

MINUTES of the meeting of Southern Area Planning Sub-Committee held at The Council Chamber, Brockington on Wednesday, 18th February, 2004 at 2.00 p.m.

Present: Mrs. R.F. Lincoln (Chairman)
P.G. Turpin (Vice Chairman)

Councillors: H. Bramer, M.R. Cunningham, N.J.J. Davies,
Mrs. C.J. Davis, G.W. Davis, J.W. Edwards, Mrs. A.E. Gray, T.W. Hunt
(ex-officio), Mrs. J.A. Hyde, G. Lucas, D.C. Taylor and J.B. Williams

48. DECLARATIONS OF INTEREST

The following declarations of interest were made:

Councillor	Item	Interest
G. Lucas	Ref. 6 – DCSE2003/3633/F Proposed Conservatory at: MANDALAR, GRAYTREE, ROSS-ON-WYE, HEREFORDSHIRE	Declared a prejudicial interest and left the meeting for the duration of the item
J.W. Edwards	Ref. 8 and Ref. 9 – DCSE2003/3290/F and DCSE2003/3347/F Erection of one dwelling and Erection of 4 dwellings and relocation of vehicle access at: LAND ADJOINING MONKS WALK COTTAGE, MUCH MARCLE, HEREFORDSHIRE, HR8 2LY	Declared a prejudicial interest and left the meeting for the duration of the item

49. MINUTES

RESOLVED: That the Minutes of the meeting held on 21st January, 2004 be approved as a correct record and signed by the Chairman.

50. ITEM FOR INFORMATION - APPEALS

The Sub-Committee noted the Council's current position in respect of planning appeals for the southern area of Herefordshire.

51. HEAD OF PLANNING SERVICES REPORT

The report of the Head of Planning services was presented in respect of planning applications received for the southern area of Herefordshire.

RESOLVED: That the planning applications be determined as set out in the appendix to these Minutes.

EXCLUSION OF PUBLIC AND PRESS

RESOLVED: That under Section 100 (A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the following item of business on the grounds that it involved the likely disclosure of exempt information as defined in Schedule 12(A) of the Act, as indicated below.

SUMMARY OF THE PROCEEDINGS OF EXEMPT INFORMATION

52. ITEM FOR INFORMATION - ENFORCEMENT

The Sub-Committee received an information report about the enforcement matters within the southern area of Herefordshire.

RESOLVED: That the report be noted.

(This item disclosed information on the following grounds.

- 12) Any instructions to counsel and any opinion of counsel (whether or not in connection with any proceedings) and any advice received, information obtained or action to be taken in connection with:
 - (a) any legal proceedings by or against the authority, or
 - (b) the determination of any matter affecting the authority (whether, in each case, proceedings have been commenced or are in completion).
- 13) Information which, if disclosed to the public, would reveal that the authority proposes:
 - (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or
 - (b) to make an order or direction under any enactment.
- 14) Any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.)

The meeting ended at 4.05 p.m.

CHAIRMAN

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APPENDIX

Ref. 1
MADLEY
DCSW2003/3281/N

Waste treatment (using an autoclave) & recycling facility, including construction of a new building

STONEY STREET INDUSTRIAL ESTATE, MADLEY, HEREFORD, HR2 9NQ

For: **Estech Europe Ltd per Enviros Consulting Ltd, Enviros House, Shrewsbury Business Park, Shrewsbury, SY2 6LG**

RESOLVED: That consideration of the application be deferred pending a Site Inspection on the grounds of possible effects of the proposal on the character and appearance of the area.

Ref. 2
FOY
DCSE2003/3794/F

Use of dwelling for accommodation of young people and supervisory staff

FAIRVIEW, FOY, NR ROSS-ON-WYE, HEREFORDSHIRE

For: **Solutions Ltd per Paul Smith Associates, Chase View House, Merrivale Road, Ross-on-Wye, Herefordshire HR9 5JX**

The Southern Divisional Planning Officer advised members of an amendment to condition 1 of the recommendation.

In accordance with the criteria for public speaking, Mr Meek, of Brampton and Foy Parish Council and Mr Parcker, an objector, spoke against the application. Mr Massey, the applicant, spoke in support of the application.

Councillor J.W. Edwards, the Local Member, expressed his position to the application and outlined some of the concerns of the Foy residents.

Councillor Mrs C.J. Davis drew attention to the fact that no comments had been received from the Head of Social Care or West Mercia Constabulary. She also drew members' attention to the Solutions home in Goodrich as a positive example of a care home.

In response to a question from Councillor H. Bramer, the Chief Development Control Officer advised that a temporary permission should not be granted in a case where a significant financial investment was required. He added that there was no justification to refuse full planning permission.

RESOLVED: That planning permission be granted subject to the following conditions:

1. **The occupation of the property shall be limited to a maximum number of three children between the ages of 10 and 16.**

Reason: In order to define the terms under which this permission is granted.

2. **At all times when children are present in the property a minimum of one care staff shall also be present.**

Reason: In order to ensure that continued residential care is available to children.

Informative(s):

1. **N15 - Reason(s) for the Grant of Planning Permission**

Erection of agricultural building for free range egg production

BOWLING GREEN FARM, CLEHONGER, HEREFORD, HR2 9SJ

For: Mr P S J Whittal, Bowling Green Farm, Clehonger, Hereford, HR2 9SJ

The Principal Planning Officer reported the receipt of the comments of the Parish Council and the receipt of three further letters of objection regarding additional traffic. He also noted that the Environment Health Officer had no objections to the application but had recommended the addition of conditions relating to mechanical ventilation and delivery times.

RESOLVED: That the officers named in the Scheme of Delegation to Officers be authorised to issue planning permission subject to the following conditions and any additional conditions considered necessary by officers:

1. **A01 (Time limit for commencement (full permission))**

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990.

2. **A07 (Development in accordance with approved plans)**

Reason: To ensure adherence to the approved plans in the interests of a satisfactory form of development.

3. **B01 (Samples of external materials)**

Reason: To ensure that the materials harmonise with the surroundings.

Ref. 3
CLEHONGER
DCSW2004/0015/F

4. G04 (Landscaping scheme (general))

Reason: In order to protect the visual amenities of the area.

5. G05 (Implementation of landscaping scheme (general))

Reason: In order to protect the visual amenities of the area.

Informative(s):**1. N15 - Reason(s) for the Grant of Planning Permission**

Proposed extensions and alterations

GREAT HILLSHONE COTTAGE, GANAREW, MONMOUTH, NP25 3SS

For: Mr & Mrs W H Whittaker, 9 Bakers Way, Cannock, Staffordshire, WS12 4XZ

In accordance with the criteria for public speaking, Mr Evans spoke against the application.

RESOLVED: That planning permission be granted subject to the following conditions:

1. A01 (Time limit for commencement (full permission))

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990.

2. A09 (Amended plans)

Reason: To ensure the development is carried out in accordance with the amended plans.

3. B02 (Matching external materials (extension))

Reason: To ensure the external materials harmonise with the existing building.

Informative(s):**1. The Public Rights of Way Officer advises that the following points should be noted:**

The right of way should remain open at all times throughout the development. If development works are perceived to be likely to endanger members of the public then a temporary

Ref. 4
GANAREW
DCSE2003/3819/F

closure order should be applied for from the Public Rights of Way Section, preferably 6 weeks in advance of work starting.

The right of way should remain at its historic width and suffer no encroachment or obstruction during the works or at any time after completion.

2. N15 - Reason(s) for the Grant of Planning Permission

Ref. 5
HAREWOOD END
DCSW2003/3759/F

Soft fruit packhouse facility, together with new site entrance and security fencing

WINDMILL HILL, HAREWOOD END, HEREFORDSHIRE

For: Messrs A J & C I Snell per Mr P Dunham, Dunham Associates, 19 Townsend, Soham, Cambridgeshire CB7 5DD

The Senior Planning Officer reported the receipt of a letter of objection from Mr. Barnett and a Letter of support from Hereford and Worcester Chamber of Commerce. She also said that the Environment Agency had no objections but had recommended a condition regarding drainage.

In accordance with the criteria for public speaking, Mr Dixon spoke against the application. Mr Dunham, the applicant's agent, and Mr Lyons, representing Hereford and Worcester Chamber of Commerce, spoke in support of the application.

Councillor G.W. Davis, the Local Member, supported the application in principle but noted the concerns of the local residents and requested a condition be added to control the storage of fruit outside the building.

In response to a question from Councillor G.W. Davis, the Senior Planning Officer advised Members that the shutters on the doors would be closed between 11.00 p.m. and 7.00 a.m. and that no deliveries would be permitted to the site between 11.00 p.m. and 5.00 a.m. in order to minimise the impact of noise and disturbance to local residents. She also advised Members that a condition could be added to control lighting around the lorry docking area.

RESOLVED: That subject to the resolution of the issue with regard to noise, and clarification with regard to the conditions as directed by the Highways Agency, the Officers named in the Scheme of Delegation to Officers be authorised to issue planning permission subject to the following conditions and any additional conditions considered necessary by officers:

1. A01 (Time limit for commencement (full permission))

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990.

2. **A08 (Development in accordance with approved plans and materials)**

Reason: To ensure adherence to the approved plans and to protect the general character and amenities of the area.

3. **B11 (Details of external finishes and cladding)**

Reason: To minimise the visual impact of the development

4. **D03 (Site observation - archaeology)**

Reason: To allow the potential archaeological interest of the site to be investigated and recorded.

5. **G04 (Landscaping scheme (general))**

Reason: In order to protect the visual amenities of the area.

6. **G05 (Implementation of landscaping scheme (general))**

Reason: In order to protect the visual amenities of the area.

7. **G06 (Scope of landscaping scheme)**

Reason: In order that the local planning authority may be satisfied that the deposited scheme will meet their requirements.

Informative(s)

1. **ND3 (Contact Address)**
2. **N15 (Reason(s) for the grant of planning permission)**

For: **Dr. R Kway Kway per Mr R H Ball, Ilex, Ashfield Crescent, Ross-on-Wye, Herefordshire, HR9 5PH**

RESOLVED: That planning permission be granted subject to the following conditions:

1. A01 (Time limit for commencement (full permission))

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990.

2. B02 (Matching external materials (extension))

Reason: To ensure the external materials harmonise with the existing building.

Informative(s):

1. N15 - Reason(s) for the Grant of Planning Permission

Change of use from agricultural to business/light industry

WINDY HOLLOW, UPTON BISHOP, ROSS-ON-WYE, HEREFORDSHIRE, HR9 7TT

For: **Mr G A Roberts, Windy Hollow, Upton Bishop, Ross-on-Wye, Herefordshire, HR9 7TT**

The Principal Planning Officer reported the receipt of two further letters of objection.

In accordance with the criteria for public speaking, Mrs. Turnbull spoke against the application.

Councillor J.W. Edwards, the Local Member referred to the concerns expressed by the Parish Council and local residents and felt that he could not support the application.

In response to a question from Councillor M.R. Cunningham, the Principal Planning Officer confirmed that the intended use of the site was for Industrial B1 use.

RESOLVED: That planning permission be granted subject to the following conditions:

1. A01 (Time limit for commencement (full permission))

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990.

Ref. 7
ROSS-ON-WYE
DCSE2003/3606/F

2. **E10 (Use restricted to that specified in application)**

Reason: To define the terms of the permission and to protect the visual amenities of the area.

3. **F42 (Restriction of open storage)**

Reason: To protect the appearance of the locality.

Informative(s):

1. **N15 - Reason(s) for the Grant of Planning Permission**

Councillors J.W. Edwards and H. Bramer abstained from voting on this application.

Erection of one dwelling

LAND ADJOINING MONKS WALK COTTAGE, MUCH MARCLE, HEREFORDSHIRE, HR8 2LY

Erection of 4 dwellings and relocation of vehicle access at

LAND ADJOINING MONKS WALK COTTAGE, MUCH MARCLE, HEREFORDSHIRE, HR8 2LY

For: Mr C. Cooke & Ms K. Cooke per Paul Smith Associates, Chase View House, Merrivale Road, Ross-on-Wye, Herefordshire, HR9 5JX

In accordance with the criteria for public speaking, Mr. Morgan, of Much Marcle Parish Council, spoke against the application.

RESOLVED: That planning permission be granted subject to the following conditions:

In respect of DCSE2003/3290/F

1. **A01 (Time limit for commencement (full permission))**

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990.

2. **A09 (Amended plans)**

Reason: To ensure the development is carried out in accordance with the amended plans.

3. **B01 (Samples of external materials)**

Ref. 8&9

MUCH MARCLE

DCSE2003/3290/F

DCSE2003/3347/F

Reason: To ensure that the materials harmonise with the surroundings.

4. G04 (Landscaping scheme (general))

Reason: In order to protect the visual amenities of the area.

5. G05 (Implementation of landscaping scheme (general))

Reason: In order to protect the visual amenities of the area.

6. G06 (Scope of landscaping scheme)

Reason: In order that the local planning authority may be satisfied that the deposited scheme will meet their requirements.

7. Prior to the commencement of any development on site details of the construction of the driveway to plots 1 and 2 beneath the tree canopy shall be submitted to and approved in writing by the local planning authority. The works shall be carried out strictly in accordance with the approved details and completed prior to the first occupation of either Plot 1 or Plot 2, whichever is the sooner.

Reason: In order to protect the longevity of the tree in the interests of the visual amenities of the area.

8. G18 (Protection of trees)

Reason: To ensure adequate protection to existing trees which are to be retained, in the interests of the character and amenities of the area.

9. G21 (Excavations beneath tree canopy)

Reason: To prevent the unnecessary damage to or loss of trees.

10. H01 (Single access - not footway)

Reason: In the interests of highway safety.

11. H03 (Visibility splays)

Reason: In the interests of highway safety.

12. H05 (Access gates)

Reason: In the interests of highway safety.

13. H06 (Vehicular access construction)

Reason: In the interests of highway safety.

- 14. Prior to the first occupation of the dwelling hereby approved an area shall be laid out within the curtilage of the property for the parking of 1 car so that it may turn within site and enter and leave the application site in a forward gear. The access, turning area and parking facilities shall be properly consolidated, surfaced, drained and otherwise constructed in accordance with details to be submitted to and approved in writing by the local planning authority. These areas shall thereafter be retained and kept available for those uses at all times.**

Reason: In the interests of highway safety and to ensure the free flow of traffic using the adjoining highway.

15. H27 (Parking for site operatives)

Reason: To prevent indiscriminate parking in the interests of highway safety.

- 16. The development hereby permitted shall not commence until drainage works for the disposal of both surface water and foul sewage have been carried out in accordance with the details to be submitted to and approved by the local planning authority in writing.**

Reason: To ensure that the development is provided with a satisfactory means of drainage as well as to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution.

Informative(s):

- 1. HN01 - Mud on highway**
- 2. HN04 - Private apparatus within highway**
- 3. HN05 - Works within the highway**
- 4. N15 - Reason(s) for the Grant of Planning Permission**

In respect of DCSE2003/3347/F:

- 1. A01 (Time limit for commencement (full permission))**

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990.

2. A09 (Amended plans)

Reason: To ensure the development is carried out in accordance with the amended plans.

3. B01 (Samples of external materials)

Reason: To ensure that the materials harmonise with the surroundings.

4. G04 (Landscaping scheme (general))

Reason: In order to protect the visual amenities of the area.

5. G05 (Implementation of landscaping scheme (general))

Reason: In order to protect the visual amenities of the area.

6. G06 (Scope of landscaping scheme)

Reason: In order that the local planning authority may be satisfied that the deposited scheme will meet their requirements.

7. Prior to the commencement of any development on site details of the construction of the driveway to plots 1 and 2 beneath the tree canopy shall be submitted to and approved in writing by the local planning authority. The works shall be carried out strictly in accordance with the approved details and completed prior to the first occupation of either Plot 1 or Plot 2, whichever is the sooner.

Reason: In order to protect the longevity of the tree in the interests of the visual amenities of the area.

8. G18 (Protection of trees)

Reason: To ensure adequate protection to existing trees which are to be retained, in the interests of the character and amenities of the area.

9. G21 (Excavations beneath tree canopy)

Reason: To prevent the unnecessary damage to or loss of trees.

10. H01 (Single access - not footway)

Reason: In the interests of highway safety.

11. H03 (Visibility splays)

Reason: In the interests of highway safety.

12. H05 (Access gates)

Reason: In the interests of highway safety.

13. H06 (Vehicular access construction)

Reason: In the interests of highway safety.

14. Prior to the first occupation of the dwellings hereby approved an area shall be laid out within the curtilages of each of the properties for the parking of 1 car so that it may turn within site and enter and leave the application site in a forward gear. The access, turning area and parking facilities shall be properly consolidated, surfaced, drained and otherwise constructed in accordance with details to be submitted to and approved in writing by the local planning authority. These areas shall thereafter be retained and kept available for those uses at all times.

Reason: In the interests of highway safety and to ensure the free flow of traffic using the adjoining highway.

15. H27 (Parking for site operatives)

Reason: To prevent indiscriminate parking in the interests of highway safety.

16. The development hereby permitted shall not commence until drainage works for the disposal of both surface water and foul sewage have been carried out in accordance with the details to be submitted to and approved by the local planning authority in writing.

Reason: To ensure that the development is provided with a satisfactory means of drainage as well as to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution.

Informative(s):

- 1. HN01 - Mud on highway**
- 2. HN04 - Private apparatus within highway**

3. HN05 - Works within the highway**4. N15 - Reason(s) for the Grant of Planning Permission**

Councillor G.W. Davis abstained from the voting on these items

Ref. 10
ROSS-ON-WYE
DCSE2003/3741/F

Conversion of existing garage/store to living accommodation. new rear access and garage

WESTBURY HOUSE, GLOUCESTER ROAD, ROSS-ON-WYE, HR9 5LR

For: **Mr & Mrs J A & S A Wood, Westbury House, Gloucester Road, Ross-on-Wye, HR9 5LR**

In accordance with the criteria for public speaking, Mr Brooks spoke against the application.

Councillor Mrs. A.E. Gray noted that the original application had been refused and praised the applicant for co-operating with the Planning Department to make this application acceptable. She also paid credit to the officers and supported the application.

RESOLVED: That planning permission be granted subject to the following conditions:

1. A01 (Time limit for commencement (full permission))

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990.

2. B02 (Matching external materials (extension))

Reason: To ensure the external materials harmonise with the existing building.

Informative(s):

1. N15 - Reason(s) for the Grant of Planning Permission

Councillor Mrs C.J. Davies abstained from voting on this application.

Ref. 11
WELSH NEWTON
DCSE2003/2842/F

Proposed extensions to existing cottage at

COMMON GATE COTTAGE, WELSH NEWTON, MONMOUTH, GWENT, NP25 5RT

For: **Mr G H Probyn per Mr O Probyn, 35 Shakespeare Road, London, SE24 0LA**

The Principal Planning Officer reported the receipt of a further letter of support for the application.

RESOLVED: That planning permission be granted subject to the following conditions:

1. **A01 (Time limit for commencement (full permission))**

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990.

2. **A07 (Development in accordance with approved plans) (drawing nos. 1, 4 rev B, 5 rev B, 6 rev B ,7 rev B, 8 rev B, and 9 rev B)**

Reason: To ensure adherence to the approved plans in the interests of a satisfactory form of development.

3. **Before any work commences on site, detailed drawings showing the full extent of the north facing elevation of the proposed two storey extension and also the south facing elevation of the altered/converted stone outbuilding.**

Reason: To ensure that the development is satisfactory in appearance.

4. **All new stonework to be used externally on the walls shall be natural local stone laid in a traditional style similiar to that on the existing outbuilding unless otherwise first agreed in writing by the Local Planning Authority.**

Reason: To ensure that the development is satisfactory in appearance.

5. **The existing walling on the existing stone outbuilding (to be converted/extended) shall be retained in full unless otherwise first agreed in writing by the Local Planning Authority. In the event of any rebuilding being required then detailed drawings showing the extent proposed to be rebuilt shall first be submitted to and be subject to the prior written approval of the Local Planning Authority prior to any demolition of these walls.**

Reason: To define the terms to which this planning permission relates.

6. **The additional accommodation hereby approved shall remain ancillary to the use of the existing dwelling as such and shall not at any time be utilised as a separate residential unit.**

Reason: It would be contrary to the approved planning policies for the area to grant planning permission for a separate dwelling unit in this location.

7. The new rooflight shall be flush with the roof slope.

Reason: To ensure that the rooflight does not protrude unduly above the external surface of the roof.

Informative(s):

1. N03 - Adjoining property rights
2. N14 - Party Wall Act 1996
3. N15 - Reason(s) for the Grant of Planning Permission