

Wellington Heath Parish Council

05 April 2016

To HCC Planning
Copy Liz Harvey
Copy Paul Esrich, Malvern Hills AONB

Planning application 151438 - Land at Fir Tree Cottage, Floyds Lane, Wellington Heath

Dear Sirs,

We have recently been informed of the amended outline planning application for land at Fir Tree Cottage. We note that the new plans have been available for some time and that the HC Transport Department responded on 4 Jan 16 and the date of the amended plans is 14 July 2015. It would be helpful if in future we were advised of amendments.

We note this outline application is for access only, and the access has been subject to major amendment.

The revised access arrangements off Floyds Lane for plots 1 and 3 are acceptable although removal of the hedge for plot 1 access is not ideal. The proposed access for plot 2 is completely unacceptable since it is on a bend with poor visibility and removal of the hedge to create another vehicle access is unnecessary and will be detrimental to local distinctiveness and the landscape and ecology.

The Transport Department propose 2 vision spays of 16m by 2m on Floyds Lane which is not feasible within the proposed site boundary. Furthermore the hedges are an important part of the Malvern Hills AONB and Wellington Heath local landscape distinctiveness and ecology. Vehicle speeds are very slow on this narrow road. The existing hedges on Floyds Lane must be preserved and we are opposed to their removal for the creation of vision spays. Furthermore there must be no curb stones or other suburban features in this rural setting.

Access to Fir Tree Cottage and additional parking is still shown from Horse Road. Horse Road is narrow and this access is dangerous and has only been used for vehicular access by the adjacent Stone Cottage, and the intensity of use should not be increased. We have spoken to long standing residents and understand that Nancy Davis at Fir Tree Cottage did not have a car, may not have held a driving licence and visitors used the existing access on Floyds Lane. Fir Tree Cottage does not have vehicular access onto Horse Road. Vehicular access from Horse Road to Fir Tree Cottage or the new properties should not be approved. Planning applications and appeals for developments involving vehicular access to this part of Horse Road have apparently been repeatedly refused.

We note that the plot 1 building footprint may breach a covenant in favour of Jay House. Whilst this may not be a planning issue it is likely to affect a subsequent full planning application and alter optimum vehicular access arrangements.

We note there are substantial mistakes in respect of the submission and handling of this planning application:-

1) The planning application form proposes 3 bedroom properties yet the indicative

drawings clearly show 4 bedrooms. Hence we cannot reliably judge intensity of the proposed development and access and parking requirements. 4 bedroom properties would be too large and unacceptable.

2) The Parish Council response of 23 June 2015 is recorded on the HC webs site as 'comments' whereas we clearly stated that we objected. In our responses we try to present a balanced opinion and where appropriate suggest how planning applications might be made acceptable. If this practise is causing our objections to be recorded as comments please inform us.

3) We see that Welsh water have advised that there are no public sewers in this area. This is false, there are foul water sewers in both Horse Road and Floyds Lane although we understand they are the responsibility of Severn Trent. We would draw attention to the fact that slightly to the South the sewers suffer from foul water discharge in times of heavy rain, we do not know if this is caused by lack of maintenance or inadequate capacity.

This planning application has been subject to a very substantial amendment, and access to plot 2 and Fir Tree Cottage are unacceptable. During the long elapsed period of this application the UDP has been replaced by the Core Strategy. The application should be rejected and a fresh start made.

We are not opposed to development of this site in principle but much more attention needs to be given to local distinctiveness, and safe, practical proposals. The architects appear to be aiming for excessively dense development which may be the root cause of the difficulties and nugatory work encountered so far. The new Herefordshire Core Strategy gives much increased emphasis to local distinctiveness (see Annex to this letter), nearby properties cannot be regarded as an indication of acceptable design.

Any subsequent application must give particular attention to local distinctiveness, the setting in the AONB and the Malvern Hills Area of Outstanding Natural Beauty Guidance on Building Design. Houses which are too high or too large, lack garaging and are of substantially similar design will not be acceptable. The ad-hoc settlement pattern must be respected, new buildings must be small and modest in scale, simple in character and fenestration and of an individual style. Off-the-peg, standardised designs and those which are typical of urban and suburban estate areas are not appropriate.

Vehicle entrance from the existing Floyds Lane pull-in point alone could be sufficient and provide access to integral garages (perhaps not plot 1) and the originally proposed but slightly relocated parking area which could serve new properties and Fir Tree Cottage. Fir Tree Cottage garden could be to its side alongside Floyds Lane rather than to the rear to allow the footprint for plot 1 to avoid breaching the Jay House covenant. An ad-hoc building layout, not aligned with Floyds Lane may accommodate 3 modest properties on the site although such density would be tight in relation the character of the village and landscape type.

C F Rozelaar

Chairman Wellington Heath Parish Council Planning Committee

Extract of sections on Distinctiveness and AONBs from Herefordshire Core Strategy

Policies are reproduced in their entirety, relevant sections are taken from paragraphs.

Para 1.28 "---- joint working via the AONB partnerships and implementation of the AONB management plans."

Para 2.24 "Large tracts of this landscape are of high quality with the Wye Valley and the Malvern Hills having national AONB designation"

Para 3.14 "**Vision for Environmental Quality in Herefordshire** 3.14 New development will be designed and constructed in ways to ensure that local distinctiveness is reinforced. ----"

Figure 3.1 "**Strategic Objectives - Environmental Quality - 10** - To achieve sustainable communities and protect the environment by delivering well-designed places, spaces and buildings, which use land efficiently, reinforce local distinctiveness and are supported by the necessary infrastructure including green infrastructure.

Para 3.95 "--- New development will provide for a range of type and size of sustainably constructed and well-designed buildings to reduce carbon dioxide emissions, contribute to climate change adaptation, enhance energy efficiency and respect local distinctiveness"

Para 3.93 "In undertaking assessment the values attached to local distinctiveness by local communities can include social and economic perceptions as well as environmental characteristics. Where produced, local guidance should inform the design process. A series of documents exist that provide planning guidance and advice on biodiversity, archaeology and landscape character. Management plans have been prepared for both Areas of Outstanding Natural Beauty within the county and conservation objectives set for sites of international and national biodiversity interest."

Policy SS6 "Environmental quality and local distinctiveness - Development proposals should conserve and enhance those environmental aspects that contribute towards the county's distinctiveness, in particular its settlement pattern, landscape, biodiversity and heritage assets and especially those with specific environmental designations. In addition proposals should maintain and improve the effectiveness of those ecosystems essential to the health of the well being of the county's residents and its economy. Development proposals should be shaped through an integrated approach to planning the following environmental components from the outset, and based on sufficient information to determine the effect upon each where they are relevant:

- landscape, townscape and local distinctiveness, especially in Areas of Outstanding Natural Beauty;
- biodiversity and geodiversity especially Special Areas of Conservation and Sites of Special Scientific Interest;
- historic environmental and heritage assets, especially Scheduled Monuments and Listed Buildings;
- the network of green infrastructure;
- local amenity, including light pollution, air quality and tranquillity;
- agricultural and food productivity;
- physical resources, including minerals, soils, management of waste, the water environment, renewable energy and energy conservation.

The management plans and conservation objectives of the county's international and nationally important features and areas will be material to the determination of future

development proposals. Furthermore assessments of local features, areas and sites, defining local distinctiveness in other development plan documents, neighbourhood development plans and supplementary planning documents should inform decisions upon proposals."

Para 3.99 "Management Plans have been prepared for both the Wye Valley and Malvern Hills Areas of Outstanding Beauty. These documents will be relevant to assessment of the effects of development upon these important assets. The most rigorous approaches to assessing the effect of development should be taken for those areas with international and national designations, including proposals outside but having an effect upon them, in accordance with the protection afforded to such areas in the National Planning Policy Framework. Sites and Features of local importance should also receive an appropriate level of protection when determining the effects of proposals upon the environment and local distinctiveness. Subsequent policies set out the approach that should be applied in relation to these and a number of supplementary planning documents are also referred in their supporting statement which will also be relevant. Appendix 8 provides a list of those which have been identified at the time of drafting this Core Strategy"

Para 3.107 "**Key outcomes of the strategy for environmental quality** 3.107 These comprise: recognising the intrinsic character and beauty of the countryside; respecting local distinctiveness; funding new green infrastructure; and addressing the causes and impacts of climate change. These link to Core Strategy objectives 10,11 and 12."

Para 4.5.2 Relates specifically to Ledbury

Policy LB1 Relates specifically to Ledbury

Policy LB2 Relates specifically to Ledbury "----- respects the setting and significance of the listed viaduct and the Malvern Hills Area of Outstanding Natural Beauty"

Para 4.8.17 "Given the importance of the Herefordshire landscape, and particularly the Malvern Hills and the Wye Valley Areas of Outstanding Natural Beauty, new dwellings should make a positive contribution to their rural landscape by being built to a high standard, incorporating appropriate materials and landscaping."

Para 4.8.43 "The Wye valley AONB and the Malvern Hills AONB are recognised by the National Planning Policy Framework as areas where development should be restricted. Guidance on proposed developments in AONBs is set out in Paragraph 116 of the NPPF. Policy LD1 of this plan also sets out guidance on how development proposals should seek to safeguard the character and appearance of these areas."

Para 5.2.20 "The Herefordshire STEAM report shows that tourism makes an important contribution to the county's economy. Herefordshire has many historic and natural assets which are of national interest for example the Mappa Mundi and the Wye Valley Areas of Outstanding Natural Beauty. Hereford, the market towns and rural areas are popular destinations for a range of different types of visits and activities. Tourism in Herefordshire can help to strengthen the economy through diversification and new business development in both urban and rural areas."

Para 5.3 "**Environmental quality**

1. **Local distinctiveness**
2. **Sustainable design"**

Paras 5.3.2 to 5.3.5 "**Local Distinctiveness**

5.3.2 To successfully deliver the Core Strategy vision in respect of environmental quality and local distinctiveness, this section provides a proactive strategy for the conservation, restoration and enhancement of environmental assets and the delivery of new green infrastructure to support policies SS6 and SS7.

5.3.3 Locally distinctive assets both natural and man made, are finite and irreplaceable and any detrimental impacts can carry cultural, environmental, economic and social costs. A number of assets benefit from designations within national and international legislation. Statutory designations range from large areas conserved for landscape, geodiversity and biodiversity importance, such as the Wye Valley and Malvern Hills Areas of Outstanding Natural Beauty and River Wye Special Area of Conservation, to individual statutory listed buildings which are protected for their architectural or historic significance. Appendix 8 lists the designated sites in Herefordshire at the time of adoption.

5.3.4 Non-statutory designations and locally determined features are equally important to Herefordshire's local distinctiveness. Working with partner organisations, Herefordshire Council has identified important assets such as local wildlife sites, local geological sites and areas and buildings of local interest which contribute to Herefordshire's unique character. Non-statutory locally distinctive buildings and green spaces will be identified through forthcoming Development Plan Documents or Neighbourhood Development Plans.

5.3.5 Conserving local distinctiveness is central to the purposes of designations at all levels and achieved substantially through the production and implementation of management plans, conservation strategies and objectives and guidance resulting from best practise and local assessments."

Policy LD1 "Landscape and Townscape - Development proposals should -

- demonstrate that character of landscape and townscape has positively influenced the design, scale, nature and site selection, protection and enhancement of the setting of settlements and designated areas;
- conserve and enhance the natural, historic and scenic beauty of important landscapes and features, including Areas of Outstanding Natural Beauty, nationally and locally designated parks and gardens and conservation areas; through the protection of the area's character and by enabling appropriate uses, design and management;
- incorporate new landscape schemes and their management to ensure development integrates appropriately into its surroundings; and
- maintain and extend tree cover where important to amenity, through the retention of important trees, appropriate replacement trees lost through development and new planting to support green infrastructure."

5.3.19 "----. Development can include corridors for movement through foot and cycle paths. It provides opportunities for improving the management of and interpreting natural and heritage assets and how they contribute to local distinctiveness. Increased access to green infrastructure can promote physical and mental health well-being."

Policy SD1 "Sustainable design and energy efficiency - Development proposals should create safe, sustainable, well integrated environments for all members of the community. In conjunction with this, all development proposals should incorporate the following requirements :-

- ensure that proposals make efficient use of land - taking into account the local context and site characteristics,

- new buildings should be designed to maintain local distinctiveness through incorporating local architectural detailing and materials and respecting scale, height, proportions and massing of surrounding development, while making a positive contribution to the architectural diversity and character of the area including, where appropriate, through innovative design;
- safeguard residential amenity for existing and proposed residents;
- ensure new development does not contribute to, or suffer from, adverse impacts arising from noise, light or air contamination, land instability or cause ground water pollution;
- where contaminated land is present undertake appropriate remediation where it can be demonstrated that this will be effective;
- ensure that distinctive features of existing buildings and their setting are safeguarded and where appropriate, restored;
- utilise physical sustainability measures that include in particular, orientation of buildings, the provision of water conservation measures, storage for bicycles and waste including provision for recycling, and enabling renewable energy and energy conservation infrastructure;
- where possible, on-site renewable energy generation should also be incorporated;
- create safe and accessible environments, that minimise opportunities for crime and anti-social behaviour by incorporating Secure By Design principles, and consider the incorporation of fire safety measures;
- ensure designs can be easily adapted and accommodate new technologies to meet changing needs throughout the lifetime of the development; and
- utilise sustainable construction methods which minimise the use of non-renewable resources and maximise the use of recycled and sustainably sourced materials;

All planning applications including material changes of use, will be expected to demonstrate how the above design and energy efficiency considerations have been factored into the proposal from the outset."