

**MINUTES of the meeting of Planning Committee held at
The Council Chamber, Brockington, 35 Hafod Road,
Hereford on Friday, 16th July, 2004 at 10.00 a.m.**

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

Councillors: B.F. Ashton, Mrs. L.O. Barnett, Mrs. C.J. Davis,
P.J. Edwards, J.G.S. Guthrie, P.E. Harling, J.W. Hope, B. Hunt,
Mrs. J.A. Hyde, Brig. P. Jones CBE, Mrs. R.F. Lincoln, R.M. Manning,
R.I. Matthews, J.W. Newman, Mrs. J.E. Pemberton, R. Preece,
Mrs. S.J. Robertson, D.C. Taylor, W.J. Walling and R.M. Wilson

In attendance: Councillors P.J. Edwards and R.M. Wilson

1. APOLOGIES FOR ABSENCE

Apologies were received from Councillors MR Cunningham, PJ Dauncey and DJ Fleet.

2. NAMED SUBSTITUTES (IF ANY)

Substitute
Member

Councillor JW Newman for
Councillor DJ Fleet

3. DECLARATIONS OF INTEREST

RM Manning referred to the Planning Code of Conduct and asked whether the Head of Planning Services should withdraw from the meeting during the consideration of Agenda Item 10 (**DCNE2003/3706/F – Change of Use to Residential 3 No Apartments, 3 No Houses, Garages and Parking Spaces Associated Drainage at Stretton Grange Retirement Home, Stretton Grandison, Ledbury, Herefordshire, HR8 2TS**) because he had expressed a view about the application in the press and radio. The County Secretary and Solicitor said that the Head of Planning Services had referred the application to the Planning Committee as required under the Council's Constitution because the application did not comply with the Council's Planning Policies. It was for the Committee to determine the application. The County Secretary and Solicitor advised that there was no need for the Head of Planning Services to withdraw from the meeting but that she would investigate the applicability of the Code of Conduct to officers.

Note: The County Secretary and Solicitor subsequently advised Councillor Manning that officers are regulated by a separate Code of Conduct. He had not appreciated that the National Code of Conduct only applied to Members and therefore withdrew his complaint made at the meeting.

4. MINUTES

RESOLVED: That the Minutes of the meeting held on 23 April 2004 be approved as a correct record and signed by the Chairman.

5. CHAIRMAN'S ANNOUNCEMENTS

The Chairman made the following announcements:

Vacancies within the Planning Department

The Head of Planning Services was encouraged that there had been fifteen expressions of interest for the post of Planning Officer, six for the post of Senior Planning Officer and three for the post of Principal Planning Officer.

Referral of Planning Applications to Sub-Committees by Members

The form used for the referral of planning applications to Sub-Committees had been clarified to make them more user friendly and guidelines had been updated.

Council Chamber Acoustics

Investigations were being made into the possibility of improving the acoustics within the Council Chamber so that the debate could be heard more clearly.

6. NORTHERN AREA PLANNING SUB-COMMITTEE

RESOLVED: That the report of the Northern Area Planning Sub-Committee be received and noted.

7. CENTRAL AREA PLANNING SUB-COMMITTEE

RESOLVED: That the report of the Central Area Planning Sub-Committee be received and noted.

8. SOUTHERN AREA PLANNING SUB-COMMITTEE

RESOLVED: That the report of the Southern Area Planning Sub-Committee be received and noted.

9. **PLANNING APPLICATION DCNE2004/0703/F - RESIDENTIAL DEVELOPMENT OF 11 DWELLINGS, ACCESS, PARKING AND GARAGING AT 26 & 27 ALBERT ROAD, LEDBURY, HEREFORDSHIRE, HR8 1DW.**

The Chief Development Control Officer reported on the contents of a letter received from Ledbury Town Council which considered the application to constitute over development and likely to have an adverse impact on the local road network. He provided the Committee with details about previous appeals that had been dismissed at public inquiries and gave reasons why the revised application was considered to be acceptable on planning and highway grounds.

In accordance with the criteria for public speaking Mr Watts spoke on behalf of Ledbury Town Council, Mr Francis spoke against the application and Mr Stentiford, the agent acting on behalf of the applicant spoke in favour of the application.

Councillor BF Ashton said that although the application met the guidelines of the Office of the Deputy Prime Minister (ODPM) he did not feel that the type and location of the development was suited to the Victorian architecture and road layout of this part of a Herefordshire market town. Councillor PE Harling, the Local Ward Member supported this view and asked the Committee to reject the application because it was out of character for the area and would have a considerably adverse impact upon the highway congestion already suffered in Albert Road.

Having considered all the facts in respect of the application the Committee noted the views of the officers but decided that there were sufficient grounds to refuse the application.

RESOLVED: That planning permission be refused on the grounds that the application constituted over development and was inappropriate for the area and subject to any appropriate reasons considered necessary by officers name in the scheme of delegation to officers.

10. DCNE2003/3706/F - CHANGE OF USE TO RESIDENTIAL 3 NO. APARTMENTS, 3 NO. HOUSES, GARAGES AND PARKING SPACES AND ASSOCIATED DRAINAGE AT STRETTON GRANGE RETIREMENT HOME, STRETTON GRANDISON, LEDBURY, HEREFORDSHIRE, HR8 2TS

The Northern Team Leader reported the receipt of 13 letters of support and 1 letter of objection.

In accordance with the criteria for public speaking Mr Nicholson spoke on behalf of Stretton Grandison Parish Council and Mr Brock spoke in favour of the application.

Councillor RM Manning, the Local Ward Member outlined the planning history of the site and correspondence between the Chief Executive and the Local MP. He felt that the application should be approved for a number of important reasons. It afforded protection for most of the trees on site, many of which were mature and a significant enhancement to the area and very important to the local surroundings and to residents. The proposal would also enhance the surrounding conservation area more than the extant planning permission. It may also provide affordable and sought after family homes there was likely to be an improved sewerage system provided and it had the full support of local residents. If the application was refused there was also a possible problem that the dwelling could be used as a refuge and that because of its rural location and lack of amenities in the area it would not be best suited for the integration of disadvantaged persons into society. Planning restrictions on the extant permission would also be difficult to enforce in respect of the possible split of residents between the old building and a new block.

The officers drew attention to the Council's planning policies in respect of the development of dwellings within the open countryside and pointed out that the application did not comply with the Council's policies. The Committee had a full discussion about the merits of the application and whilst mindful of the Council's policies, felt that there were sufficient grounds for an exception to be made.

RESOLVED: That planning permission be granted subject to the permitted development rights being removed and any appropriate conditions considered necessary by the officers named in the scheme of delegation to officers.

11. REVISED SUPPLEMENTARY PLANNING GUIDANCE UPON THE PROVISION OF AFFORDABLE HOUSING

The Forward Planning Manager presented his joint report with the Head of Strategic Housing Services in respect of information contained within the revised supplementary planning guidance (SPG) on the provision of affordable housing and a proposed process of consultation.

He advised that the SPG was originally approved by the Council in 2001. The SPG related to the policies contained within the Council's development plans and used data from the Housing Needs Study of 1999. This document has been used to assist in delivering affordable housing throughout the County. Over time the document had become out of date and required revision. A further housing needs study had been undertaken and needed to be reflected within the document, as did a change in key data relating to the housing market and affordability. To assist in this process officers from Research, Strategic Housing Services, Legal Services and Forward Planning had been involved in undertaking the review. The document would continue to provide additional information to supplement the policies of the existing development plans and would eventually be adopted as revised Supplementary Planning Guidance.

RESOLVED: That it be recommended to the Cabinet Member (Environment) that the revised Supplementary Planning Guidance upon the Provision of Affordable Housing be approved for the purposes of public consultation.

12. SUPPLEMENTARY PLANNING GUIDANCE - LANDSCAPE CHARACTER ASSESSMENT

The Landscape Officer presented the report of the Head of Planning Services in respect of representations made in relation to the Draft Landscape Character Assessment SPG, proposed amendments and a suggested procedure for adoption as interim policy guidance.

- (d) She said that the draft was published in September 2002 as one of a series of documents associated with the Unitary Development Plan. The SPG was intended to provide the framework within which development and land management proposals could be designed and assessed in relation to the impact on landscape character. Once the proposed changes had been approved the document would be published as an interim policy guidance.

RESOLVED: That it be recommended to the Cabinet Member (Environment) that:

- (a) the volume and content of the comments received on the Landscape Character Assessment SPG consultation and set out in Appendix A to the report be noted;**
- (b) the revisions proposed by officers and set out in Appendix B to the report be approved;**
- (c) authority be given to the Head of Planning Services to undertake minor changes such as correcting typographical errors and paragraph re-numbering and updating text to take into account new Government**

guidance as appropriate;

- (d) **the revised Landscape Character Assessment SPG be adopted and published as interim guidance, pending adoption of the Unitary Development Plan.**

13. SUPPLEMENTARY PLANNING GUIDANCE - BIODIVERSITY

- (a) The Committee considered a report about representations made in relation to the draft Biodiversity SPG, proposed amendments and its adoption as an interim policy guide. It was noted that in September 2002, the Council published draft Supplementary Planning Guidance (SPG) on Biodiversity as one of a series of SPG documents associated with the Unitary Development Plan. The SPG was intended to provide complementary guidance to the development plan, elaborating on UDP policies in more detail than is possible in the Plan itself and offering more specific guidance to the public and interested parties.

RESOLVED: That it be recommended to the Cabinet Member (Environment) that:

- (b) **the volume and content of the comments received on the consultation be noted and welcomed**
- (c) **the changes proposed by officers to the SPG be approved,**
- (d) **the revised SPG Biodiversity be published as interim guidance, pending adoption of the Unitary Development Plan.**
- (e) **the revised Biodiversity SPG be adopted and published as interim guidance, pending adoption of the Unitary Development Plan.**

14. HEREFORDSHIRE UNITARY DEVELOPMENT PLAN: PUBLIC CONSULTATION ON REVISED DEPOSIT DRAFT

The Forward Planning Manager provided the Committee with details of public consultation in respect of the Herefordshire Unitary Development Plan Revised Deposit Draft.

The public consultation period ran from 13 May 2004 to 24 June 2004. Public notices, press releases, exhibitions and leaflets had highlighted the main changes proposed and the revised Plan was sent to all parish councils and explained at meetings of the Local Area Forums. An individual response was sent to those individuals and organisations who had made previous comments on the Plan. He advised that 1403 comments had been received including 631 objections and 772 supporting representations. Arrangements had been made for new and outstanding objections to be considered by an Independent Planning Inspector at a Public Local Inquiry, which would open in February 2005 and probably run for a three-month period.

The Forward Planning Manager advised that a UDP Inquiry Programme Officer had been appointed to deal with the arrangements for the lead-in period to the Inquiry and the Inquiry period itself. In answer to a request from Councillor Mrs SJ

Robertson, he confirmed that Members would be kept informed of the issues arising in their wards.

15. COMPULSORY PURCHASE: CONSULTATION ON DRAFT GUIDANCE & REGULATIONS ARISING FROM PART 8 OF THE PLANNING & COMPULSORY PURCHASE ACT 2004

A report was presented by the Forward Planning Manager about consultation from the Office of the Deputy Prime Minister (ODPM) on proposed amendments to compulsory purchase arrangements. He said that The Planning and Compulsory Purchase Act received Royal Assent on 13 May 2004 and includes changes to the powers available to local authorities to compulsorily purchase land. The new powers were intended as a tool for local authorities and other public bodies to assemble land in order to deliver social and economic change and were predominantly concerned with difficult to develop land in urban areas. Policy objectives included effective and efficient urban regeneration, revitalisation of communities and the promotion of business. He felt that the new arrangements would be particularly helpful in a situation such as the proposals for the Edgar Street Grid area of Hereford and anticipated that the arrangements would take effect in the Autumn of 2004.

RESOLVED: That the Cabinet Member (Environment) be recommended that the comments set out in the report of the Forward Planning Manager form the basis of a response to the Office of the Deputy Prime Minister.

16. BELMONT RURAL PARISH PLAN

The Belmont Rural Parish Plan has been prepared as interim Supplementary Planning Guidance to the emerging Herefordshire Unitary Development Plan.

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 Belmont Rural Parish Plan be adopted as interim Supplementary Planning Guidance as an expression of local distinctiveness and community participation.

17. SUPPLEMENTARY PLANNING GUIDANCE (SPG) - DESIGN AND DEVELOPMENT REQUIREMENTS

The Team Leader (Local Planning) presented the report of the Forward Planning Manager about responses and proposed changes to the draft SPG together with its adoption as interim policy guidance. He said that the need for the design guide was confirmed by the Herefordshire Partnership Housing Ambition Group who set up a working group to agree its contents and purpose. Its remit was widened to benefit all forms of new development using parts of the guidance where appropriate. A draft was endorsed by the Housing Ambition Group on 3 July 2002 and agreed for consultation by the Cabinet Member (Environment). This and other draft SPG were published separately alongside the Deposit Draft UDP in October 2002.

RESOLVED: That it be recommended to the Cabinet Member (Environment) that the amended draft be adopted as interim Supplementary

Planning Guidance to the Herefordshire Unitary Development Plan.

18. SUPPLEMENTARY PLANNING GUIDANCE - REUSE AND ADAPATION OF RURAL BUILDINGS

A report was presented by Team Leader (Local Planning) about the responses and changes to the Draft SPG together with proposals for its adoption as interim guidance to the Herefordshire Unitary Development Plan.

RESOLVED: That it be recommended to the Cabinet Member (Environment) that the re-use and adaptation of rural buildings be adopted as interim Supplementary Planning Guidance to the Herefordshire Unitary Development Plan.

19. TANYARD LANE DEVELOPMENT BRIEF

The Team Leader (Local Planning) presented the report of the Forward Planning Manger about the draft Tanyard Lane Development Brief and proposals for public consultation with a view to it eventually forming Supplementary Planning Guidance to the Unitary Development Plan. The Development Brief had been prepared to guide the future development of the Tanyard Lane site which is located in Ross on Wye and formed a housing allocation for 150 units within the emerging UDP. The Brief had been prepared jointly between the Council and developers of the site. The Brief would provide additional information to supplement the policies of the Plan and as such would eventually be adopted as Supplementary Planning Guidance. It was reported that all objections relating to Tanyard Lane would be debated at the Inquiry. These objections centre around the following issues: access/traffic, flooding, affordable housing, landscape, design, greenfield/brownfield issues, and capacity of the local infrastructure. The Brief was aimed at progressing and developing proposals in the Plan and addressing detailed issues relating to development of this site.

The Team Leader (Local Planning) said that there were a number of issues of concern which needed to be aired again separately through the consultation process on the brief. He outlined the proposals for consultation which include an exhibition at the Ross Info in Herefordshire office and debate at the Local Area Forum at its next meeting in September.

RESOLVED: That the draft Tanyard Lane Development Brief be approved for public consultation purposes as detailed within the report of the Forward Planning Manager.

20. DEVELOPMENT BRIEF FOR FROME VALLEY HAULAGE DEPOT, BISHOPS FROME

A report was presented by the Team Leader (Local Planning) about the draft Development Brief for the Frome Valley Haulage Depot and proposals for its publication for consultation purposes with a view to it forming interim supplementary planning guidance to the Unitary Development Plan. He advised that the draft development Brief has been prepared to guide the future development of the Frome Valley Haulage Depot which is located in Bishops Frome and forms a housing allocation for 15 units within the emerging UDP. The Brief had been prepared by the Council in conjunction with developers of the site. The Brief would provide additional

information to supplement the policies of the Plan and would eventually be adopted as Supplementary Planning Guidance.

RESOLVED: That the draft Development Brief for Frome Valley Haulage Depot, Bishops Frome, be approved for consultation purposes as detailed within the report.

The meeting ended at Time Not Specified

CHAIRMAN