

MINUTES of the meeting of Southern Area Planning Sub-Committee held at The Council Chamber, Brockington, 35 Hafod Road, Hereford on Wednesday, 21 January 2009 at 2.00 p.m.

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

Councillors: CM Bartrum, BA Durkin, AE Gray, JA Hyde, G Lucas,
PD Price, RH Smith, DC Taylor and JB Williams

In attendance: Councillors TW Hunt and RV Stockton

72. APOLOGIES FOR ABSENCE

Apologies were received from Councillors H Bramer and JG Jarvis.

73. DECLARATIONS OF INTEREST

6. DCSE2008/2740/F - 9 GOODRICH CLOSE, ROSS-ON-WYE, HEREFORDSHIRE, HR9 5UX.
Councillor G Lucas; Personal and Prejudicial; Friend of the applicant.

74. MINUTES

RESOLVED: That the Minutes of the meeting held on 10 December 2008 be approved as a correct record and signed by the Chairman.

75. ITEM FOR INFORMATION - APPEALS

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

76. ITEM FOR INFORMATION - SECTION 106 AGREEMENTS DETERMINED UNDER DELEGATED POWERS

The Sub-Committee noted the Council's current position in respect of Section 106 agreements determined under delegated powers for the southern area of Herefordshire.

77. DCSE2008/2740/F - 9 GOODRICH CLOSE, ROSS-ON-WYE, HEREFORDSHIRE, HR9 5UX.

Single storey rear extension to provide wheelchair accessible facilities.

Councillor CM Bartrum, the Local Ward Member, felt that a site inspection would be beneficial for Members.

RESOLVED

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

i) **A judgement is required on visual impact.**

78. DCSE2008/2835/RM - EQUINE CENTRE, O.S. MAP REF SO653321, NR BODENHAM FARM, MUCH MARCLE, HEREFORDSHIRE.

Dwelling for stud workers at equine centre.

In accordance with the criteria for public speaking, Mr Morgan representing the views of Much Marcle Parish Council and Mr Pope, a neighbouring resident, spoke in objection to the application and Mr Goldworthy, the applicant's agent, spoke in support.

Councillor BA Durkin, the Local Ward Member, noted that the application was for reserved matters only as the principal of a stud worker's dwelling on the site had been approved by the Inspector at appeal. He felt that the dwelling would be beneficial to a thriving rural business and noted that it was in an appropriate location on the site. He therefore moved the recommendation.

Members discussed the application and requested clarification as to the nature of the accommodation. There was some concern as to whether the application was for a singular stud worker and family or for a number of stud workers in a shared house. In response to a number of questions raised by Members, the Southern Team Leader advised that the Inspector had accepted that there was a labour requirement for up to 6 stud workers on the site and that the dwelling may be inhabited by a single worker and their family or by 3 stud workers in a shared household as both met the functional need outlined by the Inspector and both would still be regarded as a single dwelling with regard to the Town and Country Planning (Use Classes) Order. He added that any further application for additional housing on the site would have to demonstrate an essential functional need and would then be determined on its merits.

In response to a question regarding an occupancy condition, the Southern Team leader advised Members that the outline planning permission contained a suitable standard condition to restrict the occupancy of the dwelling solely to an employee of the farm and his/her family.

In response to concerns raised by Members, the local ward member advised that the office in the dwelling was essential to promote the business. He noted that the applicants currently used a Portakabin as an office, and added that the new office would result in the removal of the aforementioned Portakabin.

RESOLVED

That approval of reserved matters is approved subject to the following conditions:

1 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

2 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.**3 F14 (Removal of permitted development rights)**

Reason: In order to protect the character and amenity of the locality, to maintain the amenities of adjoining property and to comply with Policy H13 of Herefordshire Unitary Development Plan.

4 Prior to the first occupation of the dwelling hereby approved, the existing office accommodation shall be permanently removed from the site in accordance with details to be submitted to and approved in writing by the local planning authority.

Reason: In recognition of the permanent office accommodation provided within the approved dwelling and in the interests of enhancing the character and appearance of the site and surroundings in accordance with Policy DR1 of the Herefordshire Unitary Development Plan.

INFORMATIVES:

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

2 N19 - Avoidance of doubt - Approved Plans

3 N09 – Approval of reserved matters

79. DCSE2008/2743/F - WEST BANK RESIDENTIAL CARE HOME, WALFORD ROAD, ROSS-ON-WYE, HEREFORDSHIRE, HR9 5PQ.

Construction of one single storey and two two-storey extensions to existing residential care home.

In accordance with the criteria for public speaking, Mrs Jarvis and Dr Rogers, two of the neighbouring residents, spoke in objection to the application.

Councillor AE Gray, one of the Local Ward Members, 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:

ii) The character or appearance of the development itself is a fundamental planning consideration.

80. DCSE2008/2773/F - GREAT TREWEN FARM HOUSE, WHITCHURCH, ROSS-ON-WYE, HEREFORDSHIRE, HR9 6ES.

Proposed telecommunications development consisting of increase of height of existing telecommunications tower from 15.0 metres to 20.0 metres and relocation of existing orange headframe and equipment to new 20.0 metres height within existing compound.

Councillor JA Hyde, the adjoining Ward Member, noted the representation received by Llangarron Parish Council who had requested that the nearby trees be lopped

rather than the mobile mast extended. She noted that the trees were not owned by the applicants and that therefore this was unfortunately not possible. She did however raise concerns regarding the access to the site and echoed the concerns of the neighbouring residents who had experienced problems with engineers using their private driveways and paths whilst accessing the site.

The Principal Planning Officer noted the concerns regarding the access but felt that it would be difficult to address the issue through conditions as the mast was already in situ. He added that the planning department could discuss the matter further with the applicants if the sub-committee were minded to delegate the decision to members in consultation with the Local Ward Member, the adjoining Ward Member, and the Chairman.

The Southern Team Leader added that the access concerns could be addressed through an informative note, he advised Members that refusal of the application on access grounds would not be defensible at appeal.

RESOLVED

That officers named in the Scheme of Delegation to Officers, in consultation with the Local Ward Member, the adjoining Ward Member, and the Chairman, be authorised to approve the planning application subject to clarification of the legal controls over access to the site(s) and to the following conditions and any other conditions considered necessary:

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 Notwithstanding the approved drawings, the extension hereby approved shall match in colour, form and texture those of the existing telecommunications mast.

Reason: To ensure the satisfactory appearance of the development so as to comply with Policy DR1 of the Herefordshire Unitary Development Plan 2007.

INFORMATIVES:

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

2 N19 - Avoidance of doubt - Approved Plans

81. DCSE2008/2927/RM - BEECHGROVE, GOODRICH, ROSS-ON-WYE, HEREFORDSHIRE, HR9 6JE.

Proposed erection of a two storey dwelling.

Councillor RH Smith, *speaking on behalf of [minute amended at SAPSC 18 February 2009]* the Local Ward Member, noted the concerns of the neighbouring residents but felt that these concerns had been addressed through conditions 3, 4, and 5 as recommended by the case officer.

RESOLVED

That planning permission be granted subject to the following conditions:

1 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

2 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.

3 F08 (No conversion of garage to habitable accommodation)

Reason: To ensure adequate off street parking arrangements remain available at all times and to comply with Policy H18 of Herefordshire Unitary Development Plan.

4 F14 (Removal of permitted development rights)

Reason: In order to protect the character and amenity of the locality, to maintain the amenities of adjoining property and to comply with Policy H13 of Herefordshire Unitary Development Plan.

5 F15 (No windows in elevations of dwelling)

Reason: In order to protect the residential amenity of adjacent properties and to comply with Policy H18 of Herefordshire Unitary Development Plan.

6 I51 (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 so as to comply with Policy DR1 of Herefordshire Unitary Development Plan.

7 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

8 H09 (Driveway gradient)

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

9 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

INFORMATIVES:

1 HN01 - Mud on highway

- 2 HN04 - Private apparatus within highway**
- 3 HN05 - Works within the highway**
- 4 HN10 - No drainage to discharge to highway**
- 5 HN21 - Extraordinary maintenance**
- 6 N19 - Avoidance of doubt - Approved Plans**
- 7 N15 - Reason(s) for the Grant of PP/LBC/CAC**

The meeting ended at 3.18 p.m.

CHAIRMAN