

PLANNING AND REGULATORY COMMITTEE

Date: 10 November 2020

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

192765 - THE PROPOSED ERECTION OF SEVEN DWELLINGS WITH GARAGES AND ASSOCIATED DEVELOPMENT AT MONKS BURY COURT BARNS, MONKHIDE VILLAGE ROAD, MONKHIDE, HEREFORDSHIRE, HR8 2TU

For: L.T.F Properties Ltd. per Mr Graham Clark, Shiretown House, 41-43 Broad Street, Hereford, Herefordshire, HR4 9AR

ADDITIONAL REPRESENTATIONS

None

OFFICER COMMENTS

During the site visit, a query was raised regarding the agricultural land classification of the site. Officers can confirm this to be Grade 2 (Very Good).

NO CHANGE TO RECOMMENDATION

200500 - 1) CHANGE OF USE OF THE BARN FROM AGRICULTURAL TO OFFICE SPACE. WORKS UNDERTAKEN INCLUDE REPLACEMENT BEAMS AND GLAZING TO OPEN NORTH GABLE END OF BARN. 2) FORMALISE AN HISTORIC CHANGE OF USE FROM RIDING ARENA TO CAR PARK - WORKS INCLUDED TARMACKING THE ARENA. 3) ACCESS ROAD. (ALL WORKS RETROSPECTIVE) AT CRUMPLEBURY FARM, WHITBOURNE, WORCESTER, WR6 5SG

For: Mr Edward Evans, Dial House, Whitbourne, Worcester, WR6 5SG

ADDITIONAL REPRESENTATIONS

Following completion of the report and whilst in the process of being published, committee members were emailed by a third party on 31 October 2020 with an additional representation, submitted on behalf of local residents. This is appended as Appendix 1 to this Schedule of Updates and also published on the application webpage.

OFFICER COMMENTS

The representation raises no new material planning considerations, replicating the same considerations which have been covered off throughout the officer's report for this agenda item at Section 6, although members will note a photograph supplied by the third party taken

at night time to illustrate concerns. Officers feel the conditions suggested, in respect of boundary treatments and landscaping, address these matters.

As suggested during the site visit by the local member (Ward Cllr Shaw), officers recommend an additional condition to secure a timely departure of all vehicles from the car park following completion of events for the day. This is in the interests of residential amenity, particularly from an aural and visual perspective.

CHANGE TO RECOMMENDATION WITH ADDITIONAL CONDITION

10. The car park and access road hereby approved shall not be used for any activities, including the parking of vehicles or deliveries, between the hours of 00:30-08:00.

Reason: In the interests of residential amenity and in accordance with Policies SD1 of the Herefordshire Local Plan – Core Strategy; Policy LU9 of the Whitbourne Neighbourhood Development Plan and the National Planning Policy Framework.

194408 - PROPOSED REMOVAL OF CONDITION 4 AND VARIATION OF CONDITION 16 OF PLANNING PERMISSION P163902/F (DEMOLITION OF 5NO. EXISTING REDUNDANT AGRICULTURAL OUTBUILDINGS TO FACILITATE EXPANSION OF EXISTING RESTAURANT AND FOLLOWING EVENTS FACILITIES: FUNCTION SUITE, FINE DINING RESTAURANT AND LOUNGE, CONFERENCE SPACE AND 16NO. ACCOMMODATION SUITES) AT CRUMPLEBURY FARM, WHITBOURNE, WORCESTER, WR6 5SG

For: Mr Edward Evans per Mr Ben Greenaway, PO Box 937, Worcester, WR4 4GS

ADDITIONAL REPRESENTATIONS

Following completion of the report and whilst in the process of being published, committee members were emailed by a third party on 31 October 2020 with an additional representation, submitted on behalf of local residents. This is appended as Appendix 2 to this Schedule of Updates, and also published on the application webpage.

Members will have also received further correspondence directly from the applicant on 5 November 2020, which addresses the comments raised in Appendix 2. This is appended as Appendix 3. There is also a legal opinion which the applicant has provided on their own behalf, appended as Appendix 4. The applicant is happy for this to be published in the public domain.

OFFICER COMMENTS

The third party seeks clarification as to why only objecting consultees were reconsulted in September 2020. Whilst not a material consideration, to provide context, re-consultation was undertaken with technical/statutory consultees, who previously objected and could make additional representation following the additional information supplied by the applicant's agent in August 2020. This included Whitbourne Parish Council, the Local Highway Authority and new site notices for public awareness.

The third party also considers the proposed removal of condition 4, would mean unregulated use of the site. This is incorrect. Officers would advise that the Condition 25 of the recommendation, only allows use of the site within the parameters of the proposal description, not being unregulated.

All other matters raised by the third party are dealt within the officers' report throughout.

The comments raised by the applicant, is largely a rebuttal to the third party representation. The applicant has submitted a legal opinion which they have sought, to confirm in their view, that the application is lawful and within a parameters of a Section 73 application.

The applicant wishes to point that there are other similar venues in Herefordshire – including those who primarily host wedding events, whom rely on a sui generis use and not a D2 use.

Finally, officers would like to update members that legal have recently received a draft of the Section 278 technical agreement back from the developer's solicitors, in respect of passing places. Officers understand the agreement should be finalised shortly.

NO CHANGE TO RECOMMENDATION

201254 - THE ERECTION OF TWO DWELLINGS AND ASSOCIATED WORKS INCLUDING THE DEMOLITION OF THE PIGGERY BUILDING AT THE PIGGERIES, LLANGARRON, HEREFORDSHIRE

For: Mr & Mrs Farr per Mr Matt Tompkins, 10 Grenfell Road, Hereford, HR1 2QR

ADDITIONAL REPRESENTATIONS

Following completion of the report, Natural England have responded to their consultation on the completed Appropriate Assessment for the site with no objections.

Full Comments below:

Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on designated sites and has no objection.

European site - River Wye SAC - No objection

Natural England notes that your authority, as competent authority under the provisions of the Habitats Regulations, has undertaken an Appropriate Assessment of the proposal, in accordance with Regulation 63 of the Regulations. Natural England is a statutory consultee on the Appropriate Assessment stage of the Habitats Regulations Assessment process. Your appropriate assessment concludes that your authority is able to ascertain that the proposal will not result in adverse effects on the integrity of any of the sites in question. Having considered the assessment, and the measures proposed to mitigate for all identified adverse effects that could potentially occur as a result of the proposal, Natural England advises that we concur with the assessment conclusions, providing that all mitigation measures are appropriately secured in any permission given.

River Wye SSSI – No objection

Based on the plans submitted, Natural England considers that the proposed development will not damage or destroy the interest features for which the site has been notified and has no objection.

OFFICER COMMENTS

This representation does not raise any new material considerations, but confirms that the proposed planning conditions suggested by the Local Authority Ecology Officer are acceptable.

CHANGE TO RECOMMENDATION

That planning permission should be granted, subject to the recommended conditions, and any other further conditions considered necessary by officers named in the scheme of delegation to officers.

Appendices

- **Appendix 1 – Letter from Ms. L Kershaw dated 31st October 2020 in relation to application P200500/F**
- **Appendix 2 – Letter from Ms. L Kershaw dated 31st October 2020 in relation to application P194408/F**
- **Appendix 3 – Letter from applicant dated 5th November 2020 in relation to application P194408/F**
- **Appendix 4 - Legal opinion submitted by applicant in relation to application P194408/F**
- **Appendix 5 – Consultation response from Natural England in relation to application P201254/O**