

MEETING:	PLANNING AND REGULATORY COMMITTEE
DATE:	31 January 2018
TITLE OF REPORT:	172135 - RESERVED MATTERS APPLICATION FOR 414 DWELLINGS, VEHICULAR ACCESS AND ASSOCIATED WORKS. AT BARONS CROSS CAMP, CHOLSTREY, LEOMINSTER, HEREFORDSHIRE. For: Mr Buggins per Miss Konstantina Zannetaki, BM3 Architecture Ltd, 28 Pickford Street, Birmingham, B5 5QH
WEBSITE LINK:	https://www.herefordshire.gov.uk/info/200142/planning_services/planning_application_search/details?id=172135&search=172135
Reason Application submitted to Committee - Redirection	

Date Received: 12 June 2017

**Ward: Leominster
West**

Grid Ref: 347091,258297

Expiry Date: 26 September 2017

Local Member: Councillor FM Norman

1. Site Description and Proposal

- 1.1 The application seeks approval of Reserved Matters pursuant to the outline planning permission for the erection of 425 dwellings and associated development, including means of vehicular access, at Barons Cross Camp, Leominster.
- 1.2 The application site comprises approximately 12 hectares of previously developed land, close to the junction of the A44 and B4529. The site slopes gently from the southernmost boundary to a ridge two thirds of the way up the site. From this point the land then slopes down at a steeper gradient. It forms an 'L' shape and is bounded on four sides by mature trees and hedgerows. The main western boundary is open to agricultural land, whilst the southern boundary adjoins an existing residential area. A number of mature trees are randomly dispersed along this boundary.
- 1.3 The land was originally allocated for housing development via the Herefordshire Unitary Development Plan (2007). Outline planning permission for the erection of 425 dwellings and associated development, including the means of access and drainage was approved originally in October 2006. A detailed drainage scheme was also agreed at that point and included a surface water attenuation area (dry pond) on agricultural land on the south side of the A44.
- 1.4 A reserved matters application, dealing with all of those matters previously reserved, those being layout, appearance, scale and landscaping was approved on 27th March 2008. A later revision to the landscaping element of the reserved matters was also approved – see Planning History section below.

- 1.5 Application N120887/O was made under the amendment to the Town & Country Planning (General Development Procedure) Order 2009 (SI 2009 No.2261) which allowed at that time for the extension of time limits on permissions granted on or before 1st October 2010 and extant at the time of application. This application was approved on 17th June 2017 and this submission for approval of Reserved Matters is the subsequent application to agree the detailed appearance, layout, scale and landscaping of the site. A copy of the outline planning permission and the conditions imposed is attached as an appendix to this report.
- 1.6 The proposal is for the erection of 414 dwellings; a mix of 2, 3 and 4 bedrooms. 311 of the dwellings are intended for private sale, 54 for affordable rent and 49 for shared ownership. House types are varied and comprise both wide and narrow frontages. Designs are evenly distributed throughout the site and comprise a mix of terraced, semi-detached and detached. The proposed layout plan is shown below:



- 1.7 The scheme has been amended since its original submission and consideration is based on those amended plans and documents submitted by the applicant. The amendments to the scheme include a greater variation in the palette of materials to be used and this, combined with the design of the dwellings, adds variety to the street scene.
- 1.8 The plans generally adhere to the indicative layout plan that was submitted as part of the outline application. Two areas of public open space are provided, one in the middle of the site and one to the north. The centrally located area includes the provision of a formal equipped play area whilst the area to the north is a more informal area of open space.
- 1.9 In addition to a suite of plans showing the detailed plans and elevations of individual house types, the submission includes a series of street scenes and a topographical survey of the site. Detailed access arrangements of the proposed roundabout onto Cholstrey Road are provided and the application is also accompanied by the following documents:

- Design & Access Statement
- Flood Risk Assessment
- Transport Statement
- Tree Survey
- Landscape Management & Maintenance Specification
- Archaeological & Cultural Heritage Desk Based Assessment
- Construction Management Plan
- Site Waste Management Plan

2. Policies

2.1 The Herefordshire Local Plan Core Strategy policies together with any relevant supplementary planning documentation can be viewed on the Council's website by using the following link:-

SS1	-	Presumption in Favour of Sustainable Development
SS2	-	Delivering New Homes
SS3	-	Releasing Land for Residential Development
SS4	-	Movement and Transportation
LO1	-	Development in Leominster
H1	-	Affordable Housing – Thresholds and Targets
H3	-	Ensuring an Appropriate Range and Mix of Housing
MT1	-	Traffic Management, Highway Safety and Promoting Active Travel
LD1	-	Landscape and townscape
LD2	-	Biodiversity and geodiversity
LD3	-	Green infrastructure
SD1	-	ustainable design and energy efficiency
SD3	-	Sustainable water management and water resources
SD4	-	Waste water treatment and river water quality
ID1	-	Infrastructure Delivery

Planning Obligations Supplementary Planning Document

2.2 National Planning Policy Framework

Paragraphs 11 to 15 – Presumption in favour of sustainable development
 Chapter 1 – Building a strong, competitive economy
 Chapter 6 – Delivering a wide choice of high quality homes
 Chapter 10 – Meeting the challenge of climate change, flooding and coastal change
 Paragraphs 203 to 206 – Planning conditions and obligations

2.3 Leominster Neighbourhood Development Plan

The Neighbourhood Area was designated on 27th July 2012. The plan had reached submission in January 2016 and the consultation was undertaken under Regulation 16 between 20 January and 2 March 2016. However that plan was not progressed to examination (15 March 2016) due to concerns regarding conformity with the adopted Core Strategy and the NPPF, which would result in the plan not meeting the required 'Basic Conditions' to be successful at examination.

A revised Leominster Area NDP was submitted to the Council on 27 October 2017 and was subject to further consultation under Regulation 16 between 2 November and 14 December 2017. At the time of writing, confirmation is awaited as to whether the plan will progress to examination. Consequently at this stage only limited weight can be attributed to the Leominster Area Neighbourhood Plan.

Notwithstanding, the following policies are relevant to this application:

LANP3 – Supporting the strategic and small scale housing development needs in Leominster
LANP14 – Promoting a healthy community
LANP19 - New building in Leominster
LANP26 – Community and highway infrastructure

- 2.4 The Core Strategy policies together with any relevant supplementary planning documentation can be viewed on the Council's website by using the following link:-

https://www.herefordshire.gov.uk/info/200185/local_plan/137/adopted_core_strategy

3. Planning History

- 3.1 N120887/O: Proposed extension of time for the implementation of DCNC2005/0917/O and DCNC2007/0916/RM: Approved 17th June 2017
- 3.2 N100122/RM: Erection of 425 dwellings, community building, vehicular access foul pumping station, association works. (Reserved matters application) (Landscaping only): Approved 22nd March 2010.
- 3.3 DCNC2007/0916/RM: Reserved Matters approval pursuant to DCNC2005/0917/O: Approved 27th March 2008.
- 3.4 DCNC2005/0917/O: Site for erection of a maximum of 425 dwellings, community building, vehicular access, foul water pumping station and associated works. Approved 10th October 2006.

4. Consultation Summary

Statutory Consultations

- 4.1 Natural England: No bespoke comment

Natural England has no comments to make on this application.

Natural England has not assessed this application for impacts on protected species. Natural England has published Standing Advice which you can use to assess impacts on protected species or you may wish to consult your own ecology services for advice.

Natural England and the Forestry Commission have also published standing advice on ancient woodland and veteran trees which you can use to assess any impacts on ancient woodland.

The lack of comment from Natural England does not imply that there are no impacts on the natural environment, but only that the application is not likely to result in significant impacts on statutory designated nature conservation sites or landscapes. It is for the local planning authority to determine whether or not this application is consistent with national and local policies on the natural environment. Other bodies and individuals may be able to provide information and advice on the environmental value of this site and the impacts of the proposal to assist the decision making process. We advise LPAs to obtain specialist ecological or other environmental advice when determining the environmental impacts of development.

We recommend referring to our SSSI Impact Risk Zones (available on Magic and as a downloadable dataset) prior to consultation with Natural England. Further guidance on when to consult Natural England on planning and development proposals is available on gov.uk at <https://www.gov.uk/guidance/local-planning-authorities-get-environmental-advice>

4.2 Welsh Water

We refer to your planning consultation relating to the above site, and we can provide the following comments in respect to the proposed development. We would request that if you are minded to grant Planning Consent for the above development that the **Conditions and Advisory Notes** provided below are included within the consent to ensure no detriment to existing residents or the environment and to Dwr Cymru Welsh Water's assets.

Sewerage

We have reviewed the information submitted as part of this application with particular focus on drawing ref BAC-HYD-PH1-XX-RP-D-5001 S0 P1.3, BCC-HYD-XX-XX-DR-C-2201 P3, BCC-HYD-XX-XX-DR-C-2202 P3, BCC-HYD-XX-XX-DR-C-2203 P3 and the Flood Risk Assessment dated June 2017. We understand that the preferred connection point to the existing public sewer is into a manhole located on Cornhill Road. The proposed connection would be made onto a 225mm foul sewer which drains to our Barons Cross Sewerage Pumping Station which can accommodate the proposed development. The Flood Risk Assessment indicates that all surface water flows will drain to an off site pond before discharging to the nearby Ebnall Ditch. We welcome the introduction of sustainable drainage and have no further comment on this aspect of the drainage proposal. If you are minded to grant planning permission we request that the following conditions and advisory notes are included within any subsequent consent.

Conditions

The foul water from no more than 414 residential dwellings site shall be allowed to discharge to the public sewerage system and this discharge shall be made at or downstream of manhole reference number SO47584202 as indicated on the extract of the Sewerage Network Plan attached to this decision notice. Thereafter, no surface, land or highway water shall connect directly or indirectly to the public sewer network. Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.

4.3 Sport England

If the proposal involves the provision of additional housing (<300 units) then it will generate additional demand for sport. If existing sports facilities do not have the capacity to absorb the additional demand, then new and/or improved sports facilities should be secured and delivered in accordance with any approved local policy for social infrastructure, and priorities set out in any Playing Pitch Strategy or Built Sports Facility Strategy that the local authority has in place.

In line with the Government's NPPF (including Section 8) and PPG (Health and wellbeing section), consideration should also be given to how any new development, especially for new housing, will provide opportunities for people to lead healthy lifestyles and create healthy communities. Sport England's Active Design guidance can be used to help with this when developing or assessing a proposal. Active Design provides ten principles to help ensure the design and layout of development encourages and promotes participation in sport and physical activity.

Internal Council Consultations

4.4 Traffic Manager:

The Council's Traffic Manager initially raised concerns about the proposals as originally submitted. In summary the points raised were as follows:

- Highways safety, insufficient reduction of speed with current roundabout layout.
- Connectivity and sustainability both to the north and south of the site

- No on street parking strategy travel plan

Following the receipt of amended plans, further comments have been received which are summarised below:

External site issues

Roundabout Access.

The Access to the site is determined in the previous application. The applicant has supplied a revised roundabout design and has carried out a Stage 1 Road Safety Audit (RSA 1) based on this layout.

The roundabout design is an improvement on the initial submission and does address the possible speed issues raised in initial comments. The RSA 1 has demonstrated that the final design can be implemented.

Connectivity and sustainability both to the north and south of the site.

This includes the bus gate and the possible installation of two Toucan crossings connecting the applicant's site to Linear Park and to provide a crossing point on the A44 Monkland Road.

The bus gate is imperative to this application. The details of this are required by condition 5 of the outline planning permission and will be delivered through Section 278 works.

The preferred layout option for the bus gate at this point is the option that retains the parking. Given the low volumes of traffic it may be preferable to re-join cyclists to the north of the indicated point and remove the separate facility at the bus gate. It appears that the build-out may influence movements outside plot number 198 and this needs clarification. In addition we would prefer not to have a 90 degree build out due to drainage/street cleansing issues

There are concerns regarding connectivity of the site to Leominster. There is a need for two controlled crossings, preferably Toucan crossings, in the locations previously identified.

Whilst we would now consider that the crossings should be carried out under Section 278 works to address connectivity and sustainability issues, it is accepted that this cannot be applied retrospectively as access has been agreed through the outline permission. However, the two crossing points can be delivered as sustainable transport improvements using Section 106 contributions. To ensure highway safety the works must be completed prior to occupation. If the works were carried out by the applicant, the Section 106 monies mechanism will need to be adjusted accordingly to ensure simultaneous delivery.

Internal layout of the site:

The applicant has supplied a revised design and access statement and a revised site plan. There are however a number of matters that require the submission of additional information and these are listed as follows:

- Adoptable roads should be identified on a drawing.
- The cycle link that enters the site at the roundabout should follow the route from the roundabout and cross prior to the T junction indicated at the end of the road entering the site. This cycleway should then follow a route that runs past plot numbers 373 to 378 to the crossroads junction formed near plot 414. From here the cycleway would follow the route to the North West to the T junction outside plot 88 where it follows the eastern road towards the open space indicated on the drawing. A cycle link should then link back

through the open space so a loop is formed. The cycleway construction would be 3m unsegregated or 'shared' cycle and pedestrian facility.

- From the open space a cycle facility should extend to the Cholstrey Road to provide a link to the linear park.
- The raised tables indicated on the carriageway need to be shown with more detail, including methods of traffic control (for example give way lines etc.) at each of the junctions.
- Visibility lines for the junctions, conflict points and bends should be indicated.
- Herefordshire Council prefers not to have block paved roads. Additional details required in relation to the raised areas and the construction of the roads shaded brown on the proposed layout.
- The shaded brown 'through' routes on the site should be considered minor access routes with a 4.8m width, cul-de-sacs could be considered as shared spaces with 4.5m width as per the Design Guide for New Developments
- Footway link in the northern corner in the site terminates near plot 1. This should be delineated as a route that links back to the adoptable highway near to plot 7.
- The cul-de-sac near plot 20 should have a formal link through to the footway that runs near the site boundary.
- The cul-de-sac that runs to plot 53-55 would benefit from a formal footway link towards the open space.
- The cul-de-sac near plot 278-279 should have a formal link through to the footway that runs near the site boundary.
- The junctions on the bus route should have 10m radii bell mouth arrangements.
- The cul-de-sac near to plot 302 has no turning head, and the turning head near 267 appears to be substandard.
- Gradient details will be reviewed when details are made available. Pedestrian routes should not exceed 1 in 20.
- A bus stop with shelter and bus kerbs should be provided at an appropriate location within the site.
- There are a number of straights that exceed the maximum lengths as set out in the Herefordshire Design Guide. These require an alignment change or details of raised tables to mitigate this issue. The straights are particularly apparent from plot 36-83, 09-38, 119-129, 301-258 and 311-341.

Section 106.

To aid the application I have compiled a historical compilation of the 106 agreements.

Section 106 signed in September 2006. (My predecessor gave his approval to carrying over the same conditions into the 2012 permission extension approval)

'Bus Service Contribution' means the sum of £110,000 Baxter Index Linked

'Highway Improvements' means all or any of the following:

- Traffic calming on Buckfield Road,
- Barons Cross Road Cycle Route.
- Signing Ropewalk/Schools Route.
- Traffic Management in the Holland Road area.
- Cycle parking in Leominster Town Centre
- Cycle parking at schools in the vicinity of the Development
- The design and implementation of travel plans for schools in the vicinity of the Development.
- The provision and/or upgrade of footpaths on the linear park Barons Cross
- Toucan crossing and cycleways on Cholstrey Road.
- Ginhall Lane cycle link.
- Sign/line Barons Cross/Ropewalk cycle link.

- Two bus shelters in Cornhill Road
- Toucan crossing and cycleways on Monkland Road. 'Index Linked' **(Please note Now high priority to ensure connectivity of the 2017/18 application).**
- The provision of a Pelican crossing at Morrisons, Barons Cross Road.

Section 106 calculated contributions applicable to this application.

Unit Type	Number	Contribution	Total
2 bedroom	35	£1,720.00	£51,275.00 index linking to be applied
3 bedroom	229	£2,580.00	£590,820.00 index linking to be applied
4+ bedroom	47	£3,400.00	£161,680.00 index linking to be applied
			£803,775.00 index linking to be applied

Current 106 schemes applicable to this scheme.

- AQMA Bargates monitoring as per Historical Condition 15, of the March 2012 extension of planning approval application
- Toucan crossing on the A44 Monkland road
- Toucan crossing to the north west of the site to connect the development to Linear Park.
- Southern relief road

Other schemes identified above carried over from Section 106 signed in September 2006 (shown in 106 history above)

4.5 Conservation Manager (Historic Buildings): No objection

4.6 Conservation Manager (Landscape Officer):

I have been to the site on Tuesday 11th July 2017 and I have seen the two landscape drawings for this housing proposal:

- Draft Planting Plan, Section A, Drawing No D900, Revision A and
- Draft Planting Plan, Section B, Drawing No D901, Revision A

With reference to these Draft Planting Plans I have concerns about the loss of existing mature tree vegetation on site, in particular due to new housing proposals in the North of the site. This concern relates to Draft Planting Plan, Section A, Drawing No D900, Revision A. On this Plan an avenue of existing tall mature popular trees in the North of the site have been removed for proposed housing. At present these mature popular trees provide screening for the proposed housing when seen from Public Right of Way viewpoints to the North of the site. These existing popular trees also provide local identity, biodiversity value, visual amenity and orientation within the site. The loss of this avenue of popular trees is therefore contrary to Policies LD1 and LD3 of the Herefordshire Local Plan Core Strategy 2011 -2031.

Within the rest of the site there is also a substantial loss of existing mature trees which offer the site substantial mature green infrastructure. Other than the proposed boundary green infrastructure, proposed green infrastructure has little connectivity with the substantially reduced existing green infrastructure on site. This again is contrary to Policies LD3.

Both Draft Planting Plans provide appropriate planting for the site, however a written specification clearly describing the details of cultivation and other operations associated with plant and grass establishment should also be provided.

Based on the present Draft Planting Plans Section A and B, both Revision A, I would object to this application due to the loss of major existing screening on the Northern boundary of the site. This loss is contrary to LD1 and LD3 of the Herefordshire Local Plan Core Strategy 2011 –

2031. If these popular trees were retained, thinned appropriately for any health or safety reasons and other important existing trees identified by our Arboriculturalist are retained, I would not object to this application.

4.7 Conservation Manager (Ecology):

There are a number of considerations which should be taken into account taking in the original ecological report and most recent appraisal. The time since the site's clearance may have allowed some ecological equilibration particularly in relation to reptiles for which I note the latest ecological report proposes additional surveys; these should be carried out before development commences.

The basic plan for bird and bat boxes submitted with this application for reserved matters needs revising. The number, variety and siting area of boxes for birds and bats needs to be increased for this size of development. I would propose that double the number of these needs erecting with a range of species catered for. A range of bat species should be provided for with some more highly specified boxes. Some provision should also be made for birds including house martin cups and swift bricks where applicable in this urban extension. Also, boxes should be extended onto the boundary where they are likely to be more useful to foraging bats. The original report by Mark Latham also recommended enhancement for reptiles through creation of hibernaculae etc. which should be implemented. These can all be secured by condition.

4.8 Conservation Manager (Trees):

I have reviewed all arboricultural information in relation to the above development proposal and have the following comments;

I note that out of the 81 items were identified during the tree survey, 66 are proposed to be removed to enable the development to be implemented. This equates to over 80% of the arboricultural resource within the site. This in turn contradicts policies LD1 and LD3 within the core strategy from the loss of green infrastructure, lack of maintaining and extending canopy cover within the site and the loss of the character of the local landscape.

Of the survey items, 20 were identified as Category U, whilst on site I did view some of these trees, I feel that some of these categorisations were weighted towards Cat U, when most of these trees could have easily been Category C.

The proposed layout has not considered incorporating the existing trees within the site in to the scheme. It is noted that some moderate quality trees may not be appropriate (Poplars species) to retain due to the potential safety risk they may pose to future residents, but other moderate tree groups are also shown for removal and could be retained.

Most of these are located along the southern and north-eastern boundaries. They are significant in size and do offer landscape qualities as tree collectives. It would be more preferable to incorporate some of these in to open space areas which will not cause future conflicts with dwellings and give adequate space to mature. The current proposals would result in the character of the site being lost and feel that with amendments to the layout this character could easily be retained. I understand that to develop the site tree loss is inevitable, but not to this extent.

I also have concerns relating to the space given to retained trees in relation to new dwellings. I note that the retained mature trees on the north-eastern boundary are very close to new dwellings, which would almost certainly lead to post development pressures to prune or even remove once residents have moved in. Therefore, it would be more appropriate to provide a buffer between these retained trees and the new dwellings. This could also be the case to some of the tree groups on the southern boundary.

Oak T17 – this is to be positioned within a communal open space area. Obviously the condition (hollow stem) was identified during the survey. Whilst on site, fruiting bodies were also identified at base. The recommendations are to pollard the tree which should address any safety risks, but I question how appropriate it would be to retain close to dwellings. It would be more appropriate if this was incorporated within a larger open space area.

Therefore, I object to the current proposals because of the significant tree loss throughout the site. I consider that more attention should be given to retaining some of the moderate quality groups which are currently shown for removal. Trees are a constraint to a development but should be considered as a benefit.

4.9 Parks and Countryside Officer:

Open space requirements for new housing are set out in Core Strategy OS1 and OS2. They are determined on a site by site basis and need to be in accordance with all applicable standards as set out below, and where on-site provision is not appropriate an off-site contribution will be sought on an equally beneficial basis for the local community. Standards of provision are based on:

- Local Evidence: Herefordshire Open Space Study 2006 (data for open space has not changed significantly and it is still considered to be accurate).
- This recommends POS should be at a rate of at 0.4ha per 1000 population.
- Local Evidence: Herefordshire Play Facilities Study and Investment Plan 2012 and National Evidence: Fields in Trust Guidance:
- These recommend children's play at a rate of 0.8ha per 1000 population.
- Local: Playing Pitch Assessment 2012 and update 2014, Outdoor Sports Investment Plan and National Evidence: Fields in Trust Guidance:
- These recommends outdoors sports provision of between 1.4 and 1.6ha per 1000 population and where future investment in outdoor sport should be directed to maximise the benefits to the local community.

POS/Children's Play on site provision.

For a development of 414 houses and an occupancy rate of 2.3 (population 952.2) the developer would be required to provide as a minimum:

- POS: 0.38ha (3800sq m) @ 0.4ha per 1000 population
- Children's Play 0.76ha (7600sq m) @ 0.8ha per 1000 population: of this 0.24ha (2,400sq m) should be formal equipped play to include a kick-about area and some natural play opportunities @ 0.25ha per 1000 population.

Total: 1.14ha (11,400sq m) to include 0.24ha (2,400sq m of formal play)

The proposed site layout shows POS totalling 4.81ha. This well in excess of the policy requirements set out above.

Design

The layout has been developed from the pre-application stage as a result of discussion with the applicant. There is now potential to create a range of high quality play and recreation experiences catering for a range of users with multiple social, health and environmental benefits.

Smaller areas which were previously proposed at outline stage but considered disconnected and poorly located with little or no recreational value have now been lost which is supported.

The two central areas of POS appear to be much better linked and connected via a green corridor. The connectivity and synergy between these 2 areas is important in providing a good sized interesting usable multi-functional open space. Consideration does need to be given to the existing oak tree (on the smaller area) as its large canopy may affect its surroundings. I would prefer to see this tree integrated into the open space to allow for informal recreation to take place.

The overall design now appears to take account of the two key axis within the site and aims to connect the on-site green spaces to the local green spaces enabling the creation of a safe accessible network of green space.

The applicant has now considered the North East/South West axis and the North West/South East axis. The development of the North East/South West axis is particularly important in linking the green infrastructure and will provide a pedestrian/cycle link to the existing linear park at Ginhall Lane and route to the town beyond. Given the existence of groups of trees along this boundary there could be an opportunity to incorporate some of them into the pedestrian/cycle access into the site creating an impressive entrance/gateway feature. Provision of this green route through the site is in my opinion is a key feature of site in respect of green space.

My only issue is the access beyond through to the South West boundary and to a small area of landscape planting provided as part of the boundary hedgerow on the edge of the site which offers little scope for informal recreation as it is a stand-alone area. Connectivity in this part of the site is somewhat lacking and I would hope that the pedestrian route alongside the road will be as "green" as possible and more thought given to where it goes as it appears to stop at the boundary. A pedestrian link should be carried on to provide access from the far corner of housing into Far Meadow Road which links directly to the existing open space at Barons X and to the proposed bus route. Opportunities to encourage and promote sport and physical activity through the design and layout of the built environment will help support a step change towards a healthier and more active lifestyle. As part of their 10 principles of Active Design Sport England's Active Design Guide supports the development of "Walkable communities"(creating the conditions for active travel between all locations), Connected walking and cycling routes (all destinations should be connected by a direct, legible and integrated network of walking and cycling routes which are safe, well-lit and overlooked), and "High quality streets and spaces" (which if well designed can sustain a broader variety of uses and community activity).

Formal Children's Play:

- In accordance with Core Strategy Policy and the Play Facilities Study and Investment Plan, this site requires on site provision for formal play of 2,300sq m. This should include provision for infants, juniors and teenagers including formal play equipment and a kick-about. Comparable sites have provided a similar amount of play space along with a kick-about area.
- 900sq m is the recommended minimum size for a neighbourhood play area (300sq m for infants and 600sq m for juniors as a guide).
- For a development of this size and based on the SPD on Planning Obligations development costs only a play area(s) to the value of approximately £250,000 would be expected (this includes VAT). These costs include landscaping, equipment, delivery, installation costs, seating, bins, fencing, gates, signage, safety surfacing etc.

The applicant has shown a formal play area to be accommodated on the central area of POS which is supported given the access and natural surveillance this location offers.

Plans and a schedule of equipment have been provided as part of the pre-application 170729 produced by Produlic ref 1704.15648 (Barons Cross Keepmoat Homes): I have the following comments to make:

Design: The design specification as provided does include a range of challenges for infants and juniors, and the equipment is of a good quality to withstand high usage. However, this is a large development of 414 houses which requires a neighbourhood play area for all ages: infants, juniors and teenagers.

- From the specification provided it appears that older children are not that well provided for (teenagers). There is a risk of anti-social behaviour without any provision for this age group. A small kick-about has been mentioned by the applicant to be provided on the area to the north of the site, which is the obvious choice, but the applicant has provided no detail and will need to demonstrate that it can be accommodated on a flat area and will be of suitable size given the amount of natural planting and orchard proposed in this area.
- Other facilities should be considered for this age group. For example provision of a teen shelter, rock stack etc will provide for this age group and also help to avoid potential anti-social behaviour on the play area aimed at younger children.

Area/Size:

The size of the play area as this is not shown on the plan: the applicant will need to demonstrate it meets the minimum requirements set out above.

Costs

As will other development sites the applicant will need to demonstrate that the play provision is to the value of £250,000 as described above. In addition any costs for the kick-about area should be included e.g, groundworks, goal posts etc. If the applicant cannot demonstrate that the minimum specification (size and cost as described above) additional equipment will be required, particularly for older children.

Other opportunities could be provided on land to the north. Given its semi natural landscaping this would ideally lend itself to natural play opportunities including play trails, boulders, logs etc.

Safety Surfacing

It is noted that grass matting has been included. This is acceptable but it does have maintenance issues. As this site will be maintained via a management company, it would potentially be a better to provide a safety surface which lasts longer and is more sustainable. The preferred option for this site would be to use wet-pour. It comes in a variety of colours which can help provide a sensory feel to the play area with different patterns etc.

It should be noted that Herefordshire Council has made the formal decision to no longer normally adopt or take on the maintenance of new public open space, play or sports facilities that form part of new developments and supports local alternative and sustainable management options. Any on site provision of POS will therefore require suitable management and maintenance arrangements in line with the Council's policy. This should be either via the Town Council or through a management company which is demonstrably adequately self-funded or will be funded through an acceptable on-going arrangement; or through local arrangements such as a Trust set up for the new community for example. There is a need to ensure good quality maintenance programmes are agreed and implemented and that the areas remain available for public use.

It is noted that no previous provision has been made as part of the outline planning permission for an off-site contribution and as such is not included in the heads of terms. Therefore I understand that this cannot now be changed which is unfortunate given an evidenced need in Leominster to improve facilities.

Environmental Health – Housing:

It is noted that there are rooms of 4.5m² area on the plans, that are labelled as “Bedrooms”. To qualify as a bedroom, **a room has to be a minimum of 6.5m²** under the Herefordshire Council’s Amenity Standards.

Any rooms smaller than this space standard do not count as a bedroom in Housing terms (Hazard 11: Crowding & Space: Housing Health & Safety Rating System, Housing Act 2004) Please also refer to the Herefordshire Council’s Amenity Standards document on the Herefordshire Council Website.

4.10 Housing Development Officer:

The open market mix provides a range of 2, 3 and 4 bed units that meets the open market needs of Leominster and this is acceptable in providing a mix of housing.

With regards to the affordable units the mix and tenure split is acceptable and again provides a mix of 2, 3 and 4 bed units. I do not support the positioning of the affordable housing and would look for the developer to integrate the units more within the development. In addition to this, agreement needs to be met in relation to the accessible and adaptable units and I welcome on going negotiations in this respect.

Following the submission of amended plans the following additional comments were received:

My comments are unchanged other than the developer has taken on board my comments in relation to the repositioning some of the affordable units and I am satisfied with their locations.

4.11 Minerals & Waste Officer

My comments relate to the management and assessment of the spoil arising from the development, as well as the overall management of waste generated from the construction of the development. Having visited the site and considered all the documentation which has been submitted in support of the application, for the reasons outlined below I can not support the application as it has provided insufficient information in relation to the volumes and types of waste generated by the development, particularly during the construction phase. The application therefore fails to comply with the requirements of Policy W11 of the Herefordshire Unitary Development Plan (2007). It is recommended that further information is requested from the applicant prior to the application being determined in relation to the volumes and types of waste the proposed development will generate.

The application under consideration seeks approval for the reserved matters for 414 dwellings, vehicular access and associated works. Outline permission was granted on the 8th June 2017 under planning reference 120887. This application seeks approval for the access, appearance, landscape, layout and scale of the proposed development. It is noted that the site has had an extensive planning history with the original outline permission granted in October 2006 and Reserved Matters applications approved in March 2008 and 2010. The original submission was accompanied by an Environmental Statement which I have noted did include an assessment of the ground conditions prior to the building being demolished on the site. I have not been able to identify any reference in any of the applications which have gone before this one that there has been an assessment into the volumes and types of waste generated from the development, in particular the spoil/soil which is to be removed from the site as part of the construction/preparation of site.

Herefordshire’s Waste Policies are those saved within The Unitary Development Plan (2007) (HUDP) and of particular relevance to this application is Policy W11 which relates to waste

implications. This policy, along with all other Minerals and Waste Policies are saved until the Minerals and Waste Local Plan Development Plan Document has been adopted. The policy is relevant to this application as the development is for more than 50 dwellings. The policy requires all 'proposals which could generate significant volumes of waste' to submit a Waste Audit detailing:

1. The types and volumes of waste the development will generate during the course of construction, occupation, use, decommissioning and for the after use of the site;
2. The steps to be taken to ensure that the maximum amount of waste arising is incorporated within the development or through its use;
3. The steps to be taken to manage, recycle, or treat waste that cannot be so incorporated; and
4. If disposed of elsewhere, the means of transport and distance to be travelled.

At a National level, the National Planning Policy for Waste (2014) aims to play a role in delivering the Government's ambition to work towards a more sustainable and efficient approach to resource use and management. Paragraph 8 requires the LPA to ensure non-waste development makes sufficient provision for waste management and promotes good design to secure the integration of waste management facilities or local landscape. This includes maximising opportunities for the reuse and recovery of materials which minimises off-site disposal, or treatment.

The types and quantities of waste generated through the construction of development and the way the waste is managed is a material consideration in the determination of all planning applications. This current submission has been supported by a design and access statement which has makes no reference to waste or soils. There has also been a construction method statement submitted, however this appears to relate to noise only. Having visited the site it is clear that since the buildings of the former military hospital have been demolished the site has laid vacant, other than the visit from an occasional dog walker. There are various mounds of materials spread across the site, with one particular large one in the centre. Vegetation appears to have been unmanaged over the years and therefore has grown and expanded across the site. The design and access statement makes no reference to the clearance of the site, or any assessment into what, if any materials can be reused within the proposed development.

It is considered, given the current state of the site and its former use, the proposal will involve a significant engineering operation in terms of the excavation of spoil/spill. It is my opinion as the Council's Minerals and Waste Officer that the environmental effects of this operation need to be fully understood and its environmental effects assessed prior to a determination being made. The application should include calculations with respect to quantities, how the spoil/soil is to be managed during construction of the development, where the spoil/soil would be disposed of together with a detailed analysis as to the environmental impacts (e.g. transportation, raising and levels upon flood risk, landscape etc).

All excavation waste can be reused or, in some cases, recycled. It is a requirement under criterion 2 of Policy W11 for the proposal to identify the steps to be taken to ensure that the maximum amount of waste arising is incorporated within the development. The documentation which has been submitted in support of the application has not given any explanation on the measures that will be used to minimise waste which will occur from the development, especially in relation to the quantity of soil/spoil which has been identified. Soil is a vulnerable and essentially non-renewable resource. The Government have in recent years been seeking to avoid the disposal of soil, especially which is a result of excavation to landfill. If the existing features of the site cannot be incorporated into the proposal, or the soil type is affecting the site, steps should be taken to ensure the maximum amount of waste arising from the excavation is reused, preferably within the new development, before it is exposed of. I have not identified evidence of this within the submission, or evidence that it has been considered previously.

There could be opportunities along some of the site boundaries where earth bunds could benefit the wildlife by providing habitats.

In order to comply with Policy W11 of the HUDP, it is my opinion the submission would benefit from a full Construction and Environmental Management Plan, which should include a Construction Site Waste Management Plan to manage and co-ordinate the protection and enhancement of the Environment. I have found no evidence within the current submission that consideration has been given to the impacts the waste generated through the construction will have on the environment e.g. vehicle movements from waste (spoil) removed from site. Consideration should also be given to materials which need to be imported into the site e.g. top soil for gardens and recreational areas.

The management of soils and waste are reference in Policy SS2 of the Herefordshire Local Plan – Core Strategy (CS) which deals specifically with ‘Environmental quality and local distinctiveness’. The policy states that ‘Development proposals should be shaped through an integrated approach to planning’ a number of environmental components from the outset, based on sufficient information to determine the effects upon each where they are relevant. Physical resources, including soils and management of waste are listed as such environmental components that need to be considered.

The application needs to be supported by a waste audit statement demonstrating how the construction and operational phases of development will minimise the generation of waste and provide for the management of waste in accordance with the waste hierarchy. The statement should identify the types and quantities of waste that will be generated during the construction phases and the measure to ensure that the waste is managed in accordance with the waste hierarchy. This should include the segregation of waste materials to enable their separate re-use, recycling or recovery; the recycling of construction and excavation waste for use on site or at the nearest suitable facility; and for any waste materials that are unsuitable for reuse, recycling or recovery, confirmation of the location for their disposal. Overall, the proposal should provide sufficient evidence that it will achieve the lowest possible amount of waste generated and provide for the management of waste in accordance with the waste hierarchy.

In conclusion, the documents which have been deposited within the application have failed to adequately address the requirements of Policy W11 of the HUDP. It is therefore recommended that further information is sort from the applicant as outlined above. I would refer them to Defra’s ‘Construction Code of Practice for the Sustainable Use of Soils on Construction Sites’ (2009) for guidance, as well as Policy W11 of the HUDP and National Planning Policy for Waste (2014).

5. Representations

5.1 Leominster Town Council:

- Committee noted the amendments made and RESOLVED to submit the following comments:
- Confirmation as to whether the spread of social housing units was concentrated in a specific area or distributed throughout the site was requested;
- With regard to the previous concerns expressed regarding the density and height of the apartment blocks and the impact they may have on the visual amenity of the area and the entrance into Leominster Town, it was requested that the appearance of the flats be improved using patterned brickwork, especially on the gable end wall, rendered panels to help break up the mass of bricks and that breaks in the roofline be included;
- S106 funding for the play area and open space to be transferred to Leominster Town Council;
- The provision of improved links from the site to Morrison’s be included in the S106 agreement;

- Improved pedestrian links between the existing estate and the proposed estate through an improved footpath network;
- The provision of a pedestrian crossing across Monkland Road (A44) to link the proposed and existing Barons Cross estates with Morrison's and Leominster;
- Concern regarding the potential contamination of the site has been expressed. A request to be provided with additional clarification over the method statement for the construction of the site to be provided;
- Concern regarding the increase in vehicular movements into Leominster. Consider some S106 provision towards the proposed Southern Link Road;
- There is a lack of community facilities in an area with social issues having already been identified. Consider contribution towards the improvement of the community centre on the current Barons Cross estate;
- The development will inevitably put a strain on local services such as Doctors Surgeries. Mitigation measures are requested;
- Current public transport/bus services should be extended until 9pm at night to enable access into Leominster from the new estate;
- With regard to the concern expressed previously that the development would increase the traffic, pollution and air quality issues at the Bargates junction, Committee recommended that the report developed by Hydrock Consultants be submitted as part of the Reserved Matters application due to the real concerns regarding the statement that impact from the site can be fully mitigated;
- Committee requested sight of the Hydrock Consultants report of the potential Air Quality implications of the development;
- Further details regarding the Memorandum of Understanding to monitor air quality with the local planning authority was requested.
- The Council is keen to reiterate its request that the report into the air quality implications is considered as part of the Reserved Matters application as it could have a significant impact on the quality of life and the air quality issues at the Bargates junction.

5.2 A total of 27 letters of objection have been received. Included with these are objections made on behalf of Leominster Civic Society and HCPRE. The content is summarised as follows:-

- The development appears to differ substantially to the previous one in 2005.
- There is no community centre, no focal buildings, no bus access from existing estate, very little green play space, no pedestrian crossing, no "home zone", no bike park strategy, and no road hierarchy.
- The houses themselves are very small and not up to the 2015 RIBA standards which were included in the Leominster Neighbourhood Plan. They are wholly unacceptable in this present age.
- Facilities such as doctor's surgeries, schools, and community centres are not available locally, and clearly it was previously recognised that further provision was required.
- The proposed house types are monotonous, with near identical elevations; the windows, doors, porches and choice of bricks are all endlessly repeated. The houses are all designed as separate boxes, with no attempt at creating interest with different groupings.
- House planning and space standards follow a similar deeply depressing story: housing should be so much better in the 21st century. As an example, House type 764 has a 'Bedroom 3' of 3.8m²; this is a ludicrously low provision, supporting the RIBA's finding that houses outside London are being built to a lower standard. ('The average 3 bedroom home in London is now 25m² bigger than in Yorkshire' for instance. Homewise Report 2015). The potential residents of Leominster's proposed 414 houses deserve a better deal than this.
- No further housing should be permitted until such time that an east/west bypass is constructed. The lack of facilities on the estate will mean even more cars travelling down Barons Cross Road and through Bargates, already known for its pollution.

- The Environmental Statement accompanying the 2005 outline application and the 2012 ES update are based upon material which is, or at least may be out of date and/or, owing to the outline nature of the 2005 and 2012 applications, is inadequate to assess the effects of the detailed proposals which are now the subject of the current reserved matters application. As a consequence of the above, the Council is legally compelled to require the applicant to provide further environmental information pursuant to Regulation 9(3) of the EIA Regulations, to consult upon that further environmental information, and to take into account the results of that consultation together with the further environmental information, prior to determining the current application. Failure to do so would render any grant of approval vulnerable to challenge by way of judicial review;
- There is concern at the increased level of traffic passing through the Bargates Air Quality Management Area in Leominster as a result of the proposed development. Neither the outline planning application nor the current reserved matters application include measures that would sufficiently address the risk of increased air pollution in this zone.
- The Leominster Civic Society objection makes reference to the site's allocation in the Unitary Development Plan, which described Barons Cross Camp housing allocation as follows:

"This former wartime camp situated on the western edge of the town comprises previously developed land and extends to around 12 hectares'...'As such the site forms the largest proposed housing site in the north of the County, and should be developed on a comprehensive basis'...'Development of the site will require transport measures to be put in place including junction enhancements, highway safety improvements, public transport provision and pedestrian and cycling measures.'

A phased development was envisaged in order to achieve 'significant improvements to the highway system, likely to include new road infrastructure to which the relevant stages of the scheme of this site would be required to contribute.'

Are there planning conditions in place to achieve this?

- Compared with the previous Taylor Woodrow masterplan of March 2012 the new plan has
 - no Community Centre
 - No 'key frontage' strategy
 - No focal buildings
 - No planning for contrasts in massing as in 'max. ridge heights'
 - No Bus access from existing estate
 - Green play space reduced by housing
 - No planned 'modal shift' from cars to walking, buses and bikes
 - no pedestrian crossing of Cholstrey Road as shown on 'Access Roundabout Proposed Layout'.
 - no 'home zone', no road hierarchy as shown on 'Planning Layout Phases 2 and 2A.'
 - no 'Bike Park Strategy' as shown in Outline application given permission.

Taken together, these differences mean a very serious reduction in ease of access, community facilities and standards of neighbourhood planning.

- There should be active consideration of a genuine pedestrian and cycle connection between Barons Cross and the main desire lines of schools, superstore and town centre e.g. a ground level underpass for the A44.

5.3 The consultation responses can be viewed on the Council's website by using the following link:-

https://www.herefordshire.gov.uk/info/200142/planning_services/planning_application_search/details?id=172135&search=172135

6. Officer's Appraisal

Procedural Matters – The need for a further Environmental Statement

- 6.1 Following the receipt of correspondence from Marches Planning & Property Consultancy (Marches' letter) which concluded that the application should be subject to the submission of a further Environmental Statement, both the applicant and your officers have sought their own legal advice on this point.
- 6.2 In both cases the position set out in Marches' letter conclude that the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (the 2017 Regulations) do not apply.
- 6.2 The 2017 Regulations, which came into force on 16 May 2017, contain revocation and transitional provisions, which are set out at regulation 76. Under regulation 76, the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (the 2011 Regulations) are revoked except where certain situations apply.
- 6.3 Specifically relevant to this application is the situation described under regulation 76(2), whereby the 2011 Regulations continue to apply by virtue of an applicant having previously submitted an environmental statement prior the 2017 Regulations coming into force. An environmental statement was submitted with the original outline application (DCNC2005/0917/O), which was granted planning permission on 10 October 2006. An update to this environmental statement was then submitted with the application for an extension of time (120887) on 21 March 2012, to which this reserved matters application relates. As such, the 2011 Regulations apply to this application.
- 6.4 Under the 2011 Regulations the development is defined as an EIA development by virtue of the fact that under regulation 4(2), a screening opinion was provided by the Council in relation to application 120887 and an environmental statement was submitted in 2006 with the original outline application (DCNC2005/0917/O).
- 6.5 The current application is a "subsequent application" under the 2011 Regulations being:
- "an application for approval of a matter where the approval is required by or under a condition to which a planning permission is subject; and must be obtained before all or part of the development permitted by the planning permission maybe begun. "*

As such, regulation 8 of the 2011 Regulations applies.

- 6.6 Under regulation 8(2) of the 2011 Regulations the Council may, where it appears that the environmental information already before them is adequate to assess the environmental effects of the development, use that information in considering their decision for subsequent consent.
- 6.7 In this case the matters raised by Marches' letter refer specifically to air quality and ecology. These will be explored in subsequent sections of this report and it will be shown that the information that has been submitted to date is considered to be sufficient such that a further Environmental Statement is not required.

Principle of Development

- 6.8 The principle of development on this land is established via the outline planning permission and the RM submission is submitted in accordance with the relevant conditions.

- 6.9 In this instance access was approved, so the Reserved Matters comprise appearance, scale, layout and landscaping. A copy of the original masterplan that formed part of the original outline permission approved in 2006, which formed the basis for the determination of all subsequent applications is shown below:



- 6.10 It can be seen that it establishes the principles of two areas of open space; one centrally located and one to the northern end of the site. It also provides an indication of potential road layouts and the provision of a bus gate indicated by the blue arrow on the southern boundary. From this the masterplan establishes basic blocks of developed areas. When compared to the layout plan that has been submitted as part of this reserved matters application, which is re-produced again below for ease of comparison, your officer's are of the view that it does adhere to the principles that have been established.



- 6.11 The Development Plan is the Core Strategy; Leominster Neighbourhood Development Plan has progressed beyond Regulation 16 stage. Representations have been submitted and at the time of writing it is yet to be confirmed when the plan will proceed to examination. At this stage it attracts limited weight for the purposes of decision-making.
- 6.12 In accordance with the presumption in favour of sustainable development, as expressed in the NPPF and CS, approval should be given unless the adverse impacts significantly and demonstrably outweigh the benefits. There are, in my view, no restrictive policies applicable.

Appearance

- 6.13 A number of the objections submitted to the application bemoan the architectural approach, describing the dwellings as 'lower-end' and not fit for the C21st. However, as amended, your officers consider the various house types contribute to a sense of individual identity but also tie together successfully as a complete scheme. Grouping one house type or size in one location is avoided wherever possible as this is fundamental in promoting variety and a sense of place.



- 6.14 Doubtless a different, less standard approach could be advanced. However, the NPPF, whilst confirming that good design is indivisible from sustainable development, also confirms that Local Planning Authorities should not impose architectural styles. Having regard to the local context, officers are of the opinion that the house-types proposed, whilst not innovative or exemplar, are not uncharacteristic of the area. To this extent I consider that the approach to appearance is acceptable and in accordance with policies LD1 and SD1.

Scale

- 6.15 The significant majority of the dwellings proposed are 2 storey; a scale that is entirely consistent with the surrounding context. Inter-dispersed are a small number of 2 ½ storey dwellings with two 3-storey apartment blocks towards the centre of the site. The plan below shows the location of 2, 2 ½ and 3 storey buildings. Red denotes the 3-storey apartments, yellow the 2 ½ storey and blue, the predominant 2-storey dwellings.



- 6.16 The scale, in terms of dwelling numbers, has been reduced by from the outline permission which approved up to 425 dwellings. The Reserved Matters application reduces this to 414.
- 6.17 The comments from the Council's Environmental Health Housing Officer raise the issue of bedroom sizes, and particularly that a number of the house types shown have second, third or fourth bedrooms that are significantly smaller than the 6.5m² minimum size that is used as a guide in the Council's Amenity Standards Document. The same concerns have been raised by a number of objectors in their criticisms of the quality of the accommodation to be provided.
- 6.18 None of the policies within the Core Strategy specifically refer to a minimum space standard for residential accommodation, nor do they reference the Amenity Standards to which the Housing Officer does. However, the provision of accommodation designed for the purpose intended; in this case the provision of appropriately sized bedrooms, is considered to be another factor integral to good, sustainable design. Your officers have therefore worked with the applicant to identify all such properties where bedrooms have a floor area of less than 6.5m² and in every case the plans have been amended to meet this minimum requirement.
- 6.19 Your officers have not previously made such a request and doubtless there will be a number of recently approved schemes where secondary bedrooms are smaller than the 6.5m² outlined as an accepted minimum by the Housing Officer. The applicant has been flexible in meeting these demands, particularly in the absence of any planning policy requirement for it.
- 6.20 The average density across the whole of the site equates to 34.5 dwellings per hectare. However, as one might expect, there are variations across the site. Development is at its highest density towards the centre, particularly around the location of the two 3 storey apartment blocks, while being lower at the western edge where the site transitions from built development to countryside.
- 6.21 The overall density of development is accepted; and is in fact slightly lower than envisaged by the outline permission which permits up to 425 dwellings. The approach taken in terms of higher and lower density areas reflects the fact that the site is located on Leominster's urban fringe and is an appropriate method to ensure that the quantum of development is delivered.

- 6.22 For the purposes of this assessment, I am content that the scale of development in terms of the proportions of the dwellings themselves and the number proposed is acceptable in accordance with LD1 and SD1 in particular.

Layout

- 6.23 As stated earlier in the report, the layout of the scheme generally follows the parameters that were set out in the outline submission. The internal road layout serves to create blocks of dwellings; smaller scale and compact areas which will, in your officers' opinion, help to develop a greater sense of place. Furthermore, this helps with the phasing of the development.
- 6.24 Parking spaces are set close to their associated dwellings in order to provide residents with safe and convenient access to their vehicles and are softened by landscaping and tree planting in-between.
- 6.25 A number of the detached dwellings have garages, which serve to provide visual breaks within frontages and to create more interest within the street scenes. These garages will also provide space for the parking of cycles. Others incorporate an integral single garage within their main footprints. Where this is the case, private driveways lead up to them to allow for an additional parking space in front for each of these plots.
- 6.26 Elsewhere car parking is provided in-curtilage in front or to the side of dwellings. This allows vehicles to be evenly dispersed across the site without dominating the view along the street scene.
- 6.27 The Council's Parks & Countryside Officer comments positively about the layout in terms of the provisions it makes for pedestrian connectivity. She draws attention to the fact that the two areas of public open space are well connected via a green corridor and that this helps to provide usable, multi-functional open space.
- 6.28 The overall design creates links through the site; particularly along the north east / south west axis. This is seen as being particularly important as it will provide a link to the existing linear park along Ginhall Lane, fostering alternative links to the town centre. The provision of this green route through the site is considered to be a key feature of site in respect of green space.
- 6.29 As amended, the proposals ensure an good degree of connectivity across the site and to surrounding areas. Improvements will also be dependent upon schemes to be delivered through Section 106 contributions; a pedestrian crossing on Cholstrey Road to connect to the linear park being one such example. The detailed plans demonstrate a fundamental adherence to the masterplan that formed part of the original outline application and as such the proposal accords with Policy SD1 of the Core Strategy.

Landscaping

- 6.30 The Reserved Matters submission includes a Landscape Management & Maintenance Specification, Tree Survey and an amended Draft Planting Plan; an extract of which is re-produced below:



- 6.31 Both the Landscape and Tree Officers have expressed some concern about the number of existing trees that are to be removed as part of the development proposals, particularly along the eastern boundary of the site. The plan shows those tree to be retained.
- 6.32 The vegetation along the eastern boundary currently provides a significant visual barrier that completely obscures views of the site from Cholstrey Road. A balance needs to be struck between maintaining mature landscape features whilst at the same time ensuring that sites are well integrated with pre-existing residential areas. It is the view of the case officer that the proposals strike the right balance between the two.
- 6.33 Furthermore, and whilst only indicative, the masterplan submitted as part of the outline planning application suggested a fairly limited retention of existing trees and the current submission demonstrates significantly more trees will be retained. The plans also show new planting that is to be implemented as part of the scheme. It is therefore considered that the proposal is acceptable in landscape terms and accords with Policy LD1 of the Core Strategy.

Other Matters

Highways

- 6.34 The principle of the development of the site and access thereto has previously been agreed as part of the outline planning permission. Therefore it is not the purpose of this application to revisit the provision of access to the site, both vehicular and pedestrian.
- 6.35 The comments from the Traffic Manager are comprehensive and identify the need to ensure appropriate connectivity between the site and its surrounding areas. The bus gate is mentioned and acknowledged as being a fundamental part of this. Condition 5 of the outline permission requires the detailed arrangements for its provision to be submitted to and approved by the local planning authority. Whilst sufficient details have yet to be submitted this does not lead your officers to conclude that permission should be withheld. The conditions of the outline permission are and remain in place in the event of a Reserved Matters approval; the two are read in conjunction and the requirements of each are to be complied with.

- 6.36 Pedestrian and cycle connectivity are also highlighted by the Traffic Manager's comments. The approved plans that form part of the outline permission do provide a controlled crossing on Cholstrey Road to the south east of the roundabout. This will be delivered as part of the scheme and will be completed as part of the Section 278 works.
- 6.37 It is now evident that additional crossings are considered necessary to reinforce connectivity. Your officers acknowledge the importance of this but are mindful that they cannot now require the applicant to deliver them as part of the scheme given that access has previously been agreed. However, the two crossing points can be delivered as sustainable transport improvements using Section 106 contributions and this is the appropriate mechanism to ensure their provision.
- 6.38 The comments also highlight the need for some clarification with regard to the internal layout of the site; principally to ensure that appropriate measures are taken to ensure pedestrian and cycle links throughout the site and to ensure the reduction of vehicle speeds. Ordinarily such matters are dealt with through a Section 38 Agreement but in this case, given the importance of ensuring connectivity and sustainability, it is considered pertinent to require these details to be provided by a planning condition. The recommendation below reflects this.

Air Quality

- 6.39 Condition 15 of the outline planning permission provides:

"Air quality monitoring for nitrogen dioxide shall be undertaken for a minimum of 3 months at the Bargates junction. Monitoring shall be undertaken utilising real-time chemiluminescent techniques at a location to be agreed with the local planning authority. The results shall be submitted to the local planning authority in order that the impacts of the development on the Bargates Air Quality Management Area can be assessed."

The reason given for the condition is: *"to ensure that the development does not exacerbate air pollution levels and to comply with Policies LD1 and SD1 of the Herefordshire Local Plan – Core Strategy."*

- 6.40 Condition 15 does not say when the monitoring should take place - whether prior to commencement, during the construction phase or following completion. It is also silent on what measures will be required of the applicant, or what other consequences there will be for the development, if the monitoring reveals significant adverse impacts on the AQMA.
- 6.41 It is vital that this ambiguity is resolved at the reserved matters stage, so that there is sufficient certainty that (i) the monitoring will indeed take place and (ii) that it will have teeth, as opposed to being an entirely academic exercise.
- 6.42 In order to address this the applicant has agreed to enter a Memorandum of Understanding with the Local Planning Authority to agree upon a programme of monitoring. Their consultants have prepared a Stage 1 assessment of the potential Air Quality implications of the development, which concludes that any impacts can be fully mitigated. Given that this is a matter to be addressed as part of the outline permission it is not incumbent upon that applicant to submit the report as part of the reserved matters application, but can be submitted separately pursuant to condition 15 of the outline planning permission.
- 6.43 Notwithstanding all of the above, there are some steps that can be taken to mitigate the impact of the development on the AQMA. Paragraph 35 of the NPPF states;
- "Plans should protect and exploit opportunities for the use of sustainable transport modes for the movement of goods and people. Therefore, developments should be located and designed where practical to...."*

incorporate facilities for charging plug-in and other ultra-low emission vehicles.

- 6.44 The provision of more sustainable transport modes will help to reduce CO₂, NO_x and particulate emissions from transport. New development should provide practical opportunities for residents to use electric vehicles and therefore it is recommended that a condition be imposed to require the provision of charging points.
- 6.45 Further mitigation could include the installation of low emission gas boilers. Accordingly a condition is also recommended to require the specification of any gas boilers to be submitted to and approved in writing.
- 6.46 On the basis of all of the above it can be demonstrated that the development will mitigate impacts on air quality and the proposal is in accordance with Policy SD1 of the Core Strategy.

Ecology

- 6.47 The current application includes a ecological survey which provides a review of the site following the grant of outline planning permission. The most recent (2013) full report was referred to in order to formulate the conditions for the outline approval which includes “...*habitat enhancements and a scheme for monitoring.*” wherein the biodiversity interest and enhancement of the site can be initiated and monitored.
- 6.48 Due to the delay in the site coming forward, it has been important to ensure that ecological integrity is not compromised during that time. Accordingly updates of ecological assessments have been requested and this is reflected in the conditions that form part of the recommendation below. It is not always possible to provide ecological surveys for planning applications at optimal seasons for all species but sub-optimal timings are more desirable than no surveys at all. Notwithstanding this the 2013 survey was extensive and served to supplement the previous walkover surveys.
- 6.49 The update to the 2013 survey is provided to document any changes which may have occurred to structures, vegetation and habitat. The report recommends some further surveys for bats even though no roosts have been found; the progressive regime of updating and monitoring the site as per the scheme required will continue, and must continue, for the developers to fulfil their legal and regulatory obligations for ecology and biodiversity.
- 6.50 On the basis of the information available to them your officers are satisfied that there has not been a material change in circumstance such that permission should now be withheld pending the completion of additional survey work.
- 6.51 With regard to impacts upon the R. Lugg SSSI and the R. Wye SAC, a full and comprehensive process was undertaken over a period of years from around 2011 onwards. The completion of a Habitats Regulation Assessment report prior to the determination of the outline planning application resulted in Natural England withdrawing their original objection at that time. Furthermore, as part of the process to deliver the Core Strategy, Welsh Water, Natural England and the Environment Agency worked with the Council to provide a Nutrient Management Plan. This was completed at a time when the site at Barons Cross had the benefit of outline planning permission and takes this into account based upon headroom capacity figures at the time.
- 6.52 The comments from Welsh Water in response to the 2012 outline application also confirmed that; “*No problems are envisaged with the Waste Water Treatment Works for the treatment of domestic discharges from this site.*”
- 6.53 Since that time there has not been a significant change in terms of housing growth in Leominster and for these reasons your officers are content that the application can be determined on the basis of the information submitted, without the need for a further

Environmental Statement. The proposal is compliant with policies SD3 and SD4 of the Core Strategy.

Waste Management

- 6.54 In response to the comments from the Council's Mineral & Waste Officer the applicant has provided a Construction Method Statement and Traffic Management Plan. This responds to concerns raised about the disposal of waste and the suggestion that this will need to be removed from the site. The additional information provided advises that, due to the quantity of materials needed to build levels on the site and new infrastructure to be added, there will be no need to transport waste away from the site.
- 6.55 Further information can be provided as required, however, this is another matter that is addressed by the outline planning permission. Precise details of the management of site waste can be formally submitted and approved by discharge of condition 13(f) of the outline planning permission.

Conclusion

- 6.56 The scheme provides the requisite detail in respect of the matters reserved for future consideration by the outline approval. It is of an appropriate scale in terms of the amount of development proposed (414 dwellings) and also in terms of the types of dwellings, principally being of 2 storey properties with a small number of 2 ½ and 3 storey buildings inter-dispersed.
- 6.57 The appearance of the development is acceptable. The submission includes a materials schedule which is considered to be acceptable, subject to a condition to require the precise details to be agreed. However, the principal intention to use brick and tile finishes is reflective of the surrounding area. The layout is influenced by existing landscape features and accords with the parameters set out by the masterplan submitted as part of the original outline application. It ensures that residential amenity is safeguarded and that existing landscaping features provide a mature landscape and biodiversity setting.
- 6.58 Your officers are satisfied that the application provides the requisite level of detail required for determination and that there has not been a significant change in material circumstances to warrant the submission of a further Environmental Statement.
- 6.59 The conditions recommended include measures to mitigate the impacts of the development on air quality at the Bargates AQMA and on this basis the proposal is considered to be acceptable. There are no other material planning considerations of such weight that would justify the refusal of planing permission. The application is therefore recommended for approval on the basis that it complies with the relevant provisions of the adopted development plan.

RECOMMENDATION

That approval of Reserved Matters be granted subject to the following conditions and any other conditions considered necessary by officers:

- 1. B01 Development in accordance with the approved plans and documents**
- 2. C01 Samples of external materials**

Prior to the commencement of each phase of the development hereby approved, details or samples of materials to be used externally on walls and roofs shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure that the materials harmonise with the surroundings so as to ensure that the development complies with the requirements of Policy SD1 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

3. The recommendations for species and habitat enhancements in the ecologist's report from ECUS Environmental Consultants dated February 2017 and the reports by Mark Latham of 2013 and 2014 should be followed. Prior to the commencement of development a detailed habitat enhancement scheme should be submitted to the local planning authority for approval unless otherwise agreed in writing by the local planning authority and the scheme shall be carried out as approved. 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 enhancement 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 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 (NPPF).

4. Prior to commencement of the development, an appropriately qualified and experienced ecological clerk of works should be appointed (or consultant engaged in that capacity) to inspect the site and implement the measures recommended to ensure there is no impact upon reptiles. The results and actions from the inspection together with specific provisions proposed for reptiles shall be relayed to the local planning authority upon completion.

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 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 (NPPF).

5. The recommendations for protected species mitigation set out in the report by ECUS Environmental Consultants dated February 2017 and the reports by Mark Latham of 2013 and 2014 should be followed unless otherwise agreed in writing by the local planning authority. A working method statement for protected species present 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 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 (NPPF).

6. H11 Parking - estate development (more than one house)

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 to the requirements of Policy MT1 of Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

7. H17 Junction improvement/off site works

Development shall not begin in relation to any of the specified works until details of the roundabout serving the development have been submitted to and approved in writing by the local planning authority, and the development shall not be occupied until the scheme has been constructed in accordance with the approved details.

Reason: To ensure the safe and free flow of traffic on the highway and to conform to the requirements of Policy MT1 of Herefordshire Local Plan – Core Strategy Plan and the National Planning Policy Framework.

8. H19 On site roads – phasing

None of the dwellings shall not be first occupied until the roadworks necessary to provide access from the nearest publicly maintained highway have been completed in accordance with details submitted to and approved in writing by the local planning authority.

Reason: To ensure an adequate and acceptable means of access is available before the dwelling or building is occupied and to conform to the requirements of Policy MT1 of Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

9. H25 Direction of proposed lighting

The proposed lighting shall be directed away from the public highway and no light source shall be visible from outside the extremities of the application site. A street lighting plan must be submitted and approved in writing by the local planning authority for each phase of the development before construction on that phase begins.

Reason: In the interests of highway safety and to conform to the requirements of Policy SD1 of Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

10. H29 Secure covered cycle parking provision

Within 8 weeks of the first occupation of the dwelling to which it relates a scheme for the provision of covered and secure cycle parking within the curtilage of each dwelling shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details. The cycle parking shall be installed and made available for use in accordance with a timescale to be agreed in writing by the local planning authority.

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

11. H31 Outline Travel Plan

Prior to the first occupation of each the development hereby approved an Outline Travel Plan, (which contains an overview of the transport implications of the proposed development, a commitment to promote alternative sustainable means of transport for staff and visitors and supporting strategies, with respect to the development hereby permitted), shall be submitted to and be approved in writing by the Local Planning Authority.

Within six months of the development being first brought into use, a Full Travel Plan, that contains a survey of travel patterns, targets and measures to promote alternative sustainable means of transport shall be further submitted to and be approved in writing by the Local Planning Authority. The Travel Plan shall be implemented in accordance with the approved details.

A detailed written record shall be kept of the measures undertaken to promote sustainable transport initiatives and a review of the Travel Plan shall be undertaken annually. All relevant documentation shall be made available for inspection by the local planning authority upon reasonable request.

Reason: In order to ensure that the development is carried out in combination with a scheme aimed at promoting the use of a range of sustainable transport initiatives and to conform to the requirements of Policies SD1 and MT1 of Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

12. Prior to the commencement of development the following information shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details:

- Adoptable roads should be identified on a drawing.
- The cycle link that enters the site at the roundabout should follow the route from the roundabout and cross prior to the T junction indicated at the end of the road entering the site. This cycleway should then follow this route that runs past plot numbers 373 to 378 to the crossroads junction formed near plot 414. From here the cycleway would follow the route to the North West to the T junction outside plot 88 where it follows the eastern road towards the open space indicated on the drawing. A cycle link should then link back

through the open space so a loop is formed. The cycleway construction would be 3m unsegregated or 'shared' cycle and pedestrian facility.

- From the open space a cycle facility should extend to the Cholestrey Road to provide a link to the linear park.
- The raised tables indicated on the carriageway need to be shown with more detail, including methods of traffic control (for example give way lines etc.) at each of the junctions.
- Visibility lines for the junctions, conflict points and bends should be indicated.
- Herefordshire Council prefers not to have block paved roads. Additional details required in relation to the raised areas and the construction of the roads shaded brown on the proposed layout.
- The shaded brown 'through' routes on the site should be considered minor access routes with a 4.8m width, cul-de-sacs could be considered as shared spaces with 4.5m width as per the Design Guide for New Developments
- Footway link in the northern corner in the site terminates near plot 1. This should be delineated as a route that links back to the adoptable highway near to plot 7.
- The cul-de-sac near plot 20 should have a formal link through to the footway that runs near the site boundary.
- The cul-de-sac that runs to plot 53-55 would benefit from a formal footway link towards the open space.
- The cul-de-sac near plot 278-279 should have a formal link through to the footway that runs near the site boundary.
- The junctions on the bus route should have 10m radii bell mouth arrangements.
- The cul-de-sac near to plot 302 has no turning head, and the turning head near 267 appears to be substandard.
- Gradient details will be reviewed when details are made available. Pedestrian routes should not exceed 1 in 20.
- A bus stop with shelter and bus kerbs should be provided at an appropriate location within the site.
- There are a number of straights that exceed the maximum lengths as set out in the Herefordshire Design Guide. These require an alignment change or details of raised tables to mitigate this issue. The straights are particularly apparent from plot 36-83, 09-38, 119-129, 301-258 and 311-341.

Reason: To ensure an adequate and acceptable means of access is available before the dwelling or building is occupied and to conform to the requirements of Policy MT1 of Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

13. The specification of any gas boilers to be installed in the dwellings hereby approved shall be submitted to and approved in writing by the Local Planning Authority before they are fitted and the approved specification shall be implemented prior to the first occupation of the development and shall be maintained for the lifetime of the development. Any gas boilers provided must meet a dry NOx emission concentration rate of <40mg/kWh.

In order to minimise the impact of the development on local air quality and to comply with Policy SD1 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework

14. With the exception of any site clearance and groundwork or works to provide access to the site, no further development shall take place until details for the provision of charging points for electric vehicles for each dwelling have been

Further information on the subject of this report is available from Mr A Banks on 01432 383085

submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details and charging points shall be available for use for the dwelling to which they relate upon the first occupation of that dwelling.

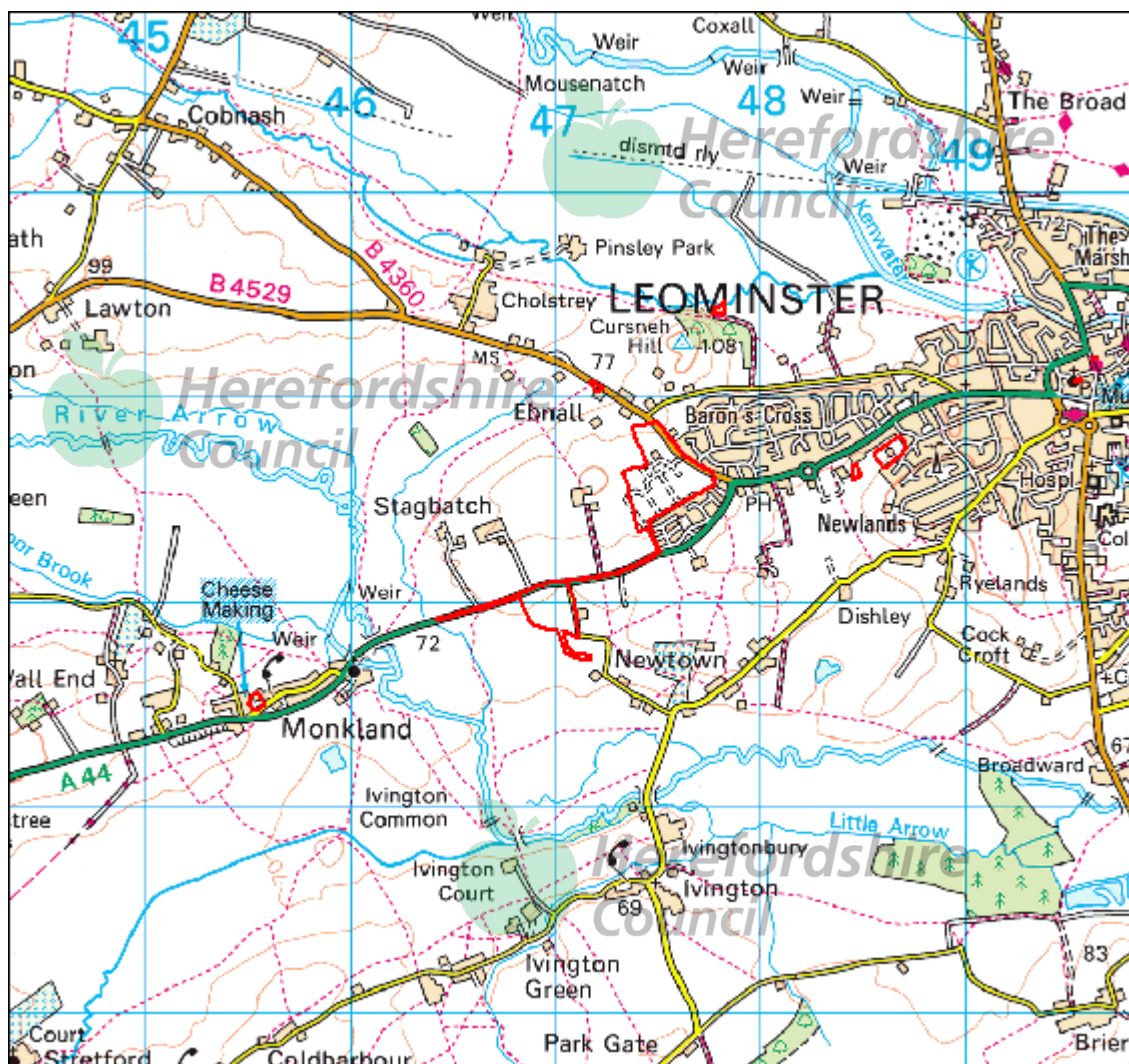
Reason: In order to minimise the impact of the development on local air quality and to comply with Policy SD1 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework

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 attention of the applicant is drawn to the conditions on the outline planning permission granted on 8 June 2017 (Reference No. P120887/O. This application for the approval of reserved matters is granted subject to these conditions.
3. I09 – Private apparatus within the highway (Compliance with the New Roads and Streetworks Act 1991, the Traffic Management Act 2004 and the Highways Act 1980)
4. I08 – Section 278 Agreement
5. I45 – Works within the highway (Compliance with the Highways Act 1980 and the Traffic Management Act 2004)
6. I07 – Section 38 Agreement & Drainage details
7. I16 - Affected street lighting or illuminated signs
8. I57 – Sky glow
9. I49 – Design of street lighting for Section 278
10. I54 – Disabled needs
11. I51 – Works adjoining highway
12. I47 – Drainage other than via highway system
13. I35 – Highways Design Guide and Specification

Background Papers

Internal departmental consultation replies.



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APPLICATION NO: 172135

SITE ADDRESS : BARONS CROSS CAMP, CHOLSTREY, LEOMINSTER, HEREFORDSHIRE

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Town and Country Planning Act 1990

Planning and Compensation Act 1991

OUTLINE PLANNING PERMISSION

Applicant:

Mr Jones
Granville Garage
Bromfield Road
Ludlow
Shropshire
SY8 1DW

Agent:

Mr Mark Stevenson
Planning and Construction Law
Mitre House
6 Fairfield Road
Caerleon
Newport
NP18 3DQ

Date of Application: 21 March 2012

Application No: 120887

Grid Ref:347091:258297

Proposed development:

SITE: Barons Cross Camp, Cholstrey Road, Leominster, Herefordshire
DESCRIPTION: Proposed extension of time to Reference Numbers DCNC2005/0917/O, DCNC2007/09170/RM and DMNC100122/RM - site for the erection of a maximum of 425 new dwelling, a community centre vehicular access and associated works.

THE COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL hereby gives notice in pursuance of the provisions of the above Acts that OUTLINE PLANNING PERMISSION has been GRANTED for the development described above in accordance with the application and plans submitted to the authority subject to the following conditions:

- 1 Application for approval of the reserved matters shall be made to the local planning authority before the expiration of three years from the date of this permission.

Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990.
- 2 The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of the approval of the last reserved matters to be approved, whichever is the later.

Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990.
- 3 Approval of the details of the layout, scale, appearance and landscaping (hereinafter called "the reserved matters") shall be obtained from the local planning authority in writing before any development is commenced.

Reason: To enable the local planning authority to exercise proper control over these aspects of the development and to secure compliance with Policy SD1 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

- 4 All roadworks shall be completed within a period of 2 years, or other period agreed in writing from the commencement of work on site, or within 6 calendar months of the substantial completion of 75% of dwellings in the development phase that they relate to if this is sooner. 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.

- 5 Prior to the commencement of development, details of the proposed bus gate shall be submitted to and approved in writing by the local planning authority and shall comprise a traffic light and red light camera monitoring system. The approved details shall be completed as part of the first phase of the development as indicated on the approved plan numbered AAH4718/44/Rev 1.

Reason: In the interests of highway safety and to ensure that the bus gate is properly monitored to control its use and to comply with Policy MT1 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

- 6 All garages and access thereto must be reserved for the garaging or parking of private motor vehicles and the garage 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 Plan and the National Planning Policy Framework.

- 7 Prior to the commencement of development, a detailed plan, showing the levels of the existing site, the proposed slab levels of the dwellings approved and a datum point outside of the site, shall be submitted to and approved by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: In the absence of sufficient detailed information, the clarification of slab levels is a necessary initial requirement before any demolition and/or groundworks are undertaken so as to define the permission and ensure that the development is of a scale and height appropriate to comply with Policy SD1 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

- 8 None of the dwellings hereby approved shall be occupied until the primary drainage infrastructure and surface water attenuation pond as shown on drawing nos 501 Rev F, 502 Rev F and 505 Rev F prepared by WSP has been constructed to an adoptable

standard and written confirmation to that effect has been issued to the local planning authority by Dwr Cymru Welsh Water.

Reason: To ensure the effective drainage facilities are provided for the proposed development, and that no adverse impact occurs to the environment or the existing public sewerage system so as to comply with Policies SD3 and SD4 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

- 9 Foul water and surface water discharges must be drained separately from the site. No surface water shall be allowed to connect (either directly or indirectly) to the public sewerage system.

Reason: To protect the integrity of the public sewerage system and to prevent hydraulic overloading in accordance with Policies SD3 and SD4 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

- 10 Development shall not begin in relation to the provision of road and highway drainage infrastructure for each phase until the engineering details and specification of the proposed roads and highway drains have been submitted to and approved in writing by the Local Planning Authority. No dwelling may be occupied until the road and highway drain serving the dwelling has been completed.

Reason: To ensure an adequate and acceptable means of access is available before any dwelling is occupied and to conform with the requirements of Policy MT1 of Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

- 11 Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas and hardstandings shall be passed through an oil interceptor designed and constructed to have a capacity and details compatible with the site being drained. Roof water shall not pass through the interceptor.

Reason: To prevent pollution of the water environment and to comply with Policy SD3 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

- 12 Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound shall be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound shall be at least equivalent to the capacity of the largest tank, vessel or the combined capacity of interconnected tanks or vessels plus 10%. All filling points, associated pipework, vents, gauges and sight glasses must be located within the bund or have separate secondary containment. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework shall be located above ground and protected from accidental damage. All filling points and tank/vessels overflow pipe outlets shall be detailed to discharge downwards into the bund.

Reason: To prevent pollution of the water environment and to comply with Policy SD3 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

- 13 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
 - h. Confirmation that means of vehicular access for all construction traffic, site operatives and visitors shall be via Cholstrey Road (B4529) only

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.

- 14 If, during development, contamination not previously identified is found to be present at the site then no further development shall be carried out until the developer has submitted, and obtained written approval from the local planning authority for, an addendum to the Method Statement. The addendum must detail how the previously undetected contamination will be dealt with.

Notwithstanding the above, upon the completion of each phase of the development, a completion report shall be submitted to the local planning authority confirming that no contamination was found, or identifying areas of contamination found during development works and verifying the remediation measures that were taken.

Reason: The treatment of any potential contamination is a necessary initial requirement before any demolition and/or groundworks are undertaken so as to ensure potential soil contamination is satisfactorily dealt with before the development is occupied and to comply with Policy SD1 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

- 15 Air quality monitoring for nitrogen dioxide shall be undertaken for a minimum of 3 months at the Bargates junction. Monitoring shall be undertaken utilising real-time chemiluminescent techniques at a location to be agreed with the local planning authority. The results shall be submitted to the local planning authority in order that the impacts of the development on the Bargates Air Quality Management Area can be assessed.

Reason: To ensure that the development does not exacerbate air pollution levels and to comply with Policies LO1 and SD1 of the Herefordshire Local Plan – Core Strategy

- 16 Prior to the commencement of development on each phase, details for the provision of water butts shall be submitted to and approved in writing by the local planning authority. The provision shall be for a minimum of 50% of the residential units hereby approved.

Reason: In order to achieve a sustainable form of development and to comply with Policy SD1 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

- 17 Prior to the first occupation of the development a scheme demonstrating measures for the efficient use of water as per the optional technical standards contained within Policy SD3 shall be submitted to and approved in writing by the local planning authority and implemented as approved.

Reason: To ensure compliance with Policies SD3 and SD4 of the Hereford Local Plan – Core Strategy

- 18 Prior to development commencing in each development phase, details of any play area contained therein, including equipment, surfacing, landscaping, means of enclosure, provision of seating and litter bins, shall be submitted to and approved in writing by the local planning authority. The play areas shall be constructed in accordance with the approved details and thereafter retained.

Reason: To ensure that the play areas are suitably equipped and to comply with Policy SD1 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

- 19 No materials or substances shall be incinerated within the application site during the construction phase.

Reason: To safeguard residential amenity and prevent pollution and to comply with Policy SD1 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.