

MINUTES of the meeting of Central Area Planning Sub-Committee held at The Council Chamber, Brockington, 35 Hafod Road, Hereford on Wednesday, 15th December, 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, Mrs. E.M. Bew, A.C.R. Chappell, Mrs. S.P.A. Daniels, P.J. Edwards, J.G.S. Guthrie, G.V. Hyde, Mrs. M.D. Lloyd-Hayes, R.I. Matthews, J.C. Mayson, 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 T.W. Hunt (ex-officio) and J.B. Williams (ex-officio)

75. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors J.W. Newman, Miss F. Short and A.L. Williams.

76. DECLARATIONS OF INTEREST

The following declarations of interest were made:

Councillors	Item	Interest
D.J. Fleet and Ms. A.M. Toon	Item 8 - DCCW2004/3489/F – Proposed two storey extension including master bedroom and conservatory at: LOWER BURLTON, TILLINGTON ROAD, BURGHILL, HEREFORDSHIRE, HR4 7RD	Declared a personal interest.
D.J. Fleet	Item 10 - DCCE2004/3920/F – Proposed extension at: 19 LICHFIELD AVENUE, HEREFORD, HR1 2RJ	Declared a personal interest.

77. MINUTES

Referring to Minute 73 [CW2002/3441/F – Land to the West of the A49(T) and North of Belmont Avenue, Belmont, Hereford], the Legal Practice Manager advised that negotiations with applicants regarding the S106 Agreement were almost complete. Members congratulated the Legal Practice Manager and his staff for their efforts in resolving this matter.

RESOLVED:

The Minutes of the meeting held on 17th November, 2004 be approved as a correct record and signed by the Chairman.

78. ITEM FOR INFORMATION - APPEALS

The Sub-Committee received an information report in respect of planning appeals for the central area.

RESOLVED:

That the report be noted.

[Note: For the efficient transaction of business, agenda items 10 and 11 were considered before the remainder of the applications.]

79. DCCE2004/3920/F - 19 LICHFIELD AVENUE, HEREFORD, HR1 2RJ (AGENDA ITEM 10)

Proposed extension.

The Senior Planning Officer reported the receipt of further letter of objection from Mr. Brooks, 17 Lichfield Avenue, and the points raised in the letter were summarised.

In accordance with criteria for public speaking, Mrs. Brooks spoke against the proposal and Mr. Tam spoke in support of the proposal.

Councillor W.J. Walling, a Local Member, noted the concerns of Hereford City Council that the proposal was over dominant and out of scale but he felt that, after careful consideration, the plans demonstrated that there would be limited impact on residential amenity. Councillor G.V. Hyde, a Local Member, supported this view.

Councillor Mrs. M.D. Lloyd-Hayes, also a Local Member, felt that the proximity of neighbouring boundaries and the enlargement of the property by approximately 40% would represent an over dominant form of development in relation to both the existing dwelling and the street scene.

In response to questions about the scale of the side extensions, the Development Control Manager reminded Members that a 2m high fence could be constructed on a boundary without planning permission and advised that Officers were satisfied with the heights and relationships involved.

RESOLVED:

Subject to no further objections raising additional material planning considerations by the end of the consultation period (17th December, 2004), the Officers named in the Scheme of Delegation to Officers be authorised to approve the application subject to the following conditions and any further 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. 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. **B06 (Matching stonework/brickwork).**

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

4. **Prior to the occupation of the extension hereby permitted, and at all times thereafter, the proposed windows in the side elevations of the extension shall be glazed with obscure glass only.**

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

5. **E18 (No new windows in specified elevation) (side).**

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

6. **The development hereby permitted shall not be brought into use until an area has been laid out within the curtilage of the property for the parking of 3 cars (garage and 2 spaces). The area shall be properly consolidated, surfaced and drained in accordance with details to be submitted to and approved in writing by the local planning authority and that area shall not thereafter be used for any other purpose than the parking of vehicles.**

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

Informatives:

1. **N14 - Party Wall Act 1996.**

2. **N15 - Reason(s) for the Grant of PP.**

80. **DCCW2004/3085/F - LAND AT ATTWOOD LANE, HOLMER PARK, HEREFORD (AGENDA ITEM 11)**

32 dwellings and associated works.

The Senior Planning Officer reported the receipt of correspondence as follows:

- A letter of support from Pegasus Football Club;
- A letter of support from Paul Keetch, President of Pegasus Football Club;
- Further details from Hunter Page Planning Ltd. regarding the proposed contributions towards affordable housing, education, highway improvements and redevelopment of Old School Lane;
- Further details from MRP Design regarding traffic calming measures; and
- A letter of objection from A.R. Hirst, W&J Scaffolding Ltd.

Councillor Mrs. S.J. Robertson, the Local Member, proposed that a site visit be held having regard to the Unitary Development Plan considerations and the objections raised by Holmer Parish Council and by Holmer and District Residents' Association; in accordance with the criteria for holding a site visit, it was considered that a judgement was required on visual impact and the setting and surroundings were fundamental to the determination or to the conditions being considered.

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In accordance with the criteria for public speaking, Mr. Owen had registered to speak on behalf of Holmer and Shelwick Parish Council, Mr. Holland had registered to speak against the application on behalf of Holmer and District Residents' Association, and Mr. Brockbank had registered to speak in support of the application on behalf of the applicant. The three potential speakers deferred their opportunity to speak until the next meeting following the site visit.

A number of Members spoke in support of the site visit and a request was made for the advice from the Economic Development and Forward Planning departments to be included in the next report.

RESOLVED:

That consideration of application DCCW2004/3085/F be deferred pending a site visit.

81. DCCW2004/2800/F - THE PADDOCKS, TILLINGTON, HEREFORD, HEREFORDSHIRE, HR4 8LD (AGENDA ITEM 5)

Proposed lean-to extension of existing outbuilding to provide lambing shed and feed store.

The Senior Planning Officer reported the receipt of correspondence from the Council's Environmental Health Team.

Councillor Mrs. S.J. Robertson, the Local Member, noted the concerns of the objectors but felt that the conditions should address the issues raised.

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 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 Prior to use of the building hereby approved the polytunnel and non agricultural items located within will be removed from the land.

Reason: In order to improve the visual amenity of the area.

4 The building shall be used as a feed store (as classified in Condition 5) and or a lambing shed and for no other use whatsoever unless otherwise agreed in writing by the local planning authority.

Reason: In order to clarify the terms of this permission.

5 The storage building shall not be used for any purpose other than agriculture, as defined in Section 336 of the Town and Country Planning Act 1990.

Reason: To define the terms of the permission.

Informative:

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

**82. DCCE2004/3624/F - LAND ADJACENT TO 18 CONINGSBY COURT,
CONINGSBY STREET, HEREFORD (AGENDA ITEM 6)**

Erection of one detached dwelling.

The Senior Planning Officer reported the receipt of letters of objection from 10 Coningsby Court and from 1 Abbey Court and the points raised in the letters were summarised.

The Chairman, speaking in his capacity as Local Member, noted the difficulty of developing this triangular shaped piece of land and that this proposal seemed to be an acceptable solution.

Some Members felt that it was unfortunate that this area had been developed in such a piecemeal manner.

In response to questions, the Senior Planning Officer advised that external materials would be controlled through the conditions.

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.

2 B01 (Samples of external materials).

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

2 E16 (Removal of permitted development rights).

Reason: (Special reason).

3 F16 (Restriction of hours during construction).

Reason: To protect the amenity of local residents.

4 G04 (Landscaping scheme (general)).

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

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

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

6 G33 (Details of walls/fences (outline permission)).

Reason: In the interests of residential and visual amenity.

- 7 The development hereby permitted shall not be brought into use until the courtyard area shown on the approved plans has been properly consolidated, surfaced, drained and otherwise constructed in accordance with details to be submitted to and approved in writing by the local planning authority. Thereafter this area shall be retained as an open courtyard and kept available for vehicle parking as required.**

Reason: In the interests of highway safety and to ensure availability of parking provision as required.

Informatives:

- 1 HN1 – Mud on highway.**
- 2 HN4 – Private apparatus within highway.**
- 3 HN5 – Works within the highway.**
- 4 N03 – Adjoining property rights.**
- 5 N15 – Reason(s) for the Grant of PP/LBC/CAC.**

- 83. DCCE2004/3690/F - 37 BRAEMAR GARDENS, HEREFORD, HEREFORDSHIRE, HR1 1SJ (AGENDA ITEM 7)**

Change of use from study to chiropody practice.

Councillor W.J. Walling, a Local Member, noted the concerns of Hereford City Council but felt that this was an acceptable use which could be controlled through the conditions proposed. Councillor Mrs. M.D. Lloyd-Hayes, also a Local Member, supported this view.

RESOLVED:

That planning permission be granted subject to the following conditions:

- 1 This permission shall ensure for the benefit of Mrs. J. Lennick only and not for the benefit of the land or any other persons interested in the land. The use hereby permitted shall only be conducted from the ground floor study as indicated on the ground floor plan received by the Local Planning Authority on the 20th October 2004.**

Reason: The nature of the development is such that it is only considered acceptable in this location having regard to the applicant's special circumstances.

- 2 The study shall be used for appointments for the chiropodist practice only on Tuesdays and Thursdays between the hours of 12:00 and 17:00, and Wednesdays between the hours of 09:00 and 17:00.**

Reason: In the interest of the amenities of occupiers of nearby properties.

- 3 The parking facilities associated with the application site shall be**

retained and kept available for such use.

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

Informatives:

1. This decision does not convey any approval or consent that may be required under any other contractual agreement/covenant which this property may be the subject of.
2. N15 – as Reason(s) for the Grant of PP/LBC/CAC

84. DCCW2004/3489/F - LOWER BURLTON, TILLINGTON ROAD, BURGHILL, HEREFORDSHIRE, HR4 7RD (AGENDA ITEM 8)

Proposed two storey extension including master bedroom and conservatory.

Councillor Mrs. S.J. Robertson, the Local Member, proposed that a site visit be held having regard to the position of the dwelling in open countryside; in accordance with the criteria for holding a site visit, it was considered that a judgement was required on visual impact.

RESOLVED:

That consideration of application DCCW2004/3489/F be deferred pending a site visit.

85. DCCW2004/3329/L - 18 CHURCH STREET, HEREFORD, HR1 2LR (AGENDA ITEM 9)

Repainting of shopfront, internal security shutters and internal alterations.

The Chairman, speaking in his capacity as Local Member, felt that the alterations were acceptable.

RESOLVED:

That Unconditional Listed Building Consent be granted.

Informative:

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

86. DATE OF NEXT MEETING

It was noted that the next scheduled meeting was to be held on Wednesday 12th January, 2005.

The meeting ended at 2.40 p.m.

CHAIRMAN