

MEETING:	PLANNING COMMITTEE
DATE:	4 MARCH 2015
TITLE OF REPORT:	143189 - PROPOSED ERECTION OF 10 NO. DWELLINGS AND ASSOCIATED HARD AND SOFT LANDSCAPING AT LAND WEST OF HOLYWELL GUTTER LANE, HEREFORD, HEREFORDSHIRE, HR1 1XN For: Ms Duggan per Mr David Wint, Imperial Chambers, Longsmith Street, Gloucester, Gloucestershire, GL1 2HT
WEBSITE LINK:	https://www.herefordshire.gov.uk/planning-and-building-control/development-control/planning-applications/details?id=143189&search=143189
Reason Application submitted to Committee – Council Land	

Date Received: 22 October 2014

Ward: Tupsley

Grid Ref: 353725,239417

Expiry Date: 22 January 2015

Local Members: Councillors JLV Kenyon, CA North, and MD Lloyd-Hayes

1. Site Description and Proposal

- 1.1 The application site lies on the eastern side of Hereford city in the area known as Hampton Dene. The site is within the Hereford City Urban settlement boundary and is defined by the bridleway Holywell Gutter Lane to its east and Gurney Avenue to its west. The site itself comprises a parcel of land that is irregular in shape and includes a rectangular parcel of land to the west of Holywell Gutter Lane that is currently disused and overgrown and land further west that is currently associated with the public open space, providing pedestrian access from Gurney Avenue to the play area and rear of the adjoining properties. This area leading to the open space is allocated within the Herefordshire Unitary Development Plan as Public Open Space.
- 1.2 The eastern boundary of the site, adjacent Holywell Gutter Lane comprises a mature mixed native hedgerow that will be retained, beyond this to the east are allotments. The northern boundary of the site with No. 40 Thistledown Grove is formed by a close board fence. To the west, the site boundaries are formed with the existing rear boundaries of the dwellings that front Gurney Avenue (nos 21 – 29). To the south are no. 31 Gurney Avenue and Corporation Farm. All dwellings in the vicinity of the application site are two storey properties that incorporate a mixture of brick and render. Corporation Farm is a period property of some architectural merit (owned by the applicant) that incorporates some brick banding and detailing to windows and roofline.
- 1.3 The application seeks planning permission for ten affordable dwellings that include 6 x 1 bed flats, 1 x 2 bed house and 1 x 3 bed house for affordable rent and 1 x 2 bed house and 1 x 3 bed house that will be shared ownership. The occupation of these dwellings will be controlled through a section 106 agreement that ensures local connection, firstly to the ward of Tupsley, secondly to the ward of Aylestone and the parishes of Hampton Bishop, Dinedor and Lower

Bullingham and thirdly to the rest of the County of Herefordshire. The ten dwellings will be served by 13 car parking spaces.

- 1.4 The proposal includes the creation of a new vehicular access from Gurney Avenue. This will be 4.5m wide with footways on either side. This enters the site and curves to the north with a turning head to the east and parking spaces and associate landscaping to the west. The pedestrian footway will extend to the south east leading to the play area and open space. This proposal includes the removal of five of the existing trees plus the existing landscaped boundary that forms the western boundary of the rectangular parcel of land. The existing trees to the south of the site along the Public Right of Way will be retained and additional landscaping provided across the site to mitigate and enhance the area.
- 1.5 Plots 5 – 10 (6 x 1 bedroom flats) lie to the east of the site and have been designed to appear as a terrace of dwellings. The design of the terrace incorporates a change in ridge heights by stepping the ridge down and articulation in the façade by stepping one of the units back slightly. The eaves heights would be 5.2m and the properties would have a ridge height of 8m. Internally the flats will provide bedrooms, living room, kitchen and bathroom. Externally landscaping is proposed to the front of the properties and garden areas to the rear. Secure cycle parking and bin stores will also be provided to the south of these dwellings.
- 1.6 To the north of the site, and at right angles to the proposed flats, two pairs of semi detached dwellings are proposed (plots 1 to 4). Two of these will be made available as shared ownership properties. Externally the dwellings will be brick, with some stone banding as detailing and porch. Internally the three bed properties will provide 84sqm of accommodation comprising a living room, kitchen / diner, wc and hallway, with three bedrooms and bathroom at first floor. The two bed units will provide 78 sqm of accommodation comprising a living room, kitchen / diner, wc and hallway, with two bedrooms and bathroom at first floor. Car parking for these dwellings would be sited to the front of the properties with some communal landscaped areas.
- 1.7 The proposals include level access from all parking areas to front and rear accesses of the properties and to the bin stores and collection points. Building entrances all have a level threshold all external routes are of a width suitable for wheelchair use.

2. Policies

2.1 National Planning Policy Framework

The following sections are of particular relevance:

Introduction - Achieving Sustainable Development
Section 4 - Promoting Sustainable Transport
Section 6 - Delivering a Wide Choice of High Quality Homes
Section 7 - Requiring Good Design
Section 8 - Promoting Healthy Communities
Section 11 - Conserving and Enhancing the Natural Environment

2.2 National Planning Practice Guidance (companion guidance to the NPPF)

2.3 Herefordshire Unitary Development Plan 2007 (HUDP)

S1	-	Sustainable Development
S2	-	Development Requirements
S3	-	Housing
S7	-	Natural and Historic Heritage
DR1	-	Design
DR3	-	Movement

DR4	-	Environment
DR5	-	Planning Obligations
DR7	-	Flood Risk
H1	-	Hereford and the Market Towns
H13	-	Sustainable Residential Design
H15	-	Density
H19	-	Open Space Requirements
T6	-	Walking
T8	-	Road Hierarchy
LA2	-	Landscape Character and Areas Least Resilient to Change
LA3	-	Setting of Settlements
LA5	-	Protection of Trees, Woodlands and Hedgerows
LA6	-	Landscaping Schemes
NC1	-	Biodiversity and Development
NC6	-	Biodiversity Action Plan Priority Habitats and Species
NC7	-	Compensation for Loss of Biodiversity
RST4	-	Safeguarding Existing Recreational Open Space
CF2	-	Foul Drainage

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

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

2.3 Herefordshire Core Strategy:

The pre-submission consultation on the Draft Local Plan – Core Strategy closed on 3 July. At the time of writing an Independent Inspector is in the process of examining the Core Strategy in order to determine its soundness. The majority of the Core Strategy policies were subject to objection and, as the examination in public is not yet complete, can be afforded only limited weight for the purposes of decision making.

SS1	-	Presumption in Favour of Sustainable Development
SS2	-	Delivering New Homes
SS3	-	Releasing Land for Residential Development
SS4	-	Movement and Transportation
SS6	-	Addressing Climate Change
H1	-	Affordable Housing – Thresholds and Targets
H3	-	Ensuring an Appropriate Range and Mix of Housing
OS2	-	Meeting Open Space, Sports and Recreation Needs
MT1	-	Traffic Management, Highway Safety and Promoting Active Travel
LD1	-	Local Distinctiveness
LD2	-	Landscape and Townscape
LD3	-	Biodiversity and Geodiversity
SD1	-	Sustainable Design and Energy Efficiency

These Herefordshire Local Plan (Pre-submission publication) policies together with any relevant supplementary planning documentation can be viewed on the Council's website by using the following link:-

<https://www.herefordshire.gov.uk/planning-and-building-control/planning-policy/core-strategy>

3. Planning History

- 3.1 HC940361/F - Demolition of existing barn, refurbishment of existing house and construction of 4 no. houses – Withdrawn
- 3.2 HC940519PF – Demolition of existing barn, refurbishment of existing house and construction of 4 no. houses – Refused

4. Consultation Summary

Statutory Consultations

- 4.1 Welsh Water raise no objection but recommend conditions be attached to any planning permission.

Internal Consultation Responses

- 4.2 The Transportation Manager recommends that any permission include conditions. Temporary closure orders may be required for the footway YF80107 during construction with a suitable diversion route provided

- 4.3 Conservation Manager (Ecology):

Thank you for consulting me on the above application. I have read the ecological report from James Johnston and broadly agree with its findings. The opportunity for protected species utilising the site seems restricted with the exception perhaps of slow-worms and nesting birds. It would be a fair assumption that some commoner bats species would utilise the area for foraging especially the boundaries but otherwise the site appears to be of little value as roost sites.

The site will be sensitive in nature conservation terms during the spring months onward in 2015 and the recommendations for timing of works and further reptile surveys are particularly important to observe especially in relation to the proposed access road construction in March 2015. An ecologist will need to oversee these works with a site inspection prior to work commencing to ensure no bird nesting is affected. It is not unreasonable also to expect the site landscaping to incorporate nature conservation in the form of a site enhancement plan.

Overall, I would be content to accept the findings of the report including the proposal for reptile (slow-worm) survey in Spring 2015 and suggest that conditions are added to any approval.

- 4.4 The Public Rights of Way Manager – No Objection

- 4.5 The Housing Manager. We are fully supportive of the above development for 10 affordable dwellings to meet an identified need. The land is currently owned by the Local Authority and discussions have taken place between Herefordshire Housing Limited (HHL) and Property Services for a considerable period of time over potential use of the land. HHL have also liaised with planning so as to achieve the best development for the site.

The dwellings are to be designed to Lifetime Homes, DQS and the minimum level 3 of Code for Sustainable Homes and allocated to those in need with a local connection to the ward of Tupsley in the first instance

4.6 The Parks and Countryside Manager has made the following comments:

UDP Policy H19 - Open Space Requirements (arising from housing development)

Developments of this size in accordance with UDP Policy H19 are usually required to provide POS on a pro rata basis. The proposal is for 100% affordable housing, which in accordance with the SPD on planning obligations is exempt from providing off site contributions. The proposal does also retain some of the existing open space/landscaping as part of the development including a footpath and has indicated improved landscaping/ planting, therefore this policy is met.

UDP Policy RST4 - Safeguarding Existing Recreation Open Space

Part of the site is zoned in the UDP under policy RST4. It is a largely “natural” area and is owned by Herefordshire Housing with limited recreational value given its size. The proposal will result in the loss of a strip along one side as it includes taking the access road through this piece of land.

UDP Policy RST4 does not permit development proposals that would result in the loss of public or private open spaces with recreational value unless there is a clear excess of outdoor open space in the area taking account of the wider recreational value. The Open Space Assessment 2006 indicates that there is a clear excess in both amenity and parks open spaces in this part of Hereford.

Given its limited value for recreation and the clear excess in provision of POS in this area, compensation under Policy RST4 is not required in this instance and this policy is met.

5. Representations

5.1 Hereford City Council - We support this application, however, higher standards of energy efficiency should be imposed (at least level 4 code)

5.2 Hampton Bishop Paris Council (Adjoining Parish) – No comments received

5.3 18 letters of objection have been received that raise the following issues:

- The proposal would result in an unacceptable loss of privacy, adversely affecting the amenities enjoyed by the occupiers of the adjacent dwellings –
- Overbearing impact upon the neighbouring properties.
- Fragmented form of development detrimental to the character of Holywell Gutter Lane and harmful to the open, rural and undeveloped character of the area.
- One bedroom flats are out of character with the area
- Layout and siting is inappropriate and unsympathetic. Lack of overspill car parking so vehicles may park on the bend of the road reducing road width and impacting upon highway safety.
- The access siting on a bend would present a considerable highway safety risk.
- Parked vehicles would block accesses.
- Internal circulation within the site is unacceptable.
- Noise and disturbance during construction.
- Additional traffic would increase noise pollution.
- Site would be better used as allotments.
- The sewerage system is already overburdened.

- 5.4 In addition to this a petition of 50 signatures has also been received in objection to the proposal on the following grounds:
- An application for 10 dwellings was refused in 1994 on the grounds that it would create a traffic hazard, be too intrusive on neighbouring houses and would result in a loss of open space.
 - The construction of the access road would lead to the loss of 5 mature trees.
 - The creation of the 7 spaces on that part of the open space between the access and 29 Gurney Ave and the vehicle movements would be detrimental to the area.
 - The loss of hedgerow would impact upon the environment and biodiversity.
 - The access position would present a traffic hazard/conflict with pedestrians / children and cyclists.
 - Noise and pollution from the vehicles.
 - The proposal would have a detrimental effect on the environment and quality of life in the area.

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

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

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

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

6. Officer's Appraisal

- 6.1 The application falls to be considered having regard to the following issue:

- The principle of development and five year housing land supply
- Design, layout and impact of the proposed development
- Highway and pedestrian safety
- Loss of protected open space (RST4)
- Section 106 – Housing Tenure and Lettings / sale policy

- 6.2 S38 (6) of the Planning and Compulsory Purchase Act 2004 states as follows:

"If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

- 6.3 In this instance the Development Plan for the area is the Herefordshire Unitary Development Plan 2007 (HUDP). The plan is time-expired, but relevant policies have been 'saved' pending the adoption of the Herefordshire Local Plan - Core Strategy. HUDP policies can only be attributed weight according to their consistency with the NPPF; the greater the degree of consistency, the greater the weight that can be attached. The pre-submission consultation on the Draft Local Plan – Core Strategy closed on 3rd July and the plan was submitted to the Inspectorate on 23rd September 2014. For the present, however, the Core Strategy Policies, which have not been examined in public, attract only very limited weight for the purposes of decision taking.

- 6.4 The two-stage process set out at S38 (6) requires, for the purpose of any determination, assessment of material considerations. In this instance, and in the context of the UDP and housing land supply deficit, the NPPF is the most significant material consideration for the purpose of decision-taking. NPPF Paragraph 215 has the practical effect of superseding UDP policies with the NPPF where there is inconsistency in approach and objectives. As such, and in the light of the housing land supply deficit, the housing policies of the NPPF must take

precedence over the UDP housing supply policies and the presumption in favour of approval as set out at NPPF paragraph 14 is engaged if development can be shown to be sustainable.

6.5 NPPF Paragraph 14 states that for decision making, the presumption in favour of sustainable development means:

- *“Approving development proposals that accord with the development plan without delay;&*
- *Where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:-*
 - *any adverse impact of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or*
 - *specific policies in this Framework indicate development should be restricted.”*

6.6 The application site lies within the urban settlement boundary of Hereford City and as such policy H1 of the Herefordshire Unitary Development Plan would apply. This policy is supportive of residential development in such locations subject to compliance with housing design and other policies of the Plan. This policy is consistent with the advice within the NPPF that directs development to settlements that are best places to meet the sustainable criteria. The sites location offers good access to the services, facilities and employment opportunities offered by Hereford City and the surrounding area.

6.7 The NPPF at paragraph 6 states that “policies in paragraphs 18 to 219, taken as a whole, constitute the Government’s view of what sustainable development in England means in practice for the planning system.” However, paragraph 7 goes on to identify the three roles of sustainable development (the economic, social and environmental).

6.8 The economic dimension encompasses the need to ensure that sufficient land is available in the right places at the right time in order to deliver sustainable economic growth. There are also economic benefits that can be attributed to the construction industry and processes. The social dimension also refers to the need to ensure an appropriate supply of housing to meet present and future needs as well as additional residents supporting the services and facilities that serve the local area. In this instance the scheme contributes towards this requirement with a mix of shared ownership and rented affordable units of various sizes meeting an identified need for the area and County. Fulfilment of the environmental role requires the protection and enhancement of our natural, built and historic environment; and, as part of this, helping to improve biodiversity.

Design, Layout and Impact of the Proposed Development

6.9 Policy H13 of the Herefordshire Unitary Development Plan and the UDP’s overall approach to design policy DR1, set out the need for all developments to achieve architectural and urban design solutions which reflect and enhance local distinctiveness, retain site features and respect their landscape and townscape context. This site has relationships with both the residential developments of Gurney Avenue and Thistledown Grove, but also plays a role in the transition from the urban to the rural area.

6.10 One of the key features is the substantial hedgerow that forms the boundary with Holywell Gutter Lane. This bridleway is a well used and important piece of infrastructure in the local Public Right of Way network. The proposed plans retain this important hedgerow, with dwellings set back from this by 5m and a visual break being retained between the rear of plots 5 – 10 and the end gable of plot 4. This relationship is not unusual to the north of the site along Holywell Gutter Lane as it progresses towards Copsewood Drive, with the gardens, rear

elevations and end gables forming an existing appropriate edge of the city that this small scale development would continue.

- 6.11 Within the site's layout there are opportunities for landscaping along boundaries and parking areas, with scope for additional landscaping along the pedestrian route through the site to the play area and Holywell Gutter Lane.
- 6.12 The proposed development and siting of the dwellings has been carefully considered in the context of the immediate neighbours. The main concern would relate to the relationship between plots 1 – 4 and the impact upon amenities enjoyed by 40 Thistledown Grove. These dwellings have been sited 12m from the boundary with this property to ensure that the proposed dwellings would not be overbearing on the garden. This is not an unusual arrangement in an urban area such as this and this can be mitigated with suitable landscaping and boundary treatments. The relationship with the dwellings on Gurney Avenue has also been carefully considered, and whilst there may be some oblique overlooking between properties the impact would not be so harmful as to warrant a reason for refusal. The use of planting and boundary treatments can help mitigate and assimilate the new development into the area.
- 6.13 The second key concern relates to the potential impact upon the quiet enjoyment of properties from the presence of the cars, parking and general residential use of the area. The impact of this would be mainly to those residents on Gurney Avenue and this impact has been carefully considered. There is little scope to alter the layout and as such there is a reliance upon sufficient and robust landscaping to ensure that there is successful integration and mitigation. The development is relatively small in scale and size, and traffic movements and activity are unlikely to be so significant that it would have a significant and demonstrable harm on the local residents. As such, the proposed development would, with the appropriate conditions, ensure that a satisfactory level of amenity is maintained in accordance with the requirements of policies DR2 and H13 of the Herefordshire Unitary Development Plan.
- 6.14 The applicants have also confirmed that they have adopted a robust approach to sustainability from the outset using a fabric first approach that results in buildings that are thermally efficient by design e.g openings and insulation options are carefully considered to minimise heat loss as a result of cold bridging, and energy saving heat, light and ventilation installations are specified. Built in recycling storage is to be provided internally and externally, along with greywater recycling facilities and secure cycle storage for each household. It is also understood that the applicants have approached the allotment management committee, to explore the feasibility of a shared surface water recycling system, which has been well received in principle.

Highway and Pedestrian Safety

- 6.15 Another key issue and concern relates to the introduction of the new access and the potential impacts upon highway and pedestrian safety. Consideration has been given to the most appropriate way to access the site, including the option of using Holywell Gutter Lane. A detailed assessment of this has been submitted that concludes that given the standard of the residential routes within the existing built development to the west of the site, combined with the more direct access to neighbouring properties and schools, whilst it may be technically feasible to provide access to the site via Holywell Gutter Lane, it would seem more practical and preferable to link the site directly to the neighbouring residential estate via the proposed access to Gurney Avenue. The short cul-de-sac serving the site would form a natural extension to the existing residential road network and would be consistent with the arrangement of similar streets connecting to the other roads within the estate. The local road network is capable of accommodating the traffic generated from ten additional dwellings without detriment to highway safety.

- 6.16 The Council's Transportation Manager is agreeable with this assessment and he has confirmed that the proposed access is one that provides acceptable visibility. The creation of this access would be subject to agreement of detailed engineering drawing of the construction and drainage of the highway and footways. The proposal includes the provision of the footway alongside the access and then turning into the public open space. This will be clearly defined to ensure pedestrian safety is maintained.
- 6.17 Local residents have also raised concerns about potential for overspill parking onto Gurney Avenue. The proposal meets the Council's required parking standards with each of the dwellings being allocated two parking spaces and the flats also having at least one space per unit, but unallocated to allow flexibility. Locally all dwellings have ample off road parking to each dwelling. There are few opportunities for on street parking on Gurney Avenue, and the presence of the new access junction is likely to discourage parking within its vicinity.

Loss of Protected Open Space (RST4)

- 6.18 Part of the site is allocated within the Herefordshire Unitary Development Plan under policy RST4 as Safeguarded recreational land. It is a largely "natural" area and is owned by Herefordshire Housing with limited recreational value given its size. The proposal will result in the loss of a strip along one side as it includes taking the access road through this piece of land. UDP Policy RST4 does not permit development proposals that would result in the loss of public or private open spaces with recreational value unless there is a clear excess of outdoor open space in the area taking account of the wider recreational value. As confirmed by the Parks and Countryside Manager, the Open Space Assessment 2006 indicates that there is a clear excess in both amenity and parks open spaces in this part of Hereford. Given its limited value for recreation and the clear excess in provision of Public Open Space in this area, compensation under Policy RST4 is not required in this instance and the proposal is considered to be policy compliant.

Section 106 – Housing Tenure and Lettings/Sale Policy

- 6.19 Following public consultation with the applicants and discussions with the Ward Councillors, changes were made to the proposal to include 2 shared ownership properties (1 x 2 bed and 1 x 3 bed). It has also been made clear that there will be a local lettings / sales policy in place and controlled via a Section 106 agreement.
- 6.20 Priority will be given to applicants with a local connection firstly to the ward of Tupsley, secondly to the ward of Aylestone and the parishes of Hampton Bishop, Dinedor and Lower Bullingham and thirdly to the rest of the County of Herefordshire.

Local connection will be prioritised as follows:

- 1) Normally Resident - having resided in the ward for 6 of the last 12 months or 3 of the last 5 years.
- 2) Employed - employed in the ward (or a formal offer of employment). Family Association - where a household has parents, children, brothers or sisters currently residing in the ward.
- 3) Support - a need to give or receive care or support to enable someone to live independently in the ward.
- 4) Special Circumstances – this is not ordinarily used, but can be applied where another form of local connection is supported by the Local Authority and ward members for a particular household.

- 6.21 The social benefits of the proposed scheme in the provision of the housing are acknowledged as being significant in their own right, and must be given significant weight in the decision making process. What these changes ensure is that the local community will be the beneficiary, in the first instance, of this provision.

Other Matters

- 6.22 The proposal also successfully addresses the issues relating to biodiversity and the Council's Ecologist has confirmed that subject to the imposition of conditions, the proposed development would comply with policies NC1, NC7, NC8 and NC9 of the Herefordshire Unitary Development Plan and with the guidance contained within the Unitary Development Plan. Conditions in respect of the protection of trees and hedgerows that are to remain are recommended by way of conditions, along with mitigation and enhancement measures recommended by the ecologist. In this respect, the environmental role of the proposed development is also addressed.
- 6.23 Some concern has also been raised in representations about the sewerage capacity in the area. Welsh Water has been consulted and raises no objection to the proposal subject to conditions being imposed.

Conclusion

- 6.24 The application site is located within the existing urban settlement boundary, in a location that is considered to be sustainable. The application has been fully considered having regard to the policies of the Unitary Development Plan and is considered to be compliant with these relevant policies. No adverse impacts have been identified in this assessment of the proposal that would significantly or demonstrably outweigh the benefits of this proposed scheme.
- 6.25 In this instance the economic benefits may be taken to include jobs in the construction of the proposed development, increased spending power of new residents to support local shops and services, income from the New Homes Bonus, plus the additional Council Tax receipts.
- 6.26 The social benefits may be taken to include the delivery of affordable housing to address an existing local need plus support for existing services. The provision of affordable housing should, in the context of a housing land supply shortfall and district wide shortage of affordable housing, attract substantial weight.
- 6.27 In terms of the environmental role, the scheme delivers benefits in terms of bio-diversity enhancement and management and the Council's Ecologist expresses support for the proposal. The site's design and layout also supports the development environmental role by respecting the character of the built environment and the sites transitional role between urban and rural contexts. Landscaping and protection of existing features are of particular importance here and conditions are recommended.
- 6.28 The potential impacts of the proposed development in respect of impacts upon amenity and the risk of indiscriminate parking on the highway are considered to minimal, and could not be quantified as a significant or demonstrable harm that would outweigh the benefits. Having regard to the above, the proposal is considered to represent sustainable development and as such the presumption in favour of development should apply. The proposal is recommended for approval with conditions.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

1. **A01 Time limit for commencement (full permission)**
2. **B01 Development in accordance with the approved plans**
3. **B07 Section 106 Agreement to secure affordable housing tenure**
4. **C01 Samples of external materials**
5. **The recommendations set out in Section 5 of the ecologist's report from James Johnston dated October 2014 should be followed in relation to species mitigation and habitat enhancement. Prior to commencement of the main site development, a reptile survey should be conducted to ascertain presence or absence of slow worm and the results submitted in a report the findings of which should be endorsed by the local authority.**

An appropriately qualified and experienced ecological clerk of works should be appointed (or consultant engaged in that capacity) to oversee the ecological mitigation work.

Reasons:

To ensure that all species are protected having regard to the Wildlife and Countryside Act 1981 (as amended), the Conservation of Habitats and Species Regulations 2010 and Policies NC1, NC6 and NC7 of the Herefordshire Unitary Development Plan.

To comply with Policies NC8 and NC9 of Herefordshire's Unitary Development Plan in relation to Nature Conservation and Biodiversity and to meet the requirements of the NPPF and the NERC Act 2006.

6. **Prior to the commencement of any site development, a habitat enhancement plan integrated with the landscape proposals should be submitted to, and be approved in writing by, the local planning authority, and the work shall be implemented as approved.**

An appropriately qualified and experienced ecological clerk of works should be appointed (or consultant engaged in that capacity) to oversee the ecological mitigation work.

Reasons:

To ensure that all species are protected having regard to the Wildlife and Countryside Act 1981 (as amended), the Conservation of Habitats and Species Regulations 2010 and Policies NC1, NC6 and NC7 of the Herefordshire Unitary Development Plan

To comply with Policies NC8 and NC9 of Herefordshire's Unitary Development Plan in relation to Nature Conservation and Biodiversity and to meet the requirements of the NPPF and the NERC Act 2006.

7. **G04 Protection of trees/hedgerows that are to be retained**

8. **G10 Landscaping scheme**
9. **G11 Landscaping scheme - implementation**
10. **G15 Landscape maintenance arrangements**
11. **H06 Vehicular access construction**
12. **H13 Access, turning area and parking**
13. **H19 On site roads - phasing**
14. **H21 Wheel washing**
15. **H27 Parking for site operatives**
16. **I51 Details of slab levels**
17. **L01 Foul/surface water drainage**
18. **L02 No surface water to connect to public system**
19. **L04 Comprehensive & Integrated draining of site**
20. **I16 Restriction of hours during construction**
21. **H26 Access location (routing along Hampton Pk Road)**

INFORMATIVES:

1. **HN02 Public rights of way affected**

A public right of way crosses the site of this permission. The permission does not authorise the stopping up or diversion of the right of way. The right of way may be stopped up or diverted by Order under Section 257 of the Town and Country Planning Act 1990 provided that the Order is made before the development is carried out. If the right of way is obstructed before the Order is made, the Order cannot proceed until the obstruction is removed.

2. **HN08 Section 38 Agreement & Drainage details**

3. **HN28 Highways Design Guide and Specification**

4. **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, including any representations that have been received. It has subsequently determined to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.**

5. **N11C General**

6. **N14 Party Wall Act 1996**

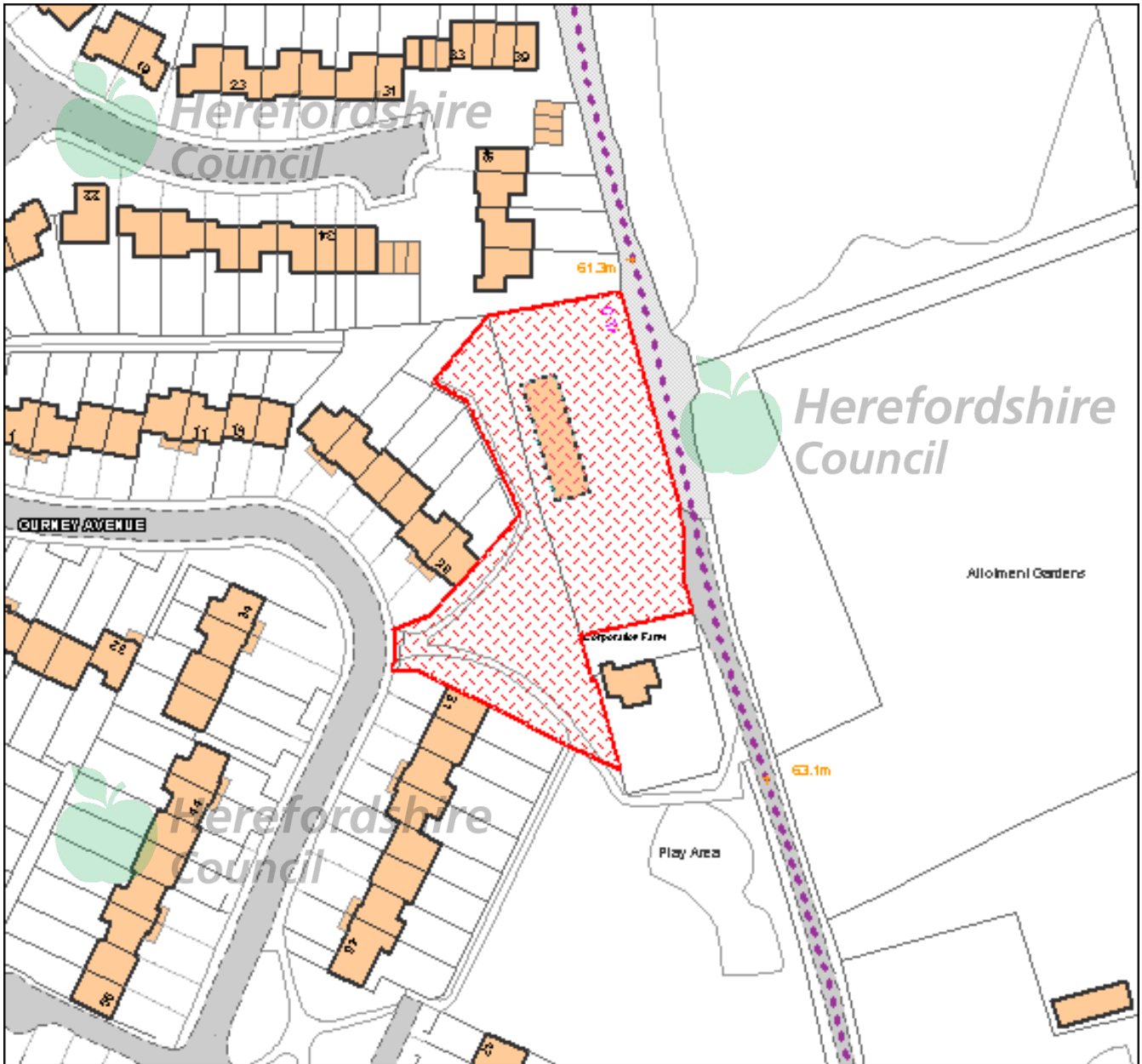
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: 143189

SITE ADDRESS : LAND WEST OF HOLYWELL GUTTER LANE, HEREFORD, HEREFORDSHIRE, HR1 1XN

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