

COLWALL PARISH COUNCIL**Minutes of the meeting of the PLANNING & DEVELOPMENT COMMITTEE held at The Jean Simon Room, Colwall Village Hall, Mill Lane, Colwall on Wednesday 28th August 2019 at 7.30pm**

Present: Chairman – Beard, Councillors: Butler, Cottam, Daniels, Haynes, Lane, Rees, Stock, Stratton, Wiseman, 10 members of the public and the Clerk.

1. Welcome and Apologies for Absence

The Chairman welcomed those present.

Apologies were received and accepted from Councillor Evans.

The Chairman reminded non-committee members that they could discuss but not vote upon items on the agenda.

2. Declaration of Interests

The Chairman reminded Councillors of the need to declare any Interests in items on the agenda.

Councillor Stratton declared a disclosable pecuniary interest in 4 (iv) and 5 and left the room whilst these items were discussed and voted upon.

3. Minutes of the last meeting

The minutes of the last meeting of the Planning Committee held on 14th August 2019 were agreed and signed by the Chairman.

4. Planning applications.

i) Planning Consultation - 192700 –Propose to fell Golden Fir, large Fir and Field Maple at Whitegates, Mathon Road, Colwall, Malvern, Herefordshire WR13 6ER. Applicant: Mr Dare.

IT WAS RESOLVED that Colwall Parish Council has no objections to the application.

ii) RE: Planning Consultation - 192772 – Proposed two storey side extension at Talgoree, 16 Crescent Road, Colwall, Malvern, Herefordshire WR13 6QW. Applicant Mr & Mrs Easton.

IT WAS RESOLVED that Colwall Parish Council has no objections to the application and supports the statement that the roofline, materials and finish are maintained.

iii) Re Planning Application – 192664/FH – Proposed two storey extensions to side elevation, balcony to southern aspect and external alterations at Windsacre, Colwall.

IT WAS RESOLVED that Colwall Parish Council has no objections to the application.

iv) RE: 192834/F - Land to the Rear of Paddock End and The Way. Proposed erection of 1 no 5 bedroom house and associated garages, driveways and amenity space.

Applicant: S Billingham.

IT WAS RESOLVED that Colwall Parish Council strongly objects to this application for the following reasons:-

The site - The site of the proposed development lies outside the settlement boundary as set out in the Herefordshire UDP and is outside of the proposed settlement boundary of the emerging Colwall Neighbourhood Development plan.

The application is contrary to Policy RA3 in the Herefordshire Core Strategy in that it fails to meet any of the categories listed that may permit development outside settlements.

The emerging Colwall Neighbourhood Development Plan, which has been well supported during the March 2018 Regulation 14 consultation, demonstrates that Colwall can adequately meet its housing allocation, as set out in the adopted Herefordshire Council Core Strategy, without the need for the proposed to be granted.

As part of the work towards drafting the Colwall Neighbourhood Development Plan a detailed Landscape Sensitivity and Capacity Assessment (LSCA) has been undertaken; this assessment records the proposed development site as having low to medium/low capacity which is the second lowest level of capacity recorded around the village. This indicates that the land is relatively unsuitable for development when considering landscape and visual amenity issues.

Design - The proposed is adjacent to the Colwall Conservation Area and in the Malvern Hills AONB. No consideration appears to have been given either of these status when designing the properties or their position in the plots.

Properties in this part of the village are generally set back with having their principal elevation facing the road. The proposed is contrary to this with the dwellings appearing to be large relative to their plot size and with no obvious relationship to a local road or the proposed track access. The proposed appears to contravene the AONB Building Design Guide in that new development should reflect existing settlement pattern and plot size and that characteristic spacing should be reflected. There is also concern that should this be granted this could potentially be repeated along the western edge of the Conservation Area in this part of the village. No consideration appears to have been given to the proposed within the context of the landscape.

In our opinion, the designs are not “sustainable” or “of exceptional quality and innovative design to satisfy the design criteria as set out in Paragraph 55 of the National Planning Policy Framework.

They do not significantly enhance the surrounding area, and elevations fail to define characteristics of the local area.

Furthermore, the “Design Statement” states that “the proposed would contribute towards the affordable housing needs of the village”.

It is difficult to see how it could be interpreted that 1 no 5 bed-roomed detached houses meet the criteria for “contributing towards affordable housing” in the village of Colwall.

Access – Policy MT1 of the Core Strategy.

This application contravenes this policy.

Access to the proposed is along the existing track off Mathon Road.

This is a narrow single track lane of between 3-4 metres (10-12 feet) in width and 68 metres long (225 feet) with no passing places.

Access from the track onto Mathon Road is on a blind bend, this fails to meet "Herefordshire Councils Highways Design Guide" which states that there must be good visibility in both directions.

A report on the proposals set out in the Transport Statement is attached, refuting the claims of available visibility. This has been prepared by a highway engineer.

The road traffic "Tracsis" survey has been undertaken during the summer school holidays when the traffic was lighter than normal; and therefore is misleading as it is not representative of normal week day traffic outside of the school holidays.

The highways report refers to an average speed along Mathon Road of 22-28 mph; however, it fails to mention that this road is a very narrow country lane, which is regularly used by agricultural vehicles and horseback riders as well as regular vehicles. By omitting this information it does not reflect the true conditions of the road/site.

The proposed parking at the proposed development is limited to 3 parking spaces... This parking appears inadequate for a 5 bedroomed house; if all the proposed parking spaces were utilised and additional vehicles needed to park at the property the "overspill" could not park along the single track road (because it would be blocked) or along Mathon Road which itself is a narrow busy road with no parking places (or footway).

Biodiversity and geodiversity – Policy LD2 of the Core Strategy

The proposed fails to meet the criteria stated within the policy that "developments proposed should conserve, restore and enhance biodiversity and geodiversity of Herefordshire".

The area is rich in both wildlife and birdlife, which is contrary to the application. In addition, the supporting documentation states that "there are no ponds in the vicinity"; we have been advised that there are in fact 2 ponds within 100 metres of the development site and great crested newts have been sighted on land adjacent to the proposed site.

The reports supporting the application claim that the proposed development site is well screened from the adjacent footpath to the south by a hedge. This footpath is well used and much of the vegetation present along the PROW is deciduous therefore the proposed houses and associated garages would be clearly visible throughout the winter months.

It is requested the applicant obtains TPOs on those trees he has promised to protect.

In summary the application would be damaging to the sensitive landscape in which it would sit and fails to meet planning, highways and environmental requirements. We understand that applications have previously been made to develop this site in 1953, 1973, 1975 and 1976, the first was withdrawn and the others refused, those in

1975 and 1976 following appeal because the area was in essence deemed unsuitable for development.

We would also like to draw to the planning officers' attention to application P191826/F which was recently refused.

The Parish Council is of the opinion this application also would result in adverse harm to both the character and appearance of the landscape hereabouts, including landscape impact from surrounding public vantage points and the enjoyment of adjacent public rights of way, adversely impacting on the value of the Principal Timbered Farmlands landscape character, landscape setting and also the Malvern Hills Area of Outstanding Natural Beauty, which is not outweighed by the benefits of the proposal and thereby contravenes Herefordshire Core Strategy policies LD1; RA6; SD1 and SS6 of the Herefordshire Local Plan – Core Strategy, and the relevant paragraphs, aims and objectives of the National Planning Policy Framework”.

The proposed development

5. Correspondence

Notice of Application for Appeal re planning application 183202 – Land to the rear of Paddock End and The Way, Mathon Road, Colwall.

Following additional documentation being submitted by the applicant Colwall Parish Council reconsider their objections and RESOLVED to amend its' objections to the following:-.

Colwall Parish Council strongly objects to this application for the following reasons:-

The site - The site of the proposed development lies outside the settlement boundary as set out in the Herefordshire UDP and is outside of the proposed settlement boundary of the emerging Colwall Neighbourhood Development plan.

The application is contrary to Policy RA3 in the Herefordshire Core Strategy in that it fails to meet any of the categories listed that may permit development outside settlements.

The emerging Colwall Neighbourhood Development Plan, which has been well supported during the March 2018 Regulation 14 consultation, demonstrates that Colwall can adequately meet its housing allocation, as set out in the adopted Herefordshire Council Core Strategy, without the need for the proposed to be granted.

As part of the work towards drafting the Colwall Neighbourhood Development Plan a detailed Landscape Sensitivity and Capacity Assessment (LSCA) has been undertaken; this assessment records the proposed development site as having low to medium/low capacity which is the second lowest level of capacity recorded around the village. This indicates that the land is relatively unsuitable for development when considering landscape and visual amenity issues.

It is noted that planning application P191826/F, Land at Vineyard West of Hoe Court Colwall Herefordshire, which lies approximately 550m, almost due North of the site was refused on 16th July 2019, for reasons that are considered to be relevant in this instance including (extract from reasons for refusal in the planning officer's report);

The proposed development would result in adverse harm to both the character and appearance of the landscape hereabouts, including landscape impact from surrounding public vantage points and the enjoyment of adjacent public rights of way, adversely impacting on the value of the Principal Timbered Farmlands landscape character, landscape setting and also the Malvern Hills Area of Outstanding Natural Beauty, which is not outweighed by the benefits of the proposal. As such the proposal is contrary to Herefordshire Core Strategy policies LD1; RA6; SD1 and SS6 of the Herefordshire Local Plan – Core Strategy, and the relevant paragraphs, aims and objectives of the National Planning Policy Framework.

Design - The proposed is adjacent to the Colwall Conservation Area and in the Malvern Hills AONB. No consideration appears to have been given either of these status when designing the properties or their position in the plots.

Properties in this part of the village are generally set back with having their principal elevation facing the road. The proposed is contrary to this with the dwellings appearing to be large relative to their plot size and with no obvious relationship to a local road or the proposed track access. The proposed appears to contravene the AONB Building Design Guide in that new development should reflect existing settlement pattern and plot size and that characteristic spacing should be reflected. There is also concern that should this be granted this could potentially be repeated along the western edge of the Conservation Area in this part of the village. No consideration appears to have been given to the proposed within the context of the landscape.

In our opinion, the designs are not “sustainable” or “of exceptional quality and innovative design to satisfy the design criteria as set out in Paragraph 55 of the National Planning Policy Framework.

They do not significantly enhance the surrounding area, and elevations fail to define characteristics of the local area.

Furthermore, the “Design Statement” states that “the proposed would contribute towards the affordable housing needs of the village”.

It is difficult to see how it could be interpreted that 2 no 5 bed-roomed detached houses meet the criteria for “contributing towards affordable housing” in the village of Colwall.

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Access from the track onto Mathon Road is on a blind bend, this fails to meet “Herefordshire Councils Highways Design Guide” which states that there must be good visibility in both directions.

A report on the proposals set out in the Appeal Statement in Respect of Highways and Transportation is attached, refuting the claims of available visibility. This has been prepared by a highway engineer.

The road traffic “Tracsis” survey has been undertaken during the summer school holidays when the traffic was lighter than normal; and therefore is misleading as it is not representative of normal week day traffic outside of the school holidays.

The highways report refers to an average speed along Mathon Road of 22-28 mph; however, it fails to mention that this road is a very narrow country lane, which is regularly used by agricultural vehicles and horseback riders as well as regular vehicles. By omitting this information it does not reflect the true conditions of the road/site.

The proposed parking at the proposed development is limited to 3 parking spaces per 5 bed-roomed property. This parking appears inadequate for 5 bed-roomed houses; if all the proposed parking spaces were utilised and additional vehicles needed to park at the properties the “overspill” could not park along the single track road (because it would be blocked) or along Mathon Road which itself is a narrow busy road with no parking places (or footway).

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The area is rich in both wildlife and birdlife, which is contrary to the application. In addition, the supporting documentation states that “there are no ponds in the vicinity”; we have been advised that there are in fact 2 ponds within 100 metres of the development site and great crested newts have been sighted on land adjacent to the proposed site.

The reports supporting the application claim that the proposed development site is well screened from the adjacent footpath to the south by a hedge. This footpath is well used and much of the vegetation present along the PROW is deciduous therefore the proposed houses and associated garages would be clearly visible throughout the winter months.

It is requested the applicant obtains TPOs on those trees he has promised to protect.

In summary the application would be damaging to the sensitive landscape in which it would sit and fails to meet planning and environmental requirements.

We understand that applications have previously been made to develop this site in 1953, 1973, 1975 and 1976, the first was withdrawn and the others refused, those in 1975 and 1976 following appeal because the area was in essence deemed unsuitable for development.

6. Planning Application Decisions:

Approved

192052 – The Downs School, Colwall

7. Date of Next Meeting:

To confirm the date of the next meeting, this is scheduled for 25th September 2019 in the Jean Simon Room, Colwall Village Hall.

Meeting closed at 08.08 pm

..... Date: