

Minutes of the meeting of Planning and regulatory committee held at Council Chamber, The Shire Hall, St Peter's Square, Hereford, HR1 2HX on Tuesday 18 December 2018 at 10.00 am

Present: Councillor PGH Cutter (Chairman)
Councillor J Hardwick (Vice-Chairman)

Councillors: BA Baker, TL Bowes, CR Butler, PJ Edwards, DW Greenow, TM James, AW Johnson, PD Newman OBE, FM Norman, J Stone, D Summers and SD Williams

In attendance: Councillors MJK Cooper, JF Johnson and A Seldon

78. APOLOGIES FOR ABSENCE

Apologies were received from Councillors KS Guthrie, EL Holton, MD Lloyd-Hayes, AJW Powers, NE Shaw and WC Skelton.

79. NAMED SUBSTITUTES

Councillor TL Bowes substituted for Councillor AJW Powers, Councillor AW Johnson for Councillor NE Shaw, Councillor PD Newman for Councillor WC Skelton, Councillor J Stone for Councillor KS Guthrie and Councillor D Summers for Councillor MD Lloyd-Hayes.

80. DECLARATIONS OF INTEREST

Agenda item 9: 18347 – Twyford Brook Barn, Twyford

Councillor D Summers declared an other declarable interest because he was the adjoining ward member and knew some of the objectors to the application

Councillor SD Williams declared an other declarable interest because he lived in the Parish.

81. MINUTES

RESOLVED: That the minutes of the meetings held on 21 November 2018 be approved as a correct record and signed by the Chairman.

82. CHAIRPERSON'S ANNOUNCEMENTS

The Chairperson reported that Edward Thomas, Development Manager was leaving the authority. On behalf of the Committee he thanked him for his work on the authority's behalf and wished him well for the future.

83. 182239 - LAND OFF HEREFORD ROAD, BROMYARD

(Demolition of existing buildings, structures and hardstanding and erection of 45 dwellings (including affordable housing) and drainage attenuation, open space and associated landscaping and infrastructure works (amended layout).

The Development Manager gave a presentation on the application, and updates/additional representations received following the publication of the agenda were provided in the update sheet, as appended to these Minutes.

In accordance with the criteria for public speaking, Mr R Page, of Bromyard and Winslow Town Council spoke in opposition to the Scheme. Mrs I Sinclair, a local resident, spoke in objection. The Chairman read out a statement from Mr A Jones, Chairman of Governors of Queen Elizabeth High School Bromyard in support of the application.

In accordance with the Council's Constitution, the local ward member, Councillor A Seldon, spoke on the application.

He made the following principal comments:

- The site should be viewed as a windfall site because it was not identified for housing in the Core Strategy, although it had been identified as such in the former Unitary Development Plan.

Benefits

- The development would provide additional pupils for Queen Elizabeth High School.
- It would contribute to the housing shortfall arising from problems in developing the strategic housing sites identified for Bromyard.

Disbenefits

- The proposal was contrary to core strategy policy BY1 which provided for around 5 hectares of employment land to come forward during the plan period. The site would be suitable for development for employment purposes and would provide one third of that land area. It was questionable whether the land should be disposed of for housing prior to the preparation of the Bromyard Development Plan.
- He questioned the sustainability of the site in the absence of employment land provision given that occupiers would have to commute to find employment and would be reliant on private transport. This would also have an effect on the demographic of people who would seek to live there, with a majority potentially being of retirement age placing additional pressure on the primary care service.
- He referred to the submission from Nunwell GPs surgery included in the committee update quoting paragraph 2 which stated that the surgery was at capacity and that, *"any increase in patient numbers will put our service under considerable strain and possibly affect the quality of care we are able to provide."*
- He considered overall that the adverse effects would significantly and demonstrably outweigh the benefits. Without the provision of employment land he considered there was a risk to the health and wellbeing of some Bromyard residents.

In the Committee's discussion of the application the following principal points were made:

- In response to comments about the need for employment land in Bromyard the Development Manager referred to the comments of the Economic Development Manager as set out in the report that the Council had received very few enquiries for employment land and/or units in Bromyard within the last 2 years. He added that the law required local planning authorities to keep a register of previously developed land

that was suitable for housing, not for previously developed sites that could be used for employment purposes. The Bromyard Development Plan would assess the need for employment land. However, the Plan was not at an advanced stage and the application therefore had to be considered as it stood.

- The site was a brownfield site, suitable for housing development. The proposal offered a good housing mix and the density was reasonable.
- The speed limit on the road alongside was 30mph and the provision of two uncontrolled pedestrian crossings would help to reduce speeds.
- It was noted that the Town Council opposed the proposal.
- Welsh Water had expressed concerns.
- In relation to the future management of the public open space the Development Manager reported that this would be funded by contributions from each of the occupiers of the open market properties.
- The Development Manager also expanded on the concerns about the suitability of the site for employment purposes. The proximity to neighbouring dwellings would limit the type of employment use and there was considered to be low demand in Bromyard for the use that would be considered acceptable on the site.

The Lead Development Manager drew attention to the legal provisions meaning that a section 106 agreement could not be entered into and how financial contributions as set out in the draft S106 agreement attached to the report would be secured. Further clarification on this point was provided by the legal adviser to the Committee.

The local ward member was given the opportunity to close the debate. He questioned how the application could be approved in the absence of the Bromyard Development Plan. He agreed that there would be significant objections to some types of employment use on the site. However, as things stood he remained of the view that the application was contrary to policy BY1. He also remained concerned about the additional pressure that would be placed on primary care services. Additional provision for primary care services was required.

Councillor Baker proposed and Councillor Edwards seconded a motion that the application be approved in accordance with the printed recommendation with the additional conditions as set out in the update sheet. The motion was carried with 11 votes in favour, 2 against and 1 abstention.

RESOLVED: That officers named in the Scheme of Delegation to Officers are authorised to grant planning permission subject to the conditions below and any other further conditions considered necessary by officers:

1. **C01 Time limit for commencement (full permission)**
2. **C08 Amended plans**
3. **C13 Samples of external materials**
4. **With the exception of site clearance, to include removal of the existing built development and hardstanding upon the site, no further 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 so as to comply with Herefordshire Local Plan – Core Strategy Policies SD3 and SD4.

- 5. With the exception of site clearance, to include removal of the existing built development and hardstanding upon the site, no further development shall take place until a potable water scheme to serve the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall demonstrate that the existing water supply network can suitably accommodate the proposed development site. If necessary a scheme to upgrade the existing public water supply network in order to accommodate the site shall be delivered prior to the occupation of any of the dwellings hereby permitted. Thereafter, the agreed scheme shall be constructed in full and remain in perpetuity.**

Reason: To ensure the site is served by a suitable potable water supply.

- 6. Prior to the first occupation of any of plots 6, 7 and 8 (as identified on the approved plan drawing Site Plan D01 Rev AG), full details of the design and specification of the ball stop mitigation, including details of management and maintenance responsibilities, as set out in the revised Labosport Cricket Boundary Assessment dated 22nd November 2018 must have been submitted to and approved in writing by the Local Planning Authority after consultation with Sport England. The approved details shall be fully installed before any of plots 6, 7 and 8 are first occupied and thereafter be managed and maintained in accordance with the approved details.**

Reason: To provide protection for the occupants of the development and their property from potential ball strike from the adjacent playing field, to reduce conflict between neighbours and therefore safeguard the sporting use of the adjacent sports facilities in accordance with paragraph 182 of the National Planning Policy Framework 2018.

- 7. In respect of those dwellings that face the A465 Hereford Road (plots 29-38 inclusive as identified on the approved plan drawing 'Site Plan D01 Rev AG), the mitigation proposed in the noise report by John Waring dated 2nd November 2018 shall be implemented in full.**

Reason: In order to ensure that a satisfactory level of noise attenuation is provided at the dwellings affected so as to comply with Herefordshire Local Plan – Core Strategy Policy SD1.

- 8. C96 Landscaping scheme**
- 9. C97 Landscaping implementation and management plan.**
- 10. With the exception of site clearance, to include removal of the existing built development and hardstanding upon the site, no further development shall commence until the following details have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in accordance with the approved details in accordance with a timetable to be agreed in writing with the Local Planning Authority.**

- **Greenfield runoff rates and detailed drainage calculations, including storage calculations that are based on the 2013 FEH rainfall data.**
- **Updated calculations of existing and proposed runoff rates and attenuation volume for the proposed development using correct impermeable areas.**
- **Amended calculations to demonstrate that the proposed surface water drainage system has been designed to prevent the surcharging of any below ground drainage network elements in all events up to an including the 1 in 2 annual probability storm event.**
- **Amended calculations to demonstrate that the proposed surface water management system will prevent any flooding of the site in all events up to an including the 1 in 30 annual probability storm event.**
- **Detailed drawings of the proposed drainage system including details of proposed attenuation structures and flow controls.**
- **Confirmation of the proposal to abandon and make safe the existing cesspit and redirect flows from the neighbouring property into the proposed drainage system. Note that it is expected that consultation will be undertaken with the Environment Agency regarding the need to remove the cesspit and remediate potentially harmful contamination.**
- **Detailed drawing demonstrating the management of surface water runoff during events that may temporarily exceed the capacity of the drainage system.**
- **Operation and maintenance manual for all proposed drainage features that are to be adopted and maintained by a third party management company.**

Reason: To ensure the site is drained in a manner that complies with Herefordshire Local Plan – Core Strategy Policies SD3 and SD4.

- 11. With the exception of any site clearance and groundwork (site clearance and groundwork excludes any works to retained features), no further development shall commence until details of the play area within the public open space (including equipment, surfacing, landscaping, means of enclosure and provision of seating and litter bins) has been submitted to and approved in writing by the Local Planning Authority. The play area shall be constructed in accordance with the approved details and thereafter retained prior to the first occupation of any of the dwellings hereby approved.**

Reason: In order to comply with the requirements of Policies OS1 and OS2 of the Herefordshire Local Plan – Core Strategy.

- 12. With the exception of site clearance, to include removal of the existing built development and hardstanding upon the site, no further development shall commence until the council has approved in writing a Management Company Plan that sets out the long term management and maintenance of the Open Space Facilities; the establishment of a Management Company; the freehold transfer of the Open Space Facilities to the Management Company and the recovery by that Management Company of service charge contributions from the owners of the Open Market Units towards the upkeep and permanent maintenance of the Open Space Facilities. The approved Management Company Plan shall be implemented prior to the first occupation of any of the dwellings hereby approved and retained thereafter.**

Reason: In order to comply with the requirements of Policies OS1 and OS2 of the Herefordshire Local Plan – Core Strategy.

- 13. CAB Visibility at the main junction 2.4m x 111m (north) and 148m (south)**
- 14. Visibility splays of 1.5m x 109m to the north and 1.5m x 100m to the south shall be provided on both sides of the carriageway for the pedestrian crossing point to the north-east of the vehicular access into the site, as identified on the approved site plan drawing D01 Rev AG. The crossing shall be installed prior to the first occupation of any of the dwellings hereby approved.**

Reason: In order to ensure satisfactory pedestrian crossing facilities in order to promote sustainable transport modes in accordance with Herefordshire Local Plan – Core Strategy Policy MT1.

- 15. Visibility splays of 1.5m x 76m to the north and 1.5m x 53m to the south shall be provided on both sides of the carriageway for the pedestrian crossing point to the south-west of the vehicular access into the site, as identified on the approved site plan drawing D01 Rev AG. The crossing shall be installed prior to the first occupation of any of the dwellings hereby approved.**

Reason: In order to ensure satisfactory pedestrian crossing facilities in order to promote sustainable transport modes in accordance with Herefordshire Local Plan – Core Strategy Policy MT1.

- 16. CAP S278 works including Road Safety Audit 2, 3 and 4**
- 17. With the exception of site clearance, to include removal of the existing built development and hardstanding upon the site, no further development shall take place until a detailed scheme for the pedestrian/cycle link to the Queen Elizabeth High School has been submitted to and approved in writing by the Local Planning Authority. The pedestrian/cycle link shall thereafter be installed in accordance with the approved details in accordance with a timetable to be agreed with the Local Planning Authority.**
- 18. CAL Access, turning area and parking**
- 19. CAS Road completion (2 years)**
- 20. CAT Wheel washing**
- 21. CAZ Parking for site operatives**
- 22. CB2 Secure, covered cycle parking provision**
- 23. With the exception of site clearance, to include removal of the existing built development and hardstanding upon the site, no further development shall take place until a detailed habitat enhancement scheme, based on the indicative measures proposed in the ecology report by Ecus consultancy dated April 2018, has been submitted to and approved in writing by the local planning authority, and the scheme shall be implemented and hereafter maintained as approved.**

Reason: To ensure that all species are protected and habitats enhanced having regard to the Wildlife and Countryside Act 1981 (as amended), the Conservation (Natural Habitats, &c) Regulations 2017 (as amended) and Policy LD2 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework 2018, NERC Act 2006.

24. With the exception of site clearance, to include removal of the existing built development and hardstanding upon the site, no further development shall take place until a scheme comprising the following has been submitted to and approved in writing by the Local Planning Authority:-

- a) A scheme promoting the recycling of food and garden waste;**
- b) A requirement to meet the water conservation and efficiency measures outlined in Policy SD3;**
- c) A scheme to examine the feasibility of making provision for electric car charging points within the development.**

The schemes approved shall be implemented in full and in the case of a) and c) in accordance with a timetable to be agreed in writing with the Local Planning Authority.

25. The development shall not begin until a scheme for the provision of affordable housing as part of the development has been submitted to and approved in writing by the local planning authority. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in the National Planning Policy Framework July 2018 or any document that replaces it. The scheme shall include:

- (i) The numbers, type and tenure on the site of the affordable housing provision to be made which shall consist of not less than 40% of housing units**
- (ii) The timing of the construction of the affordable housing and its phasing in relation to the occupancy of market housing**
- (iii) The arrangements for the transfer of the affordable housing to an affordable housing provider (or for the management of the affordable housing if no registered provider is involved)**
- (iv) The arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing, or for the subsidy to be recycled for an alternative affordable housing provision; and**
- (v) The occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced**

Reason: To ensure the provision of affordable housing in accordance with Herefordshire Local Plan – Core Strategy Policy H1.

26. No development shall take place until evidence has been submitted to and approved by the local planning authority demonstrating to its satisfaction that suitable arrangements have been made for the provision of;

- enhanced educational infrastructure at St Peters Primary School;**
- sustainable transport infrastructure to serve the development, comprising**
 - a) Traffic Regulation Order to extend the 40mph speed limit beyond Panniers Lane;**

- b) the provision of dropped crossings and pedestrian refuge to facilitate access to the school on the A465;
- c) the extension of the footway towards Panniers Lane with dropped crossings and pedestrian refuge to facilitate access to local facilities including the Hope Family Centre; and
- d) the provision of new bus infrastructure
 - waste and recycling bins
 - sports facilities
 - primary and community healthcare services in Bromyard
 - the provision of healthcare services at Hereford County Hospital

Reason: To ensure that suitable mitigation is provided in respect of the effects of the development on local infrastructure.

27. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no windows other than those expressly authorised by this permission shall be constructed in the south-east facing flank elevation of plot 1 – as identified on the approved site plan drawing D01 Rev AG.

Reason: In order to protect the residential amenity of adjacent properties and to comply with Policy SD1 of the Herefordshire Local Plan – Core Strategy.

28. Notwithstanding the provisions of article 3(1) and Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting that Order with or without modification), no development which would otherwise be permitted under Class B of Part 1 to Schedule 2 (additions etc to the roof of a dwellinghouse), shall be carried out at any of the plots numbered 8 to 17 inclusive on the approved site plan drawing D01 Rev AG.

Reason: For new houses - In order to protect the character and amenity of the locality, to maintain the amenities of adjoining property and to comply with Policy SD1 of the Herefordshire Local Plan – Core Strategy [and the National Planning Policy Framework].

29. CBK Hours of work

30. CCK Details of slab levels

31. No development shall take place until the following has been submitted to and approved in writing by the local planning authority:

- a) a 'desk study' report including previous site and adjacent site uses, potential contaminants arising from those uses, possible sources, pathways, and receptors, a conceptual model and a risk assessment in accordance with current best practice
- b) if the risk assessment in (a) confirms the possibility of a significant pollutant linkage(s), a site investigation should be undertaken to characterise fully the nature and extent and severity of contamination, incorporating a conceptual model of all the potential pollutant linkages and an assessment of risk to identified receptors

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

Reason: In the interests of human health.

32. The Remediation Scheme, as approved pursuant to condition no. (1) above, shall be fully implemented before the development is first occupied. On completion of the remediation scheme the developer shall provide a validation report to confirm that all works were completed in accordance with the agreed details, which must be submitted and agreed in writing before the development is first occupied. Any variation to the scheme including the validation reporting shall be agreed in writing with the Local Planning Authority in advance of works being undertaken.

Reason: In the interests of human health.

33. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted, and obtained written approval from the local planning authority for, an amendment to the Method Statement detailing how this unsuspected contamination shall be dealt with.

Reason: In the interests of human health.

Technical notes about the condition

1. I would also mention that the assessment is required to be undertaken in accordance with good practice guidance and needs to be carried out by a suitably competent person as defined within the National Planning Policy Framework 2018.
2. And as a final technical point, we require all investigations of potentially contaminated sites to undertake asbestos sampling and analysis as a matter of routine and this should be included with any submission.

INFORMATIVES:

1. IP1
2. S106
4. I07
5. I08
6. I09

(The meeting adjourned between 11.12 and 11.25am.)

84. 181494 - LAND ADJACENT TO SPRING COTTAGE, HEADBROOK, KINGTON, HR5 3DY

(Proposed land for residential development and associated work together with public open space and local green space.)

(Councillor James fulfilled the role of local ward member and accordingly had no vote on this application.)

The Development Manager gave a presentation on the application, and updates/additional representations received following the publication of the agenda were provided in the update sheet, as appended to these Minutes.

In accordance with the criteria for public speaking, Mr M Fitton, of Kington Town Council spoke in opposition to the Scheme. Mr B Brown, a local resident, spoke in objection. Mr M Turner, the applicant, spoke in support.

In accordance with the Council's Constitution, the local ward member, Councillor TM James, spoke on the application.

He made the following principal comments:

- The question was whether the environmental harm outweighed the community benefit.
- One benefit would be that land by the riverside would be opened up for community use. There was a recreation area at the other end of the town but a lack of outdoor community space in the part of the town where the application site was.
- Discussions were taking place as to whether some land could be made available for allotments. There was a shortfall in provision in Kington.
- In relation to the representations by Heritage England he observed that the conservation area was a considerable distance from the application site. It could only be viewed from one small part of the conservation area.
- There was considerable opposition to the draft Neighbourhood Development Plan and questions as to whether it was deliverable.
- Part of the site had been included in the 2012 Strategic Housing Land Availability Assessment (SHLAA).
- The houses on Headbrook had no gardens. The proposal might offer the opportunity to provide them with some garden space.

In the Committee's discussion of the application the following principal points were made:

- The proposal was sustainable development close to an area of open space from which residents would benefit. It was within walking distance of Kington. It would provide housing that Kington needed, noting the concerns about the deliverability of the NDP.
- The access was achievable.
- There would be benefit if garden space could be provided for the houses currently backing onto the site.
- The outdoor sports investment plan would provide welcome benefits for young people.

- It was questioned whether there was an adverse effect on the conservation area.
- The draft NDP stated that the whole site should be designated as Local Green Space. The proposed development offered a way of providing affordable green space accessible to the public in a part of the town where there was currently no such provision.
- The development would link the newer Eardisley Road development to the historic core of the Town.
- The riverside was an important element of the town contributing to its character. The site was unimproved meadow land, which was in short supply.
- There were few letters in support of the application and a considerable number opposing it. The Town Council, the draft NDP, the CPRE, Historic England, the Conservation Officer (Landscapes) and the Conservation Manager (Historic Buildings) objected to the proposal.
- The draft NDP identified other housing sites and they should be explored before considering the application site.

The Development Manager commented that the indicative layout suggested land would be given to existing properties on Headbrook but no assurance had been given and this could not be required by condition. Similarly allotments may be provided as part of a reserved matters application but could not be required to be provided.

The Lead Development Manager confirmed that if approved a S106 agreement would be required.

The local ward member was given the opportunity to close the debate. He commented that it was a difficult issue. The benefit of preserving a lovely meadow had to be set against the benefit of public access and provision of housing including affordable housing.

Councillor Greenow proposed and Councillor Edwards seconded a motion that the application be approved on the grounds that it was consistent with policies SS1, SS2 OS2 and MT1, with a S106 agreement also to be provided. The motion was carried with 11 votes in favour, 1 against and 1 abstention.

RESOLVED: That planning permission be granted on the grounds that the application was supported by policies SS1, SS2 OS2 and MT1, with approval to be subject to a S106 agreement to be prepared by officers after consultation with the Chairman and local ward member, and officers named in the scheme of delegation to officers be authorised to detail the conditions and reasons put forward for approval.

85. 181050 - LAND AT BURTON WOOD, WEOBLEY, HEREFORDSHIRE

(181050 - Outline planning permission for proposed erection of up to 50 dwellings (including 35% affordable), planting and landscaping, informal open space, vehicular access point from Pepper Plock Ley and associated ancillary works. All matters to be reserved with the exception of the main vehicular site access.)

The Development Manager gave a presentation on the application, and updates/additional representations received following the publication of the agenda were provided in the update sheet, as appended to these Minutes.

In accordance with the criteria for public speaking, Mr B Bloxsome, of Weobley Parish Council spoke in opposition to the Scheme. Mr R Best, a local resident, spoke in objection.

In accordance with the Council's Constitution, the local ward member, Councillor MJK Cooper, spoke on the application.

He made the following principal comments:

- He highlighted the concerns about existing traffic congestion which was particularly acute during school traffic in the morning and the afternoon, noting that a neighbouring development was also not yet completed and fully occupied.
- Four consultees: Historic England, Conservation Manager (Historic Buildings) the Parish Council and the Woodland Trust objected to the proposal.
- The land was historically sensitive and an important asset for the village.
- A number of late amendments had been made to the scheme. Even though an outline application the scheme was not sufficiently developed. The application should be refused, or consideration of it deferred, as the Parish Council had requested, to allow the Parish Council to consider the latest changes and respond, as it had and for account to be taken of objections from key consultees.

In the Committee's discussion of the application the following principal points were made:

- The Development Manager clarified with reference to paragraph 4.14 b of the report that the Neighbourhood Development Plan was at Regulation 14 stage and Herefordshire Council had not had sight of the representations received by the Parish Council nor yet received the documentation at the Regulation 15 stage.
- The site was outside the current and proposed settlement boundary in the NDP. In response to a view that consideration of the application should be deferred pending progress on the NDP. Officers advised that this would not be appropriate. There could be no certainty as to when the NDP documents would be submitted at Regulation 15 stage to progress the NDP. Currently the plan carried limited weight and the application should be determined on that basis. To defer the application would risk an appeal on the grounds of non-determination and the award of costs against the authority and would be ultra vires.
- The application was a natural extension of the village.
- There was good access to the village by a footpath and to the school. Improvements to the footpaths would be important to assist with sustainability.
- Improvements were planned to facilitate school buses turning. The generation of school traffic was not an uncommon feature.
- It was suggested that at the reserved matters stage it would be helpful if consideration could be given to additional parking provision, noting the application was for up to 50 dwellings. The potential for funding for improvements to the narrow stretch of Burton Wood road should also be explored.
- People would have to travel to find employment, generating traffic. The increasing traffic in an historic and important conservation area was reaching a level that risked destroying its qualities.
- There were some 124 letters of objection. The Parish Council had made a series of objections and Historic England, and the Conservation Manager (Historic Buildings) had objected emphasising the distinctive character of the village and the adverse impact of the development. The proposed growth was not proportionate, contrary to

the draft NDP, and would exceed the allocated housing growth target. The proposal represented a detrimental overdevelopment of the village.

The Development Manager confirmed that the proportionate growth target was not a maximum figure. If the Committee was minded to refuse the proposal it would have to demonstrate that significant harm would arise as a consequence of exceeding the target. Providing additional parking for the school on the site could not be conditioned but an informative note could be included. Having regard to the concerns expressed about traffic, a condition could be added to control delivery times of materials during construction.

The Lead Development Manager reiterated that the NDP could only be afforded limited weight at the moment. Weobley was one of the larger villages and the proposed growth above the allocated housing growth target could be considered acceptable. Further growth might be viewed less favourably. The completion of the NDP would be valuable in this regard.

The local ward member was given the opportunity to close the debate. He reiterated his concerns about the amount of traffic that the totality of developments in Weobley would generate and that the proposed measures would not provide mitigation. Regard should be had to the local concerns about the development that had been expressed.

Councillor Baker proposed and Councillor Edwards seconded a motion that the application be approved in accordance with the printed recommendation with an additional condition regarding delivery of materials and an informative regarding parking provision. The motion was carried with 8 votes in favour, 6 against and 0 abstentions.

RESOLVED: That subject to the completion of a Section 106 Town & Country Planning Act 1990 obligation agreement in accordance with the Heads of Terms stated in the report officers named in the Scheme of Delegation to Officers are authorised to grant outline planning permission, subject to the conditions below and any other further conditions considered necessary:

1. **A02 - Time limit for submission of reserved matters (outline permission) – all matters apart from access**
2. **A03 - Time limit for commencement (outline permission)**
3. **A04 - Approval of reserved matters**
4. **B01 - Development in accordance with approved plans**
5. **No development shall commence until a Construction Management Plan (CMP) has been submitted to and approved in writing by the Local Planning Authority. The plan shall include the following details:**
 - a. **Wheel cleaning apparatus which shall be operated and maintained during construction of the development hereby approved.**
 - b. **Parking for site operatives and visitors which shall be retained and kept available during construction of the development.**
 - c. **A noise management plan including a scheme for the monitoring of construction noise.**
 - d. **Details of working hours and hours for deliveries**
 - e. **A scheme for the control of dust arising from building and site works**
 - f. **A scheme for the management of all waste arising from the site**
 - g. **A travel plan for employees.**

The agreed details of the CMP shall be implemented throughout the construction period.

Reason: In the interests of the residential amenity of properties within the locality and of highway safety in accordance with Policies SD1 and MT1 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

- 6. The recommendations for species mitigation and habitat enhancements set out in Section 5 of the ecologist's report from fpcr dated July 2018 should be followed unless otherwise agreed in writing by the local planning authority. A detailed habitat enhancement plan integrated with the landscape scheme should be submitted to the local planning authority in writing. The plan shall be implemented as approved.**

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

Reason: To ensure that all species are protected having regard to the Wildlife and Countryside Act 1981 (with amendments and as supplemented by the Countryside and Rights of Way Act 2000), the Natural Environment and Rural Communities Act 2006 and the Conservation of Habitats and Species Regulations 2010 (and 2012 amendment).

To comply with Herefordshire Council's Policies LD2 Biodiversity and Geodiversity, LD3 Green Infrastructure of the Herefordshire Local Plan Core Strategy 2013 – 2031 and to meet the requirements of the National Planning Policy Framework.

- 7. 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 and to comply with Policy SD3 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework

- 8. Prior to the commencement of development the developer shall agree in writing with the local planning authority a scheme for the delivery of the open market housing hereby approved. This scheme shall comprise a schedule outlining the number of 2, 3 and 4 (+) bed dwellings proposed at the Reserved Matters stage; the overall mix being in general accord with the Council's Local Housing Market Assessment (or any successor document, adopted for these purposes by the local planning authority).**

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

- 9. G04 Protection of trees/hedgerows that are to be retained**
- 10. G10 Landscaping scheme**
- 11. G11 Landscaping scheme – implementation**
- 12. G14 Landscape management plan**
- 13. H06 Vehicular access construction**
- 14. H11 Parking - estate development (more than one house)**
- 15. H17 Junction improvement/off site works**
- 16. H18 On site roads - submission of details**
- 17. H31 Outline Travel Plan**
- 18. I16 Restrictions on hours of construction and delivery**

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. The applicant may need to apply to Dwr Cymru / Welsh Water for any connection to the public sewer under S106 of the Water industry Act 1991. If the connection to the public sewer network is either via a lateral drain (i.e. a drain which extends beyond the connecting property boundary) or via a new sewer (i.e. serves more than one property), it is now a mandatory requirement to first enter into a Section 104 Adoption Agreement (Water Industry Act 1991). The design of the sewers and lateral drains must also conform to the Welsh Ministers Standards for Gravity Foul Sewers and Lateral Drains, and conform with the publication "Sewers for Adoption"- 7th Edition. Further information can be obtained via the Developer Services pages of www.dwrcymru.com**
- 3. The applicant is also advised that some public sewers and lateral drains may not be recorded on our maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry**

Our response is based on the information provided by your application. Should the proposal alter during the course of the application process we kindly request that we are re-consulted and reserve the right to make new representation. If you have any queries please contact the undersigned on 0800 917 2652 or via email at developer.services@dwrcymru.com. Please quote our reference number in all communications and correspondence.

4. **HN02 Public rights of way affected**
5. **HN08 Section 38 Agreement & Drainage details**
6. **HN07 Section 278 Agreement**
7. **HN28 Highways Design Guide and Specification**
8. **HN26 Travel Plans**
- 9 **The reserved matters application should consider the provision of parking facilities for the schools.**

86. 181347 - TWYFORD BROOK BARN, TWYFORD COMMON ROAD, TWYFORD, HEREFORDSHIRE, HR2 8AD

(Outline application for the erection of dwelling and garage. Construction of new vehicular access and associated works.)

The Development Manager gave a presentation on the application, and updates/additional representations received following the publication of the agenda were provided in the update sheet, as appended to these Minutes.

In accordance with the criteria for public speaking, Mrs S Glover, of Callow and Haywood Parish Council and Mr D Whurr of Lower Bullingham Parish Council spoke in opposition to the Scheme. Mr P Tufnell, a consultant on behalf of local residents, spoke in objection. Mr P Smith, the applicant's agent, spoke in support.

In accordance with the Council's Constitution, the local ward member, Councillor JF Johnson, spoke on the application.

He made the following principal comments:

- The site visit had enabled members to view the relationship of the site to the Grade 2 listed Twyford Brook Barn and Twyford Brook farmhouse. The proposal was for a single domestic dwelling in the open countryside.
- The site was some 6-8 feet above the highway. The topography of the site was steep. This was key to consideration of heritage and landscape impact. The site was within the property boundary of the Grade 2 listed barn and represented garden land to protect the barn from future development. The land in front of the barn had been purchased by the owners to prevent development.
- The application was for outline permission. It should be noted that extensive works would be needed to make the dwelling habitable. The site was on a steep gradient and the necessary works would result in a change in the site's character. It would not be in keeping.
- The drainage comments had been based on the Environment Agency flood maps which showed the site as at low risk. However, a Welsh Water reservoir above the site had created run-off and previously Twyford Barn had been flooded more than once. Ivy Cottage, below the site, had bunds along the road to protect it. This property was directly opposite the proposed new entrance to the development site and water would run off that towards Ivy Cottage.
- The proposal was contrary to the adopted NDP.

- The proposal should not be considered for approval without plans showing all the drainage and engineering works that would be required to protect the heritage and landscape of the properties directly affected.
- In the Committee's discussion of the application the following principal points were made:
- Concern was expressed about the drainage issues and run off, as outlined by the local ward member.
- The steepness of the site was a significant issue.
- Although the Conservation Manager (Built Heritage) had not objected to it, a view was expressed that the proposal would have an impact on the listed buildings affecting their setting and the character of the area.
- Two Parish Councils objected to the application and there were also 21 letters of objection.
- There was concern about additional traffic on a minor busy lane.
- Flooding was the only ground for objection. There would be merit in looking at the detailed engineering works that would be required to mitigate that aspect.
- The proposal was contrary to policy RA3, in conflict with NDP policy CH9, in the open countryside and contrary to policy LD1 and there were sustainable water management issues contrary to policy SD3.
- Some surprise and concern was expressed that the proposal was being recommended for approval even though it appeared contrary to a made NDP.

In response the Development Manager explained in relation to the principle of development that the NPPF now provided that the Callow and Haywood NDP was out of date as it was over 2 years old. Whilst it could still be given weight it was not as straightforward issue in assessing the planning balance as it might appear at first sight given the other issues that had to be weighed in the planning balance.

The Lead Development Manger cautioned against advancing heritage impacts as a ground for refusal given the view expressed by the Conservation Manager.

The local ward member was given the opportunity to close the debate. He expressed disappointment that the recent change to the NPPF reduced the weight that could be given to the NDP mindful of the work that had gone into to achieve its prompt production. The character of the area, outside the urban extension at Lower Bullingham should be protected as the NDP intended.

Councillor Baker proposed and Councillor Williams seconded a motion that the application be refused on the grounds that it was contrary to policy RA3, in conflict with NDP policy CH9, in the open countryside and contrary to policy LD1 and there were sustainable water management issues contrary to policy SD3.

The motion was carried with 8 votes in favour, 6 against and no abstentions.

RESOLVED: That planning permission be refused on the grounds that the application was contrary to policies RA3, LD1 and SD3 and in conflict with NDP policy CH9 and officers named in the scheme of delegation to officers be authorised to detail the reasons for refusal.

Appendix - Schedule of Updates

PLANNING COMMITTEE

Date: 18 December 2018

Morning

Schedule of Committee Updates/Additional Representations

Note: The following schedule represents a summary of the additional representations received following the publication of the agenda and received up to midday on the day before the Committee meeting where they raise new and relevant material planning considerations.

SCHEDULE OF COMMITTEE UPDATES

182239 - DEMOLITION OF EXISTING BUILDINGS, STRUCTURES AND HARDSTANDING AND ERECTION OF 45 DWELLINGS (INCLUDING AFFORDABLE HOUSING) AND DRAINAGE ATTENUATION, OPEN SPACE AND ASSOCIATED LANDSCAPING AND INFRASTRUCTURE WORKS.(AMENDED LAYOUT) AT LAND OFF HEREFORD ROAD, BROMYARD,

For: Keepmoat Homes per Mr Rob Riding, Pegasus House, Querns Business Centre, Whitworth Road, Cirencester, GL7 1RT

ADDITIONAL REPRESENTATIONS

Nunwell GP's Surgery, Pump Street, Bromyard

Cllr. Seldon, in his capacity as Ward Member, has asked officers to include within this written update the view of The Practice Manager, Nunwell Surgery, Pump Street, Bromyard, as relayed to him in an email dated 11th December 2018.

“As you will expect, our views are similar to those discussed with you before. We are currently at capacity both with regards to our building and the staff we can accommodate. Recruitment is also a significant issue, obviously Dr Scott has recently retired and there is nationally a shortage of GPs and nursing staff. At Nunwell we have been relatively fortunate with recruiting staff until now but any increase in patient numbers will put our service under considerable strain and possibly affect the quality of care we are able to provide.

We are grateful for your continued vigilance and communication with us on these matters. Unfortunately we don't seem to have notification from other sources.”

Subsequently, a further email communication enclosed the surgery's population count and demographic:-

Report Name: Age / Sex 10 Year Band

Parent Population: All Currently Registered Patients

Last Run: 12-Dec-2018 15:47

Relative Date: 12-Dec-2018 15:47

Population Count: 9514

Males: 4760

Females: 4754

	Age	0-9	10-19	20-29	30-39	40-49	50-59	60-69	70-79	80-89	90-99	100+
Gender												
Female		406	392	420	475	523	726	806	616	311	75	4
Male		391	447	456	499	516	716	813	577	281	62	2

PRINCIPAL TECHNICAL OFFICER – ENVIRONMENTAL HEALTH

I refer to the above application and would make the following comments in relation to contaminated land and human health issues.

"Land West of Hereford Road, Bromyard. Desk Study and Ground Investigation." Prepared by Hydrock Consultants Ltd. Dated July 2018. Hydrock ref: C-06403-C, Report ref: HRB-HYD-XX-GI-RP-G-1000-P2.

The report recognises there are some uncertainties which need addressing. These are mentioned below together with comments which should be addressed as part of the additional phase(s) of investigation:

1. The agricultural field which forms part of the application site and the infilled pond associated with it.
2. Delineation of the lead and PAH impacted ground and further refinement of the conceptual site model with regard to the AST and Interceptor where hydrocarbon odour has been noted.
3. The source of the organic odour noted in TP01 should also be assessed further. Consideration should be given to gas monitoring in this part of the site (and others post the additional investigation phase) where the source and risk cannot be sufficiently assessed qualitatively.
4. Given access limitation to the existing buildings, these structures should form part of the next phase of investigation alongside the 'raised ground'.
5. It is understood that a north western part of the site, was formerly at a lower level and may have been filled. As such consideration should be given to further investigation of this area as part of what's proposed.
6. It is also understood a second AST (heating oil) was located adjacent to the former office in the centre of the site. Whilst no staining or similar was noted, perhaps this area could be looked at following demolition of the buildings on site.
7. WS01 and WS02 targeted the AST and interceptor and the proposed PID assessment of volatiles will be useful in further appreciating this risk.
8. Consideration of interference in the results from WS01 and WS02 should form part of the risk assessment of bulk gases.

Following on from the additional investigatory and assessment works, the proposed remediation and mitigation strategy should be refined and a suitable Detailed Remedial Method Statement prepared and submitted.

With the above in mind I'd recommend the following conditions be appended to any approval.

Recommended condition

1. No development shall take place until the following has been submitted to and approved in writing by the local planning authority:
 - a) a 'desk study' report including previous site and adjacent site uses, potential contaminants arising from those uses, possible sources, pathways, and receptors, a conceptual model and a risk assessment in accordance with current best practice

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

Reason: In the interests of human health.

2. The Remediation Scheme, as approved pursuant to condition no. (1) above, shall be fully implemented before the development is first occupied. On completion of the remediation scheme the developer shall provide a validation report to confirm that all works were completed in accordance with the agreed details, which must be submitted and agreed in writing before the development is first occupied. Any variation to the scheme including the validation reporting shall be agreed in writing with the Local Planning Authority in advance of works being undertaken.

Reason: In the interests of human health.

3. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted, and obtained written approval from the local planning authority for, an amendment to the Method Statement detailing how this unsuspected contamination shall be dealt with.

Reason: In the interests of human health.

Technical notes about the condition

1. I would also mention that the assessment is required to be undertaken in accordance with good practice guidance and needs to be carried out by a suitably competent person as defined within the National Planning Policy Framework 2018.
2. And as a final technical point, we require all investigations of potentially contaminated sites to undertake asbestos sampling and analysis as a matter of routine and this should be included with any submission.

Bromyard Cricket Cub comments 9th December 2018 and Sport England's further response

"In essence Bromyard Cricket Club are unable to withdraw their objection since the ball mitigation system recommended by the external consultants [Labosport] will, in the reality of actual cricket conditions still, we believe, prove inadequate in terms of height. We may be able to make constructive suggestions as to a way forward and thus the withdrawal of our objection in this matter if the developers were willing to meet us for further discussion I note the comments received from Sport England and agree with their condition in that it requires commitment to ongoing repair and maintenance.

However, there also remains the issue of how we will have any access to the development in the event of balls going over the fencing There is a gate shown primarily for a footpath to the school but there is no indication as to whether this will be locked under the school's control. If this is so our only access would be via a long road journey. Some clarification on this point would be helpful.

The situation regarding the school pathway is a different matter and I guess, apart from the siting of the gate, does not fall within the Keepmoat application per se. I acknowledge that the land to be used for the footpath is educational land and thus we cannot formally object, except that we have occupied and maintained it for decades with no objection or issue from the school. I hope that both parties in face to face discussion can reach a reasonable conclusion regarding the siting of the proposed path to our mutual satisfaction.

I hope this carries the matter forward in an appropriate way and thank you again for keeping me informed.”

Bromyard Cricket Club comments 9th Dec 2018

The Cricket Club's comments above were then relayed to Sport England, who replied on 12th December as follows:-

“I don't think there is anything further to add from Sport England's perspective. Subject to the recommended condition we have no objections.”

Sport England response to Bromyard Cricket Club's comments

Boundary Dispute

Subsequent to the publication of the Officer Report to Committee, Mr Jones of 20 Hereford Road has made further representations concerning land ownership and the specific matter of the boundary defining the application site and his property. Mr Jones maintains that the application site boundary as presented with the application makes an incursion onto this property and that the straight line to the boundary where it meets the A465 is inaccurate and demonstrably so when reference is made to historic conveyances that he has submitted.

As per the officer report, however, examination of the Council's registered title demonstrates that this registered title is consistent with the red line site boundary.

Officers are advised that Members can reasonably assume for the purpose of decision-making on the planning application, the application is valid.

Cesspit Location

Subsequent to the publication of the Officer Report to Committee, Mr and Mrs Tait, of Ashfields House has made representation concerning condition 10, bullet point 6. They state that the cesspit is located on land in their ownership. Clarification is being sought and a verbal update will be reported to committee.

OFFICER COMMENTS

In respect of the comments from the surgery, the Heads of Terms describe the financial contribution that is payable to both Nunwell Surgery, but also the Wye Valley Trust.

The Principal Technical Officer's comments and recommended conditions address, in the view of officers, third party representations voicing concern at the adequacy of the submitted Ground Investigation report.

The comments of the Cricket Club in respect of the height of the ball netting are noted, but as per the published report, absent support for their view from the governing body, officers are unable to object to the proposal. It is almost certain, however, that the scheme to discharge the condition will involve officers of the Club.

In respect of the boundary dispute, the official registered title has been checked against the submitted application site boundary and is consistent.

CHANGE TO RECOMMENDATION

Add the conditions recommended by the Principal Technical Officer concerning further ground investigation and remediation.

181494 - PROPOSED LAND FOR RESIDENTIAL DEVELOPMENT AND ASSOCIATED WORK TOGETHER WITH PUBLIC OPEN SPACE AND LOCAL GREEN SPACE AT LAND ADJACENT TO SPRING COTTAGE, HEADBROOK, KINGTON, HR5 3DY

For: Mr & Mrs Turner per Mr Peter Draper, Yew Tree Cottage, Byford, Hereford, Herefordshire HR4 7LB

ADDITIONAL REPRESENTATIONS

One further letter of representation has been received. The author observes that the Kington Area Neighbourhood Development Plan has not been passed by Kington residents and therefore it should not be considered by the committee in their decision making.

OFFICER COMMENTS

The weight to be afforded to the Neighbourhood Development Plan is set out at paragraph 2.2 of the officer's report. In light of the progress of the plan and the representations received in response to public consultation, the plan is to be afforded moderate weight.

NO CHANGE TO RECOMMENDATION

181050 - OUTLINE PLANNING PERMISSION FOR PROPOSED ERECTION OF UP TO 50 DWELLINGS (INCLUDING 35% AFFORDABLE), PLANTING AND LANDSCAPING, INFORMAL OPEN SPACE, VEHICULAR ACCESS POINT FROM PEPPER PLOCK LEY AND ASSOCIATED ANCILLARY WORKS. ALL MATTERS TO BE RESERVED WITH THE EXCEPTION OF THE MAIN VEHICULAR SITE ACCESS AT LAND AT BURTON WOOD, WEOBLEY, HEREFORDSHIRE,

For: Mr Land per Mr Kodiak Land, Unit 2, John Bradshaw Court, Congleton, CW12 1LB

ADDITIONAL REPRESENTATIONS

Weobley Parish Council wishes to express the concerns regarding this additional information submitted directly from the Developers, Kodiak:

- Parish Council wishes to express its concerns that it has not been formally notified of the amendments to this sensitive application;
- Any additional information or amendments to the outline planning application should go through the proper consultation process. The additional highway information is a material consideration and should go through the statutory public consultation period. Both Kodiak Land and the Herefordshire Council have agreed that further publicity is 'beneficial'. Requesting the Parish Council to circulate plans is both unacceptable and insufficient;
- The highway proposals do not include the pedestrian crossing that has been proposed;
- The proposals will not help alleviate traffic issues as there will be a significant increase in traffic movements over and above the current existing movements;
- Formalised parking has been provided on the northern side of the road adjacent to 14 - 15 Burtonwood. It is presumed that this will accommodate vehicles parked on the southern side, so no improvement has been achieved;
- In the area by Primary School, the pavement will be widened in front of 25 & 26 Burtonwood but it is not clear if any current roadside parking restrictions will remain here? It appears that the traffic island in the turning circle will be made smaller to presumably counteract the narrowing of the road;
- Current parking restrictions will be removed inside the turning circle which will create a number of traffic issues that may cause additional safety hazards to the pupils attending the High School;
- There are concerns regarding the future enforcement of the proposed parking restrictions to be implemented. Parking restrictions are currently not enforced and no evidence has been provided that this will change;
- The retention of more trees on the main development site is welcomed.

The Parish Council would therefore request that the consideration of this application, currently scheduled for 18th December 2018, is deferred until at least February 2019 to enable full and proper consultation on this material amendment to take place in

January 2019. Every effort should be made to ensure that the consultation period does not take place over the Christmas period.

The applicant that conditions 7 and 9 are duplicated, and does not consider that conditions 8 (details of open market housing to be agreed) and 18 (cycle parking) are not necessary as they are matters to be addressed by a Reserved Matters submission.

One further letter of representation has been received from a local resident which refers to the proposed highway improvements along Burtonwood. The letter raises similar points to those raised by the parish council in respect of the enforceability of traffic speed reductions and parking restrictions.

OFFICER COMMENTS

The requirement for off-site highway improvements to be made has been a pre-requisite as far as officers are concerned from the original inception of the application and discussions have continued with the applicant as to the form that these might take. The plan submitted by the applicant provides details of off-site improvement works as outlined in the Traffic Manager's comments. Condition 16 will require the precise details to be agreed and aspects would be subject to a separate Traffic Regulation Order and its requisite consultation. Consequently officers do not consider that the submission of the highway improvement plan brings about a need for a full re-consultation exercise.

Similarly the amended Tree Retention Plan responds to specific comments made by the Woodland Trust. They have been re-consulted but no further comments have been received.

Comments made with respect to the need for condition 18 (cycle storage) at an outline stage are accepted, and this condition could be deleted. However, officers are of the view that there is a need to be specific about the need to ensure that development should come forward that reflects requirement for an open market mix that reflects the needs of the local area. Condition 8 seeks to ensure that the applicant, or any successive owner of the site, is fully aware of this prior to the submission of a Reserved Matters scheme and therefore it is recommended that condition 8 is retained.

CHANGE TO RECOMMENDATION

Delete condition 9 as it is a duplication of condition 7.

Delete condition 18

181347 - OUTLINE APPLICATION FOR THE ERECTION OF DWELLING AND GARAGE. CONSTRUCTION OF NEW VEHICULAR ACCESS AND ASSOCIATED WORKS AT TWYFORD BROOK BARN, TWYFORD COMMON ROAD, TWYFORD, HEREFORDSHIRE, HR2 8AD

For: Mr & Mrs Reed per Mr Paul Smith, 1a Mill Street, Hereford, Herefordshire, HR1 2NX

ADDITIONAL REPRESENTATIONS

An email has been received from Cllr Summers (neighbouring Ward Cllr) on behalf of a number of residents in his Ward. This corroborates concerns relating to the ability of the existing road network to accommodate any additional traffic; concerns about surface water run-off from the new driveway adding to existing flooding issues that are experienced locally.

Following consultation on the Council's Habitat Regulations Assessment, Natural England have confirmed NO OBJECTION subject to conditions

CHANGE TO RECOMMENDATION

The recommendation can now be amended as follows:

That planning permission be granted subject to the following conditions and the additional conditions set out below:

All foul water shall discharge through a connection to a new Package Treatment Plant system with a final outfall to a suitable soakaway drainage field on land under the applicant's control as shown in Drawing ref PMRE/01 dated Sept 2018. The foul water management scheme shall be implemented as approved unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to comply with Conservation of Habitats and Species Regulations (2017), National Planning Policy Framework, NERC Act (2006), National Planning Policy Framework and Herefordshire Local Plan Core Strategy policies LD2 and SD4.

All surface water shall discharge through a SuDS soakaway and infiltration scheme on land under the applicant's control. The surface water management scheme shall be implemented in full and hereafter maintained as approved unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to comply with Conservation of Habitats and Species Regulations (2017), National Planning Policy Framework, NERC Act (2006), National Planning Policy Framework and Herefordshire Local Plan Core Strategy policies LD2 and SD3.

