

MINUTES of the meeting of Northern Area Planning Sub-Committee held at The Council Chamber, Brockington, 35 Hafod Road, Hereford on Wednesday, 13th September, 2006 at 2.00 p.m.

Present: Councillor J.W. Hope MBE (Chairman)
Councillor K.G. Grumbley (Vice Chairman)

Councillors: Mrs. L.O. Barnett, W.L.S. Bowen, Mrs. J.P. French, J.H.R. Goodwin, P.E. Harling, B. Hunt, T.W. Hunt, T.M. James, Brig. P. Jones CBE, R. Mills, R.J. Phillips, D.W. Rule MBE, R.V. Stockton, J. Stone and J.P. Thomas

66. APOLOGIES FOR ABSENCE

Apologies were received from Councillors RBA Burke, PJ Dauncey and RM Manning.

67. DECLARATIONS OF INTEREST

The following declarations of interests were made:-

Councillor/Officer	Item	Interest
Cllr WLS Bowen Cllr JP Thomas	Agenda item 7, Minute 32 DCNW2006/2203/O - site for the erection of two bungalows on land adjoining Marches Housing Association Bungalows, Bar Meadow, Shobdon	Declared a prejudicial interest and left the meeting for the duration of this item.
Cllr J.P. Thomas	Agenda Item 11, Minute 76 DCNC2006/2174/F - conversion of existing house into 3 apartments at 84 Etnam Street, Leominster	Declared a prejudicial interest and left the meeting for the duration of this item.
Mr M Tansley	Agenda Item 11, Minute 76 DCNC2006/2174/F - conversion of existing house into 3 apartments at 84 Etnam Street, Leominster	Declared a personal interest and left the meeting for the duration of this item.

68. MINUTES

RESOLVED: That the Minutes of the meeting held on 16th August, 2006 be approved as a correct record and signed by the Chairman.

69. ITEM FOR INFORMATION - APPEALS

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

70. 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.

71. DCNW2006/1466/F - TO DEMOLISH EXISTING DWELLING AND ERECT FIVE NEW DWELLINGS AT YEW TREE, SHOBDON, LEOMINSTER, HEREFORDSHIRE, HR6 9ND

RESOLVED:

That consideration of the application be deferred for a site inspection for the following reasons:

- i. The character or appearance of the development itself is a fundamental planning consideration;**
- ii. A judgement is required on visual impact; and**
- iii. The setting and surroundings are fundamental to the determination or to the conditions being considered.**

In accordance with the criteria for public speaking, Mr Goldsworthy the agent acting on behalf of the applicant reserved his right to speak until the next meeting.

72. DCNW2006/2203/O - SITE FOR THE ERECTION OF TWO BUNGALOWS ON LAND ADJOINING MARCHES HOUSING ASSOCIATION BUNGALOWS, BAR MEADOW, SHOBDON, LEOMINSTER, HEREFORDSHIRE, HR6 9BZ

The Sub-Committee was agreeable to granting the application, subject to the inclusion of the Titley Group Parish area for applicants who are eligible for the scheme

RESOLVED

- 1. The Head of legal and Democratic Services be authorized to complete a planning obligation under Section 106 of the Town and Country Planning Act 1990 in accordance with the Heads of terms set out as an annex to the report of the Head of Planning Services, subject to the addition of 'Titley and District Group Parish Council area' to paragraph 4 of the obligation, and any additional matters and terms as he considers appropriate.**
- 2. Upon completion of the aforementioned planning obligation that the Officers named in the Scheme of Delegation be authorized to issue outline planning permission subject to the following conditions:-**
 - 1 - A02 (Time limit for submission of reserved matters (outline permission))**

Reason: Required to be imposed by Section 92 of the Town and Country

Planning Act 1990.

- 2 - A03 (Time limit for commencement (outline permission))

Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990.

- 3 - A04 (Approval of reserved matters)

Reason: To enable the local planning authority to exercise proper control over these aspects of the development.

- 4 - A05 (Plans and particulars of reserved matters)

Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990.

- 5 - G01 (Details of boundary treatments)

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

- 6 - W01 (Foul/surface water drainage)

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

- 7 - W02 (No surface water to connect to public 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.

- 8 - W03 (No drainage run-off to public system)

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

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

- 2 - N02 - Section 106 Obligation

This planning permission is pursuant to a planning obligation under Section 106 of the Town and Country Planning Act 1990.

- 3 - N19 - Avoidance of doubt

73. DCNW2006/2582/F - PROPOSED NEW DWELLING ON LAND ADJOINING THE HOLME, CHURCH ROAD, EARDISLEY, HEREFORD, HR3 6NJ.

The receipt of a further letter of objection was reported.

RESOLVED

That planning permission be granted subject to the following conditions:-

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

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

2 - 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 - E16 (Removal of permitted development rights)

Reason: In order that the local planning authority can control the form of development in this sensitive location.

7 - G01 (Details of boundary treatments)

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

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

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

9 - 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.

- 10 - 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.

- 11 - Prior to any development on site the Child Day Care Facility, (subject to planning application ref. NW05/3300/F – approved 28th November 2005), conducted from the dwelling currently known as The Holme, Church Road, in whose curtilage the application site subject to this application is located within, shall cease functioning and confirmation of its cessation will be submitted to the Local Planning Authority in writing by the applicants or their successors in title.

Reason: In the interests of vehicle movements in relationship to the adjoining public highway and residential amenity of surrounding dwellings as well as the dwelling subject to this planning approval.

- 12 - D01 (Site investigation – Archaeology)

Reason: To ensure the archaeological interest of the site is recorded.
Informatives:

Informative:

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

Advisory Note:

If a connection is required to the public sewerage system, the developer is advised to contact Dwr Cymru Welsh Water's Network Development Consultants on Tel No. 01443 331155.

74. DCNE2006/2156/F - CHANGE OF USE OF ORCHARD TO PRIVATE WINTER CARAVAN STORAGE (TEMPORARY), ANCILLARY TO SIDDINGTON FARM AT SIDDINGTON FARM, LEDDINGTON, LEDBURY, HEREFORDSHIRE, HR8 2LN

RESOLVED:

That consideration of the application be deferred for a site inspection for the following reasons:

- iv. The character or appearance of the development itself is a fundamental planning consideration;
- v. A judgement is required on visual impact; and
- vi. The setting and surroundings are fundamental to the determination or to the conditions being considered.

In accordance with the criteria for public speaking, Ms Davis an objector, reserved her right to speak until the next meeting.

75. DCNE2006/2302/F - ERECTION OF A FIRST FLOOR EXTENSION AND INSERTION OF TWO ROOFLIGHTS AT BURYSGATE COTTAGE, BEARSWOOD, STORRIDGE, MALVERN, WORCESTERSHIRE, WR13 5EP AND DCNE2006/2303/L - ERECTION OF A FIRST FLOOR EXTENSION TO SIDE AND NEW ROOFLIGHT TO EAST ELEVATION AND INTERNAL ALTERATIONS AT ABOVE ADDRESS

RESOLVED

DCNE2006/2302/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 - **Prior to commencement of the development hereby permitted, samples of the materials to be used in the construction of the external surfaces of the building hereby permitted shall be submitted to the Local Planning Authority for their written approval. The development hereby permitted shall not commence until the Local Planning Authority has given such written approval. The development shall be carried out in strict accordance with the approved materials and thereafter maintained as such.**

Reason: To safeguard the character and appearance of the Grade 2 Listed Building and the surrounding countryside that hereabouts is designated as an Area of Outstanding Natural Beauty.

- 3 - **Prior to the commencement of the development hereby permitted large scale drawings of all fenestration (including of the rooflights) shall be submitted to the Local Planning Authority for their written approval. The development hereby permitted shall be carried out in strict accordance with the approved plans and thereafter maintained as such.**

Reason: To safeguard the character and appearance of the Grade 2 Listed Building and the surrounding countryside that hereabouts is designated as an Area of Outstanding Natural Beauty.

Informatives:

- 1 - **N15 - Reason(s) for the Grant of PP/LBC/CAC**
- 2 - **For the avoidance of any doubt the plans to which this decision relates are:**
- **Application Site Plan (Scale 1:1250) - Drawing Number 2371/001 received 12 July 2006;**
 - **Existing Floor Plan (Scale 1:50) - Drawing Number 2371/01 received 12 July 2006;**
 - **Existing Elevations (Scale 1:100) - Drawing Number 2371/02 received 12 July 2006;**
 - **Proposed Floor Plans (Scale 1:50) - Drawing Number 2371/10 received**

- 12 July 2006;
- Proposed Elevations (Scale 1:100) - Drawing Number 2371/11 received 18 August 2006; and
- In-line roof vent detail received 18 August 2006.

DCNE2006/2303/L

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

- 1 - CO1 – 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 - Prior to commencement of the development hereby permitted, samples of the materials to be used in the construction of the external surfaces of the building hereby permitted shall be submitted to the Local Planning Authority for their written approval. The development hereby permitted shall not commence until the Local Planning Authority has given such written approval. The development shall be carried out in strict accordance with the approved materials and thereafter maintained as such.

Reason: To safeguard the character and appearance of the Grade 2 Listed Building and the surrounding countryside that hereabouts its designated as an Area of Outstanding Natural Beauty.

- 3 - Prior to the commencement of the development hereby permitted large scale drawings of all fenestration (including of the rooflights shall be submitted to the Local Planning Authority for their written approval. The development hereby permitted shall be carried out in strict accordance with the approved plans and thereafter maintained as such.

Reason: To safeguard the character and appearance of the Grade 2 Listed Building and the surrounding countryside that hereabouts is designated as an Area of Outstanding Natural Beauty.

Informatives:

- 1 - N15 - Reason(s) for the Grant of PP/LBC/CAC
- 2 - For the avoidance of any doubt the plans to which this decision relates are:
 - Application Site Plan (Scale 1:1250) - Drawing Number 2371/001 received 12 July 2006;
 - Existing Floor Plan (Scale 1:50) - Drawing Number 2371/01 received 12 July 2006;
 - Existing Elevations (Scale 1:100) - Drawing Number 2371/02 received 12 July 2006;
 - Proposed Floor Plans (Scale 1:50) - Drawing Number 2371/10 received 12 July 2006;
 - Proposed Elevations (Scale 1:100) - Drawing Number 2371/11 received 18 August 2006; and

- In-line roof vent detail received 18 August 2006.

76. DCNC2006/2174/F - CONVERSION OF EXISTING HOUSE INTO 3 APARTMENTS AT 84 ETNAM STREET, LEOMINSTER, HEREFORDSHIRE, HR6 8AN

The Development Control Manager reported the receipt of further letters of objection reiterating the concerns of local residents and Leominster Town Council as set out in the report.

In accordance with the criteria for public speaking, Mr Dickson an objector spoke against the application.

Councillor Mrs J French asked if it would be better to defer consideration of the application pending further discussions with the applicant about the concerns raised by objectors but the Development Control Manager said that these could be met by the appropriate conditions and he explained what those would be

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 - F01 (Scheme of noise attenuating measures)

Reason: To safeguard the amenity of the area.

4 - F39 (Scheme of refuse storage)

Reason: In the interests of amenity.

5. Before the development is commenced a scheme for the provision of secure cycle parking on site shall be 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 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.

6. Before the development hereby permitted is commenced details of the proposed railings on the front elevation shall have been submitted to and approved in writing by the local planning authority. Development shall proceed in accordance with the approved details.

Reason: In the interests of visual amenity.

Informative:

1. The decision to grant planning permission has been taken having regard to the policies and proposals in the Local Plans set out below, and to all relevant material considerations including Supplementary Planning Guidance:

LEOMINSTER DISTRICT LOCAL PLAN

- A54 - Protection of Residential Amenity
- A57 - Sub-division of Houses
- A70 - Accommodating Traffic from Development

Herefordshire Unitary Development Plan (Revised Deposit Draft)

- H16 - Car Parking
- H17 - Sub-Division of Existing Housing

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

77. **DCNC2006/2202/F - DEMOLITION OF POLICE STATION AND CONSTRUCTION OF 12 APARTMENTS WITH ASSOCIATED PARKING AND FACILITIES AT LEOMINSTER POLICE STATION, RYELANDS ROAD, LEOMINSTER, HEREFORDSHIRE, HR6 8NZ**

The Northern Team Leader said that County Archaeologist had no objections to the application.

Councillor JP Thomas, one of the Local Ward Members had concerns about the vehicular access to the site being over an unmade road and felt that the applicants should be required to improve the road in the interests of highway safety. The Northern Team Leader said that there was a requirement within The Section 106 obligation for the applicants to pay the sum of £18,000 towards sustainable transport improvements but that he would also impose a condition in respect of the access road.

RESOLVED

That planning permission be granted subject to the applicants being required to improve the access road to an adoptable standard and subject to the following:-

- 1 - **The Head of Legal and Democratic Services be authorised to complete a planning obligation under Section 106 of the Town and Country Planning Act 1990 to (as set out in Heads of Agreement) and any additional matters and terms as he considers appropriate.**
- 2 - **Upon completion of the aforementioned planning obligation that the Officers named in the Scheme of Delegation to Officers be authorised to issue planning permission subject to the following conditions:-**
 - 1 - **A01 (Time limit for commencement (full permission))**
Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990.
 - 2 - **A07 (Development in accordance with approved plans)**

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

3 - B01 (Samples of external materials)

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

4 - G02 (Landscaping scheme (housing development))

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

5 - G03 (Landscaping scheme (housing development) - implementation)

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

6 - Unless otherwise first agreed in writing by the local planning authority, none of the buildings hereby approved shall be occupied until essential improvements to the public sewerage system have been completed by Dwr Cymru Welsh Water, and the local planning authority have been informed in writing of its completion. This work is scheduled for completion by 1st April 2008.

Reason: To mitigate the existing hydraulic overloading of the public sewerage system and ensure the local community and environment are not unduly compromised.

7 - W01 (Foul/surface water drainage)

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

8 - W02 (No surface water to connect to public 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.

9 - W03 (No drainage run-off to public system)

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

10 - D01 (Site investigation - archaeology)

Reason: To ensure the archaeological interest of the site is recorded.

11 - 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.

12 - 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.

INFORMATIVES:

- 1 - N03 - Adjoining property rights
- 2 - The applicants should be aware that this planning permission does not over-ride any civil/legal rights enjoyed by adjacent property owners. If in doubt the applicant is advised to seek legal advice on the matter.
- 3 - N16 - Welsh Water Informative
- 4 - ND01 - Scheduled Monument Consent
- 5 - ND02 - Area of Archaeological Importance
- 6 - ND03 - Contact Address
- 7 - N15 - Reason(s) for the Grant of PP/LBC/CAC

78. DCNC2006/2454/F - PROPOSED TWO STOREY EXTENSION AND ALTERATIONS AT 114 THE BARGATES, LEOMINSTER, HEREFORDSHIRE, HR6 8QU AND DCNC2006/2455/C - DEMOLITION OF EXISTING GARAGE AND REAR EXTENSION AND ERECTION OF TWO STOREY EXTENSION AND ALTERATIONS AT ABOVE ADDRESS

RESOLVED
NC2006/2454/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 - C04 (Details of window sections, eaves, verges and barge boards)

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

- 4 - C05 (Details of external joinery finishes)

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

Informative:

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

NC2006/2455/C

That Conservation Area Consent 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.

Informative:

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

The meeting ended at 3.40 p.m.

CHAIRMAN