

Minutes of the meeting of Planning and regulatory committee held at Three Counties Hotel, Belmont Road, Belmont, Hereford, HR2 7BP on Wednesday 1 September 2021 at 10.00 am

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

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

In attendance: Councillors Lester (virtually) and Summers

19. APOLOGIES FOR ABSENCE

Apologies were received from Councillor Mark Millmore.

20. NAMED SUBSTITUTES (IF ANY)

There were no named substitutes.

21. DECLARATIONS OF INTEREST

Councillor Jeremy Milln declared an other interest in respect of agenda item no. 8, application 204317 – Land at Bicton House; the applicant was previously known by the member in a professional capacity.

22. MINUTES

RESOLVED: That the minutes of the meeting held on 4 August 2021 be approved.

23. CHAIRPERSON'S ANNOUNCEMENTS

The Chairman informed the meeting that he had agreed to the deferral of consideration of application 210640 – Crumplebury Farm to a later meeting date due to the late receipt of notification by the applicant's agent. The application would be deferred to a later meeting date when all interested parties could attend to provide representations to the committee in line with the rules for public participation.

24. 203268 - ROBINS NEST AT THE YARD, WOOFFERTON GRANGE, WYSON LANE, BRIMFIELD, HEREFORDSHIRE, SY8 4NP

(Councillor John Stone left the committee to act as the local ward member for the next application.)

The senior planning officer gave a presentation on the application.

In accordance with the criteria for public speaking, Mr G Burton, spoke in opposition to the application.

In accordance with the council's constitution, the local ward member spoke on the application. In summary he explained that the concerns relating to the application included: the impact on residential amenity from noise; suitability of the location for the development; the impact on the local Road network; and concern over the classification of the operation as a B2 business use given its position in a residential area.

The committee discussed the application.

The development manager north team explained that the change in use to B2 had prompted the current application. Such business use was not generally located in residential areas but an application for such an operation could be approved with suitable conditions.

The local ward member was given the opportunity to close the debate and explained that significant concerns remained in the local community regarding the application.

A motion that the application be refused due to: the adverse impact on residential amenity; the adverse impact on the local highway network; and that it was contrary to planning policies RA6 in the core strategy, BLH18 in the neighbourhood development plan and B2 business usage was carried.

RESOLVED: that planning permission be refused due to the adverse impact on residential amenity; the adverse impact on the local highway network; and the application was contrary to planning policies BLH18, RA6 and B2 business usage.

(There was an adjournment at 10:54 a.m., the meeting reconvened at 11:04 a.m.)

(Councillor John Stone resumed his seat on the committee)

25. 204317 - LAND AT BICTON HOUSE, BICTON, KINGSLAND, LEOMINSTER, HEREFORDSHIRE, HR6 9PR

(Councillor Sebastian Bowen left the committee to act as the local ward member for the next application.)

The planning officer gave a presentation on the application.

In accordance with the criteria for public speaking Mr A Godding, the applicant, had submitted a written submission in support of the application which was read to the meeting.

In accordance with the council's constitution, the local ward member, spoke on the application. In summary he commented that the application would provide affordable housing where there was a need locally. The design of the development was appropriate, it was not set in open countryside but was located in a hamlet and would have no impact on the river Lugg.

The committee discussed the application.

The development manager north team commented that the need for affordable housing had not been evidenced and the strategic housing manager had been unable to support the application without further information. The personal circumstances of the applicant were not material to the deliberations of the committee. The application was situated in the River Lugg catchment; before any permission could be issued an assessment would have to be conducted as to whether the proposed drainage from the development would have a significant impact upon the catchment.

A motion that the application be deferred to allow the applicant to provide greater detail concerning drainage and the need for affordable housing was carried. The chairman exercised his casting vote after an equality of votes for and against.

RESOLVED: that consideration of the application be deferred pending greater detail on drainage and the need for affordable housing.

(There was an adjournment at 11:41 a.m., the meeting reconvened at 11:51 a.m.)

(Councillor Sebastian Bowen resumed his seat on the committee)

26. 202910 - LAND ADJOINING LUCKNOW COTTAGE, PUTLEY GREEN, PUTLEY, HEREFORDSHIRE

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 Mr J Herbst of Putley Parish Council spoke on the application. Mrs F Fortnam, 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 he explained that the development was not in keeping with the local area and was contrary to the neighbourhood development plan and the protection of listed buildings. The design of the building was not of the local vernacular, it was located on a cramped site and its proximity to existing historic buildings was unacceptable.

The committee discussed the application.

A motion to defer consideration of the application was moved. The motion was later withdrawn.

The local ward member was given the opportunity to close the debate and thanked the committee for its consideration.

A motion to refuse the application due to: the unacceptable design of the development; its adverse impact on heritage assets; and it was contrary to LD4 in the core strategy and neighbourhood development plan policies PUT7 and PUT8 was carried.

RESOLVED: that planning permission be refused due to: the unacceptable design of the development; the adverse impact of the development on local heritage assets; and the application was contrary to planning policies LD4, PUT7 and PUT8.

The meeting ended at 12.37 pm

Chairperson

202910 - PROPOSED NEW DWELLING AT LAND ADJOINING LUCKNOW COTTAGE, PUTLEY GREEN, PUTLEY, HEREFORDSHIRE

For: Mrs F Fortnam per Mr Martin Teale, Acorns Business Centre, Office 10, Roberts End, Hanley Swan, Worcestershire, WR8 0DN

ADDITIONAL REPRESENTATIONS

Further to the publication of the officers' report, Land Drainage have provided an updated consultation response in relation to the amended block plan submitted on 18th August 2021. They comment as follows:

“Based on the proposed location of the drainage field, only Percolation Test Holes A, B and C should be used to establish a Vp rate, as these are located in the actual area proposed for the drainage field. Therefore the revised Vp rate for this area is 13.6 sec/mm. Therefore an EA permit will still be required. The EA permit is also an essential requirement due to the proposed drainage field location and its proximity (within 20m) of a well which is used as a water source. Our comments therefore still stand.”

Additionally, a letter of objection has also been received from a local resident. This is provided below:

“We note the revised submission by the applicant to relocate various drainage features in an attempt to comply with the rules. Unfortunately, the proposal still falls significantly short of what is set out in both the Building Regulations and the General Binding Rules. Therefore, planning permission should not be granted.

The drawings show that the drainage field would be squeezed in, just 10m from The Homestead and a similar distance from the new dwelling. This would not be permissible. Section H2 (p1.26 to 1.27) of the Building Regulations sets out the requirements for locating a drainage field to serve either a septic tank or package treatment plant. S1.27c says a drainage field should be located at least 15m from any building. The septic tank is also still within the 50m of two wells either side less than 20m to the Homestead and around 30m to the Twinings. Due to this close proximity there is still a requirement for an EA permit under Rule 7 of the General Binding Rules for small sewage discharges with effect from January 2015. These are legally binding requirements in regulations that set the minimum standards or conditions which apply. In this case the conditions are set in the Environment Permitting (England and Wales)(Amendment)(England) Regulations 2014.

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/397173/ssd-general-binding-rules.pdf

Furthermore, the revised project would be an unprepossessing building which would not merge with the existing fabric of the housing group. It is so discordant that its presence would harm the character and appearance of the area. This guidance, PPG 4, is out of date and was withdrawn on 14 December 2015 and is no longer a relevant document having been superseded by other guidance. Please find link below.

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/485181/pmho0706bjgl-e-e.pdf

OFFICER COMMENTS

Officers are aware of the requirement for a 15 metre offset from a package treatment plant to a building as defined in Building Regulations. However, BS 6297 offers different advice to the building regulations, to which Land Drainage defer to British Standards. Good practice indicates that the position of features including the location of wastewater treatment equipment, drainage fields for a single dwelling is to position them as far away as practical, and consider prevailing wind direction, with a recommended minimum of 7 metres for habitable buildings. The 10 metres proposed in this application would therefore meet and exceed good practice guidelines and thus, the Land Drainage comments at section 4.2 of the report still stand.

NO CHANGE TO RECOMMENDATION