

MEETING:	PLANNING COMMITTEE
DATE:	13 JANUARY 2016
TITLE OF REPORT:	151937 - PROPOSED DEMOLITION OF EXISTING BUILDINGS AND ERECTION OF 28 NOS DWELLING HOUSES WITH DETAILS OF ACCESS AND ALL OTHER MATTERS RESERVED AT LAND ADJACENT TO NEWLANDS, STOKE LACY, HEREFORD. For: Ms Edwards per Mr Jeremy Houghton, Vesey House, 5-7 High Street, Sutton Coldfield, Birmingham, B72 1XH
WEBSITE LINK:	https://www.herefordshire.gov.uk/planning-and-building-control/development-control/planning-applications/details?id=151937&search=
Reason Application submitted to Committee – Redirection	

Date Received: 29 June 2015

Ward: Three Crosses

Grid Ref: 362592,250378

Expiry Date: 20 October 2015

Local Member: Councillor JG Lester

1. Site Description and Proposal

- 1.1 The site is located on the A465 on the north eastern edge of Stoke Lacy, and approximately 5 kilometres from Bromyard. It slopes gently from north to south and amounts to 1.59 hectares of land which is a mix of rough grazing land and residential curtilage of a C20th chalet style bungalow known as Newlands. It is bounded to the roadside by a mature mixed species hedgerow and three dwellings bound to the south.
- 1.2 The village is split into two parts. Stoke Lacy is the historic core which includes the church and a number of farmsteads, whilst Stoke Cross comprises more recent development, has a higher concentration of residential properties, and includes the parish hall, public house and employment uses. The village is also served by a local bus route that runs between Bromyard and Hereford and the bus stops for each direction are within 50 metres of the site.
- 1.3 The application is made in outline with all matters apart from access reserved for future consideration and is for the erection of 28 dwellings. The application is supported by the following documents:
- Planning Statement
 - Design & Access Statement
 - Landscape & Visual Assessment
 - Arboricultural Assessment
 - Transport Statement
 - Noise Assessment
 - Ecological Appraisal

Further information on the subject of this report is available from Mr A Banks on 01432 383085

- Flood Risk Assessment
- Outline Drainage Strategy

- 1.4 The Transport Statement includes details of the proposed junction layout in accordance with the request to determine the proposed means of access at outline stage. A seven day speed survey has also been completed and the results of this have been used to determine the extent of visibility splays required in either direction at the new junction, and also to determine a suite of highway improvements which would include the extension of the 30mph limit further to the east.
- 1.5 The submission otherwise includes an indicative master plan that shows a layout based on the proposed development of 28 dwellings. This includes the demolition of Newlands and the closure of its access. As submitted, the scheme would amount to a density of approximately 18 dwellings per hectare. The plan also indicates the provision of two areas of open space; one to the western end of the site at its narrowest point, and one in the eastern corner bounding the A465 and an adjoining property, Crossfield Cottage. The site is at its lowest point here and the indicative master plan suggests that this would be the most appropriate location for a surface water attenuation pond.
- 1.5 Heads of Terms have been agreed with the applicant's agent and are appended to the report.

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 Herefordshire Local Plan - Core Strategy:

SS1	-	Presumption in Favour of Sustainable Development
SS2	-	Delivering New Homes
SS3	-	Releasing Land For Residential Development
SS4	-	Movement and Transportation
SS6	-	Environmental Quality and Local Distinctiveness
RA1	-	Rural Housing Distribution
RA2	-	Herefordshire's Villages
H1	-	Affordable Housing – Thresholds and Targets
H3	-	Ensuring an Appropriate Range and Mix of Housing
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
ID1	-	Infrastructure Delivery

2.3 Neighbourhood Planning

Stoke Lacy Parish Council are not at the present time producing a Neighbourhood Plan.

2.4 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 There is no planning history relevant to the application site.

4. **Consultation Summary**

Statutory Consultations

4.1 Welsh Water – No objection subject to conditions relating to the separate treatment of foul and surface water. Initial concerns raised about the impact of the proposed development on water supply have been retracted and no objection is raised in this particular regard.

Internal Council Consultees

4.2 Transportation Manager – The speed and use of the A465 is cause for concern as overtaking occurs at this location. This is an outline application, therefore the access is the only consideration. A speed survey has provided data which requires a visibility splay of $x = 2.4m$ and y distance = 160m to the east and 140m to towards the village, west. These are achievable.

The concern remains in regards to Highway Safety, The applicant has agreed to put together a package of measures as part of a S278 Agreement to mitigate and improve the situation in the location which include:-

- Extend the TRO
- Gateway features
- Reduce carriageway width
- Footpath fronting the site linking to the village
- Improve the bus passenger waiting facilities closest to the site

The scheme will also need to have houses visible to the road to provide the sense of place to help minimise the traffic speed and impact. The proposal limits this impact, can the layout be rethought to maximise the impact of the development?

The effect of housing fronting the road is evident in the county, this needs to be built on, with this and the above package of improvements, the development can provide mitigation and help reduce speed and the potential overtaking in this location.

There are a number of accidents on the A465 though not in the past 5 years in this location. Intensification through the development, has risk associated though the measures proposed will mitigate the impact of the development.

If you are minded to approve, please condition to cover the points raised above.

4.3 Conservation Manager

Ecology - The maintenance of over 0.36 ha of herb rich grassland in the eastern field is particularly welcome with a proper meadow management regime as a benefit of this development. I note also that there are bats the roost for which will be adequately catered for in the new build intended. I am content that there are no other major issues for ecology and have no objection to the development if approved subject to condition.

Landscape - The Council's Landscape Officer confirms that he has read the Landscape and Visual Assessment submitted as part of the application and the indicative master plan dated June 2015. His comments are as follows:

The proposal will require the removal of a section of existing native hedgerow on the north western site boundary and the loss of several existing trees on site. In compensation for this loss the proposed tree planting should indicate what ecological enhancements are to be achieved through the proposed new tree planting.

The landscape character of the proposed site is that of Timbered Plateau Farmlands which is composed of field boundary hedgerows which are thrown into visual prominence by the landform along with wooded valleys, dingles and an ancient wooded character. Proposed soft landscape boundary features should emphasis this landscape character.

The proposed housing density is higher than the adjacent existing housing in the village. This along with the loss of a green field site will change the character of the village. There are views into the site from the south from the nearby footpath SL6. This visual impact when seen from footpath SL6 requires sensitive mitigation to reduce this visual impact.

As mentioned previously, parallel to the southern boundary of the site there is a public right of way footpath (SL6). Further tree planting should be proposed to screen views from this footpath and from the adjacent existing nearby housing. Where appropriate native evergreen trees should be positioned adjacent to the proposed properties on the southern boundary.

Several existing mature trees are to be lost with this housing proposal. Existing trees and hedgerows to remain on site should therefore be protected appropriately during the demolition and construction activities on site.

Due to the distance from the site proposal and lack of inter-visibility there will be potentially no impact on Listed Buildings within the village.

4.4 Parks & Countryside Manager- The green infrastructure is so located as to provide opportunities for the whole development to access some amenity space but the applicant has not indicated how large any of these areas are or indeed if they are suitable for informal recreation. In accordance with the Play Facilities Study, formal play is probably not required on this site, given Stoke Lacy Parish falls below the threshold of 1000 population but access to informal play opportunities is required and this should be considered either on-site or via access to the wider countryside. For example:

- on-site provision can include SuDs areas which if carefully designed to take account of standing water and health and safety can not only provide opportunities for wildlife but also for informal recreation.
- off-site provision can include improving access to wider countryside via the Public Rights of Way network in and around the village. This is in acknowledgement that access to the wider countryside provides valuable informal recreation opportunities in the more rural parishes.

I would ask therefore that the applicant either demonstrates that on-site provision is both adequate in both size and usage for informal recreation in meeting policy requirements or that they are willing to contribute to improving access to the wider countryside in accordance with the Public Rights of Way Improvement Plan.

- 4.5 Waste Operations Team Leader - Wheeled bin collection for a limited number of properties will not be possible under the current plans. The presentation point (location that residents has to put their bin ready for emptying by collection crews) should be at the boundary of the property closest to the public highway and not be more than 25 meters from the point on the highway that an RCV can safely access. In this area we operate an 18 tonne RCV. Plot numbers where collection in accordance with the guideline of within 25m of where the vehicle can access are 1-4, 18-20, 26, 27.

Development will require 1 x 180 litre general rubbish bin and 1 x 240 litre green recycling bin for each property therefore s.106 contribution of £2240 is requested.

- 4.6 Housing Manager – No objection subject to the completion of a Section 106 Agreement to secure affordable housing type and tenure in perpetuity.
- 4.7 Environmental Health Manager (Noise) - I have concerns about the impact of road traffic noise from the A465 in relation to the proposed houses closest to this road.

This is in particular reference to the Laeq external measures in the gardens of proposed houses 10m away from the road with a reading of 63dB. This is not acceptable.

Consideration must be given to orientation of the dwellings and gardens on the site so that they are either further away from the road or orientated such that they are screen by the residential properties themselves. Noise levels in external areas ie gardens should achieve the BS8233 standard of 50dB.

Consideration will also need to be given to reduction of noise levels in internal rooms with the windows and appropriate mitigation measures as discussed in the report. House design could also include the orientation of the living spaces and sleeping areas where possible so as to give maximum mitigation.

- 4.8 Education Manager- The educational facilities provided for this development site are Burley Gate Primary School and Queen Elizabeth Humanities College.

Burley Gate Primary School has a planned admission number of 15. As at the schools summer census 2015:

- 4 year groups are at or over capacity- YR=16, Y4=15, Y5=17, Y6=17

The school will require additional classroom space to accommodate the needs of the children created by this development and we would therefore be seeking the contribution to provide an extension to the classroom space at the school.

Queen Elizabeth Secondary School has a planned admission number of 80. As at the schools summer census 2015:

- All Year groups have spare capacity- no contribution

In accordance with the SPD the Children's Wellbeing Directorate would therefore be looking for a contribution to be made that would go towards the inclusion of all additional children generated by this development. The Children's Wellbeing contribution for this development would be as follows:

Contribution by No of Bedrooms	Primary
2+bedroom/apartment	£1,084
2/3 bedroom house/bungalow	£1,899
4+ bedroom	£3,111

5. Representations

5.1 Stoke Lacy Parish Council

Whilst the Parish Council is not against this application for development within the village in principle it wishes to raise the following points for consideration:

- Although Stoke Lacy requires some new houses, and in particular affordable/starter homes for our community, in the Parish Councillors' opinion the current proposal constitutes an overdevelopment of this site.
- The proposed development will have negative impact on existing houses in the immediate locality.
- Although the village has a public house, a village hall and a church, there is no general shop or village school and the bus service has recently been reduced.

5.2 West Mercia Police

I do not wish to formally object to the proposals at this time. However there are opportunities to design out crime and/or the fear of crime and to promote community safety.

I note that this application does not make any specific references to crime reduction measures within the Design Access Statement, other than on page 17 where there is a brief acknowledgment to addressing crime prevention. There is a clear opportunity within the development to achieve the Secured by Design award scheme. The development appears to have good access control and natural surveillance already built into the design. The principles and standards of the award give excellent guidance on crime prevention through the environmental design and also on the physical measures. The scheme has a proven track record in crime prevention and reduction which would enhance community safety in this village.

5.2 Seventeen letters of objection have been received from local residents. In summary the points raised are as follows:

Principle of Development

- Disproportionate growth for the existing size of the village – the proportionate growth is nine according to the council's own figures.
- The proposed development represents a 46% increase in the number of properties in the village envelope, assuming that it amounts to 61 dwellings.
- The proposed dwellings will not be affordable to local people and will not meet local needs.
- Studies show that in 2012 there were 108 vacant properties in the Bromyard Housing Market Area (HMA). These should be brought back into use in the first instance.
- The village lacks local services and amenities to support a development of this size.
- The village is not sustainably located and future residents would have to rely on private modes of transport.
- It has not been demonstrated how the proposal will improve the area.

Amenity

- The scheme will have a detrimental impact on the amenities of adjoining residents.
- Increases in pollution (air, light and noise).

Highway Matters

- Additional traffic and the position of the access road will cause highway safety problems.
- There have been a number of near misses and incidents of dangerous driving that are not reflected in the transport statement prepared by the applicant's agent.
- The traffic survey has been completed outside of peak times and does not accurately reflect actual traffic flows along the A465.
- The existing recessed bus stop does not meet current regulations. If its use is to be increased by the development it should be improved.

Visual Impacts

- Development would be better located between Stoke Cross and Stoke Lacy, bringing the two communities together.
- The development is not in keeping with the rest of the village.
- The site is in an elevated position, will blight the skyline and is detrimental to the character and appearance of the countryside.
- The proposal would be detrimental to the setting of the village and contrary to Policy LA3 of the UDP. The council has defended appeals elsewhere in the county on this basis and has successfully demonstrated that such harm does not outweigh the council's current lack of a five year housing land supply.

Other Matters

- The proposal will cause detrimental effects on local wildlife and a loss of biodiversity.
- A smaller development would be welcomed.
- There has been a lack of public consultation.

5.3 Four letters of support have also been received from local residents. In summary the points raised are as follows:

- The scheme will provide affordable homes for local people.
- It will enhance the village.
- It provides the potential to improve speed restrictions at this end of the village.
- The site will not be over-developed.
- Housing development would provide support for local services including the church, village hall and local schools.
- The proposal will benefit local businesses operating in Stoke Lacy – excellent news for the local economy.
- New homes and families will provide a new lease of life to an ageing population.

5.4 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

Principle of Development

- 6.1 The Core Strategy has been adopted. Policy SS1 sets the theme of a presumption in favour of sustainable development and is a direct reflection of paragraph 14 of the NPPF. It reads as follows:

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

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

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

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

- 6.2 The policy is clear that where proposals can be shown to be sustainable there should be a presumption in their favour, unless material planning considerations indicate otherwise.

- 6.3 Policy RA1 sets out the council's strategy for the distribution of rural housing. Stoke Lacy falls within the Bromyard Housing Market Area (HMA) where the minimum proportionate growth target is 15%. Policy RA2 then goes on to outline those settlements that are considered to be appropriate for proportionate growth and Stoke Lacy / Stoke Cross is listed as one of the 119 settlements that are considered to be appropriate for accommodating growth. It states:-

"To maintain and strengthen locally sustainable communities across the rural parts of Herefordshire, sustainable housing growth will be supported in or adjacent to those settlements identified in Figures 4.14 and 4.15. This will enable development that has the ability to bolster existing service provision, improve facilities and infrastructure and meet the needs of the communities concerned.

The minimum growth target in each rural Housing Market Area will be used to inform the level of housing development to be delivered in the various settlements set out in Figures 4.14 and 4.15. Neighbourhood Development Plans will allocate land for new housing or otherwise demonstrate delivery to provide levels of housing to meet the various targets.

Housing proposals will be permitted where the following criteria are met:

- 1. Their design and layout should reflect the size, role and function of each settlement and be located within or adjacent to the main built up area. In relation to smaller settlements identified in fig 4.15 proposals will be expected to demonstrate particular attention to the form, layout, character and setting of the site and its location in that settlement; and/or they result in development that contributes to or is essential to the social well-being of the settlement concerned;*

2. *Their locations make best and full use of suitable brownfield sites wherever possible;*
3. *They result in the development of high quality, sustainable schemes which are appropriate to their context and make a positive contribution to the surrounding environment and its landscape setting; and*
4. *They result in the delivery of schemes that generate the size, type, tenure and range of housing that is required in particular settlement, reflecting local demand.*

Specific proposals for the delivery of local need housing will be particularly supported where they meet an identified need and their long-term retention as local needs housing is secured as such.”

- 6.4 Stoke Lacy is a settlement that has been identified as being appropriate for proportionate growth. This amounts to 15% in the Bromyard HMA and a minimum of 24 dwellings for Stoke Lacy. The parish council have not indicated an intention to prepare a NDP and in the absence of such a document, the development's conformity with the numbered criteria of Core Strategy Policy RA2 is the appropriate method of determination.
- 6.5 Some of the letters of objection have suggested that the proportionate growth for Stoke Lacy is only nine dwellings, but this assumes growth based only on the number of dwellings contained within the village envelope and not the wider parish.
- 6.6 Part of the application site has previously been assessed under the Strategic Housing Land Availability Assessment (SHLAA) and was found to have low or minor constraints. It is immediately adjacent to the group of buildings that comprise Stoke Cross and is one of only two sites that were considered to be appropriate for development during the plan period through SHLAA.
- 6.7 Stoke Lacy and Stoke Cross are two distinctly separate groups of buildings. Stoke Lacy comprises a group of approximately twenty older properties located around the church and on either side of the A465 on lower lying land in a river valley. It is considered that there are very limited opportunities for growth in this part of the village.
- 6.8 The more substantial concentration of residential development is focussed around Stoke Cross and includes the village hall, pub and business units. The majority of dwellings are contained within an estate of 26 properties called Westbury which is located on the opposite side of the A465 from the application site. This part of the village would seem to offer the more logical opportunity for housing growth. The application site is immediately adjacent to the built up area of the settlement and it is considered that the proposal accords with the first criteria of Policy RA2.
- 6.9 The requirement for growth in the Stoke Lacy/Stoke Cross area will inevitably bring about a change in the pattern of development due to the limited sites and opportunities for growth that are available. The comments from the Landscape Officer note the visual sensitivity of the site and that the proposal will bring about a change in the pattern and density of development in the area. However, he does not object to the principle of development, but recommends that careful mitigation is required if planning permission is forthcoming. Landscaping is a matter that is reserved for future consideration and, should outline planning permission be granted in the first instance, there would be an expectation that a comprehensive landscaping scheme would be submitted. Notwithstanding this, the low density of the proposal would allow the potential for meaningful landscaped areas to be incorporated into any design.
- 6.10 The fourth criteria of RA2 requires developments to provide a range of housing that is required in a particular settlement. The indicative layout does suggest that half of the dwellings to be provided would be four and five bedroom properties and your officers are inclined to agree with

some of the representations made that, if this were the case, the scheme would not provide accommodation that would be affordable to local people, nor would it meet local needs. However, Members are reminded that the application is made in outline and that an approval would not be tied to the schedule of accommodation shown on the illustrative master plan.

- 6.11 In this instance, officers consider that there is no overriding harm in the context of Policy RA2. The proposal is therefore representative of sustainable development when held against both the Core Strategy and paragraph 14 of the NPPF.

Amenity

- 6.12 The Environmental Health Manager has made some comments about the proximity of dwellings to the road and potential nuisance that might arise from noise associated with passing traffic. Given that this is an outline application this is a matter that could be addressed at a reserved matters stage should outline planning permission be forthcoming and it is recommended that a condition be imposed to require the submission of a detailed scheme to address road noise. It does not, in the view of your officers, represent sufficient justification to withhold permission as a matter of principle.
- 6.13 Some of the objectors have expressed concerns about the impact of the development on the residential amenities of their properties. Particular concerns have been raised about the planting shown along the southern boundary contiguous with Crossfield House, Middlefields and Shortfield and officers would concur that tree planting in such close proximity to existing properties is not necessarily an appropriate solution to the protection of amenity.
- 6.14 The comments received are based on a presumption that the development would proceed on the basis of the layout provided by the master plan. However, Members are reminded that the application has been made in outline with layout and landscaping reserved for future consideration. The application demonstrates that the site is capable of accommodating the 28 dwellings proposed and, should outline permission be forthcoming, the issue of residential amenity would be carefully assessed at reserved matters stage when a detailed layout and landscaping scheme would be submitted.

Highway Matters

- 6.15 Policy MT1 of the Core Strategy and NPPF policies require development proposals to give genuine choice as regards movement. NPPF paragraph 30 requires local planning authorities to facilitate the use of sustainable modes of transport and paragraph 32 refers to the need to ensure developments generating significant amounts of movement should take account of whether safe and suitable access to the site can be achieved for all people and whether improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where *'the residual cumulative impacts of development are severe.'*(NPPF para. 32).
- 6.16 The proposed means of access to the site is onto the A465 at a point where the national speed limit applies, but approximately 50 metres to the eastern edge of the village where the limit is reduced to 30 mph. At the point of the proposed access the road is straight in both directions and is currently bounded by a mature hedge that forms part of the application site. The application is accompanied by a Transport Statement and detailed layouts of the proposed means of access to demonstrate that appropriate visibility splays can be provided in accordance with the council's design guide specifications. The Transportation Manager's comments anticipate the completion of a Section 278 Agreement which will include the extension of the 30 mph zone to the east of the proposed new access, combined with other highway works designed to reduce traffic speeds. The Heads of Terms appended to this report also sets out

contributions to be made for highway improvements and include a gateway feature for the settlement a method used in other areas of the County.

- 6.17 Whilst it is acknowledged in the comments from the Transportation Manager that there are existing highway safety concerns on the A465 along the site frontage; caused particularly by motorists making overtaking manoeuvres, it is considered that the proposal offers the opportunity to improve the current situation. The development will extend the residential boundary of the site and change the character of the area and will help to change the perception of road conditions. Through the implementation of highway improvements it is considered that the proposal will improve highway safety and it is therefore concluded that the proposal is compliant with Policy MT1 of the Core Strategy and paragraphs 30 – 32 of the NPPF.

Visual Implications/Setting of the Settlement

- 6.18 The proposal will inevitably change the character of the area in terms of the landscape and the setting of the village. It is currently an agricultural field bounded by a mature hedgerow and this will be altered if the site is developed. The Landscape Officer has commented in detail on the application and, whilst acknowledging the changes in character to the area, does not object to the scheme.
- 6.19 Although the proposal does extend development on previously un-developed land its scale and form are not considered to be at odds with the landscape character of the area and it is therefore concluded that the proposal is compliant with Policy LD1 of the Core Strategy.

Summary and Conclusions

- 6.20 Both Policy SS1 of the Core Strategy and paragraph 14 of the National Planning Policy Framework engage the presumption in favour of sustainable development and require that development should be approved where they accord with the development plan. The site is adjacent to the built area of Stoke Lacy, is close to local services and employment opportunities and is within 50 metres of local bus stops.
- 6.21 The principle of development is considered to be acceptable, with the detailed design, layout and landscaping to be considered at the reserved matters stage. It is at this stage that it would be appropriate to consider detailed design and amenity aspects of the scheme and ensure compliance with Policy RA2, SD1 and LD1 of the Core Strategy.
- 6.22 Whilst local residents concerns have been considered, the proposed development complies with the requirements of policy MT1 of the Core Strategy and with the guidance contained within the National Planning Policy Framework. Matters of impact upon biodiversity have been resolved satisfactorily and the council's Ecologist is content that the mitigation measures proposed in the ecology report that accompanies the application are sufficient to ensure that the requirements of policy LD2 are met.
- 6.23 In assessing the three indivisible dimensions of sustainable development as set out in the Core Strategy and NPPF, officers are of the opinion that the scheme is representative of sustainable development and that the presumption in favour of approval is engaged. The contribution the development would make in terms of jobs and associated activity in the construction sector and supporting businesses should also be acknowledged as fulfilment of the economic and social roles. Likewise S106 contributions as outlined in the draft heads of terms agreement appended to this report should also be regarded as a material consideration when making any decision.
- 6.24 The adoption of the Core Strategy confirms that the council does currently have a five year housing land supply of 5.24 years (Published March 2015). However, this will only continue to

apply if the Local Planning Authority continues to grant planning permissions for housing to meet its growth targets. Developments such as the proposal being considered here are vital to support the growth required over the plan period and to ensure a continued five year housing land supply for the County.

- 6.25 To conclude, the proposed development is considered to represent a sustainable development for which there is a presumption in favour of and, as such, the application is recommended for approval subject to conditions and the completion of the Section 106 agreement in accordance with the heads of terms attached to this report.

RECOMMENDATION

Subject to the completion of a Section 106 Town & Country Planning Act 1990 obligation agreement in accordance with the Heads of Terms stated in the report, 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. B01 – Development in accordance with approved plans**
- 5. The development shall include no more than 28 dwellings and no dwelling shall be more than two storeys high.**

Reason: To define the terms of the permission and to conform to Herefordshire Unitary Development Plan Policies S1, DR1, H13 and the National Planning Policy Framework.

- 6. H02 Single access – footway**
- 7. H03 Visibility splays**
- 8. H06 Vehicular access construction**
- 9. H11 Parking – estate development (more than one house)**
- 10. H18 On site roads – submission of details**
- 11. I13 Scheme to protect new dwellings from road noise**
- 12. The recommendations set out in the ecologist’s report from fpcr dated June 2015 should be followed. Prior to commencement of the development a working method statement for bat species mitigation and a habitat management /enhancement scheme integrated with the landscape scheme should be submitted to and be approved in writing by the local planning authority, and the scheme 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.

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

- 13. L01 Foul/surface water drainage
- 14. L02 No surface water to connect to public system
- 15. L03 No drainage run-off to public system

INFORMATIVES:

- 1. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against planning policy and any other material considerations, 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.
- 2. HN10 No drainage to discharge to highway
- 3. HN08 Section 38 Agreement & Drainage details
- 4. HN07 Section 278 Agreement
- 5. HN04 Private apparatus within highway
- 6. HN01 Mud on highway
- 7. HN24 Drainage other than via highway system
- 8. HN05 Works within the highway
- 9. HN28 Highway Design Guide and Specification

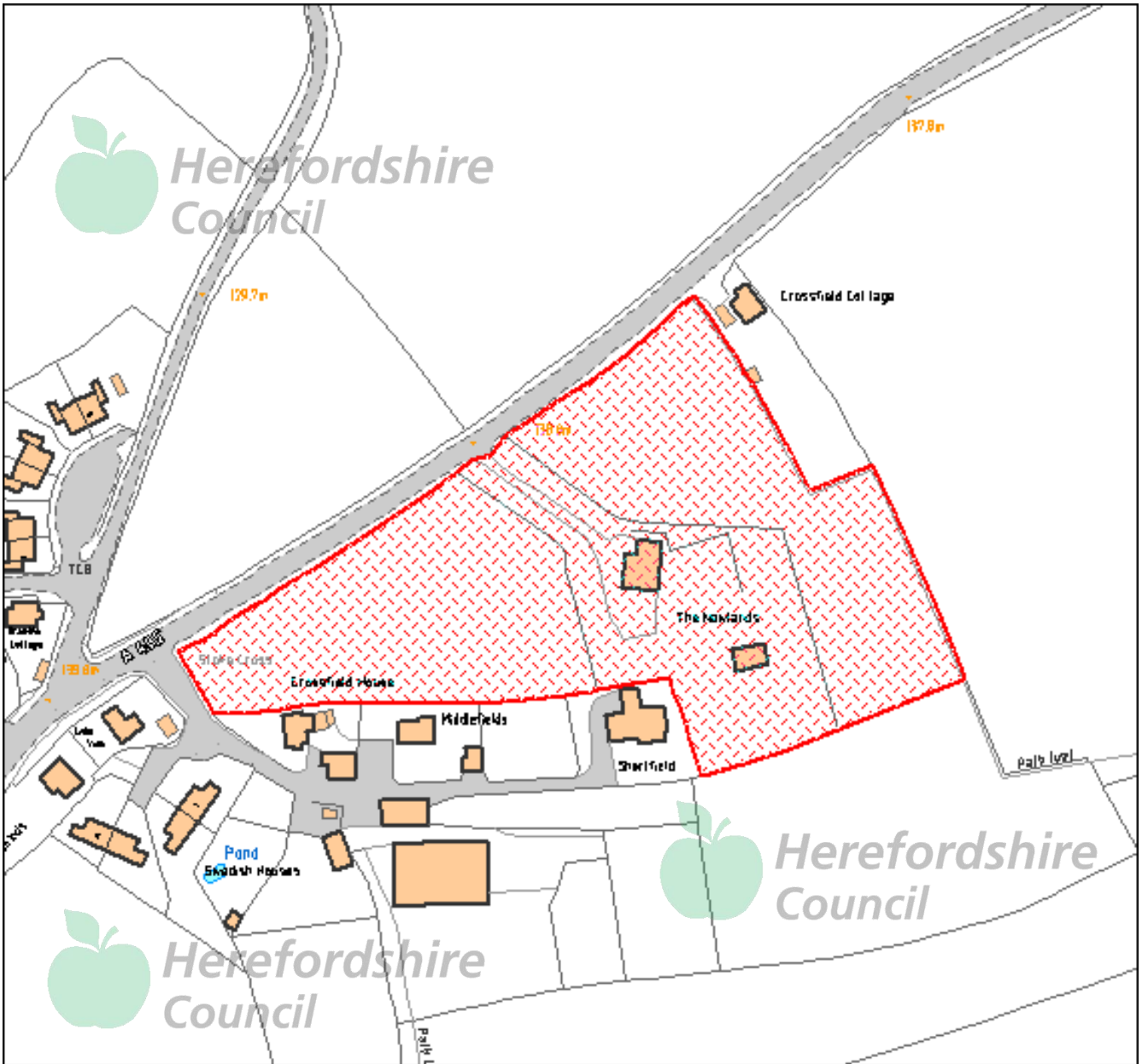
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: 151937

SITE ADDRESS : LAND ADJACENT TO NEWLANDS, STOKE LACY, HEREFORD, HEREFORDSHIRE

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