

# MALVERN WELLS PARISH COUNCIL

Minutes of a Meeting of the **Planning Committee** duly convened and held in The Village Hall, Wells Road, Malvern Wells on Wednesday 12<sup>th</sup> November, 2014 - commencing at 7.30pm

## **Present**

### **Councillors: -**

P Buchanan (Chairman)  
Mrs A Bradshaw, K Wagstaff  
B Knibb, J Black, S Atwell,  
A Hull, S Freeman

### **Apologies recorded: -**

Cllrs Mrs H Burrage, N Johnson and M Victory

### **In attendance: -**

David Taverner – Clerk and Responsible Finance Officer  
District Councillors - Mrs C O’ Donnell and Mrs J Campbell  
P Esrich –Malvern Hills AONB Partnership

## **1 Declarations of Interest**

- a) **Register of Interests:** Councillors were reminded of the need to update their register of interests if necessary. No such changes were declared.
- b) **To declare any Disclosable Pecuniary Interests in items on the agenda and their nature:** Cllr S Atwell declared a pecuniary interest in the consideration of planning application [14 01160 HOU - 57 Assarts Road, Malvern](#) -Rear extension and replacement Conservatory - as he was the applicant. Cllr Atwell indicated that he would leave the meeting prior to the consideration of the application
- c) **To declare any other Disclosable Interests in items on the agenda and their nature:** There were none
- d) **To Consider Written Requests from Councillors for the Council to Grant a Dispensation** (S33 of the Localism Act 2011). No additions were necessary to dispensations previously granted.

## **2 Approval of the minutes of the Planning Committee meeting held on 10th September, 2014**

The minutes of the meeting held on 10<sup>th</sup> September, having been previously circulated, were unanimously approved and signed by the Chairman as a correct record of that Meeting.

## **3 Matters arising from the minutes**

There were none

#### 4 **Planning notices received from Malvern Hills District Council**

The following decision notices had been received:-

**14 00071 HOU** – **Holly Cottage, Holywell Road WR14 4LE** -Decking terrace to south/south east of Holly Cottage. (Retrospective) –application approved 8<sup>th</sup> October, 2014

**14 00990 HOU** -**70 Old Wyche Road, WR14 4EP** -Installation of external wall insulation to the rear elevation of the property - application approved 15<sup>th</sup> October, 2014

**14 00993 HOU** - **7 Walnut Crescent WR14 4AX** -Create new single storey extension to rear over existing conservatory footprint, extending dining area with hipped roof above. Reconfiguration of internal layout. Increase width of former extension to side elevation and create additional storey at 1st floor level increasing size of bedroom and creating an en-suite. - application approved 24<sup>th</sup> September, 2014

**14 00995 HOU** – **Wychwood, 19 Eaton Road WR14 4PE** - Construction of steel deck to provide off road parking space, and raised height boundary wall to street frontage –application approved 30<sup>th</sup> September, 2014

**14 00998 HOU** - **108 Fruitlands WR14 4XB** – First floor extension and alterations to provide granny annexe – application approved 15<sup>th</sup> September, 2014

**14 01012 HOU** - **104 Woodfarm Road WR14 4PP** – Side and rear extensions and front porch – application approved 1<sup>st</sup> October, 2014

**14 01121 HOU** - **6 South Lawn WR14 RY** –Erection of a conservatory –application approved 20<sup>th</sup> October, 2014

**14 01080 HOU** - **18 The Moorlands WR14 4PS** –Side and rear extension application approved 30<sup>th</sup> September, 2014

**14 01407 OUT** - **Woodend Farm, 193 Upper Welland Road, WR14 4LB** - **Outline** application for 3 no. new dwellings with all matters reserved, to include demolition of existing dwelling and agricultural buildings - application referred to MHDC Southern Area Development Management Committee for consideration on 19<sup>th</sup> November, 2014

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

- (a) **14 01333 OUT** **Land At Upper Welland Road, Malvern**, Outline application for a residential development of up to 95 houses (40% affordable) (with all matters reserved except for the access and associated works)

A large number of local residents were in attendance at the meeting, many of whom spoke to outline their concerns at this outline application. It was noted that in excess of 140 individual letters of objection to the proposals had been lodged with the District Council

The Upper Welland Action Group Chairman, Mr Andrew Pitt, was given the opportunity to summarise the strong objections which had been raised by residents and members of that group to any potential development on the site in question.

Mr Paul Esrich, Manager of the Malvern Hills AONB Partnership also spoke to summarise the objections of the AONB to the application. Mr Esrich pointed out that the site stands in a prominent location within the AONB and the application has the potential to cause significant harm to the local landscape and the wider AONB. The application fails to adequately recognise that this is a sensitive location, fails to apply relevant AONB policies, and fails to demonstrate that it would be a sustainable development.

Following further discussion the Chairman proposed the following response to the consultation on the application:-

"Malvern Wells Parish Council wishes to register a strong objection to this outline application which borders, but is not actually within our parish. Although this is only an outline application, we believe that it leaves too many unknown factors, which might be difficult to object to at a later stage.

In principle we are fundamentally opposed to a development of this size at Upper Welland and believe this land ~~to~~ should remain green within the AONB, preserving the character of Upper Welland and the important views from the Hills, which bring tourism into the town.

The site falls outside the South Worcestershire Development Plan.

We would also make the following specific comments:

The lack of care with which this application has been prepared is exemplified by the 'Opportunities' listed on page 20 of the Design and Access Statement which refer to blending with buildings in Ashington and views of the South Downs National Park. This blatantly cut and pasted argument must surely cast doubt on the accuracy and credibility of the whole submission.

The Design and Access Statement acknowledges that the site is "close to some very attractive rural landscapes". However, it fails to mention that the site is within such landscapes and would detract from them. It is claimed that "proposals will be informed by the sensitive nature of the landscape and the visual amenities of visitors". In our opinion this can only be achieved by retaining the site as green field. It is unclear how the buffer zone proposed would actually succeed in protecting the Ancient Woodland to the West of the site.

References here and in the Travel Plan refer to access to Great Malvern and Malvern Wells via the A449, without recognising the very difficult junction with that road. (Many residents deliberately enter and leave Upper Welland via the Eastern end to avoid this. This also casts doubt on the recent traffic survey which placed its survey equipment to the West of where most people would enter, turn and leave. Thus, it does not reflect the actual traffic through Upper Welland).

It is suggested that pedestrian links could be improved to enable residents to walk or cycle to Malvern Wells CE Primary School. The author has clearly not considered either the steepness of the road or its safety for cyclists. Nor is it recognised that the school is full and over-subscribed. There is no space on which to expand the school and no amount of Section 106 money can resolve this.

The Travel Plan also includes The Abbey College as a local school. In fact, it caters for foreign students wanting an English education and not one of its pupils lives locally. Great Malvern and Worcester are described as "a reasonable bus or cycle ride away". The infrequent bus service has just been further reduced and most residents would not find these places within a reasonable cycle ride.

The Design and Access Statement refers to 'Hairdressers' in Malvern Wells, even though there are none. Colwall is also described as 'nearby', which may be true looking at a straight line on a map, but it is clearly far from nearby when the routes across the Malvern Hills are considered.

Similarly, medical and dental services 'nearby in Great Malvern' are at least 4 miles away, which is hardly nearby.

The Malvern Hills District Profile makes the following statement in relation to Malvern Wells (page 5):

### **Access to Services**

*"Five Output Areas in Wells are ranked amongst the 10% most deprived nationally in relation to geographical barriers to services. Another six Output Areas are ranked in the worst 20% nationally. The geographical barriers sub-domain of The English indices of Deprivation measures the geographical distances between local populations and basic local services such as doctors, primary schools, food stores and post offices."*

This evidence was totally ignored in the application and is completely at variance with the applicant's assertions. Given this level of local knowledge, or lack of it, the methodology and conclusions of the Travel Plan and the Design and Access Statement are at best questionable.

The proposed density of housing is seriously out of character with the rural density in Upper Welland. Some of the photographic evidence provided which it is claimed is in the vicinity of the site is actually some distance away and totally unconnected to Upper Welland. It follows that these examples are not 'local design precedents'.

The NPPF is quoted very selectively by the applicant, citing a presumption in favour of development, but ignoring the fact that such presumption does not apply in areas designated AONB. It follows that the whole section under the heading 'National Planning Policy Framework (NPPF)' is based on a false premise and should be ignored.

There is no indication anywhere of how any of the design objectives would be realised. The public exhibition is referred to on page 23 of the Design and Access Statement as 'consultation with local people'. This was a poor exhibition and could in no way be described

as consultation. The exhibitor admitted that they had not contacted local Parish Councils as they didn't know how to do that and didn't know within which parish the site lay. Two of our Parish Council meetings were as well attended as the exhibition and we have yet to find anyone in favour of the development. The feedback that the exhibition was helpful, simply indicates that it enabled local people to clarify their objections.

The Cerda Planning Ltd consultation document states on page 8 para5.5 that "proper and due consideration has subsequently been given". Nothing has changed and we would assert that the requirements of the NPPF have not been met.

The houses pictured in the Design Proposals, which were also on show at the exhibition, are set in totally different contexts and give no indication of what might be designed for this site.

Pages 36 and 37 of the Design and Access Statement give 12 headings under 'Building for Life 12 Assessment'. It claims that 10 of these criteria are met ('Yes') and two, which are entirely outside the control of the developer are described as 'Amber'. We believe that an independent assessment would give 'No' to the first 3 headings and state 'No evidence on which to form a judgement' for the other 9.

The questionnaire is clearly not an impartial document, asking, for example, which elements are most pleasing but nowhere asking which elements are least acceptable. Any comments based on it should be viewed in the light of its obvious bias. It was designed to help the developer, not to gain and act on local opinion.

The Planning Statement (Para 5.23) acknowledges that impact on the local economy should be considered. This development would only have a negative effect by detracting from the beauty of the area as a tourist destination. Similarly consideration has to be given to developing outside the AONB. This has not been done.

We trust that the Planning Authority will refuse this outline application."

The Chairman's proposed response was seconded by Cllr Knibb and was unanimously approved by all Members of the Committee.

(b) [14 01160 HOU](#)      **57 Assarts Road, Malvern** -Rear extension and replacement

Members raised no objections to this application.

There being no other business the Chairman closed the meeting at 9.35 pm

Approved.....

Cllr P Buchanan – Chairman – 10<sup>th</sup> December, 2014