

## MALVERN WELLS PARISH COUNCIL

Minutes of a Meeting of the Planning Committee duly convened and held in The Village Hall, Malvern Wells on **Wednesday 5<sup>th</sup> December, 2012** commencing at 7.30pm.

**Present:-**

**Councillors: -**

P Buchanan (Chairman)	
Mrs H Burrage	A Hull
Mrs C O'Donnell	Mrs A Bradshaw
K Wagstaff	J Black
N Johnson	M Victory
B Knibb	S Atwell

**In attendance: -** Mr D Taverner (Clerk and Responsible Finance Officer)

**Apologies recorded: -** Cllr S Freeman

**1 Disclosable Pecuniary interest declarations and any changes to be notified to the Register of Interests and Gifts & Hospitality** – No changes were necessary to Members previously recorded declarations.

**2 Minutes of the previous meeting**

The Minutes of the Meetings of the Planning Committee held on 7<sup>th</sup> November, 2012, having been previously circulated, were approved and signed by the Chairman as a correct record of that meeting.

**3 Matters Arising from the Minutes**

There were no matters arising from the approved minutes

**4 Decision notices received from MHDC**

**12/01273/HOU – 3 Pear Tree Close** – Extension of existing boundary wall and raised bed

- **approval notice dated 20<sup>th</sup> November, 2012**

**12/00542/HOU – Kingsleigh, 3 Hanley Road** – First floor side extension and single storey extension and garage

- **approval notice dated 16<sup>th</sup> November, 2012**

**12/01547/ENF – Willowview, 103 Wells Road** –erection of boundary fence (retrospective)

- **appeal launched against enforcement notice on 19<sup>th</sup> November, 2012**

**5 Planning applications referred by Malvern Hills District Council for comment, as follows:**

**12/01512/FUL and 12/01513/CON– 14 Grundy's Lane** demolition of existing house, garages and outbuildings and redevelop site. Erection of 7 dwellings.

In view of the very substantial number of objections that have been registered by local residents the Parish Council requested that these applications should be presented directly to the Development Control Committee for consideration, rather than them being dealt with under officer delegation.

Members did not believe that the reasons for the previous refusal had been adequately addressed by these plans and were unanimous in wishing to register their strong objections to the applications on the following grounds:-

1. The various assessments enclosed with the application were all commissioned by Banner Homes and cannot be considered to be impartial or independent.
2. This latest proposal is still contrary to paragraph 53 in section 6 of the NPPF as it is an inappropriate development of residential gardens.
3. Contrary to the claims of the developer, it would almost certainly harm the local environment in the Conservation Area and the AONB and would certainly not enhance the area as it is required to do.
4. The photographs, particularly from Jubilee Hill, in the Visual Impact Assessment show that an area of trees and greenery would become a view of roofs.
5. The Flood Risk Assessment acknowledges the natural springs and goes some way to demonstrating how the outflow of water could be managed. However, it also recommends a detailed investigation (Recommendation 7.1.2). This should be completed before any Planning permission is considered and should include the effects of tree removal and new buildings. The attached photograph showing the outfall on Hanley Road was clearly taken during a very dry spell. During periods of heavy rain the outflow pipe regularly fails to cope with the amount of water being discharged.
6. The Arboricultural Impact Assessment shows trees around the edge of the site including a dawn redwood which needs to be preserved, but fails to show how its need for the wetland soils provided by the springs would be maintained.
7. If the water continues to surface in the area of the development, the amount of hard standing and built area means that it will run off much faster than at present and the SUDS assessment does not show how this will be contained and managed. In any event the site is not capable of supporting an adequate SUDS system.
8. There is no guarantee that the foundations of the proposed properties can be secured to the subsoil in a way that will ensure they are not affected in a relatively short time by the underground water. In which case is this site suitable for any development?
9. The proposed properties are lower than the existing sewage system and it is proposed to pump the sewage up to the main sewer in Grundy's Lane. However there is no indication of where the pump will be situated, how much noise it will generate as it runs 24 hours a day, no indication of how it will cope with the natural water in the area, how it will cope in times of heavy rain, how foul water will then be prevented from entering the natural watercourse which flows out from the site, and who will be responsible when it breaks down or wears out.
10. The ecological assessment concentrates only on bats and birds and fails to consider any environmentally sensitive wetland or pond species, or the other species which rely on them as a food source.
11. The application form states 'no' (question 14) to effects on biodiversity. This seems highly unlikely to be true when the nature of the area is being totally changed.

12. Although the application claims benefits to the conservation area and no disadvantages, we can find no benefits and many disadvantages.
13. The size of the houses is large in comparison to the size of the gardens around them, reducing unacceptably the area for natural water dispersion.
14. It follows that even if there were no other concerns this would be a significant over-development of the site.
15. The SHMA (strategic housing market assessment) shows a need for homes of varying sizes and yet this proposal fails to include any 2 or 3 bedroom properties. There is no evidence of the need for larger properties in the area. (A similar new property at the top of Peachfield Road remains unfinished and unsold after at least 2 years and is now the subject of an application to turn it into flats).
16. A previous application was refused because of its impact on the neighbouring property at number 16. The proposed building on Plot 1 would have a similar adverse impact on the property at number 12.
17. The proposed service road and building at plot 2 would have an adverse impact on the property at number 16.
18. The traffic survey appears to have been carried out during an unusually quiet week and the photographs showing access on to an open road with no parked cars is simply a false representation of the reality. Cars are almost always to be found parked on both sides of the road and with nearside wheels on the pavement. Larger vehicles regularly find they cannot enter or leave this end of Grundy's Lane.
19. Whilst there are properties with reasonably steeply pitched roofs, the pitch on these is not in keeping with most buildings in the area and rather than a 9 metre ridge height, we would object to anything which was not much closer to 8 metres.
20. The proposal to have effectively a 3 storey building on Plot 1, the highest part of the site, is unacceptable.
21. The new access road and Plot 1 are very close to the adjacent properties, numbers 12 and 16, subjecting them to additional noise, disturbance and loss of privacy. No mention is made of the very difficult traffic flow in Grundy's Lane and the nearby road network, or of the problems that are likely to be encountered by traffic during the winter time when adverse road conditions are highly likely to be encountered.
22. The private pumped sewage system for the development is critical – it is not clear how this is to be financed and maintained.

**12/01393/FUL – 18 a Peachfield Road** –construction of two four bedroom dwellings with associated access and parking

Whilst Members recognised that this site has potential for development it unanimously objected to the plans as submitted for the following reasons:

1. Any proposal for the site can only be properly considered after the final decision on 11 Holly View Drive has been determined, as the parking requirements of that property will have a significant effect on the access arrangements for this development.
2. Access is proposed via Holly View Drive which appears to be in the ownership of the developer. It is important to consider the future ownership and maintenance of this Drive before any further development depending on it is given planning permission. Is it wide enough (4m) to meet the needs of the traffic and extra parking which the new development will generate?
3. The extra traffic and parking could be an unacceptable intrusion into the amenity space and privacy of existing dwellings in Holly View Drive.
4. The house proposed for Plot 1 has only a single garage and inadequate other parking for a 4 bedroom property.
5. The space between the South-East wall of Plot 1 and the North-West wall of Plot 2 at (apparently) slightly less than 2 metres is an over-crowding of the site even though the glazing on these walls has been kept to a minimum.
6. The application form (question 7) acknowledges that no areas for collection or storage of waste have been included. This issue should be resolved before planning permission is considered.
7. Assessment of flood risk (question 12) asserts there will be no increased flood risk elsewhere and surface water will be disposed of by a soak away. It is known that the sub-surface in this area gives no or very little soak away value and inevitably the reduced area for absorbing surface water will exacerbate the existing flood problems at the lower end of Fruitlands.
8. Foul sewage arrangements (question 11) are stated as 'unknown'. This is clearly unacceptable.
9. Question 15 states that there are no trees or hedges on the proposed site. A cursory glance at the site shows this to be untrue and the developer's own design and access statement contradicts it, referring to 'mature planting'.
10. The proposed build design and the close proximity of the proposed houses are inappropriate for this location which is sited within the conservation area.
11. The cross section plans included in this application are not representative of the proposed development site.
12. The appeal at 30a Peachfield Road was allowed as a consolidation of the Fruitlands estate on the basis of the retention of open space on this site on which it is now proposed to build.

13. There will be great difficulties for traffic using proposed access road to and from Peachfield Road, and there is no provision of a turning circle for vehicles using the access road.
14. The plans submitted show a disregard for either the enhancement or the protection of the conservation area in which this site stands. The plans therefore contravene Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990 which provides for Malvern Hills District Council to designate "**areas of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance**" as Conservation Areas.

In view of these objections, and the many objections to the proposals which have been received from local residents, the Parish Council unanimously requested that the Planning authority should reject the plans in their current form.

If officers are minded to recommend approval, the Parish Council would expect this application to be presented to the development control committee for consideration and it should not be dealt with under officer delegation.

**12/01454/HOU – The Coach House, Westminster Road** – single storey side extension with two storey stairway atrium and reinstatement of Malvern stone wall

Members raised objections to this application and requested that the plans should be carefully evaluated to ensure that the width and size of the proposed extension will not mean that the new building would be larger in size than its existing footprint.

Members noted that the extension should be subordinate to the main residence and the materials used in its construction should be in keeping with the original building and support its contribution to the character and appearance of the conservation area.

**12/01537/HOU – Flat 7 Essington House, Holywell Road** – Creation of second Bedroom

Members raised no objections to this application.

**12/01507/HOU – 2 Hanley Terrace** – construction of two car parking bay and associated works

Members raised no objections to this application.

There being no other business the Chairman closed the meeting at 9.30pm

Chairman .....*P BUCHANAN*.....

Wednesday 9<sup>th</sup> January, 2013