

**MINUTES of the meeting of Planning Committee held at :
The Council Chamber, Brockington, 35 Hafod Road,
Hereford on Friday, 13th July, 2007 at 2.00 p.m.**

Present: Councillor TW Hunt (Chairman)
Councillor RV Stockton (Vice Chairman)

Councillors: ACR Chappell, PGH Cutter, H Davies, GFM Dawe,
DW Greenow, JW Hope MBE, B Hunt, G Lucas, RI Matthews, R Mills,
PM Morgan, JE Pemberton, DC Taylor, WJ Walling, PJ Watts and
JD Woodward

In attendance: Councillors JP French, KG Grumbley, A Seldon and K Swinburne

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor A Taylor.

2. NAMED SUBSTITUTES (IF ANY)

Councillor Mrs PA Andrews was appointed named substitutes for Councillor AP Taylor.

3. DECLARATIONS OF INTEREST

Councillor JW Hope declared a pecuniary interest in agenda item No.14 (Minute no. 15) - **DCNW2007/1271/F - proposed replacement dwelling including garage at Southview, Winforton** and left the meeting for the duration of this item.

4. MINUTES

RESOLVED: That the Minutes of the meeting held on 20th April, 2007 be approved as a correct record and signed by the Chairman

5. CHAIRMAN'S ANNOUNCEMENTS

The Chairman welcomed Members to the first meeting of the Committee in 2007 – 2008.

He said that the Bulletin from the recent meeting of the Planning Chairman's Group would contain information to inform and assist Members about a number of important issues.

There were further Planning Training issues scheduled for September and October and he reminded Members that planning applications which were referred to the Planning Committee were done so because the Sub Committees were minded to approve or refuse them contrary to policy. It was the duty of the Committee to uphold the Council's planning policies.

6. **NORTHERN AREA PLANNING SUB-COMMITTEE**

RESOLVED: That the report of the meetings held on 29th May and 27th June, 2007 be received and noted.

7. **CENTRAL AREA PLANNING SUB-COMMITTEE**

RESOLVED: That the report of the meetings held on 6th June and 4th July, 2007 be received and noted.

8. **SOUTHERN AREA PLANNING SUB-COMMITTEE**

RESOLVED: That the report of the meetings held on 29th May and 20th June, 2007 be received and noted.

9. **CONSERVATION AREA APPRAISALS FOR BOSBURY, CRADLEY, MUCH MARCLE , ORLETON, SUTTON.**

The Team Leader (Building Conservation) presented the report of the Head of Planning Services about the latest draft Conservation Area Appraisals prepared for initial consultation with relevant parties. He said that In April 2006 the Committee had recommended the consultation arrangements regarding a programme for the preparation of appraisals and management proposals for sixteen Conservation Areas in Herefordshire. . The results of the consultation process had helped to formulate the management proposals which formed part of the next stage of work in relation to the particular Conservation Areas. The Appraisals which had been approved for consultation to date were Hampton Park, Almeley, Weobley, Ross On Wye, Mordiford, Dillwyn and Aylestone Hill. He provided details of the latest batch of appraisals which had been prepared for Bosbury, Cradley, Much Marcle, Orleton and Sutton and these were discussed by the Committee.

RESOLVED THAT:

- (i) **the Cabinet Member (Environment) be requested to accept the appraisals for Bosbury, Cradley, Much Marcle, Orleton And Sutton and the issues raised in association with these for the purpose of instigating the initial consultations with interested parties; and**
- (ii) **prior to consultation commencing, the Team Leader (Building Conservation) should first meet with the Cabinet Member (Environment and Strategic Housing) and the Ward Councillors of the Conservation Areas.**

10. **RESPONSE TO THE GOVERNMENT WHITE PAPER ON THE FUTURE OF PLANNING.**

The Head of Planning Services presented his report about the scale and nature of the recent batch of consultation documents about the Planning system. He said that the Planning White Paper set out the Government's proposals for the future of the planning system. He advised that the main elements of the White Paper related to Planning Performance Agreements, Planning Fees in England, changes to permitted development and improving the appeal process. There were a batch of Consultation documents about these elements and the Officers had put forward a number of suggestions about the response that should be made to the Government. He advised that central to the various consultation documents were the following future issues:-

- the challenge of climate change;
- supporting sustainable economic development;
- increasing the supply of housing;
- protecting and enhancing the environment and natural resources;
- improving local and national infrastructure; and
- maintaining security of energy supply

The papers identified the recent improvements that had been introduced into the planning system which included the introduction of Local Development Frameworks, improvement in development control performance and the establishment of specialist agencies. The documents indicated in particular that:

- national policy was not sufficiently clear and responsive;
- the planning system was too bureaucratic, took too long and was unpredictable;
- individuals and communities found it difficult to be heard;
- planning systems were confusing and unclear; and
- decisions were not always taken at the right level

The Committee discussed the summaries of the various consultation papers and endorsed the proposed responses put forward by the Officers.

RESOLVED THAT:

- (a) **the summaries of the various consultation papers at Appendices 1-5 set out in the report of the Head of Planning Services be noted;**
- (b) **the proposed responses in the various appendices set out within the report be approved; and**
- (c) **the Officers be instructed to submit further responses to the Department of Communities and Local Government on operational questions and issues raised in the various papers, in consultation with the Cabinet Member (Environment and Strategic Housing)**

11. REORTS OF HEAD OF PLANNING SERVICES

The Committee considered the following planning applications and authorised the Head of Planning Services to impose any additional or varied conditions and reasons which he considered to be necessary

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

The Development Control Manager said that the application had been deferred at the meeting of the Committee on 19th January 2007 for more information about the alternative sites which had been investigated that could be used to locate the facility. He outlined the alternatives that had been considered and explained why the NHS still wanted to use the Broad Street car park in Leominster.

Councillor Mrs JP French welcomed the initiative but was still concerned that because of the size of the mobile unit there would be the loss of a large number of key town centre car parking spaces for long periods and an adverse affect upon the local economy and tourism. She felt that further investigation should be made into a more suitable location in the town that did not have the same drawbacks, such as the Local Enterprise Park. Whilst recognising the importance of the proposal, the Committee shared the views of Councillor Mrs French and decided to refuse the application.

RESOLVED

That the application be refused and that the applicants be requested to investigate a more suitable location.

13. DCNC2007/0586/O - SITE FOR DWELLING FOR A RURAL ENTERPRISE AT THE OLD BLACKSMITH'S SHOP, DOCKLOW, LEOMINSTER, HEREFORDSHIRE

The Development Control Manager reported the following update:

ADDITIONAL DOCUMENTATION

There has been an exchange of correspondence between the Agent for the application and the Development Control Manager which re-states their respective views as set out in the report.

The Inspector's decision on the previous appeal on the site is attached for Members' information.

OFFICER COMMENTS

The relevance of the policies remains as set out in the report.

The Development Control Manager advised that the Northern Area Planning Sub-Committee at its meeting on the 29th May 2007 was mindful to approve the application contrary to recommendation. The Sub-Committee had given weight to benefits to the rural economy of the business. The applicant repaired agricultural machinery and frequently did so at short notice and at unsociable hours, thereby benefiting local agriculture. The Sub-Committee felt that this justified approval under policy H8 of the Herefordshire Unitary development Plan (UDP) on the basis that it was in connection with a rural business.

In accordance with the criteria for public speaking, Mr Hanson of Docklow & Hampton Wafer Parish Council and Mr Hill the applicant, spoke in favour of the application.

Councillor KG Grumbley the Local Ward Member said that the applicant ran a twenty-four hour breakdown service to deal with the problems which were encountered by the local agricultural community with their farming equipment. He needed to be on site in order to respond quickly to emergencies and at present he had to travel from Pembridge to his workshop to collect tools and replacement parts, and then onto a client. This often involved a round-trip of over forty miles and during times of heavy demand such as harvesting, this was proving to be increasingly difficult. The applicant also had stated that he needed a permanent presence on site to receive parts deliveries, security for the storage of those parts and to have an on-site office which was currently lacking. Councillor Grumbley felt that there was flexibility within Policy H8 of the Herefordshire Unitary Development Plan (UDP) to

help with assisting small but essential agricultural businesses such as this one. He also felt that the point had been reached where there was a danger of losing the business if permission was refused and that this would be to the considerable detriment of the agricultural community. Granting the application would enable the applicant to achieve greater security and allow modest growth of the business.

The Development Control Manager advised that Policy H8 was intended to cover circumstances such as livestock farming where there was a clear need for day-to-day supervision and care of the animals. It was not intended to cover situations such as this whereby a business was located in the countryside but had no connection with the land. Essentially, the principal benefits of a house on the site would be to reduce the commuting distance from the applicant's current home and provide him with greater security.

Having considered all the facts regarding the application, the Committee felt that there was sufficient flexibility to grant the application for what they considered to be an essential rural business.

RESOLVED

that the application be approved subject to any appropriate conditions felt to be necessary by the Head of Planning Services and subject to the building being tied to the business.

14. DCNC2007/0667/O - SITE FOR THE ERECTION OF AN ADDITIONAL BUILDING FOR PROVISION OF CARE TO THE ELDERLY MENTALLY INFIRM AT PENCOMBE HALL, PENCOMBE, BROMYARD, HEREFORDSHIRE, HR7 4RL

The Development Control Manager reported the following updates:

ADDITIONAL INFORMATION

On 11th July 2007 the following statement was received from **Diane Topham, Commissioning Manager, Mental Health and Sue Bennison, Operational Manager, DMHOP** in respect of the current provision of care facilities for the elderly in Herefordshire.

Current Provision

There are currently a number of homes within Herefordshire that are registered for Dementia, over 65 years of age (DE) nursing beds. The majority of these homes are however registered for a number of categories. It is not generally appropriate that services for older people with complex psycho-behavioural disorders are integrated with other client groups in shared facilities and hence comparatively few of these places are utilised for DE provision. There are only two homes (Broomy Hill and Holmer Care Centre) that are registered purely for older people with a mental disorder. The significance of this is that these two homes have built up a knowledge base and expertise in working with people with complex presentations characterized by psycho-behavioural disturbance.

These two homes provide 89 beds, of which 23 are block purchased and 1 spot purchased by the PCT for people assessed as meeting full NHS continuing care, and 3 for respite care. Herefordshire Council currently spot-purchase a further 35 beds in these two homes.

The Council is also spot-purchasing within Herefordshire a further 20 nursing placements in homes registered for DE and 39 placements in general nursing homes for

people over 65 years of age with a mental disorder.

There are also 22 people currently placed out of county due to;

- Lack of capacity within Herefordshire.
- lack of appropriate beds in an emergency
- Personal choice, e.g. no appropriate nursing homes in particular areas - people in the Ledbury or Bromyard areas choose homes in Gloucestershire and Worcestershire.
- Personal choice – to be close to family and/or friends
- Top-up issues

There is currently no provision of nursing beds registered for DE within the areas of Bromyard or Ledbury.

Total registered nursing beds, number of beds registered for Dementia, over 65 years of age (DE) in Herefordshire.

Area	Total (DE) Nursing Places**	Total registered Nursing Places	Current (DE) nursing placements funded by HPCT and HC	Total nursing placements for older people with mental disorder funded by HPCT and HC
Bromyard	0	28	0	6
Hereford	89	293	65	89
Kington	53	127	8	9
Ledbury	0	36	0	1
Leominster	84*	115	2	9
Ross on Wye	45	103	7	7
Total	271	702	82	121
Out of County	-	-	22	22

**Beds in both the homes in Leominster are dual registered for residential and nursing beds – there is no indication of total number of EMI nursing places available –total beds have been included within nursing category*

***There are 265 beds registered for dementia, over 65 years of age (DE) however the majority of these beds are also registered and used by other service groups, i.e. Old age, not falling within any other category, which reduces the actual availability of DE nursing beds.*

Future need

The needs analysis for older people conducted in 2006 anticipated the need for an extra 25 mental frailty nursing care placements funded by social care between 2007-2011.

Future Provision

It is anticipated that social care will provide an extra 10 nursing beds for people with dementia, over 65 years of age (DE) via their block-contracted beds in Autumn 2008. The extent to which out of County placements are influenced by current availability is

not fully understood but it is likely that the needs of some of these individuals could have been better met through local provision.

Within the experience of Herefordshire mental health services, there is a shortage of residential and nursing beds for older people with complex psycho-behavioural disorders. It is not generally appropriate that they are managed with other client groups and the potential to make better use of beds also registered for general nursing is therefore currently limited both by this and the level of demand for general nursing care places.

OFFICER COMMENTS

The new information updates the information in the report which gave the overall picture in respect of specific current needs for "EMI" beds in the county. Whilst the new information gives more detail of the complexity of the different types of specialist care it does not identify a need for 70 EMI (i.e. the existing 30 plus the 40 new ones proposed) in or near Pencombe. Consequently there is no overriding need for this development in this location and the application proposals remain in conflict with Unitary Development Plan policy.

The Development Control Manager reported that at its meeting on the 27th June, 2007 the Northern Area Planning Sub-Committee was mindful to approve the application contrary to recommendation. He advised that the proposal represented the provision of a new residential care facility in an open countryside location where new residential development would be unacceptable. Its location was unsustainable because of its remoteness from public transport facilities and services. The applicant had failed to demonstrate that there were sufficient material planning considerations to outweigh these factors and the proposal was contrary to Policies S1, DR2 and CF7 of the Herefordshire Unitary Development Plan 2007 and the guidance in Planning Policy Statement 7 – Sustainable Development in Rural Areas.

In accordance with the criteria for public speaking, Mr Tilling an objector spoke against the application and Mr Jolly the applicant's agent spoke in support.

One of the Local Ward Members, Councillor B Hunt felt that there was merit in the Committee undertaking a site inspection and the Committee concurred with this view.

RESOLVED:

that a site inspection be held 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.**

15. **DCNW2007/1271/F - PROPOSED REPLACEMENT DWELLING INCLUDING GARAGE AT SOUTHVIEW, WINFORTON, HEREFORD, HEREFORDSHIRE, HR3 6EB**

The application had been submitted to the Committee in accordance with the provisions of the Council's Constitution because it was from a relative of a Member.

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

Reason: In order to clarify the terms under which this permission is granted.

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

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

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

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

6 - **G09 (Retention of trees/hedgerows)**

Reason: To safeguard the amenity of the area.

7 - **No demolition works shall be carried out on site between the 1st March and 31st August inclusive in any year, unless otherwise approved in writing by Herefordshire Council. Prior to demolition works, a report detailing an assessment of and mitigation measures for nesting birds present shall be submitted to and approved in writing by Herefordshire Council. Works should avoid disturbance to the nests, young, eggs, adults and nesting area."**

Reason:

To comply with Herefordshire Council's Policy NC8 and NC9 in relation to Nature Conservation and Biodiversity and to meet the requirements of PPS9 Biodiversity and Geological Conservation.

8 - **A watching brief should be kept during the works for the presence of bats. If found to be present during the work, operations should cease, Herefordshire Council and Natural England informed, and an ecologist licensed by Natural England for bat surveys should be engaged to determine the species, populations and impact of the works together with mitigation and compensation measures."**

Reason

To ensure the law is not breached with regard to nesting birds which are protected under the Wildlife and Countryside Act 1981, the Conservation (Natural Habitats) Regulations 1994 and policies NC1, NC5, NC6 and NC7 within the UDP.

16. DCNE2006/3998/F - RECONFIGURATION OF EXISTING DWELLING INTO 3 UNITS AND ASSOCIATED WORKS TO INCLUDE A NEW VEHICULAR ACCESS AT STANLEY HILL COURT, BOSBURY, LEDBURY, HEREFORDSHIRE HR8 1HE

The application had been submitted to the Committee in accordance with the provisions of the Council's Constitution because it was from a Member of the council.

The Development Control Manager reported the receipt of the following updates:

AMENDED PLANS

The applicant has submitted further revised plans which change the position of the access to one which has been the subject of earlier objection. The new plans have, accordingly been made the subject of re-consultation with parties who had previously expressed views on the application. The re-consultation period does not expire until 24th July 2007.

OFFICER COMMENTS

The application should not now be determined until all parties have had the opportunity to comment on the revised plans. The position of the access now submitted by the applicant takes the proposed new access further away from the junction with the B4214 and an existing oak tree close to the site frontage, but will require extensive engineering works due to level changes and will have a detrimental impact on the landscape quality of the lane at this point. There is, therefore, a balanced judgement to be made between which of the access options is the better.

In accordance with the criteria for public speaking, Mr. Clutterbuck an objector spoke against the application and Dr G Swinburne the applicant spoke in support.

The Committee decided to approve the application and concurred with the view of the Development control Manager that he be given delegated powers to determine it at the end of the consultation period.

RESOLVED

that the officers named in the scheme of delegation to officers be authorised to determine the application on the expiry of the latest consultation period on 24th July 2007, subject to no new material planning matters being raised during the consultation period 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 - C05 (Details of external joinery finishes)

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

3 - E16 (Removal of permitted development rights)

Reason: [Special Reason].

4 - H08 (Access closure)

Reason: To ensure the safe and free flow of traffic using the adjoining County highway.

5 - H01 (Single access - not footway)

Reason: In the interests of highway safety.

6 - H04 (Visibility over frontage)

Reason: In the interests of highway safety.

7 - H03 (Visibility splays) (B road 2.4 x 60 to north and 2.4 x 90 to south)

Reason: In the interests of highway safety.

8 - H05 (Access gates)

Reason: In the interests of highway safety.

9 - 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.

10 - G01 (Details of boundary treatments)

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

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.

13 - Prior to the commencement of development details of a non-invasive method of driveway construction within the Root Protection Area of the oak tree adjacent to the vehicular access from the C1152 shall be submitted to and approved in writing by the local planning authority.

Reason: In order to protect this important specimen in the wider interests of visual amenity.

Informatives:

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

17. DCSE2007/0852/F - CHANGE OF USE OF FARM BUILDING TO B1 USE WITH TREATMENT PLANT AND ANCILLARY WORKS AT EVERSTONE FARM, PETERSTOW, ROSS-ON-WYE, HEREFORDSHIRE, HR9 6LH.

The Development Control Manager reported the receipt of the following updates:

ADDITIONAL DOCUMENTATION

An email has been received from one of the objectors pointing out that his domestic curtilage comes to within 25 metres of the building and, on that basis, the objector considers that the officer's report understates the likely impact of the commercial use on his domestic property.

OFFICER COMMENTS

There is an open area between the building which is the subject of the application and the nearest dwelling. Part of this area is given over to private gardens. Paragraph 6.2 of the report correctly points out that “.. the building is about 47 metres from the nearest residential dwelling..”. This is the critical distance in terms of likely impact of, for example, an office use on the amenities of the nearest dwelling. The analysis in the report is not changed by this.

The Development Control Manager advised that the Southern Area Planning Sub-Committee at its meeting on the 29th May 2007 was mindful to refuse the application contrary to recommendation. The Sub-Committee had given weight to objections received from residents of adjoining barn conversions, especially regarding their concerns over traffic likely to be generated by the use. It considered that the proposal was unacceptable on highway safety grounds and that a residential conversion was preferable, notwithstanding the policy objection to such use and the recent appeal history. It also considered that any form of “Industrial” use would have an adverse impact on residential amenities, notwithstanding the definition of B1 use. In particular it was felt that a mixed use of residential on one part of the farm complex and B1 use on another part would be inappropriate. The objections of the Traffic Manager that there was inadequate car parking for the proposed use was also taken into consideration.

The Development Control Manager said that refusal of permission would be difficult to sustain in the event of an appeal, and that the Sub-Committee's preference for residential development would be inappropriate for the following reasons:

1. a highway safety objection could not be defended on appeal given the acceptance of the Highways Agency for the access arrangements. The access to the A49 already existed and was acceptable for the proposed use. The Traffic Manager's concerns about car parking provision could be satisfied by providing more on-site parking;
2. the residential amenity objection would not be possible to sustain on appeal because the proposed use, use class B1, was compatible with residential use; and
3. residential use would be contrary to Herefordshire Council's policies for the

re-use of rural buildings and would also fail to take account of the recent appeal decision to dismiss a proposal for the use of these same buildings for residential holiday lets.

In accordance with the criteria for public speaking, Mr. Howells an objector spoke against the application and Mr Griffin the applicants agent spoke in support.

Councillor J.A. Hyde confirmed felt that the application was contrary to policy HBA12 of the Unitary Development Plan and should therefore be refused contrary to the officers recommendation. She also felt that the mix of B1 and residential use was not acceptable and cited highway safety as a further ground for refusal. She said that holiday accommodation would have been be more suitable on the site but noted that this had previously been refused and lost on appeal. The Committee agreed with her view that the B1 usage would have an unacceptable impact on the local residents and the local road network.

Having discussed all the aspects of the application, the Committee noted the objections that had been raised but did not feel that there were sufficient grounds to support a refusal if it went to appeal.

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 G04 (Landscaping scheme (general))

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

3 G05 (Implementation of landscaping scheme (general))

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

4 G01 (Details of boundary treatments)

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

5 B01 (Samples of external materials)

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

6 E06 (Restriction on Use)

Reason: The local planning authority wish to control the specific use of the land/premises, in the interest of local amenity.

7 E01 (Restriction on hours of working)

Reason: To safeguard the amenities of the locality.

8 F32 (Details of floodlighting/external lighting)

Reason: To safeguard local amenities.

- 9 No process shall be carried out and no goods, equipment or material shall be stored except within the units hereby permitted.**

Reason: To protect the visual amenities of the area.

- 10 F14 (Time restriction on music)**

Reason: In order to protect the amenity of occupiers of nearby properties.

- 11 H15 (Turning and parking: change of use – commercial)**

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

- 12 H29 (Secure 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 N19 - Avoidance of doubt**
- 2 N15 - Reason(s) for the Grant of Planning Permission**

18. DCSE2007/0995/F - PROPOSED 4 NO. FOUR BEDROOM DETACHED DWELLINGS, LONG ORCHARD, THE LEA, ROSS-ON-WYE, HR9 7JY.

The Development Control Manager advised that the Southern Area Planning Sub-Committee at its meeting on the 29th May 2007 was mindful to refuse the application contrary to recommendation. The Sub-Committee had given weight to the objections from Lea Parish Council and local residents who were concerned about highway safety and felt that the application should be refused on those grounds. He said that a highway safety objection could not be defended on appeal given the support of the Highways Agency for the access arrangements. Furthermore, the scheme fully met the standards for visibility splays.

Having discussed all the points raised about the application, the Committee noted that it complied with the Herefordshire Unitary Development Plan and that the objections raised by the Sub-Committee could not be supported as reasons for refusal.

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. **H03 (Visibility splays)**

Reason: In the interests of highway safety.

4. **H11 (Parking - estate development (more than one house))**

Reason: In the interests of highway safety and to ensure the free flow of traffic using the adjoining highway.

5. **No development within the application site shall be undertaken until the proposed site access shown on drawing number 21829 _ 1A May 2007, including any subsequent revisions resulting from the implementation of the Road safety Audit, 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.

Informative(s):

1. **The highway proposals associated with this permission involve works within the public highway, which is land over which you have no control. The Highways Agency therefore requires you to enter into suitable legal agreement to cover the design and construction of the works. The applicant should contact Mr Jon McCarthy of the Highways Agency's Area 9 S278 team, at an early stage to discuss 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**

19. **DCSE2007/1018/F - CONVERSION OF LEISURE BUILDINGS TO A RETIREMENT DWELLING WITH GARAGING AND ANNEX AND WITH NEW ACCESSES TO THE HIGHWAY, WYE LEA COUNTRY MANOR, BRIDSTOW, ROSS-ON-WYE, HEREFORDSHIRE, HR9 6PZ.**

The Development Control Manager advised that the Southern Area Planning Sub-Committee at its meeting on the 29th May 2007 was mindful to approve the application contrary to recommendation. The Sub-Committee was of the view that

the re-use of the building for commercial purposes would be unlikely to be viable and that a residential use would be compatible with the rest of the site. It also felt that traffic conditions would be improved rather than made worse by the proposals and that satisfactory measures could be taken to protect the trees. The Development Control Manager advised that the proposal conflicted with the UDP.

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

Councillor J.A. Hyde, the Local Ward Member, felt that the application should be approved contrary to the officer's recommendation. She felt that there would have been higher levels of traffic on the site when it was operating as a leisure complex. She also felt that the site could not be referred to as an isolated location as it was in the centre of a retirement complex surrounded by residential dwellings.

Having discussed all the aspects of the application, the Committee the Committee decided that it should be approved.

RESOLVED

that planning permission be granted subject to any conditions felt to be necessary by the Head of Planning Services

The meeting ended at 5.08 p.m.

CHAIRMAN