

**MINUTES of the meeting of Planning Committee held at The Council Chamber, Brockington, 35 Hafod Road, Hereford on Friday, 24th November, 2006 at 10.00 a.m.**

**Present:** Councillor T.W. Hunt (Chairman)  
Councillor J.B. Williams (Vice Chairman)

Councillors: Mrs. P.A. Andrews, B.F. Ashton, Mrs. W.U. Attfield, H. Bramer, P.J. Dauncey, Mrs. C.J. Davis, G.W. Davis, D.J. Fleet, K.G. Grumbley, J.G.S. Guthrie, P.E. Harling, J.W. Hope MBE, B. Hunt, Mrs. J.A. Hyde, Mrs. J.E. Pemberton, Ms. G.A. Powell, D.C. Taylor and W.J. Walling

**In attendance:** Councillors J.W. Edwards, P.J. Edwards, Mrs. J.P. French, D.B. Wilcox and R.M. Wilson

**85. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Brig P Jones, RM Manning, R Preece and Mrs PG Turpin.

**86. NAMED SUBSTITUTES (IF ANY)**

The following named substitutes were appointed:-

| <b>MEMBER</b> | <b>SUBSTITUTE</b> |
|---------------|-------------------|
| Brig P Jones  | KG Grumbley       |
| RM Manning    | H Bramer          |
| RI Matthews   | Ms G Powell       |
| R Preece      | Mrs WU Attfield   |
| PG Turpin     | GW Davis          |

**87. DECLARATIONS OF INTEREST**

There were no declarations of interest made at the meeting

**88. MINUTES**

**RESOLVED:** That the Minutes of the meeting held on 30th October, 2006 be approved as a correct record and signed by the Chairman

**89. CHAIRMAN'S ANNOUNCEMENTS**

The Chairman outlined the arrangements for the meeting.

**90. NORTHERN AREA PLANNING SUB-COMMITTEE**

**RESOLVED:** That the report of the meeting held on 8th November, 2006 be received and noted.

**91. CENTRAL AREA PLANNING SUB-COMMITTEE**

**RESOLVED:** That the report of the meeting held on 15th November, 2006 be received and noted.

**92. SOUTHERN AREA PLANNING SUB-COMMITTEE**

**RESOLVED:** That the report of the meeting held on 25th October, 2006 be received and noted.

**93. REPORTS OF THE HEAD OF PLANNING SERVICES**

The Committee considered the following planning applications and authorised the Head of Planning Services to impose any additional or varied conditions and reasons which he considered to be necessary.

**94. DCSW2003/3281/N - WASTE TREATMENT (USING AN AUTOCLAVE) & RECYCLING FACILITY, INCLUDING CONSTRUCTION OF A NEW BUILDING, STONEY STREET INDUSTRIAL ESTATE, MADLEY, HEREFORD, HR2 9NQ.**

The Director of Environment said that the application has attracted considerable interest amongst the public and outlined the amount of work and research which had gone into the preparation of a very comprehensive report. He pointed out that the Planning Officers were not advocates for applicants but reported their professional findings and had formulated the recommendations from these. It was for the Committee to determine the application based on the information in the report and presented at the meeting.

The Development Control Manager said that the application was considered by the Southern Area Planning Sub-Committee at its meeting on 25th October 2006 when it was mindful to refuse permission contrary to recommendation and Officer advice. The Sub-Committee had originally approved the application in March 2004 but the decision had since been quashed by the High Court after a Judicial Review which had resulted 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 three minutes to ten minutes each for the Parish Council, the objectors, and the applicant. The Director of Environment explained why the application had followed the Sub-Committee route because the Council's waste strategy was already in place and this was a specific site application for a waste treatment facility. The Judicial Review process had left the application undetermined and further information had been required because time had moved on and the statutory consultees, members of the public, parish councils and other groups had raised issues which had needed addressing. Officers had endeavoured to provide the information required but it had been a lengthy and time-consuming process.

The Development Control Manager presented his report and said that six further letters of objection had been received from local residents and a resident of Rotherwas regarding concerns about potential pollution and environmental issues, effects on local ecology, a bridleway across the site, transportation, the effects on the school and surgery and the potential hazards of an untried and untested system. Madley Parish Council had considerable concerns about the volume of heavy lorries using what they considered to be an inadequate road network to Madley and had asked for consideration of the application to be deferred pending resolution of the traffic congestion generated at the new Belmont roundabout. He outlined the main issues contained within his report and pointed out where it had been updated to

reflect representations made and further information received since the meeting of the Sub-Committee. He said that all the concerns and objections had been addressed within the report and he explained these to the Committee. He proposed that lengthy conditions be attached to any permission to cover the issues raised and said that the applicants would need to obtain the appropriate licence from the Environment agency before any work could commence on site and the time that waste could be stored there would be limited to 48 hours.

The Head of Legal and Democratic Services said that Solicitors acting on behalf of Waste Watchers had challenged the lawfulness of the referral procedure and he had informed them that it was contained within the Council's Constitution. He advised that the decision was based on planning policies, planning merits and land use, not waste management issues.

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. Rogers, representing members of the Waste Watchers Group said that he was voicing the concerns of some three thousand local residents about the ecological and environmental impact of the proposed scheme as well as road safety issues. His main area of concern was that the process had not been commercially tried and tested and could not be proved to be safe and environmentally friendly, it had only been shown as a demonstration model. The applicants had been unable to fulfil the planning requirements of another facility in Worcester by establishing a market for the fibre produced as a result of the autoclave process. A Grampian Condition had been imposed about this. He felt that the fibre was not suitable for composting, fuel or use in the building industry and that the application should not be granted until a suitable market for the fibre had been identified. The process had not been approved anywhere else in the world and felt that until it could be proved to be safe, it should not be approved.

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 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. There was a strong likelihood that the customers for his products would go elsewhere if there was the slightest risk of contamination posed to his products.

Mr. Fowler-Wright of MPD Ltd, the site owners, and Mr. Allen, Managing Director 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 and had provided him with confidential information about their process. He felt that there should be no concerns in respect of the proven autoclave technology and that the application provided a great opportunity to pioneer the processing of waste instead of it going to landfill. Mr. Allen 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 from 2.6 million tonne miles to 1.4 tonne miles. The 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 and the recovered material would go to established markets. He felt that the application was in accordance with the Council's policies and requirements of the Environment Agency and noted that the statutory consultees had raised no objections.

Councillor D.C. Taylor, the Local Ward Member, noted that Worcestershire County Council had granted Estech planning permission in 2004 but that they had included a condition in respect of the disposal of the fibre created in the process. He felt that if the application was approved a similar condition should be included in the conditions. He also had concerns in respect of the highways issues and noted that the Highways budget had been reduced over the last five 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. The proposal could generate an additional two-hundred commercial vehicle trips per hour over narrow country roads and he felt that the facility would be far better suited to Rotherwas where it would be much closer to the Council's sorting and recycling facility. He also expressed 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 from a process that was technologically unproven. He said that the policies within the South Herefordshire District Local Plan were in place to prevent the potential problems which had been raised and therefore use of the land should be restricted to B1 and B8. He proposed that the application should be rejected on policy grounds, the road network being unsuitable for additional heavy vehicle traffic and the process being untried.

In response to a questions raised by Members, the Development Control Manager advised 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 BF Ashton felt that there were a number of concerns about the application and with it being a complex issue there could be difficulty in enforcing all the conditions, particularly regarding the route from Hereford to Madley. He was of the view that location, aspect, impact and access were the key issues. He noted that the waste would be dealt with inside the building and would not be stored outside thereby not creating any environmental problems. He was concerned that the waste would travel to the building past Gelpack Ltd in its untreated form and wondered if it could have an adverse affect on Gelpack's production process at that point. In answer to a question from Councillor Ashton, the Transportation Manager said that the Section 106 planning obligation attached to the application would require the payment of £100,000 to carry out improvement to 'pinch-points' along the route. Councillor Ashton thought that the process involved had great merit in dealing with waste if it worked but that it was in the wrong location at Madley and agreed with the view that it should be at Rotherwas.

In response to a question raised about the proposals for dealing with the waste, the Development Control Manager advised that it would be taken to the Council site at Rotherwas, compacted and then transported to Madley for processing. 20% of the waste was comprised of metal and plastic which would be collected for recycling. 60% was processed into organic fibre and the remaining 20% would go to landfill. The fibre was created by pressure cooking with no flame and therefore no dioxins or adverse affect on the environment would arise. Planning permission was just one element of the lengthy process that the company had to go through before they could become operational and building work could not commence before they had obtained a waste management licence from the Environment Agency.

Councillor GW Davis expressed 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. Councillor DJ Fleet was concerned about the extra lorry journeys required by having to go to Rotherwas first then to Madley and the adverse impact that this could have on the Belmont Roundabout. Councillor B Hunt was of the view that the proposal was for an innovative scheme that would make a major contribution to dealing with the County's domestic waste and that it should not be rejected because it was new and untried. Councillor JB Williams felt that the transportation problems had been satisfactorily addressed and that there were many other stages to go through before the scheme could commence. The scheme was for an industrial site and he felt that it was satisfactory there and that there would be no adverse affect on the environment or the locality that the objectors were concerned about. Councillor JW Hope pointed out that all planning requirements and statutory consultees were satisfied about the environmental, transportation and other issues and that the proposal would reduce HGV journeys out of the County and play a major part in the Council's recycling strategy.

Having considered all the facts in relation to the application and the views that had been expressed during the debate, particularly the transportation and environmental issues, the Committee voted on the application. A motion that the application should be refused was lost. A motion to approve the application was carried.

**RESOLVED THAT:**

- (i) **it be recorded, pursuant to the Town and Country Planning (Environmental Impact Assessment)(England and Wales) Regulations 1999 (SI 1999 No 293), Regulation 3(2) that the Herefordshire Council have taken the environmental information into consideration when making their decision. "Environmental Information" is defined by Regulation 2(1) as "the environmental statement, including any further information, any representations made by any body required by those Regulations to be invited to make representations, and any representations duly made by any other person about the environmental effects of the development:" and**
- (ii) **that the application be approved subject to the following conditions and any further conditions considered necessary by officers.**

**1. A01 (Time limit for commencement (full permission))**

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

- 2. The premises shall be used for waste treatment using the autoclave processes described in the submitted Environmental Statement along with the sorting and despatch of recyclable materials and residues and for no other purposes including any other purposes in Use Class B.2 of the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.**

**Reason: To restrict the use of the site to that proposed and described in the submitted Environment Statement, in the interests of the amenities of**

the site and surrounding area, and to comply with Policy GD.1 of the South Herefordshire District Local Plan.

3. Not more than 100,000 tonnes of waste shall be processed on site in any 12 month period.

Reason: To limit the scale of the operation and to ensure that the permission is operated in accordance with the principles of Best Practicable Environmental Option, Waste Hierarchy, Proximity Principle, Regional Self-Sufficiency, to safeguard the amenities of the locality and to comply with Policy GD.1 of the South Herefordshire District Local Plan.

4. No material shall be processed by the steam autoclave process on site other than Municipal Solid Waste and non-hazardous Commercial Waste collected by or on behalf of, or for disposal by, the County of Herefordshire District Council or the local authorities of Worcestershire (including both the County Council and the local authority districts in Worcestershire). For the purposes of this condition the definition of “non-hazardous Commercial Waste” is:

Waste which is collected by, or on behalf of, local authorities from non-domestic properties and which is none of the following:

Hazardous Waste (as defined in the Special Waste Regulations 1996), Clinical Waste (as defined in the Controlled Waste Regulations 1992), or material falling within the provisions of the Waste and Electronic and Electrical Equipment Directive.

Reason: In order to define the permission and to ensure that the permission is operated in accordance with the principles of Best Practicable Environmental Option, Waste Hierarchy, Proximity Principle, Regional Self-Sufficiency, to safeguard the amenities of the locality and to comply with Policies GD.1 and C.47 of the South Herefordshire District Local Plan.

5. Not more than 40% of the material processed on site in any 12 month period shall originate from outside of the county of Herefordshire and not more than 20% of the material processed on site in any 12 month period shall originate from outside of the county of Herefordshire after 10 years of the date of commencement of processing.

Reason: In order to define the permission and to ensure that the permission is operated in accordance with the principles of Best Practicable Environmental Option, Waste Hierarchy, Proximity Principle, Regional Self-Sufficiency, to safeguard the amenities of the locality and to comply with Policies GD.1 and C.47 of the South Herefordshire District Local Plan.

6. None of the “Fibre” produced by the waste treatment operations at the site shall be disposed of to landfill as waste. For the purposes of this condition the term “Fibre” is a reference to Homogeneous Organic Fibre as described in Section 2.2.1.(ii) of the Revised Environmental Statement dated October 2005.

Reason: To ensure compliance with policies WD.1 and WD.2 of the Regional Spatial Strategy for the West Midlands, to ensure consistency

with the assumptions in the submitted Revised Environmental Statement and to ensure compliance with the principles of Best Practicable Environmental Option.

7. No treated or untreated waste shall be stored on site other than within the main building.

Reason: To protect the appearance of the locality, the amenities of local people and to prevent pollution and to comply with Policy GD.1 of the South Herefordshire District Local Plan.

8. All doors and building openings on the eastern elevation of the main building (i.e. in the direction of Kingstone) shall be kept closed during the periods after 2300 hours and before 0700 hours on any day and all doors to the process building shall be kept closed when not in use.

Reason: To protect the interests of residential amenity and to comply with Policy GD.1 of the South Herefordshire District Local Plan.

9. The submitted means of preventing detrimental impacts on air quality outside the main building, including the maintenance of negative air pressure within the building and other controls over emissions from the building as specified in the application and supporting documents, shall be maintained fully operational at all times during which waste treatment is taking place on the site.

Reason: To safeguard residential amenity and to comply with Policy GD.1 of the South Herefordshire District Local Plan.

10. All vehicles which are within the control of the operator of the site and are carrying waste shall be sheeted over or otherwise sealed or contained sufficiently to prevent spillage or escape of waste from those vehicles when they are outside the main building.

Reason: To safeguard the amenities of nearby residential properties and nearby businesses and to comply with Policy GD.1 of the South Herefordshire District Local Plan.

11. The arrival and departure of Service Delivery Vehicles to and from the site shall not take place outside the hours of 0700 hours to 1800 hours Mondays to Fridays, and 0800 hours to 1300 hours on Saturdays, and shall not take place at all on Sundays and the public holidays for Christmas Day, Boxing Day and New Years Day. Exceptionally, on up to ten occasions per annum, vehicle movements for deliveries or despatches to and from the site may take place outside the permitted hours subject to the prior written agreement of the local planning authority.

Reason: To safeguard the amenities of the locality and to allow the operator flexibility if necessary to cater for unforeseen events without excessive adverse effects on the locality, and to comply with Policy GD.1 of the South Herefordshire District Local plan.

12. The level of noise emitted from the proposed development shall not exceed 43dB  $L_{Aeq, 1h}$  after 2300 hours or before 0700 hours on any day, as measured at a distance of 25m from the building, in a south easterly direction in a direct line towards Dene Villa. All measurements are to be

taken in accordance with BS 4142, 1997.

**Reason:** To protect the interests of residential amenity and to comply with Policies GD.1 and C.47 of the South Herefordshire District Local Plan.

13. Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound shall be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound shall be at least equivalent to the capacity of the largest tank, vessel or the combined capacity of interconnected tanks or vessels plus 10%. All filling points, associated pipework, vents, gauges and sight glasses must be located within the bund or have separate secondary containment. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework shall be located above ground and protected from accidental damage. All filling points and tank/vessels overflow pipe outlets shall be detailed to discharge downwards into the bund.

**Reason:** to prevent pollution of the water environment and to comply with policies C.43, C.45 and C.46 of the South Herefordshire District Local Plan.

14. No development approved by this permission shall be commenced until a surface water scheme, including the provision and implementation of surface water run-off limitation, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved programme and details, including Figure 2.6 (Drainage Layout) submitted with the planning application.

**Reason:** to prevent pollution of the water environment and to comply with policies C.43, C.45 and C.46 of the South Herefordshire District Local Plan.

15. Foul drainage from the facility shall be connected to the mains public foul sewer, unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** to prevent pollution of the water environment and to comply with policies C.43, C.45 and C.46 of the South Herefordshire District Local Plan.

16. All process cleansing water shall be disposed of to the on site water treatment system, for containment prior to adequate, safe, off site disposal, unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** to prevent pollution of the water environment and to comply with policies C.43, C.45 and C.46 of the South Herefordshire District Local Plan.

17. Prior to any remediation works on site in respect of potential ground contamination a Method Statement detailing the remediation requirements shall be submitted to and approved in writing by the Local Planning Authority. The Method Statement will use the information



obtained from the submitted site investigation report and related documents and shall detail measures to minimise the impact on risks to human health, ground and surface waters.

**Reason:** To ensure that the proposed remediation will not cause risks to human health or pollution of Controlled Waters and to comply with policies C.43, C.45 and C.46 of the South Herefordshire District Local Plan.

18. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an addendum to the site investigation. This addendum shall include details on how the contaminants would be remediated (to be set out in a Method Statement) and shall thereafter be carried out in accordance with those details.

**Reason:** To ensure that the proposed remediation will not cause risks to human health or pollution of Controlled Waters and to comply with policies C.43, C.45 and C.46 of the South Herefordshire District Local Plan.

19. Upon completion of the remediation detailed in any Method Statement a report shall be submitted to the Local Planning Authority that provides verification that the required works regarding contamination have been carried out in accordance with the approved Method Statement(s). Post remediation sampling and monitoring results shall be included in the report to demonstrate that the required remediation has been fully met. Future monitoring proposals and reporting shall also be detailed in the report.

**Reason:** To protect human health and Controlled Waters by ensuring that the remediated site has been reclaimed to an appropriate standard and to comply with policies C.43, C.45 and C.46 of the South Herefordshire District Local Plan.

20. D01 (Site investigation – archaeology)

**Reason:** To ensure the archaeological interest of the site is recorded and to comply with Policy C.34 of the South Herefordshire District Local Plan.

21. G.13(Landscape design proposals)

**Reason:** In the interests of visual amenity and to comply with Policy GD.1 of the South Herefordshire District Local Plan.

22. G14 (Soft landscaping works)

**Reason:** In the interests of visual amenity and to comply with Policy GD.1 of the South Herefordshire District Local Plan.

23. G15 (Landscaping implementation)

**Reason:** In the interests of visual amenity and to comply with Policy GD.1 of the South Herefordshire District Local Plan.

24. G27 (Landscape maintenance arrangements)

Reason: In the interests of visual amenity and to comply with Policy GD.1 of the South Herefordshire District Local Plan.

25. G33 (Details of walls/fences)

Reason: In the interests of visual amenity and to comply with Policy GD.1 of the South Herefordshire District Local Plan.

26. The nesting boxes intended for use by Barn Owls and shown on the submitted plans shall be provided before the autoclaves are first brought into use.

Reason: In order not to deter the nesting or roosting of barn owls which are a species protected by the Wildlife and Countryside Act 1981, and to comply with Policy C.15 of the South Herefordshire District Local Plan.

27. F32 (Details of floodlighting/external lighting)

Reason: To safeguard local amenities and to comply with Policy GD.1 of the South Herefordshire District Local Plan.

28. H13 - Access, turning area and parking;

Reason: In the interests of highway safety and to ensure the free flow of traffic using the adjoining highway and to comply with Policy T.3 of the South Herefordshire District Local Plan.

29. H17 – Improvements to the pinch point on Stoney Street to ensure safe flow of traffic.

Reason: To ensure the safe and free flow of traffic on the highway and to comply with Policy T.3 of the South Herefordshire District Local Plan.

30. H21 - Wheel washing;

Reason: To ensure that the wheels of vehicles are cleaned before leaving the site in the interests of highway safety and to comply with Policy T.3 of the South Herefordshire District Local Plan.

31. H27 - Parking for site operatives; and

Reason: To prevent indiscriminate parking in the interests of highway safety and to comply with Policy T.3 of the South Herefordshire District Local Plan.

32. H29 - Secure cycle parking provision.

Reason: To ensure that there is adequate provision for secure cycle accommodation within the application site, encouraging alternative modes of transport in accordance with Policy T.1A of the South Herefordshire District Local Plan.

33. H.30 – Green Transport Plan

Reason: To minimise adverse impacts of the development on the local

highway network and to comply with Policy T.1A of the South Herefordshire District Local Plan.

**34. F16 (Restriction of hours during construction)**

**Reason:** To protect the amenity of local residents and to comply with Policy GD.1 of the South Herefordshire District Local Plan.

**35. No material shall be processed on site unless and until one week's notice of the date of commencement is given in advance in writing to the local planning authority.**

**Reason:** In order to define the date of commencement and to enable the permission to be monitored in accordance with the conditions imposed on it in the interests of nature conservation, pollution control, the amenities of local people and Policy GD.1 of the South Herefordshire District Local Plan.

**Informative(s)**

- 1. The decision to grant planning permission has been taken having regard to the provisions of the Development Plan, in particular policies WD.1, WD.2 and WD.3 of the Regional Spatial Strategy for the West Midlands, the relevant policies in the Hereford and Worcester Structure Plan and the South Herefordshire District Local Plan concerning waste treatment and highways and amenity issues generally, along with the relevant national planning policy guidance, especially PPS10 and PPS23, and the emerging Unitary Development Plan. The local planning authority has also had regard to the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999, the Waste Strategy 2000 and the practice of Best Practicable Environmental Option as commended in the Development Plan. The Local Planning Authority has concluded that the benefits of the development, especially in regard to the implementation of the above policies, outweigh potential adverse impacts on the amenities of the locality and effects on the highway network including consideration of highway safety, highway capacity and environmental effects of traffic serving the site. The local planning authority has also concluded on the basis of all the submitted material there would be insufficient adverse environmental effects generally (including potential for pollution) from the proposed development to justify refusal of planning permission.**
- 2. Further details explaining the decision pursuant to Regulation 21 of the Town and Country Planning (Environmental Impact Assessment) Regulations 1999 are available for public inspection at Blueschool House, Blueschool Street, Hereford (telephone 01432-260342).**
- 3. N19 - Avoidance of doubt**
- 4. HN4 - Private apparatus within the highway;**
- 5. HN5 - Works within the highway;**
- 6. HN7 - Section 278 Agreement.**
- 7. HN25 - Green Travel Plan**

**95. DCCE2006/3117/F - DEMOLITION OF EXISTING DWELLING AND CONSTRUCTION OF 13 NO. TWO BED APARTMENTS WITH ASSOCIATED EXTERNAL WORKS. AMENDMENT TO ACCESS ROAD PREVIOUSLY APPROVED (DCCE2005/0977//F) MILL COURT VILLAGE, LEDBURY ROAD, HEREFORD (PHASE 2)**

The Central Team Leader presented an application for the erection of 13 residential units on land off Ledbury Road, Hereford. He said that access to the site was via an existing driveway from Ledbury Road serving 31a Mill Court and parking courts. The application site is immediately adjacent to a recently approved development of 19 units (DCCE2006/0977/F). The proposal whilst comprising a separate area of land to the already approved development adjacent was intended to reflect the character and appearance of the previous development and would share an upgraded access road to the approved scheme.

The Committee discussed the details of the application and had some concerns about access onto a busy road adjoining a petrol station and the fact that no affordable housing was included within the scheme. The Central Team Leader said that the Transportation Manager was satisfied that a safe access could be achieved to the shared sites. He had looked into the matter of affordable housing and the scheme fell below the level at which it could be secured through the policies within the Herefordshire Unitary Development Plan. Officers had however looked at the relationship of the scheme with that adjoining but the developer had, said that the two schemes could not be linked because the application site was not available for development at the time that planning permission was obtained for the adjoining site. Notwithstanding this the Committee still felt that the matter should be pursued.

**RESOLVED**

**that consideration of the application be deferred for further negotiations with the applicants about the inclusion of affordable housing within the scheme.**

**96. ANNUAL MONITORING REPORT 2005-2006**

The Team Leader Strategic Planning presented the report of the Forward Planning Manager regarding the Annual Monitoring Report 2005 – 2006. He said that the Planning and Compulsory Purchase Act 2004 had introduced new provisions and requirements for development planning. The regular review and monitoring of Development Plans through mandatory Annual Monitoring Reports (AMR's) was a fundamental feature of the new planning system. AMR's were based on the period from 1st April to 31st March and had to be submitted to the Secretary of State by no later than the following 31st December. He advised that the Annual Monitoring Reports were required to assess:

- (a) the implementation of the Local Development Scheme; and
- (b) the extent to which policies in the Local Development Documents are being achieved.

The Team Leader Strategic Planning said that this was the Council's second AMR which had been prepared to meet the requirements of the new planning system and he explained the areas that it covered. He said that it would assess the extent to which the objectives of UDP policies are being achieved and contained a comparator with that for 2004 - 2005. He advised that the development of AMR's would be as a single document to cover all annual monitoring study findings and enable an holistic approach to be taken in assessing the extent to which the policies within Local Development Documents were being achieved. He said that development of sites identified within the UDP were gaining momentum with 791 housing completions

compared to 560 in the previous year. There had also been a corresponding increase in the provision of affordable housing. The amount of land developed for employment use was 8.58 ha, an increase of 2.05 over last year and although approximately 8ha of completions had taken place on greenfield land, the majority of this involved former agricultural buildings and was in accordance with the policies contained within the UDP.

#### **RESOLVED THAT**

**the Annual Monitoring Report 2005-2006 be endorsed and commended to the Cabinet Member (Environment) for submission to Cabinet for approval.**

#### **97. LOCAL DEVELOPMENT SCHEME**

The Forward Planning Manager presented his report about the Local Development Scheme which was a requirement of the Compulsory Purchase Act 2004. It comprised of a statement setting out how the Council's forward planning work would be organised over a three-year period. The Scheme has to be revised as necessary and the first Scheme was prepared in 2004, reviewed in November 2005 and came into effect in January 2006. Since then the Scheme had been reviewed in response to a number of factors and he outlined the areas that it covered.

#### **Resolved that**

**the Local Development Scheme be endorsed and commended to the Cabinet Member (Environment) for submission to Cabinet for approval.**

#### **98. CUSOP PARISH PLAN**

A report was presented by the Forward Planning Manager about the Cusop Parish Plan which had been prepared to provide further planning guidance to the emerging Herefordshire Unitary Development Plan. He said that the aim of the document was to identify measures by which the community aimed to improve and enhance the quality of the built environment and to provide a mechanism to inform and influence the decisions of statutory bodies about community priorities and local needs. Key recommendations were included about transport and traffic, landscape and environment, housing, planning and heritage, youth and leisure and community services. The planning issues centred on affordable housing for young people and a wish to see any new development designed to reflect the character of the local area.

The Committee expressed its appreciation for the hard work undertaken by the local community in helping to prepare the document.

**RESOLVED: That it be recommended to the Cabinet Member (Environment) that the planning elements of the Cusop Parish Plan be adopted as further planning guidance to the Herefordshire Unitary Development Plan and as an expression of local distinctiveness and community participation.**

#### **99. PROGRAMME OF MEETINGS**

The meeting ended at 12.03 p.m.

**CHAIRMAN**

