

MINUTES of the meeting of Northern Area Planning Sub-Committee held at The Council Chamber, Brockington, 35 Hafod Road, Hereford on Wednesday, 3rd January, 2007 at 2.00 p.m.

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

Councillors: R.B.A. Burke, P.J. Dauncey, Mrs. J.P. French, J.H.R. Goodwin, P.E. Harling, B. Hunt, T.W. Hunt, T.M. James, Brig. P. Jones CBE, R. Mills, R.V. Stockton, J. Stone, J.P. Thomas and J.B. Williams

122. APOLOGIES FOR ABSENCE

Apologies were received from Councillors Mrs LO Barnet, PJ Dauncey, TM James, RJ Phillips DW Rule and J Stone.

123. DECLARATIONS OF INTEREST

Councillor JP Thomas declared a prejudicial interest in item 9 DCNC2006/3509/F & DCNC2006/3511/L - change of use from grass verge to private garden and erection of boundary fence at 78 Bridge Street, Leominster (Minute 130) and left the meeting for the duration of this item.

124. MINUTES

RESOLVED: That the Minutes of the meeting held on 6th December, 2006 be approved as a correct record and signed by the Chairman.

125. ITEM FOR INFORMATION - APPEALS

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

126. 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.

127. DCNC2006/3522/F - WIDENING OF FIELD ENTRANCE AND PROVISION OF TEMPORARY HARDSTANDING AT LAND AT WICTON FARM, STOKE PRIOR, LEOMINSTER HEREFORDSHIRE

The Principal Planning Officer said that the Conservation Officer had asked for the hedgerow to be reinstated when the use had ceased and he suggested an additional condition which could be included to cover this if permission was granted.

In accordance with the criteria for public speaking, Mr Gwynne the applicant's farm manager spoke in favour of the application.

Councillor KG Grumbley the Local Ward Member was concerned at the condition of the road since the company had been using it and asked if they could be required to make a contribution to its reinstatement. The Principal Planning Officer said that the Transportation Manager was discussing this aspect with the Company and that the matter should be dealt with separately from the application.

RESOLVED

that planning permission be granted subject to the following conditions:

1 - G12 (Planting of hedgerows which comply with Hedgerow Regulations)

Reason: To ensure that hedges planted are ecologically and environmentally rich and to assist their permanent retention in the landscape.

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

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

3 - H03 (Visibility splays)

Reason: In the interests of highway safety.

4 - E20 (Temporary permission) (3rd January 2009)

Reason: the access and hard standing is only necessary on a temporary basis

5 – The hedgerow be reinstated on expiry of the temporary period with a planting scheme to be first agreed in writing by the officers

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

INFORMATIVES:

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

128. DCNC2006/3235/F - PROPOSED TWO STOREY SIDE EXTENSION AND CREATION OF A NEW PARKING AREA AT 49 MIDDLEMARSH, LEOMINSTER, HEREFORDSHIRE, HR6 8UP

It was noted that the observations of the Town Council had not been received about the application.

RESOLVED THAT: consideration of the application be deferred pending the receipt of the views of Leominster Town Council upon it.

129. DCNC2006/3515/F - VARIATION OF CONDITION NO.2 TO ENABLE USE OF 18 LITRE DEEP FAT FRYER AT 73 ETNAM STREET, LEOMINSTER, HEREFORDSHIRE, HR6 8AE

Councillor JP Thomas one of the Local Ward Members said that the original planning consent had included the condition to prevent the sale of deep-fried food for the protection of the amenity of local residents. . He could not see what circumstances had changed to merit relaxation of the condition and felt that its removal would have an adverse affect on adjoining properties and that it should therefore remain in place. The Sub-Committee concurred with this view.

RESOLVED:

- That (i) The Northern Area Planning Sub-Committee is minded to refuse the application because varying the condition would have an adverse impact upon the amenity of local residents, and subject to any further reasons 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 refuse the application subject to the reasons 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.]

130. DCNC2006/3509/F & DCNC2006/3511/L - CHANGE OF USE FROM GRASS VERGE TO PRIVATE GARDEN AND ERECTION OF BOUNDARY FENCE AT 78 BRIDGE STREET, LEOMINSTER, HEREFORDSHIRE, HR6 8DZ

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

RESOLVED THAT

with respect to DCNC2006/3509/F 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 - Non Standard (Non Standard Condition)**

The external surfaces of the wooden boundary fencing shall be stained a matt black colour concurrently with its erection unless otherwise first agreed in writing by the Local Planning Authority.

Reason: In order to protect the visual appearance, character and setting of this grade II listed building.

INFORMATIVES

1 - N19 - Avoidance of doubt – Drawing Nos LOC1, LOC2, Fence 1, Sheet 1 & 3.

2 - N03 - Adjoining property rights

3 – N15 - Reason(s) for the Grant of PP – (HU DP): HBA1 & HBA4

with respect to DCNC2006/3511/L that listed building consent be granted subject to the following conditions:

1 - Time limit for commencement (Listed Building Consent)

Reason: Required to be imposed by Section 18(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2 - Non Standard (Non Standard Condition)

The external surfaces of the wooden boundary fencing shall be stained a matt black colour concurrently with its erection unless otherwise first agreed in writing by the Local Planning Authority.

Reason: In order to protect the visual appearance, character and setting of this grade II listed building.

INFORMATIVES

1 - N19 - Avoidance of doubt – Drawing Nos LOC1, LOC2, Fence 1, Sheet 1 & 3.

2 - N03 - Adjoining property rights

3 – N15 - Reason(s) for the Grant of LBC – (HU DP): HBA1 & HBA4

131. DCNE2006/3640/F - REPLACEMENT FRONT PORCH AT 33 VIKING WAY, LEDBURY, HEREFORDSHIRE, HR8 2DU

In accordance with the criteria for public speaking Mrs Taylor, the owner of the adjoining dwelling, spoke against the application.

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 - E17 (No windows in side elevation of extension)

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

Informatives:

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

132. DCNE2006/3494/F - DEMOLITION OF GARAGES, NEW DOUBLE GARAGE, DRIVEWAY AND ACCESS TO HIGHWAY. 1.8M HIGH CLOSE BOARDED FENCE TO BOUNDARY AT 25 BIDDULPH WAY, LEDBURY, HEREFORDSHIRE, HR8 2HP

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 - A09 (Amended plans)

Reason: To ensure the development is carried out in accordance with the amended plans.

- 3 - G04 (Landscaping scheme (general))

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

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

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

Informatives:

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

- 2 - N19 - Avoidance of doubt

133. DCNC2006/1215/F - EXTENSIONS TO EXISTING NURSING HOME TO ADD 6 BEDROOMS AND DAY ROOM LINK (INCLUDES DEMOLITION OF EXISTING SOUTH WING) AT 32 HIGHWELL LANE, BROMYARD, HEREFORDSHIRE, HR7 4DG

The Northern Team Leader reported the receipt of a letter from a local resident about a land ownership dispute and that the applicants had adjusted the scheme to avoid the boundary in question. A further letter had been received from Messrs Wall James & Davies on behalf of local residents questioning the affects of additional bed spaces on traffic movement and claiming that the application was contrary to UDP Policy DR3.

In accordance with the criteria for public speaking, Mrs Crewdan spoke against the application on behalf of a number of residents of Highwell Lane.

Councillor PJ Dauncey, one of the Local Ward Member felt that the concerns expressed about the first planning application still stood in that the key issue was the very narrow approach road which even with passing bays would prove difficult for visitors, service and emergency vehicles to negotiate. Councillor B Hunt, a local Ward Member, shared the concerns expressed by Councillor Dauncey and was also doubtful about the adequate capacity of the sewers to accommodate further development. The Sub-Committee noted the valuable service provided by the applicants for the elderly but felt that there were too many problems associated with the application to warrant its approval.

RESOLVED:

- That (i) **The Northern Area Planning Sub-Committee is minded to refuse the application because of the highway safety issues arising from the narrow approach road to the site with a lack of passing places, and subject to any further reasons 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;**
- (iii) **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 the reasons 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.]

134. DATE OF NEXT MEETING

31st January, 2007

The meeting ended at 3.15 p.m.

CHAIRMAN