

MINUTES of the meeting of Northern Area Planning Sub-Committee held at The Council Chamber, Brockington, 35 Hafod Road, Hereford on Wednesday, 14th June, 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, Brig. P. Jones CBE, R.M. Manning, R. Mills, D.W. Rule MBE, R.V. Stockton and J. Stone

In attendance: Councillors (none)

12. APOLOGIES FOR ABSENCE

Apologies were received from Councillors T.M. James and R.J. Phillips.

13. DECLARATIONS OF INTEREST

Councillor/Officer	Item	Interest
Cllr R.M. Manning	8 – DCNE2005/0825/F - construction of oil distribution depot at Watson Petroleum Limited, Bromyard Road, Ledbury	personal and remained in the meeting.
Cllr R.B.A. Burke	21 - DCNC2006/1387/F - change of use to A5 (hot food take-aways), between hours 14.00-21.00 Monday to Saturday at 73 Etnam Street, Leominster	prejudicial and left the meeting for the duration of this item.
Mr M Tansley	12 & 13 – DCNW/2006/1034/F - proposed conversion of annexe into a self contained dwelling for renting at Walcote Bungalow Annexe, West Street, Pembridge and DCNW2006/1458/F - proposed erection of two detached cottages on land to the rear of Walcote Bungalow, High Street, Pembridge	prejudicial and left the meeting for the duration of this item.

14. MINUTES

RESOLVED: That the Minutes of the meeting held on 17th May, 2006 be approved as a correct record and signed by the Chairman.

15. ITEM FOR INFORMATION - APPEALS

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

16. APPLICATIONS RECEIVED

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

17. DCNC2006/0817/F - DEMOLITION OF EXISTING HOUSE AND GARAGE AND RESIDENTIAL DEVELOPMENT COMPRISING OF 4 APARTMENTS, 3 TOWNHOUSES WITH 7 PARKING SPACES AT 55 NEW ROAD, BROMYARD, HEREFORDSHIRE, HR7 4AL

In accordance with the criteria for public speaking, Mrs Churchill of Bromyard Town Council spoke against the application and Mr Boughton the applicant's agent spoke in favour.

The Senior Planning Officer reported the receipt of amended plans with improved access arrangements. The Area Engineer (Development Control) said that he was satisfied with the access and parking proposals.

Councillor PJ Dauncey, a local Ward Member, expressed reservations about the access arrangements in view of the number of dwellings proposed. Access was via a junction onto a very busy road with the view to the east often restricted by parked HGV's. He was also concerned at the proposals to deal with surface water and foul drainage. The Senior Planning Officer said that the Welsh Water Authority was satisfied with the arrangements.

A motion that the Sub-Committee was minded to refuse the application was lost.

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

Reason: To protect the integrity of the Public Sewerage System.

- 5 - 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.

- 6 - 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.

- 7 - 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.

- 8 - . G01 (Details of boundary treatments)

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

- 10 - G04 (Landscaping scheme (general))

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

- 11 - 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.

- 12 - No development approved by this permission shall be commenced until a scheme for the provision of surface water drainage works has been submitted to and approved in writing by the local planning authority. Such scheme shall be implemented before the first use of the development hereby approved.

Reason: To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal.

Informatives:

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

- 2 – H29 Individual cycle parking storage for each dwelling is required. Secure and covered storage adjacent or incorporated into each dwelling.

Reason: To mitigate the parking and traffic impact of development

18. DCNC2006/0966/F - PROPOSED 5 NEW HOLIDAY LODGES AND BIKE STORE AT BROCKINGTON HALL GOLF CLUB, BODENHAM, HEREFORD, HEREFORDSHIRE, HR1 3HX

The Senior Planning Officer said that two additional letters of support had been received.

In accordance with the criteria for public speaking, Mr Narbett the agent acting on behalf of the applicant spoke in favour of the application.

Councillor KG Grumbley the Local Ward Member was in favour of the application, commenting that there was sufficient flexibility within the policies of the emerging Unitary Development Plan for the support of small-scale rural businesses and associated re-use of rural buildings. He was disappointed that the Tourism Officer had supported a previous application for the site but was now against this one.

Councillor BF Ashton had concerns about the permanency of the scheme and felt that new buildings could be permitted if essential but that in this case the application constituted development in the open countryside.

On balance the Sub-Committee supported the application with appropriate conditions to limit the length of occupancy time for those using the proposed holiday accommodation.

RESOLVED:

- That (i) The Northern Area Planning Sub-Committee is minded to approve the application subject to the conditions set out below (and any other 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. maximum period of stay for the holiday units**
 - 2. landscaping**
 - 3. drainage**
 - 4. use – for holiday lets only, not retirement residence**
- (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.]

19. DCNE2005/0825/F - CONSTRUCTION OF OIL DISTRIBUTION DEPOT AT WATSON PETROLEUM LIMITED, BROMYARD ROAD, LEDBURY, HEREFORDSHIRE, HR8 LLG

RESOLVED:

That consideration of the application be deferred pending 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.

In accordance with the criteria for public speaking, Mr Williams an objector and Mr Cowan the applicant's agent deferred their right to speak until the next meeting.

20. DCNE2006/0934/F - PROPOSED NEW DWELLING AND GARAGE WITH NEW VEHICULAR ACCESS. LAND ADJACENT TO QUEENSWOOD, CRADLEY, MALVERN, WORCESTERSHIRE, WR13 5NF

The receipt of a further letter of support from the applicants agent was reported.

In accordance with the criteria for public speaking, Mr Dargle and Mrs Wooderson spoke against 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 - B01 (Samples of external materials)

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

4 - E16 (Removal of permitted development rights)

Reason: In order to bring any future development under the control of the Local Planning Authority in the interest of the visual amenity of the area.

5 - H01 (Single access - not footway)

Reason: In the interests of highway safety.

6 - H03 (Visibility splays)

Reason: In the interests of highway safety.

7 - H05 (Access gates)

Reason: In the interests of highway safety.

8 - 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.

- 9 - 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.

- 10 - C05 (Details of external joinery finishes)

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

- 11 - G04 (Landscaping scheme (general))

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

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

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

- 13 - Notwithstanding the approved plans, the 1.8m close-boarded fence forming the boundary with Queenswood shall be substituted for a more appropriate form of boundary treatment to be agreed in writing with the local planning authority prior to the commencement of development. Any necessary planting shall be carried out during the first available planting season.

Reason: A close-boarded fence is not considered an appropriate form of boundary treatment within the Conservation Area.

14. Prior to the commencement of development, a detailed plan, showing the levels of the existing site, the proposed slab levels of the dwelling approved and a datum point outside of the site, shall be submitted to and approved by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: In order to define the permission and ensure that the development is of a scale and height appropriate to the site.

15. Prior to the commencement of the development details of the proposed foul and surface water drainage arrangements shall be submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented before the first use of the building hereby permitted.

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

16. During the construction phase no machinery shall be operated, no process shall be carried out and no deliveries taken at or despatched from the site outside the following times: Monday-Friday 7.00 am-6.00pm, Saturday 8.00 am-1.00 pm nor at any time on Sundays, Bank or Public Holidays.

Reason: To protect the amenity of local residents.

Informatives:

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

21. DCNE2006/1058/F & 1059/L - PROPOSED SINGLE STOREY EXTENSION, ALTERATIONS, NEW DOG KENNELS AND ADDITIONAL PARKING AREA AT BARRATTS COTTAGE, CRADLEY, MALVERN, WORCESTERSHIRE, WR13 5NF

In accordance with the criteria for public speaking, Mr Dargle and Mrs Wooderson spoke in favour of their application.

RESOLVED

DCNE06/1058/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 - 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 this building of [special] architectural or historical interest.

5 - C05 (Details of external joinery finishes)

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

6 - C11 (Specification of guttering and downpipes)

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

7 - C17 (Samples of roofing material)

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

8 - H06 (Vehicular access construction)

Reason: In the interests of highway safety.

9 - E11 (Private use of kennels only)

Reason: In order to safeguard the residential amenity of the area.

Informatives:

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

DCNE06/10589/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 - **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 this building of [special] architectural or historical interest.

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

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

- 6 - **C11 (Specification of guttering and downpipes)**

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

- 7 - **C17 (Samples of roofing material)**

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

Informatives:

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

22. **DCNW2006/0543/F - RETROSPECTIVE APPLICATION FOR A LOWER GROUND FLOOR STORE AND DCNW2006/0546L - RETROSPECTIVE APPLICATION FOR WORKS CARRIED OUT AT MILL COTTAGE, PAYTOE, LEINTWARDINE, HEREFORDSHIRE, SY7 0NB**

The Senior Planning Officer said that three further letters of objection had had been received. He also said that the Conservation Manager had no objections to the application. He reminded the Sub-Committee that in response to an objection received from English Heritage, the applicant had withdrawn the boundary fence element from the application. The application therefore sought retrospective planning consent for a lower ground floor store and retrospective listed building

consent for works carried out at Mill Cottage. Arising on previous complaints by an objector regarding other work undertaken by the applicant, the Ombudsman had investigated but had not found there to be maladministration.

In accordance with the criteria for public speaking, Mrs Thomas spoke against the application and Mr Hughes the applicant's agent spoke in favour.

Councillor Mrs LO Barnett the Local Ward Member still had a number of reservations about the applications and felt that the building was not in a suitable location to provide care for youngsters from an urban environment. She was also concerned at the extent of work undertaken without the owner first having obtained the necessary consents. Councillor WLS Bowen felt that there had been a confusing number of applications and enquired why there appeared to have been a lack of enforcement regarding this important historic building on an exceptional site. The Senior Planning Officer said following negotiations with the applicant, the stage had been reached where the work carried out on the listed building was acceptable to English Heritage and to the Conservation Officer. Planning permission and listed building consent would strengthen the control that could be exercised by the Council.

RESOLVED

NW06/0543/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 - 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 - C02 (Approval of details)

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

NOTE

Notwithstanding the approved plans no permission is given to the construction of the boundary fence as indicated on the approved plan, rev. no. LSV 222/01A.

NW06/0546/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 - C02 (Approval of Details)

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

INFORMATIVES:

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

23. DCNW2006/1034/F - PROPOSED CONVERSION OF ANNEXE INTO A SELF CONTAINED DWELLING FOR RENTING AT WALCOTE BUNGALOW ANNEXE, WEST STREET, PEMBRIDGE, LEOMINSTER, HEREFORDSHIRE, HR6 9DT

In accordance with the criteria for public speaking, Mr Walters the applicant's agent spoke in favour of 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 - E16 (Removal of permitted development rights)

Reason: In order to protect the privacy and amenity of surrounding dwellings and the character of the surrounding area.

Informatives:

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

24. DCNW2006/1458/F - PROPOSED ERECTION OF TWO DETACHED COTTAGES ON LAND TO THE REAR OF WALCOTE BUNGALOW, HIGH STREET, PEMBRIDGE, LEOMINSTER, HEREFORDSHIRE, HR6 9DT

The Senior Planning Officer reported the receipt of a letter of objection and a letter from the applicant regarding the objections from the parish council. He also said that the Conservation Manager had no objections to the application.

RECOMMENDATION

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 - B01 (Samples of external materials)

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

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

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

- 5 - C05 (Details of external joinery finishes)

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

- 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 this building of [special] architectural or historical interest.

- 7 - C11 (Specification of guttering and downpipes)

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

- 8 - E01 (Restriction on hours of working)

Reason: To safeguard the amenities of the locality.

- 9 - E16 (Removal of permitted development rights)

Reason: In order to bring any future development under the control of the Local Planning Authority in the interest of the visual amenity of the area.

- 10 - 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.

- 11 - G01 (Details of boundary treatments)

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

Informatives

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

25. DCNW2006/1390/F - EXTENSION OF EXISTING MOBILE HOME SITE TO PROVIDE 15 FURTHER MOBILE HOMES FOR OCCUPATION BY FRUIT PICKERS ON LAND TO NORTH OF EXISTING MOBILE HOME SITE AT OAKCHURCH FARM, STAUNTON-ON-WYE, HEREFORD, HEREFORDSHIRE, HR4 7NE

The receipt of two letters of objection was reported. It was also reported that the Conservation Officer had no objection to the application.

In accordance with the criteria for public speaking, Major Berry spoke against the application.

The Sub Committee debated the concerns raised by the objector regarding noise and effluent and Councillor BF Ashton asked if the application could be deferred pending resolution of these issues. The question was also raised about whether retrospective consent should be granted at all. The Northern Team Leader said that there were a number of conditions in the recommendation which covered landscaping, noise and drainage and that it would strengthen the enforcement capacity of the officers if permission was granted as recommended. The Sub Committee still had a number of concerns about these issues and said that it was important for them to be properly addressed within the conditions and subsequently enforced. It was agreed that the Environmental health Officer should be notified about the objectors' concerns.

RESOLVED

That planning permission be granted subject to the following conditions:

- 1 - The caravan hereby permitted shall be removed permanently from the site on or before 5 years from the date of this approval and the land reinstated in accordance with details (including timescale) which shall be submitted to and approved in writing by the local planning authority.**

Reason: The local planning authority is not prepared to permit residential caravans in this location other than of a temporary basis having regard to the special circumstances of the case.

- 2 - No caravan on the site shall be occupied between 1st October in any one year and 1st May in the succeeding year.**

Reason: To prevent the establishment of a residential use in the countryside where it would not normally be permitted.

- 3 - No external surface of any static caravan hereby approved shall be of a colour other than one which has previously been approved in writing by the local planning authority for that purpose.**

Reason: To minimise visual intrusion.

- 4 - The foul drainage from the proposed development shall be discharged to a septic tank and soakaway system which meets the requirements of British Standard BS 6297:1983. There shall be no connection to any watercourse of land drainage system and no part of the soakaway system shall be situated within 10 metres of any ditch or watercourse.**

Reason: To prevent pollution of the water environment.

- 5 - Within one month of the date of this decision notice a scheme for the provision of storage, prior to disposal, or refuse, crates, packing cases and all other waste materials shall be submitted for the approval of the local planning authority. The approved scheme shall be implemented prior to the first occupation of the development hereby permitted.**

Reason: In the interests of amenity.

- 6 - The occupation of the caravans shall be limited to persons in full-time employment at Oakchurch Farm under the Home Office Seasonal Agricultural workers scheme or equivalent, unless otherwise previously agreed in writing by the local planning authority.

Reason: Planning permission has only been granted given the farming requirements of Oakchurch Farm.

- 7 - Details of any external lighting proposed to illuminate the development shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details and there shall be no other external illumination of the development.

Reason: To safeguard local amenities.

- 8 - Full details will be submitted to the Local Planning Authority prior to the first recognised planting season after the issuing by the Council of this approval notice and agreed in writing by the Local Planning Authority on details of all boundary tree and hedge planting and internal tree/shrub planting within the caravan park complex.

Reason: In order to protect the surrounding landscape and improve the visual impact of the development on the surrounding landscape.

- 9 - All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, 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 variation. If any plants fail more than once they shall continue to be replaced on an annual basis until the end of the 5 year period

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

- 10 - The landscaping scheme required by Condition No. 8 above shall include the following:
 - a) Full details of all existing physical and landscape features on the site including the position, species, height, girth, spread and condition of all trees, clearly distinguishing between those features to be retained and those to be removed.
 - b) Full details of all proposed fencing, screen walls, hedges, floorscape, earth moulding, tree and shrub planting.
 - c) Full details of all protective measures to prevent damage during the course of development to trees and other features to be retained.

Reason: In order that the local planning authority may be satisfied that the deposited scheme will meet their requirements.

- 11 - H30 (Travel plans)

Reason: In order to ensure that the development is carried out in combination with a scheme aimed at promoting the use of a range of sustainable transport initiatives.

- 12 - Each caravan unit will have its own designated car parking space and sufficient room will be allowed in order that it may enter and leave this space in a forward gear. The car parking space will be constructed in accordance with full details as approved in writing by the Local Planning Authority within 12 months of the issuing of this approval notice.

Reason: In the interest of highway safety and to minimise the likelihood of indiscriminate parking.

- 13 - Within 12 months of the issuing of this approval notice provision for cycle parking will be provided on site in accordance with full details as previously approved in writing by the Local Planning Authority.

Reason: In order 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 Nation Planning Policy.

- 14 - The site shall be securely locked by means of a gate and padlock during the period 1st October and 1st May of the following year. With no means of public access onto the site.

Reason: In order to ensure that the site is not in occupation for a full year, as the location is considered unsuitable as a permanent residential site.

- 15 - Within 3 months of the date of this permission the applicant shall have agreed in writing with the Local Planning Authority, a travel plan to ensure that occupiers have sustainable options to gain access to leisure/shopping facilities.

Reason: To ensure a sustainable option is available to reduce reliance upon car borne transport.

- 16 - The occupancy of each individual caravan unit will be in accordance with a specification list submitted within one month of the date of this decision notice and approved in writing by the Local Planning Authority (or will not exceed these numbers).

Reason: In order that the Local Planning Authority can have control over the number of persons on site, in the interests of the amenity of the surrounding areas.

Informatives:

- 1 - N15 - Reason(s) for the Grant of PP/LBC/CAC
2 - HN25 - Travel plans

It was reported that the application had been withdrawn by the applicants.

27. DCNC2006/0626/F - FORMATION OF FIRST FLOOR REAR EXTENSION AT 9 THE MEADOWS, LEOMINSTER, HEREFORDSHIRE, HR6 8QY

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 - B02 (Matching external materials (extension))

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

Informatives

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

28. DCNC2006/0964/F - EXTENSION TO EXISTING BLACKSMITHS FORGE WORKSHOP AT THE FORGE, TEDSTONE DELAMERE, BROMYARD, HEREFORDSHIRE, HR7 4PR

RESOLVED

That planning permission is 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 - G04 (Landscaping scheme (general))

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

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

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

5 - There shall be no parking at any time on the roadside frontage of the application premises.

Reason: In the interests of highway safety.

6 - E01 (Restriction on hours of working)

Reason: To safeguard the amenities of the locality.

7 - E02 (Restriction on hours of delivery)

Reason: To safeguard the amenities of the locality.

8 - H05 (Access gates)

Reason: In the interests of highway safety.

9 - H15 (Turning and parking: change of use - commercial)

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

10 - F01 (Scheme of noise attenuating measures)

Reason: To safeguard the amenity of the area.

Informatives:

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

29. DCNC2006/1105/F - RETENTION OF AGRICULTURAL BUILDING AT THE PADDOCKS, NORMANS LANE, STOKE PRIOR, LEOMINSTER, HEREFORDSHIRE, HR6 0LQ

It was reported that one of the objectors was on holiday and unable to attend and speak but that he had reiterated his objection.

Councillor KG Grumbley, the Local Ward Member had a number of concerns about the application and was not satisfied about the use of the building and adjoining land despite assurances from the applicant that it was for agricultural purposes. He therefore did not feel that the operation satisfied the requirements for an agricultural building and the Sub-Committee concurred with this view.

RESOLVED:

RESOLVED:

That (i) The Northern Area Planning Sub-Committee is minded to refuse the application subject to the reasons for refusal set out below (and any further reasons for refusal 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 local planning authority is not satisfied that a building of this size is reasonably necessary for the purposes of**

agriculture within this unit. The proposal is therefore considered to be contrary to Policy A3 of the Hereford and Worcester County Structure Plan and Policy A2(d) of the Leominster District Local Plan.

- (iii) 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.]

30. DCNC2006/1205/F - PROPOSED SHOP WITH FLAT OVER AT R T ANIMAL FEEDS, KINGS ARMS YARD, BROMYARD, HEREFORDSHIRE, HR7 4EE

Councillor B Hunt, a Local Ward Councillor had considerable reservations about the proposals because of the way delivery vehicles were likely to gain access. He pointed out that the area at the rear of the building was very restricted for longer wheelbase delivery vehicles to turn around on site and enter New Road in a forward gear. This in turn would be likely to result in those vehicles being unloaded direct from the carriageway of Old Road which could generate traffic problems. The Senior Planning Officer said that the applicant would be gaining access from the north but that she would put an informative note on the Decision Notice to draw his attention to the potential problems.

RECOMMENDATION

That planning permission is granted subject to the following conditions:

- 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 hereby approved shall be carried out strictly in accordance with the amended plan[s] received by the local planning authority on 5th May 2006.**

Reason: To ensure the development is carried out in accordance with the amended plans.

- 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.

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

Reason: To protect the integrity of the Public Sewerage System.

- 5 - 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.

- 6 - No development shall commence until the developer has prepared a scheme for the comprehensive and integrated drainage of the site showing how foul water, surface water and land drainage will be dealt with and this has been agreed in writing by the Local Planning Authority in Liaison with Dwr Cymru Welsh Water's Network Development Consultant.

Reason: To ensure that effective drainage facilities are provided for the proposed development, and that no adverse impact occurs to the environment or the existing public sewerage system.

- 7 - 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.

- 8 - Deliveries will be from Kings Arms Yard only and restricted to vehicles of no more than 7.5 tonnes.

Reason: In the interest of highway safety and public amenity.

- 9 - Before development commences architectural details of window sections, eaves, verges and barge boards at a scale of 1:1 or 1:5 shall be submitted to the local planning authority and approved in writing.

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

- 10 - Prior to the commencement of development, details of the proposed finishes for all external joinery shall be submitted to and approved in writing by the local planning authority. The finishes so approved shall not thereafter be changed without the prior written approval of the local planning authority.

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

Informatives:

- 1 - N15 - Reason(s) for the Grant of PP/LBC/CAC
2 Delivery vehicles entering the site

31. DCNC2006/1215/F - EXTENSIONS TO EXISTING NURSING HOME TO ADD 16 BEDROOMS AND DAY ROOM LINK (INCLUDES DEMOLITION OF EXISTING SOUTH WING) AT 28 HIGHWELL LANE, BROMYARD, HEREFORDSHIRE, HR7 4DG

RESOLVED:

That consideration of the application be deferred pending a site inspection on the following grounds:-

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

In accordance with the criteria for public speaking, Mrs Churchill of Bromyard Town Council and Mrs Mitchell the applicant's agent deferred their right to speak until the next meeting.

32. DCNC2006/1387/F - CHANGE OF USE TO A5 (HOT FOOD TAKE-AWAYS), BETWEEN HOURS 14.00-21.00 MONDAY TO SATURDAY AT 73 ETNAM STREET, LEOMINSTER, HEREFORDSHIRE, HR6 8AE

The receipt of a further letter of objection was reported.

RECOMMENDATION

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 sale of hot food shall be restricted to snack food only by shallow frying and there shall be no sale of deep-fried food.
Reason: In the interest of residential amenity.
- 3 - The change of use hereby permitted shall only be open to customers between the hours of 8am and 9pm Monday to Saturday only, and not at any time on Sundays, Bank or Public Holidays.
Reason: In the interest of the amenities of existing residential properties in the locality.

Informative:

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

33. DCNC2006/1331/F - PROPOSED TWO STOREY SIDE EXTENSION AT APPLE BLOSSOM COTTAGE, LAUNDRY LANE, LEOMINSTER, HEREFORDSHIRE, HR6 8JT

RECOMMENDATION

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.

Informatives:

- 1 - N14 - Party Wall Act 1996**

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

The meeting ended at 4.45 p.m.

CHAIRMAN