

MINUTES of the meeting of Southern Area Planning Sub-Committee held at : The Council Chamber, Brockington, 35 Hafod Road, Hereford on Wednesday, 25th October, 2006 at 10.00 a.m.

Present: Councillor H. Bramer (Vice Chairman in the Chair)

Councillors: M.R. Cunningham, G.W. Davis, Mrs. A.E. Gray, Mrs. J.A. Hyde, J.G. Jarvis, D.C. Taylor and J.B. Williams

In attendance: Councillors P.J. Edwards, T.W. Hunt (ex-officio), R.I. Matthews, J.C. Mayson, R.J. Phillips and R.M. Wilson

64. APOLOGIES FOR ABSENCE

Apologies were received from Councillors J.W. Edwards, G. Lucas, and P.G. Turpin.

65. DECLARATIONS OF INTEREST

There were no declarations of interest made.

66. MINUTES

RESOLVED: That the Minutes of the meeting held on 27th September, 2006 be approved as a correct record and signed by the Chairman.

67. ITEM FOR INFORMATION - APPEALS

The Sub-Committee noted the Council's current position in respect of planning appeals for the southern area of Herefordshire.

68. DCSE2006/3045/F - ALVASTON HOUSE, DANCING GREEN, ROSS-ON-WYE, HEREFORDSHIRE, HR9 5TE (AGENDA ITEM 5)

Extension, new chimney, new double garage and workshop.

The Planning Officer reported the receipt of comments from the parish Council who unanimously supported the application.

In accordance with the criteria for public speaking, Mrs. Herman, the applicant, spoke in support of her application.

Councillor J.G. Jarvis felt that the dwelling looked unbalanced at present and felt that granting the application would improve the appearance. He noted that there were no objections from local residents or the Parish Council and felt that the application should be approved.

Councillors J.B. Williams felt that the Planning Policy should not be disregarded and believed that granting the application could result in an influx of similar applications.

SOUTHERN AREA PLANNING SUB-COMMITTEE WEDNESDAY, 25TH OCTOBER, 2006

The Southern Team Leader advised the sub-committee in respect of the UDP policy regarding extensions. He said that the application clearly did not comply with the policy and had therefore been recommended for refusal. He noted that the current proposal was the 4th extension to the dwelling and felt that it could result in a detrimental affect to affordable housing in the area.

RESOLVED

The Southern Area Planning Sub-Committee is minded to approve the application subject to the conditions set out below (and any further conditions felt to be necessary by the Head of Planning Services) provided that the Head of Planning Services does not refer the application to the Planning Committee.

a) No conditions recommended

If the Head of Planning Services does not refer the application to the Planning Committee, officers named in the Scheme of Delegation to Officers be instructed to approve the application to such conditions referred to above.

[Note: Following the vote on this application, the Development Control Manager advised that he would not refer the decision to the Head of Planning Services.]

69. DCSW2003/3281/N - STONEY STREET INDUSTRIAL ESTATE, MADLEY, HEREFORD (AGENDA ITEM 6)

Waste treatment (using an autoclave) & recycling facility, including construction of a new building.

The Chairman advised the Sub-Committee that the application had been approved by the Southern Area Planning Sub-Committee in March 2004 but the decision had since been quashed by the High Court after a Judicial Review thus resulting in the application being undetermined. The Chairman outlined the arrangements for the meeting and stated that due to the public interest in the application, public speaking had been increased from 3 minutes to 10 minutes for the Parish Council, the objectors, and the applicant.

The Development Control Manager presented his report and said that 3 further letters of objection had been received from local residents. He also reported the receipt of comments from Eaton Bishop Parish Council which had been omitted from the report, and correspondence from Paul Keetch MP and Councillor P.G. Turpin, Chairman of the Southern Area Planning Sub-Committee, objecting to the application.

In accordance with the criteria for Public Speaking, Mrs. Yates, representing Madley Parish Council, spoke against the application. She expressed concerns about the environmental and ecological impact of the proposed scheme, the road safety issues that would arise because of the large number of heavy vehicles travelling to and from the site, the inadequate road network for such vehicles from the Greyfriars Bridge in Hereford to the site, the possible risk to the neighbouring Gelpack site and the unsuitable location for the site. She stated that a report commissioned for Madley Parish Council by TMS had highlighted a number of areas of concern in respect of highways and that the section 106 agreement only addressed one of the many pinch points along the suggested route.

Mr. Berry, Managing Director of Gelpack Ltd, also spoke against the application. He expressed concerns about the unproven technology being proposed by Estech Europe and the impact that approving the application could have on Gelpack as an

SOUTHERN AREA PLANNING SUB-COMMITTEE WEDNESDAY, 25TH OCTOBER, 2006

employer in Herefordshire. He confirmed that 60% of Gelpack's product output went to the food and pharmaceutical industry and that up to 200 jobs could be at risk if these major contracts were jeopardised by granting planning permission to Estech.

Mr. Rogers, representing members of the Waste Watchers group, felt that the report was prejudiced and that the Sub-Committee had not been provided with sufficient information to make a judgement on the application. He felt that the application should be deferred until all of the relevant information could be provided. He also had concerns regarding the 'fibre' produced as a result of the autoclave process. He felt that the application should not be granted until a suitable market for the fibre had been identified. He also voiced his concerns regarding the ecological and environmental impact of the proposed scheme as well as road safety issues.

Mr. Fowler-Wright of MPD Ltd, the site owners, and Mr. Craven, Chairman of Estech Europe Ltd, spoke in support of the application. Mr. Fowler-Wright said that he felt that Estech had been open and honest about the application. He had concerns regarding the objections raised by Gelpack and felt that these objections were unsubstantiated. He felt that there should be no concerns in respect of the proven autoclave technology and also noted that Estech had an exit strategy in place for the 'fibre' but that he believed this information to be commercially sensitive at the present moment. Mr. Craven said that the Mobile Demonstration Unit had given local residents the opportunity to view the proven technology involved in the autoclave process. He said that granting the application would reduce the amount of waste transported to Worcestershire for landfill, this waste could be recycled by Estech and would have a major impact upon the waste management requirements of the County for the next 25 years. He felt that the application was in accordance with the Council's policies and noted that the statutory consultees had raised no objections.

The Vice-Chairman adjourned the meeting for 15 minutes and advised the Sub-Committee that the meeting would reconvene at 12:05 prompt.

Councillor D.C. Taylor, the Local Ward Member, noted that Worcestershire County Council granted Estech planning permission in 2004 but that they had included a condition in respect of the removal of 'fibre', he felt that if the application was approved a similar condition should be included in the resolution. He also had concerns in respect of the highways issues and noted that the Highways budget had been reduced over the last 5 years. He noted the concerns raised by the Parish Council in respect of the road width and felt that these concerns, raised in the TMS report, should be addressed. He also addressed his concerns in respect of the environmental impact of the application and the effect that granting the application could have on the two neighbouring businesses, A.W. Trailers and Gelpack.

Councillor J.G. Jarvis was disappointed at the negative comments directed towards the case officer by Mr. Rogers.

In response to a number of questions raised by Councillor J.G. Jarvis, the Development Control Manager advised the Sub-Committee that a condition was in place to limit the waste to 100,000 tonnes but that in the future the applicant could re apply to vary this condition. He also said that the amount of waste which would go to landfill would be reduced by around 60% as a result of the autoclave process and that the Regional Spatial Strategy set out to reduce landfill gradually.

Councillor J.B. Williams thanked the case Officer for a detailed report. He felt that the increase in traffic was not unreasonable and felt inclined to agree with the Officers recommendation.

In response to a question raised by Councillor G.W. Davis, the Development Control

SOUTHERN AREA PLANNING SUB-COMMITTEE WEDNESDAY, 25TH OCTOBER, 2006

Manager advised the Sub-Committee that building work would not commence until a waste management licence had been granted.

Councillor M.R. Cunningham noted his disappointment at the omission of a Grampian condition. He expressed concerns regarding the unproven technology, the road safety issues, the inadequate highways infrastructure, disposal of the resulting fibre and the impact on amenity to local residents and businesses. He also had some concerns as to whether the proposed use actually constituted a B2 usage. Due to these reasons he felt that he could not support the application and moved for refusal against the Officers recommendation.

The Development Control manager confirmed that waste processing was classed as a B2 usage. He advised Members that the doors to the unit would only be open for 2 minutes at a time to allow access and egress to vehicles.

RESOLVED:

That: (i) The Southern Area Planning Sub-Committee is minded to refuse the application subject to the reasons for refusal set out below (and any further reasons for refusal felt to be necessary by the Head of Planning Services) provided that the Head of Planning Services does not refer the application to the Planning Committee:

- A) Concerned about the highways infrastructure**
- B) The Current Local Plan does not permit B2 usage on the site**
- C) Impact on the amenity to local residents**
- D) Impact on the amenity to local businesses**

(ii) If the Head of Planning Services does not refer the application to the Planning Committee, Officers named in the Scheme of Delegation to Officers be instructed to refuse the application subject to such reasons for refusal referred to above.

[Note: Following the vote on this application, the Southern Team Leader advised that he would refer the decision to the Head of Planning Services.]

The meeting ended at 1.20 p.m.

CHAIRMAN