

# WALFORD PARISH COUNCIL

**Clerk:** Rose Cottage, Coughton, Ross on Wye, HR9 5SF. **E Mail:** clerk@walford-pc.org.uk. **Website:** [www.walford-pc.org.uk](http://www.walford-pc.org.uk)

## Minutes for the extra-ordinary meeting of the Parish Council at Walford Village Hall On Wednesday 21<sup>st</sup> August 2013 at 7.30pm

**Present:** Chairman - Simon Kinder.

**Councillors:** Dave Berry, Simeon Cole, John Daniels, Eric Drummond, Heather Evans, Philip Heath, Frank Myers, Terry Snow, Marc Thomas.

**In attendance:** Clerk Catherine Murray, Ward Councillor Jarvis and approximately 20 members of the public.

1. **Apologies:** Sandra Cole – Family commitments, Luke Freeman – Interest preventing participation.
2. **Declarations:** Cllr Simeon Cole declared a pecuniary interest in item 3.1, Thorny Orchard; Cllr Drummond declared an 'other' interest in item 3.2 – as Village Hall Trustee; Cllrs Snow and Berry declared an 'other' interest in item 3.2 – as Village Hall committee members. This is recorded in the Interest Book.

3. **Planning Applications:** Planning Appendix B was noted.

*The Chairman explained that items 4.1–4.3 would be brought up the agenda, to follow each application as it was presented.*

**The following applications were viewed and information was received:**

**3.1 Site:** Land at Thorny Orchard, Coughton. **Application No:** 131631/F

**Description:** *Erection of 3 residential dwellings and associated landscaping and access works including a scheme of landscape enhancement and the reinstatement of a public footpath.*

**(Cllr Simeon Cole left the room)**

The Chairman advised that there had been an informal site meeting, immediately prior to the extra-ordinary meeting, to gather information from the applicant and his agents, about the proposed development. The applicant and his agent gave a presentation, Parish Councillors asked questions relevant to the application, as follows: *(Answers provided by the applicant's Architect, Agent and Councillors – as indicated.)*

- **Q: How will the proposed development be lit?** **A: (Architect):** *There is no intention to provide street lighting, only house porch and low level lights along the access drive.*
- **Q: There are concerns about the position and safety of the entrance to the site.** **A: (Architect):** *Proposed that the applicant will go back to Herefordshire Council to address this; he confirmed that there would be no objection to moving the entrance in the interests of safety.*
- **Q: The original development did not go beyond the electricity lines, the new one does, why is this?** **A: (Architect):** *The proposed development is spread beyond the electricity lines, in order to break up the visual impact of the long elevation, breaking up a 24m elevation, into 3 x 6m frontages.*
- **Q: What is the proposed height of the roof apexes?** **A: (Architect):** *Approximately 7 metres.*
- **Q: What is the proposed timetable for the site?** **A: (Architect):** *That depends on the planners at Herefordshire Council, but the committee is meeting on 11<sup>th</sup> September to consider the application.*
- **Q: When will footpath WA50 be re-instated?** **A: (Architect):** *The intention is to deliver the re-instated footpath first, as part of the application, the applicant has agreed to a 1 year time limit for implementation.*
- **Q: Why has nothing been done, to re-instate the footpath by the 19<sup>th</sup> July deadline set by Herefordshire Council?** **A: (Agent):** *The applicant was advised that he must have planning permission, in order to start works to the footpath and due to delays at Herefordshire Council planning department, 4 weeks have been lost to delays, otherwise work could have started earlier.*  
**A: (Ward Cllr):** *Herefordshire Council has been in discussion with all parties on a regular basis and that it had been stressed, when the site was auctioned, that the re-instatement of the footpath was of particular importance. No enforcement action has been taken so far, because the application which has been submitted includes both elements and is being considered by committee in September.*
- **Q: (Ward Cllr): Would the applicant accept that the re-instatement of the footpath comes first, within a timeframe specified by the Parish Council?** **A: (Architect):** *Yes, if the timeframe is reasonable, the footpath will come first.*
- **Q: What about the Badger set in the bank below the site?** **A: (Architect & Agent):** *An ecological survey has been carried out and the works are far enough away not to affect the badgers. The badgers can either be left as they are, or a temporary set could be introduced, the applicant is prepared to implement either option, whichever is considered the best approach.*
- **Q: (Cllr): Were the footpath and the site development not separated?** **A: (Chairman):** *Now that the application has come in, they are being considered together, as mentioned by Cllr Jarvis.*
- **Q: (Cllr): If the original sloping bank below the footpath was re-built, could it be done without planning consent?** **A: (Agent):** *The applicant has asked, this would also need planning consent.*

- **Q: What if the planning application fails to gain consent?** **A: (Agent):** Herefordshire Council may carry out re-instatement work, or issue a split decision, giving consent to the footpath re-instatement, which will still happen, either by Herefordshire Council, or the applicant, carrying out the work.
- **Q: What would the applicant consider to be a reasonable timeframe within which to re-instate the footpath?** **A: (Agent):** A maximum of one year, but with the intention to get to it quicker than that; with the winter coming, a target of next summer should be achievable.

### 3.1.1 Public Participation Session:

- **Q: Whilst there is no issue with the proposed housing and design, there are concerns about the access, it is a very dangerous location for traffic and surprise was expressed that Herefordshire Council had not refused the application, due to dangers posed by the access.** **A: (Agent)** Herefordshire Council have not raised the issue of access, but the Highways Department will look at the extant and proposed applications; the danger would have been greater for the previous application, less so for the proposed.
- **Q: Is it not the case that permission for the existing access has not been granted?** **A: (Cllr)** The condition was discharged incorrectly. **A: Ward Cllr:** The conditions were discharged by an officer who has now left the Planning Office. **A: (Architect):** The applicant has no problem with amending the entrance by moving it down the hill, he would be happy to do that.
- **Q: What is proposed regarding drainage on the site?** **A: (Architect):** Permeability tests have been done; there will be soakaways, a mini treatment plant and green roofs, to deal with drainage. **A: (Agent):** Anywhere in this area, existing drainage must, at least, be improved upon.
- **Q: An accurate application was not submitted by the previous owner and yet conditions were discharged.** **A: (Architect):** The applicant will not act in that way and will abide by nationwide planning rules and regulations.
- **Q: Will the existing trees be removed, as was the case with the previous applicant?** **A: (Architect):** The applicant will stick by the original application; any enforcement is a Herefordshire Council issue. **A: (Chairman):** This can be taken up with the local authority independently.
- **Q: Why is building work being proposed on what is not a brownfield site?** **A: (Agent):** Planning consent has been given for buildings on the site.
- **Q: Badgers are undermining the bank, but the earth is removed, leaving many unaware of the dangers of this, why has nothing been done?** **A: (Agent):** The applicant will do whatever is necessary, to deal with this problem. **A: (Cllr):** There have always been badgers and this should be a separate issue; perhaps the higher bank, created by the previous applicant moving earth on site, should be lowered to its' original height, leaving the badgers alone and solving the problem. **A: (Agent):** This is the most sensible solution. **A: (Member of public):** Badgers have been there for 40 years, but it has got much worse in the last 10 years.
- **Q: (WPC AONB Representative): The site is in an AONB area; can the Ward Cllr explain, what planning laws allow for the building of large properties on a Greenfield site?** **A: (Ward Cllr):** Section 8.10 has a long list of what can be done in this area; the issue of this site is not as straightforward as the question implies. Based on the original decision, there are now two options: 1) Housing as proposed - well designed houses; OR: 2) A business – a large commercial building.
- **Q: Why does the Parish need more houses?** **A: (Ward Cllr):** The Parish needs to make its contribution to the anticipated County-wide demand for new housing in the future.
- **Q: Can't the original application be contested on the basis that Highways Department permission was not given and the original conditions were not correctly discharged?** **A: (Ward Cllr):** The previous consent stands, despite this and The Highways arm of the County Council will not give permission to current proposals, if the access is not safe. **A: (Cllr)** Do not forget that it was also the responsibility of the original applicant, who was aware that he had not satisfied the conditions, even though The County Council had discharged them.
- **Q: There is a feeling that the Parish is being encouraged to accept the houses; otherwise they will get an MOT garage.** **A: (Cllr):** The PC has raised concerns, which the applicant's Agent has said will be taken on board.

### 4.1 Parish Council comments on Application No: 131631/F

#### During a discussion, the following was suggested:

- That aside from support or objection to the application, the PC could decide not to comment, on the basis that the original decision should never have been given.  
**Ward Cllr:** The Parish Council must make a decision for or against, as the 19 member planning committee will be making their decision on the application in September.  
**It was RESOLVED to make the following comments: The Parish Council did not support the application, by a majority vote of 5:4. (Final comments available on Herefordshire Council's website and on application to the Clerk)**
- Expression of disappointment at the ethics of having to comment on an application, resulting from permission which should not originally have been given.
- The list of 5 factors drawn up and read out by Cllr Heath. (As confirmed to the Clerk, by Cllr Heath)
- Should permission be given, the design of the entrance to the site should be revisited

The Ward Cllr offered to include views expressed by members, at the Committee meeting. A Cllr suggested that people should go to the Planning Committee meeting to make clear their feelings.  
**(Cllr Simeon Cole returned to the room)**

**3.2 Site:** The Village Hall, Walford, HR9 5QS. **Application No:** 131428/F

**Description:** *Provision of young children's secure play area with seating area and small store together with enhancements to improve an existing agricultural access of adjacent land areas and provide a dedicated parking area to the facility - works to include a change of use.*

**(Cllrs Berry, Drummond and Snow remained in the room, but did not vote.)**

Cllr Berry explained the proposals and Cllrs asked questions relevant to the application.

**3.2.1 Public Participation Session:**

- **Q: Who will be responsible for the maintenance and management of the play area? A: (Cllr Berry):** *The Management Committee of the Village Hall will maintain the play area; the proposed play area car-parking will remain in the ownership of the current landowner, with an agreement that the Village Hall may use the car parking area, as long as the play area is in existence.*

**4.2 Parish Council comments on Application No:** 131428/F

***The Parish Council supported the application.***

**3.3 Site:** 35 Coughton Place, Walford, HR9 5RX. **Application No:** 131812/FH

**Description:** *External spiral staircase.*

**3.3.1 Public Participation Session:** None.

**4.3 Parish Council Comments on Application No:** 131812/FH

***The Parish Council supported the application.***

**4. *Had previously been moved up the agenda.***

**5. Ragwort at Thorny Orchard:** The landowner said that he hoped to deal with it during the redevelopment of the site.

**6. Public Response Session:** None.

**7. Next meeting:** 11/09/13 – Finance Committee @ 6.30pm, Full Council @ 7.30pm, Bishopswood Village Hall

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Signed: Simon Kinder

Date: 11/09/13