



T O M P K I N T H O M A S

# Planning Statement



Land at 182 Ledbury Road

Hereford

HR1 1RH

**October 2023**

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|-----------------|---------------------------|
| Client          | Mr & Mrs Williams         |
| Project         | Erection of two dwellings |
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## 1. The Application and Background

### 1.1 Introduction

1.1.1 This Planning Statement is prepared by Tompkins Thomas Planning on behalf of Mr & Mrs Williams ('the applicants') in support of an application seeking full planning permission for the erection of two dwellings in the large side and rear garden of no. 182 Ledbury Road.

1.1.2 This statement should be read in conjunction with the following plans and reports which accompany the application:

- The Location Plan, Site Plan, Elevations (John Phipps)

1.1.3 This submission addresses the single issue relating to a previously refused planning application; the impact of the development on the character and appearance of the area. The applicants have worked with the Council via their pre-application advice service to ensure that the scheme design now has an acceptable impact.

### 1.2 The Site and its context

1.2.1 The application site ('the Site' from hereon) is an unusually large rear and side garden at 182 Ledbury Road.

1.2.2 The site is located within Hereford, the county city and largest, best served settlement in Herefordshire. Hereford provides extensive employment, retail, leisure, and education facilities and services many of which are within walking distance of the site, whilst the city-wide bus services connect the site with areas of the city which aren't within a reasonable walking distance. Hereford also benefits from a railway station which provides frequent and direct onwards travel to national destinations including Birmingham, Cardiff, London and Manchester.

1.2.3 The site is immediately opposite a small parade of local shops including a fish and chip shop, newsagents and dentist.

### 1.3 This Site

1.3.1 The Site has an area of 335 sqm and comprises the side and rear garden of 182 Ledbury Road. It has a residential context being at Tupsley, a housing suburb of Hereford. The Site rises gently

from front (west) to back (east) mirroring the gradient of Quarry Road. It benefits from a residential hedgerow boundary which is in poor condition and ornamental trees. The rear garden is afforded privacy by a leylandii hedge which is approximately 2 metres in height which, due to its height and sense of enclosure, is uncharacteristic of the area which tends to benefit from open frontages or low garden walls constructed of brick.

- 1.3.2 The site is bound by 182 Ledbury Road to the north, 144 Quarry Road to the east, Quarry Road itself to the south (and from which access would be gained) and a no through road to the west. Whilst the no through road off which no. 182 is accessed is known as Ledbury Road, it is set back from the main road itself which is also known as Ledbury Road.

#### 1.4 Local designations

- 1.4.1 The site is not subject to landscape, ecology, or heritage designation and there are no PROWs near to the site.
- 1.4.2 The site is in Flood Zone 1 according to EA mapping which has the lowest probability of fluvial flooding whilst there are no known pluvial flooding issues at the site.

#### 1.5 Planning history

- 1.5.1 A review of the Council's online register indicates that the site's planning history is limited to two refused applications, the most recent of which was dismissed at appeal.
- 1.5.2 Application **P191097/F** proposed the erection of three dwellings on the same site as that for the instant case. An extract of the proposed layout for the application is below. The application was received as valid on 22<sup>nd</sup> March 2019 and had a target determination date of 17<sup>th</sup> May 2019. The application was refused under delegated powers on 20<sup>th</sup> September 2019 for the following reasons:

- 1. The proposed development is considered to be of a poor design that fails to take opportunities to improve the character and quality of the area. The proposal would detrimentally impact the appearance and character of the area. The proposal constitutes a cramped form of the development with three residential properties proposed on a modest residential garden forming part of a prominent corner plot in an area which is characterised for dwellings set within well proportioned plots. The application is therefore considered to be contrary to policies SD1, LD1, SS6 of the*

*Herefordshire Local Plan – Core Strategy (2011 – 2031) and the provisions of the National Planning Policy Framework (NPPF).*

2. *The proposed development will detrimentally impact the amenity for existing and future residents of 182 Ledbury Road, as the window on the south west gable of the dwellinghouse will be entirely overshadowed by unit one of the proposed development, this is due to the there only being a 1.2 metre gap between the gable end walls of the existing dwellinghouse and proposed dwellinghouse. Further the amenity of the future residents of the three dwellings will be of a poor standard and would negatively impact the health and well being of future occupants. The application is therefore considered to be contrary to policies SD1, LD1, SS6 of the Herefordshire Local Plan – Core Strategy (2011 – 2031) and the provisions of the National Planning Policy Framework (NPPF).*

1.5.3 A subsequent application sought to address the reasons for refusal. Application **P191097/F** proposed the erection of two dwellings but only in the rear garden of the dwelling. Nothing was proposed in the side garden. The application was received as valid on 20<sup>th</sup> December 2019. It was refused under delegated powers on 2<sup>nd</sup> October 2020 for similar reasons to its predecessor.

1.5.4 The subsequent appeal was dismissed on 13<sup>th</sup> July 2021 under reference APP/W1850/W/21/3270492, upholding the reasons for refusal.

## 1.6 Pre-application advice

1.6.1 In 2023, the applicants revisited the scheme and engaged the Council in their pre-application advice service under reference **231221/CE**. A site visit was carried out on 18<sup>th</sup> May 2023 at which Site constraints and opportunities were discussed. It was agreed at the meeting that the Site had the potential to accommodate a two-storey dwelling within the side garden area and a bungalow, designed as an outbuilding, in the rear garden.

1.6.2 Following the Site visit and initial advice, plans were prepared and submitted to Mr Simon Withers, the case officer, for his review. After three rounds of consultation, the plans which now accompany this application were agreed as delivering a development which had an acceptable impact on the character and appearance of the Site and the amenity of neighbours. The major changes were to:

- Include development within the rear and side garden areas but treating each as being able

to accommodate different style dwellings.

- To reduce the number of dwellings in the back garden from two to one;
- To reduce the height of development in the back garden from 2-storey to 1-storey;
- To reduce the scale and improve the design of the 2-storey dwelling in the side garden compared with the original application.

1.6.3 An email dated 29<sup>th</sup> September 2023 from Mr Withers confirmed that the amended plans addressed the Inspector's findings.

## 1.7 The Proposals

1.7.1 The application seeks full planning permission for a development which is described as follows:

### *The erection of 2 no. dwellings*

1.7.2 The proposal has two distinct elements. Within the rear garden is a single storey dwelling accessed via Quarry Road. The Layout shows the dwelling central on its plot on a similar building line to no.144 Quarry Road, but allowing for the curvature of the road. There is one parking space between the proposed dwelling and no.144. There is a garden to the rear and west of the dwelling. A path runs along the site frontage and around the east side of the dwelling.

1.7.3 The dwelling design is truly single storey with an eaves height of 2.6m and a ridge height of 5.7m. The ground floor accommodates an open plan kitchen/living/dining space, and there are two bedrooms and a bathroom. There is loft space served by roof lights within the roof trusses. The building has a simple gabled profile with small projecting porch. It would be clad in red brick under a tiled roof.

1.7.4 The second part of the proposal is within the side garden area. It is for a two-storey dwelling with a similar scale, height, profile, and design to no.182 Ledbury Road. Only pedestrian access is proposed and that is via Ledbury Road. No parking is included for given the proximity to the City Centre and that owning a car is not essential here. On street parking is available should it be required. The proposed dwelling sits centrally on the plot being on the building line established by no.182 Ledbury Road and its neighbours. There is a small patio area and larger garden to the rear.

- 1.7.5 The dwelling has a similar design to no. 182 Ledbury Road. It is two-storey in height with a projecting gable to the principal elevation. The dwelling is faced in redbrick at ground floor level and render at first floor. The roof would be tiled. Internally, there is a dining room, kitchen, living room, and WC on the ground floor, and three bedrooms (master with ensuite) and a family bathroom on the first floor.
- 1.7.6 The proposed development also includes the removal of a conservatory to the rear of no. 182 Ledbury Road to create a larger garden area for the dwelling.
- 1.7.7 Surface water drainage is via SUDS soakaway located within each plot whilst a connection would be made to the mains sewer network for the discharge of foul waste. This is in accord with the previous application with which the Council took no issue. DCWW confirmed that there is capacity at the local treatment plant and that a connection will be acceptable.

## 2. Planning Policy and Other Material Considerations

### 2.1 The Planning and Compulsory Purchase Order 2004

2.1.1 Section 38(6) explains that planning applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

2.1.2 In this case, the statutory Development Plan for the area comprises the **Herefordshire Local Plan – Core Strategy** ('Core Strategy') only. It sets out a vision for the area for the period 2011 to 2031 and its principal role is to deliver the spatial planning strategy for Herefordshire based on the needs of the area and its local characteristics.

2.1.3 We discuss Development Plan policies relevant to each topic in respective chapters of this Statement before concluding on overall compliance with the Development Plan in the final chapter.

2.1.4 The **National Planning Policy Framework** ('NPPF' or 'Framework') was published in July 2021. It is the third revision of the National Planning Policy Framework and replaces the original NPPF (2012). It sets out the Government's planning policies for England and how they should be applied. The NPPF confirms that it does not supplant the statutory Development Plan, but it, and its policies are a significant material consideration when determining planning applications (paragraphs 2).

2.1.5 Paragraph 8 explains that achieving sustainable development is a notion comprised of three overarching objectives, an economic, social and environmental objective, which are interdependent of each other, but which need to be pursued in mutually supportive ways. However, the courts have clarified that fulfilment of all three objectives is a rare occurrence and not a prerequisite of achieving planning permission.

2.1.6 Paragraph 10 explains that to ensure that sustainable development is positively pursued, there is a presumption in favour of sustainable development which is at the heart of the Framework.

2.1.7 The second part of Paragraph 11 is the cornerstone of decision taking. It explains that the presumption in favour of sustainable development means, for decision-taking, that development which accords with an up-to-date development plan should be approved without delay (**11 c**).



## 2.2 Main matters for the application

2.2.1 In reviewing the proposals in the context of recently refused applications, it is established that the main matters are as follows. Each main matter is considered in turn under its own heading in the following chapters of this statement before 'other matters' are reviewed:

- Design and the character of the area
- Residential amenity

2.2.2 Otherwise, there has been no change in planning policy or other circumstances whereby new issues do not arise.

### 3. Building design and character of the area

- 3.1.1 The previous applications were refused for not responding appropriately to their context, most recently for projecting forward of the established building line on Quarry Road.
- 3.1.2 Relevant policies are Core Strategy policies SD1, LD1 and SS6. Policy SS6 is the strategic policy which sets out the Core Strategy's approach to development in terms of environmental quality and local distinctiveness. It refers to the enhancement of environmental assets that contribute towards the county's distinctiveness; its settlement pattern, landscape, biodiversity and heritage assets; especially those with specific environmental designation (of which there are none relevant to this case).
- 3.1.3 Policy LD1 requires that development proposals demonstrate that character of the landscape and townscape has positively influenced the design, scale, nature of the proposal and site selection to ensure that the setting of settlements and designated areas are protected. It refers to designated areas (again, which are not affected by this proposal) and also the incorporation of new landscape schemes to ensure development integrates appropriately into its surroundings.
- 3.1.4 Policy SD1 requires, inter alia, that proposals make efficient use of land taking into account the local context and site characteristics.
- 3.1.5 In discussion with the Council, it was agreed that the Site was comprised of two parts, which required different design responses.
- 3.1.6 Development within the side garden is considered to address Ledbury Road and the development should be designed to continue the established vernacular of the street scene. That vernacular comprises a run of two-storey dwellings with gabled roofs clad in brick at ground floor level with render above, under concrete tile roofs. Some dwellings benefit from side and rear extensions.
- 3.1.7 The proposed development is designed to respond accordingly. It is arranged over two-storeys with a gabled roof and a projecting gable to the principal elevations, mimicking the design of no. 184 Ledbury Road and others. The scale and size of the proposed dwelling also corresponds with the dwellings along this part of Ledbury Road. The uniform width, depth, ridge height, and eaves height are carried through to the proposed dwelling. In terms of material use, this is also

a continuation of the street scene with brick and ground floor level, render above, and a concrete tile roof.

- 3.1.8 It was agreed that the rear garden plot should accommodate a bungalow of a scale analogous to an outbuilding. It was also agreed that the Inspector, in dismissing the previous appeal, considered that the building should be behind the building line established by development along Quarry Road.
- 3.1.9 The proposed bungalow has a floor area of 63sqm which is similar to an outbuilding such as a workshop or triple bay garage, whilst also being just more than the minimum floor space required by the NDSS (61sqm). With the exception of one parking space, the dwelling will sit behind the garden hedge too which will run along the roadside boundary. Only the higher part of the elevations and roof will be visible from the road, giving the impression of the building being an outbuilding associated with the dwelling proposed within the side garden.
- 3.1.10 Importantly, the building has been set back behind the building line for Quarry Road. The north corner of the building aligns with the nearest corner of no. 144 Quarry Road. However, to allow for the slight curvature of the road, the dwelling tapers away from the established building line so that it recesses in views.
- 3.1.11 The use of materials also relates well to the established character of Quarry Road which is almost exclusively redbrick under tiled roofs.
- 3.1.12 The proposals thus represent an appropriate response to the established character of the area and comply with Core Strategy Policies SS6, LD1, and SD1.

## 5. Residential amenity

- 5.1.1 Policy SD1 requires that proposals safeguard the amenity of existing and prospective residents. We consider this to mean daylight, sunlight, outlook, and privacy.
- 5.1.2 The proposed development to the side garden of no. 182 Ledbury Road would only reasonably affect no. 182. The dwelling is immediately adjacent the dwelling, there being just 2 metres between the proposed and existing dwelling. However, there are no windows proposed in the side (north) elevation of the dwelling whereby overlooking is not an issue.
- 5.1.3 There are two windows in the side elevation of no. 182 Ledbury Road. They would be overshadowed by the development of the side plot. However, the first-floor window serves a landing which is not a habitable room and does not require a daylight provision. The ground floor window serves a hallway which is not a habitable room either.
- 5.1.4 The proposed development to the rear garden of no.182 is near to no.182 itself, no. 184 Ledbury Road, and no. 144 Quarry Road.
- 5.1.5 There are no first-floor windows in the side (west) elevation of no.144 Quarry Road, whilst the boundary fence obscures the ground floor windows from the Site and vice versa. There are no windows in the side (east) elevation of the proposed bungalow whereby there is no opportunity for overlooking whilst the scale of the development is such, and is set down from no. 144 that there would be no overshadowing or effect on daylight.
- 5.1.6 No. 182 has its main aspect looking towards the proposed bungalow. However, there are no windows in the side (west) elevation of the bungalow whereby there is no opportunity for overlooking or privacy issues. Similarly, as the proposed building is a bungalow, there would be no undue impact on daylight or sunlight at no.182 Ledbury Road. This is assisted by the removal of the conservatory for no. 182 which effectively increases the separation distance.
- 5.1.7 In terms of no. 184 Ledbury Road, the boundary treatment between the bungalow and existing dwelling precludes privacy issues at ground floor level. There are no first-floor windows, bar small rooflights to the loft, whereby there is no overlooking at that level either. The bungalow, by virtue of its scale and distance from no. 184 Ledbury Road, would not reduce daylight or sunlight levels either.

- 5.1.8 We have also considered the effect of the proposed dwellings on the amenity of one another. Similarly to the scenario with 182 Ledbury Road and the bungalow, there would be not overlooking or privacy issues because there are no windows in the side (west) elevation of the bungalow. The distance between the dwellings, and the small scale of the bungalow, is such that daylight and sunlight levels for the dwelling in the side garden would be sufficient.
- 5.1.9 For these reasons, the amenity and privacy of existing and prospective residents would be safeguarded in compliance with Core Strategy Policy SD1.

## 6. Other matters and planning benefits

### 6.1 The need for smaller homes

6.1.1 Core Strategy Policy RA3 reflects the advice of paragraph 62 of the Framework. It requires that developments provide a range of house types and sizes to meet the needs of all households, including younger and older people. It refers to the Local Housing Market Assessment which provides evidence of housing need, mix, types and sizes.

**Table 10.11 Hereford HMA Recommend Housing Mix by Tenure by Size**

|       |                           | 1 Bedroom | 2 Bedrooms | 3 Bedrooms | 4+Bedrooms |
|-------|---------------------------|-----------|------------|------------|------------|
| Urban | Market                    | 5%        | 25%        | 55%        | 15%        |
|       | Affordable home ownership | 25%       | 40%        | 30%        | 5%         |
|       | Affordable rented housing | 35%       | 30%        | 30%        | 5%         |
| Rural | Market                    | 5%        | 20%        | 50%        | 25%        |
|       | Affordable home ownership | 20%       | 35%        | 35%        | 10%        |
|       | Affordable rented housing | 35%       | 30%        | 30%        | 5%         |
| HMA   | Market                    | 5%        | 25%        | 50%        | 20%        |
|       | Affordable home ownership | 20%       | 35%        | 35%        | 10%        |
|       | Affordable rented housing | 35%       | 30%        | 30%        | 5%         |

Source: Housing Market Model and Modelled Outputs, Appendix A2

6.1.2 The Housing Market Area Needs Assessment explains that in 2021, there remained need for 2 and 3-bedroom dwellings in Hereford City as per Table 50 above. In dealing with numerous applications in the administrative area and reviewing others, we also note the recent trend of the Council expressly requesting that developers deliver smaller dwellings.

6.1.3 The proposals, in providing a 2-bed and a 3-bed dwelling, responds to an identified need in Hereford.

6.1.4 Further, the 2-bed dwelling is designed to meet the needs of older people, which Policy SD1 and the Framework explains is in need. The dwelling is arranged over a single storey to be suitable for older people down-sizing or widows/widowers who need a second bedroom for visitors/potential future carers. This provides for an ever increasing need in Hereford with those 65 years and older expected, by 2041, to make up 41% of the population.

## 6.2 House prices

- 6.2.1 Rising house prices are often cited by the Government and industry experts as one of the major issues affecting today's society, with many people, not being able to afford to get on the property ladder.
- 6.2.2 In the recent housing white paper titled *Fixing Our Broken Housing Market*, the then Secretary of State underscored the magnitude of the issue, explaining in his foreword that, *"Soaring prices and rising rents caused by a shortage of the right homes in the right places has slammed the door of the housing market in the face of a whole generation."*
- 6.2.3 Later on, in the executive summary, Mr Javid sets out that, *"housing is needed if future generations are to have the homes they need at a price they can afford"*.
- 6.2.4 The proposals are for smaller dwellings on modest plots in a suburban context which would be naturally affordable products. Whilst providing housing generally will have a positive effect on lowering house prices, as per Mr Javid's guidance, in providing a product which would cater for those looking to purchase at a lower price point, the benefit of the scheme in this respect is much greater.

## 6.3 Making effective use of land

- 6.3.1 Policy SD1 requires at its lead criterion that proposals make efficient use of land. Since the adoption of the Core Strategy, the NPPF is twice revised. The latest revision of the NPPF (July 2021) places a significantly greater emphasis on making more effective use of land. Previously, effective use of land was dealt with under the 'design banner.' Chapter 11 is dedicated to the matter.
- 6.3.2 Paragraph 120(d) requires amongst other things that planning decisions, *"promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained, and available sites could be used more effectively"* (our emphasis).
- 6.3.3 In this case, housing land supply is constrained. The Council have effectively placed a moratorium on development across north Herefordshire owing to phosphate levels in the River Lugg and associated HRA issues. Again, the issue shows no sign of abating. There is no published plan in place to address the issue and by extension, there is no timescale for the matter being

resolved. Furthermore, the position statement published by the Council effectively rules out development until the issue is resolved.

6.3.4 The moratorium clearly frustrates the Council's ability to provide housing at the required rate across the County to provide for its populus. This places even more import on maximising the quantum of development on sites such as this which are outside of the Lugg, Frome and Arrow catchment area and the essence of locational sustainability.

6.3.5 We acknowledge that, when discussing appropriate densities at paragraph 124, the NPPF requires consideration of the desirability of maintaining an area's prevailing character and setting. However, we have already explained that the Council's concerns for the development's impact on character are addressed whereby density is appropriate.

6.3.6 Nonetheless, it should also be kept in mind that this is just one facet of a wider consideration which also includes housing need, local market conditions and the availability of services. The need for smaller houses is greater in Hereford and the site's location is proximal to Hereford's facilities. Furthermore, local infrastructure is well placed to accommodate the development with the Ledbury Road (A438) being a major road into and out of the city centre and with all utilises either running through the site or along the road immediately adjacent to the site.

6.3.7 The proposals therefore have a density which makes most effective use of land and preserves local character. In making most efficient use of land, the scheme complies with Policy SD1 and the Framework, having particular regard for paragraphs 120 and 124. Indeed, if less development was proposed it would represent an inefficient use of land.

## 6.4 Small Site Development

6.4.1 The application site is 335 sqm whereby it is a 'small-medium site' as defined by the Framework. The development of small-medium sites is preferred by the Framework for their propensity for being developed quickly, as set out at paragraph 69. This is a particularly pertinent benefit of the scheme here given that applicant has a proven track record of delivery in Herefordshire and that Herefordshire Council has an undersupply of housing land which is largely due to slow delivery rates on strategic sites. It is also pertinent that the proposals are for full planning permission rather than outline which should result in quicker delivery.



## 6.5 Transport and Movement

- 6.5.1 Policy SS4 seeks to reduce the need to travel and reduce the harmful impacts from traffic growth, promote active travel and improve quality of life by locating significant new development where access to employment, shopping, education, health, recreation, leisure and other services are, or could be made available by walking, cycling or public transport.
- 6.5.2 Policy MT1 seeks to ensure that proposals promote integrated transport connections, reduce reliance on the private car, maintain highway safety, protect existing footpaths and ensure that any traffic impacts associated with the new development can be absorbed by the existing highway network.
- 6.5.3 The proposal, being located in Hereford and within walking distance of the city centre, has a location which is highly sustainable and which responds fully to the aspirations of Policy SS4.
- 6.5.4 Access arrangements are analogous with the previously refused scheme albeit that just one parking space is proposed as opposed to the two spaces proposed previously. The location of the parking spaces is the same. The Area Engineer and case officer for the previous application raised no objection in respect of access and parking and parking levels were agreed as part of pre-application advice discussions. The proposals therefore comply with Core Strategy Policy MT1. They certainly to cause the severe highway issues which paragraph 111 of the Framework requires if permission is to be withheld on these grounds.

## 6.6 Planning Obligations and Affordable Housing

- 6.6.1 Policy H1 requires the provision of affordable housing on developments where more than 10 dwellings are being provided and where the combined residential gross floor space is more than 1000sqm. It is understood that the Council have adopted a similar approach with regards the provision of planning obligations and the requirement for planning obligations is aligned to the trigger points in Policy H1 i.e. where a development proposal is for more than 10 and would have a combined gross floor space of more than 1000sqm. A review of recent planning approvals for schemes of less than 11 dwellings indicates that this remains the Council's approach. Indeed, the Council's Housing Delivery Action Plan confirms as much.
- 6.6.2 As the development proposal is for two units only, there is no policy requirement to provide planning obligations including affordable housing in this instance.

## 7. Conclusions and planning balance

- 7.1.1 This statement has explained how the two reasons for refusal for the previous applications at the Site are addressed in agreement with the Council via their pre-application advice service.
- 7.1.2 In terms of Character and Appearance, the statement has explained that the design is amended to reflect the differing characteristics of the two parts of the plot; the side garden and rear garden of no.182 Ledbury Road. The dwelling in the side garden is designed to appear as a continuation of the established vernacular of development fronting on to Ledbury Road. The bungalow in the rear garden appears as a subservient feature in the street scene, perhaps as the conversion of a former outbuilding associated with the dwelling.
- 7.1.3 In terms of neighbouring amenity, the statement has explained that the scheme causes no reduction in amenity for occupants of no. 182 Ledbury Road as the windows in the side elevation serve non-habitable rooms. The development in the rear garden is reduced to a single storey height which removes any concern for overlooking or overshadowing of neighbours beyond the Site boundary including at no. 184 Ledbury Road and 144 Quarry Road. Windows are excluded from competing elevations to avoid overlooking.
- 7.1.4 The statement has also explained that the proposals come with significant planning benefits including:
- The provision of housing in a sustainable location;
  - The provision of smaller units for older people/down-sizers for which there is identified need;
  - The provision of naturally affordable housing;
  - The development of a small site, which the Framework prefers; and
  - A development which makes effective use of land.
- 7.1.5 Now that the salient planning matters have been assessed, it is necessary to consider whether planning permission should be granted. The starting point in making that determination is Section 38(6) of the Planning and Compulsory Purchase Act 2004 which requires that such a determination is made in accordance with the Development Plan unless material

considerations indicate otherwise.

- 7.1.6 The Development Plan in this case is the Core Strategy only. As explained, the scheme complies with the relevant policies in the Development Plan including those cited in reasons for refusal in previous decisions at the Site; namely policies of the Core Strategy; SS6, LD1 and SD1. On that basis, the proposals comply with the Development Plan.
- 7.1.7 Section 38(6) of the Act also requires consideration of other material matters. The Framework is one such consideration and this statement has explained its relevance to the application. Of note is paragraph 11 which sets out a presumption in favour of sustainable development as a golden thread running through both plan-making and decision-taking. For decision taking this means, in the first instance, proposals that accord with the development plan should be approved without delay. As it has already been established that the scheme accords with the development plan, the Framework supports the Development Plan's direction that planning permission should be granted.
- 7.1.8 Accordingly, as the application proposal complies with the Development Plan and without material considerations indicating to the contrary, S38(6) of the Act, supported by paragraph 11. c) of Framework, requires that planning permission is granted without delay.