

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

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

Councillors: M.R. Cunningham, N.J.J. Davies, Mrs. C.J. Davis,
G.W. Davis, J.W. Edwards, Mrs. A.E. Gray, Mrs. J.A. Hyde, G. Lucas,
D.C. Taylor and J.B. Williams

In attendance: Councillors P.J. Edwards and T.W. Hunt

71. APOLOGIES FOR ABSENCE

The Chairman advised Members that as part of the restructuring of the Planning Services Department Mrs. A. Tyler and Mrs. H. Bradbury would be joining the Southern Division.

Apologies were received from Councillor H. Bramer.

72. DECLARATIONS OF INTEREST

The following declarations of interest were made:

Councillor	Item	Interest
Councillor Mrs. A.E. Gray	6 (DCSE2004/0891/F – Change of use to temporary construction project office, site compound and with new access at Vine Tree Farmhouse, Walford Road, Ross-on-Wye)	Declared a prejudicial interest and left the meeting for the duration of the item
Councillor J.W. Edwards	7 (DCSE2003/2298/F – Conversion of redundant traditional stone barns to residential use (amended plans) at redundant barns at Llanrothal Farm, Llanrothal, Monmouth, NP25 5QJ)	Declared a prejudicial interest and left the meeting for the duration of the item

73. MINUTES

RESOLVED: That the Minutes of the meeting held on 29th September, 2004 be approved as a correct record and signed by the Chairman.

74. ITEM FOR INFORMATION - APPEALS

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

75. DCSE2004/2733/F - PETROL FILLING STATION (FORMER), GLOUCESTER ROAD, ROSS-ON-WYE, HEREFORDSHIRE, HR9 5NA

Demolition of existing filling station and erection of 18 no. residential apartment dwellings.

The Principal Planning Officer reported the receipt of 3 further letters of objection from local residents. He also reported the receipt of comments from the Environment Agency who had no objections to the application subject to conditions regarding drainage and ground water.

In accordance with the criteria for Public Speaking Mr. Eagles spoke against the application and Mr. Baume, the applicant's agent spoke in support.

Councillor Mrs A.E. Gray, one of the Local Ward Members felt that the development would be more acceptable to the local residents if it had been limited to two storeys. She also noted the concerns of local residents regarding drainage issues and loss of privacy.

A number of Members felt that although they were not opposed to development on the site, this application was too close to neighbouring properties and that the inclusion of a third storey could lead to issues of overlooking.

RESOLVED

- (i) **The Southern Area Planning Sub-Committee is minded to refuse the application on grounds of over development and overlooking (and any further reasons for refusal 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, Officers named in the Scheme of Delegation to Officers be instructed to refuse the application subject to such reasons for refusal referred to above.**

(Note: The Chief Development Control Officer said that he would not refer the application to the Head of Planning Services)

76. DCSE2004/0891/F - VINE TREE FARMHOUSE, WALFORD ROAD, ROSS-ON-WYE

Change of use to temporary construction project office, site compound and with new access.

In accordance with the criteria for Public Speaking Mr. Gray, representing Tudorsville Residents Association, spoke against the application and Mr. Thomas, the applicant, spoke in support.

RESOLVED

That planning permission be granted subject to the following conditions:

- 1 E21 (Temporary permission and reinstatement of land) (31 October 2007 or completion of the development at Vine Tree Farm, whichever is the**

sooner).

Reason: To protect the amenities of neighbours and the visual amenities of the area.

- 2 No development shall take place unless planning permission has been granted for the associated development at Vine Tree Farm, application reference no. SE2003/2323/F.**

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

- 3 A09 (Amended plans)**

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

- 4 No vehicles shall be parked or equipment and materials shall be stored in the area specified as buffer zone on the approved drawing.**

Reason: To protect the amenities of neighbours.

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

Monday - Friday 7.00 am - 6.00 pm

Saturday 8.00 am - 1.00 pm

Not at any time on Sundays, Bank or Public Holidays

Reason: To protect the amenities of neighbours.

- 6 Before the use commences the buffer zone shall be fenced off from the compound in accordance with details submitted to and approved in writing by the local planning authority.**

Reason: To protect the amenities of neighbours.

- 7 H03 (Visibility splays)**

Reason: In the interests of highway safety.

- 8 H05 (Access gates)**

Reason: In the interests of highway safety.

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

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

Informative:

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

**77. DCSE2003/2298/F - REDUNDANT BARNs AT LLANROTHAL FARM,
LLANROTHAL, MONMOUTH, NP25 5QJ**

Conversion of redundant traditional stone barns to residential use (amended plans)

The Principal Planning Officer advised members that revised plans had been received by the planning department, he also reported the receipt of comments from the Parish Council, who object to the application, and 7 further letters of objection from local residents.

In accordance with the criteria for Public Speaking, Mr. Smyth, a resident of a neighbouring property, 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 E16 (Removal of permitted development rights)

Reason: To ensure the character of the original conversion scheme is maintained.

4 The external surfaces of the new flues shall be coloured black unless otherwise first agreed in writing by the local planning authority.

Reason: To ensure the development is satisfactory in appearance.

5 Before any of the dwellings, hereby approved, are first brought into use the existing modern agricultural buildings and structures shown on the drawings to be demolished, shall be removed from the site unless otherwise first agreed in writing by the local planning authority.

Reason: To define the terms to which this planning permission relates and to protect the residential amenities of the occupants of the new dwellings.

6 G05 (Implementation of landscaping scheme (general))

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

7 F18 (Scheme of foul drainage disposal)

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

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 Before the new development is first brought into use a visitor parking area shall be provided within/or adjacent to the site in accordance with details to be first submitted to and approved in writing by the local planning authority.**

Reason: To ensure there is adequate parking provision for visitors at the site.

Informatives:

- 1 HN01 - Mud on highway**
- 2 HN04 - Private apparatus within highway**
- 3 HN05 - Works within the highway**
- 4 HN24 - Drainage other than via highway system**
- 5 The developer should ensure that proposed arrangements for the water supply are properly put in place prior to the occupation of any of the dwellings.**
- 6 N03 - Adjoining property rights**
- 7 The Public Rights of Way Manager advises:**
 - The nearby right of way, i.e. Public Footpath L05, 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 closure order should be applied for from the Public Rights of Way Department, 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.**
 - The applicants should ensure that they hold lawful authority to drive over the public footpath.**
 - The applicants should note that the right of way has footpath status and will only be maintained as such.**
- 8 N15 - Reason(s) for the Grant of Planning Permission**

- 78. DCSW2004/1558/F - YEW TREE COTTAGE, COBHALL COMMON, ALLENSMORE, HEREFORDSHIRE, HR2 9BN**

Erection of detached dwelling with garage and ancillary works.

RESOLVED

That subject to the receipt of satisfactory revised plans relating to the means of access and turning area on site, the officers named in the Scheme of Delegation to Officers be authorised to issue planning permission subject to

SOUTHERN AREA PLANNING SUB-COMMITTEE WEDNESDAY, 27TH OCTOBER, 2004

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.

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:

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

79. DCSE2004/3063/F - PARAGON LAUNDRY WORKS, LEDBURY ROAD, ROSS-ON-WYE, HEREFORDSHIRE

Residential development including demolition of existing buildings and associated site works.

The Principal Planning Officer reported the receipt of a letter from the applicant requesting that consideration of the application be deferred.

Councillor Mrs. A.E. Gray, one of the Local Ward Members, proposed that a site inspection be undertaken as the character or appearance of the development itself was a fundamental planning consideration, a judgement was required on visual impact and the setting and surroundings were fundamental to the determination or to the conditions being considered.

In accordance with the criteria for Public Speaking, Mr Shovelton had registered to speak against the application but decided to defer his opportunity to speak until this application was considered again after the site inspection had taken place.

RESOLVED:

That consideration of the application be deferred for a site inspection be undertaken on the grounds that the character or appearance of the development itself is a fundamental planning consideration, a judgement is required on visual impact and the setting and surroundings are fundamental to the determination or to the conditions being considered

**80. DCSW2004/2454/F - PETERCHURCH BAPTIST CHURCH, B4348,
PETERCHURCH, HEREFORDSHIRE, HR2 0RL**

Demolition of the existing church and erection of 3 no. detached residential dwellings.

Councillor N.J.J. Davies, the Local Ward Member, supported the views of the Parish Council, he felt the chapel was a landmark which should not be demolished.

The Chief Development Control Officer advised Members that the chapel was not a listed building and was not of listable quality. He also said that the application site fell within the settlement boundary of Peterchurch.

A motion to refuse the application failed and the Sub-Committee subsequently agreed the resolution detailed below.

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 D02 (Archaeological survey and recording)

Reason: A building of archaeological/historic/architectural significance will be affected by the proposed development. To allow for recording of the building during or prior to development. The brief will inform the scope of the recording action.

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 H01 (Single access - not footway)

Reason: In the interests of highway safety.

8 H03 (Visibility splays)

Reason: In the interests of highway safety.

9 H05 (Access gates)

Reason: In the interests of highway safety.

10 H06 (Vehicular access construction)

Reason: In the interests of highway safety.

11 H10 (Parking - single house)

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

12 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.

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 H27 (Parking for site operatives)

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

15 Foul water and surface water discharges must be drained separately from the site.

Reason: To protect the integrity of the public sewerage system.

16 No surface water shall be allowed to connect (either directly or indirectly) to the public sewerage system.

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no detriment to the environment.

17 No land drainage run-off will be permitted, either directly or indirectly, to discharge into the public sewerage system.

Reason: To prevent hydraulic overload of the public sewerage system and pollution of the environment.

Informatives:

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

81. DCSE2004/1796/F - BARN ADJOINING PETERSTOW HOUSE, PETERSTOW, ROSS-ON-WYE, HR9 6LB

Change of use of offices to one dwelling.

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 E16 (Removal of permitted development rights)

Reason: To ensure the character of the original conversion scheme is maintained.

4 The whole of the splayed entrance (to serve the new dwelling) shall have a sealed surface and which shall be completed before the development is first brought into use.

Reason: In the interests of highway safety.

5 The existing driveway connecting the site and Peterstow House shall be permanently sealed before the new development is first brought into use in accordance with details to be first submitted to and subject to the prior written approval of the local planning authority unless otherwise first agreed in writing by the local planning authority.

Reason: To define the terms to which this planning permission relates and in the interests of highway safety.

Informatives:

1 N03 - Adjoining property rights

2 N14 - Party Wall Act 1996

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

82. DCSE2004/2916/F - PORCH FARM, WESTON UNDER PENYARD, ROSS-ON-WYE, HEREFORDSHIRE, HR9 7PG

Extension to existing livestock building for free range egg unit.

The Principal Planning Officer reported the receipt of comments from the Environment Agency, who had no objections subject to conditions, and the Head of Engineering and Transportation, who had no objections.

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In accordance with the criteria for Public Speaking, Mr. Duthie, the applicant, spoke in support of 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 B01 (Samples of external materials)

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

3 G04 (Landscaping scheme (general))

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

4 G05 (Implementation of landscaping scheme (general))

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

5 No mechanical fans or other equipment shall be installed unless details of the fans and equipment have been submitted to and approved in writing by the local planning authority.

Reason: To protect the amenities of neighbours.

6 Before the extension is brought into use details of the areas of land to be used for the storage and spreading of poultry litter and the regime for disposal of litter shall be submitted to and approved in writing by the local planning authority. Litter from the extension shall only be stored and spread in accordance with the approved details.

Reason: To protect the amenities of neighbours and to avoid environmental pollution.

7 No incinerator for disposal of carcasses shall be installed without the prior approval in writing of the local planning authority.

Reason: To protect the amenities of neighbours and to avoid environmental pollution.

Informative:

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