

**Minutes of the meeting of Planning and regulatory committee held at The Council Chamber - The Shire Hall, St. Peter's Square, Hereford, HR1 2HX on Wednesday 1 November 2017 at 10.00 am**

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

Councillors: BA Baker, CR Butler, PJ Edwards, DW Greenow, KS Guthrie, EL Holton, TM James, FM Norman, AJW Powers, A Seldon, EJ Swinglehurst and SD Williams

**In attendance:** Councillors EPJ Harvey, AW Johnson, RJ Phillips, D Summers and A Warmington

**68. APOLOGIES FOR ABSENCE**

Apologies were received from Councillor WC Skelton. Councillor J Kenyon was absent.

**69. NAMED SUBSTITUTES**

Councillor SD Williams substituted for Councillor WC Skelton.

**70. DECLARATIONS OF INTEREST**

**Agenda item 8: 1725544 – North Farm, Birchwood Farm Road, Bosbury.**

Councillors J Hardwick and TM James declared non-pecuniary interests because they had previously been trustees of the Buchanan Trust.

Councillors BC Baker, PGH Cutter and A Seldon declared non-pecuniary interests because of military connections.

**71. MINUTES**

The Chairman reported that the minutes of the meetings held on 4 October would be submitted to the Committee's meeting on 15 November.

**72. CHAIRMAN'S ANNOUNCEMENTS**

None.

**73. APPEALS**

The Planning Committee noted the report.

**74. 164078 - LAND TO THE SOUTH OF LEADON WAY, LEDBURY, HEREFORDSHIRE**

*(Application for approval of reserved matters following outline approval p143116/o for 321 residential dwellings.)*

*(Councillor Holton was fulfilling the local ward member role and accordingly had no vote on this application.)*

The Principal Planning Officer (PPO) 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, Ms N Shields, a local resident, spoke in objection to the application. Mr M Elliot, the agent, spoke in support.

In accordance with the Council's Constitution, the local ward member, Councillor EL Holton, spoke on the application, together with adjoining ward Councillors EPJ Harvey and A Warmington whose wards were materially affected by the application.

Councillor Holton commented that the development was unwanted. However, the Inspector had granted permission on appeal and officers had worked hard to seek to address concerns expressed by residents about the development and to secure the best scheme for the town. In the circumstances, the focus should now be on the positive aspects of the development such as the economic benefit the development would bring to the town.

Councillor Warmington also remarked that the development was not wanted. It would nonetheless proceed but he considered that there were major deficiencies in the proposed scheme. These included the proposed housing mix, on which he was aware Councillor Harvey would elaborate, and connectivity which was critical to the development's sustainability. Some improvements requested by the inspector in relation to connectivity had not been made and in some aspects the current proposals were worse than earlier ones for example pedestrian/cycle access. He also questioned whether the single means of access, off Leadon Way, presented a risk to access by emergency vehicles. He outlined a number of other unresolved issues. He concluded that whilst the principle of development may have been established the Committee did not have to accept a deficient scheme.

Councillor Harvey too noted that the Council had refused permission for the scheme. However, the focus now had to be on how best to integrate the development into the community. She commented that the development had a significant impact on the landscape and views approaching the Malvern Hills AONB. The applicant may be challenging the authority for non-determination of the application but the fact remained that the applicant had not addressed a number of key matters including several points required by the Planning Inspector. In terms of connectivity there had been changes to the pedestrian and cycleways, some further information had been supplied to the highways department only last week and other information being sought by the highways department on a number of aspects was outstanding. She particularly highlighted concern about the change to the housing mix for the open market housing which provided no single bed houses, fewer two bedroom houses and more 4 bed and more properties than provided for in the Council's policy as set out in the Local Housing Market Assessment. The proposal was therefore contrary to policy H3 of the Core Strategy. There were a number of other issues where information was outstanding meaning that officers had not had time to address them. She therefore considered that consideration of the application should be deferred, or it should be refused on the grounds that it did not comply with paragraph 50 of the National Planning Policy

Framework (NPPF), or officers should be given delegated authority to approve the application subject to the agreement of local ward members.

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

- It was questioned whether the proposal was in accordance with policy H3 and paragraph 50 of the NPPF.

The Lead Development Manager commented that the Local Housing Market Assessment 2013 that remained valid until the end of 2017 recommended that in terms of the mix of open market housing planning policies should not be over prescriptive and that in most instances the market was best placed to determine what would sell. The Council therefore had no specific policy in relation to the mix of open market housing on a development. This could be reviewed as part of the review of the Core Strategy. The scheme was compliant with policy in relation to the provision of affordable housing.

- The report suggested that the 3 bedroom properties were relatively modest in size but this did not mean they could be equated with 2 bedroom properties.
- Councillor Powers moved and Councillor Norman seconded a motion to the effect that subject to the scheme being amended by reducing the number of open market houses of 4 and more bedrooms by 25 and increasing 2 bedroom houses by 25 and authorisation by all 3 local ward members officers be given delegated authority to grant permission.

Some members suggested that the proposal was too prescriptive and officers should be afforded greater flexibility.

- A number of issues were outstanding making it difficult to assess the sustainability of the proposal and whether the Inspector's requirements would be met.
- There was a lack of clarity about the provision of public open space and its ongoing maintenance.
- It was suggested that road signage could be improved.
- It was questioned why there was no pedestrian access to the west.
- Concern was expressed about the noise generated by a nearby business.
- As the site was on the other side of the bypass from the town account should be taken of the scope for the design to reflect the transition from town to countryside.
- The quality of the development would be important. It was noted that the historic buildings officer had commented that no attempt had been made to respect the local distinctiveness of the area.
- The site was in proximity to Malvern Hills AONB. It was important to seek to reduce the impact of the harm.
- In relation to the question of non-determination the lead development manager commented that in the absence of a five year housing land supply a judgment would have to be made as to where the planning balance lay. He suggested that if members wished further consideration to be given to the open market housing mix it would be preferable if any resolution was not prescriptive. He noted that such a proposal may also require further consultation dependent on the revisions.

The PPO commented as follows:

- It was not a requirement of the reserved matters application to address all the conditions imposed by the Inspector. With reference to condition 21 relating to noise,

for example, the Environmental Health Officer had to be satisfied that a scheme could be implemented to mitigate that issue. It was then incumbent upon the developer to submit a suitable scheme to enable the application to proceed. The absence of the detailed scheme at this stage was not a ground upon which to refuse a reserved matters application.

- Condition 17 required appropriate pedestrian/cycle improvements. A separate application to vary this condition had been received and would be considered. He was not aware that the width of the footpath/cycleway at 3m represented a reduced proposal. The location of the pedestrian crossing of the A417 was in accordance with the Inspector's condition.
- A detailed landscaping scheme had been received but the plans were too large to have been shown as part of the presentation.
- The applicant was providing an increased area of public open space, above the minimum requirement. Condition 2 required the outstanding information required by the Parks and Countryside Officer to be produced.
- He considered that outstanding matters were addressed by conditions.

The Lead Development Manager commented that the application had to be considered on its merits. No regard could be had to any stated intentions to develop adjoining sites. There were no current applications.

The local ward member and adjoining local ward members were given the opportunity to close the debate.

Councillor Warmington commented that noise from the bypass was a concern. He remained concerned that the width of the proposed footpaths/cycleways was too narrow at 3m. He firmly believed there was scope to revise the open market housing mix.

Councillor Harvey reiterated that current policy supported a revision to the open market housing mix the applicant was now proposing.

Councillor Holton considered that the conditions provided for the concerns that had been raised to be addressed by officers.

Following advice Councillor Powers moved and Councillor Norman seconded the following revised proposal: that subject to the scheme being amended by reducing the number of open market four (and more) bed units and increasing the number of 2 bed units and conditions referred to in the report and the update report, delegated authorisation be given to officers to grant permission in conjunction with the Chairman of the Planning Committee (in discussion with the three ward members).

There were 12 votes in favour, 1 against and no abstentions.

**RESOLVED: That subject to the scheme being amended by reducing the number of open market four (and more) bed units and increasing the number of 2 bed units and conditions referred to in the report and the update report, delegated authorisation be given to officers to grant permission in conjunction with the Chairman of the Planning Committee (in discussion with the three ward members).**

*(The meeting adjourned between 11.45 am and 11.58am)*

**75. 172544 - NORTH FARM, BIRCHWOOD FARM ROAD, BOSBURY, HEREFORDSHIRE, HR8 1JY**

*(Demolition of steel frame buildings, conversion of existing brick and timber clad farm buildings and construction of new single storey units to provide accommodation for ex-service personnel with communal and visitor rooms.)*

The Development Manager gave a presentation on the application.

In accordance with the criteria for public speaking, Mr P Whitehead of Bosbury and Coddington Parish Council spoke in support of the Scheme. Mr A Bower, the applicant, also spoke in support.

In accordance with the Council's Constitution, the local ward member, Councillor AW Johnson, spoke on the application. He expressed his support for the application, praising the aspiration of the scheme and noting the Parish Council's support for it.

In the Committee's discussion of the application several members welcomed the support the scheme would provide to ex-service personnel.

It was observed that an element of the proposal was contrary to policy and possibly highlighted an omission in the exception criteria in policy RA3.

Clarification was sought regarding condition 9 which related to a situation in the event that the charity ceased to operate. Officers confirmed that the condition was enforceable should such a situation arise.

The local ward member was given the opportunity to close the debate. He had no additional comment.

Councillor Greenow moved the recommendation as printed and this was seconded by Councillor Holton. This was carried unanimously.

**RESOLVED: That planning permission be granted subject to the following conditions:**

- 1. A01 Time limit for commencement (full permission)**
- 2. B01 Development in accordance with the approved plans**
- 3. C03 Matching external materials (general)**
- 4. C01 Samples of external materials**
- 5. Prior to commencement of the development, a detailed habitat enhancement scheme should be submitted to and be approved in writing by the local planning authority, and the scheme shall be implemented 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 1994 (as amended) and Policy LD2 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework, NERC 2006**

- 6. G10 Landscaping scheme**
- 7. I17 Scheme of foul drainage disposal**

8. **I20 Scheme of surface water drainage**
9. **In the event that the charity cease to operate the occupation of the new build units shall revert to a person solely or mainly working or last working, in the locality in agriculture or in forestry, or a widow or widower of such a person, and to any resident dependants.**

**Reason: To ensure compliance with policy RA3 of the Herefordshire Local Plan – Core Strategy in the event that the charity ceases to operate.**

**INFORMATIVES:**

1. **The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against planning policy and any other material considerations, including any representations that have been received. It has subsequently determined to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.**
2. **The enhancement plan should include details and locations of any proposed Biodiversity/Habitat enhancements as referred to in NPPF and HC Core Strategy. In addition to any bat mitigation/compensation required by a European protected Species Licence, at a minimum we would be looking for significant proposals to enhance bat roosting, bird nesting and invertebrate/pollinator homes to be incorporated in to the new/converted space buildings as well as consideration for hedgehog houses and unrestricted hedgehog movement in and around the development and amphibian/reptile refugia within the landscaping/boundary features. No external lighting should illuminate any of the enhancements or boundary features beyond any existing illumination levels and all lighting on the development should support the Dark Skies initiative.**

**76. 163948 - LAND ADJACENT TO THE MEADOWS, ALMELEY ROAD, EARDISLEY, HEREFORD**

*(Proposed construction of a two bedroom dormer bungalow.)*

The Planning Officer gave a presentation on the application.

In accordance with the Council's Constitution, Councillor RJ Phillips spoke on the application fulfilling the role of local ward member. He commented that the applicant had fully discussed the proposal with officers. It would represent a visual improvement of the site and reflected the layout of the area. The Parish Council supported the proposal which complied with the Neighbourhood Development Plan.

Councillor Greenow moved the recommendation as printed and this was seconded by Councillor Cutter. This was carried unanimously.

**RESOLVED: That planning permission be granted subject to the following conditions:**

1. **A01 Time limit for commencement (full permission)**
2. **B02 Development in accordance with approved plans and materials**
3. **C01 Samples of external materials**

4. **H05 Access gates**
5. **F14 Removal of permitted development rights**
6. **CBK Restriction of hours during construction**
7. **H14 Sealed access**
8. **L02 No surface water to connect to public system**
9. **H29 Secure covered cycle parking provision**
10. **H12 Parking and turning - single house**

**INFORMATIVES:**

1. **HN01 Mud on highway**
2. **151 - Works adjoining highway**
3. **105 - No drainage to discharge to highway**
4. **135 - Highways Design Guide and Specification**
5. **The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against planning policy and any other material considerations, including any representations that have been received. It has subsequently determined to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.**

**77. 163946 - LITTLE MEADOWS, EARDISLEY, HEREFORD, HR3 6PP**

*(Proposed erection of storage building.)*

The Planning Officer gave a presentation on the application.

In accordance with the Council's Constitution, Councillor RJ Phillips was invited to speak on the application fulfilling the role of local ward member. He indicated his support for the application.

The Lead Development Manager confirmed that the land was in the same ownership as the site that was the subject of application 163948, the previous agenda item, and approval would not set a precedent for further development of the site.

Councillor Greenow moved the recommendation as printed and this was seconded by Councillor Powers. This was carried unanimously.

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

1. **A01 Time limit for commencement (full permission)**

2. **B02 Development in accordance with approved plans and materials**
3. **C07 Dark roof colouring (agricultural buildings)**
4. **I20 Scheme of surface water drainage**
5. **I33 External lighting**
6. **H14 Sealed access**

**INFORMATIVES:**

1. **HN01 Mud on highway**
2. **HN16 Sky glow**
- 3 **The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against planning policy and any other material considerations, including any representations that have been received. It has subsequently determined to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.**

**78. DATE OF NEXT MEETING**

The Planning Committee noted the date of the next meeting.

**Appendix - Schedule of Updates**

The meeting ended at 12.40 pm

**Chairman**



# **PLANNING COMMITTEE**

**Date: 1 November 2017**

## **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

**164078 - APPLICATION FOR APPROVAL OF RESERVED MATTERS FOLLOWING OUTLINE APPROVAL P143116/O FOR 321 RESIDENTIAL DWELLINGS. AT LAND TO THE SOUTH OF LEADON WAY, LEDBURY, HEREFORDSHIRE,**

**For: Mr Elliot per Mr Mark Elliot, 60 Whitehall Road, Halesowen, B63 3JS**

### ADDITIONAL REPRESENTATIONS

Comments from the Transportation Manager are as follows:

Initial comments were saved on Civica in June 2017 following a meeting with Andy Banks and Andy Byng 23<sup>rd</sup> June 2017, in an internal meeting. Highways were waiting for the comments raised to be addressed by the applicant.

The application has been brought forward by the applicant for non-determination and to be heard at committee Wednesday 1st November, 2017.

In lieu of no response to the aforementioned comments from the applicant, the comments below are in response to the current submitted drawings.

Planning application P143116/O and the subsequent appeal determined access for 321 houses on this site via a roundabout. The details of the access and connectivity to the wider network is subject to a S278 agreement which is currently working through the Technical Approval process.

The Inspector upheld the appeal but conditioned any approval going forward. For clarity the Highways conditions are listed below:

#### *Highways/Parking/Travel Plan*

*15) No dwelling shall be occupied unless and until the roundabout access shown on Plan No 1394/10 has been constructed, surfaced and drained in accordance with details that shall previously have been submitted to and approved in writing by the local planning authority.*

*16) No dwelling on any phase of the development hereby permitted shall be occupied unless and until a 40 mph speed limit on that stretch of Leadon Way between the Full Pitcher roundabout and a point to be agreed with the local planning authority to the east of the proposed roundabout has been introduced.*

*17) No dwelling on any phase of the development hereby permitted shall be occupied unless and until the pedestrian/cycle improvements shown on Plan No 1394/11 have been completed in accordance with the approved details.*

*18) No development in relation to the provision of roads and drainage infrastructure within any phase shall take place until details of the engineering and specification of the roads and highway drains within that phase have been submitted to and approved in writing by the local planning authority. No dwelling within any phase shall be occupied until the roads and drainage infrastructure for that phase has been carried out in full accordance with the approved details.*

19) No dwelling in any phase shall be occupied unless and until related provision for off-road car and cycle parking/storage has been provided in accordance with details that shall previously have been submitted to and approved in writing by Appeal Decision APP/W1850/W/15/3009456 35 the local planning authority. Once provided, such facilities shall be retained thereafter for their intended use.

20) No dwelling shall be occupied until a Travel Plan, based on the Framework Travel Plan (Ref:1394/3/A dated September 2014) submitted with the planning application, has been submitted to and approved in writing by the local planning authority. The Travel Plan shall include arrangements for the provision of a travel plan coordinator appointed by the developer for a period to be agreed, a timetable for its implementation, provisions for ongoing monitoring and review and an enforcement mechanism for failure to meet travel plan targets. The approved Travel Plan shall be implemented as approved.

The inspector's conditions aside, the application before us for approval of reserved matters comments are below. All comments are related to the last amended plan Drawing reference 16066 / 1000p &1001p 15/5/17

### **Design of internal layout / roads.**

Design:- The road layout serving House Nos.204 – 224 is not in line with the Herefordshire Council Design guide. This needs to be amended in accordance with the design guide to an adoptable standard.

Confirmation needed that the applicant

Bus:- (nearest bus stop(s), adequacy of walk route to bus stop(s) service, frequency of service) –

A bus route through the site is proposed. A face to face meeting determined that no laybys would be provided. Consultation with bus companies will be needed. No confirmation of discussions received and no revised drawings to reflect this. It is noted there is no funding available to support the service, discussions required with the applicant and service provider linked to the Travel Plan to support the service.

Walking:- Connectivity has been improved to allow pedestrian access towards Ledbury along the Leadon way from the site along a 3m shared footpath.. A circular route is available around the site and links to the Public open space. It is essential that the development connects to the Ledbury town trail loop footpath, via the proposed Toucan crossing and proposed footpath links for the area.

The likelihood of pedestrians being able to leave the site, other than at the roundabout access, at the north end of the site looks to be closed off but no details have been supplied to affirm the suitability and long term issues with maintenance to ensure that unofficial routes out of the site across Leadon Way are completely discouraged / prevented.

The latest plan details a very wide footpath to the front of properties 250 – 253 which needs reducing to 3m with the path against the road kerb side.

We cannot adopt the road verge footpath verge housing arrangement from property No. 304 in the south to property No.278 in the north of the middle of the site. This would free up the space to make this stretch of footpath 3m in line with the connection to the north as previously requested.

Cycling:- a shared use path is proposed by the applicant though we will condition the provision of a 3m shared path north to south from the northern proposed path. Cycle path in the middle of the site is 3m for a short duration. Prefer to see a 3m shared use path through out site.

Access:-

Has been determined by Planning application and appeal reference **P143116/O**

Vehicle Parking Provision:-

As part of the mitigation on on-street parking, we would also ask that we remove the PD rights (garages) as a condition of approval, to prevent loss of car parking spaces, in the future.

If garages are to be counted as part of the parking number, the internal layout needs to be conditioned as 3m x 6m.

Where 2 spaces in line with car parking is provided in front of a garage a 1.2 metre path must be provided.

Car parking layouts 130-133 are not to standard and do not appear to work, there may be others that are similar. All car parking must be to the HC design guide and comply with 6 metres reversing room behind spaces or demonstrated that the parking arrangements are suitable.

Cycle Parking Provision:-

Appeal Inspector's conclusions: Off-road car parking is required for each dwelling in the interest of highway safety, together with cycle parking/storage in order to encourage sustainable travel (19).

**Section 106 Obligations**

Section 106 financial contributions:-

Inspectors report: 83: *To support the delivery of sustainable transport opportunities for future occupiers, a contribution of £20,000 is secured towards the provision of a new bus stop and shelter on the west side of Martins Way, plus the provision of a shelter at the existing bus stop on the east side of the road, together with associated kerbing works, ground works, drainage works and design*

**Proposal acceptable, subject to the following conditions and / or informatives:-**

**Further details to be agreed with Herefordshire Council, to include:**

- **An extended 3.0 metres shared path from the proposed path from the north of the site adjacent to No.245 south to No.243.**
- **A 3.0 metres shared path east to west across the site to increase different modes of transport connectivity.**
- **A reduction in width to create a 3m path to the front of No.250 – 253**
- **No laybys / bus laybys as previously agreed ( removal of the 3 laybys shown on the original plan)**
- **An agreeable layout of the road serving House Nos.204 – 224 which is not to standard.**
- **6x3 garage minimum**
- **Car parking layout at Unit Nos 130-133 needs to be changed to meet standard.**

**Details showing the stopping up of the existing field access and kerb line off Leadon Way as well as the location and external boundary details to deter users crossing the bypass and assurances relating to the maintenance of it**

**Permitted development rights are to be removed from all properties with Garages (to discourage on street parking / overspill onto and out of the sites access roads if the garages are converted).**

**CAJ** - Parking - estate development (more than one house)

**CAL** - Access, turning area and parking

**CAS** - Road completion in 2 years

Informatives

**I11** – Mud on highway

**I45** – Works within the highway (Compliance with the Highways Act 1980 and the Traffic Management Act 2004)

**I05** – No drainage to discharge to highway

**I57** – Sky glow

Three additional representations from local residents have been received by the case officer. In summary these raise concern about the housing mix on the site and considers it to be contrary to the approved Core Strategy. It sets out what are considered to be a policy compliant housing mix and compares it to the development proposed:

Policy requirement:

- 1-bed 4% or 7
- 2-bed 26% or 51
- 3-bed 47% or 93
- 4+ bed 23% or 45
- 

The mix which is shown on the submitted plans is:

- 1-bed 0 (-7)
- 2-bed 19 (-32)
- 3-bed 94 (+1)
- 4-bed 63 (+26)
- 4+ bed 20 (+12)

They also comment on a perceived lack of adequate walking and cycling provision - both with the proposed site and integration externally, and a lack of open space provision within the site.

Members of the Planning Committee have also received email correspondence from a local resident. In summary its author is concerned that this development along with any other proposed development is built well, genuinely meets local housing needs and, will itself be of good build quality to address resident needs in future years.

It requests that the developers adhere strictly to the stipulations of the Inspector's decision and suggests that buildings should not be higher than 2 storeys and that proper connectivity to the town should be ensured.

## **OFFICER COMMENTS**

Members should be clear about the requirements of Policy H3 of the Core Strategy. For the avoidance of any doubt the policy reads as follows:

### **Policy H3 – Ensuring an appropriate range and mix of housing**

Residential developments should provide a range and mix of housing units which can contribute to the creation of balanced and inclusive communities. In particular, on larger housing sites of more than 50 dwellings developers will be expected to:

1. provide a range of house types and sizes to meet the needs of all households, including younger single people;
2. provide housing capable of being adapted for people in the community with additional needs; and
3. provide housing capable of meeting the specific needs of the elderly population by:

- providing specialist accommodation for older people in suitable locations;
- ensuring that non-specialist new housing is built to take account of the changing needs of an ageing population;
- ensuring that developments contain a range of house types, including where appropriate, bungalow accommodation.

The latest Local Housing Market Assessment will provide evidence of the need for an appropriate mix and range of housing types and sizes.

The sub-text of the policy goes on to say:

*The Local Housing Market Assessment 2013 (LHMA) recommends that planning policies are not overly prescriptive with regard to requiring a specific mix of housing sites. Specific policies for the strategic sites refer to meeting needs identified in the LHMA. The range of house types provided across the county will be monitored to ensure an appropriate mix of housing is provided, however it is recognised that meeting specialist needs is more likely to be achievable on sites of 50 dwellings and above.*

The LMHA does identify percentage targets for house types, but these are not policy requirements as the representations suggest. Paragraph 6.22 of the officer's appraisal deals with the issue of housing mix and highlights the fact that a large proportion of the three bed dwellings are modest in terms of their floor area and that they serve to provide a good housing mix. The comments received do not change this opinion.

The comments from the Transportation Manager do raise matters that will need to be addressed through the imposition of additional conditions and this is reflected in the change to the recommendation below.

For clarity, the conditions relate only to matters of layout and are considered to be necessary in this specific regard. They should not duplicate those already imposed by the Inspector and, for the avoidance of any doubt, the applicant is required to comply with the conditions imposed through the grant of outline planning permission, along with conditions imposed as part of any reserved matters approval.

The first bullet point relates to the continuation of a three metre shared path running north / south through the site. The layout plan shows this currently curtailed adjacent plot 243. The suggestion is that this should be continued in a southerly direction from a point adjacent plot 278 to plot 304, the width increase allowed by replacing a verge shown on the submitted plan. This can be addressed through the imposition of an appropriately worded condition.

The second bullet point refers to the provision of a 3 metre shared path running in an east / west direction across the site. This is not shown on the layout plan and

would require further amendment to the scheme. The main spine road through the site provides an east / west route through the site and, in the opinion of the case officer, provides an appropriate level of connectivity.

Bullet points 3 to 5 are matters that can be dealt with through agreements to be reached in a Section 38 Agreement and do not require the imposition of additional conditions.

The sixth bullet point requires a minimum dimension of 6x3 metres for garages. The case officer can confirm that the plans show garages to be in excess of this.

The seventh bullet point is addressed through the imposition of an additional condition.

The stopping up of an existing field access from the A417 is addressed as part of the landscaping proposal which sees this area stopped up through the planting of a new hedgerow.

Finally, the removal of permitted development rights to convert garages into habitable accommodation is addressed through the imposition of a condition.

## **CHANGE TO RECOMMENDATION**

1. With the exception of areas related to plots 130 to 133 inclusive, for which further details of the parking facilities and turning areas are required to be submitted to and approved in writing by the local planning authority, the development hereby permitted shall not be brought into use until the access, turning area and parking facilities shown on the approved plan have been properly consolidated, surfaced, drained and otherwise constructed in accordance with details to be submitted to and approved in writing by the local planning authority and these areas shall thereafter be retained and kept available for those uses at all times.

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

2. Prior to the first occupation of any dwelling to which this permission relates an area for car parking shall be laid out within the curtilage of that property, in accordance with the approved plans which shall be properly consolidated, surfaced and drained, in accordance with details to be submitted to and approved in writing by the local planning authority and those areas shall not thereafter be used for any other purpose than the parking of vehicles.

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

3. All roadworks shall be completed within a period of 2 years, or other period agreed in writing with the local planning authority, from the commencement of work on the site. This will entail the making good of surfacing, grassing and landscaping in accordance with a specification submitted to and approved in writing by the local planning authority. (Nothing in this condition shall conflict with any phasing scheme, in which respect it will be interpreted as applying to the particular phase being implemented).

Reason: In the interests of highway safety and convenience and a well co-ordinated development and to conform with the requirements of Policy MT1 of Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

4. All garages and access thereto must be reserved for the garaging or parking of private motor vehicles and shall at no time be converted to habitable accommodation.

Reason: To ensure adequate off street parking arrangements remain available at all times and to comply with Policy MT1 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework

5. Notwithstanding the plans hereby approved, details shall be submitted to and approved by the local planning authority to show the provision of a shared pedestrian and cycle path to minimum width of three metres from a point immediately west of plot 278 to a point west of plot 304. Details shall be submitted prior to the commencement of the development of that respective phase and the development shall be carried out in accordance with the approved details as part of the completion of works for that phase of the development.

Reason: In the interests of highway safety and convenience and a well co-ordinated development and to conform with the requirements of Policy MT1 of Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.