

APPENDIX

Ref. 1 STAPLOW NE2002/3887/F	Variation to condition no. 3 of PP NE2002/1556/F, to the effect that roller shutter doors shall not be opened between 2200 - 0700 hours Mon - Fri, 0000 - 0800 hours & 1300 - 0000 hours Sat and at no time on Sunday, Bank or Public holidays at JUGS GREEN BUSINESS PARK, JUGS GREEN, STAPLOW, NR LEDBURY, HEREFORDSHIRE, HR8 1NR For: Davant Products Ltd per Wall, James & Davies, 15-23 Hagley Road, Stourbridge, West Midlands
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The Principal Planning Officer clarified the times requested in the proposed variation to the condition (Paragraph 6.1 in the report refers).

In response to a question, the Chief Development Control Officer said that he would look into the possibility of imposing a condition requiring all vehicles to switch off engines when stationary.

RESOLVED: That planning permission be granted subject to the following conditions, and subject to assessing whether an additional condition could be imposed, requiring stationary vehicles to switch off engines on the premises:

1. The roller shutter door shall be maintained at all times in a condition that prevents its noisy operation to the satisfaction of the Local Planning Authority to.

Reason: In order to protect the amenity of the adjoining residents.

2. The roller shutter doors shall not be opened between the times of 10.00 pm until 7.00 am Monday to Friday, 00.00 pm - 08.00 am, 13.00 pm to 00.00 am Saturday and at no time on a Sunday, Bank or Public Holiday.

Reason: To safeguard the amenities of the locality.

3. The use of the forklift trucks shall take place only between the hours of 08.00 to 18.00 hours Monday to Friday and 08.00 to 13.00 hours Saturday and not at all on Sundays, Bank and Public Holidays.

Reason: In order to protect the amenity of the adjoining residents.

4. When vehicles are stationary in the yard all engines shall be switched off and not be permitted to idle at any time. Furthermore, a notice to this effect shall be displayed within the yard, details of which shall be submitted for approval in writing of the Local Planning Authority within 2 months of the date of this decision and the sign erected within one month of that approval.

Reason: In order to protect the amenity of adjoining neighbours.

Ref. 2
LEDBURY
 NE2003/1116/F

Erection of 4 no. One-bedroom flats and 1 no. Two-bedroom bungalow at

LAND WEST OF LONG ACRES, LEDBURY, HEREFORDSHIRE

For: Festival Housing Group per Singleton Architects 59a Church Street Malvern Worcs WR14 2AA

The Senior Planning Officer reported the receipt of amended plans, proposing moving the car parking area and widening the access road to enable refuse/emergency vehicles to enter and leave the site in a forward gear.

In accordance with the criteria for public speaking, Mr Watts, of Ledbury Town Council, spoke against the proposal.

In accordance with the criteria for public speaking, Mr Gurney, an objector, spoke against the proposal.

Members expressed concern about the application's impact on the amenity of neighbouring properties through overlooking. The site's status as "Brownfield" was also queried. They requested the re-siting of a BT pole and a streetlight either side of the access to the site on the grounds that they were felt to be a traffic hazard. The issue of street lighting was also discussed in connection with the possible adoption of the road serving the development.

The Senior Planning Officer reported that the Transportation Manager's initial concerns about the application had been allayed through the reduction in the number of proposed units to five, and the amended scheme layout, bringing it up to near-adoptable standard. He emphasised that the application did not present a significant adverse affect on the amenity of surrounding properties. He said that the site met the criteria for "Brownfield" as described in PPG3, and that other policy issues were addressed in Paragraph 6.6 of the report.

In response to a question, the Senior Planning Officer reported that the application did not accord with Malvern Hills District Local Plan Parking policies, as per a previous application in 1997 (MH97/1443 refers). However, these policies had been superseded by PPG13 which allowed for a lesser parking standard under certain circumstances. In addition, issues relating to amenity had been addressed though the current siting and design. The Chief Development Control Officer stated that the refusal reasons of the previous planning application had been considered and overcome.

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 - B01 (Samples of external materials)

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

- 4 - E01 (Restriction on hours of working)
Reason: To safeguard the amenities of the locality
- 5 - E02 (Restriction on hours of delivery)
Reason: To safeguard the amenities of the locality.
- 6 - G02 (Landscaping scheme (housing development))
Reason: To ensure a satisfactory and well planned development and to preserve and enhance the quality of the environment.
- 7 - G03 (Landscaping scheme (housing development) - implementation)
Reason: To ensure a satisfactory and well planned development and to preserve and enhance the quality of the environment.
- 8 - F18 (Scheme of foul drainage disposal)
Reason: In order to ensure that satisfactory drainage arrangements are provided.
- 9 - E18 (No new windows in specified elevation)(east and west elevation)
Reason: In order to protect the residential amenity of adjacent properties.
- 10 - E19 (Obscure glazing to windows)(east and west elevation)
Reason: In order to protect the residential amenity of adjacent properties.
- 11. Prior to the occupation of the development hereby permitted, the existing telegraph pole and lamp post immediately north and south of the existing access off Long Acres shall be re-located. Details of the new site for the telegraph pole and lamp post should be submitted for the approval of the local planning authority prior to commencement of the development hereby permitted.
Reason: In the interests of highway safety.

Ref. 3 BROMYARD NC2003/1360/F	3 no. 3-bedroom cottages & 1 no. 1-bedroom cottage, with 6 car parking spaces on SITE ADJACENT TO BISHOPS GARAGE, THE BYPASS, BROMYARD. For: Mr J Bishop per Linton Design Group, 27 High Street, Bromyard, Herefordshire HR7 4AA
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The receipt of a letter from the applicant’s agent was reported, stating that the existing petrol tanks adjacent to the site would remain in situ because they would be unaffected by the proposed scheme.

In accordance with the criteria for public speaking, Mr Cave, of Bromyard and Winslow Town Council, spoke against the proposal. The Chairman and Local Member requested to be consulted on tree planting proposals.

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) (1117/1/A, 1117/3/A and 1117/10, received on 30 June 2003)

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

- 3 - No development shall take place until details or samples of materials to be used externally on walls and roof, together with details of brick bond, mortar mix, barge boards, rainwater goods, and construction and colour finish of doors and windows, 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 - C04 (Details of window sections, eaves, verges and barge boards) (After 'commence' insert 'colour finishes and architectural details' and after 'barge boards' insert 'and porches')

Reason: To ensure appropriate detailing in the interest of visual amenity.

- 5 - 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.

- 6 - G04 (Landscaping scheme (general))

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

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

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

- 8 - G06 (Scope of landscaping scheme) (condition 4)

Reason: In order that the local planning authority may be satisfied that the deposited scheme will meet their requirements.

- 9 - G01 (Details of boundary treatments)

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

- 10 - No development shall take place until an accurate site plan has been submitted indicating the position of the adjacent copper beech together with the full extent of its canopy spread.
- Reason: To ensure adequate protection to existing trees adjacent to the development, in the interests of the character and amenities of the area..
- 11 - 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.
- 12 - F18 (Scheme of foul drainage disposal)
- Reason: In order to ensure that satisfactory drainage arrangements are provided.
- 13 - Further to condition 12 above, foul and surface water discharge shall be drained separately from the site.
- Reason: To protect the integrity of the Public Sewerage System.
- 14 - 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.
- 15 - 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.
- 16 - 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 windows other than those expressly authorised by this permission shall be constructed in the end gable elevation of the property, facing Sherford Street.
- Reason: In order to protect the residential amenity of adjacent properties.
- 17 - 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 fences/gates/walls/garages/ building/extension/dormer windows shall be erected/constructed other than those expressly authorised by this permission.
- Reason: To safeguard the character and amenities of the area.

Notes to applicant:

- 1 - HN01 - Mud on highway
- 2 - HN05 - Works within the highway
- 3 - HN04 - Private apparatus within highway
- 4 - HN10 - No drainage to discharge to highway

Ref. 4
BROMYARD
 NC2003/0558/O

Site for residential development on

LAND ADJACENT TO THE KNAPP, NODENS LANE, YORK ROAD, BROMYARD, HEREFORDSHIRE

For: Mr G Firkins per Mundy Construction Services, 5 Upper Court, Luston, Leominster HR6 OAP

The Senior Planning Officer reported the receipt of a letter from the applicant's agent, stating that the applicant required a single dwelling only, and had not proposed to erect any additional dwellings at any stage. Since the Sub-Committee's site inspection, the Transportation Manager had made an additional comment that if there was a single dwelling only on the site, the existing access would be adequate. If more were built, the access road would need to be brought up to adoptable standard. In response to a question, the Northern Divisional Planning Officer confirmed that a condition would be imposed on any planning permission granted, limiting the number of dwellings on the site to one. He also confirmed that no transportation officers visited the site prior to the report that had been presented to the Sub-Committee's meeting on 25th June, 2003. An officer had inspected the site subsequently, and the comments contained in the report this time had been based on that site inspection.

In accordance with the criteria for public speaking, Mr Cave, of Bromyard and Winslow Town Council, spoke against the proposal.

In response to a question, the Senior Planning Officer reported that it had been proposed to dispose of storm water via a soakaway, and that the foul drainage would be via the main sewer.

RESOLVED: That outline planning permission be granted subject to the following conditions, and to a condition limiting the number of dwellings on the site to one:

1 - A02 (Time limit for submission of reserved matters (outline permission))

Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990.

2 - A03 (Time limit for commencement (outline permission))

Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990.

3 - A04 (Approval of reserved matters)

Reason: To enable the local planning authority to exercise proper control over these aspects of the development.

4 - A05 (Plans and particulars of reserved matters)

Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990.

5. The development hereby permitted shall be restricted to a single dwelling only.

Reason: In order to define the permission and in the interests of highway safety.

Ref. 5
LEDBURY
NE2003/1037/F

Proposed DIY store, garden centre & car parking on

LAND OFF LEADON WAY, NEW MILLS, LOWER ROAD TRADING ESTATE, LEDBURY, HEREFORDSHIRE

For: Pettifer Estates Ltd per Mr P H Bainbridge, Stone Cottage, Duke Street, Withington, Hereford, HR1 3QD

The Principal Planning Officer reported slight amendments to the report. He advised that any approval of the application needed to be delegated to officers under the Council's Scheme of Delegation, because the applicant had not completely conformed to the Environment Agency's recommendations for flood alleviation, and this needed to be resolved first. He confirmed that the proposed financial contribution to coach parking and the cycle network amounted to £40,000.00. He stated that the amended plans had incorporated some of the Ledbury Cycle Forum's comments, and the financial contribution included up to £10,000 specifically for this purpose.

RESOLVED: That subject to the Environment Agency withdrawing their objection:

- (i) the County Secretary and Solicitor be authorised to complete a planning obligation under Section 106 of the Town and Country Planning Act 1990 to secure the contribution to coach parking and cycle network and any additional matters and terms as she considers appropriate.

- (ii) Upon completion of the aforementioned planning obligation, the officers named in the Scheme of Delegation to Officers be authorised to issue planning permission, subject to the following conditions, and any additional 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. **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. The premises shall be used as a DIY store and garden centre within Class A1 of the Town and Country Planning (Use Classes) Order 1987 only excluding:-

- i) the sale of food and drink to be consumed off the premises;
- ii) sale of clothing and footwear;
- iii) sale of cutlery, crockery and glassware;
- iv) sale of jewellery, clocks and watches;
- v) sale of toys, camping and travel goods;

- vi) sale of books, audio and visual recordings and stationery;
- vii) furniture, carpets and electrical 'white' goods; other than those designed for use in gardens or patios' or in conservatories.
- viii) sale of medical goods, equipment and clothing;
- ix) sale of sports goods, equipment and clothing;
- x) all uses within Categories A1, (B to F and I and J), of Class A1;

except where the retail sale of these goods forms a minor and ancillary part of the operation of the retail activity.

- 4. Highway details
- 5. Cycle/footpath link
- 6. New seating/signage
- 7. Landscaping
- 8. Flood storage
- 9. Materials
- 10. Boundary treatment
- 11. Opening hours
- 12. Range of goods
- 13. Delivery times
- 14. Single occupier
- 15. Drainage

Note to Applicant:

This permission is granted pursuant to an agreement under Section 106 of the Town and Country Planning Act 1990.

The officer named in the Scheme of Delegation to Officers is authorised to amend the above conditions as necessary to reflect the terms of the planning obligation under Section 106.

Ref. 6 LEDBURY NE2003/1293/F	Erection of one dwelling at 21 BANK CRESCENT, LEDBURY, HR8 1AD For: Mr J Evans per Mr B Pugh, 63 Cherry Tree Lane, Halesowen, Birmingham. B63 1DU
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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) (9 July 2003)

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

- 3 - B01 (Samples of external materials)

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

4 - E01 (Restriction on hours of working)

Reason: To safeguard the amenities of the locality.

5 - E18 (No new windows in specified elevation) (in the north west and south east elevation of the property)

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

6 - E19 (Obscure glazing to windows) (on first floor on the south east elevations shall be glazed with obscure glass only)

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

7 - E16 (Removal of permitted development rights)

Reason: In order to clarify the terms under which consent is granted and bring any future enlargement of the property under the control of the local planning authority.

8 - F18 (Scheme of foul drainage disposal)

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

9 - G09 (Retention of trees/hedgerows)

Reason: To safeguard the amenity of the area.

10 - H13 (Access and parking)

Reason: In the interests of highway safety and to ensure the free flow of traffic using the adjoining highway.

Notes to Applicant

- 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

<p>Ref. 7 WELLINGTON HEATH NE2003/1397/F</p>	<p>Proposed three car garage with ensuite bedroom and store over (following demolition of existing garage and bungalow) at</p> <p>UPLANDS ORCHARD, BURTONS LANE, WELLINGTON HEATH, LEDBURY, HEREFORDSHIRE, HR8 1NF</p> <p>For: Mr & Mrs R Pugh per Peter Cripwell & Associates, 3 St. Nicholas Street, Hereford. HR4 OBG</p>
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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 - **A06 (Development in accordance with approved plans) (and amended site plan received 9th July 2003)**
- Reason: To ensure adherence to the appropriate plans in the interests of a satisfactory form of development.**
- 3 - **B03 (Matching external materials (general))**
- Reason: To ensure the satisfactory appearance of the development.**
- 4 - **E08 (Domestic use only of garage)**
- Reason: To ensure that the garage is used only for the purposes ancillary to the dwelling.**
- 5 - **E15 (Restriction on separate sale/let of the building from Uplands Orchard)**
- Reason: It would be contrary to the policy of the local planning authority to grant consent for a separate dwelling in this location.**
- 6 - **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.**
- 7 - **G10 (Retention of trees)**
- Reason: In order to preserve the character and amenities of the area.**
- 8 - **G18 (Protection of trees)**
- Reason: To ensure adequate protection to existing oak tree which is to be retained, in the interests of the in the interests of the visual amenity of the area.**
- 9 - **H09 (Driveway/turning area)(delete driveway)**
- Reason: To ensure adequate protection to existing oak tree which is to be retained, in the interests of the visual amenity of the area.**

Ref. 8
BOSBURY
NE2003/1574/F

Demolition of existing cottage and replace with proposed new dwelling at

FIRS COTTAGE, BOSBURY, LEDBURY, HR8 1HE

For: Mr Ellis per RRA Ltd, Packers House, 25 West Street, Hereford, HR4 0BX

The Northern Divisional Planning Officer reported slight amendments to Condition 9 of the recommendation.

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. **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 (including details of glazing).**
Reason: To ensure that the materials harmonise with the surroundings.
4. **E16 - Removal of permitted development rights**
Reason: In order to clarify the terms under which consent is granted and bring any future development under the control of the local planning authority.
5. **G04 - Landscaping scheme (general)**
Reason: In order to protect the visual amenities of the area.
6. **G05 - Implementation of landscaping scheme (general)**
Reason: In order to protect the visual amenities of the area.
7. **G10 - Retention of trees**
Reason: In order to preserve the character and amenities of the area.
8. **H05 - Access gates (5 metres)**
Reason: In the interests of highway safety.
9. **Prior to the commencement of the development hereby permitted details of the means and location of disposal of all waste materials arising from the demolition of the existing dwelling and outbuildings shall be submitted to and agreed in writing by the local planning authority. The demolition shall be carried out in accordance with the approved details.**
Reason: To ensure the appropriate disposal of waste materials.
10. **The flat roofed terrace area shall not be enclosed by any form of railings, fence, wall or other means of enclosure without prior written consent of the local planning authority.**
Reason: In the interest of visual amenity.

Notes to Applicant:

1. **HN1 - Mud on highway**
2. **HN4 (Private apparatus within highway)**
3. **HN5 - Works within the highway**
4. **HN10 -No drainage to discharge to highway**

Ref. 9 STAPLOW NE2003/1738/F	Variation of conditions nos. 11 of planning permissions nos. MH2067/90 dated 10.12.90 and MH97/0972 dated 09.12.97 to permit limited outside storage area 11.5m. X 11.5m. X 3m, at JUGS GREEN BUSINESS PARK, STAPLOW, LEDBURY, HEREFORDSHIRE, HR8 1NR For: Davant Products Limited per Wall, James & Davies, 15-23 Hagley Road, Stourbridge, West Midlands, DY8 1QW
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The Environmental Protection Manager's observations (no objection) were reported. One further letter of objection from Mr D Furnival was read out in full. The letter stated that the outside storage was visually intrusive, would generate more outside movements and therefore more noise, and was unacceptable in an agricultural area.

In accordance with the criteria for public speaking, Mr Pugh, an objector, spoke against the proposal.

In accordance with the criteria for public speaking, Mr Jolly, the applicant's agent, spoke in support of the proposal.

Members expressed concern over the fact that the application was retrospective, and that there was limited scope for further expansion on the site. They felt that it was preferable to limit the storage height to 2 metres, to correspond with the height of the perimeter fence, thereby obscuring the view of the storage area. It was also suggested that it was preferable to store items inside the buildings only.

The Principal Planning Officer stated that the fence would not obscure the storage area, whatever the height, and that the layout of the site meant that the storage would always be visible against the backdrop of the buildings. For this reason, he said that it would be unreasonable to limit the storage height to below 3 metres. He reminded the Sub-Committee of a note to the applicant on a previous planning permission, stating that further development on the site was unlikely to be acceptable. In response to a question, he conformed that the site was not in an Area of Outstanding Natural Beauty or an Area of Great Landscape Value.

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 - 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 - The area hereby approved for open storage shall be permanently marked out to ensure its identification, details of which shall be submitted for approval in writing of the Local Planning Authority within 2 months of the date of this permission and the works undertaken within one month of that approval.

Reason: In order to clarify the terms of this permission.

- 4 - With the exception of the open storage approved under this permission no other external storage shall take place.

Reason: In order to clarify the terms of this permission.

- 5 - All open storage shall be secured to ensure that no material is allowed to transgress outside of the authorised area.

Reason: In order to clarify the terms of this permission and protect the amenities of nearby residents.

Ref. 10 LEOMINSTER NC2002/3730/F	Extension to provide additional class A1 sales area, ancillary warehouse, staff facilities & extension to existing coffee shop at SAFeway STORES PLC, BARONS CROSS ROAD, LEOMINSTER, HR6 8RH For: Safeways Stores Plc per DTZ Piedad Consulting, 10 Colmore Row Birmingham B3 2QD
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The Northern Divisional Planning Officer reported that the applicant’s agent had submitted further representations in response to comments from the Council’s consultant.

The Sub-Committee agreed that the application should be deferred to investigate statements made by both the applicant’s agent and the Council’s consultant.

In accordance with the criteria for public speaking, Mr Shuker, the applicant’s agent, was present at the meeting and reserved his right to speak on the application until it came back before the Sub-Committee for consideration.

RESOLVED: That consideration of the application be deferred for further information.

Ref. 11 WIGMORE NW2003/0630/F	Use of land for parking of agricultural implements & customer vehicle parking at TEME VALLEY TRACTORS LTD, BROAD STREET, WIGMORE, HEREFORDSHIRE For: Teme Valley Tractors Ltd per Mr D R Davies, 23 Charlton Rise, Ludlow, Shropshire SY8 1ND
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The Northern Divisional Planning Officer said that the Council had received representations about the possibility of protected species on the site. In view of this, the Sub-Committee agreed to defer the application to consult the Council’s Ecologist.

In accordance with the criteria for public speaking, Mr Bingham and Mrs Hughes-Price, objectors, were present at the meeting and reserved their right to speak on the application until it came back before the Sub-Committee for consideration.

In accordance with the criteria for public speaking, Mr Davies, the applicant's agent, stated that he wished to exercise his right to speak at this meeting, because he would be unable to attend the Sub-Committee's next meeting. He then spoke in support of the proposal.

RESOLVED: That consideration of the application be deferred for further information.