

MINUTES of the meeting of Planning Committee held at The Council Chamber, Brockington, 35 Hafod Road, Hereford on Wednesday 24 February 2010 at 10.00 am

Present: Councillor TW Hunt (Chairman)
Councillor RV Stockton (Vice-Chairman)

Councillors: ACR Chappell, PGH Cutter, H Davies, DW Greenow, KS Guthrie, JW Hope MBE, B Hunt, G Lucas, RI Matthews, PJ McCaull, JE Pemberton, AP Taylor, DC Taylor, WJ Walling, PJ Watts and JD Woodward

In attendance: Councillors PM Morgan and RJ Phillips

85. APOLOGIES FOR ABSENCE

Apologies for absence had been received from Councillor RC Hunt.

86. NAMED SUBSTITUTES

In accordance with paragraph 4.1.23 of the Council's Constitution, Councillor PJ McCaull was a substitute member for Councillor RC Hunt.

87. DECLARATIONS OF INTEREST

Agenda item 6, Minute 90, DCNE00091639F - TACK FARM EQUESTRIAN CENTRE, ULLINGSWICK, HEREFORD, HR1 3JQ

Councillor JE Pemberton, Personal.
Councillor PM Morgan, Personal.

88. CHAIRMAN'S ANNOUNCEMENTS

The Chairman outlined the arrangements for the meeting, including the purpose of positioning the relevant local ward member(s) on a separate table to address the Committee. It was reported that, due to timescale constraints for agenda preparation, the minutes of the last meeting would be included in the agenda for the 17 March 2010 meeting. It was also reported that the items deferred at the last meeting would feature in forthcoming agenda.

89. ITEM FOR INFORMATION - APPEALS

The Committee received an information report.

RESOLVED: That the report be noted.

90. DCNE0009/1639/F - TACK FARM EQUESTRIAN CENTRE, ULLINGSWICK, HEREFORD, HR1 3JQ

Proposed warm up ménage, extend existing ménage and new site office / public address system.

The Northern Team Leader gave a presentation on the application.

In accordance with the criteria for public speaking, Mr. Hoskins spoke on behalf of Much Cowarne Group Parish Council and Mr. Telford spoke in objection to the application.

In accordance with paragraph 4.8.2.2 of the Council's Constitution, Councillor PM Morgan, the local ward member, commented on a number of issues, including:

- The points raised by the speakers had outlined the principal issues of concern.
- The Northern Area Planning Sub-Committee had deferred the application in November 2009 to provide the opportunity for the applicant to address the concerns raised at the meeting. Although correspondence had been received from the applicant's agent, there had been no material change to the proposal and a number of issues raised by Members remained unresolved.
- A public meeting about the proposal had been well attended and letters received from local residents demonstrated the levels of concern in the community.
- Much Cowarne Group Parish Council and Ocle Pychard Parish Council had both raised a number of important considerations. Councillor Morgan concurred with the parish councils that rural businesses should be supported but the residential amenity of surrounding properties also had to be taken into consideration.
- It was considered that the proposal in its current form was contrary to Unitary Development Plan policies S1 (Sustainable Development) and RST1 (Criteria for recreation, sport and tourism). In particular, attention was drawn to criteria 2 of policy RST1: 'Proposals for the development of new recreation, sport and tourist facilities including change of use or improvement or extension to existing facilities will be permitted where the proposal: ... 2. *would not harm the amenity of nearby residents...*'
- Although the applicant's agent had indicated that '...there is no intention to increase the number of events', the current frequency of events was uncontrolled and, even if the applicants did not wish to increase the number of events, any future owner could change their mind on this issue.
- It was questioned whether compliance with the standards of the British Horse Society and British Show Jumping Association could result in the upgrading and scale of events. The numbers of events held in recent months were outlined.
- Councillor Morgan did not consider the comments of Environmental Health and Trading Standards to be helpful. She said that the frequency of events and the fact that they generally occurred on weekends caused significant disturbance to local residents. She added that any new developments in urban areas would be subject to conditions controlling hours of operation and noise and felt that it was reasonable for residents in Ullingswick to expect similar safeguards.
- It was noted that the Transportation Manager had commented 'No objection, but would have concerns about any intensification which could increase the volume of traffic and/or the frequency of events at this location'. Councillor Morgan said that, without a limit on the nature or frequency of events, any such intensification could not be controlled. She also said that access to the site was via minor roads and, given limited passing places, commented on traffic problems associated with events.
- Councillor Morgan considered that more work was required to make the proposal acceptable. It was suggested that the application could be deferred to ensure that effective controls were put in place to protect residents or, if this could not be secured through the current application, refused as being contrary to adopted policies and due to the impact upon the local highway network.

The Northern Team Leader advised that information had been requested from the applicant's agent following deferral by the Northern Area Planning Sub-Committee. It was noted that the information provided did not appear to address Members' concerns and he questioned the expediency of deferring the application again.

A Member endorsed the views of the local ward member and made the following points:

- ◆ Local residents valued peace and tranquillity and the events at the site had caused significant disturbance over a number of years.
- ◆ The dish like topography of the site meant that noise was uplifted and amplified; thereby exacerbating problems with the public address system for surrounding properties. It was noted that background noise levels were generally very low.
- ◆ The comments of Environmental Health and Trading Standards were considered insubstantial, particularly given the strong concerns identified by the parish councils and local residents. It was felt that a proper acoustic assessment of the noise associated with events was required.
- ◆ The comments of the local ward member regarding traffic matters were supported and it was felt that a full transport assessment was needed, to include measures to mitigate the impact of the development.
- ◆ It was proposed that consideration of the application be deferred to provide another opportunity for the applicant to address the issues raised.

Councillor Morgan was given the opportunity to close the debate in accordance with the Council's Constitution; she acknowledged the comments of the Northern Team Leader and noted that refusal of this particular application might be a better means to secure the necessary improvements to the proposal.

A motion to defer the application was withdrawn and a motion to refuse the application was then proposed.

Although the motion was contrary to the officer recommendation, in view of the debate and the reasons put forward by Members, the Head of Planning and Transportation and the Locum Lawyer did not consider that a Further Information Report was required in this instance.

RESOLVED:

That planning permission is refused for the following reason:

- 1. Notwithstanding the assurances of the applicant, it is considered that the proposal is likely to lead to an increase in the number of visitors to the site and extended use of the facility. It is therefore considered that the proposal would be detrimental to the amenity of local residents, through additional traffic movements on generally narrow roads, and the noise associated with the running of events, contrary to policies RST1 and DR3 of the Herefordshire Unitary Development Plan.**

91. DMNE/092960/FH & DMNE/092961/L - HOMESTEAD, PUTLEY GREEN, PUTLEY, LEDBURY, HR8 2QN

Single storey extension to existing dwelling (following demolition of existing outbuilding) together with internal alterations.

The Senior Planning Officer gave a presentation on the application.

In accordance with paragraph 4.8.2.2 of the Council's Constitution, Councillor PM Morgan, the local ward member, commented on the application as follows:

- Councillor Morgan was happy to support the application given the considerations outlined in the presentation and in the report.
- It was noted that the comments of Putley Parish Council had been addressed through the recommended conditions.
- It was also noted that the Traffic Manager and the Conservation Manager had no objections subject to conditions.

A number of Members supported the officer's report and the comments of the local ward member.

A Member suggested that, given an issue elsewhere in the County with a listed building being painted an unsuitable colour, there was a need to ensure that the extension was painted an appropriate colour to blend in with the rest of the building.

RESOLVED:

In respect of DMNE/092960/FH:

That planning permission be granted subject to the following conditions:

- 1 A01 Time limit for commencement (full permission)**
- 2 B02 Development in accordance with approved plans and materials**
- 3 Prior to the commencement of the hereby permitted development, the following details and samples where appropriate, shall be submitted to the Local Planning Authority for written approval:**
 - (a) Tiles**
 - (b) Bricks**
 - (c) Bonding pattern**
 - (d) Mortar mix**
 - (e) Joinery details**
 - (f) Rainwater goods**
 - (g) Glazing details**

The development shall be carried out in strict accordance with the approved details and thereafter be maintained as such.

Reason: To safeguard the character and appearance of the Grade II listed building in accordance with Herefordshire Unitary Development Plan Policies DR1 and HBA1.

- 4 H05 Access gates**
- 5 H13 Access, turning area and parking**

INFORMATIVES:

- 1 HN01 Mud on highway**
- 2 HN05 Works within the highway**

- 3 **HN10 No drainage to discharge to highway**
- 4 **HN22 Works adjoining highway**
- 5 **N15 Reason(s) for the Grant of Planning Permission**

In respect of DMNE/092961/L:

That listed building consent be granted subject to the following conditions:

- 1 **D01 Time limit for commencement (Listed Building Consent)**
- 2 **C07 Development in accordance with approved plans and materials**
- 3 **Prior to the commencement of the hereby permitted development, the following details and samples where appropriate, shall be submitted to the Local Planning Authority for written approval:**
 - (a) **Tiles**
 - (b) **Bricks**
 - (c) **Bonding pattern**
 - (d) **Mortar mix**
 - (e) **Joinery details**
 - (f) **Rainwater goods**
 - (g) **Glazing details**

The development shall be carried out in strict accordance with the approved details and thereafter be maintained as such.

Reason: To safeguard the character and appearance of the Grade II listed building in accordance with Herefordshire Unitary Development Plan Policies DR1 and HBA1.

INFORMATIVES:

- 1 **N15 Reason(s) for the Grant of Listed Building Consent**

92. DATE OF NEXT MEETING

The Chairman, referring to a situation that had arisen at the last meeting, clarified the arrangements for public speaking where more than one objector wished to address the committee. It was reported that potential speakers were advised, before and at the meeting, about the need to share the allotted time.

The Chairman advised that the next meeting of the committee would be held on Wednesday 17 March 2010 at 10.00am, with a site inspection held the day before at 9.30am.

The Chairman also advised that arrangements were being made for an additional meeting on Tuesday 30 March 2009 at 10.00am.

The meeting ended at 10.40 am

CHAIRMAN

