

MINUTES of the meeting of Southern Area Planning Sub-Committee held at The Council Chamber, Brockington, 35 Hafod Road, Hereford on Wednesday, 29th September, 2004 at 2.00 p.m.

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

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

In attendance: Councillors P.E. Harling and T.W. Hunt

58. APOLOGIES FOR ABSENCE

Apologies were received from Councillors J.W. Edwards and Mrs. J.A. Hyde.

59. DECLARATIONS OF INTEREST

The following declaration of interest was made:

Councillor	Item	Interest
Councillor N.J.J. Davies	11 (DCSW2004/2703/F – Change of use from grazing land to sports field, provision for Fairfield High School, field adjacent to the Crossing Bungalow, Peterchurch, Herefordshire)	Declared a prejudicial interest and left the meeting for the duration of the item.

60. MINUTES

RESOLVED: That the Minutes of the meeting held on 1st September, 2004 be approved as a correct record and signed by the Chairman.

61. ITEM FOR INFORMATION - APPEALS

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

62. DCSE2004/2752/F - DOWARD HOTEL, WHITCHURCH, ROSS-ON-WYE, HEREFORDSHIRE, HR9 6DW (AGENDA ITEM 5)

Change of use from residential C3 to residential care home C2 for adults with learning difficulties.

The Team Leader (Southern) reported the receipt of comments from Ganarew Parish Council who objected to the application. He also reported the receipt of

comments from the Council's Conservation architect who had no objections to the application providing listed building consent was obtained if required. Members also heard details of 3 letters and 2 emails which were summarised by the Team Leader (Southern).

In accordance with the criteria for Public Speaking, Mr. Evans, representing two local residents, Mr. Thorp and Mr. Gdaniec, spoke against the application.

Councillor Mrs. R.L. Lincoln, the Local Ward Member, felt that she needed more information on Voyage Care Homes before she could make a decision on the application. She also said that there were a number of concerns from local residents who were fearful of the proposals.

Some Members expressed concerns about the potential for disruption in the locality resulting from the use. However, it was noted that no objections had been raised by the Commission for Social Care Inspection and, therefore, there were no planning reasons to warrant refusal in this instance.

The Team Leader (Southern) advised Members that the application was for a change of use from residential (C3) to residential care home (C2) and that the Commission for Social Care Inspection would be responsible for licensing the operation and the use.

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 The occupation of the property shall be limited to a maximum number of ten adults.

Reason: In order to define the terms under which this permission is granted.

3 At all times when adults are present in the property a minimum of one care staff shall also be present.

Reason: In order to ensure that continued residential care is available.

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

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

Informative:

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

63. DCSE2004/2323/F - CHRISTMAS COTTAGE, SANDYWAY LANE, WHITCHURCH, ROSS-ON-WYE, HR9 6DN (AGENDA ITEM 6)

Double and single storey extensions to side of dwelling.

In accordance with the criteria for Public Speaking, Mrs. Lyons, a resident of a neighbouring property spoke against the application and Mr. Davies, the applicant, spoke in support.

Councillor Mrs. R.F. Lincoln, the Local Ward Member, noted the views of the Parish Council and supported 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 Before any work commences on site full details of all new gates and fencing shall first be submitted to and be subject to the prior written approval of the local planning authority.

Reason: In the interests of visual amenity.

Informative:

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

64. DCSW2004/2175/F - LAND ADJACENT TO GREAT HOUSE FARM, DORSTONE, HEREFORD, HR3 6BE (AGENDA ITEM 7)

Erection of two detached 4 bed houses and double garages.

RESOLVED

That subject to the receipt of acceptable foul drainage proposals, the officers named in the Scheme of Delegation to Officers be authorised to grant planning permission subject to the following conditions and any additional conditions considered necessary by officers:

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

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

2 A07 (Development in accordance with approved plans)

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

3 B01 (Samples of external materials)

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

4 G04 (Landscaping scheme (general))

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

5 G05 (Implementation of landscaping scheme (general))

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

6 H03 (Visibility splays)

Reason: In the interests of highway safety.

7 H04 (Visibility over frontage)

Reason: In the interests of highway safety.

8 H05 (Access gates)

Reason: In the interests of highway safety.

9 H06 (Vehicular access construction)

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 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.

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 Details of any sub-division of the plot of land delineated in blue immediately adjacent to the application site shall be the subject of the prior written approval of the local planning authority.

Reason: In the interests of protecting the amenity of this area of land

adjacent to the designated Conservation Area.

Informatives:

- 1 **HN01 - Mud on highway**
- 2 **HN04 - Private apparatus within highway**
- 3 **HN05 - Works within the highway**
- 4 **N15 - Reason(s) for the Grant of Planning Permission**

65. DCSE2004/2716/T - COMPOUND 2, BROAD MEADOWS INDUSTRIAL ESTATE, STATION APPROACH, ROSS-ON-WYE, HEREFORDSHIRE (AGENDA ITEM 8)

Telecommunications development comprising 15m high monopole, incorporating 3 no. antennae, 1 no. 30cm transmission dish, 2 no. 60cm transmission dishes and associated cabinet equipment and compound security.

The Team Leader (Southern) reported the receipt of further correspondence regarding flooding from the applicant as well as six further letters of objection from local residents. He also reported the receipt of comments from Ross-on-Wye Town Council, who objected to the application, and the Environment Agency who had no objections. Following the receipt of the Environment Agency's comments the Team Leader (Southern) recommended that prior approval was required and that prior approval be granted.

In accordance with the criteria for Public Speaking, Mr Hughes, a local resident, spoke against the application.

Councillor Mrs. A.E. Gray, the Local Ward Member, felt that the use of a monopole mast in this application was contrary to policy C42 of the South Herefordshire District Local Plan and the principles of PPG8. She also felt that the application site was not suitable and she could not support the application.

The Chief Development Control Officer advised members not to refuse the application on Health grounds as a certificate of compliance from the ICNIRP had been submitted with the application.

A number of Members expressed concerns regarding the visual impact of the mast and felt the application should be refused.

RESOLVED:

- (i) **The Southern Area Planning Sub-Committee is minded to refuse the application as it is for a monopole which is contrary to PPG8 and also on grounds of visual impact (and any further reasons for refusal felt to be necessary by the Head of Planning Services) provided that the Head of Planning Services does not refer the application to the Planning Committee.**
- (ii) **If the Head of Planning Services does not refer the application to the Planning Committee, Officers named in the Scheme of Delegation to Officers be instructed to refuse the application subject to such reasons for refusal referred to above.**

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

66. DCSE2004/2624/F - 9 PROSPECT TERRACE, HOMS ROAD, ROSS-ON-WYE, HEREFORDSHIRE, HR9 7DE (AGENDA ITEM 9)

Establishment of detached building as annexe to property and alterations.

The Principal Planning Officer reported the receipt of comments from Ross-on-Wye Town Council who objected to the application.

RESOLVED

That planning permission be granted subject to the following conditions:

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

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

2 B01 (Samples of external materials)

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

3 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.

4 E16 ((Removal of permitted Development Rights)

Reason: To protect the amenities of neighbours.

Informative:

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

67. DCSE2004/2614/F - ST. JOSEPHS CONVENT, WALFORD ROAD, ROSS-ON-WYE, HEREFORDSHIRE, HR9 5PQ (AGENDA ITEM 10)

New access.

The Principal Planning Officer reported the receipt of comments from Ross-on-Wye Town Council who had no objections to the application. He also reported the receipt of amended plans.

RESOLVED

That subject to the receipt of suitably amended plans, the officers named in the Scheme of Delegation to Officers be authorised to issue planning permission subject to the following conditions and any additional conditions

considered necessary by officers:

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

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

2 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 G18 (Protection of trees)

Reason: To ensure adequate protection to existing trees which are to be retained, in the interests of the character and amenities of the area.

5 H03 (Visibility splays)

Reason: In the interests of highway safety.

6 H05 (Access gates)

Reason: In the interests of highway safety.

7 H06 (Vehicular access construction)

Reason: In the interests of highway safety.

8 H08 (Access closure)

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

Informatives:

1 HN01 - Mud on highway

2 HN04 - Private apparatus within highway

3 HN05 - Works within the highway

4 HN10 - No drainage to discharge to highway

5 HN19 - Disabled needs

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

**68. DCSW2004/2703/F - FIELD ADJACENT TO THE CROSSING BUNGALOW,
PETERCHURCH, HEREFORDSHIRE (AGENDA ITEM 11)**

Change of use from grazing land to sports field, provision for Fairfield High School

The Principal Planning Officer reported the receipt of comments from the Environment Agency who had no objections subject to a condition regarding boundary fences.

In accordance with the criteria for Public Speaking, Mr. Bland, a local resident, spoke against the application and Mr. Barker, the Headteacher of Fairfield's High School, spoke in support.

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 Details of the boundary fence shall be the subject of the prior written approval of the local planning authority before the use is first brought into use.**
Reason: In the interests of the amenity of this part of the designated Area of Great Landscape Value.
- 4 G04 (Landscaping scheme (general))**
Reason: In order to protect the visual amenities of the area.
- 5 G05 (Implementation of landscaping scheme (general))**
Reason: In order to protect the visual amenities of the area.
- 6 H03 (Visibility splays)**
Reason: In the interests of highway safety.
- 7 H05 (Access gates)**
Reason: In the interests of highway safety.
- 8 H06 (Vehicular access construction)**
Reason: In the interests of highway safety.
- 9 H21 (Wheel washing)**
Reason: To ensure that the wheels of vehicles are cleaned before leaving the site in the interests of highway safety.
- 10 H27 (Parking for site operatives)**
Reason: To prevent indiscriminate parking in the interests of highway

safety.

Informatives:

- 1 **HN01 - Mud on highway**
- 2 **HN04 - Private apparatus within highway**
- 3 **HN05 - Works within the highway**
- 4 **N15 - Reason(s) for the Grant of Planning Permission**

69. DCSE2004/1769/F - LAND ADJOINING AND INCLUDING 1 & 2 LOWER GREYTREE COTTAGES, SIXTH AVENUE, GREYTREE, ROSS-ON-WYE, HEREFORDSHIRE, HR9 7HW (AGENDA ITEM 12)

Erection of seven dwellings and associated garages. Demolition of existing pair of cottages. Alteration and improvement to existing vehicular access and construction of private driveway.

Councillor G. Lucas, one of the Local Ward Members felt that the private drive should be completed before building work commenced on the dwellings.

RESOLVED

That subject to the receipt of satisfactory revised drawings of siting and of the access drive, the officers named in the Scheme of Delegation to Officers be authorised to issue planning permission subject to the following conditions and any additional conditions considered necessary by officers:

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

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990.
- 2 **B01 (Samples of external materials)**

Reason: To ensure that the materials harmonise with the surroundings.
- 3 **G04 (Landscaping scheme (general))**

Reason: In order to protect the visual amenities of the area.
- 4 **G05 (Implementation of landscaping scheme (general))**

Reason: In order to protect the visual amenities of the area.
- 5 **G01 (Details of boundary treatments) (acoustic fence or wall)**

Reason: In the interests of visual amenity and to ensure dwellings have satisfactory privacy.
- 6 **Prior to development commencing, full drawings showing sections of the existing site profiles and sections of the proposed site including buildings, roads and embankment and specifying their proposed levels shall be submitted to and approved by the local planning authority.**

Development shall be carried out in accordance with the approved levels and profiles.

Reason: To ensure that the development is satisfactorily assimilated into the site and does not adversely affect the flood plain.

- 7 Notwithstanding the approved drawings, no development shall take place until details of any works to the embankment have been submitted to and approved in writing by the local planning authority.**

Reason: To protect the visual amenities of the area.

- 8 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.

- 9 There must be no new buildings, structures (including gates, walls and fences) or raised ground levels within**

- a) 5 metres of the top of any bank or watercourses, and/or**
- b) 3 metres of any side of an existing culverted watercourse,**

inside or along the boundary of the site, unless previously agreed otherwise in writing by the local planning authority.

Reason: To maintain access to the watercourse for maintenance or improvements and provide for overland flood flows.

- 10 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no extension to the rear (north east) elevation of Plots 2 and 3 shall be erected.**

Reason: To protect the amenities of occupiers of neighbours.

- 11 H03 (Visibility splays)**

Reason: In the interests of highway safety.

- 12 H06 (Vehicular access construction)**

Reason: In the interests of highway safety.

- 13 H11 (Parking - estate development (more than one house))**

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

- 14 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.

- 15 H21 (Wheel washing)**

Reason: To ensure that the wheels of vehicles are cleaned before leaving the site in the interests of highway safety.

16 H27 (Parking for site operatives)

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

17 F44 (Investigation of contaminated land)

Reason: To ensure that potential contamination of the site is satisfactorily assessed.

18 F45 (Contents of scheme to deal with contaminated land)

Reason: To ensure that potential contamination is removed or contained to the satisfaction of the local planning authority.

19 F46 (Implementation of measures to deal with contaminated land)

Reason: To ensure contamination of the site is removed or contained.

Informative:

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

70. DCSE2004/2733/F - PETROL FILLING STATION (FORMER), GLOUCESTER ROAD, ROSS-ON-WYE, HEREFORDSHIRE, HR9 5NA (AGENDA ITEM 13)

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

The Principal Planning Officer reported the receipt of comments from Ross-on-Wye Town Council who had no objections to the application. He also reported the receipt of a further letter from Welsh Water, who had no objections, and 7 letters of objection from local residents.

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

In accordance with the criteria for Public Speaking, Mr. Watkins and Mr. Phillips had registered to speak against the application and Mr Baume had registered to speak in support, both decided to defer their opportunity to speak until this application was considered again after the site inspection had taken place.

RESOLVED:

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

**SOUTHERN AREA PLANNING SUB-COMMITTEE
2004**

WEDNESDAY, 29TH SEPTEMBER,

The meeting ended at 3.20 p.m.

CHAIRMAN