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# Appeal Decision

Site visit made on 8 September 2020

**by M Allen BSc (Hons) MSc MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 26 October 2020**

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**Appeal Ref: APP/W1850/W/20/3250543**

**Trejenna, Little Trerece Access, Llangarron HR9 6NH**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Mr Marshall, Littlefields Consultancy Ltd against the decision of Herefordshire Council.
  - The application Ref 193230, dated 23 August 2019, was refused by notice dated 12 March 2020.
  - The development proposed is described as "Proposed development of two residential dwellings including new vehicular access off the highway".
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## Decision

1. The appeal is dismissed.

## Main Issues

2. The main issues are:
  - i) the acceptability of the location, with particular regard to the spatial strategy of the development plan, and
  - ii) the effect on the character and appearance of the area.

## Reasons

### *Location*

3. Policy RA2 of the Herefordshire Local Plan Core Strategy (the CS) outlines that housing growth will be supported within or adjacent to identified settlements in order to maintain and strengthen locally sustainable communities. Llangarron is identified as a settlement at which proportionate housing will be appropriate. The policy requires that, amongst other things, proposals be located within or adjacent to the main built-up area of the settlement.
4. Llangarron is a settlement that is arranged around a number of roads leading into and through the village. The majority of the built form of the settlement lies to the north west of the site and is centred around the church. Development in this area comprises a reasonably dense collection of buildings which, when in this area, give the sense of being within the central core of the settlement and within the main built-up area. Whilst the appeal site lies adjacent to an existing dwelling, this forms part of a less cohesive grouping of buildings that is some distance, and separated from, the core of the settlement that I have identified above. Moreover, the loose collection of buildings within the vicinity of the site is visually separated from the core area by fields.

Consequently, the loose grouping of buildings within the vicinity of the site does not comprise part of a main built-up area of the settlement. In this respect, the site lies within the countryside.

5. Policy RA3 of the CS states that outside of settlements, as I have found the site to be, residential development will be limited to that which accords with a number of criteria. The scheme would not be in accordance with any of these.
6. The Council state that the Llangarron Neighbourhood Area has a target of 64 dwellings to be delivered over the plan period and that taking into account new dwellings built, as well as commitments, that this target has been exceeded. However, this appears to be a minimum figure and I have nothing before me to suggest that this figure is a ceiling or limit to the number of dwellings that can be permitted. As such, I find that there would be no harm in this regard from a further two dwellings, should the principle of development have been acceptable.
7. Llangarron provides little in the way of services, with only a village hall and some public transport provision. Furthermore, the site is located away from the main built-up area. As such, notwithstanding that the settlement has been identified for some housing growth, there would be a reliance on the private car in order to access day-to-day services, indicating that the development would not accord with the sustainability principles of locating development where there is a choice of transport modes which reduce the need to travel by car.
8. Accordingly, I find that the location of the development would not be acceptable having regard to the spatial strategy of the development plan. Thus, the proposal conflicts with policies RA2, RA3, SS4 and SS7 of the CS, in terms of sustainably locating development.

#### *Character and appearance*

9. The proposed dwellings would be located to the rear of Trejenna and extend along the highway, away from this existing dwelling. The site is currently occupied for the growing of trees and vegetables, as well as for the housing of animals. As a consequence, it does not have the appearance of open countryside. Nonetheless, there is a general absence of built development on the site and it thus shares a greater affinity with the character and appearance of the surrounding countryside than with the residential development nearby.
10. The appeal scheme would result in the introduction of two substantial dwellings, together with associated garden areas, which would intrude into the countryside at this location. There would be an extension of what is a loose grouping of properties along the road, eroding the rural character and appearance of the area. This would be further compounded by the significant removal of hedgerow that would be necessary in order to accommodate the visibility splays at the point of vehicular access.
11. Currently, the road is tightly enclosed by hedging on both sides, imparting a distinctly rural character. The hedgerow fronting the entire appeal site would be removed and replaced with grassed areas. This would substantially diminish the character and appearance of the rural lane at this location. Whilst not shown on the submitted drawings, the appellant has referred to the ability to replant a hedge. However, this would be behind the necessary visibility splays

and would not therefore follow the existing hedge line which encloses the highway and positively contributes to the area. Thus, any planting would not be sufficient to mitigate the harmful effect of the proposal.

12. Accordingly, the proposal would have a harmful effect on the character and appearance of the area, conflicting with policies SS6 and LD1 of the CS. Together, and amongst other things, these policies seek to ensure development conserves environmental assets that contribute towards distinctiveness and the natural beauty of the area.
13. Whilst the frontage hedging would be lost, the scheme does include the planting of new hedging to the remaining three boundaries of the application site. This would amount to a greater length of hedging than the current roadside hedge. As such, in terms of biodiversity and provision of green infrastructure, there would be no harmful effect. As such, there would be no conflict with policies LD2 and LD3 of the CS. This however does not outweigh the harm I identify above.

### **Other Matters**

14. I have had regard to the site referred to by the appellant where permission has previously been granted for residential development. However, the location of this is different from that which is before me. In that case, the Council considered that the proposal would not be isolated in that the site was adjacent to a cohesive grouping of barn conversions and comprised an enclosed parcel of land. Whilst the Council considered that formed part of the pattern of development within Llangarron, this does not persuade me that the appeal scheme would be adjacent to the main built-up area of the settlement as required by policy, or indeed form part of the pattern of development, as it would extend the built development into the countryside.

### **Planning Balance**

15. The Council is currently unable to demonstrate a five-year supply of deliverable housing sites; I have had regard to the recent update to the position in respect of the supply of site which indicates a current level of 3.69 years supply, a reduction on previous figures.
16. The development plan's housing policies are broadly in line with the aims of the National Planning Policy Framework (the Framework) in directing new residential development to locations where there is good access to services and by limiting development in rural areas unless there are special circumstances. I therefore attach substantial weight to the conflict with these policies. Policies SS6 and LD1 are wholly consistent with the Framework's aims of ensuring development is sympathetic to local character and landscape setting. I therefore attached significant weight to the conflict with these policies.
17. The proposal would result in the provision of two additional dwellings. There would be social benefits through the provision of modern housing, as well as economic benefits both during construction of the development and throughout its lifetime. However, given the small scale of the scheme, as well as that benefits during the construction would be for a short time, these benefits would be limited and therefore attract little weight.
18. As such, whilst taking these into account, I find that the adverse impact of the scheme, in terms of conflict with the spatial strategy and harm to the character

and appearance of the area, would significantly and demonstrably outweigh the benefits that would arise when assessed against the policies in the Framework as a whole.

### **Conclusion**

19. I conclude that the appeal proposal would conflict with the development plan. There are no material considerations, including the advice of the Framework, that outweigh that conflict. It is therefore concluded that the appeal should not succeed.

*Martin Allen*

INSPECTOR