

**MINUTES of the meeting of Planning Committee held at
The Council Chamber, Brockington, 35 Hafod Road,
Hereford on Friday, 3rd March, 2006 at 10.00 a.m.**

Present: Councillor T.W. Hunt (Chairman)
Councillor J.B. Williams (Vice Chairman)

Councillors: B.F. Ashton, P.J. Dauncey, Mrs. C.J. Davis, D.J. Fleet,
J.W. Hope MBE, B. Hunt, Mrs. J.A. Hyde, Brig. P. Jones CBE,
R.M. Manning, R. Mills, Mrs. J.E. Pemberton, R. Preece,
Mrs. S.J. Robertson, D.C. Taylor, P.G. Turpin and W.J. Walling

In attendance: Councillors P.J. Edwards, T.M. James and R.M. Wilson

17. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors MR Cunningham, PE Harling, Mrs RF Lincoln and RI Matthews.

18. NAMED SUBSTITUTES (IF ANY)

The following named substitutes were appointed:-

Councillor Mrs PA Andrews for Councillor MR Cunningham;
Councillor R Mills for Councillor PE Harling; and
Councillor PG Turpin for Councillor Mrs RF Lincoln.

19. DECLARATIONS OF INTEREST

Councillor	Item	Interest
DJ Fleet	10 (Minute No 26) DCCW 2005/3683/F Wind turbine at new Whitecross High School & 14 (Minute No 30) Information Pillars	Personal
RM Wilson	13 DCNW2005/3550/F - Glazed roof and canopy at Place-De-Marines Kington (Minute No 29) & 14 (Minute No 30) Information Pillars	Declared an interest as a Cabinet Member
Mrs SJ Robertson	14 (Minute No 30) Information Pillars	Personal

20. MINUTES

RESOLVED: That the Minutes of the meeting held on 20th January, 2006 be approved as a correct record and signed by the Chairman.

21. CHAIRMAN'S ANNOUNCEMENTS

The Chairman said that Mr Jonathan Barrett the Head of Planning Services would shortly be leaving the Council to take up a new post and thanked him for all the help and courtesy he had shown to members during the past few years.

The Head of Planning Services provided the Committee with the following information about his department:-

BUILDING CONTROL

Building control had received 467 submissions and Building Notices in 2006. There were 82 submissions awaiting a decision, 30 of which were waiting for further information from the agent/applicant. 97.54% of submissions had a decision within the statutory time period and the Building control Action Plan had a target of 100%. The Section was 2 surveyors below establishment with interviews taking place shortly.

Conservation Section

The Section dealt with a range of activities with much of its staff time devoted to advising Development Control and Forward Planning officers. Other key tasks include maintaining the Sites and Monuments Record, operating the Historic Building Grant Scheme, Conservation Area designation and appraisal, regulatory matters in relation to trees and hedgerows, and curatorial work in relation to archaeology. The section also sought funding for a range of environmental and related community projects; environmental auditing and monitoring work, and strategic partnership activities. It indirectly contributed to a new range of Best Value Indicators and was directly responsible for BV219. This related to Conservation Areas and a report would be submitted to the next Planning Committee about it. There was also a Corporate Plan Indicator about land the Council owned or was responsible for and managed for biodiversity, which the section leads upon through the Biodiversity Partnership Office. There were a number of staff changes within the Historic Buildings Team, the Landscape Team and the Archaeology Team.

Forward Planning

The main matters being dealt with the Team were:

- UDP Inspectors report is expected to be received shortly and will enable the completion of the last stages of the UDP process – Modifications will be made during the period March 2006 – Sep 2007;
- Staff contributing to the partial review of the Regional Strategy Statement;
- First major element of the Local Development Framework - the Statement of Community Involvement is due for submission to Government. in the summer;
- Core strategy will follow.
- Several SDP documents underway including for various sites (e.g. the ones at Committee) and for planning obligations and the ESG.
- Overall the LDF timetable set out in the LDS scheme is being delivered.
- BVPI 106 on pdl = 72% 04/5 comfortably exceeding national (60%) and regional

(68%) targets.

- Vacancies – position improving – just the one vacant Senior Planning Officer post and half a senior maternity cover.

Development Control

The current BV109 position is:

	<u>Target</u>	<u>April 05 – Feb 06</u>
Majors	60%	59%
Minors	65%	72%
Others	80%	84%

There is continuing improvement in meeting targets but these are affected by the deferral of applications at the Area Sub-Committee meetings.

BV 204 – Appeals: Despite some recent reversals on appeal, overall the appeal statistics were healthy. Only 26% of appeals against refusals have been upheld in 2005/06 so far.

The DC Team currently has vacancies for the Minerals & Waste Team Leader and a trainee Planning Officer.

The DC service is progressing with e-enabling the service. Planning application forms and plans war on the Internet and the GIS project was making steady progress.

The challenge ahead is to maintain the BVPI improvements without sacrificing quality and pursuing the modernisation agenda of the government and the Council. Further development of Section 106 policies and practice was a significant element of this and was necessary to achieve key (UDP & LTP) policy objectives.

22. NORTHERN AREA PLANNING SUB-COMMITTEE

RESOLVED: That the report of the meetings held on 25th January, 2006 and 22nd February, 2006 be received and noted.

23. CENTRAL AREA PLANNING SUB-COMMITTEE

RESOLVED: That the report of the meetings held on 8th February, 2006 be received and noted.

24. SOUTHERN AREA PLANNING SUB-COMMITTEE

RESOLVED: That the report of the meetings held on 18th January, 2006 and 15th February, 2006 be received and noted.

25. 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 Development Control Manager presented the report of the Head of Planning Services. At the previous meeting of the Committee, consideration of the application

had been deferred for a site inspection which had been carried out on 28th February, 2006. The report had been updated to include further correspondence and the Development Control Manager said that additional letters had been received but that they did not raise any further planning issues. The view of the Head of Planning Services was that the application did not constitute farm diversification and that there would be an adverse impact on an area of previously undeveloped open countryside. He was satisfied that the proposal was contrary to the policies contained within the Leominster District Local Plan and the Hereford and Worcester County Structure Plan.

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

Councillor RM Manning 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 his van and had found this to be increasingly difficult to do 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 the application site was in ideal situation to help the applicant to modestly expand and move forward. 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 Leominster District Local Plan A2D(v), A35(3) and paragraph 5.35, and the Deposit Draft Unitary development Plan E11, E12, and H8 to support it. He also took the view that it was an established business and that the development would be in line with Government guidance on farm diversification. He noted that there were some concerns about the prominent location of the proposal but felt that there was sufficient scope within the site for the buildings to be carefully orientated with suitable landscaping 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 officers together with an appropriate requirement that all development was tied to the business.

The Chairman expressed the view that although the application was for a worthwhile enterprise, the application site was in the wrong location and constituted accommodation and a commercial enterprise in the open countryside. It needed to be in an alternative established location. The Director of Environment emphasised that [consideration of applications needed to be made on their planning merits based on the Council's policies and that making exceptions such as this application would only serve to undermine those policies](#). Councillor Mrs Robertson commented on the growth of equine activity in the County with more bridleways being provided and an increase in horse riding holidays and commended the application. Councillor BF Ashton felt that the proposal was a commendable concept but in the wrong location and in breach of significant planning policies. The site was situated in an isolated location some distance along a narrow lane and access would prove to be difficult for horseboxes and lorries. There were other farriers in the area and the role of mobile farriers was well established in the rural community. He felt that greater effort was required on the part of the applicant to find a more suitable location. The Legal Practice Manager and the Development Control Manager said that reference had been made to another site nearby which had been granted permission under delegated powers. This was in relation to an established building but in the case of the application before the Committee the proposal was in the open countryside not part of an existing enterprise. Councillor Mrs JE Pemberton had some concerns about the amount of space allocated to the objectors compared to the supporters in

the report and the comments made about the local ward member and support from DEFRA. Several Members had concerns about the isolated nature of the site and the difficult roads that would have to be traversed by those transporting horses to the site. Councillor Mrs JA Hyde said that this was a fact of life for those living and working in rural areas.

Having given detailed consideration to all the facts relating to the application, the Committee decided that notwithstanding the advice of officers, it should be approved.

RESOLVED:

That the application be approved in consultation with the Local Ward Member subject to any conditions felt to be necessary by the Head of Planning Services, including landscaping, highways and environmental health and subject to the development being tied to the business, and that the application for approval of reserved matters be submitted to the Committee.

26. DCCW2005/3683/F - WIND TURBINE WITH 9M DIAMETER BLADES ON A 15M TOWER AT NEW WHITECROSS HIGH SCHOOL, THREE ELMS ROAD, HEREFORD, HR4 0RN FOR: STEPNELL LTD. PER STEPNELL LTD., SITE OFFICES, NEW WHITECROSS HIGH SCHOOL, THREE ELMS ROAD, HEREFORD, HR4 0RN

The Development Control Manager presented the report of the Head of Planning Services. He said that at the previous meeting of the Committee, consideration of the application had been deferred for a site inspection which had been carried out on 28th February, 2006. The report had been updated to include further correspondence and the Development Control Manager said that he had received an e-mail from an objector about the 'cherry picker' not being left on site until 3:00 pm as originally indicated. The Head of Environmental Health and Trading Standards had assessed the noise levels of the proposal through an acoustic engineer and was satisfied that they would be well below the statutory noise nuisance.

In accordance with the criteria for public speaking, Mrs. Jenkins (objector acting on behalf of Three Elms Residents association) spoke against the application and Mrs Strutt (applicant) and Mr Wakeford her agent spoke in favour.

The Committee discussed the details of the application and whilst noting the concerns of the local residents, felt that the turbine was situated as far away from dwellings as possible and partially screened from several directions either by hedgerows or the new school buildings. The turbine was relatively modest in size and there was no mechanical gearing to create noise nuisance which would disturb those in the residential areas. It would help with both with the educational provision for pupils and power generation for the school. It was felt that there were considerable merits with the application.

RESOLVED

That planning permission be granted subject to the following conditions:

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

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

2. **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. **No trees along the boundary of the school site, other than those expressly authorised by the local planning authority, shall be felled, topped or lopped without the prior approval in writing of the local planning authority.**

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

4. **The turbine tower shall be coloured dark green, the details of which shall be submitted for approval of the local planning authority prior to work commencing on site.**

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

5. **The wind turbine and associated equipment shall be kept in a good decorative order and maintained in accordance with the manufacturer's specification until removed.**

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

6. **Within six months of the wind turbine becoming redundant it shall be removed together with all associated equipment and the land restored.**

Reason: In the visual interest of the locality.

Informative:

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

27. DCSE2005/1284/F - STERRETTS CARAVAN PARK, SYMONDS YAT, HEREFORDSHIRE

The Southern Team Leader said that the Southern Area Planning Sub-Committee was mindful to approve the application and that it had been referred to the Planning Committee by the Head of Planning Services because this view was contrary to a number of the Council's Planning policies.

Councillor Mrs JA Hyde said that the Sub-Committee has expressed support for the application because it would be a modest addition to the current holiday facilities and that it would be well screened by the existing trees. Councillor Mrs CJ Davies also supported the application, feeling that it was in keeping with similar ventures nearby and that it would help with increasing tourism in the area and also benefit the local economy. The Sub-Committee had taken the view that the proposed log cabins were less intrusive than the existing static caravans and that they would enhance the Area of Outstanding Natural Beauty (AONB).

Councillor BF Ashton was concerned that the proposal comprised of creeping development within the AONB and that it would start to erode it. He was of the view that the application should not override the Council's planning policies because it could form a considerable visual detraction and set an unwelcome precedent.

The Legal Practice Manager said that the planning policies were in place to provide

consistency in decision making, that those contained within the emerging Unitary Development Plan were crucial and that the merits of the application should be measured against those policies. The Southern Team Leader said that the area in question was a buffer zone for the AONB and that if this application was approved it would be difficult to resist others.

Having considered all the aspects of the application and noted the comments made by the Officers, the Committee decided that because of the modest development involved that the application should be approved.

RESOLVED : That the application be approved subject to any appropriate conditions felt to be necessary by the Head of Planning Services.

28. DCSE2006/0052/F - CONVERSION & ALTERATIONS TO EXISTING PERIOD BARN TO B1 CATERING USE AND ONE RESIDENTIAL DWELLING, TRE-ESSEY BARN, LLANGARRON, ST WEONARDS, HEREFORDSHIRE

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

The Southern Team Leader said that at its meeting on 15th February 2006 the Southern Area Planning Sub-Committee was minded to grant Planning Permission contrary to the Council's policies and Officer advice. The Head of Planning Services had referred the application to the Planning Committee because the proposal involved extensive reconstruction and conversion of buildings in the open countryside and was contrary to a number of the Council's planning policies.

Councillor Mrs JA Hyde the local Ward member felt that young people should be encouraged to stay within the area and that the redevelopment of the agricultural buildings would result in a modest family home for a young local family and would considerably enhance the visual amenity of the area. She noted the concerns of the Officers but felt that Planning Permission should be granted.

The Chairman drew attention to the fact that the barns were in a ruined state and that the proposal did not constitute rural diversification in any way. The Southern Team Leader said that the buildings were derelict and that the proposal did not constitute conversion but a major rebuild and extension. He advised that granting the application would result in a new dwelling in the open countryside and be contrary to crucial planning policies.

The Committee discussed the application thoroughly and felt that notwithstanding the views of the Officers that the application would result in an improvement to the site and that it would support local businesses.

RESOLVED : That the application be approved subject to any appropriate conditions felt to be necessary by the Head of Planning Services.

29. DCNW2005/3550/F - PROVISION OF GLAZED ROOF AND METAL COLUMNED CANOPY WITH INTERNAL LIGHTING FOR MARKET FACILITIES AND RECREATIONAL FUNCTIONS AT PLACE-DE-MARINES, OFF MILL STREET, KINGTON, HEREFORDSHIRE.

The Development Control manager said that the application had been referred to the Committee because the proposal was on Council owned land. He provided the Committee with details about the application.

Councillor TM James, the local Ward member, said that the proposal would be a great asset to the town and provide a covered area for numerous social events, festivals and market facilities and that it had the overwhelming support of the local community.

30. PUBLIC INFORMATION PILLARS

In accordance with the criteria for public speaking, Mr. Oakden spoke in favour of the applications.

The report of the Head of Planning Services was presented about twenty planning applications for free-standing information pillars to be located Hereford City. The Committee discussed the merits of each application individually and was provided with details of additional correspondence that had been received.

RESOLVED: That the applications should be dealt with as follows:

DCCE2006/0128/A-Outside Odean, Commercial Road, - REFUSED
DCCW2006/0130/A- Garrick House Car Park, Hereford - APPROVED
DCCE2006/0131/A – Wye Street Car Park, Hereford - REFUSED
DCCE2006/0133/A – Hereford Railway Station - APPROVED
DCCE2006/0135/A – Outside the Kerry, Commercial Road, Hereford - REFUSED
DCCE2006/0136/A – Outside 28 Aylestone Hill, Hereford - REFUSED
DCCE2006/0148/A – Outside Herefordshire College of Art – APPROVED
DCCE2006/0150/A – Outside Technical College, Hereford – REFUSED
DCCE2006/0151/A – Outside 5/4 St Peters Square, Hereford – REFUSED
DCCE2006/0154/A – Outside 40/42 Holme Lacy Road, Hereford – REFUSED
DCCE2006/0155/A – Mail Order Car Park exit, Hereford – REFUSED
DCCE2006/0161/A – Bus Station, Union Walk, Hereford – APPROVED
DCCE2006/0164/A – Gaol Street Car Park, Hereford – REFUSED
DCCW2006/0175/A – Exit from West Street Car Park, Hereford – APPROVED
DCCW2006/0181/A – Outside 17, King Street, Hereford – REFUSED
DCCW2006/0185/A – Outside Forbuoys, Whitecross Road, Hereford – REFUSED
DCCW2006/0188/A – Entrance to Merton Meadow Car Park, Hereford – APPROVED
DCCW2006/0192/A – Outside Oval Shops, Newton Farm, Hereford – REFUSED
DCCW2006/0194/A – Entrance to Leisure Centre, Holmer Road, Hereford – REFUSED
DCCE2006/0300/A – OUTSIDE FAT FACE, HIGH TOWN, HEREFORD – REFUSED

31. DEVELOPMENT BRIEF FOR THE EXISTING WHITECROSS HIGH SCHOOL SITE, HEREFORD

The Director of Environment said that the Development Brief had been withdrawn.

32. SHOBDON DRAFT DEVELOPMENT BRIEF

The Head of Planning Services presented the report of the Forward Planning manager about a Draft Development Brief for the land adjacent to the Birches, Shobdon and requested that it be approved for public consultation purposes. He provided the Committee with details about the development brief which the

Committee decided should be supported.

RESOLVED : That the Cabinet member, (Environment), be recommended to approve the draft development brief for consultation purposes.

The meeting ended at 12.40 p.m.

CHAIRMAN