

<b>MEETING:</b>	<b>PLANNING AND REGULATORY COMMITTEE</b>
<b>DATE:</b>	<b>27 June 2018</b>
<b>TITLE OF REPORT:</b>	<b>173699 - PROPOSED RESIDENTIAL DEVELOPMENT OF 5 DWELLINGS, INCLUDING THE FORMATION OF A VEHICULAR ACCESS, PROVISION OF AN ORCHARD AND COPPICE STRIPS, FOUL DRAINAGE TREATMENT PLANTS AND OTHER ASSOCIATED WORKS AT LAND AT WOONTON, ALMELEY.</b>  <b>For: Mr Mills per Mr Geraint Jones, 54 High Street, Kington, Herefordshire, HR5 3BJ</b>
<b>WEBSITE LINK:</b>	<a href="https://www.herefordshire.gov.uk/info/200142/planning_services/planning_application_search/details?id=173699&amp;search=173699">https://www.herefordshire.gov.uk/info/200142/planning_services/planning_application_search/details?id=173699&amp;search=173699</a>
<b>Reason Application submitted to Committee - Redirection</b>	

**Date Received: 29 September 2017    Ward: Castle    Grid Ref: 335144,252079**

**Expiry Date: 6 April 2018**

Local Member: Councillor WC Skelton (Councillor RJ Phillips is fulfilling the role of local ward member for this application.)

## **1. Site Description and Proposal**

- 1.1 The application relates to a site located to the south west of the settlement of Woonton in north-west Herefordshire. The site comprises a broadly rectangular parcel of agricultural land which totals 0.6 hectares in area, and is denoted on the map below by the red star. The site has a linear frontage onto the highway to the south east of the junction between the C1079 and the U90410 Logaston Road. The residential property known as The Orchards adjoins the site to the north east, separated by a post and wire fence. On the opposite side of the C1079 to the north-west is found a cluster of residential properties centred around an area of Common Land known locally as Poole Common, whilst Woonton Farm lies to the west of the site on the opposite side of Logaston Road. Open agricultural land extends to the east and south. The site is currently laid to pasture, and an established mature hedgerow occupies the roadside boundary to the north-west. Access is gained via a field gate onto Logaston Road.



**Figure 1: Site Location Plan**



**Figure 2: Site Aerial Photograph**

- 1.2 The topography of the site is generally flat and level with the adjacent highway. To the south east the site is open in aspect and the land falls away gently, offering long distance views of open countryside towards Burton Hill and Yazor Woods. Public Footpath AM20 is found approximately 70m to the south-east and runs broadly parallel with the site's rear boundary. The landscape character of the site is typical of this area of the county, being categorised in the Herefordshire Landscape Character Assessment (updated 2009) as Principal Timbered Farmlands / Ancient Timbered Sandstone Landscape Types.
- 1.3 Two listed buildings are identified within the setting of the site. The closest of these is Wootton Farmhouse (Grade II), which is found approximately 20m to the north east of the site on the opposite side of Logaston Road. Poole House (Grade II) is found approximately 30m to the north west on the opposite side of the C1079, and fronts onto the open area of common land known as Poole Common. It is currently laid to mown grassland.
- 1.4 The application has been submitted in full and seeks planning permission for the erection of five dwellings. It should be noted that amended plans have been submitted as part of the application process, and the revised site layout plan is included below for reference.



**Figure 3 – Proposed Site Layout Plan**

- 1.5 The site would be served by a single shared vehicle access onto the U90410 Logaston Road located in a similar position to that of the existing field gate, with the existing roadside hedge along the site frontage being translocated to deliver the required visibility splays. The new access road itself would be 4m in width, and a pedestrian footway is proposed adjacent to the access road extending northwards along the site frontage towards to the village. Parking for the dwellings is provided off a shared courtyard, whilst a garage block to the west of the site provides storage for waste bins and cycles.
- 1.6 The proposal has adopted an approach for the site layout which reflects an agricultural vernacular, with the dwellings being laid out in a courtyard fashion around the shared access road. This approach has also been applied to the dwellings themselves, which are each of an individual design and would be finished in a varied pallet of materials including natural stone, brick, timber weatherboarding for the walls and slate for the roof. A private curtilage is defined for each dwelling, and an area of shared amenity space would be provided adjacent to the site access. A description of each unit is set out below;

**Unit 1** – This unit is detached and would provide three bedrooms across a single storey. It would be ‘L’ shaped in plan form with its principal elevation orientated to the south-west, and externally would be finished primarily in timber boarding and slate.

**Unit 2** – This unit is detached and would provide four bedrooms across two storeys. The design is redolent of a traditional threshing barn with large areas of glazing at the centre of the front and rear elevations. The dwelling would be finished predominantly in natural stone under slate.

**Unit 3** - This unit is detached and would provide three bedrooms across a single storey. It would be ‘L’ shaped in plan form with its principal elevation orientated to the north-west, and externally would be finished primarily in timber boarding and slate.

**Unit 4** – This unit would be semi-detached and would provide four bedrooms across two storeys. Its principal elevation would be orientated to the courtyard to the north east, and the building would be finished predominantly in brick under slate.

**Unit 5** – This unit would be semi-detached and would provide 3 bedrooms of accommodation. It would be predominantly single storey, although a single bedroom would be provided at first floor level in the southern portion of the dwelling. Externally it would be finished in brick, timber boarding and slate.

- 1.7 With regards to landscaping, to the north east of the site between the neighbouring dwelling, The Orchards, an area of coppice planting is proposed. To the south west, a new native species hedgerow is proposed leading onto an area of new native species orchard. A new boundary would be established to the rear south east boundary of the site, with the plans indicating this would either be native species hedgerow, post and wire fencing, or post and rail fencing.
- 1.8 The dwellings would each be served by a Package Treatment Plant discharging to a soakaway/spreader field. Surface water would be managed through the use of soakaways.

## **2. Policies**

### **2.1 Herefordshire Local Plan – Core Strategy (2015)**

The following policies are considered to be of relevance to this application:

SS1	-	Presumption in Favour of Sustainable Development
SS2	-	Delivering New Homes
SS3	-	Releasing Land for Residential Development
SS4	-	Movement and Transportation
SS6	-	Environmental Quality and Local Distinctiveness
RA1	-	Rural Housing Strategy
RA2	-	Housing in Settlements Outside Hereford and the Market Towns
RA3	-	Herefordshire's Countryside
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	-	Landscape and Townscape
LD2	-	Biodiversity and Geodiversity
LD3	-	Green Infrastructure
LD4	-	Historic Environment and Heritage Assets
SD1	-	Sustainable Design and Energy Efficiency
SD3	-	Sustainable Water Management and Water Resources
SD4	-	Wastewater Treatment and River Water Quality
ID1	-	Infrastructure delivery

The Herefordshire Local Plan Core Strategy 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/info/200185/local\\_plan/137/adopted\\_core\\_strategy](https://www.herefordshire.gov.uk/info/200185/local_plan/137/adopted_core_strategy)

### **2.2 The National Planning Policy Framework**

Introduction - Achieving sustainable development  
Section 3 - Supporting a prosperous rural economy  
Section 4 - Promoting sustainable communities  
Section 6 - Delivering a wide choice of high quality homes  
Section 7 - Requiring good design

Section 8 - Promoting healthy communities  
Section 10 – Meeting the challenge of climate change, flooding and coastal change  
Section 11 - Conserving and enhancing the natural environment  
Section 12 - Conserving and enhancing the historic environment

### 2.3 Neighbourhood Development Plan

The Almeley Neighbourhood Area was designated on 17<sup>th</sup> July 2012. A Regulation 14 draft of the plan was published for consultation on 19<sup>th</sup> February 2018. At this stage the draft Neighbourhood Plan does not carry any weight for the purpose of decision making on planning applications.

2.4 The Core Strategy 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/info/200185/local\\_plan/137/adopted\\_core\\_strategy](https://www.herefordshire.gov.uk/info/200185/local_plan/137/adopted_core_strategy)

## 3. **Planning History**

3.1 The site has not been the subject of any previous planning applications.

3.2 However, the following applications in the wider area are considered relevant to the current application

- P174721/F – Proposed erection of five dwellings - Land at Woonton Farm Woonton Herefordshire – Approved subject to conditions 21<sup>st</sup> March 2018
- P162312/F - Proposed residential development of 6 dwellings, including the demolition of existing agricultural buildings, provision of orchard strip, foul drainage treatment plant and other associated works – Land at The Orchards Woonton Hereford Herefordshire HR3 6QL - Approved subject to conditions 30<sup>th</sup> September 2016
- P161919/F - Three detached houses with detached double garages – Land at the junction of the A480 and Hopleys Green Road Woonton Herefordshire HR3 6QN - Approved subject to conditions 5<sup>th</sup> August 2016

## 4. **Consultation Summary**

### Statutory Consultations

4.1 **Natural England** – No Objection subject to conditions

SUMMARY OF NATURAL ENGLAND'S ADVICE

NO OBJECTION - SUBJECT TO APPROPRIATE MITIGATION BEING SECURED

We consider that without appropriate mitigation the application would:

- Have an adverse effect on the integrity of River Wye Special Area of Conservation
- Damage or destroy the interest features for which River Wye / Lugg Site of Special Scientific Interest has been notified.

In order to mitigate these adverse effects and make the development acceptable, the following mitigation measures are required/or the following mitigation options should be secured:

- Foul sewage to be disposed in line with Policy SD4 of the adopted Herefordshire Core Strategy. Where a package treatment plant is used for foul sewage, this should discharge to a soakaway or a suitable alternative if a soakaway is not possible due to soil/geology.
- Surface water should be disposed of in line with Policy SD3 of the adopted Herefordshire Core Strategy and the CIRIA SuDS Manual (2015) C753.

We advise that an appropriate planning condition or obligation is attached to any planning permission to secure these measures. Subject to the above appropriate mitigation being secured, we advise that the proposal can therefore be screened out from further stages in the Habitats Regulations Assessment process, as set out under Regulation 61 of the Habitats Regulations 2010, as amended.

#### Foul sewage

We would advise that package treatment plants should discharge to an appropriate soakaway which will help to remove some of the phosphate (see NE report below). Package Treatment Plants and Septic Tanks will discharge phosphate and we are therefore concerned about the risk to the protected site in receiving this. We therefore propose that the package treatment plant/septic tanks and soakaway should be sited 50m or more from any hydrological source. Natural England research indicates that sufficient distance from watercourses is required to allow soil to remove phosphate before reaching the receiving waterbody. (Development of a Risk Assessment Tool to Evaluate the Significance of Septic Tanks Around Freshwater SSSIs) Where this approach is not possible, secondary treatment to remove phosphate should be proposed. Bespoke discharge methods such as borehole disposal should only be proposed where hydrogeological reports support such methods and no other alternative is available. Any disposal infrastructure should comply with the current Building Regulations 2010.

#### Surface water

Guidance on sustainable drainage systems, including the design criteria, can be found in the CIRIA SuDS Manual (2015) C753. The expectation is that the level of provision will be as described for the highest level of environmental protection outlined within the guidance. For discharge to any waterbody within the River Wye SAC catchment the 'high' waterbody sensitivity should be selected. Most housing developments should include at least 3 treatment trains which are designed to improve water quality. The number of treatment trains will be higher for industrial developments.

An appropriate surface water drainage system should be secured by condition or legal agreement. Please note that if your authority is minded to grant planning permission contrary to the advice in this letter, you are required under Section 28I (6) of the Wildlife and Countryside Act 1981 (as amended) to notify Natural England of the permission, the terms on which it is proposed to grant it and how, if at all, your authority has taken account of Natural England's advice. You must also allow a further period of 21 days before the operation can commence

## Internal Council Consultations

### 4.2 **Transportation Manager** – No objection subject to conditions

#### *First Consultation Response (October 2017);*

This application was submitted after pre-application advice where an ATC was advised to establish actual speeds at the site. The applicant has obtained but not provided the data referred to in the design and access statement:

“A recent site approved for planning located to the north had a 7 day ATC survey undertaken, which has shown the average speed (85 percentile) was less than 30mph”

The actual data and location of the ATC are not provided and I have requested this information. Due to the nature of this application the data used by the applicant must be relevant to the actual application in question.

The actual layout of the 2 accesses concerns highways as we prefer to minimise access onto the highway where possible and particularly in this location.

This is again pending confirmation of the location of the ATC and the information's reliability.

I will reserve further comment until more information is received.

#### *Second Consultation Response (June 2018);*

The proposal is for 5 units only with an access off the U9410, there are no linked footpaths in the area, the roads are relatively low speed and volume.

The proposal provides a footpath link to the site. This ideally needs to extend to the C1079, not to the boundary of the property as visibility is blocked. There needs to be a 2m verge fronting the whole site with the replanted hedgerow centre line 1m behind the footpath which will enable maintenance and growth not to impact on the footpath. The footpath and verge fronting the site to the NW are highways land and will need to be adopted to highway.

Car parking availability is substantial but not significant as this will enable visitor parking and prevent parking on the adjacent highway network.

In principle there is nothing in the development that would warrant refusal for this small scale development, subject to the imposition of conditions.

#### *Further Comments 15<sup>th</sup> June 2018.*

Visibility splay based on 25mph would be 33m, x dist 2.4m. The provision of the 2m verge / footpath, hedge centre line 1m behind the 2m will achieve the required splay and provide a safe refuge for walking, cycling, equestrian etc.

### 4.3 **Conservation Manager (Historic Buildings)**

#### *First Consultation Response (November 2017)*

The proposal will have a very minor negative impact on the setting of grade II listed Woonton Farmhouse. Part of the setting of this listed building is the open fields to the south-east. These fields are separated from the farmhouse by Logaston Road and partially screened by hedgerows. Only part of this element of Woonton Farmhouse's setting will be affected by the development.

Grade II listed Poole House's setting is affected to a greater extent. The primary setting of this building is that of a detached traditionally built house in a loosely settled hamlet. Although still having the open green to its south-east facing principal elevation, a lesser part of this listed building's setting is the open countryside it faces beyond the green. This less than substantial harm is somewhat mitigated by the low height of the proposed new dwellings, topography and distance from the listed building, however this minor harm to the setting should be given some weight by the planning officer.

*Second Consultation Response (March 2018)*

The amended plans do not alter our previous comments.

The level of harm to the setting of Woonton Farmhouse is negligible, but the effect on the setting of Poole House would be classed at the lower end of less than substantial harm.

**4.4 Conservation Manager (Landscape Officer) – No objections subject to conditions**

*First consultation response (December 2017)*

I have read the pre-application advice provided in respect of development upon the site and note the representations made. Having now seen the plans and read the documentation submitted as part of the application I have the following comments to make:

I concur with the view expressed in the pre-application advice that the principle of development upon the site is acceptable given that there is an existing context of built form immediately adjacent. However as expressed in the aforementioned advice the site and its surroundings does have a degree of sensitivity in landscape terms given its high quality, the rural setting it provides to the historic assets and the scenic views of the wider landscape which can be appreciated from its approach.

Policy LD1 of the Core Strategy sets out the need to demonstrate that the character of the landscape has positively influenced the design, scale, nature and site selection as well as incorporating new landscape schemes to ensure the development integrates appropriately into its surroundings. I would recommend the following amendments to the scheme in order to demonstrate compliance with policy LD1:

- In terms of layout I am concerned that what is proposed will represent an unbroken line of built form from the approach along the minor road C1079 and the sense of openness will be lost. This will be exacerbated by the two storey element of the scheme. In my view spacing should be incorporated between units 2 and 4 in order to retain views of the wider open countryside.
- Unit 4 should be reduced in scale and height in order to avoid dominating the scheme as well as adverse visual effects from the PROW AM20.
- In respect of the proposed boundary treatments along the road frontage it may be more appropriate to have low stone walling whilst the remainder should be native hedging. In addition to this along the eastern boundary there should be hedgerow tree planting to filter views of the development from the open countryside. There are a number of small traditional orchards in the vicinity of the site and proposed orchard planting to the south is therefore considered appropriate. However the repetition of planting to the north of the site brings with it a sense of formality perhaps less appropriate in this location, I would therefore recommend the planting of a small wooded copse which is in line with the landscape character type; Principal Timbered Farmlands. The ownership and access of these areas would need to be established.
- A condition in respect of the planting and management of these areas would need to be applied.



*Second consultation response (February 2018);*

I have seen the revised proposals including the elevations, I am satisfied with the revisions to the layout and heights of the buildings, the retention of the open space at the road junction is welcomed.

My only point is in relation to the rear boundary with open countryside given that there is potential for adverse effects from the nearby PROW the boundary must be delineated by native hedgerow with hedgerow tree planting to filter views of the new built form.

#### 4.5 **Conservation Manager (Ecology) – No Objection subject to conditions**

*First consultation response (January 2018);*

I note that a single PTP with soakaway is proposed to cover all 5 proposed dwellings. Although acceptable in theory in practice it is strongly advised that each household has their own PTP and soakaway to ensure there are no 'responsibility' issues over allocation of maintenance costs.

Subject to the PTP (either joint or individual) with outfall(s) to appropriate soakaway fields and sustainable management (SuDS) of surface water being part of the approved plans and so subject to implementation I can see NO unmitigated 'Likely Significant Effects' on the relevant SSSI/SAC designated sites.

I note the ecological assessment by Churton Ecology dated September 2017. This appears relevant and appropriate. I would suggest that if Planning Consent is granted that the following Conditions are included.

##### Nature Conservation – Ecology Protection and Mitigation

The ecological protection, mitigation and working methods scheme as recommended in the Ecological Report by Churton Ecology dated September 2017 shall be implemented in full as stated unless otherwise approved in writing by the local planning authority.

Reason: To ensure that all species are protected and habitats enhanced having regard to the Wildlife and Countryside Act 1981 (as amended), the Conservation (Natural Habitats, &c) Regulations 1994 (as amended) and Policy LD2 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework, NERC 2006.

##### Nature Conservation – Enhancement

Prior to commencement of the development, a detailed habitat enhancement scheme should be submitted to and be approved in writing by the local planning authority, and the scheme shall be implemented as approved.

Reason: To ensure that all species are protected and habitats enhanced having regard to the Wildlife and Countryside Act 1981 (as amended), the Conservation (Natural Habitats, &c) Regulations 1994 (as amended) and Policy LD2 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework, NERC 2006

##### Informative:

The enhancement plan, based on the Ecological Report by Churton Ecology dated September 2017 should include details and locations of any proposed Biodiversity/Habitat enhancements as referred to in NPPF and HC Core Strategy. At a minimum we would be looking for proposals to enhance bat roosting, bird nesting and invertebrate/pollinator homes to be incorporated in to the new buildings as well as consideration for hedgehog houses and hedgehog movement within the landscaping/boundary features. No external lighting should illuminate any of the

enhancements or boundary features beyond any existing illumination levels and all lighting on the development should support the Dark Skies initiative.

#### Nature Conservation – Soft Landscape & Green Infrastructure

Prior to commencement of the development, a detailed landscape enhancement scheme should be submitted to and be approved in writing by the local planning authority, and the scheme shall be implemented as approved.

Reason: To ensure that all species are protected and habitats enhanced having regard to the Wildlife and Countryside Act 1981 (as amended), the Conservation (Natural Habitats, &c) Regulations 1994 (as amended) and Policy LD2 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework, NERC 2006

Informative:

The landscaping plan should include full details of all proposed tree, shrub and hedge planting plus any new or reseeded grass areas. Locally typical, native species with stock of local provenance should be used where practicable. Details supplied should include details of native species mix, stock specification, planting and protection methodology and a 5 year establishment and subsequent 5 year maintenance plan. Elder, Ivy and Dog Rose are not considered as appropriate 'woody' species to be included in the hedge. Hornbeam should normally be used instead of Beech. 'Exotic' species will only be considered where they are appropriate to existing established planting and landscape character (eg historic parkland or in an 'urban' environment). All orchard planting should utilise very vigorous 'standard' rootstocks and be of historic, locally characteristic varieties with relevant Traditional' Standard' Tree spacing, support and protection (Natural England's Technical Information Notes are helpful guidance). As detailed in the Council's Highway Design Guide for New Developments no thorny species should be planted immediately adjacent (allowing for normal growth) to a footway/public footpath/pavement or within 3m of a cycleway.

*Second Consultation Response (March 2018);*

No additional comments.

#### 4.6 **Land Drainage** – No objections subject to conditions

*First Consultation Response (December 2017)* – Further information requested (Full responses available to view in full on the Council's Website).

*Second Consultation Comments (March 2018);*

#### Overall Comment

In principle, we do not object to the development, however we recommend that the following information provided within suitably worded planning conditions:

- Demonstration of the location of the surface water soakaways and which dwellings they are serving;
- Confirmation of the proposed adoption and maintenance agreements for the surface water soakaways;
- A revised foul water drainage strategy which includes individual package treatment plants serving each dwelling. The land on which the package treatment plants and drainage fields are located should be located on land owned by the respective homeowners. The spreaders should be connected to prevent build-up of debris.
- The Applicant should clarify how the proposed road will be drained.

## 5. Representations

### 5.1 Almeley Parish Council **objects** to the application;

As is well documented, in 2011 Parishes were informed that they must meet housing targets. In the Almeley community the figure was 33 of which almost half have been achieved already. However we were given the choice of either letting Hereford Council find development sites or create our own NDP policy where the community had a say in where development would take place. We have had a very dedicated team of volunteers who have worked long hours in their spare time to put together a very detailed plan which will be submitted in the next month under section 14. We do understand until then this means it need not be considered but even without an NDP the view of the community is something that should be considered.

5.2 The Parish Council has been committed to a Neighbourhood Development Plan (NDP) since 2012. Through the assessment of public opinion this will establish the development policy which would dictate planning decisions in this parish until 2031. The draft of Almeley Parish Council's NDP is now at an advanced stage and contains parish agreed policies to be considered. Therefore this application cannot be considered in isolation but in the wider context of the NDP criteria being formulated by the community.

5.3 As part of the NDP process a call for land was instigated, asking the Parish landowners to co-operate in the identifying sites suitable for residential development. Among the responses to the call for land was one from a landowner who asked that a redundant farm site at Woonton Farm be considered for the development of 5 dwellings.

5.4 To put application P173699 in context, two planning applications, one for six and the other for three houses, have recently been approved in Woonton. Additionally, the owner of the adjacent Woonton Farm has been in detailed pre-application discussions to redevelop a site consisting of redundant barns and yards, these discussions have involved Heritage England, Hereford Council Planning Department, members of the NDP steering group and the planning consultant, subsequently a detailed application is being submitted for Woonton Farm. Our NDP consultant considers that the site at Woonton Farm would be one of the most suitable from among all the sites that were put forward under the NDP Call for Land process, however, this is based on the current level of development in Woonton. The implication to the community is that if another application, such as this one, is approved in Woonton, then the potential Woonton Farm site could be considered unacceptable as this would exceed by far the 20% development threshold.

5.5 Having gone through the extensive process of an NDP it has been very demoralising to see sites being accepted from people who are jumping in before the NDP is determined against those who are going through the directed process which we have been instructed to follow by HC. We have found sites to not just match our minimum quota but exceed it and also define a settlement boundary for Woonton and we also know the people of Woonton feel that doubling the size of their community in 2 years is not proportional. Therefore from our NDP point of view it is a very clear case of one or the other.

5.6 The NDP is being formulated by the community to protect the parish from inappropriate development and feel that only one of these sites should be approved to prevent Woonton becoming over developed. Application P173699 has been compiled and submitted with no reference to, or negotiation with the NDP process, despite the strong recommendation being given to the applicant in pre-application advice 171294/CE (reference your letter dated 26 July 2107). If approved, this further development would clearly prejudice consideration of the Woonton Farm site which has been reviewed and supported as part of the NDP process and which, it is felt, would be far more sustainable and beneficial to the amenity of Woonton. The application also contravenes Policy RA2 point 1 of the Herefordshire Council's (HC) Core Strategy which states that for smaller settlements such as Woonton, the proposal must demonstrate attention to the character and setting of the site and its location in that settlement.

- 5.7 One of the matters recently considered by the Almeley Parish NDP Working Group has been the question of the form and extent of the settlement boundary for the hamlet of Woonton and its relationship with the surrounding open countryside. Taking into account the outcomes of the public questionnaire in May 2017, the group has now, in consultation with Data Orchard, agreed to recommend that Woonton be given a settlement boundary which encompasses most of the existing buildings at the core of Woonton, the two sites recently approved and Woonton Farm. It does not include the application P173699 site, which is considered open countryside and is classified as Grade 2 - valuable agricultural land. See the attached map showing the proposed boundary (black) and recently approved development sites (red).
- 5.8 Planning applications have recently been approved for the construction of 9 dwellings in Woonton, a small hamlet which, at its core, has 15 houses. If this application for 5 houses is approved, the total number of new houses being added to Woonton would be 14, almost doubling the residences in this hamlet. If the site under consideration at Woonton Farm is also approved, the grand total of new houses in Woonton would be 19, which is over double the current number of houses. If this application was to be approved it would lead to a totally unacceptable situation which would be in clear breach of policies RA1 and RA2. The two sites already approved together with the proposed development at Woonton Farm would more than fulfill the criteria for proportional growth in this small hamlet. Anything more would fail that test and completely undermine the emerging Almeley Parish Neighbourhood Development Plan which is now at the final draft stage and is expected to be submitted for Regulation 14 and commence its formal consultation stage in the near future.
- 5.9 The proposal, as submitted, introduces two new traffic accesses at the junction of the C1079, which is the main route from the A480 to Almeley with the lane to Logaston at a 90° bend in the road. This is the principal route used by residents of Woonton to access the local services in Almeley Village and by Almeley residents travelling to and from the main commercial centres for the area, namely Hereford and Leominster. The number of journeys for both groups is likely to increase with additional housing, leading to a greater volume of traffic. Most visitors to Almeley, both private and commercial, use this route, as do buses, school traffic and agricultural vehicles. Those who use this road know that this junction already has to be approached from the west with caution.
- 5.10 The proposed site sits directly opposite and to the south of a registered common, Pool Common, which is shortly to be purchased by Almeley Parish Council as a public open space. Pool Common currently has uninterrupted spectacular views of Ladylift and Yazor Woods, round towards Merbach Hill and away to The Black Mountains, and is one of the few locations in Woonton accessible to the public where far-reaching views can be enjoyed. The proposed development would completely obstruct that view and in so doing, would diminish the value to the public of the Common.
- 5.11 In summary, Almeley Parish Council (Neighbourhood Development Plan Working Party) objects to this application for the following reasons.
1. The applicant did not follow the NDP procedure, as advised by the planning office. If the application is approved, it undermines the emerging NDP.
  2. If approved, application P173699 would have wider implications on the NDP selection of land for development and it could set a precedent for ribbon development along Logaston Lane.
  3. The site for application PI 73699 which is Grade 2 agricultural land, it is currently farmland and is classified as open countryside not in the settlement of Woonton. The proposed site is outside the settlement boundary that has been proposed for Woonton under the emerging NDP The National Planning Policy Framework (NPPF) issued by the government states in section 11 that planning policies and decisions should encourage the effective use of land by re-using land previously developed. This has been incorporated into HC's Core Strategy

Policy RA2, which states that housing proposals will be permitted when their locations make best and full use of suitable brownfield sites.

4. The two new proposed access points in application PI 7369 are in close proximity to and actually straddle the Logaston Lane junction with the C1079. This does not satisfy the requirement as stated in Core Strategy Policy MT1 which has a requirement that the local highway network can absorb the traffic impacts without adversely affecting the safe and efficient flow of traffic.
5. Construction of dwellings on the site proposed in PI 73699 would diminish the amenity of Pool Common by obscuring views to The Black Mountains.
6. Approval of this application would be likely to lead to the loss from the NDP site allocation of one of its recommended sites in order to comply with its stated objective of meeting, but not greatly exceeding, the housing allocation target set by Herefordshire Council.

- 5.12 As a community our understanding was when we took on this process that we would be supported by HC to make our own choices on development in our own community All we ask is we see some evidence of that support and allow us to provide our views rather than watching our work being side-lined by the other applications outside the emerging development line before you decide to give your full support to any development.

The NDP group therefore advises the APC to recommend the rejection of this application.

*(Response of NDP Steering Group 14 November 2017)*

In response to the second round of consultation, the Parish Council did not offer any further comments and reiterated that their initial objection still applied.

- 5.13 In the first round of public consultation **12 Letters of Objection** were received. The contents of these can be summarised as follows;

- The proposal site has not come through or followed the Neighbourhood Plan process.
- The site is not allocated for development in the draft Neighbourhood Plan
- In combination with existing permissions in Woonton the scheme would not constitute 'proportionate growth' of the settlement as required by RA2. The character of the village would be irrevocably altered as a result.
- There is already permission for 9 houses in Woonton, with another application for a further 5 being considered in addition to this site (*174721/F – Approved 21<sup>st</sup> March 2018*)
- The scheme is not in keeping with character of the village and would lead to landscape harm.
- The scheme would lead to harm to the setting of and loss of views from Grade II listed Pool Cottage
- The scheme would erode the openness of Pool Common and would impede landscape views of Yazor Hill, Tin Hill and Hay Bluff from Pool Common
- The scheme would result in the loss of Grade II Agricultural land
- Woonton lacks services and facilities and is not a 'village'.
- Almeley is a better focus for development as it has services such as a school, shop and pub.
- Future occupants of the houses will be reliant on the use of a car to access services, facilities and employment.
- There are brownfield site available which are more appropriate for housing development.
- The proposal for two entrances in close proximity to a sharp bend and either side of a busy junction between the C1079 and Logaston Road would be harmful to highways safety and contrary to MT1.
- The scheme will increase vehicle movements through the village.
- The road to Almeley is unsafe for pedestrians and cyclists.

- The scheme would have an adverse impact on neighbouring properties through loss of privacy and light.
- The scheme would be visually prominent from the nearby public footpath.
- The scheme will increase surface water run-off and will lead to drainage issues.
- The scheme would lead to the loss of hedgerows and would harm biodiversity contrary to LD2 and LD3.
- The layout and appearance of the scheme is not in keeping and would 'suburbanise' the village.
- The Neighbourhood Plan questionnaire showed that the majority of residents did not support linear development away from the 'core' of the village.
- The Planning system should support the Parish Council in the production of their Neighbourhood Plan

5.14 Following the submission of amended plans and additional supporting information, a second round of consultation was conducted. A **further 2 letters of objections** were received, 1 of which was from someone who has previously submitted representation as part of the first consultation. The content of these representations can be summarised as follows;

- The proposal site has not come through or followed the Neighbourhood Plan process.
- The scheme would have a detrimental impact upon the setting of Pool House, Pool Cottage and Woonton Farm.
- Views of the wider landscape from the village will be obstructed.
- The site is not an infill site.
- The removal and relocation of hedgerows should not be permitted.
- The scheme's frontage would not be in keeping with the character of the village.
- The height of Unit 2 would impede landscape views from Pool Common.
- The proposed orchard and copse planting will impede landscape views from Pool Common.
- There are highways safety and drainage concerns which have not been addressed.
- The scheme will have a detrimental impact upon the setting of the listed Pool Cottage, which forms part of the Black and White Trail.
- The landscape harm will be detrimental to local tourism.

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

[https://www.herefordshire.gov.uk/info/200142/planning\\_services/planning\\_application\\_search/details?id=173699&search=173699](https://www.herefordshire.gov.uk/info/200142/planning_services/planning_application_search/details?id=173699&search=173699)

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

### *Policy context and Principle of Development*

6.1 Section 38 (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."*

6.2 In this instance the adopted development plan is the Herefordshire Local Plan – Core Strategy (CS). The National Planning Policy Framework (NPPF) is also a significant material consideration. It is also noted that the site falls within the Almeley Neighbourhood Area, which published a draft Neighbourhood Development Plan (NDP) for Regulation 14 consultation on 19<sup>th</sup> February 2018. Given its early stage of progression however, the draft NDP does not attract any weight for decision making purposes.

- 6.3 A range of CS policies are relevant to development of this nature, and these are outlined in full at Section 2.1. Strategic policy SS1 of the CS sets out the presumption in favour of sustainable development, which is reflective of the positive presumption enshrined by the NPPF as a golden thread running through plan-making and decision-taking. Policy SS1 also confirms that proposals which accord with the policies of the Core Strategy (and, where relevant, other Development Plan Documents and Neighbourhood Development Plans) will be approved, unless material considerations indicate otherwise.
- 6.4 The matter of housing land supply has been the subject of particular scrutiny in a number of recent appeal inquiries and it has been consistently concluded that that the Council is not able to demonstrate a 5 year supply of housing land. The most recent annual monitoring report outlines that as of 1st April 2017, the supply position in Herefordshire stands at 4.54 years. Therefore, in accordance with Paragraph 49 of the NPPF, policies relevant to the supply of housing must be regarded as being 'out-of-date' and the presumption in favour of sustainable development as set out at Paragraph 14 is engaged.
- 6.5 The above notwithstanding, for the purposes of decision making the CS policies relevant to the supply of housing are not considered to be irrelevant and they may still be afforded some weight. Indeed, recent case law (Suffolk Coast DC v Hopkins Homes [2016 – EWVA Civ 168]) reinforced that it is a matter of planning judgement for the decision-maker to attribute the degree of weight to be afforded. For the avoidance of doubt, Inspectors have determined that CS policies SS2, SS3, RA1 and RA2 are all relevant to the supply of housing in the rural context.
- 6.6 Strategic policy SS2 of the CS makes an overall provision for the delivery of a minimum of 16,500 new homes in Herefordshire between 2011 and 2031 to meet market and affordable housing needs. The policy confirms that Hereford is to be the main focus for new housing development in the county, providing 6,500 new homes over the plan period. This is followed by the five market towns in the tier below which are to provide 4,700 new homes. In the county's rural settlements, a minimum of 5,300 new homes will be delivered. In these areas new housing will be acceptable where 'it helps to meet housing needs and requirements, supports the rural economy and local services and facilities and is responsive to the needs of its community'. This accords with Paragraph 55 the NPPF, which advises that to promote sustainable development housing should be located where it will enhance or maintain the vitality of rural settlements.
- 6.7 Core Strategy policy RA1 explains that the minimum requirement for 5,300 new homes will be distributed across seven Housing Market Areas (HMAs). Woonton lies within the Kington HMA, which has an indicative growth target of 12% (equivalent to delivering 317 new homes across the plan period). For the parish of Almeley, this equates to a minimum of 33 new dwellings.
- 6.8 Policy RA2 identifies the rural settlements which are to be the main focus for proportionate housing development in the rural areas (Fig. 4.14) and the other settlements where proportionate housing is considered appropriate (Fig. 4.15). In these locations, housing growth will serve to bolster service provision, improve facilities and infrastructure, and meet the needs of the communities concerned. The policy states that residential development proposals should be located within or adjacent to the main built up area of the settlement. The policy also sets the expectation that, where appropriate, settlement boundaries or reasonable alternatives for the the identified settlements will be defined by either Neighbourhood Development Plans or Rural Areas Sites Allocations DPD.
- 6.9 In this case, the parish of Almeley has recently published a draft NDP for Regulation 14 consultation. Given this early stage of progression the draft NDP cannot be afforded any weight for the purposes of decision making, and the determining policy for housing proposals in the parish is therefore CS policy RA2. Where the site is found to be within or adjacent to the main built-up form of the settlement, RA2 then requires that proposals should reflect its size, role and function, and, where possible, be on brownfield land. In relation to the smaller settlements

identified at Fig 4.15, proposals will also be expected to pay particular attention to the form, layout, character and setting of the site and its location in that settlement.

- 6.10 Like many of the smaller settlements identified in Fig, 4.15, Woonton is a relatively low density settlement which has limited local services. Whilst it does not have a nucleated core in a traditional sense, it does have a recognisable centre which is broadly focused around the meeting points of the A480 and the C1079, with further built development extending off this alongside the C1079 to the south west towards Almeley. The site in this case is located to the south west of the settlement alongside the C1079, and residential properties are found immediately to the north east of the site and on the opposite side of the highway to the north west. On this basis, the site is considered to be 'within or adjacent' to the main built up form of Woonton and in a locational sense the principle of new residential development can be supported by RA2.
- 6.11 The principle of development on the site being established as acceptable, it falls to consider the detailed proposal against the relevant policies of the CS and other material considerations to establish whether there are any adverse impacts associated with the proposed scheme which would outweigh the benefits. This would be towards establishing if the scheme is representative of sustainable development, for which there is a positive presumption enshrined in the NPPF and CS. The key matters requiring consideration are set out below.

#### *Impact on Heritage Assets*

- 6.12 The application site in this case is identified as being within the setting of two Grade II listed properties, namely Woonton Farm and Poole House. Accordingly, Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 is of relevance when considering the application. This places a duty upon the Local Planning Authority when considering development which affects a listed building or its setting to have special regard to the desirability of preserving the building or its setting, or any features of special architectural or historic interest which it possesses.
- 6.13 In this respect, the advice set out at paragraph 132 of the Framework is relevant, insofar as it requires that great weight be given to the conservation of a designated heritage asset and advises that significance can be lost or harmed through alteration or destruction of the asset or development within its setting. It also makes it clear that the more important the asset, the greater the weight given to its conservation should be. Similar principles are found in Core Strategy Policy LD4, which states that development proposals affecting heritage assets and the wider historic environment should protect, conserve, and where possible enhance heritage assets and their settings in a manner appropriate to their significance.
- 6.14 Paragraph 133 of the NPPF is clear that 'where a development will lead to substantial harm or loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss'.
- 6.15 Paragraph 134 relates to development that would lead to 'less than substantial' harm of heritage assets, and has been confirmed through case law as being a restrictive policy. It states that when such harm is identified, this should be weighed against the public benefits of the proposal. The test is different in effect to paragraph 133, and it does not follow that the identification of harm should automatically direct the decision taker to refuse planning permission.
- 6.16 In this case the designated heritage assets potentially affected by the proposal are Woonton Farmhouse and Poole House, both of which are listed at Grade II. Woonton Farmhouse is found approximately 20m to the north east of the site on the opposite side of Logaston Road. Poole House is found approximately 30m to the north west on the opposite side of the C1079,



and fronts onto the open area of grassland of Pool Common. The photos below show both of these assets in context:



**Figure 6: Grade II listed Woonton Farmhouse viewed from the east off Logaston Road**



**Figure 7: Grade II listed Poole House viewed from the south east off the C1079**

6.17 Considering first Woonton Farmhouse, this forms part of a cluster of agricultural related development occupying a corner plot at the junction of the C1079 and Logaston Road. The

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Further information on the subject of this report is available from Mr Adam Lewis on 01432 383789

immediate setting of the building is read as being the associated farm complex, however in a wider context the open fields to the south east (upon which the proposal site is located) also contribute to its edge of village setting. The separation of the farmhouse and the proposal site by Logaston Road, other built form and vegetation however is such that it is not considered that this setting would be fundamentally or detrimentally altered as result of the proposed development. The most recent advice received from the Council's Historic Buildings Officer confirms that the potential for harm to the setting of the listed building is negligible.

- 6.18 With regards to Poole House, this building is primarily experienced from the C1079 when travelling between Woonton and Almeley and occupies a more prominent position within the settlement than the farmhouse. Its setting is largely characterised by its orientation onto Poole Common, which creates an open feel to the fore of the dwelling in a manner which is redolent of a traditional village green. The views to the countryside beyond this to the south east also contribute further to this sense of openness and reinforce the dwelling's rural setting at the edge of the village. It is therefore considered that the proposal would lead to a degree of harm by introducing new built form within the vistas which form part of Poole House's setting and reducing this sense of openness. However, it is also considered that this harm would be mitigated to an extent by the distance of the site from the listed building and the relatively low height of the proposed dwellings. The amended site layout would also ensure that opportunities for views of open countryside through the site from Poole House remain. It is therefore considered that the harm to the setting of the listed building would be less than substantial, with the advice of the Council's Historic Buildings Officer confirming that this harm would lie at the lower end of the less than substantial spectrum.
- 6.19 It is therefore concluded that the impacts of the scheme upon designated heritage assets will be less than substantial, and towards the lower end of this range. In accordance with paragraph 134 of the Framework, the identified harm should be weighed against the public benefits of the development.

#### *Quantum and Mix of Development*

- 6.20 CS policy RA2 identifies Woonton at Fig. 4.15 as an 'other' settlement where proportionate housing growth is considered to be appropriate. In this case the proposal is for five dwellings, and it is noted that representations from the Parish Council and local residents have disputed whether a development of this size constitutes proportionate growth when considered in combination with existing commitments in the settlement.
- 6.21 The parish of Almeley is identified as having a minimum growth target of 33 new dwellings across the plan period. In the most recent Monitoring Report (April 2017), it was identified that there had been 7 completions within the parish since 2011 with a further 10 commitments in place. A further 16 dwellings are therefore required to meet the parish's housing needs. Whilst it is acknowledged that a further 5 dwellings have recently been granted consent in Woonton (174721/F), there is still a residual requirement for at least 9 dwellings to be provided within the parish. The current scheme would contribute to meeting this shortfall, and when considered in the context of Woonton specifically it is considered that the scheme would constitute proportional growth as defined by policy RA2. Whilst the number of dwellings in combination with existing approvals may appear substantial in a purely numerical sense, the scheme has been designed with regards to the layout and form of Woonton to ensure that its character as a small rural hamlet is maintained. This is discussed in more detail in the following paragraphs.
- 6.22 Policy RA2 also requires that schemes respond to local needs in terms of the size, type, tenure and range of housing that is proposed. This is reflected by policy H3, which requires that residential developments should provide a range and mix of housing units which contribute to the creation of balanced and inclusive communities. Within the Kington HMA, it has been identified that the greatest need in terms of open market dwellings is for 3 bedroom properties (56%), followed by 4+ bedrooms (19.9%) and 2 bedroom (19.5%) (Local Housing Requirement

Study, 2012). The scheme in this case proposes three x 3 bedroom units and two x 4 bedroom units. This is broadly in line with the greatest areas of need as outlined above, and therefore it is considered that the proposal would accord with RA2 and H3 in this respect.

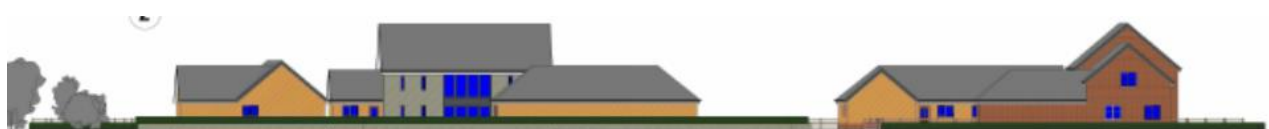
#### *Design, Character and Visual Amenity*

- 6.23 In relation to smaller identified settlements such as Woonton, CS policy RA2 requires that proposals pay particular attention to the form, layout, character and setting of the site and its location in that settlement. Further design advice is set out by CS policy SD1, which requires that new development proposals create safe, sustainable, well integrated environments for all members of the community by ensuring that proposals make efficient use of the land, are designed to maintain local distinctiveness through incorporating local architectural detailing and materials and respecting scale, height, proportions and massing of surrounding developments. This is in accord with the principles set out in the NPPF with regards to requiring good design.
- 6.24 The settlement of Woonton is charactered by relatively loose knit development which extends outwards from a centre focused around the junction of the A480 and the C1079, and is made up of combination of residential properties, converted farmsteads and smallholdings. Buildings are of varying ages and styles, and as a whole it is not considered that the village has a strongly prevailing architectural typology or character. In the context of the immediate site, this is adjoined immediately to the north east by a modern two storey red brick dwelling whilst older traditional properties are found to the north west on the opposite side of the highway.
- 6.25 The proposal scheme in this case takes direction from vernacular agricultural buildings and farmsteads which are abundant in this area of the county. The layout plan shows the dwellings to be laid out in a courtyard style around a shared access, which is considered to be appropriate to the site's rural setting and ensures the scheme is not unduly suburban in character. Each unit is also of a unique design, and a range of styles, heights and forms have been utilised which are again reflective of the agricultural vernacular and would ensure the development is not overly uniform in appearance. In terms of scale and massing, the dwellings are again varied in this sense but as a whole would be commensurate with existing development in the surrounding area. The pallette of external materials, to include natural stone, timber boarding, brickwork and slate, are also acceptable in principle and full details will secured through condition.
- 6.26 Given the design approach which has been adopted, it is considered appropriate to attach a condition removing permitted development rights to ensure that future alterations and additions can be controlled and the distinctive character of the scheme maintained.
- 6.27 Overall, it is considered that the design of the scheme is appropriate to the locality and that the development would serve to maintain local distinctiveness whilst making a positive contribution to the architectural diversity of the settlement. No conflict with SD1 in terms of the layout, scale and design of the proposal is hence detected.

#### *Landscape, Streetscene and ~ Visual Amenity Impacts*

- 6.28 In considering the impact of the scheme on the character and appearance of the landscape CS policy LD1 is of relevance. This requires that the character of the landscape and townscape has positively influenced, inter alia, the design, scale and site selection and that scheme incorporate new landscape schemes and their management to ensure development integrates appropriately into its surroundings. In a similar vein, CS policy LD3 also requires that new development should protect, manage and plan for the preservation of existing and delivery of new green infrastructure where possible.
- 6.29 It is evident in this case that the proposed development will constitute a change to the character of the site as well as the character and setting of the adjacent Poole Common, which is highlighted in the representations received as being a valued feature of the settlement.

However, whilst the scheme will reduce the openness of the area to an extent it is also considered that it would not significantly detract from its 'edge of village' character and would reinforce the role of Poole Common as a focal point and gateway to the settlement. The native hedgerow frontage of the site is maintained (albeit through translocation), and the amended scheme has also responded to the comments of the Council's Landscape Officer by increasing the spacing between the units at the centre of the site around the proposed access road. This will not only reduce the visual impacts of the new built form by reducing its mass in the streetscene but also, in combination with the low height of the proposed garage block, will allow for views to be gained off Poole Common through the site and to the open countryside beyond. The proposed street scene plan is included below;



**Figure 4: Proposed streetscene plan**



**Figure 5: Proposed 3D site view**

- 6.30 Additional coppice and orchard planting is also proposed to the north east and south west end of the site respectively. To the north east this planting will serve as a visual buffer between the site and neighbouring dwelling at The Orchards, whilst to the south west the new orchard planting will serve to break up the built form of the development and soften its appearance when approaching the settlement from the south on Logaston Road. It is noted that a number of options are indicated for the boundary treatment to the rear of the site, including post and wire fencing or native hedging. The Landscape Officer however indicates that a native species hedgerow is required here in order to mitigate the visual impact of the scheme when viewed from the nearby public footpath and in longer distance vistas. This view is shared by the Case Officer, and an appropriate boundary treatment will be secured through a standard landscaping scheme and associated maintenance plan condition.
- 6.31 Overall, the Council's Landscape Officer is satisfied that the scale, layout and external materials for the built form as well as the proposed boundary and additional planting treatments are appropriate within the landscape setting and consequently no objections to the scheme are offered. Whilst a degree of landscape harm is identified, Officers are satisfied that the adverse effects would not be significant as a result of the design approach taken and the mitigation offered. No conflict with CS policies LD1 and LD3 is hence identified.

#### *Residential Amenity*

- 6.32 Policy SD1 requires that development proposals safeguard residential amenity for existing and proposed residents. This accords with the Core Planning Principles set out by the NPPF with regards to securing good standards of amenity for all existing and future occupants of land and buildings. In this case the proposed site layout is of a relatively low density, and the degree of separation from existing dwellings is sufficient to ensure that no adverse amenity impacts would occur in terms of overlooking, overshadowing or overbearing. The design and layout of the

scheme itself also does not give rise to any concerns in these terms for future occupiers of the proposed dwellings. Adequate areas of private external amenity space are provided to serve each property, and further shared areas would be available off the courtyard to the fore of the site. No conflict with SD1 or the NPPF is therefore identified with regards to safeguarding residential amenity.

### *Highways Matters*

- 6.33 Core Strategy Policy MT1 relates to the highways impacts of new development, and requires that proposals demonstrate that the strategic and local highway network can absorb the traffic impacts of the development without adversely affecting the safe and efficient flow of traffic on the network or that traffic impacts can be managed to acceptable levels to reduce and mitigate any adverse impacts from the development. It also requires under (4) that developments are designed and laid out to achieve safe entrance and exit and have appropriate operational and manoeuvring space, having regard to the standards of the Council's Highways Development Design Guide. This approach accords with the principles outlined in section 4 of the NPPF, in particular Paragraph 32 which advises that decisions should take account of whether safe and suitable access to the site for all can be achieved and that development should only be refused on transport grounds where the cumulative impacts of the development are severe.
- 6.34 The scheme as originally submitted raised a number of concerns in terms of highways safety, principally with regards to the proposal for two access points on either side of the junction between the C1079 and Logaston Road and the absence of a seven day ATC speed survey of the adjacent highway to confirm traffic speeds and inform the requisite visibility splays. The Transportation Manager was consequently not supportive of the scheme initially and further information and design revisions were requested.
- 6.35 An ATC speed and traffic count survey was undertaken at both of the originally proposed access points, which led to revisions to the scheme in favour of a single point of access to the south of the site onto Logaston Road. The survey results confirmed the 85<sup>th</sup> percentile traffic speeds at this location to be 24.2mph southbound and 23.8mph northbound. The Council's Transportation Manager advises that these speeds would necessitate visibility splays of 2.4m x 33m to be provided in each direction based upon the standards of MfS2 and the Council's Highways Design Guide, and the amended plans confirm that the achievable visibility would exceed these requirements following the translocation of the existing hedgerow along the site frontage. The Transportation Manager consequently offers no objections subject to conditions.
- 6.36 In terms of pedestrian connectivity, the revised access arrangements also include the provision of a small length of footpath from the site onto Logaston Road towards its junction with the C1079. The Transportation Manager has requested that this footpath is extended along the highways land forming the site frontage to provide a greater area of refuge for pedestrians to walk towards to the bus stop at the centre of Woonton to the north east. This is considered reasonable and justified, and will be secured by condition.
- 6.37 The internal layout of the site provides adequate parking for each of the dwellings in a shared courtyard style arrangement. Adequate manoeuvring space is also available to ensure vehicles, including larger service vehicles, are able to enter and leave the site in a forward gear.
- 6.38 In conclusion, Officers are satisfied that the amended scheme would ensure safe access arrangements are provided and that the proposal can be accommodated by the existing road network. On this basis, the proposal is considered to be pursuant to Core Strategy Policy MT1 and the NPPF.

### *Ecology/Biodiversity*

- 6.39 The proposal site is currently grassland with an established mature hedgerow occupying the roadside boundary. The application is supported by an Ecological Report, which includes consideration of the impacts and a subsequent method statement for translocation of the roadside hedgerow. The Council's Planning Ecologist has considered the information submitted and confirms the report is appropriate to ensure compliance with relevant policies of the CS (LD2 and LD3) subject to the relevant protection, mitigation measures and working methods being secured by condition.
- 6.40 CS policy LD2 and Paragraph 109 of the NPPF also require that the planning system should deliver net gains to biodiversity where possible. Accordingly, a condition is recommended requiring that a scheme of ecological enhancement measures is submitted to the LPA for written approval prior to the commencement of the development. Further enhancement of biodiversity and green infrastructure will be delivered through the proposed orchard and coppice planting at either end of the site, which will again ensure compliance with CS policies LD2 and LD3.
- 6.41 The scheme proposes the use of individual package treatment plants to serve each dwelling with outfall discharging to a spreader field. The Planning Ecologist confirms that subject to these measures being secured by condition he is satisfied the proposal would have no 'Likely Significant Effects' on relevant SSSI/ SAC designated sites in the wider area.

### *Drainage*

- 6.42 To manage foul water the scheme proposes the use of individual package treatment plants with outfall discharging to a spreader field / soakaway system. In the absence of a mains sewer proximal to the site, this is considered to be an acceptable solution which would accord with the hierarchical approach set out in CS policy SD4. Surface water from the development will be managed through the use of soakaways. This is an acceptable method in principle which would accord with CS policy SD3. Infiltration tests have been conducted at the site to ascertain the suitability of ground conditions, and the results confirm that this method of disposal is viable. The Council's Land Drainage consultants have reviewed the proposed arrangements and confirm they have no objections subject to full details being secured through planning conditions.

### **Planning balance & conclusion**

- 6.43 Both Core Strategy policy SS1 and paragraph 14 of the National Planning Policy Framework engage the presumption in favour of sustainable development and require that development should be approved where they accord with the development plan. The application in this case is for housing and in the light of the housing land supply deficit must be considered in accordance with the tests set out by paragraph 14 and SS1. Permission should be granted, therefore, unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the NPPF as a whole, or if specific policies in the NPPF indicate development should be restricted.
- 6.44 Woonton is identified by the Core Strategy as a sustainable settlement where there is a presumption in favour of proportionate housing growth. In the absence of a NDP which has reached a stage of progression where it may be afforded weight, the village does not have a defined settlement boundary and hence the application has been considered against the locational tests set out in CS policy RA2. The site in this case is considered to be within or adjacent to the settlement, being contiguous with the main built up form of the village. The site is therefore considered to be sustainable in locational terms.

- 6.45 Matters with regards to the potential impact of the proposal upon the setting of designated heritage assets have been carefully considered. This has led to the identification of a degree of harm upon the setting of the Grade II listed Poole Cottage which lies to the north west of the site. The advice received from the Council's Historic Buildings Officer confirms that this harm would be less than substantial, and within this spectrum the harm would be at the lower end of the less than substantial. In accordance with paragraph 134 of the NPPF, this harm should be weighed against the public benefits of the proposal.
- 6.46 Whilst a number of permissions have been achieved recently in the settlement, the parish as a whole has not reached its minimum growth target of providing 33 new dwellings over the plan period and the scheme would contribute to meeting this shortfall. The proposal has also been designed in a manner which has shown due regard to the form, layout and character of the site's setting and would consequently ensure the development would be read as being proportionate to the settlement as a whole. The principle of the development is supported by CS policy RA2.
- 6.47 The identified shortfall in deliverable housing sites represents a material consideration which affords significant weight in favour of the scheme. The scheme would boost the supply of housing within the parish, and this would have consequent social benefits in terms of enhancing and maintaining the vitality and social cohesion of the rural community. In the economic dimension, the scheme would introduce investment in jobs and construction to the area, and would support businesses and services in the surrounding area by increasing customer base. The scheme also offers benefits in the environmental sphere in terms of biodiversity and green infrastructure enhancement through the proposed orchard planting, landscaping measures and ecological enhancement scheme. Public benefits are hence identified within the three dimensions that constitute sustainable development, as set out in paragraph 7 of the NPPF, and these benefits are considered to outweigh the modest harm which has been identified to nearby heritage assets.
- 6.48 Initial concerns with regards to highways safety have been addressed through the completion of additional survey work and revisions to the scheme. The amended plans demonstrate that safe access can be provided which would be in accordance with MfS2 and the Council's Highways Design Guide. The Council's Transportation Manager has confirmed that the scheme is acceptable subject to the imposition of conditions.
- 6.49 All other matters have been considered, and there are no issues identified of such material weight that would suggest the scheme would not constitute a sustainable form of development. The proposal would accord with the relevant policies of the NPPF and the CS, and the application hence benefits from the positive presumption set out in SS1 and at paragraph 14. The application is therefore recommended for approval subject to the conditions below.

## **RECOMMENDATION**

**That planning permission be granted subject to the following conditions and any other further conditions considered necessary by officers named in the Scheme of Delegation to Officers.**

- 1. C01 - Time limit for commencement (full permission)**
- 2. C08 - Development in accordance with approved plans (as amended)**
- 3. C13 - Samples of external materials (to include full details of doors and windows)**
- 4. C65 - Removal of permitted development rights**
- 5. C96 - Landscaping Scheme**

6. C97 - Landscaping scheme implementation
7. C99 – Tree Planting
8. CA1 – Landscape Management Plan
9. CAP - Off site works (footway provision within highways land)
10. CAB - Visibility Splays – 2.4m (X distance) x 33m (Y distance)
11. CAC - Visibility over frontage (2 metres)
12. CAE - Vehicular access construction
13. CAH - Driveway gradient
14. CAL – Access, turning area and parking
15. CAZ – Parking for site operatives
16. Nature Conservation – Ecology Protection and Mitigation

The ecological protection, mitigation and working methods scheme as recommended in the Ecological Report by Churton Ecology dated September 2017 shall be implemented in full as stated unless otherwise approved in writing by the local planning authority.

Reason: To ensure that all species are protected and habitats enhanced having regard to the Wildlife and Countryside Act 1981 (as amended), the Conservation (Natural Habitats, &c) Regulations 1994 (as amended) and Policy LD2 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework, NERC 2006

17. Nature Conservation – Enhancement

Prior to commencement of the development, a detailed habitat enhancement scheme should be submitted to and be approved in writing by the local planning authority, and the scheme shall be implemented as approved.

Reason: To ensure that all species are protected and habitats enhanced having regard to the Wildlife and Countryside Act 1981 (as amended), the Conservation (Natural Habitats, &c) Regulations 1994 (as amended) and Policy LD2 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework, NERC 2006

18. CCK - Details of slab levels
19. CBK – Restriction of hours during construction
20. CBM – Scheme of foul drainage disposal
21. CBO – Scheme of surface water drainage disposal
22. No access gates/doors shall be installed on the shared access hereby approved without the prior written consent of the Local Planning Authority.



**Reason: In the interests of highway safety and to conform with the requirements of Policy MT1 of Herefordshire Local Plan – Core Strategy [and the National Planning Policy Framework].**

**INFORMATIVES:**

- 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. Negotiations in respect of matters of concern with the application (as originally submitted) have resulted in amendments to the proposal. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.**
- 2. I05 - No drainage to discharge to highway**
- 3. I08 – Section 278 agreement**
- 4. I09 – Private apparatus within highway**
- 5. I11 – Mud on highway**
- 6. The habitat enhancement plan, based on the Ecological Report by Churton Ecology dated September 2017 should include details and locations of any proposed Biodiversity/Habitat enhancements as referred to in NPPF and HC Core Strategy. At a minimum we would be looking for proposals to enhance bat roosting, bird nesting and invertebrate/pollinator homes to be incorporated in to the new buildings as well as consideration for hedgehog houses and hedgehog movement within the landscaping/boundary features. No external lighting should illuminate any of the enhancements or boundary features beyond any existing illumination levels and all lighting on the development should support the Dark Skies initiative.**
- 7. The landscaping plan should include full details of all proposed tree, shrub and hedge planting plus any new or reseeded grass areas. Locally typical, native species with stock of local provenance should be used where practicable. Details supplied should include details of native species mix, stock specification, planting and protection methodology and a 5 year establishment and subsequent 5 year maintenance plan. Elder, Ivy and Dog Rose are not considered as appropriate ‘woody’ species to be included in the hedge. Hornbeam should normally be used instead of Beech. ‘Exotic’ species will only be considered where they are appropriate to existing established planting and landscape character (eg historic parkland or in an ‘urban’ environment). All orchard planting should utilise very vigorous ‘standard’ rootstocks and be of historic, locally characteristic varieties with relevant Traditional’ Standard’ Tree spacing, support and protection (Natural England’s Technical Information Notes are helpful guidance). As detailed in the Council’s Highway Design Guide for New Developments no thorny species should be planted immediately adjacent (allowing for normal growth) to a footway/public footpath/pavement or within 3m of a cycleway.**
- 8. I33 – Wildlife General**
- 9. I35 – Highways Design Guide and Specification**

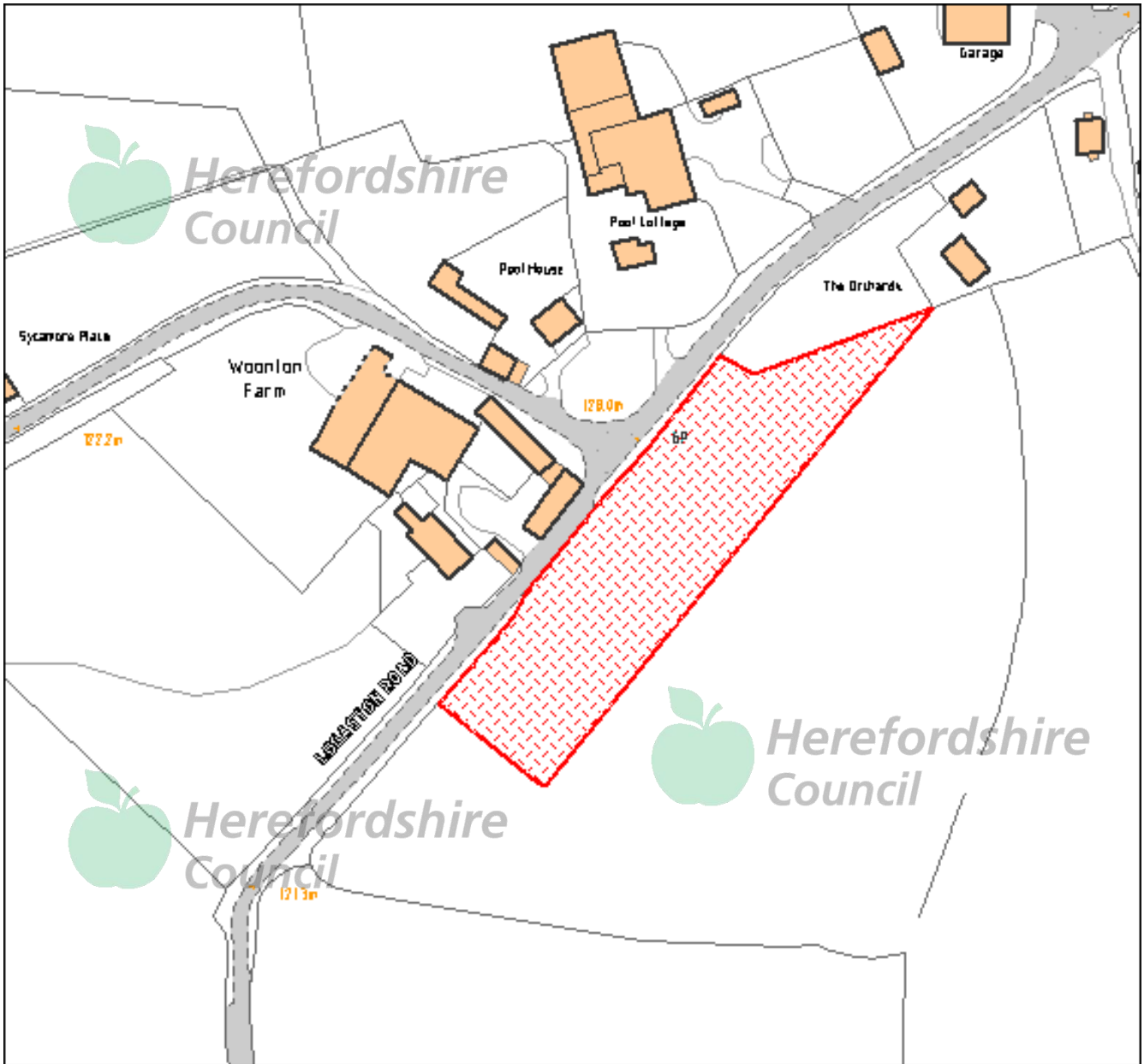
Decision: .....

Notes: .....

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**Background Papers**

Internal departmental consultation replies.



This copy has been produced specifically for Planning purposes. No further copies may be made.

**APPLICATION NO:** 173699

**SITE ADDRESS :** LAND AT WOONTON, WOONTON, ALMELEY, HEREFORDSHIRE

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Further information on the subject of this report is available from Mr Adam Lewis on 01432 383789