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| MEETING: | PLANNING COMMITTEE |
| DATE: | 26 APRIL 2016 |
| TITLE OF REPORT: | <p>152042 - SITE FOR PROPOSED EXTRA CARE DEVELOPMENT COMPRISING OF UP TO 80 PASSIVHAUS DESIGNED ONE, TWO AND THREE BED APARTMENTS AND COMPLEMENTARY INDOOR AND OUTDOOR FACILITIES, INCLUDING SWIMMING POOL, GYM, SAUNA, CAFE, HAIR SALON, MEDICAL AND TREATMENT ROOMS, ALLOTMENTS, PUTTING GREENS AND PETANQUE PITCH WITH ASSOCIATED LANDSCAPING, AT LAND NORTH OF WHITESTONE BUSINESS PARK, WHITESTONE, HEREFORDSHIRE, HR1 3SE</p> <p>For: Mr Collins per Mr Russell Pryce, Unit 5, Westwood Industrial Estate, Pontrilas, Hereford, Herefordshire HR2 0EL</p> |
| WEBSITE LINK: | https://www.herefordshire.gov.uk/planning-and-building-control/development-control/planning-applications/details?id=152042&search=152042 |
| Reason Application submitted to Committee – Redirection | |

Date Received: 13 July 2015
Expiry Date: TBC

Ward: Hagley

Grid Ref: 356602,242651

Local Member: Councillor DW Greenow

1. Site Description and Proposal

- 1.1 Outline planning permission is sought for the erection of a development comprising the erection of up to 80 units of 'extra care' accommodation on land adjacent Whitestone Business Park, Withington, Herefordshire. The application site is a paddock, bounded by the Business Park to the south, the A4103 to the north, Barnamore House to the east and the C1130 to the west.
- 1.2 'Extra care' is a term used to describe specialist housing, typically for the elderly who whilst in need of an element of domiciliary care, are still independent to the extent that they wish to remain in their own homes.
- 1.3 The site extends to 1.38ha of unimproved pasture and is enclosed on all sides by a semi-mature tree belt. Levels descend from the main road to the north, with the effect that adjoining buildings within the estate are at a lower-level than the site. Access is taken from the estate road on the south-western boundary and this is where vehicular access is proposed.
- 1.4 Although made in outline with all matters bar access reserved, the material submitted with the scheme details five distinct building blocks and detailed hard and soft landscaping proposals.

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

On the site's western boundary is a proposed facilities block, incorporating leisure and community facilities. Parallel to the site's northern boundary are two blocks of accommodation, with the same parallel to the southern boundary; this orientation allowing for attainment of the Passivhaus standard. Boundary planting would be retained and enhanced as appropriate. The proposals have been amended during the consultation stage with the effect that the height is now reduced to a maximum of 3 storeys from 4. This has had the effect of likely reducing the final number of apartments to nearer 75 than 80. The application promotes predominantly 2-bed accommodation, with some 1-bed apartments and a small proportion of 3-bed units. Given this is an application made in outline, the actual mix would be determined at the Reserved Matters stage.

- 1.5 In order to ensure the development is meeting the expressed need for this accommodation, the applicant has proposed that occupancy be limited to those aged 60 and above, who have been clinically assessed and confirmed as being in need of a minimum level of care. It would thus be a condition of occupation that prospective residents are in need of a level of domiciliary care, the need for which may grow more acute over time. Draft Heads of Terms have been drawn up that would define the occupancy restrictions and also require the completion of off-site highway works in the form of a controlled pedestrian crossing of the A4103 and provision of an electric pool car and community mini-bus. The attainment of Passivhaus certification would also be required by the S106 agreement, which also relates how the on-site facilities would be accessible to members of the local community. A draft Heads of Terms is appended to the report.
- 1.6 Although submitted in outline with all matters bar access reserved, the scheme is supported by the following documentation:-
- A Planning Statement
 - A Design and Access Statement
 - Masterplan
 - Landscaping proposals
 - Flood Risk Assessment
 - Transport Statement
 - Ecology Assessment and enhancement proposals
 - Environmental Noise Survey
 - Framework Travel Plan
 - A series of 3D visualisations
- 1.7 As above, the scheme has been amended during the application process and necessary re-consultation carried out accordingly. The Council has concluded the scheme is not development requiring the submission of an Environmental Statement.

2. Policies

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

Herefordshire Local Plan – Core Strategy

| | | |
|-----|---|--|
| SS1 | - | Presumption in Favour of Sustainable Development |
| SS2 | - | Delivering New Homes |
| SS3 | - | Ensuring Sufficient Housing Land Delivery |
| SS4 | - | Movement and Transportation |
| SS6 | - | Environmental Quality and Local Distinctiveness |
| RA1 | - | Rural Housing Distribution |
| RA2 | - | Housing in Settlements Outside Hereford and the Market Towns |

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| 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 |
| LD4 | - | Historic Environment and Heritage Assets |
| SD1 | - | Sustainable Design and Energy Efficiency |
| SD3 | - | Sustainable Water Management and Water Resources |
| SD4 | - | Waste Water Treatment and River Water Quality |
| ID1 | - | Infrastructure Delivery |

2.2 National Planning Policy Framework 2012. In particular chapters:

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

2.3 National Planning Practice Guidance

2.4 Neighbourhood Plan

Withington Neighbourhood Plan Area was designated on 12th July 2013. The plan is presently being drafted and whilst a material consideration is not sufficiently advanced to attract weight for the purposes of determining Planning Applications.

2.5 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 None

4. Consultation Summary

Statutory Consultations

4.1 Welsh Water: No objection

We (DCWW) have undertaken internal assessments and concluded that capacity exists to accommodate the proposed development.

4.2 Environment Agency: No objection

Internal Council Consultations

4.3 Transportation Manager: The proposed development is off the A4103 via the C1130 and a short length of private drive.

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A pedestrian route to the village is offered through the provision of the footway and controlled crossing point on the A4103. This will be secured via a S278 agreement and associated planning condition. The provision of this link will represent a benefit as it will assist with direct access between the site and the village as well as allow access on foot to Whitestone Business Park. The proposal will also have the benefit of providing raised kerbs for the bus stops in the vicinity, this can be easily accommodated. The provision of this will replace the requirement for S106.

The access point is acceptable though an amendment is required to provide a radius at the entrance rather than that shown; the radius needs to be 10m.

The proposal provides 1, 2 and 3 bed units as well as a swimming pool, gym, café and shop. It is understood that these facilities will be available to the general public (via some form of membership arrangement) and will be an attraction in their own right.

92 car parking spaces are proposed to cater for the units and recreational attractions as well as employees. Further work is required to ensure the parking numbers are suitable, whether this needs to be further supported in the S106 linked to a robust travel plan needs to be explored. The visitor demand for parking could be significant.

The internal layout for the road is for consideration at the Reserved Matters stage, though the layout provided, whilst being low key, doesn't allow for easy use. The parking layout at 45 degrees to internal roads should be supported by a 3.6m minimum carriageway to allow for manoeuvres. Access by the emergency services such as ambulance, and fire as well as service vehicles may require a wider access road too.

It is important to ensure larger vehicles can be accommodated as problems may arise and result in indiscriminate parking in the vicinity of the development. I note that a representation making this point has been received.

Secure covered cycle parking needs to be provided as part of the development.

If you are minded to approve, please add conditions and informatives as requested and set out in the recommendation.

4.4 Land Drainage Officer: No objection subject to conditions

We recommend that the following information is submitted to the Council for approval prior to construction as part of any subsequent planning conditions:

- A detailed drainage strategy, with supporting calculations, showing the location and size of drainage features and demonstrating how discharge rates/volumes from the site are restricted to no greater than pre-developed rates for all events between the 1 in 1 year and 1 in 100 year events, with climate change allowance.
- Calculations that demonstrate that there will be no flooding of the proposed drainage system up to the 1 in 30 year event, and that any flooding of the drainage system that may occur during events between the 1 in 30 and 1 in 100 year events will be managed within the site boundary;
- Results of infiltration testing undertaken in accordance with BRE365 and confirmation that the base of any infiltration structure or unlined structure is greater than 1m about the groundwater level;
- Confirmation that discharge to the public sewerage system is approved in principle by the relevant authority;
- Information regarding the proposed adoption and maintenance of the proposed drainage systems.

4.5 Housing Commissioning Officer: Support

I refer to the amended plans and can confirm that I have reviewed the scheme and wish to add to my original comments of the 19th August 2015. Although I do not require any affordable extra care units in this area, there is a major disparity in the current supply of specialist housing against what is needed in the Hereford HMA. This scheme will go some way in meeting the requirements to provide an additional 331 units of extra care housing within Hereford HMA by 2020, as outlined in the Herefordshire Older People's Housing Strategy.

Most existing retirement housing is for rent, however 'older' households own their own home and wish to continue to do so. There is a shortage of extra care housing for sale for older people to move into. This scheme would increase the market availability and help sustain independence in older age whilst also providing security should people's needs change or deteriorate.

I therefore support this application to provide up to 80 extra care units.

4.6 Conservation Manager (Landscape): No objection

Following on from the submission of the initial masterplan and my earlier comments, I have revisited the site and read the amended masterplan in conjunction with the submitted sections.

I am satisfied that given the gradient of the land the newly proposed development on the northern perimeter of the site will not extend in height significantly beyond existing development. The proposal can be successfully assimilated into the surrounding landscape and therefore accords with LD1 of the Core Strategy.

I would recommend the following conditions be attached to the permission. G04 (tree protection) in respect to the existing trees on site and G10 to include a detailed landscape scheme.

4.7 Conservation Manager (Historic Buildings): No objection

The site does not lie within a Conservation Area but there are a number of listed buildings nearby, although not abutting the site. The Green (grade II) is adjacent to the western boundary of the Whitestone Business Park; a barn (grade II) to the east, on the same side of the A4103, and the Baptist Chapel (grade II) to the north west, on the opposite side of the A4103. In assessing this proposal, Policy HBA4 Setting of listed buildings will be relevant.

Owing to topography, the proposed buildings for the extra care development are likely to be higher than the existing industrial units on the Whitestone Business Park; however given the distance and existing landscape features, it is considered that the proposal would not unduly harm the setting of the above mentioned listed buildings. Any such harm would certainly be less than substantial and therefore weighed in the balance against public benefits arising as per NPPF paragraph 134.

4.8 Conservation Manager (Ecologist): No objection.

I have read the ecology report and agree with the findings of somewhat limited biodiversity for this site. I note that the report contains an outline ecological enhancement plan which I think could be more detailed in its specification of ecological benefits. I propose that a non-standard condition is attached to any approval as follows:

"The recommendations set out in the ecologist's report from Ecology services dated July 2015 should be followed unless otherwise agreed in writing by the local planning authority. Prior to

commencement of the development, a detailed habitat 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."

- 4.9 Environmental Health Manager (Noise): Recommends a condition to require the submission, prior to commencement, of an assessment via BS4142 of the impact of rating industrial and commercial sound on the proposed residential premises. This shall use the methodology specified in BS4142 and include an assessment of all mitigation measures and use the objective method for the assessment of character correction, the results of which shall be supplied in writing to the local authority. Attenuation measures such as may be necessary will be agreed in writing by the Council and implemented prior to the first use of any of the dwellings approved.

5. Representations

- 5.1 The Withington Group Parish Council objects to the proposed development as it is totally unacceptable in the location to the South side of the A4103 and being 'divorced' from the village. The Council has considered the amended plans but they do not overcome the fundamental objection of the site being on the 'wrong' side of the A4103.

1. 'Elderly' residents need to walk about for exercise with or without a partner or dog. There are no complete acceptable pedestrian friendly routes connecting to this site and no safe pedestrian crossing of the highway adjoining the site.
2. It is not sure whether there are restrictions on the operating hours of the Business Park. If not, this could create problems if noise and light were to cause a nuisance in the future, as the quiet enjoyment of the residential use would take precedent over the industrial use under environmental health legislation.
3. It is noted that the community facilities would be on a 'restricted' access basis for Withington residents, presumably meaning a membership joining fee. As there are many low income earners and pensioners in Withington, what are the details of the agreement for the use of the facilities (This requires clarification in the section 106 agreement). There is also clarification needed as to what community facilities are to be provided. (e.g. Are health care facilities included for Withington residents in the form of an outreach doctor's surgery?)
4. There is a very limited bus service to Hereford, which does not operate after 4.30 from Hereford, and mainly runs through the village rather than to the A4103. No weight should be given to the availability of public transport.
5. If it is considered that there is a need for this facility, then a location nearer the heart of the village should be sought, and proposals submitted for inclusion in the Neighbourhood Plan. It is understood by the Parish Council that there are no policies in the Core Strategy to support this development outside the settlement boundary.
6. The traffic flow and vehicle size along the A4103, and on the link between the A4103 and A438, both, (i) generated by the Whitestone Business Park, and (ii) as through traffic, would create too great a conflict with this type of development.
7. The outlook from the development and for the residents does not reflect the key requirement on page 38 of the applicants' support document in that the site does not enjoy 'rural views' but either looks internally, or at the adjoining Whitestone Business Park. (as shown on the submitted sketches)
8. The original intention for the use of this area was as a landscape buffer zone for the business park to the south. This has been achieved and should be maintained as such.

- 5.2 Four letters of support have been received. The content is summarised as follows:-

- The scheme represents a high quality scheme for those who are not yet in need of nursing home accommodation;
- The scheme would provide an environment where the elderly can maintain independence within the context that responsive care is available as and when needed;

- The housing on offer would present the opportunity for social interaction with like-minded individuals with facilities on site and the potential for mini-bus/pool car facilities for trips into Hereford;
- The fact that the site is not within the city centre is a benefit to those who'd rather live out of town;
- There is a dearth of this type of accommodation, which can only be in more demand given the county's ageing population;
- The loss of a green field is sad, but more than off-set by the benefits, which include a sustainable approach to design.

5.3 One letter of qualified comment has been received from the adjoining Greendale Carpets and Flooring business, who own the building to the south of the site. It states as follows:

Whilst we have no major objection to the principle of the development and appreciate the need for this type of housing we would not wish to feel that this would endanger any further expansion of our site on the land at the end of our building which the proposed new development would overlook. We have already increased the building once in 2004 and may look to do again in the future. We would welcome any reassurance you could give us identifying that this would not be a problem, as we would not wish to enter into major expense in applying for planning permission prior to the new development taking place to protect our interest.

Secondly we would ask that full consideration is given to the likely level of parking needed for the development from residents, staff and visitors to the residential and communal facilities. In the interest of safety we would not like to see vehicles overflowing onto the road which is used by large commercial vehicles delivering and collecting from the business park or onto our adjacent private parking area to the front or side of our building thereby creating danger to pedestrians and traffic users attempting to negotiate the three junctions onto the main A4103.

5.4 Two letters of representation have been received. These refer to concerns in respect of traffic generation and the consequent impacts on the safe operation of the A4103/C1130 junction and ask that careful consideration be given to potential impacts.

5.5 As described above the scheme has been amended post-submission. The applicant's explanation of these changes is set out below:-

Reduction in height

1.2 The scale and massing of the development has been reviewed and as a consequence, the northern blocks have been reduced in height to three storeys. This means that no part of the development will now exceed three storeys and importantly, the development will now almost entirely be below the height of the existing tree belt that surrounds the site.

Pedestrian crossing

1.4 The opportunity to further improve the pedestrian links between the development site, Whitestone Business Park and the village has been investigated. As a consequence, the proposals now include a traffic light controlled crossing of the A4103.

This crossing will provide a seamless pedestrian and cycle link both from the site to the village and vice versa for existing residents using the new community facilities or working on the business park. The crossing will also tie in with the approved David Wilson Homes layout although is not dependent on this development.

Key points within the draft Heads of Terms are:

- The occupation of units is restricted by a S106 obligation requiring occupants to be in need of a minimum care package which includes a specified level of personal care.
- Similarly, the occupation is restricted to those aged 60 or above.

- The S106 also applies eligibility criteria and an undertaking for an initial assessment of care needs with regular reviews. Residents care needs will change over time and this system will ensure the care package is regularly reviewed and is responsive to resident's needs.

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

<https://www.herefordshire.gov.uk/planning-and-building-control/development-control/planning-applications/details?id=152042&search=152042>

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

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

6. Officer's Appraisal

- 6.1 The application seeks outline planning permission for the erection of an extra care specialist housing scheme on land adjoining Whitestone Business Park to the south of the A4103. The site is, for planning purposes, within the open countryside, but is bound on two sides by existing development and the A4103 on a third, with a Committee resolution to grant outline planning permission for the 69 dwelling scheme to the north-west (Ref: 151150). Withington, which is defined as a figure 4.14 settlement within the Hereford Housing Market Area lies to the north. The land is not allocated or safeguarded within the CS for employment purposes.
- 6.2 S38 (6) of the Planning and Compulsory Purchase Act 2004 states as follows:
- "If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."*
- 6.3 The Development Plan for the area comprises the Herefordshire Local Plan - Core Strategy (CS). A range of CS policies, referred to at section 2.1, are relevant as is CS paragraph 2.11, which references the predicted rise in the proportion of older people and thus *"a need to plan for the consequence of an ageing population, for example by providing for supported and extra care housing, and ensuring better access to health care and community facilities."* Policy SS1 sets out a presumption in favour of sustainable development, reflective of the positive presumption enshrined in the NPPF. SS1 further 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. This is the presumption in favour of sustainable development.
- 6.4 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."
- 6.5 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 the CS Appendix. Although the situation is fluid, as recognised by the Inspector for the Ledbury appeal, the Council cannot demonstrate a robust supply of housing land at present. Accordingly, policies relevant to the supply of housing are, in accordance with the NPPF paragraph 49, out-of-date. However, this does not render such policies an irrelevance and they may still be afforded weight. For the avoidance of doubt, Inspectors have determined that SS2, SS3, RA1 and RA2 are all relevant to the supply of housing in the rural context.

- 6.6 Extra care housing is not expressly defined within the Core Strategy, although Policy H3 (3) states that larger schemes should “provide housing capable of meeting the specific needs of the elderly population by providing specialist accommodation for older people in suitable locations.”
- 6.7 The sub-text to Policy H3 (5.1.19) refers to the ‘Herefordshire Older People’s Survey 2012’ and an “increasing requirement for new housing to cater for older people.” It is stated further that this need will be met through a combination of measures including provision of specialist accommodation in locations where the principle of residential development is accepted. It can be seen, therefore, that the presumption is that specialist accommodation for the elderly should be directed to locations where the principle of general needs housing is acceptable.
- 6.8 The age structure of the county’s population as expressed at figure 3.3 of the CS suggests a significant increase in the number of residents within the county aged over 65 and the need to provide homes for the elderly to live independently as well as a need for specialist housing with extra care. The need for extra care accommodation by Housing Market Area (HMA) to 2020 and 2030 is expressed below. Withington is within the Hereford HMA where the need is greatest; as would be expected given the proportion of the County’s population living within it.

| | Bromyard | Golden Valley | Hereford | Kington | Ledbury | Leominster | Ross on Wye |
|-----------------------------|------------|---------------|------------|-----------|------------|------------|-------------|
| Extra Care required by 2020 | 73 | 40 | 331 | 42 | 72 | 124 | 191 |
| Extra Care required by 2030 | 28 | 15 | 160 | 24 | 48 | 58 | 72 |
| Total | 101 | 55 | 491 | 66 | 120 | 182 | 263 |

- 6.9 Current planning permissions and applications for specialist extra care housing all lie within the Hereford Housing Market Area, as set out below.

| | Parish | Planning ref: | HMA | Status | Number |
|--------------------------|------------|---------------|----------|-----------|--------|
| Whitestone Business Park | Withington | 152042/O | Hereford | Submitted | 80 |
| Holmer West | Holmer | 150478/O | Hereford | Submitted | 80 |
| ESG | Hereford | 130888/O | Hereford | Approved | 60 |

- 6.10 It should be noted that although the ESG scheme (130888/O) was granted outline planning permission in August 2013, this permission will expire in August 2016 and there is no evidence of a Reserved Matters application being submitted. Likewise the Holmer West strategic urban extension application is as yet undetermined. Even if approved promptly, there is no guarantee that either the current application or the units proposed on the Holmer West Strategic Urban Extension would be completed by 2020, thus adding in real terms to the shortfall moving forward. Officers conclude, therefore, that the need for extra care housing within the county and within the Hereford HMA is evident and pressing and it is not guaranteed that the requirement by 2020 (331 units) will be met. This is a significant material consideration telling in favour of the scheme.
- 6.11 In this specific case there has been some conjecture as to whether the scheme, particularly when taking account of the occupancy restrictions (i.e. compulsory purchase of a care package and minimum age); can be described as C2 Residential Institution or C3 dwelling houses? The

relevance of this distinction is that this defines the CS policies against which the scheme should principally be held i.e. should the scheme be considered against RA2, or does a more nuanced assessment which takes into account the wider spectrum of housing need be applied?

- 6.12 A number of appeal decisions have considered this matter. These are instructive but cannot substitute for an assessment of the case in hand. Officers consider that the scheme should be taken to represent C3 development on the basis that the apartments will be entirely self-contained, with leisure and community facilities contained within a building that is physically separate from the vast majority of the living accommodation. Moreover, although residents will be subject to medical assessment confirming their need for care and will have to purchase a care package, this does not differentiate the scheme from warden controlled housing or individuals still living in their own homes but receiving outreach care. It is not clear at this stage, what vetting procedure the medical assessment will introduce and therefore how 'in need of care' prospective residents will need to be in order to qualify for residency.
- 6.13 Officers accept that there may be instances where some occupants of the scheme (and schemes like this) may, over time, require more significant levels of domiciliary care, such that their occupancy is more akin to C2. This ability to respond flexibly to fluctuations in the demand for personal care within the home setting is one of the defining characteristics of extra care. It is concluded, therefore, that the scheme is principally C3, but with the potential for some occupants to require levels of care akin to C2, with some D2 leisure use. It is considered that the scheme can be described as C3 with the ability to provide 'extra care' in the individual's home whilst allowing them to maintain a level of independence. This is considered a significant benefit. As such, officers conclude that this scheme is for C3 residential development and that Core Strategy Policies relevant to the supply of housing would be applicable were the Council able to demonstrate a 5-year supply of housing. However, given that Policy RA2 is expressed in positive terms, officers consider that weight may still be attributed to the policy and that an assessment of the scheme against the criteria of Policy RA2 remains necessary.

Assessment against RA2

- 6.14 RA2 deals with housing in settlements outside Hereford and the market towns. Withington is a main settlement listed at 4.14. The Neighbourhood Development Plan (NDP) is not adopted, yet permission exists in outline for two large schemes (31 and 33 units respectively) on land adjoining Vine Tree Close and land adjoining The Chapel. A committee resolution to approve the 69 unit scheme on land adjoining Southbank is awaiting completion of the legal agreement. Thus the indicative minimum requirement for housing growth within the parish during the lifetime of the CS is well on the way to being met.
- 6.15 In the absence of a NDP that attracts weight, the CS confirms that housing schemes should be assessed against their relationship to the main built up part of the settlement; the intention being to avoid unsustainable patterns of development that give rise to isolated residential development, that are inaccessible and give rise to attendant landscape harm.
- 6.16 The core principles upon which RA2 is founded can be summarised as an expectation that development proposals should reflect the size, role and function of the village concerned; make best use of brownfield land where possible; result in high-quality, sustainable development which enhances local character where possible and does not result in unsustainable patterns of development. It is my view, therefore, that although out-of-date, RA2 may continue to attract reduced weight in the determination of this application. This is because it is positively worded and does not, in advance of an NDP, seek to impose a cap on development. It does, however, require development to be built within or adjacent the main built up part of the settlement concerned, and that locational aspect of the policy cannot, in your officers' opinion, carry weight in the current context.
- 6.17 In this case, however, the application site is separated from the settlement by the A4103, yet adjoining a large industrial complex (Whitestone Business Park) to the south and dwelling to the

east. Officers consider that in this context the site may reasonably be described as adjacent the main built up part of the settlement and would not result in an isolated or unsustainable pattern of development. Moreover, the scheme is dependent upon the construction of a controlled pedestrian/cyclist crossing of the A4103, which will be delivered by the developer via a S278 agreement as specified in the draft Heads of Terms. Your officers consider that this connection, which will benefit not only residents of the scheme, but the wider community in Withington by making Whitestone more accessible to those living north of the A4103, results in an acceptable relationship between the site and the village in terms of accessibility. Officers are also conscious of the proposed pool car and community mini-bus, which are specified for inclusion in the S106 agreement; thus ensuring their continued accessibility to residents.

- 6.18 RA2 further requires that development proposals should “*result in 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.*” This criteria of RA2 is endorsed by a range of related CS policies, including LD1 (Landscape and townscape and LD2 (Biodiversity and geodiversity) which both require the restoration and enhancement of existing biodiversity features. LD1 and LD2 may, in your officers’ opinion, be afforded full weight as they go to the pursuit of the environmental dimension of sustainable development, which should be pursued jointly with the economic and social roles. They do not explicitly restrict the supply of housing land. Following the reduction in scale from 4 storeys to 3, the Conservation Manager (Landscape) has no objection to the proposal and existing tree cover will be maintained and enhanced in accordance with CS Policy objectives.
- 6.19 Officers also consider that the scheme, although in outline, can be considered as high quality and sustainable. The applicants have committed to the attainment of Passivhaus certification and are content this be a requirement of the S106 agreement. Passivhaus is a rigorous building standard and is an approach that corresponds with CS objectives as expressed in a range of policies. SD1 underpins the desire that development proposals should utilise physical sustainability measures and energy conservation infrastructure; an approach that is inherent with Passivhaus, which far exceeds Building Regulation requirements. On this basis, the scheme is considered to accord with RA2 (3) in that it would result in a high quality, sustainable scheme that is appropriate to its context and attainment of Passivhaus certification in particular, is something that officers are minded to give significant weight to in the planning balance.
- 6.20 The fourth RA2 criteria requires that the proposal in question results in the delivery of “*schemes that generate the size, type, tenure and range of housing that is required in particular settlements, reflecting local demand.*”
- 6.21 As above, the need for extra care accommodation within the county is clear and delivery uncertain. Whilst H3 underpins the principle that extra care should be directed to locations where general needs housing would be supported, there is comparatively little evidence of the need as expressed within the Hereford HMA being met. It is considered likely that if delivery of bespoke schemes is challenging in the Hereford HMA, then this can be extended throughout the county. Thus, whilst it cannot be stated that this scheme meets a need or local demand at the parish level, this is countered by the contribution that the scheme would make towards an identified need within the Hereford HMA, allied to the specific benefits of the scheme and the lack of demonstrable adverse impacts.
- 6.22 In this respect, it should be noted that while the scheme may not meet a Withington-specific need, it does introduce leisure facilities that will be made available to the wider community locally. In this regard CS Policy SC1 is also relevant. The pre-text to SC1 at para 5.1.30 explains that ‘the Core Strategy aims to achieve sustainable communities across Herefordshire and improve the well-being of its people. This requires an effective balance between the provision of new housing and employment and providing the social and community facilities required to support growth’.

6.23 Para 5.1.31 explains that the lack of local services, particularly in rural areas is key issue in Herefordshire. Para 5.1.32 explains that:-

‘Social and community facilities can be defined as physical facilities for different individuals and communities, which are provided by a range of organisations (public, private and voluntary). They provide for the health, welfare, social, educational, spiritual, recreational, leisure and cultural needs of the community. These facilities play an important role in the development of a vibrant community by creating a sense of place and providing a place for people to meet and interact socially. They also offer services that are essential for education, health and wellbeing; and support community cohesion and benefit the general quality of life of residents’.

6.24 Para 5.1.33 explains this can include health and social care facilities as well as facilities such as community centres and shops. Development proposals which protect, retain or enhance existing social and community infrastructure or ensure that new facilities are available as locally as possible will be supported. Such proposals should be in or close to settlements, have considered the potential for co-location of facilities and where possible be safely accessible by foot, by cycle and public transport.

6.25 The policy and supplementary text at paragraphs 5.1.35, 5.1.39 and 5.1.41 has a focus on co-location of services and facilities, as proposed by this development. It can be seen, therefore, that the scheme, in providing community facilities by use for the occupants of the scheme and wider community, underpins several CS objectives.

6.26 The overriding conclusion, is that this multi-faceted scheme cannot easily be bracketed against a specific CS policy, more that a broad range of policies are in play. However, it is clear that assessment of the site’s location and accessibility, in the context that the CS directs specialist housing to sites where the principle of general needs housing is acceptable. Having conducted an assessment against RA2, officers consider that in this specific location the principle of development is acceptable. This rests on the delivery of the controlled pedestrian/cyclist crossing of the A4103 and provision of the accessible leisure facilities and community transport, which will be bound up in the S106 agreement.

Other Matters

Noise

6.27 The scheme is supported by a noise assessment. The EHO Manager confirms that road traffic noise falls within acceptable parameters. The other principal noise source arises from Browns antiques centre to the south, which has extraction equipment which is clearly audible from the application site. The application site area has been drawn to encompass the Brown’s site and the requisite notice has been served. This gives reasonable certainty that a condition requiring noise attenuation relative to this extraction equipment can be enforced if necessary. However, it will be necessary for the applicants to conduct a detailed assessment of the individual noise sources as per the BS4142 methodology to inform whether the noise reductions sought are deliverable. This will be required via a Grampian condition that would prevent development (other than site clearance) prior to such noise attenuation measures that are necessary being approved in writing.

Transport

6.28 The issue of accessibility by non-car borne modes is discussed above and officers are content that with the measures described, the site is one that in accordance with NPPF guidance and the CS presents the opportunity to access the site via sustainable modes. The Transportation Manager has confirmed that the proposed controlled crossing of the A4103 is acceptable from a safety perspective and this will in itself promote the safe crossing of the A4103 and will enhance

the opportunity for existing Withington residents to access the site and Whitestone Business Park beyond. Officers consider this a significant benefit of the scheme.

- 6.29 The Transportation Manager has confirmed that the parking provision will, in the context of use of the community facilities by visitors, require careful consideration at the Reserved Matters stage. Evidence, however, suggests that car ownership in extra care schemes can be as low as 30%, but equally schemes should make provision for staff and visitors. A Travel Plan will be required and the pool car and minibus proposed will be part of this and bound up in the S106 agreement.
- 6.30 Officers consider that the scheme accords with the provisions of CS Policy MT1 insofar as they are relevant to the case in hand. Specifically the provision of communal transport and a controlled crossing of the A4103 will reduce reliance on private motor vehicles and encourage more short-distance journeys on foot; which at present may be less likely owing to a lack of controlled crossing of the A4103. In this respect the development is considered to respond positively to MT1 (2) & (3) in particular, which require that development should “*promote and where possible incorporate integrated transport connections and supporting infrastructure...including access to means other than private motorised transport*” and “*encourage active travel behaviour to reduce numbers of short distance car journeys through the use of travel plans and other promotional and awareness raising activities.*”

Affordable Housing

- 6.30 As per 4.5 above, the Housing Commissioning Officer is not requesting any affordable units be provided. This is on the basis that there is little demand from RSLs for this type of accommodation in a location such as this and evidence suggests that by far the greatest demand for such units derives from the open market sector in any case. There is concern, therefore, that affordable units on a development such as this would remain unfilled.

7. The Proposals in the Planning Balance

- 7.1 The application is for ‘specialist ‘extra care’ housing. Policy H3 says this should normally only happen where the principle of residential development is acceptable. In this case, and in the absence of a neighbourhood plan, officers consider that holistic assessment against RA2 demonstrates that the principle of development is acceptable; there being an absence of demonstrable harm, the site being of low environmental sensitivity and development here not resulting in isolated and unsustainable patterns of development. Weight should also be attributed to the demonstrable need for specialist older persons’ housing and the contribution that the proposal would make in fulfilling the need.
- 7.2 The NPPF describes the three dimensions of sustainable development as comprising the economic, social and environmental roles. These are to be pursued together as they are mutually dependent.

Economic Role

- 7.3 The scheme would result in a positive benefits in economic terms. As well as providing for a development for which there is a demonstrable need, the economic benefits can be summarised as:
- Direct and indirect job creation – the application form suggests that 49FTE jobs would be created;
 - Expenditure by the resident population;
 - Expenditure arising through the construction phase itself, with attendant creation and support for construction jobs and those in related sectors.

Social Role

7.4 The scheme gives rise to significant benefits in terms of the social role. As well as meeting a defined and pressing need for this type of specialist housing, the other key social benefits are summarised as follows:-

- The development would provide a controlled crossing of the A4103, which will provide connectivity in both directions i.e. from site to village and from village to site and employment estate beyond;
- The scheme promotes Passivhaus principles and offers other facilities to be accessible to the community;
- The development responds positively to the identified need for specialist older persons' accommodation by proposing that purchase of care is mandatory and that occupants be aged 60 or over;
- The scheme will make a contribution towards the supply of housing land, provided specifically for a housing type for which there is a demonstrable and burgeoning unmet need;
- The scheme would assist in promoting good health and well-being, the maintainance of independence and self-sufficiency in older age with a reduction of social isolation;
- Supporting sustainable rural communities through providing facilities to serve the wider community locally;and
- Providing leisure, social and health facilities with locally run outreach domiciliary care service.

Environmental Role

7.5 The scheme is also considered to give rise to positive benefits in environmental terms.

- The site is of low environmental sensitivity;
- The Conservation Manager does not object to the landscape impact of the amended scheme;
- The Conservation Manager has no objection in relation to ecology or the setting of designated heritage assets within the locality;
- The scheme would help address climate change via sustainable, high quality and energy efficient Passivhaus accommodation.

Conclusion

7.6 Having regard to S38(6) of the Planning and Compulsory Purchase Act 2004, officers consider that the proposal accords with the provisions of the Core Strategy when taken as a whole. Moreover, and in the light of the lack of housing land supply and evidence of under-supply for this particular type of specialist accommodation, officers consider that in light of the positive benefits arising and lack of significant or demonstrable adverse impacts, the application should be recommended for approval as per the NPPF test at paragraph 14. This is subject to completion of a legal agreement that fulfils the objectives described above, as per the attached draft Heads of Terms.

RECOMMENDATION

Subject to the completion of a Section 106 Town & Country Planning Act 1990 obligation agreement in accordance with the Heads of Terms appended to 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. **H03 Visibility splays**
5. **H04 Visibility over frontage - 2m from the C1130 to east as per drawing**
6. **H06 Vehicular access construction**
7. **H09 Driveway gradient - 1 in 20**
8. **H17 Junction improvement/off site works**
9. **H21 Wheel washing**
10. **H27 Parking for site operatives**
11. **H30 Travel plans**
12. **Height of development – no more than 3 storeys**
13. **Noise condition**
14. **C01 Samples of external materials**
15. **Tree protection**
16. **G04 Protection of trees/hedgerows that are to be retained**
17. **G09 Details of Boundary treatments**
18. **G10 Landscaping scheme**
19. **Off site highway works**
20. **Foul water and surface water discharges shall be drained separately from the site.**
Reason: To protect the integrity of the public sewerage system.
21. **No surface water shall be allowed to connect, either directly or indirectly, to the public sewerage system unless otherwise approved in writing by the Local Planning Authority.**
Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no detriment to the environment.
22. **Land drainage run-off shall not be permitted to discharge, either directly or indirectly, into the public sewerage system.**
Reason: To prevent hydraulic overload of the public sewerage system and pollution of the environment.

23. The recommendations set out in the ecologist's report from Ecology services dated July 2015 should be followed unless otherwise agreed in writing by the local planning authority. Prior to commencement of the development, a detailed habitat 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.

Reasons: To ensure that all species are protected having regard to the Wildlife and Countryside Act 1981 (as amended), the Conservation of Habitats and Species Regulations 2010 and Policies LD1, LD2 and LD3 of the Herefordshire Local Plan – Core Strategy.

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

INFORMATIVES:

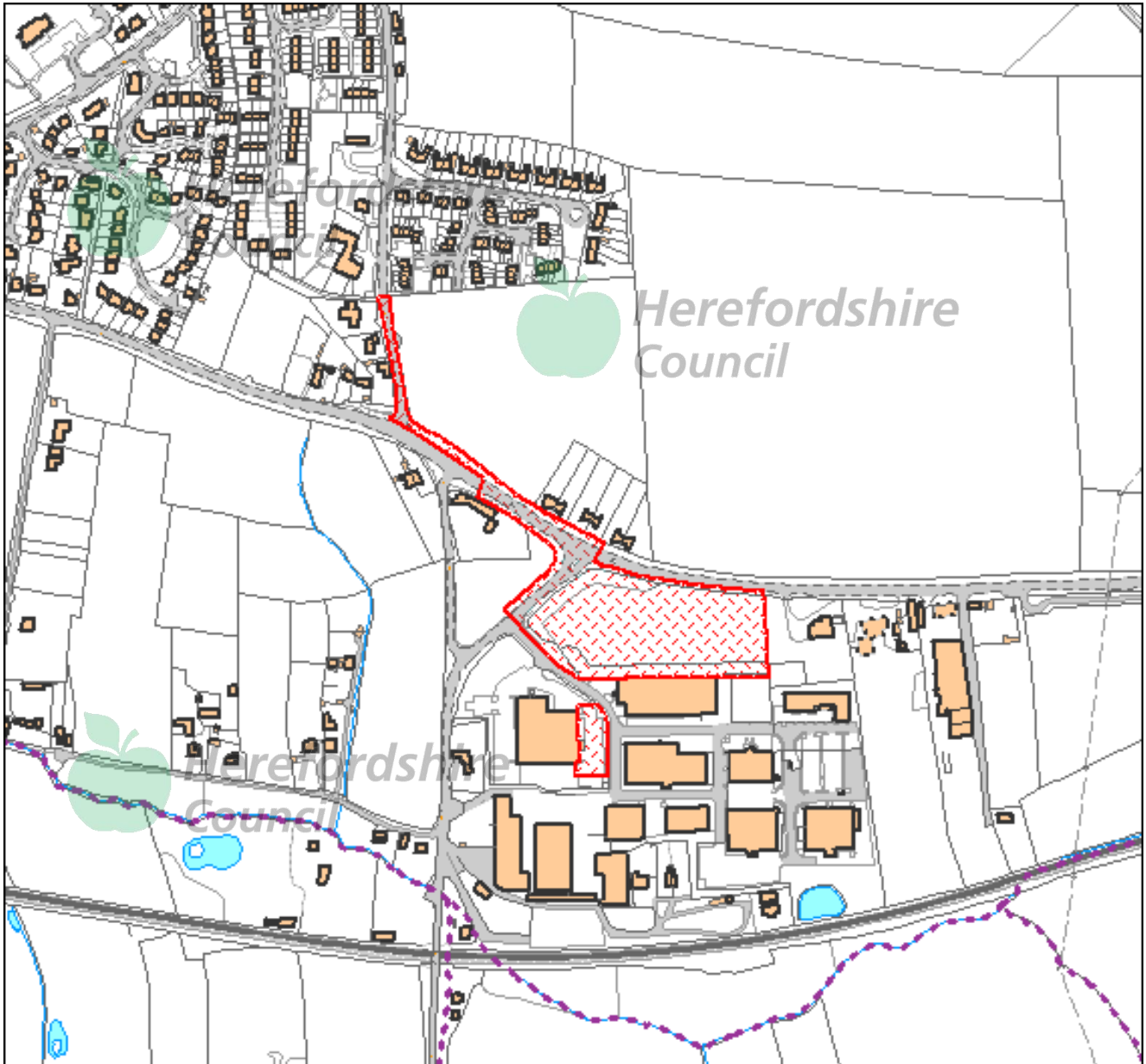
1. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against planning policy and any other material considerations. Negotiations in respect of matters of concern with the application (as originally submitted) have resulted in amendments to the proposal. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.
2. HN01 Mud on highway
3. HN02 Public rights of way affected
4. HN04 Private apparatus within highway
5. HN05 Works within the highway
6. HN07 Section 278 Agreement
7. HN10 No drainage to discharge to highway
8. HN25 Travel Plans
9. HN24 Drainage other than via highway system
10. N02 Section 106 Obligation

Decision:

Notes:
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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: 152042

SITE ADDRESS : LAND NORTH OF WHITESTONE BUSINESS PARK, WHITESTONE, HEREFORDSHIRE, HR1 3SE

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