

**MINUTES of the meeting of Southern Area Planning Sub-Committee held at The Council Chamber, Brockington, 35 Hafod Road, Hereford on Wednesday, 17 September 2008 at 2.00 p.m.**

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

Councillors: H Bramer, BA Durkin, AE Gray, JA Hyde, JG Jarvis,  
G Lucas, PD Price, DC Taylor and JB Williams

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

**35. APOLOGIES FOR ABSENCE**

Apologies were received from Councillors CM Bartrum and RH Smith.

**36. DECLARATIONS OF INTEREST**

6. DCSW2008/1702/F - HEREFORD WALDORF SCHOOL, MUCH DEWCHURCH, HEREFORD, HEREFORDSHIRE, HR2 8DL.  
Councillor MJ Fishley; Personal; Council appointed school governor.

8. DCSW2008/2025/F - THE CABIN, MUCH BIRCH VC SCHOOL, MUCH BIRCH, HEREFORD, HR2 8HL.  
Councillor JA Hyde; Personal; Cabinet Member (Children's Services).

8. DCSW2008/2025/F - THE CABIN, MUCH BIRCH VC SCHOOL, MUCH BIRCH, HEREFORD, HR2 8HL.  
Councillor PD Price; Personal; Cabinet Member (ICT, Education and Achievement).

**37. MINUTES**

The Chairman requested that the minutes in respect of agenda item 5 be amended to include a note of thanks for the planning officer in respect of the effort and time that had been put into the application.

**RESOLVED**

**That subject to the aforementioned amendment, the minutes of the meeting held on 20 August 2008 be approved as a correct record and signed by the Chairman.**

**38. ITEM FOR INFORMATION - APPEALS**

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

**39. DCSE2008/1803/F - REAR OF HAZELNUT COTTAGE, LLANGROVE, ROSS-ON-WYE, HEREFORDSHIRE, HR9 6EZ. (AGENDA ITEM 5)**

*6 new detached houses.*

The Principal Planning Officer reported the following:

- Three further letters of representation had been received.

Councillor JA Hyde, the local ward member, noted that permission had already been granted for 5 houses and 1 bungalow on the site. She felt that the proposed application was not acceptable and was disappointed with the lack of any affordable housing included in the development. She noted the concerns raised by local residents in respect of highways and insufficient screening and moved that the application be refused.

Councillor JG Jarvis concurred with the local ward member and felt that the application should be refused on grounds of scale and design, although he felt that the highways concerns had been addressed through appropriate conditions.

Members discussed the application and felt that approving the application would result in overdevelopment of the site, they also had concerns regarding the impact of the development on the neighbouring dwelling, the sycamores.

#### **RESOLVED**

**That: (i) The Southern 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:**

- A) Overbearing**
- B) Scale and Design of the development.**

**(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 subject to such reasons for refusal referred to above.**

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

#### **40. DCSW2008/1702/F - HEREFORD WALDORF SCHOOL, MUCH DEWCHURCH, HEREFORD, HEREFORDSHIRE, HR2 8DL. (AGENDA ITEM 6)**

*Siting and erection of prefabricated classrooms, wc and kitchen facilities to provide temporary accommodation during rehabilitation and extension of existing school premises (planning permission ref: DCSW2003/3461/F) for a period of 30 months.*

The Principal Planning Officer reported the following:

- Two further letters of representation had been received.
- Verbal confirmation had been received from the applicant stating that 3 of the unauthorised buildings had been removed with the fourth one being subject to a retrospective planning application.
- The Traffic Manager had confirmed that he had no objection to the

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application but would like further discussions with the applicant regarding the Travel Plan, the management of parking, and improvements to line marking at the access to the school.

- The Conservation Manager confirmed that he had no objection to the application.

In accordance with the criteria for public speaking, Mr Mitchell, representing the Much Dewchurch Society, spoke in objection to the application.

Councillor MJ Fishley, the Vice-Chairman, speaking in her capacity as local ward member, advised the sub-committee that she had declared a personal interest in the application as she was a council appointed school governor. She felt that all of the issues raised by local residents had been thoroughly addressed through suitable conditions. She thanked the case officer for his fair and reasoned report and moved the recommendation.

In response to a question regarding archaeological findings on the site, the Southern Team Leader confirmed that a condition could be added to the recommendation if members so requested.

In response to a question regarding enforcement action on the site, the Southern Team Leader confirmed that a number of buildings were subject to ongoing enforcement investigation and that 3 of these had been removed by the applicant. He added that one of the remaining buildings was currently subject to a retrospective planning application and that 3 other temporary buildings would be removed as part of the implementation of the 2003 permission.

Councillor PD Price requested confirmation that the new school buildings being constructed as part of planning permission DCSW2003/3461/F would be large enough to accommodate the current pupil numbers proposed. The Southern Team Leader confirmed that there was no intention to increase pupil numbers and that the proposed buildings were appropriate for the current and intended school roll. He also advised that any proposals to extend the school and increase pupil numbers would need to be subject of further applications that would need to be judged on planning merits.

Members discussed the application thoroughly and despite having reservations in respect of highways issues on the site they felt that on balance the application should be approved.

### **RESOLVED**

**That planning permission be granted subject to the following conditions:**

**1. 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.**

**2. F20 (Temporary permission and reinstatement of land) (30 months from the date of permission)**

**Reason: The local planning authority is only prepared to allow the siting and use of the land as a temporary measure having regard to the sensitivity of the site in relation to the setting of the historic core of the**

village, including the Grade I Listed Church .

3. Prior to the installation of the classroom units and ancillary structures hereby approved, details of their external finish shall be submitted to and approved in writing by the local planning authority. The units shall thereafter be retained in accordance with the approved details for the duration of this permission

**Reason: To conform with Policy LA2 of the Herefordshire Unitary Development Plan and to minimise any visual intrusion into the surrounding countryside.**

4. I24 (Standard of septic tank/soakaway system)

**Reason: To prevent pollution of the water environment and to comply with Policy DR4 of Herefordshire Unitary Development Plan.**

**Informative(s):**

1. N19 - Avoidance of doubt - Approved Plans
  2. N15 - Reason(s) for the Grant of Planning Permission
41. **DCSW2008/1571/F - ASHFORD STABLES, STONEY STREET, MADLEY, HEREFORD, HEREFORDSHIRE, HR2 9NJ. (AGENDA ITEM 7)**

*Renewal of 10 extra car boot sales per calendar year.*

The Senior Planning Officer reported the following:

- Kingstone Parish Council had not objected to the application.
- The Traffic Manager had confirmed that he did not object to the application.

Councillor DC Taylor, the local ward member, noted that the parish council had not objected to the application, he added that the applicants had addressed issues around the access to the site which were raised at a previous meeting. He therefore moved the recommendation accordingly.

Some members felt that the application should be refused as the applicant was already permitted to hold 14 car boot sales per year under permitted development rights.

In response to the points raised by members, the Southern Team Leader advised that the applicant had been permitted the 10 extra car boot sales through two temporary planning permissions in the last 10 years. He added that there had been no objection received by the Environmental Health and Trading Standards Manager.

**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.**

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- 2. A log book/record of all car boot sales shall be kept and shall be available for inspection by the local planning authority, a car boot sale having deemed to have begun when the gates have been opened for at least one hour, notwithstanding subsequent weather conditions.**

**Reason:** In order to define the terms to which the application relates.

- 3. Car boot sales shall not be carried out on consecutive days.**

**Reason:** In the interests of the amenities of residents in the locality.

- 4. F26 (Personal condition)**

**Reason:** The nature of the development is such that it is only considered acceptable in this location having regard to the applicant's special circumstances having regard to Policy (specify) of Herefordshire Unitary Development Plan.

**Informative(s):**

- 1. N19 - Avoidance of doubt - Approved Plans**
  - 2. N15 - Reason(s) for the Grant of Planning Permission**
- 42. DCSW2008/2025/F - THE CABIN, MUCH BIRCH VC SCHOOL, MUCH BIRCH, HEREFORD, HR2 8HL. (AGENDA ITEM 8)**

*Retention of timber building within the grounds of Much Birch Primary School for the purpose of providing before and after school care and a nursery class.*

The Principal Planning Officer reported the following:

- Much Birch parish Council had not objected to the application.
- A representation had been received from Children and Young Services.

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

Councillor JG Jarvis, advised members that the local ward member was happy to support the application as it was beneficial to the schools provision of before and after school care.

**RESOLVED**

**That planning permission be granted subject to the following condition:**

- 1. The building/structure hereby permitted shall be removed from the site and the land restored to its former condition on or before 17 September 2013 in accordance with a scheme of work submitted to and approved by the local planning authority.**

**Reason:** To define the terms to which the application relates as the proposed building/structure is considered to be unacceptable as a permanent fixture on this site within a designated Area of Great Landscape Value.

**Informative(s):**

1. **N19 - Avoidance of doubt - Approved Plans**
2. **N15 - Reason(s) for the Grant of Planning Permission**
43. **DCSE2008/1894/F - 3 ROMAN WAY, LINCOLN HILL, ROSS-ON-WYE, HEREFORDSHIRE, HR9 5RL. (AGENDA ITEM 9)**

*Single storey rear extension.*

**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. **B03 (Amended plans)**  
**Reason: To ensure the development is carried out in accordance with the amended plans and to comply with the requirements of Policy DR1 of Herefordshire Unitary Development Plan**
3. **C02 (Matching external materials (extension))**  
**Reason: To ensure the external materials harmonise with the existing building so as to ensure that the development complies with the requirements of Policy DR1 of Herefordshire Unitary Development Plan**

**INFORMATIVES:**

1. **N19 - Avoidance of doubt - Approved Plans**
2. **N15 - Reason(s) for the Grant of Planning Permission**
44. **DCSE2008/1510/F - YEW TREE COTTAGE, LINTON, ROSS-ON-WYE, HEREFORDSHIRE, HR9 7RS. (AGENDA ITEM 10)**

*Extension and new detached double garage.*

The Senior Planning Officer reported the following:

- Comments had been received from Linton Parish Council.
- A further letter of objection had been received from a local resident.

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

Councillor H Bramer, the local ward member, noted the concerns raised by the Parish Council in respect of drainage issues on the site and asked if these concerns could be addressed through suitable conditions. He also noted that the consultation period had now expired and the recommendation could be amended accordingly.

**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. B03 (Amended plans)**

**Reason: To ensure the development is carried out in accordance with the amended plans and to comply with the requirements of Policy DR1 of Herefordshire Unitary Development Plan**

- 3. 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**

- 4. F07 (Domestic use only of garage)**

**Reason: To ensure that the garage is used only for the purposes ancillary to the dwelling and to comply with Policy H18 of Herefordshire Unitary Development Plan.**

**INFORMATIVES:**

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

The meeting ended at 3.30 p.m.

**CHAIRMAN**