

MINUTES of the meeting of Central Area Planning Sub-Committee held at The Council Chamber, Brockington, 35 Hafod Road, Hereford on Wednesday, 5th April, 2006 at 2.00 p.m.

Present: Councillor D.J. Fleet (Chairman)

Councillors: Mrs. P.A. Andrews, Mrs. W.U. Attfield, Mrs. E.M. Bew, A.C.R. Chappell, P.J. Edwards, J.G.S. Guthrie, R.I. Matthews, J.C. Mayson, Mrs. J.E. Pemberton, Ms. G.A. Powell, Mrs. S.J. Robertson, W.J.S. Thomas, Ms. A.M. Toon, D.B. Wilcox, A.L. Williams and R.M. Wilson.

In attendance: Councillors T.W. Hunt (ex-officio) and J.B. Williams (ex-officio)

155. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Mrs. S.P.A. Daniels, Mrs. M.D. Lloyd-Hayes, J.W. Newman, R. Preece, Miss F. Short, Mrs. E.A. Taylor and W.J. Walling.

156. DECLARATIONS OF INTEREST

The following declarations of interest were made:-

Councillor	Item	Interest
Mrs. S.J. Robertson	Agenda Item 5, Minute 159 DCCE2006/0099/O Royal National College for the Blind, College Road, Hereford, HR1 1EB	Declared a prejudicial interest and left the meeting for the duration of this item.
D.B. Wilcox	Agenda Item 6, Minute 160 DCCE2006/0554/F Plots 1 and 2 adjacent to the Woodlands Farm, Watery Lane, Lower Bullingham, Hereford, HR2 6JW	Declared a personal interest.
Ms. G.A. Powell and Mrs. S.J. Robertson	Agenda Item 7, Minute 161 DCCE2006/0608/F Leys Farm, Grafton, Hereford, HR2 8BL	Ms. Powell declared a personal interest. Mrs. Robertson declared a prejudicial interest and left the meeting for the duration of this item.
J.C. Mayson	Agenda Item 11, Minute 165 DCCW2006/0370/F 19 Ingestre Street, Hereford	Declared a prejudicial interest and left the meeting.

J.C. Mayson	Agenda Item 14, Minute 168 DCCW2006/0448/F Magna Castra Farm, Credenhill, Hereford, HR4 7EZ	Declared a prejudicial interest but had left the meeting before this item was considered.
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Mr. K. Bishop, Principal Planning Officer, declared a personal interest in respect of Agenda Item 8, Minute 162, DCCE2006/0649/F, and left the meeting for the duration of this item.

157. MINUTES

RESOLVED: That the Minutes of the meeting held on 8th March, 2006 be approved as a correct record.

158. ITEM FOR INFORMATION - APPEALS

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

In response to a question from Councillor D.B. Wilcox about the appeal that was upheld in relation to planning application DCCE2005/2356/F (Carfax House site, Aylestone Hill, Hereford), the Senior Planning Officer advised that the original scheme would be revised to reflect the layout approved by the Sub-Committee (planning application DCCE2005/3258/F refers).

159. DCCE2006/0099/O - ROYAL NATIONAL COLLEGE FOR THE BLIND, COLLEGE ROAD, HEREFORD, HR1 1EB [AGENDA ITEM 5]

Construction of halls of residence, sports and complementary therapy building, creation of floodlit outdoor sports pitch, residential development on 2.3ha and associated open spaces, landscaping, infrastructure, access roads, footpaths and cycle paths.

The Principal Planning Officer reported that discussions had taken place in relation to the highways arrangements and that the Traffic Manager was now satisfied with the proposals. It was noted that discussions were ongoing with the Strategic Housing Team regarding the type and mix of affordable housing and delegated authority was sought to resolve the matter, in consultation with the Local Ward Members and the Chairman. It was reported that the draft Section 106 Agreement had been received from the applicant and was being assessed. It was also reported that details of floodlighting had been received and were considered acceptable.

In response to a question from Councillor R.M. Wilson regarding the objections raised by a local resident, the Principal Planning Officer advised that some land was to be retained by the applicant in order to provide a 'buffer zone' between the existing and the proposed housing. He also advised that the sports centre would be 'acoustically balanced' through noise attenuation measures in order to minimise disruption.

In accordance with the criteria for public speaking, Mr. Adams spoke in support of the application.

Councillor D.B. Wilcox, a Local Ward Member, felt that the proposal was innovative and, if delicately managed, would provide marvellous facilities. He noted the value of the site visit that had undertaken and the discussions held with the Aylestone Park

Association. He felt that the concerns regarding the loss of part of the Site of Importance for Nature Conservation would be overcome through the proposed new orchard within the Aylestone Park development. He commented that the reduced affordable housing requirement, of 17.5%, appeared a good compromise in the circumstances and in view of the other benefits of the scheme. He suggested that the contributions towards highways infrastructure should be more flexible to enable works to improve the College Road/Venns Lane/Old School Lane junction. In conclusion, he felt that the opportunity to improve the campus should not be missed.

The Development Control Manager advised that the traffic management measures could be less proscriptive and further consideration given to how the funds were divided; although the overall total of contributions would remain the same.

Councillor A.L. Williams, the other Local Ward Member, felt that this was an exciting project. He concurred that improvements were needed to the College Road/Venns Lane/Old School Lane junction. He noted the need to address the concerns of local residents about noise.

Councillor Mrs. P.A. Andrews noted that the comments of Hereford City Council had been submitted before the negotiations had taken place in respect of affordable housing and traffic calming.

Councillor P.J. Edwards noted the efforts made by the applicant and the officers to bring this proposal to fruition. He commented that the development of the facilities should be closely linked with the residential element to ensure that the scheme was progressed as envisaged.

Councillor J.G.S. Guthrie commented on the difficulties associated with the College Road/Venns Lane/Old School Lane junction and felt that this should be addressed as soon as possible.

RESOLVED:

- 1. That subject to the type, mix and method of delivering the affordable housing being agreed with Strategic Housing, Planning Services and the applicants in consultation with the Chairman and Local Ward Members.**
- 2. The Legal Practice Manager be authorised to complete a planning obligation under Section 106 of the Town and Country Planning Act 1990 to incorporate points 1-6 of paragraph 6.15 of the report and any additional matters he considers appropriate.**
- 3. The planning obligation shall be completed and upon completion of the aforementioned planning obligation that Officers named in the Scheme of Delegation to Officers be authorised to issue planning permission subject to conditions.**

Conditions

As the application is a hybrid application, two different sets of conditions are required. The wording of the conditions is still being discussed and agreed with the applicants. However, conditions will be included to cover the following:

The halls of residence, sports developments and new pedestrian and vehicular

access

Conditions regarding commencement of the development, phasing, materials, landscaping and its maintenance, tree protection, slab levels, floodlighting, opening hours, access and road construction, parking provision, foul and surface water drainage, earthworks and waste disposal, restriction on construction times, provision of public art.

Housing Development

Standard outline conditions regarding commencement and submission of the reserved matters details, phasing of the development and phasing of the construction of the affordable housing, access construction and internal road construction including traffic calming, tree and hedgerow protection, new orchard planting, foul and surface water drainage, maintenance of landscaping, footpath construction, restriction on construction times, boundary treatments, specification for the local area of play.

160. DCCE2006/0554/F - PLOTS 1 AND 2 ADJACENT TO THE WOODLANDS FARM, WATERY LANE, LOWER BULLINGHAM, HEREFORD, HR2 6JW [AGENDA ITEM 6]

Erection of 2 no. proposed dwellings with adjoining garages.

In accordance with the criteria for public speaking, Mr. Eagles spoke in support of the application.

In response to a comment raised by the speaker, the Central Team Leader confirmed that the site was in open countryside and there was a strong policy presumption against residential development.

Councillor W.J.S. Thomas outlined the planning history of the site and noted that the objection based on the delivery of the proposed Rotherwas Access Road had been overcome. He felt that the extenuating circumstances of the proposal outweighed the policy objections and he supported the application.

Councillor A.C.R. Chappell noted that Lower Bullingham Parish Council had no objections and felt that, through the removal of the scrap cars, the proposal would result in an enhancement of the wider landscape.

Councillor D.B. Wilcox noted that the site was in open countryside in policy terms but was a blot on the landscape in pragmatic terms. In response to a question, the Central Team Leader confirmed that the proposal was sited away from the approved line of the Access Road.

In response to a question from Councillor R.M. Wilson, the Central Team Leader clarified the areas which would be cleared of scrap cars and advised that the reinstatement of the land and associated landscaping would be controlled through conditions should Members be minded to approve the application. The Chairman suggested that the dwellings should not be occupied before the clearance of the whole site. A number of Members supported this suggestion. The Central Team Leader advised that an appropriate timescale for the clearance could be negotiated with the applicant in consultation with the Local Ward Member and the Chairman.

RESOLVED:

That (i) The Central Area Planning Sub-Committee is minded to approve the application subject to the conditions below (and any further conditions felt to be necessary by the Development Control Manager) provided that the Development Control Manager does not refer the application to the Planning Committee.

- 1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.**

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

- 2. The development shall be carried out in all respects strictly in accordance with the approved plans unless otherwise agreed in writing with the local planning authority.**

Reason: To ensure adherence to the approved plans in the interests of a satisfactory form of development in accordance with Policy GD1 of the South Herefordshire District Local Plan.

- 3. No development shall take place until details or samples of materials to be used externally on walls and roofs have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.**

Reason: To ensure that the materials harmonise with the surroundings in accordance with Policies GD1, C1 and C8 of the South Herefordshire District Local Plan.

- 4. None of the dwellings shall be occupied until works for the disposal of sewage and surface water have been provided on the site to serve the development hereby permitted, in accordance with details submitted to and approved in writing by the local planning authority.**

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

- 5. No development approved by this permission shall be occupied until and unless otherwise agreed in writing by the local planning authority:**

- (i) The application site has been subject to a detailed scheme for the investigation and recording of contamination and remediation objectives have been determined through risk assessment and agreed in writing with the local planning authority;**

- (ii) Detailed proposals for the removal, containment or otherwise rendering harmless any contamination (the Reclamation Method Statement) have been submitted to and approved in writing by the local planning authority;**

- (iii) The works specified in the Reclamation Method Statement have been completed in accordance with the approved**

scheme.

If during reclamation works any contamination is identified that has not been considered in the Reclamation Method Statement, then remediation proposals for this material shall be agreed in writing with the local planning authority.

Reason: To ensure that potential contamination is removed or contained to the satisfaction of the local planning authority.

6. No development shall take place until there has been submitted to and approved in writing by the local planning authority a scheme for the complete clearance of the scrap cars within the land identified in blue on the approved plan; and a scheme of landscaping, which shall include indications of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection in the course of the approved works. All proposed planting shall be clearly described with species, sizes and planting numbers.

Reason: In order to ensure the complete clearance of the site which is regarded as the exceptional circumstance justifying the development hereby approved and to protect the visual amenities of the area in accordance with Policies GD1, C1 and C8 of the South Herefordshire District Local Plan.

7. The clearance, restoration and landscaping comprised in the approved details of landscaping shall be carried out prior to the first occupation of the dwellings hereby approved, unless otherwise agreed in writing by the local planning authority and any trees or plants which within a period of 5 years from the completion of the development site are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent to any varieties. If any plants fail more than once they shall continue to be replaced on an annual basis until the end of the 5 year defect period.

Reason: In order to protect the visual amenities of the area in accordance with Policies GD1, C1 and C8 of the South Herefordshire District Local Plan.

8. The development hereby permitted shall not be brought into use until the access, turning area and parking facilities shown on the approved plan have been properly consolidated, surfaced, drained and otherwise constructed in accordance with details to be submitted to and approved in writing by the local planning authority and these areas shall thereafter be retained and kept available for those uses at all times.

- (ii) If the Development Control Manager 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 not refer the application to the Planning Committee.]

161. DCCE2006/0608/F - LEYS FARM, GRAFTON, HEREFORD, HR2 8BL [AGENDA ITEM 7]

Proposed bungalow.

The Principal Planning Officer advised that the consultation period had expired and the recommendation could be changed accordingly.

Councillor A.C.R. Chappell, a Local Ward Member, questioned whether the site was located in open countryside given the number of other buildings in the vicinity and felt that Members would benefit from a site visit. Councillor Mrs. W.U. Attfield, also a Local Ward Member, supported this view.

In accordance with the criteria for public speaking, Mr. Morgan had registered to speak in support of the application but decided to speak when the application was next considered following the site visit.

RESOLVED:

That consideration of planning application DCCE2006/0608/F be deferred for a site inspection for the following reason:

- **The setting and surroundings are fundamental to the determination or to the conditions being considered.**

162. DCCE2006/0649/F - THREE MILLS TRADING ESTATE (FORMERLY THE WIRE MILL), OLD SCHOOL LANE, HEREFORD, HR1 1EX [AGENDA ITEM 8]

Change of use to mixed use of B2 (General Industry) and B8 (Storage or distribution), with up to 10% B1 (Business).

In accordance with the criteria for public speaking, Mr. Hodgeson spoke in support of the application.

Councillor Mrs. P.A. Andrews, a Local Ward Member, noted that the lawful use of the entire site was for general industrial purposes and that there were no conditions restricting operating hours or delivery. Therefore, she felt that there were no planning reasons to warrant refusal of this application.

Councillor Ms. A.M. Toon, also a Local Ward Member, commented that she did not have any objections in principle but noted local residents' concerns and questioned whether further conditions could control noise levels. In response, the Central Team Leader commented on the long established use of the site and advised that such restrictions might not be reasonable, particularly as no objections had been received from Environmental Health and Trading Standards. He added that excessive noise might be considered statutory nuisance but this was dealt with under separate legislation.

In response to comments made by Members about potential noise disturbance, the Development Control Manager re-iterated that there were no restrictions on the existing lawful use of the site. The Chairman added that the existing use could be restarted at any time. In response to comments about traffic generation, the Development Control Manager commented that the change of use to storage and distribution would result in different patterns of traffic and that a routing agreement

could be included as part of the Travel Plan under recommended condition 4.

Councillor A.C.R. Chappell commented on the potential economic benefits of the proposal and noted the need for appropriate traffic calming measures and crossings in the vicinity of the site.

Some Members commented that significant additional traffic could be generated in the area as a result of the Unitary Development Plan proposals for Holmer.

Councillor R.I. Matthews commented on the history of the site and felt that there should not be too many restrictions.

Councillor Wilcox questioned whether contributions towards College Road/Venns Lane/Old School Lane junction improvements could be sought. The Development Control Manager advised that contributions might not be justified on the basis that the proposal would not result in substantial increases in floorspace and no objections had been received from the Traffic Manager.

RESOLVED:

Subject to no further objections raising additional material planning considerations by the end of the consultation period and subject to there being, the Officers named in the Scheme of Delegation to 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. **A11 (Change of use only details required of any alterations).**

Reason: To define the terms under which permission for change of use is granted.

3. **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.

4. **Within three months of the date of first occupation of any part of the building in connection with the planning permission hereby permitted, a Travel Plan containing measures to promote alternative modes of transport for employees including a schedule for its implementation shall be submitted to and approved in writing by the local planning authority and implemented as approved. The Travel Plan shall also include details of traffic routing to and from the development to minimise the amount of traffic and particularly HGV's travelling south from the application site. A detailed written record shall be kept of measures undertaken to promote sustainable transport initiatives and shall be made available for inspection by the local planning authority upon reasonable request so as to enable monitoring of the plan to be routinely carried out.**

Reason: In the interests of highway safety and to ensure that a range of sustainable transport initiatives are available to employees.

5. **Any conditions considered necessary by the Head of Environmental Health and Trading Standards.**

Informative:

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

163. DCCE2006/0435/F - LAND ADJACENT TO CROFT COTTAGE, LUGWARDINE, HEREFORD [AGENDA ITEM 9]

New two storey house.

The Senior Planning Officer reported that the Traffic Manager was now satisfied with the access and turning details.

In accordance with the criteria for public speaking, Ms. Hickie spoke in support of the application.

Councillor R.M. Wilson, the Local Ward Member, noted that the application site was within the village boundary and that the proposal was considered an acceptable form of infill development.

RESOLVED:

That, subject to receipt of the confirmation of the acceptability of the access, parking and turning revisions, the Officers named in the Scheme of Delegation to 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. **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. **E16 (Removal of permitted development rights).**

Reason: In the interests of the amenities of the locality.

5. **E18 (No new windows in specified elevation).**

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

6. **Prior to the commencement of the development hereby authorised, the existing extension attached to Croft Cottage identified for demolition in**

the approved plans shall be removed in its entirety.

Reason: To ensure an acceptable form of development.

7. F18 (Scheme of foul drainage disposal).

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

8. The dwelling hereby approved shall, as soon as is reasonably practicable, be connected to mains sewerage.

Reason: In the interests of land amenity and securing effective long term drainage for this site.

9. 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.

10. G01 (Details of boundary treatments).

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

11. F16 (Restriction of hours during construction).

Reason: To protect the amenity of local residents.

Informative:

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

164. [A] DCCE2006/0475/F AND [B] DCCE2006/0487/C - 130 AYLESTONE HILL, HEREFORD, HR1 1JJ [AGENDA ITEM 10]

[A] Demolition of existing bungalow constructed in 1934. Re-build on approximately same footprint a low energy consumption bungalow.

[B] Demolition of existing 1934 bungalow.

The Senior Planning Officer reported the receipt of comments from Hereford City Council and from the Conservation Advisory Panel.

Councillor D.B. Wilcox, a Local Ward Member, felt that the proposal was acceptable. Councillor A.L. Williams, the other Local Ward Member, also supported the application.

RESOLVED:

DCCE2006/0475/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. **B01 (Samples of external materials).**

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

3. **E08 (Domestic use only of garage).**

Reason: To ensure that the garage is used only for the purposes ancillary to the dwelling.

4. **E09 (No conversion of garage to habitable accommodation).**

Reason: To ensure adequate off street parking arrangements remain available at all times.

5. **E18 (No new windows in specified elevation).**

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

6. **E19 (Obscure glazing to windows).**

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. **E17 (No windows in side elevation of extension).**

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

9. **H05 (Access gates).**

Reason: In the interests of highway safety.

10. **H09 (Driveway gradient).**

Reason: In the interests of highway safety.

11. **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.

Informatives:

1. **N03 - Adjoining property rights.**
2. **HN01 - Mud on highway.**
3. **HN05 - Works within the highway.**
4. **N15 - Reason(s) for the Grant of PP/LBC/CAC.**

DCCE2006/0487/C:

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

1. **C01 - (Time limit for commencement (full permission)).**

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

Informatives:

1. **N03 – (Adjoining property rights).**
2. **N15 - Reason(s) for the Grant of PP/LBC/CAC.**

165. DCCW2006/0370/F - 19 INGESTRE STREET, HEREFORD [AGENDA ITEM 11]

Ground and first floor extension to replace existing garage/store.

Councillor Mrs. P.A. Andrews, a Local Ward Member, noted the concerns of the occupier of the neighbouring property, particularly regarding the blocking of light.

Councillor Ms. A.M. Toon, also a Local Ward Member, sympathised with the neighbour but noted that officers considered that the proposal would not cause sufficient harm to residential amenity to warrant refusal.

The Principal Planning Officer advised that the proposal conformed to the relevant policy requirements.

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. **B02 (Matching external materials (extension)).**

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

4. **E09 (No conversion of garage to habitable accommodation).**

Reason: To ensure adequate off street parking arrangements remain available at all times.

5. **E17 (No windows in side elevation of extension).**

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

Informative:

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

**166. DCCE2005/4168/F - CLASTON, DORMINGTON, HEREFORD, HR1 4EA
[AGENDA ITEM 12]**

Agricultural building.

The Principal Planning Officer advised that an informative note would be added to any planning permission granted to highlight that the grant of approval did not override the civil rights of neighbouring properties.

In accordance with the criteria for public speaking, Mr. Thomas spoke in support of the application.

Councillor Mrs. J.E. Pemberton, the Local Ward Member, noted that the circumstances relating to the application were complicated and felt that Members would benefit from a site visit.

RESOLVED:

That consideration of planning application DCCE2005/4168/F be deferred for a site inspection for the following reasons:

- **A judgement is required on visual impact; and**
- **The setting and surroundings are fundamental to the determination or to the conditions being considered.**

**167. DCCW2006/0495/F - 285 KINGS ACRE ROAD, HEREFORD, HR4 0SS [AGENDA
ITEM 13]**

New residential development comprising 2 no. 4 bed houses and one no. 2 bed house plus new highway access.

The Principal Planning Officer reported the receipt of the comments from Breinton Parish Council and the receipt of letters of objection from Mr. and Mrs. Steadman and from Mr. and Mrs. Baker. He also clarified the planning history of the application site.

Councillor R.I. Matthews, the Local Ward Member, felt that the proposal could be considered to constitute a type of backland development and felt that Members would benefit from a site visit.

In accordance with the criteria for public speaking, Mrs. Powell, Mrs. Steadman and Mrs. Baker had registered to speak in support of the application but decided to speak when the application was next considered following the site visit.

RESOLVED:

That consideration of planning application DCCW2006/0495/F be deferred for a site inspection for the following reason:

- **The setting and surroundings are fundamental to the determination or to the conditions being considered.**

168. DCCW2006/0448/F - MAGNA CASTRA FARM, CREDENHILL, HEREFORD, HR4 7EZ [AGENDA ITEM 14]

Retrospective application for replacement covered cattle yard and straw storage building.

The Principal Planning Officer reported the receipt of a letter of objection from Mr. Prichard and summarised the points raised.

Councillor R.I. Matthews, the Local Ward Member, noted that the building was considerably larger than the one that it replaced and felt that the landscaping scheme needed to be substantial. In particular, he felt that mature tree and plant specimens should be planted to a minimum height of two metres in order to break up the form of the development as soon as possible. It was noted that this could be addressed through the conditions.

RESOLVED:

That planning permission be granted subject to the following conditions:

- 1. Within three months of the date of this permission a comprehensive landscaping scheme shall be submitted for approval by the local planning authority. The submitted landscaping scheme will take the form of a plan(s) at a scale of 1:200, accompanied by a written schedule, which clearly describe the proposed species, size, density and planting numbers.**

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

- 2. The landscaping scheme (required to be submitted by condition 1 above) shall be carried out no later than the first planting season following the receipt of written approval by the local planning authority.**

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

- 3. The landscaping scheme shall be retained in perpetuity and be actively maintained for a period of 10 years following planting. During this time any trees, shrubs or other plants which are removed, die, or are seriously retarded shall be replaced during the next planting season with others of similar size and species unless the local planning authority gives written consent to any variation. If any trees, shrubs or other plants fail more than once they shall continue to be replaced on an annual basis until the end of the 10 year maintenance period.**

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

Informatives:

- 1. The applicant or their appointed agent are advised to seek the advice/guidance of the Council's Landscape Officer prior to submitting the landscaping scheme for approval.**
- 2. The landscaping scheme should include semi-mature trees, planted in a minimum of three coppices to help to alleviate visual impact of the scale and bulk of the building, particularly when viewed from the**

northeast/west.

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

169. DCCE2006/0212/RM - NETHWAY, HOLME LACY ROAD, LOWER BULLINGHAM, HEREFORD, HR2 6EE [AGENDA ITEM 15]

Construction of ten dwellings, garaging, landscaping and access.

The Principal Planning Officer reported that the Environment Agency had withdrawn a formal objection, subject to the receipt of details regarding surface water drainage. It was also reported that the Traffic Manager was now satisfied with the details provided in respect of the footway.

Councillor A.C.R. Chappell, a Local Ward Member, commented that he had no objections in principle but stressed the need to widen the footway. He felt that the developer should be required to clear out Withy Brook before, during and after construction to minimise the risk of flooding. Councillor Mrs. W.U. Attfield, also a Local Ward Member, supported this suggestion.

The Principal Planning Officer advised that an informative note could be added to any planning permission granted to highlight the concerns about Withy Brook but noted that the Brook was designated as a Site of Importance for Nature Conservation.

RESOLVED:

Subject to there being no objection from the Environment Agency by the end of the re-consultation period the Officers named in the Scheme of Delegation to Officers be authorised to approve the application subject to the following conditions and any further conditions considered necessary by Officers:

1. A06 (Development in accordance with approved plans).

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

Informatives:

1. N09 - Approval of Reserved Matters.

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

3. The applicant is advised of the need to keep the Withy Brook free from obstruction both during construction and afterwards.

170. DATE OF NEXT MEETING

It was noted that the next scheduled meeting would be held on Wednesday 3rd May, 2006.

The meeting ended at 4.25 p.m.

CHAIRMAN