

# **PLANNING COMMITTEE**

**Date 13 October 2010**

## **Schedule of Committee Updates/Additional Representations**

**Note: The following schedule represents a summary of the additional representations received following the publication of the agenda and received up to midday on the day before the Committee meeting where they raise new and relevant material planning considerations.**



**1 DMSE/100966/F - Application (part retrospective) to erect, take down and re-erect polytunnels, rotated around fields as required by the crops under cultivation (soft fruit) at Pennoxstone Court Farm, Kings Cagle, Herefordshire, HR1 4TX**

**For: Mr N J Cockburn Per Antony Aspbury Associates, Unit 20, Park Lane Business Centre, Park Lane, Basford, Nottingham, NG6 0DW**

## **ADDITIONAL REPRESENTATIONS**

### **National Farmer's Union**

A letter has been received from the President of the NFU. The letter asks the local planning authority to attribute appropriate weight to the following:

- That polytunnels are essential for British growers if they are to meet the market demands for quality and quantity;
- The contribution that the soft fruit industry makes to the local economy;
- The benefits that the use of polytunnels have in terms of reducing the necessity to import soft fruit from overseas.

### **Wye Valley AONB Unit**

The Wye Valley AONB unit remains of the view that the development must be described as large-scale within the AONB and that uncovered frames continue to have a detrimental impact upon the landscape. The AONB unit maintains that the development is unacceptable if assessed solely against the primary purpose of the AONB designation, but accepts that it is for the local planning authority to balance the negative landscape and visual impacts against the positive benefits.

### **Wye Valley Society**

A further letter of objection has been received from the Wye Valley Society. The Society considers the proposal detrimental to the physical and natural environment of King Cagle parish and contrary to the purpose of the designation of the AONB, and recommends the application be refused as contrary to policies LA1, LA3, HBA4 and S7 of the Unitary Development Plan.

Two further letters of objection have been received from local residents. These reiterate the points summarised at paragraph 5.5 of the report.

## **OFFICER COMMENTS**

During the negotiation period the applicants offered to enter into a Section 106 agreement to the effect that were planning permission to be granted the applicant would agree not to use cloches or similar forms of crop protection over soft fruit crops across the application site for the duration of the permission.

The applicant has stated that were permission to be refused he could consider using cloches across a potentially larger and arguably more visually sensitive area and consequently were the Council to grant planning permission together with a Section 106 agreement such a "fall back" position would be prevented

Without prior knowledge of the extent and duration of cloche usage, it is not certain that this fallback position could operate without the benefit of planning permission and in the circumstances officers do not consider that the offer of a S.106 restricting the use of cloches is sufficient to offset the harm caused to the landscape by the extent of polytunnel use proposed elsewhere.

## **NO CHANGE TO RECOMMENDATION**

**2 DMNW/100435/F - Retrospective re-application for change of use of land from agricultural to one family travellers site including stationing of one caravan, shed and ancillary structure at Lower Field At Ash Farm, Barnet Lane, Wigmore, Herefordshire, HR6 9UJ**

**For: Ms Cleverly Per Ms Alison Cleverly, C/O 23 Ford Street, Wigmore, Herefordshire, HR6 9UW**

**ADDITIONAL REPRESENTATIONS**

Wigmore Group Parish Council in their absence and unavailability to attend the Committee meeting make the following points –

- Attention is drawn to the previous correspondence and objections made to this application which are maintained
- The applicant is recently married to a local resident, she and her son could live in his house
- Twelve number new houses were built in Wigmore at Queens Meadow and the applicant made no application to be housed in one of them

Mr J Bisset, Kings Meadow, Wigmore makes reference to an alleged change in the personal circumstances of the applicant, that is she is now married to a local resident and resides in a permanent dwelling in Wigmore. As a consequence the need and her status are questioned.

Mrs Fieldhouse, Pear Tree Farm, Wigmore reemphasises that the issue of principle is at stake whilst also maintaining her previous written objections

The Council's Gypsy and Traveller Officer confirms the Council have not provided any sites in the past three years, however there are 3 number vacant plots at the Council run site at Pembridge, a vacant site at Bosbury has had an enquiry, and three number applications have been made for vacant plots at Croft Lane, Luston.

**OFFICER COMMENTS**

Mrs Cleverly has Gypsy/Traveller status and this does not extinguish on living in a traditional home, even for a prolonged time period.

This application is considered on its own merits and does not prejudice other or future planning applications.

The maintained objections are reported and addressed in the Committee Report

**NO CHANGE TO RECOMMENDATION**

**3 DMNW/100558/F - Change of use from agricultural land to one family traveller site to include the stationing of one living vehicle, storage boxes & shed at Ashfield Barnett Lane, Wigmore, Herefordshire, HR6 9UJ**

**For: Mr Wells Per Mr Richard Wells, Ashfield Barnett Lane, Wigmore, Herefordshire, HR6 9UJ**

**ADDITIONAL REPRESENTATIONS**

Wigmore Group Parish Council in their absence and unavailability to attend the Committee meeting make the following points –

- Attention is drawn to the previous correspondence and objections made to this application which are maintained
- This application and that of Mrs Cleverly reference DMNW/100435/F are inextricably linked and Herefordshire Council should, as far as possible, treat the two applications with the same merit
- It is alleged that the applicant is running a tractor dealership from the site, which is neither an agricultural use, or that applied in this application

Mrs Fieldhouse, Pear Tree Farm, Wigmore reemphasises that the issue of principle is at stake whilst also maintaining her previous written objections

The Council's Gypsy and Traveller Officer confirms the Council have not provided any sites in the past three years, however there are 3 number vacant plots at the Council run site at Pembridge, a vacant site at Bosbury has had an enquiry, and three number applications have been made for vacant plots at Croft Lane, Luston.

**OFFICER COMMENTS**

This application is considered on its own merits and does not prejudice other or future planning applications. It is appropriate this and application DMNW100435/F are treated as two separate applications and individually as these are two different separate planning units with different characteristics and planning history.

The alleged unauthorised use has been reported to the Council's Enforcement team for investigation.

The maintained objections are reported and addressed in the Committee Report

**NO CHANGE TO RECOMMENDATION**

**5 DMS/101741/O - Erection of 2 dwellings, construction of new vehicular access and associated works at Moreborough, Ledbury Road, Ross-on-Wye, Herefordshire, HR9 7BE**

**For: Mr and Mrs Davis Per Mr Paul Smith, 12 Castle Street, Hereford, HR1 2NL**

**ADDITIONAL REPRESENTATIONS**

Further communication has been received from Mr and Mrs McLachlan of Meadow View, Court Road. In addition to their objection to the proposed development, the following comments are raised in respect of the content of the officers report:-

- garden of Meadow View is not north facing but rather north-west facing and as such the development will have a detrimental effect in terms of loss of sunlight and daylight. Areas of the garden will be in perpetual shade and the proposed development will block out the only remaining source of sunlight/daylight that the property currently enjoys.
- The revised scheme is not identical to the refused scheme, the dwellings have been pushed back into the site to cater for the parking requirements
- It is not considered that the development can be satisfactorily accommodated on the site. It will result in unacceptable cramming and the staggered design will be uncharacteristic of the area.

The Traffic Manager has commented on additional information (cross sections) concerning the detailed design of the access onto Court Road. Subject to conditions relating to the retention of visibility splays and managing surface water run-off from the driveway no objection is raised to the access and parking arrangement proposed.

**OFFICER COMMENTS**

With regard to the comment that the application is not identical in terms of layout, it is acknowledged that the dwellings are set back a further 300mm than the refused scheme in order to accommodate the revised parking area.

**CHANGE TO RECOMMENDATION**

Additional conditions are recommended regarding formation and retention of visibility splay and the control of drainage from the driveway. These are as follows:-

CAH – Driveway gradient

CAL – Access, turning and parking (4 cars new dwelling/2 cars existing access)

CAB – Visibility splays