

DELEGATED DECISION REPORT

APPLICATION NUMBER

193565

Middle Park, Coughton, Ross-On-Wye, HR9 5SF

CASE OFFICER: Ms Elsie Morgan

DATE OF SITE VISIT: 27 November 2019

**Relevant Development
Plan Policies:**

**Herefordshire Local Plan – Core Strategy
Policies:**

SS1 Presumption in Favour of Sustainable Development

SS6 Environmental quality and local distinctiveness

MT1 Traffic Management Highway Safety & Active Travel

LD1 Landscape and Townscape

SD1 Sustainable Design and Energy Efficiency

SD3 Sustainable Water Management and Water Resources

SD4 Wastewater Treatment and River Water Quality

**Walford Neighbourhood Development Plan
(Regulation 14 stage submitted 20 December 2021)**

National Planning Policy Framework (NPPF)

Chapter 2 Achieving sustainable development

Chapter 4 Decision Making

Chapter 12 Achieving well-designed places

Chapter 15 Conserving and enhancing the natural environment

Relevant Site History: None

CONSULTATIONS

	Consulted	No Response	No objection	Qualified Comment	Object
Parish Council	X		X		
Transportation	X		X		
Ecologist	X		X		
PROW	X		X		
Natural England	X		X		
Site Notice	X	X			
Local Member	X		X		

PLANNING OFFICER'S APPRAISAL:

Site description and proposal:

The site is in a steep, wooded area of Howle Hill, 2 miles to the north-east of Kerne Bridge, just within the Wye Valley Area of Outstanding Natural Beauty. It lies in the immediate setting of a small former cottage/dairy that forms part of the 27 acre Middle Park Farm smallholding just to the north of the main house. The Coughton Marsh Site of Special Scientific Interest lies a mile to the west of the site.

The application seeks permission for the construction of a building over two floors, for the purposes of agricultural storage and residential accommodation on the first floor. This would utilise barn-style form under pitched roof. The ground floor would be faced in local rubble limestone in order to echo the limestone construction of the adjacent house and cottages. The upper storey would be clad in black, charred-timber that references the charcoal-burning industrial heritage of the Forest of Dean and the timber cladding on the main house.

Representations:

Parish Council – No objection

"The Parish Council has no objections to this application"

Transportation – No objection

"No objections to the proposed. Proposal is acceptable subject to the inclusion of conditions and informatives below"

Ecologist – No objection

"The supplied ecology report is noted and appears relevant and appropriate. The proposed mitigation, risk avoidance measures and biodiversity net gain enhancements should be secured by condition on any consent granted.

In respect of the required HRA process the following notes and comments are now made.

The proposal is for ONE two story building with agricultural storage on the ground floor and residential accommodation on the first floor.

The site is located in the 'English' lower Wye catchment of the River Wye SAC.

Natural England have not currently advised the LPA that the 'English' Lower Wye SAC catchment is failing its conservation status

There are no local mains sewer systems.

Foul Water

- The applicant and supporting drainage strategy layout plan indicates that a new private foul water system will be installed to manage all foul water from the proposed development.
- Percolation tests produces an average Vp rate of 31.5 s/mm which is deemed acceptable.
- For foul water a new Package Treatment Plant is proposed prior to discharge via a drainage field. Calculations to determine the dimensions of drainage field indicate that the proposed size to be 32 m².
- The LPA has no reason to consider that the soakaway field is not suitable or sufficient to manage the effluent discharged by the new.
- The proposed private foul water system can be secured by condition on any planning consent granted.

Surface Water

- For surface water drainage a 143 m² soakaway is proposed.
- The LPA has no reason to consider that this surface water management scheme cannot be achieved at this location.
- The proposed surface water management scheme can be secured by condition on any planning consent finally granted.”

PROW – No objection

Natural England – No objection to HRA

Site Notice – No response

Local Member – Updated via email. Cllr is content for determination to be made under delegated authority.

Pre-application discussion: 181545/CE

Constraints:

PROW nearby
Protected Species nearby
SSSI Impact Zone
AONB
SWS nearby
Ancient woodland nearby

Appraisal:

Policy context and Principle of Development

Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states as follows:

“If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.”

In this instance the adopted development plan is the Herefordshire Local Plan – Core Strategy (CS). It is also noted that the site falls within the Walford Neighbourhood Area, which published a draft Neighbourhood Development Plan (NDP) for Regulation 14 consultation on 20 December 2021. At this time the policies in the NDP can be afforded very limited weight as set out in paragraph 48 of the National Planning Policy Framework 2019, which itself is a significant material consideration.

The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) (the 2012 Regulations) and paragraph 33 of the National Planning Policy Framework requires a review of local plans be undertaken at least every five years in order to determine whether the plan policies and spatial development strategy are in need of updating, and should then be updated as necessary. The Herefordshire Local Plan Core Strategy was adopted on 15 October 2015 and a review was required to be completed before 15 October 2020. The decision to review the Core Strategy was made on 9th November 2020. The level of consistency of the policies in the local plan with the NPPF will be taken into account by the Council in deciding any application. In this case, the policies relevant to the determination of this application have been reviewed and are considered to remain entirely consistent with the NPPF and as such can be afforded significant weight.

The proposal seeks to construct a relatively large building over two floors providing agricultural storage at ground level with a one bedroom ancillary accommodation unit above.

The Herefordshire Core Strategy does not have a specific policy relating to the provision of residential annexes. However, it is generally accepted planning principle that in order to meet the definition of ancillary accommodation, an annexe must be subordinate to the main dwelling and its function supplementary to the main use of the existing residence. The most relevant CS policy in this regard would be SD1, which requires that development proposals should respect surrounding development and uses whilst safeguarding good standards of amenity for both existing and proposed residents.

In considering the principle of this building as an annexe, it is considered to be acceptable given its proximity with the host dwelling and subservient relationship with Middle Park due the sloping topography of the site. There would be clear dependencies between the building and main residence, including the shared access and curtilage, whilst the storage facilities below further aid in the building reading as ancillary to the main residence. The occupation of the annexe would be restricted to ancillary uses only through planning conditions.

The scale is relatively large being over two floors and of long barn form, however the footprint appears acceptable enabling sufficient provision of storage whilst the amended scheme reduces the overall height as much as possible still allowing space for the annexe unit above. The larger building would replace a number of older storage buildings in a state of disrepair, which would be visually beneficial in rationalising the built form on the site. Furthermore, the site is heavily wooded and largely hidden from wider views, as such there would be no adverse impact upon the AONB setting.

The buildings has been designed to sit within the slope of the site being partially built into the hillside, the accommodation accessed through first floor doors to the south east with the ground floor storage access to the north west elevation. The proposal utilises a long barn type form of simple rectangular form under a pitched roof which is considered appropriate within the rural agricultural setting. Materials have been chosen to reflect that of the host dwelling and surrounding cottages includeing local rubble limestone and timber cladding. In regards to the design and materials I consider them to be suitable for the site and context of surrounding structures and in line with both CS LD1 and SD1 in this regard.

There is not considered to be adverse amenity impact with regards to nuisance or overlooking given the ancillary use, appropriate fenestration and orientation in relation to the host dwelling.

In regards to ecology & biodiversity matters generally on the site, Policy LD2 of the CS is most applicable in considering matters of ecology and this broadly requires that all developments should conserve, restore and enhance the biodiversity assets of the county through a range of measures.

The application is supported by a submitted ecology report which has been reviewed by the Council's Ecologist. The proposed mitigation, risk avoidance measures and biodiversity net gain enhancements are secured by condition.

The application sites is located within the Bailey Brook sub-catchment of the wider River Wye SAC and as such the Habitat Regulations Assessment (HRA) process applies to this proposal. The Council's Ecologist has reviewed the submitted proposal and undertaken the required Appropriate Assessment (AA) which concluded that there would be no likely adverse effects upon the integrity of the River Wye SAC. The HRA AA was submitted to Natural England for review and no objection was raised to its conclusions.

In summary, the proposal is found to be acceptable in principle as the building would remain in ancillary residential and storage use to the function of the main residence. The proposal would not introduce any issues with regards to visual or amenity. No technical objections have been raised by consultees and no conflict identified with local and national policy, accordingly the application is recommended for approval subject to the below conditions.

RECOMMENDATION: **PERMIT** ☒ **REFUSE** ☐

CONDITION(S) & REASON(S) / REASON(S) FOR REFUSAL:
(please note any variations to standard conditions)

1. C01
2. C07
3. C64
4. C79
5. CE6
6. CAI
7. CB2
8. The ecological protection, mitigation, compensation and working methods scheme including the Biodiversity net gain enhancements, as recommended in the ecology report by CEC Ltd dated March 2019 shall be implemented and

hereafter maintained in full as stated unless otherwise approved in writing by the local planning authority. No external lighting should illuminate any boundary feature, adjacent habitat or area around the approved mitigation or any biodiversity net gain enhancement features.

Reason: To ensure that all species are protected and habitats enhanced having regard to the Wildlife and Countryside Act 1981 (as amended), the Habitats & Species Regulations 2017 (as amended), Policy LD2 of the Herefordshire Core Strategy, National Planning Policy Framework (2019) and NERC Act 2006

9. As detailed in supplied plans and reports all foul water shall discharge to a new private foul water system (Package Treatment Plant) discharging to a suitable soakaway drainage field on land under the applicant's ownership and all additional surface water shall be managed by appropriate sustainable drainage systems; unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to comply with Conservation of Habitats and Species Regulations 2017, as amended by the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019' (the 'Habitats Regulations'), Wildlife & Countryside Act (1981 amended) National Planning Policy Framework, NERC Act (2006) and Herefordshire Local Plan - Core Strategy policies SS1, SS6, SD3, SD4 and LD2

Informatives

1. IP2
2. I11
3. I05
4. I47
5. I35



Signed:

Dated: 16/6/22

TEAM LEADER'S COMMENTS:

DECISION:

PERMIT

☒

REFUSE

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Signed:



..... Dated: 16 June 2022.....

Is any redaction required before publication? No