

MINUTES of the meeting of Southern Area Planning Sub-Committee held at The Council Chamber, Brockington, 35 Hafod Road, Hereford on Wednesday, 20th June, 2007 at 2.00 p.m.

Present: Councillor G Lucas (Chairman)
Councillor PD Price (Vice Chairman)

Councillors: PGH Cutter, MJ Fishley, AE Gray, JA Hyde, JG Jarvis,
TMR McLean, RH Smith and DC Taylor

In attendance: Councillors TW Hunt, JE Pemberton, RV Stockton and JD Woodward

24. APOLOGIES FOR ABSENCE

Apologies were received from Councillors C.M. Bartrum, H. Bramer, and J.B. Williams.

25. DECLARATIONS OF INTEREST

There were no declarations of interest made.

26. MINUTES

RESOLVED: That the Minutes of the meeting held on 29th May, 2007 be approved as a correct record and signed by the Chairman.

27. ITEM FOR INFORMATION - APPEALS

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

28. DCSE2007/0031/F - GREEN ORCHARD, RYEFIELD ROAD, ROSS-ON-WYE, HEREFORDSHIRE, HR9 5LS. (AGENDA ITEM 5)

Demolition of existing detached dwelling and erection of 9 no. residential dwelling apartments.

The Principal Planning Officer reported the following:

- A letter has been received from Mr. J. Pope, Cherrington, Ryefield Road, Ross-on-Wye, making a number of points in respect of Visual Impact, Sewage, drainage, traffic, and density.

In accordance with the criteria for public speaking, Mr. Hughes and Mr. Pope spoke in objection to the application and Mr. Preece, the applicant's agent, spoke in support.

Councillor A.E. Gray, one of the local ward members, felt that the application was contrary to policy 5.2.2 as set out in the Unitary Development Plan. She felt that the proposed footprint of the building was too large for the site and that it was not in

keeping with the surrounding properties. She also noted that a childrens' centre had been granted planning permission opposite the site and that this would have an adverse effect on the provision of on street parking in the area.

Councillor P.G.H. Cutter, the other local ward member, noted that a number of objections had been received from neighbouring residents as well as the residents of North Road. He felt that the recent site inspection had highlighted the traffic concerns in the area and was concerned that a traffic survey had not been undertaken prior to the application being submitted. In summing up he confirmed that he did not object to a development on the site but felt that the current proposal was too large.

Councillor J.G. Jarvis requested further information in respect of the covenant on the site. The Legal Practice Manager confirmed that the removal of the covenant was not a matter of concern for the sub-committee and was an issue to be addressed by the applicant.

RESOLVED

That: (i) The Southern Area Planning Sub-Committee is minded to refuse the application subject to the reasons for refusal set out below (and any further reasons for refusal felt to be necessary by the Head of Planning Services) provided that the Head of Planning Services does not refer the application to the Planning Committee:

A) Over intensification of the site

B) Detrimental to the character of the area

(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 such reasons for refusal referred to above.

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

29. DCSE2007/0534/O - BP NORTHBOUND, ROSS SPUR, ROSS-ON-WYE, HEREFORDSHIRE. (AGENDA ITEM 6)

Storage unit Use Class B8, area 1,408 sq. metres.

In accordance with the criteria for public speaking, Mr. McCallum, the applicant's planning consultant, spoke in support of the application.

Councillor T.M.R. McLean, one of the local ward members, felt that she could not object to the application although she did have two areas of concern in respect of traffic and lighting. She felt that the recommended conditions addressed the concerns that she had in respect of the site.

Councillor P.G.H. Cutter, another local ward member, noted that the proposed application would create 140 jobs in Ross-on-Wye, he felt that this would be beneficial to the economic development of the town and supported the views of the head of economic development and community services, who supported the application in principal. He felt that the current proposal would generate less traffic than its previous usage as a fuel station and therefore supported the application.

In response to a question, the Principal Planning Officer confirmed that access to the site would come from the A449 and vehicles would exit the site onto Netherton Road.

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 G01 (Details of boundary treatments)

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

5 F49 (Finished floor levels (area at risk from flooding))

Reason: To protect the development from flooding.

6 F32 (Details of floodlighting/external lighting)

Reason: To safeguard local amenities.

7 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.

8 H30 (Travel plans)

Reason: In order to ensure that the development is carried out in combination with a scheme aimed at promoting the use of a range of sustainable transport initiatives.

Informative(s):

1 N19 - Avoidance of doubt

2 N15 - Reason(s) for the Grant of Planning Permission.

30. DCSE2007/0181/O - BP NORTHBOUND, ROSS SPUR, ROSS-ON-WYE, HEREFORDSHIRE, HR9 7QQ. (AGENDA ITEM 7)

Erection of offices (B1) 1858 sq. metres (net lettable), 2137 sq. metres gross with 86 car parking spaces.

The Principal Planning Officer reported the following comments from Ross-on-Wye town Council:

- “Members were again concerned that the site was not being considered in toto but rather piecemeal. There are still considerable concerns about access and egress onto a very busy roundabout and the lack of discussion about the installation of pedestrian access. The development should also incorporate micro generation and sustainable urban drainage systems.”

In accordance with the criteria for public speaking, Mr. Griffiths, the applicants landscape architect, spoke in support of the application.

Councillor Mrs. A.E. Gray, one of the local ward members, felt that the provision of a robust travel plan was imperative for the proposed application to be successful. She felt that the pedestrian and cycling aspects needed to be taken into consideration by the applicant.

Councillor T.M.R. McLean and Councillor P.G.H. Cutter, the other local ward members, supported the application and reiterated their comments in respect of the site as outlined under item 6 on the agenda, the other application on the site.

A number of members had concerns in respect of the impact that granting the application could have on the A40/A449 roundabout. They felt that the provision of a detailed travel plan could resolve this issue and therefore on balance they supported the application.

RESOLVED

That planning permission be granted subject to the following conditions:

- 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 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.
- 6 G01 (Details of boundary treatments)**

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

7 F32 (Details of floodlighting/external lighting)

Reason: To safeguard local amenities.

8 Prior to the commencement of the development an Outline Travel Plan, (which contains an overview of the transport implications of the proposed development, a commitment to promote alternative sustainable means of transport for staff and visitors and supporting strategies, with respect to the development hereby permitted), shall be submitted to and be approved in writing by the local planning authority.

Reason: To satisfy the aims of PPG13 in reducing reliance on the use of private motor vehicles in order to promote sustainable transport choices to and from the site. To ensure the A449 trunk road continues to be an effective part of the system of routes for through traffic in accordance with Section 10(2) of the Highways Act 1980 to protect the interest of road safety on the Trunk Road.

9 Within six months of the development being first brought into use, a Full Travel Plan, that contains a survey of travel patterns, targets and measures to promote alternative sustainable means of transport for staff and visitors, and the steps that would be taken in the event that targets are not met shall be further submitted to and be approved in writing by the local planning authority. The Travel Plan shall be implemented in accordance with the approved details.

Reason: To satisfy the aims of PPG13 in reducing reliance on the use of private motor vehicles in order to promote sustainable transport choices to and from the site. To ensure the A449 trunk road continues to be an effective part of the system of routes for through traffic in accordance with Section 10(2) of the Highways Act 1980 to protect the interest of road safety on the Trunk Road.

10 A detailed written record shall be kept by the Developer in the first instance and thereafter the occupier, of the measures undertaken to promote sustainable transport initiatives. A review of the Travel Plan shall be undertaken annually, commencing from the date of first occupation and within the year. All relevant documentation shall be made available for inspection by the local planning authority upon reasonable request.

Reason: To satisfy the aims of PPG13 in reducing reliance on the use of private motor vehicles in order to promote sustainable transport choices to and from the site. To ensure the A449 trunk road continues to be an effective part of the system of routes for through traffic in accordance with Section 10(2) of the Highways Act 1980 to protect the interest of road safety on the Trunk Road.

INFORMATIVES

1 N19 - Avoidance of doubt

2 N15 - Reason(s) for the Grant of Planning Permission

31. DCSE2006/1495/F, DCSE2007/0704/F, AND DCSE2007/0705/F - THE SINGING STUD YARD, (LAND ADJ. BODENHAM FARM), MUCH MARCLE, LEDBURY, HEREFORDSHIRE, HR8 2NJ. (AGENDA ITEM 8)

- a) *Retention of foaling boxes and one 'infil' stable (retrospective application).*
- b) *Retrospective application for blockwork skin to existing stables.*
- c) *Retention of lean-to building for storage purposes.*

In accordance with the criteria for public speaking, Mr. Morgan speaking on behalf of Much Marcle parish council, and Mr. Pope, a neighbouring resident, spoke in objection to the application and Mrs. Mitchell, the applicant's agent, spoke in support.

Councillor T.M.R. McLean, the local ward member, felt that she could not support the application as she had concerns regarding the impact the application would have on the landscape as well as concerns regarding highways. She noted that the traffic manager had previously stated that he would not support further development on the site but was now satisfied as long as passing points were provided. She felt that the site was not suitable for a large development and also had concerns regarding animal welfare. She felt that the application should be refused due to the overall consequence granting the application would have on the landscape.

RESOLVED

That: (i) The Southern Area Planning Sub-Committee is minded to refuse applications DCSE2006/1495/F, DCSE2007/0704/F, AND DCSE2007/0705/F subject to the reason for refusal set out below (and any further reasons for refusal felt to be necessary by the Head of Planning Services) provided that the Head of Planning Services does not refer the applications to the Planning Committee:

A) Overall consequences of the planning applications on the landscape

- (ii) If the Head of Planning Services does not refer the applications to the Planning Committee, Officers named in the Scheme of Delegation to Officers be instructed to refuse the applications subject to such reasons for refusal referred to above.**

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

32. DCSE2005/3806/O - SITE NR. BODENHAM FARM, MUCH MARCLE, SO653321. (AGENDA ITEM 9)

Dwelling for stud farm worker at Equine Centre.

In accordance with the criteria for public speaking, Mr. Morgan speaking on behalf of Much Marcle parish council, and Mr. Pope, a neighbouring resident, spoke in objection to the application and Mrs. Mitchell, the applicant's agent, spoke in support.

Councillor T.M.R. McLean, the local ward member, felt that due to the refusal of the previous application the dwelling was no longer required. She felt that it now failed the financial and functional tests as set out in policies H7 and H8 of the Unitary

Development Plan. She therefore felt that that the application should be refused and cited need and landscape impact as grounds for refusal.

RESOLVED

That: (i) The Southern Area Planning Sub-Committee is minded to refuse the application subject to the reasons for refusal set out below (and any further reasons for refusal felt to be necessary by the Head of Planning Services) provided that the Head of Planning Services does not refer the application to the Planning Committee:

A) Impact on the landscape

B) The application fails the financial and functional tests outlined in policies H7 and H8 of the UDP.

(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 such reasons for refusal referred to above.

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

33. DCSW2007/1441/F - LITTLE GROVE, WORMBRIDGE, HEREFORDSHIRE, HR2 9DU. (AGENDA ITEM 10)

Two storey, single storey extensions, open porch and a bay window, also demolish conservatory.

The Southern Team Leader reported the following:

- Kenderchurch Parish Council has no objections to the application.

Councillor M.J. Fishley, the local ward member, noted that the parish council had not objected to 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 B02 (Matching external materials (extension))

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

Informative(s):

1 N19 - Avoidance of doubt

2 N15 - Reason(s) for the Grant of Planning Permission

34. DCSE2007/1240/F -LOWER HOUSE FARM, YATTON, ROSS-ON-WYE, HEREFORDSHIRE, HR9 7RB. (AGENDA ITEM 11)

Retention of two existing farm buildings and use for agricultural and agricultural contracting use.

The Southern Team Leader reported the following:

- 4 letters in support of the application have been received from local residents. The following points are made:
 - Mr. Ruck and his contracting business benefit the area
 - The work he carries out requires the availability of safe, modern equipment that has to be stored and maintained to a high standard
 - For the safety and security of the plant and machinery lock up buildings are essential
 - The buildings are located away from other residential property
- Following a query by the case officer, the applicant's agent has confirmed that there is one other person who works for Mr. Ruck, in addition to his two sons. This person is self employed and pretty well works for Mr. Ruck full time.

In accordance with the criteria for public speaking Mrs Hayter, representing Mr. Nicholas, spoke in objection to the application and Mr. Jolly, the applicant's agent, spoke in support.

Councillor T.M.R. McLean, the local ward member, felt that agricultural contracting was a natural diversification for the site. She noted that the parish council had not objected to the application and therefore moved the recommendation.

RESOLVED

That planning permission be granted subject to the following condition:

- 1 The buildings hereby approved shall not be used for any purpose other than agriculture and in connection with the agricultural contracting business operated from Lower House Farm only.**

Reason: To control the use of the buildings in order to protect the amenities of the occupiers of nearby properties in accordance with policies E11, E12 and E13 of the Herefordshire Unitary Development Plan 2007.

Informative(s):

- 1 N19 - Avoidance of doubt**
- 2 N15 - Reason(s) for the Grant of Planning Permission**
- 3 The applicant is informed that planning permission will be required for any future buildings for agricultural or agricultural contracting use at Lower House Farm. Planning permission would also be required to expand the business into other contracting work such as building, civil engineering and landscaping.**

35. DCSW2007/1091/O - HEREFORD WALDORF SCHOOL, MUCH DEWCHURCH, HEREFORDSHIRE, HR2 8DL. (AGENDA ITEM 12)

Site for new school buildings to extend existing school facilities and new access.

The Southern Team Leader reported the following:

- The Traffic Manger confirms that the retention of the bus shelter in its current position would be acceptable in highway visibility terms.
- Letter from Little Dewchurch Primary School – concern as to impact on local primary/village schools
- Letter from Software AG – supports proposal
- Response from MADE (Design Review West Midlands) – The Design Panel make a number of suggestions/comments on the design and layout but concludes that the scheme this will dramatically improve school provision in Much Dewchurch and they were excited by the scheme which is exemplary
- Letter from Agent giving detailed response to letter of objection from C.G. Powell
- Copy of letter to Members from P.M. McMurtrie

The Chairman asked for clarification in respect of a personal interest. He confirmed that his children had attended the school 35 years ago but was advised by the Legal practice Manager that in his view, he did not need to declare a personal or prejudicial interest.

In accordance with the criteria for public speaking Mr. Evans, representing Much Dewchurch parish council, and Mrs. Brown, representing the members of C.A.S.E., spoke in objection to the application and Mr. Baird, the applicant's agent, spoke in support.

Councillor M.J. Fishley, the local ward member, felt that the application was a very contentious issue in the village of Much Dewchurch. She felt that the proposed application could result in a flagship school for the county but felt on balance that Much Dewchurch was not the right location for it.

Councillor J.J. Jarvis, felt that this application was almost identical to the application refused by the Sub-Committee in January, 2007. He noted that children would have to walk some distance from the car park to the school entrance and supported the views of the local ward member. He felt that the grounds for refusal should remain the same as detailed in the previous refusal.

Members discussed the application thoroughly and had a number of concerns relating to traffic, landscape, and the impact on the local community.

RESOLVED

That: (i) The Southern Area Planning Sub-Committee is minded to refuse the application subject to the reasons for refusal set out below (and any further reasons for refusal felt to be necessary by the Head of Planning Services) provided that the Head of Planning Services does not refer the application to the Planning Committee:

- A) The form, extent and scale of the development, together with associated activity and movement would not be appropriate to the scale of Much Dewchurch or reflect its character**

- B) The nature of the proposed Academy is such that it is not necessary for it to be located in Much Dewchurch.
 - C) The proposed development does not provide satisfactory measures so as to ensure that the increased vehicle and pedestrian activity would be safe and convenient and not exacerbate the current operational difficulties arising from the existing school
- (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 such reasons for refusal referred to above.

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

**36. DCSE2007/1306/F - ARDEN, GREYTREE, ROSS-ON-WYE, HEREFORDSHIRE.
(AGENDA ITEM 13)**

Demolish existing bungalow and garage – construct two number semi-detached dormer bungalows.

The Chairman, speaking in his capacity as the local ward member, noted that the original application for the site overshadowed the neighbouring dwellings, he felt that this matter had now been addressed and therefore supported 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 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.
- 4 W01 (Foul/surface water drainage)
Reason: To protect the integrity of the public sewerage system.
- 5 W02 (No surface water to connect to public 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.
- 6 W03 (No drainage run-off to public system)

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

7 F49 (Finished floor levels (area at risk from flooding))

Reason: To protect the development from flooding.

8 H12 (Parking and turning)

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

Informative(s):

1 HN01 - Mud on highway

2 HN05 - Works within the highway

3 HN10 - No drainage to discharge to highway

4 W01 - Welsh Water Connection to PSS

5 N19 - Avoidance of doubt

6 N15 - Reason(s) for the Grant of Planning Permission

37. DCSE2006/3612/F - MARTINS CLOSE, WOOLHOPE, HEREFORDSHIRE, HR1 4QS. (AGENDA ITEM 14)

3 dwelling units for rent.

In accordance with the criteria for public speaking, Mrs. Kingstone, representing a number of local residents, spoke in objection to the application.

Councillor T.M.R. McLean noted the concerns of the parish council. She felt that the entrance to the site was via a narrow lane which suffered from poor visibility. She also felt that the design of the dwellings was not in keeping with the surrounding area and therefore felt that she could not support the application in its current format.

In response to a question from the local ward member, the development control manager, advised the sub-committee that the planning department would work closely with the strategic housing team to ensure that local need was a priority in assessing applications for the affordable housing.

Councillor J.G. Jarvis felt that the design of the dwellings needed to be addressed before he could support the application. he felt that the design was not in keeping with the village of Woolhope.

The Southern Team Leader asked for clarification from members in respect of the proposed dwellings, he asked members to confirm what aspects of the dwellings they felt were inappropriate.

In response Councillor T.M.R. McLean felt that the fenestration and cladding were not in keeping with the area. She felt that the application should be refused as it was contrary to policy HBA6 of the Unitary Development Plan.

RESOLVED

That: (i) The Southern Area Planning Sub-Committee is minded to refuse the application subject to the reasons for refusal set out below (and any further reasons for refusal felt to be necessary by the Head of Planning Services) provided that the Head of Planning Services does not refer the application to the Planning Committee:

A) The application is contrary to policy HBA6 of UDP.

(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 such reasons for refusal referred to above.

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

38. DCSW2007/0989/F - GALANTHUS GALLERY/CAFE, WORMBRIDGE HOUSE, WORMBRIDGE, HEREFORDSHIRE, HR2 9DH. (AGENDA ITEM 15)

- 1. Change of use office to retail.*
- 2. New office extension.*
- 3. New craft workshops to replace stores.*
- 4. New overspill car parking area.*

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

Councillor M.J. Fishley, the local ward member, felt that local businesses in the area should be supported and therefore moved 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 B01 (Samples of external materials)

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

3 The week day opening times for the retail shop shall be restricted to being after 09.30 hours. The shop is an ancillary land use and may only be open when the primary land use, the Gallery, is open for business.

Reason: In order to define the terms to which the application relates and in the interests of regulating traffic movement on the A465 Trunk road.

4 E07 (Restriction on sale of food products)

Reason: To prevent use of the premises as a food supermarket contrary to development plan policies.

- 5 The permission hereby granted is specifically for craft workshops, offices and ancillary retail outlet to Gallery. Future changes of use within the same land use classes are not permitted without the grant of express planning consent.

Reason: In order to define the terms to which the application relates and in the interests of regulating traffic movement on the A465 Trunk road.

- 6 Details for the doorways/entrances for the craft workshop building which shall not open outwards, i.e. towards the public footpath and shall be the subject of the prior written approval of the local planning authority before first use of the building.

Reason: In order to ensure that the public footpath is not obstructed.

- 7 H15 (Turning and parking: change of use - commercial)

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

Informative(s):

- 1 N19 - Avoidance of doubt

- 2 N15 - Reason(s) for the Grant of Planning Permission

39. DCSE2007/1158/F - CRAIG THORPE LTD, HILL STREET, ROSS-ON-WYE, HEREFORDSHIRE (AGENDA ITEM 16)

Demolition of office and part retail and erection of 12 no. 1 & 2 bed flats, conversion of first floor above retail to 2 flats.

Councillor P.G.H Cutter, one of the local ward members, felt that the applicant had addressed the concerns of the local residents and that this had resulted in a thoughtful development, which he supported.

RESOLVED

That subject to submission of revised drawings showing acceptable detailing, 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 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 B01 (Samples of external materials)

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

- 3 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.

4 E19 (Obscure glazing to windows)

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

5 F32 (Details of floodlighting/external lighting)

Reason: To safeguard local amenities.

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 G01 (Details of boundary treatments)

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

9 H29 (Secure cycle parking provision)

Reason: To ensure that there is adequate provision for secure cycle accommodation within the application site, encouraging alternative modes of transport in accordance with both local and national planning policy.

Informative(s):**1 N19 - Avoidance of doubt****2 N15 - Reason(s) for the Grant of Planning Permission****40. DCSE2007/1478/F - LAND ADJACENT TO 'MARSH COTTAGE' PONTSHILL, ROSS-ON-WYE, HEREFORDSHIRE, HR9 5SZ. (AGENDA ITEM 17)**

Erection of one dwelling.

The Principal Planning Officer reported the following:

- Environment Agency note that part of the site is located within flood zone 3. However the proposed dwelling and sewage treatment plant is located outside of this high risk area. It is also noted that there is a buffer strip of 7 metres from top of bank of watercourse. There should be no increase in ground levels above existing in the 1% floodplain to prevent flood risk to the proposed dwelling and land elsewhere. On the basis of the above we would raise no objection to the proposed dwelling subject to imposition of conditions.
- One letter has been received from the owner of the application site in support of the application.
- Weston under Penyard Parish Council objects to the proposed modification to the design, i.e. additional windows in roof. Original plan should be maintained.

In accordance with the criteria for public speaking Mr. Smith, the applicant's agent,

spoke in support of the application.

RESOLVED

That subject to no further objections raising additional material planning considerations by the end of the consultation period, the officers named in the Scheme of Delegation to Officers be authorised to approve the application subject to the following conditions and any further 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 B01 (Samples of external materials)

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

3 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.

4 The foul drainage from the proposed development shall be discharged to a treatment plant which meets the requirements of British Standard BS 6297: 1983, and which is provided in accordance with the details submitted dated July 2006 (including drawing no. 584:01/02A) unless otherwise agreed in writing by the local planning authority.

Reason: To provide a satisfactory method of foul drainage and prevent pollution of the water environment.

5 Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound shall be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound shall be at least equivalent to the capacity of the largest tank, vessel or the combined capacity of interconnected tanks or vessels plus 10%. All filling points, associated pipework, vents, gauges and sight glasses must be located within the bund or have separate secondary containment. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework shall be located above ground and protected from accidental damage. All filling points and tank/vessels overflow pipe outlets shall be detailed to discharge downwards into the bund.

Reason: To prevent pollution of the water environment.

6 D03 (Site observation - archaeology)

Reason: To allow the potential archaeological interest of the site to be investigated and recorded.

7 G04 (Landscaping scheme (general))

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

- 8 G05 (Implementation of landscaping scheme (general))
Reason: In order to protect the visual amenities of the area.
- 9 G01 (Details of boundary treatments)
Reason: In the interests of visual amenity and to ensure dwellings have satisfactory privacy.
- 10 E16 (Removal of permitted development rights)
Reason: To protect the amenities of neighbours.
- 11 F18 (Scheme of foul drainage disposal)
Reason: In order to ensure that satisfactory drainage arrangements are provided.
- 12 H03 (Visibility splays)
Reason: In the interests of highway safety.
- 13 H05 (Access gates)
Reason: In the interests of highway safety.
- 14 H09 (Driveway gradient)
Reason: In the interests of highway safety.
- 15 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.
- 16 E19 (Obscure glazing to windows)
Reason: In order to protect the residential amenity of adjacent properties.
- 17 E18 (No new windows in specified elevation)
Reason: In order to protect the residential amenity of adjacent properties.

Informative(s):

- 1 HN01 - Mud on highway
- 2 HN05 - Works within the highway
- 3 HN10 - No drainage to discharge to highway
- 4 HN22 - Works adjoining highway
- 5 N19 - Avoidance of doubt
- 6 N15 - Reason(s) for the Grant of Planning Permission

7 ND03 – Contact Address**41. DCSE2007/0940/F & DCSE2007/0941/F - MAJARO BARN, ASTON INGHAM, ROSS-ON-WYE, HEREFORDSHIRE, HR9 7LS. (AGENDA ITEM 18)**

- a) *Conversion of garage to living accommodation, with single storey extension and two storey link to barn.*
- b) *Open fronted garage.*

The Principal Planning Officer confirmed that the revised plans had not been received and requested that the recommendation be amended to allow the planning department delegated powers to approve the application subject to the new plans being received.

In accordance with the criteria for public speaking, Mr. Pike, the applicant, spoke in support of his application.

RESOLVED

In respect of DCSE2007/0940/F:

That subject to the receipt of revised plans, Officers named in the Scheme of Delegation to Officers be authorised to grant 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 B01 (Samples of external materials)

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

Informatives:

1 N19 - Avoidance of doubt**2 N15 - Reason(s) for the Grant of Planning Permission.**

In respect of DCSE2007/0941/F:

RESOLVED

That subject to the receipt of revised plans, Officers named in the Scheme of Delegation to Officers be authorised to grant 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 B01 (Samples of external materials)

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

Informatives:

- 1 N19 - Avoidance of doubt
 - 2 N15 - Reason(s) for the Grant of Planning Permission.
42. DCSE2007/0382/O - LAND TO REAR OF THE FORMER ROSSWYN HOTEL, OLD GLOUCESTER ROAD, ROSS-ON-WYE, HEREFORDSHIRE, HR9 5PB. (AGENDA ITEM 19)

Site for erection of 3 no. two bed town houses.

Councillor P.G.H. Cutter, one of the local ward members, felt that the proposed application would enhance the site. He noted that the section 106 agreement would address the noise concerns raised and therefore supported the application.

RECOMMENDATION

- 1) That the Legal Practice Manager 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 any additional matters and terms he considers appropriate.

Upon completion of the aforementioned planning obligation that the officers named in the Scheme of Delegation to Officers be authorised to issue planning permission subject to the following conditions:

- 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 B01 (Samples of external materials)
Reason: To ensure that the materials harmonise with the surroundings.
- 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 W01 (Foul/surface water drainage)

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

8 W02 (No surface water to connect to public 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.

9 W03 (No drainage run-off to public system)

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

10 W04 (Comprehensive & Integrated draining of site)

Reason: To ensure that effective drainage facilities are provided for the proposed development, and that no adverse impact occurs to the environment or the existing public sewerage system.

11 H29 (Secure cycle parking provision)

Reason: To ensure that there is adequate provision for secure cycle accommodation within the application site, encouraging alternative modes of transport in accordance with both local and national planning policy.

INFORMATIVES:

1 N02 - Section 106 Obligation

2 N19 - Avoidance of doubt

3 N15 - Reason(s) for the Grant of Planning Permission.

4 The proposed development site is crossed by a public sewer with the approximate position being marked on the attached 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.

