

MINUTES of the meeting of Southern Area Planning Sub-Committee held at The Council Chamber, Brockington, 35 Hafod Road, Hereford on Wednesday, 3rd August, 2005 at 2.00 p.m.

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

Councillors: M.R. Cunningham, Mrs. C.J. Davis, G.W. Davis,
Mrs. A.E. Gray, Mrs. J.A. Hyde, G. Lucas and J.B. Williams

In attendance: Councillors T.W. Hunt (ex-officio)

36. APOLOGIES FOR ABSENCE

Apologies were received from Councillors H. Bramer, N.J.J. Davies, J.W. Edwards and D.C. Taylor.

CHAIRMAN'S ANNOUNCEMENT

The Chairman advised Members that the next Southern Area Planning Sub-Committee, scheduled for 31st August, 2005, clashed with the opening of the new Peterchurch Police Station. As a number of Members were due to attend the official opening of the Police Station she felt that it would be advisable to move the start time of the Sub-Committee from 2.00 pm to 10.30 am.

37. DECLARATIONS OF INTEREST

The following declarations of interest were made:

Councillor	Item	Interest
Councillor G. Lucas	Item 6 – DCSE2005/1640/F – Proposed bungalow and vehicular access at: The Orchard, Bannutree Lane, Bridstow, Ross-on-Wye, Herefordshire, HR9 6AJ	The Member declared a Prejudicial Interest and left the meeting for the duration of the item.
Councillor Mrs. J.A. Hyde	Item 11 – DCSE2005/1881/F – Proposed 2 no. linked town houses, at: Merrivale Farm, Merrivale Lane, Ross-on-Wye, Herefordshire, HR9 5JL	The Member declared a Prejudicial Interest and left the meeting for the duration of the item.

Councillors Mrs. J.A. Hyde and G. Lucas	Item 12 – DCSE2005/0949/F & DCSE2005/0951/C – Demolition of existing 1970's hall and living accommodation. Construction of new block of 8 no. flats at: St. Josephs Convent, Walford Road, Ross-on-Wye, Herefordshire, HR9 5PQ	Both Members declared a Personal Interest.
---	--	--

38. MINUTES

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

39. ITEM FOR INFORMATION - APPEALS

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

40. DCSE2005/0949/F & DCSE2005/0951/C - ST JOSEPHS CONVENT, WALFORD ROAD, ROSS-ON-WYE, HEREFORDSHIRE, HR9 5PQ (AGENDA ITEM 12)

Demolition of existing 1970's hall and living accommodation. Construction of new block of 8 no. flats.

The Chairman decided that this item would be moved to the start of the agenda as the Sub-Committee endeavour to decide applications that have been deferred for a site inspection at the start of the next meeting.

Councillor Mrs. A.E. Gray, one of the Local Ward Members, felt that the application site was too small for the proposed development. She felt that this would make the building too oppressive and not suitable for a site within an Area of Outstanding Natural Beauty.

Councillor Mrs. C.J. Davis, the other Local Ward Member, noted the concerns of the local residents and felt that the flat roof proposed in the application was not in keeping with other dwellings in the area.

Councillor J.B. Williams felt that the application was acceptable. He also said that the inclusion of a pitched roof would not be suitable as it would make the building considerably higher.

Councillor M.A. Cunningham felt that the proposal was too oppressive and overlooked neighbouring properties.

RESOLVED:

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

1. Effect on amenity of neighbours
2. Over dominance
3. Over looking
4. Design is out of character of a conservation area

(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 Southern Team Leader said that he would not refer the application to the Head of Planning Services]

41. DCSE2005/1414/F - MAY HOUSE, MILL ORCHARD, WESTON UNDER PENYARD, ROSS-ON-WYE, HEREFORDSHIRE, HR9 7PE (AGENDA ITEM 5)

First floor extension over garage.

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.

Informative(s):

1. N03 - Adjoining property rights

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

42. DCSE2005/1640/O - THE ORCHARD, BANNUTREE LANE, BRIDSTOW, ROSS-ON-WYE, HEREFORDSHIRE, HR9 6AJ (AGENDA ITEM 6)

Proposed bungalow and vehicular access.

In accordance with the Criteria for Public Speaking, Mr. Goldsworthy, the applicant's agent, spoke in support of the application.

Councillor Mrs. J.A. Hyde, the Local Ward Member, noted that a number of recent developments had been omitted from the site map included in the Officer's report. She also said that a number of backland developments had been permitted in the locality and that she felt that the application should be approved.

In response to a question raised by the Local Ward Member, the Southern Team Leader advised the Sub-Committee that the maps were created using the latest Ordnance Survey information. He also said that although some backland development had been permitted previously in the area, he felt that the proposed site

would be unacceptable for a new dwelling as the new access would adversely affect the residential amenity of the existing dwelling.

Members discussed the application and felt that the proposal was acceptable and did not constitute unacceptable backland development.

RESOLVED:

That: (i) The Southern 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.

(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 approve the application subject to such conditions referred to above.

[Note: The Southern Team Leader said that he would not refer the application to the Head of Planning Services]

43. DCSE2004/3555/F - LITTLE CANWOOD, CHECKLEY, HEREFORDSHIRE, HR1 4NF (AGENDA ITEM 7)

Replacement two storey dwelling.

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. AO9 (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. 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. E16 (Removal of permitted development rights)

Reason: To protect the visual amenities of the countryside.

7. The dwelling hereby approved shall not be occupied until the existing bungalow, attached garage and mobile home have been demolished and the materials permanently removed from the land.

Reason: To comply with the Council's rural housing policies and to protect the visual amenities of the area.

8. H06 (Vehicular Access Construction)

Reason: In the interests of Highway Safety.

9. H08 (Access Closure)

10. H12 (Parking and Turning – Single House)

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

Informative:

1. N15 - REASON(S) FOR THE GRANT OF PLANNING PERMISSION.

44. DCSE2004/2165/F - LAND ADJOINING, JESSAMINE COTTAGE, WOODEND LANE, GORSLEY, ROSS-ON-WYE, HEREFORDSHIRE, HR9 7SF (AGENDA ITEM 8)

Increase in domestic curtilage of Jessamine Cottage and for the parking of commercial vehicles within extended curtilage.

Members felt that the site should be monitored closely and that any conditions should be enforced in order to alleviate the concerns raised by the local residents.

RESOLVED

That planning permission be granted subject to the following conditions:

1. The use of the land hereby approved shall be used solely for domestic/residential purposes incidental to the enjoyment of the existing adjoining dwelling as such, and not for the operation of any trade or business. The parking of any commercial vehicles within the original/new curtilage of the dwelling shall be limited to the criteria set out in the applicant's letter of explanation dated 26th April, 2005 unless otherwise first agreed in writing by the local planning authority.

Reason: To define the terms to which this planning permission relates and to protect the residential amenities and character of the surrounding area.

2. The existing trees and hedgerows (including those recently planted) within the whole of the application site, i.e. the new and original curtilage, shall be retained unless otherwise first agreed in writing by the local planning authority.

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

Informative(s):

1. **N03 - Adjoining property rights**
2. **N15 - Reason(s) for the Grant of Planning Permission**

45. DCSE2005/1867/F & DCSE2005/1873/L - 12 BROOKEND STREET, ROSS-ON-WYE, HEREFORDSHIRE, HR9 7EG (AGENDA ITEM 9)

Conversion of existing showroom to form 2 flats and erection of new building to provide 4 flats (revised scheme).

The Principal Planning Officer reported the receipt of 4 letters of objection from the residents and management team at Fontaine Court. He also advised Members that Welsh Water had withdrawn their objection subject to conditions being added.

RESOLVED

In respect of DCSE2005/1867/F

Subject to receipt of acceptable revised drawings regarding fenestration and siting and Welsh Water withdrawing their objection 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. **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.**

- (a) **external materials and finishes**
- (b) **windows, dormers, rooflights and doors, including details of joinery**
- (c) **rainwater goods, cills, fascias and bargeboards**
- (d) **boundary walls including height and materials of construction**
- (e) **new doors and door mouldings**

The development shall be carried out in accordance with the approved details.

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

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

- 6. E18 (No new windows in specified elevation)**

Reason: In order to protect the residential amenity of adjacent properties.
- 7. F32 (Details of floodlighting/external lighting)**

Reason: To safeguard local amenities.
- 8. The finished floor level shall be set at 33.60m AOD unless otherwise agreed in writing by the local planning authority.**

Reason: To ensure that the dwellings do not flood.
- 9. 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.
- 10. Foul water and surface water discharges must be drained separately from site.**

Reason: To protect the integrity of the public sewerage system.
- 11. No surface water shall be allowed to connect (either directly or indirectly) to the public sewerage system.**

Reason: To prevent hydraulic overload of the public sewerage system and pollution of the environment.
- 12. No land drainage run-off will be permitted to discharge to the public sewerage system.**

Reason: To prevent hydraulic overload of the public sewerage system and pollution of the environment.

Informatives:

- 1. The Environment Agency recommends that in areas at risk of flooding consideration be given to the incorporation into the design and construction of the development of flood proofing measures. These include barriers on ground floor doors, windows and access points and bringing in electrical services into the building at a high level so that plugs are located above possible flood levels. Additional guidance can be found in the Environment Agency Floodline Publication 'Damage Limitation'. A free copy of this is available by telephoning 0845 988 1188. Reference should also be made to the Office of the Deputy Prime Minister publication 'Preparing for Floods'.**
- 2. N15 - Reason(s) for the Grant of Planning Permission.**

In respect of DCSE2005/1873/L:

Subject to receipt of acceptable revised drawings regarding fenestration and siting and Welsh Water withdrawing their objection 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. 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. C02 (Approval of details)

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

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. D01 (Site investigation - archaeology)

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

6. F32 (Details of floodlighting/external lighting)

Reason: To safeguard local amenities.

Informative:

1. N15 - Reason(s) for the Grant of Listed Building Consent.

46. DCSE2005/1648/F - OUR LADY OF ST. TERESA OF LISEUX RC CHURCH, WHITCHURCH, SYMONDS YAT, HERFORDSHIRE, HR9 6AJ (AGENDA ITEM 10)

Proposed conversion of redundant church building to form one residential dwelling.

The Principal Planning Officer reported the receipt of revised plans from the applicant's agent, he also reported the receipt of a letter from the Environment Agency who objected to the application on the grounds that the application site fell within a high flood risk area. In response to a question, the Principal Planning Officer advised Members that the Environment Agency would not have been consulted regarding the original application as the site had only been included in the Flood Zone maps since August 2004.

The Chairman, speaking in her capacity of Local Ward Member, noted the concerns raised by local residents but felt that the revised plans had addressed these concerns.

RESOLVED

That subject to submission of acceptable revised drawings, 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. A09 (Amended plans)**

Reason: To ensure the development is carried out in accordance with the amended plans.
- 3. E19 (Obscure glazing to windows)**

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

Reason: In order to protect the residential amenity of adjacent properties.
- 5. H05 (Access gates)**

Reason: In the interests of highway safety.
- 6. 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.
- 7. W01 (Foul/surface water drainage)**

Reason: To protect the integrity of the public sewerage system.
- 8. W03 (No drainage run-off to public system)**

Reason: To prevent hydraulic overload of the public sewerage system and pollution of the environment.
- 9. E16 (Removal of permitted development rights)**

Reason: To protect the amenities of neighbours.
- 10. Notwithstanding the approved drawing no. 101-04-Planning A, the dwelling shall not be occupied until a stone wall has been constructed at the rear of the visibility splays in accordance with details which have been submitted to and approved in writing by the local planning authority.**

Reason: To protect the visual amenities of the area.
- 11. G04 (Landscaping scheme (general))**

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

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

Informative(s)

1. HN01 – Mud on highway
 2. HN05 – Works within the highway
 3. HN10 – No drainage to discharge to highway
 4. N15 – Reasons(s) for the Grant of Planning Permission
47. DCSE2005/1881/F - MERRIVALE FARM, MERRIVALE LANE, ROSS-ON-WYE, HEREFORDSHIRE, HR9 5JL (AGENDA ITEM 11)

Proposed 2. no. linked town houses.

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. G01 (Details of boundary treatments)
Reason: In the interests of visual amenity and to ensure dwellings have satisfactory privacy.
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. 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. F32 (Details of floodlighting/external lighting)
Reason: To safeguard local amenities.
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.

Informative(s):

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

The meeting ended at 2.57 p.m.

CHAIRMAN