

**MINUTES of the meeting of Northern Area Planning Sub-Committee held at The Council Chamber, Brockington, 35 Hafod Road, Hereford on Wednesday, 6th October, 2004 at 2.00 p.m.**

**Present:** Councillor J.W. Hope (Chairman)  
Councillor J. Stone (Vice Chairman)

**Councillors:** B.F. Ashton, W.L.S. Bowen, R.B.A. Burke, P.J. Dauncey, Mrs. J.P. French, J.H.R. Goodwin, K.G. Grumbley, P.E. Harling, B. Hunt, T.W. Hunt, T.M. James, Brig. P. Jones CBE, R.M. Manning, R. Mills, R.V. Stockton, J.P. Thomas and J.B. Williams

**81. APOLOGIES FOR ABSENCE**

The Chairman said that as part of the restructuring of the Planning Services Department Mr K Bishop, Mr A Shepherd and Mr S Withers would be moving to the Central Division and on behalf of the Sub-Committee thanked them for the hard work that they had undertaken for the Northern Division.

Apologies were received from Councillors Mrs LO Barnett, RJ Phillips and DW Rule.

**82. DECLARATIONS OF INTEREST**

The following declarations of interest were made:

<b>Councillor</b>	<b>Item</b>	<b>Interest</b>
WLS Bowen	DCNC2004/2598/N - Variation Of Conditions 1,2,3 And 4 Of Planning Permission NC03/1895/N, Principally To Enable The Pilot Plant For Accelerated Composting Of Organic Material To Be Undertaken Until 31 St December 2008 At Wharton Court, Wharton, Leominster, Herefordshire, HR6 0NX	Personal
WLS Bowen	DCNC2004/2391/F - Single Storey Extensions And Alterations To Enlarge Worship Area, Create New Halls & Rooms, New Entrance And Toilets At Leominster Baptist Church, Etnam Street, Leominster, HR6 8AJ  DCNC2004/2392/L – As Above	Prejudicial

**NORTHERN AREA PLANNING SUB-COMMITTEE WEDNESDAY, 6TH OCTOBER, 2004**

JW Hope	DCNC2004/2598/N - Variation Of Conditions 1,2,3 And 4 Of Planning Permission NC03/1895/N, Principally To Enable The Pilot Plant For Accelerated Composting Of Organic Material To Be Undertaken Until 31 St December 2008 At Wharton Court, Wharton, Leominster, Herefordshire, HR6 0NX	Personal
Brig P Jones	DCNC2004/2722/F - Roller Shutter To Front Of Shop. Change Of Design And Fitting (Retrospective) At 7 High Street, Leominster, Herefordshire, HR6 8LZ	Prejudicial
RM Manning	DCNC2004/2598/N - Variation Of Conditions 1,2,3 And 4 Of Planning Permission NC03/1895/N, Principally To Enable The Pilot Plant For Accelerated Composting Of Organic Material To Be Undertaken Until 31 St December 2008 At Wharton Court, Wharton, Leominster, Herefordshire, HR6 0NX	Prejudicial
JP Thomas	DCNC2004/2598/N - Variation Of Conditions 1,2,3 And 4 Of Planning Permission NC03/1895/N, Principally To Enable The Pilot Plant For Accelerated Composting Of Organic Material To Be Undertaken Until 31 St December 2008 At Wharton Court, Wharton, Leominster, Herefordshire, HR6 0NX	Personal
JP Thomas	DCNC2004/2391/F - Single Storey Extensions And Alterations To Enlarge Worship Area, Create New Halls & Rooms, New Entrance And Toilets At Leominster Baptist Church, Etnam Street, Leominster, HR6 8AJ  DCNC2004/2392/L – As Above	Prejudicial

**NORTHERN AREA PLANNING SUB-COMMITTEE WEDNESDAY, 6TH OCTOBER, 2004**

JP Thomas	DCNC2004/2722/F - Roller Shutter To Front Of Shop. Change Of Design And Fitting (Retrospective) At 7 High Street, Leominster, Herefordshire, HR6 8LZ	Personal
JP Thomas	DCNW2004/2364/F - Demolition Of Two Detached Buildings And The Erection Of A Building For General Industrial Use (B2/B8) At Hergest Camp, Kington, Herefordshire, HR5 3ER	Personal
JHR Goodwin	DCNC2004/2598/N - Variation Of Conditions 1,2,3 And 4 Of Planning Permission NC03/1895/N, Principally To Enable The Pilot Plant For Accelerated Composting Of Organic Material To Be Undertaken Until 31 St December 2008 At Wharton Court, Wharton, Leominster, Herefordshire, HR6 0NX	Personal
N Dean	DCNC2004/2771/F - Erection Of 18 No. Dwellings At Land Off New Mills Way/ Frome Brook Road, Ledbury .	Personal

**83. MINUTES**

**RESOLVED:** That the Minutes of the meeting held on 8 September 2004 be approved as a correct record subject to the inclusion of the name of Councillor JP Thomas in Minute 67 (Apologies) and signed by the Chairman.

**84. ITEM FOR INFORMATION - APPEALS**

The report of the Head of Planning Services was received and noted.

**85. APPLICATIONS RECEIVED**

The Sub-Committee considered the following planning applications received for the Northern Area of Herefordshire and authorised the Head of Planning Services to impose any additional or varied conditions and reasons considered to be necessary.

**86. DCNC2004/2598/N - VARIATION OF CONDITIONS 1,2,3 AND 4 OF PLANNING PERMISSION NC03/1895/N, PRINCIPALLY TO ENABLE THE PILOT PLANT FOR ACCELERATED COMPOSTING OF ORGANIC MATERIAL TO BE UNDERTAKEN UNTIL 31 ST DECEMBER 2008 AT WHARTON COURT, WHARTON, LEOMINSTER, HEREFORDSHIRE, HR6 0NX (AGENDA ITEM 6)**

In accordance with the criteria for public speaking Mr Eley spoke against the application on behalf of Leominster Town Council and Humber, Stoke Prior and Ford Group Parish Council, and Mr Morgan spoke in favour of the application.

The Sub-Committee discussed the main elements of the application and the problems that had arisen in the past due to odour from the composting process at the site. The steps that had been taken by the applicant to deal with the problems and advice given by officers in that respect were also noted. The Sub-Committee was also mindful of the need to encourage diversification to help local agriculture and the importance of innovative waste management schemes.

The Team Leader (Minerals and Waste) reported a further monitoring report from the Parish Council and said that the application states that the company needed a 4 year planning permission in order to put in the necessary resources that would help to resolve the odour issues and to obtain the necessary licensing from the Environment Agency. The conditions that could be attached to the permission would also enable the officers to monitor and exercise greater control over the plant. He explained why it would not be reasonable to grant further temporary permission or a permission for less than 4 years. He suggested that a further condition should be added in respect of the primary compost vessel and that condition 8 should state 2005.

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

- 1 - The use hereby permitted shall cease on 31st December 2008, and no material whatsoever shall be processed through any part of the development hereby permitted whatsoever after that date.**

**Reason: In the interests of protecting the long term setting of Wharton Court and the two adjoining listed barns, of protecting the long term amenity of local people and visitors of the area, and because any longer use may have adverse environmental effects which would require further consideration.**

- 2 - Not later than 30<sup>th</sup> November 2008 a scheme of work shall be submitted to the Local Planning Authority for their approval in advance in writing for the removal of all of building 1, the high part of building 4 (i.e. that part not permitted under ref. NC1999/2252/F granted 8 March 2000), the scrubber tanks numbered 1, 2, 3, 4 and 5, the enclosed conveyor, two overhead ducts, the structure between building 4 and odour scrubbing unit No. 1, contents of the bio-filter and associated structures and works shown on plans 488/03 Rev B (May 04) and 488/04 Rev B (May 04) and described in Bioganix's letter of 10 May 2004, and any other structures, works, equipment or materials on site in connection with the development hereby permitted, from the application site before 30th June 2009, and for the restoration of the site to agriculture and to the condition permitted under ref. NC1999/2252/F and the approved scheme shall be fully implemented before 30th June 2009.**

**Reason: In the interests of protecting the long term setting of Wharton Court and the two adjoining listed barns, and because any longer use**

may have adverse environmental effects which would require further consideration.

- 3 - Not more than 12,000 tonnes of material shall be composted at this site in connection with the development hereby permitted during any 12 month period.**

**Reason: In the interests of protecting the long term setting of Wharton Court and the two adjoining listed barns, and because any longer use may have adverse environmental effects which would require further consideration.**

- 4 - Not later than 6th April 2005 a covered conveyor shall be constructed on site in accordance with drawing no. 488/03 rev B (May 04) in such a way as to ensure that no odour escapes from it during its use.**

**Reason: In order to protect the amenities of local people and visitors to the area.**

- 5 - After 6th April 2005 no composting or composted materials shall be transported between buildings 4 and 1 as shown on plan no. 488/03 rev B (May 04) other than by means of covered conveyor.**

**Reason: In order to protect the amenities of local people and visitors to the area.**

- 6 - E02 (Restriction on hours of delivery )**

**Reason: To safeguard the amenities of the locality.**

- 7 - E06 (Restriction on Use ) (use as a pilot plant for the accelerated composting of organic material until 1<sup>st</sup> July 2008) (B2)**

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

- 8 - Not later than 1st October 2005 a scheme for the provision of surface water drainage works and surface water regulation shall be submitted to the Local Planning Authority for their approval in writing. The approved scheme shall be implemented in full not later than 3 months after its approval in writing. No other impermeable surfaces draining into the approved system shall be constructed.**

**Reason: To prevent the increased risk of flooding.**

- 9 - F25 (Bunding facilities for oils/fuels/chemicals )**

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

- 10 - F28 (No discharge of foul/contaminated drainage ) (standard reasons and to protect the interests of the SSSI/cSAC)**

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

- 11 - F32 (Details of floodlighting/external lighting )**

**Reason: To safeguard local amenities.**

- 12 - F34 (Restriction on level of illuminance of floodlighting (sports grounds)) (after 'boundary' add 'and in the interests of highway safety')**

**Reason: To minimise the impact of the floodlights and to protect the residential amenity of nearby dwellings.**

- 13 - F40 (No burning of material/substances )  
No materials or substances shall be incinerated within the application site.**

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

- 14 - F42 (Restriction of open storage) (after 'material' add 'including any material intended for composting')**

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

- 15 - Not later than 24 hours after any request in writing from the Local Planning Authority the site shall be swept clean of any and all litter or waste material.**

**Reason: To protect the appearance of the locality and the setting of Wharton Court and the two listed barns and to protect the amenities of local people and visitors to the area.**

- 16 - Not later than 31 days after any request in writing from the Local Planning Authority, as advised by the Council's Environmental Health Officer, a noise monitoring scheme shall be submitted to the Local Planning Authority for their approval in writing. The submitted scheme shall include:**

- Noise monitoring locations**
- Method and frequency of measurement in accordance with BS4142 1997**
- Presentation of results and their interpretation within 7 days of measurement  
and**
- Procedures to be adopted if noise levels go above 5d BA LAeq above background levels**

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

- 17 - All vehicles containing untreated material for composting or treated compost shall be sheeted with a tarpaulin when within the application site area unless wholly within one of the buildings hereby permitted for this use.**

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

- 18 - With the exception of the external bio filter the general building structure and ventilation of the development hereby permitted shall be designed to contain fugitive emissions and prevent their escape into the open air. To achieve this the ventilation system shall be suitable and sufficient to maintain negative air pressure at all times other than when the doors to the process buildings are open.**

**Reason: To protect the interests of residential amenity.**

- 19 - All doors shall be kept firmly closed when not in use.**

**Reason: To protect the interests of residential amenity.**

- 20 - Not later than 1st July 2005 details of the provision to be made for an owl nesting box within 400 metres of the application site together with details of the timing of its erection shall be submitted to the Local Planning Authority for their agreement in writing.**

**Reason: In order not to disturb or deter the nesting or roosting of barn owls.**

- 21 - Not later than 31st August 2005 a scheme to ensure that water voles are not poisoned by the use of vermin control measures on site shall be submitted to the Local Planning Authority for their approval in writing.**

**Reason: In order to protect water voles.**

- 22 - Not later than 1st July 2005 a scheme for the erection of a sign reading 'No left turn' to be erected at the junction of the exit road leading to the A49 and the B4361 for the instruction of drivers leaving the site shall be submitted to and approved in writing by the Local Planning Authority and shall implemented in accordance with the approved details not later than 28 days of their approval in writing.**

**Reason: To direct traffic onto the primary road network.**

- 23 - Not later than 3 months of any request in writing by the Local Planning Authority as advised by English Nature a scheme for the enhancement of the biological water treatment capacity of the drainage ditches between the application site and the River Lugg shall be submitted for the approval by the Local Planning Authority in writing and the approved scheme shall be implemented in full within 3 months of its approval in writing.**

**Reason: In order to protect the nature conservation interests of the River Lugg SSSI/cSAC.**

- 25 - A structural and condition survey of Wharton Court and the two Listed Barns shall be undertaken in accordance with the Royal Institute of Chartered Surveyors' current good practice advice and submitted to the local planning authority for their approval not later than 1<sup>st</sup> July 2005. The submitted survey shall contribute to the understanding of the construction and development of these buildings and identify areas at risk as a basis for ensuring their protection and repair.**

**Reason: To safeguard the character, appearance and stability of the three Listed Buildings adjoining the site.**

- 26 - Not later than 6 April 2005 the primary composting vessel (the main processing vessel as described in the annex to application NC03 1895/N reviewed on 1 July 2003) shall be replaced and the original shall not be used again unless the Local Planning Authority has given it approval in advance in writing.**

**Reason: In recognition of the need to replace the original pilot**

processing vessel in order to protect the amenities of local people and visitors to the area.

**Informative:**

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

**87. DCNE2004/2398/RM - ERECTION OF A NEW AGRICULTURAL WORKERS DWELLING AND DETACHED GARAGE AT GILBERTS FARM, LILLY HALL LANE, LEDBURY. (AGENDA ITEM 7)**

The receipt of an objection from Ledbury Town Council was reported.

**RESOLVED:** That consideration of the application be deferred for a site inspection on the following grounds:

- (a) the character or appearance of the development itself is a fundamental planning consideration;
- (b) a judgement is required on visual impact; and
- (c) the setting and surroundings are fundamental to the determination or to the conditions being considered.

**88. DCNE2004/1250/L & DCNE2004/1249/F - CONVERSION OF REDUNDANT FARM BUILDINGS INTO 6 RESIDENTIAL DWELLINGS AND ALTERATIONS TO MAIN FARM HOUSE AT BROOK FARM, LITTLE MARCLE ROAD, LEDBURY, HEREFORD. (AGENDA ITEM 8)**

The receipt of a letter from the Council for British archaeology withdrawing its objection in principal; and the receipt of a letter from an objector were reported.

In accordance with the criteria for public speaking Mr West spoke in favour of the application.

**RESOLVED:**

**NE2004/1249/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. A09 - Amended Plans (7 September 2004)**

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

**3. B01 - Samples to External Materials**

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

**4. G01 – Details of Boundary Treatments**



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

**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. Ecological Conditions**

**8. Highway Conditions**

**Informative**

**1. N15 – Reason for the grant of pp/lbc**

**NE2004/1250/L**

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

**1. C01 – Time Limit for Commencement (Listed Building)**

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

**2. A09 – Amended Plans**

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

**3. C05 – Details of All Joinery Details Including Finishes**

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

**4. C08 – Repairs to External Brickwork**

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

**5. C09 – External Repointing**

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

**6. C10 – Details of Rooflights**

**Reason:** To ensure the rooflights do not break the plane of the roof slope in the interests of safeguarding the character and appearance of this building of special architectural or historical interest.

**7. C11 – Specification of Guttering and Downpipes**

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

**8. C12 – Repairs to Match Existing**

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

**9. C13 – Repairs in Situ**

**Reason: In order to preserve the integrity of the structure of the buildings, the conservation of which constitutes the reason for allowing the development where a new building would be contrary to policy.**

**Informative**

**1. N15 – Reason for the grant of pp/lbc**

**89. DCNE2004/2771/F - ERECTION OF 18 NO. DWELLINGS AT LAND OFF NEW MILLS WAY / FROME BROOK ROAD, LEDBURY. (AGENDA ITEM 9)**

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

In answer to questions about the height of the proposed flats the Principal Planning Officer explained details of the layout and site levels which would limit any overlooking of the adjoining development. There was also an area of open space between the existing dwellings and proposed flats.

Discussion centred upon the proposed toddlers play area and the Sub-Committee had concerns at the proposal for the developer to pay a commuted sum and for the Council to take over maintenance after a period of ten years had expired. The Head of Planning Services said that it would be possible for a condition to be imposed requiring the developers to maintain the play area in perpetuity. The Sub-Committee agreed that consideration of the application should be deferred to allow further discussions between the officers and applicant regarding the matter.

**RESOLVED: That consideration of the application be deferred pending further discussions by the officers with the applicants with a view to ascertaining if they would agree to a condition requiring them to maintain the toddlers play area in perpetuity.**

**90. DCNC2004/2192/F - CONSTRUCTION OF 8 NO. HOUSES AT THE OLD FOLD YARD, CHURCH LANE, UPPER SAPEY, WORCESTER WR6 6XR (AGENDA ITEM 10)**

**RESOLVED: That consideration of the application be deferred for a site inspection on the following grounds:**

- (a) the character or appearance of the development itself is a fundamental planning consideration;**
- (b) a judgement is required on visual impact; and**
- (c) the setting and surroundings are fundamental to the determination or to the conditions being considered.**

91. DCNC2004/2391/F & DCNC2004/2392/L - SINGLE STOREY EXTENSIONS AND ALTERATIONS TO ENLARGE WORSHIP AREA, CREATE NEW HALLS & ROOMS, NEW ENTRANCE AND TOILETS AT LEOMINSTER BAPTIST CHURCH, ETNAM STREET, LEOMINSTER, HR6 8AJ (AGENDA ITEM 11)

The receipt of a letter of objection was reported.

In accordance with the criteria for public speaking Mr Simpson spoke in favour of the application.

**RESOLVED:**

**NC2004/2391/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 - F16 (Restriction of hours during construction ) (8.00am – 5.00pm)

Reason: To protect the amenity of local residents.

- 4 - C04 (Details of window sections, eaves, verges and barge boards )

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

- 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.

Informative:

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

**NC2004/2392/L**

That Listed Building consent be granted subject to the following conditions:

- 1 - C01 (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 - C04 (Details of window sections, eaves, verges and barge boards )

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

Informative:

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

92. DCNC2004/2722/F - ROLLER SHUTTER TO FRONT OF SHOP. CHANGE OF DESIGN AND FITTING (RETROSPECTIVE) AT 7 HIGH STREET, LEOMINSTER, HEREFORDSHIRE, HR6 8LZ (AGENDA ITEM 13)

In accordance with the criteria for public speaking Mr Luck spoke in favour of his application.

The Sub-Committee considered that subject to the roller shutter being repainted, that planning permission could be granted because it did not detract from the Conservation Area.

**RESOLVED: That**

(a) The Northern Area Planning Sub-Committee is minded to approve the application subject to any 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;

1) the roller shutter being repainted in a darker colour

(b) If the Head of Planning Services does not refer the application to the Planning Committee, officers named in the scheme of delegation to officers be instructed to approve the application subject to such conditions referred to above.

*(Note: - The Northern Team Leader said that given that the Sub-Committee had considered the planning policies, he would not refer the application to the Head of Planning Services.)*

93. DCNC2004/2612/F - SINGLE STOREY EXTENSION TO PROVIDE RECEPTION CLASS. REMODEL INTERNAL CLASS 2 AND NURSERY AT ST. MICHAELS C OF E PRIMARY SCHOOL, BODENHAM, HEREFORD, HEREFORDSHIRE, HR1 3JU (AGENDA ITEM 12)

The receipt of a letter of objection from Bodenham Parish Council was reported.

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

The Sub-Committee had reservations about the application because the proposed classroom was in very close proximity to the adjoining dwelling and would have a significant impact upon it. There were also concerns about the internal layout of the classroom which would have to be reached through an existing classroom. It was felt that an alternative location of the classroom would be possible to achieve and therefore decided that the application should be refused.

**RESOLVED:**

- (b) That The Northern Area Planning Sub-Committee is minded to refuse the application subject to any reasons felt to be necessary by the Head of Planning Services in consultation with the Local Ward Councillor, provided that the Head of Planning Services does not refer the application to the Planning Committee;

1) Impact and setting on the adjoining dwelling;

- (c) If the Head of Planning Services does not refer the application to the Planning Committee, officers named in the scheme of delegation to officers be instructed to refuse the application for the reasons referred to above.

*(Note: - The Northern Team Leader said that given that the Sub-Committee had considered the planning policies, he would not refer the application to the Head of Planning Services.)*

94. DCNC2004/2838/F - STORAGE BUILDING AT MIDDLE HOUSE FARM, HILLHAMPTON, BURLEY GATE, HEREFORD, HEREFORDSHIRE, HR1 3QP (AGENDA ITEM 14)

The receipt of a letter of objection was reported.

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

- 1 - Within one month of the date of this permission there shall have been submitted to and approved in writing by the Local Planning Authority a Scheme of Landscaping. All planting comprised in the approved details shall be carried out during the current planting season. Any trees or plants which will in a period of 5 years from completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variations. Any plants that fail more than once they shall continue to be replaced on an annual basis till the end of the five year defect period.

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

- 2 -There shall be no collection by lorry of the potatoes from the building outside of the hours 8.00am to 6.00pm Monday to Fridays and 8.00am to 1.00pm on Saturdays. There shall be no such collection on Sundays, Bank or Public Holidays.

Reason: In the interest of amenity.

**Informative:**

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

95. DCNW2004/1391/F - ERECTION OF DETACHED DWELLING AND GARAGE ON LAND ADJ TO BARBERRY COTTAGE, WIGMORE, LEOMINSTER, HEREFORDSHIRE, HR6 9UB (AGENDA ITEM 15)

Councillor Mrs JP French said that the Local Ward Councillor, Mrs LO Barnett had expressed her appreciation for the considerable work undertaken by the officers to achieve such a satisfactory outcome.

**RESOLVED: That the application be approved 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 - C05 (Details of external joinery finishes )**

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

**4 - E18 (No new openings in specified elevation ) (any elevations)**

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

**5.- D01 (Site investigation – archaeology)**

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

**6 - 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.**

**7 - G09 (Retention of trees/hedgerows )**

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

**8 - G04 (Landscaping scheme (general) )**

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

**9 - G05 (Implementation of landscaping scheme (general) )**

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

**10 - G06 (Scope of landscaping scheme )**

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

**11 - H04 (Visibility over frontage ) (2m)**

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

**12 - H05 (Access gates ) (5m)**

Reason: In the interests of highway safety.

13 - H06 (Vehicular access construction )

Reason: In the interests of highway safety.

14 - H09 (Driveway gradient )

Reason: In the interests of highway safety.

15 - H12 (Parking and turning - single house ) (2 cars)

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

16 - H27 (Parking for site operatives)

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

17 - F18 (Scheme of foul drainage disposal)

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

18 - E16 (Removal of Permitted Development Rights)

Reason: In order to protect the residential amenity of adjacent properties and to preserve the visual amenities of the locality

**Informatives:**

**N03 - Adjoining property rights**

**HN01 - Mud on highway**

**HN04 - Private apparatus within highway**

**HN05 - Works within the highway**

Attention is drawn to the fact that trees on this site are covered by a Tree Preservation Order. It is an offence to contravene the provisions of a Tree Preservation Order, by pruning or felling without consent from the Local Planning Authority. It is stressed that this consent does not allow any works to any such protected tree.

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

**96. DCNW2004/1730/F - CONSTRUCTION OF AGRICULTURAL IMPLEMENT AND STORAGE SHED AT LAND SOUTH OF CORONATION ROAD (SO3056NW), KINGTON, HEREFORDSHIRE (AGENDA ITEM 16)**

The Sub-Committee agreed that planning permission could be granted subject to the imposition of a further condition limiting the use of the building.

**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 - F31 (Restriction on use to house/rear livestock )**

**Reason:** To safeguard residential amenity.

**4 - Any facilities for the storage of oil, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunding 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 the pollution of the water environment.

**5 - The use of the building be limited to agricultural uses only.**

**Reason:** To safeguard residential amenity

**Informatives:**

**1 - N03 - Adjoining property rights**

**2 - The applicant's attention is drawn to the comments of the Environment Agency (enclosed) in relation to this development.**

**3 - The applicant is advised that the application site has no authorised use, other than agricultural or forestry related activities. The utilisation of this land for domestic or other, non-agricultural/forestry purposes is unauthorised and such uses will be enforced against in the event of their commencement.**

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

**97. DCNW2004/1921/F - PROPOSED EXTENSION AND ALTERATIONS AT YATTON MARSH FARM, YATTON, LEOMINSTER, HEREFORDSHIRE, HR6 9TP (AGENDA ITEM 17)**

**RESOLVED:** That consideration of the application be deferred for a site inspection of the following grounds:

- (a) the character or appearance of the development itself is a fundamental planning consideration;**
- (b) a judgement is required on visual impact; and**
- (c) the setting and surroundings are fundamental to the determination or to the conditions being considered.**



98. DCNW2004/2364/F - DEMOLITION OF TWO DETACHED BUILDINGS AND THE ERECTION OF A BUILDING FOR GENERAL INDUSTRIAL USE (B2/B8) AT HERGEST CAMP, KINGTON, HEREFORDSHIRE, HR5 3ER (AGENDA ITEM 18)

**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. B11 (Details of external finishes and cladding (industrial buildings) )

Reason: To secure properly planned development.

4. No machinery shall be operated, no process carried out and no deliveries taken at or despatched from the site outside the following times:-

0700 - 1900 Mondays - Saturdays, nor at any time on Sundays, Bank or Public Holidays.

Reason: In order to protect the amenity of occupiers of nearby properties and in line with previous permissions granted in the vicinity of the application site.

5. E16 (Removal of permitted development rights ) (Part 8)

Reason: To ensure appropriate controls over further extensions or alterations to the building, in the interests of safeguarding the character and amenities of the locality.

6. F01 (Scheme of noise attenuating measures )

Reason: To safeguard the amenity of the area.

7. F18 (Scheme of foul drainage disposal )

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

8. F04 There shall be no open air operation of plant, machinery or equipment within the application site.

Reason: To protect the amenities of nearby properties.

9. G04 (Landscaping scheme (general) )

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

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

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

**11. 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.

**Informatives:**

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

**99. DCNW2004/2613/F - CONSTRUCTION OF TWO DWELLINGS AND DETACHED GARAGE AT FORMER CAR PARK OF MONUMENT INN, KINGSLAND, LEOMINSTER, HEREFORDSHIRE, HR6 9RX (AGENDA ITEM 19)**

An objection had been received from Welsh Water Authority in respect of the sewage capacity for the proposed dwellings. It was therefore decided that the application be delegated to the officers to approve subject to them obtaining a satisfactory resolution of this matter. The Local Ward Member, Councillor WLS Bowen to be kept informed.

**RESOLVED:** That the officers named in the scheme of delegation to officers be authorised to grant planning permission subject to the applicants satisfying the requirements of the Welsh Water Authority regarding sewage disposal; the local Ward Member being kept informed; and 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 – C02 (Approval of Details)**

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

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

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

**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**

**100. DCNW2004/2726/RM - PROPOSED FOUR BEDROOMED DETACHED RESIDENTIAL DWELLING ADJ. OAKCHURCH FARM, STAUNTON-ON-WYE, HEREFORDSHIRE, HR4 7NE (AGENDA ITEM 20)**

The contents of a further letter received from the applicant in support of his application was reported.

In accordance with the criteria for public speaking Major Berry spoke against the application.

Having considered details of the application the Sub-Committee felt that the dwelling applied for would be suitable to serve the business requirements of the enterprise. The Sub-Committee did not feel that the size of the dwelling was excessive for the provision of family sized accommodation for an agricultural worker subject to it being tied in with the existing farm and the permitted development rights being removed.

**RESOLVED: That**

- (a) The Northern Area Planning Sub-Committee is minded to approve the application subject to any conditions felt to be necessary by the Head of Planning Services in consultation with the Local Ward Councillor, provided that the Head of Planning Services does not refer the application to the Planning Committee;**
  - 1) no permitted development rights;**
  - 2) the dwelling being tied to the agricultural business**
  - 3) no permitted development rights;**
  - 4) the dwelling being tied to the agricultural business**

**and**
- (b) If the Head of Planning Services does not refer the application to the Planning Committee, officers named in the scheme of delegation to officers be instructed to approve the application subject to such conditions referred to above.**

*(Note: - The Northern Team Leader said that given that the Sub-Committee had considered the planning policies, he would not refer the application to the Head of Planning Services.)*

The meeting ended at 4.30 p.m.

**CHAIRMAN**