

MINUTES of the meeting of Central Area Planning Sub-Committee held at The Council Chamber, Brockington, 35 Hafod Road, Hereford on Wednesday, 24th August, 2005 at 2.00 p.m.

Present: Councillor R. Preece (Vice-Chairman in the Chair)

Councillors: Mrs. P.A. Andrews, Mrs. E.M. Bew, Mrs. S.P.A. Daniels, J.G.S. Guthrie, Mrs. M.D. Lloyd-Hayes, R.I. Matthews, J.W. Newman, Mrs. J.E. Pemberton, Ms. G.A. Powell, R. Preece, Miss F. Short, W.J.S. Thomas, Ms. A.M. Toon, W.J. Walling, D.B. Wilcox and R.M. Wilson.

In attendance: Councillors T.W. Hunt

40. APOLOGIES FOR ABSENCE

Apologies for absence had been received from Councillors Mrs. W.U. Attfield, A.C.R. Chappell, D.J. Fleet, G.V. Hyde, J.C. Mayson, Mrs. S.J. Robertson and A.L. Williams.

41. DECLARATIONS OF INTEREST

The following declarations of interests were made:

Councillors	Item	Interest
D.B. Wilcox	Agenda Item 6, Minute 45 DCCW2004/0394/M Part of O.S. Parcel 2980, Upper Lyde Gravel Pit, Upper Lyde, Herefordshire	Declared a prejudicial interest and left the meeting for the duration of this item.
D.B. Wilcox	Agenda Item 7, Minute 46 DCCW2004/0393/F Moreton Road, Upper Lyde, Hereford	Declared a prejudicial interest and left the meeting for the duration of this item.
Mrs. S.P.A. Daniels and Mrs. P.A. Andrews	Agenda Item 8, Minute 47 DCCW2005/2334/F Starting Gate Travel Inn, Holmer Road, Hereford, HR4 9RS	Mrs. S.P.A. Daniels declared a prejudicial interest and left the meeting for the duration of this item. Mrs. P.A. Andrews declared a personal interest.
Mrs. S.P.A. Daniels and D.B. Wilcox	Agenda Item 11, Minute 50 DCCE2005/2321/F 4 Carter Grove, Hereford, Herefordshire, HR1 1NT	Both Members declared personal interests.

42. MINUTES

A sheet containing amendments to the Minutes was circulated at the meeting.

RESOLVED: That the Minutes of the last meeting held on 27th July, 2005 be approved as amended as a correct record and signed by the Chairman.

43. ITEM FOR INFORMATION - APPEALS

The Sub-Committee received an information report in respect of the planning appeals for the central area.

RESOLVED: That the report be noted.

[Note: For the efficient transaction of business, site inspections were agreed at the start of the meeting in respect of Agenda Item 6 (Minute 45), Item 7 (Minute 46) and Item 11 (Minute 50). The Sub-Committee also agreed to undertake a site inspection in respect of planning application DCCE2005/2536/F – Carfax House, Aylestone Hill, Hereford]

44. DCCW2005/1908/F - 4 AMYAND DRIVE, HEREFORD, HEREFORDSHIRE, HR4 0LU

Demolition of existing conservatory and garage, erection of two storey extension to side and conservatory to rear.

Councillor Mrs. E.M. Bew, a Local Ward Member, noted the value of the site inspection that had been undertaken.

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. B02 (Matching external materials (extension)).

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

4. E18 (No new windows in specified elevation).

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

5. E19 (Obscure glazing to windows).

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

6. H05 (Access Gates).

Reason: In the interests of highway safety.

Informatives:

- 1. N03 - Adjoining property rights.**
- 2. HN5 – Works within the highway.**
- 3. HN10 – No drainage to discharge to highway.**
- 4. N14 - Party Wall Act 1996.**
- 5. N15 - Reason(s) for the Grant of PP.**

45. DCCW2004/0394/M - PART OF O.S. PARCEL 2980, UPPER LYDE GRAVEL PIT, UPPER LYDE, HEREFORDSHIRE

Variation of conditions 4, 12, 14, 19, 22, 23, 26 & 27 on pp ref CW2001/0769/M - for the extraction of sand and gravel.

Councillor Mrs. S.J. Robertson, the Local Ward Member, thanked the Team Leader (Minerals and Waste) for his work and detailed reports on applications DCCW2004/0394/M and DCCW2004/0393/F. However, Councillor Mrs. Robertson felt that the Sub-Committee would benefit from a site inspection given the extent of local concerns and the fact that a number of Members had not seen the site.

In accordance with the criteria for public speaking, Mr. F. Bradley had registered to speak on behalf of Pipe and Lyde Parish Council and Mr. A.W.C. Morris (Windrush, Portway, Burghill) had registered to speak in objection to the applications. Both speakers said that they would reserve their right to speak until the applications were considered by the Sub-Committee following the site inspection.

RESOLVED:

That consideration of the application be deferred for a site inspection on the following grounds:

- **a judgement is required on visual impact; and**
- **the setting and surroundings are fundamental to the determination or to the conditions being considered.**

46. DCCW2004/0393/F - MORETON ROAD, UPPER LYDE, HEREFORD

Variation of condition 6 on CW2001/1427/F - widening of carriageway and construction of 6 passing bays.

[Note: The Sub-Committee agreed to undertake a site inspection in conjunction with application DCCW2004/0394/M above.]

RESOLVED:

That consideration of the application be deferred for a site inspection on the

following grounds:

- a judgement is required on visual impact; and
- the setting and surroundings are fundamental to the determination or to the conditions being considered.

47. DCCW2005/2334/F - STARTING GATE TRAVEL INN, HOLMER ROAD, HEREFORD, HR4 9RS

Two storey extension to hotel.

The Central Team Leader reported the receipt of a letter of objection from Mr. M. Davis of 21 Glenthorne Road and summarised the contents of the letter. The Central Team Leader also reported the receipt of comments from the Environmental Health Officer; whilst there was no objection in principle, some concerns about levels of activity were noted but it was felt that any potential noise issues could be adequately mitigated through landscaping and acoustic fencing.

In accordance with the criteria for public speaking, Mr. L. White (19 Glenthorne Road, Hereford) spoke in objection to the application and Mr. M. Thackeray (the applicant's agent) spoke in support of the application.

In response to some of the points raised by speakers, the Central Team Leader clarified that:

- given that this application related to the hotel and not the public house, it would be difficult to condition the use of the public house car park but an informative note could highlight the concerns of Members and local residents about noise issues;
- the layout had been carefully considered and it was felt that the 'L' shaped extension was appropriate given that it would have little visual impact outside of the application site;
- a scheme of noise attenuating measures would be required through a condition on any planning permission granted.

Councillor Mrs. P.A. Andrews, a Local Ward Member, commented that this proposal would have no direct impact on the locality and that there was a shortage of medium priced hotel accommodation in Hereford. However, the concerns of local residents about noise were noted and she urged the applicant to manage the customers of the public house better and to comply with the conditions fully. Councillor Ms. A.M. Toon, also a Local Ward Member, supported these views.

A number of Members noted the need for hotel accommodation and welcomed the assurances given by the applicant's agent regarding noise control.

RESOLVED:

That planning permission be granted subject to the following conditions:

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

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

- 2. A08 (Development in accordance with approved plans and materials).**

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

- 3. F32 (Details of floodlighting/external lighting).**

Reason: To safeguard local amenities.

- 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. F01 (Scheme of noise attenuating measures).**

Reason: To safeguard the amenity of the area.

- 7. F38 (Details of flues or extractors).**

Reason: In the interests of the amenity of the area.

- 8. G01 (Details of boundary treatments).**

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

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

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

- 10. G05 (Implementation of landscaping scheme (general)).**

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

- 11. G27 (Landscape maintenance arrangements).**

Reason: In the interests of visual and residential amenity.

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

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

- 13. 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.

Informatives:

- 1. N01 - Access for all.**

- 2. N08 - Advertisements.**

3. **HN01 - Mud on highway.**
4. **N15 - Reason(s) for the Grant of PP.**

48. DCCE2005/1530/F - WALNEY BARN, AYLESTONE HILL, HEREFORD, HR1 1JJ

Demolition of existing Dutch barn erection of new private residence and attached double garage.

Councillor D.B. Wilcox, the Local Ward Member, noted that the principle of development was acceptable but expressed concerns about the drainage arrangements. Councillor Wilcox noted that mains provision was likely to be improved in the area in the not too distant future and he felt that the property should be connected to a mains foul sewer when reasonably available. Councillor W.J.S. Thomas supported these views.

In response, the Central Team Leader commented that, whilst drainage was a material planning consideration, conditions needed to be reasonable and there was no certainty about the timing of mains availability. He suggested that an informative note could be added to any planning permission granted to highlight the issue to the applicant and future occupants of the property.

Councillor R.I. Matthews commented that there appeared to be sufficient space for an alternative drainage system. Councillor Thomas responded by saying that alternative systems often failed after a number of years and that mains drainage was the only acceptable solution in this location. Councillor Wilcox also noted that the site was elevated which could have an effect on the efficiency of an alternative system.

The Head of Planning Services advised that the prospect of compliance was an important consideration and noted that no date for mains connection could be anticipated. He added that an unreasonable condition could leave the Authority vulnerable to challenge.

It was noted that recommended conditions 9 and 10 dealt with foul drainage disposal and it was suggested that these conditions could be emphasised.

In response to a suggestion that the application be deferred, the Principal Planning Officer reported that the application was to be considered at the last meeting but was held pending further advice from Environmental Health. It was noted that Officers considered the drainage arrangements to be adequate.

The Development Control Manager suggested that a condition requiring connection to a mains foul sewer 'as soon as is reasonably practicable' would be more reasonable.

RESOLVED:

That planning permission be approved subject to the following conditions:

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

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

2. **A08 (Development in accordance with approved plans and materials).**

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

- 3. E09 (No conversion of garage to habitable accommodation).**

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

- 4. E16 (Removal of permitted development rights).**

Reason: Due to the restricted nature of the application site and in the interests of preserving the special architectural design of the development.

- 5. No balcony shall be introduced without the grant of further specific permission from the local planning authority.**

Reason: To safeguard the amenities of the locality.

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

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

- 7. E19 (Obscure glazing to windows).**

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

- 8. F16 (Restriction of hours during construction).**

Reason: To protect the amenity of local residents.

- 9. F18 (Scheme of foul drainage disposal).**

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

- 10. F28 (No discharge of foul/contaminated drainage).**

Reason: To prevent pollution of the water environment

- 11. G01 (Details of boundary treatments).**

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

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

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

- 13. G05 (Implementation of landscaping scheme (general)).**

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

- 14. G10 (Retention of trees).**

Reason: In order to preserve the character and amenities of the area.

15. H05 (Access gates).

Reason: In the interests of highway safety.

16. H09 (Driveway gradient).

Reason: In the interests of highway safety.

17. 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.

18. H21 (Wheel washing).

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

19. The dwelling hereby approved shall, as soon as is reasonably practicable, be connected to mains sewerage and the existing private drainage facilities shall then be removed and the land reinstated all in accordance with a scheme of works and timetable to be submitted to, and approved in writing by, the local planning authority.

Reason: In the interests of land amenity and securing effective long term drainage for this site.

Informatives:

1. N01 - Access for all.
2. N03 - Adjoining property rights.
3. HN01 - Mud on highway.
4. HN05 - Works within the highway.
5. HN10 - No drainage to discharge to highway.
6. N15 - Reason(s) for the Grant of PP/LBC/CAC.

49. DCCE2005/2124/O - NETHWAY, LOWER BULLINGHAM, HEREFORD, HEREFORDSHIRE, HR2 6EE

Site for ten new dwellings.

In accordance with the criteria for public speaking, Mrs. Ballantyne (61 St Clares Court, Lower Bullingham) had registered to speak in objection to the application but was not present at the meeting and Mr. C.F. Butt (the applicant) had registered to speak in support of the application but decided not to speak.

RESOLVED:

That planning permission be granted subject to the following conditions:

1. **A02 (Time limit for submission of reserved matters (outline permission)).**
Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990.
2. **A03 (Time limit for commencement (outline permission)).**
Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990.
3. **A04 (Approval of reserved matters).**
Reason: To enable the local planning authority to exercise proper control over these aspects of the development.
4. **A05 (Plans and particulars of reserved matters).**
Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990.
5. **B01 (Samples of external materials).**
Reason: To ensure that the materials harmonise with the surroundings.
6. **E18 (No new windows in specified elevation).**
Reason: In order to protect the residential amenity of adjacent properties.
7. **F16 (Restriction of hours during construction).**
Reason: To protect the amenity of local residents.
8. **F18 (Scheme of foul drainage disposal).**
Reason: In order to ensure that satisfactory drainage arrangements are provided.
9. **G01 (Details of boundary treatments).**
Reason: In the interests of visual amenity and to ensure dwellings have satisfactory privacy.
10. **G08 (Retention of trees/hedgerows (outline applications)).**
Reason: To safeguard the amenity of the area.
11. **H03 (Visibility splays).**
Reason: In the interests of highway safety.
12. **H18 (On site roads - submission of details).**
Reason: To ensure an adequate and acceptable means of access is available before the dwelling or building is occupied.

13. H27 (Parking for site operatives).

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

14. To ensure the Withy Brook Site of Interest for Nature Conservation adjacent to the proposed development site is protected and its nature conservation potential enhanced, an Ecological Method Statement shall be submitted to, and agreed by, Herefordshire Council's Ecologist prior to any development. Details of this statement should include measures to safeguard the broadleaved bank-side vegetation and the aquatic life of the Brook during and after development operations together with a plan for ecological management and enhancement. The method statement shall be agreed with Herefordshire Council's Ecologist prior to development.

Reason: To comply with Herefordshire Council's UDP Policy NC1, NC4, NC6, NC7, NC8 and NC9 and HBA9.8 in relation to Nature Conservation and Biodiversity.

Informatives:

- 1. HN05 - Works within the highway.**
- 2. HN08 - Section 38 Agreement details.**
- 3. The applicant/developer is advised that the proposed detailed layout should include predominantly terraced houses of two and three bedroom in size. The two bedroom houses should be around 70 sq metres of habitable living space and the three bedroom properties should be around 90 sq metres of habitable living space.**
- 4. The applicant/developer is advised that the site lies within a floodplain and Holme Lacy Road providing access to the site is particularly prone to flooding.**
- 5. N15 - Reason(s) for the Grant of PP/LBC/CAC.**

50. DCCE2005/2321/F - 4 CARTER GROVE, HEREFORD, HEREFORDSHIRE, HR1 1NT

First floor extension to existing dwelling.

In accordance with the criteria for public speaking, Mr. R. Ferriday (Cranberry, 49a Folly Lane, Hereford) spoke in objection to the application and Ms. L. Timmer (the applicant's agent) spoke in support of the application.

Councillor D.B. Wilcox, a Local Ward Member, noted that the speakers had raised some important points and felt that the Sub-Committee would benefit from a site inspection.

RESOLVED:

That consideration of the application be deferred for a site inspection on the following grounds:

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

51. DCCW2005/2176/O - LAND ADJACENT TO FOURTH MILESTONE HOUSE, SWAINSHILL, HEREFORD, HR4 7QE

Erection of two dwellings.

Councillor R.I. Matthews, the Local Ward Member, noted local residents' concerns regarding potential overdevelopment and highways safety considerations and felt that the Sub-Committee would benefit from a site inspection.

In accordance with the criteria for public speaking, Mr. Smith (the applicant's agent) had registered to speak in support of the application but was not present at the meeting.

RESOLVED:

That consideration of the application be deferred for a site inspection on the following grounds:

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

52. DATE OF NEXT MEETING

It was noted that the date of the next scheduled meeting was Wednesday 21st September, 2005.

The meeting ended at 2.50 p.m.

CHAIRMAN