

MINUTES of the meeting of Northern Area Planning Sub-Committee held at The Council Chamber, Brockington, 35 Hafod Road, Hereford on Wednesday, 13th July, 2005 at 2.00 p.m.

Present: Councillor J.W. Hope MBE (Chairman)
Councillor K.G. Grumbley (Vice-Chairman)

Councillors: B.F. Ashton, Mrs. L.O. Barnett, W.L.S. Bowen, Mrs. J.P. French, J.H.R. Goodwin, P.E. Harling, B. Hunt, T.W. Hunt, Brig. P. Jones CBE, R.M. Manning, R.J. Phillips, D.W. Rule MBE, R.V. Stockton, J. Stone and J.P. Thomas

22. APOLOGIES FOR ABSENCE

Apologies were received from Councillors R.B.A. Burke, P. Dauncey, Brig. P. Jones CBE and R. Mills.

23. DECLARATIONS OF INTEREST

Councillor	Item	Interest
J.P. Thomas	<p>Item 11 - DCNC2005/1075/O - Site For Residential Development Downs Garage At 70a, South Street, Leominster, Herefordshire, HR6 8JF</p> <p>For: Mr. D. Rowland Jones & Mrs. A.J. Jones of Brookend, Kingsland, HR6 9SF &</p> <p>Item 25 - DCNW2005/1542/O - demolition of existing dwelling, garage and outbuildings. site for construction of a residential development of six dwellings at Burnside, High Street, Leintwardine, Craven Arms, Herefordshire, SY7 0LQ</p> <p>For: Wicks Consultancy per Mr. Stephen Funge, Architectural Design, Dartmoor View, Queen Street Winkleigh, Devon, EX19 8JB</p>	Prejudicial and left the meeting for the duration of this item
R.M. Manning	<p>Item 13 - DCNE2005/0960/F - Two Storey Extension To The Rear Of The Property At 7 The Hopkilns, Bishops Frome, Worcester, WR6 5BP</p> <p>For: Mr. & Mrs. M.J. McGladdery per Lett & Sweetland Architects, 58 London Road, Worcester, WR5 2DS</p>	Personal and left the meeting after making a statement at the beginning of the item

24. MINUTES

RESOLVED: That the Minutes of the meeting held on 15th June, 2005 be approved as a correct record and signed by the Chairman.

25. CHAIRMAN'S ANNOUNCEMENTS

There were no Chairman's announcements.

26. ITEM FOR INFORMATION - APPEALS

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

27. 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 considered to be necessary.

28. DCNE2005/0926/F & DCNE2005/1020/C - REMOVAL OF OLD GLASS HOUSE AND CONSTRUCTION OF 5 DWELLINGS AS CAR FREE SCHEME, HOMEND/SECRET GARDEN, FOX LANE, LEDBURY, HEREFORDSHIRE

The receipt of a further letter from the applicant was reported. The Northern Team Leader said that, at the Site Inspection, some concerns had been expressed by Members about the boundary wall but investigations had revealed this to be Victorian and not listed. He also explained that the storage area nearby was not part of the application site.

Councillor B.F. Ashton, one of the Local Ward Members, had reservations about several aspects about the application which included the lack of car parking provision and the adverse impact that the Scheme was likely to have on the adjoining Grade II Listed Building. He did not consider that the scheme was in keeping with a small historic market town. The Sub-Committee shared the concerns of Councillor Ashton and were mindful to refuse the application.

RESOLVED: THAT the Northern Area Planning Sub-Committee is minded to refuse the application subject to the reasons for refusal set out below and any further reasons for refusal felt to be necessary by The Head of Planning Services, provided that The Head of Planning Services does not refer the application to the Planning Committee: -

The Scheme would have a fundamental impact upon the Townscape, Conservation Area and Grade II Listed Building and would exacerbate problems for on-street car parking due to the lack of off street parking provision.

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 Northern Team Leader said that, given that the Sub-Committee had considered the planning policy issues, he would not refer the matter to the Head of Planning Services.)

29. DCNC2005/0545/F - DEMOLITION OF SIDE EXTENSION, CONVERSION OF STORAGE AREAS TO ADDITIONAL ACCOMMODATION AND REPLACEMENT GARAGE & DCNC2005/1081/L - DEMOLITION OF COTTAGE EXTENSION, CHIMNEY AND GARAGE. REPAIRS AND RENEWALS TO ROOF, CHIMNEY, WINDOW FRAMES, BOARDING AND STONEMWORK. NEW PORCH AT SUNNY HILL, LUSTON, LEOMINSTER, HEREFORDSHIRE, HR6 0DY

RESOLVED: THAT

DCNC2005/0545/F

Planning permission be granted subject to the following conditions:

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

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

- 2 - B01 (Samples of external materials)

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

- 3 - C04 (Details of window sections, eaves, verges and barge boards)

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

Informative:

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

DCNC2005/1081/L

Listed Building consent be granted subject to the following conditions:

- 1 - C01 (Time limit for commencement (Listed Building Consent))

Reason: Required to be imposed by Section 18(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

- 2 - C04 (Details of window sections, eaves, verges and barge boards)

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

Informative:

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

30. DCNC2005/0547/F - ERECTION OF 2 COTTAGES WITH GARAGES AND ENTRANCE DRIVES AT SUNNYHILL, LUSTON, LEOMINSTER, HEREFORDSHIRE, HR6 0DY

Councillor J. Stone, the Local Ward Member, had a number of objections about the application because of its impact on the adjoining Bank Cottage and the adverse effect it would have on the nearby residential area. He also had concerns about the proposed density of development which he felt was not in keeping with the Local

Conservation Area.

Whilst mindful of the concerns raised by Councillor Stone, the Sub-Committee did not consider there to be sufficient grounds for refusal and a motion that the application should be refused was lost.

RESOLVED: THAT

That planning permission be granted subject to the following conditions:

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

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

2 - B01 (Samples of external materials)

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

3 - E08 (Domestic use only of garage)

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

4 - F48 (Details of slab levels)

Reason: In order to define the permission and ensure that the development is of a scale and height appropriate to the site.

5 - G09 (Retention of trees/hedgerows)

Reason: To safeguard the amenity of the area.

6 - H01 (Single access - not footway) (5m)

Reason: In the interests of highway safety.

7 - H05 (Access gates) (5m)

Reason: In the interests of highway safety.

8 - H12 (Parking and turning - single house) (each house) (2)

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

9 - The applicant or successors in title shall ensure that a professional archaeological contractor undertakes an archaeological watching brief during any development to the current archaeological standards of and to the satisfaction of the local planning authority.

Reason: To ensure that the archaeological interest of the site is investigated.

10 - F16 (Restriction on hours during construction) 8.00am - 5.30pm Monday - Friday)

Reason: To protect the amenity of local residents.

Informative:

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

31. DCNC2005/1012/F - CHANGE OF USE WITH ASSOCIATED WORKS TO NON-COMMERCIAL AGRICULTURAL MACHINERY REPAIR & SERVICE WORKSHOP, WITH OFF-ROAD PARKING FOR THREE LORRIES AT UPPER HOUSE FARM, EDWIN RALPH, BROMYARD, HEREFORDSHIRE

The receipt of two further letters of representation and one letter from the agent acting on behalf of the applicant were reported.

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

Councillor T.W. Hunt, the Local Ward Member, had certain reservations about the application but considered that it was preferable for Planning Permission to be granted so that the activities on the site could be carefully controlled by planning conditions.

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 set out heads of agreement and deal with any other appropriate and incidental terms or issues.

2) Upon completion of the aforementioned planning obligation that officers named in the Scheme of Delegation to Officers be authorised to issue planning permission in consultation with the Local Ward Councillor, subject to the following conditions and any further conditions deemed to be necessary by the 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. E06 - Restriction of Use (non-commercial agricultural machinery repairs and service workshop Class B2

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

Informative:

1. N15 (Reasons for planning permission)

32. DCNC2005/1075/O - SITE FOR RESIDENTIAL DEVELOPMENT DOWNS GARAGE AT 70A, SOUTH STREET, LEOMINSTER, HEREFORDSHIRE, HR6 8JF

In the absence of the Local Ward Member the Committee decided to defer consideration of the application.

RESOLVED: THAT consideration of the application be deferred.

33. DCNE2005/0589/F & DCNE2005/0590/L - CHANGE OF USE OF AGRICULTURAL BUILDINGS TO B1 USE AT THE BARN AT THE LOWER NUPEND, CRADLEY, MALVERN, HEREFORDSHIRE, WR13 5NP

In accordance with the criteria for public speaking Mr. W. James spoke against the application and Mr. Davies, the applicant's agent, spoke in favour.

RESOLVED: THAT

NE05/0589/F

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)(18th May 2005)

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

3 - C17 (Samples of roofing material)

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

4 - C04 (Details of window sections, eaves, verges and barge boards)

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

5 - C05 (Details of external joinery finishes)

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

6 - C11 (Specification of guttering and downpipes)

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

7 - C13 (Repairs in situ)

Reason: In order to preserve the integrity of the structure of the buildings, the conservation of which constitutes the reason for allowing the development where a new building would be contrary to policy.

8 - C02 (Approval of details)

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) the method of repair of the roof timber
- (b) a full schedule of repairs for the remainder of the building

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

9 - E06 (Restriction on Use) (Offices) (B1)

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

10 - G01 (Details of boundary treatments)

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

Informatives:

- 1 - N15 - Reason(s) for the Grant of PP/LBC/CAC
- 2 - NC02 - Warning against demolition

NE05/0590/L

Listed Building consent is granted subject to the following conditions:

1 – C01 (Time limit for commencement (Listed Building Consent))

Reason: Required to be imposed by Section 18(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2 - A09 (Amended plans)(18th May, 2005)

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

3 - C17 (Samples of roofing material)

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

4 - C04 (Details of window sections, eaves, verges and barge boards)

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

5 - C05 (Details of external joinery finishes)

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

6 - C11 (Specification of guttering and downpipes)

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

7 - C13 (Repairs in situ)

Reason: In order to preserve the integrity of the structure of the buildings, the conservation of which constitutes the reason for allowing the development where a new building would be contrary to policy.

8 - C02 (Approval of details)

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) the method of repair of the roof timber
- (b) a full schedule of repairs for the remainder of the building

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

Informatives:

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

34. DCNE2005/0960/F - TWO STOREY EXTENSION TO THE REAR OF THE PROPERTY AT 7 THE HOPKILNS, BISHOPS FROME, WORCESTER, WR6 5BP

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

RESOLVED: THAT

Planning permission be granted subject to the following conditions:

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

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

2 - 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 - E19 (Obscure glazing to windows)

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

Informative:

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

35. DCNE2005/1103/F & DCNE2005/1104/- CHANGE OF USE OF REDUNDANT MASONIC HALL TO RESTAURANT AT THE ROYAL OAK HOTEL, THE SOUTHEND, LEDBURY, HR8 2EX

In accordance with the criteria for public speaking, Mr. Nudds-Hunter spoke against the application.

RESOLVED: THAT

NE05/1103/F

Planning permission be granted subject to the following conditions subject to the Local Ward Member being consulted about the provision of access for disabled persons:

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 - C03 (External elevations) (External staircase and lobby entrance)

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

3 - C04 (Details of window sections)

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

4 - E10 (Use restricted to that specified in application) (A3)

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

5 - E19 (Obscure glazing to windows)(non opening and the extent of opening to be agreed in writing with the Local Planning Authority.)

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

6 - E04 (Restriction on hours of opening (restaurants and hot food takeaways))(12 noon and 11pm Sundays to Thursdays)(12 noon to 12 midnight Fridays and Saturdays).

Reason: To safeguard the amenities of the locality.

7 - F37 (Scheme of odour and fume control)

Reason: In order to ensure that fumes and odours are properly discharged and in the interests of the amenities of residential property in the locality.

Informatives:

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

NE05/1104/L

Listed Building consent be granted subject to the following conditions:

1 - C01 – (Time limit for commencement (Listed Building Consent))

Reason: Required to be imposed by Section 18(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2 - C03 (External elevations) (External staircase and lobby entrance)

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

3 - C04 (Details of window sections)

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

Informatives:**1 - N15 - Reason(s) for the Grant of PP/LBC/CAC****36. DCNE2005/1357/F - EXTENSIONS TO PROVIDE FIRST FLOOR BEDROOMS (2NO.) AND SITTING ROOM, GROUND FLOOR GARDEN ROOM AND ENLARGED GARAGE AT MANTLEY, 21 HORSE LANE ORCHARD, LEDBURY, HEREFORDSHIRE.**

The receipt of two letters of objection was reported.

RESOLVED: THAT

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)

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 - E12 (No balconies/roof amenity area)

Reason: To safeguard the character and amenities of the locality.

5 - E19 (Obscure glazing to windows)

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

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

37. DCNE2005/1515/F - PROPOSED ERECTION OF DETACHED DWELLING AND FORMATION OF A NEW VEHICULAR ACCESS AT LAND ADJACENT TO GREENBANK, THE COMMON, WELLINGTON HEATH, LEDBURY, HEREFORDSHIRE, HR8 1LU

In accordance with the criteria for public speaking, Mr. Adams spoke in favour of his application.

RESOLVED: THAT

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 - A06 (Development in accordance with approved plans)

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

4 - F16 (Restriction of hours during construction)

Reason: To protect the amenity of local residents.

5 - 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.

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 - G01 (Details of boundary treatments)

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

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 - H01 (Single access - not footway)(new)(5 metres)

Reason: In the interests of highway safety.

11 - H05 (Access gates)(5 metres)

Reason: In the interests of highway safety.

12 - H09 (Driveway gradient)

Reason: In the interests of highway safety.

Informatives:

- 1 - N15 - Reason(s) for the Grant of PP/LBC/CAC**
- 2 - HN01 - Mud on highway**
- 3 - HN05 - Works within the highway**
- 4 - HN10 - No drainage to discharge to highway**

38. DCNC2004/2148/F - RETROSPECTIVE APPLICATION TO REMOVE CONDITIONS 2 & 3 (PLANNING PERMISSION 97/0953/N) AND CONDITION 5 (PLANNING PERMISSION 900852) TO ALLOW THE SALE OF NON-CONVENIENCE GOODS AND TO ALLOW CLASS A1 RETAIL USE WITHIN THE FORMER CRECHE FACILITY AT SAFEWAY STORES PLC, BARONS CROSS ROAD, LEOMINSTER, HEREFORDSHIRE, HR6 8RH

Councillor J.P. Thomas, one of the Local Ward Members, had concerns about the application because it was contrary to policy A33 of the Leominster Local Plan Policy TCR9 of the Draft Deposit Herefordshire Unitary Development Plan regarding the restriction of the sale of goods. The Sub-Committee shared the concerns of Councillor Thomas about the loss of the Crèche and Post Office at the stores and agreed that the application should be refused.

RESOLVED: THAT

The Northern Area Planning Sub-Committee is minded to refuse the application subject to the reasons for refusal set out below and any further reasons for refusal felt to be necessary by The Head of Planning Services, provided that The Head of Planning Services does not refer the application to the Planning Committee: -

The Scheme does not comply with planning policy TCR9 and involves the loss of a community facility.

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 Northern Team Leader said that given that the Sub-Committee had considered that planning policy issues, he would not refer the matter to the Head of Planning Services)

39. DCNC2004/3030/F & DCNC2004/2831/C - DEMOLITION OF A SINGLE DWELLING AND THE ERECTION OF 5 NO. DWELLINGS AT 25 NEW STREET, LEOMINSTER, HEREFORDSHIRE, HR6 8DR

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.

40. DCNC2005/1316/F - EXTENSION TO PROVIDE FIRST FLOOR ACCOMMODATION AND EXTENSION OF UTILITY ROOM AT 22 LOWER THORN, BROMYARD, HEREFORDSHIRE, HR7 4AZ

The receipt of a letter from the agent acting on behalf of the applicant was reported

RESOLVED: THAT

Planning permission be granted subject to the following conditions:

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

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

2 - B02 (Matching external materials (extension))

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

Informative:

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

41. DCNC2005/1372/F - ALTERATIONS AND EXTENSION TO CLUB HOUSE, PROPOSED HOLIDAY LODGES, NEW GROUNDSMAN'S SHED AND NEW TREATMENT PLANT AT BROCKINGTON GOLF CLUB, BODENHAM, HEREFORD, HEREFORDSHIRE, HR1 3HX

It was reported that the application had been withdrawn at the request of the applicant.

42. DCNC2005/1728/F - CHANGE OF USE OF SHOWROOM TO VETERINARY SURGERY AND STAFF LIVING QUARTERS AT LYNDEN GARAGE, KINGS ARMS YARD, BROMYARD, HEREFORDSHIRE, HR7 4EE

The receipt of a letter from the applicant about car parking usage by staff and clients was reported.

Councillor B. Hunt, the Local Ward Member, had some concerns about the car parking and therefore asked that officers be delegated to grant permission in consultation with him after ascertaining if additional parking spaces could be secured by the applicants.

RESOLVED:

That the officers named in the Scheme of Delegation to Officers be delegated to grant planning permission in consultation with the Local Ward Member after

ascertaining if additional parking spaces could be secured and 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) (received and date stamped 23rd May, 2005)

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

Informative:

1. N15 - Reason for the grant of planning permission

43. DCNC2005/1800/F - ALTERATIONS AND AMENDMENTS TO PREVIOUS PLANNING APPROVAL NC2004/2934/F AT 4 MAPPENORS LANE, LEOMINSTER, HEREFORDSHIRE, HR6 8TG

RESOLVED: THAT

Planning permission be granted subject to the following conditions:

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

The development hereby permitted shall be begun before the expiration of five years from the date of this 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)

The development shall be carried out in all respects strictly in accordance with the approved plans [(drawing nos.)].

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

Informative:

1. N15 - Reason for the Grant of Planning Permission

44. DCNW2004/3784/O - SITE FOR RESIDENTIAL DEVELOPMENT SITE ADJOINING OVERTON FARM, ORLETON, LUDLOW, HEREFORDSHIRE, SY8 4HZ

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.

45. DCNW2004/3790/O - SITE FOR NEW FARM SHOP WITH RESTAURANT FACILITY AT LAND OPPOSITE OVERTON FARM, ORLETON, LUDLOW, HEREFORDSHIRE, SY8 4HZ

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.

46. DCNW2005/1288/F - PROPOSED 2 SINGLE STOREY EXTENSIONS, CHANGE OF USE OF GROUND FLOOR TO RESTAURANT AND NEW VEHICULAR ACCESS AT THE OLD VICARAGE, AYMESTREY, LEOMINSTER, HEREFORDSHIRE, HR6 9SU

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.

47. DCNW2005/1503/F - CONVERSION OF BARN INTO HOLIDAY HOME AT OAK BARN, UPCOTT, ALMELEY, HEREFORDSHIRE, HR3 6LA

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

RESOLVED: THAT

Planning permission be granted subject to the following conditions:

1 - A09 (Amended plans)

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

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 - C02 (Approval of details)

- (a) Window, construction and detail**
- (b) External door construction and detail**
- (c) External roofing material**

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

4 - C11 (Specification of guttering and downpipes)

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

5 - C12 (Repairs to match existing)

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

6 - E15 (Restriction on separate sale)

Reason: It would be contrary to the policy of the local planning authority to grant consent for a separate dwelling in this location.

7 - E16 (Removal of permitted development rights)

Reason: In order that the Local Planning Authority can control development on this site with regards to the historic and architectural significance of the building structure.

8 - E18 (No new windows in specified elevation)

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

9 - E31 (Use as holiday accommodation)

Reason: The local planning authority are not prepared to allow the introduction of a separate unit of residential accommodation, [due to the relationship and close proximity of the building to the property known as Oak Barn in this rural location.

10 - No development approved by this permission shall be commenced until a scheme for the conveyance of foul drainage to a private treatment plant has been submitted to and approved by the Local Planning Authority. No part of the development shall be brought into use until such treatment plant has been constructed.

Reason: To prevent pollution of the water environment.

- 11 - Prior to any development on site the applicants (or whoever is in ownership of the structure subject to this approval), shall have obtained a D.E.F.R.A. Development Licence and a copy will be forwarded to the Local Planning Authority who will of agreed with its contents in writing to the person(s) who need to obtain it prior to any form of development on site.

Reason: In order to safeguard any wildlife species that are protected under The Wildlife and Countryside Act 1981 and the Conservation (Natural Habitats), Regulations 1994.

Informatives:

- 1 - Where septic tanks/private treatment plants are proposed, Circular 3/99 (Planning Requirements in respect of Non-Mains Sewerage) advises in Annex A that the application should be accompanied by a full foul drainage assessment to demonstrate that the proposal will not adversely affect the environment amenity and public health of the vicinity. This assessment should clearly set out the responsibility for and means of operation and maintenance of the plant (see paragraph 4) and provide adequate consideration of the points outlined in paragraph 6.

Reference should also be made to 'Approved document H 2002 Edition', Section H2 paragraphs 1.27-1.30 regarding the siting of the foul effluent soakaway (note the need to be 15m from any building; 10m from any watercourse or permeable drain and 50m from any groundwater abstractions), paragraphs 1.31-1.38 assists with assessing the ground conditions, and Appendix H2A regarding maintenance of the ssystem.

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

48. **DCNW2005/1504/F & DCNW2005/1505/L - CONVERSION OF BARN TO PROVIDE ADDITIONAL ANCILLARY ACCOMMODATION WITH LINK CONSERVATORY AT BANK HOUSE, HIGH STREET, LEINTWARDINE, CRAVEN ARMS, HEREFORDSHIRE, SY7 0LB**

The receipt of a letter of objection from the owner of The Bank adjoining the application property was reported. The objector had raised concerns about the boundary wall between the properties and the Planning Officer suggested that this could be covered by a note referring to the Party Wall Act.

RESOLVED: THAT

NW2005/1504/F

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)**

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

3 - C12 (Repairs to match existing)

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

4 - F16 (Restriction of hours during construction)

Reason: To protect the amenity of local residents.

5 - F41 (No burning of materials/substances during construction phase)

Reason: To safeguard residential amenity and prevent pollution.

6 - All machinery and plant used during the construction period shall be operated and maintained in accordance with BS5228: 1997 Noise and Vibration Control on Construction and Open Sites.

Reason: In the interests of the privacy and amenity of surrounding dwellings.

Informatives:

- 1 - N14 - Party Wall Act 1996
- 2 - N15 - Reason(s) for the Grant of PP/LBC/CAC

NW2005/1505/L

Listed Building Consent to be granted subject to the following conditions:

1 - C01 (Time limit for commencement (Listed Building Consent))

Reason: Required to be imposed by Section 18(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2 - C04 (Details of window sections, eaves, verges and barge boards)

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

3 - C05 (Details of external joinery finishes)

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

4 - C12 (Repairs to match existing)

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

Informatives:

- 1 - N14 - Party Wall Act 1996
- 2 - N15 - Reason(s) for the Grant of PP/LBC/CAC

49. DCNW2005/1542/O - DEMOLITION OF EXISTING DWELLING, GARAGE AND OUTBUILDINGS. SITE FOR CONSTRUCTION OF A RESIDENTIAL DEVELOPMENT OF SIX DWELLINGS AT BURNSIDE, HIGH STREET, LEINTWARDINE, CRAVEN ARMS, HEREFORDSHIRE, SY7 0LQ

In accordance with the criteria for public speaking, Mr. Jackson of Leintwardine Parish Council and Mr. Campbell Kerr spoke against the application.

The Sub Committee had a number of reservations about the application. Members were concerned at the size and scale of the proposed development which they felt would not be in keeping with the adjoining properties or the rest of the village. They had reservations about the impact on Plough Cottage, the nearby Grade II listed building and also on the Leintwardine Conservation Area. They considered that the scheme would over-develop the site and that car-parking provision was inadequate. The scheme did not accord with the adopted Leintwardine Village Design Statement. They took note of the fact that an appeal decision on the site dismissed the development of three detached dwellings as an under development of the site contrary to guidance contained with PPG3 and the Policy H15 of the Unitary Development Plan (revised Deposit Draft). Notwithstanding this they felt that the guidance was outweighed by the adverse impact which they felt that the scheme would have.

The Principal Planning Officer pointed out that the application complied with the Council's planning policies and Government housing density guidelines and that the Highways Department was satisfied with the access proposals.

RESOLVED: THAT

- (a) The Northern Area Planning Sub-Committee is minded to refuse the application for the following reasons and any further reasons felt to be necessary by the Head of Planning Services:**

The application site occupies a prominent and relatively elevated position within a predominantly low density residential area, the landscape quality of which is recognised by its designation within a Landscape Protection Area. The proposed development by reason of the scale, massing and number of dwellings, would result in cramped and unacceptable over-development and the loss of important open space, detrimental to the character and appearance of the site and its environs.

- (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 for the reasons referred to above.**

(Note: The Northern Team Leader said that because of the planning policies involved he would need to refer the application to the Head of Planning Services.)

50. DCNW2005/1552/F - PROPOSED DWELLING TO REPLACE PREVIOUSLY APPROVED DWELLING AT HOUSE PLOT ADJACENT TO STORES AND YEW TREE HOUSE, SHOBDON, HEREFORDSHIRE, HR6 9LX

RESOLVED: THAT

Subject to the comments of the Water Authority, 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 - G01 (Details of boundary treatments)

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

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 - E16 (Removal of permitted development rights)

Reason: To safeguard the character and amenities of the neighbouring property.

8 - 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.

Informatives**1 - N15 - Reason(s) for the Grant of PP/LBC/CAC****51. DCNW2005/1710/F - IMPROVE FIELD ACCESS AT MARSH VIEW FARM, TUNNEL LANE, ORLETON, LUDLOW, HEREFORDSHIRE, SY8 4HY**

In accordance with the criteria for public speaking, Mr. Harris the agent acting on behalf of the applicant spoke in favour of 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 - G12 (Planting of hedgerows which comply with Hedgerow Regulations)

Reason: To ensure that hedges planted are ecologically and environmentally rich and to assist their permanent retention in the landscape.

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

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

Informatives

1 - HN10 - No drainage to discharge to highway

2 - HN01 - Mud on highway

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

52. DCNW2005/1819/F - USE OF LAND AND ERECTION OF WORKSHOP AND OFFICE FOR COACH HIRE BUSINESS AT PAYTOE LANE, LEINTWARDINE, HEREFORDSHIRE

In accordance with the criteria for public speaking, Mr. Jackson of Leintwardine Parish Council and Mrs. Johnson, the agent acting on behalf of the applicant, spoke in favour of the application.

Councillor Mrs. L.O. Barnett, the Local Ward Member, spoke in favour of the application and asked for approval to be granted. The Sub-Committee discussed the salient points of the application and had some concerns about the views of the Environment Agency. The Northern Team Leader said that if the applicant could satisfy the requirements of the Environment Agency, Planning Permission could be granted.

RESOLVED: THAT

The Officers named in the Scheme of Delegation to Officers be delegated to approve the application, subject to the applicant first satisfying the requirements of the Environment Agency and the Environment Agency withdrawing its objection to the application, subject to any conditions felt to be necessary by the Officers.

CHAIRMAN