

MEETING:	PLANNING AND REGULATORY COMMITTEE
DATE:	4 JULY 2025
TITLE OF REPORT:	243045 - PROPOSED ERECTION OF 31 NO. KEY WORKER DWELLINGS, INCLUDING ACCESS FROM CLUBTAIL DRIVE WITH ASSOCIATED INFRASTRUCTURE AND LANDSCAPING – LAND OFF CLUBTAIL DRIVE, HOLMER, HEREFORD. For: Bloor Homes Western per [REDACTED], 3 Rd Floor, Regent House, 65 Rodney Road, Cheltenham GL50 1HX

WEB LINK:	https://www.herefordshire.gov.uk/info/200142/planning_services/planning_application_search/details?id=243045&search-term=243045
Reason Application submitted to Committee – Redirection	

Date Received: 27 November 2024 Ward: Holmer
Ward Member: Cllr Frank Cornthwaite

Expiry Date: 4 July 2025

1. Site Description and Proposal

- 1.1 The application relates to a site on the northern edge of Hereford, forming part of a larger parcel of land known as Holmer West, which is identified as a strategic urban extension in the Herefordshire Local Plan Core Strategy under policy HD4. The site falls within the redline boundary of outline permission 150478/O, which allowed for the erection of up to 460 dwellings and is currently in the process of being built out. The land to the south east of the estate, previously associated with Holmer House Farm, has also been developed for housing but under the provisions of a separate permission (P184662/O). The sites are being developed together by Bloor Homes and are part of a housing scheme collectively known as 'Hereford Point'.
- 1.2 The application relates to a parcel of land comprising 0.51 hectares, located to the north east of Hereford Point near to the junction between the site 'spine road' of Hedgerow Way and the A49. The land is bound by Hedgerow Way to the north, on the opposite side of which lies open countryside. It adjoins existing housing to the south and west. To the east of the site, there is a parcel of land that has been set aside for the delivery of a 'park and choose' site in accordance with the outline planning permission and Reserved Matters approval 201446/RM. The proposal site is accessed off Clubtail Drive to the west. The land is currently laid to grass and is of a generally consistent gradient, which rises from the south west to the north east. Close boarded fences define the boundaries with neighbouring houses, whilst a post and rail fence demarks the boundary with Hedgerow Way to the north. The location of the site relative to the wider Hereford Point development is shown on aerial image at Figure 1.



Figure 1: Site Location in the context of wider Hereford Point development

- 1.3 The current application is made in full and seeks permission for the following:

“The erection of 31no. key worker dwellings, including access from Clubtail Drive with associated infrastructure and landscaping.”

- 1.4 The application has been made by Bloor Homes, however the supporting documentation sets out that the dwellings would be constructed for the Defence Infrastructure Organisation (DIO) and the accommodation is intended for occupation by military personnel based at sites around Hereford. The Planning Statement reports that many military personnel are currently housed in rented accommodation in the central area of Hereford and the application seeks to provide purpose built accommodation to replace this, freeing up private housing stock within the city.
- 1.5 As above, the proposal seeks to deliver 31 C3 residential units. These would be delivered as a mix of apartments and maisonettes, comprising 12 x one bed units and 19 x two bed units. The proposal seeks to utilise the existing access off Clubtail Drive, which will also serve the approved ‘park and choose’ scheme to the east. The alignment of the extension to Clubtail Drive severs the site into two parcels to the north and south of the highway. On the northern side, it is proposed to deliver two blocks of apartments which would be three stories in height and sited along the eastern and northern boundary. A further two buildings would be delivered on the northern parcel, being two storeys in height and each supporting two maisonettes which have an external appearance akin to a pair of semi-detached houses. All units on the southern parcel would be delivered as two storey buildings, again in a form akin to semi-detached houses. Central parking areas would be provided for each block of development, which includes shared external spaces in lieu of dedicated private curtilages. The proposed site layout for the site is shown below (Figure 2), along with elevations for one of the apartment units (Albany – Fig 3), an example maisonette unit (Satterfield – Fig 4) and visualisations from Hedgerow Way (Fig 5).



Figure 2: Proposed Site Layout Plan



Figure 3: Proposed Elevations – Albany House Type (Apartments)



Figure 4: Proposed Elevations – Satterfield House Type (Maisonette)



Figure 5: Indicative Elevations – site from Hedgerow Way to north east

- 1.6 The application is promoted on the basis that it meets the accommodation needs of essential local workers and would also fulfil the definition of Affordable Housing. It is proposed that the accommodation would be delivered on a 'Build to Rent' basis, whereby the accommodation would be offered for rent to qualifying persons at a rate set in accordance with Government's rent policy for Affordable Rent or is at least 20% below local market rents. This is captured within a S106 Agreement, a draft form of which is included at Appendix 1 and this also includes provisions to restrict occupancy to military personnel only.

1.7 In addition to the plans, the application is supported by

- Planning Statement – Ridge and Partners LLP
- Design and Access Statement
- Transport Statement
- Noise Impact Assessment
- Ecology Technical Note
- Ecology BNG Report and Metric
- Drainage Strategy (and Technical Note May 2025)
- Construction Environmental Management Plan (CEMP)
- Sustainability Strategy

2. POLICIES

2.1 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
- SS5 - Employment provision
- SS6 - Environmental quality and local distinctiveness
- SS7 - Addressing climate change
- HD1 - Hereford
- HD3 - Hereford movement
- HD4 - Northern Urban Expansion (Holmer West)
- H1 - Affordable housing – thresholds and targets
- H3 - Ensuring an appropriate range and mix of housing
- SC1 - Social and community facilities
- OS1 - Requirement for open space, sport and recreation facilities
- OS2 - Meeting open space, sport and recreation needs
- MT1 - Traffic management, highway safety and promoting active travel
- E3 - Homeworking
- LD1 - Landscape and townscape
- LD2 - Biodiversity and geodiversity
- LD3 - Green Infrastructure
- LD4 - Historic environment and heritage assets
- SD1 - Sustainable design and energy efficiency
- SD2 - Renewable and low carbon energy
- SD3 - Sustainable water management and water resources
- SD4 - Waste water treatment and river water quality
- ID1 - Infrastructure delivery

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/info/200185/local_plan/137/adopted_core_strategy

It is highlighted that the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended)(the 2012 Regulations) and paragraph 34 of the National Planning Policy Framework requires a review of local plans be undertaken at least every five years in order to determine whether the plan policies and spatial development strategy are in need of updating, and should then be updated as necessary. The Herefordshire Local Plan Core Strategy was adopted on 15 October 2015 and a review was required to be completed before 15 October 2020. The decision to review the Core Strategy was made on 9th November 2020 and the review process is currently underway. The level of consistency of the policies in the local plan

with the NPPF will be taken into account by the Council in deciding any application. In this case, the most relevant policies of the CS – which are considered to be those relating to meeting housing needs, guiding rural housing provision and safeguarding features of environmental value (amongst others) – have been reviewed and are considered to be consistent with the NPPF. As such, it is considered that they can still be attributed significant weight.

2.2 Holmer and Shelwick Neighbourhood Development Plan (made March 2020)

Policy HS1: Meeting the Housing Requirement
Policy HS3: New housing development in Holmer
Policy HS4: Design
Policy HS5: Landscape and Natural Environment
Policy HS7: Community Facilities
Policy HS9: Hereford Western Relief Road

The Holmer and Shelwick NDP 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/directory-record/3127/holmer-and-shelwick-neighbourhood-development-plan>

2.3 Minerals and Waste Local Plan (MWLP) (made March 2024)

Policy SP1 – Resource Management

The MWLP 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/local-plan-1/minerals-waste-local-plan/5>

2.4 National Planning Policy Framework (December 2024)

1. Introduction
2. Achieving sustainable development
4. Decision-making
5. Delivering a sufficient supply of homes
6. Building a strong, competitive economy
8. Promoting healthy and safe communities
9. Promoting sustainable transport
11. Making effective use of land
12. Achieving well-designed places
14. Climate change, flooding and coastal change
15. Conserving and enhancing the natural environment
16. Conserving and enhancing the historic environment

The NPPF can be viewed in full via the link below:

https://assets.publishing.service.gov.uk/media/67aafe8f3b41f783cca46251/NPPF_December_2024.pdf

2.5 National Planning Practice Guidance (NPPG)

The associated Planning Practice Guidance (NPPG) adds further context to the NPPF and it is intended that the two documents should be read together. The PPG can be accessed through the following link:

<https://www.gov.uk/government/collections/planning-practice-guidance>

2.6 Supplementary Planning Documents

- Affordable Housing Supplementary Planning Document (SPD) 2 June 2021.
- Planning Obligations Supplementary Planning Document (SPD) April 2008

3. Planning History

- 3.1 The following applications are considered relevant to the current proposal. These include applications which relate directly to the current proposal site, but which also relate to the development of the wider Holmer West / Hereford Point development of which the site is a constituent part.

Relevant to wider Holmer West development:

REFERENCE	DESCRIPTION	DECISION	DATE
150478/O	Proposed erection of up to 460 dwellings including affordable housing, public open space, a Park & Ride facility, with associated landscaping access, drainage and other associated works	Approved	May 2017
P171073/RM	Application for approval of reserved matters following outline approval (P150478/O). For the erection of 82 dwellings, including open space, access, drainage and other associated works'	Approved	July 2017
P180618/RM	Application for approval of reserved matter following outline approval (150478) for the creation of main link road (spine road) linking access between the Roman Road and the A49	Approved	June 2018
P182712/RM	Application for approval of Reserved Matters (Phase 2) following outline approval (150478/O) for the erection of 221 dwellings including open space, access, drainage and other associated works	Approved	Feb 2019
P201445/RM	Application for approval of reserved matters following outline approval. (150478) Site for 77 dwellings	Approved	Nov 2020
P201183/RM	Application for approval of reserved matters (Specialist Housing Scheme) following outline approval. (150478). Proposed erection of 80 residential units and communal facilities retirement accommodation over a mixture of 3 and 2 storey blocks with associated parking and landscape	Approved	Sept 2020
P184662/O	Hybrid application – Approval sought for access for the whole development. Approval sought for appearance, layout and scale for 17 dwellings identified on drawing number. PA 5057-2a. Description Proposed demolition of modern ag buildings and replacement with a development of up to 100 market and affordable dwellings including the conversion of traditional barns into four dwellings, conversion and replacement extension of Holmer House to create	Approved	November 2019

Further information on the subject of this report is available from Mr Adam Lewis on 01432 383789

	seven apartments & associated sustainable drainage works, de-culverting of Ayles Brook, roads, footpaths, cycleways, public open space & landscaping		
P201682/RM	Application for approval of Reserved Matters following hybrid approval(P184662/O) for the erection of 83 dwellings including open space, access, drainage and other associated works	Approved	December 2020

Relevant to this specific parcel of land:

REFERENCE	DESCRIPTION	DECISION	DATE
P201446/RM	Reserved Matters following outline approval (150478/O) for a Park and Choose Facility, Allotments, landscaping, drainage and associated highway infrastructure	Approved	April 2021

4. CONSULTATION SUMMARY

4.1 Statutory Consultations

4.1.1 Welsh Water – No Objections

Having reviewed the submitted drainage statement which indicates the proposal to discharge foul flows into the public sewerage system, in principle Dŵr Cymru Welsh Water have no objection to this proposal. However, we do advise that the applicant contacts the adjacent development as although the sewerage for the adjacent development has been offered for adoption to DCWW, it is currently the developer who is responsible for this drainage at this time and any alterations to this drainage could affect the S104 adoption agreement.

Turning to surface water, as above, in principle Dŵr Cymru Welsh Water have no objection to this proposal. However, as mentioned with the foul, the surface water sewerage system in the adjacent development is currently the responsibility of the developer and we would advise the applicant to engage with the developer. Furthermore, as the surface water would eventually discharge into the water course, we would advise the applicant discuss the proposal with the Land Drainage Authority, Natural England and/or the Environment Agency.

Sewage Treatment

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

Potable Water Supply

We anticipate this development will require the installation of a new single water connection to serve the new premise. Capacity is available in the water supply system to accommodate the development. The applicant will need to apply to Dŵr Cymru Welsh Water for a connection to the potable water supply system under Section 45 of the Water Industry Act 1991. The applicant's attention is drawn to our new water connection application guidance notes available on our website.

Notwithstanding this, we would request that if you are minded to grant Planning Consent for the above development that the Conditions and Advisory Notes listed below are included within the consent to ensure no detriment to existing residents or the environment and to Dŵr Cymru Welsh Water's assets.

Condition

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.

4.1.2 National Highways

Referring to the consultation on a planning application dated 14th April 2025 referenced above, in the vicinity of the A49 that forms part of the Strategic Road Network, notice is hereby given that National Highways' formal recommendation is that we:

- recommend that conditions should be attached to any planning permission that may be granted (see Annex A – National Highways Recommended Planning Conditions)

National Highways has been appointed by the Secretary of State for Transport as a 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, we work 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.

National Highways considers planning applications for new developments under the requirements of the National Planning Policy Framework (NPPF) and DfT Circular 01/2022: The Strategic Road Network and The Delivery of Sustainable Development ("the Circular"). The latter document sets out our policy on sustainable development and our approach to proposals which may have an impact on our network.

The SRN in the vicinity of the proposed development is the A49 trunk road.

Development Proposal

The application is for the development of 31 dwellings off Clubtail Drive.

Traffic

The Transport Statement (dated November 2024) states that there will be eleven additional trips in the AM peak and nine additional trips in the PM peak. This should have a negligible impact on traffic. Therefore, National Highways has no further comments to make on this.

Construction Impact

National Highways would expect to see a Construction Traffic Management Plan (CTMP) which should include the following details:

1. Hours of working; date works will commence and anticipated completion date/duration.
2. Anticipated average two-way daily traffic numbers associated with the construction phase of the project.
3. Confirmation of the intended construction access arrangements to and from the site from the SRN (A49).
4. The arrangements for routing of construction vehicles to and from the site.
5. Details of any special or abnormal deliveries or vehicular movements.
6. Site contact details responsible for ensuring Health & Safety and handling of complaints.
7. With respect to a CTMP, however, National Highways is content that the above can be undertaken post-planning consent, ensured through a suitably worded planning condition.

Condition 1: Prior to the commencement of the development hereby permitted, a Construction Traffic Management Plan shall be submitted to and approved in writing by the Local Planning Authority (in consultation with the Highway Authority for the A49 trunk road). The plan shall include, as a minimum:

1. Construction phasing
2. An HGV routing plan to include likely origin/destination information, potential construction vehicle numbers, construction traffic arrival and departure times, signage, accesses, and construction delivery times (to avoid peak hours)
3. Details of any special or abnormal deliveries or vehicular movements
4. Clear and detailed measures to prevent debris, mud, and detritus being distributed onto the local highway and SRN
5. Mitigation measures in respect of noise and disturbance during the construction phase including:
 6. Vibration and noise limits
 7. Monitoring methodology
 8. Screening
 9. A detailed specification of plant and equipment to be used
 10. Construction traffic routes
 11. A scheme to minimise dust emissions arising from demolition/construction activities on the site. This scheme shall include:
 12. Details of all dust suppression measures
 13. Methods to monitor emissions of dust arising from the development
 14. Waste management
 15. Wheel washing measures
 16. Protection measures for hedgerows and grasslands

Thereafter, all construction activity in respect of the development shall be undertaken in full accordance with such approved details unless otherwise approved in writing by the Local Planning Authority in consultation with the Highways Authority.

Reason: To mitigate any adverse impact from the development on the A49 trunk road and to satisfy the reasonable requirements of road safety.

4.1.3 **Hereford and Worcester Fire Service – No Response**

4.2 **Internal Council Consultations**

4.2.1 **Local Highways Authority – No Objections subject to conditions**

Initial Comments January 2025:

The LHA is aware that the approved plans for the park and choose site (20146/RM) identified this land as being 'potential future expansion land'. However, there is no legal mechanism or adopted policy which safeguards the land as being reserved exclusively for that purpose.

Further information on the subject of this report is available from Mr Adam Lewis on 01432 383789

Based on the current information submitted, the following observations can be made:

- **Visibility Splay:** The visibility splay (2m x 2m) for Plot 1 is obstructed by the adjacent fence from the previous application.
- **Turning Heads:** No turning heads have been provided. While the development does not necessitate a standard turning head due to its size, it should still accommodate turning for a long wheelbase van.
- **Cycle Storage:** Secure, covered cycle storage should be provided for all units, ideally as individual storage facilities where possible. The location of the units for 1-12 do not provide this as they are located in the corner of the site away from many of the properties, therefore would probably not be used as residents would worry about the security and practicality of the location of this provision.

Without the above information and changes to the proposed layout the LHA cannot look to support this application

Further Comments on additional plans:

Whilst it does not providing an official turning heads, it does show a van can be turned around even if it's tight. Clubtail Drive currently has limited movements therefore it will also be assumed that both the refuse vehicles and delivery vehicles will reverse in. Even if and when the park and choose site comes into operation then it will still be acceptable.

CAB - Visibility Splays 2 x 2 m

CAE - Vehicular access construction

CAH - Driveway gradient

CAI - Parking – single/shared private drives

CAT - Construction Management plan

CB2 - Secure covered cycle parking provision

CB3 - Travel Plan

I11 – Mud on highway

I09 – Private apparatus within the highway

I45 – Works within the highway

I47 – Drainage other than via highway system

I41 – Travel plans

I35 – Highways Design Guide and Specification

4.2.2 **Landscape Officer – Qualified comments / Objection**

The development appears to be shoehorned into a space, and then leaves little in between to make it a liveable place for residents of Adeline House and Albany House next to a large car park. The view from A49 looking over the car park towards the development needs to reflect the transition between the rural character and the urban character.

The visualisation (Refer to figure 1) gives an impression of a leafy, community feeling car park (trying to make it feel acceptable, but could do more to make the allotments feel sheltered or away from the hardness of the carpark), but it does not seem to reflect the plan of the car park (Refer to figure 2).

Overall, the visualisation (with more tree and landscape buffering along the allotment) needs to be reflected in the plan. The car park needs to be given the necessary spaces to be able to take large trees (as shown), with the understanding that engineered sub surface planting pits are

used to reduce compaction and give adequate soil structure to sustain large trees in hard surfaces. This along with the appropriate irrigation and drainage requirements to ensure that the trees are reflective of the visualisation. There are many examples of car park trees that do not succeed if not given the adequate and appropriate space, detail and specification.

4.2.3 **Environmental Health Officer (Noise and Nuisance) – No Objections subject to conditions**

A noise impact assessment has been submitted with this application, ref.51-421-R1-1, Ep3, dated November 2024. Road traffic noise has been measured in accordance with Calculation of Road Traffic Noise (CTRN) methodology and subsequent noise modelling to BS8233:2014 criteria.

Internal noise levels:

The assessment shows that desirable internal noise levels as outlined in BS8233:2014 can be achieved with windows partially open across most of the site but that some dwellings along the eastern boundary (closest to the A49) will exceed those levels.

At night time, the road facing facades will experience noise levels of between 49 and 52dB (LAeq, 8hr). The assessment proposes a standard glazing specification of 4 mm glass/20 mm air space/4 mm glass across the majority of the site but road facing facades (as outlined in figure 5, appendix 3) will require an alternative ventilation strategy and need to be assessed for overheating.

If relying on closed windows to meet BS8233 values, there needs to be appropriate alternative ventilation that does not compromise the façade insulation or resulting noise level. Where mechanical services are used as part of the ventilation or thermal comfort strategy for the scheme, the impact of noise generated by these systems on occupants should be assessed.

External noise levels:

There are no garden areas outlined on the plan. Green space across the site has been assessed with the majority of areas falling below the maximum desirable levels, meaning further mitigation is not required.

Therefore, whilst this department does not object to this proposal, it is recommended that the following conditions are added to any permission granted

Conditions

Design and construction of the development shall ensure that the following noise criteria are met with windows open*:

- a. bedrooms shall achieve a 16-hour LAeq (07:00 to 23:00) of 35dB(A), and an 8-hour LAeq (23:00 to 07:00) of 30dB(A), with individual noise events not exceeding 45dB LAFmax more than 10 times (23:00 to 07:00 hours)
- b. living rooms shall achieve a 16-hour LAeq (07:00 to 23:00) of 35dB(A)
- c. dining rooms shall achieve a 16-hour LAeq (07:00 to 23:00) of 40dB(A)

Prior to works commencing on site, an assessment must be provided to and agreed with the LPA, as to the risk of overheating using CIBSE TM52 to ensure the predicted temperatures inside the road facing dwellings achieve overheating compliance criteria. This must also be with reference to the Acoustics Ventilation and Overheating residential design guide January 2020 (Association of Noise Consultants).

Reason: In the interests of residential amenity so as to comply with policy SD1 of the Herefordshire Local Plan Core Strategy 2011-31.

4.2.4 **Ecologist** – No Objections subject to Conditions

The site is within River Wye SAC catchment and this proposed development triggers the legal requirement for a Habitat Regulations Assessment process to be carried out by the LPA, the final HRA 'appropriate assessment' completed by the LPA must be formally approved by Natural England PRIOR to any future planning consent being granted.

This HRA process needs to be completed based on all current requirements and considerations and on information supplied in support of this specific application and that is sufficiently detailed to allow any relevant conditions to be secured. The HRA process must be completed with legal and scientific certainty and using a precautionary approach.

From the start of August 2023, there have been changes in the conservation status of the River Wye SSSI - downgraded to “unfavourable declining” by Natural England; and these comments have been completed based on this recent change and updated SSSI Impact Risk Zone information available from Natural England (River Wye SAC – bespoke buffer – Any discharge of water or liquid waste including to mains sewer). The applicant must demonstrate with scientific and legal certainty that the proposed development will create no significant nutrient pathways into the River Wye that may make the current situation worse or hinder any recovery.

The demonstration of the use all best available ‘natural’ technology to minimise the discharge of phosphates in to the River Wye SAC catchment must be demonstrated

Notes in respect of HRA

The proposal is for 31 new residential units with associated foul and surface water flows created (nutrient pathways)

- The site is within the mains sewer catchment for Welsh Water’s Hereford (Eign) Waste water Treatment Works that discharges into the River Wye at Hereford.
- Mains sewer is considered as the best available option to ensure foul water management with minimal effect from nutrient pathways.
- Welsh Water have confirmed that the Hereford (Eign) WWTW has capacity to manage the additional flows created by the creation of a new residential dwelling.
- The additional foul water flows can be considered as accommodated within the nutrient allowance secured through the current Core Strategy ‘Hereford’ housing allowances that were subject to a positive HRA process at the time the CS was adopted.
- The supplied information confirms all surface water can be managed through an appropriate Sustainable Drainage System
- The approved foul water management systems can be secured by condition on any planning permission finally granted.

Refer to recommended conditions

The Construction Environmental Management Plan by RSK dated November 2024 are noted and appear relevant and appropriate to the location and scale of the project. The CEMP will ensure there are no effects from construction on the River Wye SAC, or other local nature conservation interests. The recommendations in the CEMP should be secured for implementation by condition on any planning permission granted.

With all mitigation fully embedded with the project – planning permission the required HRA process can be considered as being ‘screened out’ at Stage 1 and no full appropriate assessment is required and no consultation with Natural England is triggered.

Statutory Biodiversity Net Gain

The supplied information appears relevant and appropriate and it is noted that all onsite BNG enhancements are located on shared/public open space. The balance of required BNG that cannot be delivered onsite will be purchased from suitable and nationally recorded offsite Habitat Bank(s). Full details with confirmation of purchase, updated statutory Metric and all other relevant details and information must be supplied for 'discharge' subsequent to planning permission being granted but PRIOR to any approved works commencing on site.

As identified in the NPPF, NERC Act, Core Strategy LD2 and action within the council's declared Climate Change & Ecological Emergency all developments should demonstrate how they are going to practically enhance ("Net Gain") the Species (Biodiversity) potential of the area. Based on scale, location and nature of proposed development a relevant Condition is suggested to secure these enhancements: *Refer to recommended conditions*

The site is in an area with an intrinsically dark landscape that benefits local amenity and nature conservation interests, including the River Wye SAC/SSSI and nocturnal protected species (Bats) commuting/foraging in wider locality and adjacent habitats. A condition to ensure all local nature conservation interests are not impacted and external lighting is requested. *Refer to recommended conditions*

For all other 'public' lighting this should be minimum required and design/luminaire specification based on current best practice such as that developed by the Bat Conservation Trust and Institute of Lighting Professionals. Areas being proposed with any significant for Biodiversity Net Gain contribution should not be subject to any additional illumination so as to ensure the BNG achieves maximum potential.

4.2.5 Strategic Housing Team – No Objection

I can confirm that I have seen the Heads of Terms provided, which captures the delivery of the dwellings on a Build to Rent basis and for occupation by military personnel only. I have no objection to the proposal on that basis.

4.2.6 Historic Building Officer – No Objection

Thank you for consulting me on the above application. I can confirm that the site lies outside a conservation area and that the nearest listed buildings are;

- UID 1296577 Holmer House
- UID 1099290 Church of St Bartholomew grade I

I note that there is existing new development between the site and the grade I listed church and as such would not consider that this proposal would impact on the setting of this listed building as it would be screened by existing development.

In terms of Holmer House UID 1296577, I note that the development of Darters Lane lies between the application site and the listed building. The development closest to Darters Lane would be 6 house types of the Sattersfield house type. That is 2 storey with traditional fenestration detailing.

The Adelaine and Albany are larger being 3 storey flats with a steep pitched roof. Given the distance from the listed buildings, it is not considered that the proposal would harm the setting of the listed buildings and as such no objection is raised in built heritage terms in respect of setting of heritage assets.

4.2.7 Land Drainage – No Objections

Flood Risk

Review of the Environment Agency's Flood Map for Planning (Figure 1) indicates that the main site area is located within the low probability Flood Zone 1. The existing site entrance is partially sited within Flood Zone 3.

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 does not need to be supported by a Flood Risk Assessment (FRA).

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

Surface Water Drainage

Infiltration testing was completed across the wider Bloor Holmer site at Outline stage. As the ground is largely impermeable a surface water drainage strategy utilising attenuation has been proposed.

Surface water will be attenuated in the balancing pond installed to serve the 184662 Holmer House Farm development. Restricted flows (8 l/s) from an adjacent Crest Nicholson development approved under 173405 'Land to the east of the A49', are directed into the balancing pond (these flows discharge directly to the watercourse via an existing highway drain).

Alterations have been proposed to the weir within the overflow / flow control manhole.

BBLP 10.06.2025 – The proposals include raising the weir and replacing the existing hydrobrake (as explained in the drainage strategy). There are also proposals to raise bank levels slightly. The hydrobrake approved for the original Holmer House Farm development (drawing 05596/A/0505/P4) had a different pass forward flow and so has to be replaced. The bank levels (surveyed April 2025) are shown as being too low (as explained in the technical note), so some bank raising will be required.

The hydrobrake and weir are being adopted by HC. A meeting will be convened to discuss the modifications that will need to be completed to allow the adoption to proceed.

We have reviewed the 173405 Crest Nicholson surface water strategy. There are proposals for two sets of geocellular tanks, with two hydrobrakes. Manhole S10 incorporates a flow control that could pass 8.1 l/s in a 100-year storm. The flow control at Manhole S12 could pass 2.7 l/s. The hydrobrakes serving these tanks could discharge up to 10.8 l/s.

As discussed above, the simulation assumes slightly lower flows from the Crest Nicholson site and so should be re-run.

BBLP 10.06.2025 Bloor have advised that the agreement reached with Crest Nicholson was for 8 l/s. BBLP have raised the issue with the LPA and will reconsult with Crest Nicholson

The MicroDrainage simulation that has been provided is only for the 6-hour storm. For the purpose of comparison we request that the Applicant presents the results of a 6-hour storm with (and without) any inflow from the Crest Nicholson site.

Spills from the balancing pond could increase the risk of downstream fluvial flooding. The Ayles Brook is a small watercourse, it is likely that the more acute floods relate to a 3-hour storm.

BBLP 10.06.2025. The calculations that have been presented include 180 minute and 360 minute simulations which include for 8l/s from the Crest Nicholson site.

We request the provision of MicroDrainage calculations relating to a 3-hour storm, with and without inflow from the Crest Nicholson site. This is also needed as there is also a risk of some water being retained if the small flow control were to block.

Two geocellular crates are proposed in the proposed key worker housing estate. The flow controls (2.5 l/s) and crates will be privately owned, discharging into a surface water drain that will be adopted as a sewer. The crates are shown below estate roads. We request that the crates are positioned below the parking areas.

BBLP 10.06.2025. The crates have been relocated

We request the provision of a topographical survey data for the edge of the existing pond, to confirm that there is adequate freeboard at all locations.

Foul Water Drainage

Welsh Water have confirmed no objection to the proposed foul water connection to the public foul sewer.

Overall Comment: No Objection

We have no objections to the development, the modifications to the hydrobrake, weir and pond edge will be made under the SuDS pond adoption process.

4.2.8 **Education Authority – Planning Contributions Sought**

Contribution sought for enhanced education infrastructure in relation to:	• North Hereford Early Years provision, • Holmer CE Academy, • St Francis Xavier RC Primary School • Whitecross Hereford • St Mary's RC High School, • North Hereford Post-16 provision, • North Hereford Youth services, • Special Educational Needs and Alternative Provision in Herefordshire.
Total contribution sought: (based on mix above and cost per dwelling detailed below)	£93,784

For full response, refer to following link:

<https://myaccount.herefordshire.gov.uk/documents?id=74ebe56c-ccfd-11ef-9087-005056ab3a27>

4.2.9 **Archaeologist – No Objections**

4.2.10 **Planning Obligations Manager – No Objections / Qualified Comments**

The application proposes a mix of 1 bedroom and 2 bedroom military housing for occupation by military personnel.

Military housing means housing that is:

- owned by the Defence Infrastructure Organisation, Ministry of Defence or any other organisation which is responsible for the provision of built estates for Military Personnel and / or members of the armed forces.
- to be exclusively used and occupied by military personnel and / or members of the armed services (and which shall not include dependent children).

Military personnel is defined as meaning individuals who serve in the armed forces including the army, navy, air force and marine corps.

The accommodation will be let at an affordable rent by the Defence Infrastructure Organisation to those who are eligible for Affordable Rented Housing. Affordable Rent requires a rent and service charge of no more than 80% of the local market rent including service charges (where applicable).

The accommodation is being built on a Build to Rent basis which has the meaning given to it in Annex 2 of the National Planning Policy Framework as being 'purpose built housing that is typically 100% rented out. It can form part of a wider multi-tenure development comprising either flats or houses, but should be on the same site and/or contiguous with the main development. Schemes will usually offer longer tenancy agreements of three years or more, and will typically be professionally managed stock in single ownership and management control.'

The application requires the completion of a section 106 legal agreement to ensure:

1. The obligations are conditional upon the owner entering into a binding contract with the Defence Infrastructure Organisation to take a transfer of the dwellings and the owner covenants not to commence development until a binding contract is entered into with the Defence Infrastructure Organisation to deliver the scheme.
2. The dwellings shall not be used or occupied otherwise than as military housing in perpetuity.
3. On the first disposal of each dwelling a restriction shall be placed upon the registered title to each dwellings restricting the occupation of the dwelling otherwise than as military housing in perpetuity.
4. The dwellings will be provided as affordable rent and shall be let at gross rents which should not exceed 80% of the open market rent.

The Herefordshire Council Planning Obligations Supplementary Planning Document sets out when financial contributions are required to provide infrastructure to mitigate the impact of the development.

It provides for exemptions from contributions including 1 bedroom units or from other specialist housing where it can be demonstrated that the nature of the accommodation will not lead to contributions being required. In addition, schemes for affordable housing are exempt from contributions.

Having regard to this, the proposal is for 31 dwellings comprising 12 x 1 bedroom dwellings and 19 x 2 bedroom dwellings. The section 106 agreement controls the accommodation to be exclusively used and Occupied by Military Personnel and / or members of the armed services (and which shall not include dependent children). In addition it is a build to rent affordable scheme to be let at 80% of the open market rent.

Therefore, in accordance with the Herefordshire Council Planning Obligations Supplementary Planning Document financial contributions are not required.

5. REPRESENTATIONS

5.1 Holmer and Shelwick Group Parish Council – Objection

1. Application contravenes Holmer & Shelwick's NDP - Policy HS4. - 42 parking spaces provided for 50 bedrooms, therefore a shortfall of 8 spaces. Design - Application fails due to privacy, outlook, sunlight and daylight to existing residents.
2. The proposed site is approximately 1.5 metres higher than the adjacent two-storey private houses and therefore will lead to an over-bearing effect due to the proposal's three-storey form. leading to over-shadowing.
3. The 2 three-storey blocks of flats, when approaching from the A49, will create an over-dominating presence when entering The Point development.
4. This was not an original allocated area for development, but there has been no proposed drainage strategy. The visualisations forming part of the application in "View 3" does not show the true reality of the adjacent properties in height. nor solar panels to the south facing roofs therefore non-compliance with Net Zero.

5.2 Letter of Objections have been received from 25 individuals. They are summarised as follows:

- Lack of justification and clarity regarding type of 'key worker' accommodation proposed
- Concerns that proposal would represent an overdevelopment of a parcel of land that was originally intended for a park and choose or allotments site
- Concerns regarding risk of flooding and adequacy of drainage arrangements, particularly in terms of how the scheme will link into the infrastructure serving the wider development.
- Concerns regarding appropriateness of design relative to existing development – including scale, massing, height, use of materials and orientation of fenestration
- Concerns regarding potential for loss of privacy, overlooking, overbearing and overshadowing of existing dwellings in a manner that is detrimental to amenity. Specific concerns include scale of new development proposed; differences in ground levels; separation between plots; orientation of fenestration; and adequacy of screening / landscaping proposed.
- Concerns regarding potential for noise and disturbance to existing residents, particularly as a result of type of accommodation proposed that is likely to be occupied by young single people.
- Concerns regarding potential impact upon habitat and wildlife on the site
- Concerns regarding generation of additional traffic on estate and wider network, including A49
- Conflict between residential traffic and future users of the park and chose site
- Concerns that scheme will exacerbate existing parking issues
- Development would compromise the operation of the Park and Choose, which in turn will undermine sustainable transport and promote car dependency. ATE should be consulted.
- Concerns regarding additional pressure on local facilities and services, including access to schools and healthcare provisions.
- Use of the site for housing goes against previous permissions and the intentions for the future use given by developer to purchasers of neighbouring housing.
- Concerns for potential impact during construction phase (noise, traffic etc)
- Effect on the character of listed building or conservation areas
- Development does not make adequate provision for affordable housing

5.3 Defence Infrastructure Organisation (DIO) – Support

We refer to the above application and write to express support for the proposals. Specifically, the proposed accommodation forms an important part of the strategic thinking and analysis for the future provision of Service Family Accommodation (SFA) to support the Hereford Garrison.

The MOD has a major presence in the City of Hereford and the surrounding area with many service personnel and families living in the local community. The military will have enduring presence for the foreseeable future.

At a strategic level, the MOD has recently completed a deal with Annington Homes to take back control of 36,000 homes that provide SFA in England and Wales. Indeed, the department is currently undertaking a review of all of the SFA estate to inform a new military housing strategy.

It follows that an important first step in the strategy is the rapid development of an action plan to identify and deliver potential SFA opportunities. This will support the Government's Plan for Change and will include measures to support the Homes for Heroes pledge to support veterans.

Holmer is extremely well located for our housing needs and the detailed application proposals submitted by Bloor for 31 key worker dwellings on the site would make a valuable contribution to the military housing strategy: in the form of flats for 50 individual personnel.

We appreciate Bloor's planning application will be determined in due course 'on its merits', though trust that the rare opportunity presented by this proposal will be viewed as having the potential to further support the military in Hereford as 'essential, local workers' and will, in turn, be supported by the Council.

5.4 NHS Clinical Commissioning – Planning Contributions Sought

Primary Care Network	Additional Population Growth (31 dwellings) ¹	Floorspace required to meet growth (m ²) ²	Capital required to create additional floor space (£) ³
Hereford Medical Group PCN	75	4.8	19,200

For full response, refer to following link:

<https://myaccount.herefordshire.gov.uk/documents?id=8fbabbdf-da46-11ef-9088-005056ab3a27>

5.5 The consultation responses can be viewed on the Council's website:

https://www.herefordshire.gov.uk/info/200142/planning_services/planning_application_search/details?id=243045&search-term=clubtail

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

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

6. Officer's Appraisal

6.1 Policy Context

6.2 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."

6.3 In this instance the adopted development plan comprises the Herefordshire Local Plan – Core Strategy (CS) and the Holmer and Shelwick Neighbourhood Development Plan. The latter was

made part of the statutory development plan in March 2020. The National Planning Policy Framework (NPPF) is also a significant material consideration.

- 6.4 A range of CS policies are relevant to development of this nature. Strategic policy SS1 of the CS sets out the presumption in favour of sustainable development, which is reflective of the positive presumption that lies at the heart of the NPPF. Policy SS1 confirms that proposals which accord with the policies of the Core Strategy (and, where relevant, other Development Plan Documents and Neighbourhood Development Plans) will be approved, unless material considerations indicate otherwise.
- 6.5 The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) (the 2012 Regulations) and paragraph 33 of the National Planning Policy Framework requires a review of local plans be undertaken at least every five years in order to determine whether the plan policies and spatial development strategy are in need of updating, and should then be updated as necessary. The Herefordshire Local Plan Core Strategy was adopted on 15 October 2015 and a review was required to be completed before 15 October 2020. The decision to review the Core Strategy was made on 9th November 2020. The level of consistency of the policies in the local plan with the NPPF will be taken into account by the Council in deciding any application. In this case the relevant policies of the CS have been reviewed and are considered entirely consistent with the NPPF with regards to promoting sustainable types and patterns of development. As such, it is considered that they can still be attributed significant weight.
- 6.6 The Council is currently in the process of preparing a new local plan. A draft was published in the March 2024 for Regulation 18 consultation. Following the changes to the NPPF made at national level in December 2024 however, the Council decided to cease further work on the Draft Regulation 18 Local Plan because a new spatial strategy is required to address the significant uplift in housing growth. The council will now progress its Local Plan under the new plan making process introduced by the Levelling up and Regeneration Act (LURA) 2023. No draft of the plan under the new plan making system has yet been published. As such, there is no emerging plan to which any weight can currently be attributed.
- 6.7 The NPPF makes clear that all decisions need to apply the presumption in favour of sustainable development as set out at Paragraph 11 of the NPPF. This states that development which accords with an up-to-date development plan should be approved without delay. Where there are no relevant policies or the most relevant policies are considered to be 'out-of-date', then the presumption in favour of sustainable development as set out by Paragraph 11 d) ('the tilted balance') is engaged. This means that planning permission should be granted, unless:
- I. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed; or
 - II. 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, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.
- 6.8 Footnote 8 makes clear that, for applications involving the provision of housing, policies should be regarded as being out of date if the Local Planning Authority is unable to demonstrate a five year supply of deliverable housing sites. Following changes to the standard method for calculating housing targets which accompanied the revised NPPF in December 2024, the Council is no longer able to demonstrate a five year supply of housing land. The current supply figure in the county is **3.06 years**. The relevant policies of the development plan should therefore be regarded as being 'out of date' and the positive presumption as set out at Paragraph 11 d) is engaged.

6.9 Paragraph 14 of the NPPF concerns the relationship between the Paragraph 11d presumption and Neighbourhood Development Plans. It states that where the presumption is engaged for applications involving the provision of housing, then the adverse impact of allowing development that conflicts with the neighbourhood plan is likely to significantly and demonstrably outweigh the benefits, provided the following apply:

- a) the neighbourhood plan became part of the development plan five years or less before the date on which the decision is made; and
- b) the neighbourhood plan contains policies and allocations to meet its identified housing requirement (see paragraphs 69-70).

6.10 The Holmer and Shelwick Group NDP was made in March 2020 and is now therefore more than 5 years old. As such, the plan does not benefit from the enhanced protection set out in NPPF Paragraph 14.

6.11 **Principle of Development**

6.12 The Core Strategy sets out that Hereford is to be the main focus for housing growth in the county. The land subject of this application forms part of a wider parcel known as 'Holmer West' which is identified by Core Strategy policy HD4 as a sustainable urban extension to Hereford. The site is also within the settlement boundary for Holmer as identified within the NDP through policies H1 and H3. The latter confirms that new housing within this boundary will be supported and the NDP recognises the wider parcel of land as a commitment site under 150478/O. Together, this establishes that the site is a suitable one for residential development in principle.

6.13 In the context that the site forms part of a wider parcel identified as 'Holmer West' urban extension, policy HD4 of the CS is relevant and this calls for a comprehensively planned scheme which sensitively integrated into both the built environment and landscape setting, with a target of delivering 500 new homes. The outline planning permission granted under 150478/O allowed for up to 460 dwellings which have now all been 'exhausted' through the various RM phases, whilst a further 100 dwellings have been approved at Holmer House Farm under 184662/O. A further 105 units secured full planning permission under P224270/F. It is hence evident that the land has delivered well in excess of the policy expectation of 500 dwellings. However, it is clear from the supporting text to the CS 4.2.50 that the 500 dwelling expectation is a minimum requirement; as such it is not a ceiling in terms of quantum and further units can be supported provided this responds to relevant site constraints and the requirements of policy. It is also pertinent that national guidance seeks to ensure the new development makes the most efficient use of land, whilst contributing to significantly boosting the supply of new homes. With that in mind, it is considered that no "in principle" policy tension arises from the additional provision over and above the quantum of dwellings originally envisaged for the urban extension. Both this application and earlier phases of the development have made efficient use of land, whilst responding to the established development patterns on the north side of Hereford. There is hence no harm arising from the further application and the proposal aligns with the government aspiration to boost housing supply – which is a particularly important consideration at a time when the Council is unable to demonstrate a five year supply of housing land.

6.14 **Relationship with Park and Choose Site**

6.15 The application site forms part of the larger red line area for outline planning permission 150478/O, which is the main permission for Hereford Point and provided for up to 460 dwellings. It also provided for various elements of supporting infrastructure, which included a Park and Ride facility as required by policy HD4. A Reserved Matters application 201446/RM was approved in 2021 which provided for a 100 space Park and Choose facility, allotments, landscaping, drainage and associated highway infrastructure. The approved plans for this are shown in Figure 5, with the current application site indicated by the dashed red line:

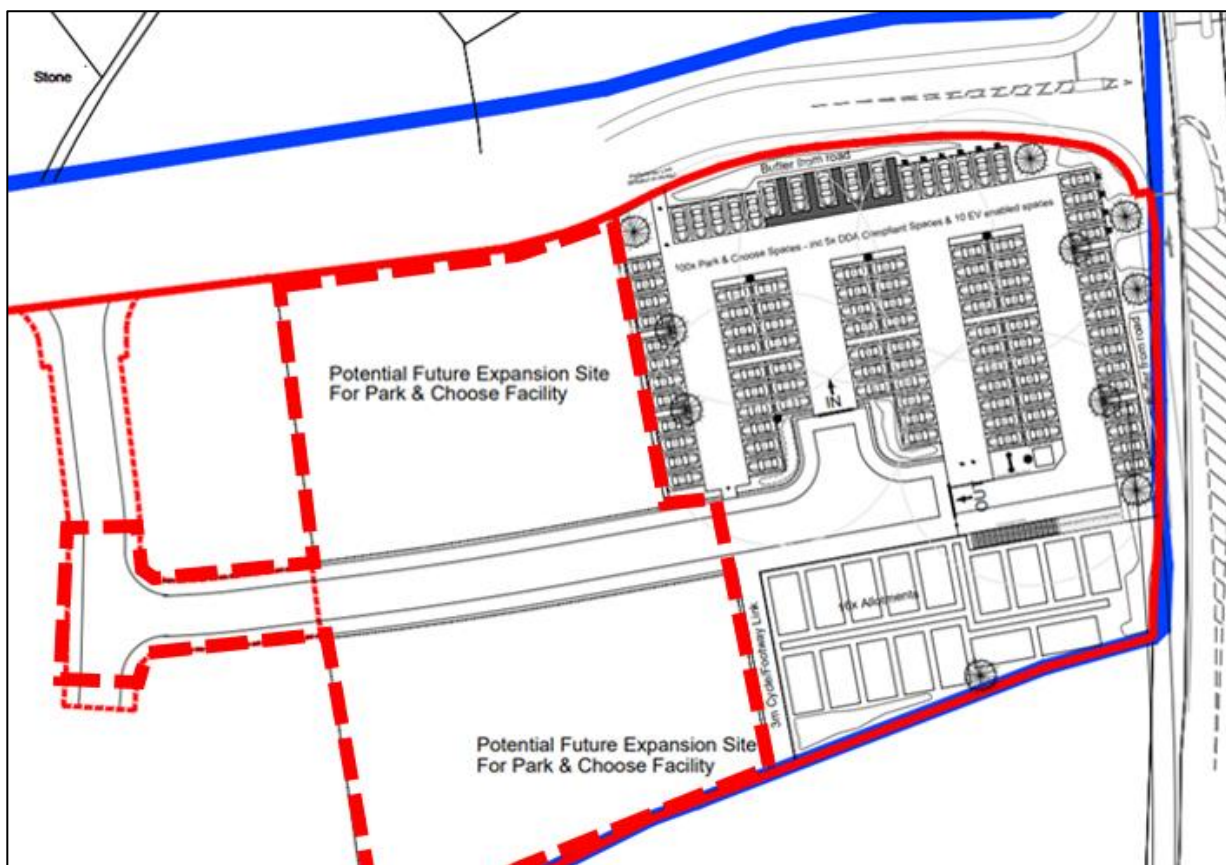


Figure 5: Approved plans for Park and Choose site under 201446/RM

- 6.16 The approved plans at Figure 5 highlight that the current proposal site corresponds to a residual area of land which formed part of the RM application, but did not form part of the approved Park and Choose facility. Instead, the plans mark the land as being for a 'Potential Future Expansion Site for Park and Choose Facility'. Despite this note on the plans however, there are no conditions on either the outline permission or the RM approval which serve to safeguard this land for potential future expansion and/or prevent possible alternative uses being pursued. Neither is there any legal agreement attached to RM, and no such restriction is found within the S106 Agreement (and subsequent variations thereof) which accompany the outline. The proposal site is therefore essentially 'white land' – meaning that it is not subject to any policy allocation or other restriction upon its use. Any future applications should hence be assessed with regards to the wider policies of the development plan.
- 6.17 Notwithstanding this, the close relationship with the adjoining land parcel is such that it is important to ensure that the housing proposal would not compromise the delivery and function of the approved Park and Choose site. It is acknowledged that concerns to that effect have been raised in some of the representations received. It is clear from the plans however that the latest proposal does not encroach onto the site approved for the Park and Choose site under 201446/RM and neither would it compromise the way the facility functions. It is also reasonable to assume that the LPA were satisfied that the scale of the facility (offering 100 spaces) was adequate to meet anticipated demand when they approved the scheme in 2021 and a review of the Officer report of the time raises no concerns in this sense. It therefore follows that no formal mechanisms were put in place to secure the residual land for future expansion or to safeguard against alternative uses and, as such, Officers do not consider there to be any planning reason why a proposal for residential use cannot be considered positively. Provided the scheme is designed in a way which takes into account the proximity of the Park and Choose site (discussed at later sections of this report), there is no reason to believe that the function of the facility and the contribution it makes towards promoting sustainable travel would be compromised. There is thus no conflict found with policies HD4, SS4, MT1 or HD3.

6.18 Meeting Housing Needs

- 6.19 The NPPF requires that planning policies and decisions support the delivery of housing to meet locally assessed needs. It requires that the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies. Paragraph 63 sets out that these groups should include (but are not limited to):

‘those who require affordable housing (including Social Rent); families with children; looked after children; older people (including those who require retirement housing, housing with-care and care homes); students; people with disabilities; service families; travellers; people who rent their homes and people wishing to commission or build their own homes’

- 6.20 It goes on to set out at Paragraph 66 that where ‘major’ development involving housing is proposed, this should be expected to provide a mix of affordable housing to meet local needs, across Social Rent, other affordable housing for rent and affordable home ownership tenures. Annex 2 provides a definition of the various types of affordable housing, with the overarching requirement that it is designed to provide for people whose needs are not otherwise met by the market – which includes for ‘essential local workers’. These are defined by the same Annex as public sector employees who provide frontline services – which includes military personnel.
- 6.21 From the local plan, policy H3 of the CS encourages development to provide a range and mix of housing units which can contribute to the creation of balanced and inclusive communities. Policy H1 sets the expectation that on sites of 10 or more dwellings within the relevant housing market area, a target of at least 35% of housing should be provided under affordable tenures.
- 6.22 The scheme here is being promoted on the basis that it seeks to meet the housing needs of essential ‘key workers’ – those specifically being military personnel based in Herefordshire. A material consideration is therefore the Council’s commitment under the Armed Forces Covenant, which the Council should have regard to when fulfilling functions in the areas of housing, healthcare and education. The three core principles of the covenant are to recognise:
- a) the unique obligations of, and sacrifices made by, the armed forces
 - b) that it is desirable to remove disadvantages arising for Service people from membership, or former membership, of the armed forces
 - c) That special provision for Service people may be justified by the effects on such people of membership, or former membership, of the armed forces
- 6.23 It is understood that the application has been made in partnership with the Defence Infrastructure Organisation (DIO – the arm of the Ministry of Defence responsible for housing and estates) and seeks to provide accommodation to house individual Service people (i.e. those not living with dependents). It is understood that the DIO currently rents properties throughout Hereford on the private market to meet the needs of these personnel – which represents a significant cost burden; leads to issues of control and consistency in accommodation; and removes properties from the open market which could otherwise meet the needs of the wider population. There are hence concerns regarding the longer term sustainability of this local arrangement, which persist in the context of a national government drive to bring military housing back into public ownership and a commitment to deliver a national Defence Housing Strategy by the end of 2025. The proposal is promoted by the Applicant as an opportunity to help address this issue by providing a specialised accommodation scheme in a focused location within a wider mixed-tenure housing site, which would then be transferred to the DIO on completion for sole occupation by military personnel based at Herefordshire sites. Although not formally party to the application, representatives of the DIO have provided representations in support of the application which broadly outlines the benefits to the organisation, military personnel themselves and the population more generally.

- 6.24 The scheme would provide 31 dwellings in total, comprising 12 x one bedroom apartments and 19 x two bed maisonettes (to be occupied by two sharing individuals). The application is advanced on the basis that it would comprise 100% affordable housing, with all units to be delivered in manner which fulfils the definition of 'Affordable Rent' set out by Annex 2 of the NPPF. Specifically, the proposal is to be delivered on a 'Build to Rent' basis which is defined as:

'purpose built housing that is typically 100% rented out. It can form part of a wider multi-tenure development comprising either flats or houses, but should be on the same site and/or contiguous with the main development. Schemes will usually offer longer tenancy agreements of three years or more, and will typically be professionally managed stock in single ownership and management control'

- 6.25 Securing this requires the completion of a S106 legal agreement. A copy of this agreement is supplied at Appendix 1, which whilst still a working draft captures the following key points:

1. The obligations are conditional upon the owner entering into a binding contract with the Defence Infrastructure Organisation to take a transfer of the dwellings and the owner covenants not to commence development until a binding contract is entered into with the Defence Infrastructure Organisation to deliver the scheme.
2. The dwellings shall not be used or occupied otherwise than as military housing in perpetuity.
3. On the first disposal of each dwelling, a restriction shall be placed upon the registered title to each dwellings restricting the occupation of the dwelling otherwise than as military housing in perpetuity.
4. The dwellings will be provided as affordable rent and shall be let to occupants at gross rents which should not exceed 80% of the open market rent

- 6.26 The draft S106 agreement has been reviewed by the Council's Senior Solicitor and Planning Obligations Manager and is considered to robustly capture the relevant restrictions needed for Officer's to conclude the scheme genuinely fulfils the definition of affordable housing. The Council's Strategic Housing Team has also offered no objections to the scheme on the basis of the agreement, which secures the use of the accommodation by military personnel in perpetuity.

- 6.27 In light of the above, Officers consider that the proposal aligns with the policy objectives of the NPPF and local plan in that it would provide specialist accommodation to help meet the housing needs of essential local workers in the form of military personnel. The accompanying S106 agreement ensures the accommodation is occupied in the manner prescribed and operated in a way which means it can be considered to constitute 100% affordable housing – thereby avoiding any conflict with policy H1 of the CS. Experienced alongside earlier phases of the Holmer West development, the scheme would contribute to the creation of balanced and mixed housing communities whilst also indirectly supporting the retention and resilience of military sites in Herefordshire. These are benefits to which Officers attribute significant weight.

6.28 **Local Character and Design**

- 6.29 Policy HD4 requires that Holmer West delivers a coordinated urban extension which will be sensitively integrated into the existing urban fabric of Hereford and the wider landscape. This is reflected by LD1, which requires that schemes are positively influenced by the character of the townscape in terms of their design, scale and site selection. SD1 also requires that schemes are designed to maintain local distinctiveness by respecting scale, height, proportions and massing of surrounding development whilst making a positive contribution to the character of the area. From the NDP, policy HS4 sets out detailed requirements in respect of design with the

overarching objective that all development within the neighbourhood area should be of good quality design sensitively integrated into both the existing urban fabric and the surrounding rural landscape. This includes that the layout of larger schemes should create a sense and appearance of incremental growth, with each phase comprising legible streets that inter-connect with previous (and subsequent) phases. It confirms that typical, suburban estate type layouts with “loops and lollipops” should be avoided. HS5 sets out further requirements in terms of the relationship with landscape character.

- 6.30 The site here forms part of a larger parcel that has been identified as a housing allocation and subsequently had permission granted under 150478/O. It formed a component part of a reserved matters phase for the Park and Choose scheme, however the land was not assigned any specific use and is now regarded as ‘white land’. In this context, the site is considered to have an acceptable relationship with patterns of surrounding development on the north side of Hereford – being bound by housing to the south and west, the future Park and Choose site to the east and Hedgerow Way to the north. The provision of additional housing here would not, subject to an appropriate design and form, not appear as an incongruous feature when experienced in the context of Holmer West / Hereford Point as a whole.
- 6.31 In terms of layout, the site is already divided into two clear parcels by the road format approved by earlier phases. Housing is to be positioned at the peripheries of each parcel, with the majority of parking being located at the centre in courtyard style arrangement. This is considered to be an appropriate approach in the context and with reference to surrounding patterns of housing. The majority of the buildings are of the ‘Satterfield’ house type, appearing as two storey dwellings which are in keeping with the scale of surrounding development. The approach towards materials and detailing is also consistent with adjoining dwellings, being predominantly brick under tiled roofs which will ensure assimilation with earlier phases of the wider Holmer West / Hereford Point development. At the north eastern corner of the site two x three storey apartment buildings are proposed and Officers are mindful that some local representations raise concerns regarding the scale of these buildings. The approach has however been informed, in part, by policy HS4 d) of the NDP, which is relevant to the design of development in Holmer and directs that *‘Scale and height of buildings should vary across the site up to a maximum of three storeys, with landmark buildings occupying key positions, such as corners, on the site’*. The scheme seeks to reflect these principles by placing a larger focal point building at a key entrance to the site from the A49, albeit in a setback position from the main road which ensures it does not dominate when approaching the city of the north. An active frontage is delivered to the north and east, whilst the use of smaller two storey units across the rest of the site combined with falling ground levels makes for an appropriate transition to the wider Holmer Point development when travelling along Hedgerow Way. The use of materials for the apartment buildings, which includes tumbled reconstituted stone for walls, is considered to be appropriate to the context. Taking all of the above together therefore, Officers do not identify any conflict with policies LD1, SD1, HS4 and HS5 with regards to layout, scale and design.
- 6.32 Some concerns have been raised with regards to density of development, which is accepted as being quantitatively high when compared to earlier phases of Holmer West. However, this is a reflection of the manner in which accommodation is being delivered – which is in the format of apartments and comprises smaller one or two bedroom units. Accommodation in this form naturally leads to a higher density of development when described in terms of dwellings per hectare, however it is conducive with making efficient use of land and the actual physical density of built form is not considered to be out of keeping with the surrounding context. No significant harm or policy conflict is hence identified in these terms.
- 6.33 The proposal is supported by a scheme of landscaping, which includes a range of hedge, tree and shrub planting in communal spaces and around the parking courtyard. These measures will assist with the assimilation of the development to the local context, whilst also providing biodiversity enhancement and serving as visual buffering between neighbouring properties. The Council’s Officer has raised some concerns with the consistency of the visualisation images

provided, however these are intended to be indicative only and a fully detailed specification for the scheme has been provided on plan WEO86-LS-036e. Implementation of the supplied scheme will be secured by condition, alongside a condition to secure a scheme of management and maintenance for a period of 10 years. Subject to these conditions being attached, there is no conflict identified with LD1, HD4, HS4 or HS5.

6.34 **Residential Amenity**

- 6.35 Chapter 12 of the NPPF requires, amongst other things, that all developments should deliver a high standard of amenity for existing and future users. From the CS, policy SD1 requires all new development to safeguard residential amenity for existing and proposed residents whilst ensuring that is not adversely affected by issues such as noise. From the NDP, policy HS3 requires that the design and layout of all sites within Holmer must take into account the acoustic environment with a view to mitigating any adverse effects of road traffic noise.
- 6.36 It is noted that some concerns have been raised in the representations received regarding the potential for adverse impact upon the amenity and living standards of existing occupants of neighbouring dwellings. The concerns highlighted include the potential for overbearing, overshadowing, overlooking and impacts through noise / disturbance.
- 6.37 In the first instance, it noted that the proposal is for a C3 residential use and this is inherently compatible with neighbouring residential uses. Although the proposal is deposited in a manner which secures a specific end user in terms of occupation by locally based military personnel, there is no reason to believe this would increase the potential for adverse impacts upon the amenity of existing residents through noise or other nuisance.
- 6.38 With regards to the physical impact of development, the scheme has taken steps to mitigate for potential impacts on neighbours by means such as overbearing, overshadowing or overlooking. The largest buildings for instance, in terms of the three storey apartments, are focused to the north east corner of the site where there is the greatest level of separation from neighbouring dwellings which are predominantly two storeys in height. The remaining units are all variations of the 'Satterfield' house type, which is two storeys in height and entirely commensurate with the scale and massing of existing neighbouring dwellings on Clubtail Drive and Darters Lane. It is noted that the levels of the land do rise from a low point at the south western corner towards higher ground to the north east, however the gradient is relatively shallow and levels are not markedly different to those of neighbouring plots. Planning Engineering Plan WE086-EN-DIO-001A provides details on levels and supplementary plan WE086-EN-DIO-002 provides cross sections through the site at key points (Figure 6):



Figure 6: Cross Section of Levels through Site WE086-EN-DIO-002

- 6.39 The plans above confirm that the levels differences and relationship between existing and proposed development are appropriate, being similar to the undulating levels seen throughout the wider Homer Point development and ensuring that good standards of amenity are preserved for existing dwellings. The greatest area of relative difference is to the south western corner of the site along the boundary with Nos. 9 – 17 Cluetail Drive, where levels between existing and proposed dwellings on adjoining plots vary between 1.5m and 1.8m. This difference is however mitigated by the separation distances between buildings, which is greater in this area of the site compared to elsewhere and varies between 18m and 25m. This serves to offset the relative difference in levels and creates an arrangement which is, again, not uncharacteristic throughout the wider site. When combined with the orientation of the new dwellings and the positioning of fenestration, the separation distances are sufficient to ensure the proposal would not unacceptably compromise living standards or amenity through overshadowing or overbearing.
- 6.40 With regards to the potential for overlooking, the units sharing a boundary with existing dwellings are all variations of the ‘Satterfield’ maisonette house type. As noted previously, these are of similar scale to existing dwellings and four variations of the type are utilised in the scheme – with the main differences relating to the positioning of fenestration. The scheme has taken care to avoid (or limit) windows at first floor level on elevations which have less than ~20m separation distances from neighbours, which ensures that the potential for overlooking of existing dwellings is limited. A similar approach is taken to the orientation of dwellings within the site itself, which secures good standards of privacy for future residents. It is noted that some concerns have been raised regarding the provision of Juliet balconies to the three storey apartment units, however these are orientated towards countryside to the north or the park and choose site to the east – meaning they do not negatively affect amenity. Taking all of this

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together, Officers are satisfied the scheme would not lead to any harm to amenity which brings the scheme into conflict with the relevant requirements of SD1.

- 6.41 Policy HS3 of the NDP specifically requires that consideration be given to the acoustic environment. Such considerations are relevant here in so far as the site is approximately 70m from the A49, which is one of the county's main trunk roads and a source of noise. The application is supported by a Noise Impact Assessment, which finds that the majority of units will achieve acceptable noise levels with windows open and when utilising 'standard' construction methods as required by the Building Regulations. However, some of the dwellings on the façades closest to the A49 are predicted to only achieve acceptable standards with windows closed. The reliance on closed windows (particularly at night time) is considered to be acceptable from an amenity perspective and the Council's Environmental Health Officer offers no objection on that basis; however the solution does restrict natural ventilation and this can lead to consequent overheating issues which may necessitate additional ventilation measures over and above what would otherwise be required by the Building Regulations. A condition is therefore recommended to secure an assessment of this and implementation of any necessary mitigation measures prior to the first occupation of the affected units.
- 6.42 Given the apartment nature of the accommodation, the scheme does not propose any private areas of curtilage. External spaces are instead proposed to be for communal use and would remain under the control of a central management company, whilst future occupants of the dwellings would also have access to various areas of public open space on Hereford Point. This is considered to be conducive with ensuring future occupants have good standards of living and benefit from convenient access to green space of recreation and leisure.
- 6.43 **Access and Connectivity**
- 6.44 Core Strategy Policy MT1 relates to the highways impacts of new development, and requires that proposals demonstrate that the strategic and local highway network can absorb the traffic impacts of the of the development without adversely affecting the safe and efficient flow of traffic on the network It also requires under (4) that developments are designed and laid out to ensure that safe entrance and exit can be achieved and that adequate operational and maneuvering space is available. From the NDP, policy HS4 requires that schemes should allow for adequate off-street parking, excluding garages, at a rate of one space per bedroom. The policies of the development plan are consistent with the principles and advice set out within the National Planning Policy Framework (NPPF). Chapter 9 in particular relates to the promotion of sustainable transport, and paragraph 114 requires that in considering specific applications for development it should be ensured that safe and suitable access to the site can be achieved for all users. At paragraph 116, it is advised that development should only be prevented or refused on highways grounds if there would be an unacceptable impact upon highways safety, or the residual cumulative impacts on the road network would be severe.
- 6.45 Access to the site would be via the existing access onto Clubtail Drive, which in turn leads onto Hedgerow Way to the north. The latter serves as a 'spine road' through the wider Hereford Point development, providing access to the wider public network through either the A49 to the north east or the A4103 to the south west. The A49 forms part of the strategic road network (SRN) and the eastern end of the link road joins to this via a signal controlled junction which was approved as part of 150478/O. National Highways have been consulted as the relevant statutory body and have no objections to the development in terms of highways safety and capacity. Details of how traffic movements will be managed during the construction phase are sought by pre-commencement condition and this will be secured as part of a CMP. The imposition of such a condition has been agreed with the Applicant.
- 6.46 The proposed development is split into two land parcels on either side of the cul-de-sac road leading off Clubtail Drive, which is also to provide access to the Park and Choose site approved under 201446/RM. Access from each parcel onto this is provided by a simple junction with

splays of 2.4m x 45m, which is adequate for the environment. Delivery will be secured by condition. The existing arrangements leading to the wider public highway network, in terms of the junction onto Clubtail Drive and subsequently onto Hedgerow Way, are considered appropriate to support the intensification in use associated with the development and their use would not adversely impact upon the safe and efficient function of the network or the use of the Park and Choose site that is also served off this minor arm.

- 6.47 The internal layout of each parcel is considered to be acceptable, with adequate turning and maneuvering space for larger vehicles such as delivery vans. With regards to parking, policy HS4 of the NDP requires that off-street parking to be provided to each dwelling at a rate of one space per bedroom. The scheme here comprises 12 x one bed dwellings and 19 x two bed dwellings, which is a cumulative total of 50 bedrooms. The scheme provides 50 off-road parking spaces and hence the level of provision accords with the standards imposed by policy HS4. The LHA have raised no issue with the parking strategy from a safety and function perspective.
- 6.48 National and local policy both seek to reduce car dependency and encourage means of travel by sustainable means such as walking, cycling or public transport. In the spirit of this, policy HD4 requires that the Holmer West urban extension provide links to walking and cycling routes that integrate into the existing network in Hereford. There is also a requirement for a Park and Choose facility, which has been secured as part of earlier phases. These provisions are reflective of SS4 and MT1. From the NDP, policy HS4 requires that the design of urban extension should provide easy access for all members of the community and create a network of streets and other routes that allows significant movement around the site. Strong links should be created with the existing surrounding communities so that the site is fully integrated. Earlier phases of the development following P150478/O have already made provision for various new pedestrian and cycle connections to the wider city network and the scheme here seeks to make use of those, which is appropriate and proportionate to development proposed. In time, future occupiers will also benefit from convenient access to public transport anticipated to serve the adjacent park and choose site. The scheme is thus considered to be conducive with promoting sustainable travel and no conflict with the requirements have HD4, SS4 or MT1 is hence found.
- 6.49 The Local Highways Authority has offered no objections to the scheme, subject to the imposition of a range of conditions set out at in the schedule at the end of this report.
- 6.50 **Setting of Heritage Assets**
- 6.51 The Holmer West allocation as a whole is located within the setting of a number of heritage assets, including the Grade I listed Church of Bartholomew, various Grade II listed structures ancillary to this and the Grade II listed Holmer House Farm. The parcel of land subject to this application is approximately 70m to the north of Holmer House Farm and 20mm to the north of the Grade I church. However, the intervening land is now occupied by housing development built pursuant to P184662/O and the relationship is such that the proposal site does not form part of the setting of the assets in way which contributes to significance. There would hence be no demonstrable harm to the assets. The Council's specialist Conservation Officer supports this view and the scheme is considered to accord with policy LD4 of the CS, with the duties placed upon the LPA by Section 66 of the act fulfilled.
- 6.52 **Flood Risk and Water Management**
- 6.53 The main proposal site for housing is not identified as being at risk of flooding, being within the EA defined 'low risk' Flood Zone 1 for fluvial flooding and not known to be at risk of surface water flooding. A small area of the red line area for the proposal is located within a fluvial flood risk zone, however this relates to the existing access road onto Clubtail Drive where no alterations or operation development is proposed. The scheme would hence not contribute to any increased risk for existing or future occupants, with safe access and egress for the latter

being delivered given the relationship between the site and surrounding routes. No conflict with relevant flood risk management policies of the NPPF or local development plan is found.

6.54 In relation to foul water management, policy SD4 sets out a hierarchical approach whereby a connection to the mains sewer is the preferred option of management. The scheme here proposes to connect to the mains sewer network for Hereford and Welsh Water have confirmed they have no objections to this arrangement. The proposed development would connect to the existing mains infrastructure that has been relatively recently installed to serve earlier phases of the development and it has been confirmed that sufficient capacity exists within this to accommodate the additional dwellings. The scheme therefore accords with SD4.

6.55 With regards to surface water management, the application is supported by a Sustainable Drainage Statement which sets out that surface water would be attenuated through a crate system before being discharged to the SUDS system serving the wider site. This ultimately discharges to Ayles Brook at a restricted flow rate based on Greenfield runoff rates. The Council's Land Drainage Engineer has confirmed that the arrangement is acceptable and will be offered for adoption by the Authority. The scheme is hence acceptable with regards to SD3.

6.56 **Habitats Regulations**

6.57 The site is within the River Wye SAC catchment and this proposed development triggers the legal requirement for a Habitat Regulations Assessment process to be carried out in accordance with the Conservation of Habitats and Species Regulations. The main potential for effects upon the designated site are from foul and surface water, however the scheme has included adequate arrangements to manage this which ensure there would be no adverse impact upon the integrity of the designated site. Similarly any potential for impact during the construction phase can be managed through implementation of measures set out in the supplied CEMP. The Council's Ecologist has completed the required Appropriate Assessment and concludes that there would be no adverse impact upon the River Wye SAC, with the response received from the relevant statutory body Natural England agreeing with this conclusion. The scheme is hence acceptable with regards to the Habitats Regulations and there is no conflict found with policies LD2 or SD4

6.58 **Ecology and Green Infrastructure**

6.59 Policy LD2 of the CS states that all development proposals should conserve, restore and enhance the counties biodiversity assets wherever possible. Amongst other things, this should be achieved through the retention and protection of nature conservation sites and habitats in accordance with their status. In relation to trees and green infrastructure. Policy LD3 of the CS requires that development proposals should protect, manage and plan for the preservation of existing and delivery of new green infrastructure such as trees, woodlands and hedgerows. These policies are all underpinned by Chapter 15 of the NPPF.

6.60 The application is supported by an Ecological Technical Note, which notes the site to be dominated by low diversity modified grassland which is of limited ecological value. This accords with the LPA's own observations of the site, which has evidently been sown to grass relatively recently after being used to support the development of the wider Holmer Point site. The nature of the site is such that the development is not likely to have any significant impact on species or habitats, however a range of risk avoidance measures are set out which will be secured by condition. An outline scheme of ecological enhancement is also suggested at Section 5.4 of the report and a further condition is recommended to secure a detailed specification for this which is tailored to the approved site plans. Subject to their imposition, there are no policy conflicts.

6.61 The site does not support any notable existing green infrastructure. New planting of hedgerows and trees can be secured as part of the landscaping scheme, which will contribute towards the achievement of the goals set out in policy LD3.

6.62 Biodiversity Net Gain (BNG)

- 6.63 The requirement for qualifying developments to deliver a mandatory 10% net gain to biodiversity value relative to pre-development conditions came into force on 12th February 2024 under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021). The development proposed in this case does not meet any of the relevant exemptions and hence there is a statutory requirement to deliver a minimum 10% gain.
- 6.64 In delivering a strategy to achieve the mandatory gain, developers must have regard to the biodiversity gain hierarchy. As a first preference, biodiversity gains should be delivered on-site and within the red line boundary of the permission. If this cannot be achieved, then gains can be delivered off site – either by the developer themselves on land elsewhere or through the purchase of biodiversity units on the open market. If these options, either alone or in combination, are not sufficient to deliver a 10% gain then developer may purchase statutory biodiversity credits from central government. The PPG is however clear that reliance on statutory credits should be a last resort.
- 6.65 The application in this case has been supported by a BNG assessment by CSA Environmental. The assessment highlights that the scheme will deliver a net gain of 1.08 hedgerow units, however to account for impacts on grassland and secure the minimum 10% gain over baseline site condition 0.07 units from an off-site provider will be required. These will likely be purchased through an appropriate off-set provider. The LPA Ecologist has reviewed the strategy and offered no objections to the metric or proposed approach to delivering the required gain.
- 6.66 The ‘Stepped’ guidance of the PPG regarding the use of off-site units is clear that a purchase does not need to be secured at the point at which a planning application is made or at which permission is granted. The responsibility to find, purchase and secure appropriate off-site units falls to the developer and details of this must be supplied to the LPA as part of the Biodiversity Net Gain Plan when discharging the statutory condition. The Applicant is reminded that this is a pre-commencement condition and development cannot lawfully begin until the BNG Plan has been approved by the LPA.

6.67 Sustainable Use of Energy and Resources

- 6.68 Core Strategy policies SD1 and SD2 respectively deal with ‘Sustainable Design and Energy Efficiency’ and ‘Renewable and Low Carbon Energy Generation’. They encourage all developments to make provision for sustainable construction techniques, energy efficiency and renewable energy generation. The scheme in this case is supported by an Energy Strategy Statement which provides background on the techniques that have been considered for the development and confirms the final strategy, which comprises a highly insulated ‘Fabric Approach’ and installation of Solar Photovoltaics. These measures would contribute to reductions in energy demands and carbon measures, as sought by SD1 and SD2. Implementation of the measures prior to occupation will be secured through condition.
- 6.69 The Herefordshire Minerals and Waste Local Plan was made in March 2024 and this places additional emphasis upon the resources and waste associated with delivering development. Policy SP1 specifically deals with resource management and the supporting text to the policy at 4.5.16 sets out that all ‘major’ development will be required to supply a comprehensive Resource Audit to consider the source and end of life considerations for the materials used in the proposed development. This can be secured by way of pre-commencement condition.

6.70 S106 Agreement and Planning Obligations

- 6.71 As discussed earlier in this report, the scheme is accompanied by a S106 agreement which restricts occupation of the housing to military personnel and secures their use as affordable housing in perpetuity. The agreement passes the necessary tests in terms of being necessary

to make the development acceptable in planning terms; directly related to the development; and being fairly and reasonably related in scale and kind to the development.

- 6.72 The scheme in this case is considered ‘major’ development and therefore above the quantum threshold whereby developer contributions may be sought towards essential infrastructure through a S106 agreement. The Council’s has adopted a Planning Obligations SPD which sets out the obligations to be sought in respect of various kinds of development. There are however a number of exceptions outlined where contributions are not sought for specific types of development, which includes where development only provides one bedroom accommodation; is for specialist housing; or is delivered under affordable tenures. The application of the exceptions in this case is such that no financial contributions are sought and this has been confirmed by the Council’s Planning Obligation Manager.

6.73 **Planning Balance and Conclusion**

- 6.74 Both Core Strategy policy SS1 and Paragraph 11 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 without delay. The NPPF is clear that the achievement of sustainable development is dependent on achieving three overarching objectives, which are interdependent and must be pursued in mutually supportive ways. These are an economic objective; a social objective; and an environmental objective.
- 6.75 The application here is to be considered in the context of the presumption in favour of sustainable development as set out by Paragraph 11 d) of the NPPF. The preceding appraisal has not identified any harm relating to the matters identified at Footnote 7 and hence Paragraph 11 d) i. is not engaged. The proposal is instead to be considered with regards to the ‘tilted balance’ at 11 d) ii, which directs that permission should be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits.
- 6.76 The starting point for decision making however remains with the statutory development plan. The application site here forms part of a larger parcel of land that has been identified by policy HD4 of the CS as being a sustainable location for urban expansion and is within the settlement boundary defined by policy HS3 of the Holmer and Shelwick NDP. The principle of residential development is therefore supported by the development plan in locational terms.
- 6.77 The site is recognised as having a contextual relationship with the adjacent Park and Choose facility. The delivery of such a facility is a requirement of the allocation policy for Holmer West (Policy HD4), with the specific design and layout approved under application 201446/RM. While some representations have raised concerns that the current proposal could compromise the future use or function of the Park and Choose site, it is important to note that delivery of the transport facility is not dependent on the land within the current application site, and there are no policy or planning constraints that would prevent alternative uses—such as residential development—from coming forward. Moreover, the proposed scheme has been designed in a way that does not interfere with or undermine the operational function of the Park and Choose facility. On this basis, Officers are satisfied that the proposal would not result in any adverse impact on the delivery or functionality of the Park and Choose site.
- 6.78 The proposed development is to be delivered entirely as affordable rent accommodation, with an additional restriction that occupancy will be limited to military personnel - who are recognised as Essential Local Workers by the NPPF. The scheme would provide good quality, secure housing to meet the specific needs of this group, supporting both the retention of military sites within the county and helping to alleviate pressure on the wider rental market by freeing up other accommodation for general use. These are clear social and economic benefits, which Officers consider to attract significant weight in favour of the proposal. The sole use of the dwellings by military personnel and operation in accordance with ‘affordable rent’ criteria will be

secured through a Section 106 agreement, in accordance with the relevant legal tests under Regulation 122 of the Community Infrastructure Levy Regulations 2010.

- 6.79 The scheme incorporates measures to ensure there would be no adverse impacts in respect of matters such as residential amenity, local character, highways safety, flood risk and drainage, ecology and green infrastructure. There are no objections received from relevant technical consultees in relation to these issues, subject to the imposition of conditions. The preceding appraisal has not identified any demonstrable harms which lead to tensions to policy.
- 6.80 As such, and notwithstanding the positive presumption of Paragraph 11 d), the scheme is considered to be in general accordance with the development plan. It is hence representative of sustainable development and recommended for approval accordingly.

RECOMMENDATION:

It is recommended that subject to the completion of a legal agreement under Section 106 of the Town and Country Planning Country Act to secure the delivery of affordable housing for sole occupancy by military personnel (Appendix 1) and the imposition of the conditions detailed below (and any other further conditions considered necessary by officers named in the scheme of delegation), that Planning Permission be granted.

APPENDIX 1 - Draft S106 Legal Agreement

Standard Planning Permission Conditions

1. Time limit for commencement (full permission)

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990.

2. Development in accordance with Approved Plans

The development hereby approved shall be carried out in accordance with the following approved plans and the schedule of materials set out there on:

General:

- Development Boundary WE086-SL-9240 Development Boundary
- Site Layout WE086-SL-920F - DIO F
- Presentation Layout WE086-PD-0600E E
- Parking Strategy WE086-SL-9250A A
- External Works WE086-SL-9230B B
- Materials Layout WE086-SL-9220A A
- Visualisations Land Off Clubtail Drive, Holmer_Visuals

House Types:

- ADELIN 973.PL-02
- ADELIN 973.PL-03
- ADELIN 973.PL-04
- ADELIN 973.PL-05
- ALBANY 953.PL-02
- ALBANY 953.PL-03
- ALBANY 953.PL-04
- SATTERFIELD 2BF03-1V1.PL-07
- SATTERFIELD 2BF03-1V2.PL-07
- SATTERFIELD 2BF03V1.PL-07
- SATTERFIELD 2BF03V3.PL-07

- SATTERFIELD 2BF03V3-1.PL-07
 - VT0134.2BF03_SATTERFIELD V1
 - VT0134.2BF03-1_SATTERFIELD V1
 - VT0135.2BF03-1_SATTERFIELD V2
 - VT0136.2BF03_SATTERFIELD V3
 - VT0136.2BF03-1_SATTERFIELD V3
 - VT0137.953_ALBANY_GREY
- Landscaping:**
- Plot Landscaping Specification & Schedule WE086-LS-036f f
- Engineering:**
- Vehicle Tracking Plan WE086- DIO-003a a
 - Planning Engineering WE086-EN-DIO-001A A
 - Site Cross Sections WE086-EN-DIO-002
 -
- Reports:**
- Outline Construction Environmental Management Plan 302007-CTR059
 - Planning Statement 5026845
 - Design & Access Statement –B
 - The Statutory Biodiversity Metric Calculation Tool
 - Ecological Technical Note - CSA CSA/7361/01 A
 - Transport Statement - PJA 08569 C
 - Biodiversity Net Gain Assessment – CSA - CSA/7361/02 A
 - Drainage Statement - BWB 244783-SDS P02
 - Energy Statement – Briary Energy
 - Noise Impact Assessment e3p 51-421-R1-1
 - Response to LHA Comments 18/3/2025
 - Drainage Technical Note: Response to LLFA Comments May 25

Reason: To ensure the development is carried out in accordance with the approved details in the interests of securing a satisfactory form of development with accords with policies SD1, LD1 and HD4 of the Herefordshire Local Plan Core Strategy, policies HS3 and HS4 of the Holmer and Shelwick Neighbourhood Development Plan and the National Planning Policy Framework.

Pre-Commencement Conditions

3. Construction Environmental Management Plan

Prior to the commencement of the development hereby permitted, a Construction Traffic Management Plan shall be submitted to and approved in writing by the Local Planning Authority (in consultation with the Highway Authority for the A49 trunk road). The plan shall include, as a minimum:

1. Construction phasing
2. An HGV routing plan to include likely origin/destination information, potential construction vehicle numbers, construction traffic arrival and departure times, signage, accesses, and construction delivery times (to avoid peak hours)
3. Details of any special or abnormal deliveries or vehicular movements
4. Clear and detailed measures to prevent debris, mud, and detritus being distributed onto the local highway and SRN
5. Mitigation measures in respect of noise and disturbance during the construction phase including:
6. Vibration and noise limits
7. Monitoring methodology
8. Screening
9. A detailed specification of plant and equipment to be used
10. Construction traffic routes

Further information on the subject of this report is available from Mr Adam Lewis on 01432 383789

11. A scheme to minimise dust emissions arising from demolition/construction activities on the site. This scheme shall include:
12. Details of all dust suppression measures
13. Methods to monitor emissions of dust arising from the development
14. Waste management
15. Wheel washing measures
16. Protection measures for hedgerows and grasslands

Thereafter, all construction activity in respect of the development shall be undertaken in full accordance with such approved details unless otherwise approved in writing by the Local Planning Authority in consultation with the Highways Authority.

Reason: To mitigate any adverse impact from the development on the A49 trunk road and to satisfy the reasonable requirements of road safety.

4. Resource Audit

Prior to any development commencing on site, a Resource Audit shall be submitted to and approved in writing by the Local Planning Authority. The Resource Audit shall include the following;

- The amount and type of construction aggregates required and their likely source;
- The steps to be taken to minimise the use of raw materials (including hazardous materials) in the construction phase, through sustainable design and the use of recycled or reprocessed materials;
- The steps to be taken to reduce, reuse and recycle waste (including hazardous wastes) that is produced through the construction phase;
- The type and volume of waste that the development will generate (both through the construction and operational phases);
- On-site waste recycling facilities to be provided (both through the construction and operational phases);
- The steps to be taken to ensure the maximum diversion of waste from landfill (through recycling, composting and recovery) once the development is operational;
- End of life considerations for the materials used in the development; and
- Embodied carbon and lifecycle carbon costs for the materials used in the development.

Construction works shall thereafter be carried out in full accordance with the details of the approved Resource Audit unless agreed in writing by the Local Planning Authority.

Reason: The treatment/handling of any site waste is a necessary initial requirement before any groundworks are undertaken in the interests of pollution prevention and efficient waste minimisation and management so as to comply with Policy SD1 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

Conditions to Discharge

5. Overheating Assessment / Noise Impact Mitigation

Prior to the first occupation of any dwelling with a façade frontage facing the A49 to the east (as identified on Figure 5 of Noise Impact Assessment 51-421-R1-1), an

Overheating Assessment using CIBSE TM52 shall be undertaken and submitted to the Local Planning Authority for written approval. The supplied scheme shall be undertaken with reference to the Acoustics Ventilation and Overheating Residential Design Guide January 2020 (Association of Noise Consultants) and shall include mitigation measures to ensure that predicted temperatures inside the specified dwellings do not exceed overheating criteria. The scheme of approved measures shall subsequently be implemented prior to first occupation of the dwellings and thereafter maintained in perpetuity.

Reason: To ensure that the amenity of future residents is not adversely affected by traffic noise and the potential effects of overheating, in the interests of securing good standards of living in accordance with policy SD1 of the Herefordshire Local Plan Core Strategy; policy HS3 of the Holmer and Shelwick Neighbourhood Development Plan and Chapter 12 of the National Planning Policy Framework.

6. Vehicular access construction

With the exception of site clearance and groundworks, no further development shall take place until a construction specification for the new vehicular accesses to the public highway network have been submitted to and approved in writing by the Local Planning Authority. The access shall subsequently be delivered in accordance with the approved details prior to the first occupation of any dwellings.

Reason: In the interests of highway safety and to conform to the requirements of Policy MT1 of Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

7. Driveway and Maneuvering Area Specification

Prior to the first occupation of the development hereby approved the driveway and/or vehicular turning area shall be consolidated and surfaced at a gradient not steeper than 1 in 8. Private drainage arrangements must be made to prevent run-off from the driveway discharging onto the highway. Details of the driveway, vehicular turning area and drainage arrangements shall be submitted to and approved in writing by the local planning authority prior to commencement of any works in relation to the driveway/vehicle turning area.

Reason: In the interests of highway safety and to conform to the requirements of Policy MT1 of Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

8. Parking Specification – Shared Private Drives

Prior to the first occupation of any dwelling hereby approved, a detailed scheme for the surfacing and drainage of the parking areas shown on approved plan WE086-EN-DIO-001A shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented prior to the occupation of the dwellings and thereafter those arrangements shall be maintained in perpetuity.

Reason: In the interests of highway safety and to ensure the free flow of traffic using the adjoining highway and to conform to the requirements of Policy MT1 of Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

9. Cycle Storage

Prior to the first occupation of any dwelling hereby approved, full details of a scheme for the provision of covered and secure cycle parking facilities shall be submitted to the Local Planning Authority for their written approval. The covered and secure cycle parking facilities shall be carried out in strict accordance with the approved details and available for use prior to the first use of the development hereby permitted. Thereafter these facilities shall be maintained in perpetuity.

Reason: To ensure that there is adequate provision for secure cycle accommodation within the application site, encouraging alternative modes of transport in accordance with both local and national planning policy and to conform to the requirements of Policies SD1 and MT1 of Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

10. Scheme of Ecological Enhancement

Prior to the first occupation of the development hereby approved, a detailed plan and specification for the scheme of ecological enhancement measures set out at Section 5.4 of the Ecological Technical Note by CSA Environmental dated November 2024 shall be submitted to and approved in writing by the Local Planning Authority. The measures shall subsequently be implemented in accordance with the approved details prior to the first occupation of the development.

Reason: To ensure that all species are protected and habitats enhanced having regard to the Wildlife and Countryside Act 1981, Conservation of Habitats and Species Regulations (2017), National Planning Policy Framework, NERC Act (2006), Herefordshire Local Plan - Core Strategy policy LD2.

11. Scheme of Landscape Maintenance and Management

Before the development is first occupied, a scheme of landscape management and maintenance for a period of 10 years following the first occupation of the development shall be submitted to and approved in writing by the local planning authority. The works shall subsequently be carried out in accordance with the approved management and maintenance schedule.

Reason: In order to ensure the successful establishment of the approved landscaping scheme in accordance with policies SS6, LD1, LD3 and HD4 of the Herefordshire Local Plan Core Strategy, policy HS4 of the Holmer and Shelwick Neighbourhood Development Plan and the National Planning Policy Framework.

12. Water Efficiency

Prior to the first occupation of the development hereby approved, a scheme demonstrating that water efficiency measures will be provided to each dwelling to achieve the optional technical standards of 110 litres per person per day shall be provided to the Local Planning Authority for written approval. The measures shall be implemented in accordance with the approved details prior to the first occupation of that dwelling.

Reason: To ensure compliance with Policies SD3 and SD4 of the Hereford Local Plan – Core Strategy and the National Planning Policy Framework.

Compliance and Monitoring Conditions

13. Delivery of Visibility Splays

Prior to the first occupation of the development hereby approved, visibility splays (and any associated set back splays at 45 degree angles) shall be provided for the new access points onto the cul-de-sac road leading to Clubtail Drive from a point 0.6 metres above ground level at the centre of the access to the application site and 2.4 metres back from the nearside edge of the adjoining carriageway (measured perpendicularly) for a distance of 45 metres in each direction along the nearside edge of the adjoining carriageway (in accordance with plan 08569-CI-A-001 Internal Visibility Assessment & Geometry Plan – Appendix C Transport Statement). Nothing shall be planted, erected and/or allowed to grow on the triangular area of land so formed which would obstruct the visibility described above.

Reason: In the interests of highway safety and to conform to the requirements of Policy MT1 of Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

14. Surface Water Drainage Implementation

No dwelling shall be occupied until the scheme of surface water management arrangement have been fully implemented and are operational in accordance with the details set out within approved plans and documents: WE086-EN-DIO-001A Planning Engineering; Drainage Technical Note WE086-EN-DIO-TN01 and Drainage Statement (Ref: 244783-BWB-XX-XX-T-C-0001_SDS).

Reason: In order to ensure that satisfactory drainage arrangements are provided and to comply with Policies SD3, SD4 and HD4 of the Herefordshire Local Plan – Core Strategy and the principles set out at Chapters 14 and 15 of the National Planning Policy Framework.

15. Landscaping Implementation

All planting, seeding or turf laying in the approved landscaping scheme (Landscaping Specification and Schedule WEO86-LS-036e) shall be carried out in the first planting season following the occupation of the building or the completion of the development, whichever is the sooner. All hard landscaping shall be carried out concurrently with the development and completed prior to first occupation of the housing. Any trees or plants which die, are removed or become severely damaged or diseased within 5 years of planting will be replaced in accordance with the approved plans.

Reason: To ensure implementation of the landscape scheme approved by local planning authority in order to conform with policies SS6, LD1, LD3 and HD4 of the Herefordshire Local Plan Core Strategy, policy HS4 of the Holmer and Shelwick Neighbourhood Development Plan and the National Planning Policy Framework.

16. Habitat Regulations - Nature Conservation (River Wye SAC) – Surface Water

Unless otherwise agreed in writing by the Local Planning Authority as detailed in the application information and plans all surface water flows created by the approved development shall be managed through an approved Sustainable Drainage System (SuDS). No surface water shall be discharged to any local mains sewer. Hereafter, the approved surface water scheme (SuDS) shall be managed and maintained as approved for the lifetime of the development it supports.

Reason: In order to ensure Nutrient Neutrality and comply with The Conservation of Habitats and Species Regulations 2017, as amended by the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019' (the 'Habitats Regulations'),

National Planning Policy Framework, NERC Act (2006) and Herefordshire Local Plan - Core Strategy policies SS1, SS6, LD2, SD3 and SD4.

17. Habitat Regulations - Nature Conservation (River Wye SAC) – Foul Water

Unless otherwise agreed in writing by the Local Planning Authority as detailed in the application form, all foul water flows created by the approved development shall be managed through a connection to the local mains sewer network. The approved foul water scheme shall be managed and maintained as approved for the lifetime of the development it supports.

Reason: In order to ensure Nutrient Neutrality and comply with The Conservation of Habitats and Species Regulations 2017, as amended by the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019' (the 'Habitats Regulations'), National Planning Policy Framework, NERC Act (2006) and Herefordshire Local Plan - Core Strategy policies SS1, SS6, LD2, SD3 and SD4.

18. Protected Species and Dark Skies (external illumination)

No external lighting of any kind shall be provided other than the maximum of one external LED down-lighter above or beside each external door (and below eaves height) with a Corrected Colour Temperature not exceeding 2700K and brightness under 500 lumens. Every such light shall be directed downwards with a 0 degree tilt angle and 0% upward light ratio and shall be controlled by means of a PIR sensor with a maximum over-run time of 1 minute. The Lighting shall be maintained thereafter in accordance with these details.

Reason: To ensure that all species and local intrinsically dark landscape are protected having regard to The Conservation of Habitats and Species Regulations 2017, as amended by the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019' (the 'Habitats Regulations'), Wildlife & Countryside Act (1981 amended); National Planning Policy Framework, NERC Act (2006) and Herefordshire Local Plan - Core Strategy policies SS1, SS6, LD1-3; and the council's declared Climate Change and Ecological Emergency.

19. Habitat Regulations – Construction Environmental Management Plan

Unless otherwise approved in writing by the planning authority the measures detailed in the Construction Environmental Management Plan (RSK - November 2024) shall be implemented in full and maintained until all construction has been completed and all machinery and spare materials removed from site.

Reason: To ensure that all species are protected and habitats enhanced having regard to the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019' (the 'Habitats Regulations'), Wildlife and Countryside Act 1981.), National Planning Policy Framework (2021), NERC Act (2006) and Herefordshire Local Plan - Core Strategy policies SS1, SS6, LD1, LD2 and LD3 and the council's declared Climate Change & Ecological Emergency.

20. Implementation of Renewable Energy Measures

Prior to the first occupation of the development hereby approved, the scheme of energy efficiency and renewable energy measures set out within the Energy Strategy Statement by Briary Energy shall be implemented in full and thereafter maintained in perpetuity.

Reason: To ensure implementation of the measures to contribute towards energy efficiency and low carbon energy generation, as required by policies SD1 and SD2 of the Herefordshire Local Plan Core Strategy and the National Planning Policy Framework.

21. Implementation of EWM's

The development hereby approved shall be carried out in accordance with the scheme of risk avoidance and precautionary working methods set out at Chapter 5 of the Ecological Technical Note by CSA Environmental dated November 2024, unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure that all species are protected and habitats enhanced having regard to the Wildlife and Countryside Act 1981, Conservation of Habitats and Species Regulations (2017), National Planning Policy Framework, NERC Act (2006), Herefordshire Local Plan - Core Strategy policy LD2.

22. Working Hours During Construction Phase

During the construction phase no machinery shall be operated, no process shall be carried out and no deliveries taken at or dispatched from the site outside the following times: Monday - Friday 7.30am - 6.00 pm, Saturday 8.00 am - 1.00 pm; nor at any time on Sundays, Bank or Public Holidays.

Reason: To protect the amenity of local residents and to comply with Policy SD1 of Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

STATUTORY CONDITION - BIODIVERSITY NET GAIN

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the statutory condition “(the biodiversity gain condition)” that development may not begin unless:

- a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission would be Herefordshire Council.

Based on the information supplied with the application, none of the statutory exemptions or transitional arrangements apply and hence this permission is considered to one which will require the approval of a biodiversity gain plan before development commences.

INFORMATIVES

1. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against planning policy and any other material considerations. Negotiations in respect of matters of concern with the application (as originally submitted) have resulted in amendments to the proposal. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.
2. This planning permission is pursuant to a planning obligation under Section 106 of the

Town and Country Planning Act 1990.

3. This permission does not authorise the laying of private apparatus within the confines of the public highway. The applicant should apply to Balfour Beatty (Managing Agent for Herefordshire Council) Highways Services, Unit 3 Thorn Business Park, Rotherwas, Hereford HR2 6JT, (Tel: 01432 261800), for consent under the New Roads and Streetworks Act 1991 to install private apparatus within the confines of the public highway. Precise details of all works within the public highway must be agreed on site with the Highway Authority. A minimum of 4 weeks notification will be required (or 3 months if a road closure is involved).

Under the Traffic Management Act 2004, Herefordshire Council operate a notice scheme to coordinate Streetworks. Early discussions with the Highways Services Team are advised as a minimum of 4 weeks to 3 months notification is required (dictated by type of works and the impact that it may have on the travelling public). Please note that the timescale between notification and you being able to commence your works may be longer depending on other planned works in the area and the traffic sensitivity of the site. The Highway Service can be contacted on Tel: 01432 261800.

4. The attention of the applicant is drawn to the provisions of the Wildlife and Countryside Act 1981 (as amended). This gives statutory protection to a number of species and their habitats. Other animals are also protected under their own legislation. Should any protected species or their habitat be identified during the course of the development then work should cease immediately and Natural England should be informed. They can be contacted at: Block B, Government Buildings, Whittington Road, Worcester, WR5 2LQ. Tel: 0300 060 6000.

The attention of the applicant is also drawn to the provisions of the Conservation of Habitats and Species Regulations 2010. In particular, European protected animal species and their breeding sites or resting places are protected under Regulation 40. It is an offence for anyone to deliberately capture, injure or kill any such animal. It is also an offence to damage or destroy a breeding or resting place of such an animal.

5. The applicant's attention is drawn to the requirement for design to conform to Herefordshire Council's 'Highways Design Guide for New Developments' and 'Highways Specification for New Developments'.
6. With regards to Condition 5, a good acoustic design process should be followed in accordance with the 'Professional Practice Guidance on Planning and Noise: New Residential Development' (May 2017 or later versions) to ensure that the noise criteria are achieved with as many windows open as possible. Any design measures that are used to control the ingress of noise must be consistent and compatible with the requirements of Approved Documents O and F.

Decision:

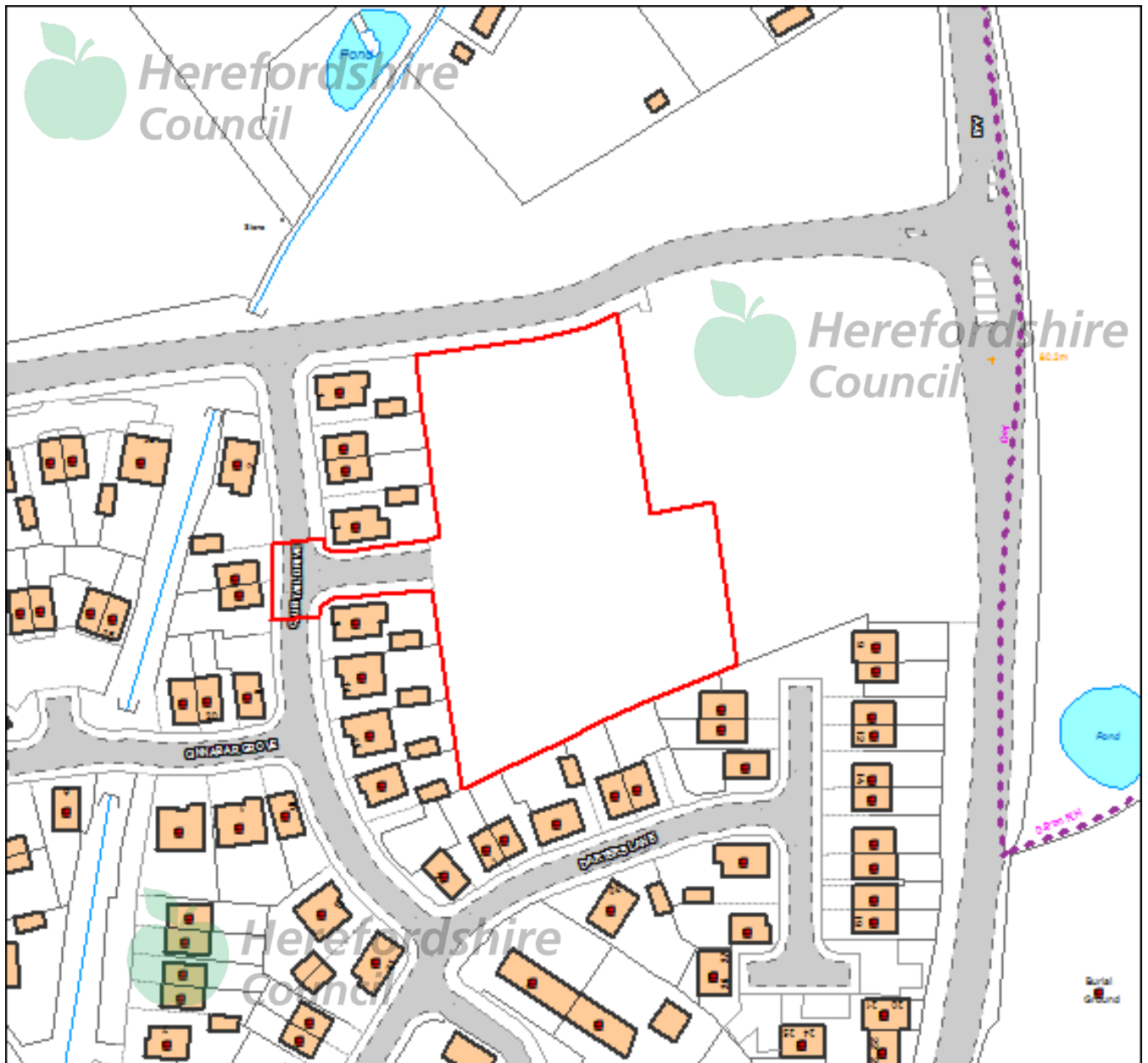
Notes:

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APPENDIX 1 - Draft S106 Legal Agreement

Background Papers

None identified.



This copy has been produced specifically for Planning purposes. No further copies may be made.

APPLICATION NO: 243045

SITE ADDRESS : LAND OFF CLUBTAIL DRIVE, HOLMER, HEREFORD

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