

**SUPPLEMENT TO THE AGENDA FOR**

# **Planning Committee**

**Wednesday 20 November 2013**

**10.00 am**

**The Council Chamber, Brockington, 35 Hafod Road, Hereford**

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# **PLANNING COMMITTEE**

**Date: 20 November 2013**

## **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

**131964/O - RESIDENTIAL DEVELOPMENT COMPRISING 20 OPEN MARKET HOMES AND 10 AFFORDABLE HOMES AT QUARRY FIELD, COTTS LANE, LUGWARDINE, HEREFORD,**

**For: Mrs Seymour per Mr James Spreckley MRIC FAAV, Brinsop House, Brinsop, Herefordshire HR4 7AS**

### ADDITIONAL REPRESENTATIONS

Three further letters of representation have been received from local residents. The context is summarised as follows:

- The local planning authority has recently refused an application for residential development at Three Penny Bit Cottage. It is clear that 131964 would impact in a similar way by the introduction of a large number of houses which would intrude visually on the approaches to the village from the A438 and from Cotts Lane and which would also be visible from the historic meadows on the Lugg Flats.
- Horseshoe bats are active in the area. This is a rare bat in the UK and, like all bats, is protected. Their presence is potentially an additional reason for objection.
- The proposed entrance to Quarry Field will quickly become an accident black spot as the blind corner combined with excessive speed means that the westbound traffic will not be able to stop in time. This will be a particular problem for the large articulated lorries that travel down the road.
- The narrow pavements mean that traffic cuts in very close to pedestrians, making it very dangerous to walk on the footpath, particularly for school children and for the elderly walking to the post box or to catch a bus.
- The amended plan for the access detracts from the appearance of Croft Cottage and will make the existing vehicular access to Quarry Cottage very difficult to negotiate. The increased splay for the entrance to the development will be a visual intrusion on this main approach to the historic part of the village with its older properties, 3 of which are Grade 2 listed buildings. If it is deemed necessary to remove some of the grass bank, given that the level of Greencroft is below the level of the pavement, this will be a further visual intrusion on the distinctive black and white properties which are such a feature of this particular approach to the village.
- Concern is expressed at the impact of any potential improvements to the footways, particularly in relation to the structural integrity of High House and the existing stone retaining wall.
- The proposed development is adjacent to the rear boundaries of 3 listed properties and as Quarry Field is a rising elevation the new houses will be overbearing and have an adverse impact as the development would overlook the listed buildings.
- The development will not be sustainable economically as there will not be sufficient employment in the local area, yielding a high enough salary, to enable people to afford the new mainly 4 bedroom homes, particularly as the largest employer in Herefordshire was the local council which is currently cutting back on its number of employees.

- The Localism Act 2011 says that local communities should decide for themselves. In this instance, although the Agent first approached the planning department in December 2012, the local community was not consulted on its views of the development prior to a planning application being submitted. In addition it is disappointing that it is for outline planning and all other matters are reserved.

### Welsh Water

Welsh Water has confirmed that the provision of new off-site and/or on-site water-mains and associated infrastructure will be required for the development. In this instance Welsh Water does not require a Hydraulic Modelling Assessment to be carried out.

### **OFFICER COMMENTS**

- The presence of all species of bats has been taken into account. Subject to conditions the Council's Ecologist has no objection.
- The Traffic Manager confirms that the access arrangements meet the requisite standards.
- Increasing the width of the footway back towards the village has been considered and discounted because of the impact upon the setting of adjoining listed buildings. This position can be revisited if deemed necessary by Members.
- In the light of Welsh Water's comments, a refusal on the basis of inadequate water supply cannot be sustained.

### **NO CHANGE TO RECOMMENDATION**

**132598/F - PROVISION OF 14 NO. AFFORDABLE HOMES AND ASSOCIATED ANCILLARY USES AT LAND OFF KITCHEN HILL, ORLETON, LUDLOW, SHROPSHIRE**

**For: South Shropshire Housing Group per The Old Library, Hagley Road, Stourbridge, West Midlands, DY8 1QH**

### **ADDITIONAL REPRESENTATIONS**

The Conservation Manager has responded to the application indicating that the proposed development should not affect the immediate setting of the nearby grade II listed cottage.

The response indicates that the site does not touch any dwelling boundaries alongside Kitchen Hill Road, (public highway access to the application site), which will contribute towards giving an impression of isolation to the proposed development, which is contrary to the grain of the village. Concerns are also raised about the internal layout in that the dwellings do not front onto the adjacent lane with their rear gardens facing towards Kitchen Hill Road, and this will result in privacy fencing which is degrading to the overall inclusive character of the village. Concerns are also raised about the site boundary on the northern side in that it appears to represent an awkward shape and therefore overall the proposal is considered contrary to the character of the Conservation Area.

### **OFFICER COMMENTS**

It is acknowledged that the development does have an impact on the overall character of the surrounding landscape and consequently the Conservation Area. The site is a sloping site,

facing north, where the applicants have offered significant landscaping in order to mitigate the visual impact of the development. With consideration to the character of the surrounding landscape and its openness in a northerly direction, the proposed internal layout and dwelling layout is considered the most appropriate. The issue about proposed rear privacy fencing is acknowledged and is a matter that has been brought to the attention of the applicants. The northern boundary of the site is designed like this due to the fact that the applicants propose a sustainable urban drainage balancing pond as part of the overall development.

It is considered that the proposal does reflect landscape impact concerns and that these are considered in the report.

Whilst the concern about rear privacy fencing is noted, it is considered that conditions 6 and 7 as attached to the Committee report will address these concerns.

#### **NO CHANGE TO RECOMMENDATION**

**131680/F - PROPOSED ERECTION OF 12 AFFORDABLE DWELLINGS, COMPRISING A MIXTURE OF 2 AND 3 BED HOUSES ON LAND OFF TUMP LANE AT TUMP LANE, MUCH BIRCH, HEREFORDSHIRE, HR2 8HW**

**For: The Owner and/or Occupier per BM3 Architecture Ltd, 28 Pickford Street, Digbeth, Birmingham, West Midlands B5 5QH**

#### **ADDITIONAL REPRESENTATIONS**

One further letter of representation has been received reiterating that traffic census was undertaken by the applicants during Easter half term 2012. It is also stated that Tump Lane is exceptional for heavy traffic usage. Mention is also made of national policies relating to 'safe route for school'

The applicant has submitted a revised plan providing for a 1.2 metre wide section of footpath and a crossing point linking the site to the existing footpath and Wormelow beyond. This was the single focus of the refusal reason set out in the report and whilst the judgement is finely balanced, since it only resolves part of the problem, it is considered to make the proposal more sustainable, offering benefits to existing residents of Tump Lane. This has enabled officers to change the recommendation.

#### **OFFICER COMMENTS**

Reference has been made to the period of the traffic survey, namely 22 -28 March 2013. Much Birch School has confirmed this period did not fall within a half-term holiday period, which was earlier in February. However, Thursday 28 March was the first day of the Easter holiday. Accordingly although one day was not the subject of school traffic this would not invalidate the legitimacy of the traffic survey carried out.

#### **CHANGE TO RECOMMENDATION**

Subject to no further objections raising additional material planning considerations by the end of the consultation period and the completion of a Section 106 Agreement in accordance with the Draft Agreement submitted with the application, the officers named in

the scheme of delegation be authorised to approve the application subject to the following conditions and any further conditions considered necessary by officers:

1. A01 Time limit for commencement (full permission)
- 2 B01 Development in accordance with the approved plans
- 3 C01 Samples of materials
- 4 G10 Landscaping scheme
- 5 G11 Landscaping scheme – implementation
- 6 H03 Visibility splays
- 7 H11 Parking – estate development (more than one house)
- 8 Prior to first occupation of any dwelling hereby approved, the footpath as shown on approved drawing b/MGPCMuch Birch.1/03 or a suitable alternative shall be completed, surfaced and drained in accordance with a scheme of works that shall be approved by the local planning authority.

Reason: To ensure the provision of improved pedestrian access to facilities in Wormelow and to comply with the requirements of Policies S1 and H13 of Herefordshire Unitary Development Plan

- 9 H29 Covered and secure cycle parking provision
- 10 I16 Restriction of hours during construction
- 11 I19 Drainage in accordance with approved plans
- 12 K4 Nature Conservation – Implementation
- 13 L01 Foul/surface water drainage
- 14 L02 No surface water to connect to public system
- 15 L03 No drainage run-off to public system

Informatives:

- 1 The Local Planning Authority has acted positively in determining this application by assessing the proposal against planning policy and any other material considerations . Negotiations in respect of the matters of concern with the application (as originally submitted) have resulted in amendments to the proposal. As a result the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework
2. N02 Section 106 Obligation
3. The proposed development site is crossed by a public sewer with the approximate position being marked on the attached Statutory Public Sewer Record. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times . No part of the building will be permitted within 3 metres either side of the centreline of the public sewer.

**132033/F & 132034/C - DEMOLITION OF POST WAR BUILDING AND ERECTION OF 4 NO. DWELLINGS AT LAND AT CHESTNUTS, THE AVENUE, ROSS ON WYE, HEREFORDSHIRE**

**For: Balimark Ltd per RRA Architects Ltd, Watershed, Wye Street, Hereford, Herefordshire, HR2 7RB**

### **ADDITIONAL REPRESENTATIONS**

The Town Council have made further representation, however it would appear that there was some confusion at the meeting and their comments related to the original scheme of five dwellings not the amended plans. I have been advised by the Clerk that a representative will clarify their position at the committee meeting.

Following the receipt of the amended plans and posting of a new site notice a further four letters of objection have been received; all from properties adjoining or near by the application site. All had made previous objections to the original scheme for five dwellings. Although the reduction to four dwellings is welcomed by all, there are still objections to the application on the following grounds;

- The gap to the western end of the site serves no purpose;
- The properties still overlook the Mulberry House to the rear given the extensive glass in the rear elevation;
- The design is out of keeping with the general character of the area being three stories;
- Not enough parking with each of the dwellings;
- The dwelling on the most easterly end is too close to the Coach Lane;
- The dwellings still represent an overdevelopment of the site being too large in scale
- No comparison to other properties within the Avenue;
- Uniformity is not welcomed as is not a characteristic of the surrounding area;
- The highway is already congested with heavy parking morning and mid-afternoon and no consideration is given to the additional traffic.
- The dwellings are still far too close together;
- Development harmful to the character and appearance of this established residential area; and
- The development still overlooks The Coach House, and in particular the side windows;

### **OFFICER COMMENTS**

- The 'gap' referred to on the western end of the site is to be retained with the existing house. The two storey element of each property is located 8m from the rear boundary, and there is a gap of over 12m from the two storey element of plot 4 on the eastern end of the site and the neighbouring property The Coach House. The front building line of the property is also sat 4m back from the rear building line of the



coach house. These distances are considered to be adequate so as not to give rise to any issues of overlooking.

- The parking for each dwelling meets with the Council's parking standards.
- The space between each dwelling is 2.2m, which is similar to the other existing properties fronting onto The Avenue.
- Although uniformity in design is not a characteristic within the street scene, paragraph 60 of the NPPF is clear that 'planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles.'

## **NO CHANGE TO RECOMMENDATION**

Additional condition is recommended relating to details of slab levels;

15. Prior to the commencement of development, a detailed plan, showing the levels of the existing site, the proposed slab levels of the dwellings approved and a datum point outside of the site, shall be submitted to and be approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: In order to define the permission and ensure that the development is of a scale and height appropriate to the site so as to comply with Policy DR1 of Herefordshire Unitary



# PLANNING COMMITTEE

20 November 2013

## PUBLIC SPEAKERS

### APPLICATIONS RECEIVED

Ref No.	Applicant	Proposal and Site	Application No.	Page No.
7	Mrs E Seymour	Residential development comprising 20 open market homes and 10 affordable homes at <b>Quarry Field, Cotts Lane, Lugwardine, Hereford</b>	131964/F	13
<b>PARISH COUNCIL: MR G DAVIS (VICE-CHAIRMAN) BARTESTREE WITH LUGWARDINE GROUP PARISH COUNCIL</b>				
<b>OBJECTOR: MRS J ROLFE (RESIDENT)</b>				
<b>SUPPORTER: MR J SPRECKLEY (APPLICANT'S AGENT)</b>				
8	South Shropshire Housing Group	Provision of 14 No. affordable homes and associated ancillary uses at land off <b>Kitchen Hill, orleton, Ludlow, Shropshire</b>	132598/F	33
<b>PARISH COUNCIL: MRS B MARK (CHAIRMAN) ORLETON PARISH COUNCIL</b>				
<b>OBJECTOR: Mr C MITCHELL (RESIDENT)</b>				
<b>SUPPORTER: MR P SUTTON (APPLICANT'S AGENT)</b>				
9	M G Property Consultants	Proposed erection of 12 affordable dwellings, comprising of 2 and 3 bed houses on Land off Tump Lane at <b>Tump Lane, Much Birch, Herefordshire, HR2 8HW</b>	131680/F	51
<b>OBJECTOR: MR K JAMES (RESIDENT)</b>				
<b>SUPPORTER: MR A PADMORE (APPLICANT'S AGENT)</b>				
10	Balimark Ltd	Demolition of post war building and erection of 5 no. dwellings at land at <b>Chestnuts, The Avenue, Ross on Wye, Herefordshire</b>	132033/F & 132034/C	61
<b>PARISH COUNCIL: A REPESENTATIVE (TBC)</b>				

