

MEETING:	PLANNING AND REGULATORY COMMITTEE
DATE:	15 JANUARY 2020
TITLE OF REPORT:	191286 - PROPOSED DEVELOPMENT OF TWO DWELLINGS AT STEEPWAYS, FROM ST WOLSTONS ROAD TO NYTHFA PROPERTY, WELSH NEWTON, HEREFORDSHIRE, NP25 5RT For: Ms Boughton per Mr David Kirk, Coppice View, 100 Chase Road, Ross-On-Wye, Herefordshire, HR9 5JH
WEBSITE LINK:	https://www.herefordshire.gov.uk/info/200142/planning_services/planning_application_search/details?id=191286&search=191286
Reason Application submitted to Committee – Re-direction	

Date Received: 9 April 2019
Expiry Date: 23 August 2019

Ward: Llangarron

Grid Ref: 351160,217488

Local Member: Councillor Elissa Swinglehurst

1. Site Description and Proposal

- 1.1 The application site comprises part of an equestrian field lying on the corner of St Wolston's Road and a private street within the centre of Welsh Newton Common. The site is bounded by trees along the roadside and while there is an access gate in the eastern corner into the wider field, this is not contained within the application site itself.
- 1.2 The wider field benefits from two large beech trees and a field shelter. The private road that runs along the southern boundary used to lead to a Post Office which has now closed.
- 1.3 This application seeks full planning permission for the erection of two dwellings and a new single access point off the private street. Through the process of the application the scheme has been reduced from three dwellings to two in light of local concerns and those of the Council's Tree Officer. A new field access to the west has also been removed from the scheme. Relevant re-consultations have taken place following the submission of amended plans and additional information.
- 1.4 Below is the amended block plan indicating the siting of the two dwellings and the relationship with neighbouring dwellings:

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 Welsh Newton and Llanrothal Group Neighbourhood Development Plan (NDP) Made Sept 2019 (no allocated sites)

Policy WNL1	-	Protecting and Enhancing Local Landscape Character
Policy WNL2	-	Green Infrastructure
Policy WNL3	-	Protecting and Enhancing Local Wildlife and Habitats
Policy WNL4	-	Building Design Principles
Policy WNL5	-	Welsh Newton Common Settlement Boundary and New Housing
Policy WNL11	-	Supporting New Communications Technologies and Broadband
Policy WNL13	-	Renewable and Low Carbon Energy Development

https://www.herefordshire.gov.uk/download/downloads/id/18419/neighbourhood_development_plan_june_2019.pdf

3. **Planning History**

- 3.1 **S102768/F** – Re-instate lean-to adjoining existing store, change of use of land from agricultural to equestrian, to include hardstanding and parking area, installation of septic tank. (Across this site and area relating to application ref: 190827). Approved

4. **Consultation Summary**

Statutory Consultations

4.1 **Welsh Water** – no objections

We refer to your planning consultation relating to the above site, and we can provide the following comments in respect to the proposed development.

As the applicant intends utilising a private treatment works we would advise that the applicant contacts The Environment Agency/Herefordshire Council Land Drainage Department who may have an input in the regulation of this method of drainage disposal.

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

4.2 **Natural England** – no objection

Based on the plans submitted. Natural England considers that the proposed development will not have significant adverse impacts on designated sites and has no objection.

Internal Council Consultations

4.3 **Conservation Manager (Ecology)** – no objection following additional information

Initially commented (22 May 2019):

As noted by Natural England and this LPA this application triggers the requirement for a Habitat Regulations Assessment. Subject to Natural England formally 'approving' the appropriate

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

assessment submitted to them by this LPA a condition to secure the mitigation is required on any planning consent granted.

Habitat Regulations (River Wye SAC) – Foul and Surface Water Management

All foul water shall discharge through connection to new private foul water treatment systems with final outfall to suitable soakaway drainage fields on land under the applicant's control; and all surface water shall discharge to appropriate SuDS or soakaway system; unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to comply with Conservation of Habitats and Species Regulations (2018), National Planning Policy Framework (2019), NERC Act (2006), and Herefordshire Core Strategy (2015) policies LD2, SD3 and SD4

Based on current information there is an Ecology Objection to this application. Contrary to Conservation of Species and Habitat Regulations, NPPF, NERC Act, Core Strategy SS6, LD1-3, Wildlife & Countryside Act.

The proposed works and the ecology report do not marry up with an additional new access being proposed within the SW hedgerow to provide an additional new access to the retained northern paddock area. This is in addition to a new access to the proposed development site in the southern species rich hedgerow. These accesses appear to cross Section 9 (no known owner) Common Land and the LPA and Herefordshire Council as the Commons Registration Authority have a legal duty to protect this common land. The ecology report recognises that the hedgerows are likely to support nesting, foraging and commuting protected species – Dormice a European Protected Species that are already well recorded and known to regularly utilising local hedgerows. The ecology report fails to acknowledge the habitat and wildlife corridor fragmentation that this development will cause. Any loss or gap in hedgerows and loss of natural common land habitat corridors will cause fragmentation of this Dormouse population and hence any works to remove any sections of Hedgerow will require a relevant European Protected Species Licence – the current level of survey effort is not sufficient to demonstrate to this LPA that the 'three tests' required to obtain a Protected Species Licence have been met.

The three tests are:

- the activity must be for a certain purpose (for example, for scientific research or in the public interest)
- there must be no satisfactory alternative that will cause less harm to the species
- the activity must not harm the long-term conservation status (eg ability to breed) of the species

As Dormice are known to require continuous aerial (they are unlikely to cross open ground) linkage as their habitat and movement corridors any proposed mitigation will need to be designed to ensure that this aerial corridor remains intact and usable and accessible to Dormice. Additional survey work and proposed mitigation plans are required, sufficient to support a European Protected Species Licence application (this can only be finally applied for to Natural England subsequent to a grant of planning consent).

The loss and fragmentation of hedgerow linear corridors could also have a detrimental effect on local Great Crested Newt populations, although unlike Dormice it may be possible to create sufficient mitigation movement corridors to ensure the continued and safe movement of GCN under any proposed accesses. Further detailed advice should be sought from a GCN Licensed ecologist and full details of proposed newt mitigation and underpasses and adjacent habitat betterment supplied. Great Crested Newts are also a European Protected Species and this additional information must be supplied for consideration by the LPA PRIOR to any grant of planning consent.

Once the required additional information above has been supplied for consideration revised ecology comments can be made consideration of lifting of the current objection and any appropriate detailed conditions suggested.

On receipt of amended plans commented as follows (31 July 2019):

The removal of the additional unassociated field access is noted and appreciated. The loss of dormouse connectivity through the proposed new access to the actual development as previously raised does not appear to have been considered further in any information supplied and the objection over this aspect of the development and impact on this protected species ability to breed and thus impact the conservation status of the species remains outstanding.

Further information and proposed mitigation to retain dormouse connectivity is requested.

Additional comments based on public comments received:

Just to confirm the methodology of the ecology report and survey as regards Great Crested Newts assessment (Habitat Suitability Index assessments) is acceptable and compliant with best practice. There are no formally recorded bat roosts currently shown within 150M in the relevant and accessible Herefordshire Biological Records Centre data available to this LPA. This data is an appropriate and accepted source of information within the ecological assessment process as outlined by best practice guidance. Provided hedgerows are retained small gaps such as the new access are not a significant issue for bat species, unlike Dormice. Any external lighting can be restricted through condition such as to have no significant effect on local bat foraging and commuting activity.

Following the submission of a Dormice Survey, commented as follows (10 December 2019):

The additional detailed Dormice survey that was requested has now been submitted. The report demonstrates that Dormice are present in small numbers within the hedgerows around the site, in particular during the autumn foraging season prior to their period of hibernation. The supplied report provides clear details of relevant dormice ecological working methods, mitigation and enhancement measures. All works will be supervised by a suitably licensed ecological clerk of works. The LPA should secure these recommendations and actions through a relevant condition on any planning consent granted; notwithstanding this Condition the applicant and their contractors are also still bound to comply with all relevant wildlife protection legislation (Wildlife & Countryside Act and Conservation of Habitats and Species Regulations) that sit separately to and above any planning regulations.

Nature Conservation – Dormice (Protected Species)

The working methods scheme, mitigation and enhancement features relating to Dormice as detailed in the Dormice report by Natasha James on behalf of Wilder Ecology supplied December 2019 shall be implemented and hereafter maintained in full as stated unless otherwise approved in writing by the local planning authority. No external lighting should illuminate any boundary feature, adjacent habitat or area around the approved Dormice mitigation or enhancement features.

Reason: To ensure that all species are protected and habitats enhanced having regard to the Wildlife and Countryside Act 1981 (as amended), the Habitats & Species Regulations 2017 (as amended), Policy SS6 and LD2 of the Herefordshire Core Strategy, National Planning Policy Framework (2019) and NERC Act 2006

The wider ecological assessment for the site prepared by Wilder Ecology dated October 2018 is noted and is still valid and relevant. The recommended ecological working methods and mitigation measures, including those for Great Crested Newts (excepting Dormice covered in

more detail in a further species specific survey and report) should be secured through a relevant condition:

Nature Conservation – Ecology Protection, Mitigation

The ecological protection, mitigation, compensation and working methods scheme including for Great Crested Newts, as recommended in the ecology report by Wilder Ecology dated October 2018 shall be implemented and hereafter maintained in full as stated unless otherwise approved in writing by the local planning authority. No external lighting should illuminate any boundary feature, adjacent habitat or area around the approved mitigation measures.

Reason: To ensure that all species are protected and habitats enhanced having regard to the Wildlife and Countryside Act 1981 (as amended), the Habitats & Species Regulations 2018 (as amended), Policy LD2 of the Herefordshire Core Strategy, National Planning Policy Framework (2019) and NERC Act 2006

As identified in the NPPF, NERC Act and Core Strategy LD2 all developments should demonstrate how they are going to practically enhance (“Net Gain”) the Biodiversity potential of the area. To secure these enhancements a relevant Condition is suggested:

Nature Conservation – Biodiversity Net Gain

In addition to the secured Dormice mitigation-enhancement, prior to first occupation evidence (such as photos/signed Ecological Clerk of Works completion statement) of the suitably placed installation within the site boundary of at least FOUR Bat roosting enhancements, FOUR bird nesting boxes, THREE insect hotels/invertebrate habitat boxes, and ONE Hedgehog habitat home should be supplied to and acknowledged by the local authority; and shall be maintained hereafter as approved unless otherwise agreed in writing by the local planning authority. No external lighting should illuminate any biodiversity net gain enhancement feature.

Reason: To ensure that all species are protected and habitats enhanced having regard to the Wildlife and Countryside Act 1981 (as amended), Habitat Regulations 2017, Core Strategy LD2, National Planning Policy Framework (2019), NERC Act 2006 and Dark Skies Guidance Defra/NPPF 2013/2019.

4.4 **Conservation Manager (Trees)** – no objection following amended plans and additional details

Initially commented (8 May 2019):

I have viewed the plans, conducted a site visit, read the accompanying documents and I am unable to support the application in its current form because I do not believe that it is compliant with LD1 & LD3 of the Herefordshire Core Strategy.

Plot 1

My objection is primarily based around plot 1 which is in close proximity to two mature beech trees.

Both trees show signs of damage, T1 by horses and T2 has an old pruning wound which looks to have been made some time ago. Despite this damage both trees appear physiologically in good condition indicating existing faults are not impairing their vascular functionality, their structural condition also appears to be reasonable.

Plot 1 will encroach significantly into the rooting area of both trees to the extent that I don't think any form of foundation design would prevent catastrophic damage to both trees. The proposed drainage as illustrated in drawing 0923/00/010 shows further encroachment.

As these two trees are the prominent landscape features of the site it is important that they are both retained, currently the proposal is not compliant with policies LD1 & LD3.

I would recommend that the layout is reconfigured or reduced to 2 plots so that I am able to support the application.

Access

The location of the access is not a problem but the drawings and the trees report does not provide enough information to state which trees are specifically would be removed. There is a significant Oak tree in close proximity to the access which has been omitted from the report and again from the drawings. There is also a semi mature Sycamore which is in close proximity to the access but it is not clear if this tree is affected as it is also missing from drawings/tree report. My understanding is that both are to be retained.

Summary

At this point I can't support this application for the reason I have mentioned already. The applicant/agent should consider the following:

- The position of plot 3 needs to be reconsidered or omitted.
- Provide drawings which include the position of the retained trees
- Provide an amended tree report that adheres strictly with BS5837:2012. The one submitted with this application uses parts of the relevant 2012 version and the defunct 2005 one.
- All trees within the red line boundary must be included in the tree report so that it can be ascertained accurately which trees will be impacted.
- The tree report plan should be overlaid onto the proposed drawings to help understand the proximity of trees to dwellings.

Following the submission of amended plans and details commented as follows (1 August 2019):

The omission of 1 dwelling to reduce the application from 3 plots to 2 means that my original objection on account of the proximity of dwellings to T1 & T2 is no longer an issue.

Accordingly I do not have an objection to the proposals.

The tree survey categorisation was updated and the Tree Officer commented as follows:

I still think the tree report is average at best but it does at least have adequate root protection areas and protection plan.

Seeing as the risk to trees is relatively low I don't think there's any point asking for or Conditioning a method statement.

Conditions

CK9 – Trees in Accordance with plans - Survey of Trees at Welsh Newton Common Sites – Abersenny Ltd.

CKA – Retention of existing trees

CKF – Specifications for tree planting

4.5 **Transportation Manager** – no objection

Initially commented (26 April 2019):

No objections to the proposals however it should be noted due to the lack of sustainable modes of travel the use of private vehicles will be the only option for residents to use.

Following comments within representations on the highways impacts, additional comments received (27 September 2019):

After receiving a number of objections regarding the implication of this development on the highway network, Welsh Newton Common was revisited on a number of occasions to assess the level of vehicle movements and to look at the passing place provision.

Whilst the speed and volume survey equipment has not been located on the northern section of the U71222 (potentially higher volume carriageway), the increase in numbers would not significantly differ to the level of vehicles on the surrounding network. Calculating the vehicles using the speed survey equates to an average of 6 vehicles per hour in both directions and the proposed development will generate around 4 vehicle movements per household per day. Therefore if this development is permitted then a potential additional 8 vehicle movements per day for two dwellings would not be classed as severe in terms of delay under the NPPF. There are a number of passing areas along the lane, which are already being used for large farm vehicles.

The NPPF states “*Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.*” The proposed development does not present an unacceptable impact on highway safety and does not provide impacts in regards to capacity, therefore the proposals for the development should not be refused.

The recently approved Welsh Newton NDP states that “*The access road to Welsh Newton Common is a single track lane with a few passing places. New development schemes should be small in scale and the Neighbourhood Plan may identify a preference or a maximum number of units in a single scheme.*” If this application was refused on highway grounds and went to appeal, the Planning Inspector would use the above paragraph as the NDP now would have full weight in their review of the application.

Please condition a construction management plan along with the previously stated conditions.

Following the submission of a consultation report on behalf of residents group (4 December 2019):

After reviewing all submitted representation documentation along with Herefordshire Council’s Core Strategy, and the recently approved Welsh Newton and Llanrothal Neighbourhood Development Plan 2011-2031 the following points can be made.

1. The site has been visited several times and has been visited at different times of the day to match with the peaks highlighted in the surveys. During the site visits to assess the highway, the impact of two way flows resulted in vehicles requiring reversing and using passing places to negotiate the oncoming traffic. This is not unusual in a rural setting and is typical for the character and usage of the highway in this area. The existing vehicle movements have been recorded as low and the modest development will not bring the cumulative impact to the severe level as stipulated in the NPPF.
2. The approved NDP for the area highlights the Welsh Newton Common access road *being a single track lane with a few passing places this makes the area unsuitable for any form of major development expect slow, organic growth. New development schemes should be small in scale and the Neighbourhood Plan may identify a preference or a maximum number*

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

of units in a single scheme. As yet the NDP have yet to propose a preference or maximum number of units in a single scheme, but it does appear to support development in the locale, and therefore the trips associated to it. The application proposes a development of two houses, this is in keeping with the approved NDP.

3. The NPPF states “*Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.*” The proposed development does not present an unacceptable impact on highway safety and does not provide impacts in regards to capacity.

In conclusion the proposed development is acceptable in highways terms and the previous highways comments remain applicable.

CAB - Visibility Splays 2.4 x 25m
CAD - Access gates – 5m
CAE - Vehicular access construction
CAH - Driveway gradient
CAI - Parking – single/shared private drives
CAT - Construction Management Plan
CB2 - Secure covered cycle parking provision

I11 – Mud on highway
I09 – Private apparatus within the highway
I45 – Works within the highway
I05 – No drainage to discharge to highway
I47 – Drainage other than via highway system
I35 – Highways Design Guide and Specification

4.6 **Land Drainage** – no objection following additional information

Initially concluded (2 May 2019):

We do not object the proposed development, however the flooded volume and flood exceedance routes should be clarified and demonstrated.

Following the submission of amended plans and following a site meeting concludes as follows (6 September 2019):

We do not object the proposed development, however we request that the following information is provided within suitably worded planning conditions:

- An updated surface water drainage strategy and calculations to demonstrate that they have been correctly sized for the 1 in 100 year + 40% climate change event;
- An updated foul water drainage strategy with supporting calculations to demonstrate the drainage fields have been sized correctly for the associated population.

5. **Representations**

5.1 **Welsh Newton and Llanrothal Group Parish Council** – qualified comment

Initially objected to the application as follows (10 May 2019):

Welsh Newton and Llanrothal Group Parish Council wish to OBJECT to this application for the following reasons:

- It would alter the character of the area as written in the draft NDP (at examination stage) as this is not “sporadic or organic” development.
- It would add to drainage and flooding issues already causing problems in the area.
- It would affect the ecological habitat of the area including having an impact on local trees.
- Highway access is not suitable for such a size of development.

Following the submission of amended plans and additional information the Parish Council wished only to provide comments and no recommendation (7 August 2019):

The applicant was given the opportunity to address the meeting, in order to counter the reasons that were given for objection to the previous application for 3 houses on the same site.

A question was raised as to whether two of the parish councillors had pre-determined the application, it was pointed out that the parish council is not determining the application but in order to make this very clear it was decided to only submit comments on this occasion and not to make a recommendation.

Whilst the NDP is not yet adopted the parish council asks that it be given substantial weight in determining the application.

- 1) Broadly compliant with RA2 and NDP WNL4,WNL5
- 2) Drainage issues are not within the purview of the parish council which notes that there has been no objection from the council consultee.
- 3) Noted the planting of new hedgerows
- 4) Noted only one access/egress now
- 5) Noted the use of local materials and the effort to respond to the local environment.
- 6) Noted the beech tree will remain now only 2 houses.
- 7) Noted that there seemed to be an unresolved question regarding mitigation for dormouse habitat which we hope the applicant will address
- 8) The parish council felt that it might be appropriate to add an informative or condition of some sort to retain a higher hedge in places to protect habitat.
- 9) There was a strong feeling from the public that Welsh Newton Common should not be an RA2 settlement because it no longer has a shop and the information that was originally used to determine the rural hierarchy was inaccurate.
- 10) There was a strong feeling from the public that the road cannot accommodate 2 more houses.
- 11) There was concern from the public that this application is not for housing for local people and the houses are too big.
- 12) PC agreed to investigate the detail and method of the Highways review to ensure that was robust.

5.2 To date a total of 44 letters of representation have been received. The comments therein are summarised below.

40 objecting representations from 23 households:

- Appear to ignore and do not comply with many considerations stated and set out within the local NDP and policy RA2
- Why Welsh Newton Common was originally identified as an area of development with services so poor has perturbed me
- Hierarchy matrix to adjudicate suitability for sustainable development was incorrect and false. Awarded points for facilities settlement does not have
- Welsh Newton Common is identified under figure 4.15 and not 4.14 and not a focus for new housing
- Character and visual amenity of settlement will be detrimentally affected forever

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

- Area is very unique in that it holds approximately fifty houses at the end of a single track. The poor infrastructure must be taken into account
- Object to the new builds due to it being contrary to common law in that both development propose crossing common. Historically this has been rejected on all counts and should not be waived in this case
- Proposes new homes in supported village location putting pressure on the already burdened existing facilities – provision of water, internet, schooling, post office and bus service (once a week). Frequent outages to all essential services
- Sustainable development surely means within areas where there is local work and public transport, neither of which is on offer in Welsh Newton Common and is ever likely to be
- Area of great heritage and unspoilt natural beauty which does not lend itself to more development without spoiling the habitat
- Traffic sensor should be null and void as it does not show true statistics as large percent of traffic would have turned off before that point
- Concerns regarding the highways impacts and supported by a Transport Consultant report on behalf of residents
- Roads are in poor condition so more traffic from new houses would compound this
- Proposed developments do are not essential to the social well-being of the community
- Proposed developments would not generate the size, type, tenure and range of housing or reflect local demand
- Are on greenfield sites and not brownfield
- Is not sustainable or appropriate to their context and does not make a positive contribution to the surrounding landscape and environment
- Scale and layout is completely inconsistent with the development pattern
- Development does not incorporate single storey or adaptable dwellings
- Proposal adds to the already significant drainage problems
- Would have thought existing residents would have priority over new houses for their extended families
- Would be setting a precedent for more green areas to be taken over for housing and no additional infrastructure provided to cope with it
- If more dwellings are constructed the extra traffic would make the common rights virtually impossible to exercise
- Common has no owner and has been vested to the Council. Crossing common to allow development would be eroding and destroying it
- Believe settlement target has been met and we should not seek to overload the area with excess development that should be on brownfield land and not greenfield sites
- All amenities are within Welsh Newton not Welsh Newton Common
- Biodiversity report is flawed – has not identified ponds that are closest to the development site, includes information could a survey of three local ponds undertaken in October when amphibians are not usually active, fails to identify the importance of the network of ponds
- Object based on the method of assessment regarding biodiversity – Great Crested Newts, Dormouse, Bats, European Protected Species
- Hedge will be reduced in height and otherwise disturbed because it will be judged as an untidy household boundary
- Concerned development will damage the two very large beech trees
- Second access within drainage map has not been noted in the ecology report
- Development does not incorporate ‘passivhaus’ standards so would require coal, oil or bottle gas for heating purposes. None of these are sustainable
- Sewage soakaways are to be directed towards our ponds (neighbouring field). Drainage report does nothing to alleviate these concerns
- Experience with shared septic tanks is it will cause problems in the future
- Common couldn’t sustain this large a development
- Noting that relatively recent permitted dwelling is to be sold there is great concern this will follow a similar ilk and precedent

- Properties on the Common generally take considerable time to sell suggesting that the demand for additional housing is not significant
- Provision of executive houses in the position indicated: the most elevated section of the common and widely regarded as the centre and focal point of the common speak for the importance historically of the site
- Question of light pollution and what this would mean for the habitat and wildlife
- Detrimental impact of the development on the community and environment of Welsh Newton Common would significantly and demonstrably outweigh the very few benefits
- Dwellings have been reduced from 3 to 2 dwellings but supporting documentation has not been updated
- Newer application (for 2 dwellings) involves development of even larger executive style home which reflects the developer wanting to make a financial gain not provide accommodation for local need
- Numerous Tree Preservation Orders (TPOs) in Welsh Newton Common and the proposed should be reviewed in line with the existing TPOs
- Number of planning applications have been turned down in the past due to the effects on the common and access across it
- Inconsistency with the dormice survey. Important that hedges are retained as removal will greatly reduce their value for wildlife

4 letters of support from 2 households

- Some new development is inevitable with the settlement being selected under policy RA2
- Mix of 3 and 4 bedroom properties reflects the size and style of existing properties
- Each house being located within its own plot also reflects the character
- Amount of hedgerow lost will be more than adequately replaced by new planting. Will provide additional habitat as well as provide screening
- Traffic volumes are low
- Core Strategy came into force years ago and only one new dwelling has been proposed/approved
- Small fields are becoming uneconomic and impractical. Land at Welsh Newton Common is poor quality
- With the road being a dead end there is no through traffic
- There has been recent development that has not affected the newts
- Presence of solar panels would require hedgerows and trees to be lowered and this would be detrimental to the wildlife
- Overall impact of this development would be beneficial
- Faith in professional bodies who assess things not from a position of interest
- Unfortunate to see residents who enjoy the location and in some instances have developed property wish to stop others from identical enjoyment and benefit
- Cessation of traffic to the post office and some farm activity is likely to mean no overall increase
- Notice objections on dormice but no objections to recently approved development, despite being much closer to dormice activity
- Very small development of two houses in a settlement of about 50 houses therefore impact will be negligible

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=191286

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 Welsh Newton and Llanrothal Group Neighbourhood Area, which published a made Neighbourhood Development Plan (NDP) on 13 September 2019 but did not include site allocations.

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:

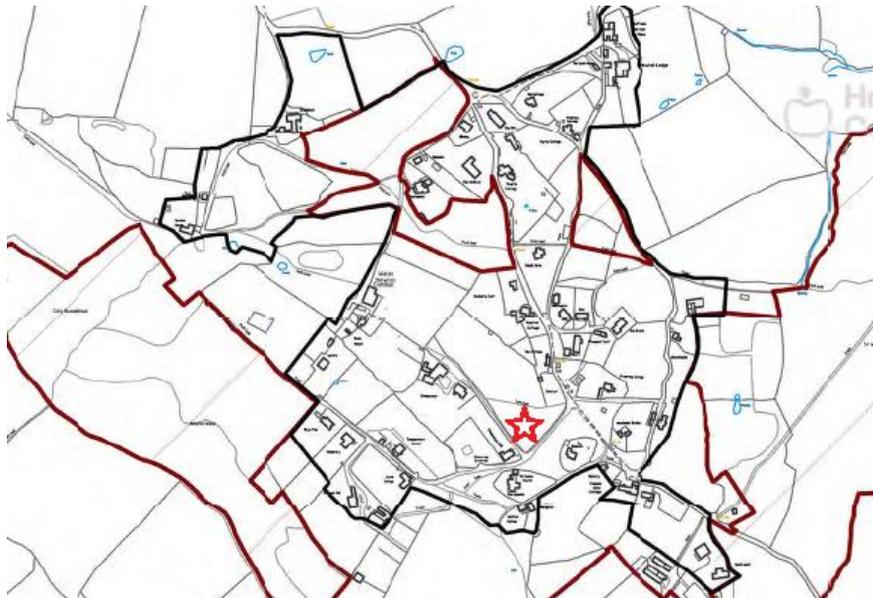
'Where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date, granting permission unless:

- 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.*

6.5 While the Neighbourhood Development Plan is less than 2 years old, there are no site allocations within it (the one allocated site was removed by the Examiner). As such, paragraph 14 of the NPPF which states that the adverse impact of allowing development that conflicts with the neighbourhood plan is likely to significantly and demonstrably outweigh the benefits, is not engaged. The test within paragraph 11d is therefore relevant.

Location of residential development

- 6.6 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.
- 6.7 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.
- 6.8 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 (HMAs). Welsh Newton Common is within the Ross-on-Wye HMA, which is earmarked for an indicative 14% indicative housing growth and is listed in Figure 4.14 under policy RA2 as a settlement which will be the main focus of proportionate housing development. This percentage increase translates to 61 dwellings being required across the plan period.
- 6.9 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 Welsh Newton and Llanrothal NDP has been adopted and therefore forms part of the Development Plan for the county.
- 6.10 Policy WNL5 of the NDP states that proposals for new market housing will be supported within the identified settlement boundary in Welsh Newton Common. The following map includes the black line of the settlement boundary with the site being indicated by the red star:



6.11 It is clear from the above that the site is located within the centre of the settlement boundary. Notwithstanding this, policy WNL5 goes on to state other criteria that a proposal should meet. This includes:

- Within the Settlement Boundary for Welsh Newton Common, proposals should be small in scale i.e. for one or two properties, and development should adjoin clusters of existing buildings and not be on isolated sites away from other housing and settlements. Proposals will be expected to demonstrate particular attention to the form, layout, character and setting of the site and its location within Welsh Newton. New housing should be accessed directly from a made up road.
- House sizes should be limited to a maximum of 2/3 bedrooms to help address the local shortage of smaller, affordable units for young families.

6.12 With the proposal seeking planning permission for the erection of two dwellings, the scale is supported by this policy. Also, noting the location of site in the centre of the settlement, surrounded by existing dwellings, it is not considered that the site is isolated. Welsh Newton Common is largely made up of individual, detached dwellings, often in their own plots – although there are examples of shared accesses in some cases. The amended siting of the two dwellings is found to have been influenced by the surrounding development in that they are different in form from one another (this will be touched on further below) and continue the largely wayside pattern of the settlement. It is acknowledged that the proposal will utilise a small paddock and that the NDP recognises the contribution these make to the character of the area. However, the utilisation of this site which is located adjacent to other dwellings for a proposal that has been reduced in size is not found to be considered detrimental to the overall character of the settlement as a whole.

6.13 The inclusion of a 'made up road' within policy WNL5 came from the Examiner's report which states as follows:

Access to Welsh Newton Common is via a narrow lane which ends in a cul-de-sac. Parts of the settlement are accessed by narrow unmade roads. It is recommended that any further development in the settlement should be accessed directly from a made up road. This would in effect limit the areas suitable for development or result in the making up of other roads.

6.14 There is no definition within the NDP as to what a 'made up road' is, but the intention to limit the areas for development is noted. St Wolston's Road is tarmacked and runs through the centre of

the settlement. As such, it is not considered unreasonable to assume this constitutes at least one made up road. It is also considered that the way the term has been included within policy WNL5, it is not unreasonable to assume there is more than one made up road within the settlement (the policy is written as 'a' made up road, not 'the').

- 6.15 Given that the private street off which the site will be accessed relatively recently served the Post Office, its construction (hard based with gravel) and the proximity to St Wolston's Road I do not find the erection of dwellings off this road to undermine the 'made up road' inclusion within this policy. The intention to limit development as a result of its inclusion is appreciated and the proposal puts forward two dwellings in the centre of the settlement boundary. This is not found to be a location that compromises the aims of policy WNL5.
- 6.16 The conflict with policy WNL5 in terms of bedroom numbers within the proposed dwellings is acknowledged. The proposed includes two x 4 bedroom properties. This conflict will be weighed up within the planning balance at the end of this report. The following sections will go on to consider whether there are any other material considerations of such weight and magnitude that might lead to a conclusion that the proposal represents an unsustainable form of development.

Design and amenity

- 6.17 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.
- 6.18 The above is reinforced through policy WNL4 of the NDP which states, amongst other things; care should be taken to ensure that building(s) height, scale, and form do not disrupt the visual amenities of the immediate surroundings or impact adversely on any significant wider landscape views; building materials are encouraged that retain the character of the settlement such as natural red sandstone, mellow red brick, timber or timber style windows and slate or tiled roofs and Designs should be informed by the distinctive local character of the rural area. Ridge heights should not exceed 6m.
- 6.19 The dwellings proposed are detached, two storey properties with communal living space on the ground floor and bedrooms above. The form of the dwellings has been amended through the application process to result in dwellings that differ from one another – similar to the general development of Welsh Newton Common which has arguably grown dwelling by dwelling and individually. The elevations of the two dwellings can be seen below:



- 6.20 In terms of the scale of the buildings proposed, the ridge height does exceed 6m (measuring approximately 7.4m) – a limit included within policy WNL5. This tension with the policy will be weighed up in the planning balance at the end of this report but the surrounding development is noted – consisting of two storey properties to the south and north east and single storey dwellings to the west.
- 6.21 Both dwellings will be constructed from facing stonework elevations with areas of render with slate roofs and aluminium/timber windows. Noting the dwellings nearest the site comprising of render and stone, these materials are not found to be out of keeping with the locality or unacceptable in principle. However, it is found to be appropriate to condition exact details and finishes of the materials on any approval.
- 6.22 The sustainability credentials of the proposal have been touched on within the Design and Access Statement and states the following:
- The dwellings have been designed to exceed current building regulation requirements for thermal performance, highly insulated timber framed walls and roofs with continuous external insulation to eliminate cold bridges within the structures.*
- 6.23 Turning now to amenity impacts, each dwelling will benefit from adequate private gardens to the rear, noting the size of each property. Given the orientation of the dwellings, there are not found to be detrimental issues of overlooking for future occupiers of either dwelling. In relation to existing properties, the location of Steepways (formerly the Post Office) to the west is noted, as are the windows proposed in the western elevation of plot 2. However, given the separation of approximately 15.5m, the intervening track to Steepways (which runs along the western boundary of the site) and the hedge to be retained along the boundary, overlooking issues to a detrimental degree that would justify refusal of the application are not found. Similarly, as a result of distance, issues of overshadowing are not anticipated.
- 6.24 In light of the foregoing, the design of the dwellings is found to have been influenced by the locality – the materials are in keeping with the surroundings and the differing form respects the ad hoc way in which Welsh Newton Common has grown. The policy conflict in terms of height of the dwellings is noted and will be weighed up against the benefits of the scheme. In all other respects however the proposal is found to comply with policy SD1 of the Core Strategy and policy WNL5 of the NDP.

Transport

- 6.25 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).
- 6.26 The foregoing is reinforced through policy WNL1 of the NDP which states that *proposals will be required to maintain the area's sense of tranquillity, through careful and sympathetic design of access and consideration of traffic impacts on local roads.*
- 6.27 As can be seen from the consultation responses from the Council's Transportation Manager, the site has been visited several times (and at different times in the day) in order to assess the highways impacts as a result of two additional dwellings in this location. While the nature of the road does require some instances of reversing and the use of passing places, at the level of two dwellings this is not found to amount to a cumulative 'severe' impact. The proposed

development does not present an unacceptable impact on highway safety and does not result in detrimental impacts in regards to capacity.

- 6.28 The Transportation Manager has been made aware of the representation from the Residents Group in terms of the traffic report but this does not alter the assessment of the impact that two dwellings in this location would have on highway safety.
- 6.29 With the proposal seeking permission for 2 x 4 bedroom properties, a minimum of 3 car parking spaces per dwelling are required to meet the standards contained within the highways design guide. The submitted block plan indicates this provision as well as turning areas so that any vehicle can enter the highway in forward gear.
- 6.30 At the level of development proposed, the highway impacts are not found to represent a reason to refuse the application. The associated impacts on highway safety and the capacity of the road would not result in the residual cumulative impacts being classed as severe. As directed by the NPPF, and corroborated by the lack of objection from the Transportation Manager, refusal on highways grounds is not found to be justified. With this in mind, as well as the proposed internal layout, the application is found to meet the aims of policy MT1 of the Core Strategy and WNL1 of the NDP.

Ecology and trees

- 6.31 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.
- 6.32 The application is accompanied by a Tree Report and Survey and Ecological Assessment and Mitigation Method Statement. The survey makes several recommendations including the timing of any hedgerow removal, the type of species to be included within re-planting and bird and bat enhancements. The Council's Ecologist has viewed this and is happy with the findings and recommendations, subject to these being conditioned on any approval. With the site falling within the River Wye SAC catchment, a Habitat Regulations Assessment Appropriate Assessment (HRA AA) has been sent to Natural England for their approval. They have confirmed they have no objections to the proposal.
- 6.33 During the application process, additional information has also been received in relation to Dormice, following comments from the Council's Ecologist in this regard. Again, this has been viewed and the recommendations are agreed with. The Council's Ecologist is happy that as works will be licensed as required to avoid any breach of Wildlife Legislation (above planning regs/requirements) and fully monitored by a Licence holding specialist that all considerations have been made. In terms of light pollution, a condition will be attached to any approval (as suggested by the Ecologist) so that no external lighting should illuminate any boundary feature, adjacent habitat or area around the approved Dormice mitigation or enhancement features.
- 6.34 With regard to the impacts on the trees on the site, the Council's Tree Officer has viewed the submission and upon the removal of one unit, does not object to the scheme. The site does not benefit from any Tree Protection Orders, but a condition ensuring those trees proposed to be retained, will be attached to any approval as well as the development being carried out with the submitted tree survey and specifications of tree planting.
- 6.35 In light of the foregoing, and following the submission of amended plans and additional information, the proposal is found to comply with the aims of policies LD2 and LD3 and all reasonable and responsible measures have been taken such as to ensure the LPA legal duty of care.

Drainage

- 6.36 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 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).
- 6.37 Foul water will be disposed of using private treatment plants with outfall into soakway drainage fields. Surface water will be disposed of using a Sustainable Urban Drainage system. Given the size of the site and the supporting information, the methods are found to be policy compliant and achievable on the site.
- 6.38 While the proposal has been reduced from three dwellings to two on the site, the drainage strategy has not been updated. Notwithstanding this, the Council's Land Drainage Consultant, having visited the site and noting that the population within the development is decreasing, is happy with the proposal. As such, it is considered that the requirements of Policies SD3 and SD4 would be satisfied subject to suitably worded conditions.

Other matters

- 6.39 In terms of the hierarchy matrix that was used to determine the settlements for proportionate growth under policy RA2, the Core Strategy is adopted and therefore forms part of the Development Plan for the County. Any concerns relating to the inclusion of Welsh Newton Common as a RA2 settlement should have been submitted during the consultation on that document. This does not represent a reason to refuse a planning application now being considered.
- 6.40 It is likely that previous to the adoption of the Core Strategy Welsh Newton Common saw little new housing as it was not identified as a settlement for growth under the previous Unitary Development Plan. This notwithstanding, there has been a clear shift in policy and it is acknowledged that development in rural settlements bring forward economic, social and environmental benefits.
- 6.41 There is no such thing as a precedent within planning and each application is assessed on its own merits. Furthermore, an application is not assessed on who is the applicant, whether they are a local person or what their intention is after gaining permission – the relevant policies are applied consistently. For the avoidance of doubt, planning permission goes with the land as opposed to the applicant.
- 6.42 It is acknowledged that the access to the site will cross common land. However, any such agreement would be the subject of a Section 38 consent under the Commons Act and separate to the granting of any planning permission. Notice was served in the newspaper as a result of there being no known owner of the common and as such the planning application is valid and capable of being assessed.
- 6.43 The housing targets within the settlement are a minimum. Considering the 14% indicative growth required across the Ross on Wye Housing Market Area, a total of 14 new houses are required within the Parish between 2011 and 2031. As of April 2019 there was a total of 13 completions and 3 commitments meaning that the target has been surpassed. However, in light

of the 5 year housing land supply across the County as a whole, as directed by paragraph 11 of the NPPF an application for housing should be refused if the harm significantly and demonstrably outweighs the benefits. Surpassing the minimum target within a Parish is not a justified reason to refuse an application if it is found to be acceptable in all other respects.

- 6.44 The Council do not have an adopted Community Infrastructure Levy and at the scale of the proposal (for two dwellings) developer contributions are not sought.

Planning balance and conclusion

- 6.45 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 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.
- 6.46 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. Paragraph 14 of the NPPF is not engaged given that there are no site allocations within the NDP. 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.
- 6.47 The Welsh Newton and Llanrothal NDP is adopted and therefore forms part of the statutory development plan for the county. The site lies within the settlement boundary identified under policy WNL5 of the NDP and therefore somewhere the principle of development is accepted. In terms of the scale of the proposal and location adjacent to existing dwellings, the scheme is policy compliant in this regard also. The lack of definition in relation to a 'made up road' is acknowledged but the proximity to St Wolston's Road, the construction of the private street and that it relatively recently served the post office are all appreciated and two dwellings off this are not found to be unacceptable outright or undermine the inclusion of 'made up road' in the NDP after the Examiner's report.
- 6.48 The design of the dwellings are found to be in keeping with the variety within Welsh Newton Common as a whole – they take reference from traditional proportions and materials. They also avoid issues of overlooking or loss of light for both future occupants and existing residents. While it is acknowledged that the provision of 2 x 4 bedroom dwellings conflicts with the second bullet point of policy WNL5, this is still a size of dwelling that is required across the HMA as a whole. The height of the dwellings also exceeds the maximum included within policy WNL4 but noting the design of surrounding development is not found to lead to significantly and demonstrable harm to the local landscape. Noting that paragraph 14 of the NPPF is not engaged, the conflict with the NDP policies does not direct the decision maker to automatically refuse the application, rather to assess whether any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits.
- 6.49 The local concerns in relation to highways impacts as a result of the proposal are appreciated, but the impacts are not found to amount to be severe which would justify refusing the application in light of the direction provided the NPPF. Following the submission of amended plans and additional information the ecological and tree impacts are also found to be policy compliant.
- 6.50 While the concerns in terms of ecology are acknowledged, the Council's Ecologist and Tree Officer are satisfied with the proposal and the information supplied. The LPA have taken all reasonable and responsible measures to ensure our legal duty of care.

- 6.51 Given the lack of objection from Natural England and the consultees on highways, ecology, trees and land drainage, the proposal is found to be compliant technically.
- 6.52 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 two 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. **C01 Time limit for commencement (full permission)**
2. **C07 Development in accordance with approved plans and materials**
3. **C13 Samples of external materials**
4. **CE6 Efficient use of water**
5. **CBK Restriction of hours during construction**
6. **The working methods scheme, mitigation and enhancement features relating to Dormice as detailed in the Dormice report by Natasha James on behalf of Wilder Ecology supplied December 2019 shall be implemented and hereafter maintained in full as stated unless otherwise approved in writing by the local planning authority. No external lighting should illuminate any boundary feature, adjacent habitat or area around the approved Dormice mitigation or enhancement features.**

Reason: To ensure that all species are protected and habitats enhanced having regard to the Wildlife and Countryside Act 1981 (as amended), the Habitats & Species Regulations 2017 (as amended), Policy SS6 and LD2 of the Herefordshire Core Strategy, National Planning Policy Framework (2019) and NERC Act 2006

7. **The ecological protection, mitigation, compensation and working methods scheme including for Great Crested Newts, as recommended in the ecology report by Wilder Ecology dated October 2018 shall be implemented and hereafter maintained in full as stated unless otherwise approved in writing by the local planning authority. No external lighting should illuminate any boundary feature, adjacent habitat or area around the approved mitigation measures.**

Reason: To ensure that all species are protected and habitats enhanced having regard to the Wildlife and Countryside Act 1981 (as amended), the Habitats & Species Regulations 2018 (as amended), Policy LD2 of the Herefordshire Core Strategy, National Planning Policy Framework (2019) and NERC Act 2006

8. **In addition to the secured Dormice mitigation-enhancement, prior to first occupation evidence (such as photos/signed Ecological Clerk of Works completion statement) of the suitably placed installation within the site boundary of at least FOUR Bat roosting enhancements, FOUR bird nesting boxes, THREE insect hotels/invertebrate habitat boxes, and ONE Hedgehog habitat home should be supplied to and acknowledged by the local authority; and shall be maintained hereafter as approved unless otherwise agreed in writing by the local planning authority. No external lighting should illuminate any biodiversity net gain**

enhancement feature.

Reason: To ensure that all species are protected and habitats enhanced having regard to the Wildlife and Countryside Act 1981 (as amended), Habitat Regulations 2017, Core Strategy LD2, National Planning Policy Framework (2019), NERC Act 2006 and Dark Skies Guidance Defra/NPPF 2013/2019.

9. All foul water shall discharge through connection to new private foul water treatment systems with final outfall to suitable soakaway drainage fields on land under the applicant's control; and all surface water shall discharge to appropriate SuDS or soakaway system; unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to comply with Conservation of Habitats and Species Regulations (2018), National Planning Policy Framework (2019), NERC Act (2006), and Herefordshire Core Strategy (2015) policies LD2, SD3 and SD4

10. CAB Visibility splays (2.4M X 25M)
11. CAD Access gates (5m)
12. CAE - Vehicular access construction
13. CAH - Driveway gradient
14. CAI - Parking – single/shared private drives
15. CAT - Construction Management Plan
16. CB2 - Secure covered cycle parking provision
17. Protection of trees/hedgerows that are to be retained
18. Prior to the commencement of the development updated details of the proposed foul and surface water drainage arrangements shall be submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented before the first occupation of any of the buildings hereby permitted. The information shall include the following:
- An updated surface water drainage strategy and calculations to demonstrate that they have been correctly sized for the 1 in 100 year + 40% climate change event;
 - An updated foul water drainage strategy with supporting calculations to demonstrate the drainage fields have been sized correctly for the associated population.
19. CK9 – Trees in Accordance with plans
20. CKA – Retention of existing trees
21. CKF – Specifications for tree planting

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 highway
3. I09 – Private apparatus within the highway
4. I45 – Works within the highway
5. I05 – No drainage to discharge to highway
6. I47 – Drainage other than via highway system
7. I35 – Highways Design Guide and Specification

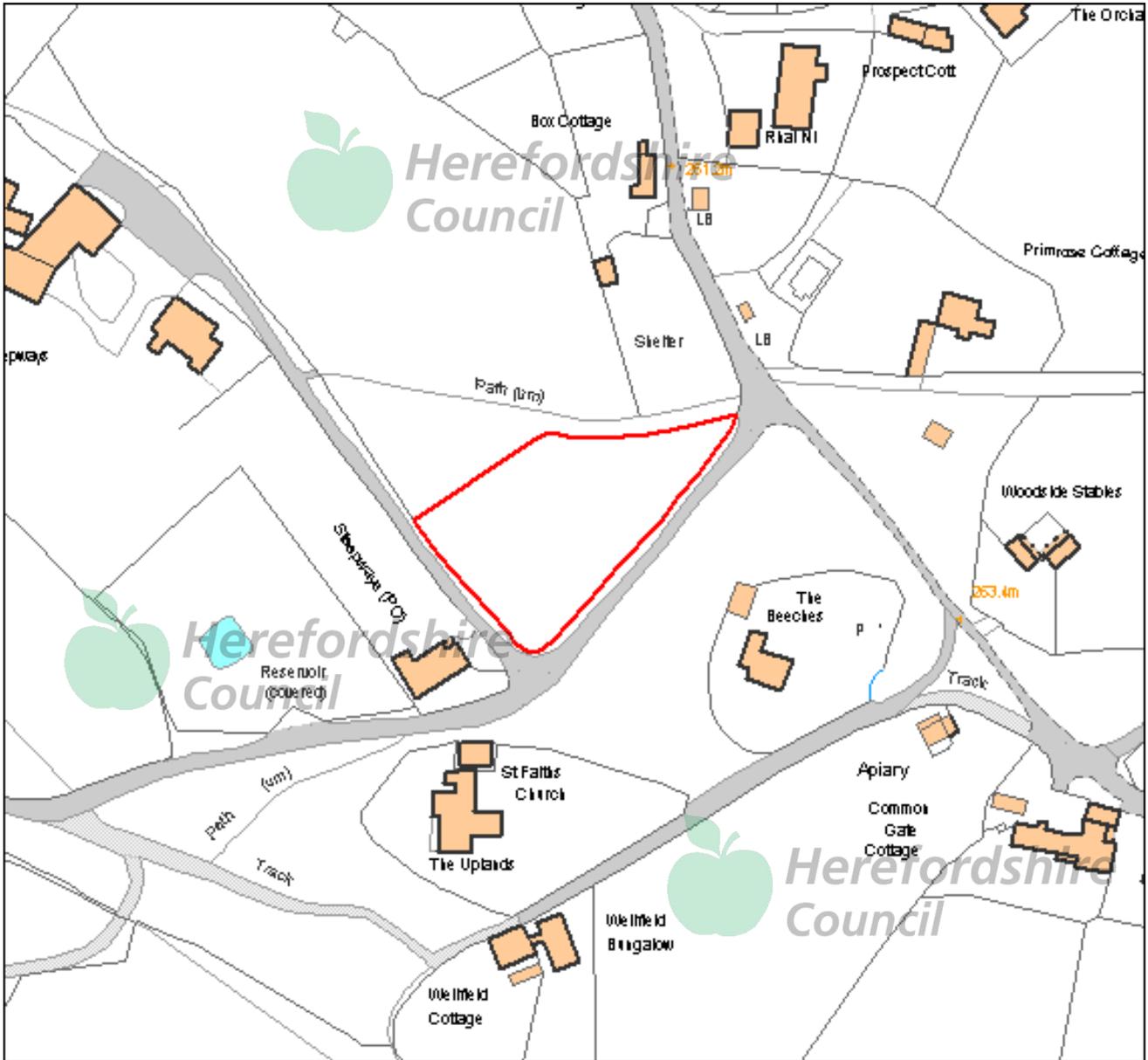
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: 191286

SITE ADDRESS : STEEPWAYS, FROM ST WOLSTONS ROAD TO NYTHFA PROPERTY, WELSH NEWTON, HEREFORDSHIRE, NP25 5RT

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