

**MINUTES of the meeting of Planning Committee held at The Council Chamber, Brockington, 35 Hafod Road, Hereford on Wednesday 6 April 2011 at 10.00 am**

**Present:** Councillor TW Hunt (Chairman)  
Councillor RV Stockton (Vice Chairman)

**Councillors:** ACR Chappell, PGH Cutter, DW Greenow, KS Guthrie, JW Hope MBE, RC Hunt, G Lucas, RI Matthews, AT Oliver, JE Pemberton, AP Taylor, DC Taylor, WJ Walling, PJ Watts and JD Woodward

**In attendance:** Councillors AE Gray

**135. APOLOGIES FOR ABSENCE**

Apologies were received from Councillors H Davies, GFM Dawe and B Hunt.

**136. NAMED SUBSTITUTES (IF ANY)**

In accordance with paragraph 4.1.23 of the Council's Constitution, Councillor AT Oliver attended the meeting as a substitute member for Councillor H Davies.

**137. DECLARATIONS OF INTEREST**

6. DMS/102972/F - Castle Lodge Hotel, Green Court, Wilton, Ross on Wye, HR9 6AD. Councillor PGH Cutter, Personal, Owns a work premises near the application site.

**138. CHAIRMAN'S ANNOUNCEMENTS**

**139. APPEALS**

The Planning Committee noted the report.

**140. DMS/102972/F - CASTLE LODGE HOTEL, GREEN COURT, WILTON, ROSS ON WYE, HR9 6AD**

The Principal Planning Officer gave a presentation on the application and updates / additional representations received following the publication of the agenda were provided; the schedule of committee updates is appended to these minutes.

In accordance with the criteria for public speaking Mr Tait, a neighbouring resident spoke in objection to the application and Mr Eacock, the applicant's agent, spoke in support.

Members were advised that the Local Ward Member, Councillor JA Hyde, had a longstanding commitment and could therefore not be present.

The Committee noted the reasons for refusal from the 2009 application and felt that these were still valid and had not been overcome through the new application. They had concerns in respect of vehicular access onto the busy Wilton Road roundabout as well as concerns regarding parking on Benhall Lane.

It was noted that Wilton Castle was now open to the public and also held a number of events throughout the year which had exacerbated the parking issues in the area.

Members expressed concerns that the site could be used for a takeaway premise in the future. One Member noted that the proposed conditions would not allow a takeaway usage on the site. A member of the Committee also noted that there had been no objection from the Highways Agency and that in his opinion the additional parking provisions made the application acceptable.

The Development Manager advised Members that the application sought to remove two conditions and that the separation of the two uses on the site would not generate much additional traffic. He noted that at present there was insufficient parking provision at the Castle Lodge Hotel and that this would be resolved by approving the application.

## **RESOLVED**

**That the application be refused for the following reasons:**

- 1. The local planning authority considers that conditions 13 and 16 of planning permission DCSE2005/2343/F (17 March 2006) continue to serve a useful planning purpose. The removal of these conditions would allow the operation of two separate businesses, with a concomitant increase in traffic upon the adjoining lane and an increased risk of indiscriminate parking upon it. Given the proximity of the site to the strategic road network and the inadequacy of the junction onto the B4260, the local planning authority considers the conditions essential in maintaining both highway safety and the residential amenity of local residents. The application is thus contrary to Policies DR2, DR3 and T11 of the Herefordshire Unitary Development Plan 2007.**

### **141. DMS/110216/F - PENRICE, WALFORD ROAD, ROSS ON WYE, HR9 5PQ**

The Team Leader (South) gave a presentation on the application and updates / additional representations received following the publication of the agenda were provided; the schedule of committee updates is appended to these minutes.

In accordance with the criteria for public speaking Mr Bowring, a neighbouring resident spoke in objection to the application and Mr Rainey, the applicant's agent, spoke in support.

In accordance with paragraph 4.8.2.2 of the Council's Constitution, Councillor AE Gray, one of the local ward members, commented on a number of issues, including:

- The previous applications on the site were refused due to visual impact.
- The current proposal has addressed the visual impact issue from Walford Road by retaining the existing dwelling.
- The visual impact from Eastfield Road has also been addressed through the reduction in height of the proposal.
- Could the determination of the application be deferred until the Inspector's decision on the previous application is known.

In accordance with paragraph 4.8.2.2 of the Council's Constitution, Councillor PGH Cutter, the other local ward member, commented on a number of issues, including:

- Opposed to the previous application as they were not in keeping with the area.
- A meeting was convened with the planning officer and the developer in order for the developer to present a revised proposal seeking to address local concerns.
- Current proposal does appear to have addressed the majority of the concerns regarding overlooking and visual impact.

- The determination of the application should be deferred pending the Inspector's decision.
- There was still a great deal of concern from the local residents regarding the application.

In response to the comments from the local ward members the Team Leader (South) advised Members that the timescale for the Inspector's decision was unknown. He added that the application needed to be determined on its merits and expressed concern about deferring it for that reason.

The Locum Lawyer advised Members that the appeal decision was not a material planning consideration and therefore the determination of the application should not be deferred for that reason.

Members discussed the application and felt that it was more acceptable than the previous two applications which had been refused on the site. They felt that a number of the issues that had been raised during the previous applications had now been resolved. Members advised that they had received a letter from the applicant's agent which explained the compromises the developer had made in order to make the application acceptable and that the applicant would prefer to implement the current application for housing rather than the previous application which was still the subject of an appeal.

In response to a question the Development Manager advised Members that if the appeal was successful and the current application was also approved the decision of which permission to implement would lay solely with the applicant. He added that if the appeal was refused or allowed the current application would still have to be determined.

Members continued to discuss the merits of the application and were of the view that the retention of the dwelling known as Penrice was a positive feature of the application as it would not have a detrimental effect on the street scene. It was also noted that the proposed development would result in much needed family housing for the town of Ross-on-Wye.

In response to a question regarding the Section 106 agreement, the Team Leader (South) advised that he would discuss the allocation for highways with the Local Ward Members in order to address any local highway needs and that revisions had already been made in respect of potential local projects for providing recreational facilities.

In response to a question regarding the garden space allocated to each house, the Team Leader (South) advised Members that there was no policy in respect of garden space. He added that the smallest of the gardens was between 5 and 6 metres in depth with some of the dwellings benefitting from larger gardens.

There were some concerns raised in respect of the size of the rooms and the access onto Walford Road. Some Members were of the opinion that the application should be deferred. Members noted the objections from the local residents as well as the petition that had been submitted.

In response to the points regarding the dimensions of the rooms, the Development Manager advised that room dimensions could be included in the officer's report but generally the issue was a commercial decision to be taken by the applicants.

A motion to defer the determination of the application failed and the resolution as set out below was agreed.

## **RESOLVED**

**That the application be approved subject to the following conditions and any further conditions considered necessary by officers:**

- 1. A01 Time limit for commencement (full permission)**
- 2. B03 Amended plans**
- 3. B07 Section 106 Agreement**
- 4. C01 Samples of external materials**
- 5. H03 Visibility splays**
- 6. H02 Single access - footway**
- 7. H06 Vehicular access construction**
- 8. H08 Access closure**
- 9. H13 Access, turning area and parking**
- 10. H21 Wheel washing**
- 11. H27 Parking for site operatives**
- 12. F16 No new windows in specified elevation**
- 13. F17 Obscure glazing to windows**
- 14. G02 Retention of trees and hedgerows**
- 15. G04 Protection of trees/hedgerows that are to be retained**
- 16. G10 Landscaping scheme**
- 17. G11 Landscaping scheme - implementation**

## **INFORMATIVES:**

- 1. HN01 Mud on highway**
- 2. HN04 Private apparatus within highway**
- 3. HN05 Works within the highway**
- 4. HN03 Access via public right of way**
- 5. HN26 Travel Plans**
- 6. N15 Reason(s) for the Grant of PP/LBC/CAC**

## **142. DATE OF NEXT MEETING**

The Planning Committee noted the date of the next meeting.

## **APPENDIX 1 - SCHEDULE OF COMMITTEE UPDATES**

The meeting ended at 11.37 am

**CHAIRMAN**

# PLANNING COMMITTEE

Date 6 April 2011

## Schedule of Committee Updates/Additional Representations

**Note: The following schedule represents a summary of the additional representations received following the publication of the agenda and received up to midday on the day before the Committee meeting where they raise new and relevant material planning considerations.**

**DMS/110216/F- Retention of existing dwelling (Penrice) and erection of 8 two and three bedroom dwellings at Penrice, Walford Road, Ross on Wye, HR9 5PQ**

**For: Mr Egan per M F Freeman, Ruardean Works Varnister Road, Nr Drybrook, Gloucestershire, GL17 9BH**

### ADDITIONAL REPRESENTATIONS

The Senior Landscape Officer raises no objection subject to conditional control over works in relation to retained trees on the site and the provision of adequate protection, details of the SUDS system and submission of a detailed landscaping scheme.

She comments that the development will not have a significant impact on this urban landscape character type or detract from the townscape qualities of the locality. She advises that there would be a preference to retain the existing access point although with proper attention to the trees on the highway boundary there would be no significant impacts upon the character of the site.

The Planning Ecologist raises no objection subject to a condition requiring the recommendations of The Bat and Reptile Survey submitted with the application.

With regard to the revised access and parking arrangement, the Transportation Manager acknowledges that the visibility proposed is as previously agreed and that the level of parking is appropriate. He has confirmed that whilst there are minor concerns about the proposed delineation of the turning head within the parking courtyard, this is a matter that he can be conditioned together with the detailed design of the cycle store.

### OFFICER COMMENTS

It is advised that the Draft Heads of Terms needs to be amended to omit reference to the provision of a pedestrian crossing facility at Archenfield Road, which has recently been completed and will be operational imminently. There remains a wide range of other relevant improvements that justifies the overall contribution of £21,626 that has been agreed in discussion with the applicant.

### CHANGE TO RECOMMENDATION

Approve but include additional conditions requiring full details of cycle/parking and storage, specification and drainage of parking area and ecological mitigation.

Otherwise the comments received from the Senior Landscape Officer and Transportation Manager are covered, with minor adaptation, by recommended conditions 7 and 15.

