

**MINUTES of the meeting of Planning Committee held at
The Council Chamber, Brockington, 35 Hafod Road,
Hereford on Friday, 30th September, 2005 at 10.00 a.m.**

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

Councillors: B.F. Ashton, M.R. Cunningham, Mrs. C.J. Davis, D.J. Fleet,
P.E. Harling, J.W. Hope MBE, B. Hunt, Brig. P. Jones CBE,
Mrs. R.F. Lincoln, G. Lucas, R.M. Manning, Mrs. J.E. Pemberton,
Ms. G.A. Powell, Mrs. S.J. Robertson, D.C. Taylor, J.P. Thomas and
W.J. Walling

In attendance: Councillors P.J. Edwards and Ms. A.M. Toon

43. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors DJ Fleet, PJ Dauncey and Mrs SJ Robertson.

44. NAMED SUBSTITUTES (IF ANY)

Councillor Mrs PA Andrews was appointed named substitute for Councillor D.J. Fleet, Councillor G Lucas for Councillor Mrs G.A. Hyde and Councillor Ms G Powell for Councillor Mrs SJ Robertson.

45. DECLARATIONS OF INTEREST

The following declarations of interest were made:

Councillor	Item	Interest
PE Harling	Agenda Item 9 – DCNE2005/0709/F - Demolition of existing home and new build extra care home and day centre, with associated facilities at Leadon Bank Old Peoples Home, Orchard Lane, Ledbury, Herefordshire, HR8 1DQ	Prejudicial and left the meeting for the duration of this item.
Mrs Robertson SJ	Agenda Item 9 – DCCW2005/2163/N – Retention of earth bund at Hereford City Sports Club, Grandstand Road, Hereford, HR4 9NG.	Personal - left the meeting for the duration of this item.

PJ Edwards	Agenda Item 10 – DCCW2005/2654/F – Change of use to public open space and provision of play equipment and kickabout area at land behind 10 – 80 Dorchester Way, Belmont, Hereford, HR2 7ZP.	Personal – left the meeting after speaking on the item in accordance with the Planning Code of Conduct.
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46. MINUTES

RESOLVED: That the Minutes of the meeting held on 26th August, 2005 be approved as a correct record and signed by the Chairman.

47. CHAIRMAN'S ANNOUNCEMENTS

The Chairman made the following announcements:

NFU/British Summer Fruits Polytunnel Code

The National Farmers Union and British Summer Fruits Ltd (the trade body representing strawberry growers) had announced the adoption of a voluntary Code for the use of polytunnels which closely mirrors the Council's own code adopted in September 2004. The Code, whilst very similar to the Council's, had the notable exception that it required polytunnels to be located a minimum of 30 metres from residential property, whereas the Council's Code following a review last year required a 50 metre stand-off distance.

The NFU and British Summer Fruits had anticipated that although the Code was at present voluntary, the majority of supermarkets would expect their suppliers to comply with it in due course.

Member Seminar – Planning Update and Code of Conduct Issues

A seminar would be held on the afternoon of Friday 14 October in the Council Chamber. Topics to be covered would include an update on the Unitary Development Plan and Local Development Framework, the changes to development control introduced by the Planning and Compulsory Purchase Act 2004 and an update on the Code of Conduct.

County Secretary and Solicitor

The Chairman said that this would be the last Planning Committee attended by the County Secretary and Solicitor, who would be leaving at the end of October to take up a new post. He paid tribute to the County Secretary and Solicitor for the way in which she had offered advice and guidance to Members since joining the Council in 1998. The County Secretary and Solicitor in turn paid tribute to the Chairman, Members and colleagues and previous chairmen of the Committee.

48. NORTHERN AREA PLANNING SUB-COMMITTEE

RESOLVED: That the report of the meeting held on 7th September, 2005 be received and noted.

49. CENTRAL AREA PLANNING SUB-COMMITTEE

RESOLVED: That the report of the meeting held on 25th August, 2005 be received and noted.

50. SOUTHERN AREA PLANNING SUB-COMMITTEE

RESOLVED: That the report of the meeting held on 14th September, 2005 be received and noted.

51. DCCW2005/2163/N - RETENTION OF EARTH BUND AT HEREFORD CITY SPORTS CLUB, GRANDSTAND ROAD, HEREFORD, HR4 9NG FOR: HEREFORD CITY SPORTS CLUB PER TBA CONSULTING ENGINEERS, PITCH FARM, DILWYN, HEREFORD, HR4 8JH

The Waste Minerals Manager presented details of the application and said that the Head of Environmental Health and Trading Standards had queried the contents of the report about the material used to create the bund and had recommended that further analysis would be necessary.

Councillor Ms A Toon, one of the local Ward Members, said that all the Ward members were opposed to the application because of the adverse visual impact of the bund in a setting of open sports fields, and because of the materials used to construct it.

In accordance with the criteria for public speaking, Mr Talbot of the Hereford City Sports Club spoke in favour of the application.

The Committee noted the reasons put forward by the Sports Club for the erection of the bund and the proposals that it had pending for the bund to be reduced in height and landscaped if planning consent was granted. Whilst sympathetic to the potential problems facing the Sports Club, the Committee was disappointed that it had not sought all of the necessary permissions before proceeding with the erection of the bund. It was noted that if it was necessary for enforcement action to be taken, the enforcement notice would include a time limit.

RESOLVED: That planning permission be refused for the following reason:

the proposed development would be of a scale, layout and design which does not respect and is inconsistent with the existing open character and quality of the site, would create an unnatural boundary between like activities within a public open space, would be visually intrusive in both landform and in the kind and colour of grasses likely to dominate it, would adversely affect the maintenance and enjoyment of the site, restrict views across the site and the racecourse itself and potentially impede the rapid response of the emergency services, as such it would be contrary to Hereford and Worcester County Structure Plan Policies CTC7 and CTC9, Hereford Local Plan Policies R1, R9 and ENV14 and emerging Herefordshire Unitary Development Plan Policies RST1, RST4 and HBA9 and because there are no other overriding material considerations that would justify the granting of planning permission.

52. DCCW2005/2654/F - CHANGE OF USE TO PUBLIC OPEN SPACE AND PROVISION OF PLAY EQUIPMENT AND KICKABOUT AREA AT LAND BEHIND 10 - 80 DORCHESTER WAY, BELMONT, HEREFORD, HR2 7ZP FOR: HEREFORDSHIRE COUNCIL PER PARKS & COUNTRYSIDE, QUEENSWOOD, P.O. BOX 41, LEOMINSTER, HEREFORDSHIRE, HR6 0ZA

The Development Control Manager said that clarification had been received from Belmont Rural Parish Council that it had no objections to the application but that it would like to see a more open and rural style to the play area. The Development Control Manager presented details about the application and the type of play equipment that that was proposed. He also pointed out the location of the equipment in relation to the adjoining landfill site.

The Cabinet Member (Environment) said that whilst recognising the concerns of some of the local residents, he was in favour of permission being granted for the application and asked if consideration could be given to a pedestrian entrance to the site off Dorchester Way. He said that the proposed equipment would be well used and that the facility would serve the Belmont estate. He felt that It would also assist with the provision of children's play areas and fit in with the Council's open space policies for Belmont, and also with the Inspector's recommendations for public open space following the planning Inquiry. Councillor Edwards then left the meeting In accordance with the Planning Code of Conduct within the Council's Constitution relating to Cabinet Members.

In accordance with the criteria for public speaking, Mr Hubbard spoke against the application.

The Development Control Manager said that play area would be owned and managed by the Council. He also said that care had been taken with the design and location of the equipment. [Expert advice indicated there would not be a problem from the adjacent land fill site given the location of the proposed play area and the general dispersal of any gas into the atmosphere.](#)

Having considered some of the aspects about the application, the Committee felt that there was merit in undertaking a site inspection to enable it to consider further the details of the application and the concerns of local residents.

RESOLVED: That consideration of the application be deferred for a site inspection on the following grounds:

- (a) the character or appearance of the development itself is a fundamental planning consideration;**
- (b) a judgement is required on visual impact; and**
- (c) the setting and surroundings are fundamental to the determination or to the conditions being considered.**

53. WHITECROSS HIGH SCHOOL DEVELOPMENT BRIEF

The Team Leader (Local Planning) presented the report of the Forward Planning Manager about a draft Development Brief for the existing Whitecross High School in Baggallay Street, Hereford and suggested that it be commended to the Cabinet Member (Environment) for public consultation. He said that the Draft Brief contained proposals which reflected those set out in the Herefordshire Unitary Development Plan Policy H2. The northern part of the site had been identified for approximately 60 dwellings, twenty-one of which would be affordable housing to meet local needs. It is also proposed that the site could accommodate a new educational establishment to fulfil the community element of the scheme. Although the site could not provide for full public usage of the playing fields because of a restricted educational covenant, it was anticipated that redevelopment would enable improvements to the open space to the benefit of the wider public. Initial consultation with Sport England had indicated that it was not objecting to the minimal loss of playing fields to provide for the new educational facility. It was also noted that the new school site at Three Elms Road Hereford would also provide for a wide range of sporting facilities for the general public.

Having considered the proposals set out in the Draft Brief, the Committee agreed that it should be commended to the Cabinet Member (Environment).

RESOLVED: THAT the Cabinet Member (Environment) be recommended to approve the draft Development Brief for Whitecross High School for consultation purposes.

54. STATEMENT OF COMMUNITY INVOLVEMENT

A report was presented by the Team Leader (Local Planning) about the preparation of the Statement of Community Involvement (SCI) which formed part of the new planning system and would set out how the Council would consult on planning matters. He said that the Planning and Compulsory Purchase Act 2004 had introduced a new planning system which affected the way Development Plans were made and how planning applications were delivered. This new system was intended to:

- speed up Plan preparation;
- be more effective in involving the community;
- produce shorter, more flexible plans that were more responsive to change; and
- draw together those strategies of other agencies which influenced the nature of places and how they functioned.

The Team Leader (Local Planning) advised that a key part of the new system required Local Planning Authorities to prepare a Local Development Framework (LDF) which was a series of Local Development Documents (LDDs) which set out how the local area may change over the next few years. Planning Policy Statement 12 provided detailed guidance on developing the new framework and the SCI would become one of the LDD's when it was produced. He said that the new planning system through its SCI attempted to overcome the traditional reactive way people had previously become involved in the planning system by recognising that they are affected by proposals and should be encouraged to participate more directly in the preparation of planning documents. This would help to strengthen the evidence base as well as encourage a sense of local ownership and commitment to plan policies and their delivery. It was also hoped that this approach would help to resolve

conflicts and to reach a consensus on essential issues in the early stages of the process, thereby reducing the time taken by Public Inquiries and revisions in the later stages.

RESOLVED: That it be recommended to the Cabinet Member (Environment) that the SCI be produced as identified in the report of the Forward Planning Manager and in line with the Town and Country Planning (Local Development)(England) Regulations 2004.

55. ALMELEY PARISH PLAN

The Almley Parish Plan had been prepared to provide further Planning Guidance to the emerging Herefordshire Unitary Development Plan. The purpose of the Parish Plan was:

- to set out the hopes and concerns of parishioners and proposals for meeting them over the next ten years; and
- to guide the policies of the Parish Council in its work for the residents and in its dealings with outside bodies and individuals.

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 Almley Parish Plan be adopted as further planning guidance to the Herefordshire Unitary Development Plan and as an expression of local distinctiveness and community participation.

56. DATE OF NEXT MEETING

25th November, 2005.

The meeting ended at 11.15 AM

CHAIRMAN