

MINUTES of the meeting of Northern Area Planning Sub-Committee held at The Council Chamber, Brockington, 35 Hafod Road, Hereford on Wednesday, 2nd November, 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, R.B.A. Burke, P.J. Dauncey, Mrs. J.P. French, J.H.R. Goodwin, P.E. Harling, B. Hunt, T.W. Hunt, T.M. James, R.M. Manning, R. Mills, R.J. Phillips, J.P. Thomas and J.B. Williams

In attendance: Councillors (none)

106. APOLOGIES FOR ABSENCE

Apologies for absence had been received from Councillors Brig P Jones, DW Rule and J Stone

107. DECLARATIONS OF INTEREST

Councillors	Item	Interest
B.F. Ashton and R. Mills	Agenda Item 7, Minute 112 DCNE2005/2041/F The Kitchen Garden, Hope End, Ledbury, Hereford, HR8 1JQ	personal
K.G. Grumbley	Agenda Item 17, Minute 122 DCNC2005/2341/F - 3 no. holiday chalets at Broxmere, Bodenham	personal
Mrs J.P. French & J.P. Thomas	Agenda Item 21, Minute 126 DCNC2005/2133/F proposed erection of public clock on steel stanchions, at Corn Square, Leominster	prejudicial and left the meeting for the duration of this item.

108. MINUTES

RESOLVED:

That the Minutes of the meeting held on 5th October, 2005 be approved as a correct record, subject to the inclusion of the following in minute No. 103.

109. CHAIRMAN'S ANNOUNCEMENTS

The Chairman said that Mr Duncan Thomas, Senior Planning Officer, would in future be dealing with the southern planning area. The Committee expressed its gratitude for the help and courtesy shown by Mr Thomas and wished him well for the future.

110. ITEM FOR INFORMATION - APPEALS

The Sub-Committee noted the Council's current position in respect of Planning Appeals for the Northern Area.

111. APPLICATIONS RECEIVED

The Sub-Committee considered the following planning applications received for the Northern Area and authorised the Head of Planning Services to impose any additional or varied conditions and reasons considered to be necessary.

112. DCNE2005/2041/F - ERECTION OF A HOUSE WITHIN WALLED GARDEN - AMENDMENT TO PLANNING PERMISSION MH97/1452 AT THE KITCHEN GARDEN, HOPE END, LEDBURY, HEREFORD, HR8 1JQ

The Planning Officer said that at its last meeting the Sub-Committee had deferred consideration of the application so that information could be obtained about whether the existing planning permission on the site had been implemented. He said that following investigation he was satisfied that it had been.

In accordance with the criteria for public speaking, Mrs. Carless (Colwall Parish Council) and Mr. Maiden (objector) spoke against the application and Mr. Donovan (applicant) spoke in favour.

Councillor R.V. Stockton, a Local Ward Member, had a number of concerns about the application and felt that it would not be appropriate to locate a new dwelling within an historic walled garden that was of considerable local significance. Councillor R Mills a local Ward Member also had concerns about the proposals being out of character that they would have an adverse impact upon the rural setting of the garden.

Several Members shared the concerns of the Local Ward Councillors and Councillor Mrs J P French therefore proposed that a site inspection should be held.

RESOLVED: That consideration of the application be deferred for 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.**

- 113. DCNE2005/2583/F - SINGLE STOREY ANNEXE EXTENSION TO REAR OF EXISTING DWELLING AT SOUTH CLIFF, NEWBURY PARK, LEDBURY, HEREFORDSHIRE, HR8 1AU**

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.

- 3 - E17 (No windows in side elevation of extension)**

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

- 4 - F16 (Restriction of hours during construction)**

Reason: To protect the amenity of local residents.

Informatives:

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

- 114. DCNE2005/2794/F - RETROSPECTIVE APPLICATION FOR ANIMAL HOUSING AT THE LONG BARN, COWL BARN LANE, COLWALL, MALVERN, WR13 6EU**

In accordance with the criteria for public speaking, Mrs. Cross the applicant, spoke in favour of her application.

Councillor R Mills had some concerns about the size of the unit and its close proximity to the boundary wall with the adjoining property. The Principal Planning Officer said that it was not overlarge for a domestic structure and was roughly the size of a garage. There was no business use and the applicant wanted the unit solely for her own animals.

RESOLVED

That planning permission be granted subject to the following conditions:

- 1 - E21 (Temporary permission and reinstatement of land)**

Reason: In order that the local planning authority can give consideration to the desirability of retaining the building, which by virtue of it's construction is not considered suitable for permanent retention within the Conservation Area.

[An agreed note showing the condition of the site before works begin should be attached to a permission granted subject to this condition].

- 2 - Within 1 month of the date of this permission the roof of the structure hereby approved shall be painted in a colour to be agreed in writing by the local planning authority.

Reason: In the interests of visual amenity.

- 3 - The structure hereby approved shall be used for the housing of cats only and not for any commercial activity.

Reason: In order to protect the amenity of local residents.

Informatives:

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

115. DCNW2005/2572/F - GENERAL PURPOSE PORTAL FRAME BUILDING FOR STORAGE OF FEED AND STRAW AND WINTER HOUSING OF LIVESTOCK AT UPPER HOUSE FARM, EARDISLEY, HEREFORD, HEREFORDSHIRE, HR3 6PW

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 - Prior to the commencement of development a detailed block plan showing the areas of hardstanding surrounding the proposed building shall be submitted and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved plan.

Reason: To ensure a satisfactory form of development and to protect the landscape quality of the surrounding area.

- 4 - Prior to the commencement of development, details / samples of the type and colour and construction of the hardcore track shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory form of development and to protect the landscape quality of the surrounding area.

- 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 - G09 (Retention of trees/hedgerows)**

Reason: To safeguard the amenity of the area.

- 8 - 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.

- 9 - F32 (Details of floodlighting/external lighting)**

Reason: To safeguard local amenities.

- 10 - H05 (Access gates)**

Reason: In the interests of highway safety.

Informative(s):

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

- 2 - The rights of way should remain open at all times throughout the development. If development works are perceived to be likely to endanger members of the public then a temporary closure order should be applied for from this department, preferably 6 weeks in advance of work starting.**

The right of way should remain at its historic width and suffer no encroachment or obstruction during the works or at any time after completion.

The applicants should ensure that they hold lawful authority to drive over the public footpath/bridleway.

The applicants should note that the right of way has footpath/bridleway status and will only be maintained by the highway authority as such.

116. DCNW2005/2765/F - CONVERSION OF CHAPEL INTO THREE BEDROOMED DWELLING AT THE METHODIST CHAPEL, HIGH STREET, PEMBRIDGE, HEREFORDSHIRE

Arising on a request from Councillor RJ Phillips the local Ward Member, it was agreed that an additional planning condition should be imposed controlling the times of deliveries to the property.

RESOLVED

That subject to the receipt of a suitable additional plan detailing the insertion the first floor into the building and condition relating to deliveries during construction, 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 - 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 - 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.

- 5 - C12 (Repairs to match existing)

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

- 6 - E16 (Removal of permitted development rights)

Reason: To ensure the character and appearance of the building is maintained.

- 7 - F16 (Restriction of hours during construction)

Reason: To protect the amenity of local residents.

Informative:

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

117. DCNW2005/2906/F - CONVERSION OF OUTBUILDING TO FORM ANCILLARY LIVING ACCOMMODATION TO MAIN DWELLING AT LOWER YATTON FARM, YATTON, LEOMINSTER, HEREFORDSHIRE, HR6 9TL

The Principal Planning Officer suggested that further conditions should be imposed to (a) ensure that obscure glazing was used where windows overlooked the neighbouring property and (b) protect adjoining property rights.

RESOLVED

That subject to discussion and negotiation with the applicants regarding the location of the roof lights and receipt of suitably amended plans, the officers named in the Scheme of delegation to officers, in consultation with the Ward

Member, be authorised to issue planning permission with 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 - C04 (Details of window sections, eaves, verges and barge boards)

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

- 3 - C05 (Details of external joinery finishes)

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.

- 5 - E19 Obscure glazing to windows

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

- 6 - E29 (Occupation ancillary to existing dwelling only (granny annexes))

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

- 7 - 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 architectural or historical interest.

Informatives:

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

- 2 - The right of way should remain open at all times throughout the development. If development works are perceived to be likely to endanger members of the public then a temporary closure order should be applied for from this department, preferably 6 weeks in advance of work starting.

- 3 - The rights of way should remain at its historic width and suffer no encroachment or obstruction during the works or at any time after completion.

- 4 - The applicants should ensure that they hold lawful authority to drive over the registered right of way.

- 5 - The applicants should note that the right of way is footpath status and will only be maintained as such.

- 6 - Please be aware that the registered route of public footpath Aymestry 7A does not pass very close to the site of the development and must not be obstructed in any way.**

N03 Adjoining Property Rights

- 118. DCNW2005/2956/F - CONVERSION OF AGRICULTURAL BUILDINGS TO FORM ONE HOUSE AT UPPER FARM, AILEY, KINNERSLEY, HEREFORDSHIRE
DCNW2005/2957/L - AS ABOVE**

It was reported that the applicant had withdrawn these applications.

- 119. DCNW2005/3163/F - INSTALLATION OF LEVELLING OAK DECK AT RIDGE VIEW, BRADNOR, KINGTON, HEREFORDSHIRE, HR5 3RE**

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

- (c) the character or appearance of the development itself is a fundamental planning consideration;**
- (d) a judgement is required on visual impact; and**
- (c) the setting and surroundings are fundamental to the determination or to the conditions being considered.**

- 120. DCNC2005/2718/F - DEMOLITION OF EXISTING DERELICT HOUSE AND ERECTION OF 16 NO. DWELLINGS, GARAGES AND PARKING SPACES, PRIVATE DRIVEWAY AND ASSOCIATED DRAINAGE AT 77 OLD ROAD, BROMYARD, HEREFORDSHIRE, HR7 4BQ**

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

- (e) the character or appearance of the development itself is a fundamental planning consideration;**
- (f) a judgement is required on visual impact; and**
- (c) the setting and surroundings are fundamental to the determination or to the conditions being considered.**

- 121. DCNC2005/1941/F - CONVERSION OF LISTED BARN INTO RESIDENTIAL DWELLING AT EYE COURT BARN, EYE, LEOMINSTER, HEREFORDSHIRE, HR6 0DT AND DCNC2005/1942/L - AS ABOVE**

The Senior Planning Officer reported that an objection had been received from Eye, Moreton and Ashton Group Parish Council about the safety issues of providing a

residential unit in such close proximity to well used agricultural buildings.

In accordance with the criteria for public speaking, Mr. Conod, an objector, spoke against the application.

The Sub-Committee discussed details of the application and had some concerns about the points raised by the objector, and whether the barn was a redundant agricultural building. It was therefore agreed that consideration of the application should be deferred for further information to be obtained.

RESOLVED

That consideration of the application be deferred for further information from the applicant.

- 122. DCNC2005/2341/F - 3 NO. HOLIDAY CHALETS AT BROXMERE, BODENHAM, HEREFORD, HEREFORDSHIRE, HR1 3JB**

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 - 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 Broxmere.

- 5 - F18 (Scheme of foul drainage disposal)**

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

Informative:

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

- 123. DCNC2005/2702/F - STATIC CARAVAN FOR HOLIDAY LET AT THE LARCHES, MIDDLETON, LITTLE HEREFORD, LUDLOW, SY8 4LF**

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 - E31 (Use as holiday accommodation)

Reason: The local planning authority is not prepared to allow the introduction of a separate unit of residential accommodation.

- 3 - H14 (Turning and parking: change of use - domestic) (2 cars)

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

Informatives:

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

124. DCNC2005/2834/F - PROPOSED CONVERSION OF CARRIAGE HOUSE TO FORM TWO COTTAGES WITH GARDENS AND INTEGRAL GARAGING AT OLD CARRIAGE HOUSE, CHURCH STREET LEOMINSTER

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

Councillor JP Thomas, a local Ward Member, had some concerns about adequate space for car parking on the site and keeping vehicular access clear for adjoining properties. Councillor RBA Burke, a local Ward Member, shared these concerns and also had reservations about additional pressure on vehicular access from and onto Church Street. The Senior Planning Officer said that he had enquired about these issues with the Transportation Manager who was satisfied that there was sufficient room for vehicular turning and car parking on the site and the adjoining land. Councillor Mrs JP French was of the view that the proposals for the conversion would considerably enhance the area.

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)(11th October 2005)

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 - 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 - 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.

Informative:

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

125. DCNC2005/2897/O - SITE FOR THE ERECTION OF TWO HOLIDAY CHALETS LAND AT WAIN HOUSE, INKSMOOR COURT, TEDSTONE WAFER, BROMYARD, HEREFORDSHIRE

RESOLVED

That outline 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) (delete 'means of access')

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.

126. DCNC2005/2133/F - PROPOSED ERECTION OF PUBLIC CLOCK ON STEEL STANCHIONS, AT CORN SQUARE, LEOMINSTER, HEREFORDSHIRE, HR6 8LR

The receipt of eleven letters of support was reported.

In accordance with the criteria for public speaking, Councillor R Hunt, the Mayor of Leominster Town Council, spoke in favour of its application.

The Sub Committee considered the details of the application and felt that the

location and construction of the clock would prove to be a considerable asset to the town and that it would enhance the Conservation Area by improving a location that was felt to be an eyesore.

RESOLVED: That

- (i) **The Northern Area Planning Sub-Committee is minded to approve the application because it will enhance the Conservation Area, 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: Following the vote on this item, the Development Control Manager advised that because the Sub Committee had given adequate consideration to the planning policy issues involved, he would not refer the application to the Head of Planning Services]

127. DCNW2005/2945/F - RETROSPECTIVE APPLICATION FOR TEMPORARY SITING OF STORAGE CONTAINER FOR HOBBYIST USE AT THE BANK, LEINTWARDINE, CRAVEN ARMS. SY7 0LD

The receipt of a letter from the applicant confirming that the application was solely for storage purposes was reported.

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

RESOLVED

That planning permission be granted subject to the following condition:

- 1 - E20 (Temporary permission) (2 November 2008)**

Reason: The Local Planning Authority are prepared to accept this as a temporary expedient only.

- 2 - E21 (Temporary permission and reinstatement of land) (insert 'container')**

Reason: to ensure appropriate reinstatement of this land within the Conservation area.

- 3 - The container shall only be used for purposes ancillary to the enjoyment of the dwelling known as The Bank, and for no other purpose.**

Reason: In the interest of amenity of adjacent residents.

Informative:

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

**128. DCNC2005/2977/F - DEMOLITION OF EXISTING VILLAGE HALL AND
ERECTION OF DWELLING VILLAGE HALL, ULLINGSWICK, HEREFORD HR1
3JG**

Councillor B Hunt, one of the Local Ward Members had reservations about the application because of the siting, gradient of the access road, prominence and overdevelopment of the site. The Sub-Committee shared these concerns and felt that the application should be refused.

RESOLVED:

- That (i) **The Northern Area Planning Sub-Committee is minded to refuse the application because it was over-development of the site, subject to 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:**
- (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: Following the vote on this application, the Development Control Manager advised that he would not refer the decision to the Head of Planning Services.

129. DATE OF NEXT MEETING

30th November, 2005

The meeting ended at 2.10 p.m.

CHAIRMAN