

**MINUTES of the meeting of Central Area Planning Sub-Committee held at The Council Chamber, Brockington, 35 Hafod Road, Hereford on Monday, 27th September, 2004 at 2.00 p.m.**

**Present:** Councillor D.J. Fleet (Chairman)  
Councillor R. Preece (Vice-Chairman)

**Councillors:** Mrs. P.A. Andrews, Mrs. W.U. Attfield, P.J. Edwards, G.V. Hyde, R.I. Matthews, J.W. Newman, Mrs. J.E. Pemberton, Ms. G.A. Powell, Mrs. S.J. Robertson, W.J.S. Thomas, Ms. A.M. Toon, W.J. Walling, D.B. Wilcox and R.M. Wilson

**In attendance:** Councillors P.E. Harling, T.W. Hunt and J.B. Williams

**41. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Mrs. E.M. Bew, A.C.R. Chappell, Mrs. S.P.A. Daniels, J.G.S. Guthrie, Mrs. M.D. Lloyd-Hayes, J.C. Mayson, Miss F. Short and A.L. Williams.

**42. DECLARATIONS OF INTEREST**

No declarations of interest were made.

**43. MINUTES**

**RESOLVED:**

**That the Minutes of the meeting held on 25th August, 2004 be approved as a correct record and signed by the Chairman.**

**44. DCCE2004/2658/F - 6 ST. PAUL ROAD, HEREFORD, HR1 1SR (AGENDA ITEM 4)**

*Demolish and rebuild existing garage and add first floor extension.*

The Local Ward Members spoke in support of the appraisal by Officers.

**RECOMMENDATION**

**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. A06 (Development in accordance with approved plans).**

**Reason:** To ensure adherence to the approved plans in the interests of a

satisfactory form of development.

3. **B02 (Matching external materials (extension)).**

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

4. **E17 (No windows in side elevation of extension).**

**Reason:** In order to protect the residential amenity of adjacent properties.

**Informative:**

1. **N15 - Reason(s) for the Grant of PP/LBC/CAC.**

45. **DCCW2004/1978/F - ADJACENT TO BRECKLANDS, MARDEN, HEREFORDSHIRE, HR1 3EW (AGENDA ITEM 5)**

*Proposed four bedroom dwelling and garage.*

Councillor D.B. Wilcox outlined the views of the Local Ward Member to the Sub-Committee. It was noted that the Local Ward Member felt that scheme could be interpreted as over-intensive backland development and the concerns of Marden Parish Council regarding access issues were also considered significant.

The Central Team Leader advised that the site was within the settlement boundary for Marden, that the site could accommodate a dwelling of the size proposed, that direct overlooking should not be an issue having regarding to the distances involved, and the Transportation Unit had raised no objections.

A number of Members felt that, given the concerns outlined on behalf of the Local Ward Member, a site visit should be undertaken as the setting and surroundings were fundamental to the determination or to the conditions being considered.

**RESOLVED**

**That consideration of planning application DCCW2004/1978/F be deferred for a site visit.**

46. **(A) DCCW2004/1762/F AND (B) DCCW2004/1763/L - PIGEONHOUSE BUILDINGS, BREINTON, HEREFORD (AGENDA ITEM 6)**

*(A) Conversion to one dwelling with annexe, garaging and storage buildings.*

*(B) Conversion of listed barn to one dwelling, conversion of curtilage granary / stable to annexe and restoration of small curtilage buildings to garaging and storage.*

The Local Ward Member spoke in support of the appraisal by Officers.

**RESOLVED:**

**In respect of DCCW2004/1762/F:**

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

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

3. **B05 (Alterations made good).**

**Reason: To maintain the appearance of the building.**

4. **Notwithstanding the approved drawings, details of the following shall be submitted to and approved by the local planning authority prior to the commencement of any works. The development shall be carried out in accordance with the approved details:-**

- (a) **Full schedule of repairs to be submitted to and approved in writing.**
- (b) **Full details of the internal treatment of walls.**
- (c) **Full details of the method of insulation.**
- (d) **Full joinery details and finishes.**
- (e) **Full joinery details of the new stairs and gallery.**
- (f) **Finishes to flues.**

**Reason: To safeguard the character and appearance of this building of special architectural or historical interest.**

5. **G01 (Details of boundary treatments).**

**Reason: In the interests of visual amenity and to ensure dwellings have satisfactory privacy.**

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

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

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

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

8. **G10 (Retention of trees).**

**Reason: In order to preserve the character and amenities of the area.**

9. **G11 (Retention of hedgerows (where not covered by Hedgerow Regulations)).**

**Reason: To ensure that the application site is properly landscaped in the interests of the visual amenity of the area.**

10. **E09 (No conversion of garage to habitable accommodation).**

**Reason: To ensure adequate off street parking arrangements remain available at all times.**

**11. E16 (Removal of permitted development rights).**

**Reason: To preserve the character and appearance of this conversion scheme.**

**12. E29 (Occupation ancillary to existing dwelling only (granny annexes)).**

**Reason: It would be contrary to the policy of the local planning authority to grant planning permission for a separate dwelling in this location.**

**13. F18 (Scheme of foul drainage disposal).**

**Reason: In order to ensure that satisfactory drainage arrangements are provided.**

**14. G39 (Nature Conservation - site protection).**

**Reason: To ensure that the nature conservation interest of the site is protected.**

**15. H01 (Single access - not footway).**

**Reason: In the interests of highway safety.**

**16. H05 (Access gates).**

**Reason: In the interests of highway safety.**

**17. H12 (Parking and turning - single house).**

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

**Informatives:**

- 1. HN01 - Mud on highway.**
- 2. HN04 - Private apparatus within highway.**
- 3. HN05 - Works within the highway.**
- 4. HN10 - No drainage to discharge to highway.**
- 5. N15 - Reason(s) for the Grant of PP/LBC/CAC.**

**In respect of DCCW2004/1763/L:**

**That Listed Building Consent be granted subject to the following conditions:**

**1. CO1 – Time limit for commencement (Listed Building Consent).**

**Reason: Required to be imposed by Section 18(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.**

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

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

**3. B05 (Alterations made good).**

**Reason: To maintain the appearance of the building.**

**4. Notwithstanding the approved drawings, details of the following shall be submitted to and approved by the local planning authority prior to the commencement of any works. The development shall be carried out in accordance with the approved details:-**

- (a) Full schedule of repairs to be submitted to and approved in writing.**
- (b) Full details of the internal treatment of walls.**
- (c) Full details of the method of insulation.**
- (d) Full joinery details and finishes.**
- (e) Full joinery details of the new stairs and gallery.**
- (f) Finishes to flues.**

**Reason: To safeguard the character and appearance of this building of special architectural or historical interest.**

**5. G01 (Details of boundary treatments).**

**Reason: In the interests of visual amenity and to ensure dwellings have satisfactory privacy.**

**Informative:**

**1. N15 - Reason(s) for the Grant of PP/LBC/CAC.**

**47. DCCW2004/2667/F - BEWELL STREET CAR PARK, BEWELL STREET, HEREFORD (AGENDA ITEM 7)**

*Proposed development to incorporate 7 retail units and 14 residential units.*

The Central Team Leader reported the receipt of 7 additional letters of support, a number of which were from city centre retailers.

The Sub-Committee was advised that, in response to the reasons for refusal in respect of planning application DCCW2004/0950/F (Minute 17 2004-05 refers), this revised scheme lowered the height of the building and made minor changes to fenestration.

The Chairman, speaking in his capacity as Local Ward Member, felt that the development would make a positive design contribution to the city centre and noted that the indicative illustrations of the proposal had been significantly enhanced. A number of Members spoke in support of the application.

Some Members felt it regrettable that an access to Hereford Bowling Club would be lost. Whilst this was not an issue that the planning process could resolve, it was noted that Officers would give every possible assistance to the Club in identifying alternative potential access arrangements.

Councillor D.B. Wilcox expressed concerns about the lack of parking. The view was expressed that car free developments were impractical in Herefordshire given the lack of public transport infrastructure and the rural nature of the County. Councillor

Wilcox proposed that a condition, recommended by the Head of Engineering and Transportation, to prevent car parking on site be removed.

In response to Members' concerns, the Senior Engineer advised that a car free development was considered acceptable having regard to all the services and amenities which were available locally. He added that this type of city centre living represented a life-style choice by residents and there was an opportunity to obtain a parking permit for a local car park. Some Members felt that parking should be provided on site where possible and that car parks should cater for commercial and tourism traffic rather than parking for residential developments. The Central Team Leader reminded the Sub-Committee that it had to consider the application before them and that this scheme contained no provision for parking.

In order to promote alternative modes of transport, Councillor P.J. Edwards proposed that the developer be required to provide bikes for all the residential units. The Central Team Leader advised that a Section 106 Agreement would be required to secure this. Councillor W.J.S. Thomas considered that bike parking was all that could be reasonably required and that it was not necessary to ask the developer to provide the bikes.

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

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

**3. C02 (Approval of details).**

**Reason: To safeguard the character and appearance of this building of special architectural interest.**

**4. D01 (Site investigation - archaeology).**

**Reason: To ensure the archaeological interest of the site is recorded.**

**5. D04 (Submission of foundation design).**

**Reason: The development affects a site on which archaeologically significant remains survive. A design solution is sought to minimise archaeological disturbance through a sympathetic foundation design.**

**6. E06 (Restriction on Use).**

**Reason: The local planning authority wish to control the specific use of the land/premises, in the interest of local amenity.**

**7. F15 (Scheme of noise insulation).**

**Reason: To safeguard the amenity of the area.**

8. F16 (Restriction of hours during construction).

Reason: To protect the amenity of local residents.

9. F18 (Scheme of foul drainage disposal).

Reason: In order to ensure that satisfactory drainage arrangements are provided.

10. F22 (No surface water to public sewer).

Reason: To safeguard the public sewerage system and reduce the risk of surcharge flooding.

11. F38 (Details of flues or extractors).

Reason: In the interests of the amenity of the area.

12. F41 (No burning of materials/substances during construction phase).

Reason: To safeguard residential amenity and prevent pollution.

13. G13 (Landscape design proposals).

Reason: In the interests of visual amenity.

14. H27 (Parking for site operatives).

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

15. H29 (Secure cycle parking provision).

Reason: To ensure that there is adequate provision for secure cycle accommodation within the application site, encouraging alternative modes of transport in accordance with both local and national planning policy.

**Informatives:**

1. HN22 - Works adjoining highway.
2. N03 - Adjoining property rights.
3. N04 - Rights of way.
4. N08 – Advertisements.
5. N12 - Shopfront security.
6. N15 - Reasons for the Grant of PP/LBC/CAC.

48. DCCW2004/1429/F - BARTON YARD, REAR OF J. SAINSBURY PLC, HEREFORD, HR4 0AG (AGENDA ITEM 8)

*Construction of 22 dwellings comprising 13 houses and 9 flats.*

The Central Team Leader advised that a Section 106 Agreement would be required to secure the provision of a play area and for affordable housing for local housing needs.

In response to questions, the Central Team Leader explained the design, siting and layout of the scheme and commented on the valuable contribution that the development would make to affordable housing provision in the City.

A number of Members welcomed the imaginative design approach and spoke in support of the application.

Some Members felt that the development should not increase risks for users of Great Western Way and that measures to improve safety and lighting should be considered. It was also felt that measures to ameliorate noise and disturbance from the Sainsbury's Supermarket should be fully explored.

In response to a question, the Central Team Leader noted the concerns of Hereford Civic Society and the Conservation Area Advisory Committee but felt that the architectural style of the scheme was acceptable having regard to the restraints caused by the particular layout of this site.

A suggestion was made that there should be a safe access between the site and Sainsbury's Supermarket.

A number of Members commented on the importance of protecting the integrity and potential future development of the Great Western Way. The Central Team Leader advised that, whilst a refusal reason based on potential future development was unlikely to be sustained on appeal, Officers would look at the position of buildings carefully and would try to locate them further away from the Great Western Way if possible.

#### **RESOLVED:**

**Delegated Authority to Officers to consider the siting and layout issues raised by Members. On the satisfactory resolution of these issues :-**

1) **The County Secretary and Solicitor be authorised to complete a planning obligation under Section 106 of the Town & Country Planning Act 1990 to ensure the approved housing remains affordable as set out in Government Circular 06/98 and a financial contribution of £9406.00 is received to provide 10 years maintenance for the toddler play facilities;**

2) **Upon completion of the planning obligation, Officers named in the Scheme of Delegation to Officers be authorised to issue planning permission 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. **B01 (Samples of external materials).**

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



3. Prior to the commencement of development, architectural details of the proposed balconies including a sample of the proposed finish shall be submitted to and approved in writing by the local planning authority.

Reason: To ensure a satisfactory form of development.

4. C11 (Specification of guttering and downpipes).

Reason: To safeguard the character and appearance of the Conservation Area.

5. E16 (Removal of permitted development rights).

Reason: Having regard to the design of the development approved and to ensure the character and appearance of the Conservation Area is preserved or enhanced.

6. F13 (Scheme to protect new dwellings from road noise).

Reason: To protect the residential amenities of the future occupiers of the properties.

7. F18 (Scheme of foul drainage disposal).

Reason: In order to ensure that satisfactory drainage arrangements are provided.

8. F27 (Interception of surface water run off ).

Reason: To prevent pollution of the water environment.

9. G01 (Details of boundary treatments).

Reason: In the interests of visual amenity and to ensure dwellings have satisfactory privacy.

10. G04 (Landscaping scheme (general)).

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

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

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

12. G31 (Details of play equipment).

Reason: To ensure the play area is suitably equipped.

13. H13 (Access, turning area and parking).

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

14. H29 (Secure cycle parking provision).

**Reason:** To ensure that there is adequate provision for secure cycle accommodation within the application site, encouraging alternative modes of transport in accordance with both local and national planning policy.

**Informatives:**

1. **HN02 - Public rights of way affected.**
2. **N15 - Reason(s) for the Grant of PP/LBC/CAC.**

**49. DCCE2004/2003/F - LAND ADJACENT TO MORTIMER ROAD AND BURCOTT ROAD, HEREFORD (AGENDA ITEM 9)**

*Storage compounds (7) together with perimeter fence.*

The Principal Planning Officer recommended an additional condition to restrict the types of material that could be stored on the site.

In accordance with the criteria for public speaking, Mr. Pritchard had registered to speak in support of this application but decided not to take the opportunity to address the Sub-Committee.

The Principal Planning Officer noted that a significant consideration was that the development should not compromise the redevelopment of the Herefordshire and Gloucestershire Canal. Given that the Canal Trust could not provide a timescale for the redevelopment, it was felt that a two-year temporary permission for the proposed use would be an acceptable form of development. The Local Ward Members concurred with the appraisal by Officers.

A number of Members felt that there should be safeguards to prevent the storage of any potentially hazardous materials on site. The Principal Planning Officer advised that this concern could be addressed through conditions on any planning permission granted.

In response to questions, the Central Team Leader and the Legal Practice Manager explained how temporary permission would operate and the options available to the Council should there be any breach of conditions.

**RESOLVED**

**That temporary planning permission be granted subject to the following conditions:**

**1 E21 (Temporary permission and reinstatement of land)**

**Reason:** The site lies on the route of the Herefordshire and Gloucestershire Canal where Policy R15 of the Hereford Local Plan resists permanent development that would prevent restoration.

**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 G01 (Details of boundary treatments)**

**Reason: In the interests of visual amenity and to ensure dwellings have satisfactory privacy.**

**4 F43 (Restriction on height of open air storage)**

**Reason: To protect the appearance of the locality.**

**5 E06 (Restriction on Use)**

**Reason: The local planning authority wish to control the specific use of the land/premises, in the interest of local amenity.**

**6 No permanent structures shall be erected within or around the site other than those specified in this permission or conditions attached to this permission.**

**Reason: The site lies on the route of the Herefordshire and Gloucestershire Canal where Policy R15 of the Hereford Local Plan resists permanent development that would prevent restoration.**

**7. Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound shall be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound shall be at least equivalent to the capacity of the largest tank, vessel or the combined capacity of interconnected tanks or vessels plus 10%. All filling points, associated pipework, vents, gauges and sight glasses must be located within the bund or have separate secondary containment. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework shall be located above ground and protected from accidental damage. All filling points and tank/vessels overflow pipe outlets shall be detailed to discharge downwards into the bund.**

**Reason: To prevent pollution of the water environment.**

**8. There shall be no storage of oils/fuels/chemicals or hazardous substances on the site without the prior written consent of the local planning authority.**

**Reason: To protect the site form pollution and to define the term so this permission**

**INFORMATIVES:**

- 1. N15 - Reason(s) for the Grant of PP/LBC/CAC.**
- 2. It is brought to the attention of the applicant that this permission does not give consent for the sale of motor vehicles from the site.**
- 3. You are advised in respect of Condition 8 that separate written consent may be required from the Environment Agency for the storage of oils/fuels, chemicals or hazardous substances.**

**50. DCCE2004/2601/F - HOLMER TRADE PARK, HOLMER ROAD, HEREFORD (AGENDA ITEM 10)**

*Erection of 1890 square metres of new build commercial/industrial units and refurbishment of existing B1/B8 units. Demolition of flat roof extension.*

The Local Ward Members noted the importance of the conditions proposed.

**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)**

**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.**

**4 E06 (Restriction on Use)**

**Reason: The local planning authority wish to control the specific use of the land/premises, in the interest of local amenity.**

**5 The use hereby permitted shall not be open to customers between the hours of 11.00 p.m. and 7.00 a.m. daily.**

**Reason: In the interests of the amenities of existing residential property in the locality.**

**6 There shall be no open air operation of plant, machinery or equipment within the application site between the hours of 7.30 a.m. and 9.30 p.m. daily following occupation of the building.**

**Reason: To protect the amenities of nearby properties.**

**7 Details of any floodlighting and/or external lighting shall be submitted to and approved in writing by the local planning authority before the building is occupied. Development shall be carried out in accordance with the approved details and there shall be no other external illumination of the development.**

**Reason: To safeguard local amenities.**

**8 H08 (Access closure)**

**Reason: To ensure the safe and free flow of traffic using the adjoining County highway.**

**9 F38 (Details of flues or extractors)**

**Reason: In the interests of the amenity of the area.**

**10 F39 (Scheme of refuse storage)**

**Reason: In the interests of amenity.**

**11 F40 (No burning of material/substances)**

**Reason: To safeguard residential amenity and prevent pollution.**

**12 F42 (Restriction of open storage)**

**Reason: To protect the appearance of the locality.**

**13 F48 (Details of slab levels)**

**Reason: In order to define the permission and ensure that the development is of a scale and height appropriate to the site.**

**14 G01 (Details of boundary treatments)**

**Reason: In the interests of visual amenity and to ensure dwellings have satisfactory privacy.**

**15 G04 (Landscaping scheme (general))**

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

**16 G05 (Implementation of landscaping scheme (general))**

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

**17 H15 (Turning and parking: change of use - commercial)**

**Reason: To minimise the likelihood of indiscriminate parking in the interests of highway safety.**

**18 H21 (Wheel washing)**

**Reason: To ensure that the wheels of vehicles are cleaned before leaving the site in the interests of highway safety.**

**19 H26 (Access location)**

**Reason: In the interests of highway safety.**

**20 H27 (Parking for site operatives)**

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

**21 H29 (Secure cycle parking provision)**

**Reason: To ensure that there is adequate provision for secure cycle**

accommodation within the application site, encouraging alternative modes of transport in accordance with both local and national planning policy.

**INFORMATIVES:**

- 1 N01 - Access for all
  - 2 N04 - Rights of way
  - 3 N08 - Advertisements
  - 4 N13 - Control of demolition - Building Act 1984
  - 5 HN01 - Mud on highway
  - 6 HN05 - Works within the highway
  - 7 HN07 - Section 278 Agreement
  - 8 HN15 - Affected street lighting or illuminated signs
  - 9 N15 - Reason(s) for the Grant of PP/LBC/CAC
51. DCCE2004/1930/F - LAND ADJACENT TO 68 ST. GUTHLAC STREET, HEREFORD, HR1 2EX (AGENDA ITEM 11)

*Proposed house.*

The Chairman, speaking in his capacity as the Local Ward Member, expressed concern about the potential impact of this proposal on the character of the street scene but noted that there were no substantial planning reasons to justify refusal of this application.

The Central Team Leader noted that an application had been refused on this site in May, 2004 and he explained how this revised design addressed the previous reason for refusal.

**RECOMMENDATION**

**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. B01 (Samples of external materials).  
Reason: To ensure that the materials harmonise with the surroundings.
3. D01 (Site investigation - archaeology).  
Reason: To ensure the archaeological interest of the site is recorded.
4. E16 (Removal of permitted development rights).

**Reason: Having regard to the size and scale of the development and to ensure the local planning authority retain control over any further extension and alterations.**

- 5. F16 (Restriction of hours during construction).**

**Reason: To protect the amenity of local residents.**

- 6. F18 (Scheme of foul drainage disposal).**

**Reason: In order to ensure that satisfactory drainage arrangements are provided.**

- 7. G01 (Details of boundary treatments).**

**Reason: In the interests of visual amenity and to ensure dwellings have satisfactory privacy.**

- 8. H13 (Access, turning area and parking).**

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

- 9. E18 (No new windows in specified elevation).**

**Reason: In order to protect the residential amenity of adjacent properties.**

**Informatives:**

- 1. N01 - Access for all.**

- 2. N04 - Rights of way.**

- 3. N05 - Council ownership.**

- 4. The applicant's attention is drawn to the site's location within the defined Hereford Area of Archaeological Importance. You are strongly advised to contact the County Archaeology Service to discuss the archaeological condition of this planning permission.**

- 5. N15 - Reason(s) for the Grant of PP/LBC/CAC.**

- 52. DCCE2004/2455/F - CWM CRAIG FARM, LITTLE DEWCHURCH, HEREFORD, HR2 6PS (AGENDA ITEM 12)**

*Demolition and rebuilding of a stone barn to incorporate a two bedroom bungalow for the use of a disabled person.*

The Central Team Leader advised that, for clarity, the recommendation as detailed in the report should be divided into two separate reasons for refusal as the proposal would be contrary to South Herefordshire District Local Plan policies SH11 (Housing in the Countryside) and GD1 (General Development Criteria).

In accordance with the criteria for public speaking, Mr. Cook spoke on behalf of Little Dewchurch Parish Council and Mrs. Francis spoke in support of the application.

Councillor W.J.S. Thomas, the Local Ward Member, disagreed with the appraisal by officers and felt that planning permission should be granted. He felt that weight should be given to a number of considerations, these included: the applicants' health problems and the potential for this proposal to assist in their quality of life; the importance of farm diversification and how the bed and breakfast business ensured the viability of this farm; the view that the proposed bungalow would not have a significantly greater impact than that of the store building that it would replace; and the scattered nature of settlements in this part of the County meant that many were outside village envelopes.

The Central Team Leader stressed that Officers remained very sympathetic to the personal circumstances of the applicants but, nevertheless, had to ensure that proposals complied with established and adopted planning policy. He advised that the proposal did not represent a conversion and had to be considered as a stand-alone new build. In this respect, the principle of a new dwelling in this location was contrary to both national and local planning policy which sought to protect areas of open countryside. Despite the offer of a unilateral undertaking to ensure that the building would be tied to the farmhouse and not sold separately, the material reasons put forward with the application did not outweigh the fundamental policy objections.

A number of Members spoke in support of the application and commented on the need for flexibility and awareness when considering such applications; some felt that the development plan should take local need into account in respect of small developments.

In response to questions by Members, the Central Team Leader advised that the application did not fully demonstrate why alternatives, such as conversion of the ground floor or extension to the farmhouse or conversion of a suitable building elsewhere, would not provide the type of accommodation required.

Councillor Thomas felt that the internal alterations to the farmhouse would not be suitable given the nature of the building and the need to retain the bed and breakfast facility, that a stair-lift would not resolve the situation given the personal circumstances of the applicants, that an extension would be detrimental to the character of the farmhouse and the conversion of another building further away would not provide the level of care required. He believed this scheme to be the best option and that it should be supported.

The Chief Development Control Officer re-iterated that the scheme represented new build in open countryside and the reasons put forward did not carry sufficient weight to set aside the adopted policies in this case.

A number of Members felt that the exceptional circumstances of the applicants, the offer of a unilateral undertaking to restrict use and other reasons outlined in the application justified approval in this instance.

## **RESOLVED**

**That**

- (i) The Central Area Planning Sub-Committee is minded to approve the application, subject to the conditions felt to be necessary by the Head of Planning Services, provided that the Head of Planning Services does not refer the application to the Planning Committee:**



- (ii) **If the Head of Planning Services does not refer the application to the Planning Committee the Officers named in the Scheme of Delegation to Officers be instructed to approve the application, subject to such conditions referred to above.**

(Note: The Chief Development Control Officer advised that, as the Central Area Planning Sub-Committee was minded to make a decision which was contrary to the Officer recommendation and which placed crucial policy issues at stake, he would refer the application to the Head of Planning Services.)

**53. DATE OF THE NEXT MEETING**

It was noted that the next scheduled meeting was Wednesday 20th October, 2004.

The meeting ended at 3.22 p.m.

**CHAIRMAN**