

**PLANNING COMMITTEE**

**Date: 17 May 2017**

**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

### 163707 - PROPOSED RESIDENTIAL DEVELOPMENT OF 10 OPEN MARKET FAMILY HOMES AND 5 AFFORDABLE HOMES AT LAND OPPOSITE MILL HOUSE FARM, FOWNHOPE, HEREFORDSHIRE

**For: S C Hardwick & Sons per Mr James Spreckley MRICS, Brinsop House, Brinsop, Hereford, Herefordshire HR4 7AS**

#### ADDITIONAL REPRESENTATIONS

1. **Natural England** have provided comments, which were too late for inclusion in the report. In summary these record no objection subject to the imposition of conditions that will protect the integrity of the R.Wye SAC/SSSI and Cherry Hill Woods SSSI.
2. A letter from the **Fownhope Carbon Reduction Action Group (CRAG)** was received on 10<sup>th</sup> May 2017. The letter states as follows:-

*"The report from the developer in the Design and Access Statement refers to policies FW1, 2, 3, 4, 5, 6, 9, 13 and states that, "This proposed development now complies with both the Herefordshire Council Local Plan Core Strategy 2011-2031 and the Fownhope Neighbourhood Plan 2011-2031."*

*As there is no mention of FW16 then this is not, in our view, a true statement, as policy FW16 is material to the application. From the Fownhope Neighbourhood Plan Policy FW16 Design Criteria, the initial paragraph of FW16 states that "An integrated approach to achieve a high standard of design will be required in particular to achieve the maximum possible reduction\* in the carbon footprint of any development." FW16b states one of the means to achieve this by "Utilising physical sustainability measures associated with buildings that include, in particular, orientation of buildings..."*

*\*(within the limits of current building regulations set by national government and which cannot be varied by neighbourhood plans.)*

*Fownhope CRAG is pointing out that policy FW16 needs to be taken into account in order for the development to comply with the Fownhope Neighbourhood Plan. The following is from the Department for Communities & Local Government paper on the Neighbourhood Planning Bill. January 2017*

***"Key questions and answers: Does the Bill address issues previously raised about neighbourhood plans being respected in decisions on planning applications?"***

*The measures in the Bill put beyond doubt that once a neighbourhood plan has been independently examined - and the decision taken to put the plan to a referendum – it must be taken into account when determining a planning application, in so far as the policies in the plan are material to the application. This is in addition to our reforms in the Housing and Planning Act which require any conflict with a neighbourhood plan to be set out in the committee report, that will inform any planning committee decision, where that report recommends granting planning permission for development that conflicts with a made neighbourhood plan."*

*In our view the Fownhope Neighbourhood Plan has not been taken fully into account, and the proposal in its present form should not be granted approval.”*

3. **Mr & Mrs Middleton** have written in support of the application:-

We would like to add our support for the above planning application as this will be an important first step towards the local housing needs in Fownhope. We are also delighted to hear that the Parish Council are finally in favour with this development.

4. **Ms Jane Arnold** has written in support of the application:-

I would very much support the building of both affordable and mixed houses as it seems to me there is not a good balance of villagers due to younger locals being priced out of the housing market.

**Officer comment in respect of the three updates:**

1. The conditions recommended by Natural England are already attached to the recommendation – conditions 15 and 21 refer.
2. The Officer Report makes reference to all relevant NDP policies and takes proper account of the NDP in reaching a recommendation.

3&4. Noted

**NO CHANGE TO RECOMMENDATION**

**162900 - A RETROSPECTIVE PLANNING APPLICATION FOR TWO SMALL OUTHOUSES, CHANGES TO THE ENTRANCE ON TO THE PUBLIC ROAD, THE INCLUSION OF A WOOD BURNING STOVE, THE ERECTION OF FENCES OUTSIDE THE DEVELOPMENT AREA AND THE RESULTANT INCREASE IN THE CURTILAGE AT TOGPEN, WILLEY LANE, LOWER WILLEY, PRESTEIGNE, LD8 2LU**

**For: Mr Murray per Mr Lewis Price, McCartneys, 54 High Street, Kington, Herefordshire, HR5 3BJ**

**ADDITIONAL REPRESENTATIONS**

**OFFICER COMMENTS**

For information only - an application ref 171439 has been submitted, 4<sup>th</sup> May, to retain the greenhouse.

**NO CHANGE TO RECOMMENDATION**

**163658 - PROPOSED NEW BUILD PART-EARTH SHELTERED DWELLING ON LAND ADJACENT TO CUCKHORN FARM. TO INCLUDE SUBMERGED INTEGRAL GARAGE AT LAND ADJACENT TO CUCKHORN FARM, STOKE LACY, HEREFORD,**

**For: Mr & Mrs White per Mr Garry Thomas, Ring House, Fownhope, Hereford, HR1 4PJ**

### **ADDITIONAL REPRESENTATIONS**

The applicant's agent states in rebuttal that:

- Proposal accords with policies SS1 and of Core Strategy, it is in a sustainable location
- The proposal preserves and enhances the local character and distinctiveness in accordance with policies RA2 and SS6 in Core Strategy
- Policy RA3 is not relevant
- No 5 year housing land supply and specific type of housing proposed, which is necessary and underprovided.

### **OFFICER COMMENTS**

The proposal site is sufficiently separate from Stoke Lacy. It is not contiguous with any other residential property. It is not *within or adjacent to the main built up area* and therefore it is not Policy RA2 compliant, notwithstanding the shortfall in the housing land supply and that there is not a Neighbourhood Development Plan. Therefore, given the proposal site falls outside the reasonable limits of Stoke Lacy it falls to be determined in accordance with policy RA3 of Core Strategy. The proportional growth target for Stoke Lacy is 24 dwellings and at the present time 46 have been built or committed.

### **NO CHANGE TO RECOMMENDATION**