

MINUTES of the meeting of Northern Area Planning Sub-Committee held at The Council Chamber, Brockington, 35 Hafod Road, Hereford on Wednesday, 23rd March, 2005 at 2.00 p.m.

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

Councillors: B.F. Ashton, Mrs. L.O. Barnett, 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, Brig. P. Jones CBE, R.M. Manning, R. Mills, R.J. Phillips, D.W. Rule MBE, R.V. Stockton and J.P. Thomas

In attendance: Councillors P.J. Edwards

209. APOLOGIES FOR ABSENCE

Apologies were received from Councillors T.M. James and R.J. Phillips.

CHAIRMAN'S ANNOUNCEMENTS

Development Control Manager

The Chairman said that Mr. Alan Poole, the Development Control Manager, would be retiring at the end of March and he thanked him for his long and dedicated service to the people of Herefordshire.

Site Inspection

It was agreed that the Sub Committee would hold a site inspection at Leadon Bank Residential Home, Orchard Lane, Ledbury, which would be the subject of a planning application to be submitted to the next meeting, 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.

210. DECLARATIONS OF INTEREST

Councillor/Officer	Item	Interest
Cllr R.B.A. Burke, Cllr Brig P Jones Cllr D.W. Rule Cllr J Stone, Cllr J.P. Thomas Mr M Tansley	7 - DCNC2004/2651/F Residential development of 44 dwellings including affordable housing on land at St. Botolph's Green, Southern Avenue, Leominster.	prejudicial and left the meeting for the duration of this item.
Cllr W.L.S. Bowen	7 - DCNC2004/2651/F Residential development of 44 dwellings including affordable housing on land at St. Botolph's Green, Southern Avenue, Leominster.	personal
Cllr P.J. Dauncey	10 - DCNE2004/4186/F Extension to existing unit at Unit 16, Court Farm Business Park, Bishops Frome.	prejudicial and left the meeting for the duration of this item.
Cllr Brig P Jones	24 – DCNC/2005/0024/F - First floor extension to side of dwelling at 23 Oldfields Close, Leominster	prejudicial and left the meeting for the duration of this item.
Cllr D.W. Rule Cllr P.J. Dauncey	26 – DCNC/2005/0062/F – New build family centre at rear of Top Garage, Panniers Lane, Bromyard	prejudicial and left the meeting for the duration of this item.
Cllr P.J. Dauncey Cllr RM Manning	27 – DCNC/2005/0341/F - proposed 2 no. 2 bedroomed cottages with 4 no. parking spaces at land to the rear of 3 Little Hereford Street, Bromyard	prejudicial and left the meeting for the duration of this item.

211. MINUTES

RESOLVED: That the Minutes of the meeting held on 23rd February, 2005 be approved as a correct record and signed by the Chairman.

212. ITEM FOR INFORMATION - APPEALS

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

213. 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 which he considered to be necessary.

214. DCNC2004/2250/F - QUAD BIKING TRACK AND PAINTBALLING AREA AT BODENHAM MANOR, BODENHAM, HEREFORD, HR1 3JS FOR: MR P WILLIAMS PER HOOK MASON, 11 CASTLE STREET, HEREFORD, HR1 2NL (AGENDA ITEM 6)

The receipt of 23 letters of objection and a letter with a petition containing 45 signatures was reported.

In accordance with the criteria for public speaking Mr Herbert of Bodenham Parish Council and Mrs Huxley-Marko spoke against the application.

Councillor KG Grumbley the Local Ward Member had grave reservations about the application because of the adjoining Area of Great Landscape Value, the Conservation Area and Site of Special Scientific Interest. He said that from his investigations at a number of locations he had found that there was a considerable amount of noise nuisance generated by the quad biking and paintballing activities on the site. The noise tended to be amplified along the valley and affected some 200 local residents. The Environmental Protection Manager advised the Sub-Committee that he had investigated the noise complaints at weekends from various locations in the village and he felt that the only time noise could be heard was when the quad bikes were heading to the starting area of the track. Councillor BF Ashton expressed the view that although he had concerns about a retrospective application, there did not appear to be any noise problems and there were no objections from the appropriate officers and major consultees and he therefore felt that there were no planning grounds for the application to be refused. The Sub-Committee discussed full details of the application and notwithstanding the views of the officers felt that there were sufficient grounds for the application to be refused.

RESOLVED

- (a) **That the Northern Area Planning Sub-Committee is minded to refuse the application subject to the reasons for refusal set out below (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.**
- 1. the proposal would be contrary to policy LDLP A9 (2) – adverse impact on an Area of Great Landscape Value;**
 - 2. policy LDLP A21 (H) – the development fails to preserve or enhance the character or appearance of the Conservation Area. The noise and disturbance will have a detrimental impact on the character of the area;**
 - 3. UDP DR13 – This development will adversely impact the quiet enjoyment and tranquillity of this special interest area (SWS), and of the wider countryside and landscape;**
 - 4. UDP NC4 – Development will directly adversely affect a SWS; and**
 - 5. Loss of amenity for neighbourhood**
- (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 refuse the application subject to such reasons for refusal referred to above.

(The Development Control Manager said that given that the Sub-Committee had visited the site and considered the issues involved, he would not refer the application to the Head of Planning Services)

215. DCNC2004/2651/F - RESIDENTIAL DEVELOPMENT OF 44 DWELLINGS INCLUDING AFFORDABLE HOUSING ON LAND AT ST. BOTOLPH'S GREEN/SOUTHERN AVENUE, LEOMINSTER, HEREFORDSHIRE FOR: WESTBURY HOMES (HOLDINGS) LTD PER MR G BROCKBANK HUNTER PAGE PLANNING LTD THORNBURY HOUSE 18 HIGH STREET CHELTENHAM GL50 1DZ (AGENDA ITEM 7)

It was reported that the Economic Development Section was continuing ongoing discussions with the developers. It was also reported that information had been sent to the Environment Agency which was still considering the implications of the application.

In accordance with the criteria for public speaking Mr Lewis, the agent acting on behalf of the applicant, spoke in favour of the application.

Councillor Mrs JP French had concerns about the potential loss of employment land and asked the Principal Economic Investment and Development Officer for his views. The Principal Economic Investment and Development Officer said that the site was viewed as prime employment land because of the type of employment it could offer and he was of the opinion that residential development should be resisted. He also had concerns that there could be future problems if housing was developed next to a noisy industrial area. Having considered details of the application, the Sub-Committee was of the view that there were sufficient grounds for the site to be retained as employment land. The Sub-Committee was also concerned about the length of the proposed access road which could create problems for emergency and service vehicles.

RESOLVED

- (a) That the Northern Area Planning Sub-Committee is minded to refuse the application subject to the reasons for refusal set out below (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.**
- 1. the need for the land to be retained for employment use; and**
 - 2. access problems.**
- (b) If the Head of Planning 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.**

(The Development Control Manager said that given that the Sub-Committee had visited the site and that the decision complied with the Local Development Plan, he would not refer the application to the Head of Planning Services)

216. **DCNC2004/3698/F - PROPOSED THERAPEUTIC RIDING CENTRE COMPRISING INDOOR AND OUTDOOR ARENAS WITH ASSOCIATED FACILITIES, STABLE YARD AND HAY STORE AT WHARTON BANK FARM, WHARTON, LEOMINSTER, HEREFORDSHIRE, HR6 0NX FOR: HEREFORDSHIRE RIDING FOR THE DISABLED PER DAVID TAYLOR CONSULTANTS, THE WHEELWRIGHT'S SHOP, PUDLESTON, LEOMINSTER, HEREFORDSHIRE, HR6 0RE (AGENDA ITEM 8)**

The receipt of a letter of support was reported.

Councillor JP Thomas, one of the Local Ward Members felt that there was merit in the application being approved because the proposals appeared to comply with policy A38 of the Leominster Local Plan regarding rural development and tourism. He also felt that the building would not be too prominent because it would be sunk down into the hillside. He also felt that it would comply with the policies of the emerging Unitary Development Plan regarding recreation, sports and tourism and A9 of the Leominster Local Plan in respect of exceptional need. He suggested that powers be delegated to the officers named in the Scheme of Delegation to Officers to approve the application with appropriate conditions.

RESOLVED: That

- (a) **The Northern Area Planning Sub-Committee is minded to approve the application subject to the following conditions (and any further 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) **appropriate conditions in respect of landscaping, roads and bridgeway.**

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

(The Development Control Manager said that because the Sub-Committee had visited the site and considered the council's policies, he would not refer the application to the Head of Planning Services)

217. **DCNW2004/3562/F - PROPOSED AGRICULTURAL BARN AT TUNNEL LANE NURSERY, TUNNEL LANE, ORLETON, LUDLOW, HEREFORDSHIRE, SY8 4HY FOR: TUNNEL LANE NURSERY PER MR D LEE, OILMILL STUDIOS, BRAMPTON BRYAN, BUCKNELL, SY7 0EW (AGENDA ITEM 9)**

Councillor WLS Bowen the Local Ward Member had a number of concerns about the application in respect of the location of the barn, removal of the hedgerow, overall scale and height and the very limited vehicular access. There were some concerns about whether the proposed use of the site may change from a propagation centre to a garden centre but the Sub-Committee was advised that this would not be the case. The Sub-Committee discussed details of the application and a motion that the application be refused was lost. The Sub-Committee felt that additional conditions should be incorporated in respect of drainage and signage.

RESOLVED: That planning permission be granted subject to the following conditions together with appropriate conditions in respect of

drainage and signage:

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

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

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

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

- 3 - E10 (Use restricted to that specified in application)

Reason: To suspend the provisions of the Town and Country Planning (Use Classes) Order currently in force, in order to safeguard the general character and amenities of the area.

- 4 - F20 (Scheme of surface water drainage)

Reason: To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal.

- 5 - There shall be no floodlighting or external lighting installed at the site without the approval in writing of the Local Planning Authority.

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

- 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 - G04 (Landscaping scheme (general))

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

- 8 - G05 (Implementation of landscaping scheme (general))

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

- 9 - G09 (Retention of trees/hedgerows)

Reason: To safeguard the amenity of the area.

- 10 - G19 (Existing trees which are to be retained)

Reason: In order to preserve the character and amenity 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.

- 12 – Prior to the first use of the building hereby approved, the existing storage buildings and greenhouses identified on the schedule and drawing no. 500/10 received on 20th January 2005 shall be demolished

and permanently removed from the site.

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

Informatives:

1. N15 - Reason(s) for the Grant of PP/LBC/CAC
218. DCNE2004/4186/F - EXTENSION TO EXISTING UNIT AT UNIT 16, COURT FARM BUSINESS PARK, BISHOPS FROME, WORCESTER, HEREFORDSHIRE, FOR WJ HOLDEN & ASSOCIATES PER MICHAEL LATCHEM & ASSOCIATES, 9 AYLESTONE DRIVE, HEREFORD. HR1 1HT (AGENDA ITEM 10)

The receipt of a letter from the Local Residents Association and from the Bishops Frome Parish Council was reported. The Local Ward Member, Councillor RM Manning said he would be content with the application provided that additional conditions could be included in respect of highway safety for the residential area through which the access road to the Business Park passes. The officers suggested that this could be achieved by a Section 106 Agreement.

RESOLVED: That

The County Secretary and Solicitor be authorised to complete a planning obligation under Section 106 of the Town and Country Planning Act 1990 in respect of improvements to the access road to the Business Park acceptable to the Local Planning Authority and that subject to the aforementioned obligation, the Officers named in the Scheme of Delegation to Officers be authorised to grant planning permission in consultation with the Local Ward Councillor, subject to the following conditions and any other conditions considered to be 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 - B03 (Matching external materials (general))

Reason: To ensure the satisfactory appearance of the development.

- 4 - F27 (Interception of surface water run off)

Reason: To prevent pollution of the water environment.

- 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 - H16 (Parking/unloading provision - submission of details)

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

8 - 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.

Informative:

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

- 219. DCNE2004/2447/F - CONVERSION OF BARN TO SINGLE DWELLING AT BATCHCOMBE FRUIT FARM, STORRIDGE, MALVERN, HEREFORDSHIRE, WR13 5ES AND DCNE2004/2449/F - CONVERSION OF TWO BARNES INTO TWO DWELLINGS AT THE SAME ADDRESS FOR: A KELSALL & SONS PER GURNEY STORER & ASSOCIATES THE STABLES MARTLEY WORCESTERSHIRE WR6 6QB (AGENA ITEM 11)**

In accordance with the criteria for public speaking Mr Patterson spoke against the application. The Sub-Committee noted the concerns that the owner of the adjoining property had about over-looking and requested that the officers hold further discussions with the applicant to ascertain if an acceptable solution to both parties could be arrived at.

RESOLVED: That consideration of the application be deferred to allow further discussions between the officers and the applicant about the concerns of the neighbour.

- 220. DCNE2004/3962/F - CHANGE OF USE OF AGRICULTURAL BUILDINGS TO B1 AND PROVISION OF PARKING FOR 3 COMMERCIAL VEHICLES. AGRICULTURAL BUILDING AND LAND TO THE REAR OF ASHBOURNE HOUSE, LOWER EGGLETON, LEDBURY HEREFORDSHIRE, HR8 2TZ FOR: MR & MRS J FRY JOHN PHIPPS BANK LODGE COLDWELLS ROAD HOLMER HEREFORD HR1 1LH (AGENDA ITEM 12)**

In accordance with the criteria for public speaking Mr Asby of Yarkhill Parish Council and Mr Price spoke against the application. The Local Ward Member, Councillor RM Manning felt that the applicant had not complied with the original permission for an agricultural buildings and that he instead had operated a 24 hour drainage and sewerage service from the premises. This had created a number of problems of noise and nuisance for nearby residents and he therefore suggested that the application be refused. The Sub Committee supported this view.

RESOLVED:

- (a) That the Northern Area Planning Sub-Committee is minded to refuse the application subject to the reasons for refusal set out below (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.**

- 1. Visual amenity;**

2. Noise/odour; and
 3. Access near a dangerous cross road
 4. Residential amenity
- (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 refuse the application subject to such reasons for refusal referred to above.

(The Development Control Manager said that given that the Sub-Committee had considered the issues involved, he would not refer the application to the Head of Planning Services)

221. DCNE2004/4294/F - CONSTRUCTION OF SINGLE STOREY SIDE EXTENSION AND ALTERATION TO FRONT ENTRANCE TO INCLUDE NEW PITCHED ROOF AT FORTEY COTTAGE, CRESCENT ROAD, COLWALL, WORCESTERSHIRE WR13 6QW AND DCNE2004/4295/L - AS ABOVE FOR: MR & MRS LEE MEREDITH ARCHITECTURAL DESIGN 34 MONTPELIER ROAD WEST MALVERN WORCS WR14 4BS (AGENDA ITEM 13)

RESOLVED: That

DCNE2004/4294/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 - 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.

- 4 - E17 (No windows in side elevation of extension)(end elevation)

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

Informative(s):

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

DCNE2004/4295/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.

4 - C05 (Details of external joinery finishes)

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

5 - C17 (Samples of roofing material)

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

Informative(s):

- 1 - N15 - Reason(s) for the Grant of PP/LBC/CAC
- 2 - NC01 - Alterations to submitted/approved plans

222. DCNE2005/0160/L - REMOVAL OF CHIMNEY (RETROSPECTIVE). REPLACE WINDOWS AND FRENCH DOORS. REPLACE KITCHEN WINDOW WITH FRENCH DOOR. INSTALL NEW STAIRCASE AND DOOR IN ORIGINAL POSITIONS AT PEGS FARM, STAPLOW, LEDBURY, HEREFORDSHIRE, HR8 1NQ FOR: J NICHOLLS C A MASEFIELD BUILDING DESIGN SERVICES 66-67 ASHPERTON ROAD MUNSLEY LEDBURY HEREFORDSHIRE HR8 2RY (AGENDA ITEM 14)

The Sub-Committee had concerns about the retrospective application and asked the Officers to inform the applicant that he should apply for planning permission prior to any future works being undertaken.

RESOLVED: That subject to the application being passed by the Secretary of State, delegated powers be granted to the Officers named in the Scheme of Delegation to Officers to grant listed building consent at the end of the consultation period 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 - 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.

3 - C05 (Details of external joinery finishes)

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

4 - C12 (Repairs to match existing)

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

Informative(s):

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

223. DCNE2005/0241/F - DETACHED SINGLE GARAGE ON LAND ADJACENT TO OAK BANK, CHAPEL LANE, CRADLEY FOR: MR G W HARRIS PER MR I GUEST IAN GUEST & ASSOCIATES, 3 JUNIPER WAY, MALVERN WELLS, WORCESTERSHIRE, WR14 4XG (AGENDA ITEM 15)

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 - E08 (Domestic use only of garage)

Reason: To ensure that the garage is used only for the purposes ancillary to the dwelling.

4 - 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.

Informatives:

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

224. DCNE2005/0445/F - EXTENSION TO UNIT 1 TO FORM OFFICE BUILDING ADJ TO UNIT 1, STATION YARD INDUSTRIAL ESTATE, COLWALL, MALVERN, HEREFORDSHIRE, WR13 6RN FOR: MERLIN ENERGY RESOURCES LTD PER BUILDPLAN, FAIRFIELD OLD CHURCH ROAD COLWALL MALVERN WR13 6EZ (AGENDA ITEM 16)

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 - E06 (Restriction on Use) (office accommodation) (Class B1)

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

4 - E19 (Obscure glazing to windows)

Prior to the use or occupation of the extension hereby permitted, and at all times thereafter, the window[s] marked "X" on the approved plans shall be glazed with obscure glass only [and shall be non-opening].

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

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

225. DCNE2005/0458/F - CONSTRUCTION OF FRONT PORCH AT 4 MASSEY ROAD, LEDBURY, HEREFORDSHIRE, HR8 2FB FOR: MR S WATKINS AT SAME ADDRESS (AGENDA ITEM 17)

In accordance with the criteria for public speaking Miss Haiselden spoke against the application.

The Sub-Committee had a number of concerns about the application because it was felt that the proposed porch would have a detrimental impact on the architecture of the development and would set an unwanted precedent.

RESOLVED:

(a) That the Northern Area Planning Sub-Committee is minded to refuse the application subject to the reasons for refusal set out below (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.

1. The proposed porch would disturb the architectural balance of the estate; and

2. Unwanted precedent

- (b) If the Head of Planning 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.

(The Development Control Manager said that given that the Sub-Committee had considered the issues involved, he would not refer the application to the Head of Planning Services)

226. DCNW2004/3925/F - PROPOSED NEW DWELLING AT LAND ADJOINING EAST COTTAGE, ALMELEY, HEREFORD, HEREFORDSHIRE, HR3 6LF FOR: MR & MRS POWELL MALCOLM HARRISON & ASSOCIATES THE ARK ORCOP HILL HEREFORD HR2 8SE (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 - B01 (Samples of external materials)

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

- 3 - E16 (Removal of permitted development rights)

Reason: To protect the residential amenities of the neighbouring properties given the restricted nature of the site.

- 4 - F16 (Restriction of hours during construction)

Reason: To protect the amenity of local residents.

- 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 - 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.

- 9 - H03 (Visibility splays)

Reason: In the interests of highway safety.

10 - H10 (Parking - single house)

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

11 – F20 (Surface water drainage)

Reason: To secure a satisfactory drainage arrangement

Informatives:

1 - N14 - Party Wall Act 1996

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

227. DCNW2004/4321/O - SITE FOR THE CONSTRUCTION OF CHRISTIAN MEETING HALL SITE ADJACENT TO BANLEY FARM OFF EARDISLEY ROAD, KINGTON. HEREFORDSHIRE FOR: MR P SMITH PER MR C KEETON 23 STOCKENHILL ROAD LEOMINSTER HEREFORDSHIRE HR6 8PP (AGENDA ITEM 19)

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

1 - A02 (Time limit for submission of reserved matters (outline permission))

Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990.

2 - A03 (Time limit for commencement (outline permission))

Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990.

3 - A04 (Approval of reserved matters)

Reason: To enable the local planning authority to exercise proper control over these aspects of the development.

4 - B01 (Samples of external materials)

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

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 - F18 (Scheme of foul drainage disposal)

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

7 - F32 (Details of floodlighting/external lighting)

Reason: To safeguard local amenities.

8 - G01 (Details of boundary treatments)

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

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 - 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.

12 - 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.

13 - H27 (Parking for site operatives)

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

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:

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

228. DCNW2005/0295/O - SITE FOR THE ERECTION OF ONE DWELLING AT LAND ADJACENT TO WISTERIA COTTAGE, LEINTWARDINE FOR: MR L MORGAN PER MR S ANGELL STONE COTTAGE PIPE ASTON NR LUDLOW SHROPSHIRE SY8 2HG (AGENDA ITEM 20)

RESOLVED:

That consideration for the application be deferred pending a site inspection on the following grounds.

(c) the character or appearance of the development itself is a fundamental planning consideration;

(d) a judgement is required on visual impact; and

(c) the setting and surroundings are fundamental to the determination or to

the conditions being considered.

229. DCNW2005/0306/F - SUBSTITUTION OF HOUSE TYPES ON APPROVED RESIDENTIAL DEVELOPMENT OF FOUR DWELLINGS AT LAND TO THE REAR OF STONELEIGH, KINGSLAND, HEREFORDSHIRE FOR: MR & MRS PUGH PER JENNINGS HOMES LTD, NEW PARK HOUSE, BRASSEY ROAD, SHREWSBURY, SHROPSHIRE SY2 7FA (AGENDA ITEM 21)

The receipt of 2 further letters of objection was reported.

In accordance with the criteria for public speaking Miss Eastlaugh of Kingsland Parish Council and Mrs Maddox spoke against the application. Mr Sackett, the agent acting on behalf of the applicant, spoke in favour of the application.

The Local Ward Member, Councillor WLS Bowen, spoke against the application feeling that it would be an over development of the site and have an adverse affect on the infrastructure of the village.

RESOLVED:

- (a) **That the Northern Area Planning Sub-Committee is minded to refuse the application subject to the reasons for refusal set out below (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.**
- 6. That planning permission be refused on the grounds that the proposal would be contrary to policy A9 - . Development in the open countryside; and**
- 7. Policy A2 in respect of protection of the landscape contained in the emerging Unitary Development Plan.**
- (b) **If the Head of Planning 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.**

(The Development Control Manager said that given that the Sub-Committee had considered the issues involved, he would not refer the application to the Head of Planning Services)

230. DCNW2005/0410/F - REMOVAL OF EXISTING BUNGALOW AND REPLACE WITH TWO COTTAGE STYLE DWELLINGS AT SUNNYDALE, FLOODGATES, KINGTON, HEREFORDSHIRE, HR5 3NE FOR: KINGTON BUILDING SUPPLIES, GARNER SOUTHALL PARTNERSHIP, 3 BROAD STREET, KNIGHTON, POWYS LD7 1BL (AGENDA ITEM 22)

The receipt of a further letter of objection from Mr Baker and a letter from the agent of the applicant in respect of obtaining permission for bio-disc drainage was reported.

In accordance with the criteria for public speaking Mrs Bradbury of Kington Parish Council and Mr Otter 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 - 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 - C04 (Details of window sections, eaves, verges and barge boards)

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

5 - C05 (Details of external joinery finishes)

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

6 - D03 (Site observation - archaeology)

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

7 - F16 (Restriction of hours during construction)

Reason: To protect the amenity of local residents.

8 - F18 (Scheme of foul drainage disposal)

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

9 - 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.

10 - G01 (Details of boundary treatments)

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

11 - G04 (Landscaping scheme (general))

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

12 - G05 (Implementation of landscaping scheme (general))

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

13 - H27 (Parking for site operatives)

14 - Demolition

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

Informatives:

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

231. DCNW2005/0535/F - RETROSPECTIVE APPLICATION FOR AN AREA OF HARDSTANDING AT 3.2 ACRES OF LAND AT UPPER WELSON, EARDISLEY, HEREFORD, HEREFORDSHIRE, HR3 6ND FOR: MRS S HARRIS OF PINE TREE COTTAGE, 7 CHURCH ROAD, EARDISLEY, HR3 6NJ(AGENDA ITEM 23)

RESOLVED: That subject to no further objections raising additional material planning considerations by the end of the consultation period, the officers named in the Scheme of Delegation to Officers be authorised to grant planning permission.

Informatives:

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

232. DCNC2005/0024/F - FIRST FLOOR EXTENSION TO SIDE OF DWELLING AT 23 OLDFIELDS CLOSE, LEOMINSTER, HEREFORDSHIRE, HR6 8PY FOR: MS S SINGLETON OF SAME ADDRESS (AGENDA ITEM 24)

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 - 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 which 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.

Informative:

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

233. DCNC2005/0055/F - PROPOSED FARMHOUSE AT LOWER POOL FARM, LEYSTERS, HEREFORDSHIRE, HR6 0HN FOR: MR & MRS N GREENER PER MR D DICKSON, 101 ETNAM STREET, LEOMINSTER, HEREFORDSHIRE, HR6 8AF (AGENDA ITEM 25)

Councillor J Stone, the Local Ward Member said that the applicants had gone to considerable lengths to achieve a reduction in the size of the proposed dwelling to make it more acceptable on planning grounds. He felt that the applicants had demonstrated a functional need in connection with their agricultural business relating to rearing calves and grazing sheep. He therefore proposed that the application should be approved.

RESOLVED: That

(c) The Northern Area Planning Sub-Committee is minded to approve the application subject to the following conditions (and any further 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 dwelling being tied to the agricultural business.**
- 2) A scheme of landscaping to meet the prior approval of the Planning Authority; and**
- 3) The removal of permitted development rights**

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

(The Development Control Manager had reservations that the size of the dwelling which he did not feel would be affordable for agricultural workers in relation to a correlation of wages and local housing. He said however that he would not refer the application to the Head of Planning Services)

234. DCNC2005/0062/F - NEW BUILD FAMILY CENTRE AT REAR OF TOP GARAGE, PANNIERS LANE, BROMYARD, HEREFORDSHIRE, HR7 4QU FOR: HOPE FAMILY CENTRE PER PROPERTY SERVICES HEREFORDSHIRE COUNCIL FRANKLIN HOUSE 4 COMMERCIAL ROAD HEREFORD HR1 2BB (AGENDA ITEM 26)

The receipt of 2 letters of objection was reported. The receipt of a letter from the agent acting on behalf of the applicant was reported.

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

The Committee felt that there was a need for further information about the application including why it was proposed that the building should be relocated nearer to the adjoining dwelling.

RESOLVED: That consideration of the application be deferred to allow further discussions between the officers and the applicant about all the proposed uses of the units.

235. DCNC2005/0341/F - PROPOSED 2 NO. 2 BEDROOMED COTTAGES WITH 4 NO. PARKING SPACES AT LAND TO THE REAR OF 3 LITTLE HEREFORD STREET, BROMYARD, HEREFORDSHIRE, HR7 4DE FOR: MR K HANDLEY PER LINTON DESIGN GROUP 27 HIGH STREET BROMYARD HEREFORDSHIRE HR7 4AA (AGENDA ITEM 27)

In accordance for the criteria for public speaking Mr CJ Grover spoke against the proposal to fell the trees on the site. The Sub-Committee had some concerns about the need for the trees to be felled as part of the scheme and felt that investigation should be made into a scheme that would retrain them. A motion that the application be approved subject to the retention of the trees was lost.

RESOLVED

- (a) That the Northern Area Planning Sub-Committee is minded to refuse the application subject to the reasons for refusal set out below (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.
1. The loss of the trees on the site
 2. Policy A2 in respect of protection of the landscape contained in the emerging Unitary Development Plan.
- (b) If the Head of Planning 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.

(The Development Control Manager said that given that the Sub-Committee had considered the issues involved, he would not refer the application to the Head of Planning Services)

236. DCNC2005/0413/F - CHANGE OF USE FROM RESIDENTIAL CARE HOME TO BED & BREAKFAST/GUEST HOUSE ACCOMMODATION AT 2 PIERREPONT ROAD, LEOMINSTER, HEREFORDSHIRE, HR6 8RA FOR: MRS S HILL AT SAME ADDRESS (AGENDA ITEM 28)

The receipt of a letter from a neighbour was reported.

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 - E06 (Restriction on Use) (Bed & Breakfast/Guest House) (C1)

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

- 3 - H14 (Turning and parking: change of use - domestic) (14)

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

4 - 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.

Informative:

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

The meeting ended at 5.50 pm

CHAIRMAN