

MINUTES of the meeting of Northern Area Planning Sub-Committee held at The Council Chamber, Brockington, 35 Hafod Road, Hereford on Wednesday, 4th January, 2006 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, Brig. P. Jones CBE, R.M. Manning, R. Mills, R.J. Phillips, R.V. Stockton, J. Stone and J.P. Thomas

In attendance: Councillors (none)

153. APOLOGIES FOR ABSENCE

Apologies for absence had been received from Councillor DW Rule.

154. DECLARATIONS OF INTEREST

There were no declarations of interest made.

155. MINUTES

RESOLVED:

That the Minutes of the meeting held on 30th November, 2005 be approved as a correct record, subject to the following:

Minute 131 – Councillors Mrs JP French and JP Thomas declared a prejudicial interest in item DCNC20052133F proposed erection of public clock on steel stanchions, at Corn Square, Leominster and Councillor RJ Phillips a prejudicial interest in item DCNW2005/3082/F - residential development for 58 dwellings, 88 car parking spaces, new access road and landscaping Maesydari Site, Kington.

Minute 142 – replace “two properties” with “one of the properties” in the first paragraph and the second sentence of the third paragraph being amended to read “He did not feel that the reasons put forward for removal of the occupancy condition had changed substantially since the previous application. He had been made aware by a person of a potential purchaser 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.”

156. ITEM FOR INFORMATION - APPEALS

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

157. 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.

158. 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

The Northern Team Leader said that the applicant had informed him that the proposed garage would be deleted from the scheme and that alternative storage would be provided for the tenant farmer.

Having previously carried out a site inspection, the Sub-Committee considered details of the application and had a number of concerns. There was debate about whether the building could be deemed redundant because the farmer used it to house calves, store potatoes or store wood at different times of the year and had said that at times it was heavily used. The Sub-Committee shared the concerns of Councillor J Stone, the Local Ward Member, that the barn was set too close to other existing farm buildings and that because the barn was set in a working dairy farm complex, the conversion would have an adverse effect and that there were safety issues to consider. Councillor Stone also had reservations about the overlooking of the other properties and disturbance that could be caused for the occupants of a new property on a busy farm. He felt that the proposal would constitute over-development and that there were highway safety issues involved.

The Northern Team Leader said that Officers had revisited the site and had confirmed that the building was not being used for agricultural purposes but as a log store and the storage of non-agricultural items. The applicants had made considerable efforts to comply with the requirements of the Officers and to make alternative provision for the farmer. Notwithstanding these views the Sub-Committee felt that the application should be refused because of the reasons stated. They had no objection to Listed Building consent being granted, however, so that the fabric of the building could be repaired as necessary.

RESOLVED:

- (i) **That in respect of planning application DCNC2005/1941/F 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 considered that as the building still serves a useful agricultural purpose its conversion to residential use is contrary to Policy A60 of the Leominster District Local Plan, and Policy HBA13 of the deposit draft Herefordshire Unitary Development Plan**
- 2. It is considered that the location of the proposal within a working farmyard would result in an unacceptable level of amenity to occupiers of such a dwelling, and would result in unacceptable loss of privacy to occupiers of the adjoining**

farmhouse, contrary to Policy A54 of the Leominster District Local Plan and Policy H14 of the deposit draft Herefordshire Unitary Development Plan

- (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.
- (iii) That in respect of DCNC2005/1942/L, 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 - C13 (Repairs in situ)

Reason: In order to preserve the integrity of the structure of the buildings, the conservation of which constitutes the reason for allowing the development where a new building would be contrary to policy.

3 - No development shall commence until details of the provisions to be made for an owl hole and nesting box/loft for barn owls together with details of the timing of the works have been submitted to and agreed in writing with the local planning authority.

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.

Informative:

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

[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 because the Sub-Committee had given adequate consideration to the policy issues involved].

- 159. DCNW2005/3401/F - DEMOLITION OF SUB-STANDARD BUNGALOW & ERECTION OF NEW DWELLING AND GARAGE AT THE BUNGALOW, LEINTHALL STARKES, LUDLOW, HEREFORDSHIRE, SY8 2HP MR D PERKINS, MUNDY CONSTRUCTION, 5 UPPER COURT, LUSTON, LEOMINSTER, HEREFORDSHIRE HR6 OAP AND DCNW2005/3677/G - APPLICATION TO REMOVE SECTION 52 AGREEMENT DATED JUNE 1972 AT SAME**

The receipt of an additional letter of objection was reported.

Councillor Mrs OL Barnett, the Local Ward Member, had no objection to the application subject to the removal of permitted development rights.

**RESOLVED THAT
DCNW2005/3401/F**

planning permission be granted subject to the removal of permitted

development rights 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 - 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 the building.
- 5 - C05 (Details of external joinery finishes)**
Reason: To safeguard the character and appearance of the building.
- 6 - 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 the building.
- 7 - E08 (Domestic use only of garage)**
Reason: To ensure that the garage is used only for the purposes ancillary to the dwelling.
- 8 - E16 (Removal of permitted development rights)**
Reason: In order that the local planning authority can control development at this specific location which is in open countryside.
- 9 - G04 (Landscaping scheme (general))**
Reason: In order to protect the visual amenities of the area.
- 10 - G05 (Implementation of landscaping scheme (general))**
Reason: In order to protect the visual amenities of the area.
- 11 - H01 (Single access - not footway)**
Reason: In the interests of highway safety.
- 12 - H04 (Visibility over frontage)**
Reason: In the interests of highway safety.
- 13 - H05 (Access gates)**

Reason: In the interests of highway safety.

14 - 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.

15 – The development hereby permitted shall not commence until drainage works for the disposal of both surface water and foul drainage have been carried out in accordance with the details to be submitted to and approved by the local planning authority in writing.

Reason: There are no public foul/surface water sewers available within the vicinity of the site to serve this development.

16 - 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.

17 - Notwithstanding the approved plans, the approved garage will be in accordance with the amended plans ref. no. DWG. No. AWM/05/73, AWM/05/72, AWM/05/075.

Reason: The local planning authority considers the requested amended location for the proposed garage is acceptable.

18 - The existing dwelling on site shall be completely demolished and its resulting debris completely removed from site prior to commencement of construction of the replacement dwelling.

Reason: In the interests of amenity and to prevent the retention of the existing dwelling.

INFORMATIVES

- 1 - HN01 - Mud on highway
- 2 - HN05 - Works within the highway
- 3 - HN10 - No drainage to discharge to highway
- 4 - HN22 - Works adjoining highway
- 5 - N13 - Control of demolition - Building Act 1984
- 6 - N15 - Reason(s) for the Grant of PP/LBC/CAC

NW05/3677/G

That the Legal Practice Manager be authorised to complete a deed of discharge of the S52 Agreement.

160. DCNW2005/3526/F - PROPOSED FLOOD LIGHTS TO EXISTING RIDING AREA AT PAX COTTAGE, WOONTON, HEREFORD, HEREFORDSHIRE, HR3 6QH FOR: BLANE ESQ PER MR J SPRECKLEY, BRINSOP HOUSE, BRINSOP, HEREFORD, HR4 7AS

The receipt of an additional letter of objection was reported.

The Senior Planning Officer said that the Environmental Health Officer had suggested revisions to condition No 3 requiring full details of the lighting to be submitted and approved in writing by the Council prior to any work commencing on site. Councillor JW Hope, the Local Ward Member suggested that the permitted hours be reduced to 7:00 am to 8:00 pm. The Sub Committee felt that any further conditions would be too restrictive and that permission should be granted as set out in the report of the Head of Planning Services.

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 - The floodlights hereby approved shall only be switched on between the hours of 7 am - 9 pm and at no other time.

Reason: In order to protect the amenity of the surrounding area.

3 - The four floodlights shall be positioned as such that they only shine onto the existing riding arena in accordance with the approved plans and not onto the surrounding countryside.

Reason: In order to protect the amenity of the surrounding area.

4 - No other form of artificial flood lighting shall be erected within the vicinity of the application site. This includes the stable block adjacent to the application site.

Reason: In order to protect the amenity of the surrounding area.

5 - The floodlights installed shall total four in number and be in accordance with the details submitted as part of the application subject to this approval.

Reason: In the interests of visual amenity.

INFORMATIVES

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

161. DCNW2005/3604/F - DEMOLITION OF REDUNDANT OUTBUILDING AND REPLACE WITH 2 BEDROOM BUNGALOW AT THE OLD BAKERY ORLETON LUDLOW SY8 4HN FOR: MR & MRS R O'NEILL DCNW2005/3605/C - DEMOLITION OF REDUNDANT BUILDING AT THE OLD BAKERY, ORLETON, LUDLOW, SY8 4HN FOR: MR & MRS R O'NEILL

The Senior Planning Officer said that a letter had been received from Orleton Parish Council expressing concern about the safety of the vehicular access. He advised that the Transportation Manager was satisfied with the access proposals.

The Sub Committee had some reservations about the design of the building in a Conservation area but accepted the view of the Development Control Manager that it would be a marginal improvement over the former bakery. Councillor WLS Bowen felt that timber used in the construction should be from sustainable forest and the Development Control Manager said that this could be included in the informatives attached to the consent. The Sub Committee also had concerns about the materials being used and the Development Control Manager said that these would be dealt with within the planning conditions.

RESOLVED THAT

DCNW2005/3604/F

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

Reason: To safeguard and enhance the character and appearance of the surrounding Conservation Area.

- 5 - Notwithstanding the approved plans all fascias, soffits, external doors and windows will be of timber construction and prior to C05 (Details of external joinery finishes)**

Reason: To safeguard and enhance the character and appearance of the surrounding Conservation Area.

- 6 - G04 (Landscaping scheme (general))**

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

- 7 - G05 (Implementation of landscaping scheme (general))**

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

- 8 - G10 (Retention of trees)**

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

- 9 - G21 (Excavations beneath tree canopy)

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

- 10 - The applicants or his/her agents or successors in title shall ensure that a professional archaeological contractor undertakes an archaeological watching brief during any development to the current archaeological standards of and to the satisfaction of the local planning authority.

Reason: To ensure that the archaeological interest of the site is investigated.

Informatives:

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

DCNW2005/3605/C

- 1 - C1 - The works hereby permitted shall be begun before the expiration of three years from the date of this consent.

Reason: Required to be imposed by Section 18(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

- 2 - The existing structure on site to be demolished will be completely moved from the application site prior to any construction of the approved dwelling.

Reason: In the interests of the surrounding amenity.

Informatives:

- 1 - Your attention is drawn to Section 80 of the Building Act 1984 whereby no demolition may be carried out without proper notice to the local authority and a counter notice issued under Section 81.

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

162. DCNW2005/3607/F - ERECTION OF A TWO STOREY HOUSE AT LAND AT CHAPEL HOUSE, ORLETON, NR. LUDLOW, SHROPSHIRE FOR: MR J THORPE MCCARTNEYS THE OX PASTURE OVERTON ROAD LUDLOW SHROPSHIRE SY8 4AA

The receipt of a letter of objection was reported.

In accordance with the criteria for public speaking, Mr. Snape (objector) spoke against the application.

Councillor WLS Bowen, the Local Ward Member had a number of concerns about the application because of its location in the heart of a Conservation Area at a prime crossroads to the village. He was of the view that the character and feel of the village would be detrimentally affected and that the development would be of inappropriate density and cause a visual intrusion. He considered that it would diminish the quality of the adjoining properties and have an adverse effect upon the

War Memorial. He also felt that the Conservation Area would be harmed by the proposal and he was concerned about road safety issues with the entrance at a busy crossroads. The Sub Committee supported the views of Councillor Bowen and was minded to refuse the application.

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 considered that the proposal would be detrimental to the character of the Orleton Conservation Area at an important crossroads within the village, contrary to policy A21 of the Leominster District Local Plan and HBA6 of the draft Herefordshire Unitary Development Plan.**
- 2. It is considered that the additional traffic movements at the crossroads would be detrimental to highway safety.**

(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 because he was satisfied with the reasons given for refusal.]

163. DCNW2005/3737/F - CONVERSION OF AGRICULTURAL BUILDINGS TO FORM ONE HOUSE AT UPPER FARM, AILEY, KINNERSLEY, HEREFORDSHIRE. DCNW2005/3738/L - AS ABOVE FOR: WESTATE LTD PER BURTON & CO, LYDIATT PLACE, BRIMFIELD, LUDLOW, SHROPSHIRE, SY8 4NP

The receipt of an additional letter of objection was reported together with a memo from the Lead Valuer & Estates Surveyor saying that she was unable to give a view on the market rental because the site was not owned or in the interests of the Council.

In accordance with the criteria for public speaking, Mrs. Sykes (objector) spoke against the application and Mr. Burton (agent for the applicant) spoke in favour.

Councillor WLS Bowen felt that the proposal was acceptable and that a fine barn would be considerably enhanced. The Sub-Committee had some concerns that the barn was marketed for commercial use at an unrealistic price that did not reflect its poor structural condition and that further marketing needed to be done.

RESOLVED THAT

Consideration of applications DCNW2005/3737/F DCNW2005/3738/L be deferred for further investigation about marketing the barn at a realistic market value.

- 164. DCNC2005/3626/F - CONVERSION OF REDUNDANT FARM BUILDINGS TO FOUR HOUSES AND ERECTION OF ONE HOUSE AT SITE ADJACENT TO LUSTON COURT, LUSTON, LEOMINSTER, HEREFORDSHIRE FOR: MRS M JONES PER BURTON & CO LYDIATT PLACE BRIMFIELD LUDLOW SHROPSHIRE SY8 4NP**

The receipt of an additional letter in general support of the application but not on this site was reported.

Councillor BF Ashton had concerns about the site being overdeveloped and that the Transportation Manager objected to the application because of a restricted eastern visibility splay. The Senior Planning Officer said that she had taken this into consideration but that overall the scheme was acceptable. Councillor J Stone, the Local Ward Member, noted the objections raised by the Parish council and local residents but felt that the applicants had made every effort to arrive at an acceptable scheme which would preserve some very important historic buildings in the locality. He felt that the nature of the lane led to low traffic speeds but if the scheme was accepted he would discuss the matter further with the transportation manager to see if there was scope for traffic calming and better signage.

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 - This permission should be implemented only in lieu of, and not in addition to, the extant planning permission 79/487 dated 1979.**

Reason: To prevent overdevelopment of the site.

Informative:

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

- 165. DCNC2005/3734/F - RETROSPECTIVE APPLICATION FOR TWO STOREY SIDE EXTENSION TO DWELLING AT LAVENDER COTTAGE, UPPER SAPEY, WORCESTER, HEREFORDSHIRE, WR6 6XT FOR: MR P DAVIS PER LINTON DESIGN GROUP, 27 HIGH STREET, BROMYARD, HEREFORDSHIRE, HR7 4AA**

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.

166. DCNC2005/3503/F - AGRICULTURAL STORAGE BARN AT LAND ADJACENT TO BUTT OAK FARM, RISBURY, LEOMINSTER, HEREFORDSHIRE FOR: MRS A IVALL AT SAME ADDRESS

In accordance with the criteria for public speaking, Mr. Ivall (applicant) spoke in favour of the application.

RESOLVED THAT

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 - B10 (Details of cladding (agricultural and industrial buildings)**
Reason: To minimise the visual impact of the development.
- 4 - E10 (Use restricted to that specified in application) (agricultural storage)**
Reason: To suspend the provisions of the Town and Country Planning (Use Classes) Order currently in force, in order to safeguard the character and amenity of the local area.
- 5 - There shall be no floodlighting or external lighting installed at the site without the approval in writing of the Local Planning Authority.**
Reason: In the interests of protecting the visual amenity of the area.
- 6 - 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.
- 7 - G09 (Retention of trees/hedgerows)**
Reason: To safeguard the amenity of the area.
- 8 - H16 – Parking/unloading provision – submission details**
Reason: To minimise the likelihood of indiscriminate parking in the interests of highway safety.

Informative:

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

167. DCNC2005/3164/F - PROPOSED 2 NO THREE BEDROOM DWELLINGS AT LAND NW OF STONEHOUSE, BODENHAM, HEREFORD HR1 3HS. FOR: MR S DAVIES AT SAME ADDRESS

In accordance with the criteria for public speaking, Mr. Powell (objector) spoke against the application.

Councillor KG Grumbley, the Local Ward Member, had a number of concerns about the application, feeling that the proposal would be an overdevelopment of the site. He also felt that there were potential problems with drainage because there was no mains sewer and mains water. It was crucial that adequate measures were put in place to deal with surface water drainage because disposal of surface water into the ditch near to the proposed property would add to flooding of the C1125 which was already a significant problem in adverse weather conditions. He felt that it was essential for the Environment Agency and the Transportation Manager to be satisfied with the arrangements prior to the scheme commencing and the Sub Committee concurred with his views.

RESOLVED THAT

planning permission be granted subject to the following conditions and the prior agreement of the Environment Agency, Welsh Water Authority and the Transportation Manager about sewer and drainage arrangements:

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 (general))

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

4 - 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.

5 - G09 (Retention of trees/hedgerows)

Reason: To safeguard the amenity of the area.

6 - H03 (Visibility splays) (2m x 33m) (Plot 2)

Before any other works hereby approved are commenced, visibility splays for Plot 2 shall be provided from a point 0.6 metres above ground level at the centre of the access to 2 metres back from the nearside edge

of the adjoining carriageway (measured perpendicularly) for a distance of 33 metres in each direction along the nearside edge of the adjoining carriageway. Nothing shall be planted, erected and/or allowed to grow on the triangular area of land so formed which would obstruct the visibility described above.

Reason: In the interests of highway safety.

- 7 - H03 (Visibility splays) (2m x 33m L, 2m x 20m R) (Plot 1)

Reason: In the interests of highway safety.

- 8 - H05 (Access gates) (5m)

Reason: In the interests of highway safety.

- 9 - H09 (Driveway gradient)

Reason: In the interests of highway safety.

- 10 - 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.

- 11 - F16 – Restriction of hours during construction

Reason: To protect the amenity of local residents.

- 12 - F18 – Scheme of foul drainage disposal

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

Informatives:

- 1 - N15 - Reason(s) for the Grant of PP/LBC/CAC
- 2 - HN01 - Mud on highway
- 3 - HN05 - Works within the highway
- 4 - HN10 - No drainage to discharge to highway

168. DCNC2005/3639/F - DEMOLITION OF EXISTING HOUSE AND ERECTION OF 3 NO. DETACHED HOUSES WITH INTEGRAL GARAGES AT 6 LINTON LANE, BROMYARD, HEREFORDSHIRE, HR7 4DQ FOR: MORPHEUS CONSTRUCTION LTD, LINTON DESIGN GROUP, 27 HIGH STREET, BROMYARD, HEREFORDSHIRE, HR7 4AA

The Senior Planning Officer said that the Archaeological Adviser had asked for a watching brief to be kept on the site and for additional conditions in respect of materials used.

RESOLVED: That consideration of the application be deferred for a site inspection 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.

169. DCNC2005/3689/O - SITE FOR SMITHY & STABLES WITH FARRIERS COTTAGE AND APPRENTICE FLAT ON PART PARCEL NO 4493, HOLMER FARM, PUDLESTON, LEOMINSTER, HEREFORDSHIRE FOR: MR R PRICE, C/O HAMNISH FARM, LEOMINSTER, HEREFORDSHIRE, HR6 0QP

The Senior Planning Officer reported the receipt of further letters from the applicant, a letter of support from the NFU, a letter of support from a member of the public and a further letter from the objector.

In accordance with the criteria for public speaking, Mr. Phillips (objector) spoke against the application and Mr. Price (applicant) spoke in favour.

Councillor KG Grumbley, the Local Ward Member, said that the applicant required accommodation and facilities to undertake his work as a farrier and to train an apprentice. The applicant had been using a building on his father's farm and also had to operate from the back of his van for his work but had found this to be increasingly difficult and no longer practicable. He needed proper facilities to deal with difficult horses and to locate a forge. He also needed accommodation for himself and his apprentice and Councillor Grumbley felt that the application site was in ideal situation to help the applicant to modestly expand and move forward. He pointed out that there was a national shortage of farriers and that Holme Lacy College was one of only four within the Country which provided courses for them. He felt that the proposal was in keeping with national planning legislation and guidance for agricultural diversification and that there was scope within the Council's planning policies H8, A2D and A35 to support it. He also took the view that it was an established business and that the development would be in line with the Governments white paper on farm diversification. The equine industry was on the decline in this area and he felt that animal welfare is paramount and that this kind of development would help to maintain jobs and income in the countryside. He noted that there were some concerns about the prominent location of the proposal but felt that it was a relatively modest development and that there was sufficient scope within the site for the buildings to be carefully orientated to lessen their visual impact. He pointed out that permission had recently been granted for a stable block within the area which was in a much more prominent location. He said that this was an outline application and that various aspects could be agreed and conditions established prior to a full application, along with the conditions required by the Head of Environmental Health and Trading Standards and an appropriate requirement that all development was tied to the business.

Councillor BF Ashton had a number of concerns about the application because it constituted development in the open countryside and was contrary to a large number of the Council's Planning Policies. He felt that the proposal had great merit in its aims but was in the wrong location. The Northern Team Leader pointed out that the proposal constituted the erection of residential development and commercial development in the open countryside and not farm diversification.

Having carefully considered all the merits of the application, the Sub-Committee was minded to approve it because it felt that there were exceptional circumstances involved and there was an essential rural service which being provided within the

locality. It agreed that an appropriate tie could be placed on any permission granted prevented any future buildings being sold separately and that approval be prepared in consultation with the Local Ward Member.

RESOLVED:

That (i) The Northern Area Planning Sub-Committee is minded to approve the application 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 application, the Development Control Manager advised that he would refer the decision to the Head of Planning Services because of the crucial planning policies involved.]

The meeting ended at 4.06 p.m.

CHAIRMAN