

Design & Access Statement

Proposed erection of five dwellings

WHITE LION MEADOW, LYONSHALL, HEREFORDSHIRE

1.0 THE PROPOSAL

- 1.1 This application is for full planning permission on land which is located within the village of Lyonshall, adjacent to the edge of the settlement boundary. The proposal would utilise an existing paddock adjacent to established residential development.
- 1.2 The full application, which was the subject of formal pre-application advice, provides full plans incorporating a scheme of landscaping. A Landscape Visual Impact Assessment undertaken by ADAS and an Ecological Impact Assessment undertaken by Swift Ecology accompany the application.
- 1.3 The current application is for five residential units with garages or parking spaces sufficient to provide onsite parking for at least two vehicles per unit. Plots 2 and 3 are three bedroom semi-detached; plot 3 is detached and has three bedrooms and plots 1 and 4 are both detached with four bedrooms.
- 1.4 Each dwelling is individually designed using a different palette of traditional vernacular materials including brick, stone, render, timber cladding for walls and slate or plain tiles for roofs to reflect the mixture of styles and materials already in the village. The scale of the new houses complements the original dwellings close by, reinforced by steep pitched roofs and generous overhangs at eaves and gable. Full details of the varying materials are outlined on the accompanying elevation drawings.
- 1.5 The proposed development displays a linear form as it proposes to utilise only the front section of the land to provide a small development that would reflect the local character and built environment of the village. An area to the north of the application site is set aside as amenity land which would be given to the Parish and thereafter would be available for public use. It has also been agreed with the Parish Council to provide a footway which would link the site to the existing footway which ends slightly to the north, on the opposite side of the road by Tan House and on the same side of the road to the front of the bungalows.
- 1.6 A new vehicular access point from the main road would serve the site, with each individual dwelling gaining access from a private road. This would enable the retention of the hedgerow which forms a boundary between the site and the road and allow for a 2.4 x 40m visibility splays in each direction. All driveways would be hard surfaced with 'TarmacDry' porous asphalt sustainable drainage system and Marshalls low-set conservation kerb stones. Parking areas to plots 2 and 3 would be paved with Marshalls permeable paving, and the parking/turning area to plots 1, 4 & 5 would be paved with 20mm Hereford gravel.

- 1.7 The proposed dwellings would be of two-storey design with some lower levels of roof, dropped eaves and dormer windows. The variety of materials, along with detailing in the brickwork, set back casement windows and the use of slate and plain clay tiles, allow the proposed new build to meld with its surroundings and bring the modern comforts of new build in a traditional form. All five plots would be set within generous gardens, maintaining the existing character of residential development in Lyonshall. The layout of the units has been carefully considered, to avoid adverse impacts on the visual amenity of existing residential dwellings, taking account of sightlines and existing open views.

2.0 SITE

- 2.1 The application site totals 0.67 hectares and is located on the south eastern side of Lyonshall, between White Lion Cottage at the southern side and Burnt Orchard to the north. It is part of a paddock of approximately 1.7ha that comprises species-poor grassland grazed by horses. The application site is located within the 30 mph speed limit, outside of, but immediately adjacent to the defined settlement boundary of Lyonshall.
- 2.2 The site lies adjacent to the A480 just 130 metres from the staggered junction with the C1031 in the centre of the village. The site is separated from the A480 by a hedgerow. The rest of the site, including the remaining paddock to the north east, which is outside the application site, is enclosed by hedgerows on all sides with mature trees interspersed within the northern and the eastern hedgerows. A Public Right of Way, LZ10, runs within 260m of the eastern boundary of the site from Spond Lane to Moor Court Lane and a stream runs adjacent to both the north-west and the north-east boundary and drains into the River Arrow, over 5 km distant.
- 2.3 The site is gently sloping, downwards from south to north. It is an elongated rectangular parcel of land with a road frontage which measures approximately 150 metres and a depth of approximately 45 metres. The land is aligned northwest to southeast.
- 2.4 This parcel of land is located opposite established development and it shares a contiguous boundary to the northwest with the modern residential bungalows at Burnt Orchard and a contiguous boundary to the southeast with the traditional black and white timber framed 'White Lion Cottage'. There is further modern residential development to the west of the A480 opposite the site, interspersed with some traditional dwellings.
- 2.5 In addition to the residential properties which surround the site, Burgoynes (Lyonshall) Ltd operate their marquee hire and road haulage freight and logistics business from their premise, which is opposite the southwest corner of the application site on an area measuring approximately 2 hectares.
- 2.6 The site relates well to the existing pattern of development within Lyonshall, which is focused around the crossroads and extends in a ribbon form along the roads. The

proposed development would be sited parallel to the main road running through Lyonshall and would be consistent with the immediate pattern of development on the settlement edge.

3.0 LANDSCAPE & LANDSCAPE PROPOSALS

- 3.1 The site is located within the Herefordshire Lowlands National Character Area, which is characterised by gently undulating land with dispersed ancient woodlands and wide agricultural flood plains, pasture land and arable cultivation, orchards, hop fields and several historic parklands. Buildings are characteristically timber-framed (black-and-white) with stone and red brick also used frequently as building materials. The area has a predominantly dispersed rural settlement pattern throughout with scattered villages, hamlets, farmsteads and clustered settlements.
- 3.2 A visual appraisal of the site and its surroundings was undertaken by ADAS on 13th May 2015 to determine the relationship of the site with its surroundings, the visibility of the site within the wider landscape, the suitability of the land for development and the effect this would have on the landscape and visual characteristics of the area.
- 3.3 The visual appraisal was undertaken from publicly accessible viewpoints along lanes and public rights of way within the surrounding landscape, to determine the approximate extent of the area from which the site is visible at eye level. Full details, including photographic evidence, are contained within the report which accompanies this application.
- 3.4 The landscape objectives identified through the landscape and visual assessment of the site and its surroundings has been incorporated into the proposed layout. These include:
- Retention of the existing mature hedgerows and hedgerow trees surrounding the site to positively contribute to a landscape framework within and around the site, in particular the hedgerow along the A480 which would be retained, to preserve the green character of this part of the village;
 - Planting of mixed native species hedgerows along all the proposed property boundaries; planting native trees on grass verges between the access lanes and the main road; planting within the boundaries of gardens to maintain the green character of the village. All of which should provide screening of the proposed built development and promote biodiversity;
 - Safeguarding the rural character of the A480 by setting back built development from the road and providing a landscape buffer; and
 - Establishing an area of amenity land along the north western side of the site and planting groups of trees to enhance the amenity and biodiversity value of the space.

3.5 The landscape strategy which forms part of this application aims to create an attractive setting for the proposed development by:

- assimilating built elements into the surrounding landscape and built form;
- minimising adverse effects on visual amenity; and
- enhancing and extending the existing landscape framework to improve the quality and character of the local landscape.

Full details are provided on the site layout plan which accompanies the application.

3.6 Soft landscaping is proposed to incorporate the planting of a mixture of the following native species of 'selected standard' size:

- Pedunculate oak (*Quercus robur*)
- Prunus aria (Wild cherry)
- Carpinus betulas (Hornbeam)
- Sorbus aucuparia (Rowan)
- Acer campestre (Field maple)

3.7 The landscape proposal also indicates additional planting of hedgerows consisting of a mixture of the following native species:

- Crataegus monogyna (Hawthorn) 40%
- Corylus avellana (Hazel) 30%
- Prunus spinosa (Blackthorn) 10%
- Acer campestre (Field maple) 10%
- Ilex aquifolium (Holly) 10%

The plants would be 60 - 80cm high, and would be planted in a double staggered row 45cm apart with 7 per linear metre. Honeysuckle, Guelder rose and Dog rose would be included at a ratio of 1 plant every 10 metres to provide ecological enhancement.

4.0 ECOLOGY

4.1 The Local Planning Authority is required to actively seek in development proposals measures that aim to promote appropriate Priority Habitats and Species listed in the UK Biodiversity Action Plan. The provision of compensation/enhancements helps local planning authorities in meeting requirements as stipulated under the National Planning Policy Framework (NPPF), which states that sustainable development should seek to achieve net gains in bio-diversity for nature. This is of particular importance where there is any presence of or potential for protected species.

4.2 The applicant commissioned a Preliminary Ecological Appraisal, including a Phase 1 Habitat Survey and protected species assessment, which was undertaken on 16th April 2015, in order to assess the current ecological value of the site and to identify potential impacts and ecological constraints and make recommendations for general mitigation and further surveys, as appropriate.

- 4.3 The report indicates that the protected species assessment revealed limited potential for the site to support any protected species and no records of protected or notable species were provided on or immediately adjacent to the study site.
- 4.4 Mitigating measures as suggested by the report, and to comply with legislation, would be implemented.

5.0 DRAINAGE AND FLOODING

- 5.1 The site is not identified as a designated groundwater Source Protection Zone nor is it located within Flood Zone 2 or 3. Discharge of foul water would be via connection to the main foul sewer in the road, subject to a s104 Agreement. The surface water drainage for the development will avoid, reduce and delay the discharge of rainfall run-off to watercourses and public sewers using SuDS techniques. This will protect receiving waters from pollution and minimise the risk of flooding and other environmental damage in watercourses.

6.0 PLANNING POLICY CONTEXT

- 6.1 S38(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."*
- 6.2 Lyonshall is identified as a Main Village with a defined settlement boundary under saved Herefordshire Unitary Development Plan (UDP) Policy H4 and offers, within its built form, a limited range of facilities and services typical of a village in a rural county. It has a public transport bus service to surrounding larger settlements such as Weobley, Kington and Hereford, with a bus stop located on both sides of the main road a few metres to the north of the site, and thus the village is considered a sustainable settlement suitable for further residential development.
- 6.3 The application site is located on the outside edge of Lyonshall, adjacent to the settlement boundary, and consequently is currently defined under UDP Policy H7 (Housing in the countryside outside settlements).
- 6.4 The current Government policy guidance contained within the NPPF requires the Council to demonstrate a 5 year (plus 20% buffer) housing land supply either through sites that are specifically allocated or through committed permissions. Presently the Council is unable to meet a five year supply of housing land and therefore Policy H7 (Housing in the countryside outside settlements), which is the main Policy by which this application would normally be determined, is considered to be out of date and redundant.
- 6.5 In such circumstances the NPPF is to assume greater weight and guidance contained within paragraph 49 of the NPPF which states:

Housing allocations should be considered in the context of the presumption in favour of sustainable development. 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.

- 6.6 In response to the publication of the NPPF and to its acknowledged housing land deficit an interim policy statement was agreed by Herefordshire Council's Cabinet on 12th July 2012. The most recent figures published in the Annual Monitoring Report 2013 and the Five Year Housing Land Supply (2013 – 18) Interim Position Statement dated 22nd May 2014 indicate that there was between 2.09 and 2.61 years of housing land supply in Herefordshire as at April 2013.
- 6.7 The interim policy recognised that in order to boost the supply of housing in the manner required it would be necessary to consider the development of sites outside existing settlement boundaries. The protocol introduced a sequential test, with priority given to the release of sites immediately adjoining settlements with town or main village status within the UDP. For proposals of 5 or more, the sites in the first rank in terms of suitability would be those identified as having low or minor constraints in the Strategic Housing Land Availability Assessment (SHLAA).
- 6.8 The site has been identified as land with the potential for availability for housing in the 2009 Strategic Housing Land Availability Assessment (SHLAA) reference HLAA/202/001. This identified the site as having significant constraints: a prominent sloping site; provision of visibility splay would necessitate significant hedge row removal; development of the entire site would be contrary to existing linear settlement pattern.
- 6.9 To address these perceived constraints, the proposal incorporates just the front part of the site, allowing the development to reflect the existing linear pattern within the village and the proposed access would be via a single point, which would enable the retention of the hedge to the front.
- 6.10 The UDP is in the process of being replaced by the Core Strategy 2011-2031, which identifies Lyonshall as one of the 119 villages to be the main focus of proportionate housing development in Herefordshire's rural areas. This designation means Lyonshall, because of its location within the Kington Housing Market Area, has a designated target growth of at least 12% of its current housing stock in the Parish. This figure, as put forward by the Core Strategy, is a growth target which is indicative and is not a capped figure for future development. This growth is necessary to provide appropriate housing which should respect the character of the village and be proportionate to the size of the community.
- 6.11 The Core Strategy is still evolving and yet to be adopted and consequently little weight is given to these emerging policies and guidance remains in the province of the current UDP policies, so long as they accord with policies contained within the Central Government's National Planning Policy Framework (NPPF) and a presumption on favour of sustainable development.

7.0 PRESUMPTION IN FAVOUR OF SUSTAINABLE DEVELOPMENT

7.1 NPPF para 14 states that for decision making, the presumption in favour of sustainable development means approving development proposals that accord with the development plan without delay and where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:-

- Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; or
- Specific policies in this Framework indicate development should be restricted'.

7.2 The NPPF states that 'sustainable development is 'about positive growth – making economic, environmental and social progress for this and future generations'. In paragraph 7 of the NPPF it states that these three dimensions give rise to the need for the planning system to perform a number of roles:

- i) 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 at the right time to support growth.
- ii) 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; and
- iii) 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, minimize waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.

7.3 The proposed development is of small scale allowing a quality small build of 3 and 4 bedroom properties on land that forms part of the settlement. Each dwelling would provide a modest floor area, appropriate external residential curtilage, provision for domestic storage and parking. The proposal refers to the characteristics and pattern of settlement on land which will be enhanced by further landscaping and will benefit from mitigating measures to protect and promote the biodiversity on the site.

7.4 The proposal promotes and reinforces the character and appearance of the locality in terms of design, materials, layout and scale and demonstrates good design inspired by the traditional local vernacular of the village. The single access from the main road allows for the retention of the string hedge line which is of benefit visually and ecologically. The addition of the amenity land to the north of the site is an additional positive contribution to an improved quality of life for all local people who may benefit from its use.

- 7.5 Economic role – The proposal will provide a number of key economic benefits: Contribute to the supply of housing; support local businesses in the parish; provide opportunity for local employment in supporting local builders; further jobs will be created for tradesmen and local builders; support and maintain existing and proposed services in the parish; future residents will contribute to the gross value added of the local economy; and local household expenditure will increase the spending power of the area.
- 7.6 Social role – As part of the social dimension, the NPPF identifies accessible local services as fulfilling part of the social role of planning. Lyonshall has limited facilities and services but does have employment opportunities in the area and does have a public transport network. The site is also just 2.5 miles from the centre of Kington which has a wide range of facilities and services, together with transport links to elsewhere. The mix of houses will offer opportunities for different requirements and will contribute to the NPPF objective of delivering 'strong, vibrant and healthy communities'.
- 7.7 Environmental role – the site is a paddock grazed by horses and has no official, cultural, heritage or ecological designation. The proposed development of the site will enhance the biodiversity of the site by implementing the recommendations of the ecological appraisal and complying with any biodiversity conditions and the additional landscaping will help to mitigate against the addition to the built environment.
- 7.8 The NPPF in paragraph 56 confirms that the Government attaches great importance to the design of the built environment, confirming that "good design is a key aspect of sustainable development" and "indivisible from good planning." The individual bespoke design of the proposed dwellings can make a positive contribution to the surrounding environment, providing needed accommodation of high quality and inclusive design that will protect and enhance the surrounding built and historic environment.
- 7.9 The development also aims to be of environmental benefit by the provision of cycle storage facilities; adequate internal and external storage space for non-recyclable waste and recyclable household waste; room for the provision of compost facilities to reduce the amount of household waste sent to landfill; rainwater recycling; use of local materials with lower environmental impacts over their life-cycle; space to allow for home working; accessible and easily adaptable homes to meet the changing needs of current and future occupants; houses that are designed to promote good day lighting and thereby improve quality of life and reduce the need for energy to light the home; provision of outdoor space which is at least partially private.

8.0 CONCLUSION

- 8.1 The application site would provide for five dwellings on a locally appropriate, deliverable, achievable and available site and this is a significant material consideration in favour of the development to which substantial weight should be attached. The SHLAA considers the site to be sustainable and suitable for residential development as the highlighted 'major constraints' to the site are no longer appropriate. The proposed development would retain the majority of the front hedge and utilise just the front third of the site, allowing for a linear form of development.

- 8.2 The site abuts the defined settlement boundary of Lyonshall, fronts the highway with dwellings on three sides and, from a landscape and streetscape assessment, represents a natural infill extension to the existing built form of the village, that will not undermine the historic character and setting of Lyonshall or the overall character and appearance of the wider landscape.
- 8.3 The NPPF attaches considerable importance to the need to meet the full objectively assessed need for housing. The failure to demonstrate a 5 year supply of housing land and an appropriate buffer indicates that this important planning objective is not being adequately addressed. The shortfall in the housing land supply indicates that the housing policies of the UDP are out of date and hence the proposed development should be considered mainly in the context of the NPPF and its core principles. These promote a presumption in favour of sustainable development where it would not lead to any adverse impacts that would significantly and demonstrably outweigh the benefits.
- 8.4 There would be minimal harm to the setting of the adjoining properties, having regard to the layout and distance between the proposed developments. The use of the land would not impact on any protected species and wildlife and landscape and boundary treatments would be sympathetically designed to provide an appropriate level of privacy to both new and existing dwellings, whilst enhancing the biodiversity of the area and complementing the rural setting and character of the surrounding area. The proposed design, materials, scale and layout of the proposed dwellings would complement the setting and not detract from the traditional rural ambience of the village. The allocation of amenity land would provide valuable accessible public land for the local residents, which would provide an area for community recreation and add to the quality of living in the locality.
- 8.5 The development meets the aims and objectives of the NPPF in seeking to promote healthy and sustainable rural communities and adopts a positive approach towards promoting a strong rural economy. Accordingly, and in view of the Government's stated aims to boost significantly the supply of housing and widen the choice of high quality homes, this proposal would contribute towards meeting the housing needs of the area.

ARCHITECTURAL DESIGN LTD

June 2015