ALMELEY PARISH COUNCIL

Minutes of the Extra-Ordinary Meeting of the Parish Council Held on Tuesday 1st December 2020 online via Zoom – due to the Coronavirus Pandemic at 7.00pm

Present: Councillors: Michael Handley, John Crippin, Monica Jones, Andy Cross and Rosemary Proctor.

In attendance: Emma Thomas – Clerk

Public: 1

1. **To receive apologies for absence**
   None

2. **To receive declarations of interest and written requests for dispensation**
   None

3. **Open session - To receive views of local residents on parish matters**
   None

Two parishioners joined the meeting

4. **Planning**

4.1 To consider planning applications for determination by Herefordshire Council

4.1.1 203683 - Dev 1 Land At Woonton Farm, Longaston Road, Woonton, HR3 6QL

Proposed erection of 5 dwellings and associated garaging and parking.
It was RESOLVED to support this application alongside the following links to the NDP:

The proposal is to provide five houses on land which already has consent. The revised application uses the same layout, access and drainage scheme but changes the house designs and mix. It is now proposed to provide one 4 bedroomed, one 2 bedroomed and three 3 bedroomed houses. The previous landscaping scheme has been upgraded.

The site was supported by the Parish Council as part of the NDP call for land process and its 5 houses are part of the parish housing target.

The relevant NDP Policies are as follows:-
ALM 1: Protecting landscape and views. Protecting wildlife corridors. Support of the local economy and meeting local housing needs. Being capable of accommodation within the capacity of the local infrastructure.
ALM 2: Protecting trees, views and the landscape. Promoting biodiversity, natural habitats and local ecology.
ALM 3: Protecting heritage assets.
ALM 5: Quality of design and protecting the amenity of local residents.
ALM 6: Sustainability and prevention of contamination.
ALM 11: Housing development in Woonton.
ALM 12: Redevelopment of land at Woonton Farm.
ALM 15: Traffic issues.
ALM 16 & 17: Drainage issues and flood prevention.

Implications for NDP compliance are as follows-
ALM 1:- The proposed revised development appears to comply with the relevant sub-sections of ALM 1 with regard to landscape, tree cover and hedgerows, ecological concerns and wildlife habitat. The recommendations contained in the Ecologist's report (native species/wildlife hedgerows, fruit tree planting, bat and bird boxes and hedgehog habitat) are included in the scheme. The houses will not obstruct any existing views.
ALM 2:- The proposal appears to be fully compliant with this Policy as detailed above.
ALM 3 - Woonton Farmhouse and Pool House are both Grade II Listed, both close to this site, issues which were considered as part of the previous approval for development of this site. It is not considered that the proposed changes will prejudice the previous decision on this issue.
ALM 5 - The design changes are considered to be fully compliant with this Policy.
ALM 6 - The revisions include heating by air heat pumps with high levels of thermal insulation. The application describes the houses as low impact, low carbon with low embodied energy and low energy demands. The proposal, therefore, complies with this Policy
ALM 11 & ALM 12 - The site is identified in both Policies as suitable, subject to criteria, for development. The proposal complies with both.

ALM 15 - There are no changes to the previously approved access arrangements.
ALM 16 - There are no changes to the previously approved drainage arrangements.
ALM 17 - There are no material changes to the previously approved storm water arrangements other than the substitution of permeable surfaces for hard paving on driveways thereby reducing further the storm water runoff.
The public consultation on housing needs, undertaken as part of the NDP process, did identify some appetite for self-build opportunities. The application submission does indicate that plots on this development could be marketed to those wishing to build their own homes. This is not an issue subject to Planning Authority Control.

It was further requested that a demolition method statement and risk assessment is provided.

4.1.2 203784 - **Buildings on Western side of private road off Wootton lane, Adjacent to Spring Grove Farmhouse, Almeley, Herefordshire, HR3 6PX**
Notification for prior approval for a proposed change of use of an agricultural building to 5 dwellinghouse (3 Smaller and 2 larger) (Class C3) and for associated operational development. Creation of a single dwellinghouse.
It was RESOLVED to oppose the granting of consent for Prior Approval of Application 203784 in respect of agriculture buildings at Almeley Wootton for the reasons detailed in the NDP Group's reports of November 19th and 30th below, as insufficient information has been provided by the applicant, in particular with regard to drainage systems, demolition of buildings and risks from contamination. The Council also has concerns over the additional traffic load on a single track access road and the lack of information on wildlife issues and environmental impacts.

As the declared superficial areas of the proposed dwellings are only fractionally under the limit imposed by the Orders the dimensions of the buildings should be verified by Officers of the Planning Authority.

Report of the 19th Nov: The proposal is to form 2 large and 3 small dwellings by conversion of existing barns constructed part of sheet clad steel frame, part of stone or block walling. Some buildings deemed unsuitable for conversion will be demolished. The application is for PRIOR APPROVAL thereby claiming exemption from full planning consent under the provisions of the relevant provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 and the associated amendment Order of 2018.

The relevant provisions of the Almeley Neighbourhood Plan are:-

ALM 1 : Protecting landscape and views. Protecting Wildlife Corridors. Support of the local economy and meeting local Housing needs. Being capable of accommodation within the capacity of the local infrastructure (e.g. roads, water supplies).

ALM 2 : Protecting trees, views and the landscape. Promoting biodiversity, natural habitats and local ecology.

ALM 5 : Quality of design and protecting the amenity of local residents.

ALM 6 : Sustainability and prevention of contamination.

ALM 15: Traffic issues.

ALM 16 and 17 : Drainage issues and flood prevention.

Although the Planning Authority notification states that we cannot object to or support the application para 10 (a) of the 2015 Order specifically directs Planning Authorities to take into account valid representations on Prior Approval applications.

Implications for NDP compliance are as follows :

ALM 1 - The proposal would provide 5 additional dwellings thereby assisting meeting the NDP Housing Target. As the buildings are existing, effects upon landscape and views would be negligible. Additional residents would help support the local economy. The mix of house size and types would in part accord with local housing needs. Infrastructure is more problematical as the site is accessed via a single track road, already carrying much large agricultural traffic as well as the existing residential use.

ALM 2 - The effects upon local ecology and biodiversity are yet to be determined. The application makes no reference to any survey to establish the presence or absence of bats, amphibians or other protected species. The conversion and removal of barns in a relatively remote and tranquil area would be likely to remove natural habitats attractive to wildlife.

ALM 5 - Despite the insertion of doors and windows the external appearance of the buildings would not alter greatly. The occupants of Spring Grove Farmhouse would be closest to the development but disturbance from a residential use would hopefully not exceed that of a nearby agricultural use. There would inevitably be increased traffic disturbance to existing residents of Almeley Wootton Lane.

ALM 6 - The principal problem here is the likelihood of contamination from the previous agricultural use of the buildings and risks from asbestos fibre release. The Agent states that there is no onsite contamination but provides no evidence of assessment or survey to support this. It is not at all likely, given the age and use of these buildings, that they do not have asbestos cement sheeting and have not in the past been used for the storage, mixing prior to application and handling of a variety of potentially hazardous/toxic materials which may have contaminated the site. Site works could disturb any deposits. A proper assessment is required, carried out by a suitably qualified and experienced professional and a Demolition Method Statement provided. As the site drains to Letton Lake and the River Wye the identification of contaminants is important.

ALM 15 - The relevant traffic issues are referenced under ALM 5.

ALM 16 and 17 - No detail is given by the applicant's agent of the proposed drainage. This is a major omission. No mains drainage is available. Normally it is a requirement that all drainage and soakaway systems sit within land owned and controlled by each householder. The relevant General Development Orders stipulate that in order to satisfy the Prior Approval requirements each plot should not exceed twice the size of the converted building superficial area. The above drainage and soakaway stipulation cannot, therefore, be met. The land in Almeley Parish is generally impervious below top soil level and a development such as this proposal would require an extensive soakaway system.

Other Relevant Issues.

The superficial areas of the dwellings declared by the applicant's agent are fractionally under the limits set in the 2018 Order. The dimensions of the existing buildings should, therefore, be independently verified to ensure that the scheme complies with the requirements of the Order.

Much of the roofing material is corrugated or profiled cement fibre which in older buildings may contain asbestos. This potential contamination issue should be addressed.

The previous potentially contaminated use of the site may well present a hazard to the health of prospective occupiers and of construction workers. The issue of contamination is referenced in paragraph 10(c) of the 2015 Order as a matter relevant to the Planning Authority's consideration of whether or not to grant Prior Approval. Section 78A of the Environmental Protection Act 1990 (as amended) defines contaminated land referring to substances in, on or under land. The official guidance issued by the Secretary of State in April 2012 confirms the 1990 Act definition and references the need for risk assessments to be carried out to identify contaminants posing a risk to human health such as cancer causing agents, and threats to other species and to ecological systems. Local Planning Authorities are empowered to require additional information from applicants regarding potential impacts of any proposal for Prior Approval, including drainage systems and site contamination. Para 10 (c) (II) of the 2015 Order directs that where a site is deemed to be contaminated land, Prior Approval MUST BE REFUSED.

Refusal of Prior Approval would move this proposed development to a full planning application allowing necessary assessments, proper consideration of all relevant issues and control of the development by suitable conditions.

The reference in the planning application notification document, issued by the Planning Authority to "Creation of a single dwelling house " is somewhat confusing as no reference appears in the application documentation to other than the 5 barn conversions. Any additional new build would in any case put the proposals outside of the Prior Approval Scheme.

Report of 30th Nov: Part W of the 22015 Order

W(2) requires submission of a written description of proposed development which must include any building or OTHER OPERATIONS (which must therefore include installation of drainage systems and demolition).

W(3) states that a Planning Authority may refuse an application if a developer has provided insufficient information.

As no information has been provided regarding drainage arrangements or a Demolition Method Statement, para W (3) applies.

5. **To consider appointing Mr Leigh North as lengthsman for the parish.**
It was RESOLVED to put the lengthsman position out to tender as a further person had now put themselves forward for consideration. It was AGREED that the clerk should issue the documents – in liaison with Cllr Cross - so that tenders could be considered in January.

6. **To consider the grant funding offer of £5000 for assistance with Traffic Calming Measure through Woonton.**
It was RESOLVED to accept the £5000 funding offered. It was AGREED that all of the original quote – less the road closure fee and anti-skid markings – should go ahead for completion by 31st March 2021.

The meeting closed at 19.45

Signed: [redacted] Dated: 12th Jan 2021