

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 25th March, 2015 - commencing at 7pm

Present

Councillors: -

P Buchanan (Chairman), Mrs H Burrage,
Mrs A Bradshaw, K Wagstaff
B Knibb, J Black, S Freeman, N Johnson, S Atwell
M Victory

Apologies recorded: - Cllrs K Hurst and Mrs C'O Donnell

In attendance: - David Taverner – Clerk and Responsible Finance Officer
District Councillor Mrs J Campbell
Approximately 40 local residents

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.** There were none.
- c) **To declare any other Disclosable Interests in items on the agenda and their nature.**

Cllr Mrs Burrage declared an other disclosable interest in agenda item 4 **former Playing Field, Hanley Road, Malvern Residential development of 46 dwellings, including 18 affordable dwellings**. Cllr Burrage had submitted a planning application for new build property in Malvern Wells which was currently at appeal.

- d) **To Consider Written Requests from Councillors for the Council to Grant a Dispensation (S33 of the Localism Act 2011).** Cllr Burrage had previously been granted a dispensation to comment on and discuss planning applications for new build property in the Parish, but would not be taking part in any vote on any related proposal

2 Planning applications received from Malvern Hills District Council for Comment

[14/00262](#) -Former Playing Field, Hanley Road, Malvern

Residential development of 46 dwellings, including 18 affordable dwellings, with a new main vehicular and pedestrian access of Hanley Road and associated car parking arrangements, and on-site open space.

The Chairman opened the meeting to the public to receive comments and questions on the application.

Several residents spoke to express their concerns about:-

- the expansion of the number of dwellings now proposed for the site with an increase from the 35, dwellings included in the original SWDP proposal, to the current plans for 46
- the proposed site now exceeds the original boundary delineated in the SWDP
- the local services and roads infrastructure is wholly insufficient to support a development of this size
- a dangerous precedent will be set allowing other AONB land north and south of this site to have similar developments proposed
- the landscape officers report is incomplete and the Ecological Appraisal undertaken in October 2011 is very much out of date, misleading and inaccurate
- the strong possibility that such a development within the AONB would be unlawful under current national planning laws and the Countryside and Rights of Way Act.

Members of the Council spoke to air their objections to the plans and, at the conclusion of the debate, the Chairman proposed that the following response to the consultation on the plans should be returned to the District Council:-

"The Parish Council continues to object strongly to this application and regrets that the amended plans do not address any of the concerns expressed in our letter of 17 April 2014. Indeed, it increases our objections in that instead of moving from the proposed 43 houses towards the designated 35 this proposal increases the number to 46.

We wish to re-state our belief that the site should not have been included in the SWDP, but accepting that it is there, we assert that it should be treated as a major development in the AONB and not the minor one suggested by the applicant.

The site is outside the existing built area and erodes the green space between the existing buildings and the Three Counties Showground. Views from the Hills are not adequately addressed in the application.

We note with great concern that the 19 paragraphs of the Landscape Officer's original report (9 April 2014) has been re-dated 9 June 2014 and reduced to the first 6 paragraphs, deleting entirely his assessments of:

- 1.** Ecological considerations (he advised a new bat survey, retention of bat roost features and submission of an acceptable lighting scheme);
- 2.** Visual impact (he concluded 'Development of this type in this location flies in the face of this [AONB] designation and would be contrary to several policies within the Malvern Hills District Local Plan (1996-2011), paragraphs 115 and 116 in the National Planning Policy Framework and several policies within the emerging South Worcestershire Development Plan');

3. Landscape impact (he asserted that the proposed development would be in direct conflict with the key characteristics of the local landscape and that the natural beauty of the AONB should be given the highest consideration).

The Parish Council fully supports these assessments and maintains that the revised plans, which do not follow the area defined in the SWDP, do nothing to address these issues.

We remain very concerned about the long-term ownership and management of the public space, believing it should clearly be in public ownership to prevent any future 'in-fill' applications.

There is a strong possibility that such a development within the AONB would be unlawful under current national planning laws and the Countryside and Rights of Way Act.

Development within an AONB is only permitted in 'exceptional circumstances'. This application does not demonstrate any such exceptional circumstances. It is not in line with either national or local policies and should therefore be refused."

The proposed response was seconded by Cllr Victory and unanimously supported by all Members of the Council.

There being no other business the Chairman closed the meeting at 8.05 pm

Approved.....

Chairman