

**MINUTES of the meeting of Planning Committee held at
The Council Chamber, Brockington, 35 Hafod Road,
Hereford on Friday, 21st January, 2005 at 10.00 a.m.**

Present: Councillor T.W. Hunt (Chairman)
Councillor J.B. Williams (Vice-Chairman)

Councillors: B.F. Ashton, P.J. Dauncey, Mrs. C.J. Davis, D.J. Fleet,
J.G.S. Guthrie, J.W. Hope MBE, B. Hunt, Mrs. J.A. Hyde,
Mrs. R.F. Lincoln, R.M. Manning, Mrs. J.E. Pemberton, R. Preece,
Mrs. S.J. Robertson, D.C. Taylor and W.J. Walling

In attendance: Councillors G.W. Davis, P.J. Edwards, P.E. Harling and R.M. Wilson

51. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors M.R. Cunningham, Brig. P. Jones CBE and R.I. Matthews.

52. NAMED SUBSTITUTES (IF ANY)

The following substitutions were made:

Substitute	Member
G. Lucas	M.R. Cunningham
J. Stone	Brig. P. Jones CBE
Ms. G.A. Powell	R.I. Matthews

53. DECLARATIONS OF INTEREST

There were no declarations of interest made.

54. MINUTES

RESOLVED: That the Minutes of the meeting held on 26th November, 2004 be approved as a correct record and signed by the Chairman.

55. CHAIRMAN'S ANNOUNCEMENTS

The Chairman reported on the following matters:

(a) Herefordshire Unitary Development Plan Public Inquiry

The Inquiry was due to open on Tuesday 8th February, 2005 at the Hereford Group Training Association, Holmer Road Hereford. There had been a change of Inspector since the pre-Inquiry meeting in November, the new Inspector was Mr. Andrew Freeman who would be assisted by Mr David Richards, appointed as Assistant Inspector for a period of six weeks. The Inquiry was programmed to end on Friday 24th June, 2005 and details had been placed on the Council's website, including:

- map of the Inquiry venue
- Inquiry programme (the programme was subject to regular change, and updates would be posted on the website at regular intervals)

(b) Staffing Changes

The following appointments had been made in the Development Control Department:
Team Leader Central
Senior Planning Officer Southern Team
Information Support Officer

Interviews would shortly be held for Planning Officer Central and recruitment authorisation was being sought for a Principal Planning Officer and a Development Supervisor/Enforcement Officer.

56. NORTHERN AREA PLANNING SUB-COMMITTEE

RESOLVED: That the report of the meetings held on 1st December, 2004 and 5th January, 2005 be received and noted.

57. CENTRAL AREA PLANNING SUB-COMMITTEE

RESOLVED: That the report of the meetings held on 15th December, 2004 and 12th January, 2005 be received and noted.

58. SOUTHERN AREA PLANNING SUB-COMMITTEE

RESOLVED: That the report of the meetings held on 24th November, 2004 and 22nd December, 2004 be received and noted.

59. DCSW2004/0047/O - SITE FOR SIX DWELLINGS (AFFORDABLE/MARKET HOUSING), BIO-DISC TREATMENT SYSTEM, REMOVAL OF POULTRY BUILDINGS, ORCOP POULTRY, ORCOP HILL, MUCH DEWCHURCH, HR2 8EN FOR MR. K. JONES PER MR. GRIFFIN, ADAS, THE PATCH, ELTON NEWNHAM, GLOS, GL14 1JN

In accordance with the criteria for public speaking Mrs. Morris of Orcop Parish Council and Mr. Griffin the agent acting on behalf of the applicant both spoke in favour of the application.

The Development Control Manager said that the Southern Area Planning Sub-Committee was mindful to approve the application and that it had been referred to the Committee by the Head of Planning Services because approval would be contrary to the Council's planning policies. He advised that the likely outcome would be that the cost of the proposed housing would be beyond the reach of local people. The Head of Strategic Housing Services said that the Council's Housing Needs Survey had revealed there to be a demand for affordable housing at Orcop at a price of up to £90,000. The Development Control Manager said that although the Sub-Committee intended that the planning permission should make proviso for the dwellings to be sold at a discount of 25% of market value, the price was still likely to be in the region of £130,000 and did not constitute affordable housing.

The Committee discussed details of the application, the improvements that could be carried out on the site to provide housing and enable unsightly poultry houses to be removed. The Committee felt that there were considerable advantages to be derived if the application was to be approved because of the favourable impact on the environment together with provision of housing. A motion that the application should

be refused was lost and the Committee decided that the application should be approved with the proviso that the housing would be permitted at a 30% discount of market value in perpetuity.

RESOLVED:

That: (a) The County Secretary and Solicitor be authorised to complete a planning obligation under Section 106 of the Town and Country Planning Act 1990 to ensure that the affordable/market housing will be available at a discount of 30% below the current open market value and that this discount will be available in perpetuity to purchasers to contribute to meeting local housing requirements, and any additional matters and terms as she considers appropriate.

(b) Upon completion of the aforementioned planning obligation, the officers named in the Scheme of Delegation to Officers be authorised to issue planning permission subject to the following conditions:

1. A02 (Time limit for submission of reserved matters (outline permission))

Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990.

2. A03 (Time limit for commencement (outline permission))

Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990.

3. A04 (Approval of reserved matters)

Reason: To enable the local planning authority to exercise proper control over these aspects of the development.

4. A05 (Plans and particulars of reserved matters)

Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990.

5. F17 (Scheme of foul drainage disposal)

Reason: In order to ensure that satisfactory drainage arrangements are provided.

6. F20 (Scheme of surface water drainage)

Reason: To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal.

7. F44 (Investigation of contaminated land)

Reason: To ensure that potential contamination of the site is satisfactorily assessed.

8. F45 (Contents of scheme to deal with contaminated land)

Reason: To ensure that potential contamination is removed or contained to the satisfaction of the local planning authority.

9. F46 (Implementation of measures to deal with contaminated land)

Reason: To ensure contamination of the site is removed or contained.

10. Before development commences on site all poultry units and ancillary buildings and structures shall be demolished and cleared from the site to the satisfaction of the local planning authority in accordance with conditions 7, 8 and 9 above.

Reason: In order to define the terms to which the application relates and in the interests of the residential amenity of future residents.

11. H03 (Visibility splays)

Reason: In the interests of highway safety.

12. H05 (Access gates)

Reason: In the interests of highway safety.

13. H06 (Vehicular access construction)

Reason: In the interests of highway safety.

Informative(s)

1. N15 - Reason(s) for the Grant of planning permission

60. ODPM CONSULTATION PAPER ON MINERALS POLICY STATEMENT 1 "PLANNING AND MINERALS" (MPS1) AND ASSOCIATED GOOD PRACTICE GUIDE

The Team Leader (Minerals and Waste) reported on an announcement from the Office of the Deputy Prime Minister (ODPM) that it intended to review all its mineral planning and policy guidance and to separate its guidance on practical implementation from its policy statements. MPS 1 would set out the Government's key policies and principles for minerals planning and would replace the existing MPG 1. The policy elements of other MPGs concerned with planning for the supply of significant minerals would be revised and be published as annexes to MPS 1. Later annexes would deal with other significant minerals, such as oil and gas, brick clay and building stone. He outlined the proposals for consultation about Draft MPS 1, Draft Good Practice Guidance and a Partial Regulatory Impact Assessment. He said that the fundamentals of modern minerals policy were to meet the national need for construction materials, meet the environmental cost, cut waste, promote reuse/recycling and safeguard the most sensitive habitat and heritage areas.

He felt that these aims were reflected in the new policy and he provided the Committee with details of a proposed response to the ODPM.

RESOLVED: That the Committee endorse the proposed response and recommend to the Cabinet Member (Environment) that the ODPM be informed accordingly.

61. TANYARD LANE DEVELOPMENT BRIEF

The Team Leader Local Planning presented the report of the Forward Planning Manager about a consultation process undertaken on the Tanyard Lane Development Brief and proposed amendments to be made as a result of the feedback that had been received. He said that the site was located in Ross on Wye and formed a housing allocation for 150 units within the emerging Herefordshire Unitary Development Plan (UDP). He advised the Brief had been prepared jointly between the Council and developers of the site. It provided additional information to supplement the policies of the UDP and would eventually be adopted as Supplementary Planning Guidance. He provided details of the consultation process and the comments received. He drew particular attention to the fact that in order to protect the residential amenity of residents living in bungalows adjoining the northern boundary of the site, the Brief had been amended to include an amenity protection zone within which only single storey development could be built. He suggested that this should be the minimum that should be provided. The brief also included a cross reference to the related text in the UDP and he anticipated that all objections relating to Tanyard Lane would be debated at the UDP Public Inquiry which commenced in February. He advised that objections centred around access/traffic, flooding, affordable housing, landscape, design, greenfield/brownfield issues, and the capacity of the local infrastructure. The Brief aimed to progress and develop proposals in the Plan in relation to these and other issues relating to the development of the site.

RESOLVED: That the changes proposed to the Brief set out in the report of the Forward Planning Manager be approved and that the Tanyard Lane Development Brief be adopted as supplementary information to the emerging Unitary Development Plan.

62. UPDATE REPORT ON HEREFORDSHIRE COUNCIL BUILDING CONTROL AND THE L.A.B.C. PARTNER AUTHORITY SCHEME

The Head of Planning Services presented his report about the progress of implementation of the Local Authority Building Control Partner Authority Scheme by the Council's Building Control service. He said that the Council had participated in the Scheme for the past four years. The scheme had provision for the Council to act as a Building Control Inspecting Authority on behalf of partner clients who included Border Oak, Leominster Construction, Collins Engineering and Kingspan and that discussions were underway with a potential fifth partner. He outlined the benefits of the scheme which provided for regular provision of advice and consultation with partners and clients who could be kept up to date with building regulation issues. The Council had the benefit of pre-submission meetings to explain and educate the client or agent about the requirements of the regulations prior to a formal building regulation submission being made. It was agreed that it should be when the resources become available the scheme should be fully implemented.

RESOLVED: That the Committee endorse the report and recommended to the Cabinet Member (Environment) that when resources permit the scheme be fully implemented.

63. EARDISLEY GROUP PARISH PLAN

The Eardisley Group Parish Plan had been prepared as Interim Supplementary Planning Guidance to the emerging Herefordshire Unitary Development Plan.

The Committee expressed its appreciation for the hard work undertaken by the local community in helping to prepare the document.

RESOLVED: That it be recommended to the Cabinet Member (Environment)

that the planning elements of the Eardisley Group Parish Plan be adopted as Interim Supplementary Planning Guidance as an expression of local distinctiveness and community participation.

64. DATE OF NEXT MEETING

It was noted that the next meeting would be held on Friday 22nd April, 2005.

The meeting ended at 11.20 a.m.

CHAIRMAN