

PLANNING COMMITTEE

Date: 27 August 2014

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

P140953/F - VARIATION OF CONDITIONS 1(A), 1(C), 1(D) AND 2 OF DCSE2008/0996/F AT HOMME FARM, HOM GREEN, ROSS-ON-WYE, HR9 7TF

For: Mr Drummond per Mr Antony Aspbury, Unit 20, Park Lane Business Centre, Park Lane, Basford, Nottingham, NG6 0DW

ADDITIONAL REPRESENTATIONS

A letter from Ms V Morgan, Westfield House, Bulls Hill, Walford, Ross-on-Wye, HR9 5RH to Jesse Norman MP has been forwarded to the Council. The letter questions the Council's formal Screening Opinion as to whether or not this application should be subject to Environmental Impact Assessment (EIA). The letter is not addressed to the Council, and is not a formal challenge to the Screening Opinion. The letter quotes part of the published committee report and asks Mr Norman to take (unspecified) action.

OFFICER COMMENTS

This topic is addressed in paragraphs 1.6 and 1.7 of the committee report, and takes account of legal advice from 2008, 2012, and 2014. Court of Appeal decisions have established that these polytunnels are not EIA development, and the Council's opinion was that the proposed variations do not fall within the scope of the Regulations in terms of the original application and the nature of the current proposal.

NO CHANGE TO RECOMMENDATION

P140963/O - SITE FOR THE DEVELOPMENT OF UP TO 135 HOMES (INCLUDING 46 AFFORDABLE HOMES), PUBLIC OPEN SPACE, NEW ACCESS (INCLUDING DEMOLITION OF 144 AYLESTONE HILL) STRUCTURAL LANDSCAPING, SUSTAINABLE DRAINAGE INCLUDING BALANCING PONDS AND INFRASTRUCTURE AND ASSOCIATED WORKS. AT LAND AT 144 AYLESTONE HILL, AND LAND TO THE EAST OF AYLESTONE HILL, HEREFORD, HR1 1JJ

For: Bovis Homes Limited per Mr Ben Stephenson, Greyfriars House, Greyfriars Road, Cardiff, CF10 3AL

ADDITIONAL REPRESENTATIONS

Report paragraph 6.44: The sustainable transport contribution is **£146,282** as per the draft Heads of Terms not the £256,280 as per the report. This reduction reflects the fact that the Aylestone Hill cycle lane is being delivered by central government 'Destination Hereford' funding and not via the Local Transport Plan.

Report paragraph 6.44: The request for an indoor sports facility contribution cannot be evidenced and the request, as per the heads of terms, is removed.

Condition 25: The Reason associated with condition 25 is omitted from the report. It should read as follows:

Reason: To ensure that effective drainage facilities are provided for the proposed development, and that no adverse impact occurs to the environment or the existing public sewerage system so as to comply with Policy CF2 of Herefordshire Unitary Development Plan.

Planning History

HC960231 - Erection of agricultural workers' dwelling: Refused 30.9.96

NO CHANGE TO RECOMMENDATION

P140926/O - OUTLINE PROPOSAL FOR THE ERECTION OF 60 DWELLINGS (INCLUDING 21 AFFORDABLE HOUSES) AND A CHANGE OF USE OF LAND TO FORM COMMUNITY OPEN SPACE AT LAND TO THE SOUTH OF A438, PARCEL NO. 0008 AND PART PARCEL NO.2308, BARTESTREE, HEREFORDSHIRE,

For: INCA 2013 Ltd, per Mr Bernard Eacock, 1 Fine Street, Peterchurch, Herefordshire, HR2 0SN

ADDITIONAL REPRESENTATIONS

The Parish Council's comments in response to the amended layout, access and site frontage proposals are set out below:

"The Parish Council noted that the major change to the original application is to the footpaths and frontage. The implications for the natural environment and rural setting are serious and major.

In order to construct the footpath a large section of mature hedging would have to be removed. Whilst new hedging may be re-planted, this would not protect the natural environment nor add to the existing natural character and rural feel within the village. The Parish Council noted and agreed the Senior Conservation Officer's observation that the removal of the hedging will ruin the rural aspect of Hagley Court and Hagley House. It would take many years for any replacement hedging to establish. It is considered that the proposed footpath creates a more suburban setting rather than rural.

It is noted that the footpath does not have right of way across the drive of Hagley Court, whose owners have refused permission. It is unclear whether the footpath has right of way as far as the shop and pedestrian crossing.

The access point to the west is badly situated, as it is only 20m from Hagley Orchard and will cause great inconvenience to residents travelling from there and trying to turn right onto the busy A438.

The Parish Council also noted that when the applicants first presented their proposed application, they said that they wished to work with the community and present a full picture of their scheme. Since then the matter has drifted on and this is still an outline application dealing with the frontage and access of the proposed development. Therefore, whilst the applicants did engage in a consultation, they have to date taken no notice of the public's view. Their original commitment to retain the natural hedgerow has been abandoned, as has any detailed description of the intended development.

All of the Parish Council's previous objections stand and the application and amended application are not supported."

Neighbourhood Plan Progress Update

The Parish Council also confirm that a whole Group Parish questionnaire has been completed and subjected to data analysis. A draft plan is being prepared and will be completed by the end of November 2014.

Three further letters of representation have been received. These all refer to the indicative layout and proposed removal of the roadside hedgerow and the adverse impact on wildlife. Further comment is made in relation to the urbanising effect that the development will have on the village and the lack of infrastructure to support large-scale development.

Education Contribution

The report identifies that the Education contribution has not been agreed on the basis that approximately half of pupils on the role at the Lugwardine Academy live outside the catchment area. Negotiations will continue in this respect.

OFFICER COMMENTS

Officers acknowledge that the development would fundamentally alter the character of this part of the settlement, extending south of the A438 to the foreground of the listed buildings and the parkland to Hagley Court. As per the officer report to Committee, however, these impacts must be weighed against the benefits of the proposal in the context of a lack of housing land supply.

The recommendation that outline planning permission is granted is contingent on the completion of a S106 agreement. This will require further negotiation with the developer in relation to the education contribution. The recommendation gives officers delegated authority to undertake this negotiation on the basis that the Chairman and local ward member will be kept informed.

Although the draft Neighbourhood Plan is intended for completion by end of November 2014, it will then be subject to 6 weeks public consultation and a period of review in relation to representations received. Following this, the Council will then publish the final plan for a further 6 week consultation period. During this period, the 'final' plan becomes a material consideration for decision-taking purposes. In this case, therefore, the Neighbourhood Plan will not be a material consideration for the purposes of decision-taking until Spring 2015 at the earliest.

NO CHANGE TO RECOMMENDATION