

**MINUTES of the meeting of Northern Area Planning Sub-Committee held at The Council Chamber, Brockington, 35 Hafod Road, Hereford on Wednesday, 30th 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, Mrs. J.P. French, J.H.R. Goodwin, P.E. Harling, B. Hunt, T.W. Hunt, T.M. James, Brig. P. Jones CBE, R.M. Manning, R. Mills, R.J. Phillips, D.W. Rule MBE, R.V. Stockton, J. Stone and J.P. Thomas

**In attendance:** Councillor P.J. Edwards

**130. APOLOGIES FOR ABSENCE**

Apologies for absence had been received from Councillor PJ Dauncey.

**131. DECLARATIONS OF INTEREST**

Councillors	Item	Interest
B.F. Ashton and R. Mills	Agenda Item 6, Minute 135 DCNE20052041F <b>The Kitchen Garden, Hope End, Ledbury, Hereford, HR8 1JQ</b>	personal
W.L.S Bowen  J.P. Thomas	Agenda Items 18 & 19, Minutes 147 & 148 DCNW20053784O & DCNW20053790O - - <b>Land at Overton Farm Orleton</b>	Personal  prejudicial and left the meeting for the duration of these items.
R.J. Phillips	Agenda Item 21, Minute 126 DCNC20052133F <b>proposed erection of public clock on steel stanchions, at Corn Square, Leominster</b>	prejudicial and left the meeting for the duration of this item.

**132. MINUTES**

**RESOLVED:**

**That the Minutes of the meeting held on 2nd November, 2005 be approved as a correct record, subject to the deletion of the word “not” after “Aymestry 7A does” in minute No. 117, Informative No. 6.**

**133. ITEM FOR INFORMATION - APPEALS**

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

**134. 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.

**135. 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 FOR: HON J DONOVAN PER ALP ARCHITECTS, 15 GOSDITCH STREET, CIRENCESTER, GLOS, GL7 2AG**

The Planning Officer said that at its last meeting the Sub-Committee had deferred consideration of the application for a site inspection.

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 the 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. Councillor B.F. Ashton had grave reservations about the planning application and the original decision because of their impact on the historic setting.

Several Members shared the concerns of the Local Ward Councillors but a motion that the Sub-Committee was mindful to refuse the application was lost, with the majority feeling that the proposed development was preferable to the existing permission.

**RESOVED**

**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) (dated 21 June 2005)**

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

**3 - A12 (Implementation of one permission only) (MH97/1452 dated 24 June 1998)**

**Reason: To prevent over development of the site.**

**4 - B01 (Samples of external materials )**

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

**5 - E16 (Removal of permitted development rights )**

**Reason: To safeguard the character and appearance of the site, which is listed on the English Heritage Register of Parks and Gardens of special historic interest in England.**

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

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

**7 - E29 (Occupation ancillary to existing dwelling only )**

**The existing gardener's cottage shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling hereby approved.**

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

**8 - E15 (Restriction on separate sale )**

**The gardener's cottage and the dwelling hereby approved shall not be sold or let separately from each other.**

**Reason: It would be tantamount to the erection of the additional dwelling contrary to the policy of the local planning authority.**

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

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

**10 - 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.**

**11 - G18 (Protection of trees )**

**Reason: To ensure adequate protection to existing trees which are to be retained, in the interests of the character and amenities of the area.**

**12 - G19 (Existing trees which are to be retained )**

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

**13 - G21 (Excavations beneath tree canopy )**

**Reason: To prevent the unnecessary damage to or loss of trees.**

**14 - H13 (Access, turning area and parking) (Details to be submitted shall include cross-sections through the new driveway.)**

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

**15 - Prior to the commencement of development, the applicant shall, in**

conjunction with the Council's Building Conservation Officer, agree a schedule of works to cover any necessary works of repair to the wall enclosing the walled garden. Works of repair shall be carried out in accordance with the agreed details before the first occupation of the dwelling hereby approved.

Reason: In order to safeguard the character and appearance of the walled garden.

Informatives:

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

136. DCNW2005/3163/F - INSTALLATION OF LEVELLING OAK DECK AT RIDGE VIEW, BRADNOR, KINGTON, HEREFORDSHIRE, HR5 3RE FOR: MR N EDE AT SAME ADDRESS.

**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.

- 3 - Full details of the proposed fencing and finish to the external concrete block wall already in situation will be submitted to and approved in writing by the Local Planning Authority prior to any further development on site.

Reason: In the interests of the visual amenity of the surrounding landscape.

Informative:

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

137. 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 FOR: HERCULES HOUSE LTD PER DEVELOPMENT DESIGN PARTNERSHIP, SANDFORD HOUSE, 6 & 7 LOWER HIGH STREET, STOURBRIDGE, WEST MIDLANDS, DY8 1TE

The receipt of a letter of objection from Bromyard & Winslow Town Council was reported.

The Development Control Manager drew attention to the draft heads of terms proposed for the Section 106 Obligation which had been included within the agenda to provide more background information for members about such applications.

In accordance with the criteria for public speaking, Mr. Cave (Bromyard & Winslow Town Council) Mrs Phillips/Mr Brinkworth (objectors) spoke against the application and Mr. Connolly (agent of the applicant) spoke in favour.

Councillor B Hunt, one of the Local Ward Councillors, noted the concerns raised by the objectors but pointed out that there were a number of conditions to be met to cover these if permission was granted, including a geological report and vehicular access from Old Road. It was also noted that although a play area could not be included within the site, the developers were prepared to pay a commuted sum towards the cost of play provision within Bromyard.

**RESOLVED THAT**

- 1. The Legal Practice Manager be authorised to complete a planning obligation under Section 106 of the Town and Country Planning Act 1990 with regard to Education and Transport and any additional matters and terms as he 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 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). (walls, roofs and private drives)**  
**Reason: To ensure that the materials harmonise with the surroundings.**
  - 4 Prior to the commencement of development, the applicant shall, in conjunction with the Council's Historic Buildings Officer, agree a schedule of works to cover any necessary works of repair to the Old Road wall. Works of repair shall be carried out in accordance with the agreed details before first occupation of the dwellings hereby approved.**  
**Reason: In order to safeguard the character and appearance of this wall.**
  - 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 G06 (Scope of landscaping scheme)**

**Reason: In order that the local planning authority may be satisfied that the deposited scheme will meet their requirements.**
- 8 G13 (Landscape design proposals).**

**Reason: In the interests of visual amenity.**
- 9 G19 (Existing trees which are to be retained).**

**Reason: In order to preserve the character and amenity of the area.**
- 10 D01 (Site investigation – archaeology).**

**Reason: To ensure the archaeological interest of the site is recorded.**
- 11 F20 (Scheme of surface water drainage)**

**Reason: To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface swater disposal.**
- 12 F22 (No surface water to public sewer)**

**Reason: To safeguard the public sewerage system and reduce the risk of surcharge flooding.**
- 13 Foul water and surface water discharges must be drained separately from the site.**

**Reason: To protect the integrity of the public sewerage system.**
- 14 No surface water shall be allowed to connect (either directly or indirectly) to the public sewerage 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 No land drainage run-off will be permitted, either directly or indirectly, to discharge into the public sewerage system.**

**Reason: To prevent hydraulic overload of the public sewerage system and pollution of the environment.**
- 16 The proposed development site is crossed by a public sewer with the approximate position being marked on the attached Statutory Public Sewer Record. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times. No part of the building will be permitted**

**within 3 metres either side of the centreline of the public sewer.**

**Reason: To protect the integrity of the public sewer and avoid damage thereto.**

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

**Reason: To protect the amenity of local residents.**

- 18 No development shall commence on site of any sort, or materials or machinery brought to the site for the purpose of development until a full bat survey in accordance and in agreement with the Council's Ecologist has been submitted to and approved in writing by the local planning authority and any mitigating measures including DEFRA licensing if required for the agreed scheme may be implemented on site. These measures shall be maintained in good condition on site until and throughout the construction works and during removal of materials and machinery at the end of development. Any disturbance during construction works shall be made good by completion.**

**Reason: To ensure that the nature conservation of the rest of the site is protected.**

- 19 H09 (Driveway gradient).**

**Reason: In the interests of highway safety.**

- 20 The development hereby permitted shall not be commenced until the Old Road areas for the manoeuvring, parking, loading and unloading of construction traffic has been laid out, consolidated, surfaced and drained in accordance with a scheme to be submitted to and approved by the local authority.**

**Reason: In the interests of highway safety and neighbourhood amenity.**

- 21. All construction traffic and deliveries for the development hereby permitted shall access the site from Old Road only, and shall use these access roads in a one-way manner only. The use of these access roads shall not be implemented until details of the one-way system have been submitted to and approved in writing by the Local Planning Authority.**

**Reason: In the interest of neighbourhood amenity and of highway safety.**

- 22 H03 (Visibility splays) (for Old Road)(2.4mx 90m)**

**Reason: In the interest of highway safety.**

- 23 The two private drives from Old Road hereby permitted, shall be permanently separated from one another to serve a maximum of 5 dwellings each, prior to the first occupation of any of the dwellings hereby approved.**

**Reason: In the interest of highway safety.**

**24 H19 (On site roads – phasing)**

**Reason: To ensure an adequate and acceptable means of access is available before the dwellings are occupied.**

**25 H20 (Road completion in 2 years or 75% of development)**

**Reason: In the interests of highway safety and convenience and a well co-ordinated development.**

**26 H21 (Wheel washing)**

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

**27 H26 (Access location) (from Old Road only)**

**Reason: In the interests of highway safety.**

**28 H27 (Parking for site operatives) (for Old Road only)**

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

**29 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.**

**30 H06 (Vehicular access construction)**

**Reason: In the interests of highway safety.**

**31 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.**

**32 H11 ((Parking – estate development (more than one house))**

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

**Informatives:**

- 1. N15 - Reason(s) for the Grant of PP.**
- 2. HN1 – Mud on highway**
- 3. HN4 – Private apparatus within highway**
- 4. HN5 – Works within the highway**
- 5. HN7 – Section 278 Agreement**
- 6. HN10 – No drainage to discharge to highway**
- 7. HN13 – Protection of visibility slays on private land**
- 8. HN22 – Works adjoining highway**

9. This permission is granted pursuant to an agreement under Section 106 of the Town and Country Planning Act 1990.
- 3) That the officers named in the Scheme of Delegation to Officers be authorised to amend the above conditions as necessary to reflect the terms of the planning obligation.
138. **DCNC2005/1941/F - CONVERSION OF LISTED BARN INTO RESIDENTIAL DWELLING AT EYE COURT BARN, EYE, LEOMINSTER, HEREFORDSHIRE, HR6 0DT DCNC2005/1942/L - AS ABOVE FOR: LORD J F CAWLEY PER BERRINGTONS THE ESTATES OFFICE THE VALLETS WORMBRIDGE HEREFORD HR2 9BA**

**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.
139. **DCNC2005/0917/O - SITE FOR ERECTION OF A MAXIMUM OF 425 DWELLINGS, COMMUNITY BUILDING, VEHICULAR ACCESS, FOUL WATER PUMPING STATION AND ASSOCIATED WORKS AT BARONS CROSS CAMP, CHOLSTREY ROAD, LEOMINSTER FOR: TAYLOR WOODROW DEVELOPMENTS LTD PER RPS PLANNING & ENVIRONMENT 155 AZTEC WEST ALMONDSBURY BRISTOL BS32 4UB**

The receipt of a letter of objection was reported and a letter from the agent acting for the applicants stating that they were prepared to offer £10,000 towards the cost of a heritage trail.

In accordance with the criteria for public speaking, Mr. Barker (objector) spoke against the application and Mr. Pollock (agent of the applicants) spoke in favour.

Councillor Mrs JP French said that there were considerable concerns expressed by the local community about a number of aspects of the application including highways matters, the potential to preserve some of the historic structures on the site, traffic congestion, air pollution and the lack of infrastructure to support a residential development of this size. She felt that it was essential for the historic aspects of the site to be recognised and for more work to be done on the provision of adequate community facilities. It was also essential that improvements were carried out to the affected road junctions before any of the proposed new dwellings were occupied.

Councillor J.P. Thomas felt that the potential community gain from the application did not mitigate the strain that would be placed on the local community. He noted concerns about air quality at the Bargates junction and that the situation may only be

improved through modal shift, vehicle technology and other measures which would take time to emerge. Councillor Thomas noted the need to develop the site on a comprehensive basis and felt that the local highways network, affordable housing and infrastructure improvements were crucial components. Several members also commented on the need to preserve the wartime heritage of the site.

In response to Members' concerns, the Northern Team Leader explained the improvements to the highway system and noted that the affordable housing provision at Barons Cross Camp would meet the needs of Leominster for the Unitary Development Plan (UDP) period as identified through the Leominster Housing Needs Survey. He also pointed out the conditions proposed for the planning consent which would help to meet those concerns.

**RESOLVED THAT**

- 1) The Legal Practice Manager be authorised to complete a planning obligation under Section 106 of the Town and Country Planning Act 1990 with regard to Affordable Housing, Education, Transport, Public Open Space and Community Building and any additional matters and terms as he 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 - 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 – H17 (Junction improvement/off site works)**  
**Reason: To ensure the safe and free flow of traffic on the highway.**
  - 6 - 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.**
  - 7 - H19 (On site roads - phasing )**

**Reason: To ensure an adequate and acceptable means of access is available before the dwelling or building is occupied.**

**8 - H20 (Road completion in 2 years or 75% of development )**

**Reason: In the interests of highway safety and convenience and a well co-ordinated development.**

**9 - H21 (Wheel washing )**

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

**10 - H26 (Access location ) (from Cholstrey Road only)**

**Reason: In the interests of highway safety.**

**11 - H27 (Parking for site operatives )**

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

**12 - H29 (Secure cycle parking provision ) (one space per bedroom)**

**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.**

**13 - None of the buildings hereby approved shall be occupied until either the essential improvement works to the public sewerage system has been completed by the sewerage undertaker or 31 March 2008, whichever is earlier, and this has been confirmed in writing by the Local Planning Authority.**

**Reason: To ensure the development is effectively drained and that the existing hydraulic overloading of the public sewerage system, which causes sewage flooding is not worsened.**

**14 - Foul water and surface water discharges must be drained separately from site.**

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

**15 - 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.**

**16 - 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.

- 17 - No development approved by this permission shall be commenced until a scheme for the provision and implementation of a surface water regulation system including the use of Sustainable Urban Drainage Systems has been submitted to and approved in writing by the Local Planning Authority. Surface water generated from the site shall be limited to the equivalent Greenfield runoff rate for the site (54 litres per second). The scheme shall be implemented in accordance with the approved details (including drainage strategy 50529/500 rev c), unless otherwise agreed in writing by the Local Planning Authority in consultation with the Environment Agency.**

**Reason: To prevent the increased risk of flooding and provide water quality benefits by ensuring the provision of a satisfactory means of surface water disposal.**

- 18 - Prior to the commencement of development, details of the construction and design of the attenuation pond, as shown on plan 101 rev d, including volumes, contours and habitat/landscaping features, shall be submitted to and approved in writing by the Local Planning Authority.**

**Reason: To ensure that the attenuation pond is sized to cater for the 1 in 100 year storm period (green field run-off rate of 54 litres/second for the site) and includes biodiversity/habitat features.**

- 19 - Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas and hardstandings shall be passed through an oil interceptor designed and constructed to have a capacity and details compatible with the site being drained. Roof water shall not pass through the interceptor.**

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

- 20 - F25 (Bunding facilities for oils/fuels/chemicals )**

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

- 21 - All foul drainage from the development shall be discharged to the mains foul sewer.**

**Reason: To provide a sustainable foul drainage system and prevent pollution of the water environment.**

- 22 - If during development, contamination not previously identified, is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the development has submitted, and obtained written approval from the Local Planning Authority for, an addendum to the Method Statement. This addendum to the Method Statement must detail how this unsuspected contamination shall be dealt with.**

**Reason: To ensure that the development complies with approved details in the interests of protection Controlled Waters.**

- 23 - D02 (Archaeological survey and recording )**

**Reason:** A building of archaeological/historic/architectural significance will be affected by the proposed development. To allow for recording of the building during or prior to development. The brief will inform the scope of the recording action.

- 24 - No burning on site shall be permitted during the construction phase.**

**Reason:** In order to protect the amenity of occupiers of nearby properties.

- 25 - No construction work/construction traffic from the proposed development which will be audible to the nearest residential property shall be permitted between the hours of 1800 to 0800 Monday to Friday nor before 0800 and after 1300 on Saturdays. No noisy work/construction traffic audible to the nearest residential property shall be permitted on Sundays, Bank Holidays and public holidays. Prior consent from Herefordshire Council must first be obtained if construction work is proposed to fall outside these hours, for any event.**

**Reason:** In order to protect the amenity of occupiers of nearby properties.

- 26 - A scheme to identify, investigate and assess the extent of any contamination on those areas of the site where buildings are to be demolished shall be submitted to and approved in writing by the Local Planning Authority.**

**Reason:** To ensure that potential contamination of the site is satisfactorily assessed.

- 27 - A completion report shall be submitted, confirming that no contamination was found, or identifying areas of contamination found during development works and verifying the remediation in accordance with the approved remedial measures.**

**Reason:** To ensure that potential contamination is removed or contained to the satisfaction of the Local Planning Authority.

- 28 – Notwithstanding the provisions of the Town and Country (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification) no development falling within Class A of Part 2 of Schedule 2 to that order (ie the erection, construction, maintenance, improvement or alteration of a gate, fence or wall or other means of enclosure) shall be carried out to any dwelling that fronts onto an area designated as ‘Home Zone’ on the Masterplan approved under this planning permission unless, upon application, planning permission is granted for the development concerned.**

**Reason:** To ensure the integrity of the design of this part of the site is maintained.

- 29 - The development hereby permitted shall be carried out in accordance with the Masterplan and in accordance with a phased programme to be submitted to and approved in writing, prior to the commencement of any development, by the Local Planning Authority.**

**Reason: To ensure that development proceeds in line with capacity constraints.**

**30 G02 (Landscaping scheme)**

**Reason: To ensure a satisfactory and well planned development and to preserve and enhance the quality of the environment.**

**31 G03 (Implementation of landscaping scheme)**

**Reason: To ensure a satisfactory and well planned development and to preserve and enhance the quality of the environment.**

**32 Air quality monitoring for nitrogen dioxide shall be undertaken for a minimum of 3 months following completion of the junction improvements at Bargates. Monitoring shall be undertaken utilising real-time chemiluminescent techniques, at a location to be agreed with the Local Planning Authority.**

**Reason: In order to measure the impact of the development against pollution targets.**

**Informatives:**

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

**2 – This permission is granted pursuant to an agreement under section 106 of the Town and Country Planning Act 1990.**

**3 - Highway notes**

**3) That the officers named in the Scheme of Delegation to Officers be authorised to amend the above conditions as necessary to reflect the terms of the planning obligation.**

**140. DCNC2005/3189/F - PROPOSED TWO STOREY EXTENSION AND CONSERVATORY AT 5 OLD FORGE, WHITBOURNE, WORCESTER, HEREFORDSHIRE, WR6 5SB FOR: MR A JUDGE PER LINTON DESIGN GROUP 27 HIGH STREET BROMYARD HEREFORDSHIRE HR7 4AA**

In accordance with the criteria for public speaking, Mrs Wright (objector) spoke against the application and Mr. Vidler (agent of the applicants) spoke in favour.

Councillor TW Hunt, the local Ward Councillor asked for a planning condition to be added stipulating that the conservatory should not have a rendered finish but should be in plain brickwork.

**RESOLVED**

**That planning permission be granted subject to the conservatory having a plain brickwork finish, and 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 - Before the development hereby permitted is commenced revised details of the level of the conservatory shall have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

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

Informative:

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

**141. DCNC2005/3238/F - CONVERSION OF EXISTING OUT BUILDING INTO ANNEXE ACCOMMODATION AT OLD STABLE YARD, KIRKHAM GARDENS, BROMYARD, HEREFORDSHIRE HR7 4EA. FOR: MR H PORTLOCK PER MR R BURRASTON FOXHALL BRINGSTY COMMON WORCESTER WR6 5UN**

The receipt of a letter requesting the deletion of the dormer window in the eastern elevation was reported. The Senior Planning Officer said that the window had been deleted in the amended plans submitted by the applicant.

**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 - subject to the dormer window in the east elevation being deleted as shown on the amended plans, the development shall be carried out in accordance those plans which were received 8 November 2005.

Reason: To ensure the development is carried out in accordance with Local Plan policy.

- 3 - E15 (Restriction on separate sale )

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

- 4 - E17 (Eastern Elevation)

Reason: To protect residential amenity of adjoining properties

**5 - 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.**

**Informative:**

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

**142. DCNC2005/3250/F - REMOVAL OF OCCUPANCY CONDITION (NO. 7) REF: 13164 INSPECTORS DECISION 09.03.1994 AT LAND ADJACENT TO HOP POLE INN, RISBURY, LEOMINSTER, HEREFORDSHIRE, HR6 0NQ FOR: MR P R KELSALL OF GALLOP VIEW, RISBURY, LEOMINSTER HR6 0NQ**

The Northern Team Leader said that the applicant had submitted an appeal in respect of the refusal of planning permission at the meeting of the Sub-Committee held on 5th October. He also reported that he was recently aware of offers on the two properties which complied with the requirements of the occupancy condition.

In accordance with the criteria for public speaking, Mr. Vidler (agent of the applicants) spoke in favour of the application.

Councillor K.G. Grumbley, the Local Ward Member said that there was substantial discontent locally about the application. He did not feel that the reasons put forward for removal of the occupancy condition had not changed substantially since the previous application. He had been made aware of potential purchasers who would fulfil the occupancy condition and questioned how extensively the properties had been marketed and whether they had been advertised at an appropriate price. He felt that there should be more efforts at marketing the properties and that there was no compelling reason to approve this application and therefore proposed refusal. Other Members expressed concerns about the application and felt that the application could not be supported.

**RESOLVED:**

**That (i) The Northern Area Planning Sub-Committee is minded to refuse the application because of the following reasons 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. It is not considered that adequate evidence has been put forward to warrant removal of the occupancy condition imposed by the Inspector; and**
- 2. It is not considered that a reasonable attempt has been made to market the properties at a price which reasonably reflects the occupational condition imposed by the Secretary of State on appeal decision ref. T/APP/C1815/A/93/230478/P5 dated 9 March 1994. Consequently the proposal is considered to be contrary to Policy A44 of the Leominster District Local Plan, and Planning Policy Statement 7: Sustainable Development in Rural Areas.**

- (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.*

143. **DCNC2005/3343/F - DEMOLITION OF DERELICT GARAGING & OUT BUILDINGS AND CONSTRUCTION OF 2 NO. 2 BED HOUSES & ANCILLARY BUILDINGS FOR HOTEL. REAR OF THE ROYAL OAK HOTEL, ETNAM STREET, LEOMINSTER, HEREFORDSHIRE DCNC2005/3344/L - DEMOLITION OF DERELICT GARAGING & OUT BUILDINGS AND CONSTRUCTION OF 2 NO. 2 BED HOUSES & ANCILLARY BUILDINGS FOR HOTEL. REAR OF THE ROYAL OAK HOTEL, ETNAM STREET, LEOMINSTER, HEREFORDSHIRE DCNC2005/3345/C - DEMOLITION OF DERELICT GARAGING & OUT BUILDINGS AND CONSTRUCTIO**

The receipt of a letter from Leominster Town council withdrawing its objection, and a letter of objection raising concerns about the effect of the scheme on a private right of way was reported.

There were no objections from the Council's Trading Standards and Environmental Health Department, provided that the proposed houses were of ancillary use to the hotel.

#### **RESOLVED**

**That planning permission be granted subject to the following conditions and an informative note drawing the attention of the applicants to the private right of way:**

**DCNC2005/3343/F**

- 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 - 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.**

- 4 - C07 (Painted finish to windows/doors )**

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

**5 - C14 (Signing of contract before demolition )**

**Reason: Pursuant to the provisions of Section 17(3) of the Planning (Listed Buildings and Conservation Areas) Act 1990.**

**6 - Notwithstanding the approved plans the timber framing adjacent to Etnam Street will be retained and repaired and incorporated into the approved development in accordance with a scheme approved in writing with the local planning authority prior to any development on site.**

**Reason: In order to retain the wall elevation that is of significant historic importance in relationship to the adjacent listed building and surrounding conservation area.**

**7 - A schedule of works will be presented to the local planning authority and approved in writing with regards to timbers in the unit closest to Etnam Street and the timbers in the party wall adjoining no. 1 Etnam Street prior to any development on site.**

**Reason: In order to safeguard the historic importance in relationship to the listed building and surrounding conservation area.**

**8 - B01 (Samples of external materials )**

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

**9 - G01 (Details of boundary treatments )**

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

**10 - No meter boxes will be positioned on external walls of the approved development.**

**Reason: In order to safeguard the historic amenity of the surrounding area.**

**11 - Foul water and surface water discharges must be drained separately from the site.**

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

**12 - The surface water flows from the proposed development must be limited to a maximum discharge rate of 5l/s to the public sewerage 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.**

**13 - No land drainage run-off will be permitted, either directly or in-directly, to discharge into the public sewerage system.**

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

**14 - H08 (Access closure )**

Reason: To ensure the safe and free flow of traffic using the adjoining County highway.

15 - H02 (Single access - footway )

Reason: In the interests of highway safety.

16 - H03 (Visibility splays )

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 - 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.

19 - The integral garaging and storage area at no time shall be converted to residential accommodation.

Reason: In order to ensure that there is adequate storage area available for use by the hotel.

20 - The additional ancillary accommodation hereby permitted shall only be used for either staff or guest accommodation in relationship to the Royal Oak Hotel.

Reason: It would be contrary to policy of the local planning authority to grant planning permission for separate dwellings in this location because of the proximity of the site to the hotels function room.

Informatives:

- 1 - HN04 - Private apparatus within highway
- 2 - HN05 - Works within the highway
- 3 - N14 - Party Wall Act 1996
- 4 - N11A - Wildlife and Countryside Act 1981 (as amended) - Birds
- 5 - N15 - Reason(s) for the Grant of PP/LBC/CAC

DCNC2005/3344/L

That Listed Building Consent be granted subject to the following conditions:

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 - 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 - C07 (Painted finish to windows/doors )

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

- 4 - C14 (Signing of contract before demolition )

Reason: Pursuant to the provisions of Section 17(3) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

- 5 - Notwithstanding the approved plans the timber framing adjacent to Etnam Street will be retained and repaired and incorporated into the approved development in accordance with a scheme approved in writing with the local planning authority prior to any development on site.

Reason: In order to retain the wall elevation that is of significant historic importance in relationship to the adjacent listed building and surrounding conservation area.

- 6 - A schedule of works will be presented to the local planning authority and approved in writing with regards to timbers in unit closest to Etnam Street and the timbers in party wall adjoining no. 1 Etnam Street prior to any development on site.

Reason: In order to safeguard the historic importance in relationship to the listed building and surrounding conservation area.

- 7 - No meter boxes will be positioned on external walls of the approved development.

Reason: In order to safeguard the historic amenity of the surrounding area.

**Informatives:**

- 1 - N14 - Party Wall Act 1996  
2 - N15 - Reason(s) for the Grant of PP/LBC/CAC

**DCNC2005/C**

That Conservation Area Consent be granted subject to the following conditions:

- 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 - Notwithstanding the approved plans the timber framing adjacent to Etnam Street will be retained and repaired and incorporated into the approved development in accordance with a scheme approved in writing with the local planning authority prior to any development on site.

**Reason:** In order to retain the wall elevation that is of significant historic importance in relationship to the adjacent listed building and surrounding conservation area.

- 3 - A schedule of works will be presented to the local planning authority and approved in writing with regards to timbers in the unit closest to Etnam Street and the timbers in the party wall adjoining no. 1 Etnam Street prior to any development on site.

**Reason:** In order to safeguard the historic importance in relationship to the Listed Building and surrounding Conservation Area.

**Informatives:**

- 1 - N14 - Party Wall Act 1996  
Work on an existing wall or structure shared with another property
- 2 - N15 - Reason(s) for the Grant of PP/LBC/CAC

144. **DCNC2005/3465/T - INSTALLATION OF A 15M MAST, 3 NO. ANTENNAS, 1 NO. EQUIPMENT CABIN, AND AN ELECTRICITY METER CABINET. LAND AT BROMYARD TOWN FOOTBALL CLUB, DELAHAY MEADOW, STOURPORT ROAD, BROMYARD, HEREFORDSHIRE, HR7 4NT FOR: AIRWAVE 02 LIMITED LCC UK 9 CHURCH FARM BUSINESS PARK CORSTON BATH BA2 9AP**

The receipt of a letter from the West Mercia Constabulary indicating that the mast was required as part of the emergency services network was reported.

Councillor TW Hunt the local Ward Councillor asked for an informative note requesting no construction works being undertaken at weekends and that it be limited during the week, to protect the amenity of local residents.

**RESOLVED**

**That prior approval is not required.**

145. **DCNW2005/3082/F - RESIDENTIAL DEVELOPMENT FOR 58 DWELLINGS, 88 CAR PARKING SPACES, NEW ACCESS ROAD AND LANDSCAPING MAESYDARI SITE, KINGTON, HEREFORDSHIRE, HR5 3FA FOR: J R M DEVELOPMENTS LTD, D P DAW CHARTERED ARCHITECT, 1600 PARK AVENUE, AZTEC, WEST BRISTOL, BS32 4UA**

The Council's Trading Standards and Environmental Health Department required further appraisals of the steps which would be taken to mitigate any possible contamination of the site. The Conservation Officer had advised that the horsechestnut tree on the site would need to be removed and replaced. A further report would be required about site conditions during different weather conditions

In accordance with the criteria for public speaking, Mrs Bradbury (Kington Town Council) and Mr. Dennis/Mr Lewis (objectors) spoke against the application and Mr. Matthews (agent of the applicants) spoke in favour.

Councillor TM James the local Ward Councillor had a number of reservations about the proposal, being of the opinion that the narrow approach roads to the site and

high density of housing would create access and parking problems and have a detrimental effect on the amenity of local residents. He also felt that the proposed number of dwellings on the site would constitute over-development and would be out of keeping with the residential area around the site. The Sub-Committee had a number of concerns about the application and felt that the proposed development would be out of keeping for a market Town because of the reasons stated by the Local Ward Member.

**RESOLVED:**

- That (i) The Northern Area Planning Sub-Committee is minded to refuse the application because of the proposed housing density and adverse impact upon the character and setting of the area, 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.*

**146. DCNW2005/3093/F - REMOVAL OF CONDITION 9 ATTACHED TO APPEAL DECISION PLANNING REF: 94/0672/C AND 95/0053/C. SITING OF CARAVANS AT ARROW BANK CARAVAN PARK, EARDISLAND, LEOMINSTER, HEREFORDSHIRE, HR6 9BG FOR: WEST COUNTRY PARK HOMES LTD, CHARLES F JONES & SON LIMITED, 16 GROSVENOR COURT, FOREGATE STREET, CHESTER, CH1 1HN**

The receipt of a further letter of objection from Eardisland Parish Council was reported. In accordance with the criteria for public speaking, Mrs Pennington (Eardisland Parish Council) and Sheffield (objector) spoke against the application and Mr. Sedgebeer (agent of the applicants) spoke in favour.

Councillor JHR Goodwin, the Local Ward Member had some concerns about the removal of Condition 9 of the appeal decision because it had been imposed by the Planning Inspector following the Public Inquiry, to impose conditions on the location and number of caravans on the site. He was also concerned about the north-west part of the site on which there may be pressure to place more units. The Principal Planning Officer said that the application had been made following negotiations between the officers and the owners of the site following the receipt of complaints about the siting and number of caravans. Her view was that the proposals put forward within the report were satisfactory and she explained why she considered that Condition number 9 could be varied. She also drew attention to the conditions that would be imposed in respect of landscaping, particularly on the northwest of the site.

**RESOLVED**

**that subject to the receipt of details relating to landscaping and further consultation with the Local Ward Member, Condition No. 9 of appeal decision planning permissions reference 94/0672/C and 95/0053/C be varied as follows:**

- 1 - At no time shall any static caravans be sited outside of the area shown as hatched on or any touring caravans be sited outside of the area shown yellow on the approved plan.

Reason: To clarify the terms of this permission and to protect the quality of the landscape.

- 2 - G04 (Landscaping scheme (general) )

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

- 3 - G05 (Implementation of landscaping scheme (general) )

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

**INFORMATIVES:**

- 1 - It is brought to the attention of the applicant that the other remaining conditions continue to apply.
- 2 - It is brought to the attention of the applicant that the implementation of the approved landscaping scheme remains outstanding and should be implemented in the next available planting scheme.
- 3 - N15 - Reason(s) for the Grant of PP/LBC/CAC

147. **DCNW2004/3784/O - SITE FOR RESIDENTIAL DEVELOPMENT SITE ADJOINING OVERTON FARM, ORLETON, LUDLOW, HEREFORDSHIRE, SY8 4HZ FOR: MR G LEWIS PER THE LES STEPHAN PARTNERSHIP, 9 SWEETLAKE BUSINESS VILLAGE, LONGDEN ROAD SHREWSBURY, SY3 9EW**

**RESOLVED**

**That planning permission be refused for the following reason:**

- 1 - It is considered that this proposal is contrary to Policy A2(D) of the adopted Leominster District Local Plan, and Policy H7 of the Herefordshire Unitary Development Plan (Revised Deposit Draft). The development would constitute new residential development in the open countryside and the Local Planning Authority is of the opinion that the application fails to satisfy any of the specified exceptions criteria.
- 2 - The proposal is considered contrary to Planning Policy Guidance Note 3: Housing, and Planning Policy Guidance Note 13: Transportation, and Policies S1, S2, DR2 and DR3 of the Herefordshire Unitary Development Plan (Revised Deposit Draft) in that it would reinforce dependence on the private car as the principal mode of travel.

- 148. DCNW2004/3790/O - SITE FOR NEW FARM SHOP WITH RESTAURANT FACILITY AT LAND OPPOSITE OVERTON FARM, ORLETON, LUDLOW, HEREFORDSHIRE, SY8 4HZ FOR: MR G LEWIS PER THE LES STEPHAN PARTNERSHIP, 9 SWEETLAKE BUSINESS VILLAGE, LONGDEN ROAD, SHREWSBURY, SY3 9EW**

Councillor WLS Bowen, the Local Ward Member, spoke in favour of the application, drawing the attention of the Sub-Committee that the applicant, a local farmer, wished to carry out the changes as an improvement to the local service he provided.

**RESOLVED**

**That planning permission be refused for the following reason:**

- 1 - It is considered that this proposal is contrary to Policy A1, A34 and A45 of the adopted Leominster District Local Plan. The development would constitute a new building in the open countryside, unrelated to the nearby settlement of Orelton or any existing buildings.**
- 2 - The application site lies in an isolated, prominent position in open countryside. It would have a harmful affect on the rural character of the countryside contrary to Policy A9 of the Leominster District Local Plan.**

- 149. DCNE2005/2601/F - PROPOSED DWELLING AT LAND AT HOMEND CRESCENT, LEDBURY, HEREFORDSHIRE FOR: MR J HAINES PER MR P D JONES 92 ROBINSONS MEADOW LEDBURY HEREFORDSHIRE HR8 1SX**

The receipt of a letter of objection from Ledbury Town Council was reported.

**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 - C04 (Details of window sections, eaves, verges and barge boards )**

**Reason: In the interests of the character and appearance of the surrounding area.**

- 5 - C05 (Details of external joinery finishes )**

**Reason: In the interests of the character and appearance of the**

surrounding area.

- 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 - 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.

- 9 - G01 (Details of boundary treatments )

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

Informative:

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

150. DCNE2005/3213/O - SITE FOR THE ERECTION OF TWO DWELLINGS AT 1 RAILWAY TERRACE, WALWYN ROAD, COLWALL, MALVERN, HEREFORDSHIRE, WR13 6EG FOR: MR & MRS D FOX WALL, JAMES AND DAVIES 15-23 HAGLEY ROAD STOURBRIDGE WEST MIDLANDS DY8 1QW

In accordance with the criteria for public speaking, Mrs. Mitchell (agent of the applicants) spoke in favour of the application.

#### RECOMMENDATION

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 - G01 (Details of boundary treatments )

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

satisfactory privacy.

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

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

8 - G18 (Protection of trees )

Reason: To ensure adequate protection to existing trees which are to be retained, in the interests of the character and amenities of the area.

9 - H03 (Visibility splays )

Reason: In the interests of highway safety.

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.

11 - F17 (Scheme of foul drainage disposal)

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

**Informatives:**

- 1 - HN04 - Private apparatus within highway
- 2 - HN05 - Works within the highway
- 3 - N15 - Reason(s) for the Grant of PP/LBC/CAC

**151. DCNE2005/3325/F - ERECTION OF TWO COTTAGES AT LAND OFF QUEENS COURT, LEDBURY, HEREFORDSHIRE, HR8 2BG FOR: MR D FIELD WALL, JAMES AND DAVIES 15-23 HAGLEY ROAD STOURBRIDGE WEST MIDLANDS DY8 1QW**

The receipt of a letter of objection from Ledbury Town council and a letter from Ledbury Forum requesting covered cycle storage was reported.

In accordance with the criteria for public speaking, Mr Watts (Ledbury Town Council) spoke against the application and Mrs. Mitchell (agent of the applicants) spoke in favour.

Councillor BF Ashton one of the Local Ward Councillors had grave reservations about the application and felt that an additional two dwellings on this site would constitute over-development. He was concerned about the lack of car parking and

felt that the concept of car free development has its place in inner cities but was harder to reconcile in an historic market town which had a more limited public transport service. These would be family dwellings and would need adequate car-parking provision.

**RESOLVED:**

- That (i) The Northern Area Planning Sub-Committee is minded to refuse the application because it was over-development of the site and would suffer from a lack of adequate car-parking provision, 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.*

**152. DCNE2005/3499/F - THREE BEDROOM COTTAGE WITH GARAGE AT LAND WEST OF ACCESS TO MILLFIELDS, CANON FROME, HEREFORDSHIRE, HR8 2TG FOR: MR & MRS D E MILLINGTON-JONES C A MASEFIELD BUILDING DESIGN SERVICES 66-67 ASHPERTON ROAD MUNSLEY LEDBURY HEREFORDSHIRE HR8 2RY**

The receipt of a letter of objection from Canon Frome Parish Council was reported. The Principal Planning Officer said that the Transportation Manager had no objections, subject to two car parking spaces being provided.

**RESOLVED**

**That subject to no further objections raising additional material planning considerations by the end of the consultation period, the officers named in the Scheme of Delegation of Officers be authorised to approve the application subject to the following conditions and any further 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 - B01 (Samples of external materials )**

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

**3 - 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.**

**4 - C05 (Details of external joinery finishes )**

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

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

**Reason: To protect the amenity of local residents.**

**6 - G01 (Details of boundary treatments )**

**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 - H28 (Public rights of way)**

**Reason: To ensure the public right of way is not obstructed.**

**9 - E18 (No new windows in specified elevation)(east elevation)**

**Reason: In order to protect the residential**

The meeting ended at 5.45 p.m.

**CHAIRMAN**