

PLANNING COMMITTEE

15 May 2013

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.

SE100966/F – APPLICATION (PAR 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 CAPLE, HEREFORDSHIRE, HR1 4TX

For: N J & I E Cockburn per Mr Anthony Aspbury, Unit 20, Park Lane Business Centre, Park Lane, Basford, Nottingham, NG6 0DW

OFFICERS COMMENTS/ADDITIONAL REPRESENTATIONS

This report has been prepared to address the absence of the informative note regarding the Statement of Positive and Proactive Working from the original committee report and subsequent decision notice. Inclusion of the informative note is a legal requirement.

Since the issuing of the decision notice the applicants solicitors have written to challenge the Council's ability to amend the decision notice retrospectively and also that the Council did not act in a positive and proactive manner in determining the application.

The Council has subsequently taken legal advice. This confirms that the decision notice cannot be amended but that a Committee resolution should be sought to effect that Members are made aware of the omission and are content that its absence would not have had a material effect upon the decision to refuse planning permission in accordance with the recommendation.

Officers reject the allegation that the Council has not acted positively and proactively. Following the decision of the Court to quash the planning permission officers met with the applicant and his professional representatives to agree a timetable for re-determination, the nature and scope of additional information required and also undertook a joint site visit to establish the representative viewpoints and extent of landscaping undertaken. The report to committee was the culmination of several years' of engagement with the applicant via his professional representatives. Against this background officers are content that the Council has discharged its duty to act positively and proactively in determining the application.

CHANGE TO RECOMMENDATION

In light of the legal advice received, the Council cannot issue an amended decision notice as originally intended. As such the recommendation as set out in the agenda should be amended as follows:

That the Council recognises that it issued an incorrect decision notice that did not include the Statement of Positive and Proactive Working but that this was not prejudicial to the decision to refuse planning permission at the Planning Committee meeting on 24 April 2013.

N123414/CD - VARIATION OF CONDITION 15 OF PLANNING PERMISSION DCNC0009/1820/CD AT HOPE FAMILY CENTRE, HEREFORD ROAD, BROMYARD, HEREFORDSHIRE, HR7 4QU

For: Mrs Davis, Hope Family Centre per Mr Robert Scott, Property Services, Plough Lane, Hereford, HR4 0WZ

Application Withdrawn

123415/CD - VARIATION OF CONDITION 2 OF PLANNING PERMISSION DCNC0009/1820/CD AT HOPE FAMILY CENTRE, HEREFORD ROAD, BROMYARD, HEREFORDSHIRE, HR7 4QU

For: Herefordshire Council per Mr Robert Scott, Property Services, Plough Lane, Hereford, HR4 0WZ

Application Withdrawn

123428/CD - VARIATION OF CONDITION 14 OF PLANNING PERMISSION DCNC0009/1820/CD AT HOPE FAMILY CENTRE, HEREFORD ROAD, BROMYARD, HEREFORDSHIRE, HR7 4QU

For: Mrs Davis, Hope Family Centre per Mr Robert Scott, Property Services, Plough Lane, Hereford, HR4 0WZ

ADDITIONAL REPRESENTATIONS

Two further letters of representation have been received from Eleanor Morris and Cliff Morris, Immediate neighbours to the site. The letters object to all three applications. The points raised in the letters are summarised below;

- Existing parking (16 spaces and 3 disabled) is too small for the nature of use being proposed, with parking already occurring on grass verges of highway;
- Continual breach if planning conditions since the development opened; and
- Impact of changes on their own residential amenity, particularly the extended hours.

OFFICER COMMENTS

The points raised in the letters are noted and have been considered and covered within the Committee Report.

NO CHANGE TO RECOMMENDATION

130191/O - OUTLINE FOR THE ERECTION OF ONE SINGLE STOREY DWELLING AND DOUBLE GARAGE WITH ALL MATTERS RESERVED AT LAND ADJACENT HARWELL, BRAMPTON ABBOTS, ROSS ON WYE, HR9 7JD

For: Mr & Mrs Snell per Mr Simon Snell, Eglosderry, Merrymeeting, Gwennap, Redruth Cornwall, TR16 6BL

OFFICER COMMENTS

The following informative is added to the recommendation.

Informative:

- 1. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against planning policy and any other material considerations and identifying matters of concern with the proposal and discussing those with the applicant. However, the issues are so fundamental to the proposal that it has not been possible to negotiate a satisfactory way forward and due to the harm which has been clearly identified within the reason(s) for the refusal, approval has not been possible.**

CHANGE TO RECOMMENDATION

That the above informative note be added to the recommendation.

S123565/F - ERECTION OF 12 NO. AFFORDABLE UNITS WITH ASSOCIATED ACCESS, LANDSCAPING AND ALLOTMENTS AT SUFTON RISE, MORDIFORD, HEREFORDSHIRE, HR1 4EN

For: West Mercia Housing Group per Quattro Design Architects Ltd., Imperial Chambers, Longsmith Street, Gloucester, Gloucestershire, GL1 2HT

ADDITIONAL REPRESENTATIONS

Heads of Terms have been provided to confirm that all dwellings shall at all times be let and managed by a Registered Housing Association with the intention that the affordable housing units shall not be used for any purpose other than the provision of accommodation via affordable rent and shared ownership.

It is also confirmed that each dwelling shall be allocated to a person who is considered by the Registered Housing Association to be in need of such accommodation, registered with Home Point (or any successor agency) and has a strong local connection with Mordiford and Dormington as a priority, cascading out to adjoining parishes and then elsewhere in Herefordshire.

NO CHANGE TO RECOMMENDATION

130060/F - ERECTION OF 14 NO. SEMI-DETACHED AND DETACHED DWELLINGS AT LAND SOUTH OF GREYTREE ROAD, GREYTREE, ROSS ON WYE,

For: K W Bell Group Ltd per Walter Stuart, Treetops Studio, Sevenleaze Lane, Edge, Stroud, Glos GL6 6NJ

ADDITIONAL REPRESENTATIONS

Ross Rural Parish Council –

Resolved to object to the revised planning application noS130060/F erection of 14 semi- detached dwellings at Greytrees, Ross-on-Wye.

Despite the revision to the application, the main reason for the objection is that the density of housing is considered to be out of keeping with that of the surrounding residential area.

Two further letters received from a local resident and Greytrees Residents Committee. In respect of revised plans. The points raised are summarised as follows:

- Land not previously identified should be retained as rural
- Development will compound existing problems for traffic exiting the avenues.
- Increased risk of casualties.
- Speed limit should be lowered. Will not know if development will improve highway safety, will only know when built.. Prudent to measure traffic speed in light of changes proposed.
- Determine in line with manual for Streets and MFs2 and latest Department for Transport Circular 01/2013 . Do not be intimidated by developer and consultants.

OFFICER COMMENTS

The issue of density has already been addressed within the Committee Report. The issues raised in relation to traffic speed and highway safety were considered by Transportation Manager and members will note no objections are raised subject to appropriate conditions.

NO CHANGE TO RECOMMENDATION