

MEETING:	PLANNING AND REGULATORY COMMITTEE
DATE:	11 February 2020
TITLE OF REPORT:	183792 - PROPOSED RESIDENTIAL DEVELOPMENT OF THREE DWELLINGS. AT LAND TO THE EAST OF BRAMBLE COTTAGE, ALLENSMORE VILLAGE ROAD, ALLENSMORE, HEREFORDSHIRE, HR2 9AG For: Mr & Mrs Nahorniak per Mr David Kirk, 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=183792
Reason Application submitted to Committee – Re-direction	

Date Received: 12 October 2018

Ward: Wormside

Grid Ref: 346544,235978

Expiry Date: 26 December 2018

Local Member: Councillor Christy Bolderson

1. Site Description and Proposal

- 1.1 The application site comprises scrub land that is overgrown and accessed via a private road (within the applicants ownership) to the west. The site is bounded by residential gardens to the west, south and east with an agricultural field to the north. With Church Road lying to the west, the site is located behind existing residential development.
- 1.2 The site has been included in previous planning applications in 1999 and 1988 (refs: SS990251PF and SH882172PO) for residential development and refused. SH882172PO sought permission for 5 dwellings (including two fronting the road – Bramble Cottage and 1 New House which were subsequently approved under ref: SH960165PF). The 1988 application was dismissed on appeal due to the serious harm the proposal would have on the established linear character of the village because of the large number of dwellings in relation to the present size of the settlement and because of the substantial spread of development away from the lane which would occur. It is noted that the second reason for refusal relating to the access was not upheld by the Inspector.
- 1.3 Moving to application ref: SS990251PF, this was refused due to no demonstration of local housing need, lack of employment opportunities, outside of any settlement boundary and a high water table with risks of possible outbreaks of pollution and flooding. Since the determination of the foregoing applications, there have been several different planning policy documents.
- 1.4 The application seeks outline planning permission for three detached dwellings with all matters reserved. Details regarding access have been submitted with the application to demonstrate that this can be provided within land owned by the applicant.

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

- 1.5 The block plan is indicative but indicates how three dwellings could be accommodated on the site:



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

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) –

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

2.4 The Allensmore Parish was designated as a Neighbourhood Area on 26 May 2017. The draft plan was sent for independent examination on 27 November 2019. The draft plan is a material consideration and, at its current stage of progression, it is considered to carry moderate weight for the purposes of decision taking.

3. **Planning History**

3.1 **SS990251PF** – Erection of two detached dwellings with garages. Refused

SH882172PO – Erection of 3 no. detached dwellings with garages, 2 no semi-detached cottages with parking, access road and turning facilities. Refused (encompassed the application site and area to the east which subsequently gained permission for the two existing cottages under ref: SH960165PF).

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.

We have reviewed the information submitted as part of this application and it is unclear how the site will effectively drain foul water. Our records indicate that there are no public sewers within the immediate vicinity and we assume alternative drainage methods will be utilised. We recommend that the Environment Agency is consulted as part of this process.

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.

(Officer comment: for the avoidance of doubt, noting the nature and scale of the proposal the Environment Agency would not expect a formal consultation and would not request one).

Internal Council Consultations

4.2 **Conversation Manager (Ecology)** – no objection

The detailed ecology report with accompanying Habitat Enhancement Strategy and Management Plan (that includes detailed ecological working methods) by Janet Lomas appears comprehensive, thorough and relevant. The Habitat Enhancement Strategy and Management Plan should be subject to implementation through a relevant condition.

Nature Conservation – Ecology Protection, Mitigation and Protected Species

The ecological protection, mitigation, compensation and working methods scheme including the Biodiversity Enhancements, as recommended in the Habitat Enhancement Strategy and Management Plan by Janet Lomas 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 and biodiversity 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 Conservation (Natural Habitats, &c) Regulations 2017 (as amended) and Policy LD2 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework (2018), NERC Act 2006

4.3 **Transportation Manager** – no objection subject to attachment of recommended conditions

4.4 **Minerals & Waste Planning Officer** – no objections

Thank you for consulting me. I can confirm that the site is identified under saved HUDP Policy M5 for the safeguarding of minerals. However, given the context of the site in close proximity to residential dwellings, extraction of sand and gravel is unlikely. There is also currently no need within the County for sand and gravel, and the physical sterilisation of this relatively small resource is not significant.

4.5 **Land Drainage Consultant** – objection and qualified comment

Surface Water Drainage

It has been stated that infiltration techniques will not be a viable option for this site, however no evidence of this has been provided. An attenuation pond has been proposed with final outfall to an existing ditch.

The Drainage Layout Plan shows that all private runoff from the dwellings and the private road will be directed to the proposed pond. This is stated to have a storage volume of 23.3m³ for the 1 in 100 year + 40% climate change event and the maximum water depth will be 0.467m. This provides 233mm freeboard. This should be increased to 300mm. The outflow is proposed to be restricted to 2l/s using an orifice diameter of 37mm.

A MicroDrainage submission has also been provided, however this contradicts the Drainage Layout Plan. The contributing area in MicroDrainage is assumed to be 60m² which then requires a storage volume of 33.4m³.

We request that the MicroDrainage submission is updated to reflect the true proposals. This should demonstrate that the pond has sufficient storage to accommodate the 1 in 100 year + 40% climate change event.

The Applicant must confirm the proposed adoption and maintenance arrangements for the surface water drainage system. The Drainage Layout plan should reflect the ownership of the respective drainage components.

Foul Water Drainage

The drainage layout plan shows that each property will be served by a package treatment plant, however then the treated effluent is shown to enter a 'rising main' followed by outfall into a 'field drain' for tertiary treatment before it is directed to the existing dry ditch. There is also mention of a non return valve before the outfall to the ditch.

Pumps should be avoided where possible owing to the risk of pump failure leading to foul flooding. It is not clear why pumps have been proposed as surface water is able to be disposed of via gravity. The foul drainage strategy should be updated to use a gravity fed system only. Outfall of treated effluent is currently proposed to go to a dry ditch. This is not in accordance with the Binding Rules. Treated effluent should be disposed of into a non-seasonal constant flow of water.

The Applicant should undertake percolation tests in accordance with BS6297 to determine whether infiltration techniques are a viable option for managing treated effluent (see Section 1.32 of Building Regulations Part H Drainage and Waste Disposal). It may be that shallow soils allow for disposal of treated effluent to individual drainage fields.

If infiltration testing results prove soakage is viable, the following must be adhered to for Package Treatment Plants:

- The drainage field should be located a minimum of 10m from any watercourse, 15m from any building, 50m from an abstraction point of any groundwater supply and not in any Zone 1 groundwater protection zone. The drainage field should be sufficiently far from any other drainage field, to ensure that overall soakage capacity of the ground is not exceeded.
- Drainage fields should be constructed using perforated pipe, laid in trenches of uniform gradient which should not be steeper than 1:200. The distribution pipes should have a minimum 2m separation.
- Drainage fields should be set out in a continuous loop, i.e. the spreaders should be connected. If this feature is missed, it will gradually clog with debris and the field will become increasingly ineffective.

In accordance with Policy SD4 of the Core Strategy, the Applicant should provide a foul water drainage strategy showing how it will be managed. Foul water drainage must be separated from the surface water drainage. The Applicant should provide evidence that contaminated water will not get into the surface water drainage system, nearby watercourse and ponds.

Overall Comment

We currently object to the proposed foul water drainage strategy as it is not in accordance with the Binding Rules (and includes pumping). There is a risk that effluent can spill into the adjacent ditch causing pollution. The tertiary treatment is not compliant with the Binding Rules and consequently there may be an odour problem where the water lingers in the ditch. Please also review our comments above in relation to foul water disposal. An alternative foul water drainage strategy should be provided.

Once the above information has been submitted and approved, should the Council be minded to grant planning permission, the following information should be provided within suitably worded planning conditions:

- An updated detailed surface water drainage strategy with supporting calculations that demonstrates there will be no surface water flooding up to the 1 in 30 year event, and no

- increased risk of flooding as a result of development between the 1 in 1 year event and up to the 1 in 100 year event and allowing for the potential effects of climate change;
- Evidence that the Applicant is providing sufficient on-site attenuation storage to ensure that site-generated surface water runoff is controlled and limited to agreed discharge rates for all storm events up to and including the 1 in 100 year rainfall event, with an appropriate increase in rainfall intensity to allow for the effects of future climate change;
 - A detailed foul water drainage strategy showing how foul water from the development will be disposed of;
 - Confirmation of the proposed authority responsible for the adoption and maintenance of the proposed drainage systems.

Following the submission of a drainage report and amended layout the following comments were received (8 October 2019):

Surface Water Drainage

It has been stated that infiltration techniques will not be a viable option for this site, and evidence of this has been provided.

An attenuation pond has been proposed with final outfall to an existing ditch. The Drainage Layout Plan shows that all private runoff from the dwellings and the private road will be directed to the proposed pond. This is stated to have a storage volume of 23.3m³ for the 1 in 100 year + 40% climate change event and the maximum water depth will be 0.467m and the top of bank will be 0.8m above the base, thus this will provide 333mm freeboard (assuming that the base of the pond will be the invert level of the outgoing pipe). The outflow is proposed to be restricted to 2l/s using an orifice diameter of 37mm.

The Applicant must confirm the proposed adoption and maintenance arrangements for the surface water drainage system. The Drainage Layout plan should reflect the ownership of the respective drainage components.

Foul Water Drainage

The drainage layout plan shows that each property will be served by a package treatment plant. The treated effluent is then shown to be disposed of into a field drain (to provide tertiary treatment), this is then directed to an existing dry ditch. There is also mention of a non-return valve before the outfall to the ditch.

Outfall of treated effluent is currently proposed to go to a dry ditch. This is not in accordance with the Binding Rules. Treated effluent should be disposed of into a non-seasonal constant flow of water.

We previously requested that invert levels should be demonstrated to show that water can be disposed of via gravity. These have not yet been demonstrated.

Overall Comment

We currently object to the proposed foul water drainage strategy as it is not in accordance with the Binding Rules. We suggest that the 'field drain' carrying the treated effluent is changed to a reed bed (in accordance with Building Regulations). This should be realigned so that it is less likely that effluent will bypass into the ditch. The reed bed could spill into the pond. We ask that the proposed authority responsible for the adoption and maintenance of the proposed drainage systems is clarified. A Private Management Company should be appointed.

Following a response from the applicant's drainage consultant, the responses below were received from the Council's Land Drainage Consultant (31 October 2019):

"It is not in accordance with the binding rules but it does not mean it is illegal. Binding Rules are a set of rules to decide when a permit from the EA is not required. In this case a permit will be required, but the solution is perfectly adequate."

BBLP response : pollution of a neighbours ditch is illegal under the Law of Nuisance.

"Their alternative (a reed bed) does not meet the binding rules either and a permit is required too."

BBLP response : Reed Beds are listed in the Binding Rules as a form of tertiary treatment.

However, Reed Beds are normally located so to avoid the pollution of neighbouring ditches. Water will always drain to the lowest point. So the ditch will receive treated effluent, so pollution will occur.

We had suggested the concept of a reed bed, but this would need to be positioned away from the ditch. There does not appear to be sufficient space to install a reed bed owing to the site layout.

The applicant would need to present the original foul drainage strategy to the EA and seek to obtain an Environmental Permit, before the foul drainage strategy can be approved.

Having reviewed the drawing again, I note that pumps are proposed on the Package Treatment Plants. We had previously requested survey levels to determine whether a gravity system could be installed. If the EA Permit is obtained then we would require a condition on the planning, requesting that the PTP with pumps would be provided with (i) a minimum 24 hours storage in the event of pump failure and (ii) a warning device showing that the pumps had failed. We seek to discourage pumped systems because the resident will suffer from localised flooding or backed up drains whenever the pumps break down or the power fails.

An updated foul drainage strategy should be provided.

Further comment provided 5 November 2019:

I can only advise that if the current proposals are implemented then there is a likelihood of pollution on third party land. I would consider that any decision regarding approving the development without an EA permit should be taken by the planning officer.

4.6 Conservation Manager (Landscape) – no objection:

I have reviewed the outline application for 3 dwellings on land at Allensmore, given that this is a small scheme which seeks to retain the pastoral land and sense of openness in which the PROW is situated to the north of the site, the proposal is therefore considered compliant with policy.

I do however consider that a robust landscape buffer should be put in place along the northern site boundary, this should consist of both native hedgerow and hedgerow trees in order to minimise adverse visual effects and assimilate the development into its rural surroundings.

5. Representations

5.1 Allensmore Parish Council – object

(Commented as follows on 11 December 2018)

Allensmore Parish Council objects to this proposal for development primarily due to its location and also due to drainage and access concerns.

Location

The Parish Council feels strongly that the location of this site is not appropriate for development. Other than an access driveway, the site has no road frontage but borders the back gardens of neighbouring residents on three sides and an arable field on the fourth side. There is a clear settlement pattern in Allensmore of linear, single depth developments fronting onto the lanes. A development behind existing properties would be substantially at odds with the existing pattern and character of the area.

The emerging Neighbourhood development plan (see Allensmore.org.uk) has identified that the single depth settlement pattern is an important characteristic of the area that should be preserved. Whilst recognising that the plan is still in early draft form, this site is outside the proposed settlement boundary. Furthermore, it appears at this stage that the 14% housing growth target can comfortably be achieved whilst preserving this important characteristic. The independently produced site assessment report by Aecom also recommended that this site not be allocated due to the conflict with the existing linear settlement pattern

As described in the application, the three houses proposed add to the two existing houses developed recently on the site. It is noted that when dismissing the appeal against the refusal for five houses to be developed on this site in Jan 1990 the planning inspectorate stated "In my view the erection of 5 houses on the appeal site would seriously harm the established linear character of the village...".

Drainage

This area is well known for drainage difficulties, with no mains drainage available and poorly draining ground. The area of Church Road where access is proposed is identified by the Environment Agency as at high risk of surface water flooding. There is therefore a concern that disposal of surface and foul water might be problematic and that the existing properties and any new properties might be at increased risk of surface water flooding and pollution.

Access

With a long and narrow access track, there will inevitably be cars and delivery vehicles meeting and one needing to give way to the other. This will lead to the need to reverse back onto the narrow Church Road which, in addition to cars and vans, is used by cyclists, pedestrians and horses, with the risk that creates, especially after dark in this area with no street lighting. It was also noted that due to close proximity of a neighbour's hedge, visibility is very restricted in one direction when exiting from the track.

(Commented further on 6 September 2019):

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

- 1) The drainage strategy proposes that the outflow from the three package treatment plants is discharged into a soak-away, close to an existing watercourse. The end of the soak-away then discharges into that watercourse, so that any outflow not absorbed into the ground – for example at times of peak demand, and/or when the soak-away becomes silted up over the years, will discharge into that watercourse. The ill-defined watercourse, not on the applicant's

land, 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 6 additional dwellings being sought by application number 190650. There is also a concern that the attenuation pond will create unpleasant odours, particularly since the outflow from the 3 treatment plants is likely to reach the pond from time to time. This would be very unpleasant for the neighbouring houses.

- 2) The proposal is strongly at odds with the Neighbourhood Development Plan which is now at the Regulation 16 stage subject to Parish Council approval anticipated in September. The site was not recommended for development during the call for sites and it is outside the proposed settlement area. The fact that the site has no road frontage and is behind existing properties on three sides is against the linear development pattern of the parish and contravenes Policy A4, which recognises this feature as an important feature of the area. It also contravenes Policy RA2 of the Core Strategy which requires that developments in settlements such as Allensmore “particular attention be given to ensure that housing developments respect the scale, form, layout, character and setting of the settlement”. It was recognised by the planning inspector when a previous declined application for 5 dwellings on this site was rejected (The front two of which were on the road frontage and subsequently approved) that “the erection of 5 houses on the appeal site would seriously harm the established linear character of the village...”. 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 190650 which abuts the front corner of this site and proposes a further 6 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.

This is a greenfield site, outside the proposed settlement area, set behind the gardens of existing properties on three sides, with no road frontage other than an access track, and in an area characterised by a linear pattern of development. This proposal is totally out of character with the village. Not only does it contravene the requirements of Policy RA2 to respect the neighbouring settlement, permitting it would constitute a total disregard for the requirement the Core Strategy (para 3.2) that development should “... protect and enhance the attractive and distinctive character of the different areas of the county...”. Permitting this proposal would also be contrary to the specific wishes of residents of the parish as expressed in the Allensmore NDP document about to be submitted for regulation 16.

Following an amended block plan to indicate the red application site line being taken to the adopted highway the response below was received on 24 January 2020:

At the Allensmore Parish Council Meeting, held on the 23rd January 2020, local residents made a number of comments opposing the application.

These included the concern that the Ecological Appraisal in the application made reference to the Conservation of Species and Habitats regulations 2010 which is out of date and was been superseded in 2017.

There was also concern that local people should feel it necessary to engage and fund the services of a transport consultant because they did not have the confidence that this aspect had been sufficiently scrutinised by Herefordshire Council’s specialists.

Following the new consultation on this application, the Allensmore Parish Council wishes to emphasise and expand its previously made objections.

Location:

The Parish Council feels strongly that the location of this site is not appropriate for development. Other than an access driveway, this greenfield site has no road frontage but borders the back

gardens of neighbouring residents on three sides and an arable field on the fourth side. The three proposed dwellings are entirely situated behind existing housing. There is a clear settlement pattern in the village of Allensmore of linear, single depth developments fronting onto the lanes as was recently acknowledged by the planning officer in the report to the planning committee on an application (190650) for a row of houses along Church Road in front of but adjacent to this proposed site. The officer stated "The linear layout proposed [by application 190650] will continue the pattern of the surrounding development."

There have been several other rejected applications in the past for three houses on this site, initially including two along the road frontage (which have subsequently been approved) plus three behind. On appeal following the rejection by Herefordshire Council, the planning inspector appointed by the Secretary of State for the Environment dismissed the appeal stating "In my view the erection of 5 houses on the appeal site would seriously harm the established linear character of the village...".

Whilst that was some considerable time ago, the facts remain the same and the Core Strategy has a similar provision in the form of policy RA2 to protect settlements from inappropriate development. The policy recognises and values the character and uniqueness of small settlements across the county and seeks to ensure this is protected. Specifically, "particular attention be given to ensure that housing developments should respect the scale, form, layout, character and setting of the settlement concerned." We believe it is clear that this proposal does not.

The location is also clearly contrary to the Allensmore NDP which has completed regulation 16 stage and is now in the examination phase. It is in contravention of policy A4 of the NDP, which requires that developments should maintain the linear characteristic of Allensmore and not be behind existing properties. The site, which is outside the settlement boundary, was specifically assessed by independent assessors, Aecom and recommended not to be allocated due to the conflict with the existing linear settlement pattern.

Drainage

This area is well known for drainage difficulties, with no mains drainage available and poorly draining ground. The area of Church Road where access is proposed is identified by the Environment Agency as at high risk of surface water flooding. The Parish Council notes that while efforts are ongoing by the applicant to develop a workable and compliant drainage strategy, the drainage experts working for Herefordshire Council continue to oppose the application based on the current proposals. It is also surprising that the drainage proposals could be considered acceptable when they depend on building a headwall on third party owned land and discharging into a frequently dry ditch.

Access

The site is accessed by a long, narrow track off Church Road, the junction with which provides very limited visibility. Indeed, Herefordshire Council's own assessment of this site published in the March 2019 Strategic Housing Land Availability Assessment concludes that this site is not suitable for development without access to third party land to resolve these difficulties with access. It states that there are major issues with the site due to the difficult access and that current visibility cannot be improved without third party private gardens. The site is considered low potential for development due to the need for third party land to provide suitable access. The current proposal does not make use of any third party land to address the access difficulties which therefore remain unacceptable.

As proposed, with the long and narrow access track with no passing places, there will inevitably be cars and delivery vehicles meeting and one needing to give way to the other. This will lead to the need to reverse back onto the narrow Church Road which, in addition to cars and vans, is used by cyclists, pedestrians and horses, with the consequent risk that creates, especially after dark in this area with no street lighting. It appears that for an access track of this length, passing

places should be provided, however with the existing two properties either side of the track, it does not seem possible to meet this requirement.

The Parish Council shares the concerns about the visibility and safety of this access as identified in the SHLAA and following closer inspection it does not appear that the required visibility splays can be achieved. Indeed the measurements shown on the application do not appear to correctly reflect those required by the design guidelines.

Summary

The Parish Council considers this is not an appropriate site for development for the reasons outlined above.

Policy RA2 of the Core Strategy makes clear that settlements such as Allensmore are to be protected from this form of inappropriate development which is not in keeping with the surrounding settlement. The Neighbourhood Development plan clearly and strongly opposes this site based on its location and its being out of character with the settlement.

Herefordshire Council's own assessment of the site identifies that it is not suitable for development without access to third party land. The access appears to be dangerous and does not and cannot meet the appropriate design requirements.

With 41 net new dwellings already built or approved since the beginning of the plan period, Allensmore has already significantly exceeded the minimum target growth of 32 new dwellings by 2031 as set by the Core Strategy. Furthermore the NDP identifies further sites which are considered appropriate for further new dwellings.

For these reasons the Parish Council strongly believes that this application should again be rejected.

5.2 To date a total of 33 letters of objection from 11 properties have been received (this includes a letter from the Allensmore Residents Group). The comments therein are summarised below:

- Development would be out of character with the existing settlement where properties are set alongside Church Road and of single depth. To allow the application, which is in effect a small estate, would be to completely change the character of the village
- The site was rejected within the AECOM report for the Allensmore NDP
- Site is outside of settlement boundary within NDP and is not infill
- While it is often said 'there is no right to a view' the enjoyment from the housing backing onto this site and the listed building is an important part of Allensmore
- Understood that the Parish has already exceeded the requirement for housing up to 2032. Concerned by the total number of houses proposed and the adjoining application ref: 190650 (approved at Planning Committee November 2019)
- Hope the previous 6 planning application refusals on the site are taken into consideration
- Appeal decision (under ref: SH882172PO) stated 'the erection of 5 houses on the appeal site would seriously harm the established linear character of the village...' (two which fronted on to the road were approved by a later application)
- Little Village Farm, a Grade II Listed timber framed cottage is directly opposite the access point. Modern properties opposite and alongside respect the established linear setting but this would be a mini estate, thereby creating an urbanising effect in a rural setting
- To approve the application would be in breach of the Core Strategy and against the wishes of residents as expressed by the close to final, Allensmore NDP
- Church Lane is single track with few places for vehicles to pass
- Since 1985 the number of residences down Church Lane has almost doubled increasing from 16 to 28. This has had a substantial impact on the condition of the lane
- There is limited visibility in one direction of the access and totally blind in the other

- Entrance is only capable of allowing one vehicle at a time
- Three new houses on the site would suggest a minimum of 6 vehicles using this blind junction
- The large vehicles required during construction would greatly increase the danger
- Safety of local horses and riders would also be increased and village tranquillity and charm threatened
- Ask that the Transport Department provide clear evidence that this entrance meets the legal and safety requirements and an explanation of the codes used (*Officer comment: this information has since been supplied*)
- With a high water table what effect would additional houses with similar treatment plants have on drainage. Object to the additional proposed drainage strategy. Concerned additional dwellings would put existing sewage plants at risk
- High water table and risks of possible outbreaks of pollution and flooding as identified within refusal on this site ref: SS990251PF
- The ditch proposed for discharge is dry for the majority of the year. Note that this is not in accordance with the Binding Rules
- Treatment plant allows for 6 people per dwelling but what is the effect if there are more than 6
- What measures are put in place to stop treatment plants to rise to the surface?
- Spreaders from package treatment plants for Bramble Cottage and New House travel over the application site. Area of pipework and spreader would need to be cordoned off. These are not noted and suggest that the proposed houses and roadway would cause serious damage to the drainage systems in place
- Because of trees, scrub and high water table makes it an exceptional environment for wildlife
- Up to date ecological study of the site is required. 300m away there are Great Crested Newts in our pond as identified by Hereford Wildlife Trust
- Great Crested Newts have been recorded within 500m and there are ponds within 500m
- Council Highways Design states that roads in excess of 25m in length should have passing places. The road before the commencement of development is 50m in length with no passing places
- Suggest development for 6 dwellings on Church Road, access to 183792 would be easily achievable with cooperation of the two developers
- Application form filled in incorrectly
- The applicant does not own the southern boundary and Ditch of Three Ashes
- There is a lack of services as well as internet provision

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=183792

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

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

6. Officer's Appraisal

6.1 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

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

on 7 October 2019 running until 18 November 2019. At this stage the NDP has been sent to examination and at the time of writing the NDP is considered to attract moderate 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.*

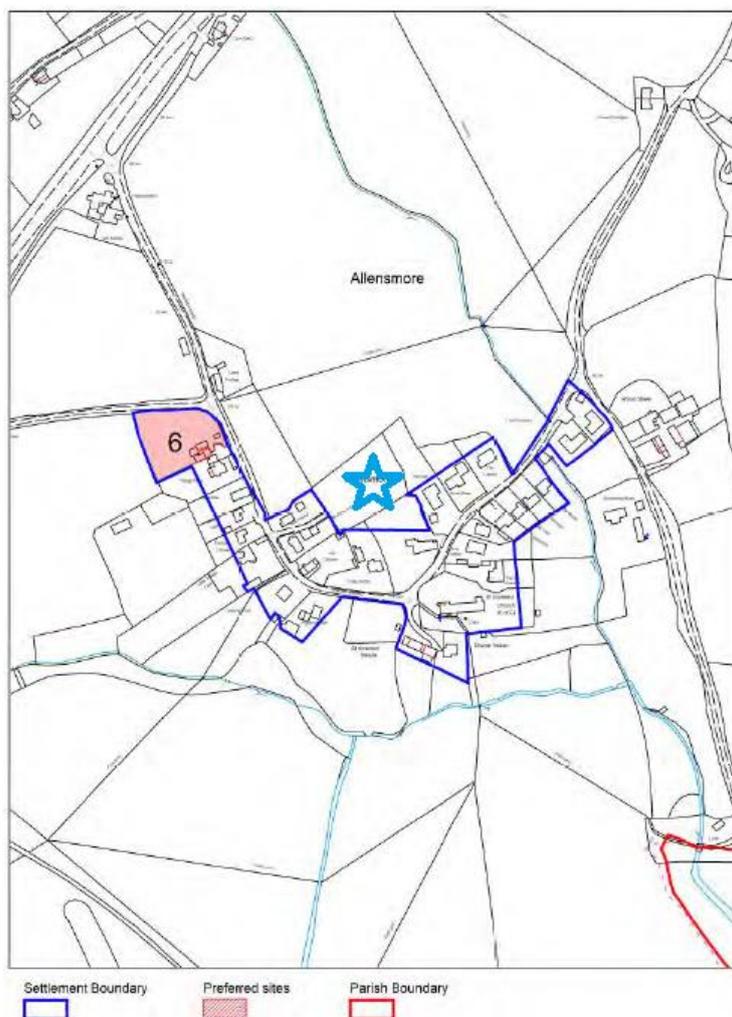
Principle of development

- 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 Plan has been sent for examination and is currently considered to be afforded moderate 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:

Map 3 Allensmore Settlement Boundary and Site 6



- 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 but does propose 3 dwellings which is the type of small scale development the policy supports.

- 6.10 It is understood that the site 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:

Site 11 has no significant landscape or environmental constraints on site. Whilst it is outside the settlement boundary it has a strong relationship with the existing built area, particularly given its location within a curve in Church Road meaning it is enclosed on two sides by existing development. However, the presence of this existing development also means that the site adds depth to the settlement in two directions. Development at Site 11 could therefore represent a significant departure from the established settlement pattern evident in Allensmore and result in harm to the settlement's character. Site 11 is not recommended as appropriate for allocation in the Neighbourhood Development Plan.

- 6.11 The site was included within the Strategic Housing Land Availability Assessment (SHLAA) in March 2019. It is appreciated that the site was found to have low potential for housing but this largely revolved around major issues with creating a suitable access to the site if developed on its own and the need for third party land for it. The application submitted however proposes the utilisation of the existing access to Bramble Cottage and 1 New House, all within the ownership of the applicant and therefore not relying directly on third party land. In landscape terms there was found to be medium/high capacity for a small cluster of dwellings.
- 6.12 Noting that policy A4 of the NDP is afforded moderate weight at this stage, I still find it appropriate to carry out an assessment under policy RA2 of the Core Strategy. 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 has the potential to round the settlement off the north.
- 6.13 It is acknowledged that policy A4 states that development will be supported on small infill sites of single depth and not behind other houses. Notwithstanding the level of weight attached to this policy at the present time, the form of surrounding development influencing proposed development is something supported through policy RA2 too. The proposal will result in a level of double depth development with the site being located behind those on Church Road. Arguably this is out of keeping with parts of the surrounding development, although there are examples of dwellings being further from the roadside and the settlement is not wayside in its entirety. Furthermore, the site is not readily visible from public viewpoints and is well contained. The Council's Landscape Officer does not object to the principle of residential development, subject to robust landscape boundaries, which would come forward as part of any reserved matters application. The previous appeal decisions on the site are noted, as are the comments relating particularly to the form of the surrounding development. However, the appeals are over 20 years old and the proposal needs to be assessed in line with planning policy in place at the time of determination and the aims of the NPPF. This conflict will be weighed up in the planning balance.
- 6.14 It is appreciated that the NDP includes the average densities for the three settlements and Allensmore works out at 8.8 dwellings per hectare. Noting that the proposal is for 3 dwellings across 0.3 hectares it results in approximately 9 dwellings per hectare and therefore similar to the average density within the settlement boundary for Allensmore (which has formed the 8.8 figure).
- 6.15 With the application being made in outline and all matters reserved, the house types and sizes are not included at this stage. Noting that within the Ross-on-Wye HMA the most required

dwellings are 3 bedrooms, this is something that should be considered by the applicant under any reserved matters application. This also tallies with policy A5 of the NDP which comments on family houses of 3 bedrooms coming forward.

- 6.16 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 some difference of opinion on the landscape impacts of erecting dwellings on the site between the AECOM report and SHLAA, and this will be weighed up in the planning balance at the end of this report.
- 6.17 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.

Highways safety

- 6.18 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).
- 6.19 The proposal looks to utilise the existing access into the site over which it is understood Bramble Cottage and 1 New House have rights of access. With the access being existing, the achievable visibility splays are detailed on the block plan. The Transportation Manager has viewed the plan and in light of the nature of the road and scale of the development finds this to be acceptable. While the splays are not wholly within land owned by the applicant, these being within highway land is not unacceptable or unusual. Concerns within the representations are noted in this regard, including the letter from two neighbouring dwellings specifically on highways matters. However, this does not fully detail the survey work that it is stated has been undertaken. Notwithstanding this, and having spoken with the Transportation Manager again since this was received, given the environment coming into the bend reduces speed the vehicles will be in the middle of the lane. With this in mind, a 1m running lane could be incorporated moving the splay further into the road.
- 6.20 While the junction with the access road and Church Road does not accommodate the width of two cars, noting the scale of the proposal for three dwellings this is not found to amount to a detrimental impact that would justify refusing the application as a whole. Construction vehicles using the access would also not represent a reason to refuse the application – this is a fairly short period of time in terms of the lifetime of the development. Furthermore, site operative parking would be conditioned on any approval to ensure they are not parked on the road itself.
- 6.21 Noting that the size of the dwellings is undetermined under this outline application, the exact level of car parking required to meet the design guide is as yet unknown. This notwithstanding, there is considered to be adequate space for turning and parking to be accommodated and the details will come forward as part of the layout within a reserved matters application.
- 6.22 Given the foregoing, the provision of three additional dwellings at this point in the settlement, utilising an existing access, is not found to amount to severe highways implications. The comment received from the Council's Transportation Manager endorses this view and raises 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.

Drainage

- 6.23 CS Policy SD3 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).
- 6.24 The methods proposed for the disposal of foul water are individual package treatment plants for each dwelling disposing into a field drain with final disposal into a dry ditch. Surface water will be disposed of into an attenuation pond with final disposal into the same dry ditch. As can be seen from the comments of the Land Drainage Consultant they object to the proposed method due to it not meeting the General Binding Rules. For the avoidance of doubt, where a scheme does not meet the General Binding Rules a bespoke permit from the Environment Agency is required.
- 6.25 Paragraph 183 of the NPPF makes the distinction between the role of a planning decision and other controls and states the following:
- The focus of planning policies and decisions should be on whether proposed development is an acceptable use of land, rather than the control of processes or emissions (where these are subject to separate pollution control regimes). Planning decisions should assume that these regimes will operate effectively. Equally, where a planning decision has been made on a particular development, the planning issues should not be revisited through the permitting regimes operated by pollution control authorities.*
- 6.26 In light of the foregoing, while the comments of the Land Drainage Consultant are noted, the inability (or not) to gain a drainage permit is not a reason to refuse a planning application. This process is separate from the planning one. In this instance, and given the objection from the Land Drainage Consultant, I find it appropriate and reasonable to attach a Grampian condition to any approval ensuring that this permit is in place prior to the implementation of the planning permission. For the avoidance of doubt, a Grampian condition *prohibits development authorised by the planning permission or other aspects linked to the planning permission (eg occupation of premises) until a specified action has been taken (such as the provision of supporting infrastructure).*
- 6.27 Subject to the imposition of a Grampian condition on any approval the proposal will meet the aims of policies SD3 and SD4 of the Core Strategy. The proposal will ensure a permit is gained for an acceptable method of drainage prior to the implementation of the permission. If one cannot be gained, the permission cannot be commenced. It is reiterated that an application is to be determined against the policies in place at the time of determination and while pollution was a reason to refuse an application in 1988, the NPPF makes it clear that there is a distinction between the control of the planning process and other permitting regimes.

Ecology

- 6.28 Policies LD2 and LD3 of the CS 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.

- 6.29 The proposal is accompanied by an ecology report with accompanying Habitat Enhancement Strategy and Management Plan. The Council's Ecologist has had sight of the assessment and does not object to its conclusions and recommendations. Noting the lack of objection, the proposal is found to comply with the aims of policies LD2 and LD3 of the Core Strategy subject to recommended conditions being attached to any approval.

Other matters

- 6.30 The ecology report was carried out by a licensed Ecologist and 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. It is considered that all reasonable and responsible measures such as to ensure the LPA have fulfilled our legal duty of care have been undertaken.
- 6.31 With regard to the Grade II listed Little Village Farm located to the east, the setting is not found to be affected by the proposal. This is as a result of the intervening features (dwellings and Church road) as well as the modern dwellings directly adjacent to it. The designated heritage asset and proposal site are arguably divorced from one another and development on the site is not found to have an impact on the way the asset is experienced.
- 6.32 The loss of a private view is not a material consideration that any weight can be attached to. However, issues of overlooking or loss of light that impact upon amenity are. With the current application being in outline details of design and form would come forward as part of a reserved matters application. Amenity impacts would be a consideration under that application but I do not have overriding concerns that an acceptable scheme could not be achieved that respects both the amenity of existing and future occupants and conforms with policy SD1 of the Core Strategy and the NDP.
- 6.33 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 including one for 6 dwellings approved at Planning Committee in November 2019). 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.
- 6.34 In terms of spreaders from package treatment plants for Bramble Cottage and New House, this may have an impact on the layout of any scheme. This is a matter that is reserved and therefore not for consideration under this application. The outline application only seeks a decision on the principle of development.
- 6.35 It has come to light fairly late on in the process of the application that the applicant is not the freeholder of the land, rather it is their parents. As such, notice was served on the owners of the land on 29 January 2020. This notice needs to be served for 21 days prior to a decision being made to ensure that no one is prejudiced by the application. Given the relationship between the applicant and freeholders, and the freeholders having been the applicants on previous applications, I am not anticipating any further material planning matters to be forthcoming. Notwithstanding this, I find it appropriate and reasonable to ensure that 21 days are provided before any decision is issued by the LPA. This will be included within the resolution.

Planning balance and conclusion

- 6.36 Both CS policy SS1 and paragraph 11 of the National Planning Policy Framework engage the presumption in favour of sustainable development and require that developments 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.

- 6.37 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.
- 6.38 The site is located outside the settlement boundary included within the NDP which undertook Regulation 16 consultation ending on 18 November 2019. Noting that the NDP has been sent for Examination (and the report is awaited) it is considered to attract moderate weight at this point in time. While this conflict with the NDP is recognised, it is appropriate to undertake an assessment against policy RA2 also. The site is located adjacent to the built up part of the settlement which is identified for residential growth. The pattern of Allensmore is largely linear although there are examples of dwellings being set further back from the roadside and it is therefore not wholly wayside. In terms of landscape harm, while the appeal decision from 1988 is noted, the proposal is not found to lead to significant harm that would justify refusal when assessed against the policies that are in place at this time. The development would not be readily visible and the site is closely located to the existing built form. This is reinforced through the lack of objection from the Council's Landscape Officer. A robust landscape boundary would be expected as part of any reserved matters application.
- 6.39 The application is submitted in outline and the detail of design and form would come forward within a reserved matters application but the principle of three dwellings on the site is not found to be out of keeping with the surrounding pattern of development to a degree that evokes a level of harm that justifies refusal.
- 6.40 While the comments of the Land Drainage Consultant are noted, they do remark that it is the decision of the Planning Officer whether or not to approve a development without the Environment Agency permit. With paragraph 183 of the NPPF stating that the planning process should assume other processes will work, subject to a Grampian condition on any approval that a permit will be achieved, a satisfactory drainage scheme can be brought forward on the site. It is not considered necessary, in this case, for this to be provided prior to determination.
- 6.41 In terms of cumulative highways impact, given the level of development proposed and the utilisation of an existing access, it is not found to amount to severe that would direct refusal under the NPPF. The recent permission for 6 dwellings to the north is noted but this does not change the view of the Transportation Manager.
- 6.42 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 three dwellings adjacent to the built up part of the settlement with the associated economic and social benefits that small developments in rural hamlets support.
- 6.43 Officers are content that there are no other matters of such material weight that would justify withholding planning permission and the application is accordingly recommended for approval.

RECOMMENDATION

That officers named in the scheme of delegation to officers be delegated to determine the application, following expiry of the 21 day consultation period, and subject to the following conditions and any further conditions considered necessary by 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**
6. **C06 Development in accordance with the approved plans**
7. **CBK Restriction of hours of construction**
8. **The ecological protection, mitigation, compensation and working methods scheme including the Biodiversity Enhancements, as recommended in the Habitat Enhancement Strategy and Management Plan by Janet Lomas 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 and biodiversity 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 Conservation (Natural Habitats, &c) Regulations 2017 (as amended) and Policy LD2 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework (2018), NERC Act 2006

9. **Foul water shall be disposed of by individual package treatment plants and drainage field with final outfall into the adjacent watercourse. Surface water shall utilise an attenuation pond with final outfall into the adjacent watercourse.**

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.

10. **Prior to the commencement of development evidence of an Environment Agency drainage permit will be submitted to 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.

11. **Prior to the commencement of development details relating to the private package treatment plants shall be submitted to the Local Planning Authority and contain the following information:**

- **a minimum 24 hours storage in the event of pump failure and**
- **a warning device should the pumps fail**

The development shall be carried out in accordance with the approved details.

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.

12. **CAE - Vehicular access construction**
13. **CAH – Driveway gradient**
14. **CAI - Parking – single/shared private drives**

- 15. CAT - Construction Management Plan
- 16. CB2 – Cycle storage

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

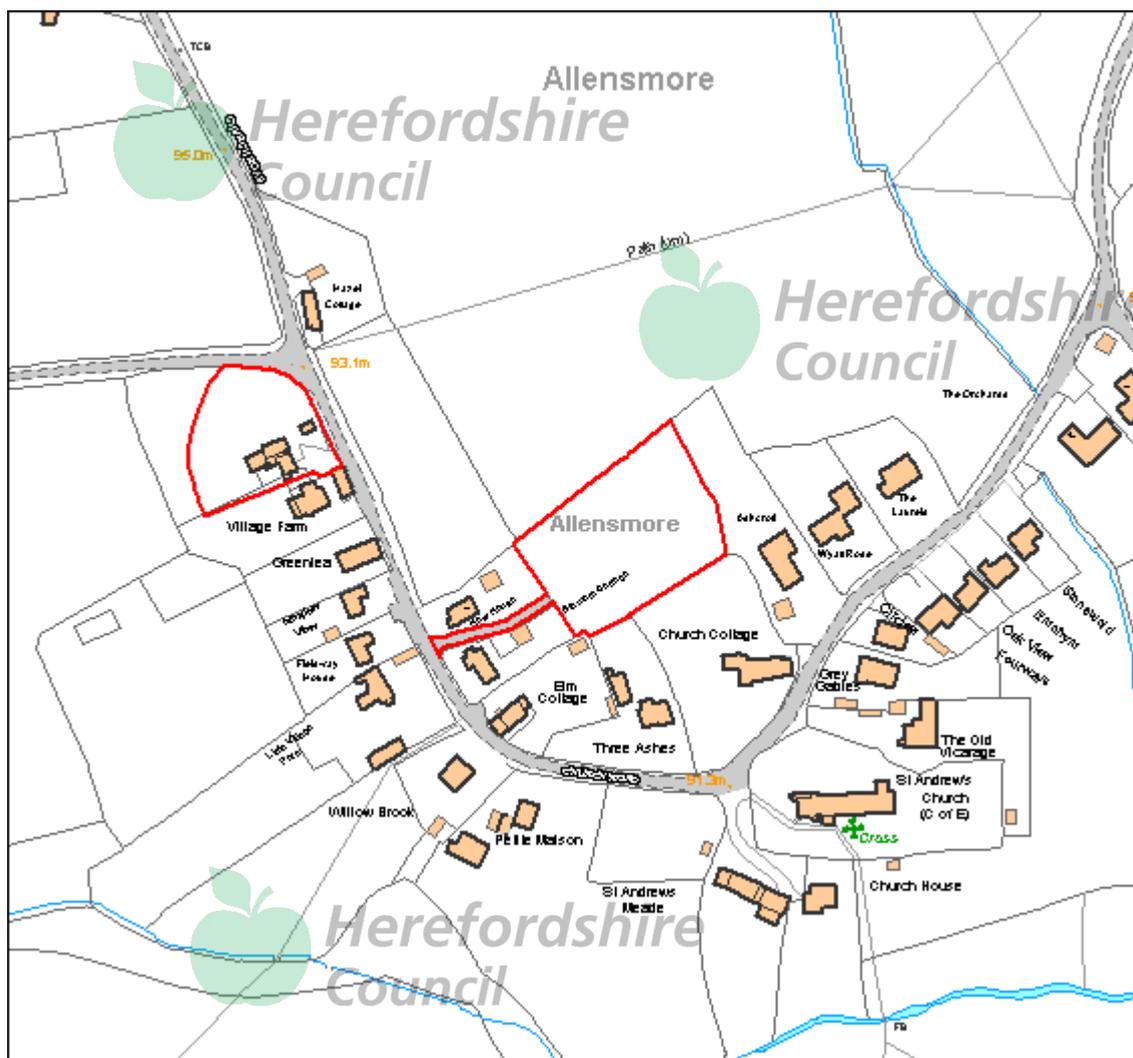
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: 183792

SITE ADDRESS : LAND TO THE EAST OF BRAMBLE COTTAGE, ALLENSMORE VILLAGE ROAD, ALLENSMORE, HEREFORDSHIRE, HR2 9AG

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