

# **PLANNING COMMITTEE**

**Date: 11 February 2015**

**(Morning)**

## **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

**P141828/F - PROPOSED RESIDENTIAL DEVELOPMENT OF 22 OPEN MARKET FAMILY HOMES AND 11 AFFORDABLE HOMES AT MILL FIELD, FOWNHOPE, HEREFORDSHIRE.**

**For: SC Hardwick & Sons per Mr James Spreckley, Brinsop House, Brinsop, Herefordshire HR4 7AS**

### ADDITIONAL REPRESENTATIONS

1. The National Planning Casework Unit for the Department for Communities and Local Government have requested that should the Council be minded to grant permission that the decision not be issued until the Secretary of State has considered the case against his call-in policy and issued a decision. This does not prevent the application being considered at today's meeting.
2. The agent has submitted the following in response to the Parish Council comments in respect of a lack of engagement with the local community:-

*"I note that you have repeated the comments of the Parish Council relating to the consultation process, or their alleged lack of consultation, but have not addressed this in your appraisal nor repeated my rebuttal of their accusation of the lack of consultation. You will recall that I addressed this in some detail in my email to you of 19 September, copying to you my emails to the Parish Council clerk dated 12th June 2012 and 28 January 2013 submitting details of our proposals for their consideration and comment. You will see from their response that the reluctance to engage in consultation was entirely from the Parish Council. It is worth noting that this response from the Parish Clerk was copied to the then Chairman of the Parish Council, who is now the Chairman of the Neighbourhood Plan Steering Group. As a result of this reluctance to engage, I held two Planning Exhibitions in December 2013 to enable me to engage directly with the public. These were widely advertised, although again the clerk declined to circulate the details by email or post details on the Parish Council notice boards. I also attended the Parish Council meeting in December 2013 to explain the proposals, and all the plans were submitted by email to the Parish Council clerk for circulation. As a result of the feedback there have been comprehensive amendments and a comprehensive re-design of the whole proposed development. I met again with the Parish Council as recently as 14th October 2014 to discuss the details of the proposed Community Orchard. In the interest of balance and fairness I would be grateful if you would include this specific information in your update to Members."*

3. The Neighbourhood Plan Steering Group (NPSG) has submitted its planning consultant's conclusions in relation to the application site. The assessment concludes that the site should be rejected in principle because of its significant environment effects on matters of acknowledged and national importance, in

particular effect on the Wye Valley AONB and the character and appearance of the Conservation Area.

### **OFFICER COMMENTS**

1. The National Planning Casework Unit request that if the Council is minded to approve the application the Secretary of State is informed to consider to his 'call-in' powers. The wording of the recommendation is changed to reflect this.
2. Item 7 of the Draft Heads of Terms S.106 agreement describes the financial contribution towards recycling as £2640 per dwelling, when it should read £2640 in total (or £120 per open market dwelling).
3. The NPSG assessment of the site's suitability for housing is part of the evidence base that will inform the neighbourhood plan. Officers consider this piece of work cannot be attributed weight in the decision-taking process for the following reasons:-
  - The Neighbourhood Plan, and by extension its evidence base, is not sufficiently advanced to attract weight.
  - The site assessment work has not been subject to any consultation.
  - The site assessment paper is wrong in law as it relies on the General Development Management Order definition of the term 'Major Development' i.e. 10 or more houses or sites exceeding 0.5ha. Case law establishes that for the purposes of NPPF paragraph 116 the term 'Major Development' cannot be ascribed a numerical value.
  - The assessment does not take into account the planning application.

### **CHANGE TO RECOMMENDATION**

In response to the National planning Casework Unit's intervention, it is requested that if Members are minded to granted planning permission The Secretary of State is informed to consider his call-in powers.

**P142410/O - PROPOSED OUTLINE CONSENT FOR THE  
ERECTION OF UP TO 38 DWELLINGS AT LAND ADJACENT  
TO B4222, LEA, ROSS ON WYE, HEREFORDSHIRE,**

**For: MLN (Land and Properties) Ltd per Mr Weatherley,  
Knights, The Brampton, Newcastle under Lyme, Staffordshire,  
ST5 0QW**

### **ADDITIONAL REPRESENTATIONS**

A draft S106 has been submitted in accordance with the Draft Heads of Terms.

### **NO CHANGE TO RECOMMENDATION**

**P143600/F - PROPOSED THREE BEDROOM DWELLING AT  
LAND NORTH OF TARS MILL FARM, HOLLOW FARM ROAD,  
DINEDOR, HEREFORDSHIRE, HR2 6PE**

**For: Mr D Greenow & Ms V Huntley per Collins Design & Build,  
Unit 5 Westwood Industrial Estate, Pontrilas, Hereford,  
Herefordshire HR2 0EL**

**ADDITIONAL REPRESENTATIONS**

4 additional letters of support have been received that raise no new issues.

The Transportation Officer has confirmed that he has no objections.

**NO CHANGE TO RECOMMENDATION**