

MINUTES of the meeting of Northern Area Planning Sub-Committee held at The Council Chamber, Brockington, 35 Hafod Road, Hereford on Wednesday, 31st January, 2007 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, R.B.A. Burke,
P.J. Dauncey, 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, J. Stone and J.P. Thomas

135. APOLOGIES FOR ABSENCE

Apologies were received from Councillors BF Ashton, RM Manning and RV Stockton.

136. DECLARATIONS OF INTEREST

Councillor RJ Phillips declared a personal interest in item No 10 (Minute 144) - DCNW2006/3816/F - retrospective application for change of use for siting of residential caravan mobile home at The Garden, Nutfield Cottage, Bearwood, Pembridge and 11 (Minute 145) DCNW2006/3850/F - replacement dwelling and garage at Pinecroft, West Street, Pembridge.

137. MINUTES

RESOLVED: That the Minutes of the meeting held on 3rd January, 2007 be approved as a correct record and signed by the Chairman.

138. ITEM FOR INFORMATION - APPEALS

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

139. 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.

140. DCNC2006/3235/F - PROPOSED TWO STOREY SIDE EXTENSION AND CREATION OF A NEW PARKING AREA AT 49 MIDDLEMARSH, LEOMINSTER, HEREFORDSHIRE, HR6 8UP

The Principal Planning Officer said that the application was deferred at the last meeting because Leominster Town Council's comments on the amended plans had not been received. The Town Council had now commended the application for

approval.

RESOLVED

That planning permission be granted subject to conditions set out below:

- 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
- 2 - N19 - Avoidance of doubt

141. DCNE2006/3799/F - FURTHER STOREY ON REAR OF HOUSE AT HIGH VINNALLS, UPPERFIELDS, LEDBURY, HEREFORDSHIRE, HR8 1LE

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 external materials 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 obtained. The development shall be carried out in full accordance with the approved details and thereafter maintained as such;

Reason: - To ensure a satisfactory appearance to the development;

Informatives:

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

142. DCNC2006/4003/O - SITE FOR A TWO STOREY HOUSE WITH 3 CAR PARKING SPACES AT THE REAR OF 64 NEW ROAD, BROMYARD, HEREFORDSHIRE, HR7 4AN

Councillor B Hunt, one of the Local Ward Members, felt that the application was far more acceptable than previous ones because it would include Off- Street parking through the demolition of some existing garages, rather than retain them and have an access that could be unsafe to negotiate. He asked that the Local Ward Members be consulted on the granting of the permission.

RESOLVED

That planning permission be granted in consultation with the Local Ward Members and 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 - The development hereby approved shall not be commenced until the new vehicular access to serve 64 New Road, as approved under application reference DCNC2006/3036/F, has been completed and brought into use to the written satisfaction of the local planning authority.**
Reason: To ensure satisfactory alternative parking exists for 64 New road, in the interests of highway safety.
- 5 - 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.
- 6 - F16 (Restriction of hours during construction)**
Reason: To protect the amenity of local residents.
- 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.

INFORMATIVES

1 - N19 - Avoidance of doubt

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

143. DCNC2006/3893/F - DEMOLITION OF REDUNDANT RACING STABLES AND ERECTION OF 4 NO. 3 BED HOUSES (LOW COST MARKET) TOGETHER WITH 8 PARKING SPACES AT RISBURY RACING STABLES, RISBURY, LEOMINSTER, HEREFORDSHIRE, HR6 0NQ

The Principal Planning Officer reported the receipt of four letters of objection from new objectors and three further letters of objection from existing objectors. He said that the owners of an adjoining property whilst not objecting to the proposal required the provision of adequate drainage to prevent flooding to their property. He also reported the views of the Council's Strategic Housing Department which was in support of the scheme provided that the proposed dwellings remained within the affordable housing market.

In accordance with the criteria for public speaking, Mr Vidler the applicant's agent spoke in favour of the application.

Councillor KG Grumbley the Local Ward Member thanked the officers for providing a well-balanced report about the application. He outlined the points for and against the proposal. He felt that although the site was somewhat isolated with some distance to amenities, there was little affordable housing in the area and the proposal would help with the village school rolls. Councillor Mrs JP French felt that the Local Member had made a good case for the scheme which would need to be carefully controlled by an obligation under S.106 of the Town and Country Planning Act. The Development Control Manager said that Policy H10 within the Herefordshire Unitary Development Plan was quite specific about the identification of need and that the course of action suggested may be possible but that the officers had some doubts that the proposed dwellings could be delivered at an affordable price. There had been no identified need and the proposal appeared to be in a remote a location with few amenities and infrequent public transport.

Councillor WLS Bowen had some concerns that the remote location and poor amenities and public transport could lead to a future application to remove the affordable housing restriction. He felt that there should be a housing needs survey undertaken before an informed decision could be made on the application. The Sub-Committee gave further consideration to the various aspects of the application and location. Councillor KG Grumbley suggested that for the avoidance of any doubt, consideration of the application should be deferred to enable more information to be provided by the applicants in support of their application.

RESOLVED

That consideration of the application be deferred for the applicants to provided the appropriate information which would support the imposition of a Section

106 obligation under the Town & Country Planning Act 1990 in respect of affordable housing.

144. DCNW2006/3816/F - RETROSPECTIVE APPLICATION FOR CHANGE OF USE FOR SITING OF RESIDENTIAL CARAVAN MOBILE HOME AT THE GARDEN, NUTFIELD COTTAGE, BEARWOOD, PEMBRIDGE HEREFORDSHIRE HR6 9EF

In accordance with the criteria for public speaking, Mr Hughes the Agent and Mr Layton the applicant spoke in favour of the application.

Councillor RJ Phillips the Local Ward Member disagreed with the views of the Pembridge Parish Council that there was not an agricultural need for the application. He said that the applicant had been involved in local agricultural activities for many years and had encountered difficulties in finding affordable accommodation to remain near to his work. He had ensured that Council Tax was paid from the outset when he had occupied the site and Councillor Phillips was of the view that this was a genuine case. The Development Control Manager said that the applicant had not met the necessary tests to meet the criteria set out within the Councils planning policies for planning permission in respect of agricultural workers accommodation.

Having considered the details of the application, the Sub-Committee decided to defer consideration of the application to give the applicant the opportunity to provide more evidence in support of the need for it.

RESOLVED

That consideration of the application be deferred for the applicant to provide more evidence which would support the need for the application

145. DCNW2006/3850/F - REPLACEMENT DWELLING AND GARAGE AT PINECROFT, WEST STREET, PEMBRIDGE, LEOMINSTER, HEREFORDSHIRE,

The Senior Planning Officer read out the contents of a letter received from Mrs Dutton-Scholer, an objector. He said that she had expressed a number of concerns about the application in respect of loss of light to her house and garden, vehicular access and open space.

The Sub-Committee discussed the impact of the application on neighbouring properties and the Conservation Area. The Development Control Manager said that in his view the dwelling was outside the historic centre of the village amongst more modern buildings and in a fairly concealed location and that it would not therefore have an adverse affect. The Sub-Committee had some concerns about the design of the proposed building but felt that there were no grounds on which to refuse 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 - 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 this building of architectural or historical interest.

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

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

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

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

- 6 - E16 (Removal of permitted development rights)**

Reason: In the interests of the surrounding Conservation Area and landscape designation.

- 7- F16 (Restriction of hours during construction)**

Reason: To protect the amenity of local residents.

- 8 - G04 (Landscaping scheme (general))**

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

- 9 - G05 (Implementation of landscaping scheme (general))**

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

- 10 - D01 (Site investigation - archaeology)**

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

- 11 – F48 (details of slab levels)**

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

Informatives:

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

- 2 - N19 - Avoidance of doubt**

146. DCNW2006/4007/F - ERECTION OF 2 NO. DWELLINGS WITH DETACHED GARAGES AT SUNNYMEADE, BACK LANE, WEOBLEY, HEREFORD, HR4 8SG

The Senior Planning Officer said that the owners of Clee View adjoining the site had requested repositioning of the proposed dwellings, however this would create overlooking and would have an increased detrimental impact on the surrounding Conservation Area.

In accordance with the criteria for public speaking, Ms Parsons of Weobley Parish Council spoke against the application.

In answer to the concerns raised by the parish council about highway safety issues, the Senior Planning Officer stated that the site had an existing business use which could generate more traffic movements whereas the application was for two dwellings which would use the existing vehicular access.

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 - B01 (Samples of external materials)

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

3 - All external joinery will be of timber construction.

Reason: In the interests of the surrounding Conservation Area.

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 - E01 (Restriction on hours of working)

Reason: To safeguard the amenities of the locality.

8 - E09 (No conversion of garage to habitable accommodation)

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

9 - E16 (Removal of permitted development rights)

Reason: In order to protect the character of the surrounding Conservation Area.

10 - 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.

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.

Informatives:-

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

2 - N19 - Avoidance of doubt

147. DCNW2006/4049/O - OUTLINE APPLICATION FOR AGRICULTURAL DWELLING TO REPLACE COLLAPSED FARMHOUSE AT SPOND FARM, SPOND, KINGTON, HEREFORDSHIRE, HR5 3LB

It was reported that the County Land Agent had concerns about the proposal in that no accounts had been submitted in support of the enterprise, land ownership appeared complicated, there was already a farmhouse on site and a previous listed house on site had been allowed to become derelict. The Conservation Manager's view was that the building should be recorded but that it was probably now beyond repair economically.

In accordance with the criteria for public speaking, Mr Lykes the applicants agent spoke in favour of the application.

Councillor TM James said that the application was to support a working farm and that the applicant lived in a dwelling that did not belong to him and that he therefore needed the security of his own dwelling to support the agricultural business. He also said that it was not a viable proposition for the derelict dwelling to be rebuilt and he therefore considered that the application should be granted.

The Development Control Manager said that the proposal was contrary to policy H8 of the UDP in that an essential need for an agricultural dwelling at this location had not been demonstrated or the conversion of a suitable existing building explored. He also pointed out that the applicant already had suitable on-site accommodation from which to manage the farm.

RESOLVED

That planning permission be refused for the following reasons:

- 1. No essential need has been proven for an additional agricultural worker to be on site. Therefore the proposal does not comply with Policy H8: Agricultural and Forestry Dwellings and Dwellings associated with Rural Businesses in the Herefordshire Unitary Development Plan (Revised Deposit Draft), Policy A43: Agricultural Dwellings in the Leominster District Local Plan and National Planning Policy Statement 7: Sustainable Development in Rural Areas**
- 2. Notwithstanding the above should an essential need for a further dwelling be proven, there is a suitable building adjacent which could be converted for such a use. Therefore the proposal does not comply with National Planning Policy Statement 7: Sustainable Development in Rural Areas And Policy H8: Agricultural and Forestry Dwellings and Dwellings associated with Rural Businesses in the Herefordshire Unitary Development Plan (Revised Deposit Draft), on this issue.**

148. DATE OF FORTHCOMING MEETINGS

28th February, 28th March and 24th April, 2007.

The meeting ended at 3.45 p.m.

CHAIRMAN