

MINUTES of the meeting of Planning Committee held at The Council Chamber, Brockington, 35 Hafod Road, Hereford on Wednesday 11 December 2013 at 10.00 am

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

Councillors: PA Andrews, AM Atkinson, AN Bridges, PJ Edwards, DW Greenow, KS Guthrie, J Hardwick, JW Hope MBE, MAF Hubbard, FM Norman, AJW Powers, R Preece, GR Swinford and PJ Watts

In attendance: Councillors JA Hyde and J Norris

93. APOLOGIES FOR ABSENCE

Apologies were received from Councillors RC Hunt, Brigadier P Jones and RI Matthews.

94. NAMED SUBSTITUTES

In accordance with paragraph 4.1.23 of the Council's Constitution, Councillor R Preece attended the meeting as a substitute member for Councillor RI Matthews.

95. DECLARATIONS OF INTEREST

Agenda item 8 – 131732/F The Slip Tavern, Much Marcle Ledbury

Councillor AM Atkinson declared a non-pecuniary interest because one of the other licensed premises in the area was one of his customers.

Agenda item 9 – 131981/F Barn at Everstone Farm, Peterstow, Ross-on-Wye

Councillor DW Greenow declared a non-pecuniary interest because he knew the applicant.

Councillor J Hardwick declared a non-pecuniary interest because he knew the applicant.

Agenda item 10 – 132446/O Land at Junction of A44 and Panniers Lane, Bromyard, Herefordshire

Councillor GR Swinford declared a Disclosable Pecuniary Interest as his Partnership had acted as Planning Agent.

Agenda item 11 – 132448/O Land Adjacent to Longlands, Lower Hardwick Lane, Bromyard, Herefordshire

Councillor JG Lester declared a non-pecuniary interest because he knew the applicant.

Councillor GR Swinford declared a Disclosable Pecuniary Interest as his Partnership had acted as Planning Agent.

Agenda item 14 – 132674/O Land East of Weobley Primary School, Weobley, Herefordshire

Councillor MAF Hubbard declared a non-pecuniary interest because he knew the applicant.

96. MINUTES

RESOLVED: That the Minutes of the meeting held on 20 November 2013 be approved as a correct record and signed by the Chairman, subject to recording the declarations of non-pecuniary interests made at that meeting by Councillors BA Durkin and J Hardwick for agenda item 10 – 132033/F and 132034/C – Land at Chestnuts the Avenue, Ross-on-Wye, Herefordshire, as members of the Wye Valley AONB Joint Committee.

97. CHAIRMAN'S ANNOUNCEMENTS

There were no announcements.

98. APPEALS

The Planning Committee noted the report.

99. 131680/F LAND OFF TUMP LANE, MUCH BIRCH, HEREFORDSHIRE, HR2 8HW

The Principal Planning Officer gave a presentation on the application, and updates/additional representations received following the publication of the agenda were provided in the update sheet, as appended to these Minutes.

In accordance with the criteria for public speaking, Mrs A Cook, Chair of Much Birch Parish Council, spoke expressing concerns about aspects of the application. Mr K James and Ms R Rigby spoke in objection and Mr A Padmore, the applicant's agent spoke in support.

In accordance with paragraph 4.8.2.2 of the Council's Constitution, Councillor J Norris, the local ward member, spoke on the application.

He commented on a number of issues including:

- There was local opposition to the development of a greenfield site. There were other sites more appropriate for residential development.
- The proposed standards for the housing could be improved with an insistence upon greater energy efficiency.
- The proposed footpath linking the development to the west and to Wormelow was inadequate. A suitable footpath could be provided if the applicant made available land within the applicant's ownership.
- There had been a lack of consultation on the revised proposals.

The debate opened and the following principal points were made:

- Highway and pedestrian safety was of paramount importance. The proposed footpath was not of an appropriate standard. Account had to be taken of the large agricultural vehicles using Tump Lane, the amount of traffic and its speed. Alongside these concerns about safety, in the absence of an appropriate footpath the sustainability of the development had to be questioned.
- There was clearly the possibility of further applications for residential development in the area. The Committee should insist that appropriate pedestrian access was provided, making this a condition of granting planning permission.

- It should be noted with regard to the proposal to build properties to the code 3 standard for sustainable homes that that was the minimum standard the Council considered acceptable for affordable housing.
- The need for affordable housing was acknowledged. It was noted that the scheme attracted grant funding which would be lost if the houses were not built before March 2015.
- A suggestion was made that the Committee should defer consideration of the application to permit further discussions with the landowner to seek to resolve the concerns about pedestrian access.
- The Development Manager commented that the possibility of future applications in the location was not a relevant consideration. The Committee had to consider, not whether the scheme was ideal, but whether it was satisfactory, given the need for affordable housing. A decision to grant planning permission could not be made conditional on the provision of a footpath to a standard required by the Committee. Traffic Regulation Orders were also outside the Committee's remit. It would be an option to defer the application to allow for discussions with the applicant over the possibility of negotiating a better footpath as part of the associated S106 agreement. However, it had to be borne in mind that affordability of the scheme may make it difficult to reach agreement.
- The Principal Planning Officer commented, in response to questions, that consultation on the revised proposals had taken place with those who had made representations on the original proposal.

The local ward member was given the opportunity to close the debate. He supported a deferral and requested that the Parish Council and residents were kept fully informed.

RESOLVED: That consideration of the application be deferred for further information and discussion.

100. 131732/F THE SLIP TAVERN, MUCH MARCLE, LEDBURY, HR8 2NG

The Principal Planning Officer gave a presentation on the application, and noted that a statement of positive and proactive working needed to be added to the recommendation as an informative.

In accordance with the criteria for public speaking Mr R Page, a resident, and Mr S Crowther, of CAMRA, spoke in objection to the application and Mr Ranford, the applicant's agent, spoke in support.

In accordance with paragraph 4.8.2.2 of the Council's Constitution, Councillor BA Durkin, the local ward member, spoke on the application.

He commented on a number of issues including:

- There was local concern over the loss of an amenity. There were other premises in the vicinity but the Slip Tavern offered something different.
- The report set out the drop in turnover over the past five years. However, there was an offer to purchase and run the premises as a public house. He considered that the local people wanted the local amenity to remain and planning policy supported this approach in principle. He therefore supported the officer recommendation that the application should be refused.

The debate opened and the following principal points were made:

- A Member suggested that the Committee should concern itself solely with whether a public house in that location was sustainable. An offer had been made and the application should be refused, providing an opportunity for the viability of the premises to be put to the test.
- It was noted that the applicant was requesting more time to market the property. However, it was suggested that the site should have been thoroughly marketed before a planning application had been submitted and there should therefore be no further deferral.
- The Development Manger commented that the price at which the property was marketed was a relevant consideration and considered that the application should be determined.

The local ward member was given the opportunity to close the debate and reiterated his view that the application should be refused.

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

1. **The Central Government advice contained within paragraphs 28 and 70 of the National Planning Policy Framework, Policies S11, CF6 and TCR14 of the Herefordshire Unitary Development Plan 2007 and policies SC1 and RA6 of the Core Strategy effectively seek to retain public houses as their value to rural communities unless it can be demonstrated that they are no longer viable. In this instance it is considered that:-**

- **the length of the marketing period, being less than twelve months, has been inadequate;**
- **the marketing strategy has been somewhat lacking due to the failure to market through the national industry media / trade journals;**
- **the original marketing price of £350,000, recently reduced to £335,000 does not reflect the true market value of the premises taking account of its recent turnover. In this regard it is considered that the true market value is best ascertained by comparing the sold prices of similar public houses not the asking prices;**
- **there is no reason to suggest that the ‘Slip Tavern’ does not have the potential to be viable given its location and physical characteristics; and**
- **a reasonable offer for the ‘Slip Tavern’ has been rejected.**

As such, the proposal is considered to be contrary to the Central Government advice contained within paragraphs 28 and 70 of the National Planning Policy Framework, Policies S11, CF6 and TCR14 of the Herefordshire Unitary Development Plan 2007 and Policies SC1 and RA6 of the Core Strategy.

INFORMATIVE

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against the provisions of the Development Plan (i.e. the Herefordshire Unitary Development Plan 2007) and other material considerations (including the Central Government advice contained within the National Planning Policy Framework and the emerging Core Strategy), clearly setting out the reason for refusal. The reason for refusal allows the applicant to consider whether or not to lodge an appeal. Similarly the reason for refusal allows the applicant to consider whether to submit a fresh application for the same development at a future date.

The Local Planning Authority would not encourage the submission of a fresh application for the same development unless the 'Slip Tavern' has been marketed appropriately (including through the national industry / media such as Morning Advertiser and Dalton's Weekly) for a period of at least 12 months at a price no higher than £275,000 with no reasonable offers having been received.

(The Committee adjourned between 11.30 and 11.36 am)

101. 131981/F BARN AT EVERSTONE FARM, PETERSTOW, ROSS-ON-WYE, HR9 6LH

The Principal Planning Officer gave a presentation on the application.

In accordance with the criteria for public speaking, Mrs J Joseph, the applicant's agent, spoke in support of the application.

In accordance with paragraph 4.8.2.2 of the Council's Constitution, Councillor JA Hyde, the local ward member, spoke on the application.

She supported the arguments advanced by the applicant's agent in support of the scheme and commented on a number of issues including:

- The development provided much needed affordable housing.
- Facilities were accessible.
- The access off the A49 was adequate.
- The current permission for a change of the farm building to B1 light industrial use was inappropriate in that location.
- An exception to policy was justified.

The debate opened and the following principal points were made:

- Residential use was preferable to B1 use which would generate considerable commercial traffic.
- The development was sustainable. There was access to a bus service and other services and facilities.
- The type of development proposed would meet a local need. It would help to support the rural economy.
- The Committee needed to be cautious about refusing the application. The dwelling was not "isolated" and paragraph 55 of the National Planning Policy Framework would therefore not apply.

- It was suggested that the developer should be required to make the properties as economical as possible to use given the cost of utilities.
- The comparative merits of retaining the building and developing it, or new build, were discussed. Some suggested the proposal represented poor design and was not sustainable; others thought the scheme was a good design and was certainly an improvement on the existing building.
- The Parish Council supported the proposal. There was a need for such housing and there remained a shortfall in the Council's five year housing land supply.
- It was suggested that there should be a condition removing permitted development rights.
- The report made clear that the housing was not affordable housing as defined in policy but was low cost market housing with no legal mechanism to ensure affordability in the long term. It was therefore questioned whether the properties would remain within reach of local people in the longer term.
- The proposal contravened a number of policies.

The Development Manager commented that the proposal was not on its own sustainable. There was a balance to be struck. He did not consider the arguments in support for the development outweighed the reasons for refusing it. Granting permission would undermine a number of policies.

The Principal Planning Officer commented on the characteristics of an affordable housing scheme as defined by policy and how this contrasted with the proposed development. He noted that the applicant could have proposed an affordable housing development as defined by policy but had chosen not to do so. The application also contained no proposals for energy efficient measures. If the Committee was minded to approve the development he suggested there should be conditions relating to use of materials, removal of permitted development rights and a hedgerow management scheme.

Members cited a number of policies in support of the development:

DR1 - Design

DR4 - Environment

S1 - Sustainable Development

H14 - Re-using previously developed land and buildings

HBA 12 – Re-use of Rural Buildings

HBA 13 (2) – demonstrable local housing need.

S11 – Community Facilities and Services

T11 – Parking Provision

The local ward member was given the opportunity to close the debate. She reiterated her support for the scheme.

RESOLVED: That planning permission be granted and officers named in the scheme of delegation be authorised to finalise the conditions in consultation with the local ward member and the applicant.

INFORMATIVE

- 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. The Planning Committee of the Council considered that the shortfall in the Council's 5 year housing land supply should be attached significant weight. They also considered the site to be a brownfield site in a relatively sustainable location. They also considered that the dwellings would be affordable due to their limited size.
- 2 The landscaping details pursuant to condition 5 should include, amongst other matters, the retention of the existing hedgerows and the planting of a new hedge of native species along the southern boundary of the site.
- 3 It is possible that unforeseen contamination may be present on the site as a result of its former agricultural/orchard use. Consideration should be given to the possibility of encountering contamination on the site as a result of its former uses and specialist advice be sought should there be any concern about the land.

102. 132446/O LAND AT JUNCTION OF A44 AND PANNIERS LANE, BROMYARD, HEREFORDSHIRE, HR7 4QR

(Councillor GR Swinford having declared a disclosable pecuniary interest left the meeting for the duration of this item.)

The Senior Planning Officer gave a presentation on the application, and an amendment made following the publication of the agenda was provided in the update sheet, as appended to these Minutes.

In accordance with the criteria for public speaking Mr R Page, the applicant's agent, spoke in support of the application.

In accordance with paragraph 4.8.2.2 of the Council's Constitution Councillors JG Lester and A Seldon, the local ward members, spoke on the application, indicating their support.

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. **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**

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.**
2. **HN01 Mud on highway**
3. **HN04 Private apparatus within highway**
4. **N11A Wildlife and Countryside Act 1981 (as amended) - Birds**
5. **N11C General**
6. **HN05 Works within the highway**

103. 132448/O LAND ADJACENT TO LONGLANDS, LOWER HARDWICK LANE, BROMYARD, HEREFORDSHIRE

(Councillor GR Swinford having declared a disclosable pecuniary interest left the meeting for the duration of this item.)

The Senior Planning Officer gave a presentation on the application, and noted that notwithstanding the under provision of housing in the County, refusal was justified for the reasons set out in the report.

In accordance with the criteria for public speaking, Mr R Page, the applicant's agent, spoke in support of the application.

In accordance with paragraph 4.8.2.2 of the Council's Constitution, Councillors JG Lester and A Seldon, the local ward members, spoke on the application.

Councillor Seldon questioned whether the development was isolated, drawing attention to the existing development and the traffic it generated, noting also the amount of pedestrian usage of the lane which was close to one of Bromyard's major public footpaths.

Councillor Lester spoke in support of the application. He commented that the development was not remote from facilities; there were already 7 dwellings on the lane; the surrounding area was likely to be the site for some 500 houses.

The debate opened and the following principal points were made:

The development did not physically relate to Bromyard and was premature.

There were considerable access problems. The access road is dark and narrow. There is no proper pavement, no lit access nor is there a reasonable walking distance to amenities as required for sustainable development.

One additional dwelling in the location would not have an adverse impact and with 7 dwellings already in the location the proposed development was not isolated.

The Development Manager commented that the development did not meet the requirements of the interim protocol for developments outside of adopted settlement boundaries. It was isolated and premature.

The legal officer noted that the statement of positive and proactive working would be acknowledged and added to the decision.

The local ward members were given the opportunity to close the debate. Councillor Lester reiterated his support for the application.

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

1. **The application site is remote from the settlement of Bromyard failing to physically relate to it. As such, the proposal does not respect the defined pattern of local development as required by policies S1 and DR1 of the Herefordshire Unitary Development Plan and the objectives of the National Planning Policy Framework, where paragraph 61 is of particular relevance.**
2. **Lower Hardwick Lane is a narrow, unlit lane with no recognised footpath. It would be unsafe to encourage further pedestrian use of this lane and as such the site is unsustainably located contrary to Policy S1 of the Herefordshire Unitary Development Plan and the objectives of the National Planning Policy Framework.**
3. **None of the exemption criteria listed under paragraph 55 of the National Planning Policy Framework and Policy H7 of the Herefordshire Unitary Development Plan which state circumstances where residential development in the open countryside may be acceptable have been met.**

INFORMATIVE

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 by identifying matters of concern with the proposal and determining the application within a timely manner, clearly setting out the reasons for refusal, allowing the Applicant the opportunity to consider the harm caused and whether or not it can be remedied by a revision to the proposal. The Local Planning Authority is willing to provide pre-application advice in respect of any future application for a revised development.

(The Committee adjourned between 12.50pm and 2.00pm.)

104. 132014/CD MERRY GO ROUND DAY NURSERY, BOYCOTT ROAD, HEREFORD, HR2 7RN

The Principal Planning Officer gave a presentation on the application.

In accordance with paragraph 4.8.2.2 of the Council's Constitution, Councillor R Preece, one of the local ward members, spoke on the application. He indicated his support, noting that the principal concern related to traffic management and the introduction of a traffic management plan had significantly reduced any problems.

The debate opened and some concerns were expressed about the impact on residents. The Development Manager confirmed that if the nursery did not operate in accordance

with the traffic management plan it would be in breach of its planning permission and enforcement action could be taken.

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

1. **F20 Temporary permission and reinstatement of land**
2. **The operation of the nursery shall be undertaken in accordance with the traffic management plan received on 23 July 2013. A detailed written record shall be kept of the measures undertaken to prevent parking in Boycott Road/promote parking within the church car park. Documentation shall be made available for inspection upon reasonable request by the local planning authority.**

Reason: In the interests of highway safety having regard to Policy DR3 of the Herefordshire Unitary Development Plan and having regard to the amenities of local residents in accordance with Policies DR2 and CF5 of the Herefordshire Unitary Development Plan.

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.**

105. 132674/O LAND EAST OF WEOBLEY PRIMARY SCHOOL, WEOBLEY, HEREFORDSHIRE

The Senior Planning Officer gave a presentation on the application.

The debate opened, with discussion of the Parish Council's request, set out at paragraph 5.1 of the report, that within the Section 106 agreement the time period for taking up the affordable homes should be increased from 84 working days to 120 working days to increase the opportunity for local people to apply for the houses.

The Development Manager agreed to undertake further discussions on this matter as part of the Section 106 agreement.

RESOLVED: That subject to the completion of a S106 agreement, officers named in the scheme of delegation to officers be authorised to grant planning permission subject to the following conditions and any other conditions considered necessary by officers.

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. **B07 Section 106 Agreement**
6. **C01 Samples of external materials**
7. **H29 Secure covered cycle parking provision**
8. **G10 Landscaping scheme**
9. **G11 Landscaping scheme - implementation**
10. **L01 Foul/surface water drainage**
11. **L02 No surface water to connect to public system**
12. **L03 No drainage run-off to public system**
13. **No timber panel fencing will be installed alongside the rear or front elevations of the dwellings hereby permitted.**

Reason: In consideration of the visual impact on the surrounding area and to comply with Policies HBA6 and LA2 of the Herefordshire Unitary Development Plan.

14. **Provision will be made within the curtilage of each dwelling for adequate means of refuse storage in accordance with detail to be submitted in support of the future 'Reserved matters' application in connection to the development hereby approved.**

Reason: With consideration to adequate means of refuse collection and to comply with Policy S10 of the Herefordshire Unitary Development Plan.

15. **The recommendations set out in Section 5 the ecologist's report dated August 2013 must be followed in relation to the identified protected species and habitat enhancement. Prior to commencement of the development, a full working method statement together with a habitat enhancement plan must be submitted to and be approved in writing by the local planning authority, and the work shall be implemented as approved. An appropriately qualified and experienced ecological clerk of works must be appointed (or consultant engaged in that capacity) to oversee the ecological mitigation work.**

Reason: To ensure that all species are protected having regard to the Wildlife and Countryside Act 1981 (as amended), the Conservation of Habitats and Species Regulations 2010 and Policies NC1, NC6 NC7, NC8 and NC9 of the Herefordshire Unitary Development Plan in relation to Nature Conservation and Biodiversity and to meet the requirements of the National Planning Policy Framework and the NERC Act 2006

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.

- 2. HN04 Private apparatus within highway**
- 3. HN05 Works within the highway**
- 4. N11C General**

106. 132304/F LAND TO THE REAR OF WHITE HOUSE, STAUNTON-ON-WYE, HEREFORDSHIRE, HR4 7LR

The Senior Planning Officer gave a presentation on the application.

In accordance with paragraph 4.8.2.2 of the Council's Constitution, Councillor JW Hope MBE, the local ward member, spoke in support of the application, highlighting the officer's appraisal of the scheme set out at paragraphs 6.2-6.4 of the report and the presumption in favour of development.

He also requested that a position statement on the five year housing supply should be sent to every Parish Council so that everyone knew where they stood.

The Planning Officer confirmed that the public footpath to which the proposed parking area was close would be protected.

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

- 1. A01 Time limit for commencement (full permission)**
- 2. B02 Development in accordance with approved plans and materials**
- 3. Solar panels or other external renewable energy installations**
- 4. F08 No conversion of garage to habitable accommodation**
- 5. F14 Removal of permitted development rights**
- 6. F16 No new windows in specified elevation**
- 7. G11 Landscaping scheme - implementation**
- 8. H09 Driveway gradient**
- 9. H13 Access, turning area and parking**
- 10. I24 Standard of septic tank/soakaway system**
- 11. I16 Restriction of hours during construction**

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.

2. **Prior to the commencement of development, the applicant is advised to contact the PROW Officer to arrange a site visit to confirm the exact position of Public Footpath SY6. Any threat to the safe use of the footpath may require an application for its temporary closure.**

107. 132629/F LAND AT REAR OF STANDALE, STAUNTON-ON-WYE, HEREFORDSHIRE, HR4 7LT

The Senior Planning Officer gave a presentation on the application.

In accordance with paragraph 4.8.2.2 of the Council's Constitution, Councillor JW Hope MBE, the local ward member, spoke in support of the application, highlighting the officer's appraisal of the scheme set out at paragraphs 6.2-6.4 of the report and the presumption in favour of development.

Some regret was expressed at the possible demolition of a chimney on Standale to widen access and the detrimental effect this would have on the character of the village, noting also the traffic calming effect of the narrower access. Having been advised that no condition could be imposed to require the chimney's preservation it was proposed that a note should be added to the decision notice requesting that the chimney should be retained.

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

1. **A01 Time limit for commencement (full permission)**
2. **B02 Development in accordance with approved plans and materials**
3. **C64 Restriction on separate sale**
4. **Occupancy restriction**
5. **G11 Landscaping scheme - implementation**
6. **H09 Driveway gradient**
7. **H13 Access, turning area and parking**
8. **I24 Standard of septic tank/soakaway system**

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.**

Note to Applicant

If possible the Planning Committee expressed a wish for the chimney on Standale to remain.

108. 132566/CD HOPE FAMILY CENTRE, HEREFORD ROAD, BROMYARD, HEREFORDSHIRE, HR7 4QU

The Planning Officer gave a presentation on the application, adding that Bromyard and Winslow Town Council had now indicated its support for the application.

In accordance with paragraph 4.8.2.2 of the Council's Constitution, Councillor JG Lester, one of the local ward members, spoke in support of the application commenting that his fellow local ward member, Councillor A Seldon, and the Town Council were also in support

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

- 1. The use of the development hereby approved shall be strictly ancillary to the use of the existing premises on site (i.e. HOPE Family Centre), other than the Multi Use Area identified on drawing number PSD/H/13/MAO submitted under this application, which can be used by a maximum of four Herefordshire Council Employees as a multi-agency office.**

Reason: To ensure that the development is in-keeping with the existing use on site and to comply with the requirements of Policy CF5 of the Herefordshire Unitary Development Plan.

- 2. The permission hereby granted is an amendment to planning permission DCNC0009/1820/CD dated 10 November 2010 and, otherwise than is altered by this permission, the development shall be carried out in accordance with that planning permission and the conditions attached thereto.**

Reason: For the avoidance of doubt and to comply with the requirements of Policy DR1 of the Herefordshire Unitary Development Plan.

- 3. Within 3 months of the date of this permission a detailed plan identifying the 4 allocated parking spaces for the Council Employees shall be submitted to and approved in writing by the Local Planning Authority. The parking spaces shall be properly consolidated, surfaced and drained in accordance with details to be submitted to and approved in writing by the local planning authority and that area shall not thereafter be used for any other purpose than for the parking of Council Employees.**

Reason: In the interests of highway safety, to ensure the free flow of traffic using the adjoining highway and to conform with the requirements of Policy T11 of Herefordshire Unitary Development Plan

- 4. To ensure the development remains ancillary to the main use of the site a log book shall be kept of all Council Employees using the**

facility, identifying the date and times of use as well as their position held within the Local Planning Authority. The log book shall be made available at all times to the Local Planning Authority to inspect.

Reason: To ensure that the development is ancillary with the main use of the site and the use as a community centre continues to comply with the requirements of Policy CF5 of the Herefordshire Unitary Development Plan.

5. H30 Travel plans

INFORMATIVE

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.

109. DATE OF NEXT MEETING

The Planning Committee noted the date of the next meeting.

APPENDIX 1 - SCHEDULE OF COMMITTEE UPDATES

The meeting ended at 2.45 pm

CHAIRMAN

PLANNING COMMITTEE

Date: 11 December 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

7 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: Markey Builders (Gloucester) Ltd per BM3 Architecture Ltd, 28 Pickford Street, Digbeth, Birmingham, West Midlands B5 5QH

ADDITIONAL REPRESENTATIONS

The Housing Manager comments as follows

The Housing Needs and Development team support the 100% affordable housing application that provides 12 affordable homes on the Tump Lane site. The developing Housing Association are a preferred partnering organisation of the Council who have worked closely with the Housing team to ensure that the correct mix and tenure are being delivered on the site. Various consultation events have been provided in the community by the Housing Association to allow the community to ask questions and comment on the plans and proposals and where possible these comments have been implemented.

The houses are to be built to the higher standards of Lifetime Homes and code 3 for sustainable homes, therefore providing extremely good quality housing and reducing energy bills for those already on lower earnings. The Housing Association is making this possible even though the Homes and Communities Agency have significantly reduced the amount of available grant. All of the properties on completions and subsequent lets will be advertised through Home Point and made available to applicants in housing need with a local connection to Much Birch in the first instance.

Four letters of objection have been received in response to the submission of revised plans relating to the provision of a footpath. The points raised in the issues raised are already summarised in paragraph 5.4 of the main report.

OFFICER COMMENTS

The recommendation needs to be amended given that it does not establish the need for a Section 106 Planning Obligation to be completed before planning permission can be granted subject to planning conditions

CHANGE TO RECOMMENDATION

That subject to completion of a Section 106 planning obligation in accordance with the draft Heads of Terms annexed to the report the officers named in the Scheme of Delegation to Officers be authorised to grant planning permission subject to conditions noted in the report and subject to any further conditions considered necessary by officers.

**10 132446/O - SITE FOR CONSTRUCTION OF 2 NO. DWELLINGS.
AT LAND AT JUNCTION A44 AND, PANNIERS LANE,
BROMYARD, HEREFORDSHIRE, HR7 4QR**

**For: Mr And Mrs Berry per Bodkin Hall, Edwyn Ralph,
Bromyard, Herefordshire HR7 4LU**

ADDITIONAL REPRESENTATIONS

OFFICER COMMENTS

The following should replace paragraph **6.17** of the original report.

On 4 March 2009, the local planning authority temporarily suspended the requirement for residential development of five dwellings or less to accord with the Authority's 'Planning Obligations' Supplementary Planning Document (February 2008) where development would commence within a year of the date of permission for full planning permissions or where the reserved matters for outline applications were submitted within 2 years. In this instance, the submission is for outline permission and states a preference for the above. As such the requirement for Section 106 contributions is waived and reserved matters are required within 2 years of permission being granted.

NO CHANGE TO RECOMMENDATION

