

Withington Group Parish Council Meeting

Thursday 21st September 2017

Meeting started at 7.30

In attendance:, Ralph Barber (In the Chair)(RB), Jonathan Beech (left at 8.30) (JB), Tom Nellist (TN), Sarah Winwood (SW), Kevin Hewison (KH), Simon Dent (SD), Sue Rudd (SR), Martin Kirk (MK).

Also: Sophie Glover (Clerk): Kevin Bishop, Hereford Council Planning Department.

7.30pm meeting started

Apologies

1. Bob Wood Paul Bainbridge, Alison Bainbridge, Ed Simcock, Steve Scotcher, Rachael Leake
Absent without apologies: Jim Callow, (thought the meeting was next week), Dave Greenow *Actions* (Ward Councillor), who apologised to the clerk 24 hours later explaining that he had been taken in to hospital on Thursday afternoon.

2. Declarations of Interest

None declared. JB declared an interest in the planning application for his property.

3. Presentation by Kevin Bishop, Development Manager, Major Developments, Herefordshire Council (presentation slides at appendix 1)

Kevin gave the meeting a presentation about his role and how his position fits into the planning department. In the main, he looks at proposals of over 10 dwellings.

Neighbourhood Plans, there are 108 NDP areas in the county, 29 adopted plans, with 28 plans reaching at least draft plan stage and 25 parishes actively working towards a draft plan.

Withington is identified as having RA2 settlement status, with 127 houses allocated, 8 have been built and a further 224 have been committed. KB suggested that in Withington Group of Parishes, with no NDP nor settlement boundaries and no 5YHLS (5 Year Housing L Stock) the protection is not as great as it would be with a NDP. There is a continuing question at every planning application stage of 'where is the open countryside?' without a NDP this can be hard to define.

MK: why do you ask for representation if our comments are not considered? KB: If they contain material reasons, they will be considered.

KB explained that the planning department will process over 4,000 applications this year. This is more than ever before for this council.

RB asked for the slides of the presentation to be made available to the PC, KB will send them to the clerk.

In the questions from the floor;

RB asked about PC comments only having the weight of one voice.

KB emphasised that the PC's comments are not ignored, especially at Planning Committee. KB used the chip shop application as an example, the case was reviewed, the Highways comments were considered, the inspector is an independent person who makes up their own mind, and on this occasion, he went against the highway and PC position.

TN: what's the point of planning when you can always get it retrospectively? KB you can't guarantee to get it retrospectively – it is a big risk for the applicant.

SW; do you ever challenge the inspectors decision? Yes we do, but we have to be mindful of the cost of doing this, and be fairly sure that we will win the appeal.

JB; When will we have the 5 year housing supply? KB, no one really knows, but probably 2 years. With all the new housing, is there any plan to develop the hospital? With the building sites that have been identified some of their S106 monies are being put aside for the development of health care.

4. Open Discussion/Public Forum – followed by:

No members of the public were present.

4.1 Report from local police Sent by e mail.

4.2 Report from Ward Councillor – including his visit to Chase distillery and his application for a TRO through Withington Village.

The Ward Councillor was not present. The Clerk was asked to chase him up.

5. Acceptance of Minutes of Annual Parish Council Meetings (July 2017).

The minutes were accepted as being a true record of the meeting.

Proposed: TN

Seconded : KH

Agreed Unanimously. The Minutes were duly accepted.

6. Action Points from last meeting:

- NDP update later on the agenda.
- MK had been contacted by a member of the public about the lack of footpath on the current housing development site. Clerk to approach the planning dept about the lack of path – it is on their plan, but is currently not there.

Clerk to
contact
planner

7. Neighbourhood Plan – Update from JB

Update on engagement of Consultants

JB told the meeting that the NDP group had found a consultant to help WGPC with the next part of their NDP journey. He had applied for a grant of £9,000 as was waiting for this to be approved. RB once we have the monies we will have some open days in January, splitting them between the 3 parishes.

8. Update on Withington Fields –

WF group have asked for S106 priorities to be looked at, KH talked about the WF meeting that was held last week. At the meeting it was decided that the first priority was to develop the car park – it was felt that this was needed before we improved the facilities at the Hall, as there is already a parking problem. KH has been getting quotations in for this work, and will be getting 3 of them due to the expected price of the job – as per the PC's standing orders. There will also be a reserve car park with plastic matting, to be used as over flow as and when necessary.

RB mentioned that there 106 monies that were due to come to the PC, from three different developments as well as a little remaining on the development next to the village hall. Some of this money will not be available until 2020, but the PC have to make some decisions now.

RB: do we the pc apply? If we do it, the planning permission may be easier to achieve. SW; the people in the village probably don't use the car park, it seems like a lot of money for non village people. A number of cllrs said that the car park was used by people from all of our group of parishes, equally their friends came, by car to use the facilities. SW also pointed out that some areas used extra parking as basketball courts so a double use of the space. This was going to be considered in the coming months.

RB; s106 monies will also be considered for changing rooms. He told the meeting that the finance group will be meeting before the November PC meeting to look at all of the S106 monies and the time line for their expected availability.

TN asked how the S106 monies are allocated. RB explained that it is calculated on 15% of the sale price of the property, as long as there are more than 10 houses being built. Restrictions can be added if there is a particular need in the area.

Clerk to
look at
this time
line

9. Lengthsman and P3 scheme

A4103 repeater signs are blocked by hedges and can not be seen.

On Withies Rd by the Vine tree turning the hedge is over hanging the pavement. It was suggested that a cllr should have a word with the home owner.

Clerk to
tell BB
and PB

10. Withington Village Hall

This was discussed during item 8. Also Cllr Woods apologies were accepted for his absence from the PC and the WVH meetings for the next 6 months.

11. To note the contents of the information sheet.

There was an additional document circulated this month with copies of correspondence that the clerk had received over the last two months. RB reminded people of the training that was on next Thursday on the new code of contact. He also reminded people of the Boundary Commission consultation that was currently happening. Finally, the chair invited cllrs to attend a tackling loneliness conference later this month.

A Finance group meeting will be arranged before the November PC meeting.

12. **2017-18**
Current Financial Positon
For Sept meeting 2017

Yorkshire Bank
 As at Feb 2017

Reserve account	£ 6,281.60
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£ 6,281.60

Lloyds TSB

As at 28.7.17

As at 31.8.17

Parish Account	£ 16,307.11
Withington Field Account	£ 7,102.40

Does not include
 precept payment
 mentioned
 below

£23,409.51

Total

£29,691.11

Cheques received

IT Grant	£ 820.00
2nd half of precept	£ 9,000.00

Cheques to be authorised at this meeting

From Parish
 Account

Clerks Salary	£ 964.30
PAYE	£ 98.86
Clerks Expenses	£ 122.70
T Griffiths (p3 acct Aug 1) Inv TGC0138	£ 330.00
T Griffiths (General acct Aug 2) Inv TGC0141	£ 46.80
T Griffiths (P3 acct Sept 1) Inv TGC0162	£ 552.00
Countrywide (June Inv 685412)	£ 223.20
Countrywide (July Inv 688096)	£ 157.20
Withington Village Hall	£ 76.00

£ 2,571.06

Internal transfer

From WF acct to Parish Acct	£ 820.00

TA grant paid
 into incorrect
 acct

From Withington Field acct

Shelly O'Sullivan- litter picking on WF Aug/Sept	£ 80.00
T Griffiths (WF acct Aug 2) TGC 0139	£ 30.00
T Griffiths (WF acct Aug 3) TGC 0140	£ 113.04
T Griffiths (WF acct Sept 2) TGC 0167	£ 30.00

Herefordshire Council - bins (Inv: 91187730)	£ 118.30	
Countrywide July (inv: 694498)	£ 156.00	
Countrywide Aug (inv: 694310)	£ 156.00	
WVH for MUGA electrics	£ 93.88	£ 777.22

Total cheques this period £ 3,348.28

including internal transfers £ 4,168.28

To pay these invoices:

Proposed: KH Seconded: SW

Clerk to respond to age UK saying 'no'.

Applications for financial aid

13. Planning -

Feed back on meeting with Bell Homes ref Vine Tree development – maps had been supplied by Bell Homes. RB asked for votes:

Do we want street lighting: KH said that Vine Tree had street lighting. MK thought that there had already been a vote on this. Clerk to check if there was and this will be reiterated at the November meeting. Similarly the footpaths – should there be lighting on these? Again this will be deferred to the November meeting. The surface of the path through the coppice was discussed, MK felt that this was urban development in the countryside. The chair said that was a thought to take to the meeting in November.

Clerk to look at previous minutes to note earlier comments

172043 – Land Adjacent to Whitestone Chapel, Approval of reserve matters.

'No Comment' suggested by the PC

172798 – Whitestone House, Whitestone, Hereford – Approval of reserved matters.

'No comment' suggested by the PC

173226 – Thinghill Court, Withington, Hereford – Variation of conditions to extend period for poly tunnel

The chair suggested refusing this application as the screening of the site was no longer happening due to the trees not being in leaf. SD abstained from voting, all others were in favour.

172638 – Vine Tree Close, Withington, Hereford – Proposed rear single story extension

'No comment' suggested by the pc. All in accord.

173238 – Preston Wynne Church – Single story extension for toilets and kitchen facilities.

No comment suggested by the PW cllrs. All in accord.

AWS03437 – Enforcement officer information request on Convenience Store, 2 Meadow Close.

Pc is not in support of the new fencing, this should be removed as with out this extra parking there will be more parking on the highway.

14. Receive Items for the next agenda:

Vine tree development, precept,

Future meetings

	16 th November	7.30 pm start
	18 th January 2018	7.30 pm start
	15 th March	7.30 pm start
Annual Parish & PC Meetings	17 th May	7.00 pm start

There being no further business the meeting closed at 9.20 pm

SIGNED:..... CHAIRMAN

Dated:.....

Planning Services
Presentation
Withington
Kevin Bishop

Date 21st September 2017

Cover option 1

Development Management

- My Role - Lead Development Manager
- Development Management Teams
- Enforcement Team
- Support Services Team

Forward Plans

- Hereford Area Plan
- Minerals & Waste DPD
- Travellers' sites DPD
- CIL
- Core Strategy review
- 5yr housing position April 2017: 4.54 years

Neighbourhood Plans

- 108 Neighbourhood areas
- 29 adopted /made plans
- Further 28 plans have reached at least draft plan stage
- 25 parishes actively working towards draft plan stage

Withington

- Proportional growth
- RA2 settlements – Withington, Preston Wynne, Withington Marsh, Westhide
- 127 of which 8 built and 224 commitments.
- However with no NDP / settlement boundary and no 5YHLS –protection not as great as with NDP
- Continuing questions at application stage of ‘where is the open countryside (RA3) compared to settlements (RA2)

- Rural Areas Site Allocation DPD
- Will include those parish not preparing a NDP or have shown little intention of progressing.
- Will contain settlement boundaries and site allocation to meet Core Strategy growth requirements

The basis for planning decisions

The local planning authority “may grant planning permission, either unconditionally or subject to such conditions as they think fit, or they may refuse planning permission”

They “shall have regard to the provisions of the development plan, so far as material to the application, and to any other material considerations”



The plan led system

“If regard is to be had to the development plan for the purpose of any determination to be made under the any of the planning acts, the determination must be made in accordance with the plan, unless material considerations indicate otherwise”.

The “primacy” of the development plan depends on it being:

- up to date,
- in accordance with the National Planning Policy Framework (NPPF),
- in accordance with Herefordshire’s core strategy,
- in accordance with Neighbourhood Development Plans, DPDs & SPDs.

Other material considerations

- **Other policies**
 - Council strategies and plans, including the Local Transport Plan.
- **Duties under Acts**
 - Listed buildings, conservation areas etc.
- **Views of consultees**
 - National Bodies like the Environment Agency, Natural England & Highways Agency,
 - Statutory Undertakers, like Welsh Water & Transco,
 - Other council functions e.g. highways, housing, env health, landscape, ecology, archaeology & building conservation,
 - Other public bodies, like parish & town councils,
 - General public.
- **Factors on the ground**

Some ‘factors on the ground’

MATERIAL

- design and visual impact
- privacy/daylight/sunlight
- noise, smell, pollution
- access/traffic
- health/ health and safety
- ecology, landscape
- crime (and fear of)
- economic impact/viability
- planning history / related decisions
- cumulative impact
- personal factors (rarely)
- sustainable materials
- internal standards

NOT MATERIAL

- the applicant
- land ownership
- private rights (e.g. access)
- restrictive covenants
- property value
- petitions
- competition
- loss of private view
- "moral" issues
- numbers of representations
- change from previous scheme

Material considerations and weight

The law has always made a clear distinction between whether something is a MATERIAL CONSIDERATION and the WEIGHT it should be given

“The former is a question of law. The latter is a question of planning judgement which is entirely a matter for the planning authority. Provided that the planning authority has regard to all material considerations, it is at liberty (within the test of “reasonableness”) to give whatever weight the planning authority thinks fit or no weight at all.....”



Lord Hoffmann, in Tesco Stores Ltd v Secretary of State for the Environment 1995.

Decision making factors: key points

- Start with the policies in the development plan;
- Look at any other relevant policy considerations (NPPF and other national and local guidance);
- Take into account the results of technical consultation;
- Take into account all other views, but ONLY if material;
- Look at the application on its own merits and in its particular context;
- Come to your view in the light of officer assessment and recommendation.



..And also:

Every application must be seen to be decided on its own merits, in the light of all the material considerations

