

MEMORANDUM

To : Mr A Banks, Planning Services, Blueschool House - H31
From : Mrs Ruth Jackson rjackson@herefordshire.gov.uk
Tel : 01432 260359 Your Ref : 161188
Date : 17 May 2016

APPLICATION NO & SITE ADDRESS: 161188 - Land at Porthouse Farm, Tenbury Road, Bromyard, Herefordshire,
APPLICATION TYPE: Approval of Reserved Matters
DESCRIPTION: Application for approval of reserved matters following outline approval.
(P140285/O) for 76 dwellings and associated works.
GRID REFERENCE: OS 365174, 255420
APPLICANT: Mr G Belcher
WEBSITE: www.herefordshire.gov.uk/searchplanningapplications

NAME:

JOB TITLE:

COMPANY:

DATE RETURNED:

On Site POS/Play: In accordance with the outline permission 140285/O the Reserved Matters application includes a new public open space area to the site's Southern boundary between the residential and employment area. It is a large usable open space connecting to the proposed SUDs area and it is overlooked on one side by the proposed housing, so it is reasonably safe. The area is approximately 0.38 hectares (0.94 acres) which is more than the minimum requirement for this development as proposed at the outline stage and in accordance with the old UDP RST3 policy. The Core Strategy policy requirement for open space (policies OS1 and OS2 and standards of provision) is the same as the UDP standards so this requirement would not change.

Heads of Terms for Outline Planning Permission 140285/O:

- **Paragraph 3.6:** as per the detail in this paragraph, the location and detail of the formal play area and the open space is subject to the reserved matters application consultation. As yet the applicant has provided no detail as to how the area will be laid out to accommodate both formal and informal recreation. As the open space is to act as a buffer between the housing and the proposed light industrial use careful consideration will be needed particularly given young children will be using the area so good surveillance is important. It is understood that not more than 50% of the open market units shall be occupied until the owners have laid out and equipped the open space facilities etc to the Councils satisfaction in accordance with a scheme of works, quality standards and maintenance specification approved by the Council pursuant to a Reserved Matters application. Once this detail has been provided I can respond accordingly.

- **Paragraph 1.28:** It is agreed that the open space will be managed via a management company as per detail in this paragraph. Management Company: a written scheme demonstrating how the management company will be set up and maintained in order to fulfil its ongoing obligations and functions in relation to the open space facilities etc is to be provided. Again once this detail has been provided I can respond accordingly.

I would also ask that the following is taken into account regarding the Council's position, given that as from the 1st April 2016 the Council no longer has a Parks and Countryside Service, as to the acceptability of the play area and open space. This is to be clear that as the Local Planning Authority we will only approve the works carried out in accordance with the landscape plan/play area scheme /SuDs plan. Health and Safety requirements will need to be those of the Owner.

On more recent planning approvals the following is now included in the Heads of Terms to provide clarity:

- No more than 50% of the Open Market Units shall be Occupied until the Owner has laid out and equipped the Open Space Facilities and SUDS in accordance with a scheme of works, quality standards and a maintenance specification approved by the Council pursuant to a reserved matters application to the Council's satisfaction (such expression of satisfaction not to be unreasonably withheld or delayed) PROVIDED THAT following completion of the Open Space Facilities and SUDS in accordance with an approved reserved matters application (or any part of them it being acknowledged the Council may certify its satisfaction in relation to different parts of the Open Space Facilities and SUDS at different times) the Owner shall serve notice on the Council inviting it to inspect the Open Space Facilities and SUDS (as applicable) and issue a certificate confirming that the Open Space Facilities and SUDS (as applicable) have been completed to its reasonable satisfaction
 - (a) if the Council chooses to inspect the Open Space Facilities and SUDS (as applicable) and identifies necessary remedial works, the Owner shall complete such remedial works to the reasonable satisfaction of the Council as soon as reasonably practicable;
 - (b) upon completion of any remedial works, the Owner shall serve notice on the Council inviting it to inspect the remedial works identified pursuant to paragraph 1.6 (a) above and issue a certificate confirming that the Open Space Facilities and SUDS (as applicable) have been completed to their reasonable satisfaction PROVIDED THAT:
 - (c) Owner shall retain full liability for:
 - (i) compliance with all health and safety requirements for the works carried out pursuant to paragraph 1.6 above; and
 - (ii) inspections and any remedial works necessary to meet national standards for the continued safe use and operation of the Open Space Facilities and SUDS

Heads of Terms for Outline Planning Permission 140285/O:

Off-Site Sports Contributions:

- 1.41/1.42: Sports (indoor) contribution: will not be used as there is no evidence in support of it. It should be removed.
- 1.43/1.44: Sports (outdoor) contribution: The heads of terms include a contribution of £627 per person for market housing only based on 2.3 persons per dwelling based on the SPD on Planning Obligations. For a development of 76 houses assuming 65% market housing (49 houses) this would equate to £70,224.

Since 2011 when these heads of terms were agreed, the way the contribution is calculated has changed in accordance with Sport England recommendations and the preparation of an outdoor sports investment plan (based on evidence from the Playing Pitch assessment). Using the methodology set out below and assuming 49 market houses, a contribution of **£59,682** is required (£529 per person) which is substantially less than that agreed previously.

Off-site Provision: Outdoor Sport requirements. In accordance with the NPPF, provision of what open space, sports and recreational opportunities required in a local area should be based on robust assessments of need. An off-site contribution is sought towards outdoor sports provision, based on evidence from the Playing Pitch

Assessment for the Bromyard Area 2012 and the Outdoor Sports Investment Plan which includes up to date information (2016) on existing facilities and clubs which has been prepared by a partnership of Herefordshire Council, the relevant National Governing Bodies for Sport, (NGBs) Sport England (SE) and the County Sports Partnership (CSP). This partnership makes up the Steering Group overseeing delivery of the Investment Plan. The investment plan contains priority projects required in support of improving existing outdoors sports facilities for each of the sports (football, cricket and rugby) in Bromyard to meet the needs of the future populations up to 2031. Projects are considered to be both sustainable and deliverable. On this basis contributions are sought from all new housing developments using the following methodology:

Contribution arising from this proposal:

- **£609,000:** Total Outdoor Sports Investment costs (costs calculated using Sport England's Facility Kitbag
- **500 new houses** (Core Strategy Bromyard housing requirements)
- **£1,218:** Cost per market house: (Total investment costs divided by total number of houses)
- Total for this development for: 76 houses (49 market houses at 65%): **£59,682**

Overall contributions sought from new housing will only contribute approximately 65% of the total investment required to bring forward the projects identified below. Match funding will be sought via the Outdoor Sports Investment Steering Group and the relevant facilities development plans of the NGBs and through external funding sources.

Football Quantity deficiencies: to meet future deficiencies in junior football. Provision is required to accommodate Bromyard Football Club juniors and future growth. The teams currently play out of town. Options include provision of additional pitches at the existing football facility at Bromyard Football Ground. This is supported as a high priority by the National Governing Body for Football and Herefordshire Football Association

- Facilities development: New Junior Natural Turf Pitches: 2 x 7 v 7 or 4 x 5 v 5 pitches (equivalent to 1 x senior pitch).
- Cost: £183,000
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Cricket Quality/Quantity deficiencies: To meet future deficiencies in junior and senior cricket: This is supported as a high priority by the National Governing Body for cricket and Herefordshire Cricket Board. Improvements to existing facility to meet identified deficiencies in existing provision which will enable growth in the sport, including club progression into junior and Sunday cricket.

- Facilities development: 2 more pitches to the square and new net facility required to existing facility
- Cost: £195,000

Rugby Quantity deficiencies: to meet future deficiencies in senior rugby and training. Additional Natural Turf Pitch is required to meet identified deficiencies in both quality and quantity to help reduce overplay and enable growth in membership. This is supported as a high priority by the National Governing Body for Rugby.

- Facilities development: 155 x 80 Natural Turf pitch
- Cost: £231,000

Note: all project costs include development costs, contingency and maintenance costs x 15 years and are based on Sport England's Facility Costs Kitbag as of 2Q2012 and associated maintenance costs

All of the above projects will potentially benefit the proposed development. Delivering these projects will require the support of the National Governing Bodies and Sport England who advocate the need to develop "sporting hubs" rather than single sport sites to ensure sustainable and manageable sites are provided in the right locations. As part of the investment plan partnership deliverable schemes will be developed that are:

- In the right location / accessible

- Sustainable
- Can be managed in the future
- Have security of tenure
- Have the support of the NGBs in both their regional and local facilities development plan
- Are deliverable. Larger schemes will be phased.