

MEETING:	PLANNING AND REGULATORY COMMITTEE
DATE:	24 July 2019
TITLE OF REPORT:	190416 - SITE FOR A PROPOSED DEVELOPMENT FOR THE ERECTION OF 10 DWELLINGS AT LAND ADJACENT TO PLOUGHFIELDS, PRESTON-ON-WYE, HEREFORDSHIRE. For: Mr Dale per Mrs Claire Rawlings, 10 The Maltings, Dormington, Hereford, Herefordshire HR1 4FA
WEBSITE LINK:	https://www.herefordshire.gov.uk/info/200142/planning_services/planning_application_search/details?id=190416&search=190416
Reason Application submitted to Committee - Redirection	

Date Received: 6 February 2019

**Ward: Golden Valley
North**

Grid Ref: 338340,241663

Expiry Date: 13 May 2019

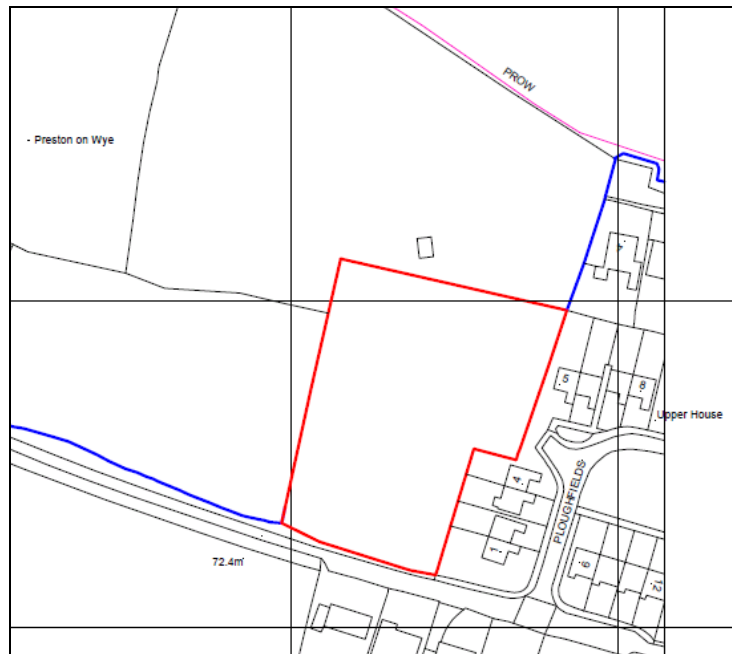
Local Member: Councillor Jennie Hewitt

1.0 Site Description and Proposal

- 1.1 The application site is located within Preston on Wye, a village located within the Golden Valley area of South West Herefordshire and comprises of an area of land between Ploughfields (residential development) and open countryside. Bungalows are located to the south of the site on the opposite side of the village road Preston on Wye is a reasonable sized village with 82 houses comprised around one centre. The application site lies on the western edge the village. The village is located approximately 8 miles west of Hereford and 12 miles from Hay on Wye and there are other villages in the locality and benefits from the proximity to the settlements of both Madley and Peterchurch. The village is situated in a rural location, with a wide array of properties nearby including modern properties, listed buildings, a public house, church and village hall.
- 1.2 The application site is currently used for agricultural purposes and amounts to approximately 0.5 hectares and substantial part is roughly rectangular. The site is bounded by established hedgerows and a post and wire stock fencing. To the east of the application site it is tree line, open pasture land to the north and the C1192 road with a vehicular field gate access to the south. An existing Public Right of way public footpath is located the north of the site and can be seen on the block plan below. (PROW Preston on Wye footpath 1). The nearest footway begins on the northern side of the C1192, at the western junction radii of Ploughfields, approximately 25m east of the eastern boundary of the site.
- 1.3 Access to the site is currently obtained from the north of the C1192, this links to the C1191 to the north east of the site. Both of the roads are generally single track by nature, however regular passing bays are provided via the use of farm gateways, or wider sections of the road. The village hall, church, public house is located within walking distance and to the far north of the site outside of the application site is an existing Public Right of Way (PROW Preston on Wye Footpath 1). The site is located with a 30mph zone with the proposal providing adequate visibility in both directions. The A438 road network is located a short distance to the north of

Further information on the subject of this report is available from Miss Heather Carlisle on 01432 260453

the village which provides further links beyond. The roads within the area are generally single carriageway. There is a bus service providing a service to Hereford, albeit infrequent.



Extract of location plan Drawing number E001 – Rev D

- 1.4 The application is made in outline with all matters reserved (except for access) and seeks permission for the erection of 10 dwellings.
- 1.5 As defined within The Town and Country Planning (Development Management Procedure) (England) Order 2015: “reserved matters” in relation to an outline planning permission, or an application for such permission, means any of the following matters in respect of which details have not been given in the application.

Access: In relation to reserved matters, means the accessibility to and within the site, for vehicles, cycles and pedestrians in terms of the positioning and treatment of access and circulation routes and how these fit into the surrounding access network; where “site” means the site or part of the site in respect of which outline planning permission is granted or, as the case may be, in respect of which an application for such a permission has been made;

Appearance: Means the aspects of a building or place within the development which determines the visual impression the building or place makes, including the external built form of the development, its architecture, materials, decoration, lighting, colour and texture;

Landscaping: In relation to a site or any part of a site for which outline planning permission has been granted or, as the case may be, in respect of which an application for such permission has been made, means the treatment of land (other than buildings) for the purpose of enhancing or protecting the amenities of the site and the area in which it is situated and includes—

- (a) screening by fences, walls or other means;
- (b) the planting of trees, hedges, shrubs or grass;
- (c) the formation of banks, terraces or other earthworks;
- (d) the laying out or provision of gardens, courts, squares, water features, sculpture or public art; and
- (e) the provision of other amenity features;

Layout: Means the way in which buildings, routes and open spaces within the development are provided, situated and orientated in relation to each other and to buildings and spaces outside the development;

Scale: Except in the term 'identified scale', means the height, width and length of each building proposed within the development in relation to its surroundings;

- 1.6 This application has been supported by supporting documents in the form of a Design and Access Statement, an Ecological Assessment and arboricultural survey, Traffic and Speed Survey and Vehicular Access Proposals as well a Drainage Strategy. Revised drawings have been submitted during the application process in regards to additional clarification sought by the Local Highway Authority.
- 1.7 An indicative layout plan has also been submitted as part of the application which seeks to demonstrate that 10 dwellings can be adequately sited on the site.



Extract of Illustrative Block Plan - Drawing number P003- Rev A

- 1.8 The proposed housing mix as detailed within the submitted information stipulates 3no x 2 bedroom, 4no x 3 bedroom and 3no x 4 bedroom dwellings are proposed.

2. Policies

2.1 The Herefordshire Local Plan – Core Strategy

The following policies are considered to be relevant to this application:

SS1	-	Presumption in Favour of Sustainable Development
SS2	-	Delivering New Homes
SS4	-	Movement and Transportation
SS6	-	Environmental Quality and Local Distinctiveness
SS7	-	Addressing Climate Change
RA1	-	Rural Housing Distribution
RA2	-	Herefordshire's Villages
H1	-	Affordable Housing – Thresholds and Targets
H3	-	Ensuring an Appropriate Range and Mix of Housing
OS1	-	Requirement for Open Space, Sport and Recreation
OS2	-	Meeting Open Space, Sport and Recreation Needs
MT1	-	Traffic Management, Highway Safety and Promoting Active Travel
LD1	-	Landscape and Townscape
LD2	-	Biodiversity and Geodiversity

LD3	-	Green Infrastructure
LD4	-	Historic Environment and Heritage Assets
SD1	-	Sustainable Design and Energy Efficiency
SD3	-	Sustainable Water Management and Water Resources
SD4	-	Waste Water Treatment and River Water Quality

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

https://www.herefordshire.gov.uk/info/200185/local_plan/137/adopted_core_strategy

2.3 The Neighbourhood Development Plan for Preston on Wye is known as 'Wyeside Group' and covers Blakemere, Bredwardine, Moccas, Preston on Wye and Tyberton. This plan was 'made' on 18th October 2018 and therefore forms part of the statutory development plan.

2.4 Wyeside Group Parish Neighbourhood Plan:
Relevant Policies are:

WH01: New Housing Developments
 WH02: Ensuring an appropriate Range of tenures, Types and Size of Houses
 WE02: Landscape Design Principles
 WE03: Protecting Green Infrastructure, Heritage Assets and Local Green Space
 WE04: Renewable Energy
 WE05: Pubic Sewerage and Wastewater Treatment
 WF04: General Policy: Applicable to all Developments
 WHD01: New Building Design

The Wyeside Neighbourhood Development Plan can be seen online at:

https://www.herefordshire.gov.uk/directory_record/3124/wyeside_group_neighbourhood_development_plan_made_18_october_2018

2.5 The National Planning Policy Framework (NPPF) has been considered in the assessment of this application. The following sections are considered particularly relevant:

- 2. Achieving Sustainable Development
- 5. Delivering a Sufficient Supply of Homes
- 8. Promoting Healthy and Safe Communities
- 9. Promoting Sustainable Transport
- 11. Making Effective Use of Land
- 12. Achieving Well-Designed Places
- 15. Conserving and Enhancing the Natural Environment
- 16. Conserving and Enhancing the Historic Environment

3 Planning History

3.1 None

4. Consultation Summary

Statutory Consultations

4.1 Natural England: **No objection:**

Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on designated sites and has no objection. Natural England's advice on other natural environment issues is set out below.

Further information on the subject of this report is available from Ms Heather Carlisle on 01432 260453

Internationally and nationally designated sites

The application site is within the catchment of the River Wye which is part of the River Wye Special Area of Conservation (SAC) which is a European designated site, and therefore has the potential to affect its interest features. European sites are afforded protection under the Conservation of Habitats and Species Regulations 2017 (as amended), the 'Habitats Regulations'. The SAC is notified at a national level as the River Wye Site of Scientific Interest (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

Requirements are set out within Regulations 63 and 64 of the Habitats Regulations, where a series of steps and tests are followed for plans or projects that could potentially affect a European site. The steps and tests set out within Regulations 63 and 64 are commonly referred to as the 'Habitats Regulations Assessment' process.

The Government has produced core guidance for competent authorities and developers to assist with the Habitats Regulations Assessment process. This can be found on the Defra website.

<http://www.defra.gov.uk/habitats-review/implementation/process-guidance/guidance/sites/>

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.

European site - River Wye SAC - No objection

Natural England notes that your authority, as competent authority under the provisions of the Habitats Regulations, has undertaken an Appropriate Assessment of the proposal, in accordance with Regulation 63 of the Regulations. Natural England is a statutory consultee on the Appropriate Assessment stage of the Habitats Regulations Assessment process.

Your appropriate assessment concludes that your authority is able to ascertain that the proposal will not result in adverse effects on the integrity of any of the sites in question. Having considered the assessment, and the measures proposed to mitigate for all identified adverse effects that could potentially occur as a result of the proposal, Natural England advises that we concur with the assessment conclusions, providing that all mitigation measures are appropriately secured in any permission given.

River Wye SSSI – No objection

Based on the plans submitted, Natural England considers that the proposed development will not damage or destroy the interest features for which the site has been notified and has no objection.

- 4.2 Welsh Water: We refer to your planning consultation relating to the above site, and we can provide the following comments in respect to the proposed development.

We have reviewed the information submitted as part of this application with particular focus on the Planning Drainage Layout dated 17/07/18. We note that the intention is to drain foul water to the public sewer to which we have no objection and surface water to a nearby watercourse to which we offer no further comment.

Therefore, if you are minded to grant planning permission we request that the following Conditions and Advisory Notes are included within any subsequent consent.

Conditions

No surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network

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.

Advisory Notes

The applicant may need to apply to Dwr Cymru / Welsh Water for any connection to the public sewer under S106 of the Water Industry Act 1991. If the connection to the public sewer network is either via a lateral drain (i.e. a drain which extends beyond the connecting property boundary) or via a new sewer (i.e. serves more than one property), it is now a mandatory requirement to first enter into a Section 104 Adoption Agreement (Water Industry Act 1991). The design of the sewers and lateral drains must also conform to the Welsh Ministers Standards for Gravity Foul Sewers and Lateral Drains, and conform with the publication "Sewers for Adoption"- 7th Edition. Further information can be obtained via the Developer Services pages of www.dwrcymru.com

The applicant is also advised that some public sewers and lateral drains may not be recorded on our maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.

SEWAGE TREATMENT

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

Our response is based on the information provided by your application. Should the proposal alter during the course of the application process we kindly request that we are re-consulted and reserve the right to make new representation.

Internal Council Consultations

4.3 The Transport Manager (amended plans):
No objection subject to conditions

4.4 The Service Manager Built and Natural Environment Manager comments:
(Ecology)

The site is within the River Wye SAC catchment and as confirmed by Natural England comments a Habitat Regulation Assessment process must be completed. Subject to Natural England approving the appropriate assessment submitted to them a condition to secure the relevant mitigation measures is requested on any planning consent granted. The supplied ecological report is noted and the recommendations and proposed biodiversity net gain enhancements should be implemented as stated.

4.5 The Service Manager Built and Natural Environment Manager comments:
(Historic Buildings Conservation)

Housing on the site would not be precluded due to any heritage constraints. We would encourage layout of the housing to be included within the outline application to be able to understand impact of density and massing on the character of the settlement, although it is noted that it isn't a Conservation Area.

Background to recommendations:

There are several Heritage Assets in close proximity:

Further information on the subject of this report is available from Ms Heather Carlisle on 01432 260453

- Green Farmhouse, Grade II, 110m to the SE
- Upper House, Grade II, 80m to E
- Non-conformist Chapel, unlisted heritage asset 150m to E

Policy SS6 of the Core Strategy outlines that development proposals should support the local distinctiveness of an area. As such it is felt that the design of any housing should respond to the character of traditional buildings within Preston on Wye and the wider area. This does not preclude contemporary design. Characteristics to be considered within any reserved matters application include the layout/density of the development (with consideration of how the 'edge' of the village is experienced) Materials, solid to void ratio and the span depth ration of the buildings. We would encourage the layout and density to be included within the outline application if possible to be able to determine the impact of the design.

It is not felt that appropriate development on the site would harm those aspects of the setting of these buildings which contributes to their significance.

4.6 Archaeological Advisor

Preston on Wye does indeed have some general interest as regards its early medieval history in particular. As with any greenfield site in the historic landscape, remains could possibly be found. However, this potential has been assessed (e.g. in the Central Marches Historic Towns Survey 1996) as being moderate [only]. The particular location of the proposed development is outside the principal area of likely remains, and there is nothing about the nature of the field here leading to the conclusion that remains of substance are present. On balance, I am of the view that sufficient is already known about the location for the application to accord with the aims of NPPF Para 189. On the other hand, I would consider it appropriate in this case to attach a suitable archaeological condition to permission if granted. This would satisfy the policy requirements of Core Strategy LD4, and NPPF Para 199. I would suggest standard condition E01 / C47, or variant thereof.

4.7 Public Rights of Way (PROW):

I have no objection to the development. If a new right of way is to be created, a legal Creation Order will need to be made. The applicant must contact this department for this. The length of the right of way created would depend on whether the development will be adopted by the council. Landowner permission is also required.

4.8 The Service Manager Built and Natural Environment Manager comments: **(Landscape):**

I have read the arboricultural report in conjunction with drawing no 001; planting proposals, I note the removal of H1 along the southern boundary to facilitate the visibility splay, with some additional tree removal of category B hawthorn. Having revisited the site I am satisfied these are not specimen trees and that there is extensive proposed tree and hedgerow planting to compensate for the loss.

No landscape objection is therefore raised to the proposal as I am satisfied it complies with policy LD1 of the Core Strategy. Detailed planting plans supported by a management plan for a 5 year period are required via condition.

4.9 Land Drainage Officer:

The Applicant proposes the construction of 10 dwellings. The site covers an area of approx. 0.50ha and is currently a Greenfield site. The topography of the site is slightly sloping down from approx. 73.3m AOD in the south to approx. 70.2m AOD in the north. The River Wye (SSSI) is approx. 930m to the north of the site. In addition to this, the Flits (SSSI) is located approx. 620m to the southwest of the site.

Review of the Environment Agency's Flood Map for Planning (Figure 1) indicates that the site is located within the low risk Flood Zone 1. As the proposed development is located within Flood Zone 1 and is less than 1ha, in accordance with Environment Agency standing advice, the planning application has not been supported by a Flood Risk Assessment (FRA). Within Flood Zone 3 Within Flood Zone 2 Within Flood Zone 1

Site area less than 1ha FRA required FRA required FRA not required*

Site area greater than 1ha FRA required FRA required FRA required

*except for changes of use to a more vulnerable class, or where they could be affected by other sources of flooding

Surface Water Flood Risk

Review of the EA's Risk of Flooding from Surface Water map indicates that the site is not at risk of surface water flooding.

Other Considerations and Sources of Flood Risk

Review of the EA's Groundwater map indicates that the site is not located within a designated Source Protection Zone or Principal Aquifer.

Surface Water Drainage

Soakaway testing has proven that infiltration techniques at this site are not a viable option.

The drainage layout demonstrates that the proposals are to direct all surface water runoff (from the highway, roofs and driveways) into an attenuation pond to the northwest of the site. It is stated on the layout plan that this will be designed for the 1 in 100 year +35% climate change event. The Applicant should note that in February 2016 the EA updated their advice on the potential effects of climate change and that a range of allowances should be considered to understand the implications:

<https://www.gov.uk/guidance/flood-risk-assessments-climate-change-allowances>

A 40% climate change allowance should be applied.

It is stated that the flows will be restricted; however no clarification around the discharge rate or diameter of flow control has been provided. Reference is made to 'MicroDrainage' calculations, however, these do not appear to have been provided to support this outline application. The rate and volume of discharge should be restricted to the pre-development Greenfield values as far as practicable. Reference should be made to The SUDS Manual (CIRIA C753, 2015) for guidance on calculating runoff rates and volumes. The assessment of pre and post-development runoff rates should consider a range of storm durations to determine those which are critical for the site and receiving watercourse or sewer and demonstrate sufficient storage has been provided. Allowances for climate change would not typically be included in the calculation of existing discharge rates.

The final outfall is stated to be 350m into a watercourse, via gravity. No maps have been provided to demonstrate the watercourse. If the land on which this pipe is to be located is owned by a third party, an agreement must be provided for this pipe. Also, confirmation must be provided from the riparian owner(s) of the watercourse for the outfall of surface water into the watercourse.

The drainage system should be designed to ensure no flooding from the drainage system (which can include on-the-ground conveyance features) in all events up to the 1 in 30 year event. Surface water should either be managed within the site boundary or directed to an area of low vulnerability.

Guidance for managing extreme events can be found within CIRIA C635: Designing for exceedance in urban drainage: Good practice.

Consideration should also be given to the control of potential pollution of ground or surface waters from wash down, vehicles and other potentially contaminating sources. Evidence of adequate separation and/or treatment of polluted water should be provided to ensure no risk of pollution is introduced to groundwater or watercourses both locally and downstream of the site, especially from proposed parking and vehicular areas. SUDS treatment of surface water is considered preferential for a development of this size.

The Applicant must confirm the proposed adoption and maintenance arrangements for the surface water drainage system. The Drainage Layout plan should reflect the ownership of the respective drainage components.

Foul Water Drainage: The proposal for foul water disposal is to connect to the existing public sewer. The water company should be contacted.

Overall Comment

In principle we do not object to the proposals, however we recommend that the following information provided within suitably worded planning conditions:

- A detailed surface water drainage strategy with supporting calculations that demonstrates there will be no surface water flooding up to the 1 in 30 year event, and no increased risk of flooding as a result of development between the 1 in 1 year event and up to the 1 in 100 year event and allowing for the potential effects of climate change;
- 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 an appropriate increase in rainfall intensity to allow for the effects of future climate change;
- Evidence that the Applicant is providing sufficient storage and appropriate flow controls to manage additional runoff volume from the development, demonstrated for the 1 in 100 year event (6 hour storm) with an appropriate increase in rainfall intensity to allow for the effects of future climate change;
- Evidence of agreement from third party land owner(s) (if this differs from the Applicant) to confirm that the pipe can be located as proposed, in addition to agreement from the riparian owner(s) of the watercourse into which the outfall is proposed.
- Evidence that the Applicant has sought and agreed permissions to discharge foul water from the site with the relevant authorities;
- Demonstration of the management of surface water during extreme events that overwhelm the surface water drainage system and/or occur as a result of blockage;
- Demonstration that appropriate pollution control measures are in place prior to discharge;
- Confirmation of the proposed authority responsible for the adoption and maintenance of the proposed drainage systems.

5. Representations

5.1 Preston on Wye Council objects:

The Wyese Group of Parish Councils has the following objections:

1. Traffic and the Single-Track Approach Road to the Proposed Development

The approach road proposed development re-design with a footpath is going to make it difficult for delivery vans and users of the new development to navigate passing traffic including farm vehicles at the new junction. Please check that the outline planning submission is compliant with the following policies:

Herefordshire Council Policies and Wyese NDP Policy WF04 - General Policy Applicable to all Developments

Ensure that traffic generated by any proposal can be accommodated safely within the local road network which in many cases is single track, and does not result in the need to widen roads along their entire length or the removal of hedgerows, except where additional passing points are needed to manage increases in traffic volumes, demonstrate that landscape, environmental and amenity impacts are acceptable, and that access and parking standards are adequate having regard to the latest highways' guidance produced by Herefordshire Council.

A further concern is the possible amenity loss for a resident opposite the development approach road whose bedroom window would be overlooked because of the greater height of the development and the possible loss of a lay-by, if it is subsumed into the proposed road and footpath configuration.

2. Drainage Concerns

The approach road alongside and leading to the proposed new development suffers from flooding and poor drainage in wet conditions and compliance with the following policies is therefore requested:

Herefordshire Council Policies and Wyese NDP Policy WHDOI - New Building Design

All new development should incorporate sustainable urban drainage systems (SUDS) where appropriate taking account of the hydrological setting of the site, which as a minimum are fully compliant with the most recently, adopted national and local standards and preferably exceed them.

3. Sewage Treatment Pipework Proposed Connection to Existing Pipework

The current sewage pipework that the proposed development would connect to passes under a number of properties and it maybe that an easement for access has not be registered by Welsh Water as the pipework was originally laid when it was farm land. This needs to be checked as it is likely that the pipework is too old and could need replacing with larger diameter pipework to meet demands for the new development. If there is not an easement in place or disruption to the community is excessive (as it runs under a number of mature gardens with infrastructure) alternative arrangements may need to be considered such as pipework re-direction over open farmland.

4. Number of Proposed Houses

Page 16 of the WGPC NDP says that a total of ten new properties were acceptable to the majority of residents in Preston on Wye for the period to 2031. Three are planned at the Chapel. So, the level agreed by the community and available for development is 7. This is why 10 is considered to be too many for the Ploughfield development.

The NDP goes on to say that 'The notional size of any one development site acceptable to each village is summarised as five houses per development site in the larger village of Preston on Wye'. Whilst this is provided as a guide within the NDP it represents the views held by the local community, and is therefore the basis for an objection against a 10 houses development. In conclusion the preferred number of houses for this development is therefore 5. This would leave 2 slots for others wanting to convert or build.

5. Proposed Public Right of Way

The following change to the proposed Public Right of Way (PROW) in the plan has been agreed between the landowner for the above planning submission and Preston-on-Wye local residents. This may require an update to the plan submission:

5.2 Eleven objections have been received from local residents, comments are summarised as:

- Transportation concerns:
Due to the size of the dwellings there will be a requirement to use own transport, lack of public transport, dangerous narrow single track lanes, additional cars will exacerbate the busy narrow lanes, safety, less houses will reduce impact on the road system and utility services. Traffic volume, heavy goods lorries, limited passing places, traffic surveys done at the quietest time. Proposed access is a risk, concerns in regards to the location of proposed entrance to the development of the site. The track ((lane) is a black spot and does not allow sufficient line of sight. Concerns in regards to construction traffic, noise and volume.
- Lack of footpaths, street lighting
- More suitable villages within Herefordshire with main road access to build developments of this magnitude
- Potential resale and value of homes
- Lack of village amenities, small pub, one bus one day a week, limited public transport
- Not appropriate mix of houses, demand for bungalows, housing allocation, 5 houses more acceptable
- Neighbourhood development plan: 10 houses allocated for the village within the NDP/ If 10 approved in one location this may jeopardise brown field sites coming forwards. Non compliance of neighbourhood plan, contravenes and disregards the village wishes, village wants small developments. 3 houses already approved within the village, this development too big, the size and design needs to be improved.
- Sewers: under and across private properties, has existing pipework got capacity
- Proposed PROW: safety and security concerns, privacy concerns, litter and its removal
- Loss of hedgerows and native trees and the site requires native planting.
- Local flooding concerns.
- Local children's play area not a public play area
- Lack of archaeological investigation
- Lack of demand for new houses
- Amenity concerns: privacy, loss of view, noise and how long the building out process
- Loss of agricultural, the land should be used for pasture and crop use and not for domestic housing.

5.3 One letter of representation received supported the proposal.

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

https://www.herefordshire.gov.uk/info/200142/planning_services/planning_application_search/details?id=190416&search=190416

6. Officer's Appraisal

Policy context

- 6.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states as follows "If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."
- 6.2 In this instance the adopted development plan is the Herefordshire Local Plan – Core Strategy (CS) and the 'made' Wyeside Neighbourhood Plan (NDP). The NDP was 'made' on the 18th October 2018. The National Planning Policy Framework (NPPF) is also a significant material consideration.
- 6.3 Core Strategy Policy SS1 – Presumption in favour of sustainable development, in line with the NPPF, has a positive approach to such development. Furthermore, planning permission will be granted unless the adverse impact of the permission would significantly and demonstrably outweigh the benefits of the proposal.
- 6.4 Core Strategy Policy SS2 – Delivering new homes sets out Herefordshire is to deliver a minimum 16,500 dwellings during the plan period and that designated rural settlements play a key role in that delivery and support the rural economy, local services and facilities. Such settlements will deliver a minimum 5,600 dwellings.
- 6.5 Core Strategy policy SS6 describes proposals should conserve and enhance those environmental assets that contribute towards the county's distinctiveness, in particular its settlement pattern, landscape, biodiversity and heritage assets and especially those with specific environmental designations. Policy SS6 then states in its list of criteria that development proposals should be shaped through an integrated approach and based upon sufficient information to determine the effect upon landscape, townscape and local distinctiveness, especially in Areas of Outstanding Natural Beauty.
- 6.6 Core Strategy policy SS7 – Addressing climate change describes how developments will be required to mitigate their impact on climate change, and strategically, this includes:
- Focussing development to the most sustainable locations
 - Delivering development that reduces the need to travel by private car and encourages sustainable travel options including walking, cycling and public transport
- 6.7 Core Strategy policy RA1 – Rural housing distribution sets out the strategic way housing is to be provided within rural Herefordshire and to deliver a minimum 5,600 dwellings. Herefordshire is divided into seven Housing Market Areas (HMAs) in order to respond to the differing housing needs, requirements and spatial matters across the county. Preston on Wye lies within the Golden Valley HMA, which is tasked with an indicative housing growth of 12% (340 dwellings).
- 6.8 Core Strategy policy RA2 – Housing outside Hereford and the market towns identifies the settlements in each HMA area where both the main focus of proportionate housing development will be directed, along with other settlements where proportionate housing growth is appropriate. Preston on Wye is one of these settlements and is within the Golden Valley HMA.

Core Strategy Policy RA2 – Housing in settlements outside Hereford and the market towns.

To maintain and strengthen locally sustainable communities across the rural parts of Herefordshire, sustainable housing growth will be supported in or adjacent to those settlements identified in Figures 4.14 and 4.15. This will enable development that has the

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ability to bolster existing service provision, improve facilities and infrastructure and meet the needs of the communities concerned. The minimum growth target in each rural Housing Market Area will be used to inform the level of housing development to be delivered in the various settlements set out in Figures 4.14 and 4.15.

Neighbourhood Development Plans will allocate land for new housing or otherwise demonstrate delivery to provide levels of housing to meet the various targets, by indicating levels of suitable and available capacity.

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

- 1. Their design and layout should reflect the size, role and function of each settlement and be located within or adjacent to the main built up area. In relation to smaller settlements identified in fig 4.15 proposals will be expected to demonstrate particular attention to the form, layout, character and setting of the site and its location in that settlement and/or they result in development that contributes to or is essential to the social well-being of the settlement concerned;*
- 2. Their locations make best and full use of suitable brownfield sites wherever possible;*
- 3. They result in the development of high quality, sustainable schemes which are appropriate to their context and make a positive contribution to the surrounding environment and its landscape setting; and*
- 4. They result in the delivery of schemes that generate the size, type, tenure and range of housing that is required in particular settlements, reflecting local demand.*

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

- 6.9 As detailed above Neighbourhood Development Plan is the mechanisms for setting growth as it allocates land for new housing or otherwise demonstrate delivery to provide levels of housing to meet the various targets, by indicating levels of suitable and available capacity. The relevant NDP policies are detailed below.
- 6.10 Core Strategy Policy MT1 – Traffic management, highway safety and promoting active travel states development proposals should incorporate the following principle requirements covering movement and transportation:
1. Demonstrate that the strategic and local highway network can absorb the traffic impacts of the development without adversely affecting the safe and efficient flow of traffic on the network or that traffic impacts can be managed to acceptable levels to reduce and mitigate any adverse impacts from the development;
 2. Promote and, where possible, incorporate integrated transport connections and supporting infrastructure (depending on the nature and location of the site), including access to services by means other than private motorised transport;
 3. Encourage active travel behaviour to reduce numbers of short distance car journeys through the use of travel plans and other promotional and awareness raising activities;
 4. Ensure that developments are designed and laid out to achieve safe entrance and exit, have appropriate operational and manoeuvring space, accommodate provision for all modes of transport, the needs of people with disabilities and provide safe access for the emergency services;

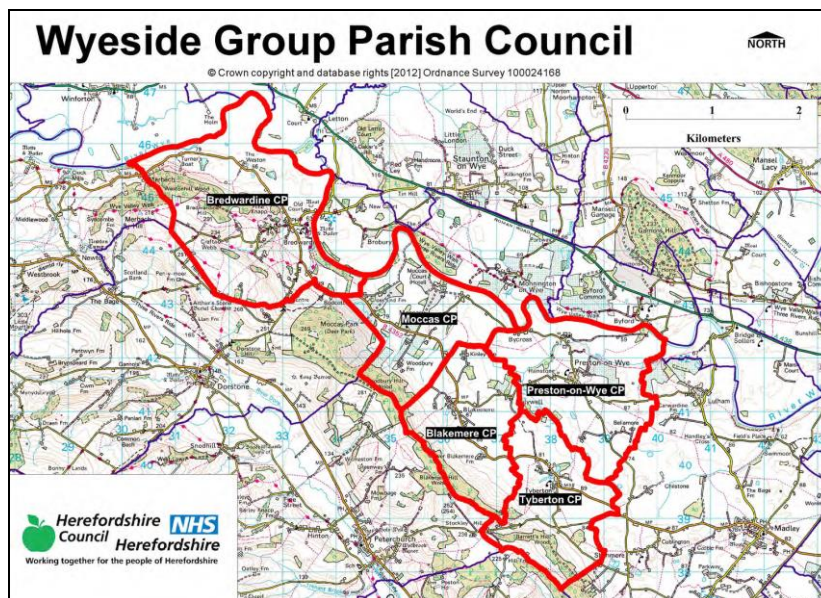
5. Protect existing local and long distance footways, cycleways and bridleways unless an alternative route of at least equal utility value can be used, and facilitate improvements to existing or provide new connections to these routes, especially where such schemes have been identified in the Local Transport Plan and/or Infrastructure Delivery Plan; and
6. Have regard to with both the council's Highways Development Design Guide and cycle and vehicle parking standards as prescribed in the Local Transport Plan - having regard to the location of the site and need to promote sustainable travel choices.

6.11 Core Strategy policy LD1 criteria requires that new development should:

- Demonstrate that character of the landscape and townscape has positively influenced the design, scale, nature and site selection, including protection and enhancement of the setting of settlements and designated areas;
- Conserve and enhance the natural, historic and scenic beauty of important landscapes and features, including Areas of Outstanding Natural Beauty, through the protection of the area's character and by enabling appropriate uses, design and management.

Neighbourhood Development Plan

6.12 The **Wyeside Group** Neighbourhood Development Plan was 'made' on 18 October 2018. It now forms part of the Development Plan for Herefordshire. The parishes that the Wyeside Group NDP cover are Bredwardine, Moccas, Blakemere, Tyberton and Preston on Wye and these are detailed on the plan inserted below:



6.13 The Neighbourhood Plan policies do not include specific settlement boundaries and their spatial strategy requires that any new housing development will be contiguous to the centre of the village.

The relevant NDP policies are detailed below.

6.14 Policy WH01: New Housing Development

Permission will be granted over the period August 2018 until 31 March 2031 for the development of around 32 dwellings. All new housing development should reflect the size, role and function of the village in which it is situated on land which is contiguous with the existing village centre; that is on a site which immediately adjoins the centre as shown on the Policies Maps or is within or abuts a group of existing buildings which are contiguous with the centre when the plan was made or updated. Housing Development which only abuts new development granted since this plan was made or updated and not shown on the plan's policies maps as existing development will not be allowed.

In addition, proposals for new housing should reflect the character of the village and surrounding environment and relate directly to the existing built form in the immediate vicinity. Also, in so far as it is reasonably practicable and viable, any development for three or more houses should be laid out in the form of an organic cluster built off a new access lane avoiding the use of a cul-de-sac, with pedestrian links/ pathways to the rest of the village.

6.15 Policy WH02: Ensuring an appropriate Range of Tenures, Types and Size of Houses

Open market housing should include a mix of predominantly two and three bedroomed properties. Housing developments of more than 10 dwellings should include an element of affordable housing in accordance with Policy H1 in the Adopted Core Strategy. These houses should be integrated with open market housing across a site and should be designed so as to be visually indistinguishable from such housing.

6.16 Policy WE02 – Landscape Design Principles

All new development proposals will be required to demonstrate consideration of the following landscape design principles:

- Development proposals should seek to preserve or enhance the character of the hamlets and farmsteads especially those with buildings of statutory and non-statutory heritage value;
- Where appropriate, taking account of the nature and scale of the proposed development, a detailed landscape impact analysis should be provided as part of the planning application to demonstrate how proposals have been designed to enhance local landscape character and reduce urbanisation of this sensitive rural area, whilst minimising risk of fluvial flooding;
- Demolition of buildings and structures that contribute to the character and appearance of these areas will be resisted;
- Local habitats and wildlife should be preserved and enhanced;
- Veteran, mature and established trees should be protected and incorporated into landscaping schemes wherever possible;
- The planting of local species will be encouraged. Species should be appropriate to the location and setting in terms of type, height, density and need for ongoing good management;
- When constructing boundaries native tree species should be used;
- Existing hedgerows should be retained and the establishment of new native hedges is encouraged;
- Where orchards are lost as a result of new development proposals, developers will be expected to include an equivalent range of varietal fruit species traditional to the local area in landscaping schemes;
- New development must take account of known surface and sub-surface archaeology and ensure unknown and potentially significant deposits are identified and appropriately considered during development. Lack of current evidence of sub-surface archaeology must not be taken as proof of absence.

6.17 Policy WE03: Protecting Green Infrastructure, Heritage Assets and Local Green Space

Further information on the subject of this report is available from Ms Heather Carlisle on 01432 260453

Where appropriate, development proposals should demonstrate that they have regard to the Herefordshire Strategy for Green Infrastructure by:

- Protecting priority habitats, species, ancient woodlands, the River Wye as a landscape feature, designated and non-designated heritage assets, traditional orchards, hedges, the low density dispersed settlement pattern, and rural views;
- Retain existing open spaces (not included in development contiguous to village centres), trees, hedgerows, woodlands, water courses, parks and gardens.
- Where appropriate providing facilities for recreation and leisure;
- Incorporate sustainable drainage solutions to reduce risk of flooding;
- Incorporate landscaping utilising indigenous species;
- Archaeological, historical and cultural features will be protected and, where possible, enhanced. The area of land comprising the orchard opposite the Red Lion in Bredwardine, and the orchard bordered by Church Lane, and the River Wye as set out in Appendix 5 – NDP Policy Maps, Bredwardine Policies Map, on Page 57 is designated as a Local Green Space. In this area, inappropriate development will not be permitted except in very special circumstance

6.18 Policy WE04 – Renewable Energy

Conserving and producing renewable energy will be encouraged subject to the relevant criteria in Policy WHD01 or Policy WHD02, above.

- Stand-alone small wind turbines will be permitted if they have community support and comply with the criteria in the Adopted Core Strategy Policy SD2.
- Solar panels, including ground-based panels, are permitted on the roofs or curtilages of listed buildings if it can be proved there is no harm to the building or its setting. In the case of buildings considered to be non-designated heritage assets a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

6.19 Policy WE05 – Public Sewerage and Wastewater Treatment

Development at Bredwardine, Moccas and Preston-on-Wye should minimise any effect on the capacity of the public sewerage network and/or wastewater treatment works serving those villages. If a development proposal would result in the existing capacity being exceeded financial contributions will be sought for any improvements necessary to facilitate such development.

Elsewhere any new housing growth will be required to utilise alternative drainage methods, under the provisions of Policy SD4 of the Adopted Core Strategy.

6.20 Policy WHD01 – New Building Design

Proposals for the erection of new buildings will be permitted provided the following requirements are met:

Non-Agriculture/Forestry and Business Buildings

- The use of external material relates directly to the existing built form such that it blends in with surrounding buildings;
- Development should take account of local topography and should not break the skyline;
- Development should be of a small scale and new buildings or structures should be of a height, scale and massing appropriate to the rural character of Wyeseide;

- The use of sustainable construction techniques and incorporation of renewable energy components will be encouraged and where they are to be incorporated in the roof these should, whenever possible, be of a low profile;
- All new development should incorporate sustainable urban drainage systems (SUDS) where appropriate taking account of the hydrological setting of the site, which as a minimum are fully compliant with the most recently adopted national and local standards and preferably exceed them.

National Planning Policy Framework

- 6.21 The NPPF has ‘sustainable development’ central to planning’s remit and objectives. The NPPF also seeks positive improvements in the quality of the built, natural and historic environment and in regards people’s quality of life.
- 6.22 Paragraphs 7 and 8 set out and define sustainable development and of the three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways, the social objective requires planning to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being.
- 6.23 Paragraph 11 of the Framework sets out the presumption in favour of sustainable development. For decision-taking this means where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless the application of policies of the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
- 6.24 Footnote 7 to Paragraph 11 states that, for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer, as set out in paragraph 73). The local authority is currently failing to provide a 5 year Housing Land Supply, plus a buffer and as such Paragraph 11 is triggered due to conflict with the relevant requirements of NPPF chapter 5 ‘Delivering a sufficient supply of homes’.
- 6.25 Where the existence of a five year land supply cannot be demonstrated, there is presumption in favour of granting planning permission for new housing unless the development can be shown to cause demonstrable harm to other factors that outweigh the need for new housing. In reaching a decision upon new housing the housing land supply position will need to be balanced against other factors in the development plan and/or NPPF which could result in the refusal of planning permission. This site is therefore assessed and considered on its suitability as being sustainable in regards its location and material constraints and considerations.
- 6.26 Accordingly, the Council’s housing land supply position regarding the NPPF does not result in the proposal being acceptable when there are both material considerations demonstrating the development should be refused or where, locally, housing supply targets can be demonstrated.
- 6.27 Paragraph 103 states: The planning system should actively manage patterns of growth in support of these objectives. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health. However, opportunities to maximise sustainable transport solutions will vary

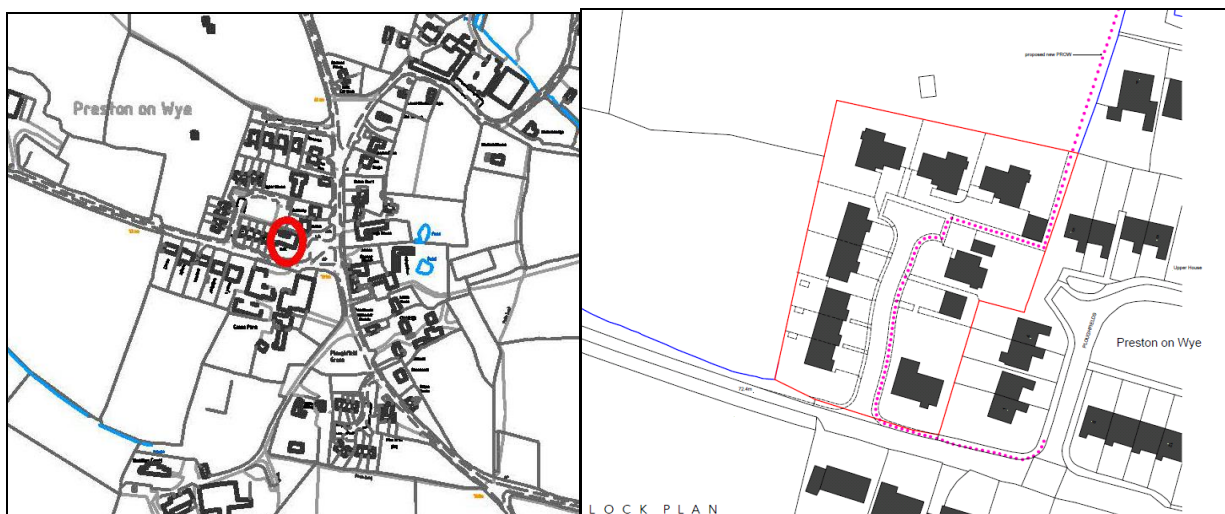
between urban and rural areas, and this should be taken into account in both plan-making and decision-making.

- 6.28 Paragraph 109 states: Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 6.29 NPPF Paragraph 124 states: The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.
- 6.30 Paragraph 127 outlines that planning decisions should ensure that developments:
- Will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
 - Are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
 - Are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
 - Establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
 - Optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
 - Create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.
- 6.31 NPPF section 16 sets out the position regarding conserving and enhancing the historic environment. Specific principles and policies relating to the historic environment and heritage assets and development are found in paragraphs 184 – 202.
- 6.32 Paragraph 193 advises that: When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
- 6.33 Paragraph 197 states: The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

Officer Appraisal

- 6.34 This is an application in outline form; it therefore only seeks to establish the principle of residential development for ten dwellings and the access thereto, Access as set out in the NPPG, means - *the accessibility to and within the site, for vehicles, cycles and pedestrians in terms of the positioning and treatment of access and circulation routes and how these fit into the surrounding access network.*

- 6.35 Whilst 'layout', is a reserved matter, an illustrative plan provides an example of how the intended development could be accommodated. Layout means - *the way in which buildings, routes and open spaces within the development are provided, situated and orientated in relation to each other and to buildings and spaces outside the development.*
- 6.36 With this in mind, the application is to be considered against its compliance with policy in respect of the principle of the development and the matter of access.
- 6.37 As detailed above RA2 turns to the NDP to inform the minimum level of housing that will be delivered in their neighbourhood areas and settlements. In this instance, policy WH01 states that the neighbourhood area will seek to deliver around 32 dwellings and that *All new housing development should reflect the size, role and function of the village in which it is situated on land which is contiguous with the existing village centre; that is on a site which immediately adjoins the centre as shown on the Policies Maps or is within or abuts a group of existing buildings which are contiguous with the centre when the plan was made or updated.*
- 6.38 The made NDP does not have a settlement boundary and within the NDP it makes it clear that any proposals for new housing should be situated on a site which immediately adjoins the centre as shown on the map below or which abuts existing buildings which are contiguous with the centre when the plan was made. The NDP policies map for Preston-on-Wye notes the centre as being the village hall and the red circle denotes this. To its west lies the existing residential housing known as Ploughfields. The application site lies immediately adjacent to, and is considered to be contiguous with Ploughfields. The site abuts existing housing at Ploughfields as can be seen in the illustrative block plan also inserted below. As such, officers would conclude that proposed development would adhere to the requirements of WH01 of the NDP.



Extract from Wyeside Neighbourhood Plan – Preston On Wye Policies Map and extract from the Illustrative Block Plan

- 6.39 Finally, as detailed above, the Wyeside Neighbourhood Area is tasked with developing a minimum of 39 dwellings up to 2031. As of the 1st April 2018 there was a residual figure (taking into account the completions and commitments) of 31 dwellings remaining. It should be noted that this is a minimum growth target.
- 6.40 This development will help to boost the housing supply in the locality, assisting the area in meeting their growth targets in the immediate area as well as wider county requirements.
- 6.41 Whilst spatially, the sites location is one that is considered to be acceptable, the development of the site must be considered having regard to the other policies of the Core Strategy, Neighbourhood Development and the NPPF taking into account any material considerations as appropriate

Further information on the subject of this report is available from Ms Heather Carlisle on 01432 260453

Impact upon the character and appearance of the settlement

- 6.42 The requirements of RA2 are underpinned by Policy LD1 Landscape and Townscape. Development proposals need to demonstrate that features such as scale and site selection have been positively influenced by the character of the landscape and townscape, and that regard has also been had to the protection and enhancement of the setting of settlements. Development proposals should also conserve and enhance the natural, historic and scenic beauty of important landscapes and features, including locally designated parks and gardens; and should incorporate new landscape schemes and their management to ensure development integrates appropriately, through the retention of important trees, appropriate replacement of trees lost through development, and new planting to support green infrastructure. Green infrastructure is also covered by Policy LD3, which requires development proposals to protect, manage and plan for the preservation of existing and delivery of new green infrastructure; and to protect valued landscapes, trees and hedgerows. Proposals will be supported where the provision of green infrastructure enhances the network and integrates with, and connects to the surrounding green infrastructure network.
- 6.43 NDP policy WH01 also states that proposals *for new housing should reflect the character of the village and surrounding environment and relate directly to the existing built form in the immediate vicinity. Also, in so far as it is reasonably practicable and viable, any development for three or more houses should be laid out in the form of an organic cluster built off a new access lane avoiding the use of a cul-de-sac, with pedestrian links/ pathways to the rest of the village.*
- 6.44 Whilst layout is a matter for future consideration, the illustrative plan takes into account the character and pattern of development of the immediate area and vicinity. Access to the site is via a single access point providing access to cluster of, much like Ploughfields. Officers would therefore conclude that this small scale development is capable of compliance with the requirements of this policy although acknowledge that the matter of layout is one for future consideration.
- 6.45 In terms of landscape impact the site forms part of the original field pattern which links with the wider open countryside. Whilst the eastern side of the application site has undergone substantial change through the introduction of 20th century development, the northern side remains by comparison, relatively unaltered. The proposal is a relatively small scheme and in keeping for this edge of settlement location; keeping with the wayside pattern of this landscape character type: Principal Settled Farmlands. When considering the degree of adverse impact upon the landscape the land is low lying and essentially flat in character; this in conjunction with the field hedgerows and the landscape buffer along the road will reduce the visual effects of the scheme substantially. Hedgerow loss will be for the access only, and this is the case as the visibility can be achieved in front of this. Landscape colleagues note the loss of removal of a tree and hedge along the southern boundary to facilitate the visibility splay, with some additional tree removal of category B hawthorn. However, they are satisfied as they are not specimen trees and that there is extensive proposed tree and hedgerow planting to compensate for the loss they have raised no landscape objection to the proposal.
- 6.46 Landscaping is a matter reserved for future consideration. The key issue in this regard relates to the retention of the roadside hedge. NDP policies WE02 and WE03 both make specific reference to the need to protect hedgerows and trees wherever possible, and the proposals indicate that the substantial part of the hedgerows are to be retained. The need to provide appropriate visibility splays will need to be factored into the extent of hedgerow that is actually required to be removed, and how this will be replaced / reinforced to form this boundary but it is not considered that this is such a significant matter to warrant the refuse of the application outright.

- 6.47 The indicative layout responds to other aspects of Policy WE02 particularly in regards to the planting of local species which is encouraged. Again though, the precise details of the layout and landscaping are matters to be agreed through a reserved matters submission should planning permission be granted in outline.
- 6.48 In conclusion officers are satisfied that the development lies in a position that relates well to the existing built form, is contiguous can be achieved without causing unacceptable landscape impacts. The detail of the landscaping should form part of the reserved matters submissions and can be secured via a condition and it will be necessary to give careful consideration to any reserved matter application to ensure that the landscape character is taken into account at design stage.
- 6.49 Officers are satisfied that, on the basis of the information provided, a scheme can be delivered that accords with the parameters of WE02 and WH01 of the NDP and I am otherwise satisfied of compliance with Policy LD1 and LD3 of the Core Strategy.

Highways (Access)

- 6.50 Core Strategy policy MT1 of the Herefordshire Local Plan, requires development proposals to demonstrate that the strategic and local highway networks can absorb the traffic impacts of the development without adversely affecting the safe and efficient flow of traffic on the network or that traffic impacts can be managed to acceptable levels to reduce or mitigate any adverse impact from the development. Developments should also ensure that proposals are designed and laid to achieve safe entrance and exit, have appropriate Operational and manoeuvring space. NPPF Policies require development proposals to give genuine choice as regards movement. Core Strategy policy SS4 requires developments to minimise the impacts on the transport network. NPPF 103 requires Local Planning Authorities to facilitate the use of sustainable modes of transport and paragraph 108 refers to the need to ensure developments generating significant amount of movements should take into account of whether safe and suitable access to the site can be achieved for all people and whether improvements can be undertaken on the transport network or on highway safety can be mitigated. Development should only be prevented or refused on transport grounds where the 'residual cumulative impacts of development are severe.' (NPPF para 109).
- 6.51 Within the submitted details it has been shown the current existing access will be blocked up and a new site access created. This site access has been widened in front of the site to improve the access and will allow for vehicles to pass as well as allowing for safe access into the site whilst there are two flows. Also a new continuous footway is being proposed from the site access to the footway on the western radius of Ploughfields junction as shown on drawing below. The plans also illustrate a proposed further footpath which connects the northern part of the site to Cloverdale.

*Extract of Illustrative layout –
Drawing no P003 rev A*



Further information on the subject of this report is available from Ms Heather Carlisle on 01432 260453

- 6.52 The plans show a single point of access of the road frontage. The plans demonstrate a visibility splay of 60 metres in each direction with a 2.4 metre set back. Comments have been raised about pedestrian connectivity of the site to the village; it is considered that the speeds and visibility on this section of road are acceptable for pedestrians for a relatively short section. The proposed highway scheme proposed a two-way vehicle movement on the C class road enabling a vehicle to pass whilst a vehicle exits the site as well as the provision of a pedestrian footway. Along the site frontage, the C1192 is a two-way vehicle movement road that varies in width of between 3.5m-5m fronting the application site. It is subject to a 30mph speed limit adjacent to the site.
- 6.53 The local roads are a lightly trafficked roads used principally by local residents and it is acknowledged the local residents and the Parish Council have raised significant concerns in regards to the highway network, lack of footpaths, volume of traffic, lack of public transport, construction traffic, concerned about the access and line of sight.
- 6.54 The Council's Highway Engineers have assessed the proposed means of access, and particularly the visibility splays and are satisfied that adequate visibility can be provided and that the traffic movements associated with the proposed development can be absorbed without adversely affecting the safe and efficient flow of traffic on the highway network. A construction management plan condition has been suggested below that will manage construction traffic. Officers would therefore conclude that the proposal is compliant with Policy MT1 and SS4 of the Core Strategy and WF04 of the NDP.

Design and Amenity

- 6.55 Core Strategy policy SD1 (Sustainable Design and Energy Efficiency) seeks to secure high quality design and well planned development, that contributes positively to the character of the area and that development successfully integrates into the existing built, natural and historic environment. This policy also seeks the inclusion of physical sustainability measures, including orientation of buildings, provision of water conservation measures, storage for bicycles and waste, including provision for recycling and enabling renewable energy and energy conservation infrastructure.
- 6.56 The application submission is in outline form only, which reserves all details apart from access for further consideration. Many of the issues raised will need to be carefully considered at the Reserved Matters Stage, in particular the relationship with the dwellings on the eastern side of the site which abut the residential properties within Ploughfields. However, given the size of the site and the number of properties proposed, officers are satisfied that a scheme could be development that ensures that its residential amenity is secured. The policy also requires consideration in relation to matters of the amenity of residents / occupants of the new dwellings and this will again be a matter for consideration at a later stage.
- 6.57 Policy SS6 of the Core Strategy outlines that development proposals should support the local distinctiveness of an area. As such it is felt that the design of any housing should respond to the character of traditional buildings within the locality and the wider area. This element would be considered within any reserved matters application and I would refer you to Section 10 of this report that identifies the remaining matters and what will need to be considered.
- 6.58 The site measures approximately 0.5 hectares and a development of ten dwellings represents a relatively moderate density that is entirely in keeping with the village and immediate vicinity.
- 6.59 Officers would conclude that the proposal accords with the requirements of Policy SD1 and SS6 of the Core Strategy and WH01, WH02 of the NDP.

Open Space Provision

- 6.60 Policy OS1 and OS2 of the Core Strategy require the provision of open space. Open space requirements from all new developments are to be considered on a site by site basis and in accordance with all applicable set standards. In this instance, the small scale development that provides private garden areas and is in close proximity to access to open countryside would not be expected to provide on site play / open space provision and officers are satisfied that the site is capable of being developed in accordance with the requirements of policy OS1 and OS2 of the Core Strategy.

Drainage

- 6.61 The site is located within Flood Zone 1 (as defined by the Environment Agency), this is deemed to be: an area of low probability for fluvial flood. As part of the application a drainage strategy has been submitted and reviewed by officers. The foul water is shown to be discharged into the existing mains sewer with surface water being discharged into a proposed attenuation lagoon with controlled flow to an existing watercourse. Local Plan Policies SD3 and SD4 of the Core Strategy seek to ensure that matters of flood risk and drainage are considered.
- 6.62 Representations raise concerns about network capacity for the foul drainage. Welsh Water have jurisdiction over this element and are the statutory consultee. They have not raised any objection to the development in terms of capacity. In terms of surface water drainage, the Land Drainage Consultant has not raised an objection and has recommended a condition and informative notes and as such the requirements of policy SD3 and SD4 can be met and in line with NDP policy WE05. At this outline planning stage, the proposal demonstrates that the development can be suitably drained in principle ensuring the protection of adjoining land from flooding by surface water. The recommended condition requires this detail to be submitted with the Reserved matters application to ensure that the layout addresses the drainage strategy.

Heritage assets

- 6.63 The proposed development site does not lie within a Conservation Area but there are a number of listed buildings and non-designated heritage assets that are a material consideration due to them being in close proximity:

- Green Farmhouse, Grade II, 110m to the SE
- Upper House, Grade II, 80m to E
- Non-conformist Chapel, unlisted heritage asset 150m to E

- 6.64 Under Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, the local planning authority is required, when considering development which affects a listed building or its setting:

“to have special regard for the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.”

- 6.65 It follows that the duties in section 66 do not allow a local planning authority to treat the desirability of preserving the setting of listed buildings merely as material considerations to which it can simply attach such weight as it sees fit. When an authority finds that a proposed development would harm the setting of a listed building, it must give that harm “considerable importance and weight”. Importantly, this does not mean that an authority’s assessment of likely harm of proposed development to the setting of a listed building or to a conservation area is other than a matter for its own planning judgement. Nor does it mean that an authority

should give equal weight to harm that it considers would be limited or “less than substantial” and to harm that it considers would be “substantial”.

- 6.66 The NPPF offers further guidance about heritage assets, recognising that they are irreplaceable resources that should be conserved; ‘...in a manner appropriate to their significance.’
- 6.67 Paragraphs 129 to 134 offer particular clarity about the assessment to be made of the significance of heritage assets. Paragraph 131 outlines three criteria to be taken account of in the determination of planning applications. These are as follows:
- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
 - the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
 - the desirability of new development making a positive contribution to local character and distinctiveness.
- 6.68 While Policy LD4 of the Core Strategy does require heritage assets to be protected, conserved and enhanced, and requires the scope of the work to ensure this to be proportionate to their significance, it does not include a mechanism for assessing how harm should be factored into the planning balance. As a result, and in order to properly consider the effects of development on heritage assets, recourse should be had to the NPPF in the first instance.
- 6.70 The Council’s Historic buildings Officer has considered the proposals and has concluded that housing on the site would not be precluded due to any heritage constraints. In regards to the HBO’s comments regarding the layout of the housing to be included within the outline application to be able to understand impact of density and massing on the character of the settlement, although it is noted that it isn’t a Conservation Area, officers are satisfied the indicative layout would not detract from the heritage assets and would not affect the setting of the nearby designated and non designated heritage assets.
- 6.71 As discussed in Paragraph 127 of the NPPF, when looking to undertake development, one needs to look at a surrounding context, setting, its character and particularly how the works affect the character and appearance of the surrounding heritage assets and how the works reinforce local character and distinctiveness. Having considered the merits of this scheme, it is officer’s opinion that the proposed development is unlikely to cause harm to any heritage assets or their setting. In regards to buried archaeology, in line with the aims of the NPPF para 189 and 199 and Policy LD4 an appropriately worded condition has been added. As such officers are able to confirm that the proposals would comply with the requirements of policy LD4 of the Herefordshire Local Plan – Core Strategy and NDP Policy WE03 with the guidance set out in the National Planning Policy Framework.

Biodiversity

- 6.72 The application submission has been supported by an extended Phase 1 ecological survey and this report found that the ecological value of the site is currently low, and that the development proposals will improve the ecological value of the site beyond the current situation through the planting of native species, wildlife hedgerows and the provision of bat boxes, bird boxes and hedgehog habitat features within the site. Policy LD2 of the Core Strategy seeks to ensure that development proposals conserve, restore and enhance the biodiversity and geodiversity assets of Herefordshire. It is noted that the ecologist has raised no objection following the submission of an ecological assessment and is satisfied with the conditions suggested that require more detail to be submitted prior to work commencing before reserved matters stage that the proposal would comply with the requirements of the policy. Detailed landscape plans also include reference to the ecological recommendations

and enhancements that can be achieved with appropriate planting and mitigation and protection. A condition has been included below to ensure compliance with policy LD2 and the guidance contained within the NPPF.

- 6.73 The site is within the River Wye SAC catchment and a Habitat Regulation Assessment has been completed. Natural England has raised no objection to the appropriate assessment submitted to them that recommends a condition to secure the relevant mitigation measures is requested on any planning consent granted. The proposal would therefore accord with the requirements of the policy and legislation.

PROW

- 6.74 I note the comments from the Parish Council and a number of the representations received regarding the proposed location of the PROW route through the site, concerns relating to privacy, litter and safety and the agreement of the applicant to redirect the proposed route of the PROW extension away from the boundaries of the neighbouring properties within Ploughfields. The PROW officer has raised no objection and the exact location and direction of the PROW route details will be secured via conditions to ensure that the requirements of policy MT1 are met.

S106 and Affordable Housing/Housing Mix

- 6.75 Policy H1 of the Core Strategy sets the threshold for the delivery of affordable housing at sites of more than 10 dwellings. The proposal is only for 10; and therefore there is no requirement for its provision.
- 6.76 Policy H3 requires a range and mix of housing units to be provided. Whilst this makes specific reference to larger housing sites of 50 or more dwellings, appeal decisions have suggested that it is equally applicable to smaller sites. Policy WH02 of the NDP also refers to housing mix and reads as follows: Open Market housing should include a mix of predominant two and three bedroomed properties. The scheme adheres to this policy.
- 6.77 NDP Policy WH01 confirms that there is a need for around 32 dwellings within the NDP area. The Policy states that all new housing development:
- should reflect the size, role and function of the village in which it is situated,
 - be on land which is contiguous with the existing village centre
 - should reflect the character of the village and surrounding environment and relate directly to the existing built form in the immediate vicinity.
- 6.78 The indicative layout suggests that the ten dwellings proposed will be a mix of terrace, semi detached, two storeys and bungalows and be 2, 3 and 4 bed dwellings. This is not considered to be an unreasonable mix and would achieve the stated aim of the policy. A condition to ensure that the housing mix is provided as stated on the indicative layout is not considered to be unreasonable and would ensure that any reserved matters submission is policy compliant. I note the comments from local residents who have raised concerns in regards to the mix not being appropriate and a smaller number of dwellings would be more acceptable, however it is important to provide a range of dwellings. The scheme adheres to the NDP policy WH01 and WH02.

Other Issues:

Street lighting

- 6.79 Concerns have been raised by a resident in regards to street lighting and in particular to the PROW and light spillage. This would form part of any Section 38 agreement (road adoption) and / or condition would be covered by the Parish Council at a later date.

Climate change

- 6.80 Elements specifically relating to addressing and mitigating climate change in line with Core Strategy policy SS7 and NDP WE04 will be covered at reserved matters stage.

Non material planning considerations

- 6.81 Issues such as loss of a view, or negative effect on the value and resale of properties are not material planning considerations.

Planning Balance & Conclusion

- 6.82 Both Core Strategy policy SS1 and paragraph 14 of the National Planning Policy Framework engage the presumption in favour of sustainable development and require that developments should be approved where they accord with the development plan.
- 6.83 The site is well located to the main settlement of Preston on Wye with access to the public house and church and a bus service into Hereford (twice weekly). This proposal site constitutes an appropriately located site in this settlement identified for future growth in policy RA2 of the Core Strategy and the Wyeside Group Neighbourhood Development Plan.
- 6.84 The principle of development is considered to be acceptable with detailed design matters being considered in the reserved Matters stage to ensure compliance, in particular, with Policies RA2, SD1, LD1, LD2, LD3 and LD4 of the Core Strategy and with the Wyeside Group Neighbourhood Development Plan.
- 6.85 The application is made in outline with access to be determined. The proposals demonstrate that a means of access commensurate with the scale of development proposed (ten dwellings) can be provided and officers are of the opinion that the local road network can safely absorb the additional vehicular traffic and pedestrian movement generated from the development and note that Highway officers has raised no objection to the proposed development.
- 6.86 The Local Planning Authority (LPA) cannot demonstrate a 5 year supply of housing land with requisite buffer. The proposal delivers ten dwellings in a location identified as suitable for new residential development within a layout that respects and enhances the landscape character type. The 10 market dwellings in the context of an undersupply within the county are a factor to which significant weight should be attributed. In this instance the LPA considers that policies most important for determining the application within the CS retain significant weight (para 11 of the NPPF). This is on the basis that the spatial strategy envisages that each Neighbourhood Plan Area will demonstrate the ability through an NDP to meet the indicative minimum growth target for the parish. In this instance Preston on Wye is covered by a made NDP that has full weight and forms part of the development plan.
- 6.87 The relationship of the site to the host settlement lends itself to being acceptable and would support the required growth for the area. Technical matters relating to highways, heritage, drainage and ecology have been assessed as being addressed and where necessary, mitigated with conditions and meet local and national planning policy aims and objectives.

- 6.88 The concerns raised by the Parish Council and local residents have been carefully considered but the proposed works, with appropriate conditions and mitigation would ensure compliance with the requirements of policy MT1 of the Core Strategy and with the guidance contained within the National Planning Policy Framework that states that development should only be prevented or refused on transport grounds where the residual cumulative impact of the development is severe.
- 6.89 Having regard to the three indivisible dimensions of sustainable development as set out in the Core Strategy and NPPF, officers conclude that the scheme, when considered as a whole, is representative of sustainable development and that the presumption in favour of approval is therefore engaged. The contribution that the development would make in terms of jobs and associated activity in the construction sector and supporting businesses should also be acknowledged as fulfilment of the economic and social roles.
- 6.90 Having regard to all of the above and with the conditions set out below approval is recommended as below.

RECOMMENDATION

That planning permission be granted subject to the following conditions and any further conditions considered necessary by officer named in the scheme of delegation to officers:

1. C02 - Time limit for submission of reserved matters (outline permission)
2. C03 - Time limit for commencement (outline permission)
3. C04 - Approval of reserved matters
4. C06 – Approved plans
5. B01 - Development in accordance with the approved plans
6. CAB - Visibility splays- 53 X 2.4M EASTBOUND, 44M X 2.4M WESTBOUND
7. CAE - Vehicular access construction
8. CAH – Driveway gradient
9. CAJ – Parking gradient
10. CAP – Highway Improvements/off site works
11. CAQ – CB2 Secure covered cycle parking provision On site roads – submission of details
12. C01 - Samples of external materials
13. C49 – Site Observation – Archaeology
14. CNS - Habitat Regulations (River Wye SAC) – Foul- and Surface Water

All foul water shall discharge through a connection to the local Mains Sewer network; and all surface water managed through an attenuation system with final discharge to local watercourse; unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to comply with Habitat Regulations (2017), National Planning Policy Framework (2019), NERC Act (2006) and Herefordshire Council Core Strategy (2015) policies LD2, SD3 and SD4.

15. CNS - Nature Conservation – Ecology Protection, Mitigation and Biodiversity Net Gain

The ecological protection, mitigation, compensation and working methods scheme including the Biodiversity net gain enhancements, as recommended in the ecology report by Star Ecology dated June 2018 shall be implemented and hereafter maintained in full as stated unless otherwise approved in writing by the local planning authority. No external lighting should illuminate any boundary feature, adjacent habitat or area around the approved mitigation or any biodiversity net gain enhancement features.

Reason: To ensure that all species are protected and habitats enhanced having regard to the Wildlife and Countryside Act 1981 (as amended), the Habitats & Species Regulations 2018 (as amended), Policy LD2 of the Herefordshire Core Strategy, National Planning Policy Framework (2019) and NERC Act 2006

16. CNS – Drainage

No surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network

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

17. CNS – Drainage

The reserved matters application submitted pursuant to Condition 1 shall be accompanied by details of a scheme a detailed surface water drainage strategy with supporting calculations that demonstrates there will be no surface water flooding up to the 1 in 30 year event, and no increased risk of flooding as a result of development between the 1 in 1 year event and up to the 1 in 100 year event and allowing for the potential effects of climate change;

- 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 an appropriate increase in rainfall intensity to allow for the effects of future climate change;
- Evidence that the Applicant is providing sufficient storage and appropriate flow controls to manage additional runoff volume from the development, demonstrated for the 1 in 100 year event (6 hour storm) with an appropriate increase in rainfall intensity to allow for the effects of future climate change;
- Evidence of agreement from third party land owner(s) (if this differs from the Applicant) to confirm that the pipe can be located as proposed, in addition to agreement from the riparian owner(s) of the watercourse into which the outfall is proposed.
- Evidence that the Applicant has sought and agreed permissions to discharge foul water from the site with the relevant authorities;
- Demonstration of the management of surface water during extreme events that overwhelm the surface water drainage system and/or occur as a result of

- blockage;
- Demonstration that appropriate pollution control measures are in place prior to discharge;
- Confirmation of the proposed authority responsible for the adoption and maintenance of the proposed drainage systems.

Reason: To ensure drainage conforms with Policies SD3 and SD4 of the Herefordshire local Plan - Core Strategy and the national planning Policy Framework.

18. CNS - Housing Mix

The reserved matters application submitted pursuant to Condition 1 shall be accompanied by details of a scheme for the delivery of the open market housing in accordance with the details submitted.

Reason: To define the terms of the permission and to comply with Policies RA2 and H3 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework

- 19. Tree protection area – condition.
- 20. C97 – Landscape Implementation 5 year planting plan
- 21. CAT – Wheel Washing
- 22. CAZ – Parking for site operatives and Construction Environmental Management Plan.
- 23. CBK – Hours of working during construction
- 24. CB2 – Secure Cycle Parking Provision
- 25. CE6 – Water Efficiency

Informatives

- 1. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against planning policy and any other material considerations, including any representations that have been received. It has subsequently determined to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.
- 2. I11 – Mud on the highway
- 3. I09 – Private apparatus within the highway
- 4. I45 – Works within the highway
- 5. I05 – No drainage to discharge to highway

6. 108 Section 278 Agreement
7. 107 Section 38 Agreement and Drainage details
8. 147 Drainage other than via highway System
9. Highway Design Guide and Specification

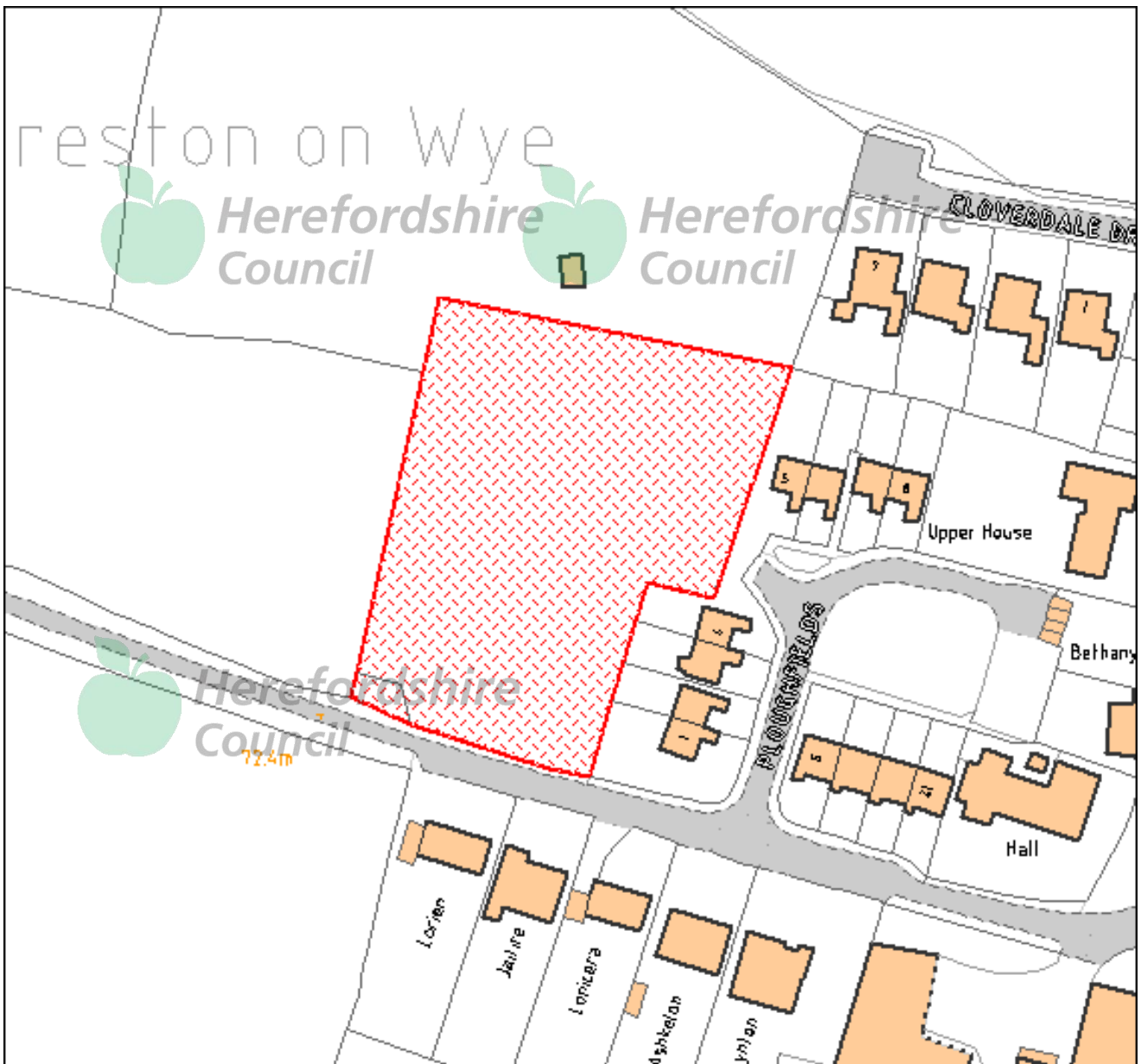
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: 190416

SITE ADDRESS : LAND ADJACENT TO PLOUGHFIELDS, PRESTON-ON-WYE, HEREFORDSHIRE

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