

<b>MEETING:</b>	<b>PLANNING COMMITTEE</b>
<b>DATE:</b>	<b>13 JANUARY 2016</b>
<b>TITLE OF REPORT:</b>	<p><b>150659 - DEMOLITION OF ALL EXISTING BUILDINGS AND HARD STANDINGS, REMEDIATION OF THE SITE, INCLUDING REINSTATEMENT OR LANDSCAPING OF THE FORMER CANAL AND DEVELOPMENT OF UP TO 120 HOMES, LANDSCAPING, PUBLIC OPEN SPACE, NEW VEHICLE AND PEDESTRIAN ACCESS AND ASSOCIATED WORKS AT HOLMER TRADING ESTATE, COLLEGE ROAD, HEREFORD.</b></p> <p><b>For: The Owner per Mr Ben Stephenson, Greyfriars House, Greyfriars Road, Cardiff, CF10 3AL</b></p>
<b>WEBSITE LINK:</b>	<a href="https://www.herefordshire.gov.uk/planning-and-building-control/development-control/planning-applications/details?id=150659&amp;search=150659">https://www.herefordshire.gov.uk/planning-and-building-control/development-control/planning-applications/details?id=150659&amp;search=150659</a>
<b>Reason Application submitted to Committee – Re-direction</b>	

**Date Received: 5 March 2015**

**Ward: Holmer**

**Grid Ref: 351720,241781**

**Expiry Date: 31<sup>st</sup> January 2016**

Local Member: Councillor AR Round

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

- 1.1 Outline planning permission with all matters bar access reserved is sought for the demolition of all existing buildings and hard standing, remediation of the site, including reinstatement or safeguarding of the former canal and the erection of up to 120 homes with associated landscaping, public open space and new vehicular and pedestrian access.
- 1.2 The site is Holmer Trading Estate which comprises 3.7ha of employment land accessed from College Road opposite the former site of the Bridge Inn. The site is bound to the north by the Hereford – Newport rail line and to the south by the route of the Hereford to Gloucester Canal. Cavanagh's, a business specialising in automotive body repairs, is located at the site's south-eastern corner and maintains a right of vehicular access across the site. Aylestone Park is immediately to the east.
- 1.3 Historically the site was occupied by a tile works and is previously developed land within the city, approximately 1.8km from the city centre. The tile works closed around 1960 and the majority of buildings on site were demolished during the 1970s, with a minority retained and converted to business use. Demolition material was used to infill the route of the canal. This material is contaminated.

- 1.4 A scheme for the comprehensive redevelopment of Holmer Trading Estate was allowed on appeal in 2009. This consisted of a mixed-use scheme of up to 115 dwellings (mostly apartments), employment and retail development, along with the restoration of the canal. This permission has not been implemented and is considered to be unviable.

#### The Proposal

- 1.5 The current proposal involves the demolition of all buildings on site and the breaking up of all hardstanding and redevelopment for housing with no employment or retail. Historic contamination would be remediated. The scheme would comprise the erection of up to 120 dwellings including 1 & 2 bed apartments and 2-5 bed dwellings, with the final mix of market and affordable housing to be determined at the Reserved Matters stage.
- 1.6 Access from College Road would be as per the 2009 appeal scheme, with the formation of a mini-roundabout and signalised junction over the railway bridge. The treatment of the canal within the scheme is the determining factor influencing the site layout and viability, with the application presented with the flexibility to either facilitate restoration of the canal or safeguard the route with dedication of the land to the Canal Trust for restoration at a later date. It is contended, however, that restoration of the canal and the associated costs will militate against the ability of the scheme to deliver affordable housing and other S106 contributions.
- 1.7 At 120 dwellings, the scheme has a gross density of 32 dwellings/hectare. It is intended that the majority of dwellings are 2-storey. Although made in outline, the application is accompanied by a Development Framework Plan which identifies the key constraints, including noise emanating from Cavanaghs and the need to preserve their right of vehicular access as well as safeguarding the canal.
- 1.8 The Planning Statement explains that buildings and compounds on the site are let on a short term basis with all occupiers aware of the likelihood of redevelopment as a consequence of the 2007 application and consequent allowed appeal. It is also noted that private drainage arrangements exist and that the redevelopment would enable the separation and appropriate treatment of surface water and foul drainage.
- 1.9 The application is accompanied by the following technical studies:
- Topographic Survey
  - Flood Risk and Drainage Assessment
  - Noise Assessment (with update)
  - Ground conditions/Contamination Survey
  - Ecological Survey; updated with reptile surveys
  - Arboricultural Survey
  - Transport Assessment
  - Engineering Statement regarding the canal
  - Statement of Community Involvement – A public consultation event was held on 28<sup>th</sup> October 2014. This was held at the RNC with invitations delivered to households in Victoria Park. The event was also advertised in the Hereford Times.

- 1.10 The Council has adopted a Screening Opinion confirming it does not consider the scheme to represent development requiring the submission of an Environment Statement.

## 2. Policies

### Herefordshire Local Plan – Core Strategy

- |     |     |   |  |
|-----|-----|---|--|
| 2.1 | SS1 | - | Presumption in Favour of Sustainable Development |
|     | SS2 | - | Delivering New Homes                             |

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Further information on the subject of this report is available from Mr Edward Thomas on 01432 260479

SS3	-	Releasing Land for Residential Development
SS4	-	Movement and Transportation
SS6	-	Addressing Climate Change
HD1	-	Hereford
HD3	-	Hereford Movement
HD7	-	Hereford Employment Provision
H1	-	Affordable Housing – Thresholds and Targets
H3	-	Ensuring an Appropriate Range and Mix of Housing
E2	-	Redevelopment of Existing Employment Land and Buildings
OS1	-	Requirement for Open Space, Sports and Recreation Facilities
OS2	-	Meeting Open Space, Sports and Recreation Needs
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	-	Wastewater Treatment and River Water Quality
ID1	-	Infrastructure Delivery

## 2.2 National Planning Policy Framework

Introduction	-	Achieving Sustainable Development
Section 4	-	Promoting Sustainable Communities
Section 6	-	Delivering a Wide Choice of High Quality Homes
Section 7	-	Requiring Good Design
Section 8	-	Promoting Healthy Communities
Section 11	-	Conserving and Enhancing the Natural Environment
Section 12	-	Conserving and Enhancing the Historic Environment

## 2.3 The Core Strategy policies together with any relevant supplementary planning documentation can be viewed on the Council's website by using the following link:-

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

## 3. Planning History

### 3.1 DCCE2007/1655/O – Mixed use development comprising residential (115 units), employment (office, industrial and warehousing), retail and supporting infrastructure including new access off College Road, roads, footpaths, open spaces, landscaping, parking and re-opening of part of canal at Holmer Trading Estate, Hereford, HR1 1JS – Refused 3<sup>rd</sup> September 2008 and allowed on appeal 21<sup>st</sup> August 2009.

This mixed use scheme comprised up to 115 dwellings, 605 square metres of office space, 4,600 square metres of industrial land and 1,500 square metres of retail floor space. The residential element was at 85 dwellings/hectare (including 4-storey apartments). This permission has never been implemented but was subject of an application from the previous owners to extend the lifetime of the permission (S121750).

The current applicant's contention is that the appeal scheme is unviable and that four-storey apartments would be inappropriate in the local context.

## 4. Consultation Summary

### Statutory Consultees

#### 4.1 Environment Agency: No objection subject to conditions

We have reviewed the submitted preliminary risk assessment by Waterman Energy, Environment & Design Limited dated September 2014, and would agree that based on the former land uses, nature of the underlying strata, and proximity of the infilled canal as a controlled waters receptor, this site is of medium vulnerability to pollution. We would concur with the conclusions of the report that further characterisation of the contamination needs to be done and we would also like to highlight that a risk assessment and remediation methodology will also be required.

#### 4.2 Welsh Water: No objections subject to conditions

### Internal Council Consultees

#### 4.3 Transportation Manager: Recommends conditions

The application is in outline and the internal layout will be determined at the Reserved Matters stage. In designing the internal layout, care and consideration must be given to the pedestrian and cycle desire lines and the usage of the access by HGV's and the number of visitors to the Cavanagh's site.

Parking will need to be to HC Design Guide and if garages are to be used, the internal dimensions need to be 6m x 3m. The internal layout will need to be adopted under s38 agreement.

The access and links will need to be provided as part of the development, without these the site will not be sustainable from a transport perspective. Please see the conditions below:

### **CAP** - Junction improvement/off site works

Development shall not begin until details of the following off-site highway works have been submitted to and approved in writing by the local planning authority and a S278/S38 agreement has been entered into, and the development shall not be occupied until the scheme has been constructed in accordance with the approved details.

The works identified are:

Suitable access to the site has been designed and road safety audited and to include the following:

- Pedestrian footpath to the north and south linking to the existing footpaths on College Road
- Include into the design the access to the development to the North.
- Signalised control of the bridge to enable a footpath link
- Safe crossings from the site linking to the Playing fields off Old School Lane (cycles and pedestrians; for pedestrians north of the railway bridge to cross to the eastern side of College Road; from the site to the footpath on the west to cross the railway bridge and to link to the path north of the public open space.

The design should incorporate the redevelopment opposite and utilise Toucan crossings where the opportunity arises.

- A full construction footway cycle link to the south linking to the existing path south of the site adjacent to Wessington Drive, future proofing for any canal works proposed. Plus link to Wessington Drive itself.
- Identifying and implementing any Traffic Regulation Orders required ensuring the safe passage of pedestrians and traffic in the vicinity of the proposed works.

#### 4.4 Economic Development Manager: Qualified comment

I understand that given the uncertainty current tenants have faced over their future occupation at the Holmer Trading Estate site and the ongoing prospect of the site being redeveloped, a number of businesses have commenced the process of finding new, alternative accommodation across the city. Whilst it is realised that the applicant has no obligation to assist businesses to relocate off the site, redevelopment of the estate will displace some currently successful businesses, with resulting uncertainty over future location and viability.

I recognise that to mitigate this impact the applicant has appointed local agents to engage with tenants to assist in finding alternative accommodation, obviously the success of such searches will vary from business to business due to their individual requirements.

It would be useful to have further clarity from the agents over the current status of each business in terms of finding a new location so it is possible to ascertain which businesses are yet to identify a future operating location. We would ask that the local agent works closely with the Economic Development team to determine potentially suitable alternative accommodation and to communicate this quickly to the tenants.

It is also recognised that the emerging policy framework, as presented through the Core Strategy, has gained a level of certainty with the recent adoption of the Core Strategy by Herefordshire Council. The Core Strategy provides for the redevelopment of “moderate and poor” quality employment sites, as defined in “The Employment Land Study 2012”, as detailed under Policy E2.

It has previously been noted that Cavanaghs Auto Body Repair shop is directly affected by the application as the access to their site is accessed through the application site and the proposed residential uses. Additionally the application framework plan indicates that residential uses will be located directly opposite the existing Cavanaghs site.

I have previously raised concerns regarding the potential conflict of uses between the new residential element and the Cavanaghs site and the prospect to negatively impact on the operations of Cavanaghs. I am aware that the applicant has presented a solution to planning and Environmental Health colleagues and that they are content that this solution provides an acceptable level of mitigation with regard to noise attenuation. In this situation I must defer to the expertise of colleagues and their opinion over the presented mitigation.

I am also conscious of the arguments made by the Canal Trust that the development offers the opportunity to restore a section of the canal, which would assist with the long-term objective of delivering a fully restored and continuous route; as per CS policy E4. This long-term project will provide economic benefits to the city and county as a whole that need to be weighed against the loss of employment land. Thus it is my opinion that the potential threat to the viable delivery of the canal should this application be refused, should be borne in mind.

Given the points made above, specifically the Core Strategy policies and the opinions of Environmental Health colleagues, the Economic Development team withdraw the original objection to the application.

#### 4.5 Land Drainage Consultant: No objection subject to conditions

### **Fluvial Flood Risk**

Figure 1 indicates that the site is located in the low risk Flood Zone 1, where the annual probability of flooding from fluvial sources is less than 0.1% (1 in 1000). As the site is greater than 1 ha, a Flood Risk Assessment (FRA) is required in accordance with National Planning Policy Framework (NPPF) as part of the planning application. A FRA has been provided by the Applicant, which confirms the low fluvial flood risk at the site.

### **Other Considerations and Sources of Flood Risk**

As required by NPPF, FRAs are required to consider flood risk from other sources. The potential flood risk from groundwater, impounded bodies of water, sewers and off-site overland flows has not been considered as part of the Applicant's submitted FRA. Whilst we do not believe that these areas would pose a particular risk to the site, we would welcome an appropriately evidenced statement of this by the Applicant.

### **Surface Water Drainage**

The Applicant has provided a surface water management strategy for the development. Surface water runoff from the development will be drained to a Dwr Cymru Welsh Water (DCWW) adoptable underground pipe network before being discharged, at attenuated rates, to the Gloucestershire and Herefordshire Canal, which is to be reinstated as part of the development. Surface water attenuation components will be split such that the 30-year storage will be provided by oversized pipes or precast storage tanks which will be adopted by DCWW. Additional storage up to and including the 100-year event will be provided by underground cellular storage tanks and porous pavement located outside of the adoptable highway. The Applicant proposes that these devices are to be maintained by a private management company. Whilst we accept that the above approach to surface water management is practical, we would ask that further consideration be given to the use of at-ground and near-surface SUDS techniques which integrate with the development's areas of open spaces - thus ensuring that the potential use of best-practice SUDS techniques has been maximised.

The Applicant's submitted drainage strategy has initially discounted the use of infiltration as a means of surface water disposal on the grounds of historic ground contamination. We note the Applicant's intention to undertake infiltration/contaminant leaching testing to further assess the viability of using infiltration as a means of surface water disposal. We welcome this approach and would want to see some degree of infiltration used on the site if deemed feasible. The Applicant has indicated that the development provides 16.5% betterment in terms of pre- and post-development impermeable area. Additionally, the Applicant is proposing to further restrict post-development runoff rates to provide mitigation for the potential future effects of climate change. We welcome this approach.

We note that the intention of the surface water drainage strategy is to retain all runoff within below-ground attenuation structures for events up to and including the 100-year event. We would ask that at detailed design stage, the Applicant considers and illustrates likely overland flow routes that would be utilised in the event of a failure in the drainage network or for exceedance design events.

We recommend the Applicant considers the control of potential pollution of receiving waters from vehicles and other potentially contaminating sources. SUDS treatment of surface water is considered to be the preferential means of achieving water quality enhancements. We request that the Applicant demonstrates at detailed design stage that at least two levels of treatment are achieved prior to discharge from site.

### **Foul Water Drainage**

The submitted FRA states that DCWW have been consulted with regards to foul water discharge from the development and have confirmed there is capacity in the existing sewage system. The FRA indicates that the preferred method of foul sewage disposal is via a gravity

connection to the existing DCWW foul sewer located to the east of the site. We concur with this approach.

### **Overall Comment**

For outline planning permission we have no objections in principle to the proposed development on the grounds of flood risk and drainage. The site is located entirely within Flood Zone 1 and the submitted FRA and surface water management plan have demonstrated that the flood risk to the site or downstream of the site is unlikely to be increased due to the development up to the 1 in 100 year event with an allowance for climate change. However we recommend the following is provided as part of any subsequent reserved matters application:-

- A statement assessing the potential flood risk from groundwater, impounded bodies of water, sewers and off-site overland flows;
- Provision of a detailed drainage strategy indicating final drainage arrangements and presenting all relevant supporting calculations. The strategy should demonstrate that the opportunities for the use of SUDS features has been maximised, according to feasibility. Results of infiltration testing undertaken in accordance with BRE365 and results of recorded groundwater levels;
- Indicative overland flow/exceedance routes to be of relevance in the event of drainage network failure;
- Demonstration that appropriate pollution control measures have been incorporated into the surface water drainage design.
- Final confirmation of the agreed adoption and maintenance arrangements for the surface water drainage system.

#### 4.6 Environmental Health Manager (Noise): Qualified comment

I can advise that although there are some differences in the predicted noise levels between the August and October 2015 reports on the impacts of Industrial Noise upon the Proposed Residential Dwellings, I do not consider these to be significant and confirmation has been provided that the noise is predicted at the first-floor level. My view as expressed in my response dated the 23rd September 2015 therefore remains substantially the same. I would however express reservations as regards the possible levels of night time noise that could affect parts of the proposed development in that although they are predicted to be within the World Health Organisation Guidelines I am concerned that these levels could be detrimental to the internal amenity of residents particularly those residing closest to Cavanagh's body shop, and whilst not wishing to raise an objection to the proposed development I would recommend that permission is only considered subject to a condition requiring that a scheme of noise protection measures be agreed in writing prior to the commencement of the development and implemented before the dwellings are occupied. The exact nature of these measures will to some extent depend on the final detail of the development, however it is envisaged that they will include the measures identified in the February and October 2015 noise assessments plus additional measures such as acoustically treated passive vents and upgraded fenestration to some properties, particularly those closest to Cavanagh's body shop.

#### 4.7 Housing Development Manager: Qualified comment

The application states that there may be issues of viability and that this could impact on the S106 contributions. The affordable housing requirements for policy compliant delivery are as follows:-

- 35% or 42 units in total,
- Tenure mix of 54% (22) Social rent and 46% (20) intermediate
- Mix of 1, 2, 3 and 4 beds (exact numbers to be confirmed)

If there is a requirement to reinstate the canal fully and this has an impact on S106 contributions, then negotiations can take place subject to confirmation of viability.

Affordable Housing delivery within the area that this site sits, the number of affordable units delivered since 2009 is set out below.

Planning granted and delivered = 101

Planning granted outline = up to 17

Planning RM or Full = 6

As you are aware affordable housing is a high priority, but the question is whether the canal is a higher priority? It is clear that the delivery of both would not be a viable option and I am extremely reluctant to lose the affordable housing. However, if Members feel that the long-term priority is the delivery of the canal, the alignment for which cannot be moved but is governed by the need to connect with the western tunnel portal, then I would accept the decision. Nonetheless, I would like to request there be a clause in the S106 that should any allocated money for the canal not be spent, then it is to be re-allocated as a commuted sum for the delivery of affordable housing in the vicinity.

#### 4.8 Parks and Countryside Manager: No objection

These revised comments are made in light of the Core Strategy Policy requirements and POS, Play and Outdoors sports needs have been reviewed, in support of the overall viability of the scheme and the options of reinstating the canal. The on and off site requirements are seen as both policy and CIL compliant.

In accordance with Core Strategy OS1 and OS2, open space provision will be sought from all new residential development and considered on a site by site basis in accordance with all applicable set standards of quantity, quality and accessibility.

For 120 houses and at a population rate of 2.3 per house (276 persons) the developer should provide as a minimum the following on and off site provision supported by evidence bases findings to ensure that both the existing and future populations have access to the best quality sustainable facilities to meet their needs.

It is also understood that what is provided will be dependant of the viability of the scheme but it is hoped that there will be as little compromise as possible.

##### On-site provision - Children's Play and POS

- Children's play area:

(@ 0.8ha per 1000 pop) equates to 0.22ha (2,200sq m) of which 0.07ha (700sqm) should be formal equipped play and 1,500sq m should be informal. For this site this can be reduced to provide approximately a third to 470sq m for infants and juniors only. The informal area could also be reduced by a third to 1,000sq m.

This takes into account the proximity to existing play areas including that at Aylestone Park which is within acceptable thresholds for older children. Aylestone Park is a good quality neighbourhood park which has recently been installed to accommodate requirements for this part of Hereford and as such requires no current investment and no off-site contribution towards this facility is required.

The applicant has made provision for a play area on site which is supported including its location to the east end of the site given the nature of the proposal and links in and out of the site. This should be aimed at provision for younger children (infants and juniors)



- POS: (@ 0.4ha per 1000 pop) equates to 0.1 ha (1,000sq m)

Off-site Provision: Outdoor Sport.

Investment is required in support of providing additional and improving existing outdoors sports facilities in Hereford to meet the needs of the future populations up to 2031 and in doing so address deficiencies in both quality and quantity as evidenced in the Playing Pitch Assessment for Hereford Area 2012 updated 2014 and the Outdoor Sports Investment Plan which is currently being prepared in partnership with the National Governing Bodies for Sport, (NGBs) Sport England and the County Sports Partnership. This plan will complete soon and sets out a list of priority projects which are considered sustainable, deliverable and manageable and have the support of the NGBs for cricket, football, hockey and rugby.

Contributions are calculated as follows:

- Total Investment costs for all projects in Hereford City: £6,239,052
- Core Strategy housing requirements: 6,500 houses identified for Hereford City
- This equates to £960 per market house
- For 78 market houses (65% of 120) @ £960 per house total: £74,880

Option 2 Linear Park POS: It is advised that at the outset new residents are made aware what this area is for and that its use as an amenity green space will be limited once the canal is reinstated. The Council will not adopt this area and to avoid future legal issues and complications it is advised that the land is transferred freehold directly to the Canal Trust who would then be responsible for its management and reinstatement.

On-site Play Area Adoption: Suitable management and maintenance arrangements will be required to support any provision of open space and associated infrastructure within the open space in line with the Council's policies. This could be a management company which is demonstrably adequately self-funded or will be funded through an acceptable on-going arrangement; or through local arrangements such as a Trust set up for the new community for example. There is a need to ensure good quality maintenance programmes are agreed and implemented and that the areas remain available for public use

SuDS: it is noted that the applicant has made mention of SuDS but no detail is provided at this stage. On site SuDS ponds with careful design to take account of health and safety and standing water issues can provide good semi natural POS for both biodiversity and natural play and recreation opportunities. They will need to be designed in accordance with national SUDS guidance and will require a detailed ecological/site management plan and annual work plan.

4.9 Conservation Manager (Archaeology): No objection

4.10 Conservation Manager (Ecology): Recommends conditions

I have read the additional survey work for reptiles and birds requested and I am happy with the findings. If the application is to be approved I advise that the following non-standard condition is attached:

*The recommendations for species mitigations set out in Section 5 of the ecologist's reports from Ecology Services dated November 2015 and habitat enhancements set out within Section 5 of the ecologist's reports from Ecology Services dated February 2015 should be followed unless otherwise agreed in writing by the local planning authority and the scheme shall be carried out as approved. A working method statement for protected species present and habitat enhancement plan should be submitted to the local planning authority in writing. The plan shall be implemented as approved.*

4.11 Schools Capital and Investment Manager: No objection.

## 5. Representations

5.1 Hereford City Council: Objection. The response cites impacts on traffic congestion in relation to the skew bridge and the potential that 120 dwellings would represent over-development of the site. The City Council estimates that 120 dwellings could generate as many as 200 vehicles coming onto an already well used road and notwithstanding the junction improvement proposed they will be coming onto the road near a sharp bend and very narrow bridge. The bridge is already a cause of congestion and any proposal to increase the traffic flow in College Road must take that into account.

5.2 Ten objections have been received. All are from existing businesses or employees operating from Holmer Trading Estate:-

- The majority of businesses operating at Holmer Trading Estate are very well established and have grown during their tenure. Their trading names are now synonymous with the estate;
- The estate may be considered to represent 'poor quality' employment land, but it is an important site for many small businesses, offering affordable premises in a convenient location;
- Many businesses have invested significant sums in their respective premises. This will be abortive cost if businesses are forced to relocate;
- Attempting to try and relocate businesses to a different place it will be a very stressful experience for business owners and employees:
- Finding a competitive and geographically suitable place to relocate business takes time and money. There appears to be a dearth of opportunity
- Certain businesses may not be able to find suitable place to relocate to or it will be far too expensive for business to survive efficiently and profitably. It will also be an extra cost to any company advertisements and administrative documents.
- Businesses will suffer commercial loss during the period when in "relocation transit".
- The 2009 appeal proposal at least allowed for the retention of some commercial land and many existing businesses were to be accommodated on that land had that scheme progressed. The current application may be for needed housing, but it does not allow for any employment opportunities whatsoever.

5.3 A 670 signature petition supporting the retention of existing businesses at Holmer Trading Estate has also been received.

5.4 Herefordshire and Gloucestershire Canal Trust: Updated comment: Please take this as supplemental to our earlier comments and holding Objection.

Obviously our Objection will remain in place until such time as a suitable tri-partite s.106 is signed delivering the Canal and maintenance income. We would wholly support the scheme subject to that s.106.

For clarity the s.106 for delivery of a restored Canal through this site is required as:-

1. It is a fundamental breach of Policy if this scheme does not deliver the Canal, as to not deliver the scheme at the time of the adjoining development would severely Prejudice the delivery not only of the Canal on this site but also within the City. It is therefore a Breach not only of the wider Canal Policies but also those for the Canal Basin area Policies as well, which is reliant on the connecting Canal. There is no alternative route at this location due to the Aylestone Tunnel [in perfect condition; we have full diving surveys] and the close proximity of the high pressure gas main.

2. The development proposals include development of the cutting side and require significant retaining walls as shown in the developers own drawings. This is development on the associated infrastructure of the Waterway which is protected within and beyond the protected corridor and is in Breach of the Protection Policy. This would also completely Prejudice the restoration of the Canal due to significantly increasing its restoration costs in Breach of Policy. However, with a suitable tri-partite s.106 to ensure restoration of the Canal and provision of these retaining walls and other infrastructure at the time of development and income stream we would fully support the proposals subject to all other matters herein.

3. It should be noted that the site requires decontamination at the time of the development. Neither the Trust nor the Council would have the resources to do this at a later date. It is not viable to restore this section after development undertaking such heavy civil engineering immediately adjoining the new properties and in conflict with the site access road, and to do so would Prejudice the restoration in Breach of Policy.

The only viable way to restore the Canal through this site in our lifetimes is as an integral part of a redevelopment scheme. Any failure to deliver this will not only be a Breach of Policy on several counts but also will prejudice the redevelopment of the Canal Basin and bringing forward developments closer to the city centre.

It should be remembered that the Canal will bring significant Economic benefits to the area which will help mitigate for the loss of employment land on this site. The British Waterways report in 2009 indexed and updated to today projects in the order of £30m/year and 650 jobs.

The previous inspector applied significant weight to this and the wider benefits of the Canal on this site:-

*20. On the main issue, I have found that the proposal would conflict with UDP Policy E5, and would be likely, by reason of the loss of some employment land and possible hardship for some existing tenants, to result in harm. However, in my judgement, the Canal restoration, and its resultant benefits to long-term planning objectives for the City, are material considerations in this case, which are sufficient to outweigh the conflict with the development plan and the limited harm I have identified.*

We should make clear that the drawings supplied for the 'restoring the Canal option' do however have our full support. Subject to a suitable tri-party s.106 covering restoration of the Canal and ongoing maintenance contributions our Objection will be removed and we wholly support this scheme which would see a crucial section of Canal within the City delivered.

We must stress that this scheme with delivery of the Canal is the only potential means which we can realistically see for delivering the Canal on this site. That will dramatically increase the attractiveness and viability of delivering the Canal within the City and as identified with Dwr Cymru - Welsh Water and the Environment Agency provide a route for surface water disposal [we have already invested some £35k delivering the storm overflow weir at Aylestone Park to provide for this].

Subject to an agreed tri-partite s.106 we fully Support this Application and will remove our existing Objection.

- 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 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."*

- 6.2 In this instance the Development Plan for the area is the Herefordshire Local Plan - Core Strategy (CS). A range of CS policies, referred to at section 2.1, are relevant. The strategic Policy SS1 sets out a presumption in favour of sustainable development, reflective of the positive presumption enshrined in the NPPF. SS1 confirms that proposals that accord with the policies of the CS (and, where relevant other Development Plan Documents and Neighbourhood Development Plans) will be approved, unless material considerations indicate otherwise.
- 6.3 As per the NPPF, the delivery of sustainable housing development to meet objectively assessed need is a central theme of the CS. Policy SS2 'Delivering new homes' confirms that Hereford, with the market towns in the tier below, is the main focus for new housing development. SS2 also confirms the use of "previously developed land in sustainable locations will be encouraged."
- 6.4 It is also clear that failure to maintain a robust NPPF compliant supply of housing land will render the housing supply policies of the CS out-of-date. Policy SS3 'Ensuring sufficient housing land delivery' thus imposes requirements on the Council in the event that completions fall below the trajectory set out in Appendix 4.6.5 In this case the proposal is for residential redevelopment of an existing employment site within the City of Hereford which is rated as poor quality and where planning permission exists for a mixed use redevelopment that is not considered viable.
- 6.5 CS Policies SS2 and HD1 direct that housing applications in Hereford be supported in principle, with the use of brownfield land preferred. As the application site is located within the city of Hereford it is inherently sustainable in its location offering good access to facilities and services.
- 6.6 The key issue is the loss of employment land in the context of Core Strategy policies which aim to achieve a deliverable supply of housing land, as set out above, whilst maintaining and enhancing employment opportunities across the county. Flowing from this is a discussion in relation to viability and the approach to affordable housing and restoration of the Hereford to Gloucester canal, in the knowledge that to remain viable the development will not be able to support full restoration of the canal alongside the requisite 35% affordable housing and other S106 contributions.

### The loss of Employment Land

- 6.7 The Core Strategy confirms that 'Best and Good' quality employment land in the county, as defined in the *Employment Land Study 2012* will continue to be safeguarded for employment generating uses and general industry. 'Policy E1 – Employment Provision' identifies the focus for new employment provision in Herefordshire is to provide a range of locations, types and sizes of employment buildings, land and offices to meet the needs of the local economy. Larger

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Further information on the subject of this report is available from Mr Edward Thomas on 01432 260479

employment proposals will be directed to the strategic employment sites of Hereford, the market towns and rural industrial estates where appropriate. More appropriate and better use of existing employment land will be supported.

- 6.8 However, central to determination of this application insofar as the loss of employment land is concerned, is Policy E2 'Redevelopment of existing employment land and buildings.' This policy takes a hierarchical approach to safeguarding employment land and buildings with that rated as 'best' and 'good' safeguarded from redevelopment to other non-employment uses.
- 6.9 Proposals which would result in the loss of employment land rated as 'moderate' will be permitted where certain conditions are met; which include safeguards relating to the overall provision of employment land supply in the area. The hierarchical element of the Policy makes no reference at all to 'poor' rated employment land and buildings, and yet the precise wording does go on to state that in all cases [where loss of employment land is proposed] the viability of the development proposal must be confirmed through a comprehensive assessment and there must be evidence of appropriate and active marketing of at least 12 months... and it can be shown that such marketing has been unsuccessful.
- 6.10 The Policy approach, as clarified in supporting text at 5.2.18, is to safeguard 'best' and 'good' employment land. The Policy allows for a considered view in relation to the redevelopment of 'moderate' quality employment land, subject to qualifications which include measures to safeguard the overall supply and quality of employment land. In making no reference to 'poor' rated land, but in the context of the afore-defined hierarchical approach, the Policy thus appears to support the redevelopment of 'poor' rated employment land and buildings for non-employment purposes; particularly where a viable development proposal has been confirmed and the non-viability of an employment led redevelopment has also been demonstrated.
- 6.11 The applicant has submitted a viability report which has been independently assessed by the District Valuation Office. This has confirmed that the scheme cannot support the canal redevelopment *and* affordable housing. From this it can be inferred that an employment-led or mixed use redevelopment scheme would not be capable of delivering the restored canal either; and would not make any contribution towards housing supply. This position was accepted by the appeal Inspector in 2009, when he recognised on the evidence before him that a wholly employment-led redevelopment of the site, given the remediation costs, would be unlikely to be viable.
- 6.12 Application of Policy E2 as outlined above has consequences for the occupiers of poor rated employment land and buildings. The comprehensive redevelopment of the site for residential use will result in the displacement of existing businesses on the site, leading to the problems set out by objectors at 5.2 above. In response the applicants have appointed local land agents to assist with the relocation of tenants and the Council's Economic Development team has also assisted. At the time of writing vacancy rates are high with 45% of the available units/compounds empty. A number of existing tenants have relocated to alternative premises, including Frank's Biscuits, whose owners and employees account for 3 of the 10 letters of objection received.
- 6.13 Moreover, while the 2009 appeal scheme allowed for retention of some employment land, not all existing occupiers would have benefitted from this accommodation and even in the light of the S106 attached to that permission, those that did would have been liable to suffer a temporary impact on trade.
- 6.14 Whilst there is genuine sympathy for the potential hardship for existing tenants who have hitherto been unable to find alternative premises, the wording of recently adopted Policy E2 is clear insofar as the hierarchical approach prioritises the safeguarding of 'best' and 'good' quality land above 'moderate' and 'poor'.

- 6.15 In conclusion on this issue, officers consider that in the context of Policy E2 and clear evidence relating to the non-viability of an employment-led redevelopment, officers consider the principle of residential development on a sustainably located brownfield site within the city of Hereford is acceptable.

#### The Hereford to Gloucester Canal

- 6.16 The safeguarding of the historic route of the canal is a recurrent objective of the CS. The wording of policies attached to Hereford City Centre and the Ledbury Viaduct site identifies a requirement that schemes contribute both land and financial contributions for certain canal-related projects. For instance Policy HD2 – Hereford City Centre, outlines that development within the city centre will be expected, where possible, to provide developer contributions in the form of land and finance towards the formation of the canal basin terminus. There is a similar requirement in relation to the Ledbury Viaduct housing allocation.

- 6.17 Elsewhere, and in relation to schemes that are not subject to such policies, the approach to the restoration of the canal is set out in Policy E4 – Tourism. This site is one which does not benefit from a site specific policy and thus must be held in the context of Policy E4:-

*“Herefordshire will be promoted as a destination for quality leisure visits and sustainable tourism by utilising, conserving and enhancing the county’s unique environmental and heritage assets and by recognising the intrinsic character and beauty of the countryside. In particular, the tourist industry will be supported by a number of measures including, inter alia, the safeguarding of the historic route of the Herefordshire and Gloucestershire Canal (shown on the Policies Map), together with its infrastructure, buildings, towpath and features. Where the original alignment cannot be re-established, a corridor allowing for deviations will be safeguarded. New developments within or immediately adjoining the safeguarded corridor will be required to incorporate land for canal restoration. Development not connected with the canal that would prevent or prejudice the restoration of a continuous route will not be permitted.”*

- 6.18 The application has been prepared in the light of this policy and its forerunner in the Unitary Development Plan RST9, and is presented as an opportunity to restore this section of the canal, which links back to that already restored to the east adjacent to Aylestone Park. To the west the canal passes through a tunnel portal. A canal restoration technical note has been prepared and it is clear that substantial remediation is required in order to reinstate the canal to its original working level. This is a consequence of the volume of material that was pushed into the canal when the former tile works were demolished.
- 6.19 Given the cost associated with the restoration of the canal, which is calculated at c.£3 million, the applicants have prepared a viability assessment, which has been appraised independently by the District Valuation office (DV) on instruction by the Council. The DV has confirmed that the proposal could not remain viable whilst restoring the canal *and* delivering 35% affordable housing (42 units) and other S106 contributions towards education, play and sustainable transport.
- 6.20 On this basis a choice must be made between two competing issues; restoration of the canal versus the provision of affordable housing. Both are strategic priorities and whilst officers consider a decision in either direction would not be irrational, close scrutiny of the wording of the policies involved leads officers to the conclusion that more weight should be given to the restoration of the canal in this instance and that affordable housing and other S106 contributions can legitimately be set aside.
- 6.21 Policy E4, quoted above at 6.17, concludes with the sentence that *“Development not connected with the canal that would prevent or prejudice the restoration of a continuous route will not be permitted.”* Thus, where it can be demonstrated beyond reasonable doubt that development

would prevent or prejudice restoration of a continuous route, it should not be permitted – or put another way, it should be refused.

- 6.22 Officers would refer Members at this point to the Canal Trust's comments at 5.4 above. In summary these contend that the development without canal restoration would be prejudicial to the long-term delivery of a continuous route for the following reasons:
- 1) Restoration of the canal can only be viable if undertaken in conjunction with adjoining redevelopment. Failure to do so would render future restoration impractical and unviable;
  - 2) The current development proposal makes an incursion into the historic route, but subject to a suitable S106 agreement is accepted by the Trust as being necessary to facilitate delivery;
  - 3) The route of the canal cannot be moved along this stretch, but must align with the tunnel portal to the west. It cannot be moved;
  - 4) Not undertaking restoration concurrently with redevelopment would present future occupants with considerable uncertainty as to when the canal restoration might be undertaken, with potential for considerable loss of amenity as and when it did;
  - 5) Failure to deliver this section of the canal with adjoining redevelopment would not only be contradictory to Policy E4, but also that element of HD2 (Hereford City Centre), which requires land and financial contributions to support the canal and its intended terminus;
  - 6) The 2009 appeal inspector noted the potential benefits to the city arising from the long-term restoration of the canal were sufficient to offset the loss of employment land and was, in the inspector's view, the decisive factor;
  - 7) The entire site requires remediation and the most practical and cost-effective way is via a comprehensive redevelopment that delivers the housing and canal simultaneously.
- 6.23 Officers consider that these issues when considered in the round are sufficient to demonstrate that safeguarding of the route and deferral of restoration until a later date is highly likely to prejudice to the delivery of a continuous route and is in conflict with Policies E4 and HD2 and all relevant supporting text. Whilst officers are content that the canal could be delivered in isolation after the completion of the residential development, this does not account for the fact that neither the Council nor Canal Trust are likely to have the wherewithal to meet the costs of remediation. Clearly, Members will form their own view on this, yet it is apparent that remediation of this stretch of the canal is, owing to the nature of the fill material, going to be extremely expensive and more than any form of redevelopment other than residential could support.
- 6.24 Although it is accepted that a fully detailed cost for the restoration cannot be guaranteed at this stage, the volume of material used to infill the canal can be quantified and the cost of its disposal is likely to account for the majority of the project cost, irrespective of the detail of the remainder of the scheme. This, allied to other market-led factors illustrates the extent to which the appeal scheme, which left the amount to be contributed towards the canal unspecified, is unviable.
- 6.25 The Housing Delivery Officer has expressed disappointment at the potential foregoing of affordable housing on this site, but is equally well aware of the Core Strategy objective that the continuous route of the canal be delivered. If Members are minded to approve a scheme that prioritises restoration of the canal, it is recommended that the S106 agreement include a claw-back mechanism whereby in the event that the canal restoration is not as costly as first assumed, a commuted sum will be paid to the Council for the purpose of delivering affordable housing elsewhere.
- 6.26 Weighing all of the above in the balance and having regard to the conflict with H1 if affordable housing is not delivered, officers nonetheless consider that the potential prejudice to the long-term restoration of the canal should carry more weight in this specific case.

## Noise

- 6.27 The application site is bounded to the north by the rail line and Cavanaghs automotive repair workshop to the immediate south-east. Whilst noise impacts arising from the railway have been considered acceptable by the Environmental Health Officer, the noise emanating from Cavanaghs via wall-mounted extraction equipment facing onto the application site has been subject to more consideration.
- 6.28 The issue was considered by the appeal Inspector who imposed a series of conditions which required, *inter alia*, the formulation of a scheme of acoustic attenuation in relation to Cavanaghs extraction fans. The applicant's response to this issue has been to devise a range of measures aimed at reducing noise at the façade of the nearest dwellings to acceptable levels. This has involved the proposed formation of a landscaped bund with acoustic fence erected on top, at a sufficient height and density to mitigate the noise such that other defensive measures e.g. non-opening windows, are not necessary. This illustrative scheme has been the subject of direct consultation with the Council's Environmental Health Officer and Cavanaghs themselves and neither has objected. Subject to the imposition of a condition requiring the agreement and implementation of a detailed scheme of acoustic attenuation at the Reserved Matters stage, officers are content that off-site noise sources do not present a basis for refusal. Officers are content in the local context that a landscaped bund with overtopping acoustic fence of the type envisaged would be acceptable from an aesthetic perspective.

## Transport

- 6.29 The site is well placed to benefit from sustainable modes of transport. There are a number of local bus services connecting to the city centre and a network of local footpaths and dedicated cycle lanes.
- 6.30 The detailed access proposals are as per those designed for the 2009 appeal, with the formation of a mini roundabout and signals on the railway bridge, which enable the formation of a footway. These off site works are to be delivered by the developer as S278 works.

## Other Matters

### *Foul and surface water betterment*

- 6.31 Existing foul drainage for the site is non-mains, with septic tanks and treated effluent discharging to the route of the canal and potentially the restored canal to the east. Likewise surface water, on what is a largely impermeable site, runs off towards the canal. The development would provide new drainage infrastructure separating foul and surface water, with the ability to attenuate the latter such that run-off in various storm events is reduced by comparison to the existing rates. This represents betterment as regards both the volume and ability to treat potentially contaminated run-off. Detailed surface water management will be subject to condition.

### *Ecology*

- 6.32 The Conservation Manager (Ecology) has considered the findings of the updated bird and reptile survey, which were undertaken post submission of the application on his advice. The Conservation Manager has read and agrees with the findings of the supplementary reports and has no objection subject to the imposition of conditions.

### *Conditions & S106*

- 6.33 Conditions are attached to the recommendation. Beyond those regulating implementation and highway works, noise attenuation is required in relation to Cavanaghs and road and rail noise.



These conditions are those imposed by the appeal inspector in 2009. Conditions requiring the agreement of foul and surface water drainage arrangements are also imposed.

6.34 Insofar as the S106 is concerned, the 2009 agreement provides some precedent and will be a tri-partite agreement between the developer, Council and Canal Trust. It will be necessary to consider appropriate mechanisms to ensure timely delivery of all facets of the development and the proposed affordable housing claw-back mechanism should the restoration of the canal not prove as costly as first assumed.

## 7. Conclusion

7.1 This application is for the redevelopment of the existing trading estate for housing. This is in the context that the site is within the city on brownfield land. The scheme asks Members to take a view in relation to two principal issues. Firstly, in the context of Policy E2 and the planning history, Members will need to form a view as to whether the loss of employment land is acceptable in this case. If the answer to this is positive, Members will then need to consider whether, in the context of the viability appraisal, priority should be given to the restoration of the canal or the provision of affordable housing; it being clear that the scheme cannot support both.

7.2 The officer recommendation is that outline planning permission be granted subject to planning conditions and the completion of a S106 agreement, with priority given to canal restoration.

In summary this recommendation is made on the following grounds:-

- Holmer Trading Estate is categorised as 'poor' quality employment land and buildings that CS Policy E2 allows for redevelopment where viability assessment has proved retention or redevelopment for employment uses would be unviable;
- A viable redevelopment scheme is in the best interests of the proper planning of the area; a position recognised by the appeal inspector in 2009;
- The scheme will, depending on Member direction, contribute towards reinstatement of an important and costly section of the Hereford-Gloucester canal;
- Otherwise the scheme will make a valuable contribution to the supply of housing, including 42 affordable units, on a sustainable site within easy reach of the city centre and various local amenities;
- The scheme offers other benefits in the form of remediation of contaminated land, attenuation of surface water and connection of foul drainage to the mains sewer;
- A number of the existing tenants would not have been accommodated on site via the 2009 appeal scheme on the basis they would not have been compatible with the housing approved as part of that mixed-use scheme. In this respect the loss of B2 General Industrial uses from the site has previously been accepted.

7.3 Whilst paying due regard to the hardship caused to long-established tenants of the estate, it must be acknowledged that the adopted Policies of the CS, principally in the form of E2, do not give officers the latitude to object to the principle of redevelopment of 'poor' rated employment land in this case. It is ultimately this that underpins the recommendation, with Members required to take a judgement as to whether they consider the importance of restoring the canal outweighs the delivery of affordable housing. Having regard to the specific nature of the application site and its environs, officers consider that in this case the restoration of the canal should carry more weight as to not deliver the canal now would cast doubt on the ability to do so at a point in the future. The delivery of 120 dwellings, irrespective of whether this includes affordable housing, is also a significant material consideration in support of approval.

## RECOMMENDATION

Subject to the completion of a Section 106 Town & Country Planning Act 1990 obligation agreement, the scope of which will be determined according to the Members' decision, officers named in the Scheme of Delegation to Officers are authorised to grant outline planning permission, subject to the conditions below and any other further conditions considered necessary:

1. A02 Time limit for submission of reserved matters (outline permission)
2. A03 Time limit for commencement (outline permission)
3. A04 Approval of reserved matters
4. A05 Plans and particulars of reserved matters
5. B03 Amended plans
6. H06 Vehicular access construction
7. H17 Junction improvement/off site works
8. H19 On site roads – phasing
9. H20 Road completion
10. H21 Wheel washing
11. H27 Parking for site operatives
12. H29 Covered and secure cycle parking provision
13. H31 Outline travel plan
14. No development, or phasing as agreed below, shall take place until the following components of a scheme to deal with the risks associated with contamination of the site are submitted to and approved in writing, by the local planning authority
  - 1) A site investigation scheme, based on the preliminary risk assessment, Holmer Trading Estate, College Road, Hereford, September 2014, Waterman Energy, Environment & Design Limited., to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
  - 2) The site investigation results and the detailed risk assessment (1) and, based on these, an options appraisal and remediation strategy, if necessary, of the remediation measures required and how they are to be undertaken.
  - 3) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (2) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. This should include any proposed phasing of demolition or commencement of other works.
  - 4) Prior to occupation of any part of the development (unless in accordance with agreed phasing under part 3 above) a verification (validation) report demonstrating completion of the works set out in the approved remediation strategy (2 and 3). The

report shall include results of any sampling and monitoring. It shall also include any plan (a “long-term monitoring and maintenance plan”) for longer term monitoring of pollutant linkages, maintenance and arrangements for contingency action and for the reporting of this to the Local Planning Authority. Any changes to these components require the express written consent of the Local Planning Authority. The scheme shall be implemented as approved. Reason: To protect ground and surface waters (‘controlled waters’ as defined under the Water Resources Act 1991). Condition: If during development, contamination not previously identified, is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority, a Method Statement for remediation. The Method Statement must detail how this unsuspected contamination shall be dealt with. A verification (validation) report demonstrating completion of the works set out in the method statement shall be submitted to and approved in writing by the Local Planning Authority. The report shall include results of any sampling and monitoring. It shall also include any plan (a “long-term monitoring and maintenance plan”) for longer term monitoring of pollutant linkages, maintenance and arrangements for contingency action and for the reporting of this to the Local Planning Authority. Reason: To ensure that any unexpected contamination is dealt with and the development complies with approved details in the interests of protection of ground and surface waters (‘controlled waters’ as defined under the Water Resources Act 1991).

15. G19 details of play equipment
16. G10 Landscaping scheme
17. G11 Landscaping implementation
18. G14 Landscape management plan
19. L01 Foul/surface water drainage
20. L02 No surface water to connect to public system
21. L03 No drainage run-off to public system
22. L04 Comprehensive and integrated draining of site
23. The recommendations for species mitigations set out in Section 5 of the ecologist’s reports from Ecology Services dated November 2015 and habitat enhancements set out within Section 5 of the ecologist’s reports from Ecology Services dated February 2015 should be followed unless otherwise agreed in writing by the local planning authority and the scheme shall be carried out as approved. A working method statement for protected species present and habitat enhancement plan should be submitted to the local planning authority in writing. The plan shall be implemented as approved.  
  
Reason: To ensure that all species are protected having regard to the Wildlife and Countryside Act 1981 (with amendments and as supplemented by the Countryside and Rights of Way Act 2000), the Natural Environment and Rural Communities Act 2006 and the Conservation of Habitats and Species Regulations 2010 (and 2012 amendment).
24. Development shall not commence until a scheme to safeguard the residential units hereby permitted from road traffic, railway and industrial noise has been submitted

to and approved in writing by the local planning authority. All works which form part of the approved scheme shall be completed before occupation of any dwellings and shall thereafter be retained.

Reason: To protect the amenities of the residential units hereby approved so as to comply with Policy SD1 of the Herefordshire Local Plan – Core Strategy and the NPPF.

25. Prior to the commencement of development, details of a scheme for acoustic attenuation of noise from the extract fans at Cavanaghs shall be submitted to and approved in writing by the local planning authority. The scheme shall be implemented in accordance with the approved details prior to first occupation of any of the residential units hereby permitted and any works or attenuation measures shall thereafter be retained.

Reason: To protect the amenities of the residential units hereby approved so as to comply with Policy SD1 of the Herefordshire Local Plan – Core Strategy and the NPPF.

**INFORMATIVES:**

1. Statement of positive and proactive working
2. S106
3. HN01 Mud on Highway
4. HN04 Private Apparatus Within Highway
5. HN05 Works Within the Highway
6. HN07 Section 278 Agreement
7. HN08 Section 38 Agreement and Drainage Details
8. HN10 No Drainage to Discharge to Highway
9. HN21 Extraordinary Maintenance
10. HN25 Travel Plans
11. HN27 Annual Travel Plan Reviews
12. HN28 Highway Design Guide and Specification

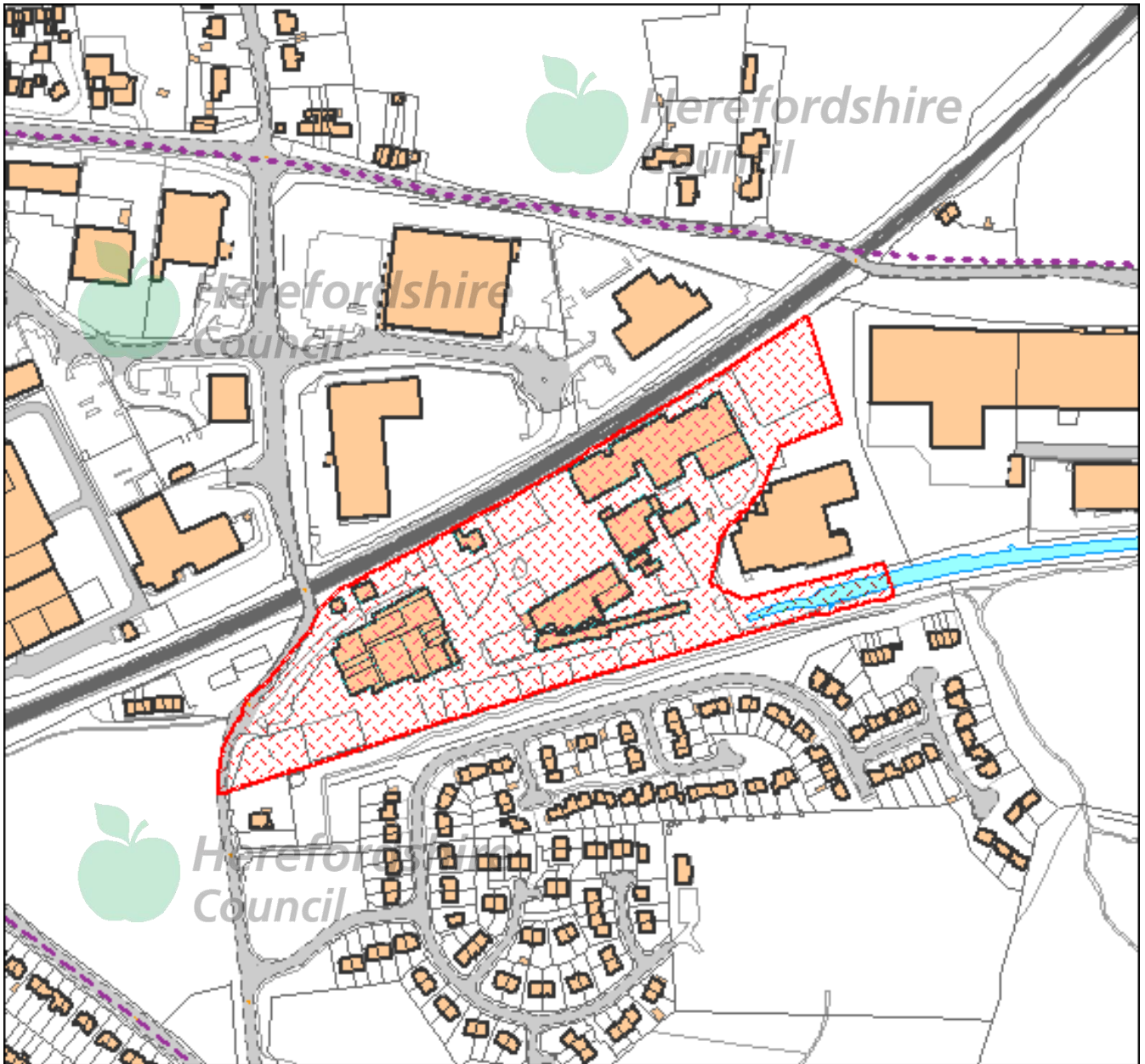
Decision: .....

Notes: .....

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**Background Papers**

Internal departmental consultation replies.



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**APPLICATION NO:** 150659

**SITE ADDRESS :** LAND AT HOLMER TRADING ESTATE, COLLEGE ROAD, HEREFORD,  
HEREFORDSHIRE

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