

13 DCSE2005/3208/O - SITE FOR RESIDENTIAL AND ASSOCIATED DEVELOPMENT, INCLUDING LINEAR PARK AND SITE ACCESS, LAND OFF TANYARD LANE, ROSS-ON-WYE, HEREFORDSHIRE.**For: Persimmon Homes (South Midlands) Ltd, RPS Planning, 155 Aztec West, Almondsbury, Bristol, BS32 4UB.****Date Received: 6th October, 2005 Ward: Ross-on-Wye Grid Ref: 60621, 24787
East****Expiry Date: 1st December, 2005**

Local Member: Councillor Mrs. C.J. Davis and Councillor Mrs. A.E. Gray

1. Site Description and Proposal

- 1.1 As part of the preparation of the Herefordshire Unitary Development Plan (UDP) land was identified off Tanyard Lane as a potential site for development of about 150 houses. This large area of land of about 8 ha. is bounded by the A40(T) road to the east; modern housing (Collier and Brain housing development) off Blenheim Close, Chatsworth Close and Arundel Close plus further housing and a number of commercial enterprises off Tanyard Lane to the north; Rudhall Brook and a caravan site to the south, and housing in Rudhall Meadow along the south-western boundary. The site is in 3 sections: open, grassed areas either side of a central section with a number of businesses including dog boarding kennels. Access to the latter is from Tanyard Lane.
- 1.2 A development brief for the site has been prepared with the prospective developers and has been subject to wide-spread local consultation. The Council adopted the brief in 2005 as a basis to guide preparation of a detailed application for the site. In the UDP the proposed phasing of development requires the first 50 houses to be built by 2006.
- 1.3 This is an outline application for the whole of the site. The application does not specify the number of houses but it is anticipated that the site could accommodate about 200 dwellings. An illustrative layout has been submitted which in addition to housing areas shows a linear park occupying the southern section of the site. Vehicular access would be off a new roundabout to be constructed along the A40(T) road, about halfway between the existing roundabouts at Hildersley and Overross. The main access road would wind along the southern boundary of the proposed housing area, with estate roads extending to the north. A new link to the caravan park is proposed from the main access road. All matters except means of access are reserved for later approval.
- 1.4 This application has not been submitted to the Committee before the current meeting as the terms of the Section 106 Agreement had not been agreed. Consequently some of the representations reported below relate to the period prior to the UDP Inquiry Inspector's report and publication of the Proposed Modifications.

2. Policies**2.1 Planning Policy Guidance**

PPS3	-	Housing
PPS23	-	Planning and Pollution Control
PPG24	-	Planning and Noise

2.2 Hereford and Worcester County Structure Plan

Policy H18	-	Housing in Rural Areas
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2.3 South Herefordshire District Local Plan

Part 1

Policy SH5	-	Housing Land in Ross on Wye
Policy ED4	-	Safeguarding existing Employment Premises
Policy SH14	-	Siting and Design of Buildings
Policy SH15	-	Criteria for New Housing Schemes
Policy C30	-	Open Land in Settlements
GC1	-	General Development Criteria

Part 3

Chapter 37, Policy 2	-	New Housing Developments
Policy 10	-	Alternative Uses of Employment Land
Policy 20	-	Open Spaces

2.4 Herefordshire Unitary Development Plan (Deposit Draft)

Policy S2	-	Development Requirements
Policy S3	-	Housing
Policy DR1	-	Design
Policy DR2	-	Land Use and Activity
Policy DR4	-	Environment
Policy DR5	-	Planning Obligations
Policy DR7	-	Flood Risk
Policy DR9	-	Air Quality
Policy DR10	-	Contaminated Land
Policy H1	-	Hereford and the Market Towns: Settlement Boundaries and Established Residential Areas
Policy H2	-	Hereford and the Market Towns: Housing Land Allocations
Policy H3	-	Managing the Release of Housing Land
Policy H9	-	Affordable Housing
Policy H13	-	Sustainable Residential Design
Policy H15	-	Density
Policy H16	-	Car Parking
Policy H19	-	Open space requirements
Policy ED5	-	Safeguarding Employment Land and Buildings
Policy T6	-	Walking
Policy T7	-	Cycling
Policy T8	-	Road Hierarchy
Policy T11	-	Parking Provision
Policy RST3	-	Standards for Outdoor Playing and Public Open Space
Policy NC1	-	Biodiversity and Development
Policy NC8	-	Habitat Creation, Restoration and Enhancement

3. Planning History

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|-----|-----------------|--|---|---------------------------|
| 3.1 | SE1999/1643 | First floor office extension, Medex Products | - | Approved 20.7.99 |
| | SE2001/2452/F | Extension to south elevation of existing workshop Meadex Moulding. | - | Approved 05.11.01 |
| | DCSE2005/3207/F | Residential and associated development including 60 dwellings, linear park and site access | - | Withdrawn |
| | DCSE2006/0171/F | 3 arm roundabout on alignment of A40(T) | - | Appeal Dismissed 02.03.07 |
| | DCSE2006/4006/F | 3 arm roundabout on alignment of A40(T) | - | Not determined |

4. Consultation Summary

Statutory Consultations

- 4.1 Highways Agency confirms that the principal of the mitigation proposals as shown on Drawing No. 50319/003 rev C are acceptable. However, the above include works within the Trunk road boundary, which is land over which the applicant has no control and is subject to the provisions of the Highways Act 1980. In order for these works to proceed, the Highways Agency requires the Developer to enter into an agreement under Section 278 of the Highways Act 1980. You are respectfully requested not to issue planning consent until the Section 278 has been completed. If your Council is minded to issue a planning permission prior to the agreement being signed, please ensure that the following 'Grampian' style condition and informative note to applicant is attached to the consent.
- 4.2 Environment Agency has considered the flood risk assessment, contamination assessment, surface water and foul drainage proposal and does not object to the proposals subject to conditions.
- 4.3 Welsh Water's formal response is awaited but a written indication has been given that the proposals are acceptable.

Internal Council Advice

- 4.4 Head of Environmental Health advises of the following issues:

"1.1 The applicant's 'WSP - Air Quality Appraisal Report' concludes that there is no need to condition air quality constraints in relation to the proximity of housing from the kerbside of the A40. I see that the difference in air quality using the DMRB is minimal along the A40 "with" and "without" development and do not disagree with these conclusions. From my experience, the separation distance for housing from the kerbside is better determined with reference to "PPG 24 Planning and Noise" which tends to give tighter criteria.

- 1.2 The applicant's 'WSP - Air Quality Appraisal Report' lists a number of mitigating measures to counter nuisance arising from construction. These could form the basis of a general planning condition and I would recommend the inclusion of a condition to minimise nuisance from construction / clearance works:
- 2 Noise
- 2.1 The applicant utilises the statutory planning guidance "PPG 24" which states that 'noise exposure categories for residential development should be used to determine suitability and mitigation'. I believe that all the assessment/prediction criteria used are appropriate assessment tools for such a development.
- 2.2 The Environmental Statement methodology appears satisfactory. The PPG 24 NEC assessment finds the housing nearest to the A40 to fall in NEC "category C". This category means that planning permission should not normally be granted for the houses nearest the A40 on noise grounds, although I accept that PPG 24 does allow certain design criteria in the housing to mitigate this and to allow "a commensurate level of protection against noise".
- 2.3 Therefore, should permission be granted, I would ask that the housing overlooking the A40 is adequately protected against noise by at least the 22m separation distance offered in the application. I am not convinced that the tight noise attenuation criteria for ventilation offered in paragraph 6.13 is necessary, as this would in my opinion be out of character to the housing in this part of Herefordshire. Instead, I would ask that the agreement of the layout ensures that gardens remain on the shielded side of the housing and that the rooms overlooking the A40 do not include main bedrooms and main living rooms: i.e. bathroom, kitchens and studies/spare bedrooms would be appropriate for the front elevation. I would also ask that a suitable earth bund is constructed between the housing and the road, the higher the better and the closer to the road the better, but not less than 2m.
- 2.4 In relation to industrial noise, the WSP noise report implies that the Meades Sawmill, the Wyevale Kennels/Meadex Mouldings and Wye Valley Tractors will all be relocated. If this is the case, I have no objections as I agree that the residual industrial noise from the more distant Ashburton Industrial Estate will have a minimal impact.
- 2.5 If however these businesses are not relocated, I do not agree with WSP's opinion that noise will not be an issue. From my experience, noise from kennels will almost certainly be detrimental to the amenity to much of the housing on the entire estate, I therefore have severe reservations about the principle in using the land for a housing estate unless the planning consent could require the removal of the kennels prior to habitation.
- 2.6 I recommend that the hours of noisy construction operation are limited by an appropriate condition.
- 3 Odour
- 3.1 I have reservations about the location of the proposed nearby housing close to the sawmill unless the planning consent could require the removal of the sawmill prior to habitation.

4 Contamination

- 4.1 I understand that the adjacent sawmill site is now in the ownership of the developer and therefore my concern regarding the migration of contamination from the sawmills site and the land not being under the ownership or influence of the developer, now does not apply.

From our discussions I understand that the development at Tanyard Lane can be adequately controlled by planning conditions in relation to contamination.

Please note we will require submission of site investigation report and any remediation proposals to be submitted prior to the application for reserved matters.”

- 4.5 The Conservation Manager responds as follows:

Landscape - design issues agreed at pre-application meetings have been taken forward in the masterplan of the whole site and the detail of this first phase. The application is generally supported therefore.

Archaeology - after further consideration it is accepted that a condition requiring an archaeological investigation rather than a field evaluation be undertaken prior to determination of the application.

- 4.6 Drainage Engineer comments:

“Previous discussions with the developer have highlighted the need for the preparation and submission of a detailed design for the disposal of surface water. Section 19.1 of the Flood Risk Assessment that accompanies the submission takes this requirement into account and states a drainage strategy will be designed so as not to exacerbate existing flooding of the Rudhall Brook.

The Environment Agency’s quoted Greenfield run-off rate of 10 l/s/ha from the site has previously been approved by this authority and has been incorporated into the design of the Broadmeadows Flood Alleviation Scheme.”

5. Representations

- 5.1 The applicant's agent has submitted Planning Statements, plus detailed studies of design, landscape assessment traffic impact, archaeology, environmental and ecological studies, and a flood risk assessment. The reasons for submitting the application is as follows:

- (i) The land at Tanyard Lane is allocated for residential development under Policy H2 of the emerging Herefordshire Unitary Development Plan (HUDP), with 50 dwellings phased for completion by April 2006.
- (ii) Consequently, it is necessary to establish the principles of developing the site through this outline planning application to provide a framework within which comprehensive residential development is able to proceed with a detailed first phase, in accordance with the plan.
- (iii) The delivery of housing as envisaged by the phasing policies within the HUDP will not be achieved on time if a planning application is delayed until the Plan is adopted; as this will not be until Spring 2006, at the earliest. Even if an

application were to be submitted after receipt of the Inspector's Report, there would be insufficient time for it to be determined, a planning obligation completed, and 50 dwellings completed before April 2006.

- (iv) The Council will be aware, as a consequence of promoting the site in the emerging HUDP, that a significant body of work has already been undertaken in relation to land at Tanyard Lane that demonstrates how residential development can be achieved, principally through the preparation, and adoption of the Development Brief for the site, which was the subject of substantial consultation with stakeholders.

5.2 Town Council make the following comments:

"No decision should be taken before the Public Inquiry."

5.3 Ross Rural Parish Council's comments are as follows:

"Ross Rural Parish Council are still currently studying both the Outline application DCSE2005/3208/O and the Full application DCSE2005/3207/F for this major proposed development in the Ross on Wye area, and will return the drawings together with our comments in the near future. In the meanwhile may we ask that a decision on this application is not made until our comments have been received."

5.4 11 letters have been received objecting to these proposals. In summary the following concerns are raised:

- It would be premature to grant permission before the UDP Inquiry Inspector reports on this allocation – the Inquiry cost £1000s which would be waste if results are pre-empted.
- Serious concerns regarding drainage – already causing great problems in this area with foul smells over southern part of town. Must be upgraded before any further development.
- Temporary solution with private treatment works discharging to Rudhall Brook is sixteenth century technology not 21st century and concern regarding raw sewage and high levels of phosphate entering Brook and then River Wye – flow of brook not sufficient to dilute effluent to meet DEFRA standards.
- Letters to press and newspaper article on drainage issue have been submitted.
- Both fields have flooded extensively in last 5 years and development would increase risk and extent of flooding in town centre – there are national concerns regarding building in floodplains and the effect on existing properties.
- Uncertainties over new access as Highways Agency have resisted a roundabout and no definite date for de-trunking.
- Roundabout along A40 would slow down traffic along by-pass, possibly cause accidents and serious congestion – already heavily trafficked with Ledbury Road roundabout extremely busy. A40 needs widening to 3 or 4 lanes.
- Emergency vehicles (fire and ambulance) based at Hildersley and would be delayed at best; if A40 blocked have to re-route through town.

- Tanyard Lane could become short-cut for cars, damaging the lane and beautiful listed wall.
- Safety of children – safe pedestrian route to school is required.
- Loss of privacy and quietness of neighbourhood, lovely views across open countryside and neighbours will suffer from noise pollution.
- Density is too high and therefore wholly inappropriate and out-of-keeping with area in general – more about getting maximum density than good design.
- Sustainability is queried as houses are for younger people who will need jobs and therefore have to travel as Ross has limited potential to accommodate so many people.
- New estate road on indicative layout would be too close to Tanyard Cottage considering the difference in levels.
- This property has right of way over Tanyard Lane.
- Dog boarding kennels inevitably has noise from dogs barking and concerned at proximity of new housing.

The full text of these letters can be inspected at The Hereford Centre, Garrick House, Widemarsh Street, Hereford and prior to the Sub-Committee meeting.

6. Officer's Appraisal

- 6.1 The Local Plan's policy for residential development in Ross-on-Wye was one of restraint following a period of high growth. No new proposals were identified with development limited to windfall opportunities (Policy SH.5). Policy C.30 sought to protect the land off Tanyard Lane from development for its amenity importance and the area occupied by businesses is protected for its employment use (ED.4). The UDP represents a new plan period however with a requirement to find further land to meet the housing requirement of the town up until 2011. The current application site is allocated for residential development in UDP (Policies S.3, H.1 and H.2). The allocation has been the subject of objections which have been fully considered at the UDP Inquiry. The Inspector considered key concerns, in particular drainage and flooding problems and access off the A40(T). The Inspector concluded that "in order to meet Ross-on-Wye's contribution to the county's housing requirement, it will be necessary to make use of greenfield land. The Tanyard Lane site is eminently suitable in this regard. It is a well located urban extension site that, in landscape terms, is not unduly sensitive. It would accommodate a significant number of dwellings on a site contained by the bypass."

Consequently it is not proposed to modify the UDP significantly with respect to this proposal. The UDP is scheduled for adoption on 23rd March, 2007 and will then formally supersede the Development Plan. The UDP can therefore be accorded full weight.

- 6.2 The outline application complies with the UDP's requirements. The number of houses anticipated (about 200) is higher than the number expected in the Revised Deposit Draft but this results from further detailed design work by the applicants and would be achieved within the density limits set by UDP and PPS.3. Agreement has been reached regarding the percentage of affordable housing (35%) as required by Policy H.9, although further discussions will be necessary regarding the rented/shared equity

split. Contributions towards educational facilities at John Kyrle High School and towards off-site open space provision (the topography not allowing sports pitches to be formed at Tanyard Lane) have also been agreed. Contributions towards a safer route to the High School from the development and improvement to the pedestrian route to the town centre would also be made and would connect with the pedestrian and cyclist links within the layout proposals (see paragraph 5.4.22 of UDP). A cycle/pedestrian route from the development along the east side of the A40(T) to connect at Hildersley to a projected cycle/pedestrian route to the Model Farm industrial estate and existing cycle routes within and outside Ross-on-Wye was recommended by the Traffic Manager. The developer has indicated that he is not willing to pay for this route. However, this is not now a UDP proposal and the Highways Agency have indicated that the essential toucan crossing(s) of the A40(T) would not be acceptable. Although desirable this is not highway infrastructure that is critical to an acceptable housing development. This is not therefore included within the draft Heads of Terms of the Section 106 agreement.

- 6.3 Three remaining issues need to be addressed: noise, drainage and the highway proposals. At the recent appeal (DCSE2006/0171/F) regarding the new A40(T) roundabout the Inspector concluded that an assessment of the increase in noise to residents of the adjoining Collier and Brain estate should be undertaken before planning permission is granted to ensure that the potential harm can be mitigated. This would apply to the current proposal which includes exactly the same roundabout proposal. The applicant has agreed to carry out noise surveys and indicate appropriate mitigation.
- 6.4 The current drainage problems in Ross-on-Wye are widely known and any additional flows into the existing sewerage is not acceptable. Welsh Water have confirmed that the problems will be resolved by April 2010. In the interim the applicant proposes to use the capacity released by demolition of the former Paragon Laundry site. The latter has planning permission for new housing but provided these dwellings are not built the current proposal would not increase effluent above the level prior to the closure of the laundry. In line with Welsh Water's practice this is considered acceptable and will not exacerbate foul drainage/flooding problems.
- 6.5 The concerns regarding the new roundabout were considered by the Inspector. He was satisfied that this "was the most appropriate means of access ...other options are inappropriate and that a transport assessment would deal with the detailed matters of concern" (paragraphs 5.23.11 and 13). Since then a traffic assessment and road safety audit have been carried out and amendments to the Overross roundabout designed. With these improvements the Highways Agency is satisfied that the new access would be safe and would not significantly add to congestion. No vehicular traffic would be able to enter Tanyard Lane (although this would be an extra route for emergency vehicles) or the Collier and Brain housing estate from the new housing areas, all traffic being funnelled to the A40.
- 6.6 The sawmill (Meade's Sawmill) to the north of Tanyard Lane has been acquired by the applicant and the noise and odour problems that have been caused to nearby residents have ceased. A clause in the Section 106 agreement would ensure that the sawmill did not re-open. Negotiations to acquire the kennels and other businesses within the application site have not, however, been completed. If the kennels in particular were to remain the noise of barking dogs may well give rise to complaints and effect the amenities of residents of the estate. Noise reduces with distance and by use of an appropriate physical barrier. Further discussions are being held with the

applicant's agents to discuss an appropriate condition to protect future residents should the kennels not be acquired.

RECOMMENDATION

Subject to the completion of noise surveys and an indication of appropriate mitigation:

That 1) the Legal Practice Manager be authorised to complete a planning obligation agreement under Section 106 of the Town and Country Planning Act 1990 regarding contributions towards education, open space, adoption of open space, affordable housing and highway works.

2) upon completion of the aforementioned planning obligation that the officers named in the Scheme of Delegation to officers be authorised to issue planning permission subject to the following conditions and any additional conditions considered necessary by officers:

1. **A02 (Time limit for submission of reserved matters (outline permission))**

Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990.

2. **A03 (Time limit for commencement (outline permission))**

Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990.

3. **A04 (Approval of reserved matters)**

Reason: To enable the local planning authority to exercise proper control over these aspects of the development.

4. **A05 (Plans and particulars of reserved matters)**

Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990.

5. **D01 (Site investigation - archaeology)**

Reason: To ensure the archaeological interest of the site is recorded.

6. **F13 (Scheme to protect new dwellings from road noise)**

Reason: To protect the residential amenities of the future occupiers of the properties.

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

Reason: In the interests of highway safety and to ensure the free flow of traffic using the adjoining highway.

8. **H27 (Parking for site operatives)**

Reason: To prevent indiscriminate parking in the interests of highway safety.

9. H29 (Secure cycle parking provision)

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.

10. Prior to the occupation of any of the (specify) hereby permitted a management plan, to include proposals for the long term design objectives, management responsibilities and maintenance schedules in perpetuity, for the areas of open space and play area(s) but excluding private domestic gardens, shall be submitted to and be approved in writing by the local planning authority. The management plan shall be carried out as approved.

Reason: In order to ensure that the use and maintenance in perpetuity of the open space and play area(s) is assured.

11. F16 (Restriction of hours during construction)

Reason: To protect the amenity of local residents.

12. F41 (No burning of materials/substances during construction phase)

Reason: To safeguard residential amenity and prevent pollution.

13. W01 (Foul/surface water drainage)

Reason: To protect the integrity of the public sewerage system.

14. W02 (No surface water to connect to public system)

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no detriment to the environment.

15. W03 (No drainage run-off to public system)

Reason: To prevent hydraulic overload of the public sewerage system and pollution of the environment.

16. Prior to the commencement of the development a detailed programme and method statement to include a timetable for the implementation and completion of the development shall be submitted to and approved in writing by the local planning authority. The development shall be progressed in accordance with the approved details.

Reason: In order to ensure that the development is progressed to completion.

17. No development within the application area shall be occupied unless the mitigation proposals as shown on Drawing No. 50319/003 rev C has been completed to the satisfaction of the local planning authority after consultation with the Highways Agency.

Reason: To ensure that the A40 Trunk Road continues to serve its purpose as part of a national system of routes for through traffic in accordance with Section 10(2) of the Highways Act 1980 by minimising disruption on the trunk road resulting from traffic entering and emerging from the application site and in the interests of road safety.

Informative(s):

1. **N19 - Avoidance of doubt**
2. **N15 - Reason(s) for the Grant of Planning Permission**

Decision:

Notes:

Background Papers

Internal departmental consultation replies.

**APPLICATION DCSE2005/3208/O – SITE FOR RESIDENTIAL AND ASSOCIATED
DEVELOPMENT, INCLUDING LINEAR PARK AND SITE ACCESS AT LAND
OFF TANYARD LANE ROSS ON WYE**

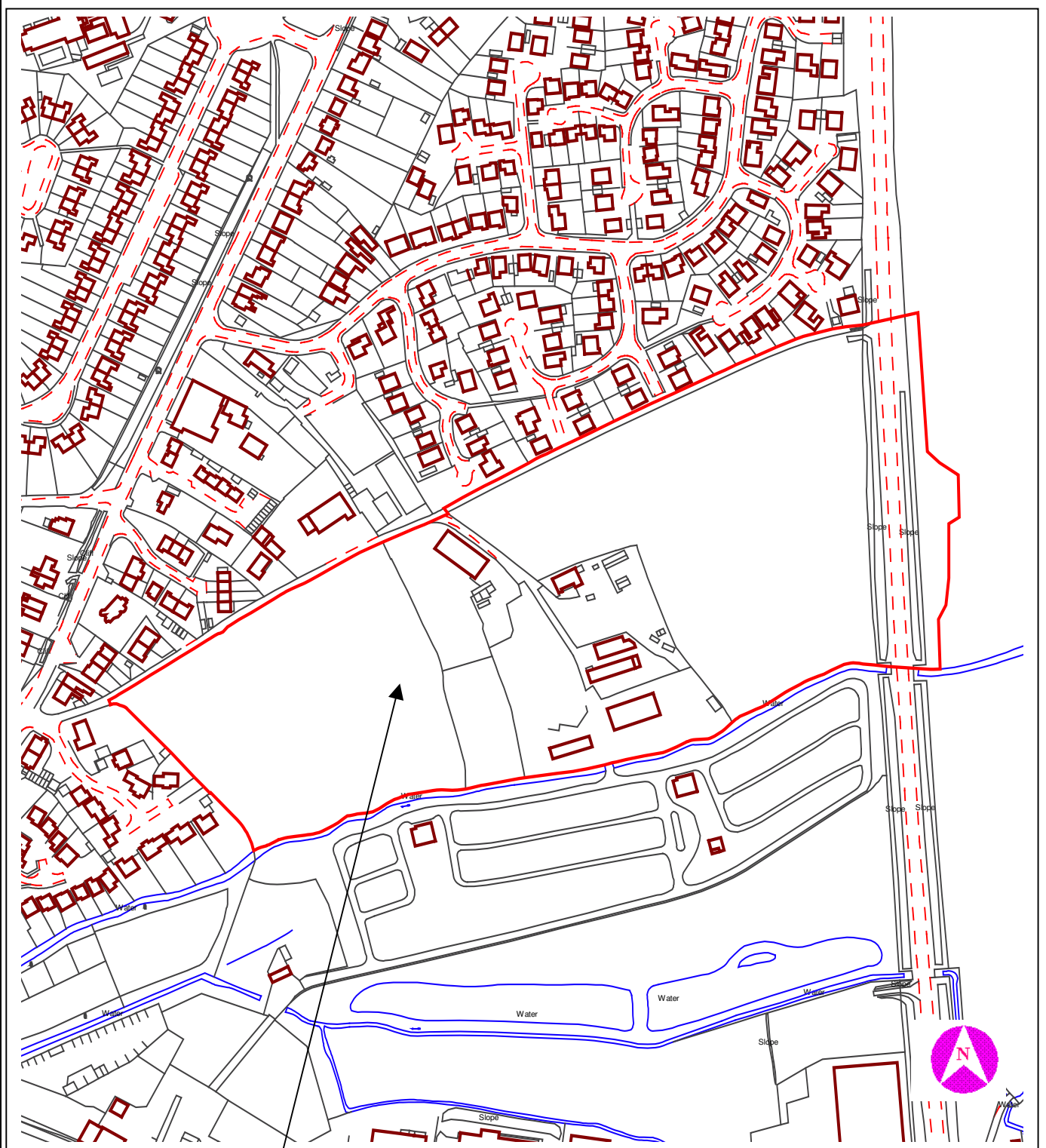
**PROPOSED PLANNING OBLIGATION – SECTION 106 TOWN AND COUNTRY
PLANNING ACT 1990**

DRAFT HEADS OF TERMS

1. The developer covenants with the Council, in lieu of the provision of formal sports/recreation facilities on the Application Site to contribute to the Council the sum of £200,500. The payment shall be made prior to the first occupation of any of the dwellings permitted.
2. The Council shall use the monies paid under Clause 1 as a contribution towards the provision of formal sports facilities, for shared use, at John Kyrle High School, Ross on Wye.
3. The developer covenants with the Council to pay the sum of £355,564.00 as a contribution towards the provision of education facilities at John Kyrle High School. The sum is to be paid prior to the first occupation of any of the dwellings permitted.
4. In the event that the Council does not for any reason use any part of the said sum of Clauses 1 and 3 for the purposes specified in the agreement within 10 years of the date of payment, the Council shall repay to the developer the said sum or such part thereof, which has not been used by the Council, with interest.
5. Affordable Housing
 - a) The applicant covenants with the Council to provide Affordable Housing within the application Site. The detailed provision shall be at 35% of the total number of dwellings to be constructed.
 - b) The provision of Affordable Housing shall be in accordance with the requirements of the Council's Supplementary Planning Guidance – Provision of Affordable Housing – March 2001 (Updated November 2004).
 - c) The tenure and type of the Affordable Housing shall be agreed for each phase of the development through the provision of an Affordable Housing Brief.
 - d) The applicant shall procure the construction of the Affordable Housing in accordance with the current Housing Corporation development standards and "Lifetime Home" standards with no Affordable Housing grant input, and in accordance with the considerations listed in the Affordable Housing Brief for the scheme.
6. The developer/applicant covenants with the Council to pay a commuted sum to provide for the adoption by the Council of the public open space/linear park to be provided on site as part of the development. The payment shall be calculated in accordance with the Council's current standards for "Planning and Design for Open Space: Standard Requirements for new Housing Developments".
7. The developer/applicant covenants to pay the Council the sum of up to £18,000 to provide transportation facilities necessary to serve and associated with the development. The sum is to be paid prior to the first occupation of any of the dwellings permitted.

8. The Council shall use the monies under Clause 6 for the following purposes: -
 - a) For a contribution towards the Safer Routes to School for John Kyrle High School. (£3000.00)
 - b) Footway improvement schemes in Ledbury Road. (up to £15.000.00).
9. In the event that the Council does not for any reason use the said sum of Clause 7 for the purposes specified in the agreement in Clause 8 within 10 years of the date of payment, the Council shall repay to the developer the said sum or such part thereof, which has not been used by the Council, with interest.
10. The developer agrees with the Council that the adjoining former timber yard in its ownership will not be operated as a timber yard following the commencement of the development.
11. Upon completion of this Agreement, the Owner shall pay to the Council the Council's reasonable and proper costs in the preparation and completion of this Agreement.
12. The Owner agrees with the Council that the sums payable under this Agreement by the Owner to the Council shall be adjusted according to any increase in the BCIS all in tender price index published by RICS occurring between the date of this of this Agreement and the date the relevant sum becomes payable.

P. Yates
Development Control Manager



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APPLICATION NO: DCSE2005/3208/O

SCALE : 1 : 3533

SITE ADDRESS : Land off Tanyard Lane, Ross-on-Wye, Herefordshire

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