

**Supplement to the agenda for**

# **Planning and regulatory committee**

**Wednesday 1 November 2017**

**10.00 am**

**The Council Chamber - The Shire Hall, St. Peter's Square,  
Hereford, HR1 2HX**

**Committee Update**

**Public Speakers**

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# **PLANNING COMMITTEE**

**Date: 1 November 2017**

## **Schedule of Committee Updates/Additional Representations**

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

## SCHEDULE OF COMMITTEE UPDATES

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

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

### ADDITIONAL REPRESENTATIONS

Comments from the Transportation Manager are as follows:

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

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

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

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

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

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

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

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

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

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

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

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

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

**Design of internal layout / roads.**

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

Confirmation needed that the applicant

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

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

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

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

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

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

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

Access:-

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

Vehicle Parking Provision:-

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

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

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

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

Cycle Parking Provision:-

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

**Section 106 Obligations**

Section 106 financial contributions:-

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

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

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

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

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

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

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

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

**CAS** - Road completion in 2 years

Informatives

**I11** – Mud on highway

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

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

**I57** – Sky glow

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

Policy requirement:

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

The mix which is shown on the submitted plans is:

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

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

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

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

## **OFFICER COMMENTS**

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

## **CHANGE TO RECOMMENDATION**

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

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

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

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

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

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

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

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

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

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

# PLANNING COMMITTEE - 1 November 2017

## PUBLIC SPEAKERS

### APPLICATIONS RECEIVED

Ref No.	Applicant	Proposal and Site	Application No.	Page No.
7	Mr Mark Elliot	Application for approval of Reserved Matters following outline approval P143116/O for 321 residential dwellings at <b>Land to the South of Leadon Way, Ledbury, Herefordshire</b>	164078	13
	<b>OBJECTOR</b>	<b>MS N SHIELDS (local resident)</b>		
	<b>SUPPORTER</b>	<b>MR M ELLIOT (applicant)</b>		
8	Mr Bower	Demolition of steel frame buildings, conversion of existing brick and timber clad farm buildings and construction of new single storey units to provide accommodation for ex-service personnel with communal and visitor rooms at <b>North Farm, Birchwood Farm Road, Bosbury, Herefordshire, HR8 1JY</b>	172544	37
	<b>PARISH COUNCIL</b>	<b>MR P WHITEHEAD (Bosbury and Coddington Parish Council)</b>		
	<b>SUPPORTER</b>	<b>MR A BOWER (applicant)</b>		
9	Mr Gregory Harwood	Proposed construction of a two bedroom dormer bungalow at <b>Land adjacent to The Meadows, Almeley Road, Eardisley, Hereford</b>	163948	43
10	Mr Gregory Harwood	Proposed erection of storage building at <b>Little Meadows, Eardisley, Hereford, Herefordshire, HR3 6PP</b>	163946	53

