

PLANNING COMMITTEE

Date: 10 December 2014(am)

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.

SCHEDULE OF COMMITTEE UPDATES

P141917/F - PROPOSED CONSTRUCTION OF 27 DWELLINGS TO INCLUDE 9 AFFORDABLE, NEW ACCESS, SUSTAINABLE DRAINAGE AND LANDSCAPE WORKS AT LAND WEST OF PATRICK ORCHARD, CANON PYON, HEREFORDSHIRE, HR4 8NY

For: Mr Pryce per Mr Russell Pryce, Unit 5, Westwood Industrial Estate, Pontrilas, Hereford, Herefordshire HR2 0EL

ADDITIONAL REPRESENTATIONS

One additional letter of representation has been received from Chris Nugent Canon Court. This letter has been circulated to Members and has been published to the website. The letter provides a response to comments from the Emergency Planning Officer and further comments on sites that may be sequentially preferable for development in Canon Pyon as identified in the emerging Neighbourhood Plan.

Three additional letters of support have also been received that confirm that whilst there is surface water that runs from Nupton Lane past the Nags Head the run-off is not so deep or run so fast that it has been impossible to drive or walk through. They also confirm that the site will be in an ideal location in the middle of the village.

OFFICER COMMENTS

The additional queries in respect of the sequential testing have been further considered through reference to the 2012 Strategic Housing Land Availability Assessment that clearly identified that the site with Planning Permission to the south and the application site were the two sequentially preferred sites in the village for residential developments.

NO CHANGE TO RECOMMENDATION

P141022/F - PROPOSED DEMOLITION OF EXISTING BUILDING AND ERECTION OF 29 DWELLINGS WITH ASSOCIATED PRIVATE DRIVE, LANDSCAPING AND EXTERNAL WORKS AT LAND AT PINSLEY ROAD, LEOMINSTER, HEREFORDSHIRE, HR6 8NN

For: Mr Tomkins per Mr T J Ford, 30 Grove Road, Hereford, Herefordshire, HR1 2QP

ADDITIONAL REPRESENTATIONS

Correspondence has been received from the Environment Agency. Based on the detail contained within the Flood Risk Assessment submitted they are minded to object to the proposal and request additional information in order to make an informed decision on the flood risk associated with this site.

They note that the site lies within Flood Zones 2 and 3 and therefore expect confirmation that the Sequential Test has been considered and that there are no alternative sites in an area of lower risk.

They also advise that The FRA must confirm that the development will be safe over its lifetime and will not act to increase flood risk elsewhere.

They conclude that the FRA does not currently demonstrate that the development is safe when climate change impacts are considered or that flood risk elsewhere will not be increased as there is insufficient detail on the flooding of the site during a 1 in 100 year plus climate change events.

One further letter of representation has been received expressing concern that there has been no archaeological investigation of the site. It also reiterates concerns raised about the density of the scheme.

The Council's Archaeologist has commented on the application in light of the additional representation received and raises no objection to the proposal subject to the imposition of a condition to require archaeological investigation prior to the commencement of development.

OFFICER COMMENTS

The comments made by the Environment Agency have not taken into account additional information submitted by the applicant's agent following an initial consultation response from the council's Land Drainage Engineer. The further information addressed similar concerns raised by the Land Drainage Engineer to those latterly raised by the Environment Agency. The Environment Agency have indicated in a separate email that their concerns relate solely to fluvial flood risk and it is not envisaged that the objection made is insurmountable.

The matter of sequential testing has also been raised. The site is predominantly located within Flood Zone 2 and the NPPF requires that consideration be given to sites in less vulnerable locations in the first instance.

There will be sequentially better sites to develop in Leominster in terms of flood risk – the proposed site for the urban expansion being one. However, there are other material planning considerations to be taken into account and these are as follows:

- The fact that this is previously developed land
- The fact that planning permission has previously been granted for residential development on the site.
- The fact that two separate developments have been granted immediately adjacent that also lie within a Flood Zone 2 area
- The fact that the Council does not have a five year housing land supply.

All of these matters weigh heavily in favour of the development and it is not consider that it would be reasonable to refuse the application on grounds that there are sequentially preferable sites.

CHANGE TO RECOMMENDATION

The imposition of an additional condition to require archaeological investigation of the site prior to the commencement of development.

In light of the comments outstanding from the Environment Agency it is recommended that the application is delegated to officers to approve in consultation with the Chairman and local members, subject to the objections raised being addressed.

**P140903/F - PROPOSED ERECTION OF TWO DWELLINGS
AT LAND ADJACENT TO HIGHTOWN COTTAGE,
PETERSTOW, HEREFORDSHIRE,**

**For: Mrs Roberts per Mr Colin Goldsworthy, 85 St Owen
Street, Hereford, Herefordshire, HR1 2JW**

CHANGE TO RECOMMENDATION

Amend condition 1 to read:-

- 1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission;**

Reason: - Required to be imposed by Section 91 of the Town and Country Planning Act 1990;