

**MINUTES of the meeting of Southern Area Planning Sub-Committee held at The Council Chamber, Brockington, 35 Hafod Road, Hereford on Wednesday, 6th February, 2008 at 2.00 p.m.**

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

**Councillors:** CM Bartrum, H Bramer, PGH Cutter, MJ Fishley, AE Gray, TMR McLean, RH Smith and DC Taylor

**In attendance:** Councillors RV Stockton

**120. APOLOGIES FOR ABSENCE**

Apologies were received from Councillors JA Hyde, TW Hunt (ex-officio), JG Jarvis, and JB Williams.

**121. DECLARATIONS OF INTEREST**

The following declarations of interest were made:

<b>Councillor</b>	<b>Item</b>	<b>Interest</b>
DC Taylor	Agenda Item 5  DCSW2007/3797/RM – Proposed four dwellings.  <b>Yew Tree Farm, Polar Road, Clehonger, Hereford, HR2 9SW</b>	A prejudicial interest was declared and the member left the meeting for the duration of the item.
<b>Officer</b>	<b>Item</b>	<b>Interest</b>
MJ Willmont	Agenda Item 9  DCSE2007/3794/F – Proposed garage conversion and extension to form home office, stores and sunroom.  <b>Brynhyfryd, Peterstow, Ross-on-Wye, Herefordshire, HR9 6JZ</b>	A prejudicial interest was declared and the officer left the meeting for the duration of the item.

**122. MINUTES**

**RESOLVED:** That the Minutes of the meeting held on 9th January, 2008 be approved as a correct record and signed by the Chairman.

**123. ITEM FOR INFORMATION - APPEALS**

The Sub-Committee noted the Council's current position in respect of planning

appeals for the southern area of Herefordshire.

**124. DCSW2007/3797/RM - YEW TREE FARM, POPLAR ROAD, CLEHONGER, HEREFORD, HR2 9SW. (AGENDA ITEM 5)**

*Proposed 4 dwellings.*

Councillor MJ Fishley, one of the Local Ward Members, advised the sub-committee that Poplar Road divided the Valletts and Stoney Street Wards. She felt that all of the objections raised by local residents had been dealt with and supported the application.

**RESOLVED**

**That on ensuring sufficient parking provision for Plot 1, the officers named in the Scheme of Delegation to Officers be authorised to grant approval of reserved matters subject to the following conditions and any additional conditions considered necessary by officers:**

**1. B01 (Samples of external materials)**

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

**2. E18 (No new windows in specified elevation)**

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

**3. E19 (Obscure glazing to windows)**

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

**4. G01 (Details of boundary treatments)**

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

**5. H11 (Parking - estate development (more than one house))**

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

**6. F17 (Scheme of foul drainage disposal)**

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

**Informative(s):**

**1. N19 - Avoidance of doubt**

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

**125. DCSE2007/3932/F - THE PLOCK, SOLLERS HOPE, HEREFORDSHIRE, HR1 4TF (AGENDA ITEM 6)**

*Proposed single track vehicular access to agricultural land (to replace existing sub-standard access)*

The Senior Planning Officer reported the following:

Sollars Hope Parish Council: No objections to this application.

Mr P Williams, Church Cottage, Church Rd, Newent:

- Objector has stated that the existing access was not used for a period of 12 years, this is not the case.
- I owned the land known as the Plock from December 1991 and sold it to Mr Jones in January 2007.
- I regularly used the existing road access for feeding animals and maintaining fencing. Contractors also used this entrance for the application of fertiliser and for topping.
- I support this application as the existing access is on a blind bend, with very poor visibility, the proposed access would be much safer.

Brian Watkins, 2, Falcon Cottage, Brockhampton:

- Support the application to move the vehicular access from a position on a dangerous bend with poor visibility to a much safer position with better visibility.

She commented that the additional representations did not raise any issues that had not been addressed in his report.

In accordance with the criteria for public speaking, Mr Day and Mr Jones spoke in support of the application.

Councillor TMR McLean, the Local Ward Member, felt that with an increased use of access to the land, the proposed access would be safer than the existing one.

## **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. The first 10 metres of the access shall have a tarmacadam wearing course into which shall be rolled a local stone aggregate, a sample or details of which shall have first been submitted to and agreed in writing by the local planning authority. The remainder of the track shall be finished with compacted scalplings.**

**Reason: To satisfactorily minimise the visual impact of the access in the landscape noted for its quality.**

- 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. 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.**

**6. H03 (Visibility splays)**

**Reason: In the interests of highway safety.**

**7. Prior to the first use of the access hereby approved, the existing vehicular access, in the western corner of the site, onto the B4224 shall be permanently closed in accordance with details set out in the applicant's Design and Access Statement.**

**Reason: To ensure the safe and free flow of traffic using the adjoining County highway.**

**8. Prior to the first use of the access and track, it shall be consolidated, surfaced and drained in accordance with details to be submitted and approved in writing by the local planning authority.**

**Reason: To ensure the safe and free flow of traffic using the adjoining County highway.**

**9. H27 (Parking for site operatives)**

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

**Informative(s):**

**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**

**5. The existing Public Right of Way stile shall not be relocated, but retained in situ.**

**6. N19 - Avoidance of doubt**

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

**126. DCSE2007/3872/F - THE HOPE AND ANCHOR, ROPE WALK, ROSS-ON-WYE, HEREFORDSHIRE, HR9 7BU (AGENDA ITEM 7)**

*Erection of a 5m x 9m garden room structure to the front of the building. Predominantly timber with trellis panels and balustrade and timber shingle roof.*

Councillor CM Bartrum, one of the Local Ward Members, advised the sub-committee that the application site fell within a conservation area and an area of outstanding natural beauty. He noted that the Town Council had not objected to the application and felt that there was a need for controlled development in the area.

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Councillor PGH Cutter, the other Local Ward Member, stated that he was not in favour of the application. He noted that there had been several letters of objection received from the Ramblers Association and felt that the development was not in keeping with the area.

Members discussed the application and noted that the site fell within a flood plain. They also felt that a more sympathetic development would be acceptable on the site but that they could not support the current proposal.

### 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) Inappropriate development in the Conservation Area and Wye Valley Area of Outstanding Natural Beauty.**

**(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.]

### 127. DCSE2008/0050/F - JAYS PARK, LINTON, ROSS-ON-WYE, HEREFORDSHIRE, HR9 7UH. (AGENDA ITEM 8)

*Erection of agricultural storage building.*

The Principal Planning Officer reported that the Traffic Manager had no objection to the grant of permission.

In accordance with the criteria for public speaking, Mrs Calvart, representing the applicant, spoke in support of the application.

Councillor H Bramer, the Local Ward Member, noted that the comments from the Parish Council had not been received. He confirmed that Linton Parish Council had sent a representation on the 29th January, 2008, and asked that the consideration of the application be deferred until the comments were received.

### RESOLVED:

**That the determination of the application be deferred pending receipt of comments from Linton Parish Council.**

### 128. DCSE2007/3794/F - BRYNHYFRYD, PETERSTOW, ROSS-ON-WYE, HEREFORDSHIRE, HR9 6JZ (AGENDA ITEM 9)

*Proposed garage conversion and extension to form home office, stores and sunroom.*

The Principal Planning Officer reported the receipt of revised floor plans submitted

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by the applicant's agent, confirming that the re-built garage would form a store area for his business together with an office on the first floor of the extension. The ground floor of the extension would be domestic store and utility.

### 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. The use of the extensions hereby permitted for business purposes shall be incidental to the enjoyment of the dwellinghouse as such.**

**Reason: In the interests of highway safety and to protect the amenities of neighbours.**

### Informative(s):

**1. N19 - Avoidance of doubt**

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

**129. DCSE2008/0039/F - GREEN ORCHARD, RYEFIELD ROAD, ROSS-ON-WYE, HEREFORDSHIRE, HR9 5LS. (AGENDA ITEM 10)**

*Removal of existing house and construction of nine flats, including car parking and landscaping and utilising existing vehicular access.*

The Principal Planning Officer reported the following:

- The Environment Agency has no objection in principle but recommends conditions regarding drainage of car parking area and mains drainage.
- The Traffic Manager recommends refusal unless further information is submitted showing a turning head for Ryefield Road with street lighting, amendments to car parking layout to relocate 2 spaces currently shown by the access, adequate cycle parking and a wider access to allow for visibility for pedestrians.
- The Conservation Manager notes the general reduction in scale and the omission of the second floor [in comparison to the earlier application] are particularly welcome and my only comment concerns the position of the vehicular access in the south gable. There are inherent contradictions surrounding the insertion of large voids in masonry buildings and the present return to the south of the access is essentially too short to provide sufficient visual support. Although the overall elevation is not strictly symmetrical, gables are by definition strongly axial and it would be more satisfactory if the access were placed centrally on axis with the ridge. No objection although conditions for external materials and joinery will be required. No

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archaeological concerns have been raised.

- The Parks, Countryside and Leisure Development Manager confirms that a play area is not required but requests a contribution towards sports facilities at Ross Sports Centre based on Sports England's Sports Facilitators Calculator (£630 per dwelling, total £5,040).
- Applicant's agent states that the hardstanding will have a membrane to prevent rainwater penetration, with the area of roof discharging into a rainwater harvesting system.

4 additional letters of objection have been received. In summary the reasons given are:

- Size: the development is too big for the site and out of keeping with other buildings in the road. The floor area is about double the size of Cherrington, (probably the largest house in the road) and approximately treble in overall mass. It is not accepted that the proposed building would fit in well with other buildings with regard to massing.
- Density: 9 apartments on 1/3 acre site no longer sits comfortably within the density of the Ryefield Road and surrounding area but substantially changes its character and density.
- Parking: 11 spaces is still inadequate. Ryefield Road is increasingly heavily used for parking and the probable overspill from the proposed building will increase this problem. 9 flats would mean 18 extra cars and consequently will result in extra on-street parking.
- Traffic: Ryefield Road traffic discharges onto Gloucester Road at a place where visibility is very restricted and the extra traffic will increase the probability of accidents. Necessary therefore to increase the splay of that exit to improve visibility but even so, it will continue to be a dangerous point.
- Amenity: overlooking of houses and gardens in North Road and change their rear aspect. Extra noise and traffic at the rear of gardens would add to noise from nearby trading estate. Latter is quiet at night but car park would be in constant use. Smell of rubbish bins which would be next to rear gardens. Overall would reduce neighbours' quality of life.
- Drainage: Green Orchard has an easement for one house to use foul drain which runs through Cherrington before discharging into the main sewer in Ryefield Road. This drain is only 3" diameter and blocks regularly. It is not clear how sewage will be dealt with.

One letter also points out that whilst unacceptable the proposal is less intrusive and visually dominant and more in keeping with other houses in Ryefield Road than the earlier scheme.

The Principal Planning Officer reported the following comments:

- The applicant's agent has agreed in principle to widen the access to provide a turning head. This may not be to the full standard but as the turning head is not required by this development, which meets the parking requirement and both residents and visitors can be expected to park and turn within the site, this would not be grounds to refuse permission. The other highway

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concerns can be met by planning conditions. The Sports contribution does not overcome an impediment to development and until the SPD is approved is not justified.

In accordance with the criteria for public speaking, Mrs Nelsey and Mr Pope spoke in objection to the application.

Councillor AE Gray, one of the Local Ward Members, noted that an application on the site had previously been refused due to the scale of the development and concerns regarding parking. She felt that these matters had not been sufficiently addressed and that the traffic managers concerns had not been appeased. She therefore felt that she could not support the application.

Councillor PGH Cutter, the other Local Ward Member, was concerned with the absence of comments from the Town Council and suggested that the application be deferred pending receipt of comments. He also voiced his concerns regarding the amount of additional information received by Members at the start of the meeting and felt that they had been given insufficient time to study it fully. Finally he felt that the two local ward members should have been consulted in respect of the section 106 agreement.

Councillor H Bramer had a number of concerns in respect of the application regarding the impact on privacy and the loss of amenity to the neighbouring residents as well as the visual impact of the proposal.

Councillor RH Smith noted that local ward members would be consulted on section 106 agreements regarding their wards once the Planning SPD was adopted by the Council. He felt that it may be beneficial for members to be consulted in the interim period and asked that this be included as a recommendation in the Southern Area Planning report.

### **RESOLVED**

**That: (i) That on expiry of the consultation period (8th February, 2008) 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) Visual Impact**
- B) Loss of amenity to neighbouring residents**
- C) Traffic and parking concerns**
- D) Impact on privacy**
- E) Overlooking**

**(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.]

The meeting ended at 2.55 p.m.

**CHAIRMAN**