

**APPENDIX**

Ref. 1  
**SUTTON ST.  
NICHOLAS**  
CW2003/1019/F

&

Ref. 2  
**SUTTON ST.  
NICHOLAS**  
CW2003/1020/C

2 no. proposed dwellings and carports at:

**REAR OF TALBOTS FARM, THE GROVE, SUTTON ST. NICHOLAS,  
HEREFORD**

&

Demolition of agricultural buildings at:

**TALBOTS FARM, THE GROVE, SUTTON ST. NICHOLAS,  
HEREFORD**

For: **MR. N. GRIFFITHS PER MR. C. GOLDSWORTHY, 85 ST.  
OWENS STREET, HEREFORD, HR1 2JW**

The Principal Planning Officer reported the receipt of amended plans and consequently recommended that condition A09 be added to any planning permission granted.

Councillor J.G.S. Guthrie, the Local Member, noted that the principle of residential development in this location was considered acceptable, having regard to the District Local Plan, and that the amended plans had partly addressed some areas of concern. However, Councillor Guthrie felt unable to support the application given strong local concerns that the development would be too intrusive and would have a harmful impact on adjoining properties.

The Principal Planning Officer reminded the Sub-Committee that the siting, height and scale of the amended proposal was considered appropriate in this instance.

In response to a suggestion, the Principal Planning Officer confirmed that a condition could be added regarding slab levels.

**RESOLVED:**

**In respect of CW2003/1019/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. **B01 (Samples of external materials).**

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

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.

5. G01 (Details of boundary treatments).

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

6. H03 (Visibility splays). (2 x 33).

Reason: In the interests of highway safety.

7. H12 (Parking and turning - single house).

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

8. F17 (Scheme of foul drainage disposal).

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

9. F16 (Restriction of hours during construction).

Reason: To protect the amenity of local residents.

10. A09 (Amended plans)

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

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. Non standard – retention of fruit trees on northern boundary.

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.

In respect of CW2003/1020/C:

That Conservation Area Consent be granted subject to the following condition:

1. C01 (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.**

Ref. 3  
**HEREFORD**  
CE2003/1604/F

Proposed extension to rear at:

**10 KYRLE STREET, HEREFORD, HEREFORDSHIRE, HR1 2ET**

For: **MR. & MRS. GARDNER, PER MR. J.I. HALL, NEW BUNGALOW, NUNNINGTON, HEREFORD, HR1 3NJ**

The Central Divisional Planning Officer advised that information received recently from Gabbs Solicitors, acting on behalf of the occupants of the adjoining property, indicated that the proposed ridgeline would project over the existing common boundary to a greater degree than was suggested in the plans. Therefore, it was recommended that officers be authorised to issue planning permission subject to the receipt of satisfactorily amended plans.

In accordance with the criteria for public speaking, Mr. Lee of Gabbs Solicitors spoke against the application.

The Chairman, speaking as the Local Member, supported the Officer's amended recommendation.

**RESOLVED:**

**Subject to the receipt of satisfactorily amended plans, officers named in the Scheme of Delegation to Officers, in consultation with the Local Member, be authorised to issue planning permission subject to the following conditions any other conditions considered necessary by officers:**

**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 A08 (Development in accordance with approved plans and materials)**

**Reason: To ensure adherence to the approved plans and to protect the general character and amenities of the area.**

**3 D01 (Site investigation – archaeology)**

**Notes to Applicant:**

**1 The 'adjoining two storey flat' shown on the approved drawings does not form part of the proposal or planning permission. The 'adjoining two storey flat' is the subject of a separate planning decision under local planning authority ref: CE2003/1602/F**

**2 ND2 – Area of Archaeological Importance**

**3 N14 – Party Wall Act 1996**

Ref. 4  
**HEREFORD**  
CW2003/1764/F

Replacement garage and first floor extension at:

**5 CLEEVE ORCHARD, HEREFORD, HR1 1LF**

For: **MRS. S. CLARKE PER MR. R. PRITCHARD, THE MILL,  
KENCHESTER, HEREFORD, HR4 7QJ**

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

The Principal Planning Officer advised that this proposal was a significant improvement on the previously refused application [CW2003/0999/F refers] and now represented an acceptable form of development. He added that any potential impact on adjoining properties would not be so detrimental as to warrant refusal.

Councillor R.I. Matthews noted local concerns but on balance could not identify planning reasons which would justify a refusal of this application.

In response to a question, the Principal Planning Officer advised that landslip was a civil matter and not a planning consideration; this was confirmed by the Legal Practice Manager. The Head of Planning Services added that the method of construction, controlled through the Building Control process, should limit this prospect.

In response to questions, the Principal Planning Officer commented that this proposal was not unusual in this type of location and it would be unreasonable to require further modifications to the scheme.

**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. B02 (Matching external materials (extension)).**

**Reason: To ensure the external materials harmonise with the existing building.**

**3. E18 (No new windows in specified elevation) (east).**

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

**4. The proposed first floor window in the south elevation of the extension hereby approved shall be fitted with obscure glazing only which shall not be altered or amended without**

the prior written approval of the local planning authority.

**Reason:** To prevent any direct overlooking of the adjoining private residential property.

**Notes to Applicant:**

1. N03 - Adjoining property rights.
2. N14 - Party Wall Act 1996.

Ref. 5  
**HEREFORD**  
CW2003/1506/F

Side extension at first floor and part ground floor levels at:

**30 SIDNEY BOX DRIVE, HEREFORD, HR4 0ND**

**For: MS. C. CRUICKSHANK PER BROADHEATH CONSULTING LTD., BROADHEATH, MORETON-ON-LUGG, HEREFORD, HR4 8DQ**

Councillor Mrs. P.A. Andrews, a Local Member, expressed sympathy for local concerns but noted that there were no planning reasons which would justify refusal of this application.

**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. E17 (No windows in side elevation of extension) (south).

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

4. F16 (Restriction of hours during construction).

**Reason:** To protect the amenity of local residents.

**Notes to Applicant:**

1. N03 - Adjoining property rights.
2. N14 - Party Wall Act 1996.

Ref. 6  
**TILLINGTON**  
CW2002/3102/O

Site for proposed dwelling including details of design, external appearance, siting and access at:

**GROVE COTTAGE, TILLINGTON, HEREFORDSHIRE, HR4 8LW**

For: **MR. K. MORRILL PER MR. C. GOLDSWORTHY, 85 ST. OWENS STREET, HEREFORD, HR1 2JW**

Councillor R.I. Matthews noted the local objections to the proposal and felt that, in accordance with the criteria for holding site inspections, a site inspection should be held as a judgement was required on visual impact and the setting and surroundings were fundamental to the determination or to the conditions being considered.

In accordance with the criteria for public speaking, Mr. Naylor had registered to speak against the application but deferred the opportunity to speak until the site inspection had been held.

**RESOLVED:**

**That consideration of planning application CW2002/3102/O be deferred pending a site inspection.**

Ref. 7  
**HEREFORD**  
CE2003/1687/F

Construction of new riding menage at:

**GAER HOUSE, CAREY, HEREFORD, HEREFORDSHIRE, HR2 6NG**

For: **DR. & MRS. C. ALLEN, PER TREVOR HEWETT ARCHITECTS, 25 CASTLE STREET, HEREFORD, HR1 2NW**

In response to a question, the Central Divisional Planning Officer advised that a proposal for a new vehicular access had been deleted from the application due concerns over its impact and that a previously approved access would service the site.

**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 The menage hereby approved shall be used for the private schooling of horses and ponies only and not for any commercial or business use.**

**Reason:** To protect the amenities of the area and prevent the introduction of inappropriate commercial or business uses.

- 4** The menage hereby approved is to be exercised as an alternative to and not in addition to or in combination with any part of the menage permitted on 30th January, 2002 under the local planning authority ref: CE2001/1813/F.

**Reason:** To ensure the proper planning and development of the site in accordance with the agreed scheme.

- 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.

#### **EXCLUSION OF THE PUBLIC AND PRESS**

**RESOLVED:** That under Section 100 (A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Schedule 12(A) of the Act, as indicated below.

#### **SUMMARY OF THE PROCEEDINGS OF EXEMPT INFORMATION**

Ref. 8

**CW2003/0967/Q** The Sub-Committee considered a Notification, under DoE Circular 18/84 – Crown Land and Crown Development, on behalf of the Secretary of State for Defence for residential development in Herefordshire.

**(Information relating to the financial or business affairs of any particular person (other than the authority))**