

PLANNING STATEMENT

Land at Old Kilns, Church Lane,
Howle Hill, Ross-On-Wye



RCA Regeneration Ltd

Unit 6 De Salis Court

Hampton Lovett Industrial Estate

Droitwich Spa

Worcestershire

WR9 0QE


01905 887686

Client: David Jordan

Client reference: RCA168b

Friday, 11 December 2020

QMS

Author:	JB
Checked:	SG
Version issued to:	Client
Version for:	Submission
Date:	11/12/2020 11:06:16
File Location:	https://rcaregeneration.sharepoint.com/sites/intranet/rcashare/Shared Documents/Jobs/D - F/David Jordan (RCA168)/Howle Hill (RCA168b)/PRE-SUBMISSION/Planning Statement/Planning Statement V3.docx
RCA QMS CERTIFICATION	<div></div> <p>RCAF010</p>

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TABLE OF CONTENTS

1	INTRODUCTION.....	0
2	SITE AND SURROUNDING AREA.....	1
3	PLANNING HISTORY.....	3
4	PROPOSED DEVELOPMENT.....	4
5	DEVELOPMENT PLAN AND OTHER MATERIAL CONSIDERATIONS.....	6
	The Development Plan.....	6
	Herefordshire Local Plan Core Strategy (2015)	6
	Other Material Considerations	9
	National Planning Policy Framework (2019)	9
	Herefordshire Annual Monitoring Report (July 2019).....	11
	Planning Obligations Supplementary Planning Document	11
6	PLANNING BALANCE.....	12
	Principle of Development	12
	National Planning Policy Framework (2019).....	16
	Landscape Statement.....	17
	Foul and Surface Water Drainage.....	17
	Ecology	17
	Summary.....	17

FIGURES

Figure 1 - Site Location Plan	1
Figure 2 - Proposed Site Layout.....	4

1 INTRODUCTION

- 1.1 This Planning Statement has been prepared to accompany an outline planning application for the development of 5 dwellings for Land at Old Kilns, Church Lane, Howle Hill, Ross-On-Wye, HR9 5SP (the application site) on behalf of David Jordan (the applicant).
- 1.2 The outline application is submitted with all matters reserved, made to the Local Authority of Herefordshire Council.
- 1.3 The statement describes the site and its surroundings, as well as the proposed development and provides a narrative on the relevant local and national planning policy, before assessing the proposals in the planning balance and drawing conclusions.
- 1.4 The statement is set out as follows:
- Section 2: Site and Surrounding Area;
 - Section 3: Planning History
 - Section 4: Proposed Development;
 - Section 5: Development Plan and Other Material Considerations;
 - Section 6: Planning Balance and Conclusion

2 SITE AND SURROUNDING AREA

- 2.1 The application site extends to an area of approximately 0.45 hectares of greenfield land, situated east of Howle Hill, which is a sprawling village located south of Ross-On-Wye. The extent of the site is depicted in Figure 1 below:

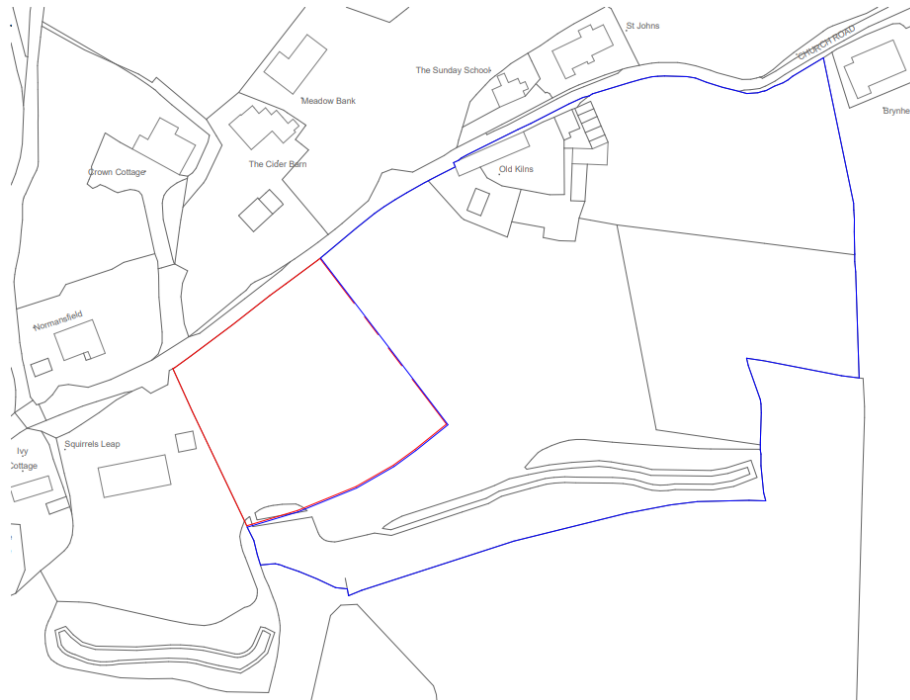


Figure 1 - Site Location Plan

- 2.2 There are no listed buildings near to the site. The nearest designated heritage asset is a Grade II War Memorial, located some 400m south west of the site near Howle Hill Nursery.
- 2.3 The site is undulating and slopes generally from south east to north west. The site is in Flood Zone 1 (lowest risk), with just a small area of the site in the south west corner that has a 'High Risk' of surface water flooding. More details on drainage is provided in Section 6.
- 2.4 Just beyond the southern boundary is a line of mature trees, which are to be retained. There is a hedge boundary at the north and west boundaries of the site, whilst the northern boundary contains a gate which allows access.
- 2.5 The site is located a short distance east of the Wye Valley AONB. The site does fall within a Safeguarding Mineral Reserves area, and near to a Local Wildlife Site or Site of Importance for Nature Conservation.

- 2.6 The village of Howle Hill contains Howle Hill Nursery, whilst there is a public house a short distance west, along with a range of services and facilities available in surrounding villages. A greater range of services and facilities are available within Ross-On-Wye, under 2 miles to the north of the site. Walford, 1.5 miles west of the site contains a Nursery and Primary School.
- 2.7 Dwellings within the surrounding area are distinctly mixed, a common design feature being white rendered walls. Though the traditional local vernacular is that of local stone walls and slate roofs. The Design and Access Statement identifies that the built form is frequently seen in groups, which may have arisen as farmsteads have evolved over time.

3 PLANNING HISTORY

3.1 The following table sets out the planning history for the entire Old Kilns site:

Application Reference	Description	Decision	Date
DS003247/U	Certificate of Lawfulness – Siting of mobile home	Approve	9th June 2000

Pre Application Advice

3.2 Pre application advice application was received earlier in 2020, which contained a number of comments pertaining to the principle of development, as well as other material considerations that might be involved as part of any forthcoming application. The Council note that the site is adjacent to the village boundary, but did have some concerns over the quantum of development proposed, in connection with the relative size of Howle Hill and its ability to accommodate new development. It was also suggested that the layout should be in a linear form to reflect the pattern of the settlement. Comments were also provided in terms of providing a mix of dwellings. The response also includes ecological, drainage and landscape related comments.

4 PROPOSED DEVELOPMENT

- 4.1 The proposals seek outline permission, with all matters reserved, for the construction of five homes and associated infrastructure.
- 4.2 An illustrative layout is shown in Figure 2 below which demonstrates how the proposed development could be achieved on the application site:



Figure 2 - Proposed Site Layout

- 4.3 The indicative layout shows that the site could comfortably include five dwellings, with the requisite number of parking spaces, turning facilities and appropriately sized gardens. The site also incorporates an area of Green Infrastructure, which also includes space for dewpond, filtration area and play space.
- 4.4 The indicative mix of dwellings shown are 2no. 2-bed dwellings, 2no. 3-bed dwellings and 1no. 4-bed dwelling. This is in response to the pre application comments, with consideration of the Ross on Wye HMA.

- 4.5 As it has been established, there is an area of existing mature tree planting beyond the southern boundary of the site. In recognition of the important contribution mature woodland makes from an environmental perspective, this area is to be enhanced with a ribbon of tree planting along the southern boundary. These trees significantly reduce the visual impact of the development.
- 4.6 A set of illustrative house types are included within the Design and Access Statement. The approach taken with the design of dwellings will be to reflect the character and appearance of the area. Accordingly, the illustrative dwellings are of a modest design and contain a mixture of stone and render walls, with slate roofs.
- 4.7 The development of the site allows for the addition of another 'cluster' of housing which fits in with the prevailing settlement pattern. This is further achieved when considering the building line reflects the existing dwelling to the west. Though the layout has been adjusted following pre application advice, with a linear form of development to address the comments made by the Council.
- 4.8 The existing hedge boundary is to be retained, whilst the existing access is also to be utilised and widened.

5 DEVELOPMENT PLAN AND OTHER MATERIAL CONSIDERATIONS

- 5.1 Section 38(6) of the Planning and Compulsory Purchase Act (2004) states that planning applications should be made in accordance with the Development Plan unless material considerations indicate otherwise.

The Development Plan

- 5.2 For the purposes of this application, the Development Plan comprises the Herefordshire Local Plan Core Strategy, adopted October 2015.
- 5.3 The draft Minerals and Waste Local Plan was consulted upon in 2019, though this is not yet adopted. The Rural Areas Sites Allocation Development Plan Document is still at relatively early stages, since the issues and options document was consulted upon in June-July 2017. Generally, the Core Strategy is being supplemented with Neighbourhood Plans.
- 5.4 Walford is subject to an emerging Neighbourhood Plan, but this has not yet reached any milestones that would lead to any weight being attributed to it.

Herefordshire Local Plan Core Strategy (2015)

- 5.5 The Core Strategy, adopted in October 2015, is in place to shape future development and set out the overall strategic vision for Herefordshire.
- 5.6 Within the Core Strategy, the following key policies are considered to be relevant:

Policy SS1 – Presumption in favour of sustainable development	This policy sets out the positive approach the Council will take when determining planning applications.
Policy SS2 - Delivering new homes	This policy states that 16,500 homes will be required in Herefordshire between 2011 and 2031; it also sets out the broad distribution of housing growth, with 5,300 dwellings to be provided in rural settlements.

Policy SS3 - Ensuring sufficient housing land delivery	This policy is in place to ensure that sufficient housing is provided across the plan period, with mechanisms set out to address under delivery.
Policy SS4 - Movement and transportation	This policy seeks to minimise transport impact on the transport network and ensure safety from a transport perspective. Development proposals should be sustainably located and offer a choice of travel modes.
Policy SS6 - Environmental quality and local distinctiveness	This policy seeks to ensure quality developments that account for the settlement pattern, landscape and heritage assets and other environmental designations. The policy places priority on environmental considerations.
Policy SS7- Addressing climate change	This policy sets out the Council's strategies for addressing climate change at a strategic and more localised scale.
Policy RA1 – Rural housing distribution	This policy sets out the number of homes to be provided within each of the seven Housing Market Areas (HMAs). Within the Ross-on-Wye HMA, the approximate number of dwellings to be provided between 2011 and 2031 is 1150 dwellings.
Policy RA2 – Housing in settlements outside Hereford and the market towns	This policy states that sustainable housing growth will be supported in or adjacent to settlements outside Hereford or the Market Towns. This will help to maintain and strengthen locally sustainable communities. The policy states that Neighbourhood Development Plans will allocate housing sites and will be permitted provided it follows a set of criteria.
Policy H1 - Affordable housing – thresholds and targets	This policy seeks affordable housing contribution on sites with greater than 10 units or more than 1000sqm. This would be 40% within the Ross-on-Wye HMA.

Policy H3 – Ensuring an appropriate range and mix of housing	This policy states that developments should provide a range and mix of housing units.
Policy OS1 - Requirement for open space, sports and recreation facilities	Provision of appropriate open space, sports and recreation facilities should be provided as part of all new residential planning applications.
Policy MT1 – Traffic management, highway safety and promoting active travel	This policy sets out principles covering transportation and movement.
Policy LD1 – Landscape and townscape	This policy sets out requirements that development proposal should adhere to, such as ensuring new developments integrate appropriately into its surroundings.
Policy LD2 – Biodiversity and geodiversity	This policy sets out the requirement for developments to conserve, restore and enhance the biodiversity and biodiversity assets of Herefordshire.
Policy LD3 – Green infrastructure	This policy sets out how green infrastructure should be preserved and how new green infrastructure should be delivered.
Policy SD1 – Sustainable design and energy efficiency	Developments should create safe and well-integrated environments – the policy sets out a series of requirements.
Policy SD3 – Sustainable water management and water resources	The importance of sustainable water management is set out as essential in order to reduce flood risk, as well as deliver a series of benefits.

Policy SD4 - Wastewater treatment and river water quality	This policy relates to the need to protect water quality within rivers, in particular to do with harmful phosphates.
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Other Material Considerations

National Planning Policy Framework (2019)

- 5.7 The National Planning Policy Framework was revised in February 2019 and sets out the Government's planning policies for England and how these should be applied.
- 5.8 At Paragraph 7 it sets out that the purpose of the planning system is to contribute to the achievement of sustainable development. It continues at Paragraph 8 to note that achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways:
- **An economic objective** – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
 - **A social objective** – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
 - **An environmental objective** – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.
- 5.9 At Paragraph 10 it notes that so that sustainable development is pursued in a positive way, at the heart of the Framework is the presumption in favour of sustainable development. Paragraph 11 continues in that for decision-taking this means:
- Approving development proposals that accord with an up-to-date development plan without delay; or

- Where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - The application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
- 4.9 Paragraph 38 sets out how local planning authorities should approach decisions on proposed development in a positive and creative way. Decision-makers at every level should seek to approve applications for sustainable development where possible.
- 5.10 Paragraph 39 confirms how early engagement has significant potential to improve the efficiency and effectiveness of the planning application system for all parties. Good quality pre-application discussion enables better coordination between public and private resources and improved outcomes for the community.
- 5.11 Paragraph 55 sets out how planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects.
- 5.12 At Paragraph 59 it notes that to support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.
- 5.13 As outlined in Paragraph 109, development should only be prevented or refused on highways grounds if there would be unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 5.14 The creation of high quality buildings and places is fundamental to what the planning and development process should achieve as identified at Paragraph 124. It continues to set out that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.
- 5.15 Paragraph 170 confirms that planning policies and decisions should contribute to and enhance the natural and local environment by:

- a) Protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);
- b) Recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;
- c) Maintaining the character of the undeveloped coast, while improving public access to it where appropriate;
- d) Minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;
- e) Preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and
- f) Remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.

Herefordshire Annual Monitoring Report (July 2019)

- 5.16 In the latest Annual Monitoring Report, Herefordshire County Council claim to have a 4.05 year supply of housing.
- 5.17 We consider in light of the review of the transport strategy for Hereford and issues with the Lugg River SSSI and Wye River SAC, this figure may well be significantly lower. There is therefore an urgent and pressing need for new housing in the county.

Planning Obligations Supplementary Planning Document

- 5.18 The Planning Obligations SPD aims to provide greater clarity for developers and applicants. It also aims to speed up the processing of applications and provide a clearer framework for assessing requirements and for calculating contributions. It plays an important role in ensuring community and infrastructure needs are fulfilled as part of new development.

6 PLANNING BALANCE

- 6.1 This section aims to assess the planning balance of the proposals along with the technical information submitted in support of the proposals.

Principle of Development

- 6.2 The council, in their latest AMR, acknowledge that they cannot deliver a 5 year housing land supply. This means that the tilted balance is engaged.
- 6.3 Policy RA2 states that sustainable housing growth will be supported in or adjacent to settlements identified in figures 4.14 and 4.15. Howle Hill is contained within that list, meaning that the principle of development is acceptable, subject to compliance with a set of criteria. Whilst it is evident that the site is not a brownfield parcel, in general, the relevant criteria are met. The design and layout reflects the character of the settlement, being formed as a cluster, with the design taking cues from surrounding dwellings resulting in a high quality development. The proposed development would also include a mix of dwelling types, as shown within the indicative layout, and of course subject to agreement at reserved matters stage.
- 6.4 Within the pre application advice, some concern was raised over the suitability of providing 5 dwellings at the site, in connection with the relative size of Howle Hill. Census data¹ indicates that there are at least 241 dwellings within the Howle Hill, though this is regarded as a slight underestimation, given the way in which the ward boundary wraps tightly around part of the village, excluding other parts. A development of 5 dwellings would be a relatively small addition to the village and would therefore be proportionate. The development should be considered acceptable in accordance with Policy RA2.
- 6.5 Paragraph 11d of the NPPF states that where the policies most relevant to the determination of the application are out-of-date, permission should be granted unless other policies in the Framework, in place to protect areas of particular importance would indicate otherwise; or, any adverse effects of doing so would significantly and demonstrably outweigh the benefits. It is evident that neither of the caveats at paragraph 11d apply here, so taking this policy into account, as well as the fact that the tilted balance is engaged, it is considered that the principle of development is established.

¹ Local Area Report for areas in England and Wales - Nomis (nomisweb.co.uk)

6.6 By way of comparison, it is considered that the policies set out within the Core Strategy are adhered to, as is demonstrated in the following table:

Policy SS1 – Presumption in favour of sustainable development	The applicants welcome the positive approach taken by the Council as set out in this policy.
Policy SS2 - Delivering new homes	The Council are currently not providing an adequate number of homes to meet the current needs, demonstrated through the lack of a 5 year housing land supply. The proposed development would make a modest but important contribution to local housing delivery.
Policy SS3 - Ensuring sufficient housing land delivery	As it has been discussed, the Council cannot demonstrate a five year housing land supply; this provides compelling justification to approve the proposed development, partly a result of its contribution to housing delivery.
Policy SS4 - Movement and transportation	Safe access can be achieved to the development, as well as the requisite number of parking spaces. The site is in a rural location, and some motorised travel would be necessary in order for occupiers to reach some facilities and services – however this is expected in such locations. The local road network is uncongested and in terms of trips during the am and pm peak, the impact arising from 5 dwellings would be negligible. The Council also have a target to deliver more than 5,000 homes in rural areas. Dwellings could also be provided with external sockets for electric vehicles, assisting more sustainable journeys.
Policy SS6 - Environmental quality and local distinctiveness	This policy has been met through the priority places on ecology. The woodland to the south of the site would be retained and also enhanced. This would clearly deliver ecological benefits. In addition, an attenuation basin is to be provided, providing another potential habitat, if the pond were to be permanently wet.

Policy SS7- Addressing climate change	The dwellings would be of a high quality, being energy efficient through the 'fabric first' as well as incorporating sustainable energy measures. Moreover, the development proposed an attenuation basin helping to manage surface water drainage, particularly important when considering the potential impacts of climate change. Tree planting is also promoted through the development, with enhancement to the woodland at the south of the site.
Policy RA1 – Rural housing distribution	This policy sets out the number of homes to be provided within each of the seven Housing Market Areas (HMAs). Within the Ross-on-Wye HMA, the approximate number of dwellings to be provided between 2011 and 2031 is 1150 dwellings. Whilst the delivery within the Ross-on-Wye HMA has been in line with the target, net completions across the Authority has been 3821 dwellings, which is a shortfall of 1729 dwellings against the target of 5550 by this stage in the plan period.
Policy RA2 – Housing in settlements outside Hereford and the market towns	This policy states that sustainable developments will be supported in or adjacent to certain settlements, one of which is Howle Hill, meaning that the principle of development is acceptable. This is subject to a list of criteria, which as discussed in paragraph 6.3 is met.
Policy H1 - Affordable housing – thresholds and targets	The policy is below the threshold for affordable housing delivery and therefore would not attract affordable housing contributions.
Policy H3 – Ensuring an appropriate range and mix of housing	This policy can be met through the delivery of a mixed scheme – this would be determined at reserved matters.

Policy OS1 - Requirement for open space, sports and recreation facilities	A proportionate area of open space is provided within the site, with good natural surveillance and acting as a village green, together with an attenuation function.
Policy MT1 – Traffic management, highway safety and promoting active travel	Safe access into the site can be achieved, together with turning facilities and an adequate number of parking spaces.
Policy LD1 – Landscape and townscape	The proposed scheme is capable of integrating well with its surroundings. This could be achieved through the provision of enhanced woodland at the south of the site, as well as the retention of hedging at the site frontage. The majority of dwellings are also set back from the road, as are many of the nearby dwellings. The buildings are also aligned with the neighbouring property.
Policy LD2 – Biodiversity and geodiversity	The conservation and restoration of ecology is prioritised within the development, including the enhancement of local woodland, a substantial environmental benefit.
Policy LD3 – Green infrastructure	New green infrastructure is provided within the scheme, meeting this policy requirement.
Policy SD1 – Sustainable design and energy efficiency	Developments should create safe and well-integrated environments – the policy sets out a series of requirements. The proposed development is capable of meeting these requirements.
Policy SD3 – Sustainable water management and water resources	The provision of SUDS is integrated, in the form of an attenuation basin at the site frontage to manage surface water drainage. This complies with the policy.

Policy SD4 - Wastewater treatment and river water quality	The proposal is not known to affect the Rivers Lugg or Wye, and even if surface water was to drain to these catchments, it is entirely possible that a combined outfall could be offered in order to bypass these rivers (as drainage to either of them may not be available).
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National Planning Policy Framework (2019)

6.7 At the heart of the Framework is a presumption in favour of sustainable development. In order to achieve this, developments must meet economic, social and environmental objectives:

- **Economic** – The development will create employment through the construction and development process. This is particularly pertinent given recent rises in unemployment, as well as the Government's 'Build Build Build' campaign to stimulate the economy. Smaller developments will provide greater benefits to smaller and more local contractors too, who are less likely to be involved in the larger infrastructure projects touted by the Government. Whilst the village is within a Village, it is noted that there is not an expansive range of services within the village itself; though the NPPF is clear at paragraph 78 that *"development in one village may support services in a village nearby"*. The development would therefore assist rural vitality.
- **Social** – The development would provide a mix of dwellings which would improve housing choice in the area where there is currently very little planned development. The indicative scheme is designed to maximise natural surveillance over the shared space.
- **Environmental** – The site is presently a greenfield land parcel, which clearly would be permanently changed through development. However, the development of the site would be capable of delivering substantial environmental benefits. Firstly, the development of this site would be preferable to the development of more sensitive land within the nearby AONB. The northern extent of the site retains the existing hedgerow, which would be reinforced if necessary, but also includes an attenuation basin which would form a new habitat for a range of species. The proposal would result in the delivery of energy efficient dwellings and would incorporate electric car charging points, all of which would make a positive contribution to reducing the impact of climate change.

- 6.8 Paragraph 11d states that where the most relevant policies are out of date, which includes where the local planning authority cannot demonstrate a five year supply of deliverable housing sites, granting permission unless other policies that protect assets of particular importance indicate otherwise or in a situation where there would be adverse impacts that would significantly and demonstrably outweigh the benefits.
- 6.9 There are no other policies which would provide a clear reason for refusing the development, nor would there be any adverse impacts that would significantly and demonstrably outweigh the benefits. Accordingly, we consider that the application should be approved without delay.
- 6.10 The following sections summarise the **technical elements** of the application:

Landscape Statement

- 6.11 The Statement observes that the site has historic use as a quarry, with remnants of that seen through the site's topography. The site is only visible from the gate as tall hedgerows prevent visibility, whilst the design of the proposed development is in keeping with the village and the cluster style layout reflects the fabric of the village and respects the setting of the AONB (whilst noting it is outside it). The statement concludes that the proposed development would be compliant with all relevant policies.

Foul and Surface Water Drainage

- 6.12 Submitted alongside this application is an indicative drainage plan. The plan shows that foul waste will be dealt with using a septic tank or biodigester, set at least 7m from any structure. Whilst surface water will be drained to an attenuation/storage pond, the size of which will be determined by an engineer in due course.

Ecology

- 6.13 Naturally Wild have conducted a Preliminary Ecological Appraisal (PEA). The survey found the site as a whole to be of moderate ecological value, with the woodland within the 'blue line' providing habitats for bats. The hedgerows also provide potential habitat for foraging with the grass providing potentially suitable habitat for reptiles. The report suggests a number of recommendations and if these were carried out, the report concludes that there would not be a significant impact to protected trees and habitats,

Summary

- 6.14 This planning statement is in support of an outline application with all matters reserved for the construction of five dwellings with associated infrastructure on Land at Old Kilns, Church Lane, Howle Hill, Ross-On-Wye, HR9 5SP.

- 6.15 This statement has been prepared by RCA Regeneration Ltd on behalf of David Jordan (the applicant).
- 6.16 The proposed development is in accordance with the policies within the adopted Core Strategy, in particular Policy RA2 which states that proportionate developments within or adjacent to certain settlements are acceptable, provided the development is compliant with a set of criteria. The development largely meets all of these criteria, and therefore the principle of development is established.
- 6.17 The site falls outside of any 'Footnote 6' designations and is unconstrained, as demonstrated in the non-technical summary.
- 6.18 Herefordshire Council acknowledge that they cannot demonstrate a 5 year supply of deliverable homes which means that the tilted balance is engaged. There are no policies within the Framework which would provide a clear reason for refusal, nor are there any adverse impacts which would demonstrably outweigh the benefits, in our view.
- 6.19 The development contributes positively to the three pillars of sustainability, as it has been discussed at paragraph 6.7, part of which stems from the creation of a greater range of housing choice within the village and the habitat creation associated with the development.
- 6.20 Taken altogether, we consider that the application should be approved.