

MINUTES of the meeting of Northern Area Planning Sub-Committee held at The Council Chamber, Brockington, 35 Hafod Road, Hereford on Wednesday, 28th March, 2007 at 2.00 p.m.

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

Councillors: B.F. Ashton, 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.M. Manning, R. Mills, R.J. Phillips, D.W. Rule MBE, J. Stone and J.P. Thomas

159. APOLOGIES FOR ABSENCE

Apologies were received from Councillors Mrs LO Barnett, RV Stockton and WLS Bowen.

160. DECLARATIONS OF INTEREST

There were no declarations of interest made at the meeting.

161. MINUTES

RESOLVED: That the Minutes of the meeting held on 28th February, 2007 be approved as a correct record and signed by the Chairman.

162. ITEM FOR INFORMATION - APPEALS

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

163. 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.

164. 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

The Development Control Manager said that letters had been received about the work being undertaken by the applicant and giving support to the application, but that there had not been sufficient evidence provided to support it. He suggested therefore that if it was necessary to undertake enforcement action, this would be done sensitively and in consultation with the Local Ward Member.

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 that he had encountered difficulties in finding affordable accommodation to remain near to his work. Councillor Phillips was of the view that this was a genuine case and that the application met the functionality test, pointing out that the changing nature of agriculture had led to a strong local need for a 'mobile' agricultural worker who would be available for different farms in the area. He suggested that a temporary three-year consent should be granted to enable time for the need to be tested and confirmed. The Development Control Manager said that if the application was granted on this basis, he would not need to refer the matter to the Head of Planning Services because it would enable a judgement to be made on whether the proposal fulfilled the Council's planning policies.

Having considered the details of the application, the Sub-Committee was in favour of granting a temporary permission.

RESOLVED:

- That (i) The Northern Area Planning Sub-Committee is minded to approve the application for a temporary period of three years, subject to any conditions 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 approve the application subject to such conditions referred to above.**

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

165. DCNW2006/3978/F - STEEL PORTAL FRAMED PRODUCTION AND STORAGE BUILDINGS, LORRY PARK, ALTERATIONS TO INTERNAL ROADWAYS AND NEW ACCESS AT KINGSPAN INSULATIONS LTD, TORVALE INDUSTRIAL ESTATE, PEMBRIDGE, HEREFORDSHIRE.

Councillor RJ Phillips the Local Ward Member felt that the application had a number of merits but that it needed to be balanced with its impact on the local community. He said that it was essential for the highway improvements referred to in the planning obligation to include off street parking to serve the local school. The Sub-Committee supported this view and it was generally felt that there should be further discussion with the applicants about the contribution to be made by them.

RESOLVED

that consideration of the application be deferred pending further negotiation with the applicants to increase the contribution payable by them regarding the planning obligation under Section 106 of the Town and Country Planning Act.

166. DCNE2007/0307/F - THREE NEW HOLIDAY LODGES AT WOODSIDE LODGES COUNTRY PARK, FALCON LANE, LEDBURY, HEREFORDSHIRE, HR8 2JN

In accordance with the criteria for public speaking Mr Davis spoke in favour of his 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 - Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any other revoking and re-enacting that Order with or without modification) no development normally permitted by Classes A, B, C, D, E and F of Part 1 and Class A of Part 2 of Schedule 2 of Article 3 of the General Permitted Development Order 1995 shall be carried out.

Reason: To safeguard the character and appearance of the countryside.

3 - Prior to commencement of the development hereby permitted full written details and samples of the materials to be used on the external surfaces of the building hereby permitted shall be submitted to the Local Planning Authority for their written approval. The development shall not commence without the prior written consent of the Local Planning Authority. 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.

4 - The dwelling house hereby permitted shall only be used for holiday purposes by tourists. No person or group of persons shall occupy the dwelling house for more than 28 days in any calendar year and shall not be occupied by any one person or group of persons for more than 156 days in any one calendar year.

The owners/operators of the site shall maintain an up-to-date register of the names of all occupiers of the dwelling house hereby permitted and of their main home address (i.e. place of residence) and shall make this information available at all reasonable times to the Local Planning Authority.

Reason: To ensure that the development hereby permitted is not used as a permanent unrestricted dwelling house contrary to Development Plan policies.

5 - Prior to commencement of the development hereby permitted the applicant or any person(s) carrying out the development hereby permitted shall submit to the Local Planning Authority in respect of a scheme of landscaping indigenous species. The landscaping shall include indications of all existing trees and hedgerows on the land, and details of any to be retained. The submitted scheme of landscaping

must include details as to the location of all planting, their species and the density of planting. The development shall not commence until the landscaping scheme has been approved in writing by the Local Planning Authority.

Reason: To ensure that the development integrates appropriately within the wider landscape.

- 6 - All planting comprised in the approved details of landscaping shall be carried out in the first planting season following completion of the development hereby permitted or the first use of any of the tourist lodges. Any trees or plants which within a period of five years of their planting 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.

Reason: To ensure that the development integrates appropriately within the wider landscape.

- 7 - Prior to commencement of the development hereby permitted, full written details of all external lighting to be installed upon the site (if any) shall be submitted to the Local Planning Authority for their written approval. No external lighting shall be installed upon the site without the prior written consent of the Local Planning Authority. The approved external lighting shall be installed in full accordance with the approved details and thereafter maintained in accordance with those details.

Reason: To safeguard the character and appearance of the area.

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 relate are:
- Proposed Site Plan (Scale 1:1250) - Drawing Number LSV 330/02 received 29th January 2007;
 - Proposed Site Plan, Floor Plans and Elevations (Scales 1:500 and 1:100) - Drawing Number LSV 300/20 received 29th January 2007;
 - Existing Site Plan, Block Plan and Elevations (Scales 1:5000 and 1:1250) - Drawing Number LSV 300/01 received 29th January 2007.

167. DCNE2006/3843/F - SITING OF A MOBILE HOME FOR AN AGRICULTURAL WORKER AT THE SPONEND FARM, FROMES HILL, LEDBURY, HEREFORDSHIRE, HR8 1HT.

In accordance with the criteria for public speaking, Mr Wall the agent acting on behalf of the applicant 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 - Within 2 months of the date of this permission, details of the mobile home hereby approved shall be submitted to and approved in writing by the local planning authority. Details shall include:

Elevations at a scale of 1:50 or 1:100;
Floor plans at a scale of 1:50 or 1:100;
Details of the external materials and finish thereto.

Development shall be carried out in accordance with the agreed details and not changed thereafter.

Reason: In the interests of visual amenity.

3 - E28 (Agricultural occupancy)

Reason: It would be contrary to Development Plan policies to grant planning permission for a dwelling in this location except to meet the expressed case of agricultural need.

4 - E23 (Temporary permission (3 years) and reinstatement of land (mobile home/caravan))

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

5 - G04 (Landscaping scheme (general))

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

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

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

Informative:

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

168. DCNE2006/4028/F - PROPOSED LIVESTOCK BUILDING AT THE SPONEND FARM, FROMES HILL, LEDBURY, HEREFORDSHIRE, HR8 1HT

In accordance with the criteria for public speaking, Mr Wall the agent acting on behalf of the applicant spoke in favour of his 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 - B10 (Details of cladding (agricultural and industrial buildings))

Reason: To minimise the visual impact of the development.

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 - 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.

Informative:

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

169. DCNC2007/0404/F - ALTERATIONS AND EXTENSION TO EXISTING DWELLINGS TO FORM 3 NO. COTTAGES AT TREWEN HOUSE, NEW STREET, LEOMINSTER, HEREFORDSHIRE, HR6 8DP

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 - B02 (Matching external materials (extension))

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

- 3 - E19 (Obscure glazing to windows and to be maintained as such in perpetuity)

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

- 4 - 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.

- 5 - The third dwelling hereby approved shall not be occupied until essential improvement works to the public sewerage system have been completed and the local planning authority advised of this in writing, or until 1st April 2008 whichever is the sooner.

Reason: To mitigate the existing hydraulic overloading of the public sewerage system.

Informatives:

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

170. DATE OF NEXT MEETING

Tuesday 24th April, 2007

The meeting ended at 2.40 p.m.

CHAIRMAN