

MINUTES of the meeting of Northern Area Planning Sub-Committee held at : The Council Chamber, Brockington, 35 Hafod Road, Hereford on Wednesday, 8th November, 2006 at 2.00 p.m.

Present: Councillor J.W. Hope MBE (Chairman)
Councillor K.G. Grumbley (Vice Chairman)

Councillors: B.F. Ashton, Mrs. L.O. Barnett, W.L.S. Bowen, R.B.A. Burke, Mrs. J.P. French, J.H.R. Goodwin, P.E. Harling, B. Hunt, T.W. Hunt, T.M. James, R.M. Manning, R.J. Phillips, D.W. Rule MBE, R.V. Stockton, J. Stone and J.P. Thomas

In attendance: Councillors (none)

94. APOLOGIES FOR ABSENCE

Apologies were received from Councillors PJ Dauncey, Brig P Jones and R Mills.

95. DECLARATIONS OF INTEREST

The following declaration of interest was made:-

Councillor/Officer	Item	Interest
Councillor RBA Burke	Agenda item 11, Minute 104 DCNW2006/2889/F - proposed floodlights to "Beagles Pitch" (School, Youth & Development Teams) at Old Luctonians Sports Club, Kingsland, Leominster, Herefordshire, HR6 9SB	Declared a prejudicial interest and left the meeting for the duration of this item.
Mr M Tansley	Agenda item 11, Minute 104 DCNW2006/2889/F - proposed floodlights to "Beagles Pitch" (School, Youth & Development Teams) at Old Luctonians Sports Club, Kingsland, Leominster, Herefordshire, HR6 9SB	Declared a prejudicial interest and left the meeting for the duration of this item.

96. MINUTES

RESOLVED: That the Minutes of the meeting held on 11th October, 2006 be approved as a correct record and signed by the Chairman.

97. ITEM FOR INFORMATION - APPEALS

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

98. APPLICATIONS RECEIVED

The Sub-Committee considered the following planning applications received for the Northern Area of Herefordshire and authorised the Head of Planning Services to impose any additional or varied conditions and reasons which he considered to be necessary.

99. DCNW2006/1466/F - TO DEMOLISH EXISTING DWELLING AND ERECT FIVE NEW DWELLINGS AT YEW TREE, SHOBDON, LEOMINSTER, HEREFORDSHIRE, HR6 9ND

Councillor RJ Phillips the Local Ward Member had some reservations about highway safety issues in respect of the Scheme and asked that a further condition be put in the Draft Heads of Terms to include off street parking for the use of the monies obtained from the applicant which would contribute towards the improvement of highway safety.

RESOLVED THAT

1 - the Head of Legal & Democratic Services be authorised to complete a planning obligation under Section 106 of the Town and Country Planning Act 1990 to (set out heads of agreement) and deal with any other appropriate and incidental terms, matters or issues including use of the monies from the applicant for off-street car parking.

2 - upon completion of the aforementioned planning obligation officers named in the scheme of delegation be authorised to issue planning permission 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 - A06 (Development in accordance with approved plans)

Reason: To ensure adherence to the approved plans in the interests of a satisfactory form of development.

3 - B01 (Samples of external materials)

Reason: To ensure that the materials harmonise with the surroundings.

4 - F48 (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.

5 - E16 (Removal of permitted development rights)

Reason: In order that the local planning authority can have control over the form of development in this sensitive location.

6 - E18 (No new windows in specified elevation)

Reason: In order to protect the residential amenity of adjacent properties.

7 - G01 (Details of boundary treatments)

Reason: In the interests of visual amenity and to ensure dwellings have satisfactory privacy.

8 - G04 (Landscaping scheme (general))

Reason: In order to protect the visual amenities of the area.

9 - G05 (Implementation of landscaping scheme (general))

Reason: In order to protect the visual amenities of the area.

10 – G09 (Retention of trees/hedgerows)

Reason: To safeguard the amenity of the area.

11 – 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.

12 – H27 (Parking for site operatives)

Reason: To prevent indiscriminate parking in the interests of highway safety.

13 – F16 (Restriction of hours during construction)

Reason: To protect the amenity of local residents.

14 - F18 (Scheme of foul drainage disposal)

Reason: In order to ensure that satisfactory drainage arrangements are provided.

15 - There shall be no, direct or indirect, discharge of surface water to the public foul sewer.

Reason: To safeguard the public sewerage system and reduce the risk of surcharge flooding.

16 – Foul water and surface water discharges must be drained separately from the site.

Reason: To protect the integrity of the public sewerage system.

17 - No land drainage run-off will be permitted, either directly or indirectly, to discharge into the public sewerage system.

Reason: To prevent hydraulic overload of the public sewerage system and pollution of the environment. Informatives:

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

2 - HN01 - Mud on highway

3 - HN05 - Works within the highway

4 - HN10 - No drainage to discharge to highway

Note to Applicant:

The named officers be authorised to amend the above conditions as necessary to reflect the terms of the planning obligation.

100. DCNW2006/2019/F - PROPOSED DETACHED ORANGERY TO HOUSE, SWIMMING POOL AT NIEUPOORT HOUSE, ALMELEY, HEREFORD, HEREFORDSHIRE, HR3 6LL

In accordance with the criteria for public speaking, Mr Cripwell the agent acting on behalf of the applicant spoke in favour of the application.

The Sub Committee discussed details of the application and the likely impact that the proposal would have on an important Grade II Listed Building and associated parkland and gardens which were of special historic interest. Councillor WLS Bowen felt that the applicants had achieved a sympathetic building in scale and proportion to compliment the recently restored house and gardens. Councillor T James was of the view that the proposal was aesthetically and visually pleasing and that it would help to preserve the character and setting of Nieuport House for the future. The Sub committee shared these views and proposed that the application should be granted.

The Development Control Manager advised that the relevant legislation required the local planning authority to take into account any representations made in respect of the impact on the setting of the listed building. Furthermore, the Council's own policy in the Unitary Development Plan was quite strict; if the proposals damaged the setting then the application should be refused. Consequently the representations received from the Conservation Officer and other expert consultees which identified damage to the setting must be taken into account. In order to justify granting permission Members had to satisfy themselves that the development would not damage the setting notwithstanding any views to the contrary expressed by consultees and the planning officers in their recommendation. In the subsequent debate Members who had visited the site expressed their view that the development would not detract from the setting of the listed building and, therefore, the Unitary Development Plan policy would not be breached.

RESOLVED:

- That (i) The Northern Area Planning Sub-Committee is minded to approve the application subject to any conditions felt to be necessary by the Development Control Manager, provided that the Head of Planning Services does not refer the application to the Planning Committee.**
- (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 approve the application subject to such conditions referred to above.**

[Note: Following the vote on this application, the Development Control Manager advised that he would not refer the application to the Head of Planning Services.]

101. DCNE2006/2906/F - SUBDIVISION OF EXISTING DWELLING INTO 2 ONE BED UNITS AT 50 LOWER ROAD, LEDBURY, HEREFORDSHIRE, HR8 2DH

The Senior Planning Officer recommended that Permitted Development Rights should be removed if the application was approved.

In accordance with the criteria for public speaking, Mr Birch the applicant spoke in favour of the application.

The Local Ward Members had concerns about the lack of off street car parking for the scheme and felt that it was inevitable that occupants would use the adjoining road and create highway safety problems on a busy bend. It was therefore requested that investigation be made into the provision of double-yellow lines on the road. The Ward Members were asked to request the Town Council to make the necessary approach to the Transportation 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.

2 - G04 (Landscaping scheme (general))

Reason: In order to protect the visual amenities of the area.

3 - G05 (Implementation of landscaping scheme (general))

Reason: In order to protect the visual amenities of the area.

4 - C04 (Details of window sections, eaves, verges and barge boards)

Reason: In order to ensure that the proposed windows to the Lower Road elevation do not obstruct the adjoining footway.

5 - Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no garages, building or extension shall be erected or constructed.

Reason: In order that the scale of the dwellings remains appropriate in the absence of off-street parking provision and in order to preserve the amenity of future inhabitants.

Informatives:

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

2 - N19 - Avoidance of doubt

102. DCNC2006/2953/O - SITE FOR THE ERECTION OF A DETACHED DWELLING AT 78 CASTLEFIELDS, LEOMINSTER, HEREFORDSHIRE, HR6 8BJ

RESOLVED:

That a site inspection be held for the following reasons:

- i. The character or appearance of the development itself is a fundamental planning consideration;
- ii. A judgement is required on visual impact; and
- iii. The setting and surroundings are fundamental to the determination or to the conditions being considered.

103. DCNW2006/2867/F - PROPOSED TWO STOREY SIDE EXTENSION AT PEAR TREE COTTAGE, STAUNTON-ON-ARROW, LEOMINSTER, HEREFORDSHIRE, HR6 9LE

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 (Matching external materials (general))

Reason: To ensure the satisfactory appearance of the development.

- 3 - E29 (Occupation ancillary to existing dwelling only (granny annexes))

Reason: It would be contrary to the policy of the local planning authority to grant planning permission for a separate dwelling in this location.

- 4 - For the avoidance of doubt this approval relates to drawing revision 3 - amended plan dated 13th September 2006.

INFORMATIVES:

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

104. DCNW2006/2889/F - PROPOSED FLOODLIGHTS TO "BEAGLES PITCH" (SCHOOL, YOUTH & DEVELOPMENT TEAMS) AT OLD LUCTONIANS SPORTS CLUB, KINGSLAND, LEOMINSTER, HEREFORDSHIRE, HR6 9SB

The receipt of a further letter of objection from a neighbour was reported. It was also reported that the Head of Environmental Health and Trading Standards had stipulations about the control of light pollution and that the recommendation in the report included the appropriate conditions.

Councillor WLS Bowen the Local Ward Member commended the club for its

promotion of rugby in the local community but requested that checks be made to ensure that the proposed conditions were complied with. The Development Control Manager said that the detailed specification for the lights formed an important part of the application and was aimed at minimizing the effects of light pollution.

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 - A07 (Development in accordance with approved plans)

Reason: To ensure adherence to the approved plans in the interests of a satisfactory form of development.

3 - F33 (Time limit on floodlighting (sports grounds))

Reason: To minimise the impact of the floodlights and to protect the residential amenity of nearby dwellings.

4 - F34 (Restriction on level of illuminance of floodlighting (sports grounds))

Reason: To minimise the impact of the floodlights and to protect the residential amenity of nearby dwellings.

5 - F35 (Details of shields to prevent light pollution)

Reason: To minimise light overspill and to protect the amenity of neighbouring properties.

6 - F36 (Angle of floodlighting)

Reason: To minimise light overspill and to protect the amenity of neighbouring properties.

Informatives:

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

105. DCNW2006/2991/F - PROPOSED DEMOLITION OF EXISTING HOUSE AND GARAGE AND ERECTION OF TWO HOUSES AND ANCILLARY GARAGES AT WOODCOTE, BACK LANE, WEOBLEY, HEREFORD, HEREFORDSHIRE, HR4 8SG

In accordance with the criteria for public speaking, Mrs Dennis and Mrs Parsons spoke against the application and Mr Greene the agent acting on behalf of the applicant spoke in favour.

The Senior Planning Officer said that Weobley Parish Council felt that the scheme should include more car parking and that vehicular access should be improved. The applicants had submitted revised plans to comply with the conditions which would be imposed by the Council which met the requirements of the Transportation Manager. There were no objections from adjoining residents to the proposals.

Councillor JHR Goodwin the Local Ward Member said that the application had been the source of much debate locally regarding the density of proposed development, the demolition of an existing satisfactory dwelling and the impact on 'The Pippins' which adjoined the site.

Councillor Mrs J French was concerned at the impact of the proposed dwellings on the Weobley Conservation Area and affect they would have on the character and balance of the village, particularly if further applications were received which would lead to pressure for the similar development on other larger gardens nearby. Councillor TM James was also concerned that such applications were detrimental to the character of the villages and several Members shared these concerns. However a motion to refuse the application was lost.

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 (Samples of external materials)**

Reason: To ensure that the materials harmonise with the surroundings.

- 3 - All external joinery will be of timber construction.**

Reason: In the interests of the surrounding Conservation Area.

- 4 - The applicants or their agents or successors in title shall ensure that a professional archaeological contractor undertakes an archaeological watching brief during any development to the current archaeological standards of and to the satisfaction of the local planning authority.**

Reason: To ensure that the archaeological interest of the site is investigated.

- 5 - Foul water and surface water discharges must be drained separately from the site.**

Reason: To protect the integrity of the public sewerage system.

- 6 - No surface water shall be allowed to connect (either directly or indirectly), to the public sewerage system.**

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no detriment to the environment.

- 7 - No land drainage run-off will be permitted, either directly or in-directly, to discharge into the public sewerage system.**

Reason: To prevent hydraulic overload of the public sewerage system and pollution of the environment.

8 - E01 (Restriction on hours of working)

Reason: To safeguard the amenities of the locality.

9 - E09 (No conversion of garage to habitable accommodation)

Reason: To ensure adequate off street parking arrangements remain available at all times.

10 - E16 (Removal of permitted development rights)

Reason: In order to protect the character of the surrounding Conservation Area and amenity of surrounding dwellings.

11 - G09 (Retention of hedgerows/boundary walls)

Reason: To safeguard the amenity of the area.

12 – 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.

Informatives:

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

2 - N19 - Avoidance of doubt

NOTES

1 - The proposed development site is crossed by a public sewer with the approximate position being marked on the statutory public sewer record. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times. No part of the building will be permitted within 3 metres either side of the centreline of the public sewer.

2 - If a connection is required to the public sewerage system, the developer is advised to contact Dwr Cymru Welsh Water's Network Development Consultants on Tel: 01443 331155.

106. DCNW2006/3043/F - BALCONY TO FIRST FLOOR SITTING ROOM ON SOUTH EAST ELEVATION. AMENDMENT TO PP NW2006/0682/F AT HILLCREST, CHURCH LANE, ORLETON, LUDLOW, SHORPSHIRE, SY8 4HU

The Northern Team Leader reported that a letter had been received from the applicant agreeing to the requirement to erect screening on the side of the balcony which faced the adjoining property. He also said that a further letter had been received from an objector raising a number of points.

In accordance with the criteria for public speaking, Mrs Stobart spoke against the application.

Councillor WLS Bowen the Local Ward Member said that care must be taken to minimise the affect of the application on the amenity of the adjoining property and that the balcony needed appropriate screening to prevent overlooking. The Northern Team Leader explained how this would be achieved.

RESOLVED

That planning permission be granted with 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 - A10 (Amendment to existing permission)**

Reason: For the avoidance of doubt.

- 3 - The balcony shall not be constructed until details or samples of materials to be used have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.**

Reason: To ensure that the materials harmonise with the surroundings.

- 4 - Details of the proposed screening for the balcony shall be submitted to and approved in writing by the local planning authority prior to the construction of the balcony. Development shall be carried out in accordance with the approved details and the screens shall thereafter maintained in perpetuity.**

Reason: In the interest of residential amenity.

- 5 - Prior to the occupation of the property, landscaping details shall be submitted to and approved in writing by the local planning authority. The landscaping shall be completed no later than the first planting season following the occupation of the property. The landscaping shall be maintained for a period of 5 years. During this time any trees, shrubs or other plants which are removed, die, or are seriously retarded shall be replaced during the next planting season with others or similar size and species unless the local planning authority gives written consent to any variation. If any plants fail more than once they shall continue to be replaced on an annual basis until the end of the 5 year maintenance period.**

Reason: To ensure a satisfactory and well planned development and to preserve and enhance the quality of the environment.

Informatives:

- 1 - N15 - Reason(s) for the Grant of PP/LBC/CAC**
2 - N19 - Avoidance of doubt