
PLANNING STATEMENT

In support of

**An outline planning
application for the
construction of a single
dwellinghouse**

at

**Land adjacent to
Sycamore House,
Dorstone, Herefordshire
HR3 6BE**

On behalf of

**MR S GOODWIN & MS E
RICHARDS**

References:

DK Planning & Development Ltd
Ref: DK/18057

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1.0 INTRODUCTION

- 1.1 DK Planning & Development Limited is instructed by Mr S Goodwin and Ms E Richards to prepare a Planning Statement to accompany an outline planning application for the construction of a single dwellinghouse on land adjacent to Sycamore House in Dorstone.
- 1.2 The application is submitted by DK Planning & Development Limited as Agent, although a number of other professional groups/companies have been involved in the formulation of the proposals and assembling the application submissions. The application submissions include, inter alia, existing and proposed plans as well as a Transport Statement and Ecological Assessment.
- 1.3 This Statement sets out the planning policy case supporting the principle and detail of the development, showing how the proposals are consistent with relevant planning policy/guidance and, to this end, it is structured as follows: -

Section 2:	The Site and Surrounding Area
Section 3:	Planning History
Section 4:	The Proposals
Section 5:	Pre-Application Discussions
Section 6:	Relevant Planning Policy
Section 7:	Assessment of the Planning Case
Section 8:	Planning Obligations and CIL
Section 9:	Conclusions

2.0 THE SITE AND SURROUNDING AREA

- 2.1 Dorstone is a small village in western Herefordshire, lying at the north western end of the Golden Valley. It is located circa 18km west of Hereford and 7.5km east of Hay-on-Wye.
- 2.2 A number of lanes pass through the village effectively creating a triangle in the centre. A village green forms the heart with a public house, village hall and shop nearby. Cottages and open spaces flank the lanes. A collection of large farm buildings sits on the outer edge, particularly to the east. Agricultural land with tree and hedgerow flanked fields surround the village and the River Dore runs through the village in a west to east direction.
- 2.3 The application site is located on the outer edge off the village, immediately adjacent and to the south of Sycamore House, off the road that eventually leads to Snodhill. It is currently part of a larger field in agricultural use, bounded by mature hedgerows.



[Aerial Photograph showing location of the application site outlined in red. Photograph courtesy of Google Earth and Getmapping plc]

- 2.4 Vehicular access to the site is provided by a single, gated agricultural access positioned just to the south west of Sycamore House. Other vehicular accesses to the wider field exist off the lane that leads to Hinton.

3.0 PLANNING HISTORY

- 3.1 From an online search of planning applications, we can find no planning history in relation to the application site.
- 3.2 We are aware of at least two planning permissions for new dwellings (not including replacement dwellings or conversions) in Dorstone since 1997, as follows:
- In April 2015, planning permission was granted for two new dwellings on land adjacent to Cooper's Hall (application ref: P/143678/F).
 - In January 2017, planning permission was granted for the construction of two retirement cottages on land adjacent to the former Methodist chapel on Chapel Lane (application ref: P/163056/F).

4.0 THE PROPOSALS

- 4.1 This outline planning application proposes the construction of a 3-4 bedroom detached dwelling with garage for occupation by the applicants.
- 4.2 Mr Goodwin has lived all of his life in Dorstone. He works locally on the family farm at Lower Crossways and his partner, Erin, is a Dietician. They currently live in the village in a small converted garage opposite Great House Farm, approximately 260m from the application site (straight line distance). They are looking for a house that can eventually accommodate a family in a location that is within easy reach of the farm – the wider field is part of the farm's much greater land holding.
- 4.3 The application site extends to some 0.245 hectares, within which it is proposed to site the new dwelling and create a domestic curtilage. The land immediately to the

south west (also in the ownership of the applicants) is to be used to create an orchard, similar to that directly to the north at Sycamore House, as well as a wild understorey. Mr Goodwin advises that leaving this proposed orchard area as part of the field will not suit modern farming methods/practices.

- 4.4 Vehicular access will be taken off the road that leads to Snodhill, but in a slightly revised position some 40m to the south west of the existing field gate. The existing access will be permanently closed and a native hedgerow reinstated alongside the road. Appropriate visibility splays will be created at the new access by a combination of hedgerow thinning and replanting outside of splays.

5.0 PRE-APPLICATION DISCUSSIONS

- 5.1 In March 2019 we submitted a formal request for pre-application advice which essentially included proposals for the construction of a single dwellinghouse for the applicant on land immediately to the east of Sycamore House, within the same wider field as the current application site. A site location plan along with a detailed covering letter were provided. We subsequently met with the Case Officer on site on 26th April 2019 to view the site and discuss the proposals in greater detail. It was more-or-less at this point that we also considered the use of the current application site as a potential option for the siting of the new dwelling. The Case Officer was happy to provide advice in respect of both locations.
- 5.2 On 10th May 2019 we received a written advice note from the Case Officer. Helpfully, the note considered the planning potential for a new dwelling on the original pre-application site as well as the second site the subject of this current application.
- 5.3 The Case Officer notes that Dorstone is identified under Core Strategy Policy RA2 and Figure 4.14 as a settlement of main focus for proportionate housing growth. The delivery of housing for each identified settlement will be determined through the allocation of land for new housing within the neighbourhood development plan.

5.4 The Dorstone Neighbourhood Development Plan provides a settlement boundary for the village. Both sites lie just outside of the settlement boundary. Policy DNP H1 directs new homes to be delivered within the settlement boundary. The DNP says that new homes will only be supported outside of the defined settlement boundary where they comply with Core Strategy Policies H2, RA3, RA4 or RA5. According to Policy DNP H1 the sites are within Herefordshire's open countryside.

5.5 However, the Case Officer explains that Herefordshire Council is currently unable to demonstrate a five year housing land supply. As a result, paragraph 11(d) of the NPPF (2019) directs Local Authorities to grant planning permission unless (i) the application of policies within the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development or (ii) the adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies of the NPPF taken as a whole.

5.6 The Case Officer then looks in detail at the site of the original pre-application submission and the site the subject of this current application. In respect of the current application site, the Case Officer says:

"Site 2, on the other hand, which is also viewable from the public realm, is likely to have more limited impact on the landscape given the lower level of the land at this point and the partial concealment, at least from the roadside by Sycamore House. The plot can be seen from other vantage points, for example along the public footpath and travelling northeast along the unclassified Snodhill-Dorstone lane. It would, however, be considered a departure from the dominant built form of Dorstone where properties sit alongside the road creating a ribbon of development along the C road. Notwithstanding this departure, it is considered that such a proposal in the current situation and sitting adjacent to main built up area is considered, on balance, to be capable of being supported on the basis that the impact of the proposal on the landscape and character of the conservation area will result in less than significant harm to Dorstone conservation area."

5.7 The Case officer also provides helpful guidance on matters of design and access.

5.8 The Case Officer concludes:

"In conclusion, at the present time the proposal for a 3/4 bedroomed dwelling on Site 2 adjacent to the settlement boundary of Dorstone and to the rear of Sycamore House is tentatively capable of gaining Officer support on the basis that the detrimental impact associated with the proposal is not sufficiently significant to outweigh the benefits associated with the provision of an additional dwelling in the local authority's area."

- 5.9 The Case officer also sets out the information to be included with an outline planning application. This list was clarified through subsequent correspondence with the Case Officer.

6.0 RELEVANT PLANNING POLICY

- 6.1 This section of the Statement identifies and examines national planning policy guidance, development plan policies, and any supplementary planning guidance/documents that are relevant to determining an application for the proposed development of the site. This section is structured to cover the following:

- The policies of the Development Plan
- Supplementary Planning Guidance/Documents
- Emerging plans
- National guidance

- 6.2 Each respective area of policy guidance is addressed in turn below.

The policies of the Development Plan

- 6.3 Under the provisions of Section 38(6) of the Planning and Compulsory Purchase Act 2004 Act, 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 case, the relevant development plan documents are the Herefordshire Local

Plan Core Strategy 2011-2031, adopted in October 2015, saved policies from the Herefordshire Unitary Development Plan, adopted in March 2007 and the Dorstone Neighbourhood Plan 2011-2031, made in February 2017.

The Herefordshire Unitary Development Plan

- 6.4 Policies within the adopted Unitary Development Plan (UDP) have been saved following a Direction dated 25th February 2010. However, following adoption of the Herefordshire Local Plan Core Strategy in October 2015, many of the UDP policies have now been superseded. Those few policies that still remain extant are not relevant to the determination of this current application.

The Herefordshire Local Plan Core Strategy 2011-2031

- 6.5 The Proposals Map accompanying the adopted Herefordshire Local Plan Core Strategy 2011-2031 shows the village is predominantly within a Conservation Area. The site is adjacent to but not within this designation. To the west is a Site of Interest for Nature Conservation at Mill Wood. An Area Liable to Flooding is shown adjoining the River Dore. There are no designations or allocations that affect the site.
- 6.6 Given the nature of the proposals, we consider below the most relevant policies and objectives that are relevant to establishing the principle of the proposed development. Where only part of a particular policy is relevant, we provide extracts.
- 6.7 In our view and that of the Case Officer, the most relevant policy is Policy RA2 'Housing in settlements outside Hereford and the market towns' which states:

"To maintain and strengthen locally sustainable communities across the rural parts of Herefordshire, sustainable housing growth will be supported in or adjacent to those settlements identified in Figures 4.14 and 4.15. This will enable development that has the ability to bolster existing service provision, improve facilities and infrastructure and meet the needs of the communities concerned."

The minimum growth target in each rural Housing Market Area will be used to inform the level of housing development to be delivered in the various settlements set out in Figures 4.14 and 4.15. Neighbourhood Development Plans will allocate land for new housing or otherwise demonstrate delivery to provide levels of housing to meet the various targets, by indicating levels of suitable and available capacity.

Housing proposals will be permitted where the following criteria are met:

- 1. Their design and layout should reflect the size, role and function of each settlement and be located within or adjacent to the main built up area. In relation to smaller settlements identified in fig 4.15 proposals will be expected to demonstrate particular attention to the form, layout character and setting of the site and its location in that settlement and/or they result in development that contributes to or is essential to the social well-being of the settlement concerned;*
- 2. Their locations make best and full use of suitable brownfield sites wherever possible;*
- 3. They result in the development of high quality, sustainable schemes which are appropriate to their context and make a positive contribution to the surrounding environment and its landscape setting; and*
- 4. They result in the delivery of schemes that generate the size, type, tenure and range of housing that is required in particular settlements, reflecting local demand.*

Specific proposals for the delivery of local need housing will be particularly supported where they meet an identified need and their long-term retention as local needs housing is secured as such."

- 6.8 Dorstone appears in Figure 4.14 as one of 11 villages in the Golden Valley Rural Housing Market Area where proportionate housing is appropriate.

- 6.9 Paragraph 4.8.12 of the Core Strategy explains the rationale behind Policy RA2. It states:

"4.8.12 All settlements identified in Figures 4.14 and 4.15 will have the opportunity for sensitive and appropriate housing growth. The primary focus for this housing will be in those settlements highlighted in Figure 4.14."

- 6.10 Paragraph 4.8.16 emphasises that new residential development will be located within or adjacent to the main built up areas(s) of the settlement.

"4.8.16 Residential development will be located within or adjacent to the main built up areas(s) of the settlement. This will ensure that the unnecessary, isolated, non-characteristic and discordant dwellings do not arise which would adversely affect the character and setting of a settlement and its local environment."

- 6.11 The Conservation Area boundary was established in 1976 when the Conservation Area was first designated. It encompasses most of the village including Orchard End and all of the garden associated with Sycamore House. The application site is immediately adjacent to the Conservation Area boundary.

- 6.12 Core Strategy Policy LD4 'Historic environment and heritage assets' seeks to protect, conserve and where possible enhance heritage assets, including the village Conservation Area.

- 6.13 Other policies in the Core Strategy covering matters such as highways, ecology and drainage will also be relevant to the determination of the planning application. Overarching all development in the County is the presumption in favour of sustainable development (Policy SS1); the need to conserve and enhance environmental quality and local distinctiveness (Policy SS6) and the requirement to ensure sustainable design and energy efficiency (Policy SD1).

The Dorstone Neighbourhood Plan 2011-2031

- 6.14 The Dorstone Neighbourhood Plan (DNP) was made in February 2017 and covers the period up to 2031. The neighbourhood and parish area includes the main village of Dorstone, some smaller settlements and surrounding countryside as well as the application site.
- 6.15 The objectives of the DNP include enabling managed housing growth within the parish which meets the needs of local people and promoting the parish as a location which promotes successful farming and small businesses as well as encouraging an environment in which young members of the community can seek employment and remain in the parish.
- 6.16 The DNP establishes a settlement boundary for Dorstone village. The boundary is based on the settlement boundary found in the South Herefordshire District Plan 1999, but with a small addition next to Cooper's Hall and a further one to include Orchard End and Sycamore House. The application site sits outside but close to the settlement boundary at Sycamore House.
- 6.17 Policy DNP H1 provides the DNP's policy for the provision of new housing. It states:

"The development of at least 21 new dwellings within the Dorstone settlement boundary, defined on the village policies map, will be supported over the Plan period so long as proposals:

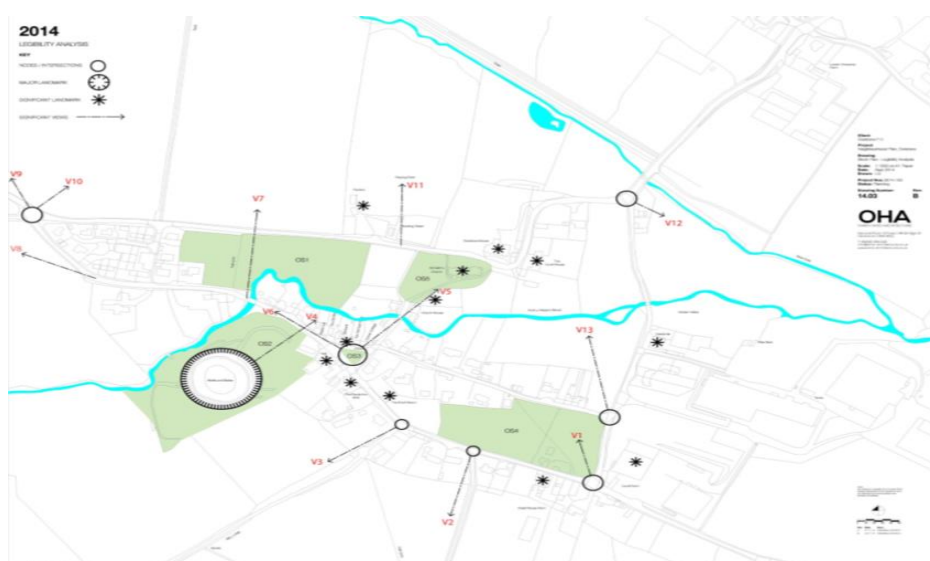
- *relate to infill sites accommodating one to three dwellings;*
- *are located to offer suitable residential amenity, and not adversely affect residential amenity of existing residents;*
- *are outside flood zone 2 and 3 areas;*
- *conserve and enhance the significance of the Dorstone Conservation Area;*
- *do not substantially harm designated heritage assets, and where proposals will lead to less than substantial harm of designated heritage assets this should be weighed against public benefits;*
- *present a balanced judgement of the scale of harm to, and significance of, non designated heritage assets;*

- *do not have significant adverse impact on the landscape features listed in Appendix E;*
- *do not have significant adverse impact on the important views from locations freely accessible by the general public identified in Appendix E and on Map 3;*
- *meet access standards required by the Highways Authority*

New homes will only be supported outside the defined settlement boundary where they comply with Herefordshire Core Strategy policies, H2 (rural exception sites), RA3 (dwellings in the countryside), RA4 (agriculture, forestry and rural enterprise dwellings), and RA5 (re-use of rural buildings)."

6.18 The accompanying text provides further explanation, noting that new build housing will be permitted within the settlement boundary and limited opportunities arising through Core Strategy Policies RA3 'Herefordshire's Countryside', RA4 'Agricultural, forestry and rural enterprise dwellings', RA5 'Re-use of rural buildings' and H2 'Rural Exception Sites'.

6.19 The conservation, heritage and landscape qualities of the area are recognised and protected via Policy DNP ENV Policy 1. Appendix E lists key natural features including key views, open spaces and landscape features. Map 3 shows most of these on a plan. The application site is not designated as an important space within the village or part of a key view. It is part of an open field.



[DNP Map 3 Key Views and Landscape]

Supplementary Planning Guidance/Documents

- 6.20 We have looked at the Council's adopted supplementary planning guidance/documents, in particular at the 'Landscape Character Assessment' SPG adopted in 2004 and updated in 2009, the 'Planning Obligations' SPD adopted in April 2008 and the 'Highways Design Guide for New Developments' adopted in July 2006.

The National Planning Policy Framework

- 6.21 Published in February 2019, the revised National Planning Policy Framework (NPPF) provides the latest Government guidance on planning matters. It replaced the July 2018 version.

- 6.22 At the heart of the new Framework remains a presumption in favour of sustainable development (paragraph 11). Paragraph 11(d) says:

"Plans and decisions should apply a presumption in favour of sustainable development.

For decision taking this means:

(d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date⁷, granting planning permission unless:

- i. The application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing development proposed; or*
- ii. any adverse effects of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework as a whole."*

- 6.23 Footnote 7, referred to in paragraph 11(d) says that for applications involving the provision of housing, this includes situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer).
- 6.24 Paragraph 77 of the Framework notes that in rural areas planning policies should be responsive to local circumstances and support housing developments that reflect local needs. Paragraph 78 says that to promote sustainable development in rural areas housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive. Paragraph 79 notes that planning policies and decisions should avoid the development of isolated homes in the countryside.

7.0 ASSESSMENT OF THE PLANNING CASE

- 7.1 The requirements of Section 38(6) of the Planning and Compulsory Purchase Act 2004 are well known. Suffice to say that a planning application shall be determined in accordance with the development plan unless material considerations indicate otherwise.
- 7.2 Given the policy context set out in the previous section, it is clear that there are a number of issues that need examination. Instead of looking individually at the different policies, we have arranged this section to look at the principal issues, which we consider to be: -
- (a) Is the principle of the proposed use acceptable?
 - (b) Do the proposals result in unacceptable harm to Conservation Area or other heritage assets?
 - (c) Do the proposals result in unacceptable harm to the character of the landscape?

- (d) Are the proposals compatible with neighbouring uses, including agricultural operations?
- (e) Do the proposals make adequate provision for protected and priority species and associated habitats?
- (f) Impact on highway safety
- (g) Flood risk

Is the principle of the proposed use acceptable?

- 7.3 Under the provisions of Section 38(6) of the Planning and Compulsory Purchase Act 2004 Act, 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.
- 7.4 Core Strategy Policy RA2 will support sustainable housing growth in or adjacent to the village of Dorstone as it is a Figure 4.14 settlement.
- 7.5 Policy DNP H1 notes that new housing will be permitted on infill sites within the settlement boundary defined in the DNP. Beyond the settlement boundary housing will be permitted, inter alia, for agricultural workers or as a result of the conversion of a rural building. We note that Policy DNP H1 says that at least 21 new dwellings will be supported within the Dorstone settlement boundary over the period 2011 up to 2031, which, given the Conservation Area designation, areas liable to flooding and protection afforded to existing open spaces etc., may be very difficult to achieve.
- 7.6 On the face of it, there is a conflict between the Core Strategy and the DNP in so far as they relate to the appropriateness of sites for new open market housing developments that are outside of a defined settlement boundary but are adjacent to it. The Core Strategy would support such proposals, but the DNP does not.

- 7.7 The pre-application advice appears to indicate the DNP taking precedence over the Core Strategy. For now, we'll adopt the same approach.
- 7.8 It is accepted in the pre-application advice we received dated 10th May 2019 that Herefordshire Council cannot demonstrate a five year supply of deliverable housing sites. The Council's Annual Position Statement at 1st April 2018, published in October 2018, notes the supply stand at 4.55 years. This Statement is referred to in Planning Officer appraisals of planning applications for new housing presented to the Council's Planning & Regulatory Committee – one of the latest being on 10th April 2019 (application ref: 183281 - Proposed Five Bedroom Dwelling to the Rear of Swan House at Swan House, West Street, Pembridge)
- 7.9 As a consequence of the absence of a five year supply of deliverable housing sites, the presumption in favour of sustainable development as set out in paragraph 11(d) of the NPPF is engaged. Given the judgement of the Supreme Court in *Suffolk Coastal District Council (Appellant) v Hopkins Homes Ltd and another (Respondent) Richborough Estates Partnership LLP and another (Respondents) v Cheshire Borough Council (Appellant)* [2017] UKSC 37, development plan policies for housing supply (in the Core Strategy and the DNP) are deemed to be out-of-date. These policies are not to be completely disregarded in the determination of a planning application but the focus shifts to wider considerations.
- 7.10 Being engaged, paragraph 11(d) notes that planning permission for sustainable development should be granted unless:
- i. The application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing development proposed; or
 - ii. any adverse effects of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework as a whole.
- 7.11 Paragraph 14 of the NPPF deals with situations where the presumption at paragraph 11(d) applies to applications involving the provision of housing. It says that the adverse impact of allowing development that conflicts with the neighbourhood plan

is likely to significantly and demonstrably outweigh the benefits, provided all of the following apply:

- a) the neighbourhood plan became part of the development plan two years or less before the date on which the decision is made;
- b) the neighbourhood plan contains policies and allocations to meet its identified housing requirement;
- c) the local planning authority has at least a three year supply of deliverable housing sites (against its five year housing supply requirement, including the appropriate buffer as set out in paragraph 73); and
- d) the local planning authority's housing delivery was at least 45% of that required over the previous three years.

7.12 In this case, the DNP was made in February 2017 and so it has been part of the development plan for over two years. The DNP does not allocate sites for housing (*"on balance, given the limited scale of future development a criteria led approach is considered to be the right approach ..."* page 10 of the DNP). As a result, the impact of allowing development that conflicts with the neighbourhood plan will not significantly and demonstrably outweigh the benefits.

7.13 The proposed development should be considered on the basis of a balance which is tilted in favour of sustainable development and granting planning permission except where the benefits are significantly and demonstrably outweighed by the adverse impacts or where specific policies in the NPPF indicate otherwise.

7.14 We'll now consider in detail any adverse impacts, if there are any, arising from the proposals and summarise our findings in respect of the principle of development in paragraphs 7.49 and 7.50 at the end of this section of the Statement.

Do the proposals result in unacceptable harm to the Conservation Area or other Heritage assets?

7.15 The pre-application advice refers to the protection, conservation and enhancement of heritage assets. In our view, these assets include the adjacent Dorstone Conservation Area as well as the setting of nearby listed buildings. In terms of the

closest listed building, Dorstone Court a grade II listed farmhouse, is some 178m north west of the site. The Cow House and Cartshed at Great House Farm, some 190m from the site, are also grade II listed.

- 7.16 There is a considerable distance as well as a road, an agricultural field and mature intervening vegetation between the site and the listed buildings such that we consider there will be no adverse impact on their setting.
- 7.17 The Dorstone Conservation Area boundary encompasses the entirety of the village within the settlement boundary as defined in the DNP as well as land beyond the settlement near the Pont-y-Weston Brook either side of Jubilee Bridge, some of the buildings at Court Farm, the Motte and Bailey castle south east of Bell House and the orchard adjacent to Sycamore House. The application site is wholly outside of but abuts the conservation area along the site's north eastern boundary.
- 7.18 The conservation area contains most but not all of the buildings associated with the village as well as open spaces, the route of the brook and some areas of tree cover. Beyond the conservation area boundary are open fields, agricultural and other buildings together with further wooded areas.
- 7.19 The proposals will not physically affect anything within the conservation area. Being on its outer edge, it will affect a small part of the view of an equally small part of the conservation area and it will be visible in some limited views out from it. This doesn't necessarily mean the setting of the conservation area will be adversely affected. That is a matter of judgement and in some cases, personal opinion.
- 7.20 The view of the conservation area from the south west of the village is currently mainly of a treed edge with occasional dwellings visible. Hedgerow lined arable fields and small stands of trees provide the foreground. The relationship of the site to the conservation area will change – part of the existing arable foreground to the village will accommodate a single dwelling and a new orchard. For all intents and purposes the view of the village will be almost identical to what it is now but part of the conservation area boundary, the south west boundary of the orchard next to Sycamore House, will be partly obscured from view.
- 7.21 This relationship of a building just beyond the outer edge of the conservation area boundary is not uncommon in the village – most notably the presence of the large

potato storage buildings at Court Farm; the pavilions at the playing fields and the bowling green, and the buildings/adjacent dwellings at Lower Crossways Farm.

7.22 Given the above, in our view, the proposals will harm the setting of the conservation area but the level of this harm is quite clearly 'less than substantial' rather than 'substantial'. As a result, the NPPF advises that the harm caused should be weighed against the public benefits of the proposal.

7.23 We believe the public benefits will include the following:

- The provision of an additional dwelling towards the Core Strategy and DNP target for Dorstone.
- The provision of a new dwelling that is not actually within the village conservation area and so will not physically affect the significance of the asset.
- The provision of a new family dwelling for a long-standing local resident who works in/around the village, thereby meeting two of the objectives of the DNP.
- Economic and social benefits including the use of local building firms for the construction of the dwelling as well as an on-going contribution to local services/facilities by the occupiers.
- A net ecological gain through the provision of additional boundary hedgerows and a traditional orchard (see later).

7.24 In our view, supported by the Planning Officer's pre-application advice, the public benefits of the proposals outweigh the less than substantial harm to the village conservation area and thereby conform to Core Strategy Policy LD4 and guidance contained in the NPPF.

Do the proposals result in unacceptable harm to the character of the landscape?

7.25 Analysis of the effect on the landscape overlaps a little with the above exercise of assessing harm to the setting of the village conservation area. We'll not repeat our conclusion on the impact of heritage assets but concentrate instead on the effect on the wider landscape.

- 7.26 The landscape around Dorstone and particularly on/adjacent to the application site has no specific national or local designations. Nonetheless, the landscape provides a very picturesque and tranquil setting for the village. As part of the Golden Valley, the landscape is framed by significant rising land to the north and south. The higher valley slopes are largely wooded, giving way to a patchwork of hedgerow lined fields and stands of trees on the lower valley sides and valley floor. Other than being defined by hedgerows and/or the presence of trees, lines of communication (roads and the river/brook) are particularly well hidden unless viewed in close proximity. As we have said before, the village sits within this landscape but in the vicinity of the application site it is seen as a treed edge with occasional dwellings visible.
- 7.27 As part of the preparation of the DNP, OHA Architecture has undertaken a Characterisation Study of the village which has identified key natural features that contribute to the village's character. These are listed on page 32 of the DNP and illustrated on Map 3 'Key Views and Landscape' on page 33. The application site is not within one of the identified key views or part of any important area of open space.
- 7.28 The application site may be visible in some long distance views, such as the view provided on the front page of the DNP. However, it is not overly noticeable in such panoramic vistas. There are locations with much greater visual prominence, such as the site initially presented as part of our pre-application discussions or the large potato storage buildings at Court Farm.
- 7.29 As a consequence of the proposals, a very small part of the existing arable foreground to the village will accommodate a single dwelling and a new orchard. The resultant view of the village will be almost identical to what it is now and the wider landscape will remain totally unaltered. In all likelihood, the most noticeable change will be from positions along the nearby public footpath (across the field to the south west of Orchard End) and from within the lane to Snodhill. But even from these positions, given the tall boundary hedgerows and the nature of the scheme, the view will be of part of a single dwelling and an orchard, i.e. a similar view to that which already exists on the edge of this part of the village.

- 7.30 In our view, the impact on the landscape character of the village will be negligible. Moreover, we believe the proposals conform to every aspect of Core Strategy Policy LD2.

Are the proposals compatible with neighbouring uses, including agricultural operations?

- 7.31 The site is part of a larger agricultural field which is part of Lower Crossways Farm, the applicant's family farm. Agricultural activity will remain on the land adjoining the application site, but this will be no different to the common relationship between most rural dwellings adjoining agricultural land and in particular Sycamore House and the same field.
- 7.32 The site for the proposed new dwelling is immediately next to the boundary with Sycamore House and some 35m from the garden boundary of Orchard End. Given the type of uses involved, their physical relationship to one another and the degree of intervening vegetation/screening, we consider there will be no undue impact on the amenities of nearby occupiers or on the occupants of the proposed dwelling.
- 7.33 In our view, the proposed residential use of the site is compatible with neighbouring uses.

Do the proposals make adequate provision for protected and priority species and associated habitats?

- 7.34 Submitted as part of this planning application is an Ecological Impact Assessment and Biodiversity Enhancement Plan prepared by Swift Ecology and dated July 2019. The preliminary ecological appraisal (including a phase 1 habitat survey and protected species assessment) was carried out on 5th June 2019.
- 7.35 Swift Ecology found that the site has some potential to support protected species including bats, breeding birds, badger, great crested newt and reptiles. This is largely but not exclusively within the boundary hedgerows, ditch and adjoining strip of semi-improved grassland rather than across the arable field. However, a

background data search has revealed no records of protected or priority species on the site.

- 7.36 The proposals will see the removal of a section of existing roadside hedgerow to create a vehicular/pedestrian access as well as a thinning of a length of the retained hedgerow to help with the creation of visibility splays. A new hedgerow will be planted along the entire south eastern boundary of the site, the existing access will be gapped up and the hedgerow supplemented as necessary where thinned. A new traditional orchard will be created with a wildflower grassed understorey.
- 7.37 The submitted Biodiversity Enhancement Plan provides a strategy for biodiversity protection and enhancement. Mitigation is recommended in the form of reasonable avoidance and protection measures including provision of suitable protective fencing and minimal illumination of wildlife corridors.
- 7.38 Proposed enhancements will include the planting of species rich native hedgerows, creating wildflower borders and wildlife friendly garden habitats and the provision of a new traditional orchard along with the provision of a range of bat, bird and insect boxes as well as monitoring/maintaining the above.
- 7.39 All of the mitigation measures and recommended enhancements will be observed/incorporated into the scheme which we consider to be in accordance with the requirements of Core Strategy Policy LD2.

Impact on highway safety

- 7.40 There is a single, gated agricultural access to the site off the lane which runs from Dorstone to Snodhill, positioned just south west of the shared boundary with Sycamore House. The wider field has other agricultural accesses onto the lane running between Dorstone and Hinton.
- 7.41 The proposals include the provision of a repositioned vehicular access off the lane, circa 40m south west of the existing gated, agricultural access. The existing access will be removed and the resultant opening gapped up with native hedgerow. A

thinning of a length of the retained hedgerow either side of the new access will help with the creation of 2m by 43 m visibility splays in both directions.

- 7.42 A tarmac bound verge crossing will be provided at the access which leads to a Herefordshire gravel driveway and on to areas for external parking/turning and garaging.
- 7.43 Submitted as part of the application documentation is a Transport Statement prepared by Savoy Consulting which has addressed likely transport issues in respect of site access, visibility splays and the provision of local amenities.
- 7.44 In line with the pre-application advice received, automated traffic counts (ATC) were placed at the position of the proposed access to the site during June 2019. The results of the speed surveys are provided as Appendix A to the Transport Statement.
- 7.45 The traffic survey shows the low vehicle usage of the lane as well as low vehicle speeds. The proposed site access is designed and positioned in response to the traffic survey results in line with the advice found in Manual for Streets. The site is of sufficient size to enable the provision of appropriate levels of vehicle parking, cycle parking and vehicle turning space.
- 7.46 The Transport Statement concludes that there is no material or overriding highway or transportation reasons why planning permission should not be granted. We'd add that the proposals comply with the relevant sections of Core Strategy Policy MT1.

Flood Risk

- 7.47 The Environment Agency's Flood Maps show the site is not at risk from flooding from rivers and neither is it at risk from surface water flooding. Unlike the central part of the village close to the Pont-y-Weston Brook, it is within Flood Zone 1. Table 2 (Flood risk vulnerability classification) within the Planning Practice Guidance notes that a dwelling is classed as a 'more vulnerable' use while Table 3 (Flood risk vulnerability and flood zone 'compatibility') explains that More Vulnerable uses are appropriate for inclusion in Flood Zone 1.

- 7.48 The Technical Guidance to the NPPF states that since the application site is less than 1ha in size, a Flood Risk Assessment (FRA) is not needed to support the planning application.

Summary

- 7.49 In paragraph 7.14 of this Statement we noted that we need to consider whether any adverse impacts of the development may significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF.
- 7.50 The analysis in section 7 of this Statement and evidenced in the accompanying specialist reports demonstrates that some minor adverse effects will arise as a consequence of the proposals. These are principally in relation to the 'less than substantial' harm to the setting of the conservation area which we believe is more than offset by public benefits. We have identified no other adverse effects. As a result, we conclude that there are no adverse impacts as a consequence of the development that significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF. Planning permission should, therefore, be granted in line with paragraph 11 of the NPPF.

8.0 PLANNING OBLIGATIONS AND CIL

- 8.1 We are aware of and have had regard to the requirements of the National Planning Practice Guidance and the Community Infrastructure Levy (CIL) Regulations.
- 8.2 Notwithstanding the above, the Council's website says that "*As of October 2018, the Community Infrastructure Levy is on hold.*" As a result, we note CIL is not yet chargeable within the County.
- 8.3 We do not believe that any specific planning obligations are necessary, but we are willing to discuss their use should the Council see merit in their inclusion as part of any planning consent.

9.0 CONCLUSIONS

- 9.1 This is an outline planning application for the construction of a single new dwelling on land to the south west of Sycamore House. All matters are reserved except for means of access.
- 9.2 The evolution of the scheme has involved extensive pre-application discussions with the Council. Those discussions have been constructive, demanding we carefully consider, inter alia, the right site as well as heritage, landscape, access and ecological considerations but ultimately resulting in a scheme that can, we believe, be considered favourably.
- 9.3 It is readily accepted that the Council cannot demonstrate a five year supply of deliverable housing sites. As a result, paragraph 11 of the NPPF says that planning permission, in this case for residential development, should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF taken as a whole or specific policies in the Framework indicate development should be restricted.
- 9.4 It is our view that the proposed dwelling is in a location supported in principle by the Core Strategy but outside of the development boundary for Dorstone established by the DNP. Nonetheless, the proposals can reasonably be deemed to be sustainable development as set out in the NPPF.
- 9.5 This Statement and other supporting material considers whether there are any adverse impacts arising from the proposals that may significantly and demonstrably outweigh the benefits. It is our view that there are no such adverse impacts.
- 9.6 In conclusion, given the balancing exercise required by paragraph 11 of the NPPF, it is our view that planning permission should be granted.

DK Planning & Development Limited
July 2019