

190161/RM - LAND AT ROSEMARY LANE, LEINTWARDINE

The above application seeks approval for the reserved matters of 'layout, scale, appearance and landscaping'. The principle of development of the site for up to 45 dwellings and access thereto was granted at appeal (reference 142215/O). The principle of development and access cannot be revisited within the remit of this reserved matters application.

The main objections received by Herefordshire Planning primarily relate to the principle of development and access, both of which were found to be acceptable by the Inspector who allowed the appeal and granted the outline permission, and also drainage.

Drainage (foul and surface) is controlled by condition 13 of the outline planning permission and is not a reserved matter that is subject to this application (which relates to layout, scale, appearance and landscaping only).

The National Planning Practice Guidance confirms that 'layout' means '*the way in which buildings, routes and open spaces within the development are provided, situated and orientated in relation to each other and to buildings and spaces outside the development.*' and 'Landscaping' means '*the treatment of land (other than buildings) for the purpose of enhancing or protecting the amenities of the site and the area in which it is situated and includes:*

- (a) *screening by fences, walls or other means;*
- (b) *the planting of trees, hedges, shrubs or grass;*
- (c) *the formation of banks, terraces or other earthworks;*
- (d) *the laying out or provision of gardens, courts, squares, water features, sculpture or public art; and*
- (e) *the provision of other amenity feature.'*

In the context of the reserved matters of 'layout' and 'landscaping' the Council's Land Drainage Consultant, Area Engineer (highways) and Landscape Officer have confirmed that suitable land area and landscaping has been included to make provision for the drainage. Technical details have been submitted and assessed to reach this opinion. Furthermore, the layout of the attenuation pond tallies with the Development Framework Plan, Ref BMD.14.006.DR.003A (submitted at outline stage) and which condition 4 of the outline permission requires development to be in '*substantial accordance with*'. On the basis of the submitted details and professional consultation advice it is considered that suitable drainage can be accommodated within the submitted reserved matters scheme.

The detailed technical aspects of the drainage would fall within the remit of an application for approval of condition 13, which would need to be submitted and approved prior to the first occupation of any of the approved dwellings (as per the condition's specific wording). This would be subject to further assessment by the Council's Land Drainage consultant and Area Engineer (highways).

This note aims to help to explain the scope of the reserved matters application and what the Planning Authority can assess in making a decision.