

Minutes of the meeting of Planning and regulatory committee held at Three Counties Hotel, Belmont Road, Belmont, Hereford, HR2 7BP on Wednesday 4 August 2021 at 10.00 am

Present: Councillor Terry James (chairperson)
Councillor Alan Seldon (vice-chairperson)

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

In attendance: Councillors: Swinglehurst and Watson (virtual attendees)

11. APOLOGIES FOR ABSENCE

Apologies were received from Councillors Paul Andrews and Graham Jones.

12. NAMED SUBSTITUTES (IF ANY)

Councillor David Summers substituted for Councillor Paul Andrews. Councillor Mike Jones substituted for Councillor Graham Jones.

13. DECLARATIONS OF INTEREST

Councillor William Wilding declared an other interest in respect of agenda item no. 8, application 201961 – Hartleton Farm; the applicant was a known associate. Councillor Wilding would leave the meeting for the determination of the application.

Councillor Toni Fagan declared an other interest in respect of agenda item no. 6, application 203907 – land at Woodside Stables and agenda item no. 7, application 204346 – land adjacent to Steepways. Objectors to the application were known associates.

Councillor John Hardwick declared an other interest in respect of agenda item no. 8, application 201961 – Hartleton Farm; the applicant was a known associate.

14. MINUTES

RESOLVED: That the minutes of the meeting held on 9 June 2021 be approved.

15. CHAIRPERSON'S ANNOUNCEMENTS

The Lead Development Manager provided an update on revisions to the National Planning Policy Framework (NPPF) and outlined a change to the procedure for the handling of applications to address the current backlog.

16. 203907 - LAND AT WOODSIDE STABLES FROM GREAT HALL ROAD TO ST WULSTANS ROAD, WELSH NEWTON, NP25 5RT (Pages 13 - 14)

The senior planning officer gave a presentation on the application and the updates/representations received following the publication of the agenda as provided in the update sheets and appended to these minutes.

In accordance with the criteria for public speaking Ms D Clarke of Welsh Newton and Llanrothal Group Parish Council spoke on the application. Mrs S Parkinson, a local resident, spoke in objection to the application. Ms H Boughton, the applicant, spoke in support of the application.

In accordance with the council's constitution the local ward member spoke on the application. In summary she commented that the proposal had been revised following dismissal of an earlier application at an appeal hearing. There remained significant local objection to the proposal in the application from the local community. Welsh Newton Common was not considered to be a sustainable location for more housing. Access to the site along a narrow lane was a concern and a consultant had been commissioned by local objectors to make an assessment of the access road which had concluded that it was incompatible with the NPPF and sections of the Local Plan. Local objectors also felt that the development would be damaging to the character of Welsh Newton Common and did not feel that it provided the small affordable housing that had been originally envisaged for the plot. The proposed development was also felt to have a detrimental impact upon local protected species including dormice which would be in conflict with the local planning policy. If the committee was minded to agree the application it was encouraged to consider conditions to mitigate construction traffic impacts.

The committee discussed the application.

A motion that the application be refused, as it was not compliant with sustainable planning policies SS6, SS1, NT1, LD1, WNL4, WNL1 and WNLC1, was moved.

The Lead Development manager explained that Welsh Newton Common was an area in the core strategy identified for development. The local Neighbourhood Development Plan (NDP) included support for new development. The applicant had revised plans for the development based on the comments of the planning inspector following dismissal of the original application at appeal. It was confirmed that no objections had been received from statutory consultees. Concerns were expressed regarding the reasons for refusal contained in the motion which were not felt to be sustainable. It was highlighted that condition 15 contained a requirement for a construction management plan which would regulate the impact of construction on the common. Condition 22 could be enhanced to ensure that photovoltaic panels and an air source heat pump would be integral to the build, consistent with the conditioning for an electric car charging point.

The local ward member was given the opportunity to close the debate. She explained that the development was not in a sustainable location. If the committee was minded to agree the application it was urged to consider conditions to protect the Common against the impacts of construction and to ensure the inclusion of environmentally sustainable facilities in the permission.

The motion to refuse the application was put to the vote and was lost.

A motion that the application be approved, subject to an amendment to condition 22, to include photovoltaic panels and an air source heat pump, was moved and was carried.

RESOLVED – That planning permission be granted subject to the following conditions, the amendment to condition 22 as outlined above and any further conditions considered necessary by officers named in the scheme of delegation to officers:

1. **Time limit for commencement (full permission)**
2. **C07 Development in accordance with approved plans and materials**
3. **C13 Samples of external materials**
4. **C65 (Class A only with non standard reason linked to NDP policy)**
5. **CE6 Efficient use of water**
6. **CBK Restriction of hours during construction**
7. **All foul water shall discharge through connection to a new private foul water treatment system with final outfall to suitable soakaway drainage field on land under the applicant's control; and all surface water shall discharge to appropriate SuDS or soakaway system; unless otherwise agreed in writing by the Local Planning Authority.**

Reason: In order to comply with Conservation of Habitats and Species Regulations (2018), National Planning Policy Framework (2019), NERC Act (2006), and Herefordshire Core Strategy (2015) policies LD2, SD3 and SD4

8. **The ecological protection, mitigation, compensation and working methods scheme as recommended in the ecology report by Wilder Ecology dated December 2018 shall be implemented and hereafter maintained in full as stated unless otherwise approved in writing by the local planning authority. No external lighting should illuminate any boundary feature, adjacent habitat or area around the approved mitigation or any biodiversity net gain enhancement features.**

Reason: To ensure that all species are protected and habitats enhanced having regard to the Wildlife and Countryside Act 1981 (as amended), the Habitats & Species Regulations 2018 (as amended), Policy LD2 of the Herefordshire Core Strategy, National Planning Policy Framework (2019) and NERC Act 2006

9. **Within 3 months of completion of the works approved under this planning decision notice evidence (such as photos/signed Ecological Clerk of Works completion statement) of the suitably placed installation within the site boundary of at least TWO Bat roosting enhancements, FOUR bird nesting boxes and ONE Hedgehog habitat home should be supplied to and acknowledged by the local authority; and shall be maintained hereafter as approved unless otherwise agreed in writing by the local planning authority. No external lighting should illuminate any habitat enhancement or boundary feature.**

Reason: To ensure that all species are protected and habitats enhanced having regard to the Wildlife and Countryside Act 1981 (as amended), Habitat Regulations 2018, Core Strategy LD2, National Planning Policy Framework (2019), NERC Act 2006 and Dark Skies Guidance Defra/NPPF 2013/2019.

10. CAB Visibility splays (2.4M X 25M)
11. CAD Access gates (5m)
12. CAE - Vehicular access construction
13. CAH - Driveway gradient
14. CAI - Parking – single/shared private drives
15. CAT - Construction Management Plan
16. CB2 - Secure covered cycle parking provision
17. CK9 – Trees in Accordance with plans
18. CKA – Retention of existing trees
19. CKF – Specifications for tree planting
20. At no time shall any external lighting except in relation to safe use of the approved development be installed or operated in association with the approved development and no permanently illuminated external lighting on any building within the application boundary under this consent shall be operated at any time, without the written approval of this local planning authority.

All lighting installed shall demonstrate compliance with latest best practice guidance relating to lighting and protected species-wildlife available from the Institution of Lighting Professionals.

Reason: To ensure that all species and local intrinsically dark landscape are protected having regard to The Conservation of Habitats and Species Regulations 2017, as amended by the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019' (the 'Habitats Regulations'), Wildlife & Countryside Act (1981 amended); National Planning Policy Framework, NERC Act (2006) and Herefordshire Local Plan - Core Strategy policies SS1, SS6, LD1-3

21. With the exception of any site clearance and groundwork, no further development shall take place until the following information has been submitted and approved by the local planning authority:
 - Submission of a site specific layout showing the proposed location of surface water and foul water drainage features.
 - Confirmation of groundwater levels.

The approved scheme shall be implemented before first occupation of the dwelling hereby permitted.

Reason: In order to ensure satisfactory drainage arrangements are provided and to comply with Policies SD3 and SD4 of the Herefordshire Local plan – Core Strategy and the National Planning Policy Framework.

22. **Prior to the first occupation of the dwelling hereby permitted a scheme to enable the charging of plug in and other ultralow emission vehicles (e.g provision of cabling and outside sockets) to serve the occupants of the dwelling hereby approved shall be submitted to and approved in writing by the local planning authority.**

Reason: To address the requirements policies in relation to climate change SS7 and SD1 of the Herefordshire Local Plan Core Strategy and the guidance contained within 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 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.**
2. **I11 – Mud on highway**
3. **I09 – Private apparatus within the highway**
4. **I45 – Works within the highway**
5. **I05 – No drainage to discharge to highway**
6. **I47 – Drainage other than via highway system**
7. **I35 – Highways Design Guide and Specification**

There was a brief adjournment at 11:00 a.m. The meeting reconvened at 11:13 a.m.

17. **204346 - LAND ADJACENT TO STEEPWAYS, WELSH NEWTON, HEREFORDSHIRE, NP25 5RT (Pages 15 - 16)**

The senior planning officer gave a presentation on the application and the updates/representations received following the publication of the agenda as provided in the update sheets and appended to these minutes.

In accordance with the criteria for public speaking Ms D Clarke of Welsh Newton and Llanrothal Group Parish Council spoke on the application. Mrs S Parkinson, a local resident, spoke in objection to the application. Ms H Boughton, the applicant, spoke in support of the application.

In accordance with the council's constitution the local ward member, Councillor Elissa Swinglehurst, spoke on the application. Local objectors had expressed concern Welsh Newton Common was not a sustainable location for development. Housing targets had been exceeded locally and the County had over a five-year land supply. The access road was not adequate and was incompatible with the NDP which required developments to be accessed from a 'made-up' road. The development proposed would

be detrimental to the character of Welsh Newton Common and the application did not meet local need. The development would require the removal of hedges that were part of dormouse habitat, which was a protected species, and was therefore in conflict with planning policy.

The committee discussed the application.

A motion that the application be refused as it was not compliant with sustainable planning policies NPPF 175, WNL1, LD2, SS6, SS1 was moved.

The lead development manager explained that a previous application had been dismissed at appeal due to the section 106 agreement which had been missing; the inspector had been content with every other element of the proposal. Any refusal of the application would be difficult for the council to defend. The County had met the 5-year housing supply due to applications of this kind being approved.

The local ward member was given the opportunity to close the debate. She explained the application contained a proposal for two houses increasing road usage locally and accessed on a road which might not meet the requirement in the NDP to be 'made up'. The application would have detrimental impacts on Welsh Newton Common and conditions were encouraged to mitigate any damage caused.

The motion to refuse the application was put to the vote and lost.

A motion that the application be approved, subject to an amendment to condition 26, to include photovoltaic panels and an air source heat pump, was moved and was carried.

RESOLVED –

That planning permission be granted subject to the following conditions, the amendment to condition 26 as outlined above and any other further conditions considered necessary by officers named in the scheme of delegation to officers:

That planning permission be granted subject to the following conditions:

- 1. Time limit for commencement (full permission)**
- 2. Development in accordance with approved plans and materials**
- 3. Efficient use of water**
- 4. Samples of external materials**
- 5. C65 (Class A only with non standard reason linked to NDP policy)**
- 6. Restriction of hours during construction**
- 7. HRA New Private Treatment Plant & Surface Water to Soakaway**
- 8. Ecological Protection & Protected Species**
- 9. Ecological Protection**
- 10. Visibility splays**

11. **Access gates**
12. **Vehicular access construction**
13. **Driveway gradient**
14. **Parking - single/shared private drives**
15. **Construction Management Plan**
16. **Retention of existing trees**
17. **Trees In accordance with plans**
18. **Remedial Works**
19. **Habitat Regulations River Wye SAC – Foul Drainage Strategy**

As detailed in the Drainage Strategy Report by Morton Roberts Consulting Engineers ref 0923/R02 dated May 2019 all foul water shall discharge through connection to a new shared private foul water treatment system on land under the applicant's control unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to comply with The Conservation of Habitats and Species Regulations 2017, as amended by the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019' (the 'Habitats Regulations'), National Planning Policy Framework, NERC Act (2006) and Herefordshire Local Plan - Core Strategy policies SS1, SS6, LD2 and SD4.

20. **Habitat Regulations River Wye SAC – Surface Water Management Plan**

As detailed in the Drainage Strategy Report by Morton Roberts Consulting Engineers ref 0923/R02 dated May 2019 all surface water shall be managed through a Sustainable

Drainage Scheme on land under the applicant's control unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to comply with The Conservation of Habitats and Species Regulations 2017, as amended by the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019' (the 'Habitats Regulations'), National Planning Policy Framework, NERC Act (2006) and Herefordshire Local Plan - Core Strategy policies SS1, SS6, LD2 and SD4.

21. **Habitat Regulations River Wye SAC – Foul and Surface Water Management Arrangements**

Prior to first occupation of any dwellings hereby approved details of how all the shared aspects of the foul drainage scheme and surface water scheme will be managed for the lifetime of the development will be supplied to the Local Planning Authority for written approval. The approved management scheme shall be hereafter implemented in full unless otherwise agreed in writing by the Local Planning Authority

Reason: In order to comply with The Conservation of Habitats and Species Regulations 2017, as amended by the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019' (the 'Habitats Regulations'), National Planning Policy Framework, NERC Act (2006) and Herefordshire Local Plan - Core Strategy policies SS1, SS6, LD2, SD3 and SD4.

22. Nature Conservation – Dormice (Protected Species)

The working methods scheme, mitigation and enhancement features relating to Dormice as detailed in the Dormice report by Natasha James on behalf of Wilder Ecology supplied December 2019 shall be implemented and hereafter maintained in full as stated unless otherwise approved in writing by the local planning authority. No external lighting should illuminate any boundary feature, adjacent habitat or area around the approved Dormice mitigation or enhancement features.

Reason: To ensure that all species are protected and habitats enhanced having regard to The Conservation of Habitats and Species Regulations 2017, as amended by the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019' (the 'Habitats Regulations'), the Wildlife and Countryside Act 1981 (as amended), Policy SS1 SS6 and LD2 of the Herefordshire Core Strategy, National Planning Policy Framework (2019) and NERC Act 2006.

23. Nature Conservation – Ecology Protection, Mitigation

The ecological protection, mitigation, compensation and working methods scheme including for Great Crested Newts, as recommended in the ecology report by Wilder Ecology dated October 2018 shall be implemented and hereafter maintained in full as stated unless otherwise approved in writing by the local planning authority. No external lighting should illuminate any boundary feature, adjacent habitat or area around the approved mitigation measures.

Reason: To ensure that all species are protected and habitats enhanced having regard to The Conservation of Habitats and Species Regulations 2017, as amended by the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019' (the 'Habitats Regulations'), the Wildlife and Countryside Act 1981 (as amended), Policy SS1, SS6 and LD2 of the Herefordshire Core Strategy, National Planning Policy Framework (2019) and NERC Act 2006.

24. Nature Conservation – Biodiversity Net Gain

In addition to the secured Dormice mitigation-enhancement, prior to first occupation evidence (such as photos/signed Ecological Clerk of Works completion statement) of the suitably placed installation within the site boundary of at least FOUR Bat roosting enhancements, FOUR bird nesting boxes, TWO insect hotels/invertebrate habitat boxes, and ONE Hedgehog habitat home should be supplied to and acknowledged by the local authority; and shall be maintained hereafter as approved unless otherwise agreed in writing by the local planning authority. No external lighting should illuminate any biodiversity net gain enhancement feature or boundary feature.

Reason: To ensure that all species are protected and habitats enhanced having regard to the Conservation of Habitats and Species Regulations 2017, as amended by the Conservation of

Habitats and Species (Amendment) (EU Exit) Regulations 2019' (the 'Habitats Regulations'), the Wildlife and Countryside Act 1981 (as amended), Policy SS1, SS6 and LD2 of the Herefordshire Core Strategy, National Planning Policy Framework (2019) and NERC Act 2006 and Dark Skies Guidance Defra/NPPF 2013/2019.

25. Prior to the occupation of the development, submission of an updated strategy for the proposed foul and surface water drainage arrangements with the following information:

- Site specific calculations to size the proposed surface water and foul water drainage features**
- Submission of a site specific layout showing the proposed location of surface water and foul water drainage features.**
- Confirmation of groundwater levels**

Shall be submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented before the first use of any of the buildings hereby permitted.

Reason: In order to ensure that satisfactory drainage arrangements are provided and to comply with Policies SD3 and SD4 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

26.

Prior to the first occupation of the dwelling hereby permitted a scheme to enable the charging of plug in and other ultralow emission vehicles (e.g provision of cabling and outside sockets) to serve the occupants of the dwelling hereby approved shall be submitted to and approved in writing by the local planning authority.

Reason: To address the requirements policies in relation to climate change SS7 and SD1 of the Herefordshire Local Plan Core Strategy and the guidance contained within 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 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. I11 – Mud on highway**
- 3. I09 – Private apparatus within the highway**
- 4. I45 – Works within the highway**
- 5. I05 – No drainage to discharge to highway**
- 6. I47 – Drainage other than via highway system**
- 7. I35 – Highways Design Guide and Specification**

18. 201961 - HARTLETON FARM, BROMSASH, ROSS-ON-WYE, HR9 7SB (Pages 17 - 18)

The principal planning officer gave a presentation on the application and the updates/representations received following the publication of the agenda as provided in the update sheets and appended to these minutes.

In accordance with the criteria for public speaking Mr A Reeves of Linton Parish Council spoke on the application. Mr J Arrowsmith a local resident spoke in objection to the application. A statement from Mr D Baume, the applicant's agent, in support of the application was read to the committee.

In accordance with the council's constitution the proxy local ward member spoke on the application. Councillor Yolande Watson queried why site visits had not taken place and why the legal opinion sought by the council regarding the application had not been shared. The absence of a site plan was raised and the discernible difference in the position of the access on the landscape plan from the permission granted. The inconsistency of planning permission references was raised as a concern. It was proposed that the applicant could be asked to submit another application. The committee was encouraged to refer to the submission from counsel, as commissioned by the local community. The work that had been undertaken on site was not considered to comply with section 73 (2) (b) Town and Country Planning Act 1990 which undermined the claim that permission was extant.

The committee debated the application.

The lead development manager explained that the need for a site visit was discussed with the chairman but it was not felt necessary as the decision to be made by the committee was a technicality. The principal planning officer explained that there was a discrepancy between the site access on the permission and on the Landscape plan. Once the Landscape plan had been accepted by the planning department the new access had superseded that contained in the permission. Counsel's advice had been sought on this matter and there was felt to be no issue. Case law had established an objective test as to when development had commenced; works were deemed to have started on the site therefore the permission was extant. It was noted that conditions 1, 2 and 6 were all compliance conditions that required development to be carried out in accordance with details concerning materials, landscape and drainage that were approved by letter dated 9th December 2003. The letter would be appended to the decision notice which would be sent to the applicant.

The proxy local ward member was given the opportunity to close the debate. She urged the deferral of the application to allow the committee to undertake a site visit to see the scrapings that represented the commencement of development. The scrapings were not felt to be compliant with lawful material commencement contained in the Town and Country Planning Act 1990. A proper site plan was required which complied with condition 10 otherwise approval would be based on the landscape plan.

A motion that the application be approved was carried.

RESOLVED - That planning permission be granted subject to the following revised and reimposed conditions:

- 1. Development shall be carried out in accordance with the external materials approved by letter dated 9.12.2003 (reference SE1999/2612/F).**

**Reason: To ensure that the materials harmonise with the surroundings 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.
Time limit for commencement (full permission)**

- 2. Development shall be carried out in accordance with the landscaping details approved by letter dated 9.12.2003 (reference SE1999/2612/F).**

Reason: To safeguard and enhance the character and amenity of the area in order to conform with policies SS6, LD1 and LD3 of the Herefordshire Local Plan - Core Strategy and the National Planning Policy Framework.

- 3. All planting, seeding or turfing comprised in the approved details shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent to any variation.**

Reason: To ensure implementation of the landscape scheme approved by local planning authority in order to conform with policies SS6, LD1 and LD3 of the Herefordshire Local Plan - Core Strategy and the National Planning Policy Framework.

- 4. The chalets hereby permitted shall only be used for holiday purposes and shall not be used as a permanent or main residence.**

Reason: Having regard to Policy RA3 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework the local planning authority are not prepared to allow the introduction of separate units of residential accommodation in this rural location, with limited access to facilities for day to day living.

- 5. Provision shall be made for a water storage facility to serve the proposed development. Precise details of this facility shall be submitted to and approved by the Local Planning Authority in writing prior to work commencing on site and the approved scheme shall be implemented and operational prior to the occupation of the chalets.**

Reason: In order to ensure that satisfactory potable water arrangements are provided and to comply with Policy SD3 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

- 6. Development shall be carried out in accordance with the drainage details approved by letter dated 9.12.2003 (reference SE1999/2612/F). Development shall be carried out in accordance with the approved details before occupation of any of the chalets.**

Reason: In order to ensure that satisfactory drainage arrangements are provided and to comply with Policy SD4 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

- 7. All vehicular access to the chalet sites shall be via the access road off the Class II B4224 at South Herefordshire Golf Course.**

Reason: In the interests of highway safety, so as to adhere to Policy MT1 of the Herefordshire Local Plan – Core Strategy and the requirements of the National Planning Policy Framework.

- 8. The proposed development shall be carried out strictly in accordance with the approved plans:**
- **Site Location Plan**
 - **Site Plan of Village & Proposed minor amendment to siting (incorporating reduced no. of holiday cottages – Plan A Sept '94**
 - **V:2781:9 – Holiday Chalet Type A**
 - **V:2781:10 - Holiday Chalet Type B**
 - **V:2781:11 – Holiday Chalet Type C**
 - **L:2781:4 – Site Plan of lakeside holiday units**
 - **L:2731:5 – Holiday Chalet Type D (lakeside)**
 - **L:2781:6 - Holiday Chalets Lakeside (section and lakeside & motorway elevations)**
 - **256/01 – Landscape Layout and Maintenance**
 - **256/02 – Detailed Landscape Proposals**

Reason: To ensure adherence to the approved plans in the interests of a satisfactory form of development and to comply with Policies SD1 and LD1 of the Herefordshire Local Plan – Core Strategy and the requirements of the National Planning Policy Framework.

- 9. Prior to their construction elevations, floor plans of the garaging (footprint not to exceed that shown on the approved Site Plan) and an external material specification shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in strict accordance with the approved details.**

Reason: To ensure the scale and appearance of the garaging is acceptable in the interests of a satisfactory form of development and to comply with Policies SD1 and LD1 of the Herefordshire Local Plan – Core Strategy and the requirements of the National Planning Policy Framework.

INFORMATIVE:

- 1. The Local Planning Authority has acted positively and proactively in determining this section 73 application to vary an imprecise condition by assessing it against the extant planning permissions. It has subsequently determined to grant planning permission.**

203907 - PROPOSED NEW DWELLING AT LAND AT WOODSIDE STABLES, FROM GREAT HALL ROAD TO ST WULSTANS ROAD, WELSH NEWTON, NP25 5RT

For: Boughton per Mr David Kirk, 100 Chase Road, Ross-On-Wye, Herefordshire, HR9 5JH

ADDITIONAL REPRESENTATIONS

Committee Members will have received via email, a further representation over the weekend from Sue Parkinson, a local resident. The representation makes comments in regards to Welsh Newton Common as a village and also individual points on the application site itself about the footprint of the proposed dwelling; drainage, the existing stone barn and ecology.

OFFICER COMMENTS

I have reviewed the additional comments made within the representation and consider that the points have already been addressed within the Officers Committee Report and will be further addressed within the Officers presentation.

CHANGE TO RECOMMENDATION

No change

**204346 - PROPOSED DEVELOPMENT OF TWO DWELLINGS.
AT LAND ADJACENT TO STEEPWAYS, WELSH NEWTON,
HEREFORDSHIRE, NP25 5RT**

**For: Ms Boughton per Mr David Kirk, 100 Chase Road, Ross-
On-Wye, Herefordshire, HR9 5JH**

ADDITIONAL REPRESENTATIONS

Committee Members will have received via email, a further representation over the weekend from Sue Parkinson, a local resident. The representation makes comments in regards to Welsh Newton Common as a village and also individual points on the application site itself about the access road; drainage and biodiversity.

OFFICER COMMENTS

I have reviewed the additional comments made within the representation and consider that the points have already been addressed within the Officers Committee Report and will be further addressed within the Officers presentation.

CHANGE TO RECOMMENDATION

No change

201961 - PROPOSED VARIATION OF CONDITION 10 OF PLANNING PERMISSION SE1999/2612/F GRANTED ON APPEAL (REFERENCE: APP/W1850/A/00/1039625) FOR 22 HOLIDAY CHALETs WITH PARKING FACILITIES – ‘ORIGINAL’ PLANNING PERMISSION REFERENCE: SS980398PF) TO EXPLICITLY DETAIL THE APPROVED DRAWINGS AT HARTLETON FARM, BROMSASH, ROSS-ON-WYE, HR9 7SB.

For: Bellamy per Mr David F Baume, Studio 2, Thorn Office Centre, Holme Lacy Road, Rotherwas, Hereford, Herefordshire HR2 6JT

REPORT UPDATE

Reference to paragraph 55 of the NPPF, at paragraph 5.9 of the Report, is hereby amended to paragraph 56 following the publication of the NPPF July 2021, which replaces the previous version of the NPPF (published February 2019). There is no change to the wording of this paragraph and consequently no other update to the Report.

ADDITIONAL REPRESENTATIONS

A further letter has been received from the Preservation of Rural Beauty – Herefordshire and Gloucestershire (PRuB). This questions where the plans can be found on the website and if a recently submitted application (reference: 211926/F - Proposed demolition of existing toilet and shower block and replace existing dilapidated lodge with new lodge) will also be considered by Committee at the same time. It is stated that the applications are interrelated, being by the same applicant and rely, to some degree, on old permissions. The representation reasserts the view that original proposals can no longer be delivered, are irrelevant and seek to take speculative advantage of developing houses in the open countryside. It further states that the variation of condition is not justified under current development arrangements.

OFFICER COMMENTS

PRuB have been advised where the drawings can be found on the website. Whilst the referenced, recently submitted application falls within in the same wider site as that subject to this application, it is not intrinsically linked. Each application falls to be considered on its own facts and/or merits and do not need to be determined at the same time.

CHANGE TO RECOMMENDATION

No change.

