approximately as indicated by the red arrow, almost 5m above the road at this point, with dwellings on either side. The most easterly dwelling would be located in front of the oak tree indicated by the green arrow.

Indicative view from the south 1

Similar viewpoint but northbound lane.



Indicative view from the south 2. Text refers to the northern cluster. Screening of hedge again exaggerated as is the massing of properties to the opposite side of the road.



Indicative view from the south 3. Visibility splay not shown. Text refers to elevations of buildings being visible but these are not shown.