

MINUTES of the meeting of Southern Area Planning Sub-Committee held at : The Council Chamber, Brockington, 35 Hafod Road, Hereford on Wednesday, 21st February, 2007 at 2.00 p.m.

Present: Councillor H. Bramer (Vice-Chairman in the Chair)

Councillors: M.R. Cunningham, N.J.J. Davies, Mrs. C.J. Davis, G.W. Davis, Mrs. A.E. Gray, J.G. Jarvis, G. Lucas, D.C. Taylor and J.B. Williams

In attendance: Councillors T.W. Hunt

109. APOLOGIES FOR ABSENCE

Apologies were received from Councillors J.W. Edwards, Mrs. J.A. Hyde and P.G. Turpin.

110. DECLARATIONS OF INTEREST

There were no declarations of interest made.

111. MINUTES

RESOLVED: That the Minutes of the meeting held on 24th January, 2007 be approved as a correct record and signed by the Chairman.

112. ITEM FOR INFORMATION - APPEALS

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

113. DCSW2007/0226/F - FIELD OPPOSITE STOCK FARM, DIDLEY, HEREFORDSHIRE (AGENDA ITEM 5)

New temporary access to temporary pipe storage area for the construction of the proposed Brecon to Tirley gas pipeline.

The Southern Team Leader reported the receipt of comments from Kilpeck Parish Council.

RESOLVED

That planning permission be granted subject to the following conditions:

- 1. E21 (Temporary permission and reinstatement of land) (30th November, 2007)**

Reason: In order to secure the permanent reinstatement of the site in the interests of the amenities of the area and to comply with Policy LA.6 of

the Herefordshire Unitary Development Plan (Revised Deposit Draft).

2. No development within the application area shall be undertaken until the proposed temporary access shown on drawing number 31002/DWG/SK513 has been completed to the satisfaction of the local planning authority after consultation with the Highways Agency.

Reason: As directed by the Highways Agency and in the interests of highway safety.

3. The visibility requirements for the temporary speed limit of 40mph are met by cutting vegetation and tree branches as appropriate. This to be completed to the satisfaction of the local planning authority after consultation with the Highways Agency.

Reason: As directed by the Highways Agency and in the interests of highway safety.

4. After the works, the verge should be reinstated to its original condition by excavation and removal of all the temporary access works and top soiling and seeding by November 2007. This to be completed to the satisfaction of the local planning authority after consultation with the Highways Agency.

Reason: As directed by the Highways Agency and in the interests of highway safety.

Informative(s):

1. The highway proposals associated with this consent involve works within the public highway, which is land over which you have no control. The Highways Agency therefore requires you to enter into a suitable legal agreement to cover the design and construction of the works. Please contact Mr. Jon McCarthy of the Highways Agency's Area 9 S278 team, at an early stage to discuss the details of the highways agreement, his contact details are as follows, telephone number 0121 678 8742 or C4/5 Broadway, Broad Street, Birmingham, B15 1BL.
2. N19 - Avoidance of doubt
3. N15 - Reason(s) for the Grant of Planning Permission

114. DCSE2007/0094/F - EASTCLIFFE, LINTON, ROSS-ON-WYE, HEREFORDSHIRE, HR9 7RS. (AGENDA ITEM 6)

Proposed extension to rear to form conservatory.

The Southern Team Leader reported the following:

- Comments had been received from Linton Parish Council who supported the application
- A letter of objection had been received from S. Jones who had concerns regarding the stability of the land
- A further letter had been received from K. Landray who requested that the extension be erected on the opposite side of the dwelling.

SOUTHERN AREA PLANNING SUB-COMMITTEE WEDNESDAY, 21ST FEBRUARY, 2007

- Amended plans had been received from the Applicant's Agent. These plans aimed to address the concerns of the neighbouring residents through the addition of obscured glass and a reduction to the deck height.
- Following the receipt of new plans the Officers Recommendation had been amended to allow planning permission under delegated powers.

Councillor H. Bramer, the Local Ward Member, felt that the current proposal was acceptable and noted that the applicant had made every effort to alleviate the concerns of the neighbouring residents.

RESOLVED

THAT subject to no further objections raising additional material planning considerations being received by 2nd March, 2007, Officers be authorised to approve the application subject to conditions considered necessary by Officers.

115. DCSW2007/0104/F - THE VIEW, LITTLE BIRCH, HEREFORDSHIRE, HR2 8BA. (AGENDA ITEM 7)

Replacement dwelling.

In accordance with the criteria for public speaking, Mrs. Holt spoke in support of the application.

Councillor G.W. Davis, the Local Ward Member, noted that the application had previously been refused by Officers. He felt that the current dwelling had served its purpose but was now in need of replacement. He sympathised with the applicants and felt that the application should be approved contrary to the Officers recommendation.

A number of Members felt that the application should be approved as it was only seeking a modest sized dwelling to replace the existing bungalow. Members also noted that the footprint of the replacement dwelling was similar to that of the existing bungalow.

The Southern Team Leader advised Members that it was accepted that the existing property was in a poor condition and in principle a replacement dwelling would be acceptable. He added that policy H7 stated that replacement dwellings should be comparable in size and scale to the existing building, but that in this case the floor area of the dwelling had been increased from 89 sqm to 193 sqm, and the ridge height had been increased from 4m to 7m. He added that Officers would have been prepared to approve a slightly larger dwelling but not the proposed application, as it was twice the size of the original dwelling.

Following further debate the Southern Team Leader felt that if Members were minded to approve the application a condition should be added to the resolution to remove permitted development rights for further extensions to the dwelling.

RESOLVED

The Southern Area Planning Sub-Committee is minded to approve the application subject to the conditions set out below (and any further conditions felt to be necessary by the Head of Planning Services) provided that the Head of Planning Services does not refer the application to the Planning Committee.

- a) E16 – Removal of permitted development rights

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 to such conditions referred to above.

[Note: Following the vote on this application, the Development Control Manager advised that he would refer the decision to the Head of Planning Services.]

116. DCSW2006/3763/F - BYECROSS FARM, MOCCAS, HEREFORD, HEREFORDSHIRE, HR2 9LJ. (AGENDA ITEM 8)

Retrospective planning for toilet and shower block built in existing steel frame building.

In accordance with the criteria for public speaking, Mr. Fenn spoke in support of the application.

Councillor N.J. Davies, the Local Ward Member, felt that a number of local residents had concerns regarding the site. He noted that a previous planning application for a secure agricultural building for trailers was currently being used to house microlights and light aircraft. He also noted that the toilet block had already been built and felt that the applicants should have sought planning permission prior to commencing building works.

In response to a question from the Local Ward Member, the Principal Planning Officer confirmed that three applications had been received from the applicant. These applications were in respect of a certificate of lawfulness as a campsite, a retrospective application for a toilet block, and an airstrip for microlights. He confirmed that the certificate of lawfulness had been granted and that the airstrip application would be considered at a later date.

RESOLVED

That planning permission be granted.

Informative(s):

- 1. N19 - Avoidance of doubt**
- 2. N15 - Reason(s) for the Grant of Planning Permission**

117. DCSE2007/0052/F - WYE LEA COUNTRY MANOR, BRIDSTOW, ROSS-ON-WYE, HEREFORDSHIRE, HR9 6PZ. (AGENDA ITEM 9)

Conversion of leisure buildings to a retirement dwelling with garaging and staff accommodation with new accesses to the highway.

The application was withdrawn at the request of the applicant.

118. DCSE2007/0089/F & DCSE2007/0090/L - LLANROTHAL COURT FARM, LLANROTHAL, MONMOUTH, NP25 5QJ (AGENDA ITEM 10)

Conversion of farm buildings to 4 residential dwellings and ancillary accommodation. Proposed garages.

The Principal Planning Officer reported the receipt of four further letters of objection,

the following additional points were reported in detail:

- There had been major adverse changes in design and character of the scheme compared to the approved scheme.
- The Listed Building status had been ignored.
- There was a major issue relating to light pollution from the larger windows
- Concerns were raised in respect of farmland being changed to garden, it was felt that this would have an adverse effect on the countryside and the adjoining building, Llanrothel Court.
- The undertaken bat survey was unacceptable. It had taken place after building works had commenced and therefore the bats may have already been disturbed.
- No full wildlife study had taken place.

The Principal Planning Officer confirmed that the current scheme had been carefully considered by the Council's Conservation Manager, who was satisfied that the scheme respected the character of the buildings and their setting. He also added that the Conservation Manager would be giving full consideration to the ecological aspects of the proposal before making a decision.

In accordance with the criteria for public speaking, Mr. White-Millar spoke against the application and Mr. Guest spoke in support.

Councillor G.W. Davis, the neighbouring Ward Member, felt that the development was too large and that the road network in the area was inadequate.

Councillor J.G. Jarvis, noted the concerns of the Parish Council and the local residents. He confirmed that the Local Ward Member was not in support of the application.

Councillor J.B. Williams noted that planning permission had already been granted for 5 dwellings and that approving the application would only result in an increase of 1 dwelling. He also noted that the exterior dimensions of the development would remain unchanged. He felt that the application should be approved in order to protect the timber framed barns.

RESOLVED

In respect of DCSE2007/0089/F:

That subject to submission of acceptable drawings showing design and appearance of the barns, treatment of cow shelters, small store, alignment, treatment of drives and definition of garden areas, the officers named in the Scheme of Delegation to Officers be authorised to issue planning permission subject to the following conditions and any additional conditions considered necessary by officers:

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. C02 (Approval of details)

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

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. G01 (Details of boundary treatments)

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

6. H14 (Turning and parking: change of use - domestic)

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

7. RB1 (No Permitted Development)

Reason: To ensure the character of the original conversion scheme is maintained.

INFORMATIVES:

1. N19 - Avoidance of doubt

2. N15 - Reason(s) for the Grant of Planning Permission

In respect of DCSE2007/0090/L:

That subject to submission of acceptable drawings showing design and appearance of the barns, treatment of cow shelters, small store, alignment, treatment of drives and definition of garden areas, the officers named in the Scheme of Delegation to Officers be authorised to issue listed building consent subject to the following conditions and any additional conditions considered necessary by officers:

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. C02 (Approval of details)

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

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. G01 (Details of boundary treatments)

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

INFORMATIVES:

1. N19 - Avoidance of doubt

2. N15 - Reason(s) for the Grant of Listed Building Consent

119. DCSE2006/3918/F - BURMELL, BRIDSTOW, ROSS-ON-WYE, HEREFORDSHIRE, HR9 6AJ. (AGENDA ITEM 11)

Proposed bungalow.

In accordance with the criteria for public speaking, Mr. Phillips spoke in support of the application.

In response to a question from the Chairman, the Principal Planning Officer confirmed that the initial outline application was for a bungalow which had been confirmed in the illustrative drawing submitted with the application. The Reserved Matters application had then been submitted for a two-storey dwelling which had been refused as it was contrary to the Outline Permission. The Outline permission required the reserved matters to be submitted within 3 years, this had not been adhered to and therefore the application had to be treated as a new application.

In response to a further question from the Chairman, the Principal Planning Officer confirmed that the application would have been granted under delegated powers if it had been received before the expiry date.

Members felt that the application should be approved contrary to the Officers recommendation. They noted that Bridstow was now classed as open countryside in the UDP but noted that it had previously been a small settlement under the South Herefordshire Plan. It was also noted that if the application had been received at the end of 2006 it would have been approved under delegated powers.

RESOLVED

The Southern Area Planning Sub-Committee is minded to approve the application subject to the conditions set out below (and any further conditions felt to be necessary by the Head of Planning Services) provided that the Head of Planning Services does not refer the application to the Planning Committee.

a) No conditions recommended by Members

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 to such conditions referred to above.

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