

MINUTES of the meeting of Southern Area Planning Sub-Committee held at The Council Chamber, Brockington, 35 Hafod Road, Hereford on Wednesday, 20 August 2008 at 2.00 p.m.

Present: Councillor PGH Cutter (Chairman)
Councillor MJ Fishley (Vice Chairman)

Councillors: CM Bartrum, H Bramer, BA Durkin, JG Jarvis, G Lucas,
PD Price, RH Smith and DC Taylor

In attendance: Councillors TW Hunt

COUNCILLOR RBA BURKE

Members stood for a silent tribute in memory of Councillor RBA Burke who recently passed away.

26. APOLOGIES FOR ABSENCE

Apologies were received from Councillors AE Gray, JA Hyde, and JB Williams.

27. DECLARATIONS OF INTEREST

5. DCSE2008/0996/F - HOMME FARM, HOM GREEN, ROSS-ON-WYE, HEREFORDSHIRE, HR9 7TF. (Agenda Item 5).

Councillor JG Jarvis; Prejudicial; Acquaintance of the applicant.

28. MINUTES

RESOLVED: That the Minutes of the meeting held on 23 July 2008 be approved as a correct record and signed by the Chairman subject to the word 'refuse' being replaced with the word 'approve' in the final paragraph of minute number 24.

29. ITEM FOR INFORMATION - APPEALS

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

30. DCSE2008/0996/F - HOMME FARM, HOM GREEN, ROSS-ON-WYE, HEREFORDSHIRE, HR9 7TF. (AGENDA ITEM 5)

To continue to erect, take down and re-erect polytunnels rotated around fields as required by the crops under cultivation.

The Southern Team Leader reported the following:

- Comments received from the Conservation Manager in support of the application.
- Further letter of objection received from HWVAS.

- Verbal confirmation received from English Heritage stating that they have no formal objection to the application.

In response to the updates received he made the following comments:

- In relation to the letter from HWVAS, it is maintained that the visual impact of the proposal on the character and appearance of the AONB has been appropriately weighed up in the recommendation. There is an acknowledgement of the fact that this is in the light of conflicting policies that support agricultural development and also the views expressed by the Inspector in relation to the Pennoxstone Court Inquiry where the economic benefits of polytunnels (increased quality and quantity of soft fruit, sustainability benefits of reducing food miles and contribution to local economy) were considered to be matters that can be given significant weight.
- Having regard to the procedural issues raised in the letter, the relevant guidance pertaining to applications that potentially do not accord with the provisions of the development plan has been reviewed and advice has been sought from the Government Office for the West Midlands.
- On balance it is considered that if Members are minded to approve the application, this should be done on the basis of delegated approval subject to re-advertising the application as a departure and considering further comments that raise any new material planning considerations.
- Notwithstanding the advice to advertise the application as a departure, it is not considered that the proposal, which seeks to mitigate the visual harm by dispersing polytunnels into a series of smaller 10 hectare blocks and allows for managed rotation together with considerable landscaping and hedgerow reinstatement would significantly prejudice the implementation of the policies of the development plan and the application should not therefore be notified to the Secretary of State. This view is supported by the advice has been sought from the Government Office for the West Midlands (GOWM) who have indicated that they would not wish to see the application unless new material considerations came to light as a result of the additional publicity.

In accordance with the Standards Board Code of Conduct, Councillor JG Jarvis, the local ward member who had declared a prejudicial Interest in respect of the application, addressed the sub-committee prior to leaving the chamber for the ensuing debate and vote.

In accordance with the criteria for public speaking, Mr Preece and Mr Wooldridge spoke in objection to the application and Mr Drummond spoke in support.

Councillor RH Smith asked for confirmation as to what would happen to the land at the end of the 10 year period. The Southern Team Leader confirmed that the polytunnels would have to be removed in accordance with an appropriate scheme of restoration to be agreed between the applicant and the planning department.

Councillor RH Smith felt that the application was complex and was a test case regarding polytunnel usage in Herefordshire. He thanked the case officer for her detailed report and also thanked the applicant for the submission of a detailed Business and Economic Appraisal Summary. He noted that only a small portion of the applicant's land would be under polytunnels at any time and also that the application was limited to a 10 year period only. He also felt that the adverse visual impact could be limited through the use of appropriate natural screening. Due to

these reasons he felt that the application should be approved.

Councillor PD Price concurred with Councillor RH Smith. He added that he was concerned with the wording of condition 1(d) as he felt it could cause some difficulty to the planning department at the end of the planning consent period.

In response to a question from Councillor Price, the Southern Team Leader confirmed that the applicant had only applied for a 10 year planning permission. He added that it may be beneficial to remove the words 'former condition' from condition 1(d) subject to further details to be agreed with the applicant.

The Chairman thanked the case officer for her professional, balanced report and thanked her for her efforts in bringing the application before the sub-committee [amended at the meeting of SAPSC on 17 September 2008]. Members discussed the application thoroughly and on balance felt that it should be approved.

RESOLVED:

That subject to advertising the application as a departure to the development plan; there being no significant new material planning considerations raised as a result of this publicity warranting notification to the Secretary of State, and in consultation with the Chairman and Ward Member, that 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 Development shall take place only in accordance with the supporting letter received on 3rd April 2008, landscape proposals described in the Landscape Statement prepared by DLA Ltd and accompanying plan DLA 1226/06 Rev A. Particularly,**
 - a) Not more than 54 hectares of the land shall be covered with polytunnels, or any part or parts thereof excepting the legs, at any time, for which purposes any uncovered hoops in a row shall be measured from the first to the last to be included in this coverage**
 - b) There shall be no polytunnels sited within those areas coloured pink and annotated as "Polytunnel exclusion/buffer zones" as shown on plan DLA 1226/06 Rev A**
 - c) Notwithstanding the above conditions, there shall be a limit of 10 hectares on the coverage in any single block of tunnels**
 - d) The polytunnels hereby permitted shall be removed on or before 10 years from the date of this permission and the land restored in accordance with a scheme of work submitted to and approved in writing by the local planning authority.**

Reason: In order to safeguard and maintain the visual amenity of the area and to ensure that the development conforms with Policies DR1, LA1, LA2, LA5, LA6 and HBA4.

- 2 Not later than 30 November in any calendar year, the applicant (or its successor in title to the parcel of land in question, as the case may be) shall apply in writing to the Local Planning Authority for its approval of a proposed scheme for the siting and rotation of polytunnels for the following year. The application shall be delivered to the Head of Planning and Transportation of the Authority. The scheme shall be implemented as approved or amended by the Local Planning Authority, save that where no approval or amendment to the proposed scheme is given in writing by**

the Local Planning Authority within eight weeks of its delivery, the scheme shall be implemented as proposed.

Reason: In order to safeguard and maintain the visual amenity of the area and to ensure that the development conforms with Herefordshire Unitary Development Plan Policies DR1, LA1, LA2, LA5, LA6 and HBA4 4.

- 3 No polytunnels shall be sited within 2 metres of the centre line of any public right of way.

Reason: To ensure that no public right of way is obstructed and to ensure that their enjoyment is safeguarded in accordance with policy T6 of the Herefordshire Unitary Development Plan 2007.

- 4 No polytunnel shall be sited within 30 metres of the boundary of any residential curtilage of any dwelling house unless otherwise agreed in writing with the Local Planning Authority.

Reason: To safeguard the amenities of the occupiers of dwelling houses in the immediate vicinity in accordance with policy DR1 of the Herefordshire Unitary Development Plan 2007.

- 5 None of the polytunnels hereby permitted shall be covered with polythene from 30th November until 31st December in any calendar year nor during the month of January in any calendar year, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the visual impact of the development hereby permitted is limited to the growing periods in accordance with policy LA1 of the Herefordshire Unitary Development Plan 2007.

- 6 Within 3 months of the date of this decision a plan showing additional hedge and shrub planting in addition to that shown on Landscape Masterplan drawing no. DLA 1226/06 shall be submitted for approval in writing by the Local Planning Authority. A written specification clearly describing the species, sizes and positions or density of the proposed woodland blocks, hedges and hedgerow trees in the locations shall be submitted for approval by the Local Planning Authority. The planting scheme shall be carried out as approved by the Local Planning Authority (which approval may constitute, or include, the Authority's direction to amend the proposed scheme). If the planting scheme is not carried out within one year of the written approval of the planting scheme, whichever is the later, all polytunnels shall be permanently removed from the land.

The planting shall be maintained for a period of 10 years. During this time any trees or shrubs that are removed, die or are seriously retarded shall be replaced during the next planting season with others of similar sizes and species unless the Local Planning Authority gives written consent to any variation. If any trees fail more than once they shall continue to be replaced on an annual basis until the end of the 10-year maintenance period.

Reason: In order to safeguard and maintain the visual amenity of the area and to ensure that the development conforms with Policies DR1, LA1, LA2, LA5, LA6 and HBA4

- 7 A landscape management plan, including long term design objectives,

management responsibilities and maintenance schedules for all landscape areas, other than privately owned domestic gardens shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development or any phase of the development, whichever is the sooner, for its permitted use. The landscape management plan shall be carried out as approved.

Reason: In order to maintain the visual amenity of the area and to comply with Policy LA6 of Herefordshire Unitary Development Plan.

- 8 All existing trees and hedgerows upon the land shall be retained unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the development hereby permitted is satisfactorily integrated into the landscape in accordance with policy LA2 of the Herefordshire Unitary Development Plan 2007.

- 9 Within 3 months of the date of this decision a habitat enhancement and management scheme (based on the recommendations for habitats and protected species set out in the Ecological Appraisal received 3.04.2008 - Ref: 1226/ecorpt-1 and received 27th June 2008 - Ref: 1226/ecorpt-2 prepared by Davies Light Associates) to include the grassland buffer strips, and the restoration of the field boundary to the east of Green Meadow housing estate shall be followed unless otherwise agreed in writing by the Local Planning Authority. The implementation of the ecological mitigation works shall be overseen by an appropriately qualified and experienced ecological clerk of works.

Reasons: To ensure the protection of all species covered under the Wildlife and Countryside Act 1981, the Conservation (Natural Habitats, & c.) Regulations 1994 (as amended), the Badger Act 1992 and policies NC1, NC5, NC6 and NC7 of the Herefordshire Unitary Development Plan 2007.

To ensure that the law is not breached with regard to nesting birds which are protected under the Wildlife and Countryside Act 1981, the Conservation (Natural Habitats, &c.) Regulations 1994 (as amended) and policies NC1, NC5, NC6 and NC7 of the Herefordshire Unitary Development Plan 2007.

To comply with Herefordshire council's Unitary Development Plan policies NC8 and NC9 in relation to Nature Conservation and Biodiversity and Geological Conservation and the NERC Act 2006.

- 10 There shall be no variation to the design or appearance of any polytunnel without the prior written approval of the Local Planning Authority.

Reason: In order to safeguard and maintain the visual amenity of the area and to ensure that the development conforms with Policies DR1, LA1, LA2, LA5, LA6 and HBA4 4.

- 11 There shall be no polytunnels sited on land lower than 35.0m AOD, as indicated upon Figure 3 'Flood Elevations' The Homme Supplementary Report dated 26/06/08, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To maintain the conveyance of flood flows and to prevent the

increased risk of flooding elsewhere to ensure that the development complies with Policy DR4.

- 12 There shall be no new buildings, structures (including polytunnels, gates, walls and fences) or raised ground levels within 8 metres of the top of bank of the River Wye (Main River), inside or along the boundary of the site, unless agreed otherwise in writing by the Local Planning Authority.

Reason: To maintain access to the watercourse for maintenance or improvements in accordance with Policy DR4.

- 13 Surface Water generated from the site shall be limited to the equivalent Greenfield run-off rate. The scheme shall be implemented in accordance with the approved details including Drainage Appraisal, as produced by JDIH (Water & Environment) Ltd, dated June 2007, addendum dated 1 April 2008, and Supplementary Report dated 26 June 2008 unless otherwise agreed in writing by the Local Planning Authority.

Reason: To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal in accordance with Herefordshire Unitary Development Plan Policy DR7.

- 14 Within three months of the date of this decision a scheme for the provision and implementation of a surface water regulation system, including the use of sustainable drainage systems, as detailed within page 5 of the JDIH Ref. P:\Drummond(5567)\Tunnel addendum let v1.doc shall be submitted to and approved in writing by the local planning authority. The scheme shall be implemented in accordance with the approved details before February 2009, unless otherwise agreed in writing by the local planning authority, in consultation with the Environment Agency and Natural England.

Reason: To prevent the increased risk of flooding and prevent adverse impact on the SSSI and SAC by ensuring the satisfactory means of surface water disposal in accordance with Herefordshire Unitary Development Plan Policies DR4, DR5, NC1, NC2 and NC5.

- 15 In the event of the polytunnels hereby permitted becoming redundant for the growing of soft fruit upon the application site, the polytunnels which including the supporting structures shall be permanently removed from application site within a period of twelve months.

Reason: To ensure that buildings / structures that are redundant for agricultural purposes do not remain in the landscape unnecessarily.

INFORMATIVES:

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

The reason for granting planning permission in respect of the development is that it is considered by the Local Planning Authority that the development gives rise to benefits to the local rural economy and that the environmental impacts can satisfactorily be overcome by way of the imposition of appropriate conditions in compliance with the relevant Development Plan policies.

31. DCSE2008/1376/F - H. WESTON & SON, THE BOUNDS, MUCH MARCLE, LEDBURY, HEREFORDSHIRE, HR8 2NQ (AGENDA ITEM 6)

Proposed extension to existing building to form an open sided loading bay.

Councillor BA Durkin, the local ward member, felt that approving the application would result in a more efficient use of the current facilities as well as an improvement to the Health and Safety on the site. He noted that the Parish Council had not objected the application and therefore supported it fully.

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 C03 (Matching external materials (general))

Reason: To ensure the satisfactory appearance of the development so as to ensure that the development complies with the requirements of Policy DR1 of Herefordshire Unitary Development Plan

3 G12 (Hedgerow planting)

Reason: In order to maintain the visual amenity of the area and to comply with Policy LA6 of Herefordshire Unitary Development Plan.

INFORMATIVES:

1 N19 - Avoidance of doubt - Approved Plans

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

32. DCSW2007/0064/F - BAGE COURT, DORSTONE, HEREFORD, HR3 5SU. (AGENDA ITEM 7)

Conversion of redundant traditional farm buildings to eight houses and one annexe.

The Principal Planning Officer reported the following:

- Revised plans and a further letter had been received from the applicant's agent.
- A further letter of objection had been received from a neighbouring resident.

The Principal Planning Officer made the following comments as a result of the updates:

- It is considered that the merits of the new access are set out in the Officer's Appraisal. The fact that more traffic uses Scar Lane is not itself a crucial matter given that the issue is whether or not the new junction onto the B4348 road is the optimum method for traffic to join the B4348 road. It is not feasible to provide an access route for traffic generated by the development further to the east as suggested

Councillor PD Price, the local ward member, advised members that the application had been with the planning department for some time. He noted the concerns of the local residents but felt that the applicant had addressed the issues relating to traffic and access. He felt that the removal of the existing farm buildings would make the site more appropriate for a residential development and he therefore supported the application.

Members were disappointed that the applicants had not included any affordable housing on the site. They noted that the application had been submitted prior to the UDP being adopted by Council, but still felt that affordable housing should have been provided through a voluntary section 106 contribution.

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 (Development in accordance with the approved plans)

Reason. To ensure adherence to the approved plans in the interests of a satisfactory form of development and to comply with Policy DR1 of Herefordshire Unitary Development Plan.

3. D02 (Approval of details)

Reason: To ensure that the work is carried out in accordance with the details that are appropriate to the safeguarding of the special architectural or historical interest of the building and to comply with the requirements of Policy HBA1, HBA3 and HBA4 of Herefordshire Unitary Development Plan.

4. D04 (Details of window sections, eaves, verges and barge boards)

Reason: To ensure that the work is carried out in accordance with the details that are appropriate to the safeguarding of the special architectural or historical interest of the building and to comply with the requirements of Policy HBA1, HBA3 and HBA4 of Herefordshire Unitary Development Plan

5. D05 (Details of external joinery finishes)

Reason: To ensure that the work is finished with materials, textures and colours that are appropriate to the safeguarding of the special architectural or historical interest of the buildings and to comply with the requirements of Policy HBA1, HBA3 and HBA4 of Herefordshire Unitary Development Plan.

6. D09 (Details of rooflights)

Reason: To ensure that the rooflights are of an appropriate form and minimise the potential disruption to the appearance and continuity of the roofs in the interests of the safeguarding of the architectural or historic

interest of the building (as one which is in a conservation area, or of local interest) and to comply with the requirements of Policy HBA12 and HBA13 of Herefordshire Unitary Development Plan.

7. Existing wattle and daub infill panels shall be retained and maintained to the satisfaction of the local planning authority.

Reason: To safeguard the character and appearance of such a feature in this group of buildings of historical and architectural interest.

8. All meter boxes shall be installed internally.

Reason: To safeguard the character and appearance of such a feature in this group of buildings of historical and architectural interest.

9. D12 (Repairs in situ)

Reason: To ensure that the integrity of the building as one which is listed, and is of local interest is preserved to ensure compliance with Policies HBA1, HBA3, HBA12 and HBA13 of Herefordshire Unitary Development Plan

10. G02 (Retention of trees and hedgerows)

Reason: To safeguard the amenity of the area and to ensure that the development conforms with Policy DR1 of Herefordshire Unitary Development Plan

11. G09 (Details of boundary treatments)

Reason: In the interests of visual amenity, to ensure the development has an acceptable standard of privacy and to conform to Policy DR1 of Herefordshire Unitary Development Plan.

12. G10 (Landscaping scheme)

Reason: In order to maintain the visual amenities of the area and to conform with Policy LA6 of Herefordshire Unitary Development Plan.

13. G11 (Landscaping scheme - implementation)

Reason: In order to maintain the visual amenities of the area and to comply with Policy LA6 of Herefordshire Unitary Development Plan.

14. F06 (Restriction on Use)

Reason: The local planning authority wish to control the specific use of the land/premises, in the interest of local amenity and to comply with Policy DR2 of Herefordshire Unitary Development Plan.

15. F14 (Removal of permitted development rights (including fences and other boundary treatments))

Reason: To ensure the character of the original conversion scheme is maintained and to comply with Policy HBA12 of Herefordshire Unitary Development Plan.

16. I17 (Scheme of foul drainage disposal)

Reason: In order to ensure that satisfactory drainage arrangements are provided and to comply with Policy DR4 of Herefordshire Unitary Development Plan.

17. I33 (External lighting)

Reason: To safeguard the character and amenities of the area and to comply with Policies HBA1 and DR14 of Herefordshire Unitary Development Plan.

18. K4 (Nature Conservation - Implementation)

Reason: To ensure that all species are protected having regard to the Wildlife and Countryside Act 1981 (as amended), the Conservation(Natural Habitats, &c) Regulations 1994 (as amended) and Policies NC1, NC5, NC6 and NC7 of Herefordshire Unitary Development Plan.

19. K5 (Habitat Enhancement Scheme)

Reason: In order to ensure that diversity is conserved and enhanced in accordance with the requirements of PPS9, the NERC Act 2006 and Policies NC6, NC7, NC8 and NC9 of Herefordshire Unitary Development Plan

20. The development hereby approved shall not be occupied until the development approved under DCSW2005/1713/F has been completed and farming operations transferred from the buildings which gain access off Scar Lane have been relocated to the new farm building.

Reason: In order to define the terms to which the applications relate in order to comply with Policies HBA12, HBA13 and DR3 of the Herefordshire Unitary Development Plan.

21. H20 (Road completion in 2 years)

Reason: In the interests of highway safety and convenience and a well co-ordinated development and to conform with the requirements of Policy DR3 of Herefordshire Unitary Development Plan.

22. H03 (Visibility splays)

Reason: In the interests of highway safety and to conform with the requirements of Policy DR3 of Herefordshire Unitary Development Plan.

23. H05 (Access gates)

Reason: In the interests of highway safety and to conform with the requirements of Policy DR3 of Herefordshire Unitary Development Plan.

24. H06 (Vehicular access construction)

Reason: In the interests of highway safety and to conform with the requirements of Policy DR3 of Herefordshire Unitary Development Plan.

25. H08 (Access closure)

Reason: To ensure the safe and free flow of traffic using the adjoining County highway and to conform with the requirements of Policy DR3 of Herefordshire Unitary Development Plan.

26. 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 and to conform with the requirements of Policy T11 of Herefordshire Unitary Development Plan.

27. H17 (Junction improvement/off site works)

Reason: To ensure the safe and free flow of traffic on the highway and to conform with the requirements of Policy DR3 of Herefordshire Unitary Development Plan.

28. H21 (Wheel washing)

Reason: To ensure that the wheels of vehicles are cleaned before leaving the site in the interests of highway safety and to conform with the requirements of Policy DR3 of Herefordshire Unitary Development Plan.

29. H22 (Opening windows adjacent to the highway)

Reason: In the interests of highway safety and to conform with the requirements of Policy DR1 of Herefordshire Unitary Development Plan.

30. H29 (Covered and secure cycle parking provision)

Reason: To ensure that there is adequate provision for secure cycle accommodation within the application site, encouraging alternative modes of transport in accordance with both local and national planning policy and to conform with the requirements of Policy DR3 of Herefordshire Unitary Development Plan.

31. Access details for pedestrian and cyclists onto Sydcombe Lane (u/c 75217) shall be submitted to and approved in writing by the local planning authority before first occupation of any dwelling and the approved details shall thereafter be maintained available for use in perpetuity.

Reason: In order to provide adequate access for residents and visitors in accordance with Policy DR3 of Herefordshire Unitary Development Plan.

Informative(s):

- 1. N11B – Wildlife & Countryside Act 1981 (as amended) and Conservation (Natural Habitats & c.) Regulations 1994 (as amended) - Bats**
- 2. HN01 – Mud on Highway**
- 3. HN05 – Works Within the Highway**
- 4. HN07 – Section 278 Agreement**

5. **HN13 – Protection of Visibility Splays on Private Land**
 6. **N19 - Avoidance of doubt - Approved Plans**
 7. **N15 - Reason(s) for the Grant of Planning Permission**
33. **DCSW2007/2194/O - THE LAURELS FARM, BRAMPTON, KINGSTONE, HEREFORD, HEREFORDSHIRE, HR2 9NF. (AGENDA ITEM 8)**

Vehicular access amendments and site for agricultural dwelling.

Councillor DC Taylor, the local ward member, advised members of the sustainable nature of the applicant's business and moved the recommendation.

Members had reservations in respect of the positioning of the dwelling on the site. They felt that it should be located closer to the farm.

The Principal Planning Officer advised members that the dwelling was situated to enable clear visibility of the whole site as well as acting as a division to the farm to assist in the quarantine of cattle if required.

RESOLVED

That planning permission be granted 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 and to secure compliance with policy DR1 of the Herefordshire Unitary Development Plan.
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. **F27 (Agricultural occupancy)**
Reason: It would be contrary to Policies H7 and H8 of Herefordshire Unitary Development Plan to grant planning permission for a dwelling in this location except to meet the expressed case of agricultural need.
6. **H01 (Single access - no footway)**
Reason: In the interests of highway safety and to conform with the

requirements of Policy DR3 of Herefordshire Unitary Development Plan

7. **H03 (Visibility splays)**

Reason: In the interests of highway safety and to conform with the requirements of Policy DR3 of Herefordshire Unitary Development Plan

8. **H05 (Access gates)**

Reason: In the interests of highway safety and to conform with the requirements of Policy DR3 of Herefordshire Unitary Development Plan

9. **H06 (Vehicular access construction)**

Reason: In the interests of highway safety and to conform with the requirements of Policy DR3 of Herefordshire Unitary Development Plan

10. **The existing chalet shall be removed from the site no later than 6 months from first occupation of the new dwelling or as unless otherwise agreed in writing prior to completion of the new dwelling.**

Reason: In order to define the terms to which the application relates in accordance with Policy H8 in the Herefordshire Unitary Development Plan.

Informative(s):

1. **HN01 - Mud on highway**
2. **HN05 - Works within the highway**
3. **HN10 - No drainage to discharge to highway**
4. **HN22 - Works adjoining highway**
5. **N19 - Avoidance of doubt - Approved Plans**
6. **N15 - Reason(s) for the Grant of Planning Permission**

34. **DCSE2008/1803/F - REAR OF HAZELNUT COTTAGE, LLANGROVE, ROSS-ON-WYE, HEREFORDSHIRE, HR9 6EZ. (AGENDA ITEM 9)**

6 new detached houses.

The Principal Planning Officer reported the receipt of three further letters of representation, full details of which were circulated at the meeting.

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

Councillor JG Jarvis, the neighbouring ward member, welcomed the sustainable aspect of the development but was disappointed by the lack of affordable housing on the site. He also noted that the contribution secured through a Section 106 agreement was considerably lower than would have been achieved through the Planning Obligations SPD introduced in April 2008.

Councillor H Bramer had reservations regarding the design of the dwellings and felt that a site inspection would be beneficial to members.

RESOLVED

That the determination of the application be deferred pending a site inspection on the following grounds:

- i) the character or appearance of the development itself is a fundamental planning consideration.**
- ii) the setting and surroundings are fundamental to the determination or to the conditions being considered.**

The meeting ended at 4.10 p.m.

CHAIRMAN