



Appeal Decision

Site visit made on 27 October 2020

by M Aqbal BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 January 2021

Appeal Ref: APP/W1850/W/20/3256280

Land opposite, Tredunnock Farm, Llangarron, Ross-on-wye Herefordshire

- 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 Jim Thorpe against the decision of Herefordshire Council.
 - The application Ref 194213, dated 17 January 2020, was refused by notice dated 13 March 2020.
 - The development proposed is erection of 1 new single storey dwelling and new vehicular access.
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Decision

1. The appeal is dismissed.

Main Issues

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

Reasons

Suitability of the location

3. In terms of new housing in rural areas, Policy RA2 of the Herefordshire Local Plan-Core Strategy ('CS') states that the minimum growth target in each rural Housing Market Area ('HMA') will be used to inform the level of housing development to be delivered in the various settlements. Further, that Neighbourhood Development Plans will allocate land for new housing or otherwise demonstrate delivery to provide levels of housing to meet the various targets.
4. The appeal site falls within the Parish of Llangarron which is within the Ross on Wye HMA and is listed as 'other settlements where proportionate housing is appropriate'. The Llangarron Neighbourhood Area, published a draft Neighbourhood Development Plan for Regulation 14. However, this version of the Plan has not progressed and therefore only limited weight can be afforded to it. Consequently, as set out under Paragraph 4.8.23 of the CS, the proposal needs to be assessed against its relationship to the main built-up forms of the settlement. This Paragraph also explains that outside of the settlements new housing will be restricted to avoid unsustainable patterns of development and to proposals which meet the criteria listed in Policy RA3 (Herefordshire's countryside) of the CS.

5. The main built-up area of Llangarron lies some distance east of the appeal site. Nevertheless, the main parties agree that Llangarron includes a number of nucleated clusters of development. One such cluster is a group of buildings converted for residential use, which were historically associated with the former Tredunnock Farm. When travelling along the adjacent road ('U71213') due to their relative proximity to each other, the cohesiveness of the buildings at Tredunnock Farm is apparent which retains the appearance of a farmstead in the countryside.
6. The appeal site is a field with a broadly triangular footprint, prominently located on the junction of Rock Point Lane, with a field access off the U71213 which runs along its southern boundary. The appeal site also lies broadly opposite the development at Tredunnock Farm.
7. Due to its spatial relationship to Tredunnock Farm, the proposal would not result in the creation of an isolated home in the countryside, within the meaning of Paragraph 79 of the National Planning Policy Framework ('the Framework'). Nevertheless, the U71213 provides a physical and visual separation between the appeal site and the development at Tredunnock Farm. This is sufficient to sever the site of the proposed dwelling from the existing development which forms part of the main-built up area of the settlement. Thus, I find that the site would not lie adjacent to this main built-up area.
8. In terms of accessibility, the appeal site lies about 750m west of the bus stop in Llangarron. The village of Llangarron has a limited number of services and facilities including a village hall, church and community centre. The appellant's evidence refers to bus pick up and drop offs for local schools. However, on the available information the bus route through the village offers a limited service.
9. In general, roads near the site have no dedicated footpaths or lighting. Therefore, while I note the appellant's references to appropriate walking distances from Manual for Streets and IHT Guidelines, I am not persuaded that routes from the appeal site offer suitable or appealing walking conditions for regular use, particularly during inclement weather, winter periods when daylight hours are reduced and for those having to carry shopping or using prams and wheelchairs. Cycling is also likely to be less appealing for longer journeys to destinations containing the full range of services and facilities to serve day to day needs. Therefore, future occupants are more likely to choose the convenience of travelling by private vehicles.
10. Furthermore, when in private vehicles, occupants of the proposed dwelling would be likely to drive further afield to access the better range of services and facilities offered by larger settlements, in preference to Llangarron and other villages nearby. Therefore, the proposal is only likely to offer limited support to services in rural villages, as Paragraph 78 of the Framework envisages.
11. Taking into account the above factors and the advice in the Framework on sustainable transport solutions varying between urban and rural areas and notwithstanding that some people may work from home, the location of the site for housing does not offer suitable sustainable travel choices in respect of accessibility to a range of services and amenities. Future occupants of the proposed dwelling would therefore be highly reliant on car travel, resulting in adverse environmental effects.

12. The reason for refusal refers to Policy RA3 of the CS, which 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.
13. For the above reasons, the appeal site is not in a suitable location for new housing because it would be afforded poor levels of accessibility to a range of services and amenities. I therefore find conflict with Policies RA2 and RA3 of the CS. The proposal also conflicts with Policy SS4 which along with other things requires that where practicable development proposals should be accessible by and facilitate a genuine choice of modes of travel including, walking, cycling and public transport. Accordingly, the proposal is contrary to similar aims of CS Policy SS7 in respect of addressing climate change.

Character and appearance

14. Given its historic associations with Tredunnock Farm and despite being overgrown, the appeal site retains its historic field pattern, defined by boundary treatments comprising hedges and trees. With the exception of some poles supporting electricity wires, which are of a slender design and established features in the area, the appeal site is free of any significant development. Because of this and its verdant appearance, along with the surrounding open countryside to the north of the U71213, individually and cumulatively the appeal site positively contributes to the Sandstone Farmlands open countryside. This is a unique landscape characterised primarily by fields divided by straight, single species hedges, forming part of an agricultural landscape. This is particularly appreciable in views from nearby roads. Therefore, physically, visually and functionally, the appeal site distinctly forms part of the wider countryside.
15. In contrast, a new dwelling setback within its plot, to the north of the U71213, would be physically and visually separated from the development at the former Tredunnock Farm. Furthermore, and regardless of attention to design and materials for the proposed dwelling, and some concealment by the retained hedgerows, the new dwelling, its driveway and detached outbuilding, would introduce considerable and permanent encroachment and urbanisation of a largely undeveloped site in the countryside. This would erode the rural and scenic quality of the landscape and area.
16. In particular, a new dwelling at the proposed location, would be a jarring addition to the countryside, which would be divorced from the nucleated cluster of development and existing settlement pattern.
17. For the above reasons, the proposal would harm the character and appearance of the area and would be contrary to 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.
18. I also find conflict with CS Policy RA2, which amongst other matters states that 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.

Other Matters

19. The dwelling approved under planning permission Ref: 184346 on land opposite the appeal site is immediately adjacent to the cluster of development at the Tredunnock Farm and lies south of the U71213. Therefore, compared to the appeal site it has a distinctly different physical and visual relationship to the existing cluster of development. I have also taken account of the Council's findings on the accessibility of the site of the approved dwelling. This largely took account of its distance from the edge of the nearby settlement rather than any detailed assessment of accessibility and the availability of services and amenities within and near the settlement. Nonetheless, based on the information before me and the foregoing reasons, I have found that the appeal site would not be particularly accessible by sustainable forms of travel to a range of services and amenities.
20. The appellant has also referred to another dwelling approved on appeal Ref: APP/W1850/W/17/3188343. However, on the limited information available to me, this site constitutes previously developed land and is therefore not directly comparable to the appeal scheme before me. As such, these examples do not alter my findings on the main issues. In any event, I have determined the appeal before me on its merits.
21. The site falls within the catchment of the River Wye Special Area of Conservation ('River Wye SAC'). In such an instance the decision maker, when considering the effect that a proposal may have on such sites either individually or in combination with other development, to consider mitigation within an appropriate assessment rather than at the screening stage. This responsibility now falls to me as the competent authority, but as I am dismissing the appeal for other reasons, it is not a matter I need to address.

Other considerations

22. The Council has acknowledged that it currently is unable to demonstrate a 5-year supply of housing land, with the current level of housing being 3.69 years, which is a reduction on previous years. Therefore, Paragraph 11d) of the Framework is engaged. Assuming I found the effect of the River Wye SAC did not provide a clear reason for refusal.
23. Notwithstanding that the appellant has highlighted some constraints to the supply of housing at both County and local levels, which includes implications for the River Wye SAC, the proposal would only make a limited contribution to meeting the Council's housing requirements including an un-met demand for two-bed dwellings and would generate a minor economic benefit through the development of the site and occupancy of the dwelling. There would also be a modest social benefit through occupants use of limited services within Llangarron. There is also the potential for some modest environmental benefits arising from the energy efficient design of the proposed dwelling and new planting.
24. Given the modest size of the appeal site and having found that it positively contributes to the local landscape, any enhancements arising from the removal of the existing electricity infrastructure at the appeal site, including the setting of any non-designated historic assets at Tredunnock Farm would be limited.

Planning Balance and Conclusion

25. The proposed development for a single dwelling would make a modest contribution towards the housing shortfall locally. Nonetheless, any benefits associated with a single dwelling would be limited. This along with the 'other considerations' forwarded by the appellants, carry only limited weight in favour.
26. The development plan's housing policies are broadly consistent with the aims of 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 significant weight to the conflict with these policies.
27. Policies SS6 and LD1 of the CS are wholly consistent with the Framework's aims for ensuring that development is sympathetic to local character and landscape setting. Whilst Policies SS4 and SS7 of the CS support the Framework's aims in respect of promoting sustainable modes of travel and managing climate change, respectively. I therefore attach substantial weight to the conflict with these Policies.
28. I have found that the site's location and development would be contrary to the Council's spatial strategy, thereby increasing reliance on private vehicles and would also harm the character and appearance of the area. As such, the adverse impacts arising from the development would significantly and demonstrably outweigh the benefits that would arise, when assessed against the policies in the Framework as a whole. I, therefore, conclude that the appeal should be dismissed.

M Aqbal

INSPECTOR