

MINUTES of the meeting of Northern Area Planning Sub-Committee held at : The Council Chamber, Brockington, 35 Hafod Road, Hereford on Wednesday, 6th December, 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, 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, R.V. Stockton, J.P. Thomas and J.B. Williams

In attendance: Councillors J.W. Edwards

107. APOLOGIES FOR ABSENCE

Apologies were received from Councillors PJ Dauncey, TM James, RJ Phillips DW Rule and J Stone.

108. DECLARATIONS OF INTEREST

There were no declarations of interest made at the meeting.

109. MINUTES

RESOLVED: That the Minutes of the meeting held on 8th November, 2006 be approved as a correct record and signed by the Chairman.

110. ITEM FOR INFORMATION - APPEALS

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

111. 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.

112. DCNC2006/2953/O - SITE FOR THE ERECTION OF A DETACHED DWELLING AT 78 CASTLEFIELDS, LEOMINSTER, HEREFORDSHIRE, HR6 8BJ

Councillor JP Thomas, one of the Local Ward Members, had a number of concerns about the application. The land formed a natural break between existing dwellings and a public footpath and was a very small plot for a house and garage to be located on. Access to the rear of a property would be difficult to achieve as would parking a vehicle in the limited space available. It would be necessary to close a well-used public footpath adjoining the land during building and Welsh Water was concerned about the sewer being overloaded and did not want any further connections until the

NORTHERN AREA PLANNING SUB-COMMITTEE WEDNESDAY, 6TH DECEMBER, 2006

upgrade planned for April 2008 was completed. The Sub Committee concurred with the views of Councillor Thomas.

RESOLVED:

- That (i) The Northern Area Planning Sub-Committee is minded to refuse the application because the site was not considered large enough for a house, garden and off-street car-parking and subject to any further reasons felt to be necessary by the Development Control Manager, provided that the Head of Planning Services does not refer the application to the Planning Committee.**
- (ii) If the Head of Planning Services does not refer the application to the Planning Committee, Officers named in the Scheme of Delegation to Officers be instructed to refuse the application subject to the reasons referred to above.**

[Note: Following the vote on this application, the Development Control Manager advised that he would not refer the application to the Head of Planning Services.]

113. DCNC2006/3324/N - CHANGE OF USE OF LAND TO A WASTE TRANSFER STATION FOR CONSTRUCTION AND DEMOLITION WASTE AT EXISTING TRANSPORT AND SAND/GRAVEL DEPOT AT UNIT 11, BROMYARD INDUSTRIAL ESTATE, BROMYARD, HEREFORDSHIRE, HR7 4NS

The receipt of a further letter of objection was reported.

In accordance with the criteria for public speaking, Hazel Edwards the Agent acting on behalf of the applicant spoke in favour of the application.

Councillor B Hunt the Local Ward Member felt that approval of the application would enable greater control over the activities which would take place on the site but noted the concerns of local residents. He felt that it was essential for a the site to be adequately landscaped to improve the amenity of the adjoining properties.

RESOLVED

That planning permission be granted subject to the prior submission of a landscaping scheme which was acceptable to the Officers named in the Scheme of Delegation to Officers and 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 development hereby permitted shall be undertaken in accordance with the operational details found at paragraphs 2.0 - 2.4 inclusive of the submitted supporting statement dated October 2006.

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

3 - A11 (Change of use only details required of any alterations)

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

granted.

- 4 - No waste materials shall be deposited or sorted in the building, outside the hours of 08.00 to 18.00 hours Monday to Friday unless otherwise agreed in advance in writing by the local planning authority.
- 5 - Before the development commences a scheme for a water misting system in the yard shall be submitted to and approved in writing by the local planning authority. The scheme shall be implemented in accordance with the approved details. The installed system shall be maintained in good working order and used to damp down all stored materials kept out of doors whenever dry weather allows dust to blow around the site.

Reason: To protect the amenity of local residents and to minimise any adverse effects of dust, in accordance with Herefordshire Unitary Development Plan (Revised Deposit Draft) policies S2 and DR9.

- 6 - Before the development commences a detailed scheme for a ventilation and air extraction system within the building, including dust particle arrestment, shall be submitted to and approved in writing by the local planning authority. The scheme shall be implemented in accordance with the approved details and the ventilation system used and maintained in good working order throughout the use of the waste transfer station.

Reason: To prevent pollution and dust emissions to atmosphere, in the interests of health and safety and the amenity of local residents in accordance with Herefordshire Unitary Development Plan (Revised Deposit Draft) policies S2, DR4 and DR9.

- 7 - All waste tipping and sorting shall take place within the building with the doors kept closed.

Reason: To protect the amenity of local residents and to ensure the efficiency of the ventilation system required by condition 6 of this permission, in accordance with Herefordshire Unitary Development Plan (Revised Deposit Draft) policies S2 and DR9.

- 8 - No unsorted waste materials shall be stockpiled or stored outside the building unless otherwise agreed in advance in writing by the local planning authority.

Reason: To protect the amenity of the local area in accordance with Herefordshire Unitary Development Plan (Revised Deposit Draft) policy S2.

- 9 - No wastes or waste materials other than those specified in this application shall be received at the application site.

Reason: To prevent pollution in accordance with Herefordshire Unitary Development Plan (Revised Deposit Draft) policies S2 and DR4 and because any other type of waste materials would raise environmental and amenity issues that would require further consideration by the local planning authority.

- 10 - No burning, incineration, crushing, screening or otherwise treatment or processing of any waste materials shall take place at the premises.

Reason: To prevent pollution and protect the amenity of the occupiers of nearby properties in accordance with Herefordshire Unitary Development Plan (Revised Deposit Draft) policies S2, DR4 and DR9.

- 11 - All wastes brought into or taken out from the site shall be transported in securely covered or enclosed skips or vehicles.

Reason: In the interests of road safety and to prevent pollution or nuisance, in accordance with Herefordshire Unitary Development Plan (Revised Deposit Draft) policies S2, DR4 and W3.

- 12 - F28 (No discharge of foul/contaminated drainage)

Reason: To prevent pollution of the water environment.

- 13 - If, during development, contamination not previously identified is found to be present at the site then, unless otherwise agreed in writing by the local planning authority, no further development shall be carried out until a Method Statement detailing how the unsuspected contamination shall be dealt with has been submitted to and approved in writing by the local planning authority. Thereafter development of the site shall be carried out in accordance with the approved Method Statement.

Reason: To ensure that the development complies with approved details in the interests of protection of the environment and harm to human health. [Environment Agency's required condition, - see informative note 2]

- 14 – *(Adapted) G04 (Landscaping scheme (general)) (Landscaping/planting scheme for SE boundary to be submitted within 12 months of the permission)*

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

- 15 - *(Adapted) G05 (Implementation of landscaping scheme (general)) (implementation of approved landscaping in first planting season following scheme approval)*

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

INFORMATIVES

- 1 - To protect local amenity in accordance with Herefordshire Unitary Development Plan (Revised Deposit Draft) policies S2 and DR13, it would be of great benefit to residential neighbours if a scheme of noise mitigation for the existing bagging hopper could be produced and agreed with the local planning authority, to include either relocating the hopper away from residential neighbours, or enclosing it or lining it with sound insulating material.
- 2 - Condition 13 refers to mitigation for the possibility of contaminated material being inadvertently imported with the construction waste, and

also to any alterations to the surface of the yard or to the building, including changes to the inspection pit currently at the site.

- 3 - If the inspection pit will be filled in, only inert material should be used. Only clean uncontaminated rock, subsoil, brick, rubble or ceramic should be permitted as infill. Such other materials as timber, paper, plasterboard, plastics, or any other material capable of producing polluting leachate, should not be permitted, to prevent pollution.
- 4 - The applicant should contact the Environment Agency local regulatory waste team regarding a Waste Management Licence, available on 08708 506506.
- 5 - HN01 - Mud on highway
- 6 - N15 - Reason(s) for the Grant of PP/LBC/CAC

114. DCNE2006/3134/F - PROPOSED BAY WINDOWS TO FRONT ELEVATION AND RECONSTRUCTION OF DOUBLE GARAGE WITH PITCHED ROOF AT KYLDONAN, WOODLEIGH ROAD, LEDBURY, HEREFORDSHIRE, HR8 2BG

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 - Prior to commencement of the development hereby permitted, full written details and samples of all materials to be used in the construction of the external surfaces of the developments hereby permitted shall be submitted to the Local Planning Authority for their written approval. No development shall commence until the written approval of the Local Planning Authority has been given.

Reason: To ensure a satisfactory appearance to the development.

- 3 - The garage building hereby permitted shall only be used for purposes incidental to the use of 'Kyldonan' as a single family dwelling house and shall not be used in connection with any trade or business.

Reason: To safeguard the character of the area and the amenities of occupiers of existing dwellings in the immediate vicinity.

Informatives:

- 1 - N15 - Reason(s) for the Grant of PP/LBC/CAC
- 2 - N19 - Avoidance of doubt

115. DCNE2005/3784/RM - ERECTION OF ONE DWELLING ON SITE OF ROSE & COOME COTTAGES, FLOYDS LANE, WELLINGTON HEATH, LEDBURY, HEREFORDSHIRE, HR8 1LR

The Development Control Manager said that a complaint had been received about the contents of the report and that this was being dealt with through the formal complaints procedure.

The receipt of a letter of objection and a letter from the applicant's agent answering the objection was reported.

The Principal Planning Officer said that the application was previously deferred by the Sub-Committee for discussions about amendments to the position of the dwelling. The Sub-Committee had favoured the position of the dwelling being rotated in a clockwise direction to reduce over-looking of a property to the rear. He advised that the applicants had felt unable to amend the scheme as suggested.

Councillor R Mills, one of the Local Ward Members thanked the officers for their work on the application. He said that the local parish council and neighbours were opposed to the application, feeling that the proposed dwelling would be too large and overbearing on the site. He shared these views and was disappointed that the applicant was not prepared to alter the orientation of the building because overlooking of an adjoining property was quite significant. The Sub-Committee agreed that the building was too large for the site and shared the concerns about the problem of overlooking. It was felt that the application should therefore be refused.

RESOLVED:

- That (i) The Northern Area Planning Sub-Committee is minded to refuse the application because the proposed dwelling would severely overlook an adjoining property and subject to any further reasons felt to be necessary by the Development Control Manager, provided that the Head of Planning Services does not refer the application to the Planning Committee.**
- (iii) If the Head of Planning Services does not refer the application to the Planning Committee, Officers named in the Scheme of Delegation to Officers be instructed to refuse the application subject to the reasons referred to above.**

[Note: Following the vote on this application, the Development Control Manager advised that he would not refer the application to the Head of Planning Services.]

116. DCNC2006/3283/F - USE OF LAND FOR SITING MOBILE HOMES BY THE DELETION OF CONDITION 2 IN THE CONSENT WHICH STATES NO CARAVAN SHALL BE USED AS PERMANENT RESIDENTIAL ACCOMMODATION ON LAND AT MEADOW BANK, HAMNISH, LEOMINSTER, HEREFORDSHIRE. HR6 0QN.

The receipt of letters of objection from local residents and Leominster Town Council was reported.

Councillor JP Thomas, one of the Local Ward Members had a number of concerns about the application and the fact that the use of the units for residential accommodation had existed for some time without the necessary authorisation. He was also concerned at the potential for pollution with the sewage outfall going into

NORTHERN AREA PLANNING SUB-COMMITTEE WEDNESDAY, 6TH DECEMBER, 2006

the adjoining holly brook. Councillor RBA Burke, one of the Local Ward Members said that the site had been used for residential accommodation for some years without any problems arising. Mrs Barnett was of the view that the units helped to provide accommodation for those in greatest need and that the application should be supported.

The Sub-Committee discussed the merits of the application and whether residential accommodation should be permitted in the location. The Development Control Manager explained the planning and enforcement advantages which would arise if permission was granted. Councillor JP Thomas suggested that consideration of the application should be deferred for the views of the Councils Strategic Housing department to be sought about the provision of accommodation for the homeless. The Sub-Committee concurred with this view.

RESOLVED:

that consideration of the application be deferred for the views of the Councils Strategic Housing department to be sought about the provision of accommodation for the homeless.

117. **DCNC2006/3379/F - USE OF LAND FOR SITING MOBILE HOMES BY THE DELETION OF CONDITION 2 IN THE CONSENT REF. NC2002/1416/F WHICH STATES "THE CARAVANS SHALL BE USED FOR HOLIDAY PURPOSES ONLY AND SHALL NOT AT ANY TIME BE USED AS THE SOLE PRIMARY RESIDENCE" AT MEADOW BANK, HAMNISH, LEOMINSTER, HEREFORDSHIRE, HR6 0QN**

The debate on the previous item set out in Minute No 116 also related to this item.

RESOLVED:

that consideration of the application be deferred for the views of the Councils Strategic Housing department to be sought about the provision of accommodation for the homeless.

118. **DCNC2006/3330/F - RETENTION OF DOMESTIC OIL STORAGE TANK AT 15 HOLME OAKS, OCLE PYCHARD, HEREFORDSHIRE, HR1 3RE**

In accordance with the criteria for public speaking, Mrs Preece and Mrs Warren spoke against the application.

The receipt of further objections from Ocle Pychard Parish Council was reported.

Councillor B Hunt, one of the Local Ward Members was unhappy that the oil storage tanks had been located in such prominent locations without prior consent being obtained, and the adverse impact they had on the amenity of local residents. He felt that the application should be refused or further negotiations held with the applicants. Members discussed the application and noted that there was limited scope available for satisfactory location because the bungalows did not have rear gardens. It was felt that the application should be refused but that the officers could use their discretion for removal to take place after the winter.

RESOLVED:

NORTHERN AREA PLANNING SUB-COMMITTEE WEDNESDAY, 6TH DECEMBER, 2006

- That (i) The Northern Area Planning Sub-Committee is minded to refuse the application on the grounds of the visual amenity of adjoining properties and subject to any further reasons felt to be necessary by the Development Control Manager, provided that the Head of Planning Services does not refer the application to the Planning Committee.**
- (iv) If the Head of Planning Services does not refer the application to the Planning Committee, Officers named in the Scheme of Delegation to Officers be instructed to refuse the application subject to the reasons referred to above.**

[Note: Following the vote on this application, the Development Control Manager advised that he would not refer the application to the Head of Planning Services.]

119. DCNC2006/3328/F - RETENTION OF DOMESTIC OIL STORAGE TANKS AT 18 HOLME OAKS, OCLE PYCHARD, HEREFORDSHIRE, HR1 3RE

The debate on the previous item set out in Minute No 118 also related to this item.

- That (i) The Northern Area Planning Sub-Committee is minded to refuse the application on the grounds of the visual amenity of adjoining properties and subject to any further reasons felt to be necessary by the Development Control Manager, provided that the Head of Planning Services does not refer the application to the Planning Committee.**
- (v) If the Head of Planning Services does not refer the application to the Planning Committee, Officers named in the Scheme of Delegation to Officers be instructed to refuse the application subject to the reasons referred to above.**

[Note: Following the vote on this application, the Development Control Manager advised that he would not refer the application to the Head of Planning Services.]

120. DCNC2006/3364/F - PROPOSED TEMPORARY MOBILE HEALTH FACILITIES (TEMPORARY FOR SEVEN YEARS) AT BROAD STREET CAR PARK, LEOMINSTER, HEREFORDSHIRE

It was noted that this item would need to be submitted to the Planning Committee because it involved Council owned land.

121. DATE OF NEXT MEETING

Wednesday 3 January, 2007.

The meeting ended at 3.30 p.m.

CHAIRMAN