

**MINUTES of the meeting of Southern Area Planning Sub-Committee held at The Council Chamber, Brockington, 35 Hafod Road, Hereford on Wednesday, 10 December 2008 at 2.00 p.m.**

**Present:** Councillor PGH Cutter (Chairman)

**Councillors:** H Bramer, BA Durkin, JA Hyde, JG Jarvis, G Lucas, PD Price, RH Smith and JB Williams

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

**65. APOLOGIES FOR ABSENCE**

Apologies were received from Councillors CM Bartrum, MJ Fishley, AE Gray, and DC Taylor.

**66. DECLARATIONS OF INTEREST**

There were no declarations made.

**67. MINUTES**

Members discussed minute item 62 and particularly made reference to the use of the word 'affordable' in the resolution. A debate ensued as to the interpretation of the resolution. It was agreed that the minutes were an accurate account of the debate and that the uncertainty had arisen through the interpretation of the minutes.

**RESOLVED:** That the Minutes of the meeting held on 12 November 2008 be approved as a correct record and signed by the Chairman.

**68. ITEM FOR INFORMATION - APPEALS**

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

**69. DCSE2008/2427/F - LAND ADJACENT TO BODENHAM FARM, MUCH MARCLE, LEDBURY, HEREFORDSHIRE, HR8 2NJ. (AGENDA ITEM 5)**

*Retention of 2 field shelters with new external cladding.*

Councillor BA Durkin, the local ward member, felt that his concerns regarding the shape and appearance of the field shelters had not been addressed by the applicants, and he could therefore not support of the application.

In response to a question seeking clarification regarding the additional information received from the applicant, the Southern Team Leader advised that the applicant could apply for a certificate of lawful use if he could prove that the field shelters had been in situ for 4 years. He added that if this was the case, the field shelters would then be permitted in their current state and would not have the benefit of a planning condition to mitigate their impact on the landscape.

Members discussed the application and noted the comments of the Landscape Officer who had not objected to the application. They felt that there were no planning grounds to refuse the application and approved the resolution below.

**RESOLVED**

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

- 1 Within 3 months of the date of this permission the field shelters shall be clad in shiplap boards and stained a dark brown colour and thereafter maintained.**

**Reason: In the interests of visual amenity and to ensure the shelters comply with Policy LA2 of the Herefordshire Unitary Development Plan.**

**Informatives:**

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

- 70. DCSE2008/2538/F - LYNE DOWN FARM, LYNE DOWN, MUCH MARCLE, LEDBURY, HEREFORDSHIRE, HR8 2NT. (AGENDA ITEM 6)**

*Construction of apple pressing barn with storage facilities and relocation of shop*

**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 C01 (Samples of external materials)**

**Reason: To ensure that the materials harmonise with the surroundings so as to ensure that the development complies with the requirements of Policy DR1 of Herefordshire Unitary Development Plan.**

- 3 H03 (Visibility splays)**

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

- 4 H05 (Access gates)**

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

- 5 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.**

- 6 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.

**7 H27 (Parking for site operatives)**

**Reason:** To prevent indiscriminate parking in the interests of highway safety and to conform with the requirements of Policy DR3 of Herefordshire Unitary Development Plan.

**8 G13 (Tree planting)**

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

**9 B07 (Section 106 Agreement)**

**Reason:** In order to provide [enhanced sustainable transport infrastructure, educational facilities, improved play space, public art, waste recycling and affordable housing] in accordance with Policy DR5 of the Herefordshire Unitary Development Plan 2007.

**10. 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.

**Informatives:**

- 1. N02 - Section 106 Obligation**
- 2. HN01 - Mud on highway**
- 3. HN04 - Private apparatus within highway**
- 4. HN05 - Works within the highway**
- 5. HN10 - No drainage to discharge to highway**
- 6. HN24 - Drainage other than via highway system**
- 7. HN28 – Highways Design Guide and Specification**
- 8. N19 - Avoidance of doubt - Approved Plans**
- 9. N15 - Reason(s) for the Grant of Planning Permission**

**71. DCSE2008/2207/F - BRELSTON COURT, MARSTOW, ROSS-ON-WYE, HEREFORDSHIRE, HR9 6HF. (AGENDA ITEM 7)**

*Side extension to existing barn, formation of training manège, rebuild of dilapidated shed. Renewal of parking/turning areas.*

Councillor JA Hyde, the local ward member, felt that her initial fears regarding the application had been allayed due to condition 8 which restricted the usage of the manège.

In response to a question, the Principal Planning Officer advised that condition 8 would transfer to the new owners if the property was sold in the future. He added that the conditions meant that the manège could not be used for commercial purposes.

**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 C01 (Samples of external materials)**  
**Reason: To ensure that the materials harmonise with the surroundings so as to ensure that the development complies with the requirements of Policy DR1 of Herefordshire Unitary Development Plan.**
- 4 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.**
- 5 H04 (Visibility over frontage)**  
**Reason: In the interests of highway safety and to conform with the requirements of Policy DR3 of Herefordshire Unitary Development Plan.**
- 6 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.**
- 7 I20 (Scheme of surface water drainage)**  
**Reason: To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal and to comply with Policy DR4 of Herefordshire Unitary Development Plan.**
- 8 F09 (Private use of stables only)**  
**Reason: In order to safeguard the character and amenity of the area and to comply with Policy (specify) of Herefordshire Unitary Development Plan.**

**Informatives:**

- 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**

The meeting ended at 2.45 p.m.

**CHAIRMAN**