

**MINUTES of the meeting of Southern Area Planning Sub-Committee held at The Council Chamber, Brockington, 35 Hafod Road, Hereford on Wednesday, 5 March 2008 at 2.00 p.m.**

**Present:** Councillor G Lucas (Chairman)  
Councillor PD Price (Vice Chairman)

**Councillors:** CM Bartrum, H Bramer, PGH Cutter, MJ Fishley, AE Gray, JA Hyde, JG Jarvis, RH Smith, DC Taylor and JB Williams

**In attendance:** Councillors TW Hunt and RV Stockton

**130. APOLOGIES FOR ABSENCE**

No apologies for absence were received.

**131. DECLARATIONS OF INTEREST**

The following declarations of interest were made:

<b>Councillor</b>	<b>Item</b>	<b>Interest</b>
AE Gray G Lucas	Agenda Item 6  DCSE2007/3618/C – Alterations and refurbishment of 27 Brookend Street and demolition of the separate detached rear commercial premises.  DCSE2007/3619/F – Alterations and extensions to 27 Brookend Street including new shop front and extension to retail unit and 4 no. existing flats. Demolition of the detached commercial building to the rear and erection of 9 no. new build residential dwelling apartments.  <b>Palma Court, 27 Brookend Street, Ross-on-Wye, Herefordshire, HR9 7EE.</b>	A prejudicial interest was declared and both members left the meeting for the duration of the item.
JA Hyde	Agenda Item 8  DCSW2008/0118/O – Proposed residential development, part of O.S. plot No's 1179, 1578, 1526 & 2381.  <b>Adjoining Coopers Hall, Cusop, Hay on Wye, Herefordshire, HR3 5BE</b>	A prejudicial interest was declared and the member left the meeting for the duration of the item.

**132. MINUTES**

**RESOLVED:** That the Minutes of the meeting held on 6th February, 2008 be approved as a correct record and signed by the Chairman.

**133. ITEM FOR INFORMATION - APPEALS**

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

**134. DCSE2008/0119/O - LAND AT TREWAUGH FARM, THREE ASHES, HEREFORDSHIRE, HR2 8LY. (AGENDA ITEM 5)**

*Siting of bungalow in replacement of existing residential caravan.*

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

Councillor JA Hyde, the local ward member, noted the letter submitted with the application. She noted the recent comments from the Prime minister saying that affordable housing was a priority in rural areas. She felt that the application would help to keep a young family in the area and therefore supported the application.

Councillor JG Jarvis noted that the caravan had been there for 10 years. He confirmed that the new Local Development Framework would address applications of this nature.

Councillors PGH Cutter and JB Williams felt that any new dwelling should be tied to the existing agricultural building through suitable conditions.

The Development Control Manager advised Members that no case had been submitted for an agricultural need for the new dwelling. He felt that the application was contrary to Policy H11 of the Unitary Development Plan as a new dwelling was being proposed.

Councillor JB Williams Sympathised with the applicants but felt that an agricultural appraisal should have been submitted with the application.

**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.**

**E28 The occupation of the dwelling shall be limited to a person solely or mainly working or last working, in the locality in agriculture or in forestry, or a widow or widower of such a person, and to any resident dependants.**

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

**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]

**135. DCSE2007/3618/C AND DCSE2007/3619/F - PALMA COURT, 27 BROOKEND STREET, ROSS-ON-WYE, HEREFORDSHIRE, HR9 7EE (AGENDA ITEM 6)**

- A) *Alterations and refurbishment of 27 Brookend Street and demolition of the separate detached rear commercial premises.*
- B) *Alterations and extensions to 27 Brookend Street including new shop front and extension to retail unit and 4 no. existing flats. Demolition of the detached commercial building to the rear and erection of 9 no. new build residential dwelling apartments.*

In accordance with the Code of Conduct, Councillor AE Gray, who had declared a prejudicial interest in respect of the item, addressed the sub-committee before withdrawing from the meeting for the ensuing debate and vote.

Councillor PGH Cutter felt that a site visit may be beneficial to members as the setting and surroundings were fundamental to the determination or to the conditions being considered.

**RESOLVED:**

**That consideration of the application be deferred for a site inspection for the following reasons:**

- **the setting and surroundings are fundamental to the determination or to the conditions being considered.**

**136. DCSW2007/3846/O - COURT FARM, MUCH BIRCH, HEREFORDSHIRE, HR2 8HT. (AGENDA ITEM 7)**

*Residential development, pond, parking for village hall and surgery. Proposed landscaping and treatment plant. Demolition of pack house, removal of static caravans.*

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

Councillor RH Smith, the Local Ward Member, noted that the application was contrary to Policy H6, H9 and H10 of the Unitary Development Plan, although he felt that the concerns regarding Policy H10 could have been overcome if a Housing Needs Survey had been submitted with the application. He advised Members that Much Birch was a relatively large village with over 200 households and that a number of these residents had attended a recent public meeting to discuss the proposed application. He confirmed that the majority of the residents of Much Birch were keen to see the virtually derelict agricultural site put to a more suitable residential use.

Councillor JB Williams felt that the site was not suitable for B2 industrial use and would therefore suit the proposal well. He felt that it would improve the site and therefore supported the application.

Councillor PGH Cutter felt that it was important for the village to thrive over the next 10 to 20 years, he believed that the application would bring more people to Much

Birch and therefore supported the application fully.

The Development Control Manager confirmed that the application was for outline permission only and that the access was the only factor to be determined at this stage. He confirmed that there was no pressing housing need in the village and that the application was contrary to Policies H6, H9 and H10 of the UDP.

### 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.**

- 1) **No conditions were 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 refer the decision to the Head of Planning Services]

137. **DCSW200801180 - PART OF O.S PLOT NO'S 1179, 1578, 1526 & 2381 ADJOINING COOPERS HALL, CUSOP, HAY ON WYE, HEREFORDSHIRE, HR3 5BE. (AGENDA ITEM 8)**

*Proposed residential development.*

The Principal Planning Officer reported the following:

- The Education Manager is seeking educational improvements for Clifford Primary School and Fairfield High School, a contribution in the sum of 2,000 per dwelling is requested.
- The Transport Manager has identified items requiring contributions as set out in the main report. These improvements have been costed at 97,000.

Councillor PD Price, the local ward member, felt that it would be beneficial for local members to be involved in the draft heads of terms.

### RESOLVED

**That: i) the Legal Practice Manager be authorised to complete a planning obligation under Section 106 of The Town and Country Planning Act 1990 with regard to financial contributions towards off-site provision for amenity facilities, highway works, facilities for local schools and affordable housing as set out in the attached Heads of Terms**

- ii) **upon completion of the aforementioned planning obligation and the resolution of details, officers named in the Scheme of Delegation to Officers be authorised to issue planning permission subject to the following conditions and any other conditions considered appropriate:**

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

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

6. **W01 (Foul/surface water drainage)**

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

7. **W02 (No surface water to connect to public system)**

**Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no detriment to the environment.**

8. **W03 (No drainage run-off to public system)**

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

9. **H03 (Visibility splays)**

**Reason: In the interests of highway safety.**

10. **H17 (Junction improvement/off site works)**

**Reason: To ensure the safe and free flow of traffic on the highway.**

11. **H20 (Road completion in 2 years or 75% of development)**

**Reason: In the interests of highway safety and convenience and a well co-ordinated development.**

12. **H27 (Parking for site operatives)**

**Reason: To prevent indiscriminate parking in the interests of highway safety.**

13. **H08 (Access closure)**

**Reason: To ensure the safe and free flow of traffic using the adjoining**

**County highway.**

**Informative(s):**

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

The meeting ended at 3.15 p.m.

**CHAIRMAN**