

## **Minutes of the meeting of Planning and regulatory committee held as an Online meeting on Wednesday 2 December 2020 at 10.00 am**

**Present:** Councillor John Hardwick (chairperson)  
Councillor Alan Seldon (vice-chairperson)

**Councillors:** Paul Andrews, Polly Andrews, Sebastian Bowen, Toni Fagan, Elizabeth Foxton, Terry James, Tony Johnson, Mike Jones, Mark Millmore, Jeremy Milln, Paul Rone, John Stone and William Wilding

**In attendance:** Councillors David Hitchiner

### **40. APOLOGIES FOR ABSENCE**

Apologies were received from Councillor Graham Andrews and Councillor Graham Jones.

### **41. NAMED SUBSTITUTES**

Councillor Bowen substituted for Councillor Graham Andrews and Councillor Mike Jones for Councillor Graham Jones.

### **42. DECLARATIONS OF INTEREST**

#### **Agenda item 6: 200299 - Land adjacent Garnom, Birch Hill, Clehonger**

Councillor Milln declared an other declarable interest because he knew one of the objectors.

#### **Agenda item 7: 202974 - Proposed extension and alterations at Hooks Cottage, Lea Bailey, Ross-on-Wye**

Councillor Wilding declared a schedule 1 interest because he was the applicant. He left the meeting for the duration of this item.

### **43. MINUTES**

**RESOLVED:** That the minutes of the meeting held on 2 December 2020 be approved as a correct record.

### **44. CHAIRPERSON'S ANNOUNCEMENTS**

None.

### **45. 200299 - LAND ADJACENT GARNOM, BIRCH HILL, CLEHONGER, HEREFORDSHIRE**

*(Proposed erection of two dwelling houses with shared vehicle access.)*

The Senior Planning Officer (SPO) 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.

The Committee had deferred consideration of the application on 5 August 2020 to allow comment to be sought from the Landscape Officer.

The SPO reported that the Senior Landscape Officer had objected to the proposal. In addition the Clehonger Neighbourhood Development Plan had passed through independent examination with no changes. The Plan would now be subject to a referendum. It should be attributed significant weight at this point. Given these two factors the officer recommendation had changed to recommend refusal of the application.

In accordance with the criteria for public speaking for virtual meetings, Mrs A Davies of Clehonger Parish Council spoke in objection to the application, as a virtual attendee. Mr K Hastings spoke in objection to the application, as a virtual attendee. Mr D Baume, the applicant's agent had submitted a written submission in support of the application.

In accordance with the Council's Constitution, the local ward member, Councillor Hitchiner, spoke on the application. He highlighted the housing growth in the village, the significant weight that could now be given to the NDP, to which the proposal was contrary, and the objection from the Landscape Officer. He considered that on balance the application should be refused.

The Committee discussed the application.

The Lead Development Manager commented that the significant weight that could now be given to the NDP, in conjunction with the cumulative impact of housing development, which meant that the minimum housing target had been significantly exceeded, and the landscape harm underpinned the recommendation for refusal.

The local ward member was given the opportunity to close the debate. He reiterated his support for refusal of the application.

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

- 1. The application seeks approval for the erection of 2 dwellings in a location that is adjacent to, but outside of the settlement boundary for Clehonger. Locationally this accords with policy RA2 of the Herefordshire Local Plan – Core Strategy, but is in direct conflict with policy C2 of the draft Clehonger Neighbourhood Development Plan, which is afforded significant weight, following the Examiner's Report that does not recommend any modifications. The Clehonger Neighbourhood Development Plan Area has experienced considerable growth and the Plan provides for a considerable exceedance of the minimum proportional growth target and the Examiner saw no reason to expand the settlement boundary (including to accommodate the application site as per the applicants' representations). The proposed development fails to meet any of the exceptions for development outside settlement boundaries, as specified in policy RA3 of the Herefordshire Local Plan – Core Strategy. In undertaking the test set out in paragraph 11d)ii of the National Planning Policy Framework, in light of the Council's current housing land supply position, the identified adverse impact of direct conflict with the draft Clehonger Neighbourhood Development Plan as set out in this reason for refusal, and the following reason, significantly and demonstrably outweigh the benefits.**

2. **The proposed development will adversely affect the landscape character in two material ways. Firstly, the proposed access arrangements, through the removal of 4.5m of hedgerow and the widening of the Poplar Road along a length of approximately 45m, will adversely effect the intimate rural character of Poplar Road in an important transitional location between the settlement of Clehonger and the open countryside to the South. This is contrary to both Policy LD1 of the Herefordshire Local Plan – Core Strategy and Policy C6 of the draft Clehonger Neighbourhood Development Plan, which is attributed significant weight. Secondly, the development of the site will obstruct a view that is protected via Policy C4 (3B) of the draft Clehonger Neighbourhood Development Plan thereby adversely affecting this protected landscape characteristic.**

**INFORMATIVES:**

1. **IP3 - Application Refused Following Discussion – Where there is no Way Forward**

*(The meeting adjourned between 10.55 and 11.05 am.)*

**46. 202974 - HOOKS COTTAGE, LEA BAILEY, ROSS-ON-WYE, HR9 5TY**

*(Proposed extension and alterations.)*

*(Councillor Bowen had left the meeting and was not present during consideration of this application. Councillor Millmore had not heard the whole of the presentation and discussion and accordingly did not vote on this application.)*

*Councillor Yolande Watson fulfilled the role of local ward member on behalf of Councillor Wilding and accordingly had no vote on this application.*

*Councillor Wilding, the applicant, had declared an interest and left the meeting for the duration of this item.)*

The Planning Officer gave a presentation on the application.

In accordance with the Council's Constitution, Councillor Watson fulfilling the role of local ward member had made a written submission. This was read to the meeting. She supported the application.

**RESOLVED: That planning permission be granted subject to the following conditions and any further conditions considered necessary by officers named in the scheme of delegation to officers.**

1. **C01 - Time limit for commencement (full permission)**
2. **C06 - Development in accordance with approved plans (Drawing nos. 1798.02 and 1798.03)**
3. **C14 - Matching external materials (extension)**
4. **CBK - 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.**

### 47. **203159 - 41 POOL COTTAGES, LOWER LYDE, HEREFORD, HR1 3AQ**

*(Proposed erection of a single-storey extension to form annexe accommodation.)*

*(Councillor Bowen had left the meeting and was not present during consideration of this application.)*

The 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 Council's Constitution, the local ward member, Councillor Crockett had made a written submission. This was read to the meeting. She supported the application.

**RESOLVED: That planning permission be granted subject to the following conditions and any other further conditions considered necessary by officers named in the scheme of delegation to officers:**

#### 1. **C01 - Time limit for commencement (full permission)**

**The development hereby permitted shall be begun before the expiration of three years from the date of this permission.**

**Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990.**

#### 2. **C07 - Development in accordance with approved plans and materials**

**The development hereby approved shall be carried out strictly in accordance with the approved plans (drawing nos. 22LL-01 revision A; 22LL-02; 22LL-03 revision A; 22LL-04; 22LL-05 revision A; the design and access statement; the application form and the document titled "Brick for South & West elevations" dated 10 November) and the schedule of materials indicated thereon.**

**Reason: To ensure adherence to the approved plans and to protect the general character and amenities of the area in accordance with the requirements of Policy SD1 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.**

#### 3. **C14 - Matching external materials (extension)**

**The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.**

**Reason: To ensure the external materials harmonise with the existing building so as to ensure that the development complies with the requirements of Policy SD1 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.**

**4. C79 - Occupation ancillary to existing dwelling only (granny annexes)**

**The extension hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as 41 Pool Cottages.**

**Reason: It would be contrary to Policy SD1 of the Herefordshire Local Plan – Core Strategy to grant planning permission for a separate dwelling in this location.**

**INFORMATIVES:**

**1. IP1 – Application Approved Without Amendment**

**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.**

**48. 202406 - 28 MOUNT CRESCENT, HEREFORD, HEREFORDSHIRE, HR1 1NQ**

*(Proposed extension and alterations.)*

*(Councillor Bowen had left the meeting and was not present during consideration of this application.)*

The Senior 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 for virtual meetings, Mr S Kerry, of Hereford City Council submitted a written submission in opposition to the scheme. This was read to the meeting.

In accordance with the Council's Constitution, the local ward member, Councillor Tyler, had made a written submission. This was read to the meeting. She supported refusal of the application.

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

- 1. The proposal would have an overbearing / overshadowing effect on neighbouring properties and would diminish the natural light to their habitable rooms; thus detrimentally impacting the amenity of adjoining dwellings. As such the proposal is wholly contrary to the intent of Herefordshire Local Plan Core Strategy Policy SD1, LD1 and SS6 and the relevant design policies of the National Planning Policy Framework.**

2. **The proposal by virtue of its form, size, scale, siting and design would present an incongruous addition which would have an unacceptable impact on the character and appearance of the host dwelling and local built form. Thus it would have a detrimental impact on the character and appearance of the street-scene, at odds with the sense of place that is experienced in the locale; thus being contrary to Policies SD1, SS6 and LD1 of the Herefordshire Local Plan – Core Strategy, the design guidance set out within Paragraphs 124, 127 and 130 of the National Planning Policy Framework, as well as the expectations of the National Design Guide.**

**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 by identifying matters of concern with the proposal and discussing those with the Agent. Unfortunately, it has not been possible to negotiate a way forward for the current proposal. However, the Local Planning Authority has clearly set out, within its report, the steps necessary to remedy the harm identified within the reasons for refusal – which may lead to the submission of a more acceptable proposal in the future. The Local Planning Authority is willing to provide pre-application advice in respect of any future application for a revised development.**

**49. DATE OF NEXT MEETING**

Noted.

**Appendix - Schedule of Updates**

The meeting ended at 11.45 am

**Chairperson**

## **PLANNING AND REGULATORY COMMITTEE**

**Date: 2 December 2020 10am**

### **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**

**200299 - PROPOSED ERECTION OF TWO DWELLING HOUSES WITH SHARED VEHICLE ACCESS AT LAND ADJACENT GARNOM, BIRCH HILL, CLEHONGER, HEREFORDSHIRE**

**For: Mr Lewis per Mr DF Baume, Studio 2, Thorn Office Centre, Rotherwas, Hereford, HR2 6JT**

### **ADDITIONAL REPRESENTATIONS**

Climate change checklist completed in support of the application.

### **OFFICER COMMENTS**

Outlines some of the commitments made in the efficiency of the design and details some potential additional options that could be incorporated later at the detailed design stage.

### **NO CHANGE TO RECOMMENDATION**

**203159 - PROPOSED ERECTION OF A SINGLE-STOREY EXTENSION TO FORM ANNEXE ACCOMMODATION AT 41 POOL COTTAGES, LOWER LYDE, HEREFORD, HR1 3AQ**

**For: Mr & Mrs Fishlock per Mr Ed Thomas, 13 Langland Drive, Hereford, Herefordshire, HR4 0QG**

### **ADDITIONAL REPRESENTATIONS**

Climate change checklist completed in support of the application. Can be seen on the website under supporting documents.

### **OFFICER COMMENTS**

The climate change checklist provides further detail of the sustainability measures the applicants are taking in this proposal, enhancing the policy support for the proposal.

### **NO CHANGE TO RECOMMENDATION**



**202406 - PROPOSED EXTENSION AND ALTERATIONS AT 28  
MOUNT CRESCENT, HEREFORD, HEREFORDSHIRE, HR1 1NQ**

**For: Applicant per Mr Ian Williams, 9 Lyall Close, Hereford,  
Herefordshire, HR1 1XG**

**ADDITIONAL REPRESENTATIONS**

City Council – “Hereford City Council Planning Committee objected to Planning Application. Councillors felt that the proposed plans are too close to the boundary wall of the neighbouring property. Councillors suggest an extension which does not extend beyond the existing side wall.”

**NO CHANGE TO RECOMMENDATION**

