

**MINUTES of the meeting of Northern Area Planning Sub-Committee held at The Council Chamber, Brockington, 35 Hafod Road, Hereford on Wednesday, 20th April, 2005 at 2.00 p.m.**

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

**Councillors:** B.F. Ashton, W.L.S. Bowen, 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,  
R.V. Stockton, J.P. Thomas and J.B. Williams

**In attendance:** Councillors P.J. Edwards, Mrs. J.E. Pemberton and Ms. G.A. Powell

**237. APOLOGIES FOR ABSENCE**

Apologies were received from Councillors Mrs L.O Barnett, R.B.A. Burke, T.M. James and D.W. Rule.

**238. DECLARATIONS OF INTEREST**

<b>Councillor</b>	<b>Item</b>	<b>Interest</b>
Cllr P.J. Dauncey Cllr R.M. Manning	10 – DCNC/2005/0062/F – New build family centre at rear of Top Garage, Panniers Lane, Bromyard, Herefordshire, HR7 4QU	prejudicial and left the meeting for the duration of this item.
Cllr J. Stone	13 – DCNE2005/0362/F - Proposed two storey extension at Fortunes Gate, Petty France, Ledbury, Herefordshire, HR8 1JG	prejudicial and left the meeting for the duration of this item.
Cllr B.F. Ashton	14 - DCNE2005/0492/F - Erection of three cottages at land off Queens Court, Ledbury, Herefordshire,	prejudicial and left the meeting for the duration of this item.
Cllr P.E. Harling	17 - DCNE2005/0709/F - Demolition of existing home and new build extra care home and day centre, with associated facilities at Leadon Bank Old Peoples Home, Orchard Lane, Ledbury, Herefordshire, HR8 1DQ	prejudicial and left the meeting for the duration of this item.

**239. MINUTES**

**RESOLVED:** That the Minutes of the meeting held on 30th March, 2005 be approved as a correct record and signed by the Chairman.

**240. ITEM FOR INFORMATION - APPEALS**

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

**241. 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.

**242. 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**

Councillor J Stone asked the Sub-Committee to take into consideration the fact that the applicant proposed that the dwelling would be comprised of affordable housing for his son. He had said that his son had always lived in the village, did not wish to move away and was employed by him in Leintwardine. Although sympathetic to the needs of the applicant, the Sub-Committee did not feel that such a dwelling could be supported in this location.

**RESOLVED**

**That the application be refused for the following reasons:**

- 1. It is considered that this proposal is contrary to Policy A2(D) of the adopted Leominster District Local Plan, and Policy H7 of the Herefordshire Unitary Development Plan (Revised Deposit Draft). The development would constitute new residential development in the open countryside and the Local Planning Authority is of the opinion that the application fails to satisfy any of the specified exceptions criteria.**
- 2. The proposal is considered contrary to Planning Policy Guidance Note : Housing, and Planning Policy Guidance Note 13: Transportation, and Policies S1, S2, DR2 and DR3 of the Herefordshire Unitary Development Plan (Revised Deposit Draft) in that it would reinforce dependence on the private car as the principal mode of travel.**

**243. DCNW2004/3810/F - PROPOSED BARN CONVERSION TO ONE HOUSE AT REDUNDANT THRESHING BARN ADJACENT TO THE LION INN, WOONTON, ALMELEY, HEREFORDSHIRE FOR: THE EXECUTORS OF R EGGERTON PER BURTON & CO, LYDIATT PLACE, BRIMFIELD, LUDLOW, SHROPSHIRE, SY8 4NP****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 - B05 (Alterations made good )**

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

**4 - C02 (Approval of details ) (joinery details & joinery finishes)**

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

**5 - E16 (Removal of permitted development rights )**

**Reason: To protect the character and appearance of the traditional building in accordance with the policies and guidance in the Supplementary Planning Guidance.**

**6 - Prior to the commencement of the development details of the proposed foul and surface water drainage arrangements shall be submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented before the first use of the buildings hereby permitted.**

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

**7 - Prior to the occupation of the dwelling hereby permitted, the existing agricultural buildings shown on the submitted plan shall be removed from the site and the land reinstated in accordance with details to be submitted to and approved in writing by the local planning authority.**

**Reason: For the purposes of clarification in the interest of the amenities of the occupiers of the barn conversion.**

**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 - H03 (Visibility splays ) (2.4 metres x 90 metres)**

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

**11 - H05 (Access gates ) (6 metres)**

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

**12 - H08 (Access closure ) (use & vehicular access)**

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

**13 - 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.**

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

**Reason: To safeguard local amenities.**

**15 - No works or development shall take place until details of a scheme, including architectural drawings for the creation and implementation of bat roosting opportunities has been submitted to and approved by the local planning authority.**

**Reason: To conserve and enhance protected species and its habitat.**

**16 - Prior to the commencement of development, details of a scheme for the retention and/or creation of suitable features and habitat for barn owls and nesting birds, shall be submitted to and approved in writing by the Local Planning Authority. Works should be carried out in accordance with the approved plans.**

**Reason: To conserve and enhance protected species and its habitat, and to adhere to the Wildlife and Countryside Act 1981 and UDP Policies 5, 7, 8 and 9.**

**Informatives:**

- 1 - N15 - Reason(s) for the Grant of PP/LBC/CAC**
- 2 - HN01 - Mud on highway**
- 3 - HN10 - No drainage to discharge to highway**
- 4 - N11A - Wildlife and Countryside Act 1981 (as amended) - Birds**
- 5 - N11B - Wildlife & Countryside Act 1981 (as amended) and Conservation (Nat. Habitats & C.) Regs 1994 - Bats**
- 6 - In relation to conditions 15 and 16 above: N11A and N11B - the scheme of mitigation should be based on, but expanded from the recommendations within the ecological survey report by Rebecca Collins dated September 2004. Advice can be obtained from the Council's Ecologist.**
- 7 - It is drawn to the applicants attentions that a DEFRA licence be obtained prior to commencement of development. Additional surveys will be required for the preparation of the Method Statement. The Method Statement should be approved by the Local Authority's ecologist prior to submission to DEFRA.**

**244. DCNW2005/0326/F - CONVERSION OF BARNES INTO SEVEN DWELLINGS AT BALANCE FARM, TITLEY, KINGTON, HEREFORDSHIRE, HR5 3RU FOR: MR S VAUGHAN, DAVID EDWARDS ASSOCIATES, STATION APPROACH, BARRS COURT, HEREFORD HR1 1BB**

It was reported that the applicant's agent had confirmed that foul drainage would be connected to the mains sewer. Amended plans had been received indicating proposals for a shared access to the rear of the site and an application had been received for Listed Building Consent.

**RESOLVED**

**That subject to there being no highways objections, the Officers named in the Scheme of Delegation to Officers be authorised to issue planning permission, subject to the following conditions.**

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

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

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

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

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

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

**4 - C02 (Approval of details )**

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

**5 - D03 (Site observation - archaeology )**

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

**6 - Notwithstanding the approved plans, the foul drainage shall be connected to the mains sewerage system, in accordance with details submitted to and approved in writing by the local planning authority.**

**Reason: To ensure a satisfactory drainage arrangement.**

**7 - Prior to the occupation of the dwellings hereby permitted, the existing agricultural buildings shown on the submitted plan shall be removed from the site and the land reinstated in accordance with details to be submitted to and approved in writing by the Local Planning Authority.**

**Reason: For the purposes of clarification in the interest of the amenities of the occupiers of the barn conversion.**

**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.

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

**Reason:** To safeguard local amenities.

**13 - No works or development shall take place until details of a scheme, including architectural drawings for the creation and implementation of bat roosting opportunities has been submitted to and approved by the local planning authority. Works shall be carried out strictly in accordance with this scheme.**

**Reason:** To conserve and enhance protected species and its habitat.

**14 - Prior to the commencement of development, details of a scheme for the retention and/or creation of suitable features and habitat for barn owls and nesting birds, shall be submitted to and approved in writing by the Local Planning Authority. Works should be carried out in accordance with the approved plans.**

**Reason:** To conserve and enhance protected species and its habitat.

**Informatives****1 - N15 – Reasons for the Grant of PP/LBC/CAC**

- 2 - All birds, their nests and eggs are protected by law and it is thus an offence to:**  
intentionally kill, injure or take any wild bird  
intentionally take, damage or destroy the nest of any wild bird whilst it is in use or being built  
intentionally take or destroy the egg of any wild bird  
intentionally (or recklessly in England and Wales) disturb any wild bird listed on Schedule 1 while it is nest building, or at a nest containing eggs or young, or disturb the dependent young of such a bird. The maximum penalty that can be imposed - in respect of a single bird, nest or egg - is a fine of up to 5,000 pounds, six months imprisonment or both.

The applicant is therefore reminded that it is an offence under the Wildlife and Countryside Act 1981 (as amended) to remove or work on any hedge, tree or building where that work involves the taking, damaging or destruction of any nest of any wild bird while the nest is in use or being built, (usually between late February and late August or late September in the case of swifts, swallows or house martins). If a nest is discovered while work is being undertaken, all work must stop and advice sought from English Nature and the Council's Ecologist.

- 3 - It is an offence for any person to:**  
Intentionally kill, injure or take a bat. Under the Habitats Regulations it is an offence to deliberately capture or kill a bat.

Intentionally or recklessly damage, destroy or obstruct access to any place that a bat uses for shelter or protection. This is taken to mean all bat roosts whether bats are present or not.

Under the Habitats Regulations it is an offence to damage or destroy a breeding site or resting place of any bat. This is an absolute offence - in other words, intent or recklessness does not have to be proved.

The applicant is therefore reminded that it is an offence under the Wildlife and Countryside Act 1981 (as amended) and Conservation Regulations 1994 that works to trees or building where that work involves the disturbance of a bat is an offence if a licence has not been obtained by DEFRA. If a bat is discovered while work is being undertaken, all work must stop and advice sought from English Nature and the Council's Ecologist. You can also call the UK Bat help line on 0845 133 228.

- 4 - In relation to conditions 13 and 14 this scheme of mitigation should be based on, but expanded from the recommendations within the ecological survey report by Worcestershire Wildlife Consultancy submitted with the application. Further advice can be obtained from the Council's Ecologist.
- 5 - It is drawn on the applicants attentions that a DEFRA licence should be obtained prior to commencement of development. Additional surveys will be required for the preparation of the Method Statement. The Method Statement should be approved by the Local Authority's Ecologist prior to submission to DEFRA and can form part of the mitigation scheme.
6. The applicant is reminded of the need to submit an application for listed building consent. This permission shall not be implemented until the necessary listed building consent has been approved in writing by the local planning authority.
7. Access via Wood Lane.

245. DCNC2004/1540/F - RESITING OF PREVIOUSLY APPROVED BUNGALOW (PLANNING PERMISSION MH1243/76) AT UPPER HORTON FARM, EDWYN RALPH, BROMYARD, HEREFORDSHIRE FOR: UPPER HORTON FARM CO. PER MR J PHIPPS BANK LODGE COLDWELLS ROAD HOLMER HEREFORD HR1 1LH

**RESOLVED THAT**

- 1) The County Secretary and Solicitor be authorised to complete a planning obligation under Section 106 of the Town and Country Planning Act 1990 to restrict the occupation of the bungalow to the ownership of Upper Horton Farm, give up that part of the planning permission MH1243/76 which remains extant and deal with any other appropriate and incidental terms, matters or issues .
- 2) Upon completion of the aforementioned planning obligation, the Officers named in the Scheme of Delegation to Officers be authorised to issue planning permission subject to the following conditions:
  1. B01 – Samples of external materials
  2. E28 – Agricultural occupancy

246. **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**

The receipt of letters from Bromyard and Winslow Town Council and Town Councillor Julie Woodland was reported, together with the receipt of a 223 signature petition by the Chairman. The Senior Planning Officer reported that the applicants had removed the boundary hedge and had indicated that they proposed to erect a 2.4m boundary fence around the site.

The Sub-Committee had some concerns about the proximity of the Centre and car park to the adjoining dwelling but felt that on balance approval could be granted.

### **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) (1 March 2005)**

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

- 3 - **A12 (Implementation of one permission only )**

**Reason: To prevent over development of the site.**

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

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

- 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 - **H03 (Visibility splays) (2.4m x 215m)**

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

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

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

- 9 - **H06 (Vehicular access construction)**

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



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

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

**11 – 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.**

**12 - B01 Samples of external materials**

**To harmonise with the surroundings**

**13 – Limit as to use**

**For use of premises and land to be controlled in the interest of local amenity**

**14 - 2.4 metre high close-boarded fence to be erected along the full length of the northern boundary and thereafter maintained.**

**Reason: In order to protect the amenity of the neighbour.**

**15 - The building shall not be open to use between the hours of 6.00 pm and 7.00 am daily**

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

**16 - No development shall take place without prior authority and boundary treatment shall be completed before the building is occupied in accordance with a timetable agreed by the local planning authority.**

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

**17 - During construction no machinery shall be operated, no process carried out and no deliveries taken or despatched outside the following times: Monday-Friday 7.00 am-6.00pm, Saturday 8.00 am-1.00 pm nor at any time on Sundays, Bank or Public Holidays.**

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

**18 - Details of external lighting to be approved by the local planning authority before the building is occupied.**

**Reason: To safeguard local amenities.**

**Informative:**

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

247. DCNE2004/2447/F & DCNE2004/2449/F - DCNE2004/2447/F - CONVERSION OF BARN TO SINGLE DWELLING AT BATCHCOMBE FRUIT FARM, STORRIDGE, MALVERN, HEREFORDSHIRE, WR13 5ES FOR: A KELSALL & SONS PER GURNEY STORER & ASSOCIATES THE STABLES MARTLEY WORCESTERSHIRE WR6 6QB

**RESOLVED**

That planning permission be granted for both DCNE2004/2447/F and DCNE/2449/F 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 - B01 (Samples of external materials )

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

- 4 - C12 (Repairs to match existing )

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

- 5 - E16 (Removal of permitted development rights )

Reason: To protect the character of the buildings.

- 6 - F16 (Restriction of hours during construction )

Reason: To protect the amenity of local residents.

- 7 - F19 (Drainage in accordance with approved plans )

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

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

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

**12 - G40 (Barn Conversion - owl box )**

**Reason: In order not to disturb or deter the nesting or roosting of barn owls which are a species protected by the Wildlife and Countryside Act 1981.**

**13 - C05 (Details of external joinery finishes )(all joinery details)**

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

**14 - H10 (Parking - single house )(2 cars)**

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

**Informative:**

**N15 – Reason for planning permission**

**248. DCNE2005/0223/F - DCNE2005/0223/F - THE ERECTION OF A POLYTUNNEL 27.5M LONG X 16.0M WIDE AT COSY COTTAGE, BADDYMARSH FARM, LOWER EGGLETON, LEDBURY, HEREFORDSHIRE, HR8 2UH FOR: MR L R C LLEWELLYN AT SAME ADDRESS**

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

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

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

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

**4 - Prior to commencement of development, compensatory flood storage works shall be implemented, in accordance with the details submitted on plan ref: LRCL.4C. The scheme shall be implemented with the approved programme and details.**

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

249. DCNE 2005/0362/F - DCNE2005/0362/F - PROPOSED TWO STOREY EXTENSION AT FORTUNES GATE, PETTY FRANCE, LEDBURY, HEREFORDSHIRE, HR8 1JG FOR: MR & MRS W WIGGIN, DERRICK WHITTAKER ARCHITECTS 1 FARJEON CLOSE NEW MILLS LEDBURY HEREFORDSHIRE HR8 2FU

**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 - 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.

**Informatives:**

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

250. DCNE2005/0492/F - DCNE2005/0492/F - ERECTION OF THREE COTTAGES AT LAND OFF QUEENS COURT, LEDBURY, HEREFORDSHIRE FOR: MR & MRS J CHANCE, WALL, JAMES & DAVIES 15-23 HAGLEY ROAD STOURBRIDGE WEST MIDLANDS DY8 1QW

The receipt of 3 letters of objection was reported.

In accordance with the criteria for public speaking, Mr Watts of Ledbury Town Council spoke against the application. He said that the Town Council was of the view that the scheme constituted infill development favoured by the ODPM but that it was more suited to a larger urban environment and not at Ledbury. He felt that the proposal would result in an unacceptable degree of overlooking of neighbouring properties and that the access and egress for vehicular traffic was unsatisfactory.

Councillor P.E. Harling one of the Local Ward Members felt that there was merit in holding a site inspection.

**RESOLVED:**

That consideration of the application be deferred pending 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.

**251. DCNE2005/0605/F - DCNE2005/0605/F - PROPOSED 10 BED ACCOMMODATION BLOCK FOR USE WITH EXISTING INN FACILITIES AT NEWTOWN INN, LOWER EGGLETON, LEDBURY, HEREFORDSHIRE, HR8 2UG FOR: MR & MRS D RAINES AT ABOVE ADDRESS.**

The receipt of 3 letters of objection was reported.

In accordance with the criteria for public speaking, Mr Lee of Yarkhill Parish Council and Mr Hawkins spoke against the application.

Councillor R.M. Manning the local Ward Member had a number of reservations about the application. He was concerned at the size and scale of the proposed development which he felt would not be in keeping with the village. He also felt that there would be an adverse affect on the residential amenity of neighbouring properties, one of which would be particularly close to the extension, and was unhappy about encroachment into the open countryside. Councillor B.F. Ashton had no objections to the commercial proposals within the application but felt that a more modest size would have been preferable.

Having discussed the details of the application and notwithstanding the views of the officers, the Sub Committee felt that there were sufficient grounds for refusal.

**RESOLVED THAT**

- (a) **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. there would be an unacceptable adverse impact upon the residential amenity of the dwelling known as Stretton View;**
  - 2. the scale of the proposed accommodation block would represent an over-development of the site at this edge of settlement location;**
  - 3. the proposed design is not considered appropriate having regard to the neighbouring development in this semi-rural location and the character of the wider area; and**
  - 4. the existing car park could not adequately accommodate the number of car parking spaces required.**
- (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 Planning Officer said that given that the Sub-Committee had considered the issues involved, he would not refer the application to the Head of Planning Services)*

252. DCNE2005/0638/F - DCNE2005/0638/F - PROPOSED WAREHOUSE EXTENSION AND A SECTION OF RAISED ROOF AMCOR FLEXIBLES, LOWER ROAD INDUSTRIAL ESTATE, LEDBURY, HEREFORDSHIRE, HR8 2DJFOR: AMCOR FLEXIBLES LEDBURY PER BLENCOWE ASSOCIATES, OLD PARISH BARN, SANDFORD ST. MARTIN, OXFORDSHIRE, OX7 7AG

The receipt of three letters of objection was reported.

**RESOLVED**

That planning permission be granted subject to 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 - B11 (Details of external finishes and cladding (industrial buildings) )

Reason: To secure properly planned development.

- 3 - 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.

- 4 - A09 Amended plans

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

- 5 - All deliveries of plastic resin and collections/deliveries of skips from the proposed warehouse extension and adjacent yard area shall only be permitted on site between the hours of 0700 and 1900, Monday to Friday and 0800 to 1400 on Saturdays. No such deliveries or collections shall take place on Sundays or Bank Holidays.

Reason: In the interests of adjacent residential dwellings.

**Informatives:**

- 1 - N15 - Reason(s) for the Grant of PP/LBC/CAC  
2 - HN2 (Public Rights of Way Affected)

253. DCNC2005/0709/F - DCNE2005/0709/F - DEMOLITION OF EXISTING HOME AND NEW BUILD EXTRA CARE HOME AND DAY CENTRE, WITH ASSOCIATED FACILITIES AT LEADON BANK OLD PEOPLES HOME, ORCHARD LANE, LEDBURY, HEREFORDSHIRE, HR8 1DQ FOR: SHAW HEALTHCARE HEREFORDSHIRE LTD PER PENTAN PARTNERSHIP, BEAUFORT STUDIO, 1 ATLANTIC WHARF, CARDIFF, CF10 4AH

The receipt of 3 letters of objection and a nine-letter petition was reported. Amended plans had recently been received and the Sub Committee decided to defer consideration of the application until after the consultation period had expired.

**RESOLVED THAT**

**Consideration of the application be deferred.**

254. DCNE2005/0718/RM - DCNE2005/0718/RM - ERECTION OF DWELLING FOR USE OF EQUINE WORKER AT SEVERN ACRE RIDING SCHOOL, HAM GREEN, MATHON, MALVERN, HEREFORDSHIRE, WR13 5PQ FOR: MRS J JONES PER MICHAEL A BROWN DESIGN, MANOR FARM BARN, HADZOR, DROITWICH, WR9 7DH

**RESOLVED**

**That approval of reserved matters be granted subject to the following conditions:**

- 1 - A07 (Development in accordance with approved plans )

**Reason: To ensure adherence to the approved plans in the interests of a satisfactory form of development.**

- 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 protect the character and appearance of the Malvern Hills Area of Outstanding Natural Beauty.**

- 4 - C05 (Details of external joinery finishes )

**Reason: To protect the character and appearance of the Malvern Hills Area of Outstanding Natural Beauty.**

- 5 - E09 (No conversion of garage to habitable accommodation )

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

- 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 - H05 (Access gates )

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

**8 - H09 (Driveway gradient )**

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

**9 - 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.**

**Informative(s):**

- 1 - N15 - Reason(s) for the Grant of PP/LBC/CAC**
- 2 - HN01 - Mud on highway**
- 3 - HN04 - Private apparatus within highway**
- 4 - HN05 - Works within the highway**
- 5 - HN10 - No drainage to discharge to highway**
- 6 - N09 – Approval of reserved matters**

**255. DATE OF NEXT MEETING**

18th May, 2005.

The meeting ended at 3.47 a.m.

**CHAIRMAN**