COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL

MINUTES of the meeting of Central Area Planning Sub-Committee held at The Council Chamber, Brockington, 35 Hafod Road, Hereford on Wednesday, 4th May, 2005 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, P.J. Edwards, J.G.S. Guthrie, Mrs. M.D. Lloyd-Hayes, J.C. Mayson, J.W. Newman, 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)

149. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Mrs. S.P.A. Daniels, G.V. Hyde, R.I. Matthews, Miss. F. Short and A.L. Williams.

150. DECLARATIONS OF INTEREST

The following declarations of interest were made:

Councillors	Item	Interest
Mrs. P.A. Andrews	Item 8 - DCCE2005/0248/F – Two storey extension to provide double garage and study with two bedrooms over. Pitched roof over existing kitchen at: **175 AYLESTONE HILL, HEREFORD, HEREFORDSHIRE, HR1 1JJ**	Declared a prejudicial interest and left the meeting for the duration of this item.
D.B. Wilcox	Item 16 - DCCE2005/0507/F – Redevelopment of learning resource block with a new workshop building and seminar block with associated landscaping and car parking at: **HEREFORDSHIRE COLLEGE OF TECHNOLOGY, FOLLY LANE, HEREFORD, HR1 1LS**	Declared a prejudicial interest and left the meeting for the duration of this item.
Mrs. P.A. Andrews	Item 18 - DCCW2005/0828/T - – 15m high replacement telecommunications / lamppost mono pole with antenna shroud and 2 small cabinets with lighting arm on tip flexicell outside Tesco's at: **LAND ADJACENT TO ROUNDABOUT, A465 BELMONT ROAD, HEREFORD, HR2 7TZ**	Declared a prejudicial interest and left the meeting for the duration of this item.

Mr. K. Bishop, Principal Planning Officer, declared a personal interest in respect of Item 7 (DCCE2005/0278/F - Erection of house, garage and annex and improvements to access drive at 53 Hampton Park Road, Hereford, HR1 1TJ) and left the meeting for the duration of this item.

151. MINUTES

RESOLVED:

That the Minutes of the meeting held on 6th April, 2005 be approved as a correct record and signed by the Chairman.

152. 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.

153. TREE PRESERVATION ORDER 518 - THE BURCOTT ADJACENT BURCOTT FARM, ROMAN ROAD, BURCOTT, HEREFORD, HR1 1JL

The Conservation Manager presented a report which sought confirmation of a tree preservation order relating to three groups of trees, one individual tree and one woodland at the above address.

Councillor Mrs. S.J. Robertson, the Local Member, spoke in support of the Tree Preservation Order and noted the amenity value of the trees.

RESOLVED

THAT:

(a) The Tree Preservation Order no. 518 be confirmed without modification.

154. DCCE2005/0405/F - PLOT IN GARDEN OF LAVENDA COURT GARDENS, FOWNHOPE, HR1 4PB

Erection of detached bungalow.

Councillor Mrs. J.E. Pemberton, the Local Member, noted the value of the site inspection that had been held. Councillor Mrs. Pemberton commented on the sub-standard nature of the access track off Court Orchard, noted the view of the Parish Council that the access would need a visibility splay up to highway standard and noted the concerns of local residents that there were unacceptable access arrangements and that a previous application had been refused on the grounds of access. Attention was drawn to the Officers Appraisal section of the report which stated that 'The access to the property is via a private track that has substandard visibility splays' and Councillor Mrs. Pemberton commented that there were no visibility splays at present. She noted that the access track had not been improved significantly in recent years, however, the volume of traffic and parking congestion in the area had increased significantly and expressed concerns about highway safety. Councillor Mrs. Pemberton felt that the application should be refused given the lack of visibility splays and highways safety concerns.

A number of Members supported the views of the Local Member and spoke against the application.

Some Members, however, felt that the professional advice of the Traffic Manager should be taken into consideration and noted that a condition was recommended in respect of turning and parking.

In response to questions, the Senior Planning Officer provided the following information: he advised that no incidents relating to traffic from the bungalows had been brought to his attention; he briefly outlined some of the ownership and right of access issues; he explained the history of the site and advised that policies had evolved in the intervening period which meant that the Traffic Manager felt unable to recommended refusal on the basis of substandard access given the proposed scale of development.

Councillor Mrs. Pemberton maintained that this application should be refused but noted that there might be other access options that could be considered in the future.

RESOLVED:

The Central 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.

- **Lack of visibility splays**

- **Highways safety**

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: Following the vote on this item, the Central Team Leader noted that Members had considered the issues very carefully in the light of local knowledge and the advice provided by Officers. He felt that there were no critical policy issues at stake and that the decision could be defended on appeal. Therefore, the application would not be referred to the Head of Planning Services.]

155. DCCE2005/0278/F - 53 HAMPTON PARK ROAD, HEREFORD, HR1 1TJ

Erection of house, garage and annex and improvements to access drive.

Councillor Mrs. M.D. Lloyd-Hayes, a Local Member, thanked the Sub-Committee for the site inspection that had been held. Councillor Mrs. Lloyd-Hayes said that she supported the application subject to clarification about drainage issues. She noted the comment in the Officers Appraisal that 'The design is not of any particular architectural merit' and felt that the design was disappointing given the sensitive location of the site in the Conservation Area.

Councillor W.J. Walling, a Local Member, also commented on design considerations but noted that the development would be screened from view.

In response to an earlier question, the Senior Planning Officer confirmed that Welsh

Water had no objections subject to 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 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 E09 (No conversion of garage to habitable accommodation)

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

5 E18 (No new windows in specified elevation)

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

6 E19 (Obscure glazing to windows)

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

7 E29 (Occupation ancillary to existing dwelling only (granny annexes))

Reason: It would be contrary to the policy of the local planning authority to grant planning permission for a separate dwelling in this location due to the annexe design, site constraints, and the relationship of the annexe to the neighbouring properties.

8 E01 (Restriction on hours of working)

Reason: To safeguard the amenities of the locality.

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 G06 (Scope of landscaping scheme)

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

12 G09 (Retention of trees/hedgerows)

Reason: To safeguard the amenity of the area.

13 G17 (Protection of trees in a Conservation Area)

Reason: To ensure the proper care and maintenance of the trees.

14 G33 (Details of walls/fences (outline permission))

Reason: In the interests of residential and visual amenity.

15 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.

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

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

17 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.

18 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 N03 - Adjoining property rights

2 HN01 - Mud on highway

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

4 If a connection is required to the public sewerage system, the developer is advised to contact the Dwr Cymru Welsh Water's Network Development Consultants on Tel: 01443 331155

156. DCCE2005/0248/F - 175 AYLESTONE HILL, HEREFORD, HEREFORDSHIRE, HR1 1JJ

Two storey extension to provide double garage and study with two bedrooms over. Pitched roof over existing kitchen.

The Principal Planning Officer reported the receipt of an additional letter from the applicant and summarised its contents.

Councillor D.B. Wilcox, a Local Member, expressed his gratitude to the Sub-

Committee for the site inspection that had been held. Councillor Wilcox noted the objector's concerns about potential impact of the proposal on 177a Aylestone Hill but also noted that the applicant had altered the plans to mitigate some of these concerns.

A number of Members felt that the proposed development would have an overbearing and detrimental impact on the amenity of the objector's property.

Councillor Wilcox proposed that the application be refused but noted that there might be other options to extend the property.

RESOLVED:

The Central 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.

- **Overbearing impact on the residential amenities of an adjoining dwelling**

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: Following the vote on this item, the Central Team Leader advised that overbearing impact was a subjective issue and, therefore, there were no critical policy issues at stake and that the decision could be defended on appeal. Therefore, the application would not be referred to the Head of Planning Services.]

157. [A] DCCE2005/0436/F AND [B] DCCE2005/0440/L - WYE STREET STORE, WYE STREET, HEREFORD, HR2 7RB

Studio/exhibition space.

The Principal Planning Officer reported the receipt of additional correspondence in support of the application from the applicant's agent, from Mr. David Watkins of St. Martins Residents' and Traders' Association and from Hereford Civic Society.

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

In response to points raised by the speaker, the Principal Planning Officer clarified the difference between this proposal and that refused in December, 2004 [Planning applications DCCE2004/3847/F and 3848/L refer].

Councillor Mrs. W.U. Attfield, a Local Member, felt that, whilst the proposal was innovative and that the wider area would benefit from such development, the proposal would be overly dominant and would impinge on residential amenities.

Councillor A.C.R. Chappell, a Local Member, also felt that the site would benefit from redevelopment but the scale and appearance of this proposal would have an overbearing impact on neighbouring dwellings.

Councillor Mrs. M.D. Lloyd-Hayes spoke in support of the application. She noted that the Environment Agency had no objections to the proposed development and

felt that the introduction of a new first floor would not result in significant harm to residential amenities. Councillor Mrs. Lloyd-Hayes proposed that the application be approved.

A number of Members, whilst noting the Local Members' concerns, felt that the benefits of the proposal outweighed the disadvantages and supported the application. A number of comments were made about the imaginative design and how the development would contribute to the architectural interest of the area. It was noted that the site was in a state of dereliction and a view was expressed that the proposed use would have less impact than some former uses of the building.

Councillor Chappell stressed that the Local Members were not against the principle of the intended use but were worried about the scale of the proposal and its impact on neighbouring dwellings. He also commented on how the proposal might exacerbate the existing parking difficulties in the area.

A motion to refuse the application failed and the resolution detailed below was then agreed.

RESOLVED:

The Central Area Planning Sub-Committee is minded to approve the application subject to any conditions felt to be necessary by the Head of Planning Services provided that the Head of Planning Services does not refer the application to the Planning Committee.

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

[Note: Following the vote on this item, the Central Team Leader noted that Members had considered the issues very carefully. He felt that there were no critical policy issues at stake. Therefore, the application would not be referred to the Head of Planning Services.]

158. DCCE2003/3716/F - 97-98 EAST STREET, HEREFORD

Two storey building to form offices. Existing building to be demolished.

The Senior Planning Officer recommended an informative to supplement condition 7 to clarify that all vehicular traffic would be prohibited.

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) (31st March 2005).

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. Notwithstanding the approved drawings, details of the following shall be submitted to and approved by the local planning authority prior to the commencement of any works. The development shall be carried out in accordance with the approved details:-

   (a) Details of gates, including design, materials and finish.

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

5. 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.

6. C05 (Details of external joinery finishes).

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

7. The access way shown on the amended plans shall be used for pedestrian use only and at no time shall be used for vehicular traffic.

   Reason: For the purposes of clarification and in the interests of highway safety.

8. 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.

9. F16 (Restriction of hours during construction).

   Reason: To protect the amenity of local residents.

10. F39 (Scheme of refuse storage).

    Reason: In the interests of amenity.

11. H05 (Access Gates).

    Reason: In the interests of highway safety.

12. 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.

13. D01 (Site investigation – archaeology).

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

14. D04 (Submission of foundation design).

Reason: The development affects a site on which archaeologically significant remains survive. A design solution is sought to minimise archaeological disturbance through a sympathetic foundation design.

Informatives:

1. N03 - Adjoining property rights.

2. N14 - Party Wall Act 1996.

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

4. In the interests of clarification it is confirmed that vehicular traffic includes motorbikes as well as all other motorised transport.

159. [A] DCCE2004/4132/F AND [B] DCCE2004/4136/L - GARDEN TO REAR OF 5 ST. JOHN STREET, HEREFORD

Proposed two storey three bedroom dwelling.

The Senior Planning Officer recommended an informative to supplement condition 7 to clarify that all vehicular traffic would be prohibited. The Senior Planning Officer reported the receipt of the comments of the County Archaeologist (no objections subject to standard conditions).

Councillor Mrs. P.A. Andrews proposed that a site inspection be held given the potential impact of the development on the Conservation Area. The Chairman, speaking in his capacity as the Local Member, supported a site inspection.

RESOLVED:

That a site inspection be held on the following ground:

- **The setting and surroundings are fundamental to the determination or to the conditions being considered.**

160. DCCE2005/0540/F - 1A LICHFIELD AVENUE, HEREFORD, HR1 2RH

Conversion and extension of existing house into five no. self-contained flats.

The Senior Planning Officer reported the receipt of correspondence from the Conservation Area Advisory Committee and summarised its contents (it was suggested that four flats would be more acceptable than five given the traffic and parking issues and to maintain residential quality).

Councillor W.J. Walling, a Local Member, did not oppose the principle of conversion but felt that, given the considerable traffic problems in the vicinity of the site, a reduction in the number of flats should be sought.

Councillor M.D. Lloyd-Hayes, a Local Member, noted that the traffic problems in the area were caused by the petrol station/Tesco Express and that this proposal would not exacerbate those problems given the scale of the development proposed and the recommended conditions in respect of parking.

In response to a question, the Legal Practice Manager advised that a reduction in the number of flats could not be dealt with through conditions, as it would fundamentally alter the essence of the application under consideration. The Senior Planning Officer added that the Traffic Manager had confirmed acceptability of the revised parking provision and layout. The Central Team Leader reminded the Sub-Committee of Government advice in respect of the best use of land in urban locations and he emphasised the need for a judgement to be made on the proposal before Members.

Given the advice of Officers, a motion to seek amendments to the application was withdrawn.

Councillor A.C.R. Chappell noted the importance of local people expressing their concerns about planning matters but felt that some of the comments in the letters of objection regarding the potential for anti-social behaviour were unfortunate.

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. **B02 (Matching external materials (extension)).**

   Reason: To ensure the external materials harmonise with the existing building.

4. **E17 (No windows in side elevation of extension).**
   Reason: In order to protect the residential amenity of adjacent properties.

5. **F16 (Restriction of hours during construction).**

   Reason: To protect the amenity of local residents.

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. **G16 (Protection of trees covered by a Tree Preservation Order).**

   Reason: To ensure the proper care and maintenance of the trees.

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

   Reason: In the interests of highway safety.

10. H08 (Access closure).

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

11. H09 (Driveway gradient).

Reason: In the interests of highway safety.

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. 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. HN01 - Mud on highway.

2. HN03 - Access via public right of way.

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

161. DCCE2004/4218/F - UFTON COURT, HOLME LACY, HEREFORD, HR2 6PH

New agricultural buildings and irrigation pool. New access and drive.

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

The Central Team Leader advised the Sub-Committee that the appraisal in the report considered the justification for the new farm complex and the potential impact of the development on the surrounding area. He added that the supporting information provided a technical justification and, on balance, the development was considered a viable option.

Councillor W.J.S. Thomas, the Local Member, noted the justification for new agricultural buildings but felt that the key issue was where they could be best placed and, given the subjective nature of this matter, he proposed that a site inspection be held.

RESOLVED:

That a site inspection be held on the following ground:

- **The setting and surroundings are fundamental to the determination or to the conditions being considered.**

162. DCCW2005/0566/F - MARDEN COURT FARM, MARDEN, HEREFORD, HR1 3EN

New portal frame building for agricultural use.

In accordance with the criteria for public speaking, Mr. Smith spoke in support of the application on behalf of the applicant.

Councillor J.G.S. Guthrie, the Local Member, noted that Marden Parish Council opposed the application and noted the concerns expressed in letters of objection. In particular, he drew attention to concerns about the potential impact of the development on the setting of Marden Parish Church and the intensification of activity on this site. Given these considerations, he felt that the Sub-Committee would benefit from a site inspection.

The Principal Planning Officer advised that the Conservation Manager had assessed the impact on the setting of the Church and had not raised any objections subject to conditions. In response, Councillor Guthrie felt that the plans and photographs displayed at the meeting did not provide a sufficient impression of the sensitivity of the location and that there was a need to explore where the proposal could be best placed.

RESOLVED:

That a site inspection be held on the following ground:

- **The setting and surroundings are fundamental to the determination or to the conditions being considered.**

163. DCCE2005/0350/F - LAND AT CAREY, NEAR HOARWITHY, HEREFORDSHIRE, HR2 6NG

Construction of a farm track.

The Principal Planning Officer reported the receipt of two unsigned letters of objection. He also reported the receipt of further correspondence from the applicant's agent in support of the application.

In accordance with the criteria for public speaking, Mrs. Soble spoke in support of the application.

Councillor W.J.S. Thomas, the Local Member, felt it regrettable that this development had caused so much discord in the local area. He noted the efforts to mitigate the impact of the development and felt that, along with the recommended conditions, the fears of residents would be largely addressed.

Councillor A.C.R. Chappell expressed his objection to retrospective planning applications and felt that the message needed to be conveyed that such development was unacceptable. In response, the Principal Planning Officer clarified that track would ordinarily be permitted development subject to an agricultural notification application. However, as the track was now in place the development could not be considered under the notification procedure and, therefore, full planning permission was required. The Central Team Leader noted the concerns of Members but advised that the current planning system did not penalise retrospective applications and they had to be determined in the same way as any other application.

In response to a question, the Principal Planning Officer advised that the proposed construction of an agricultural building had been deleted from this application and would be considered under a separate agricultural notification application.

Councillor Thomas noted that the applicant's mistake regarding notification in respect of the track had provided Officers with the opportunity to address some of the local concerns which might have been missed otherwise.

RESOLVED:

That planning permission be granted subject to the following conditions:

1. **Within one month of the date of this permission a landscaping scheme shall be submitted to and approved in writing by the local planning authority. The scheme shall clearly describe the species, sizes and planting numbers and location of the planting.**

   Reason: In order to protect the visual amenities of the Area of Outstanding Natural Beauty.

2. **All planting, seeding and turfing comprised in the approved details of landscape shall be carried out in the first available planting season following approval of the details. Any trees or plants which within a period of five years from completion of the planting, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless the local planning authority gives written consent to any variation. If any plants fail more than once they shall continue to be replaced on an annual basis until the end of the five year defects period.**

   Reason: In order to protect the visual amenities of the Area of Outstanding Natural Beauty.

Informatives:

1. **Public rights of way**

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

164. DCCE2005/0507/F - HEREFORDSHIRE COLLEGE OF TECHNOLOGY, FOLLY LANE, HEREFORD, HR1 1LS

Redevelopment of learning resource block with a new workshop building and seminar block with associated landscaping and car parking.

The Principal Planning Officer reported the following updates:

- The concerns of the Traffic Manager had been addressed and conditions were recommended in respect of cycle stands and off-site pedestrian crossing and traffic light works.
- The concerns of Sport England had not been overcome but additional information provided by the applicant was being considered.
- Following further negotiations, a cheque had been received from the applicant on the day of the meeting in respect of the outstanding financial contribution to enable the residents only parking scheme in the locality to be implemented.

In accordance with the criteria for public speaking, Mr. Younger spoke in support of the application on behalf of the applicant.

Councillor Mrs. M.D. Lloyd-Hayes felt that the delivery of the residents only parking scheme was essential given the acute parking problems in the area and felt that a right hand turning lane should be provided at the Folly Lane traffic lights given the congestion at this junction. In response, the Principal Planning Officer clarified matters relating to the Section 106 Agreement and the outline planning application determined in April, 2004 [CE2004/0475/O refers]. The Principal Planning Officer also advised that highway works associated with this application would include the re-timing of traffic lights and that further works may be required as part of later phases in the development of the campus.

In response to a question, the Principal Planning Officer advised that the construction work would be undertaken in phases, some if it outside of term-time, and drew attention to recommended condition 8 which intended to minimise disruption to the educational use.

In response to a question, the Principal Planning Officer advised that the re-development proposal would not increase student capacity and, therefore, it was anticipated that the additional 200 parking spaces for the 3 colleges would ease the existing parking problems both within the site and in nearby residential areas.

A number of Members spoke in support of the application.

RESOLVED:

Subject to there being no objection from the Traffic Manager by the end of the consultation period and the County Secretary and Solicitor be authorised to complete a planning obligation or unilateral undertaking under Section 106 of the Town and Country Planning Act 1990 requiring the applicants to provide the outstanding financial contribution to enable the residents only parking scheme in the locality to be implemented, and that if deemed necessary:

(i) the application is notified to the Office of the Deputy Prime Minister

(ii) subject to the Deputy Prime Minster confirming that he does not intend to call it in, planning permission be granted 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 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 occupation of any part of the development hereby approved, a Green Travel Plan shall be submitted to the local planning authority for approval in writing and implemented as approved. The Green Travel Plan should also include details of all intended methods of managing the staff/student car parks and shall be made available for inspection by the local planning authority upon reasonable request so as to enable monitoring of the Plan to be routinely carried out.

Reason: In the interests of highway safety and to ensure a sustainable form of development.

5 A08 (Development in accordance with approved plans and materials) (unless otherwise agreed in writing with the Local Planning Authority)

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

6 H17 (Junction improvement/off site works) (Whittern Way junction)

Reason: To ensure the safe and free flow of traffic on the highway.

7 H27 (Parking for site operatives)

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

8 Prior to the commencement of the development, details of the phasing of the development shall be submitted to an approved in writing by the Local Planning Authority. The development shall be completed in accordance with the agreed phasing.

Reason: To ensure the development is carried out with minimal disruption to the educational use of the existing site or adverse impact on highway safety.

Informative:

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

165. DCCW2005/3922/F - COTTERELL ARMS, COTTERELL STREET, WHITECROSS, HEREFORD, HR4 0HH

Internal/external alterations and extensions to provide bowling alley and new w.c. facilities.

Councillor Mrs. E.M. Bew, a Local Member, noted that there had been few complaints about this operation but requested that noise insulation be looked at very carefully. In response, the Principal Planning Officer advised that the Head of Environmental Health and Trading Standards recommended conditions and the construction of the bowling alley would be monitored.

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) (2nd March, 2005).

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

3. The use of the skittle alley shall not be undertaken until the noise insulation details identified on Plan Revision 'A' Feb. 2005 and dated stamped 2nd March 2005 have been completed to the satisfaction of the local planning authority in conjunction with the Environmental Health and Trading Standards Officer.

Reason: In order to protect the amenity of nearby residential property.

Informatives:

1. N14 - Party Wall Act 1996.

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

166. DCCW2005/0828/T - LAND ADJACENT TO ROUNDABOUT, A465 BELMONT ROAD, HEREFORD, HR2 7TZ

15m high replacement telecommunications / lamppost mono pole with antenna shroud and 2 small cabinets with lighting arm on tip flexicell outside Tesco's.

The Principal Planning Officer reported that the applicant had confirmed that it would be technically possible to move the proposed cabinets to ensure that there was no obstruction to the public highway when the cabinet doors were opened for maintenance.

Councillor P.J. Edwards, a Local Member, proposed that the application be refused on highways safety and detrimental impact on landscaping grounds. Councillor Edwards noted that this area had once been a pleasant corridor to the City but supermarket development and associated street clutter had made a significant impact on the area. He felt that the pole and associated paraphernalia would have a further detrimental impact on the characteristics of the area. He noted that there were three other telecommunications poles in the vicinity already and felt that an additional pole was unacceptable.

Councillor Ms. G.A. Powell, a Local Member, supported Councillor Edwards' views and noted the strong objections of Belmont Parish Council.

In response to questions, the Principal Planning Officer reminded the Sub-Committee that this proposal was a replacement of an existing structure and it was considered that it would sit well within the existing street furniture.

A number of Members were concerned that the opportunities for mast sharing might not have been fully explored and the willingness of operators to pursue this option was questioned. In response, the Principal Planning Officer advised that a substantial lattice mast of some 25-30 metres would be required to accommodate the equipment on a shared mast and that Officers felt that mono poles were a less conspicuous solution.

Some Members noted the fears about potential health issues associated with telecommunications equipment but also noted the most recent government advice on the matter.

Some Members commented that the demand from consumers for more choice, better signal reception and services was driving the telecommunications market. The Principal Planning Officer added that the third-generation of the mobile telecommunications/data market relied on smaller network cells which meant that

more masts were required to ensure sufficient network coverage.

Councillor Edwards clarified that his concerns about highway safety related in particular to the visual hindrance that the equipment would cause at the entrance/exit to the Tesco car park.

RESOLVED:

The Central 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.

- **Highways safety**

- **Detrimental impact on landscaping**

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: Following the vote on this item, the Central Team Leader advised that the timescales associated with telecommunications equipment meant that there would be no time to refer the application to the Planning Committee before consent would be given by default. Therefore, the application would not be referred to the Head of Planning Services.]

167. DCCW2005/0698/F - BROOK FARM, MARDEN, HEREFORDSHIRE, HR1 3ET

Siting of polytunnels in connection with raised bed strawberry production.

The Principal Planning Officer advised Members that this application was unlikely to be ready for consideration at the next meeting of the Sub-Committee and suggested that a site inspection be held on 14th June, 2005.

RESOLVED:

That a site inspection be held on the following grounds:

- **The character or appearance of the development itself is a fundamental consideration (encompassing scale and design issues).**

- **A judgement is required on visual impact.**

- **The setting and surroundings are fundamental to the determination or to the conditions being considered (impact on neighbouring amenity in particular).**

168. DCCW2005/0376/F - GELPACK EXCELSIOR LTD, WESTFIELDS TRADING ESTATE, HEREFORD, HR4 9NT

Variation of existing condition 4 of CW03/0620/F to allow a variation in noise levels.

Councillor Mrs. P.A. Andrews, a Local Member, noted the history of the site and the impact of the noise levels on residential amenities. Councillor Mrs. Andrews felt that

the application should be refused and the existing condition maintained.

Councillor Ms. A.M. Toon, a Local Member, also felt that the application was unacceptable, particularly given that it had been less than two years since the existing condition had been established.

A number of Members spoke in support of the views of the Local Members and noted the complaints about noise that had been made by local residents. In response to the concerns of Members, the Principal Planning Officer explained the nature of the application and the conclusions of the Principal Environmental Health Officer.

Councillor D.B. Wilcox outlined a number of concerns regarding the methodology and findings of the Environmental Health and Trading Standards department. In particular, he expressed concern about where and when the noise measurements had been taken and the validity of the associated readings and estimations. In response, the Principal Planning Officer suggested that consideration of the application be deferred so that a relevant Officer could attend the meeting and provide the clarification required by Members. A number of Members suggested that Officers should obtain appropriate measurements in the interim.

RESOLVED:

That consideration of the application be deferred for further information.

169. DATE OF NEXT MEETING

It was noted that the next scheduled meeting was Wednesday 1st June, 2005.

It was also noted that site inspections would be held on Wednesday 11th May, 2005 and Wednesday 14th June, 2005.

The meeting ended at 4.45 p.m. **CHAIRMAN**