

**From:** Thomas, Edward  
**Sent:** 08 June 2017 16:15  
**To:** 'Frank Hemming'  
**Subject:** RE: A comment on application 163707 and a request for flexibility

Dear Mr Hemming,

Thank you for your email.

When the S106 agreement is signed the planning permission will be issued. However, if a developer were so minded, they could request that modifications to the scheme are agreed. This would either necessitate an application to vary the planning condition requiring that the scheme be carried on in accordance with the approved plans; or, if of a more minor nature, a 'non-material' amendment to the approved scheme.

Whilst I appreciate your comments, the local planning authority cannot now *insist* that such a move is made.

Kind regards  
Ed Thomas

**Ed Thomas**  
**Development Manager (Acting)**  
**Major Developments Team**  
**Tel: 01432 260479**  
[ethomas@herefordshire.gov.uk](mailto:ethomas@herefordshire.gov.uk)

**From:** Frank Hemming [REDACTED]  
**Sent:** 08 June 2017 16:02  
**To:** Thomas, Edward  
**Subject:** A comment on application 163707 and a request for flexibility

Dear Ed Thomas,

I refer to the proposed development of land opposite Mill House Farm and my objection at the planning meeting at the Shire Hall on the 17<sup>th</sup> May. I am particularly concerned about the provision of affordable houses in Fownhope and am now chair of the newly formed Fownhope Community Land Trust. I question some of the statements in the Planning Committee Report of the 17<sup>th</sup> May 2017, and would appreciate it if you would clarify whether some minor changes would be allowed to the plan.

In my statement I suggested a reorientation of the principal elevation of the houses (not the bungalows) of no more than 30 degrees off due south. I have never suggested an elevation within 10 degrees of due south. The figure of 10 degrees appears to have been chosen arbitrarily and then used as a justification for the proposed orientation of 45 degrees as “a

reorientation of the dwellings onto an axis that presents an elevation within 10 degrees of due south would result in dwellings being constructed across the existing contours as opposed to working with the existing levels.” This argument could be applied to the bungalows, but I don’t see how it applies to the market houses which are of compact form and could be orientated in any direction and still roughly work to the existing levels. In fact one of the proposed type F houses has its long axis at right angles to the contour.

**My main concern** is the position and orientation of the affordable houses types Types E and C. The type C houses would be overshadowed by the trees to the south on the other side of the road for the colder months when they would have most need of solar gain. The trees directly to the south are conifers about 12m high. Other trees to their west are deciduous but packed together, many taller and still casting shade in winter. The position of the type C houses on the site plan now would mean that they would **not work with the existing levels**, as the field tends to fall away to the SE to the corner as well as to the road in that corner of the site. If the type C houses were set back more from the road then the overshadowing would be less. **To work with the existing levels** they would need to be orientated with their principal axis at 20 to 25 degrees of south, which would also be better for solar gain in the colder months. Similar arguments apply to a lesser degree to the type E houses. I see no particular reason why the layout has to be rigidly rectilinear and agree with the Conservation Manager’s comments quoted below.

**Is there scope to make these sorts of adjustments to the plan with regard to the affordable houses before they are built? I would find it difficult to explain to future occupiers of the affordable houses why the houses appear to have been shunted to a shaded corner of the site for no good reason.**

I look forward to hearing from you.

Best wishes

Frank Hemming

#### **Quotes from Report below:**

6.58 Inevitably there is a minor degree of tension between the provisions of Policy FW16 and the necessity to have full regard for other provisions in the Development Plan. In this instance, a reorientation of the dwellings onto an axis that presents an elevation within 10 degrees of due south would result in dwellings being constructed across the existing contours

*(only applies to bungalows)* as opposed to working with the existing levels. As it is, the dwellings have their principal axis facing SW, which does not necessarily prevent the utilisation of roof mounted solar arrays; if indeed that were thought desirable in the landscape context. *(Orientation for solar arrays is not the argument here. Solar arrays can be viable in many orientations)*

**Conservation Manager (Historic Buildings):** Qualified comments.

Layout: The pattern of layout is very rectilinear, this may be appropriate for the Northern corner of the site in echoing a farmstead organisation, however a more fluid arrangement may be more appropriate elsewhere. *(I Agree)*

Further note on the market houses:

2 of the bungalows would be shaded for much of the day in the colder months, and because of the large amount of glazing would require extra heating and yet would suffer from overheating when the sun is higher in the sky. This may well make them more difficult to sell.

The Ancient Greeks understood this. See:

<https://greenpassivesolar.com/2010/04/socrates-and-passive-solar-in-greece/>

Socrates and Passive Solar in Greece | Green Passive Solar ...

greenpassivesolar.com

Over 2,300 years ago, Socrates pontificated: "Now in houses with a south aspect, the sun's rays penetrate into the porticos in winter, but in the summer the path ...

*"Now in houses with a south aspect, the sun's rays penetrate into the porticos in winter, but in the summer the path of the sun is right over our heads and above the roof, so that there is shade. If, then, this is the best arrangement, we should build the south side loftier to get the winter sun and the north side lower to keep out the winter winds."*

Socrates was referring to the use of the [overhang to block the summer sun](#) from entering the building.

Aeschylus was more blunt:

*"Only primitives & barbarians lack knowledge of houses turned to face the Winter sun."*

*What are they referring to? Take a look at how the [difference between the winter and summer sun](#). The summer sun rotates high in the sky, while the winter sun travels a lower arc.*