

# DELEGATED DECISION REPORT

## APPLICATION NUMBER

### 180495

Land at Limefields Cottage, Wormelow, HR2 8EL

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**CASE OFFICER:** Abigail Molyneux

**DATE OF SITE VISIT:** 22/2/2018

**Relevant Development  
Plan Policies:**

**NPPF**

**Core Strategy** SS4,SS5, SS6, SS7, RA5, RA6, E4, SD1, SD3, SD4, MT1, LD1, LD2.

**Neighbourhood  
Development Plan** Pre Draft Plan Stage therefore no weight can be given at this time.

**Relevant Site History:** N/A

### CONSULTATIONS

	Consulted	No Response	No objection	Qualified Comment	Object
Parish Council	X	X			
Ecologist	X		X		
Transportation	X		X	X	
EHO (noise/nuisance)	X		X		
Site Notice	X			X2	
Local Member	X		X		

### PLANNING OFFICER'S APPRAISAL:

#### Site description and proposal:

Limefields Cottage is a two-storey rendered dwelling situated within the parish of Llanwarne. Access to the site is from the A466 via a 200 metres farm track which is shared with the only neighbouring dwelling, 'Limefields'. The site is approximately 150 metres to the east of the A466, to the south of Wormelow. Intervening land is notably flat and a dense belt of trees filters views of the sites buildings.

Since its original submission the plans were amended to extend the red line to the highway, this resulted in a notice being sent to the land owner of the access road and a second reconsultation process was undertaken.

The application seeks consent for the erection of a timber cabin for use as a holiday let and the erection of a timber pole barn.

The proposed timber cabin will be 6.4m X 5.2 and will be 6.1m in height from the ground floor.

The proposed pole barn will be 11.6m X 4.7m and will be 4.2m in height. The pole barn is to be used in conjunction with the applicant's small holding.

Representations:

**Ward Member** – *An email was sent to the ward member on 08 May 2018 requesting confirmation that the application could be determined under delegated powers. No response to date has been received and so delegated authority is assumed.*

**Parish Council** – No response.

**Transport (first response)** – *Further information should be supplied showing parking arrangements.*

**Transport (second response)** - *The parking spaces do not meet HC size guidance. Turning area is too small to accommodate turning vehicles.*

**Transport (third response)** - CAH, CAL, CAZ, CB2 I11, I09, I05, I47, I35.

**EHO (Noise/Nuisance)** - *From a noise and nuisance perspective our department has no objections to this proposal.*

*Informative Private Water Supplies*

*The proposed development may not have access to mains water and be reliant on a private water supply. The applicant is advised that if this is the case the Private Water Supplies (England) Regulations 2016 and the Water Supply (Water Quality) Regulation 2016 are likely to apply. In accordance with these Regulations the water must be of a potable and safe standard.*

*When the water supply is used for commercial purposes the Private Water Supplies (England) Regulations 2016 specify that the water supply cannot be used until it has been risk assessed by the local authority's private water supplies team (01432 261761) and found compliant.*

*Applicants that are connecting to existing private water supplies or accessing sources of water on land over which they have no control are advised to give careful and specific attention to contractual/civil. arrangements including rights of access, maintenance arrangements, provision of alternative water supply are agreed in writing at the outset.*

**Ecologist** - *I note that a new septic tank with final outfall to a soakaway is proposed, based on this information I can not identify any unmitigated 'Likely Significant Effects' on the River Wye SSSI/SAC from this development.*

*In line with NERC Act, NPPF Guidance and Core Strategy all developments should demonstrate how they are going to enhance the local biodiversity potential. To secure this I would request a relevant Condition is included on any Planning Consent granted.*

**Nature Conservation – Enhancement**

*Within 3 months of completion of the building works evidence (such as photos/signed Ecological Clerk of Works completion statement) of the suitably placed installation of at least ONE bat roosting enhancements (habitat boxes, tubes, tiles, bat bricks, raised weatherboarding with bitumen felt); TWO bird nesting boxes and ONE pollinating insect habitat home built in to, or attached to the new buildings or on land or buildings under the applicant's control, should be supplied to and acknowledged by the local authority; and shall be maintained hereafter as approved unless otherwise agreed in writing by the LPA.*

*Reason: To ensure that all species are protected and habitats enhanced having regard to the Wildlife and Countryside Act 1981 (as amended), the Conservation (Natural Habitats, &c) Regulations 1994 (as amended) and Policy LD2 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework, NERC 2006*

**Informative:**

*I would suggest advice should be sought from an appropriately experience ecologist or bat worker. Habitat boxes should be suitably hard wearing and durable eg Schwegler woodcrete, Greenwood habitat's 'ecostyrocete' or similar. No external lighting should illuminate any of the enhancements, surrounding woodland habitat or other boundary features beyond any existing illumination levels and all lighting on the development should support the Dark Skies initiative (DEFRA/NPPF Guidance 2013).*

**Neighbour representation** – *I am writing to you as owner of Limefields, Wormelow, property opposite proposed site address and as such feel I should make my views known.*

*Firstly I am not against a log cabin in principal, but I feel it should be sited as such that the entrance is shared with the existing entrance to Limefields Cottage. There is a gateway already at the proposed entrance into a field, but this would have to be widened to be appropriate for use. At the moment it is only meant for agricultural use, I refer to document enclosed section 10.*

*I also think the proposed entrance would have a detrimental effect on the lane - it already floods at the bottom when there is long periods of rainfall.*

*The application as it stands is for a log cabin but, if passed, would there be conditions put in place so it could not be altered to a larger property in the future?*

**Neighbour representation** – *We are writing in regards to the planning application reference P180495/F.*

*The application is for the erection of a timber cabin as a holiday cottage and separate pole barn at Limefields Cottage, Wormelow.*

*We support the plans as they are represented in the application.*

*However, as neighbour and owners of a two bed holiday cottage within 500 yards of the new construction, we would request that, if passed, a condition is put in place so it could not be altered into a larger holiday let property in the future.*

*We note that the pole barn is within the new boundary that encloses the holiday let cabin, potentially giving opportunity for conversion to a two bedroom or additional holiday let in the future which could have a detrimental impact on our business, hence our request for a condition.*

Pre-application discussion:

None.

Constraints:

Contaminated Land (nearby) and Unregistered Park and Garden (nearby).

Appraisal:

The proposal is for the erection of a timber cabin for use as a holiday let and a small timber pole barn that will be used in conjunction with the applicants surrounding land use.

The application relates to a site within the ownership of Limefields Cottage; a private dwelling found in the open countryside approximately 1.0m to the south of the village of Wormelow. The proposal is to erect a timber cabin on site to be used as a holiday let.

Strategic Policy SS1 of the Herefordshire Core Strategy sets out the presumption in favour of sustainable development, which is reflective of the positive presumption enshrined by the NPPF as a golden thread running through plan-making and decision-taking.

Policy SS1 states that when considering development proposals Herefordshire Council will take a positive approach that reflects the presumption in favour of sustainable development contained within national policy. It will work proactively to find solutions which mean that proposals can be approved wherever possible and to secure development that improves the social, economic and environmental conditions in Herefordshire.

Planning applications that accord with the policies in this Core Strategy (and, where relevant with policies in other Development Plan Documents and Neighbourhood Development Plans) will be approved, unless material considerations indicate otherwise. This is broadly reflective of Paragraph 14 of the NPPF.

Core Strategy Policy E4 is of relevance to proposals for tourism development, and seeks to promote Herefordshire as a destination for quality leisure visits and sustainable tourism by

utilising, conserving and enhancing the County's unique environmental and heritage assets and recognising the intrinsic character and beauty of the countryside.

Policy RA6 states that proposals which help diversify the rural economy will be supported, including proposals that promote sustainable tourism proposals of an appropriate scale in accordance with Policy E4 – Tourism.

Planning applications which are submitted in order to diversify the rural economy will be permitted where they:

- ensure that the development is of a scale which would be commensurate with its location and setting;
- do not cause unacceptable adverse impacts to the amenity of nearby residents by virtue of design and mass, noise, dust, lighting and smell;
- do not generate traffic movements that cannot safely be accommodated within the local road network; and
- do not undermine the achievement of water quality targets in accordance with Policies SD3 and SD4

These policies are underpinned by paragraph 28 of the Framework, which stipulates that development plans should support sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors, and which respect the character of the countryside. This should include supporting the provision and expansion of tourist and visitor facilities in appropriate locations where identified needs are not met by existing facilities in rural service centres.

Paragraph 7 of the NPPF states that there are three dimensions to sustainable development: economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles:

- an economic role – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure
- a social role – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being
- an environmental role – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.

Paragraph 8 outlines that these roles should not be undertaken in isolation, because they are mutually dependent. Economic growth can secure higher social and environmental standards, and well-designed buildings and places can improve the lives of people and communities. Therefore, to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously through the planning system. The planning system should play an active role in guiding development to sustainable solutions.

When assessing the sites suitability and whether the site would represent a sustainable form of development, regard must also be had for Core Strategy Policy SS7 which states that proposals should focus development to the most sustainable locations and reduce the need to travel by private car. This aim is echoed by policies SS4 and MT1, which stipulate that proposals should facilitate a genuine choice of travel modes such as a walking, cycling and public transport.

These policies are reflective of the National Planning Policy Framework objectives to guide development to sustainable locations.

When assessing the site's suitability it can be seen that the site is located within the open countryside, the site is located within the Parish of Llanwarne, the main settlement for this parish is over 1.7km to the south east of the site. The site however is located near to Wormelow which is found less than 750 m to the north of the site.

Wormelow contains a range of services such as a shop, museum, cricket club, a public house and public transport links are available. Whilst it can be acknowledged that the users of the holiday let would only reside within the area on a temporary basis and therefore have less dependency upon the services within the village, it is still considered that the occupiers of the holiday let would still need access and provide some support to these services. This fulfils a modest economic and social benefit.

The site is within a relatively remote location and the main road that leads to the village is not pedestrian friendly as there is no footpath, just the roadside verge to traverse from the site along the A466. It is therefore considered that future occupiers would most likely access these nearby services by means of private car, however it is also considered that use of bicycles may be used due to the distance from the site to the village. As such, it is considered the proposal whilst finely balanced accords with policies SS4, SS7 and MT1 of the CS and paragraph 17 of the National Planning Policy Framework in this regard as the users may not walk but there is the possibility for the users to make use of bicycles.

The application site is located within land under the same ownership as the occupiers of Limefields Cottage which is located next to the application site, another property is also located nearby. Both properties are served by the private access road off the A466. The site is well screened by an existing mature tree line. The main environmental matters to be considered are biodiversity and landscape character.

Policy LD1 states that 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;

Policy SD1 states development proposals should create safe, sustainable, well integrated environments for all members of the community. In conjunction with this, all development proposals should incorporate the following requirements:

- ensure that proposals make efficient use of land - taking into account the local context and site characteristics;
- new buildings should be designed to maintain local distinctiveness through incorporating local architectural detailing and materials and respecting scale, height,

proportions and massing of surrounding development, while making a positive contribution to the architectural diversity and character of the area including, where appropriate, through innovative design;

- safeguard residential amenity for existing and proposed residents;
- ensure new development does not contribute to, or suffer from, adverse impacts arising from noise, light or air contamination, land instability or cause ground water pollution;
- where contaminated land is present, undertake appropriate remediation where it can be demonstrated that this will be effective;
- ensure that distinctive features of existing buildings and their setting are safeguarded and where appropriate, restored;
- utilise physical sustainability measures that include, in particular, orientation of buildings, the provision of water conservation measures, storage for bicycles and waste including provision for recycling, and enabling renewable energy and energy conservation infrastructure;
- where possible, on-site renewable energy generation should also be incorporated;

Policy SS6 states development 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. In addition, proposals should maintain and improve the effectiveness of those ecosystems essential to the health and wellbeing of the county's residents and its economy. Development proposals should be shaped through an integrated approach to planning the following environmental components from the outset.

In terms of landscape character and visual amenity, the proposed buildings are appropriate for its setting. Its design is influenced by the dominant characteristic of the immediate landscape, the building will be of an agricultural design that will site well near to an existing stables.

The site inherently benefits from vegetative screening, including a dense belt of trees which filters views of the site. It is considered the new buildings would be relatively discretely sited and would be commensurate to the existing structures in terms of its scale, mass and height. The proposed design is also broadly in keeping with the rural setting of the site, and the proposed, palette of materials is also appropriate.

Whilst the proposal for new residential development would lead to a degree of harm through the further domestication of the countryside, it is not considered that this harm would be substantial. On balance therefore, the proposal would accord with Core Strategy policies SS6, SD1 and LD1 of the Core Strategy.

The new unit would utilise the existing residential access onto the adjacent highway, and it is not considered that the proposal would lead to an intensification in vehicle movements which could not safely be accommodated by the highways network. The area engineer has been consulted who has raised no objection subject to a number of conditions being added. It is considered the proposal complies with Policy MT1 of the Core Strategy.

It is acknowledged that the construction phase of the development would make a short term contribution to local employment. Whilst it would be relatively modest given the small scale of

the scheme, the development would also make a contribution in the longer term to the local economy through increased visitor spend. The proposal would also support the objectives of Core Strategy policy E4 to increase and diversify tourism provision and increase the number of visitors staying overnight. It is considered the proposed would provide economic benefits to the area.

The increased activity generated by the scheme would also serve to benefit the rural economy and increase the vitality of the local community, which would be in line with the aims and objectives of the Core Strategy and the NPPF

Core Strategy Policy LD2 requires development proposals to conserve, restore and enhance biodiversity assets of Herefordshire, through the protection of priority species and their habitats.

The proposed development seeks the change of use of part of an agricultural field to allow for the erection of a holiday let and a pole barn. The councils ecologist has been consulted who raised no objection to the application, subject to a biodiversity enhancement condition being added to the permission. It is considered the proposal complies with Policy LD2 of the Core Strategy.

### **Other Matters**

The application site is quite remote, only one other property is located at the end of the private access road. A representation was received from the owner of the access road who does not object to the application in principle but wishes to see the access relocated to the existing access that serves Limefields Cottage rather than use the current access which is for agricultural use.

It is considered that the proposed access is acceptable; no objections have been raised from the council's engineer. Due to the location of the proposed buildings and distance from the nearby property it is considered the proposal will not impact on the amenity and privacy of neighbouring dwellings and as such the proposal is in compliance with Policy SD1.

Another representation has been received from a nearby neighbour, who in principle raises no objection to the proposal, but would not wish to see further holiday accommodation on the site as it may impact upon their own business. The representation does not wish to see the pole barn converted. This application only seeks for the one holiday cabin to be erected, the pole barn is to be used in conjunction with the applicant's smallholding. If further holiday accommodation is sought planning permission would need to be obtained and an assessment would be made as to the suitability of further holiday accommodation on the site.

To ensure the proposal is retained as holiday accommodation a condition will be attached to state that the building would be occupied as a holiday let only to ensure that the future residential use of the building is controlled.

### **Conclusion**



The application site proposes visitor accommodation which would utilise the attractive nature of Herefordshire's countryside, whilst protecting the sensitive components thereof, most notably, the character of the local landscape and local biodiversity.

It is considered that the proposal would on balance qualify as sustainable tourism development with no material environmental harm identified. The proposal would provide modest economic and social benefits.

On balance, it is considered that the proposal would accord with the adopted development plan and is therefore recommended for approval.

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

**CONDITION(S) & REASON(S) / REASON(S) FOR REFUSAL:**

*(please note any variations to standard conditions)*

C01

C07    Drawing title Location Plan (A001) dated February 2018  
Drawing title Site Plan Existing and Proposed (A104) dated February 2018  
Drawing title Proposed Elevations (A103) dated February 2018  
Drawing title Cabin and Pole Barn Floor Plans (A102) dated February 2018

C64

C88

CAH

CAL

CAZ

CB2

**Nature Conservation – Enhancement**

Within 3 months of completion of the building works evidence (such as photos/signed Ecological Clerk of Works completion statement) of the suitably placed installation of at least ONE bat roosting enhancements (habitat boxes, tubes, tiles, bat bricks, raised weatherboarding with bitumen felt); TWO bird nesting boxes and ONE pollinating insect habitat home built in to, or attached to the new buildings or on land or buildings under the applicant's control, should be supplied to and acknowledged by the local authority; and shall be maintained hereafter as approved unless otherwise agreed in writing by the LPA.

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**Informatives**

1)    Application Approved Without Amendment

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I11  
I09  
I05  
I47  
I35

#### Informative Private Water Supplies

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Applicants that are connecting to existing private water supplies or accessing sources of water on land over which they have no control are advised to give careful and specific attention to contractual/civil. arrangements including rights of access, maintenance arrangements, provision of alternative water supply are agreed in writing a the outset.

Signed:  ..... Dated: 21/5/2018

**TEAM LEADER'S COMMENTS:**

**DECISION:**

**PERMIT**

☒

**REFUSE**

☐

Signed:



Dated: 22 May 2018.....