

MINUTES of the meeting of Northern Area Planning Sub-Committee held at The Council Chamber, Brockington, 35 Hafod Road, Hereford on Wednesday, 27th June, 2007 at 2.00 p.m.

Present: Councillor JW Hope MBE (Chairman)
Councillor PM Morgan (Vice Chairman)

Councillors: WLS Bowen, RBA Burke, ME Cooper, JP French, JHR Goodwin, KG Grumbley, B Hunt, RC Hunt, TW Hunt, TM James, P Jones CBE, R Mills, RJ Phillips, A Seldon, J Stone and K Swinburne

In attendance: Councillors

21. APOLOGIES FOR ABSENCE

Apologies were received from Councillors Mrs LO Barnett, RV Stockton and PJ Watts.

22. DECLARATIONS OF INTEREST

Councillor	Item	Interest
RBA Burke	Agenda item 6, Minute 26 DCNC2007/0506/F & DCNC2007/0507/C - change of use to A4 (drinking establishment). demolition of single storey rear extension and out-building and new rear extension former Post Office Counters Ltd, Corn Square, Leominster	Declared a prejudicial interest and and left the meeting for the duration of the item.
JHR Goodwin & RJ Phillips	Agenda Item 11, Minute 31 DCNW2006/3986/O - site for residential development of 46 dwellings at land west of Old Eardisley Road, Kington,	Declared a prejudicial interest and and left the meeting for the duration of the item.
RJ Phillips	Agenda Item 15, Minute 35 DCNW2007/1179/F - residential development comprising of 58 dwellings with car parking, new access road and landscaping at Maesydari Site, Off Oxford Lane, Kington	Declared a prejudicial interest and and left the meeting for the duration of the item
PM Morgan	Agenda Item 19, Minute 39 DCNE2007/0729/F - erection of 17 residential units with ancillary car parking on land at Frome Valley Haulage Depot, Bishops Frome	Declared a personal interest.

23. MINUTES

RESOLVED: That the Minutes of the meeting held on 29th May, 2007 be approved as a correct record and signed by the Chairman.

24. ITEM FOR INFORMATION - APPEALS

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

25. 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.

26. DCNC2007/0506/F & DCNC2007/0507/C - CHANGE OF USE TO A4 (DRINKING ESTABLISHMENT). DEMOLITION OF SINGLE STOREY REAR EXTENSION AND OUT-BUILDING AND NEW REAR EXTENSION AT FORMER POST OFFICE COUNTERS LTD, CORN SQUARE, LEOMINSTER, HEREFORDSHIRE, HR6 8LRDCNC2007/0507/C

In accordance with the criteria for public speaking, Mr JP Thomas of Leominster Town Council and Mr Everett an objector, spoke against the application.

Councillor Mrs JP French was of the view that whereas the applicants had developed some good schemes by converting existing buildings in other Towns, this proposal did not make the best of what was already there. It would mean that a building with a number of interesting features which was located in a Conservation would be lost to the detriment of the Town. Deliveries would be via the existing rear access and she felt that this was not a very practical approach given the size of some vehicles and restricted space in which they could manoeuvre. She therefore felt that the application should be refused. Having considered all the aspects of the application the Sub-Committee concurred with this view.

RESOLVED:

That (i) The Northern Area Planning Sub-Committee is minded to refuse the application subject to the reasons for refusal set out below (and any further reasons for refusal 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:

1. design and proposed access for service vehicles.

(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 in consultation with the Local Ward Member, subject to the reason for refusal 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.]

27. DCNC2007/0807/F - NEW DWELLING AND GARAGES AT SITE ADJACENT TO LUSTON COURT, LUSTON, LEOMINSTER, HEREFORDSHIRE, HR6 0DU

The principal Planning Officer reported on the following matters:

Two further letters and a petition with 10 signatories in support of the application have been received. They express an opinion that the proposal will be more sympathetic to the village and that the approved 'gatehouse' would be too dominant.

One letter of objection has been received. This suggests that the site plan does not accord with the actual site layout due to the movement of the roadside wall. It also suggests that the development represents over intensification of the site and that visibility is severely restricted from the access to the west.

OFFICER'S COMMENT

The wall was realigned in accordance with the originally approved scheme to improve visibility to the east. It is accepted that visibility is poor to the east but the proposal is a straight exchange of the approved 'gatehouse' for this proposal. Therefore it will not cause any increase in traffic movement over and above the situation as approved and similarly does not intensify its use in development terms.

In accordance with the criteria for public speaking, Mrs Morris of Luston Parish Council and Mr Shepherd an objector spoke against the application. Miss Jones the applicant spoke in favour.

Councillor J Stone the Local Ward Member said that there had been extensive consultation about the access, layout and orientation of the property and the impact that it would have upon the Conservation Area. Although not ideal, he did feel that it was a significant improvement upon the original approval. He said that it was important that hedgerows be provided or enhanced along the northern and eastern boundaries of the application site, to provide a natural boundary to the village. He was of the opinion that although there were ongoing enforcement and highway issues, the application merited approval.

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 - A09 (Amended plans)

Reason: To ensure the development is carried out in accordance with the amended plans.

3 - B01 (Samples of external materials)

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

- 4 - C04 (Details of window sections, eaves, verges and barge boards)
Reason: To safeguard the character and appearance of the conservation area and the adjacent listed building.
- 5 - C05 (Details of external joinery finishes)
Reason: To safeguard the character and appearance of the conservation area and the adjacent listed building.
- 6 - C11 (Specification of guttering and downpipes)
Reason: To safeguard the character and appearance of the conservation area and the adjacent listed building.
- 7 - E09 (No conversion of garage to habitable accommodation)
Reason: To ensure adequate off street parking arrangements remain available at all times.
- 8 - Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no works other than those expressly authorised by this permission shall be undertaken within the site that would fall within Classes A, B, C, D, E or G of Part 1 or Class A of Part 2 of that Order without the further written consent of the local planning authority.
Reason: In order that the local planning authority can consider the impact of any further development in respect of its surroundings.
- 9 - G01 (Details of boundary treatments)
Reason: In the interests of visual amenity and to ensure dwellings have satisfactory privacy.
- 10 - G04 (Landscaping scheme (general))
Reason: In order to protect the visual amenities of the area.
- 11 - G05 (Implementation of landscaping scheme (general))
Reason: In order to protect the visual amenities of the area.
- 12 - This permission is in lieu of, and not as well of, the new dwelling approved under application reference NC05/3626/F.
Reason: To prevent over development of the site.

Informative(s):

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

28. 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 principal Planning Officer reported on the following matters:

Further information has been received from the applicant's agent following the questions raised during the Committee's site inspection. The letter advises the following.

1. At present and in addition to the care manager and ancillary staff there are a total of 20 care staff who work in shifts; 5 in the morning, 3 in the afternoon and 2 at night. If the application is approved it is estimated that an additional 30 care staff would be required, again working in shifts with 6/7 in the morning, 4 in the afternoons and 3 at night.
2. Unfortunately residents receive relatively few visitors and, on the basis of 20 years experience at Pencombe Hall it is estimated that the proposal would generate 4 or 5 additional cars per day.
3. Very few hospital admissions would result from the proposed EMI unit. Most residents tend to have chronic age related problems which are looked after by qualified staff on site assisted, when necessary, by the local primary health care team of GPs and District Nurses. Records for the last 12 months show that there have been 11 emergency admissions to hospital and it is anticipated that this would not change significantly, perhaps 1 or 2 per month.

A letter has also been received directly from the applicant that has been sent to all members. This generally reflects the advice given by their agent and described above.

In accordance with the criteria for public speaking, Mr Jolly the agent acting on behalf of the applicant, spoke in favour of the application.

Councillor B Hunt a Local Ward Member said that was in favour of the application. He did not agree that the proposal would have a detrimental impact on the landscape because it would be part of an existing building which was well screened in a relatively isolated location. It would also provide a vital facility for care of the elderly in an area where such provision was diminishing and it would also provide employment opportunities. On balance he felt that it would be a highly sustainable scheme and he proposed approval with appropriate planning conditions to be determined by the Officers, including those for landscaping and dealing with drainage and sewage.

The principal Planning Officer drew attention to the fact that the application needed to be assessed against policy CF7 of the Herefordshire Unitary Development Plan (UDP). The Policy stipulated that residential nursing and care homes would only be permitted in areas where new residential development was acceptable. Pencombe was a rural open countryside location with strict controls on new residential development and the application did not meet the criteria and was therefore contrary to Policy CF7.

Notwithstanding the policy issues, the Sub-Committee felt that permission could be granted in exceptional circumstances and was of the opinion that the application fulfilled this criteria. Councillor A Seldon reiterated the point that similar units were being closed down and that this was an ideal facility to help with the shortfall. Councillor TM James was of the view that the extension would not detract from the area and that it would provide a pleasant rural location for residents. Although staff

needed to travel to it, this was the case with many businesses in the rural area and this had to be balanced against the facilities and the level of service provided.

RESOLVED:

- That (i) The Northern Area Planning Sub-Committee is minded to approve the application under the provisions of Policy CF7 of the Herefordshire Unitary Development Plan subject to the following conditions and any further 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.**
- 1. Scheme of landscaping**
 - 2. Scheme for the disposal of surface water and foul drainage**
- (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 in consultation with the Local Ward Members and subject to such conditions referred to above.**

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

29. DCNW2007/0744/F - DEMOLITION OF RESIDENTIAL CARE FACILITY AND THE ERECTION OF 12 AFFORDABLE HOUSING UNITS, ASSOCIATED CAR PARKING AND LANDSCAPING AND ALTERATIONS OF EXISTING ACCESS AT KINGSWOOD HALL, KINGSWOOD ROAD, KINGTON, HEREFORDSHIRE, HR5 3HE

The principal Planning Officer reported on the following matters:

The draft heads of Terms should read in paragraph 4 that ..'detailed provision shall be as follows: 6 affordable housing units for rent and 6 for shared ownership'.

The draft Section 106 agreement reflects this and also makes clear reference to the local connection of residents who would purchase or rent these dwellings.

It is also considered that the report does not provide enough emphasis on the fact that this development will provide a mix of shared ownership and social rented properties and that all occupants would be subject to meeting the criteria set out in the Section 106 regarding a local connection to Kington or one of the surrounding parishes. These parishes have been specified as: Huntingdon, Rodd Nash and Little Harpton, Brilley, Eardisley, Lyonshall and Titley.

An ecological survey has been submitted and the Councils Ecologist has made the following comments:

I have received the ecological survey report by Carter Ecological Limited as a result of their survey of the site on 30/05/2007.

I welcome the thorough assessment of habitats on the site.

I note that a significant amount of evidence of use of the buildings by bats was found. However, there is insufficient evidence regarding the species using the buildings and how mitigation will be incorporated into the new development. Different mitigation and compensation measures are required for different species of bat. Bat activity surveys are recommended in the report, and should be undertaken now to determine the species and numbers present. Confirmation of whether there is a maternity roost present (and if they are brown long-eared bats) in the water tower is also needed, although I appreciate that this will not be affected by the main development. The presence of lesser horseshoe bats also needs to be clarified. It will need to be shown how the mitigation and compensation measures can be incorporated before development can take place.

Reptile surveys will be required at an appropriate time of year. If they are found to be present, it should be possible to accommodate them on the undeveloped part of the site, but they may need to be excluded from certain areas.

A nesting bird mitigation strategy will also be required, including provision of nest boxes for swallows and house sparrows. I note that no evidence of badgers was found on the site.

An additional condition is recommended to ensure that the recommendations of the survey are undertaken prior to commencement of development. This would read as follows:

Prior to the commencement of development on the site the recommendations set out in the ecological report by Carter Ecological Limited as a result of their survey of the site on 30/05/2007 shall be undertaken and details of mitigation and findings submitted to and approved in writing by the local planning authority.

Reason: to protect the ecological interests of the site.

In accordance with the criteria for public speaking, Mrs Jones and Mrs Smith, objectors, spoke against the application.

Councillor TM James the Local Ward Member said that there were a number of local concerns about the application. These included concerns about the narrow approach road and fact that the site fell outside the natural settlement boundary of the village in open countryside in an elevated position. A smaller development of the site would be much more in keeping with the character of the settlement and there was already an adequate provision of affordable housing approved for other areas of Kington. Further provision could affect the rural fabric and community balance of the town because of the lack of employment opportunities for those living there. This had already led to newcomers leaving other new developments. He therefore felt that the application should be refused on the grounds of location, access and type of occupancy.

Councillor RJ Phillips was disappointed with the design of the proposed development which was not in keeping with the character of the Village. In view of the objections raised, Councillor Mrs JP French suggested that there was some merit in the application being deferred so that the applicants could do further work to address them.

RESOLVED:

that consideration of the application be deferred for the applicants to (i) do more work on the design of the scheme which should be in keeping with the character of the village; and (ii) provide more alternatives on the type of social housing that would be provided.

30. DCNW2007/0603/F - PROPOSED ERECTION OF 12 DWELLING UNITS AND ANCILLARY GARAGES AT LAND ADJACENT TO WEOBLEY METHODIST CHAPEL, WEOBLEY, HEREFORDSHIRE.

Councillor JHR Goodwin the Local Ward Member said that there were a number of concerns about access to the proposed development being through Chapel Orchard. This was quite a narrow estate road with local residents parking on the street, and a route through it to new development would create further problems for local residents and for emergency and service vehicles wishing to gain access. Councillor KG Grumbley concurred with this view, feeling that the proposed access was totally inadequate. Councillor WS Bowen also had concerns about the impact of the proposal on the nearby ancient monument and the road adjoining it.

The Development Control Manager said that the two Inspectors who had previously dealt with appeals had given different views on how access could be gained to the site and the applicant had therefore been entitled to submit the proposed route. He felt that it would be difficult to substantiate a refusal on highway safety grounds. The Sub-Committee considered the points put forward in support of the application but felt it should be refused because of the impact of the proposed access on the amenity of existing residents.

RESOLVED:

That (i) The Northern Area Planning Sub-Committee is minded to refuse the application subject to the reasons for refusal set out below (and any further reasons for refusal 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:

- 1. access.**
- 2. impact on the amenity of residents of Chapel Orchard.**

(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 in consultation with the Local Ward Member, subject to the reason for refusal 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.]

31. DCNW2006/3986/O - SITE FOR RESIDENTIAL DEVELOPMENT OF 46 DWELLINGS AT LAND WEST OF OLD EARDISLEY ROAD, KINGTON, HEREFORDSHIRE.

In accordance with the criteria for public speaking, Mr Spreckley, the agent acting on behalf of the applicant spoke in favour of the application.

Councillor TM James the Local Ward Member had concerns about the impact of the development on the local infrastructure, particularly the capacity of the schools to cope with the additional pupils from it. He also had concerns that the car parking adjoining the site along Eardisley Road would quickly become congested when the scheme was developed and that this would lead to long-term problems in the future. He suggested that there was a need for additional car parking to be provided and he therefore proposed that consideration of the application should be deferred for further work which would tackle this problem.

Having considered all the aspects of the application and the case put for and against it, The Sub Committee decided that it should be approved. Councillor TM James was opposed to the application because of the concerns he had outlined and voted against it.

RESOLVED

That the Head of Legal and Democratic Services be authorised to complete a planning obligation agreement under Section 106 of the Town and Country Planning Act 1990 in accordance with the Heads of Terms appended to the report of the Head of Planning Services, and any additional or amended matters which he considers to be necessary and appropriate, subject to the developer completing the Agreement within three months of the date of this approval.

Upon completion of the above-mentioned planning obligation agreement Officers named in the Scheme of Delegation be authorised to issue planning permission 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 - A05 (Plans and particulars of reserved matters)
Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990.**
- 5 - The development hereby approved shall be in accordance with the amended site plan drawing no. 1246.00B and associated landscape strategy and housing type plans received as part of the application.**

Reason: In the interests of the visual amenity of the surrounding area.

6 - D03 (Site observation - archaeology)

Reason: To allow the potential archaeological interest of the site to be investigated and recorded.

7 - Foul water and surface water discharging shall be discharged separately from the site.

Reason: To protect the integrity of the public sewerage system.

8 - 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.

9 - Land drainage run-off shall not be permitted to discharge, either directly or in-directly, into the public sewerage system.

Reason: To prevent hydraulic overload of the public sewerage system and pollution of the environment.

10 - No development will commence until the developer or his successor in title has prepared a scheme for the comprehensive and integrated drainage of the site showing how foul water, surface water and land drainage will be dealt with and this has been agreed in writing by the Local Planning Authority in liaison with the Dwr Cymru Welsh Water's Network Development Consultant.

Reason: To ensure that effective facilities are provided for the proposed development and that no adverse impact occurs to the environment or the existing public sewerage system.

11 - E01 (Restriction on hours of working)

Reason: To safeguard the amenities of the locality.

12 - E16 (Removal of permitted development rights)

Reason: In the interests of the visual amenity of the surrounding area.

13 - G04 (Landscaping scheme (general))

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

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

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

Advisory Notes

1 - If a connection is required to the public sewerage system, the developer is advised to contact Dwr Cymru Welsh Water's Network Development Consultant on Tel No: 01443 331155.

- 2 - The applicant or successor in title is reminded that public highway access details are reserved for future consideration. Therefore details may include adequate visibility splays from the site, pedestrian routes, street lighting, drainage and internal road layout in accordance with the Council's relevant Highway's Design Guide.

32. DCNC2007/0916/RM - THE ERECTION OF 425 DWELLINGS AND THE ASSOCIATED INFRASTRUCTURE, PARKING AND LANDSCAPING AT BARONS CROSS CAMP, CHOLSTREY, LEOMINSTER, HEREFORDSHIRE.

The principal Planning Officer reported on the following matters:

Comments have now been received from the Transportation Manager in respect of amended plans dealing with the treatment of the communal cycle parking facilities. No objections are raised on the basis of the amended plans.

The Landscape Officer also advises of no objection in relation to amended landscape proposals.

Comments in relation to the amended plans have been received from Leominster Town Council and in summary these are as follows:

1. There were no major comments on the amended plans except concern about the possibility of anti-social behaviour in and around the proposed youth shelter, due to its distal location
2. Requests clarification in relation to the bus gate solution. Have the details of this been agreed?
3. Welcome the decision to provide water butts but were disappointed that solar panels/tiles were not to be incorporated as it is thought that this would be an appropriate in a development for the 21st century.

OFFICER'S COMMENT

The inclusion of a youth shelter has been included at the suggestion of the Parks and Countryside Manager.

With regard to the bus gate, none of the conditions imposed at outline stage have been discharged. Officers would want to seek advice from colleagues in Transportation and the emergency services before agreeing a solution.

Councillor Mrs JP French a Local Ward Member said that there was considerable merit in a public meeting being held to obtain views on the design and details of the scheme before a decision was made. The Sub-Committee agreed that consideration of the application should be deferred

In accordance with the criteria for public speaking, Messrs Jessop, Hinsley & Barker who were objectors, and Mr Clements the applicants agent decided to defer their right to speak until the application came back to the Sub-Committee.

RESOLVED

That consideration of the application be deferred pending a public meeting to discuss the proposals.

33. DCNC2007/1348/F - RETROSPECTIVE APPLICATION FOR THE VARIATION OF CONDITION 3 OF PLANNING PERMISSION NC2002/1955/F AND INSTALLATION OF 3 ROOF LIGHTS 26 SHERFORD STREET, BROMYARD, HEREFORDSHIRE, HR7 4DL

In accordance with the criteria for public speaking, Mrs Lewis an objector spoke against the application and Mr Partridge spoke in favour.

Councillor B Hunt a Local Ward Member asked a number of questions about the proposal and the concerns that had been raised by the neighbour about her property being overlooked. Councillor A Seldon the other Local Ward Member was concerned about the use of the proposed roof lights in a Conservation Area. Councillor WLS Bowen felt that the original conditions imposed on the planning permission were sound and that they should not be varied.

RESOLVED:

That (i) The Northern Area Planning Sub-Committee is minded to refuse the application subject to the reason for refusal set out below (and any further reasons for refusal 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:

1. design.

(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 in consultation with the Local Ward Member, subject to the reason for refusal 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.]

34. DCNC2007/1479/F - PROPOSED REAR EXTENSION AND NEW FRONT PORCH AT MIDDLETON FARM HOUSE, MIDDLETON, LITTLE HEREFORD, LUDLOW, SHROPSHIRE, SY8 4LQ

The principal Planning Officer reported on the following matters:

Little Hereford parish council raise no objection to the proposal

Amended plans have been received from the applicant's agent since the completion of the report. Effectively the plans show a first floor over the existing lean to element. The plans now see the two storey extension reduced in its size and scale. It is 2.4 metres narrower and, rather than having twin gables intersecting the roof, the amended plans show a single ridge line running parallel to and 1.8 metres lower than the existing. The size of the conservatory has been increased to become a more useable space but its

design is as per the original submission.

Officer's Comment

The amended scheme is considerably more subservient than the originally submitted scheme and is acceptable in terms of its design. It moves first floor windows even further away from the neighbouring property where objections have been raised in respect of overlooking. Officers did not consider that there was any demonstrable loss of privacy originally and this remains the case.

Re-consultation has been undertaken on the basis of the amended plans. The expiry date for further comments is 6th July 2007. Your officer's do not anticipate that this will result in any new material planning considerations being raised.

In accordance with the criteria for public speaking, Mr Phillipson spoke against the application.

Councillor J Stone the Local Ward Member said that in view of the revised plans having only recently been received, consideration of the application should be deferred pending their consideration and to allow consultation.

RESOLVED

That consideration of the application be deferred to give the Officers the opportunity to appraise the revised plans and to undertake appropriate consultation on them.

35. DCNW2007/1179/F - RESIDENTIAL DEVELOPMENT COMPRISING OF 58 DWELLINGS WITH CAR PARKING, NEW ACCESS ROAD AND LANDSCAPING AT MAESYDARI SITE, OFF OXFORD LANE, KINGTON, HEREFORDSHIRE.

The principal Planning Officer reported on the following matters:

ADDITIONAL REPRESENTATIONS

In response to the consultation in relation to the amended plans 4 additional letters have been received. These reiterate issues outlined in the report but also make the following comments:

The revised scheme is an improvement on the original design but remains a very ugly block with absolutely no architectural merit and unsuitable on the boundary of the Conservation Area.

The stonework has been omitted to the detriment of the design

Total absence of any outdoor amenity space for the occupants of the eight dwelling in this block.

The increase in car parking space will lead to more cars on site (from the development or surroundings)

ADDITIONAL INFORMATION

It is considered that the report does not make enough reference to the affordable housing.

The proposal provides for a mix of both rented (10 dwellings) and shared ownership (8 dwellings) and the section 106 will make provision for these to be allocated to persons which meet the local connection criteria.

It has also been possible to obtain some factual information from Strategic Housing with regards to the current For information purposes The 2001 census indicated that, in Kington, 19.7% of households were social renting (i.e. from an RSL or the Council). This figure is broadly similar in balance to the figures given for the other market towns at that time, i.e. Bromyard 23%, Leominster 18.8%, Ledbury 14.9% and Ross 16.6%. The figure for Hereford was given as 21.6% and the overall figure for Herefordshire was 15.2% (although, as you appreciate you would expect the Herefordshire % picture to be slightly less due to it's rurality)

A further 17.6% were renting privately in Kington.

A review of Council Tax records and our records of Housing Association-owned stock suggests the figure for social rented property may have risen slightly to 21% since 2001 (258 RSL properties out of 1205 total). We would expect that each Market town will have seen increases since the 2001 census.

It is worth noting of course that a Choice-Based lettings system operates in Herefordshire whereby applicants for most social housing tenancies place a 'bid' of interest for properties which become vacant and are selected by the RSL's according to their priority on the housing register. Therefore applicants generally end up where they choose to move to (taking into account the overall shortage of affordable housing).

On rare occasions, e.g. where a homeless households are failing to place bids of interest and resolve their housing problems, a bid via HomePoint may be made for them by the homelessness team. There is no evidence to suggest this has been an issue in respect of Kington lettings/allocations with no direct lettings resulting in a forced bid out of the 13 properties advertised since 30th January 2007.

The applicant has submitted some revised plans for further discussion / negotiation and these will be sent out for consultation shortly.

In accordance with the criteria for public speaking, Mr Lloyd of Kington Town Council and Mrs Bradbury and Mr Lewis spoke against the application, and Mr Jones acting on behalf of the applicant spoke in favour.

In view of the revised plans having recently been received, the Sub-Committee decided that consideration of the application should be deferred pending their consideration by Officers and to allow further consultation.

RESOLVED

That consideration of the application be deferred to give the Officers the opportunity to appraise the revised plans and to undertake appropriate consultation on them.

36. DCNW2007/1214/F - PROPOSED 15 DWELLINGS, GARAGES, PARKING SPACES, AMENITY AREA AND MINOR ACCESS ROAD ON LAND AT CROFTMEAD, NORTH ROAD, KINGSLAND, HEREFORDSHIRE

The Senior Planning Officer reported the following update:

A letter of objection submitted by Wendy and Glynne Schenke, Harbour House, Kingsland has been withdrawn, No objections are raised to the proposed development from Mr. & Mrs. Schenke.

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.**

In accordance with the criteria for public speaking, Mr Thompson and Dr Wall objector and Mr Spreckly the agent, decided to defer their right to speak until the application came back to the Sub-Committee.

37. DCNW2007/1236/F - PROPOSED CONVERSION OF CHAPLE INTO A SINGLE DWELLING WITH REAR FIRST FLOOR EXTENSION AND OFF ROAD PARKING AT LYONSHALL BAPTIST CHAPEL, LYONSHALL, KINGTON, HEREFORDSHIRE, HR5 3JN

The Senior Planning Officer reported the following update:

The applicants in response to concerns raised from the owners of the adjoining dwelling known as Westfield have submitted this morning amended plans indicating a reduction of 300mm of the overall height of the interconnecting roof between the original chapel building and the proposed extension in order to make the proposed development more subservient to the original structure on site. This proposal is considered acceptable in order to address the neighbours concerns.

In accordance with the criteria for public speaking, Mr Walters acting on behalf of the applicant spoke in favour of the application.

Councillor RJ Phillips the Local Ward Member suggested that in view of the proposed alterations to the roofline, the Officers determine the application in consultation with the Chairman and himself.

RESOLVED

That the Officers be delegated to grant planning permission in consultation with the Chairman and the Local Ward Member, 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 special architectural or historical interest.

4 - C05 (Details of external joinery finishes)

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

5 - C10 (Details of rooflights)

Reason: To ensure the rooflights do not break the plane of the roof slope in the interests of safeguarding the character and appearance of this building of architectural and historical interest.

6 - E16 (Removal of permitted development rights)

Reason: In the interests of preserving the character of the existing building which is of considerable local interest.

7 - G04 (Landscaping scheme (general))

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

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

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

9 - Foul water and surface water discharges shall be drained separately from the site.

Reason: To protect the integrity of the public sewerage system.

10 - No surface water shall be allowed to connect (either indirectly or directly), 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.

11 - Land drainage run-off shall not be permitted to discharge, either directly or indirectly into the public sewerage system.

Reason: To prevent hydraulic overload of the public sewerage system and pollution of the environment.

INFORMATIVES:

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

2 - N19 - Avoidance of doubt

38. DCNE2007/0487/F - CHANGE OF USE OF LAND TO PRIVATE GARDEN AT 2 SPRING GROVE, LEDBURY, HEREFORDSHIRE, HR8 2XB

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 - All planting comprised in the approved details of landscaping shall be carried out in the first planting season following implementation of the development hereby permitted. 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 planning 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 hereby permitted integrates satisfactorily within the street scene and to ensure a satisfactory level of privacy to the extended rear garden of number 2 Spring Grove.

Informatives:

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

2 - N19 - Avoidance of doubt

39. DCNE2007/0729/F - ERECTION OF 17 RESIDENTIAL UNITS WITH ANCILLARY CAR PARKING ON LAND AT FROME VALLEY HAULAGE DEPOT, BISHOPS FROME, WR6 5BZ

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.

In accordance with the criteria for public speaking, Mr Booth of Bishops Frome Parish Council and Mr Owen an objector, decided to defer their right to speak until the application came back to the Sub-Committee.

40. **DCNE2007/0966/F - PROPOSED THREE STOREY BUILDING TO PROVIDE 13 APARTMENTS, WITH 18 PARKING SPACES AND ASSOCIATED CYCLE PARKING AT LAND TO THE REAR OF HOMEND SERVICE STATION, THE HOMEND, LEDBURY, HEREFORDSHIRE, HR8 1DS**

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.**

In accordance with the criteria for public speaking, Mr Merrick an objector, and Mr Cockburn the applicants agent decided to defer their right to speak until the application came back to the Sub-Committee.

41. **DCNE2007/1224/F - PROPOSED TWO STOREY DWELLING FOR ANCILLARY ACCOMMODATION AT BLACK HILL, BRITISH CAMP, MALVERN, WORCESTERSHIRE, WR13 6DW**

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.**

In accordance with the criteria for public speaking, Mr Potts the applicant decided to defer his right to speak until the application came back to the Sub-Committee.

42. **DCNE2007/1254/F - PROPOSED NEW HOUSE TO REPLACE BUNGALOW AT HAMBLEDON, 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 - B01 (Samples of external materials)**

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

- 3 - E16 (Removal of permitted development rights)

Reason: [Special Reason].

- 4 - E18 (No new windows in specified elevation)

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

- 5 - F16 (Restriction of hours during construction)

Reason: To protect the amenity of local residents.

- 6 - G01 (Details of boundary treatments)

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

- 7 - G04 (Landscaping scheme (general))

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

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

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

- 9 - H12 (Parking and turning - single house)

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

- 10 - 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.

Informatives:

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

- 2 - N19 - Avoidance of doubt

The meeting ended at 5.30 p.m.

CHAIRMAN