

MEETING:	PLANNING COMMITTEE
DATE:	21 JANUARY 2015
TITLE OF REPORT:	P141849/O - SITE FOR 8 DWELLINGS (ALL MATTERS RESERVED) AT LAND OPPOSITE OLD HALL, STOKE PRIOR, HEREFORDSHIRE, HR6 0LN For: Mr Williams per Berrys, Willow House East, Shrewsbury Business Park, Shrewsbury, Shropshire, SY2 6LG
WEBSITE LINK:	https://www.herefordshire.gov.uk/planning-and-building-control/development-control/planning-applications/details?id=141849&search=141849
Reason Application submitted to Committee – Contrary to Policy	

Date Received: 18 June 2014

Ward: Hampton Court Grid Ref: 352570,256318

Expiry Date: 18 August 2014

Local Member: Councillor JW Millar

1. Site Description and Proposal

- 1.1 The application site is to the south east of the main built up area of Stoke Prior. It is linked to the main part of the village by the class C1110 road that leads north-westwards and downhill to the centre of the village. This classified road leads uphill in the opposite direction to the Three Rivers Ride. This paddock adjoins The Trug on the western boundary and The Hollies on the eastern or upside boundary. Old Hall Farmhouse is on the opposite side of the classified road and to the north-west of it is Fir Tree Cottage a grade II listed building , the nearest listed building to the application site, albeit on the other side of the C1110 road.
- 1.2 There is a spring running along the northern boundary of the site and a public footpath between 10 and 16 metres further north and running roughly parallel to the northern boundary.
- 1.3 The site gains access off the northern side of the C1110 road. There is well established hedgerow along the roadside and along the rear or northern boundary of the 0.54 hectares site. A new access will be created providing visibility splays of 2.4 x 43 metres. This will entail the removal of hedgerow across the site frontage. An indicative layout plan has been submitted providing for 6 detached dwellings and a pair of semi-detached dwellings i.e. a total of 8 dwellings. Three dwellings will be affordable. The indicative plan also provides details for a surface water holding/attenuation pond that will discharge into an existing watercourse. Details are also provided for a highway surface water pipe attenuated to greenfield run-off rate. The development will be served by a private sewage treatment plant that will be used in connection with a reed bed system before discharging into the aforementioned surface water/attenuation pond. An orchard will be planted on land between the proposal site and The Trug.
- 1.4 This application is in outline with all matters reserved for future determination.

Further information on the subject of this report is available from Mr A Prior on 01432 261932

- 1.5 This proposal has been the subject of community consultation at a Parish Committee meeting in June 2014, following consultation with neighbouring properties a month earlier. It is stated that as a result the number of dwellings was reduced from 14 to 8 dwellings and measures provided for an attenuation pond and highway water attenuation pipes.

2. Policies

National Planning Policy Framework

- 2.1 The following sections are of particular relevance:

Introduction	-	Achieving Sustainable Development
Section 6	-	Delivering a Wide Choice of High Quality Homes
Section 7	-	Requiring Good Design
Section 8	-	Promoting Healthy Communities
Section 11	-	Conserving and Enhancing the Natural Environment
Section 12	-	Conserving and Enhancing the Historic Environment

- 2.2 Herefordshire Unitary Development Plan 2007 (UDP)

S1	-	Sustainable Development
S2	-	Development Requirements
S3	-	Housing
S6	-	Transport
S7	-	Natural and Historic Heritage
DR1	-	Design
DR3	-	Movement
DR4	-	Environment
H6	-	Housing in smaller settlements
H7	-	Housing in the Countryside Outside Settlements
H13	-	Sustainable Residential Design
HBA4	-	Setting of listed buildings
T8	-	Road Hierarchy
LA2	-	Landscape Character and Areas Least Resilient to Change
LA5	-	Protection of Trees, Woodlands and Hedgerows
LA6	-	Landscaping
NC1	-	Biodiversity and Development
NC6	-	Biodiversity Action Plan Priority Habitats and Species
NC7	-	Compensation for Loss of Biodiversity

- 2.3 Herefordshire Local Plan – Draft Core Strategy

SS1	-	Presumption in Favour of Sustainable Development
SS2	-	Delivering New Homes
SS3	-	Releasing Land for Residential Development
SS4	-	Movement and Transportation
SS6	-	Addressing Climate Change
RA1	-	Rural Housing Strategy
RA2	-	Herefordshire's Villages
H1	-	Affordable Housing – Thresholds and Targets
H3	-	Ensuring an Appropriate Range and Mix of Housing
MT1	-	Traffic Management, Highway Safety and Promoting Active Travel
LD1	-	Local Distinctiveness
LD2	-	Landscape and Townscape
LD3	-	Biodiversity and Geo-Diversity
SD1	-	Sustainable Design and Energy Efficiency

- SD3 - Sustainable Water Management and Water Resources
- ID1 - Infrastructure Delivery

2.4 Neighbourhood Planning

Humber, Ford and Stoke Prior Group Parish Council have designated a Neighbourhood Area under the Neighbourhood Planning (General) Regulations 2012. The area was designated on 21 May 2013. The Group Parish Council are drafting a Neighbourhood Development Plan for the area. There is no timescale for proposing/agreeing the content of the plan at this stage, but the plan must be in general conformity with the strategic content of the emerging Core Strategy. At the present time no weight can be attached to the plan.

- 2.5 The Unitary Development Plan policies together with any relevant supplementary planning documentation can be viewed on the Council's website by using the following link:-

<https://www.herefordshire.gov.uk/planning-and-building-control/planning-policy/unitary-development-plan>

3. Planning History

- 3.1 None

4. Consultation Summary

Internal Council Advice

- 4.1 Transportation Manager: No objection.

Development is acceptable as far as highways are concerned.

Note:

Garages to be 6m by 3m internally per car space

Covered and secure cycle parking required for each dwelling

Two and three bed houses = 2 car spaces; 4 beds = 3 spaces

- 4.2 Conservation Manager (Historic Buildings): No objection subject to more details.

The proposed development is situated on the edge of Stoke Prior, a small village with a large proportion of listed buildings. These listed buildings, including Fir Tree Cottage which is situated to the west of the proposed site, tend to be single dwellings in larger plots either directly addressing the street or set well within the plot. The unlisted buildings of the local area follow a similar pattern of development.

The proposed scheme is sited to the west of Fir Tree Cottage and would form part of the wider setting of the listed building. Fir Tree Cottage is not an isolated building currently – there are agricultural and other buildings located to the south and west and development does already form part of its setting. The proposed scheme would represent a change in the surrounding built environment of the listed building and the village centre. However, insofar as the listed building is concerned, it is not considered development on this site would harm the wider setting of the listed building subject to site layout and the design, number and materials of the proposed houses. The proposed development would be screened from the listed building by the proposed planting of an orchard at the site's north-western end that relates to historic uses of the site and the local area. This is a positive aspect of the proposals. It is acknowledged that the proposed scheme is an outline application. In developing a full application, consideration should be given to the architectural and historic characteristics of the village and the listed building in closest proximity to the site. It should be demonstrated that the established pattern of development and palette of materials has informed the site layout and house design. This is essential if the development is to be

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successfully integrated into the village and its context. The proposed site layout is indicative but it shows a scheme that is too suburban in character. This will need to be overcome to be a successful scheme in design and historic environment terms at the planning stage.

4.3 Conservation Manager (Ecology): No objection.

I have read the comprehensive ecological report from Star Ecology and I understand this site to be of low value with little evidence of protected species. There are opportunities identified for biodiversity enhancement on the site which I would like secured by way of conditions.

4.4 Housing Manager: No objection.

The Housing Team in principle supported the above outline application for 8 units of which 3 will be affordable. The Housing Need Survey for the area identifies a need of 16, although it was undertaken in 2007, however in this period only 4 affordable dwellings have been completed in the area. Early discussions with the agent took place around bed size and tenure, although these are to be confirmed at the reserved matters stage it was indicated to the agent that a mix of social rent and intermediate housing would be required, if the latter for Low Cost Market then initial sale price would be the price stipulated within the Technical Data of the Planning Obligations Supplementary Planning Document.

The units are to be developed to Lifetime Homes, DQS and the minimum code for Sustainable Homes Level 3, they are also to be allocated to those with a local connection to the parish of Ford, Humber & Stoke Prior.

4.5 Parks and Countryside Manager : No objection .

It is noted that there was no pre-application for this proposal.

POS Policy Requirement

In accordance with UDP Policy developments of less than 10 are required to provide POS on a pro rata basis. This is usually as an off-site contribution but in this instance the applicant appears to have provided opportunities for both on and off-site POS provision/s.106 contributions to be determined. However it is not clear if the on-site provision as described below will provide recreational opportunities and community use and public access. For instance:

Provision on site: The indicative layout plan identifies an area of land an orchard and an attenuation pond located next to the orchard.

- Orchard: The land set aside at the front of the site for an orchard, has been provided to enhance the village character, be sensitive to neighbours' concerns and implement recommendations in the ecological assessment that fruit trees will enhance the site's biodiversity and attractiveness to insects, birds and bats. There is no mention of its use as POS or future ownership as a "community orchard".
- SUDS: The attenuation pond area can become part of the public domain and provide informal recreational opportunities but will need to be designed to take account of health and safety and standing water issues. If this is practical design should be in accordance with national SUDS guidance and will require a detailed ecological/site management plan and annual work plan. The Council doesn't as yet have a SuDS strategy and advises developers to use CIRA guidance but with reference to DEFRA's draft of the revised SuDS guidance (currently being finalised) and to reference other useful SUDs and wildlife guidance from the Wildfowl & Wetland/RSPB which are available from the susdrain website.

Future Maintenance: Details of future maintenance and ownership are not provided for these areas. Suitable management and maintenance arrangements will be required to support any provision of open space and associated infrastructure within the open space in line with the Council's policies. This could be by adoption by Herefordshire Council with a 15 year commuted sum plus appropriate replacement costs; by the Parish Council or by a management company which is demonstrably adequately self-funded or will be funded through an acceptable on-going arrangement; or through local arrangements such as a Trust set up for the new community for example. There is a need to ensure good quality maintenance programmes are agreed and implemented and that the areas remain available for public use.

S.106 Contributions: It is noted in the Planning Statement that the heads of terms may include "a contribution towards the cost of new or enhancement of existing open space, play, sport and recreation facilities in lieu of such being provided on site". This will be "negotiated with the council during the consideration of the application and should be linked to evidence of need for open space etc".

We wouldn't require an off-site contribution if the on-site orchard and/or SUDs area can provide POS for informal recreation. However, if this is not practical we would expect an off-site contribution from the market houses only. There are no existing areas of POS or recreation/play in Stoke Prior. Therefore, in the more rural areas, such as this, it is appropriate to use the contribution towards improving quality/accessibility or the more natural and semi natural green space and recreational rights of way. Priorities for spend will be identified through local consultation e.g. the local parish council and any existing or developing neighbourhood plans and existing management plans such as the Council's Public Rights of Way Improvement Plan.

In accordance with the SPD on Planning Obligations this would equate to:

- 1 bed: £193
- 2 bed: £235
- 3 bed: £317
- 4 bed: £386

5. Representations

5.1 Humber, Ford and Stoke Prior Group Parish Council response is as follows:

The Group Parish Council considered the outline planning application for 8 new houses on the site opposite Old Hall Farm, Stoke Prior, at its meeting held on 16 July 2014. A representative of Berry Bros, agent for the applicant, was present to answer questions, and there were 21 members of the public present. Members of the public asked questions of the agent, and made comments either at the meeting or in writing beforehand.

Members of the public raised a number of concerns about the proposed development, especially the problems which this concentration of new housing would have for managing surface-water and foul-water drainage, given the existing flooding problems which are increasingly common in the village. The substantial increase in traffic was also a concern.

In extensive discussion, the Council noted that Stoke Prior needs to grow sustainably in the near future, and that this site might be suitable for some development. However, the scale of this proposed development for a single site in the context of the village is too great: Under the existing policy (UDP Policy H6) the proposed development does not meet the criteria for infilling of small gaps between houses within the settlement. The emerging policy - Core Strategy Policy HR1 - has a target of 15% growth for Stoke Prior by 2031, which on the analysis in the Rural Housing Background Paper (March 2013) of there being 71 houses in

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the main village envelope, would be 11 houses (of which one has already been granted permission). The proposed 8 houses would be a disproportionately large amount of the remaining target growth for the village for the next 17 years on one site, which is not particularly well-related to the main body of the village (as envisaged in paragraph 5.31 of the Rural Housing Background Paper). The community is in the process of preparing a Neighbourhood Development Plan which consider the most appropriate locations for the target housing growth.

The Council also noted that, arising from the scale of the proposed development, there are serious local concerns concerning aspects of its sustainability: Access to the site is along a narrow road, and there would be a substantial increase in vehicle traffic using this one stretch of road, especially when added to that which will come from the new houses further down this road which have yet to be completed. There are also already serious problems throughout the village with surface water run-off, and concentrating this many new houses on one site is not the best option for how to address and mitigate this problem.

The Council therefore resolved to recommend refusal of the outline application, but considered that a smaller development on this site might be more appropriate.

5.2 Ten letters of representation, including one from the CPRE have been received. The content is summarised below

- Wait until neighbourhood plan; more input needed from Parish Council and local community
- Too many dwellings: already development approved not implemented for 6 and 7 houses respectively
- Not in keeping with our listed building
- Narrow road not capable of taking more traffic
- More parking required
- Flooding of lane will be exacerbated
- High water table
- Most roads in village in and out flood
- Planners and Environment Agency need to undertake an assessment in relation to flooding
- Existence of spring and watercourse
- No assessment for attenuation pond: if it fills up still end up in watercourse that floods onto our property
- Pond hazard to children
- Contamination of River Lugg from the stream known as the Prill
- Often cannot get into property due to flooding
- Car written off due to flood water.

5.3 The consultation responses can be viewed on the Council's website by using the following link:-

<http://news.herefordshire.gov.uk/housing/planning/searchplanningapplications.aspx>

Internet access is available at the Council's Customer Service Centres:-

<https://www.herefordshire.gov.uk/government-citizens-and-rights/customer-services-enquiries/contact-details?q=customer&type=suggestedpage>

6. Officer's Appraisal

6.1 Stoke Prior is identified as a smaller village within the HUDP and is also identified as a candidate village for proportionate growth over the lifetime of the emerging Hereford Local Plan to 2031. The indicative growth target is 12%. This is though a starting point for villages and is dependent on local circumstances.

- 6.2 The application is made in outline with all matters reserved and involves the erection of 8 dwellings with 35 % affordable housing. The site is fringed by hedgerow and trees and is on the fringe of Stoke Prior. As with many recent residential proposals, the application is predicated on the Council's lack of housing land supply.
- 6.3 Taking the characteristics of the site into account the main issue is whether, having regard to the supply of housing land, the proposals would give rise to adverse impacts, having particular regard to the likely effects upon the character and appearance of the area, heritage assets in the form of a listed building, the Neighbourhood Plan, existing surface water and foul drainage arrangements and increased traffic movements such that these would significantly and demonstrably outweigh the benefits of the development so as not to contribute to the achievement of sustainable development.

Planning Policy

- 6.4 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."
- 6.5 In this instance the Development Plan for the area is the Herefordshire Unitary Development Plan 2007(UDP). The plan is time-expired, but relevant policies have been 'saved' pending the adoption of the Herefordshire Local Plan - Core Strategy. UDP policies can only be attributed weight according to their consistency with the NPPF; the greater the degree of consistency, the greater the weight that can be attached.
- 6.6 The two-stage process set out at S38 (6) requires, for the purpose of any determination, assessment of material considerations. In this instance, and in the context of the housing land supply deficit, the NPPF is the most significant material consideration for the purpose of decision-taking. NPPF Paragraph 215 has the effect of superseding UDP policies with the NPPF where there is inconsistency in approach and objectives. As such, and in the light of the housing land supply deficit, the housing policies of the NPPF must take precedence over the UDP housing supply policies and the presumption in favour of approval as set out at NPPF paragraph 14 is engaged *if* development can be shown to be *sustainable*.
- 6.7 NPPF Paragraph 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; &*
 - *Where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:-*
 - *any adverse impact of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or*
 - *specific policies in this Framework indicate development should be restricted."*
- 6.8 In the context of the HUDP and the Council's acknowledged shortfall of housing land supply it is the second bullet point and the weighing of positive and negative impacts that is relevant in this case. The decision-taker must decide whether the development before them is representative of sustainable development having regard to the NPPF as a whole if the positive presumption is to be engaged.
- 6.9 Although not expressly defined, the NPPF refers to the three dimensions of sustainable development as being the economic, environmental and social dimensions.
- 6.10 The economic dimension encompasses the need to ensure that sufficient land is available in the right places at the right time in order to deliver sustainable economic growth. This includes the supply of housing land, which is further reinforced in Chapter 6 – Delivering a wide choice

of high quality homes. Paragraph 47 requires that local authorities allocate sufficient housing land to meet 5 years' worth of their requirement with an additional 5% buffer. Deliverable sites should also be identified for years 6-10 and 11-15. Paragraph 49 states:

"Housing applications 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."

- 6.11 The social dimension *also* refers to the need to ensure an appropriate supply of housing to meet present and future needs and this scheme contributes towards this requirement with a mix of open market and affordable units of various sizes. Fulfilment of the environmental role requires the protection and enhancement of our natural, built and historic environment; and, as part of this, helping to improve biodiversity.
- 6.12 In this instance officers consider that in terms of access to goods, services and employment opportunities the site is sustainably located within one of the largest villages in proximity to a main population centre (Leominster) whereas the delivery of 8 dwellings, including 35% affordable, and informal open space would contribute towards fulfilment of the economic and social roles. These are significant material considerations telling in favour of the development. In this case, it is the assessment of the development's approach to fulfilment of the environmental role, with specific reference to landscape character and the impact on the setting of a listed building that is critical.

Impact on landscape character, visual amenity and heritage assets

- 6.13 NPPF Paragraph 109 states that valued landscapes should be protected and enhanced. Paragraph 113 advises local authorities to set criteria based policies against which proposals for any development on or affecting protected wildlife or geodiversity sites or landscape areas will be judged. It goes further, however, and confirms that *'distinctions should be made between the hierarchy of international, national and locally designated sites, so that protection is commensurate with their status and gives appropriate weight to their importance and the contribution that they make to wider ecological networks.'* Appeal decisions have also confirmed that although not containing the 'cost-benefit' analysis of the NPPF, policies LA2 (landscape character), and LA3 (setting of settlements) are broadly consistent with chapters 11 and 12 of the NPPF.
- 6.14 The key issue revolves around the contribution that the existing site makes to the amenity of this part of the village. The proposal retains hedgerow and trees on three sides together with the retention of hedgerow along part of the roadside boundary. The development will have an impact but this can be mitigated by the planting of trees on what is a site that currently has poor biodiversity value. Conditions will be imposed requiring the formulation of detailed planting and management proposals to ensure that an appropriate form of development is brought to fruition at the Reserved Matters stage.
- 6.15 The harm to landscape character is localised in an edge of village location that officers do not consider prejudicial to the character of the village.
- 6.16 The next issue relates to the setting of a heritage asset, the grade II listed Fir Tree Cottage to the west of the application and on the other side of the classified road. This roadside dwelling comprising stone work and black and white timber framing makes a significant contribution to the amenity of this part of the village. It is evident though given the proposal site is sufficient distance away from the western end of the site adjoining The Trug that new housing development will not be viewed together with the listed building; this is also given the fact that a buffer zone in the form of an orchard will be planted at the western end of the rectangular shaped site. This area of planting will provide visual break between the listed building and

proposal site. This will though be dependent upon a scheme being submitted at the detailed or reserved matters stage reflecting the local vernacular, this in accordance with the advice of the Conservation Manager (Historic Buildings) who raises no objection to the proposal. Therefore, the proposal accords with Policy HBA4 and Chapter 12 of the National Planning Policy Framework.

Transport

- 6.17 Whilst, the means of access is a reserved matter it needs to be assessed at this stage as regards the visibility achievable and the impact that the removal of hedgerow would have on the amenity of the site and its environs. The proposed access point as indicated on the submitted plan would provide the optimum level visibility achievable and will enable vehicles to enter and leave the classified road safely. Hedgerow will need to be removed along the roadside, this impact can though be mitigated by the planting of new hedgerow, which will be required to block off the existing field gate access close to the boundary with The Trug.
- 6.18 Parking provision can be improved upon, as recommended by the Transportation Manager and raised in representations received, together with the provision of secure cycle storage. Representations have been raised in relation to the number of vehicles that will be generated by the development, together with approved schemes in Stoke Prior. It is though considered that the road system, notwithstanding the narrowness of roads in the locality, can handle the additional traffic generated from what is a modest proposal site. It is noted that the Transportation Manager raises no objection.

Neighbourhood Plan

- 6.19 Representations are made primarily on the basis that it would be premature to determine this application whilst the Neighbourhood Plan is progressing albeit not for imminent adoption. Whilst it is acknowledged that were it possible it would be preferable for the community to direct development opportunities particularly given that Stoke Prior is identified as a larger village in the Core Strategy, nevertheless the National Planning Policy Framework has primacy over an emerging Neighbourhood Plan, as well as the HUDP and the Core Strategy which has not yet been the subject of public examination. Therefore, there are no planning grounds for not determining this proposal at this time.

Foul drainage

- 6.20 This is an issue raised in some representations particularly as regards potential contamination of the River Lugg via the Prill which will be utilised by this development. Notwithstanding, the bulk of representations are concerned about surface water run-off and flooding. There is sufficient land available for providing a sustainable foul drainage system that can be made the subject of a planning condition.

Surface water drainage

- 6.21 Surface water drainage will need to be provided such that the run-off rate including at storm time is consistent with the run-off for this greenfield site. This is feasible subject to conditions controlling the run-off rate.
- 6.22 It is evident that a lot of flooding occurs in the vicinity of the site from water flowing down the adjoining highway towards properties lower down in Stoke Prior and as such the built site should not exacerbate existing difficulties. Conditions would need though to be attached to any planning approval controlling surface water flows such that they do not join the classified road. Conditions could also control rain-water harvesting and the use of impermeable surfacing around the site.

- 6.23 Also the design of the attenuation pond can be made the subject of a planning condition in order to allay fears raised in representations relating to health and safety, in relation to young children. Therefore given the scale of development mitigation for run-off can be readily achieved.

Public Open Space

- 6.24 The proposed orchard could provide much needed informal public open space which is often at a premium in smaller settlements, this is a matter that can be determined within the ambit of the Section 106 agreement.

S106 contributions

- 6.25 The S106 draft Heads of Terms are in the process of completion. Community Infrastructure Levy (CIL) Regulation compliant contributions have been negotiated and are summarised as follows:

Contributions towards education, recreation and informal open space provision and transport improvements in the locality.

Education - £21,092

Parks and Recreation - £1,930 (on basis of 5 x 4 bedroom dwellings)

Transport - £16,960 (on basis of 5 x 4 bedroom dwellings)

- 6.26 The S106 will also include provisions to ensure 35% of the development meets the definition of affordable housing (3 units), together with requisite standards and eligibility criteria

Impact on adjoining residential amenity

- 6.27 There will be no adverse impact on the amenity of residents in the vicinity of the site in terms of overlooking given that the proposed development is well contained within the site and sufficient distance away from the nearest dwellings to the east and west of the site such that overlooking will not arise. This is a matter that will be further assessed at the reserved matters stage, in the event that planning approval is granted

- 6.28 Therefore, it is considered that there are no substantive grounds for resisting development. This is a matter more appropriately determined at the Reserved Matters stage. Good standards of amenity can be achieved in accordance with HUDP policy H13 and NPPF paragraph 12.

Conclusions

- 6.29 The Council cannot demonstrate a five-year supply of housing land with requisite buffer. The housing policies of the HUDP are thus out of date and the full weight of the NPPF is applicable. HUDP policies may be attributed weight according to their consistency with the NPPF; the greater the consistency, the greater the weight that may be accorded. The pursuit of sustainable development is a golden thread running through both plan-making and decision-taking and identifies three dimensions to sustainable development; the economic, social and environmental roles.

- 6.30 When considering the three indivisible dimensions of sustainable development as set out in the NPPF, officers consider that the scheme when considered as a whole is representative of sustainable development and that the presumption in favour of approval is engaged. The site lies close to the centre of the village, with access to a local school and bus service to Leominster. It is considered that the proposal is in broad accordance with the requirements of chapter 4 of the NPPF (Promoting sustainable travel).

- 6.31 More traffic will join the C1110 road, it is though capable of taking the increased traffic volume such that with the new access point the amenity of this part of the settlement can be mitigated with roadside hedgerow planting.
- 6.32 The means of foul and surface water drainage can be provided subject to conditions in relation to foul drainage provision and standard conditions in relation to surface water management. Surface water run-off from sites such as this can be managed, particularly given the relatively low density of development and the provision of an orchard area and attenuation.
- 6.33 The development of this site will not have an adverse impact on the setting of the listed building to the west of the site given the relationship between the heritage asset and development site.
- 6.34 This application can be determined in accordance with the provisions of the National Planning Policy Framework, notwithstanding work is progressing on the Neighbourhood Plan. The planning authority cannot stall determination until such time as the Neighbourhood Plan is adopted.
- 6.35 Officers conclude that there are no overriding landscape, highways and drainage issues or other matters that should lead towards refusal of the application and that any adverse impacts associated with granting planning permission are not considered to significantly and demonstrably outweigh the benefits. It is therefore recommended that planning permission be granted subject to the applicant first entering into a planning obligation securing contributions to education, sustainable transport measures and informal public open space provision together with the provision of affordable housing in perpetuity.

RECOMMENDATION

Subject to the completion of a Section 106 Town & Country Planning Act 1990 obligation agreement in accordance with the Heads of Terms stated in the report, officers named in the Scheme of Delegation to Officers are authorised to grant outline planning permission, subject to the conditions below and any other further conditions considered necessary.

1. **A02 Time limit for submission of reserved matters (outline permission)**
2. **A03 Time limit for commencement (outline permission)**
3. **AO4 Approval of reserved matters**
4. **GO3 Retention of existing trees/hedgerows**
5. **G04 Protection of trees/hedgerows to be retained**
6. **G09 Details of boundary treatments**
7. **G10 Landscaping scheme**
8. **H03 Visibility splays**
9. **H08 Access closure**
10. **H11 Parking- estate development (more than one house)**
11. **H21 Wheel washing**

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- 12. H29 Secure and covered cycle parking provision
- 13. I20 Scheme of surface water drainage
- 14. I21 Scheme of surface water regulation
- 15. I16 Restriction of hours during construction
- 16. I51 Details of slab levels

Informative:

- 1. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against planning policy and any other material considerations. It has subsequently determined to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

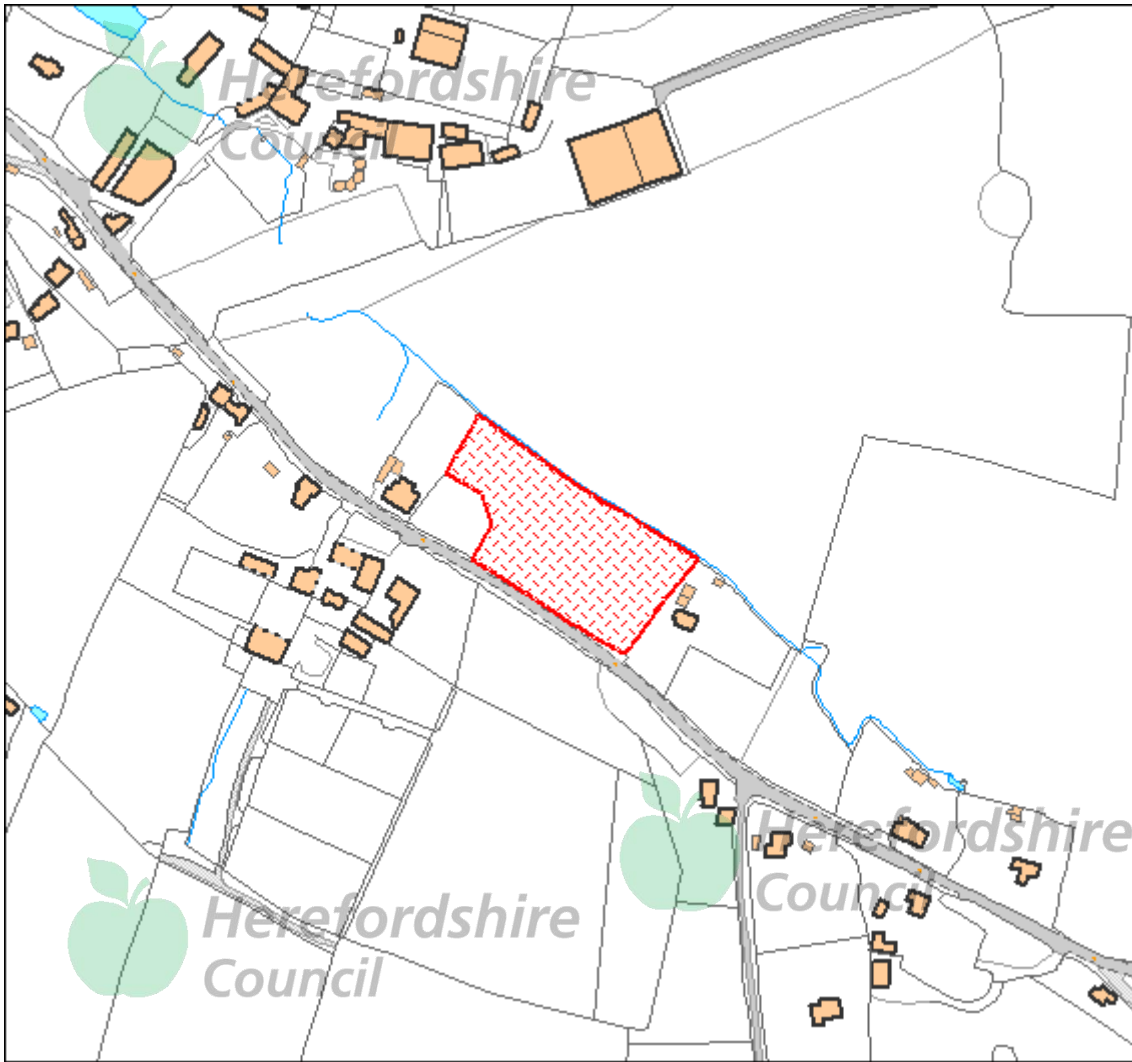
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: 141849/O

SITE ADDRESS : LAND OPPOSITE OLD HALL, STOKE PRIOR, HEREFORDSHIRE, HR6 0LN

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