

<b>MEETING:</b>	<b>PLANNING AND REGULATORY COMMITTEE</b>
<b>DATE:</b>	<b>13 NOVEMBER 2019</b>
<b>TITLE OF REPORT:</b>	<b>190650 - SITE FOR ERECTION OF 6 DWELLINGS, GARAGING AND NEW VEHICULAR ACCESSSES AT SITE ADJ. CHURCH LANE, ALLENSMORE, HEREFORDSHIRE.</b>  <b>For: Mr Owens per Mrs Julie Joseph, Trecorras Farm, Llangarron, Ross-On-Wye, Herefordshire HR9 6PG</b>
<b>WEBSITE LINK:</b>	<a href="https://www.herefordshire.gov.uk/info/200142/planning_services/planning_application_search/details?id=190650&amp;search=190650">https://www.herefordshire.gov.uk/info/200142/planning_services/planning_application_search/details?id=190650&amp;search=190650</a>
<b>Reason Application submitted to Committee – Re-direction</b>	

**Date Received: 21 February 2019**

**Ward: Wormside**

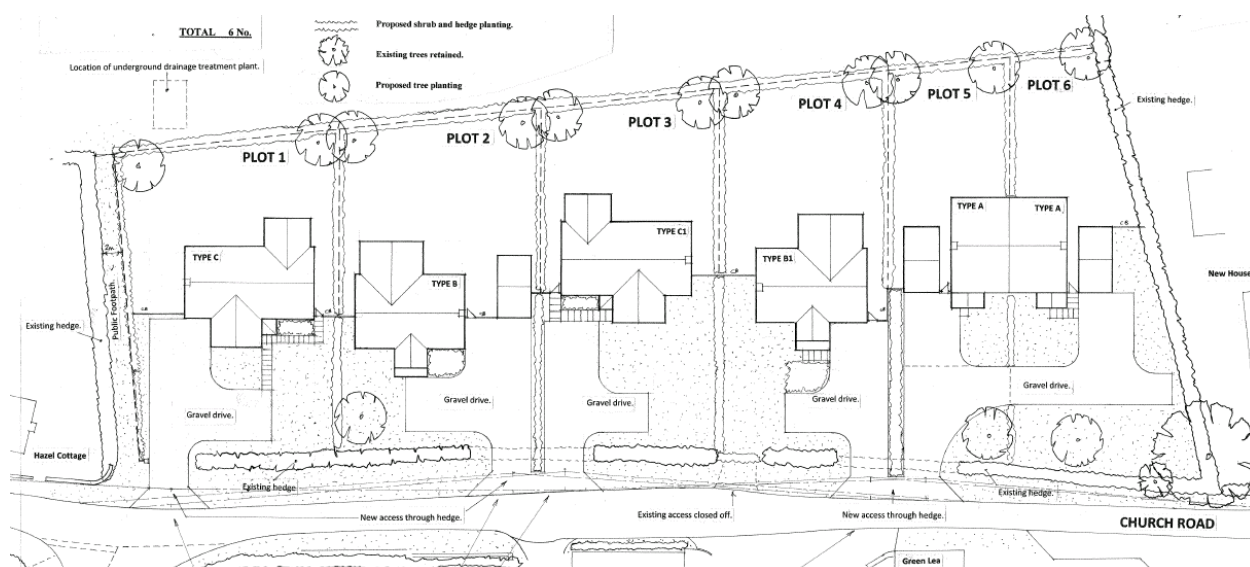
**Grid Ref: 346468,236004**

**Expiry Date: 30 April 2019**

Local Member: Councillor Christy Bolderson

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

- 1.1 The application site comprises a paddock located to the east of Church Road in the parish of Allensmore. The site benefits from hedges along the common boundary with the road and southern boundary, post and wire fence along the eastern boundary with the open countryside and a temporary fence along the northern boundary shared with the public footpath which runs along an east-west axis.
- 1.2 There are dwellings to the north and south of the site as well as to the west across the road. The site benefits from one access in the centre of the site which will be closed up as part of this application. There are no local or national landscape or heritage designations either within the site or which affect the assessment of the proposal.
- 1.3 This application is submitted in outline for 6 dwellings with all matters to be considered apart from landscaping which is reserved. As part of the application the existing access will be closed and three new ones proposed. During the application process additional information in relation to highways and drainage has been submitted, along with amended layout plans.
- 1.4 Below is the amended layout plan which shows the relationship with neighbouring dwellings to the north and south:



## 2. Policies

### 2.1 Herefordshire Local Plan – Core Strategy (CS):

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 Distribution
RA2	-	Housing in Settlements Outside Hereford and the Market Towns
MT1	-	Traffic Management, Highway Safety and Promoting Active Travel
LD1	-	Landscape and Townscape
LD2	-	Biodiversity and Geodiversity
LD3	-	Green Infrastructure
SD1	-	Sustainable Design and Energy Efficiency
SD3	-	Sustainable Water Management and Water Resources
SD4	-	Waste Water Treatment and River Water Quality

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 National Planning Policy Framework (NPPF):

Chapter 2	-	Achieving sustainable development
Chapter 4	-	Decision making
Chapter 5	-	Delivering a sufficient supply of homes
Chapter 6	-	Building a strong, competitive economy
Chapter 8	-	Promoting healthy and safe communities
Chapter 9	-	Promoting sustainable transport
Chapter 11	-	Making effective use of land
Chapter 12	-	Achieving well designed places
Chapter 14	-	Meeting the challenge of climate change, flooding and coastal change
Chapter 15	-	Conserving and enhancing the natural environment

### 2.3 Allensmore Neighbourhood Development Plan (NDP) – currently undergoing Regulation 16 consultation ending on 18 November 2019. The plan can be afforded limited weight.

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Further information on the subject of this report is available from Miss Emily Reed on 01432 383894

- Policy A1 – Protecting and Enhancing Local Landscape Character
- Policy A2 – Protecting and Enhancing Local Wildlife
- Policy A3 – Proposed Site Allocations
- Policy A4 – Criteria for Development in Settlement Boundaries
- Policy A5 – Housing Mix
- Policy A6 – Conversion of Former Agricultural Buildings
- Policy A7 – Drainage, Flooding and Sewage
- Policy A8 – Protecting the Church and Village Hall and Supporting Investment in Improved Facilities

### **3. Planning History**

- 3.1 None

### **4. Consultation Summary**

Statutory Consultations

#### **4.1 Ramblers Association – object**

I must object to this planning application as I'm of the opinion that the alley way which will be created around the existing footpath Allensmore AN5 is below the stipulated width for a footpath in such a situation as this. The footpath needs to be of sufficient width that when the surrounding hedges have seasonable growth on them it should still be possible to walk along the footpath without being snagged by branches. There should be a written clause in the Planning Consent highlighting who will be responsible for the up keep of both hedges.

I ask you to ensure that the developer is aware that there is a legal requirement to maintain and keep clear a Public Right of Way at all times.

#### **4.2 Open Spaces Society – comment**

A public right of way is a material consideration that must be taken into account at the planning stage.

The proposals have effect to registered footpath AN 5(part), the path must be at least 2 metres width. I note the site location plan depicts some form of structure stile/gate? by the annotation Hazel Cottage at junction with the country road. NO path furniture to be erected at that point, a gate is probably requisite on the path at the other end of proposed development to make stock proof, this must be a kissing gate of a type that complies with The Equality Act 2010. Thank you in these matters.

#### **4.3 Welsh Water – no objection**

##### Sewerage

We note from the application that the proposed development does not intend to connect to the public sewer network. As the sewerage undertaker we have no further comments to make. However, we recommend that a drainage strategy for the site be appropriately conditioned, implemented in full and retained for the lifetime of the development.

Should circumstances change and a connection to the public sewerage system/public sewage treatment works is preferred we must be re-consulted on this application.

##### Water Supply

The proposed development is crossed by a 3 Inch distribution watermain, the approximate position being shown on the attached plan. Dwr Cymru Welsh Water as Statutory Undertaker has statutory powers to access our apparatus at all times. I enclose our Conditions for Development near Watermain(s). It may be possible for this watermain to be diverted under Section 185 of the Water Industry Act 1991, the cost of which will be re-charged to the developer. The developer must consult Dwr Cymru Welsh Water before any development commences on site.

Internal Council Consultations

#### 4.4 **Public Right of Way** – comment

Public footpath AN5 has been shown on plans, and would not appear to be obstructed by the development. However, we do not want the footpath to become a corridor. In order to minimise this, the path must be allowed a width of at least 2 metres. Any hedges must be well maintained by the occupiers to ensure there is no encroachment onto the path - the council will not be responsible for this.

#### 4.5 **Conservation Manager (Ecology)** – no objection

Allensmore is not in the River Wye SAC, so no HRA required from a drainage point of view. The drainage should be compliant with SD3 & SD4 Core Strategy, I can see there have been some concerns raised in the past re. use of the SuDs pond for excess outfall from foul sewerage; the SuDs should be designed in accordance with good practice for biodiversity and in line with HC SuDs guidance.

Although an ecology report/assessment was not carried out, I note that the Planning Statement confirms that existing hedgerows and an existing tree in the south-west corner, will be retained and protected during construction, as well as in-filling existing gaps with native hedgerow trees and new native hedgerow is proposed along the eastern site boundary. These should be ensured by a condition:

Tree & hedgerow protection

Prior to the commencement of the development a tree and hedgerow protection plan in accordance with BS5837:2012 shall be submitted and approved in writing by the local planning authority and thereafter implemented in accordance with the approved details for the duration of the construction phase.

Reason: To safeguard all retained trees during development works and to ensure that the development conforms with Policies LD1 and LD3 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

In terms of site ecology, the client should be aware of their legal duty of care towards any protected species that may be found onsite during construction phase:

Legal Duty of Care

The applicant has a legal obligation/duty of care regarding wildlife protection under the Wildlife and Countryside Act that applies throughout any site clearance or construction process. Any breach of this legal Duty of Care would be a criminal offence. If at any time protected species are found or suspected on site a suitably experienced ecologist should be consulted.

The planning statement refers to production of a mitigation and enhancement plan – this should be conditioned as part of biodiversity net gain as required ecological compensation as per NPPF Guidance and Core Strategy LD2 all developments should show how they are going to enhance the local biodiversity potential. To ensure this a detailed biodiversity enhancement plan is requested. Enhancements should include consideration for a wide range of species including bats, birds, hedgehogs, pollinating insects and reptiles within the new development and any

boundary features and soft landscaping. 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 (DEFRA/NPPF Guidance 2013).

#### Suggested Condition

##### Biodiversity Enhancement Plan (Net Gain)

Prior to commencement of development a fully detailed and specified Biodiversity Enhancement Plan including a relevant location plan that is appropriate with the scale, nature and location of the development including provision of fixed habitat features shall be provided to the planning authority for approval. The approved scheme shall be implemented in full and hereafter maintained unless otherwise agreed in writing by the planning authority. No external lighting should illuminate any enhancement or boundary feature.

Informative: Fixed habitat features include but are not restricted to features such as bat roosting opportunities, bird boxes, insect hotels/houses, hedgehog homes & hedgehog friendly boundary features and amphibian/reptile refugia. The applicant is advised to seek the advice of an ecological consultant when completing the Biodiversity Enhancement plan.

To ensure that all species and habitats are protected, conserved and enhanced (Biodiversity net gain) having regard to the Wildlife and Countryside Act 1981, Conservation of Habitats and Species Regulations (2017), National Planning Policy Framework (2018), NERC Act (2006), Herefordshire Core Strategy (2015) policies SS6, LD1-3 and, Dark Skies initiative (DEFRA-NPPF 2013/18).

#### 4.6 **Conservation Manager (Landscape)** – no objection

Thank you for consulting me in respect of the proposal for 6 dwellings at Allensmore, I have now reviewed the submitted proposals.

The development appears well situated in relation to the context of the village; it continues the line of development along Church Road, up to Hazel Cottage at the junction with Cobhall Road. For this reason I have no objection to the principle of the development upon this site.

The number of dwellings proposed could be perceived as rather great in relation to a village of this scale, however if careful consideration is given to the detail of the layout, design and materials, any harmful visual effects can be mitigated to a large degree:

I note that the block plan shows staggered built form which is welcomed, the elevations and illustration of the street scene also show the provision of differentiation through heights.

I would recommend further consideration be given to the proposed external finish of the dwellings; it appears from the drawings that white render is proposed and whilst I note there is existing context for this, I would recommend a range of finishes in order to avoid uniformity of design, this could be secured via a condition.

In terms of landscape detail the access points will necessitate 3 punctures through the hedgerow, however these gaps will be minimal and serve to retain the impression of the overall length of roadside hedgerow. The rear boundary of the residential curtilage will also abut open countryside and because of this I would recommend a robust landscape buffer with extensive tree planting. The PROW AN5 also runs parallel with the northern site boundary and it is important to retain a rural context to this route, I would therefore recommend a soft boundary in the form of a mixed native hedgerow, between the dwellings and the footpath. The above matters can all be secured via condition in the form of the submission of landscape plans.

#### 4.7 **Transportation Manager** – no objection

Further information required

1. Plan showing visibility splays
2. A review of the implication of adding 6 dwellings on the highways network.

##### **Following additional information, the following comments were received:**

The submitted plan showing the visibility splays is acceptable. It should be noted that in a previous response a review of the implications of an additional 6 dwellings on the highway was requested, as yet this has not been received.

The construction of the vehicle crossings for each access should be built to road standard construction to allow for them to be used as passing places.

##### **Following the submission of additional information in regard to the above, the following comments were provided:**

The site is located close to two accesses to the A465, therefore the proposed increase in vehicles have the benefit of two accesses to the greater highway network. From the submitted data, it shows a large movement of vehicles on a Tuesday outside of peak time. Using the submitted data and industry standard data sets for developments of this type, the proposed development will look to increase vehicles movements by 0.6 per dwelling during peak period, therefore for during each of the peak periods vehicles will increase by a total of 3.6. The increase in vehicles trip and impact of those vehicles would not be classed as severe therefore would not be contrary to the NPPF and Herefordshire Core Strategy MT1.

If minded to approve please condition as follows.

CAB – Visibility splays – please see submitted drawing no. 7723/10

CAE – Vehicle access construction – vehicle crossings should be built to HC Road construction

CAH – Driveway gradient

CAI – Parking – associated to each dwelling

CAT – Construction Management plan.

CB2 – Secure cycle parking

##### **Informatives**

I11 – Mud on the road

I09 – Private apparatus on the highway,

I45 – Vehicle Crossing licence

I05 and I47 - drainage highway

I35 – Highways design guide.

#### 4.8 **Land Drainage Consultant** – no objection

##### **Flood Risk**

##### **Surface Water Flood Risk**

Review of the EA's Risk of Flooding from Surface Water map indicates that the site is not at risk of surface water flooding, however the adjacent road is demonstrated to experience surface water flooding. The Applicant has proposed to construct driveways of permeable paving to prevent any surface water runoff from getting onto the highway. This has been supported by installing check dams perpendicular to the highway to hold back any water.

We are aware of known issues in this area in regards to the disposal of water (due to the high groundwater level and lack of infiltration) and issues also around disposal of foul water (discussed in the 'Foul Water Drainage' section) and thus potential pollution. There are local concerns in regards to the viability of disposing of surface water runoff and treated effluent from this site. There are also concerns that the additional runoff will add to the existing issue of the culvert/ditch being overwhelmed. There have been historic episodes of flooding in this area.

### **Surface Water Drainage**

The surface water runoff is proposed to be managed via disposal to an attenuation pond with a restricted outflow (2l/s restricted by a 72mm orifice) into a ditch which then discharges to the Withy Brook. This pond also accepts treated effluent and is proposed to contain a reed bed for further treatment. This is further discussed in the 'Foul Drainage' section.

Driveways will be constructed of gravel to prevent any surface water runoff onto the road. Check dams are also proposed to prevent runoff onto the highway. It should be noted that the planning statement states that surface water will be disposed of via soakaways - this should be updated.

### **Ownership and Maintenance of SuDS features**

It is stated in the SuDS maintenance manual that the private driveways will be under the responsibility of the associated homeowner. The shared surface water drainage system and the shared driveways will be managed by a maintenance company. This document has been amended to state that any items outside the development boundaries, such as pipe trenches, attenuation pond and Hydrobrake flow control chamber will also be managed by the maintenance company (as requested).

### **Foul Water Drainage**

It is proposed that each individual dwelling will be served by a package treatment plant with joint outfall into the proposed attenuation pond (to the east of the site) which is proposed to contain a reed bed to provide further treatment. The shared pipework serving each package treatment plants is proposed to be located outside the curtilage of each residential garden. This land is under the ownership of the Applicant. In the future, the land on which the shared pipework is located should be jointly owned by the respective homeowners.

The proposed reed bed must be to the specification of Building Regulations Part H. This detail should be provided as currently no detail is shown, the layout plan states 'to be created with appropriate planting'. We appreciate that a cross section has been provided (on drawing ref ALLE-ICS-01-XX-DR-C-010 Rev P2), however this needs to be consistent with the details from the Building Regulations.

### **Overall Comment**

We request that as part of suitably worded planning conditions, further details of the reed bed is provided as described above.

## **5. Representations**

### **5.1 Allensmore Parish Council – object**

Allensmore Parish Council objects to the proposal in outline planning application 190650 for 6 new dwellings along Church Road on the following grounds:

- The proposal is inappropriate for the area with the size, density and layout being totally out of character with and detrimental to the surrounding area. The claim in the proposal (Design and access statement para 7.2) that it comfortably reflects the Allensmore housing density is incorrect and misleading, in fact the proposal is more than double the density of the proposed settlement in Allensmore (see below).

- There are important matters such as drainage which are either not mentioned or inadequately mentioned in the proposals. The Parish Council considers that the application should be rejected whilst these are not properly addressed.

### **Inappropriate size, density and layout**

As the design and access statement reflects, (para 1.3 and others), the National Planning Framework requires development to significantly enhance its immediate setting, whilst being sensitive to the defining characteristics of the immediate area. Allensmore is characterised by low density, linear developments of different designs, scale and materials with many green spaces and open views across fields to open countryside and distant hills. This proposal would fill one such greenspace by high density (relative to Allensmore), regimented building which would create an urbanised pocket within the rural surroundings and block views of open countryside from the public road.

Para 7.2 of the design and access statement mistakenly and misleadingly asserts that the proposal “comfortably reflects the desire for a lower density”. It reaches this conclusion by referencing the emerging Neighbourhood Development Plan and misquoting it as identifying Allensmore as having a density of 8.8 dwellings per acre. In fact the plan (see Allensmore.org.uk) identifies the density as 8.8 dwellings per hectare. This is equivalent to 3.6 dwellings per acre. The same paragraph then states the area of the proposed site is 0.9 acres. Based on the proposal’s stated area of 0.33 hectares (para 2.1) the correct figure is 0.8 acres. Even the straightforward density calculation based on 0.9 acres ( $= 8.8 / 0.9$ ) is incorrect, the correct figure is 9.8 not 6.6 as stated. Based on the proposal’s stated area of 0.33 hectares, the proposed density is 26.7 dwellings per acre compared with a correctly stated density of 3.6 dwellings per acre in the proposed settlement i.e. the proposal is more than double the density of the settlement area proposed.

After correcting for these errors, it is hard to argue that the proposal is being sensitive to the defining characteristics of the local area as is required by the National Planning Framework.

Policy RA2 of the Core Strategy describes the policy for housing in rural areas. Allensmore is not included in fig. 4.14 which identifies the settlements which are the main focus of proportionate development but in fig. 4.15 – other smaller settlements where development is appropriate. For these settlements the policy requires that “*particular attention will be given to ensure that housing developments should respect the scale, form, layout, character and setting of the settlement concerned. By virtue of their size and character many of these settlements do not have a traditional village or nuclear centre and in many cases have a dispersed settlement pattern which would need to be respected in the design of new housing proposals*”.

The site is significantly higher than the road particularly at the NE and SW ends. The houses proposed would stand high above the road and the large, double length garage stretching parallel to the road just inside the hedgerow would all contribute to creating an urban and enclosed feel to the area.

The site was not recommended for development by independent assessors, Aecom, when it was assessed as a potential site during the development of the NDP. The assessment stated “... it is constrained by landscape considerations as its openness enables views out over the countryside. The site is considered to make an important contribution to the rural character and setting of Allensmore”.

The site will have a detrimental impact on the footpath (AN5), changing this section of it from having open views to becoming a claustrophobic alleyway.



## **New dwellings**

Paragraph 3.11 of the design and access statement correctly identifies that as part of the adopted Core Strategy, the parish of Allensmore is expected to accommodate a minimum of 14% growth in housing numbers up to the year 2031. This equates to 32 dwellings. To date, a net 29 have been completed or approved, leaving three further dwellings needed to meet this minimum target. The current draft of the NDP identifies potential capacity for some 15 - 20 such dwellings, comfortably exceeding the housing growth target and in a way which is considered much less detrimental to the character of the area valued by residents.

## **Housing mix**

In paragraph 7.1 of the design and access statement, the proposal acknowledges the need for three bedroomed dwellings as identified in the Local Housing Assessment and reflected in the emerging NDP. Further, the need for study space to facilitate home working is also recognised. The proposal states that just two of the dwellings have four bedrooms while the rest have three. (Recently amended to include two with two bedrooms). The Parish Council questions if two of the "three bedroomed" houses (Type B and B1) are really three bedrooms, or has this been achieved merely by labelling the fourth room upstairs as a "Study". It would appear that it could equally well be considered a fourth bedroom.

## **Matters not adequately covered in the proposal**

### **Foul drainage**

Allensmore is well known for its challenging drainage conditions due to a high water table and heavy, poorly draining soil. The application makes little mention of how foul drainage would be achieved other than a brief mention (para 8.1) of a package treatment plant within the development and a contradictory drawing (site layout plan) showing it outside the site. Given the experience of local people and the difficulties in designing an acceptable solution with other developments in the parish, the Parish Council believes that the application should be rejected until it demonstrates that a sustainable solution can be developed and would be implemented. The proposal should also address the ongoing maintenance arrangements for what appears to be a shared solution. This design would require the necessary tests to be conducted and the proposal to be approved by Herefordshire Council's drainage team.

### **Drainage – surface water**

As above, given the low porosity, high water table and limited space, the proposal should describe a sustainable surface water drainage solution to meet the needs of the proposed dwellings and without increasing the risk of local flooding of nearby houses or Church Road (the latter is identified on the government's flood risk maps as at medium risk of flooding). To design an appropriate solution would require appropriate measurements on the site and the proposed solution would need to satisfy Herefordshire council drainage experts.

There is an open ditch (not shown on the proposal) which runs between the Church Road and the hedge from the existing site access towards the Church. This has an important role to collect and channel water which runs off the proposed site and also from the road.

The new access will cut across this. The proposal should make clear what measures would be taken to ensure this ditch can continue to serve its purpose.

### **Footpath AN5**

The gate for the footpath in the north-eastern corner of the site, is not correctly marked on the site layout plan. Rather than adjacent to the north western boundary as shown, it is

approximately 2.5 meters from the boundary to the nearest point of the gate. It is not clear what steps the proposed development would take to allow for this, but this should be addressed in the proposal and the footpath officer given a further opportunity to comment following the correction of the site layout plan.

The Parish Council feels that the proposal is inappropriate for the character of the area and for this reason together with the errors and omissions described above should be rejected.

**The following representation was received 25 April 2019:**

In its representation on 28th March, the Allensmore Parish Council identified what it believes are incorrect and misleading statements about the density of the proposed development. The proposal wrongly quotes the emerging draft plan as identifying Allensmore as having a density of 8.8 dwellings per acre and also incorrectly states that the density of the proposal is 6.6 dwellings per acre. The proposal then concludes that this “more than comfortably reflects the desire for a lower density”.

The emerging draft plan actually identifies Allensmore as having a density of 3.6 dwellings per acre (8.8 dwellings per hectare) and based on the applicant's own figures the density of the proposal is 7.4 dwellings per acre, (6 dwellings on 0.33 hectare) i.e. it is more than double the density of the neighbouring settlement.

Please see page 24 of the draft plan <http://allensmore.org.uk/documents/AllensmoredraftNDP-Reg14.pdf>

Please can the case officer confirm that the applicant will be asked to correct or repudiate what we believe to be incorrect and misleading statements before the application is considered?

**Following re-consultations in light of additional drainage information, the following was received:**

The Allensmore Parish Council has considered the amended proposals and wish to make the following representation:

Allensmore Parish Council reiterates its objection to the application for 6 new dwellings off Church Road, Allensmore.

Except for the fact that more detail has been provided for the drainage arrangements, the reasons for objection as described in the previous submission (included below) still stand.

Furthermore the Parish Council wishes to add / re-iterate the following: We believe this proposal is not consistent with the Herefordshire Core Strategy. Policy RA2 of the Core Strategy requires that for developments in settlements listed in Fig 4.15 (which includes Allensmore) “particular attention will be given to ensure that housing developments should respect the scale, form, layout, character and setting of the settlement concerned. By virtue of their size and character many of these settlements do not have a traditional village or nuclear centre and in many cases have a dispersed settlement pattern which would need to be respected in the design of new housing proposals”. The PC is firmly of the view that the density, the regimented nature of the layout and aspects such as a double length garage side on along the boundary standing higher than the road are not respecting the scale, form, layout, character and setting of Allensmore.

The Allensmore NDP is now well into the Regulation 14 consultation stage. As part of the NDP, the site was independently assessed and not recommended for development. Furthermore, with recent developments and planning approvals Allensmore has already exceeded the minimum target for development by 2031 as set out in the core strategy and still has further recommended sites identified in the NDP to provide further contingency. This site, not

recommended by the independent assessment, is not required to meet our development targets.

We note that the agent has acknowledged in an email, the inadvertent misrepresentation of facts in the Planning, Design and Access statement (Para 7.2) where it is stated that at 6.6 (figure incorrect) dwellings per acre, the development comfortably reflects the desire for a low density of 8.8 dwellings per acre (figure incorrect) as exists in the settlement of Allensmore. As is now accepted by the agent the correct density of the proposal is 7.5 dwellings per acre and that this is more than double the corrected figure of 3.6 dwellings per acre for the settlement.

The Parish Council is surprised and disappointed to note, that Herefordshire Council is knowingly allowing this misrepresentation of facts to continue without correction for this further consultation. Consequently, participants in the public consultation by Herefordshire Council who read the statement referenced above are likely to be misled into believing the proposal is of similar density to the existing settlement when in fact it is more than double. This is a matter of significance and brings into question the efficacy of this consultation to enable the public to make an accurate assessment of the impact of the proposal on the parish. It would seem that correcting the misleading statements and republishing this document to enable an accurate consultation is long overdue.

#### **An additional representation was received 6 September 2019:**

Following the amendment to this application to provide further details on the drainage strategy, the Allensmore Parish Council wishes to reiterate its continued opposition to this proposal.

1. The drainage strategy proposes that the outflow from the six package treatment plants is discharged into a soakaway, close to an existing watercourse. The end of the soakaway then discharges via an attenuation pond, into that watercourse, so that any outflow not absorbed into the ground – for example at times of peak demand, and/or when the soakaway becomes silted up over the years, will discharge into the potentially dry attenuation pond and the watercourse. The ill-defined watercourse is dry for much of the year (including at the time of writing) and is also proposed to be used in a similar manner by the 3 additional dwellings being sought by application number 183792. We note that the land drainage engineer objects to the proposal (notwithstanding that the objection has been listed as a comment) and in particular, we share the highlighted concern that the attenuation pond will create odours which will have an unpleasant impact on the surrounding residents.
2. As stated in previous submissions and not repeated in detail here, the proposal is contrary to policy RA2 of the Core Strategy and the Allensmore NDP, the latter is now at the Regulation 16 stage subject to Parish Council approval anticipated in September. It should also be noted that the housing target for the area as set out in the Core Strategy has already been exceeded.
3. This application needs to take into account application no 183792 which abuts the rear of this site and proposes a further 3 additional dwellings. Together these would lead to a mini estate of 9 houses, about a third of the number in the existing settlement area and add further serious challenge to the already extremely challenging drainage and flooding issues.
4. The Parish Council is also surprised and disappointed to note that Herefordshire Council continues to publish information on an important aspect included in this proposal which it knows to be misleading. As has been acknowledged by the applicant's agent, the Planning, Design and Access statement (Para 7.2) states that at 6.6 dwellings per acre, the development comfortably reflects the desire for a low density of 8.8 dwellings per acre as exists in the settlement of Allensmore. In fact, the correct density of the proposal is 7.5 dwellings per acre and that this is more than double the correct figure of 3.6 dwellings per acre for the settlement. The Planning Department is urged to require that this be corrected

immediately so that residents and members of the Planning Committee do not continue to be misled by this error.

5.2 To date a total of 28 objections from 13 properties have been received. The comments therein are summarised below:

- Does not accord with the letter or spirit of the UDP. Also conflicts with AECOM report prepared for the 'call for sites' for the Allensmore NDP. Development on the scale proposed should not be approved
- Site is located outside the settlement boundary identified within the NDP
- Opportunistic application made only to pre-empt the coming into force of the NDP
- Has been a village of scattered housing and green spaces and orchards are part of the character
- Assume applications are not considered in isolation, particularly where proportionate growth is being considered. Question sustainability of potentially 11 new builds across settlement
- Inclusion of two lower cost properties would bring proposal more into line with the views expressed, it remains that six properties in this parcel of land is too large
- House types B and B1 (a '3 bedroom' house) actually have 4 rooms upstairs and are effectively executive style homes
- Allensmore has now reached its target of 32 houses and still has 10 to 15 potential other dwellings which are less detrimental to the character of the village
- Errors in the Planning Statement in relation to density figures quoted
- Site is located adjacent to a biodiversity habitat
- Position of garages in front of plots 1, 3 and 4 in close proximity to boundary hedge would create a very enclosed feel at key point of entry to the settlement
- Garages for plots 3 and 4 being sideways and opposite historic red brick barn at Village Farm will create a very narrow brick tunnel. Revised layout does not remove this effect
- Density is too great and not in character with the existing density of the housing in Allensmore village
- This development significantly increases the risk of serious accident on the A465
- Will generate a large increase of traffic on the single track access road and add substantial traffic to what is already the busiest part of the road through Allensmore
- Draw attention to Planning Inspector report for application SH882172PO where he considered 5 houses on the site adjacent to this
- Also identified by South Herefordshire District Council in 1989 that it would be detrimental to the interest of highway safety to permit further development along this lane. Traffic has increased within the last 20 years because additional properties have been built. Farm machinery has also increased in width
- Due to additional properties conditions have worsened in relation to flooding and Allensmore has a very high water table
- In the past foul drainage water has descended down Church Road
- On going concern that the developers using the SUDs system do not make the necessary arrangements to cover the lifetime of the development
- Since planning permission was given for the erection of 4 substantial chicken houses in Clehonger, the run off from these will also contribute to flooding
- Site sits higher than the road and then the road descends so it is higher than New House and Bramble Cottage. Photos show pockets of water holding immediately adjacent to the rear of New House
- There are to be three entrances, each to be over the vital ditch along Church Road
- The proposed access for plots 5 and 6 is at one of the narrowest points in the road and very close from windows of two bedrooms on neighbouring property
- Footpath lends itself to the rural value of seeing such agricultural outlook. This will be no doubt spoilt by the urbanised feel of inhabitation. View will be spoilt on return to the footpath also

- Would like to know what criteria is applied when they override the decisions made by Parish Council, AECOM and its residents

5.3 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=190650](https://www.herefordshire.gov.uk/info/200142/planning_services/planning_application_search/details?id=190650)

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*

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 Allensmore Neighbourhood Area, which published a draft Neighbourhood Development Plan (NDP) for Regulation 16 consultation on 7 October 2019 running until 18 November 2019. At this stage the NDP can be afforded limited weight as the unresolved objections will need to be assessed before it can increase in material weight. This is in conformity with paragraph 48 of the NPPF.

6.3 Policy SS1 of the Herefordshire Local Plan – Core Strategy (CS) sets out that proposals will be considered in the context of the 'presumption in favour of sustainable development' which is at the heart of national guidance contained within the NPPF. This policy states:

*'When considering development proposals Herefordshire Council will take a positive approach that reflects the presumption in favour of sustainable development contained within national policy. It will always work proactively to find solutions which mean that proposals can be approved wherever possible and to secure development that improves the social, economic and environmental conditions in Herefordshire.'*

*Planning applications that accord with the policies in this Core Strategy (and, where relevant, with policies in other Development Plan Documents and Neighbourhood Development Plans) will be approved, unless material considerations indicate otherwise.*

*Where there are no policies relevant to the application or the relevant policies are out of date at the time of making the decision then the Council will grant permission unless material considerations indicate otherwise – taking account whether:*

- a) Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in national policy taken as a whole; or*
- b) Specific elements of national policy indicate that development should be restricted.'*

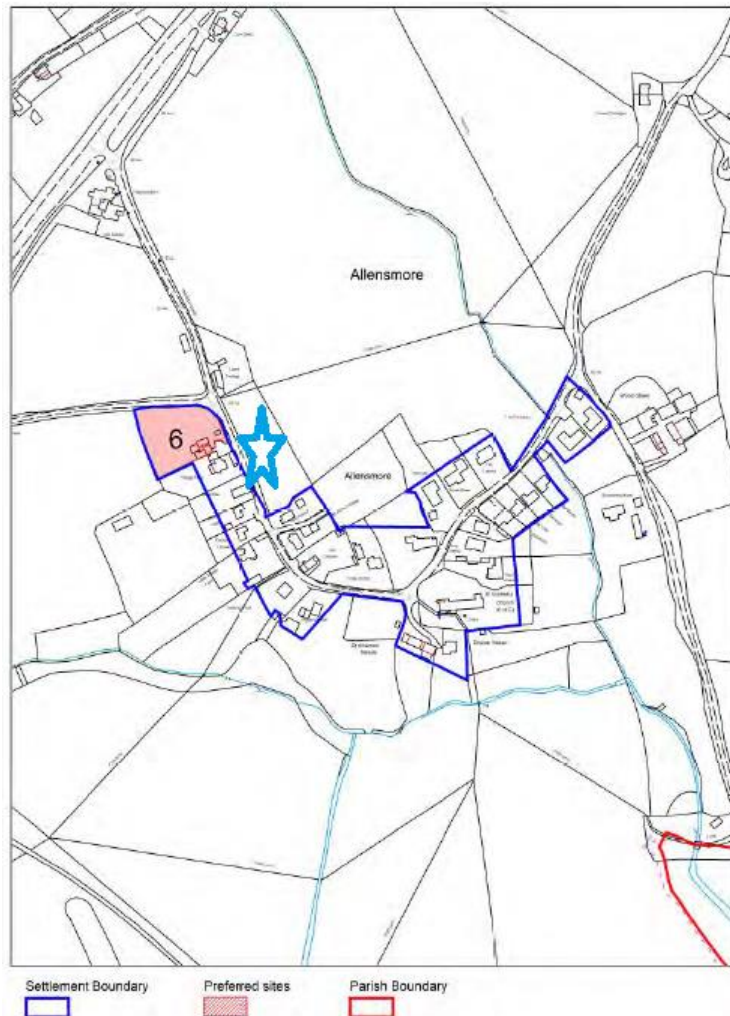
6.4 It is acknowledged at this moment in time, the Council is unable to demonstrate a five year housing land supply (this has recently been reduced to 4.05 years). Paragraph 11d of the Framework echoes the above in that it advises the following in respect of decision making:

*'Where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date, granting permission unless:*

- i. *the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development; or*
- ii. *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.*

#### *Principle of development*

- 6.5 In locational terms, paragraph 79 of the Framework seeks to restrict development in isolated locations, but does acknowledge in rural locations it may be the case that development in one village supports the services in another village nearby. That said, the adoption of the Core Strategy represents a shift in policy that recognises proportionate growth is required in rural areas for social and economic purposes. It is with this in mind that the proposal is assessed under the CS policies alongside the Framework, notwithstanding the out of date nature of the policies.
- 6.6 Policies SS2 (Delivering new homes) and SS3 (Releasing land for residential development) of the CS clearly set out the need to ensure sufficient housing land delivery across the County. In order to meet the targets of the CS the Council will need to continue to support housing growth by granting planning permissions where developments meet with the policies of the CS, (and, where relevant with policies in other Development Plan Documents and Neighbourhood Development Plans). Policy SS2 states that a supply of deliverable and developable land will be identified to secure the delivery of a minimum of 16,500 homes in Herefordshire between 2011 and 2031 to meet market and affordable housing need. 6,500 of these will be in Hereford, where it is recognised that there is a wide range of services and consequently it is the main focus for development.
- 6.7 Outside of Hereford City and the market towns, CS Policy RA1 identifies that Herefordshire Rural areas will need to find a minimum of 5,300 new dwellings between 2011 and 2031 to contribute towards the county's housing needs. The dwellings will be broadly distributed across the seven Housing Market Areas (HMA's). Allensmore is within the Ross-on-Wye HMA, which is earmarked for an indicative 14% housing growth, and is listed in Figure 4.15 under policy RA2 as an other settlement where proportionate housing is appropriate. The indicative housing growth translates to 32 dwellings being required across the plan period within the Parish.
- 6.8 Notwithstanding the above, the preamble to Core Strategy Policy RA2 states that NDPs will be the principal mechanism by which new rural housing will be allocated. As stated above, the NDP is currently undergoing regulation 16 consultation which ends on 18 November 2019. The NDP will only have limited weight until the end of the regulation 16 consultation as the unresolved objections will be assessed before it can increase in material weight. The Allensmore NDP includes boundaries for three settlements; Cobhall Common, Winnal and Allensmore. In terms of the site at the centre of this application, the boundary for Allensmore is most relevant. For ease, the map below depicts this boundary along with the site indicated by the blue star:



6.9 Policy A4 of the NDP states that proposals for new housing development within the identified Settlement Boundaries will be supported where they meet a list of criteria. From the above, it is clear that the site lies outside of the boundary and proposes 6 dwellings which is above the scale that is supported within policy A4 – the policy states that developments should be small scale, preferably no more than 3 dwellings.

6.10 It is understood that the site initially came forward under the 'call for sites' for the NDP and was subsequently assessed by the independent body, AECOM. AECOM produced a report on these and the site at the centre of this application was considered to be inappropriate to allocate within the NDP stating that:

*[the site] is constrained by landscape considerations as its openness enables views out over the countryside. This site is considered to make an important contribution to the rural character and setting of Allensmore.*

It is important to note that the AECOM report is afforded no material weight but the foregoing explains the rationale behind the site being left out of the settlement boundary.

6.11 Notwithstanding the above, the site was included within the Strategic Housing Land Availability Assessment (SHLAA) in March 2019 and found to be of high potential for housing. In landscape terms the capacity was found to be high although mitigation would be required along the eastern boundary with the wider open countryside in order to provide screening. This is reinforced through the comments received from the Landscape Officer to the scheme who finds the principle of development to be acceptable.



- 6.12 Noting that policy A4 of the NDP is only afforded limited weight at this stage, an assessment under policy RA2 of the Core Strategy is required. This policy states that residential development will be located within or adjacent to the main built up area(s) of the settlement. It is acknowledged that Allensmore is a settlement identified under figure 4.15 (a smaller settlement) where particular attention should be paid to the form, layout, character and setting of the site and its location in that settlement. From the above map it is clear that the site is adjacent to the main built up part of the settlement and will essentially provide an infill development between Hazel Cottage to the north and 1 New Houses to the south.
- 6.13 It is appreciated that the NDP includes the average densities for the three settlements and Allensmore works out at 8.8 dwellings per hectare. The scheme proposes 6 dwellings across the site totalling 0.33 hectares, equating to approximately 18 dwellings per hectare and exceeding the average density of Allensmore. This notwithstanding, the settlement as a whole is made up of a variety of dwelling types and sizes in varying plot sizes. Looking at the pattern of the surrounding development, 6 dwellings on the site is not considered to be out of keeping and would 'round off' the settlement at this end. In this regard, paragraph 127 of the NPPF makes it clear that planning decisions should ensure that developments are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities).
- 6.14 With regard to the type of housing proposed, this includes a pair of semi-detached dwellings and four detached properties. There will be a total of 4 x 3 bedroom dwellings and 2 x 4 bedroom dwellings. Noting that within the Ross-on-Wye HMA the most required dwellings are 3 bedrooms, this mix is not found to be wholly unacceptable. This also tallies with policy A5 of the NDP which comments on family houses of 3 bedrooms coming forward.
- 6.15 In light of the above, while the conflict with the NDP is recognised, noting the level of weight attached to this at the present time it is not found to automatically direct the decision maker to refuse the application. There is clearly a difference of opinion on the landscape impacts of erecting dwellings on the site, but based on the scheme put forward as part of this application the principle of residential development is not found to be unacceptable.

#### *Design and amenity*

- 6.16 The detail of the design is assessed by policy SD1 of the Core Strategy. This policy states that proposals should be designed to maintain local distinctiveness through detailing and materials, respecting scale, height, proportions and massing of surrounding development. The proposal should also safeguard the amenity of existing and proposed residents in terms of overlooking, overshadowing and overbearing.
- 6.17 While it is acknowledged that policy A4 of the NDP comments on dwellings within the settlement boundaries, there are comments on design which are found to be applicable under this policy (noting that there is not a separate design specific policy within the NDP). This states that properties should be no more than two storeys in height and reflect the character of the settlements with housing set back in large plots (appropriate to the size of the dwelling) and interspersed amongst green spaces. Considerations should include size, scale, density, layout and landscaping.
- 6.18 The dwellings are all two storeys in height and set back from the western boundary alongside the road with garages for plots 3 and 4 having been removed from the scheme. The dwellings are also staggered along the site providing an element of variation between the plots which is in keeping with the ad hoc manner in which Allensmore has developed. The four detached dwellings being slightly different from one another adds to this also. It is noted that the site rises from the road but given the relationship with the dwellings either side of the site, this is not found to be unacceptable. A condition would be attached to any approval requiring details of slab levels.



- 6.19 The materials proposed for the dwellings comprise of a mix of facing red brick, render and stone. Noting the rendered dwelling to the north (Hazel Cottage), facing red brick dwelling to the south (1 New Houses) and the converted barns to the west of the road having examples of brick and facing stone, the proposed materials are found to be in keeping. The exact details of these would be conditioned on any approval which ties in with the comments from the Council's Landscape Officer.
- 6.20 Moving onto amenity impacts, the proposed dwellings have been largely orientated to benefit from windows to the front and back and look onto their associated parking areas and rear gardens. In terms of the northern elevation of plot 1, this will be blank therefore avoiding overlooking for Hazel Cottage in that direction. Plot 6 will benefit from one window at first floor in the southern elevation and serve the stairwell. Given the space which will be served by this window, and the distance to New House, noting the set back from the common boundary and the intervening garage, this is not found to lead to detrimental issues of overlooking. Issues of overshadowing are also avoided given the separation.
- 6.21 In terms of the amenity of future occupants of the proposed dwellings, each property will benefit from a reasonably sized rear garden which is found to be adequate given the scale of each dwelling. The dwellings have been carefully designed in order to avoid overlooking of one another and adequate boundary treatments as part of a reserved matters application will further ensure this.
- 6.22 The agent has confirmed by email that the development will benefit from physical sustainability measures including air source heat pumps, hot water solar panels on the front elevations, water butts for rainwater recycling and high levels of insulation. Details of these features will be conditioned on any approval but the agent has confirmed that the hot water solar panels will sit within the roof similar to a rooflight and will therefore not result in a visual impact that normal solar panels do. These methods will provide infrastructure to aid the climate emergency and comply with this criteria of policy SD1.
- 6.23 In light of the above, the development proposed includes 6 dwellings which provide a mix of dwelling sizes and range of designs. The variety across the scheme ensures that the proposal is reflective of its context in the centre of a settlement that benefits from differing dwelling types.

### *Highways*

- 6.24 Policy MT1 of the CS and NPPF policies require development proposals to give genuine choice as regards movement. NPPF paragraph 103 requires local planning authorities to facilitate the use of sustainable modes of transport and paragraph 108 refers to the need to ensure developments generating significant amounts of movement should take account of whether safe and suitable access to the site can be achieved for all people and whether improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where 'the residual cumulative impacts of development are severe.'(NPPF para. 109).
- 6.25 While the NDP does not have a specific policy relating to highways, policy A4 does touch on access to sites and states that sites should *have suitable and safe access. The impact of additional traffic from development proposals on existing rural roadworks should be carefully considered and suitable measures should be proposed to encourage appropriate traffic speeds.*
- 6.26 The site benefits from an existing access off Church Road which will be closed as part of this scheme. Three new accesses are proposed which will be shared among the 6 dwellings (plot 1 with its own access, plots 2 and 3 sharing the middle access and plots 4, 5 and 6 sharing the most southern access). A traffic survey has been submitted during the course of the application and from these accesses visibility splays of 40.2m northbound and 38.5m southbound will be

required. The Council's Transportation Manager has viewed this information along with the proposed layout plan and they are satisfied with the scheme. At the level of 6 dwellings, the cumulative impacts of development are not found to amount to 'severe'.

- 6.27 Based on the size of the dwellings, a minimum of 2 car parking spaces is required for the three bedroom properties and 3 car parking spaces required for the four bedroom dwellings. Noting the areas of hardstanding proposed to the front of the dwellings, there will be sufficient parking and turning areas so that vehicles are able to turn and enter the highway in a forward gear.
- 6.28 The comments received from the Council's Transportation Manager endorse the above view and raise no objections to the scheme subject to recommended conditions being attached to any approval. On this basis, the proposal accords with policy MT1 of the Core Strategy.

#### *Ecology*

- 6.29 Policies LD2 and LD3 of the Core Strategy are applicable in relation to ecology and the impact on trees. These state that development proposals should conserve, restore and enhance the biodiversity and geodiversity asset of the County and protect, manage and plan for the preservation of existing and delivery of new green infrastructure.
- 6.30 It is noted that the application is not accompanied by an ecology report and the Council's Ecologist is aware of this. Notwithstanding this, the Planning Statement confirms that existing hedgerows and an existing tree in the south-west corner, will be retained and protected during construction, as well as in-filling existing gaps with native hedgerow trees and a new native hedgerow is proposed along the eastern site boundary.
- 6.31 With the lack of objection from the Council's Ecologist, subject to recommended conditions being attached to any approval, the proposal is found to be compliant with policies LD2 and LD3 of the Core Strategy.

#### *Drainage*

- 6.32 Policy SD3 of the Core Strategy states that measures for sustainable water management will be required to be an integral element of new development in order to reduce flood risk, avoid an adverse impact on water quality, protect and enhance groundwater resources and to provide opportunities to enhance biodiversity, health and recreation and will be achieved by many factors including developments incorporating appropriate sustainable drainage systems to manage surface water. For waste water, policy SD4 states that in the first instance developments should seek to connect to the existing mains wastewater infrastructure. Where evidence is provided that this option is not practical alternative arrangements should be considered in the following order: package treatment works (discharging to watercourse or soakaway) or septic tank (discharging to soakaway).
- 6.33 During the course of the application additional information has been submitted in relation to the drainage scheme. The foul water is now proposed to be disposed of via individual private treatment plants which will jointly outfall into an attenuation pond with reed bed. Surface water will be disposed of into the same attenuation pond. Details on ownership and maintenance of the methods have been provided within the SuDS maintenance manual and are adequate. These methods are found to accord with the aims of policies SD3 and SD4 and provide on site solutions.
- 6.34 The 3 inch distribution water main which runs along the front of the site (on a north-south axis) has been touched upon within the consultation response from Welsh Water. It is noted that the statutory undertaker does not object to the proposal but includes conditions with their response for developments near water mains. It is also possible for this to be diverted but these are matters that lie outside the remit of this planning application.

- 6.35 While the concerns in relation to drainage contained within the representations are noted, as are the local drainage issues, the Council's Land Drainage Consultant is satisfied with the methods put forward and does not object. Subject to details relating to the reed bed being conditioned on any approval, the drainage of the scheme is found to be acceptable and will be managed on site.

*Other matters*

- 6.36 While the NDP is progressing, an application is to be assessed against the planning policies in place at the time of determination. The NPPF makes it clear that if applications accord with an up-to-date development plan they should be approved without delay.
- 6.37 While previous appeals adjacent to the site are noted, the one quoted is over 30 years old. Allensmore is identified as a settlement for residential growth under the Core Strategy and the application has been assessed against the relevant policies in place at this point in time.
- 6.38 It is noted that the Planning Statement submitted with the application contained errors in relation to the density of housing and figures quoted from the emerging NDP. These were corrected by the agent within an email to the local planning authority during the application. Notwithstanding this, the application has been assessed fully above.
- 6.39 Following concerns being received in relation to the public footpath located to the north of the site an amended site plan has been submitted in order to reflect a 2m width.

*Planning balance and conclusion*

- 6.40 Both CS policy SS1 and paragraph 11 of the National Planning Policy Framework engage the presumption in favour of sustainable development and require that development proposals should be approved where they accord with the development plan. The NPPF encompasses the government's view of what is meant by sustainable development in practice. The three themes, economic, environmental and social should be pursued jointly and simultaneously.
- 6.41 The application is for housing and in the light of the housing land supply deficit must be considered against the test prescribed at NPPF paragraph 11 and CS Policy 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 when considered as a whole.
- 6.42 The site is located outside of the settlement included within the Allensmore NDP which is currently undergoing Regulation 16 consultation (ending on 18 November 2019). At this point in time the plan can be afforded limited weight. While this conflict with the NDP is recognised, noting the weight attached to this, it is an assessment against policy RA2 which is required. The site is located adjacent to the built up part of the settlement which is identified for residential growth. The linear layout proposed will continue the pattern of the surrounding development. While the density is high in relation to that quoted within the NDP, it is not found to be out of keeping with the surrounding built form or result in a scheme that is fundamentally at odds with the neighbouring properties.
- 6.43 The site was left out of the NDP, with the settlement boundary continuing to the west, following the recommendation set out within the AECOM report. However, the inclusion within the SHLAA carried out in March 2019 highlights the difference in opinion on landscape grounds. Based on the application that has been submitted, a scheme has been produced which positively reflects the existing built form and the inclusion of dwellings in the layout proposed is not found to be detrimental to the wider landscape character. On balance, the landscape harm is not found to amount to significant or demonstrable – the site is adjacent to the main built up part of the

settlement and the layout and design influenced by the context. This view is shared by the Landscape Officer.

- 6.44 While the comments within the representations are noted, there is a lack of objection to the scheme proposed from technical consultees. It is acknowledged that Allensmore as a parish has exceeded its housing target by 3 as of April 2019 (and schemes have been permitted latterly). However, this target is a minimum and if an application is found to be acceptable in all other regards, this would not represent a justified reason to refuse an application, particularly noting the lack of a five year housing land supply across the County as a whole.
- 6.45 In assessing the three indivisible dimensions of sustainable development as set out in the CS and NPPF, officers are of the opinion that the scheme is representative of sustainable development and that the presumption in favour of approval is engaged. The scheme will bring forward six dwellings with the associated economic and social benefits that small developments in rural settlements support.

## **RECOMMENDATION**

**That planning permission be granted subject to the following conditions and any further conditions considered necessary by officers named in the scheme of delegation to officers:**

- 1. C02 Time limit for submission of reserved matters (outline permission)**
- 2. C03 Time limit for commencement (outline permission)**
- 3. C04 Approval of reserved matters**
- 4. C05 Plans and particulars of reserved matters**
- 5. C06 Development in accordance with the approved plans**
- 6. CBK Restriction of hours of construction**
- 7. C13 Samples of external materials**
- 8. Details of physical sustainability measures**
- 9. CCK Details of slab levels**
- 10. CAB Visibility splays**
- 11. CAE Vehicular access construction**
- 12. CAH Driveway gradient**
- 13. CAI Parking**
- 14. CAT Construction management plan**
- 15. CB2 Secure cycle parking**
- 16. Prior to the commencement of the development a tree and hedgerow protection plan in accordance with BS5837:2012 shall be submitted and approved in writing by the local planning authority and thereafter implemented in accordance with the approved details for the duration of the construction phase.**

To safeguard all retained trees during development works and to ensure that the development conforms with Policies LD1 and LD3 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

17. Prior to commencement of development a fully detailed and specified Biodiversity Enhancement Plan including a relevant location plan that is appropriate with the scale, nature and location of the development including provision of fixed habitat features shall be provided to the planning authority for approval. The approved scheme shall be implemented in full and hereafter maintained unless otherwise agreed in writing by the planning authority. No external lighting should illuminate any enhancement or boundary feature.

Reason: To ensure that all species and habitats are protected, conserved and enhanced (Biodiversity net gain) having regard to the Wildlife and Countryside Act 1981, Conservation of Habitats and Species Regulations (2017), National Planning Policy Framework (2018), NERC Act (2006), Herefordshire Core Strategy (2015) policies SS6, LD1-3 and, Dark Skies initiative (DEFRA-NPPF 2013/18).

18. All foul water shall discharge through private treatment plants and all surface water managed through on site soakaway-infiltration; unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to ensure that satisfactory drainage arrangements are provided and to comply with Policies SD3 and SD4 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

19. Notwithstanding the drainage strategy permitted by condition 17, and indicated on drawing number ALLE-ICS-01-XX-DR-C-010 Rev P2, prior to the commencement of development details and specification of the reed bed within the attenuation pond will be submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented before the first occupation of any building hereby permitted.

Reason: In order to ensure that satisfactory drainage arrangements are provided and to comply with Policies SD3 and SD4 of the 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. I11 – Mud on the road
3. I09 – Private apparatus on the highway
4. I45 – Vehicle Crossing licence
5. I05 and I47 - drainage highway

6. I35 – Highways design guide.

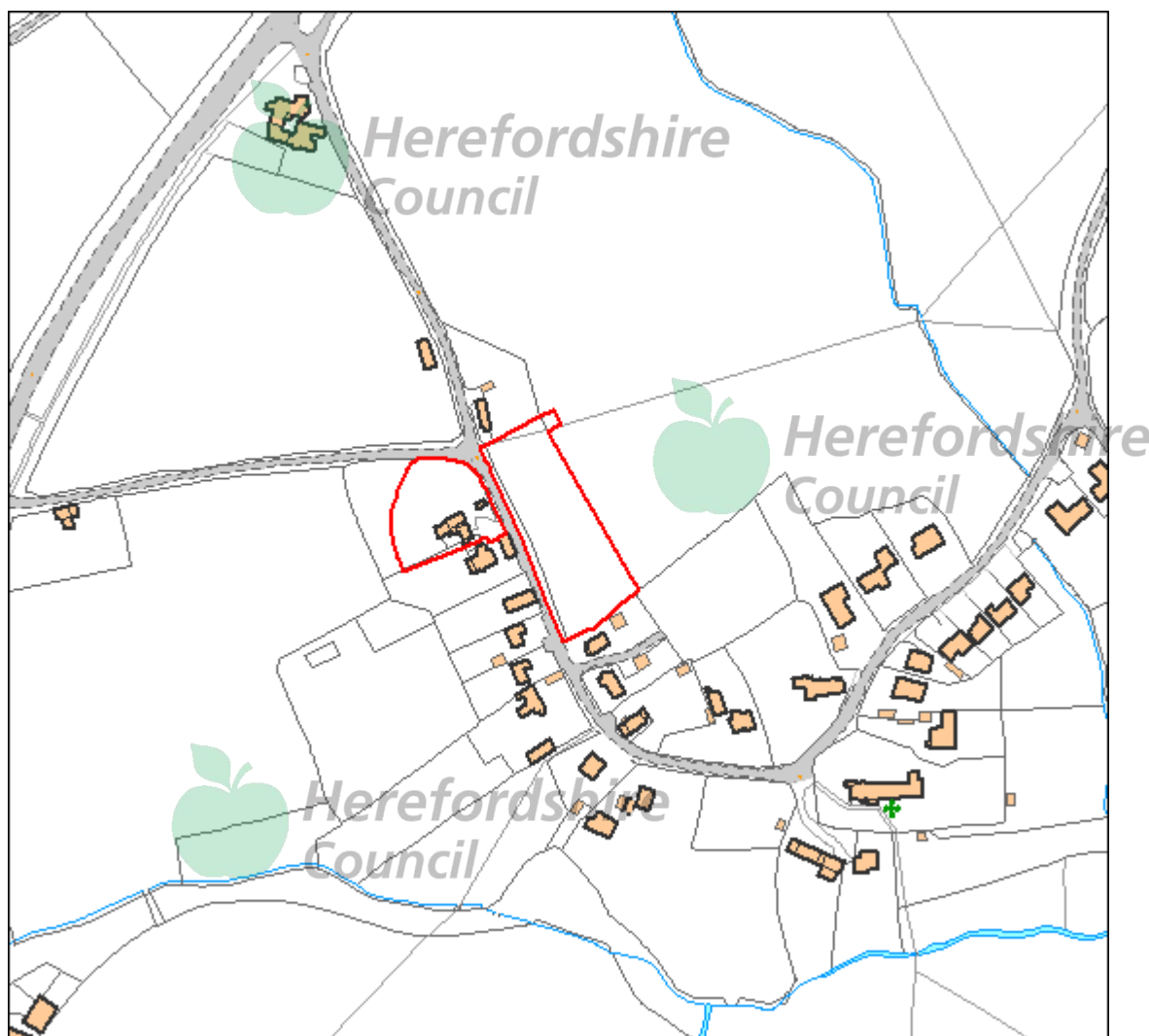
Decision: .....

Notes: .....

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Background Papers

Internal departmental consultation replies.



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**APPLICATION NO:** 190650

**SITE ADDRESS :** SITE ADJ. CHURCH LANE, ALLENSMORE, HEREFORDSHIRE

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