

**MINUTES of the meeting of Southern Area Planning Sub-Committee held at The Council Chamber, Brockington, 35 Hafod Road, Hereford on Wednesday, 28th September, 2005 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, J.W. Edwards, Mrs. A.E. Gray, T.W. Hunt,  
G. Lucas, D.C. Taylor and J.B. Williams

**58. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Mrs J.A. Hyde.

**59. DECLARATIONS OF INTEREST**

There were no declarations of interest made.

**60. MINUTES**

**RESOLVED:** That the Minutes of the meeting held on 31<sup>st</sup> August 2005 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.

**RESOLVED:** That the report be noted.

**62. DCSW2004/1564/O - THE BOWER COTTAGE, KINGSTHORNE, HEREFORD, HR2 8AN**

*Erection of dwelling and shared car parking.*

In accordance with the criteria for public speaking, Mr Tweddell and Mr Lea spoke in objection to the application.

The local member, Councillor G.W. Davis, queried a report from Halcrow, which had been commissioned by local residents and which stated that visibility splays should be 2m x 90m as a minimum. The Principal Planning Officer referred to Paragraph 6.2 of the report, and confirmed that both the current Traffic Manager and his predecessor had read the report and had stated that the visibility splay and access separation recommended were not mandatory in this circumstance. The Development Control Manager explained that the 90m splay was a usual requirement in urban areas, and because this application was on an unclassified road in a rural area, it had to be judged on its own merits.

Some members said that they could not support the application because they felt it was a serious traffic hazard due to the site access being so close to a corner and a road junction. Other members expressed concerns about surface and foul water drainage.

The Local member felt that there were insufficient grounds to refuse the application, and suggested that it be approved, subject to the provision of a public footway alongside the road to the point where the hedgerow had been removed.

**RESOLVED: That planning permission be granted subject to the following conditions, and subject to the provision of a public footway :**

**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.    The means of foul drainage disposal shall be strictly in accordance with the Consent to Discharge dated 20th May, 2003.**

**Reason: To prevent pollution of the water environment.**

**6.    H01 (Single access - not footway )**

**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. 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.

12. H27 (Parking for site operatives )

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

**Informative(s):**

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. HN24 - Drainage other than via highway system
6. N15 - Reason(s) for the Grant of Planning Permission

63. DCSE2005/2311/F - CHAPEL MILL COTTAGE, BROMSASH, ROSS-ON-WYE,  
HR9 7PL

*Two-storey extensions and alterations.*

The Southern Team Leader reported that on the original plans, the rear kitchen extension had been two-storey. Later, this had been amended to one-storey, and the consultees had not been notified of the amendment. He requested deferral of the application to enable proper consultation to take place.

Ms J Foley of Linton Parish Council, C Rogers (an objector), and Mr S. Edwards (on behalf of the applicant) were present and had registered to speak on the application. They reserved their right to speak until the application next appeared before the Sub-Committee.

**RESOLVED:** That consideration of the application be deferred to enable consultation to take place in respect of the amended plans.

64. DCSE2005/2475/F - THE GRANGE, ASTON CREWS, ROSS-ON-WYE,  
HEREFORDSHIRE

*Removal of Condition 2 from Planning Permission SE2004/4117/F, dated 16/02/05.*

The Local Member Councillor H. Bramer, expressed concern that removal of the condition would lead to the formation of two separate dwellings on the site. He felt that this was not in keeping with the original application, and that there was no merit in creating two dwellings. He stated that the application should be refused for these reasons.

The Principal Planning Officer explained that originally, Condition 2 had been

imposed to link the main building to the ancillary building, so that they could not be made into two separate dwellings. This was because the application at that time had not provided details of physical separation, car parking and garden for each residential unit. He said that the current application had addressed all of the outstanding issues, and had provided sufficient details of access, parking and cartilage. The reason for imposing Condition 2 no longer existed as a result. He said that there were no longer any grounds to retain Condition 2, and that the application should be approved. The Development Control Manager added that the principle of having two separate dwellings on the site was in keeping with planning policy.

Members noted that both parish councils consulted on the application, had been opposed to the removal of the condition because they did not support the principle of two separate dwellings. Having considered all of the information on the application, they felt that it should be refused for the reasons stated by the parish councils, and because they felt that the ancillary building, as a separate dwelling, would be detrimental to the setting or the main Listed Building.

**RESOLVED:**

**That (i) the Southern Area Planning Sub-Committee is minded to refuse the application, subject to the reason 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. the separate ancillary dwelling on the site will be detrimental to the setting of the main Listed Building.**

**(ii) If the Head of Planning Services does not refer the application to the Planning Committee, officers named on the Scheme of Delegation to Officers be instructed to refuse the application, subject to such reasons for refusal referred to above.**

*[Note: Following the vote on this application, the Development Control Manager advised that he would refer the decision to the Head of Planning Services, on the grounds that the Sub-Committee's view might not be defensible if challenged. ]*

**65. DCSE2005/2162/F - THE OLD SCHOOL HOUSE, BRAMPTON ABBOTS, ROSS-ON-WYE, HEREFORDSHIRE, HR9 7JE**

*Extension of entrance hall including cloaks and sun lounge.*

In accordance with the criteria for public speaking, Mr Cunningham the applicant, spoke in support 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. A09 (Amended plans )**

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

**3. C02 (Approval of details )**

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

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

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

**Informative(s):**

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

**66. DCSE2005/2677/F - GOODRICH CASTLE, GOODRICH, ROSS-ON-WYE, HEREFORDSHIRE, HR9 6HX**

*Visitor Centre incorporating café, retail area and public conveniences.*

In accordance with the criteria for public speaking, Mr J. Cripwell spoke in objection to the application, and Mr R. Parkes spoke in support.

Members noted that there had been problems in Castle Lane on large event days, when visitors had used the lane for overspill parking. This had lead to residents being unable to manoeuvre in and out of their properties safely, and concern was expressed that the application might worsen the situation. Members acknowledged that the applicant would consider changing the events programme to minimise parking problems.

The Sub-Committee considered the possibility of creating overspill car parking elsewhere.. The principal Planning Officer reported that a private landowner had previously allowed parking on his land. This could not be made a condition of the application, however, because the land was not in the applicant's ownership. In response to a question, he confirmed that parking spaces on the Castle car park could be maximised through careful demarcating of spaces.

Having considered all matters in relation to the application, members agreed that it should be approved, subject to demarcating parking spaces on the car park to gain the maximum capacity. The Chairman also commented that individual householders in Castle Lane could request white "H" lines to be painted on the carriageway to prevent parking in front of their driveways.

**That planning permission be granted subject to the following conditions, and subject to demarcating car parking spaces:**

**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 W01 (Foul/surface water drainage )**

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

**6 W02 (No surface water to connect to public system )**

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no detriment to the environment.

**7 W03 (No drainage run-off to public system )**

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

**Informatives:**

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

**2 N15 – Reason(s) for the Grant of Planning Permission**

**67. DCSE2005/1396/F - LAND OFF THE BRAMBLES, LEA, ROSS-ON-WYE, HEREFORDSHIRE**

*Construction of 11 no. dwellings with access road.*

In accordance with the criteria for public speaking, Mr R. Fowler spoke in objection to the application.

The local member, Councillor H. Bramer, said that there had been significant local concern about the application, based on the fact that the proposed access to the site was onto a busy highway, and might present a traffic hazard. Some members felt that the proposed density of the dwellings was not in keeping with the area, and that the application would be detrimental to the amenity of the neighbouring properties.

The Sub-Committee acknowledged that the application was in accordance with the relevant planning policies, from the point of parking, access and density, and agreed that it should be approved.

**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 a financial contributions to meet the need for additional educational facilities at John Kyrle High School and towards improvement/maintenance of children’s play facilities in Lea and any additional matters and terms as she considers appropriate.**
- 2)    Upon completion of the aforementioned planning obligation that the officers named in the Scheme of Delegation to Officers be authorised to issue planning permission 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     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     G01 (Details of boundary treatments )**

**Reason: In the interests of visual amenity and to ensure dwellings have satisfactory privacy.**
  - 7     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.**
  - 8     F16 (Restriction of hours during construction )**

**Reason: To protect the amenity of local residents.**
  - 9     F32 (Details of floodlighting/external lighting )**

**Reason: To safeguard local amenities.**
  - 10    No development within the application shall be undertaken unless the proposed improvements as shown on drawing number 7764/1A and listed below have been designed as far as possible in accordance with Highways Agency Road Geometry standard**

**"TD41/95 Vehicular Access to All Purpose Trunk Roads" and completed to the satisfaction of the Local Planning Authority after consultation with the Highway Agency.**

- Re-grading of the bak to the north-west of the access and removal of a small tree (in order to achieve full visibility of 90m)**
- Relocation of an existing road sign and cutting back of foliage located to the south east of the access.**

**Reason: Highways Agency direction.**

- 11 No development within the application shall be undertaken unless the proposed improvements as shown on drawing number J051/1 and listed below have been designed as far as possible in accordance with Highways Agency Road Geometry standard "TD41/95 Vehicular Access to All Purpose Trunk Roads" and completed to the satisfaction of the Local Planning Authority after consultation with the Highway Agency.**

- Re-grading of the bak to the north-west of the access and removal of a small tree (in order to achieve full visibility of 90m)**
- Relocation of an existing road sign and cutting back of foliage located to the south east of the access.**
- Closure of the existing vehicular access to the property known as Tregarth and closure of an existing field access.**
- Improved pedestrian facilities.**

**Reason: Highways Agency direction.**

- 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 W01 (Foul/surface water drainage )**

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

- 14 W02 (No surface water to connect to public system )**

**Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no detriment to the environment.**

- 15 W03 (No drainage run-off to public system )**

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

**Informatives:**

- 1      N02 - SECTION 106 OBLIGATION**

- 2      The highway proposals associated with this consent involve works within the public highway, which is land over which you have no control. The**



**Highways Agency therefore requires you to enter into a suitable legal agreement to cover the design and construction of the works. Please contact Jon McCarthy of the Highways Agency's Area 9 team at an early stage to discuss the details of the highways agreement, his contact details are as follows: tel no. 0121 678 8742, C4/5 Broadway, Broad Street, Birmingham B15 1BL**

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

The meeting ended at 3.19 p.m.

**CHAIRMAN**