

MINUTES of the meeting of Southern Area Planning Sub-Committee held at The Council Chamber, Brockington, 35 Hafod Road, Hereford on Wednesday, 26th October, 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, Mrs. A.E. Gray, D.C. Taylor and
J.B. Williams

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

68. APOLOGIES FOR ABSENCE

Apologies were received from Councillors Mrs. J.A. Hyde and G. Lucas.

69. DECLARATIONS OF INTEREST

There were no declarations of interest made.

70. MINUTES

RESOLVED: That the Minutes of the meeting held on 28th September, 2005 be approved as a correct record and signed by the Chairman.

71. ITEM FOR INFORMATION - APPEALS

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

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

Proposed two-storey extensions and alterations.

The Southern Team Leader reported the receipt of a further letter from the applicant's agent regarding Linton Parish Council's comments.

In accordance with the criteria for public speaking Mrs. Foley, speaking on behalf of Linton Parish Council, and Mr. Rogers, a local resident who objected to the application, both addressed the Sub-Committee with their concerns regarding the application. Mr. Edwards had registered to speak in support of the application but was not present at the meeting.

Councillor H. Bramer, the Local Ward Member, felt that granting the application would result in overdevelopment of the site and he asked the committee to refuse it.

Members discussed the application thoroughly and felt that it should be refused

contrary to Officers recommendation.

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. Over development of the site

(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 Development Control Manager said that he would not refer the application to the Head of Planning Services]

73. DCSW2005/2391/F - OPPOSITE THE GARWAY MOON PUBLIC HOUSE, GARWAY COMMON, GARWAY, HEREFORDSHIRE, HR2 8RF

Proposed construction of new community hall and car parking area.

The Principal Planning Officer reported the receipt of two further letters of objection from local residents.

In accordance with the criteria for public speaking, Mr. Thomas, a local resident, spoke in objection to the application and Mr. Brice, the architect, spoke in support.

Councillor G.W. Davis, the Local Ward Member, noted that there was an issue regarding the ownership of the application site. He felt that this was a matter for the Commons Commissioner and not the Sub-Committee. He felt that the proposed development was suitable for the location and would be a benefit to the local community.

Councillor H. Bramer noted the concerns of the local residents but felt that this was a good use of common land and supported the application.

The Principal Planning Officer advised Members that conditions could be added to the resolution regarding Lighting and Sound limits for the function room.

RESOLVED

That planning permission be granted subject to the following conditions:

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

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

2. A07 (Development in accordance with approved plans)

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

3. B01 (Samples of external materials)

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

4. 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.

5. G09 (Retention of trees/hedgerows)

Reason: To safeguard the amenity of the area.

6. Final details of car parking, including layout and surfacing shall be agreed on site between the local planning authority and the applicant's representatives. Any agreed revisions shall be implemented. Such car parking spaces shall allow for 6 metres spacing in aisles.

Reason: To minimise the environmental impact of development.

7. All areas of trees, shrubs, grass or scrub shown to be retained shall be protected from damage during the course of construction. No development shall be commenced on the site or machinery or materials brought onto the site for the purposes of development until adequate measures have been taken for their protection. All such measures shall be agreed with the local planning authority before implementation.

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

8. Prior to the first use of the village hall hereby permitted, a management plan, to include proposals for the long term design objectives, management responsibilities and maintenance schedules in perpetuity, for the site shall be submitted to and be approved in writing by the local planning authority. The management plan shall be carried out as approved.

Reason: In order to ensure that the use and maintenance in perpetuity of the Common in the interests of its amenity.

9. Details of any floodlighting and or external lighting proposed to illuminate the development shall be submitted to and approved in writing by the local planning authority before the building is occupied. Development shall be carried out in accordance with the approved details and there shall be no other external illumination of the development.

Reason: To safeguard local amenities.

10. Before the use commences, the function room, hall and stage shall be insulated in accordance with a scheme agreed with the local planning authority.

Reason: To safeguard the amenity of the area.

Informative(s):

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

74. DCSE2005/2648/F - LAND ADJOINING MONK WALK COTTAGE, MUCH MARCLE, LEDBURY, HEREFORDSHIRE, HR8 2LY

Erection of one 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. **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. **F18 (Scheme of foul drainage disposal)**

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

7. **D03 (Site observation - archaeology)**

Reason: To allow the potential archaeological interest of the site to be investigated and recorded.

8. **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.

Informative(s):

1. **N03 - Adjoining property rights**
2. **N14 - Party Wall Act 1996**
3. **ND03 - Contact Address**

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

75. **DCSE2005/0843/F - LAND AT LEA PRIMARY SCHOOL, LEA, ROSS-ON-WYE, HEREFORDSHIRE**

Conversion of part school building with extension to 2 no. dwellings and the construction of 4 no. new dwellings.

Councillor H. Bramer, the Local Ward Member, noted that the access to the site would be the same access used by Lea primary school. He said that he was concerned that cars would be using the same access as the Children attending the school and felt that he could not support the application.

The Southern Team Leader advised Members that the Highways Department were aware of the access and had not objected to the application.

RESOLVED

That planning permission be granted subject to the following conditions:

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

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

2. **A07 (Development in accordance with approved plans)**

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

3. **B01 (Samples of external materials)**

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

4. **Before any work commences on site full details of all new joinery, flues and vents with respect to the development of the original school building and house shall first be submitted to and be subject to the prior written approval of the local planning authority.**

Reason: To ensure the development is satisfactory in appearance and in keeping with the character and appearance of the original building.

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. **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.

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

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

9. **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.

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

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

Informative(s):

1. **N03 - Adjoining property rights**

2. The applicant/developer should be aware that this planning permission does not override any civil/legal rights enjoyed by adjacent property owners. If in doubt the applicant/developer is advised to seek legal advice on the matter.

3. **N16 - Welsh Water Informative**

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

76. DCSW2005/2516/F - MOUNT PLEASANT, KINGSTHORNE, HEREFORDSHIRE

Erection of replacement dwelling and garage.

The Principal Planning Officer reported the receipt of a letter from the applicant's agent regarding the revised plans.

Councillor G.W. Davis, the Local Ward Member, requested that the application be deferred until the revised plans were received.

RESOLVED

That the application be deferred pending the receipt of suitably amended plans from the applicant.

77. DCSE2005/2343/F - CASTLE LODGE HOTEL, WILTON, ROSS-ON-WYE, HEREFORDSHIRE, HR9 6AD

Refurbishment and conversion of existing derelict barn to restaurant and creation of new car parking facilities serving existing hotel and new restaurant, together with associated junction improvement works.

The Southern Team Leader reported the receipt of further correspondence from the Highways agency, who wanted further discussions regarding landscaping; Bridstow Parish Council, who did not object to the application but had concerns regarding road safety issues; English Heritage, who felt that their earlier concerns had not been addressed; and the Applicant's Agent, who did not agree with the condition limiting the restaurant to 60 covers.

SOUTHERN AREA PLANNING SUB-COMMITTEE WEDNESDAY, 26TH OCTOBER, 2005

The Southern Team Leader felt that a condition should be added to the recommendation limiting the number of covers to 60.

In accordance with the criteria for public speaking, Mr. Staight and Mr. Tait, two of the local residents who objected to the application, addressed the sub-committee with their concerns. Mr. Felices, the applicant, spoke in support of his application.

The Chairman advised the Sub-Committee that the local member had concerns regarding overnight parking on the site. She also felt that the applicant should be required to pay for any changes to the access roads and asked for a condition to be added to tie the new restaurant to the existing hotel.

RESOLVED

That subject to submission of acceptable revised drawings of the entrance/staircase extension and car park layout and landscaping 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. 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. B01 (Samples of external materials)

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

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. No external flues or extraction equipment shall be installed at the premises without the prior written approval of the local planning authority.

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

7. C09 (External repointing)

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

8. C10 (Details of rooflights)

Reason: To ensure the rooflights do not break the plane of the roof slope

in the interests of safeguarding the character and appearance of this building of [special] architectural or historical interest.

9. C11 (Specification of guttering and downpipes)

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

10. C18 (Details of roofing)

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

11. D01 (Site investigation - archaeology)

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

12. The use hereby permitted shall only be open to customers between 8am and 11pm daily and shall only serve meals between 8am and 9.30am, 12 noon and 2pm, and 6pm and 11pm daily.

Reason: In the interests of the amenities of existing residential property in the locality.

13. The restaurant hereby approved shall only be used for purposes ancillary to the hotel known as Castle Lodge Hotel and within Class C1 of the Town and Country Planning (Use Classes) Order 1987 (or any order revoking and re-enacting that order with or without amendment) and shall not be used as a separate restaurant or for any other purpose within Class A3 of that Order.

Reason: To define the terms of the permission and in the interests of safe and free flow of traffic on the highway and the amenities of neighbours.

14. No take-away service shall be carried out from the restaurant hereby approved.

Reason: To define the terms of the permission and in the interests of safe and free flow of traffic on the highway and the amenities of neighbours.

15. The restaurant and car park hereby permitted and the Castle Lodge Hotel shall not be sold, let or leased separately from each other, and the car parking shall be permanently available for use by both the restaurant and the Castle Lodge Hotel.

Reason: To ensure that car parking facilities are readily available for both premises and to protect the amenities of neighbouring dwellings.

16. F18 (Scheme of foul drainage disposal)

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

17. F22 (No surface water to public sewer)

Reason: To safeguard the public sewerage system and reduce the risk of

surcharge flooding.

18. F32 (Details of floodlighting/external lighting)

Reason: To safeguard local amenities.

19. F40 (No burning of material/substances)

Reason: To safeguard residential amenity and prevent pollution.

20. G13 (Landscape design proposals)

Reason: In the interests of visual amenity.

21. G05 (Implementation of landscaping scheme (general))

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

22. G15 (Landscaping implementation)

Reason: To ensure the site is satisfactorily landscaped.

23. G17 (Protection of trees in a Conservation Area)

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

24. G37 (Access for disabled people)

Reason: In order to ensure that the development is fully accessible.

25. G40 (Barn Conversion - owl box)

Reason: In order not to disturb or deter the nesting or roosting of barn owls which are a species protected by the Wildlife and Countryside Act 1981.

26. No development shall commence upon the application site unless or until the mitigation measures as shown on drawing number 1427.03B have been completed to the satisfaction of the local planning authority after consultation with the Highways Agency.

Reason: In the interests of highway safety and as directed by the Highways Agency.

27. H03 (Visibility splays)

Reason: In the interests of highway safety.

28. H05 (Access gates)

Reason: In the interests of highway safety.

29. 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.

30. H21 (Wheel washing)

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

31. H27 (Parking for site operatives)

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

32. 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.

33. The car park hereby approved shall not be used for the overnight parking of commercial vehicles, caravans or mobile homes at any time.

34. 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.

Informative(s):

1. NC01 - Alterations to submitted/approved plans

2. NC02 - Warning against demolition

3. ND03 - Contact Address

4. HN01 - Mud on highway

5. HN04 - Private apparatus within highway

6. HN05 - Works within the highway

7. HN07 - Section 278 Agreement

8. HN10 - No drainage to discharge to highway

9. HN13 - Protection of visibility splays on private land

10. HN17 - Design of street lighting for Section 278

11. HN22 - Works adjoining highway

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

78. DCSE2005/2651/F - HARTLETON FARM, BROMSASH, ROSS-ON-WYE, HEREFORDSHIRE, HR9 7SB

Construction of 32 holiday apartments

The Southern Team Leader reported the receipt of further correspondence from the

SOUTHERN AREA PLANNING SUB-COMMITTEE WEDNESDAY, 26TH OCTOBER, 2005

Conservation Manager and the Hartleton Action group.

In accordance with the criteria for public speaking Mrs. Foley, representing Linton and Upton Bishop Parish Council, and Mrs. Rigby, a local resident, both spoke in objection to the application.

RESOLVED

That planning permission be refused for the following reasons:

- 1 The proposed development, because of its size and location, would be very prominent and visually intrusive and thereby harm the character of the countryside. The proposal would conflict therefore with the Council's policies for tourism, in particular TSM1 and TSM6 of Hereford and Worcester County Structure Plan, TM1, TM5, TM6 and C1 of South Herefordshire District Local Plan and RST1, RST12, RST13 and LA2 of Hereford Unitary Development Plan (Revised Deposit Draft).**
- 2 The Council is not satisfied that the Special Wildlife Site has been adequately surveyed and the mitigation proposed may not be adequate to protect the nature conservation interest of the site. The proposal conflicts therefore with Policies C13, C14 and C16 of South Herefordshire District Local Plan and Policies NC1, NC4, NC5, NC7 and NC9 of Hereford Unitary Development Plan (Revised Deposit Draft).**

The meeting ended at 3.39 p.m.

CHAIRMAN