

MINUTES of the meeting of Planning Committee held at The Council Chamber, Brockington, 35 Hafod Road, Hereford on Wednesday 13 March 2013 at 10.00 am

Present: Councillor PGH Cutter (Chairman)
Councillor BA Durkin (Vice Chairman)

Councillors: PA Andrews, AN Bridges, PJ Edwards, KS Guthrie, J Hardwick, JW Hope MBE, MAF Hubbard, RC Hunt, JG Lester, RI Matthews, FM Norman, AJW Powers, GR Swinford and PJ Watts

In attendance: Councillors JF Knipe

150. APOLOGIES FOR ABSENCE

Apologies were received from Councillors DW Greenow and Brig. P Jones CBE.

151. NAMED SUBSTITUTES (IF ANY)

There were no substitute members present at the meeting.

152. DECLARATIONS OF INTEREST

9. S123545/CD - WATERFIELD ROAD CAR PARK, WATERFIELD ROAD, HEREFORD, HR2 7EL.

Councillor PJ Edwards, Non-Pecuniary, The Councillor set up a Country Park Watch Scheme.

10. S123439/F - NORTHOLME COMMUNITY CENTRE, NORTHOLME ROAD, BELMONT, HEREFORD, HR2 7SP.

Councillor AN Bridges, Disclosable Pecuniary, The Councillor is a trustee and Director of the Northolme Community Centre.

153. MINUTES

RESOLVED: That the Minutes of the meeting held on 20 February 2013 be approved as a correct record and signed by the Chairman.

154. CHAIRMAN'S ANNOUNCEMENTS

The Chairman advised Members that there was a planning training session scheduled for 20 March 2013 commencing at 10:30am.

155. APPEALS

The Committee sought clarification in respect of the appeal at ***, where the appellant had lost the appeal but still been granted costs. The Head of Neighbourhood Planning advised that the costs had been granted in respect of one ground of refusal, highway visibility. The Inspector had deemed that the highway visibility on the site was acceptable and had therefore awarded costs accordingly.

The Planning Committee noted the report.

156. S122604/O - LAND REAR OF WHITE HOUSE DRIVE, KINGSTONE, HEREFORD

The Principal Planning Officer gave a presentation on the application and updates / additional representations received following the publication of the agenda were provided in the update sheet

In accordance with the criteria for public speaking, Mr Wright, representing Kingstone and Thrupton Parish Council, and Mr Barton, a neighbouring resident, spoke in objection to the application and Mr Reed, the applicant's agent, spoke in support.

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

- The application had been discussed at length previously by Committee.
- At the meeting of 30 January the Committee were told that the Core Strategy could not be given due weight however the draft Core Strategy was now out for consultation.
- The draft Core Strategy stated that Kingstone was expected to grow by 14%.
- This expansion equated to approximately five houses per year.
- The application should be refused.

The debate was opened with a number of Members speaking in objection to the application. The first reason for refusal put forward by the Committee was in relation to Policy H10 of the Unitary Development plan, with particular reference made to paragraphs 1, 2, 3, and 6. In respect of Paragraph 1 of Policy H10 it was noted that the last housing needs survey for Kingstone was undertaken in 2008 and was therefore not up to date. The Committee considered that the application was contrary to paragraphs 2 and 3 as the local housing conditions could satisfy the need, and the proposal was not respectful of the character and size of Kingstone. Finally it was noted that the application was for a mixed development and was therefore contrary to paragraph 6.

Members also considered the National Planning Policy Framework in formulating a motion to refuse the application. It was stated that paragraphs 11 and 215 supported the Committee in refusing the application. It was also noted that the NPPF stated that there should be a presumption that brownfield sites be developed ahead of greenfield sites.

Reference was then made to the Core Strategy, particularly RA2 Policy 1, which stated that any development had to respect the size, role and function of each village. The Committee were of the opinion that the proposed application did not meet this requirement.

The Head of Neighbourhood Planning advised Members that as the Core Strategy was a consultation document at this stage it should be given very little weight in planning terms. He advised the Committee to make their decision based on the Council's Unitary Development Plan and the National Planning Policy Framework.

Members continued to debate the application and noted that the Core Strategy suggested a 14% increase in residential dwellings for Kingstone by 2031, they considered that the proposed application was therefore over development. The local concern regarding the application was also referred to. It was noted that the community consultation had concluded that 84% of the local residents opposed the application.

The Committee also noted that the foul drainage network would not be able to accommodate the development until it had been upgraded. Welsh Water had confirmed that these works were scheduled to be completed by April 2015. It was considered that

any development was premature and that the key infrastructure should be in place prior to any planning permission being granted at the site.

Further concern was expressed regarding the sustainable nature of the site. The Committee considered that there was not enough evidence to confirm that Kingstone should be considered a sustainable location. Concern was expressed regarding employment opportunities and public transport links in the village. Concern was also expressed that the development itself had no sustainable features.

Members raised the issue of the lack of a 5 year housing supply throughout the County. They were of the opinion that this matter had to be addressed as a priority. They considered that their hands were tied at present as the Council could not provide a 5 year housing supply.

At the conclusion of the debate both the Head of Neighbourhood Planning and the Development Manager (Hereford and Southern Localities) advised the Committee in respect of the reasons for refusal put forward. The Committee were advised to focus on the UDP and NPPF in making their decision. It was noted that during the debate reference had been made to the possible harm the application could have on the character of the area; the lack of drainage infrastructure; the scale of the development in relation to the village and the inadequate public transport links. It was considered that these could form the grounds for refusing the application in conjunction with the policies referred to by the Committee during the debate, namely UDP Policy H10 and NPPF paragraphs 215 and 11.

The Head of Neighbourhood Planning advised the Committee that he had concerns regarding the reasons for refusal put forward and stated that in his opinion the decision could be susceptible if challenged.

Councillor Knipe was given the opportunity to close the debate but chose to make no further statement.

RESOLVED

THAT planning permission be refused for the following reasons:

- 1. The site is located outside of the settlement boundary for Kingstone as defined in the Herefordshire Unitary Development Plan. The development does not satisfy any of the exception criteria within Policies H7 and H10 and therefore the development is contrary to these policies. In particular it is considered that the proposal is contrary to criteria 3, 5 and 6 of Policy H10 in that it would be of a scale and form that would fail to respect the character and size of Kingstone; its location would not afford reasonable access to facilities, employment opportunities or public transport and it would consist of a mixed development including open market housing. Therefore, notwithstanding the current deficiency in the supply of housing land, having regard to paragraph 14 of the National Planning Policy Framework the adverse impacts of the development would outweigh the benefits.**
- 2. The failure to comply with criteria 3 of Policy H10 in terms of the unacceptable scale and adverse impact upon the character and size of the settlement would therefore fail to accord with Policies DR1, H4 and H13 of the Herefordshire Unitary Development Plan.**
- 3. The failure to comply with criteria 5 of Policy H10, which requires reasonable access to facilities, employment opportunities and public**

transport, together with the current inadequacy of the existing Waste Water Treatment Works is such that the development cannot currently be served by satisfactory foul drainage arrangements. This renders the proposal unsustainable and contrary to Policies S1, S2, DR4 and CF2 of the Herefordshire Unitary Development Plan and the National Planning Policy Framework.

- 4. The application is not accompanied by a completed Section 106 Agreement considered necessary to make the development acceptable and is therefore contrary to Policy DR5 of the Herefordshire Unitary Development Plan and the Council's Supplementary Planning Document on Planning Obligations.**

157. S123075/F - MORETON BUSINESS PARK, MORETON-ON-LUGG, HEREFORDSHIRE, HR4 8DS

The Principal Planning Officer gave a presentation on the application and updates / additional representations received following the publication of the agenda were provided in the update sheet.

In accordance with the criteria for public speaking, Mr Pudge, a local resident, spoke in objection to the application and Mr Green, the applicant's agent, spoke in support.

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

- The application was generally supported although there were some concerns in respect of the access to the site.
- The Parish Council had also expressed concern regarding the increase in industrial land outside of that designated within the Unitary Development Plan.
- The proposed development coupled with the proposed green waste site would result in a significant increase of traffic on the A49.
- The speed of traffic passing the junction onto the site is a concern.
- The short turning lane also causes problems for HGV's turning into the site.
- The 50mph speed limit should be extended past the entrance of the site.
- There was also an issue with vehicles turning into Upper Wellington. A slip road at this turning would address the problem.
- A meeting had been scheduled with the Highways Agency to discuss concerns regarding this stretch of the A49.
- Improvements should be made to the layout of the junction; a 50mph speed limit put in place; and improvements to the Moreton-on-Lugg bus stop should be made prior to the development being approved.

Members discussed the application and were broadly in support of it, however some concern was expressed regarding the access to the site from the A49. The improvements to the cycle network and a dedicated bus service to the site were welcomed and the biodiversity on the site was referred to.

The Committee thanked the case officer for arranging a site visit, which they considered had been beneficial and assisted in making a decision on the application. Mr Pudge was also thanked for attending and sharing his concerns in respect of the access to the site. Members considered that his concerns should be addressed and therefore proposed that the approval of the application be delegated to officer's named in the scheme of delegation to officers subject to further discussions with the applicant in respect of the highway issues on the site.

Members also noted that the applicant was investigating the possibility of reopening the rail link to the site. This decision was welcomed and Members noted that this could reduce the number of HGV's having to access the site by road.

In response to two issues raised by the Committee, the Principal Planning Officer advised that improvement works were planned for the Starting Gate roundabout in early 2014 and that there may be limitations on the highway improvements that could be achieved at the site junction as the Highways Agency were responsible for the A49.

Councillor Guthrie was given the opportunity to close the debate. She reiterated her opening remarks and made additional comments, including:

- That she was pleased that her concerns in respect of the access to the site had been noted.

RESOLVED

That subject to further discussions with the Highways Agency, in consultation with the Chairman, Local Ward Member and neighbouring Ward Member, in respect of concerns regarding the vehicular access to the site from the A49, officers named in the Scheme of Delegation to Offices be authorised to issue planning permission subject to the following conditions and any amended or further conditions considered necessary by officers:

1. **Applications for approval of Reserved Matters shall be made to the local planning authority not later than the expiration of eight years from the date of this permission.**

Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990.

2. **The development to which this permission relates shall be begun not later than the expiration of two years from the date of the approval of the last reserved matters application to be approved.**

Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990.

3. **Prior to the commencement of the development, a phasing plan shall be submitted to and approved in writing by the Local Planning Authority. Thereafter each reserved matters application submitted shall refer to a phase, phases, or part thereof identified in the phasing plan. Any subsequent alteration to the phasing plan shall be submitted to and approved in writing by the Local Planning Authority.**

Reason: To ensure adherence to the approved plans and the associated phasing of the development and secure compliance with policies DR1 and E8 of the Herefordshire Unitary Development Plan.

4. **No development on any phase, or part thereof, shall be commenced until full details of the layout, scale, appearance and landscaping (hereafter referred to as reserved matters) for that phase have been submitted to and approved in writing by the Local Planning Authority. Thereafter each phase of the development shall be carried out in accordance with the approved reserved matters application relating to it.**

Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990 and to enable the local planning authority to exercise proper control over these aspects of the development and to secure compliance with policy DR1 of the Herefordshire Unitary Development Plan.

- 5. Except where otherwise stipulated by conditions, the reserved matters applications shall be carried out in general accordance with the submitted plans drawing numbers 1674-1002c, 1674-1013 and 1674-1007G and TAs 108 Srat MP1C**

Reason: To ensure adherence to the approved plans in the interest of a satisfactory form of development and secure compliance with policies DR1 and E8 of the Herefordshire Unitary Development Plan.

- 6. C01 Samples of external materials**
- 7. E01 Site investigation – archaeology**
- 8. G04 Protection of trees/hedgerows that are to be retained**
- 9. G09 Details of Boundary treatments**
- 10. G10 Landscaping scheme**
- 11. G11 Landscaping scheme – implementation**
- 12. H16 Parking/unloading provision (including car share spaces)**
- 13. H17 Junction improvement/off site works**
- 14. H18 On site roads - submission of details**
- 15. I56 BREEAM**
- 16. H29 Secure covered cycle parking provision**
- 17. H30 Travel plans**
- 18. I02 Scheme of measures for controlling noise**
- 19. I18 Scheme of foul drainage disposal**
- 20. I27 Interception of surface water run off**
- 21. I33 External lighting**
- 22. I41 Scheme of refuse storage (commercial)**
- 23. I51 Details of slab levels**
- 24. I55 Site Waste Management**
- 25. K2 Nature Conservation - site protection**
- 26. K4 Nature Conservation – Implementation**
- 27. K5 Habitat Enhancement Scheme**

28. **L01 Foul/surface water drainage**
29. **L02 No surface water to connect to public system**
30. **L03 No drainage run-off to public system**
31. **I22 No surface water to public sewer**
32. **F06 Restriction on Use (Zone H)**
33. **G14 Landscape management plan**
34. **Prior to the commencement of development hereby permitted or in accordance with a timescale to be agreed prior to the commencement, details of the following shall be submitted to and approved in writing by the local planning authority:**
 - **Strategic landscaping and wildlife habitats**
 - **Strategic foul and surface water drainage**
 - **Amenity Areas**
 - **The new cycleway through the site and alterations to the strategic road layout and design**
 - **Design of the new culvert/bridge over Moreton Brook**
 - **A delivery phasing plan and programme**

The development shall be carried out in accordance with the agreed details and phasing plan.

Reason: To ensure the adherence to the masterplans in the interest of creating a high quality business park environment, to ensure the necessary strategic infrastructure is in place at the appropriate phase of development and to comply with policy E8 of the Herefordshire Unitary Development Plan.

35. **In the case where development including demolition does not commence on each or any phase before March 2015, an updated ecological survey, together with any subsequent mitigation measures required as a result of the findings and a timescale for the implementation of the mitigation measures, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the mitigation measures shall be carried out in full in accordance with the approved details**

Reason: To ensure the biodiversity interest of the site is appropriately considered and any impacts mitigated and to comply with policies NC1 and NC7 of the Herefordshire Unitary Development Plan.

36. **M09 Contamination**
37. **No more than 50% of the total floorspace hereby permitted shall be Use Class B1c and/or B2 of the Town and Country Planning (Use Classes) order 1987, or in any equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.**

Reason: To ensure the highway impact of the development does not exceed acceptable levels and to comply with policy T8 of the Herefordshire Unitary Development Plan.

Reasons for Approval

The majority of the site falls within land allocated for employment within the UDP under policy E2 where the principle of the uses proposed including the vehicle showroom is supported. Three areas of the site are beyond the UDP allocated employment zone. These areas are primarily a mixture of agricultural grazing land and a poplar tree plantation and the approval of development on these areas will be contrary to UDP policies E2 and E15. The NPPF, however, requires local planning authorities to be more flexible in their approach to applications for employment development to ensure landowners can adapt quickly to market demands. The Council is achieving this requirement south of the river on the Rotherwas Enterprise Zone but no such site currently exists close to but north of the city.

This development will deliver a range of unit sizes and employment use classes set within a high quality business park environment, the diversity of which is enhanced by the inclusion of the additional land. The Council's latest employment land study (with the inclusion of the additional land) also rates the site as one of the top two employment sites within the county in terms of environmental sustainability, market attractiveness and strategic planning. The masterplanning of the whole site also allows for the developments strategic infrastructure requirements such as foul and surface water drainage, sustainable transport links, strategic landscaping, amenity areas and biodiversity enhancement to be properly considered and achieved. Notwithstanding the conflict UDP policies E2 and E15, for these reasons, the principle of including the additional land is also supported and moreover, is not considered to be in conflict with the NPPF.

In design terms, the development meets the requirements of UDP policies E8, LA2, LA6, NC1 and DR7 and the requirements of the NPPF. More specifically, the masterplan proposes development that is harmonious with the character of the existing site in that nearly all trees of agricultural value are being retained including large areas of grassland to be dedicated as staff amenity areas and considerable additional landscaping is proposed to mitigate the landscape and visual impact of the development. The biodiversity value of the site has been comprehensively considered and whilst there will be some impact, this is mitigated and more than compensated for with the new wildlife habitats to be created and long term management of existing habitats. Flood risk has also informed the masterplan in that no buildings are now proposed with the high risk floodplain. The site can also support an entirely sustainable surface water drainage system and foul drainage capacity has been evidenced which it is considered will also ensure there is no likely significant effect on the Special Area of Conservation.

The localised and wider traffic impacts of the development have been fully considered and subject to the Highways Agency response, the technical analysis demonstrates that the highway network has capacity for the full development once the improvements to the Starting Gate roundabout are in place. The traffic impacts are also mitigated by proposed enhancements in the sustainable travel options and links with the site. Other matters such as archaeology, contamination, amenity and Section 106 have all been fully considered and are addressed or can be addressed with the recommended conditions.

The growth of this site is a key part of the County's employment strategy and will create an employment site that meets the development needs of business and help support an economy fit for the 21st century as required by section 3 of the NPPF. It will also address the present spatial and qualitative imbalance of available employment land north and south of the river and will place Hereford and the county in a strong position to attract inward investment and provide new job opportunities to complement the proposed Core Strategy housing growth.

The NPPF requires local planning authorities to apply a presumption in favour of sustainable development and defines sustainability as encompassing an economic, social and environmental role. The development is considered to deliver all three strands of sustainability. New employment opportunities will be created contributing to building a strong and responsive economy, the provision of on site childcare facilities and extensive staff amenity areas will assist in supporting the social well-being of staff whilst environmentally, the development is accessible by sustainable transport modes, will protect and enhance the natural and historic environment and will mitigate the impact of climate change in terms of flood risk and energy efficient construction. Consequently, the application will deliver sustainable economic development.

The approval of the application is considered compliant with the relevant development plan policies, save for policies E2 (part) and E15, supplementary planning guidance and the NPPF. In respect of policies E2 and E15, it is considered there are strong material planning considerations, more up to date evidence and policy guidance within the NPPF to warrant departing from these policies.

Informatives

- 1. HN10 No drainage to discharge to highway**
- 2. HN28 Highways Design Guide and Specification**

158. S123545/CD - WATERFIELD ROAD CAR PARK, WATERFIELD ROAD, HEREFORD, HR2 7EL

The Development Manager gave a presentation on the application and updates / additional representations received following the publication of the agenda were provided in the update sheet.

In accordance with paragraph 4.8.2.2 of the Council's Constitution, Councillors PJ Edwards and AN Bridges, two of the local ward members, commented on a number of issues, including:

- A monitoring group of 23 local residents who regularly visit the site had been set up following the previous approval.
- Since the approval there had not been a need to lock the gate.
- If problems did develop on site the gate could be locked.

RESOLVED

That planning permission be granted subject to the following conditions:

- 1. B04 Amendment to existing permission**

2. **The management of the car park and associated land shall be undertaken in accordance with the details of Belmont Haywood Country Park Footway / Cycleway and Car Park Scheme Management Plan dated March 2012 but excluding the requirements of paragraphs 2.1.7 and 2.1.9. The management of the car park shall be carried out in accordance with the approved details in perpetuity.**

Reason: In the interests of the amenities of the locality and to deter crime in order to comply with Policies S1, DR1, DR2 and DR3 of the Herefordshire Unitary Development Plan.

Reason for Approval

1. **The potential impact of the development has been considered in relation to the amenities of local residents and it is considered that the development itself, and use as a car park would not harm the amenities that are enjoyed by local residents. Any anti-social behaviour or disturbance can / should be dealt with by the appropriate authorities. The provision of this car park will provide a facility for use by the wider community and help prevent indiscriminate parking on the highway by those visiting the Country Park. It is therefore considered that the removal of Condition 5a and 5b would comply with the requirements of policy DR2 of the Herefordshire Unitary Development Plan.**

159. S123439/F - NORTHOLME COMMUNITY CENTRE, NORTHOLME ROAD, BELMONT, HEREFORD, HR2 7SP

The Development Manager gave a presentation on the application and updates / additional representations received following the publication of the agenda were provided in the update sheet.

In accordance with the criteria for public speaking, Mrs White, one of the applicants, spoke in support of the application.

In accordance with paragraph 4.8.2.2 of the Council's Constitution, Councillor PJ Edwards, one of the local ward members, commented on a number of issues, including:

- Mrs White and Councillor Bridges had been a driving force in establishing such a good community facility.
- The proposals would increase the usage of the community centre as well as reducing operating costs.

RESOLVED

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 development a detailed gas mitigation scheme, that also has regard to the existing buildings gas mitigation / protection, shall be submitted to and approved in writing to the Local Planning Authority. Works shall be carried out in accordance with the approved details.**

Prior to the first use of the extensions hereby approved, a verification report on the completion of the agreed works, confirming that the remediation measures have been carried out and setting out measures for maintenance, shall be submitted to and approved in writing.

Reason: To ensure that suitable gas mitigation measures are introduced and protected to comply with the requirements of policy DR10 of the Unitary Development Plan.

Reason for Approval

- 1. The proposed development is, by virtue of its size, scale, design and siting an acceptable and appropriate form of development that would serve the needs of the local community, protect the amenities of local residents and provide sufficient parking and cycling facilities. It therefore complies with the requirements of policies S1, DR1, CF5 and T11 of the Herefordshire Unitary Development Plan. With an appropriately worded condition the requirements of policy DR10 can also be met to ensure that gas mitigation is undertaken.**

160. S123352/F - HFA HEADQUARTERS, WIDEMARSH COMMON, HEREFORD, HR4 9NA

The Development Manager gave a presentation on the application and updates / additional representations received following the publication of the agenda were provided in the update sheet.

In accordance with paragraph 4.8.2.2 of the Council's Constitution, Councillor PA Andrews, one of the local ward members, addressed the Committee and stated that all three local ward members were happy to support the application.

RESOLVED

That planning permission be granted subject to the following conditions:

- 1. A01 Time limit for commencement (full permission)**
- 2. B01 Development in accordance with the approved plans**
- 3. C02 Matching external materials (extension)**

Reasons for Approval

- 1. The proposed extension is required to provide additional floor space for the existing Hereford Football Association headquarters as such it is regarded as a sports related development. Having regard to Herefordshire Unitary Development Plan Policies S8 and RST1 and policies contained within the National Planning Policy Framework. It is considered that the proposal represents an important contribution to the provision of local and community sports facilities.**

It is considered that the proposed extension will appear in keeping with the character and appearance of the existing building and surrounding area in terms of its siting, scale, mass, height, detailed design and materials. In this respect the proposal will not conflict with the requirements of Hereford

Unitary Development Plan Policies S1, S2, DR1 and DR2 together with the sustainability and good design policies and objectives contained in the Introduction and Section 7 of the National Planning Policy Framework.

The existing building is located within the Widemarsh Common Conservation Area, where it is an inconspicuous element in the context of the distinctive character of the conservation area. It is considered that the extension and parking area will not significantly increase the prominence of the building and will not harm the character of the conservation area. Accordingly it is considered that the proposal does not conflict with Herefordshire Unitary Development Plan Policies S7 and HBA 6 or Section 12 of the National Planning Policy Framework

It is considered that the proposal will not unduly impact on the amenity of the occupiers of nearby residential or other properties and will not conflict with Herefordshire Unitary Development Plan Policy DR2 or the Core planning principles contained in the National Planning Policy Framework.

The application site is situated within Flood Zone 3. Having regard to the applicant's flood risk assessment and the Environment Agency's response that the proposal is a minor extension and they have no formal comment it is considered the proposal is acceptable and will not conflict with Hereford Unitary Development Plan Policy DR7 or Section 10 of the National Planning Policy Framework.

Informatives

- 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. Negotiations in respect of matters of concern with the application (as originally submitted) have resulted in amendments to the proposal. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.**
- 2. The applicant's attention is drawn to the Environment Agency's advice on flood risk a copy of which is attached.**

161. 123519/FH - THE OLD SAWMILL, MILLFIELD, CANON FROME, LEDBURY, HR8 2TH

The Senior Planning Officer gave a presentation on the application and updates / additional representations received following the publication of the agenda were provided in the update sheet.

The Chairman advised the Committee that Councillor Morgan could not be present at the meeting but that she had sent an email of support for the application stating that the proposed fence was in keeping with others in the locality and that it formed a sensible boundary.

In response to a question, the Head of Neighbourhood Planning advised that fences under one metre high did not need planning permission.

RESOLVED

To take into account any representations received as a result of the internal and public consultation process and, subject to there being no representations

received which would require any alteration to the recommendation, that planning permission be granted subject to the following conditions:

1. **A01 Time limit for commencement (full permission)**
2. **B01 Development in accordance with the approved plans**

Reason for Approval

1. **The proposed development will look acceptable and be in keeping with the character and appearance of the area. The residential amenity of occupants of nearby dwellings will not be adversely affected. In addition highway safety will not be adversely affected. The proposed development is therefore considered to be acceptable and in accordance with planning policies and guidance. In particular Policies S2, DR1, DR3 and H18 of the Herefordshire Unitary Development Plan and Government advice contained in the National Planning Policy Framework 2012.**

Informatives

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, including any representations that have been received. It has subsequently determined to grant planning permission in accordance with the presumption in favour of sustainable development as set out within the National Planning Policy Framework.**
2. **N03 Adjoining property rights**

162. DATE OF NEXT MEETING

The Planning Committee noted the date of the next meeting.

APPENDIX 1 - SCHEDULE OF COMMITTEE UPDATES

The meeting ended at 12.05 pm

CHAIRMAN

PLANNING COMMITTEE

13 March 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.

S122604/O - OUTLINE APPLICATION FOR 35 UNIT HOUSING SCHEME WITH ASSOCIATED ACCESS AT LAND REAR OF WHITE HOUSE DRIVE, KINGSTONE, HEREFORD

For: Bayhill Property Developments Ltd per Quattro Design Architects Ltd, Imperial Chambers, Longsmith Street, Gloucester, Gloucestershire, GL1 2HT

OFFICER COMMENTS

It is considered appropriate to impose an additional condition restricting the hours when construction activity can take place (Mon-Fri 0700-1800, Sat 0800-1300 and no working on Sundays, Bank of Public Holidays)

CHANGE TO RECOMMENDATION

Add additional standard condition I16

S123075/O - SITE FOR B1(C) LIGHT INDUSTRIAL, B2 GENERAL INDUSTRY AND B8 STORAGE AND DISTRIBUTION USES, TOGETHER WITH MOTOR VEHICLE SHOWROOM, ANCILLARY NURSERY, ACCESS AND ASSOCIATED WORKS INCLUDING DEMOLITION OF REDUNDANT BUILDINGS AT MORETON BUSINESS PARK, MORETON-ON-LUGG, HEREFORDSHIRE, HR4 8DS

For: Mr Horner per Delta Planning, 1 Chester Court, 1677A High Street, Knowle, Solihull B93 0LL

ADDITIONAL REPRESENTATIONS

Further response received from the Highways Agency. In summary,

- There are no outstanding issues with the Traffic Assessment
- Further modifications are required to the framework travel plan

They confirm the following:

“We are working with the applicants to resolve the outstanding issues with the framework travel plan and we are confident that these can be overcome sufficiently so that the Holding Direction can be lifted”.

OFFICER COMMENTS

This further response addresses the principal outstanding matter concerning the traffic impacts of the development. If delegated authority is granted, your officers are also confident the outstanding issues with Schedule of Committee Updates

the travel plan can be addressed and furthermore, a condition is also recommended requiring each new occupier to submit a full travel plan.

S123545/CD - REMOVAL OF CONDITIONS 5A AND 5B OF PLANNING PERMISSION S113513/CD AT WATERFIELD ROAD CAR PARK, WATERFIELD ROAD, HEREFORD, HR2 7EL

For: Herefordshire Council per Parks and Countryside, Herefordshire Council, Po Box 41, Leominster, Herefordshire, HR6 0ZA

ADDITIONAL REPRESENTATIONS

Confirmation received from PC Roger Bradley (Belmont Local Policing Team / South Side Cops) and from Charles Naylor (Crime Prevention & Design Advisor) that can be summarised as follows:

- I am not aware of any issues or reports to the police in relation to the car park. Since Nov 2012 there has only been one anti-social type incident reported near the car park, which was a small bonfire on the fields at the rear, but that was on 5th Nov 2012. I am not aware of any other problems.
- As we operate as a police cycle team we often cycle through the car park as a link from Mulberry Park back onto Newton Farm, so the area gets its fair share of patrol visits.
- I note Mrs Lynch's concerns but unless there is any other recorded information which would give details of historic anti-social behaviour/crime at this location I do not see any major problems with supporting the application.
- I also note that the car park is fitted with a lockable gate and that this is to remain in situ and can be utilised should problems start to materialise.

NO CHANGE TO RECOMMENDATION

123519/FH - PROPOSED PICKET FENCING AND GATE TO SOUTHERN BOUNDARY, FENCING TO NE BOUNDARY AND GATE REAR OF PARKING AREA AT THE OLD SAWMILL, MILLFIELD, CANON FROME, LEDBURY, HR8 2TH

For: Mr C J Baird, The Old Sawmill, Millfield, Canon Frome, Ledbury, Herefordshire HR8 2TH

ADDITIONAL REPRESENTATIONS

Traffic Manager advises that the proposed boundary fence "A" must not have any part of it closer to the highway than a line joining the outer face of the brick wall to the centre of the hedge bounding the adjacent agricultural land. The proposed fence at the rear is acceptable.

E-mail from applicant commenting on objectors representations. He comments that not all of the properties in the area have open plan front gardens. Some have fencing around their gardens. He also states that he does not have fencing all around his property. There is some fencing but other sides are open.

OFFICER COMMENTS

The proposed line of fence "A" as shown on the submitted plans, is in accordance with the Traffic Manager's advice.

NO CHANGE TO RECOMMENDATION