

**192515 – APPLICATION FOR APPROVAL OF RESERVED MATTERS FOLLOWING OUTLINE APPROVAL (160581 – PROPOSED SITE FOR THE ERECTION OF 5 NO. FOUR BEDROOM DWELLINGS). BALANCE FARM TITLEY KINGTON HR5 3RL**

**For: Ms Vaughan per Mr Matt Tompkins, 10 Grenfell Road, Hereford, Herefordshire, HR1 2QR**

### **ADDITIONAL REPRESENTATIONS**

An additional representation has been received following the publication of the Officer Report from Marches Planning on behalf of a local resident. It can be viewed here:

<https://myaccount.herefordshire.gov.uk/documents?id=718e7fa5-8fc3-11ef-9083-005056ab3a27>

It is understood that the resident has also submitted comments direct to Committee Members. Officers have had sight of this and the themes are similar in nature.

The key content of the representation can be summarised as follows:

1. The policies of the Titley NDP have been misrepresented in terms of the relationship between the site and the settlement boundary, specifically that the site will only be regarded as being within the boundary if development is lawfully commenced.
2. The Officer Report does not recognise the purpose of the settlement boundary in maintaining separation between the village and Eywood Park.
3. The proposal does not fulfil the requirements of NDP policy TG13 to 'protect and enhance the valued landscape' associated with Eywood Park
4. The screening provided by Leylandi trees should not be relied upon.
5. The proposal has not responded to the Committee's concerns and does not fulfil the requirements of NDP policy TG16 2) to incorporate sustainability measures such as building orientation, solar gain, sustainable construction methods and materials.
6. The proposal has not responded to Committee's concerns regarding scale and height. Smaller dwellings could have been designed to meet local needs as per TG2.
7. The proposal has not provided a pedestrian access to the village to avoid the B3455 junction, which could be secured by way of S106 agreement in accord with TG16

### **OFFICER COMMENTS**

Officers would make the following comments corresponding to the points above:

- 1: This matter is addressed at Sections 6.9 – 6.12 of the Officer Report. Officers have reviewed the relevant sections in light of the comments supplied and consider that the interpretation of NDP policy TG5 set out at 6.11 of the Officer Report is accurate. Notwithstanding this, Members are advised that the principle of development is not a matter to be considered as part of the Reserved Matters application and therefore the relationship of the site with settlement boundary and spatial strategy of the NDP is not determinative in any case.
- 2, 3 & 4: These issues are addressed at Sections 6.29 – 6.40 of the Officer Report and these sections are considered to remain applicable. With regards to the potential impact upon Eywood Park as a designated heritage landscape, this has been

robustly appraised and found to be policy compliant. No harm has been identified and no objections received from the Senior Landscape Officer or Building Conservation Officer.

- 5: Section 6.41 of the Officer Report addresses sustainability. The amended plans incorporate PV panels, air source heat pumps and electric vehicle charge points which are secured by Condition 7. Condition 10 attached to the outline permission 160581/O secures water efficiency measures. All of these align with the requirements of policies TG16 and SD1. It is noted that the representation considers the scheme should go further, such as through an amended layout to enhance solar gain, however this needs to be balanced against ensuring the layout is an appropriate response to the site constraints and wider setting. Officers consider therefore that the scheme has made efforts to promote sustainability and would take the view that a refusal on the basis that the scheme has failed to exhaustively incorporate all of the measures detailed TG16 2) could not reasonably be justified.
- 6: These points are addressed within the Officer Report, Section 6.23 and 6.24.
- 7: The access strategy to the site, including for pedestrians, has been established through the outline permission P160581/O and subsequently P181476/ RM for approval of 'access'. The current application is for reserved matters approval of 'appearance, layout, landscaping and scale' only. The matter of pedestrian connectivity between the site and the wider area hence does not fall within the scope of the matters requiring approval and to seek additional provision at this point would go beyond what the LPA is entitled to consider.

#### **NO CHANGE TO RECOMMENDATION**