

**MINUTES of the meeting of Planning Committee held at The Council Chamber, Brockington, 35 Hafod Road, Hereford on Wednesday 3 April 2013 at 10.00 am**

**Present:** Councillor PGH Cutter (Chairman)  
Councillor BA Durkin (Vice Chairman)

Councillors: PA Andrews, PJ Edwards, DW Greenow, KS Guthrie, J Hardwick, JW Hope MBE, MAF Hubbard, Brig P Jones CBE, JF Knipe, JG Lester, RI Matthews, AJW Powers, GR Swinford and PJ Watts

**In attendance:** Councillors H Bramer

**163. APOLOGIES FOR ABSENCE**

Apologies were received from Councillors AN Bridges, RC Hunt and FM Norman.

**164. NAMED SUBSTITUTES (IF ANY)**

In accordance with paragraph 4.1.23 of the Council's Constitution, Councillor JF Knipe attended the meeting as a substitute member for Councillor AN Bridges.

**165. DECLARATIONS OF INTEREST**

7. S123556/F - LAND ADJACENT TO ROSE COTTAGE, GORSLEY, ROSS-ON-WYE, HEREFORDSHIRE.

Councillor DW Greenow, Non-Pecuniary, The Councillor is a member of Gorsley Chapel.

9. S123110/O - LAND AT WILLOW CROFT, SUTTON ST NICHOLAS, HEREFORD, HR1 3AZ.

Councillor RI Matthews, Non-Pecuniary, The Councillor knows the applicant.

11. 130563/FH - 6 OLDFIELDS CLOSE, LEOMINSTER, HEREFORDSHIRE, HR6 8PY.

Councillor Brig P Jones CBE, Disclosable Pecuniary, The application had been submitted by the Councillor's spouse.

**166. MINUTES**

**RESOLVED:** That the Minutes of the meeting held on 13 March 2013 be approved as a correct record and signed by the Chairman.

**167. CHAIRMAN'S ANNOUNCEMENTS**

The Chairman advised the Committee that the meeting scheduled for 24 April 2013 was likely to continue into the afternoon.

**168. APPEALS**

The Head of Neighbourhood Planning advised that application 121410/L had been refused under delegated powers and not approved as stated in the report.

In response to a question from the Committee he advised that a Planning Inspector had the option to allow an application in part, this was not an option for Committee who were required to approve or refuse the application. He added that the Inspector had deemed the storage building to be acceptable but not the manège.

The Planning Committee noted the report.

**169. S123556/F - LAND ADJACENT TO ROSE COTTAGE, GORSLEY, ROSS-ON-WYE, HEREFORDSHIRE**

The Principal Planning Officer gave a presentation on the application.

In accordance with the criteria for public speaking, Mrs Foley, Chairman of Linton Parish Council, and Mr Price, a neighbouring resident, both spoke in objection to the application.

In accordance with paragraph 4.8.2.2 of the Council's Constitution, Councillor H Bramer, the local ward member, commented on a number of issues, including:

- The potential of ten affordable homes in a rural location would usually be welcomed however due to the site location the proposal could not be supported.
- The proposed site was adjacent to the village school.
- There were significant traffic problems in the vicinity of the school at the start and end of the school day.
- The local publican allowed parking on his land during peak times but this did not address the problem fully.
- Local residents and school staff were concerned for the safety of pupils.
- The application should be refused.

The Committee had concerns in respect of the traffic issues around the school and requested that further discussions be undertaken with the applicant in an attempt to secure some appropriate parking provision at the school. The issue of parking around the school was raised by a number of members and ultimately they decided that it would be beneficial for them to visit the site during peak time in order for them to form an opinion in respect of the traffic issues.

It was noted that there were some issues regarding drainage raised by the public speaker. The Committee requested that the matter be addressed prior to the application being determined at the next meeting.

**RESOLVED:**

**That the determination of the application be deferred for a site visit on the following grounds:**

- 1. The character and appearance of the development itself is a fundamental planning consideration.**
- 2. A judgement is required on visual impact.**
- 3. The setting and surroundings are fundamental to the determination or to the conditions being considered, and cannot reasonably be made without visiting the site.**

**170. N123463/F - LAND ADJACENT TO THE NEW INN, STAUNTON ON WYE, HEREFORDSHIRE, HR4 7LR**

The Principal Planning Officer gave a presentation on the application.

In accordance with paragraph 4.8.2.2 of the Council's Constitution, Councillor JW Hope, the local ward member, commented on a number of issues, including:

- The Parish Council's comments should be noted.
- The Council should be notifying Parish Council's in respect of the lack of a five year housing supply.

The Committee requested that all Parish Council's be contacted regarding the Council's current position in relation to the lack of a five year housing supply. It was agreed that HALC should also be contacted regarding the matter.

Councillor Hope was given the opportunity to close the debate but chose to make no additional comments.

**RESOLVED:**

**That planning permission be granted subject to the following conditions:**

1. **A01 - Time limit for commencement (full permission)**
2. **B01 - Development in accordance with the approved plans**
3. **C01 - Samples of external materials**
4. **G04 - Protection of trees/hedgerows that are to be retained**
5. **G10 - Landscaping scheme**
6. **G11 - Landscaping scheme – implementation**
7. **H03 - Visibility splays**
8. **H05 - Access gates**
9. **L01 - Foul/surface water drainage**
10. **L02 - No surface water to connect to public system**
11. **L03 - No drainage run-off to public system**
12. **I16 - Restriction of hours during construction**

**Reason for Approval**

1. **The Council's five year housing land supply demonstrates a shortfall in provision. Policy H7 of the Herefordshire Unitary Development Plan does not reflect the most current advice contained within the National Planning Policy Framework and is therefore considered to be out of date. The site is considered to be sustainable as one on the edge of Staunton on Wye. The design is acceptable and access can be provided to the site without the loss of the roadside hedgerow. The proposal therefore accords with the**

**Unitary Development Plan in all other respects and accords with the guiding principles of the National Planning Policy Framework.**

**INFORMATIVES:**

1. **The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against planning policy and material considerations. It has subsequently determined to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.**
2. **HN28 - Highways Design Guide and Specification**

**171. S123110/O - LAND AT WILLOW CROFT, SUTTON ST NICHOLAS, HEREFORD, HR1 3AZ**

The Principal Planning Officer gave a presentation on the application.

In accordance with paragraph 4.8.2.2 of the Council's Constitution, Councillor KS Guthrie, the local ward member, commented on a number of issues, including:

- The current proposal was a better design than the previous one.
- The Parish Council had objected to the application in line with the Unitary Development Plan.
- It was important to ensure that Parish Councils were updated regarding the lack of a five year housing supply and the impact this had in determining applications.

In response to a question, the Principal Planning Officer advised that there were no affordable homes in the development as the application was for four homes which fell below the threshold. She also advised that the application had been scaled down to address concerns from the planning authority.

Members voiced their concerns in respect of a gradual increase to the size of the development. The Principal Planning Officer advised that although the whole site was deemed as a low constraint site, the applicant had been advised that any further development could be viewed on a cumulative basis.

In response to a question, the Head of Neighbourhood Development advised that the Council could currently demonstrate approximately a 4 ½ year housing land supply.

Members debated the application and considered that the application site was suitable for the proposed development. The committee also welcomed the provision of two-bedroom dwellings on the site.

Councillor Guthrie was given the opportunity to close the debate but chose to make no additional comments.

**RESOLVED:**

**That planning permission be granted subject to the following conditions:**

1. **A02 Time limit for submission of reserved matters (outline permission)**
2. **A03 Time limit for commencement (outline permission)**

3. **A04 Approval of reserved matters**
4. **B01 Development in accordance with the approved plans**
5. **C01 Samples of external materials**
6. **G11 Landscaping scheme – implementation**
7. **H18 On site roads - submission of details**
8. **Prior to the commencement of any other works, a detailed timetable of works the access shall be submitted to and approved in writing. This shall include details of any temporary surfaces during the construction period.**

**Reason: In the interests of amenity of the locality and highway safety having regard to policies DR2 and DR3 of the UDP.**

9. **I16 Restriction of hours during construction**
10. **I20 Scheme of surface water drainage**
11. **L01 Foul/surface water drainage**
12. **L02 No surface water to connect to public system**
13. **L03 No drainage run-off to public system**

#### **Reason for Approval**

1. **The proposal fails to comply, in principle, with policies H4, H7 and H10 of the Herefordshire Unitary Development Plan, however greater weight has been given to the National Planning Policy Framework that clearly identifies that where sites are considered to be sustainably located, and where they comply with other relevant policies, there should be a presumption in favour of sustainable development. The sites development accords with policies in relation to design, character of the area, highway safety, relationship with neighbouring properties, landscape impact, drainage and protecting biodiversity, namely policies DR1, DR2, DR3, DR4, LA2, LA5, LA6, H13, T8 and T11 of the Herefordshire Unitary Development Plan. In conclusion, whilst the application would be contrary to Saved Policies of the Plan, the absence of a 5-year supply of housing land was afforded greater weight.**

#### **INFORMATIVES:**

1. **HN08 Section 38 Agreement & Drainage details**
2. **HN07 Section 278 Agreement**
3. **The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against planning policy and any other material considerations. Negotiations in respect of 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.**

**172. N123569/O - FLAGGONERS GREEN HOUSE, PANNIERS LANE, BROMYARD, HEREFORDSHIRE, HR7 4QR**

The Principal Planning Officer gave a presentation on the application.

In accordance with paragraph 4.8.2.2 of the Council's Constitution, Councillor JG Lester, one of the local ward members, commented on a number of issues, including:

- The site was previously a veterinary surgery which resulted in higher levels of vehicle movements than a domestic dwelling.
- The Town Council had not objected to the application.

Councillor A Seldon, the other local ward member, could not be present at the meeting but submitted a letter of support which was read out by the Chairman.

**RESOLVED:**

**That outline planning permission be granted subject to the following conditions:**

1. **A02 Time limit for submission of reserved matters (outline permission)**
2. **A03 Time limit for commencement (outline permission)**
3. **A04 Approval of reserved matters**
4. **A05 Plans and particulars of reserved matters**
5. **L01 Foul/surface water drainage**
6. **L02 No surface water to connect to public system**
7. **L03 No drainage run-off to public system**

**Reason for Approval**

1. **The application is considered to be contrary to the requirements of housing policies within the Herefordshire Unitary Development Plan in so much as it would provide a new dwelling outside of the adopted settlement boundary. However, Herefordshire Council has a shortfall in its five-year housing land supply, and the site is sustainable being located directly adjacent to the settlement of Bromyard. With the proposal raising no further planning concerns, outline planning permission is therefore granted on the basis that the proposal is in line with the National Planning Policy Framework which prescribes a presumption in favour of sustainable development.**

**INFORMATIVES:**

1. **The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against planning policy and any other material considerations, including any representations that have been received. It has subsequently determined to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.**

**173. 130563/FH - 6 OLDFIELDS CLOSE, LEOMINSTER, HEREFORDSHIRE, HR6 8PY**

The Principal Planning Officer gave a presentation on the application.

Members noted that the application had only been referred to the Committee as it had been submitted by a Councillor's Spouse. It was noted that the proposed extension was in keeping with neighbouring dwellings.

**RESOLVED:**

**That subject to no further objections raising additional material planning considerations being received by the end of the consultation period, the officers named in the Scheme of Delegation to Officers be authorised to approve the application subject to the following conditions and any additional conditions considered necessary by officers:**

- 1. A01 Time limit for commencement (full permission)**
- 2. B01 Development in accordance with the approved plans**
- 3. C02 Matching external materials (extension)**
- 4. I16 Restriction of hours during construction**

**Reason for Approval**

- 1. The proposed extension is appropriate in terms of its scale design and appearance. It will not have a demonstrable detrimental impact on the residential amenity of adjoining neighbours either by virtue of its alignment in relation to them or distance from opposing elevations. The scheme accords with Policy H18 of the Herefordshire Unitary Development Plan and the guiding principles of the National Planning Policy Framework.**

**INFORMATIVES:**

- 1. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against planning policy and material considerations. It has subsequently determined to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.**

**174. DATE OF NEXT MEETING**

The Planning Committee noted the date of the next meeting.

The meeting ended at 11.30 am

**CHAIRMAN**