

<b>MEETING:</b>	<b>PLANNING COMMITTEE</b>
<b>DATE:</b>	<b>3 AUGUST 2016</b>
<b>TITLE OF REPORT:</b>	<p><b>150478 - PROPOSED ERECTION OF UP TO 460 DWELLINGS INCLUDING AFFORDABLE HOUSING, PUBLIC OPEN SPACE, A PARK &amp; CHOOSE FACILITY, WITH ASSOCIATED LANDSCAPING ACCESS, DRAINAGE AND OTHER ASSOCIATED WORKS ON LAND TO THE NORTH OF THE ROMAN ROAD AND WEST OF THE A49, 'HOLMER WEST', HEREFORD.</b></p> <p><b>For: The Bloor Homes Ltd per Mr Guy Wakefield, Thornbury House, 18 High Street, Cheltenham, Gloucestershire, GL50 1DZ</b></p>
<b>WEBSITE LINK:</b>	<a href="https://www.herefordshire.gov.uk/planning-and-building-control/development-control/planning-applications/details?id=150478&amp;search=150478">https://www.herefordshire.gov.uk/planning-and-building-control/development-control/planning-applications/details?id=150478&amp;search=150478</a>
<b>Reason Application submitted to Committee – Strategic Application</b>	

**Date Received: 18 February 2015**

**Ward: Holmer**

**Grid Ref: 350219,242481**

**Expiry Date: 31<sup>st</sup> AUGUST 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 erection of up to 460 dwellings, including affordable housing, public open space, park and choose facilities, drainage, allotments and other associated works on land to the north of the Roman Road and west of the A49 Trunk Road, Hereford.
- 1.2 The site is allocated for residential development in the Herefordshire Local Plan – Core Strategy as the smallest of the three strategic urban extensions to Hereford and is known as 'Holmer West'. Policy HD4 describes the provision of 500 new homes and is a criteria-based policy, setting out the expectation that development should deliver a comprehensively planned sustainable urban expansion, sensitively integrated into both the existing urban fabric of Hereford, and the wider landscape, through high design and sustainability standards.
- 1.3 The site covers 22.6 hectares on rising ground on Hereford's northern fringe. It is comprised predominantly of agricultural fields and bound to the south and south-east by the Ayles Brook, dwellings to the north of Roman Road and for the western portion of the southern boundary, Roman Road itself. To the east the A49 runs north/south into Hereford and forms the site boundary at the north-eastern extremity. Moving south from here the site's eastern boundary is formed by Holmer House Farm, with its grade II listed farmhouse and the grade I listed Church

of St. Bartholomew, grade II listed detached bell-tower and grade II listed churchyard cross; which is also a Scheduled Monument and pedestal tomb.

- 1.4 To the north and west the principal land-use is agricultural, although dwellings line the northern edge of the Roman Road up to and beyond the junction with the A4110 Canon Pyon Road. The site's southern boundary is defined for much of its length by Ayles Brook and associated planting, with residential development in the form of The Crescent, Orchard Close, Dale Drive and Belle Bank. There is an existing field access onto Roman Road in the site's south-western corner. The site is traversed by Public Right of Way H01, which leaves Roman Road passing between dwellings in The Crescent and heading north-westwards through the site and over open countryside towards Elton's Marsh on the Canon Pyon Road (A4110).

#### **Policy HD4 – Northern Urban Expansion (Holmer West)**

- 1.5 Policy HD4 and its associated explanatory text outline the key opportunities and constraints for the site, reflecting on the site's landscape character assessment and the urban fringe sensitivity analysis which places the northern part of the site in a zone of high to medium sensitivity, reducing to medium sensitivity over the majority of the site as the land falls to the Ayles Brook.
- 1.6 The allocation is for a minimum of 500 homes, built to high energy efficiency standards with 35% affordable. Policy HD4 requires a mix of housing to meet the local requirements and the need for older persons' accommodation as expressed in the evidence base. There is the expectation that the design and styles of the new housing should complement the built and landscape character of the locality and that scale and density will be reflective of the topography and prominence of the area.
- 1.7 In terms of movement, the development is required to provide walking, cycling and green infrastructure corridors linking to a park and choose site to the west of the A49, the existing public right of way network and educational, community and employment sites in the locality. Reflecting the presence of the Ayles Brook and historic flooding episodes, the scheme is also required to mitigate flood risk for new and existing homes, through the incorporation of sustainable urban drainage solutions (SuDs).
- 1.8 The Green Infrastructure Strategy (2010) identifies the site as predominantly arable in use. It lies within a local enhancement zone (HerLEZ3) and incorporate strategic corridor HerLSC3. The strategy identifies a number of opportunities to enhance existing green infrastructure, including establishing robust linear habitats along Ayles Brook, with additional landscaping appropriate to landscape character.
- 1.9 The policy also refers to the need for land or a contribution towards the adjoining phase of the Hereford Relief Road (HRR), with additional contributions where appropriate, via S106, towards indoor and outdoor sports and play facilities, open space and allotments and the enhancement of existing educational facilities.
- 1.10 The application is supported by a range of technical studies, many of which have been reviewed/amended during the course of the application in response to responses received during the consultation stage. These studies include:-
- Planning Statement (Hunter Page Planning);
  - Design and Access Statement (Nash Partnership);
  - Heritage Statement (Nash Partnership);
  - Transport Assessment (Phil Jones Associates);
  - Landscape and Visual Impact Assessment (SLR Consulting);
  - Separate Drainage and Flood Risk Assessment (BWB);
  - Statement of Community Involvement (Hunter Page Planning);
  - Archaeology Report (Worcestershire Archaeology);

- Noise Assessment (Clarke Saunders Associates);
- Geophysical Survey Report (Stratascan); &
- Site Investigation Report (Integral Geotechnique).

1.11 The Design and Access Statement (which has been amended following adoption of the Core Strategy to define a potential expansion area to ensure delivery of 500 units and a park and choose as opposed to park and ride site), sets out the principles behind the illustrative masterplan. In summary the masterplan responds to the policy requirements as follows:-

- A fragmented and lower density edge to the northern boundary with frontage development on main link road and key pedestrian circulation routes.
- Maintenance of 'key view' corridors, including long-distance views to Cathedral to the south.
- Protection of existing field hedgerows where possible.
- Centrally located open space with the Ayles Brook corridor to provide a landscape buffer separating the new development from that beyond the site's southern boundary.
- Predominantly two-storey dwellings across the site, including the specialist, older persons' housing.
- The creation of linear wetland habitats along Ayles Brook, planting orchards and species rich hedgerows, establishing linear buffer areas of grassland, woodland and hedgerows; and promoting and extending public rights of way and access to the countryside
- Maintaining a buffer against St. Bartholomew's Church via the corridor along Ayles Brook.
- Continuous pedestrian and cycle shared use path separated from highway.

1.12 In recognition that the current proposal is for fewer dwellings than the policy requires, the revised masterplan suggests that the modest shortfall can be made up on land formerly part of the larger park and ride site.

1.13 The development has been assessed against the Environmental Impact Regulations. The Council has adopted a Screening Opinion which concludes that the scheme is not EIA development.

## 2. Policies

2.1 Herefordshire Local Plan – Core Strategy

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	-	Addressing climate change
SS7	-	Addressing climate change
HD1	-	Hereford
HD3	-	Hereford movement
<b>HD4</b>	-	<b>Northern Urban Expansion (Holmer West)</b>
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

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

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 (NPPF)

The following sections are of particular relevance:

Introduction	-	Achieving sustainable development
Section 6	-	Delivering a wide choice of high quality homes
Section 7	-	Requiring good design
Section 8	-	Promoting healthy communities
Section 10	-	Meeting the challenge of climate change, flooding and coastal change
Section 11	-	Conserving and enhancing the natural environment
Section 12	-	Conserving and enhancing the historic environment

## 2.3 National Planning Policy Guidance (NPPG)

National planning practice guidance was launched in March 2014, consolidating and updating previous guidance in a single online location. The guidance links to national policy in the NPPF and refers to matters relevant to this application, including the assessment of flood risk.

## 2.4 Policy HD4 – Northern Urban Expansion (Holmer West)

The policy underpinning the Holmer West allocation in the Core Strategy is quoted in full below:-

*“Land at Holmer west will deliver a comprehensively planned sustainable urban expansion. The new development will be sensitively integrated into both the existing urban fabric of Hereford, and the wider landscape, through high design and sustainability standards. The development will be expected to provide:*

- 500 new homes, at an average density of up to 35 dwellings per hectare, comprising a mix of market and affordable house sizes and types that meet the requirements of policy H3 and the needs identified in the latest version of the Herefordshire Local Housing Market Assessment;
- a target of 35% of the total number of dwellings shall be affordable housing;
- Park and Choose site (land and infrastructure) adjacent to the western side of the A49 in close proximity to the Hereford Relief Road and land or a contribution to facilitate the construction of the adjoining phase of the Hereford Relief Road;
- walking and cycle routes and green infrastructure corridors linking to the Park and Choose site the existing public right of way network and existing education and community facilities and employment sites in the locality;
- appropriate new green buffers and linear green routes, particularly along Ayles Brook;
- measures to mitigate flood risk both for the new homes within the expansion area and for the benefit of existing residents and businesses in other parts of the city through the incorporation of sustainable urban drainage solutions, as part of the green infrastructure network and measures to control water levels within Ayles Brook;
- appropriate provision of and contributions towards indoor and outdoor sports and play facilities, open space and allotments;
- where appropriate a contribution towards pre-school facility and contributions towards the enhancement of existing primary and secondary school provision and any identified need for other community infrastructure/facilities; and
- sustainable standards of design and construction.

*This expansion area will be accessed primarily off the A4103 Roman Road. The area will be planned in a comprehensive manner to show the layout of development and the required infrastructure. Appendix 5 sets out the relationship between the development of urban expansion areas and the provision of key new infrastructure."*

The policy is reinforced by supporting text set out under six topic headings. The officer's appraisal is structured to respond in turn to the policy and supporting text.

## 2.5 Neighbourhood Planning

Although contributing to the housing requirement for Hereford city, the site lies within Holmer and Shelwick Parish. The Parish Council has opted not to produce a Neighbourhood Development Plan. This is understood to be on the basis that the parish adjoins Hereford and that housing requirements within the parish will be met and significantly exceeded by this allocated site and others arising over the lifetime of the Core Strategy.

The Parish has produced a Community-Led plan, but this does not have the status of a Development Plan Document. It nonetheless sets out key concerns and objectives within the parish.

## 2.6 Other Relevant National and Local Guidance / Material Considerations

- Annual Monitoring Report – 2015/16
- Urban Fringe Sensitivity Analysis
- Planning for Growth – 2011
- Laying the Foundations – 2011
- Housing and Growth – 2012
- Green Infrastructure Strategy - 2010

## 2.7 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 SH940076PF – Change of use of land from agricultural to two football pitches: Refused 23<sup>rd</sup> March 1994
- 3.2 921461PO – Outline application for residential development, refused and dismissed on appeal 30<sup>th</sup> November 1993.
- 3.3 871406PO – Residential development of approximately 200 dwellings, drainage, highway infrastructure and landscaping: Refused 25<sup>th</sup> November 1987

## 4. Consultation Summary

Statutory Consultees

### 4.1 Welsh Water: No objection subject to conditions

We would request that if you are minded to grant Planning Consent for the above development that the **Conditions and Advisory Notes** provided below are included within the consent to

ensure no detriment to existing residents or the environment and to Dwr Cymru Welsh Water's assets.

## **SEWERAGE Conditions**

No development shall commence until a drainage scheme for the site has been submitted to and approved in writing by the local planning authority. The scheme shall provide for the disposal of foul, surface and land water, and include an assessment of the potential to dispose of surface and land water by sustainable means. Thereafter the scheme shall be implemented in accordance with the approved details prior to the occupation of the development and no further foul water, surface water and land drainage shall be allowed to connect directly or indirectly with the public sewerage system.

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.

## **SEWAGE TREATMENT**

No problems are envisaged with the Waste Water Treatment Works for the treatment of domestic discharges from this site.

## **WATER SUPPLY**

The proposed development is located in an area of water supply issues. We have had the opportunity to reconsider any development commencing prior to the essential improvements being undertaken and completed by Welsh Water, and are able to allow no more than 150 dwelling to be occupied prior to the improvement works which are scheduled to be completed by 31st March 2020. We would therefore offer the following Condition:

- No more than 150 of the dwellings hereby approved shall be occupied until essential improvements to the public water supply system have been completed by Dwr Cymru Welsh Water and the Local Planning Authority have been informed in writing of its completion. This work is scheduled for completion by 31st March 2020.

Reason: To ensure satisfactory mains water supply is available to properties at all times.

### **4.2 Highways England: No objection subject to conditions**

Annex A - Highways England recommended Planning Conditions attached to any planning permission that may be granted

HIGHWAYS ENGLAND ("we") has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the Strategic Road Network (SRN). The SRN is a critical national asset and as such works to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

This response represents our formal recommendations with regard to the above referenced planning application and has been prepared by Patrick Thomas, on behalf of Highways England.

The application was received in February 2015 and is for a housing site at Holmer West, Hereford. The Site is allocated in the adopted Herefordshire Core Strategy as a strategic site. The Core Strategy imposes a cap on the level of development pending the opening of the Hereford Western Relief Road.

Highways England considers that Herefordshire Council has responsibility to manage housing development coming forward within Hereford, paying due cognisance to the strategic housing sites and associated infrastructure required to be in place to support housing development, contained within Appendix 5 of the adopted Herefordshire Local Plan. As such, Highways England considers that the Council are best placed to manage the delivery of this site in accordance with the Core Strategy requirements.

There is no relevant planning application history associated with the site. A number of meetings were held with the Parish Councils, as well as pre-application discussions with Herefordshire Council and various statutory consultees, and a public exhibition held over two days, prior to the submission of the application. Following the submission of the application, a number of further discussions have been held with Herefordshire Council and Highways England.

We have reviewed the information submitted with the application which includes a Transport Assessment [TA] and Framework Travel Plan [TP] and confirm that the information provided is sufficient to allow a substantive response to be made.

Pre-application and post-application discussions have been held with the applicant. These discussions have resulted in the following:

- The agreement of a site access junction being constructed on the A49. This response confirms that the requirements of section 175B of the Highways Act 1980 have been satisfied and that consent for the creation of a new access junction on the A49 trunk road is hereby given;
- Highways England Planning Response (HEPR 16-07) July 2016
- The applicant will agree a commuted sum to the Highway Authority for the A49 for verge and hedge maintenance. The sum shall cover verge and hedge maintenance for 60 years, commencing on the date when the planning application is approved. The commuted sum shall be agreed, and paid in full. This is to be secured via a section 278 agreement;
- An agreement reached with the applicant to undertake a Highways Study and implement the Study outcomes for the Eign Street junction (A438 / A49 junction);
- Mitigation measures on the A49 being agreed; and
- Submission and implementation of a Travel Plan.

Condition(s) to be attached to any grant of planning permission:

#### Condition 1

No development shall commence on the site until such time as a Highways Study for the Eign Street junction (A438 / A49 junction) has been submitted to and agreed in writing by the Local Planning Authority in consultation with the Highways Authority for the A49. The Highways Study shall demonstrate the impact of the submitted scheme on the Eign Street junction and identify any necessary mitigation measures required and a timetable for their provision. The Highways Study shall include, as a minimum the following elements:

- An assessment of trip generation and trip distribution associated with full occupation of the development hereby approved;
- An assessment of trip generation and trip distribution associated with full occupation of other development sites within Hereford, to be agreed with the Local Planning Authority and the Highways Authority for the A49;
- An assessment of traffic impacts at the Eign Street junction on the A49;
- Identification of any requirements for highways mitigation associated with the development in order to make it acceptable;
- The mechanisms which will be used to deliver any requirements for highways mitigation;
- The timeframes for implementation of the requisite highways mitigation; and

- The identification of appropriate contributions from the development sites considered within the Study to the requisite highways mitigation.

The measures identified within the Highways Study approved under this condition shall be agreed with the Local Planning Authority and Highways Authority for the A49 and implemented in accordance with the agreed provisions.

#### Condition 2

A full Travel Plan should be submitted to, and agreed by, the Local Planning Authority in consultation with the Highways Authority for the A49 prior to the occupation of any element of the site. The agreed Travel Plan shall be implemented in full.

#### Condition 3

No part of the development hereby permitted shall be occupied until such time as the highways scheme at the A49 Newtown Road/Mortimer Road junction, as detailed in Phil Jones Associates drawing no. 668 – 313 Rev, has been provided in full and is available for use by vehicular traffic.

#### Condition 4

No part of the development hereby permitted shall be occupied until such as a time as the highways scheme at the A49 Newtown Road / Farriers Way / A49 Edgar Street roundabout, as prescribed in the Phil Jones Associates drawing no 668 – 313 Rev, is provided in full and is available for use by vehicular traffic.

Reasons for the above conditions: To ensure the safe and free flow of traffic on the A49 and that it continues to serve its purpose as part of the national system of routes for through traffic in accordance with Section 10 (2) of the Highways Act 1980 and to satisfy the reasonable requirements of road safety on that road.

### 4.3 Natural England

Following additional information being submitted, Natural England would like to make the following additional comments:

The Conservation of Habitats and Species Regulations 2010 (as amended) (Habitats Regulations) Wildlife and Countryside Act 1981 (as amended)

#### Internationally and nationally designated sites

The application site is within or in close proximity to a European designated site (also commonly referred to as Natura 2000 sites), and therefore has the potential to affect its interest features. European sites are afforded protection under the Conservation of Habitats and Species Regulations 2010, as amended (the 'Habitats Regulations'). The application site is in close proximity to the River Wye Special Area of Conservation (SAC) which is a European site. The site is notified at a national level as the River Wye Site of Special Scientific Interest (SSSI) and the River Lugg SSSI. Please see the subsequent sections of this letter for our advice relating to SSSI features.

In considering the European site interest, Natural England advises that you, as a competent authority under the provisions of the Habitats Regulations, should have regard for any potential impacts that a plan or project may have. The Conservation objectives for each European site explain how the site should be restored and/or maintained and may be helpful in assessing what, if any, potential impacts a plan or project may have.

The consultation documents provided by your authority do not include information to demonstrate that the requirements of Regulations 61 and 62 of the Habitats Regulations have



been considered by your authority, i.e. the consultation does not include a Habitats Regulations Assessment.

#### River Wye SAC - No objection

A stretch of the river from the two sewage treatment works (STW) in Hereford (Rotherwas and Eign) to the confluence with the Lugg is at risk of exceeding the River Wye SAC conservation objective target for phosphates. Modelling has shown that up to approximately 6500 houses can be accommodated 1) within the existing discharge consents (permission for Welsh Water to discharge to the River Wye SAC, granted by the Environment Agency), and 2) without causing the River Wye SAC conservation objective target for phosphates to be exceeded (without causing adverse effect on integrity (AEOI)).

Your Authority needs to consider when determining this planning application the impacts of this proposal on the River Wye SAC alone or in combination with other projects and plans. In advising your authority on the requirements relating to Habitats Regulations Assessment, and to assist you in screening for the likelihood of significant effects, based on the information provided, Natural England offers the following advice:

- the proposal is not necessary for the management of the European site
- that the proposal is unlikely to have a significant effect on any European site, and can therefore be screened out from any requirement for further assessment.

It is proposed that the development will connect to mains sewer and we note Dŵr Cymru/ Welsh Water have not objected to mains connection in their letter dated the 21 October 2015. The development site is an allocated development site within the adopted Herefordshire Local Plan - Core Strategy and has therefore already been included within the available headroom.

#### River Wye SSSI and the River Lugg SSSI

Please see section above. Our concerns regarding the River Wye SSSI and River Lugg SSSI are the same as those for the River Wye SAC.

#### Lugg and Hampton Meadows SSSI – No objection – no conditions requested

We refer you back to the comments we made in our letter dated the 25 March 2015. We have no further comments to make.

#### Soils and Land Quality

Since our original response the Herefordshire Local Plan-Core Strategy has been adopted and therefore we consider that this proposal falls outside the scope of the Development Management Procedure Order (DMPO) (as amended) consultation arrangements. Although outside the scope of the DMPO, Natural England draws your Authority's attention to the following land quality and soil considerations:-

1. Based on the information provided with the planning application, it appears that the proposed development comprises approximately 22.7 ha of agricultural land. No information has been provided with the application with regards to the 'best and most versatile' (Grades 1, 2 and 3a land in the Agricultural Land Classification (ALC) system).

2. Our maps show that the site is graded at a strategic level as grade 3 agricultural land. This information is available on [www.magic.gov.uk](http://www.magic.gov.uk). There are no available detailed Agricultural Land Classification surveys available for the site but our data indicates that the area has a high predictive likelihood of BMV.

3. The illustrative masterplan shows that some of the site will remain undeveloped as formal and public open space, allotments and green corridors. However the majority of the site which has been graded at a strategic level as grade 3 will be lost.

4. Government policy is set out in paragraph 112 of the National Planning Policy Framework which states that:

*'Local planning authorities should take into account the economic and other benefits of the best and most versatile agricultural land. Where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality'.*

5. In order to safeguard soil resources as part of the overall sustainability of the development, it is important that the soil is able to retain as many of its many important functions and services (ecosystem services) as possible through careful soil management.

6. Consequently, we advise that if the development proceeds, the developer uses an appropriately experienced soil specialist to advise on and supervise soil handling, including identifying when soils are dry enough to be handled and how to make best use of the different soils on site. Further guidance is available in Defra *Construction Code of Practice for the Sustainable Use of Soils on Construction Sites (including accompanying Toolbox Talks)* and we recommend that this is followed.

#### Green Infrastructure and potential for Priority Habitat creation

We refer you to our response dated the 25 March 2015 and the comments made regarding green infrastructure and priority habitat creation. Our response remains unchanged.

Natural England, as stated in previous correspondence, is not in a position to give a view on issues such as local sites, local landscape character or the impacts of the development on species or habitats of biodiversity importance in a local context.

As we advised in our previous correspondence, your authority should seek advice from the appropriate local record centre, Local Site scheme and other appropriate recording bodies to ensure that any decision made relating to this application is compliant with relevant national planning policies. You should also assess whether the proposal respects and, where possible, enhances local distinctiveness and be guided by your Authority's landscape character assessment where available, and the policies protecting landscape character in your local plan or development framework when determining the application.

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

I refer to your email of the 11 March 2016 in relation to the above development and, specifically amendments to the proposals, including the substitution of a smaller area set aside for park and choose instead of park and ride. We have no objection to the proposed development and would re-iterate and revise the following comments and conditions for your consideration at this time.

**Flood Risk:** The proposed development is located in Flood Zone 1 (low probability) based on our indicative Flood Zone Maps. Whilst development may be appropriate in flood zone 1, Table 1 of NPPF Technical Guide states that a Flood Risk Assessment (FRA) is required for 'development proposals on sites comprising one hectare or above' where 'there is the potential to increase flood risk elsewhere through the addition of hard surfaces and the effect of the new development on surface water run-off'.

**Flood Risk Assessment (FRA):** The Ayles Brook runs along the eastern and southern boundaries of the site and a smaller watercourse in the western section of the site. Both are classed as ordinary watercourses and we do not hold hydraulic models for either watercourse.

The Ayles Brook does, however, have flood zones associated with it, which have been produced using a national, generalised mapping technique. The watercourses then pass under Roman Road (A4103) and are, in culvert, run under the racecourse before eventually discharging into the River Wye. BWB have undertaken hydraulic modelling of both watercourses within the site boundary to further assess the flood risk to the site and the results are included in their FRA (Ref: BMW/2159/FRA/REVB dated November 2014). The modelling information is included in Appendix B (Hydraulic Modelling Technical Note) including the flood mapping of the various return periods. The FRA has also identified some historical flooding south of the site where the tributary of the Ayles Brook goes into culvert at the Roman Road (A4103). We are generally satisfied with the modelling undertaken and outlined in the Hydraulic Modelling Technical Note (Appendix B). The more conservative of the 2 flows derived has been used in the modelling though both the Statistical and Rainfall Runoff techniques produced comparable flows. Good sensitivity analysis has been undertaken looking at the impacts of flows, roughness, downstream boundary impacts and particularly on the blockages of structures and included in Appendix F and in Table 4.1 of the Technical Note. The FRA has confirmed (2.11) that although the modelling was sensitive to the various sensitivity testing carried out there was little alteration in the floodplain extent due to the topography which is understandable on a steep site like this. We note that the various small culverted crossings on the tributary of the Ayles Brook from a site visit and that they would be susceptible to blockages (BL7 and BL8 on Figure 4.3 of the Technical Note). There was flow in this watercourse during a site visit made in March 2015. The FRA has confirmed that all development will be located within Flood Zone 1 of BWB's modelling other than some of the parking associated with the Park and Ride scheme which is shown to flood to a depth of 80mm in a 1 in 1000 year event.

**Finished Floor Levels:** This is the key issue given that the modelling has shown that the proposed dwellings will be located within Flood Zone 1. Section 3.11 of the FRA and Table 4.1 of the Technical Note have assessed the various modelled flood levels and suggested suitable finished floor levels which are generally the standard 600mm above the 1 in 100 year plus climate change modelled flood level. This is other than at Point H on Figure 3.1 of the FRA where the floor level has been raised due to the impact of blockages at this point and is 880mm above the 1 in 100 year plus climate change modelled flood level. These minimum floor levels are acceptable to the Environment Agency.

**Safe Access/Egress:** The FRA (3.6) confirms that the new access road will be set above the 1 in 100 year plus climate change modelled levels and provide safe pedestrian and vehicular access for the development. This will require culvert crossings over the two watercourses. As these are both ordinary watercourses these will require the consent of Herefordshire Council as the Lead Local Flood Authority (LLFA). Our preferred option would generally be for an open span bridge to cross the watercourses rather than a culvert crossing. The LLFA will have to be satisfied flood risk elsewhere will not occur as a consequence of the crossings/access road.

**Overland Flow Routes:** As highlighted in the FRA, given the topography of the site, it is essential that the development is designed to ensure that overland flows from the adjacent farmland are routed away from residential units and also that they are not diverted towards third parties. It is noted that BWB have produced a Technical Note (Ref: BMW/2159/TN2) to address concerns raised in relation to waste water infrastructure and surface water management. We would have no further comments to add on this.

**Park and Ride:** We note that the amended proposals now include a 'Park and Choose' facility as oppose to the previous, larger, 'Park and Ride'. Additionally, the new facility is located wholly within Flood Zone 1, the low risk Zone, which is welcomed.

**Surface Water Drainage:** Again Herefordshire Council, as the LLFA, will lead on this aspect of the proposals to ensure that flood risk elsewhere is not increased and ideally betterment will be provided post development as proposed in the FRA and Hydraulic Modelling Technical Note.  
End 3

**Flood Risk Betterment:** Large strategic sites such as this should be designed to provide flood risk betterment post development, particularly as there have been historical flood events immediately downstream of the site on the southern side of Roman Road. The FRA suggests that flows could be directed away from the ordinary watercourse in the west of the site directly to the Ayles Brook thus avoiding the location of the historical flooding on the Roman Road. We agree that this is a matter that should be investigated with Herefordshire Council as development should also look to reduce existing flooding issues post development.

**Summary:** We are satisfied with BWB's FRA and that the vast majority of the site is not at fluvial flood risk and is therefore developable. We recommend the following conditions if planning permission is granted:

**Condition:** Finished floor levels shall be set no lower than the levels indicated in Figure 3.1 of the FRA and Table 4.1 of the Hydraulic Modelling Technical Note unless otherwise agreed in writing by the LPA.

**Reason:** To protect the proposed dwellings from flood risk for the lifetime of the development including culvert blockages.

**Condition:** The proposed access crossings must be designed to ensure that access and egress is available to all dwellings above the 1 in 100 year plus climate change modelled flood levels provided in Table 4.1 of the Hydraulic Modelling Technical Note without increasing flood risk elsewhere.

**Reason:** To ensure all residents have safe vehicular and pedestrian access to and from the development during flood events and that flood risk to third parties is not increased.

**Foul Drainage:** We would have no objection to the connection of foul water to the mains foul sewer, as proposed. The LPA must ensure that the existing public mains sewerage system has adequate capacity to accommodate this proposal, in consultation with the relevant Sewerage Utility Company.

**Export & Import of wastes at site:** Any waste produced as part of this development must be disposed of in accordance with all relevant waste management legislation. Where possible the production of waste from the development should be minimised and options for the reuse or recycling of any waste produced should be utilised.

#### 4.5 Sport England

Sport England has assessed the application against its adopted planning policy objectives. The focus of these objectives is that a planned approach to the provision of facilities and opportunities for sport is necessary in order to meet the needs of local communities. The occupiers of any new development, especially residential, will generate demand for sporting provision. The existing provision within an area may not be able to accommodate this increased demand without exacerbating existing and/or predicted future deficiencies. Therefore, Sport England considers that new developments should be required to contribute towards meeting the demand they generate through the provision of on-site facilities and/or providing additional capacity off-site. The level and nature of any provision should be informed by a robust evidence base such as an up to date Sports Facility Strategy, Playing Pitch Strategy or other relevant needs assessment.

This requirement is supported by the Governments National Planning Policy Framework and Core Strategy Policies OS1 and OS2.

## **Built Facilities**

The population of the proposed development could be between 1,150 – 1,610 (these figures are based on 2.5 occupiers per dwelling and 3.5 occupiers per dwelling). This additional population will generate additional demand for sports facilities. If this demand is not adequately met, then it may place additional pressure on existing sports facilities, thereby creating deficiencies in facility provision. In accordance with Circular 05/05, Sport England seeks to ensure that the development meets any new sports facility needs arising as a result of the development.

You may be aware that Sport England's Sports Facilities Calculator (SFC) can help to provide an indication of the likely demand that will be generated by a development for certain facility types. The SFC indicates that a population of 1,150 will generate a demand for the following built facility typologies:

The SFC indicates that a population of 1,610 will generate a demand for the following built facility typologies.

Sport England accepts that the population figures may not be correct, but it is the principle and method of calculating the contribution which is important here.

## **Playing Pitches**

Herefordshire Council have been working with Sport England along with several of the National Governing Bodies for Sport in preparing a playing pitch strategy. This work is almost complete.

The Investment Plan's methodology is considered to be robust and it provides details of projects for Hereford city which are considered to be sustainable, deliverable and CIL compliant. They will help to address some of the existing deficiencies and future requirements to cover the plan period up to 2031 for each sport (football, cricket, rugby and hockey). Projects include both those to develop new facilities and those to provide improvements to existing facilities, to help improve both quantity and quality.

Contributions are calculated as follows:

- Total housing required in Hereford City (Core Strategy) 6,500
- Total market housing @ 65% 4,225
- Total investment required up to 2031 for outdoor sports facilities: £6,474,052: Estimated costs:

Facilities Costs are in accordance with our (Sport England's) Facility Costs Kitbag as of 2Q2012 where appropriate:

- 65% investment required: £4,208,134
- Cost per market house: £996

Total sought from this development @ 299 market housing £297,804 (if this is the level of market housing proposed) to be used for projects identified in the Investment Plan. At this stage it is not possible to identify one particular project as it will be subject to priorities at the time of receiving the contribution.

In conclusion, it is my view that there is robust evidence to seek contributions for off-site playing fields. I would support the LPA in seeking contributions towards built facilities.

This being the case, Sport England does not object to the granting of planning permission for this application subject to suitable contributions towards outdoor sports and if appropriate indoor built sports provision. If there is no contribution made available towards sports provision, then Sport England would wish to lodge an objection to the granting of planning permission. This is

because in my view the proposal is not sustainable, and does not meet the NPPF guidance on sustainable projects.

The absence of an objection to this application in the context of the Town and Country Planning Acts, does not in any way commit Sport England's or any National Governing Body of Sport's support for any related application for grants funding.

4.6 Heritage England: No objection

1. The advice of your archaeological adviser should be followed in full.
2. The layout of the site should provide a direct pedestrian link with the Parish Church, and that layout should reflect the significance of this outstanding historic building. The landscape design should however provide a green backdrop to the church, when seen from the east.

**Internal Consultation Responses**

4.7 Transportation Manager: No objection subject to conditions.

The council is in receipt of the addendum to the TA, which has been reviewed and discussed with the applicant.

To understand the impact on the strategic and local highway network of this and other strategic development sites, Highways England and the Council utilised the HE's Vissim model. The outputs of the model have been scrutinised by the Council's consultants. It is concluded, having regard to the provision of the A4103 – A49 link as part of the development will not have a severe impact and could be delivered.

The development will utilise a Traffic Light junction on Roman Road (A4103), which is deemed to be the best solution for the location taking into account the pedestrian movements. A roundabout was considered but this was not deemed a best solution as the traffic flows would impede the minor junction and this solution is not suitable for the pedestrian and cycle flows. There is potential for minor tweaks to the design that may require the junction to expand into land ownership of the applicant but this is acceptable to the developer.

A technical note from our consultants has been provided in relation to this junction. This is in response to the addendum provided by the applicant.

The note concludes that the junction would operate within the capacity of the junction's design and the staging of the lights are worse case scenario and would enable movement of traffic during the peak period including pedestrian and cycle movements. The constraints of the junction design are acceptable to the authority.

The impact of the development on the A4110 / A4103 junction has also been assessed; this was not part of the original Transport Assessment. The sensitivity testing has concluded that 'the development will have marginal impact upon the junction operation in both peak periods and corroborates with PJA's assessment that the development does not have a severe impact on the operation of the junction in 2022.'

The applicant has provided further information such that the junction will be installed with Mova which will maximise the efficiency of the junction.

The junction will be delivered under a Section 278 Agreement and must be delivered prior to occupation of any of the properties. The S278 will also deliver a cycle footway link from Kempton Avenue through to the Starting Gate; the time of the delivery of this scheme is linked to the junction.

The delivery of the housing needs to be agreed with the planning and highways authorities. It has been proposed that the link between the A4103 and the A49 will be delivered following occupation of no more than 200 houses. This is acceptable in principle but it should be demonstrated that this will have nil detriment to the network.

The applicant is prepared to contribute to the deliver of the by-pass and the package of measures required to mitigate the development, the contribution figure is £1,934,765.

In undertaking the Transport Assessment, the applicant's team have highlighted potential improvement in the network by improving the management of the traffic light system within the city This is currently undertaken by the council utilising the scoot system and the applicant has offered to pay for a review and assessment of the system and agreed to fund any improvements through the S106 contribution. This is acceptable to the Council.

The application has provided an indicative plan of the link or principal street between the A49 and the A4103 and the infrastructure required to service the site. Significant design work will be required to detail the scheme, this is for the Reserved Matters stage and it is envisaged that there will need to be close liaison between applicants, Council and Highways England to work through the design. At this stage it is proposed there will be a 7.5t weight limit and the expected speeds will be designed to be a maximum of 30mph. This is acceptable in principle to the Council.

If permission is granted in outline, I'd request inclusion of the following conditions:-

- Highway drainage
- Phasing of the deliver of the houses and the link road
- Construction and Traffic Management Plan
- CAP – off site highway improvements
- CAS – phasing for the completion of estate roads
- CAT – wheel washing
- CAZ – parking for site operatives
- CB3 – travel plan

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

##### **Overview of the Proposal**

The Applicant proposes the construction of up to 460 new dwellings with a park and choose facility and access. The land is currently used for agricultural purposes and covers an area of 22.7 hectares (ha). An ordinary watercourse named the Ayles Brook flows along the eastern and southern boundaries of the site. An ephemeral stream is stated to run through the western part of the site and forms a tributary of the Ayles Brook. Both streams are under the jurisdiction of Herefordshire Council which acts as the Lead Local Flood Authority (LLFA) for this area. The surrounding area slopes fairly steeply down towards and across the site towards the Ayles Brook.

##### **Fluvial Flood Risk**

The Environment Agency Flood Map for Planning (Figure 1) indicates that the majority of 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). Land located immediately adjacent to the Ayles Brook is indicated to be located in the high risk Flood Zone 3 where the annual probability of flooding from fluvial sources is greater than 1% (1 in 100). As the site is greater than 1 ha and partially is located in Flood Zone 3, a Flood Risk Assessment (FRA) is required in accordance with National Planning Policy Framework (NPPF).

The Applicant submitted a FRA which confirms that the majority of the site is at low risk of flooding from the brook, with exception of the area located immediately adjacent to Ayles Brook. The submitted FRA includes results of hydraulic modelling of the Ayles Brook which was undertaken to confirm the existing capacity of the brook and exact extent of the floodplain. In addition, the hydraulic model identified the potential flood risk associated with the existing ephemeral stream in the western part of the site.

The FRA states that the proposed dwellings will be located in areas designed as Flood Zone 1 and that the park and choose car park will be located partially within the modelled floodplain. However, the works will result in no loss of the 1 in 100 year floodplain storage and the flood depths are predicted to not exceed 80mm during the modelled 1 in 1000 year event. The overall hazard level has been identified as 'low' during all modelled events and the location of the car park is therefore considered to be acceptable. We note that the EA has also confirmed that the proposals are acceptable.

The FRA states that finished floor levels of proposed dwellings will be established a minimum of 600mm above the fluvial flood level predicted for the 1 in 100 year plus climate change event, or 150mm above the peak water level generated by blockage scenarios (whichever is greater). Figure 3.1 and Table 4.1 of the FRA show the required minimum finished floor levels throughout the site. We agree with the proposed approach and note that the EA has also confirmed that the proposals are acceptable.

The FRA also states that the potential residual risk of groundwater emergence, pluvial runoff and sewer surcharging on the site will be mitigated by setting finished floor levels a minimum 150mm above adjacent ground levels and by profiling the ground to direct overland flows away from the built development and towards the nearest drainage point. We agree with the proposed approach.

The proposed access road will require the construction of new culverts across the Ayles Brook and the ephemeral stream. The FRA states that it is envisaged that the road can be set above the 1 in 100 year flood level with an allowance for climate change to allow dry access and egress through the site. In addition, the hydraulic modelling exercise indicated that a new upsized culvert across the ephemeral stream or new channel would provide some flood relief around the Roman Road area during flood events. We recommend that this option is investigated further at the detailed stage of the project. If any new crossings ensure no loss of channel capacity, no increased flood risk up to the 1 in 100 year plus climate change event, consideration of blockage risks and, where possible, betterment over existing conditions then we have no objections to this approach.

Construction of new crossings will require appropriate consents from Herefordshire Council as the LLFA. We also advise that ecological considerations will need to be taken into account and the need to consider migration routes and habitat loss. The note that the EA stated that their preferred option will be an open span bridge to cross the watercourses rather than a culvert crossing to mitigate potential risk of blockage.

The submitted FRA is found to be robust and provide sufficient information for outline planning permission. The Environment Agency provided recommendations on potential conditions if planning permission is granted. We agree these conditions.

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

As required by the NPPF, the FRA also gives consideration to flood risk from other sources. The potential flood risk from surface water, groundwater, impounded bodies of water and sewers have been assessed and considered to be of low risk. We concur with this assessment.



### **Surface Water Drainage**

The submitted Site Investigation Report states that three soil infiltration tests were undertaken in the central and eastern areas of the site. No notable infiltration was observed hence it was concluded that infiltration techniques are not feasible on this site. Our review of the Cranfield University Soils map confirms that soils within this area are described as having impeded drainage. However, the same map indicates that the western part of the site is underlain by freely draining soils. Therefore, it is recommended that the Applicant maximises the use of infiltration techniques in this area, where possible, and maximises the use of combined attenuation and infiltration features – noting that groundwater levels should be a minimum of 1m below the base of any infiltration feature to maximise infiltration potential and reduce risk of groundwater ingress.

The submitted FRA states that surface water runoff from the development will be discharged to Ayles Brook with the discharge rate restricted to the current annual average greenfield runoff rate (QBAR). We are in support of this approach, although recommend that SUDS features are used to convey and attenuate surface water runoff to reduce runoff during smaller rainfall events.

It is proposed that surface water runoff from the development is attenuated in ponds that will be designed up to the 1 in 100 year event including allowance for climate change. For the park and choose area a system that includes a dry swale, filter drain and cellular storage and/or oversized pipes arrangement is proposed to provide attenuation storage for the 1 in 100 year event with climate change allowance. We note that the swale and filter drain are stated to be designed to provide two levels of treatment and stress the need for appropriate treatment to be carried through into the detailed design. The FRA also recommends that SUDS and source control techniques are considered throughout the development to minimise impermeable surfacing and to ensure runoff is passed through a minimum of two levels of treatment prior to discharge from the site. The submitted FRA includes drawings showing the proposed surface water drainage strategy, volumes of the attenuation storages and cross sections through typical SUDS measures.

We approve of the approach to surface water management and stress that a development of this size should be providing an exemplar of sustainable drainage techniques in accordance with the National Standards for Sustainable Drainage.

Information regarding the proposed adoption and maintenance of the drainage system must be provided as part of any subsequent reserved matters application.

### **Foul Water Drainage**

The submitted FRA states that Dwr Cymru Welsh Water was consulted in regards to foul water discharge from the development and they confirmed there is capacity in the existing sewage system. The FRA states that the final approach for the disposal of foul water will be determined at the detailed design stage of the project and in consultation with Welsh Water. We concur with this approach.

### **Overall Comment**

For outline planning permission we have no objections to the proposed development on flood risk and drainage grounds. Should the Council be minded to grant outline planning permission, we recommend that the submission and approval of detailed proposals for the disposal of foul water and surface water runoff from the development is included within any reserved matters application. The detailed drainage proposals should include:

- Provision of a detailed drainage strategy that demonstrates that opportunities for the use of SUDS features have been maximised, where possible, including use of infiltration techniques and on-ground conveyance and storage features;

- Evidence that the Applicant is providing sufficient on-site attenuation storage to ensure that site-generated surface water runoff is controlled and limited to agreed discharge rates for all storm events up to and including the 1 in 100 year rainfall event, with a 30% increase in rainfall intensity to allow for the effects of future climate change;
- Demonstration that appropriate pollution control measures are in place prior to discharge;
- Information regarding the proposed adoption and maintenance of surface water and foul water drainage systems;
- Further information regarding the proposed access road structures across the Ayles Brook and ephemeral stream to ensure no loss of capacity, no increase in flood risk, consideration of blockage risks and consideration of ecological requirements.

It is recommended that surface water drainage strategy and mitigation measures for flooding are provided in accordance with the information provided in the submitted FRA, and that the use of SUDS techniques is maximised where possible

#### 4.9 Strategic Planning Manager

The site's strategic housing allocation, incorporated into Policy HD4 of the emerging Herefordshire Local Plan Core Strategy, was decided at a relatively early stage in the process of its development. The Spatial Strategy identified Hereford as a "growth point", which would accommodate approximately half of the County's new homes allocation.

To meet this, it was recognised that the Core Strategy would need to identify some strategic locations to accommodate around 6500 new homes. It is recognised that for development of this scale, much of these will have to be accommodated on edge-of-city greenfield sites.

The Developing Options consultation in 2008 decided on how this type of growth would be distributed. The option preferred was a dispersed number of smaller urban extensions in various locations around Hereford, as opposed to focussing all growth on large sites to the south and west of the city.

With this option brought forward, the 2010 Place-Shaping Options paper identified five strategic sites in various locations around Hereford, of which Holmer West to the north of the city was one.

The site was included in the Strategic Housing Land Availability Assessment (SHLAA) in 2009 as a site with potential to accommodate some of the growth required, with the majority of the land covering the proposal area assessed as having only minor constraints to development. Using a mix of the five strategic sites identified, four further options were devised for distribution of growth at the Preferred Option consultation stage (2010). The preferred option taken forward was again a dispersed distribution of growth, which was developed and amended taking into account consultations, an updated evidence base, subsequent studies and the results of the Sustainability Appraisal (inclusive of the Habitats Regulations Assessment). The resulting devised policy included an urban expansion to the north of Hereford, of which part was Holmer West.

The specific policy devised for the northern urban expansion (H4) at the Preferred Option stage in 2010 initially made an allocation of circa 1000 new homes (35% affordable) for the Holmer West site, including a new Primary School amongst other community infrastructure and facilities. The housing figure had been revised up from 500 following the decision that a western inner corridor should be taken forward by the Hereford Relief Road - Study of Options.

However, this was subsequently reduced back to 500 as part of an overall reduction in housing targets for Hereford, amid concerns over deliverability.

The option to develop Holmer West has been presented in the context of the housing distribution strategy for Hereford at various stages of consultation in the Core Strategy's development. There were eight rounds of consultation undertaken between 2007 and pre-submission in 2014. Each stage of consultation ran for a minimum of six weeks, and all interested parties contained within the Local Development Framework database of respondents were contacted directly to take part through questionnaires and comment. All were well-publicised through a variety of advertising media and public engagement events held throughout the County. All relevant documentation was made widely available online, in public libraries, exhibitions and information centres.

Holmer West is an important strategic site, contributing to the delivery of Hereford's housing targets and the sustaining of a five-year housing land supply. The Annualised Trajectory (Appendix 4 of the Core Strategy) projects that the site should deliver up to 225 units in the first 5 years following the adoption of the Core Strategy.

#### 4.10 Conservation Manager (Historic Buildings): No objection

The following comments relate to the level of harm, if any, potentially caused to the five heritage assets in the immediate vicinity of the application site by the proposed outline development. The comments are based on the indicative layout shown on drawing number 13005(L) 002 Rev O.

The five heritage assets are all located between the application site and the A49.

##### HOLMER HOUSE

The immediate setting of grade II listed Holmer House is its farmyard to the north and west, plus the mature trees in the garden to the south and east. The slightly wider setting is the agricultural landscape of the Holmer House farmstead itself. From the main public vantage point of the A49, the listed building is secluded and separated from the new development to the east of the A49 and is relatively removed from the Church of St Bartholomew (grade I) to the south.

The proposed housing development wraps round Holmer House farmstead, though there is a green buffer space between the housing and farm buildings. Holmer House derives its significance partly from its use as a Farmhouse with its attendant farm buildings within its agricultural landscape. The removal of a large portion of that immediate landscape will change the setting, reducing the connection between the farmstead and its fields. This will reduce the significance of the heritage asset provided by the setting. In terms of NPPF Paragraph 134, the degree of "less than substantial harm" caused by the housing development on Holmer House is considered to be Low/Medium.

##### PEDESTAL TOMB

The tomb is grade II listed and is located to the east of the Church of St Bartholomew, within the churchyard. Its setting is localised to the churchyard, between the church and the boundary wall. Views that encompass the tomb and the housing site are possible but are not dominant. In as much as the churchyard would become a more suburban space than a rural space, there would be an impact on the description of the tomb setting, however the way that the tomb would be experienced would be little altered in reality.

It is considered that in NPPF Paragraph 134 terms, the level of harm would be Very Low, if at all.

### DETACHED BELL TOWER

A particular feature of the churchyard is the detached bell tower, which is grade II listed and has a distinctive timber-framed upper level. It is located to the south of the Church of St Bartholomew. The bell tower is set immediately adjacent to the church and also to the north of the former Vicarage (now extended for use as a care home) and the parish hall. It is therefore perceived as being part of a cluster of buildings of domestic scale. The new housing under construction to the east of the A49 will increase the built environment setting, relegating the rural landscape to the fields to the west only.

The proposed housing development will further eliminate the rural setting of the bell tower by leaving only a wide green buffer. The topography to the west of the bell tower means that the housing will be on gradually rising land, thus making it more prominent.

As a formerly rural churchyard and bell tower, there is a degree of significance that will be lost by the encroaching built environment. The proposed green buffer will assist in protecting the setting up to a point but the landscape will change from an agricultural, worked setting to a semi-wooded/park setting.

In terms of NPPF Paragraph 134, the level of harm is considered to be Low/Medium, since the main significance of the heritage asset lies within the building and its history, rather than purely its setting.

### CHURCHYARD CROSS

The churchyard cross is both grade II listed and a scheduled ancient monument. It is situated to the south of the Church of St Bartholomew, to the east of the bell tower. The setting of the cross is similar to that of the listed tomb and is localised. The impact of the housing development on the cross would be minimal, though views incorporating both the cross and housing may be more possible than with the tomb simply due to location.

It is considered that in NPPF Paragraph 134 terms, the level of harm would be Very Low, if at all.

### CHURCH OF ST BARTHOLOMEW

The church is a relatively unassuming building, especially with the timber-framed bell tower sitting adjacent to it, but it is grade I listed and therefore the most valuable heritage asset in the vicinity. The significance of the asset, however, lies within its fabric and history in the main, rather than in the setting. The rural setting does make a contribution to the significance, as it does to the bell tower and in the same way there is a degree of significance that will be lost by the encroachment of the built environment to the west of the church. The green buffer zone will help to alleviate the harm caused by this change, even though the buffer will, in itself, represent a change in landscape character, as highlighted above for the bell tower.

In terms of NPPF Paragraph 134, the level of harm is considered to be Low/Medium, since the main significance of the heritage asset lies within the building and its history, rather than purely its setting.

#### 4.11 Conservation Manager (Archaeology): No objection subject to conditions.

The application has been preceded by lengthy pre application discussions, and includes - as advised - full desk and field based reports on the archaeological interest and significance of the site.

Whilst it is emphasised that archaeological assessment and evaluation (as undertaken here) can only ever give an *indication* of the potential for below-ground archaeology, a fair level of confidence can I think be placed in the results in this case.

In general, the results appear to indicate that although the majority of the application area is of limited archaeological interest and potential, there are a number of locations within which some finds of interest have been made, and where there is the potential for further finds.

At first sight the most sensitive of these locations is in the vicinity of Evaluation Trench 53 [see Field Evaluation report] where a buried cremation cemetery of likely prehistoric date is indicated. Although this is a discovery of some importance, it is clear that these remains would only be affected in the northern extremity of the developed area, if at all. Given their position, I do not regard these remains as a major issue – they can readily be accommodated/mitigated here.

Additional areas of interest include a confined zone in the central eastern part of the site, which appears to contain some moderately significant medieval /post medieval remains, and a number of other locations where intermittent remains/features of various periods are evident. None of these would be regarded as being particularly significant, although they may have some group value, and would certainly merit recording.

Therefore, in accordance with NPPF Para 141 and saved Policy ARCH 6 of the UDP, I am of the view that the proposal is acceptable subject to appropriate archaeological recording under condition. I would advise standard 'programme of archaeological work' archaeological condition E01 / C47.

#### 4.12 Conservation Manager (Landscapes): Qualified comment

The proposal is for a large-scale development of up to 460 residential dwellings with associated landscaping, access, public open space and associated works. It has been previously screened out as EIA development as whilst the proposal is large scale it was considered unlikely to give rise to significant adverse effects in terms of the wider landscape character or visual amenity.

The site comprises a number of medium to large scale arable fields, contained by hawthorn hedgerow. The landscape character type is Principal Settled Farmlands, described as a landscape with a domestic character defined chiefly by the scale of its field pattern, of small to medium sized fields. As a result of land use and perhaps due to its proximity to the city this local landscape has undergone a degree of change including the loss of hedgerow and traditional orchard. The arboricultural report indicates the presence of a network of hedgerow in good physiological and structural condition as well as a number of Category B trees. It does not however indicate the number of trees or extent of hedgerow to be removed as part of the proposal necessary in order to be able to judge the extent of the localised landscape effects. However it is accepted that as stated in the LVIA that landscape effects on the wider landscape character are unlikely to be significant.

With regard to visual amenity, the visual influence of the site is limited as a result of the south facing slope. The built form and vegetation along the watercourse further contain views. Visual impact is therefore unlikely to be significant.

There are no landscape designations on site itself and the site is referenced within the Urban Fringe Sensitivity Analysis (2010) as being, for the main part, medium sensitivity. As well as being within enhancement zone HerLez3 within The Green Infrastructure Strategy (2010) and these factors along with the strategy for conservation and enhancement for this character type should be the guiding factors in terms of any layout proposals.

It is noted that the previous landscape officer has commented upon the proposed layout and acknowledged that most concerns from a landscape perspective have been addressed.

Further comments were made in respect of GI links both within the site in terms of the connection between the formal space and the outer green edge as well as links beyond the site to existing green assets. Green fingers connecting the internal formal open space to the outer corridor are crucial in terms of GI and ecological corridors the detail of which will be required as part of the reserved matters.

The landscape setting of the grade I listed church of St Bartholomew's appears to be adequately addressed given the landscape buffer provided by the green corridor and visual links and vistas to this important landmark retained from the formal open space.

The specialist housing is in terms of scale and mass considerably greater than adjacent built form and how successfully it sits within the landscape should be further assessed.

Finally, the existing function of this site is as transition zone between the city extents and open countryside. This transition zone will move further north as a result of the proposal and this should be a primary consideration with respect to the design proposals. As previously stated edges defined by garden boundaries are inherently weak. In my opinion this sensitive northern boundary needs further consideration.

#### **Additional comments in light of amended indicative master plan**

- I note the submission of the amended indicative masterplan, which illustrates a revised park and choose scheme thereby significantly reducing the area of hard standing within the scheme.
- Finally in respect of the PROW H01, whilst I differ in judgement to the findings shown in Appendix 4 of the LVIA – the landscape effects on completion are stated as not significant – I do however consider that the scheme offers an extensive green infrastructure network which goes some way to compensate for this adverse effect my overall conclusion remains therefore the same.

#### **4.13 Conservation Manager (Ecology): Qualified comment**

I have read the ecology report from Ecology Solutions and acknowledge that it covers the necessary appraisal of the site for protected species and habitats. I am glad to see that the provision for protect species. On site has been made with continued access for them to the wide countryside via the green corridor to the north and west of the site. I am also content that the report offers sufficient mitigation and biodiversity enhancements for the project and would recommend that this is secured by non-standard conditions as follows:

*The recommendations set out in the ecologist's report from Ecology Solutions dated February 2015 should be followed in relation to species mitigation and habitat enhancement. Prior to commencement of the development, a full working method statement for the protected species present together with a habitat enhancement plan integrated with the landscape proposals should be submitted to, and be approved in writing by, the local planning authority, and the work shall be implemented as approved.*

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

#### **Reasons:**

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

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

- 4.14 Schools Capital and Investment Manager: The Council has negotiated a contribution using the Planning Obligations SPD methodology, which according to the indicative housing mix generates a contribution of £1,155,620.00 (index linked) to provide enhanced educational infrastructure at Trinity Primary School and/or Holmer Primary School or such other primary school that may be delivered during the course of the development, and Whitecross Secondary School.

- 4.15 Housing Development Officer: No objection

In principle the housing team support the above application for up to 460 dwellings of which 161 would be made available for a housing association to procure. The 161 dwellings would consist of an 80 bed supported housing unit and the balance as general needs accommodation pepper potted throughout the remainder of the development site.

Herefordshire has a rapidly growing older population with estimates predicted to reach 100,592 older persons aged 65+ by 2030. The Herefordshire Older People Housing Strategy and Pathway identifies a need for +3384 units of specialist accommodation alone for older persons within the county by 2030. The strategy identifies that there is a mismatch in current supply of specialist housing against what is needed, suggesting that there is a very limited supply of retirement type accommodation available. The specialist accommodation proposed on the site is therefore welcomed.

The Herefordshire Local Housing Market Assessment - 2012 (updated) identifies a need for 16,500 dwellings of open market and general needs accommodation within the County by 2031, of which 5,686 are identified as affordable. The development falls within the Hereford HMA where there is an annual backlog of need for 417 units of affordable housing per year (11-17). A further 2929 dwellings required by 2031.

Following discussions with Bloor Homes it has been mutually agreed that on approval of the outline planning application the land for the development of the supported housing unit is to be transferred to a Housing Association for the development to be completed by the Housing Association. Further negotiations between Adult Social Care and the preferred Housing Association/ Housing Provider will take place to ensure the most appropriate development is created to meet the identified vulnerable need.

Bed size and tenure have also been discussed and agreed with Bloor Homes. The general affordable needs dwellings are to be allocated to those with a local connection to Hereford city in the first instance, the supported housing to have a local lettings plan agreed with the housing association as per the allocation criteria of the dwellings.

- 4.16 NHS

The development will impact upon the Bobblestock Surgery which is fully utilising all of its available clinical space so is unable to provide services to this increased population. A Section 106 capital contribution from the developer for primary medical care facilities is required to support this residential development as per the analysis below:

Capacity Analysis

Planned Number of dwellings 460

Forecast increase in population 1,058

Average No. of consultations per annum 6

Forecast No. of consultations per annum 6,348

Consulting Room Capacity 6,300  
No of consulting rooms required 1.01

Cost Analysis

Consulting room floor area required 16.12 sq m  
Clinical/Non clinical support (excluding circulation) 10.75 sq m  
Total floor area required 26.87 sq m  
Forecast outturn costs (fully inclusive) £95,671

The NHS England Area Team requests a capital contribution of £95,671 to be allocated under Section 106 of the Town and Country Planning Act as part of this application. As can be seen from the capacity and cost analysis above this request is directly related to the development and is fairly and reasonably related in scale and kind to the development.

4.17 Environmental Health Manager (Contamination): No objections subject to conditions.

4.18 Environmental Health Manager (Noise): No objection

The submitted noise report is based on noise readings at four locations around the site taken in September 2013 and is an assessment of background noise levels.

The report identifies potentially noise sensitive receptors on the part of the site closes to the A4103 and advises that further predictions will need to be made on the impact of, in particular, road traffic noise and an assessment is to be made at this time on the impact of proposed mitigation measures such as windows with enhanced acoustic performance and fencing (I would suggest acoustic fencing).

I would support this approach and recommend that the design and positioning of the dwellings and any proposed mitigation measures aim at achieving the internal noise standards set out in BS8233 and outdoor amenity areas achieve sound levels of a maximum 50dB.

4.19 Public Rights of Way Officer:

I have overlaid the proposed plan on top of our GIS layer and a line of trees appears to be on top of public footpath H01. This footpath needs to be clearly integrated into the plan. It must remain unobstructed and clearly waymarked.

4.20 Parks and Countryside Manager: No objection

These comments have been amended from the original ones dated 24/03/2015 to take account of updated information and Core Strategy Policies OS1 and OS2.

**Core Strategy Policies OS1: Requirement for open space, sport and recreation facilities and OS2: Meeting open space and recreation needs.**

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 which in this instance are set out below. Where on-site provision is not appropriate off-site contributions may be sought where appropriate on an equally beneficial basis for the local community. Standards of provision are to be based on:-

- Local Evidence: Herefordshire Open Space Study 2006 (data for amenity public open space has not changed significantly and it is still considered to be accurate). This recommends POS should be at a rate of 0.4ha per 1000 population.



- Local Evidence: Herefordshire Play Facilities Study and Investment Plan 2012 and National Evidence: Fields in Trust Guidance: These recommend children's play at a rate of 0.8ha per 1000 population. Of this 0.25ha per 1000 population should be formal equipped play.
- Local: Playing Pitch Assessment 2012 and update 2014, Outdoor Sports Investment Plan (draft) and National Evidence: Fields in Trust Guidance: These recommend outdoors sports provision of between 1.4 and 1.6ha per 1000 population and where future investment in outdoor sport should be directed to maximise the benefits to the local community.

*\*please note this information will form the basis of a separate SPD on POS standards currently being prepared.*

In meeting policy requirements, both on and off site provision is required to include a combination of on and off site children's play and an off site outdoor sports contribution as advised at the pre-application stage. The applicant has acknowledged this but will they need to be considered as the application progresses; particularly the off-site requirements.

**On-site Provision:** There is limited detail but the layout appears to remain largely the same as at pre-application despite some of our concerns identified at this stage.

For 380 houses (excluding the 80 extra care homes) including the following bed space this equates to a population of 856:

- 27 x 1 bed (1.4 pop)
- 104 x 2 bed(1.7 pop)
- 111 x 3 bed(2.3pop)
- 138 x 4+ bed(2.8 pop)

Based on this population to meet policy requirements this equates to the following:

- POS provision (@ 0.4 ha per 1000 population) approximately 0.34 ha (3,400sq m)
- Children's Play (@ 0.8ha per 1000 population)approximately 0.68 ha (6,800sq m)

It is understood that provision on site has been developed to take account of landscape structure, to preserve important views and to enable a hierarchy of pedestrian links including cycle routes to connect local residents to open spaces within the development and this approach is supported. It includes:-

- 0.78 ha located in a central area. Central locations for formal and informal play are supported and we would like to see formal play located on this area. Consideration will need to be given to the road and safe crossing points.
- 0.3ha located in the N/E of the site. The inclusion of this area has never been supported given its limited use, particularly for a formal play area. This use would not be acceptable as it would create a very tight area of play with little boundary between it and the surrounding housing which would create future problems. If there is no reason to separate this area from the nearby attenuation pond area, it would make sense from a POS point of view to re-design this area to provide one larger more usable area suitable for SuDS, informal recreation, natural play and biodiversity. Design would need to take account of health and safety and standing water.

In total the provision on site of both POS and Play provision is approximately 1.28ha which adequately meets the policy requirements.

At pre-application stage, both on and off-site provision for children's play was asked for and details provided. This is to support the development of the Hereford Skate Park which is accessible from the proposed development site and provides opportunities for play and

recreation. Any off-site contribution would reduce the amount of on-site provision accordingly. As the application progresses this should be further considered.

**Landscape Areas including attenuation ponds (SuDS):** It is noted that there is 2.54ha of semi natural landscape provided as part of the SuDs areas. As described above these areas can make for good informal recreation and natural play opportunities as well as being good for biodiversity if designed to take account of health and safety issues of standing water.

**Community Fruit Route:** This area could provide an opportunity to develop a “Community Fruit Route” as part of the open space along the Ayles Brook which extends along the southern boundary of the development.

#### 4.21 Waste Manager: Qualified comment

There are a number of ‘lanes’ outlined in the proposal which do not look accessible or suitable for a refuse collection vehicle. The vehicle which operates in this area is a 26 tonne RCV.

## 5. Representations

### 5.1 Holmer and Shelwick Parish Council: Objection

The Parish Council continues to object to this application for the following reasons:

1. Traffic is a major issue in the vicinity of the site with the Starting Gate Roundabout being at capacity. Additional traffic generated from the site along with traffic from other recently approved sites will only add to the traffic problems. Also, since the installation of the crossing with traffic lights by Holmer Church, the traffic has now started to back up the A49 which is having a detrimental impact on residents living in the area affecting their amenity and further traffic from the Holmer West will only add to this problem.

2. Flooding issues resulting from the Aylesbrook has not been addressed and there is concern that additional housing will increase the flooding risk.

3. The Parish Council has concerns over the lack of community facilities in particular the impact on local schools and local doctors’ surgeries as no provision has been made.

4. The proposed road through the development site will become a rat run for traffic cutting across to the West, thus posing a major safety concern.

5. There is no evidence to support the need for the footpath alongside Whitegates and the Parish Council feel this has been “added in” following comments made by Historic England without proper consultation.

6. The NPPF paragraph 58 aims to ensure that amongst other criteria that development “will create safe and accessible environments where crime and disorder and fear of crime do not undermine quality of life or community cohesion”. St. Bartholomew Church is a Grade I Listed Building, along with its roof and other listed assets within the churchyard are of great national significance. The heritage assets would be significantly at harm through lack of security and anti-social behaviour that has been afforded protection by the nature of the agricultural fields. Public access can only be gained from the footpath adjoining the layby off the A49. The existing PROW H01 offers sufficient links from the development to the A4103 thus reducing the need to form a new footpath across open fields that will ultimately lead to fear of crime and disorder, pollute night skies, affect the private amenity and quality of life for the owners of Whitegates, residential amenity of the existing dwellings of Belle Bank Avenue and the proposed housing development.

7. Since our first submission, Holmer and Shelwick Parish Council has adopted and launched their Community Led Plan which highlights the concerns of current residents and areas in need of improvement. There has been no consultation regarding section 106 monies with the Parish Council which should be aimed at mitigating the impact on present and future residents. With several new developments at Holmer, the Parish Council is already receiving complaints from people moving into the parish over lack of facilities. The previous Ward Councillor, Sally Robertson, made the planning department aware of the wishes of the community based on evidence from the consultations for the Community Led Plan and these feature in the adopted plan.

8. We would also like to add that we have major concerns about the principal street and the road through the development. Holmer and Shelwick PC would like the relief road to go round the outside of the development. In addition to the original plan a footpath has been introduced and we would ask why this was done and its purpose as it is a major change.

## 5.2 Hereford City Council: Objection

We support the views expressed by Holmer and Shelwick Council. In order to mitigate the effects of this development we wish to see investment in infrastructure specifically to replace the single carriageway bridge over the railway on the Roman Road, improvements to the Starting Gate junction, traffic management measures to prevent rat running through the new development. The dial-a-ride [park and ride] facility is redundant without an A49 bus lane into Hereford. The space would be better used for a shop and or surgery.

## 5.3 Ten letters of objection have been received, including one from the Hereford Civic Society. The objections are summarised as follows:-

- The local area is prone to severe flooding during and after periods of wet weather. The application does not contain sufficient measures in response to the necessary management of surface water during and post-construction.
- Putting more water into Aylesbrook will cause problems for buildings near to it, some of which have flooded in the past. Gardens are frequently waterlogged.
- All radial routes into the city centre suffer severe congestion in the AM and PM peaks. A lot of this traffic passes through the Starting Gate roundabout, which is acknowledged as being at capacity.
- The site is well removed from the planned employment development at Rotherwas. People will drive to work, putting more pressure on congested roads;
- Park & ride doesn't work as we have no separate bus infrastructure. Road and transportation issues need to be considered first.
- Local amenities and facilities are already at full capacity e.g. Holmer Primary school and Bobblestock GP. There are no other primary schools in the vicinity and walking to Holmer school requires crossing busy roads. There is no secondary school within 1.25miles;
- The size of this development is too large and equivalent to dropping a village into an established area. There are no community facilities proposed within the site itself;
- The application is premature in advance of the Inspector's report into the Core Strategy;
- The development will be visually intrusive, appearing against the skyline on rising ground;
- Loss of agriculturally productive land.
- Are more houses needed here? Houses on the Furlongs remain unsold;
- 10 year build out is too long. How can we mitigate against construction phase impacts? Some landscaping should happen in advance to help reduce noise and visual impact. Land form rises, which will result in overlooking.
- Street lighting will adversely affect neighbouring amenity;

- The development will result in adverse impacts on the setting of nationally significant listed buildings, including the Church.
- Ecology – site is well used by birds of prey.
- The development will impact adversely on the amenity of the public footpath which traverses the site.
- Proximity of access onto Roman Road with Aylesbrook is dangerous and estate road will be a rat-run.
- If permitted conditions must include flood prevention measures and noise attenuation – the developer should offer secondary glazing to properties on Roman Road affected by noise arising from the development. Traffic calming should also be required.
- Main exit will be directly opposite Aylesbrook. At peak times it is very difficult to turn onto Roman Road.
- The PRow affords a beautiful view of Holmer Church in its lovely setting. The opportunity to view the historically-valued church would be lost forever.
- The development will compromise the historic setting to the city;
- The proposed Care Home looks like an attempt to reduce the Affordable Housing provision.

#### 5.4 Hereford Ramblers' Association: No objection

Having seen the amended indicative masterplan, which clearly shows public footpath H01, we formally withdraw our objection to the proposal. However H01 does pass close to what appears to be a new line of trees. The developers need to be made aware that future growth must not obstruct the path.

#### 5.5 Herefordshire Wildlife Trust: Qualified comment

We concur with Dr Rob Widdicombe's, Herefordshire's County Ecologist, sentiments regarding the satisfactory mitigations and biodiversity enhancements that have been suggested by Ecology Solutions in the Ecology report for the site. We also support the recommendation of his suggested conditions.

Regarding the impact on the River Wye SAC via the mains sewage disposal we would consider there to still be potential for a significant negative impact upon the SAC via the addition of extra nutrients without the evidence of how the sewage treatment works would progress. Whilst we acknowledge that the agreement stated in the Water Technical Note - Response to Flood Risk & Drainage Comments with Welsh water is a positive step forward we would recommend the following condition to be upon the development: Construction and development of the houses must not commence, until or unless:-

- information has been provided regarding the works that will be carried out to improve the waste water treatment system
- this information is subject to a Habitat Regulations Assessment and shown to have no adverse impact on the water quality of the River Wye SAC (either alone, or in combination with other developments)
- the works themselves need to be completed and fully functional before the development can be started.

#### 5.6 Wellington Parish Council: No objection

Although Wellington Parish Council is not an official consultee and the date for representations has long past, we ask that you consider the comments we are making in regard to education provision relating to the above application. This follows a meeting recently between the Parish Council and the Headmistress of Wellington Primary School. We note the comments made by the Schools Capital Investment Officer, who when assessing

the schools stated in the report, finds them variously at/near/over capacity. We do not understand why Wellington school has not been taken into account in this report given that it is a relatively straightforward journey up the A49 for a few miles and is a school with capacity. We already have children at the school from villages other than Wellington and it seems short sighted not to consider all available options.

- 5.7 CPRE: Concern is expressed at the absence of screening against the Habitats Regulations in the context of foul drainage discharging via the Eign Treatment Works to the River Wye SAC/SSSI.

- 5.8 The CPRE comments were received following Welsh Water's original consultation response (26<sup>th</sup> March 2015), in which they objected to the development on the basis the development would overload the public sewerage system. In the intervening period Welsh Water has withdrawn this objection via the comments dated 21<sup>st</sup> October 2015 and states "no problems are envisaged Waste Water Treatment Works for the treatment of domestic discharges from this site.

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>

- 5.9 In response to the comments that have been received through the application process the following amendments have been made to the indicative layout for the scheme at Holmer West:

#### **Specialised Housing**

- The building has been orientated to front the principal street and provide south-facing courtyards for the future residents.
- The building has been arranged to enable the built form to step up the contours between the two blocks that are perpendicular to the principle street.
- The form allows for an indicative layout of 80no beds at two-storey. This arrangement has enabled the mass of the building to be rationalised utilising the courtyards and south facing view over the open space.

#### **Plots adjacent to Specialised Housing**

- The principal routes have been retained through the above amendment to the Specialised Housing The residential plots proposed along the southern edge of the proposed development are lower density.
- The east west route along the green corridor adjacent to the water attenuation has been retained as a pedestrian/cycle only route, with courtyard parking provided accessed from the road to the north.

#### **Park and Choose**

- The proposed 350 space park and ride has been adjusted to provide a 100 space park and choose facility.
- The land to the west of the proposed park and choose is retained for a future phase of development, providing housing and public open space as required.

- 5.10 In response to the Parish Council concerns in relation to the routing of the internal link road or 'principal street', the applicants have responded as follows:-

*“The main purpose of the link through the site is to serve as the principal street for the development, giving access to the various residential parcels. A secondary purpose is to provide some relief at the Starting Gate roundabout by offering an alternative route for traffic travelling between the north (via the A49) and the west (via Roman Road).”*

*It is important to strike a balance for this road between its ‘place’ function i.e. serving the residential development, and its ‘movement’ function i.e. serving the needs of through traffic. The traffic modelling shows that this balance has been struck well; with the design of the link being sufficiently attractive to encourage some through traffic and providing relief at the Starting Gate roundabout, whilst not encouraging inappropriately high traffic levels.*

*It should be noted that there is no policy requirement or support for a relief road in this area, other of course than the Hereford Relief Road (HRR), either in isolation or as requirement of this proposed development. It is also important that the link through this site does not undermine the future provision of the HRR through the northern corridor. If a separate link, or ‘inner relief road’, was provided around the outside of the development as suggested by the Parish Council, it would inevitably be of a higher speed, a higher capacity, be more attractive, would carry more traffic etc., and in doing so may well diminish the case for the future provision of the HRR. Such a proposal would therefore not be policy compliant in terms of potentially prejudicing the future delivery of the HRR, nor is such a high capacity link required in order to deliver this development.”*

## **6. Officer’s Appraisal**

6.1 The application is made in outline with all matters reserved except for access and involves the erection of up to 460 dwellings, with associated infrastructure, on land to the north of Roman Road and west of the A49 on the allocated strategic urban extension ‘Holmer West’ (CS Policy HD4).

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.”*

The development plan for Herefordshire is in main part the Herefordshire Local Plan - Core Strategy. The Core Strategy was adopted on 16 October 2015. This followed Examination hearings in February 2015 and the Inspector’s subsequent conclusion that, with modifications as proposed, the Core Strategy is sound and provides an appropriate basis for the planning of the District.

6.3 The application site is allocated for housing via Policy HD4 of the Core Strategy. This allocation followed extensive consultation over a number of years as outlined at section 4.9 above. The site consists predominantly of land defined as being of ‘medium’ landscape sensitivity in the Urban Fringe Sensitivity Analysis 2010 – a key component of the evidence base underpinning housing allocations at Hereford and the market towns. The principle of residential development of the site is thus identified within the Core Strategy, is plan-led and a key component of housing delivery within the early part of the Core Strategy Plan Period and essential to maintaining the annualised trajectory for housing completions set out in Appendix 4 to the Core Strategy. This trajectory envisaged that the site would yield 50 dwellings during the period 2016/17. It can thus be seen that delays in delivery are such that this yield will not be delivered, which in turn perpetuates the housing land supply issue.

## Housing delivery

- 6.4 The Core Strategy sets out a number of policies in chapters 3, 4 and 5 for the delivery of housing. Core Strategy policy SS2, Delivering new homes, makes an overall provision for the delivery of a minimum 16,500 homes in Herefordshire between 2011 and 2031 to meet market and affordable housing need. Of these, just under two fifths are directed to Hereford, which is required to deliver a minimum of 6,500 homes. This reflects Hereford's role as the main centre in the County.
- 6.5 Policy SS3, Ensuring sufficient housing land delivery, sets out a range of measures to be undertaken should a material shortfall in the rate of housing delivery be identified through the annual monitoring process. The policy addresses the relationship between the delivery of strategic housing sites and key elements of infrastructure.

## Housing land supply

- 6.6 The Examination Inspector concluded that there was a marginal but realistic five year housing land supply on the basis of the Core Strategy provisions. The supply was assessed at 5.24 years.
- 6.7 The Council updated this assessment in January 2016, following completion of the annual monitoring round. This exercise had a base date of April 2015 and demonstrated a housing land supply of 5.01 years. Subsequent amendments reduced this to 5.00 years.
- 6.8 Housing land supply has been further examined in recent Inquiry discussions in the County in respect of appeals for proposed housing developments at Leintwardine and Ledbury. In both cases the respective Inspectors concluded that the Council was unable to demonstrate a robust five-year supply of deliverable housing sufficient to meet its identified needs. This view was reached on an assessment of the amount of housing reasonably likely to be delivered on the strategic sites allocated in the Core Strategy. This was the main area of dispute between the parties in respect of housing land supply.
- 6.9 This position was also adopted at the Public Inquiry concerning a 100 dwelling development at Bartestree (Ref: 143771), where a HLS of 3.63 years was agreed for the purpose of the appeal – a deficit of 1,564 dwellings. The Council conceded that delays in delivering housing on the strategic sites was a key contributor to the continued absence of housing land supply.
- 6.10 The recently published Annual Monitoring Report for 2015/16 concludes that the position as of April 2016 is that the current HLS stands at 4.49 years. This is not a NPPF compliant position.
- 6.11 On this basis, NPPF paragraph 49 provides that relevant policies for the supply of housing should not be considered up-to-date. In this case, whilst it is accepted that policies relevant to the supply of housing *may* carry reduced weight, the fact that the site is allocated in the Development Plan as one of the three strategic urban extensions to Hereford is of significant material weight and officers consider that assessment of the proposals in the light of Policy HD4, supplemented by other relevant policies and material considerations is appropriate. Moreover, as recent case law has confirmed, the fact that housing policies are out-of-date does not direct the decision-maker on the matter of the weight that may be attributed these policies.
- 6.12 Policy HD4 signifies the formal allocation of the land at Holmer West for residential development, and in your officer's view, given the plan-led system, is equivalent to acceptance that the development of the site is acceptable in principle. Given the application is made in outline with only access for determination now, compliance with some of the criteria within HD4 cannot be assessed to the fullest extent now but will be considered at the detailed or Reserved Matters stage. What is clear from the submitted documentation, however, is that the policy requirements have fully informed the work undertaken to date. Insofar as is practical, this

appraisal now assesses the application, in summary, against these individual criteria, before looking at specific matters identified in the text following on from HD4 (CS 4.2.50 – 4.2.61 p.62-64) in more detail below.

#### **Assessment against Policy HD4 – Northern Urban Extension (Holmer West)**

***Criteria 1: 500 homes at average density of 35 dw/ha, comprising a mix of sizes and tenures that meet the requirements of policy H3 and the LHMA      The now adopted Core Strategy allocates of the site for 500 new homes.***

- 6.13 The outline application is for up to 460 dwellings. Whilst this number is short of the proposed 500 new homes, the Design and Access Statement (DAS) shows a further phase of potential future development should it be deemed acceptable in the context of technical matters, particularly congestion levels at the Starting Gate roundabout and the A49 to the south. The reduction in scale of the park and choose will also give the opportunity for development on the land now surplus to the original park and ride requirements.
- 6.14 As confirmed above, the Housing Delivery Officer supports the proposed affordable housing provision, which involves 80 dwellings and an 80 unit specialist care scheme. The precise mix of open market housing will be agreed via Reserved Matters.

#### **Conclusion**

It is your officers' opinion that the scheme complies with this criterion.

#### ***Criterion 2: A target of 35% affordable***

- 6.15 On approval of the outline planning application the land for the development of the 80 unit specialist housing scheme would be transferred to a Housing Association. Further negotiations between Adult Social Care and the preferred Housing Association / Housing Provider will take place to ensure the most appropriate development is created to meet the identified need. This will account for 50% of the affordable housing provided on site.
- 6.16 The remaining general needs affordable dwellings (80 units) are to be allocated to those with a local connection to Hereford city in the first instance, the supported housing to have a local lettings plan agreed with the housing association as per the allocation criteria of the dwellings. The S106 agreement will be the mechanism for determining the appropriate bedroom and tenure mix.

#### **Conclusion**

- 6.17 The proposed development comprises 35% level of affordable housing which in your officers' opinion, complies with this criterion and by extension policies H1 (Affordable housing thresholds and targets) and H3 (Ensuring an appropriate range and mix of housing). Further consideration of the open market housing mix will be undertaken at the Reserved Matters stage.

#### ***Criterion 3: Park & Choose facility adjacent the A49 and land or a contribution to facilitate the construction of the adjoining phase of the Hereford Relief Road***

- 6.18 The indicative masterplan has been amended to reflect the change in circumstances pre and post CS adoption; during which the previously required park and ride facility has been replaced by a park and choose facility adjacent the A49 – as now required by policy. This change reflects attitudes expressed in some of the letters of objection, which queried the sustainability of park and ride in the context of no segregated bus lanes.
- 6.19 A contribution towards delivery of the HRR, based on the CIL-charging schedule, has been negotiated and will form part of the S106 agreement. The overall contribution is £1,934,765.



## Conclusion

- 6.20 It is your officers' opinion that the scheme complies with this criterion and by extension the relevant components of SS4, HD3, MT1 and ID1.

***Criterion 4: Walking and cycle routes and green infrastructure corridors linking to the Park and Choose site, the existing public right of way network and existing education and community facilities and employment sites in the locality;***

- 6.21 This is a criterion that can be fully assessed at the Reserved Matters stage as layout is not for determination now. The indicative masterplan nonetheless makes provision for off-site pedestrian crossing points of the A4103 in locations that correspond with the existing PRoW network. The sustainable transport measures for inclusion in the S106 include an upgrade to the PRoW/cycleway crossing the racecourse, whilst the PRoW entering the site through 'The Crescent' is also incorporated into the design. The link road is also designed with segregated cycle/footway, with an additional footpath link proposed to exit at the entrance to Holmer Farm, just north of the church, linking to the improved footway and signalised crossing just to the north of the A49 junction with Churchway.

## Conclusion

- 6.22 It is your officers' opinion that the scheme complies with this criterion and by extension the relevant components of SS4, HD3 and MT1.

***Criterion 5: Appropriate new green buffers and linear green routes, particularly along Ayles Brook***

- 6.23 The illustrative master plan is considered to respond positively to the requirement to provide a buffer along the Ayles Book; a perspective shared by the Council's conservation and landscapes officers. This requirement is reinforced at paragraph 4.2.55, which recognises that the Green Infrastructure Strategy (2010) identifies a number of new opportunities to enhance existing green infrastructure, including "*establishing robust linear habitats along Ayles Brook, planting new hedgerow and traditional orchards and appropriate planting to soften the transition between settlement and open countryside.*"
- 6.24 Accepting the masterplan is illustrative, the formation of a robust linear green space along the Ayles Brook is a consistent feature in all of the application documentation and this proposed space is multi-functional;
- It operates as a linear green space that will promote activity, including walking
  - It serves as a buffer to the listed heritage complex around St. Bartholomew's Church
  - It serves to provide separation from existing dwellings on the north side of Roman Road.
- 6.25 In order to place the master plan on a firmer footing, it is proposed to include a condition requiring the layout at Reserved Matters to accord with the principles around the Ayles Brook established at the outline stage.

***Criterion 6: Measures to mitigate flood risk both for the new homes within the expansion area and for the benefit of existing residents and businesses in other parts of the city through the incorporation of sustainable urban drainage solutions, as part of the green infrastructure network and measures to control water levels within Ayles Brook***

- 6.26 The application is accompanied by a Drainage Strategy and Flood Risk Assessment, which confirms that the vast majority of the site falls within Flood Zone 1; the exception being a small area in the north-eastern corner adjacent the revised park and choose facility and the Ayles Brook channel. As such, more vulnerable residential uses will not be located anywhere other than Flood Zone 1. Subject to conditions requiring finished floor levels to be set at an

appropriate height above recorded flood levels, the Environment Agency and Council's land drainage consultants are content that the proposal will accord with the requirement to ensure that flood risk is mitigated for new homes upon the site itself.

- 6.27 Flooding of Roman Road and properties adjoining has occurred in the recent past and hydraulic modelling of the Ayles Brook and ephemeral stream, which are both culverted under Roman Road, indicates that such events are connected to a lack of capacity at these culvert structures. It is understood that work undertaken on Roman Road has been successful in preventing flooding associated with extreme rainfall events over the past several years, but both the Drainage Strategy and Flood Risk Assessment concede that additional impermeable surfaces associated with the proposal has the potential to increase surface water run-off.
- 6.28 In response to this, the Drainage Strategy, in accordance with NPPF and NPPG guidance, is designed to mimic existing green-field run-off rates. The underlying ground conditions are understood to limit the potential for infiltration to ground, so some form of on-site attenuation will be required, with the master plan indicating the use of ponds.
- 6.29 In addition, and subject to further detailed modelling, it is suggested that the line of the ephemeral stream be diverted into the Ayles Brook; this being on the basis that hydraulic modelling of the Ayles Brook catchment and channel suggests that it has capacity within bank to accept additional flows arising. This would reduce the potential for surface water flooding at the culvert beneath Roman Road and be to the benefit of existing residents in the area.
- 6.30 It will be necessary to cross the line of Ayles Brook with the principal street and both the Environment Agency and land drainage consultant have expressed the preference for clear-span bridges as opposed to culverts. This will be considered further at the detailed design stage. It should be noted, also, that Core Strategy Policy SD3 requires that open watercourses should not be lost and culverts should be opened up to assist with drainage and flood flows.
- 6.31 Officers are content that subject to further detailed consideration, the application accords with the requirements of this criterion.

***Criterion 7: Appropriate provision of and contributions towards indoor and outdoor sports and play facilities, open space and allotments***

- 6.32 At section 4.20 the Parks and Countryside Officer describes the methodology for calculating contributions to indoor and outdoor sports. The contribution is £142 and £960 respectively per each market dwelling. On the basis of 299 market dwellings the indoor sports contribution is £42,458 and the outdoor sports contribution is £287,040. This contribution will be secured via the S106 agreement.
- 6.33 The illustrative scheme makes provision for generous areas of open space and an obligation will ensure the delivery of open space in line with this, to include the setting aside of land for allotments.

***Criterion 8: Where appropriate a contribution towards pre-school facilities and contributions towards the enhancement of existing primary and secondary school provision and any identified need for other community infrastructure/facilities***

- 6.34 This criterion is a requirement that the development mitigate adverse impacts on existing educational infrastructure. The Council has negotiated a contribution using the Planning Obligations SPD methodology, which according to the indicative housing mix generates a contribution of £1,155,620.00 (index linked) to provide enhanced educational infrastructure at Trinity Primary School and/or Holmer Primary School or such other primary school that may be delivered during the course of the development, and Whitecross Secondary School.

- 6.35 The scheme complies with this criterion of HD4 and by extension Policy ID1 – infrastructure delivery.

***Criterion 9: Sustainable standards of design and construction***

- 6.36 Core Strategy Policy SD1 deals with sustainable design and energy efficiency and thus underpins this criterion of Policy HD4. SD1 opens with a requirement that development proposals should create safe, sustainable and well-integrated environments for all members of the community and incorporate a range of requirements, including the efficient use of land, maintenance of local distinctiveness whilst making a positive contribution to the architectural diversity and character of the area and the safeguarding of residential amenity for existing and proposed residents. Development should also ensure that it does not contribute to or suffer from adverse noise, light or air contamination impacts or cause ground water pollution.
- 6.37 The Policy also incorporates a range of criteria aimed at sustainable construction and the utilisation of orientation of buildings to make best use of renewable energy production and water conservation measures. In accordance with Policy SD3 (6), the recommendation includes a condition to ensure that the scheme achieves the Housing – Optional Technical Standards – Water efficiency standards, which stand presently at 110 litres/person/day.
- 6.38 The supporting text to SD1 also refers to the need to future proof developments in order to make them resilient to flood risk, which in this case is recognised, as recorded elsewhere, by locating more vulnerable development in areas least liable to flooding and setting floor levels at an appropriate level. These levels will be governed by the imposition of planning conditions as per the Environment Agency recommendation.
- 6.39 The Design and Access Statement also alludes to the potential for maximising the potential for passive solar gain through south-facing layouts and the revisions to the specialist accommodation, where south-facing courtyards are proposed, already alludes to this. Further detailed consideration of sustainable construction will rest with the Reserved Matters though there is no discordance with criterion 9 at this stage.

**OTHER MATTERS**

- 6.40 As described above, the supporting text to Policy HD4 refers to six topic areas that development of the site should address. These topics are “new homes”, “movement”, “landscape and heritage”, “green infrastructure and biodiversity”, “community recreation and education facilities” and “fluvial flooding, surface water management and drainage.” Where not already addressed, this section of the appraisal considers these requirements further below.

**New Homes**

- 6.41 The supporting text (CS paragraph 4.2.50) states that the scheme will deliver 500 dwellings, all built to high energy efficiency standards. Reference is made to the need to meet the housing needs of all sections of the community, including for older persons, and the scheme responds to this by planning for an 80 unit specialist affordable housing scheme; the precise tenure of which will be agreed with the Council and Registered Provider. Likewise the mix of housing across the site in its entirety will be determined at the Reserved Matters stage, when assessment against Core Strategy Policy H3 (Ensuring an appropriate range and mix of housing) will be made.
- 6.42 The paragraph concludes by referring to the need for appropriate layout, scale and density in recognition of the topography and prominence of the area and high standards of sustainability. Again, this will be detailed at the reserved matters stage. Further, whilst sustainable

construction will be governed by the Building Regulations, a condition will be necessary to ensure water efficiency measures are in place as per CS Policy SD3.

## **Movement**

- 6.43 The supporting text requires that the 'new area' will be required to encourage sustainable modes of travel and served primarily from Roman Road, with the option of a further access link to the northern Hereford Relief Road corridor and park and choose. Core Strategy Policy SS4 states that new developments should be designed and located to minimise the impacts on the transport network and that journey times and the efficient and safe operations of the network are not detrimentally impacted. It is also a requirement, where practicable, that development proposals should be accessible by and facilitate a genuine choice of modes of travel including walking, cycling and public transport. These principles are repeated in Policy MT1 Traffic management, highway safety and promoting active travel.
- 6.44 The proposal, including the masterplan and access strategy outlined in the Transport Assessment in particular, is consistent with the relevant movement requirements. The masterplan sets aside sufficient land to accommodate a Park and Choose site to the west of the A49 access, and the indicative internal layout of the site has been carefully designed to ensure that this facility is connected both to the site and the wider existing area by the provision of internal footpath links and new external crossing points. The vehicular access strategy for the site is consistent with the policy and provides an access from the A4103 Roman Road and the A49 Holmer Road, which also serves the Park and Choose.
- 6.45 The masterplan has been developed to ensure that there are foot/cycle links both to the east and south of the site to ensure that there are high quality routes to the existing public right of way network and existing local education, community and employment sites. In line with the requirements to encourage sustainable travel, a Travel Plan has been prepared and improvements to sustainable infrastructure (footways, crossings etc) forms part of the integrated transport strategy.
- 6.46 In more detail the transport strategy incorporates the following:-

### Bus strategy

- 6.47 There are bus stops on Roman Road and the A49, which are accessible from the site. Analysis of the current service has determined that the early morning and late PM peak services are comparatively infrequent. In order to address this it is proposed that the developer makes a contribution of £45,000 per annum for five years in order to enable the provision of additional services to better enable travel between the city centre and site during the AM and PM peaks.
- 6.48 It is clearly important that the layout proposed at the Reserved Matters stage enables good and direct pedestrian/cycle access to bus waiting facilities and that these facilities are improved. To this end the developer suggests that part of the sustainable transport contribution could be put to the erection of passenger waiting facilities at the five nearest bus stops with raised kerbs as necessary.
- 6.49 Whilst it is not presently intended that existing services will divert into the site, the principal street will be designed so as to not preclude bus access in the future; despite being subject to a 7.5t restriction for general traffic.

### Cycling and walking strategy

- 6.50 The measures proposed to enhance accessibility by cycle and pedestrians are applicable to both modes.

- 6.51 Several schemes have been identified following negotiations with the Highways Authority and these are as follows:-

**Scheme one** – Roman Road/Race-course bridleway

- 6.52 This scheme comprises the provision, as part of the Roman Road junction arrangements, of a 'Toucan' crossing of Roman Road to correspond with the bridleway crossing the north-western corner of the racecourse which exits onto Highmore Street. The bridleway would be re-surfaced and lit and brought up to standard as a shared cycle/footway. This scheme will be delivered via s106 contributions.

**Scheme two** – North side of Roman Road – Shared cycle/footway lane between site entrance and Belle Bank Avenue

- 6.53 At the Council's request this scheme has been amended from one relying on road markings, to full segregation of cycle, pedestrian and vehicular traffic via the construction of a shared cycle/footway and associated reduction in carriageway width of the stretch of Roman Road between the site access and Belle Bank Avenue. This will be delivered by the developer via s278 agreement.

**Scheme three** – shared cycle/footway to west of Roman Road site entrance

- 6.54 This scheme involves the provision of a shared cycle/footway extending west from the site entrance to the junction with Kempton Avenue. In response to a request from the Council footways will be installed on both sides of the carriageway. This will be delivered by the developer via s278 agreement.
- 6.55 A fourth scheme, involving the provision of a signalised crossing of the A49 just north of the junction with Churchway has already been installed by others.
- 6.56 Further mitigation takes the form of a proposed TRO to extend the 30mph speed limit to the west of the Roman Road / Kempton Avenue junction, alongside a gateway traffic calming feature. These will be developer funded, with the gateway feature delivered via gateway.
- 6.57 The scheme is also supported by a Framework Travel Plan (TP) which envisages the appointment of a Travel Plan Co-ordinator; the TP to have the objective of achieving a 10% reduction in single occupancy car journeys.
- 6.58 Overall, officers consider that insofar as is practical and deliverable, the scheme takes the opportunities available to enhance access to sustainable transport modes and is in accordance with the requirements of Policies HD3, HD4 and MT1.

**Landscape and heritage**

- 6.59 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that in considering whether to grant planning permission for development that affects listed buildings or their setting, the planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which they may possess. Case law has confirmed that decision-makers should give great weight to the desirability of preserving the setting of listed buildings.
- 6.60 NPPF Section 12, paragraph 126: 'Conserving and Enhancing the Historic Environment' sets out the Government's policies regarding planning and the historic environment.

*"Local planning authorities should set out in their local plan a positive strategy for the conservation and enjoyment of the historic environment... in doing so they should recognize that*

*heritage assets are an irreplaceable resource and conserve them in the manner appropriate to their significance...*

- 6.61 In determining applications Paragraph 131 of the NPPF requires that account should be taken of the desirability of sustaining and enhancing the significance of heritage assets and putting them to, or keeping them in viable uses consistent with their conservation.
- 6.62 In determining planning applications, local planning authorities should take account of “the desirability of new development making a positive contribution to local character and distinctiveness.”
- 6.63 This requires a judgment as to how development will affect the use of the assets and how they can help sustain a community. Paragraph 132 states that:

*“When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the assets conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development in its setting. As heritage assets are irreplaceable, any harm or loss of a grade II listed building; park or garden should be exceptional...”*

- 6.64 It goes on to state that: 'Substantial harm to, or loss of designated heritage assets of the highest significance, notably scheduled ancient monuments, protected wreck site, battlefields, grade I and II\* listed buildings, grade I and registered parks and gardens, and World Heritage Sites, should be wholly be exceptional.
- 6.65 Paragraph 134 states: “where a development proposal will lead to less than substantial harm to the significance of the designated heritage asset, this harm should be weighed against the public benefits of the proposal.”
- 6.66 The supporting text to Policy HD4 recognises the presence nearby of St Bartholomew’s Church and associated listed structures and scheduled monuments as well as Holmer House Farm. It requires that the development should be designed to ensure that the impacts on the significance and setting of these heritage assets are minimised and that opportunities for enhancement are pursued.
- 6.67 At section 4.10 the Conservation Manager recognises the inevitability of an impact arising in relation to the setting of these assets, but it is not suggested that the level of harm to significance approaches substantial or total and that the assessment is thus within the ambit of paragraph 134, as listed above.
- 6.68 The five heritage assets are all located between the application site and the A49. These comments conclude that the harm to the significance of these assets falls entirely within the purview of NPPF paragraph 134 i.e. levels of harm that are less than substantial. In respect of the pedestal tomb and churchyard cross the level of harm is described as very low, if at all discernible.
- 6.69 In respect of Holmer House, St Bartholomew’s Church and the detached bell tower, the level of harm is described as low/medium on the basis that the greater part of the significance of these assets derives from the age and fabric of the assets themselves, rather than the setting.

### Conclusion

- 6.70 The harm to the significance of the designated heritage assets identified in this report is considered to fall within the ambit of NPPF paragraph 134 i.e. where a development will lead to less than substantial harm to significance of a designated heritage asset, this harm should be

weighed against the public benefits of the proposal. Thus, for decision-making the NPPF paragraph 14 'limb two' test is satisfied. Although 134 is a restrictive policy, the level of harm to the significance of designated heritage assets is such that the benefits of the scheme outweigh the harm. In this context, development need not be restricted.

- 6.71 The Council's Conservation Manager has concluded that harm to significance is capable of being mitigated by appropriate layout and design, which must include the retention of the proposed linear open space along the Ayles Brook and that harm, as a consequence, may reasonably be assessed as falling towards the lower end of the less than substantial 'spectrum', in which case the public benefits associated with the scheme, which include the supply of market and affordable housing and off-site highway infrastructure improvements, can reasonably be considered to outweigh the harm. The proposal is therefore considered to accord with the requirements of HD4, LD4 and NPPF guidance.

### **Green Infrastructure and biodiversity**

- 6.72 The site lies within Green Infrastructure local enhancement zone HerLEZ3, incorporating strategic corridor HerLSC3. As above, the indicative scheme responds to the identified opportunities by establishing a robust linear habitat along Ayles Brook, with new hedgerows, orchard and appropriate transition between settlement and open countryside. This aspect is referred to in the landscape officer's comment (section 4.12), it being considered that the northern boundary planting and management thereof requires further thought at the detailed design stage. It will be crucial to ensure that a landscaped boundary is maintained on the site's northern edge as opposed to an assortment of intrusive and inappropriate boundary treatments associated with individual properties.
- 6.73 The indicative masterplan is considered to respond well to the requirement for a network of green infrastructure with linear green routes supporting biodiversity, conservation and sustainable transport routes. Ensuring that the Reserved Matters submission continues to fulfil these objectives will be critical.

### **Community, recreation and education facilities**

- 6.74 The text at 4.2.56 and 4.2.57 of the CS confirms the need to ensure that pressure on existing educational infrastructure is mitigated and this is achieved via the requisite contribution. Likewise, reference is made to the need to provide and incorporate acceptable levels of open space and play facilities in accordance with Policies OS1 and OS2. At section 4.XX the Parks and Countryside officer confirms that the indicative masterplan achieves the requisite amount of open space and a contribution is also secured in relation to formal off-site sports infrastructure in accordance with Sport England advice. The indicative scheme is considered to accord with the policy requirements and compliance will be ensured via a combination, as appropriate, of Reserved Matters, planning conditions and obligation.

### **Fluvial flooding, surface water management and drainage**

- 6.75 The CS text supporting Policy HD4 recognises the site is predominantly within Flood Zone 1, but that flood events have affected dwellings and community facilities to the south of the site. As a consequence the text relates the need for a detailed FRA which contains hydraulic modelling of the brook and thus establishes the extent of flooding from the watercourse.
- 6.76 Overall, the requirement is to ensure that the scheme adequately mitigates flood risk to neighbouring properties and those upon the site itself.

- 6.77 During the consultation phase a number of objections were made by local residents and the Civic Society. A summary of the comments were provided to the developer for response by their consultants and this is reported below.

***“Severe flooding during and after periods of wet weather”, “Flooding needs to be addressed”, “Flood prevention measures”, “Localised flooding from run-off has occurred in the past”***

- 6.78 The development has been designed to mitigate flood risk issues in the following manner:

(i) The development and access routes have been located outside of the floodplain, and the development will be set at a level well above flood levels.

(ii) The development will seek to intercept and divert an ephemeral (seasonally wet) stream within the site which currently leads to flooding of Roman Road, thus reducing floodplain extents outside of the site.

(iii) The development will include a drainage and SuDS network which will provide attenuated storage to surface water runoff from the development, this will discharge to the Ayles Brook at the existing greenfield annual average runoff rate (QBAR). This approach offers a reduction in the peak flows entering the Ayles Brook from the site during extreme storm events.

***“Management of surface water and watercourses during construction”***

- 6.79 To avoid negatively impacting the downstream watercourse, surface water runoff from the site will be appropriately managed during the construction phases. The runoff from the construction site will be appropriately attenuated in line with the requirements of the Flood Risk Assessment and Environment Agency pollution prevention guidelines and treated to remove sediments and pollutants.

***“Putting more water into Ayles Brook will cause problems for buildings near to it”***

- 6.80 The development will include a drainage and SuDS network which will provide attenuated storage to surface water runoff from the development. This will discharge to the Ayles Brook at the existing greenfield annual average run-off rate. This approach offers a reduction in the peak flows entering the Ayles Brook from the site during extreme storm events.

***“What happens if the pond overflows?”***

- 6.81 As part of the drainage and SuDS network two attenuation ponds are proposed. In line with national standards, and Environment Agency and Lead Local Flood Authority requirements the ponds are designed to provide attenuated storage up to the 1 in 100 year storm event with an allowance for future climate change over the next 100 years (up to 2115).
- 6.82 If the site is subject to a more extreme storm event then the ponds will overflow into the Ayles Brook, as it would do in its existing state.
- 6.83 The following table is taken from the Flood Risk Assessment. It summarises the potential sources of flood risk and the mitigation measures proposed.

<b>Flood Source</b>	<b>Proposed Mitigation Measure</b>
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Fluvial	The site is to be arranged sequentially to ensure that all of the 'More Vulnerable' development is located outside of the 1000 year floodplain. Finished floor levels and threshold levels will be set a minimum of 600mm above the adjacent 1 in 100 year + 20% flood level, or 150mm
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above the peak water level generated by blockage scenarios (whichever is greater).

Groundwater Sewers Pluvial runoff	Any residual risk of groundwater emergence, pluvial runoff and sewer surcharging on the site will be mitigated by setting finished floor levels a minimum of 150mm above surrounding ground levels, and by profiling ground levels to direct overland flows away from the built development and towards the nearest drainage point.
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Impact of the Development	The development will be located outside of the 1 in 1000 year floodplain where possible - this includes all the proposed residential development. Any bridging or new culverts over the watercourse will be sized to offer no significant impact on flood levels or floodplain extents within the wider catchment. Surface water runoff from the development will to be restricted to the existing greenfield QBAR rate. Attenuated storage will be provided up to and including the critical 1 in 100 year event with an allowance for climate change.
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- 6.84 The Environment Agency and Lead Local Flood Authority have confirmed that the flood mitigation proposals outlined in the Drainage Strategy and FRA are robust. Further to this, the development seeks to offer betterment to downstream flood risk issues through the interception and diversion of an ephemeral stream, and through the implementation of a surface water drainage and SuDS strategy. Officers conclude that the scheme, subject to conditions, fulfils the objectives of Policy HD4 and SD3 and is compliant with NPPF guidance.

### Other Matters

Sewerage treatment and water supply

- 6.85 During the planning application consultation phase Welsh Water raised an objection to the development in relation to two points:

*(i) Sewerage capacity – it was stated that there was a risk that development would overload the existing public sewerage system.*

*(ii) Water Supply – it was stated that the water mains serving this area are known to have minimal pressures at times of peak demand, and that any increase in demand would exacerbate the situation.*

- 6.86 Further consultations with Welsh Water revealed that their previous hydraulic study, which identified that a development on the site could be accommodated in the local sewer infrastructure, needed to be updated as it was only valid for a 6 month period. It was also confirmed that a hydraulic study of the local water supply network was needed to identify potential improvement works necessary to accommodate the development.
- 6.87 Welsh Water has confirmed subsequently they are comfortable with removing their objection in relation to sewerage capacity. Concern remains, however, in relation to the supply of drinking water, particularly until such time that the necessary reinforcements are completed by 31<sup>st</sup> March 2020. Further discussion has ensued and Welsh Water is now prepared to offer a condition limiting the number of dwellings that can be occupied in advance of 31<sup>st</sup> March 2020 to 150. The applicant is content with this approach.

## **Loss of Agriculturally Productive Land**

- 6.88 The Natural England comments at 4.XX reference the loss of agriculturally productive land. The Agricultural Land Classification Map confirms the site comprises Grade 3 land. The NPPF confirms that where significant development is demonstrated to be necessary, the use of poorer quality land should be prioritised. In this case, the site is allocated via the Core Strategy and the loss of agriculturally productive land must be considered in the balance. The delivery of 6,500 homes in Hereford can only be met with the loss of agricultural land and the ALC map confirms that as Grade 3, the application site is not among the most productive land; the majority of the land adjoining forming the urban fringe to the west and south of the city is Grade 2. Officers consider an objection to the scheme on the basis of unacceptable loss of agriculturally productive land is untenable.

## **Consultation**

- 6.89 It is clear that despite concerns expressed locally, the consultation associated with production of the Core Strategy and eventual allocation of land at Holmer West as an urban extension, was extensive. This is outlined in the Strategic Planning Team Leader's comments at 4.XX.
- 6.90 Consultation as a prelude to the application itself consisted of community consultation events on 28<sup>th</sup> June and 1<sup>st</sup> July 2014 at the church hall. Meetings were also held separately with Holmer and Shelwick Parish Council and Pipe and Lyde Parish Council. Around 150 people attended the consultation events over the two days. Concerns expressed in feedback received at the event are similar to those reported at 5.2 above and reflect concerns at increase traffic congestion, the potential for exacerbation of flooding and concerns at the overall scale of the development and consequent pressure on infrastructure.
- 6.91 The indicative masterplan has been amended to address these concerns insofar as possible and additional technical notes have been produced in response to specific queries. Overall, officers are content that an appropriate level of engagement with members of the public has been undertaken.

## **Crime and safety – 'Whitegates footway'**

- 6.92 Concern has been expressed on behalf of the owner of Whitegates, the detached dwelling situated at the entrance into Holmer House Farm. The amended illustrative masterplan includes a shared-use footway that would run adjacent the northern boundary of Whitegates, next to the rear garden. At the outline stage detailed design for this footway is not available, but the link does represent a desirable pedestrian and cycle link that would offer the most direct connection possible between the site and St Bartholomew's Church, the community centre and bus stops on the A49. In the context of a recent break-in at Whitegates, the concerns around fear of crime are understood. However, this pedestrian link has obvious benefits in terms of fulfilling a potentially important sustainable transport link and it does not follow, subject to appropriate design and adherence to secure by design principles, that the footway will necessarily increase the propensity for burglary and other forms of anti-social behaviour. It could also be that increased footfall will increase natural surveillance.

## **7. Conclusion**

- 7.1 The proposal is for development of one of the three strategic allocations around Hereford that are crucial to delivery of the requisite 6,500 homes over the lifetime of the Core Strategy. The principle of development is supported via the Council's adopted policies.
- 7.2 The application is made in outline with all matters bar access reserved, yet sufficient information is provided to enable consideration against the policy requirements set out in HD4 as reported

above. Overall, officers consider that the scheme is well-conceived and capable of delivering the high-quality sustainable development that the Core Strategy envisages.

- 7.3 The contribution the scheme makes to the supply and delivery of housing in the county is a significant material consideration telling in favour of the scheme. In environmental terms the scheme offers the ability to mitigate flooding locally and also offers improved access to public transport and opportunities for cycling and walking not just to prospective inhabitants, but the wider population. These opportunities arise from the park and choose facility, financial contribution towards bus services and upgrades to walking and cycling infrastructure that will be delivered by the developer.
- 7.4 Impacts associated with the development are inevitable. The loss of agriculturally productive land, the amenity of the existing public right of way and views of the listed church are all adverse impacts and yet they do not in isolation or cumulatively amount to sustainable grounds to resist the development in the light of the substantial benefits.
- 7.5 The Conservation Manager confirms that the level of harm to significance of the designated heritage assets is less than substantial and tending towards the lower end of that spectrum. As such, on the unweighted balance at NPPF paragraph 134, the public benefits are considered to outweigh the harm to significance and this restrictive policy, supported by legislation, is not breached and refusal on this basis is not sustainable. As such, it is then appropriate to consider the scheme in the context of the presumption in favour of sustainable development and the 'weighted' balance at limb 1 of paragraph 14. In undertaking that assessment, the case for the development is even more clear-cut.
- 7.6 The recommendation is subject to the completion of a s106 agreement to secure the affordable housing, transfer of land for the specialist housing, provision of the requisite levels of public open space; and financial contributions to mitigate impacts arising on educational infrastructure, the local transport network, off-site sports infrastructure, health care provision and waste collection.
- 7.7 Planning conditions that are further necessary to regulate development in accordance with the tests prescribed at paragraph 204 of the NPPF are set out below. Conditions will include provisions relating to the phasing of the development and requirement that the Reserved Matters layout is informed by the revised indicative masterplan.

## 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 commencement (outline permission)**
- 2. A03 Time limit for commencement (outline permission)**
- 3. A04 Approval of Reserved Matters**
- 4. No development shall commence until a plan has been submitted to and approved in writing by the local planning authority identifying the phasing for the development. The development shall be constructed in accordance with the agreed phasing plan.**

**Reason: To ensure the acceptable phasing of the construction so as to ensure no**

detriment to the safe operation of the highway network, water supply, foul sewerage system and the timely provision of necessary infrastructure. This is to ensure compliance with Herefordshire Local Plan – Core Strategy Policies MT1, SD3 and SD4.

**5. C47 Site Investigation (archaeology)**

**Environment Agency conditions**

- 6. Finished floor levels shall be set no lower than the levels indicated in Figure 3.1 of the FRA and Table 4.1 of the Hydraulic Modelling Technical Note unless otherwise agreed in writing by the LPA.**

**Reason:** To protect the proposed dwellings from flood risk for the lifetime of the development including culvert blockages.

- 7. The proposed access crossings must be designed to ensure that access and egress is available to all dwellings above the 1 in 100 year plus climate change modelled flood levels provided in Table 4.1 of the Hydraulic Modelling Technical Note without increasing flood risk elsewhere.**

**Reason:** To ensure all residents have safe vehicular and pedestrian access to and from the development during flood events and that flood risk to third parties is not increased.

**Highways England / Highway Authority conditions**

- 8. No development shall commence on the site until such time as a Highways Study for the Eign Street junction (A438 / A49 junction) has been submitted to and agreed in writing by the Local Planning Authority in consultation with the Highways Authority for the A49. The Highways Study shall demonstrate the impact of the submitted scheme on the Eign Street junction and identify any necessary mitigation measures required and a timetable for their provision. The Highways Study shall include, as a minimum the following elements:**

- **An assessment of trip generation and trip distribution associated with full occupation of the development hereby approved;**
- **An assessment of trip generation and trip distribution associated with full occupation of other development sites within Hereford, to be agreed with the Local Planning Authority and the Highways Authority for the A49;**
- **An assessment of traffic impacts at the Eign Street junction on the A49;**
- **Identification of any requirements for highways mitigation associated with the development in order to make it acceptable;**
- **The mechanisms which will be used to deliver any requirements for highways mitigation;**
- **The timeframes for implementation of the requisite highways mitigation; and**
- **The identification of appropriate contributions from the development sites considered within the Study to the requisite highways mitigation.**

**The measures identified within the Highways Study approved under this condition shall be agreed with the Local Planning Authority and Highways Authority for the A49 and implemented in accordance with the agreed provisions.**

- 9. No part of the development hereby permitted shall be occupied until such time as the highways scheme at the A49 Newtown Road / Mortimer Road junction, as detailed in Phil Jones Associates drawing no. 668 – 313 Rev **XX** has been provided**

in full and is available for use by vehicular traffic.

Reason: To ensure no adverse impact on the operation of the e

10. No part of the development hereby permitted shall be occupied until such as a time as the highways scheme at the A49 Newtown Road / Farriers Way / A49 Edgar Street roundabout, as prescribed in the Phil Jones Associates drawing no 668 – 313 Rev, is provided in full and is available for use by vehicular traffic.

Reasons for the above conditions: To ensure the safe and free flow of traffic on the A49 and that it continues to serve its purpose as part of the national system of routes for through traffic in accordance with Section 10 (2) of the Highways Act 1980 and to satisfy the reasonable requirements of road safety on that road.

11. Construction and Traffic Management Plan
12. CAP
13. CAS
14. CAT
15. CAZ
16. CB3

**Other conditions regulation the planning permission**

17. The submission of reserved matters in respect of layout, scale, appearance and landscaping and the implementation of the development shall be carried out in substantial accordance with the Design and Access Statement (Nash Partnership) and Illustrative Masterplan 13005(L) 002 Rev O.

Reason: To define the terms of the permission and to conform to Herefordshire Local Plan - Core Strategy Policies HD4, LD1, LD2, LD3, LD4 and MT1.

18. G04 Protection of trees/hedgerows that are to be retained
19. G10 Landscaping scheme
20. G11 Landscaping scheme - implementation
21. G14 Landscape management plan
22. No development shall take place until the following has been submitted to and approved in writing by the local planning authority:  
a) a 'desk study' report including previous site and adjacent site uses, potential contaminants arising from those uses, possible sources, pathways, and receptors, a conceptual model and a risk assessment in accordance with current best practice  
b) if the risk assessment in (a) confirms the possibility of a significant pollutant linkage(s), a site investigation should be undertaken to characterise fully the nature and extent and severity of contamination, incorporating a conceptual model of all

the potential pollutant linkages and an assessment of risk to identified receptors  
c) if the risk assessment in (b) identifies unacceptable risk(s) a detailed scheme specifying remedial works and measures necessary to avoid risk from contaminants/or gases when the site is developed. The Remediation Scheme shall include consideration of and proposals to deal with situations where, during works on site, contamination is encountered which has not previously been identified. Any further contamination encountered shall be fully assessed and an appropriate remediation scheme submitted to the local planning authority for written approval.

Reason: In the interests of human health and to ensure that the proposed development will not cause pollution to controlled waters or the wider environment.

23. The Remediation Scheme, as approved pursuant to condition no.22 above, shall be fully implemented before the development is first occupied. On completion of the remediation scheme the developer shall provide a validation report to confirm that all works were completed in accordance with the agreed details, which must be submitted before the development is first occupied. Any variation to the scheme including the validation reporting shall be agreed in writing with the Local Planning Authority in advance of works being undertaken.

Reason: In the interests of human health and to ensure that the proposed development will not cause pollution to controlled waters or the wider environment.

24. 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 for, an amendment to the Method Statement detailing how this unsuspected contamination shall be dealt with.

Reason: In the interests of human health and to ensure that the proposed development will not cause pollution to controlled waters or the wider environment.

#### **Welsh Water conditions**

25. No development shall commence until a drainage scheme for the site has been submitted to and approved in writing by the local planning authority. The scheme shall provide for the disposal of foul, surface and land water, and include an assessment of the potential to dispose of surface and land water by sustainable means. Thereafter the scheme shall be implemented in accordance with the approved details prior to the occupation of the development and no further foul water, surface water and land drainage shall be allowed to connect directly or indirectly with the public sewerage system.

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.

26. No more than 150 of the dwellings hereby approved shall be occupied until essential improvements to the public water supply system have been completed by Dwr Cymru Welsh Water and the Local Planning Authority have been informed in writing of its completion. This work is scheduled for completion by 31st March 2020.

Reason: To ensure satisfactory mains water supply is available to properties at all times.

- 27. CE6 – Efficient use of water
- 28. CD1 – Nature Conservation

**INFORMATIVES:**

- 1. Statement of positive and proactive working
- 2. N02 Section 106 obligation
- 3. The drainage scheme for the site shall have regard to the requirements expressed at the conclusion of the Land Drainage consultant's response to the application (reported at section 4.8 of the report to Committee dated 3<sup>rd</sup> August 2016).
- 4. I11 Mud on highway
- 5. I09 Private apparatus within the highway
- 6. I45 Works within the highway
- 7. I08 Section 278 agreement
- 8. N11C

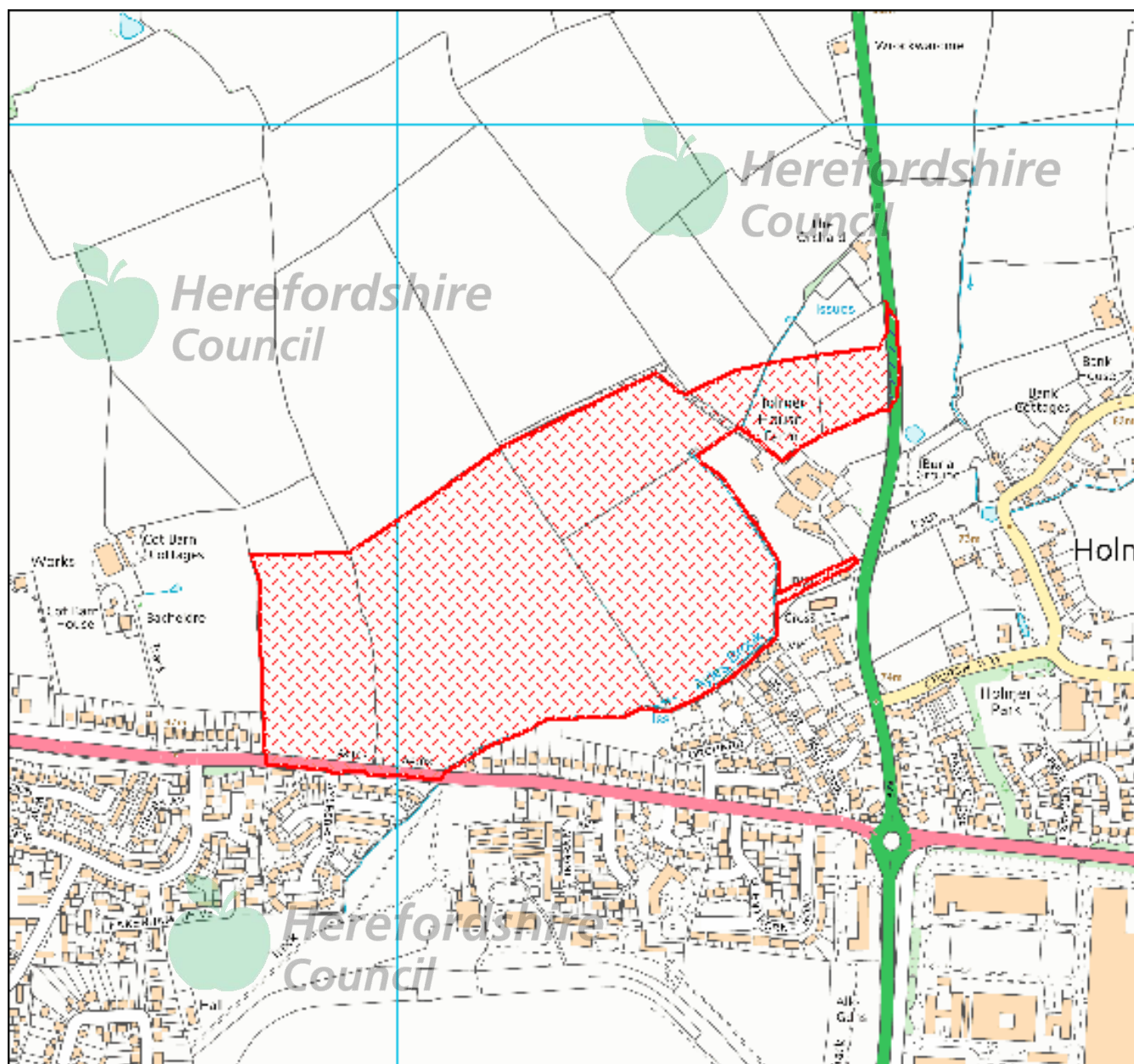
Decision: .....

Notes: .....

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**Background Papers**

Internal departmental consultation replies.



**Herefordshire  
Council**

Herefordshire  
Council