

# **PLANNING COMMITTEE**

**Date: 16 March 2015**

**Morning**

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

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

## **SCHEDULE OF COMMITTEE UPDATES**

**143370 - PROPOSED RESIDENTIAL DEVELOPMENT FOR UP TO 37 DWELLINGS OF WHICH 13 (35%) WILL BE AFFORDABLE AT LAND TO THE EAST OF BROOK LANE, NORTH OF B4220, BOSBURY, HEREFORD**

**For: Mr Watkins & Mr P Bennett per RCA Regeneration Ltd,  
Unit 6 De Salis Court, Hampton Lovett, Droitwich Spa,  
Worcestershire, WR9 0QE**

### **ADDITIONAL REPRESENTATIONS**

Email correspondence has been submitted on behalf of the Bosbury Neighbourhood Plan Committee to advise that the plan has been submitted under Regulation 15 of the Neighbourhood Planning Regulations 2012. The email refers to an appeal case in Devizes, Wiltshire where an Inspector concluded that material weight could be given to a Neighbourhood Plan submitted at Reg. 15.

Further correspondence has also been received from Severn Trent Water. Notwithstanding their original advice contained within the report, they request that a Grampian Style planning condition be imposed so that the Sewage Treatment Works (STW) can be upgraded before the development is first occupied. They advise that the STW is already slightly overloaded by approximately 11% and an increase in the number of dwellings in the village by approximately 27% will exacerbate the situation.

They also advise that the matter has been discussed with the Sewage Treatment Team and the improvement works are already included in the next Asset Management Plan (AMP) period commencing April 2015.

### **OFFICER COMMENTS**

The Bosbury Neighbourhood Plan has been scrutinised by the Council's Neighbourhood Planning team to establish its compliance with Reg.15. They have found that Bosbury have undertaken the appropriate consultation process, with an initial six week consultation and then a formal Reg. 14 eight week consultation consulting the necessary statutory bodies. The submission also confirms that various site options have been considered and that the draft Neighbourhood Development Plan (NDP) has been subject to several consultation and Planning For Real events. Notwithstanding this, the site that is preferred locally (land at Old Court Farm) is contained, at least in part, within a Flood Zone 2 & 3. Neither the Environment Agency or Severn Trent Water have replied to the consultation undertaken.

There is a concern about the potential capacity for development within the settlement boundary identified by the NDP. It relies upon the conversion of buildings at Old Court Farm and it is noted that the buildings and land are owned by the Church Commissioners, who were the applicants for the site refused planning permission that is now the subject of an appeal. There may be some doubt about the deliverability of the site.

Although the Bosbury Neighbourhood Plan appears to be compliant with Reg. 15, the advice given by the Council's Neighbourhood Planning team is that it should have limited weight as a material planning consideration because of the outstanding matters outlined above. It cannot be assumed that a lack of a consultation response from statutory consultees indicates their acceptance of the plan. It will assume greater weight once further consultation has been completed under Reg.16, but this cannot be commenced at this stage as the Council finds itself in a pre-election period.

In light of the fact that there is a programme of improvement works scheduled in the next AMP period (2015 to 2020), the request to impose a Grampian style condition to prevent occupation of dwellings until the improvement works are complete is not unreasonable and would not compromise the delivery of the site.

### **CHANGE TO RECOMMENDATION**

In accordance with the request from Severn Trent Water the following condition is added to the recommendation:

No development shall take place until details of a phased drainage scheme, that has been informed by an assessment of the hydrological and hydro-geological context of the development in relation to the disposal of surface water and an assessment of the need for improvements to the public foul sewerage system necessary to ensure that there is sufficient capacity within the public sewerage system to accommodate the development, has been submitted to and approved in writing by the local planning authority.

No dwelling hereby permitted shall be first occupied until the drainage scheme approved by the local planning authority has been implemented and the works completed in accordance with the approved details and until confirmation of such, in respect of the public foul sewerage system improvements have been obtained from Severn Trent Water Limited and a copy of that confirmation has been provided in writing to the Local Planning Authority."

Reason: To ensure that the development is provided with a satisfactory means of drainage as well as to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution.