

MINUTES of the meeting of Southern Area Planning Sub-Committee held at The Council Chamber, Brockington, 35 Hafod Road, Hereford on Wednesday, 30 April 2008 at 2.00 p.m.

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

Councillors: CM Bartrum, H Bramer, PGH Cutter, BA Durkin,
MJ Fishley, JA Hyde, DC Taylor and JB Williams

In attendance: Councillors JP French, TW Hunt and RV Stockton

148. APOLOGIES FOR ABSENCE

Apologies were received from Councillors AE Gray, JG Jarvis and RH Smith.

149. DECLARATIONS OF INTEREST

The following declaration of interest was made:

Councillor	Item	Interest
G Lucas	Agenda Item 16 DCSE2008/0553/F – Variation of condition 8 in relation to boundary wall to replace the wooden fencing (application no. DCSE2007/2920/F). The Old Canoe Store, Millpond Street, Ross-on-Wye, Herefordshire, HR9 7AP.	A prejudicial interest was declared and the member left the meeting for the duration of the item.

150. MINUTES

RESOLVED: That the Minutes of the meeting held on 2 April 2008 be approved as a correct record and signed by the Chairman.

151. ITEM FOR INFORMATION - APPEALS

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

152. DCSW2008/0282/F - PILGRIM HOTEL, MUCH BIRCH, HEREFORD, HR2 8HJ. (AGENDA ITEM 5)

Erection of 4 no. single storey hotel accommodation suites.

The Southern Team Leader reported the following updates:

- The applicant has now stated that there was never any intention to remove

the tree and the proposal is being revised with a smaller footprint.

RESOLVED

THAT the determination of the application be deferred pending further discussions with the applicant in respect of the two mature beech trees.

153. DCSE2008/0050/F - JAYS PARK, LINTON, ROSS-ON-WYE, HEREFORDSHIRE, HR9 7UH. (AGENDA ITEM 6)

Erection of agricultural storage building.

Councillor H Bramer, the local ward member, noted that the enforcement issues had now been resolved on the site 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 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 E10 (Use restricted to that specified in application)

Reason: To define the terms of the permission and to protect the rural character of the area.

6 No development shall take place until not less than 0.5ha of soft fruit has been planted in the fields OS parcels 0002 and 1900.

Reason: To ensure that there is a need for an agricultural building.

INFORMATIVES:

1 N19 - Avoidance of doubt

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

154. DCSE2008/0207/F - SYMONDS YAT RAPIDS, SYMONDS YAT (ON THE RIVER WYE), NEAR MONMOUTH. OS GRID REFERENCE SO 561156 (AGENDA ITEM 7)

Replacement of existing rock groyne and other in-river restoration works to improve rapids and habitats in the River Wye at Symonds Yat.

The Principal Planning Officer reported the following updates:

- Forest of Dean District Council have no objection in principle but draw attention to the need for compliance with para 99 of ODPM Circular 06/2005 (on protected species).

In accordance with the criteria for public speaking, Mr Blows, a local resident, spoke in objection to the application and Mr Hawkesworth, the applicant, spoke in support.

RESOLVED

That planning permission be granted subject to the following conditions:

Commencement of works

1 A01 (Time limit for commencement (full permission))

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990.

Approved plans

2 B01 (Development in accordance with the approved plans)

Reason: To ensure adherence to the approved plans and details in the interests of a satisfactory form of development and to comply with policy DR1 of the Herefordshire Unitary Development Plan 2007.

Working Method Statement

3 No development shall take place until a working method statement for the project has been submitted to and approved in writing by the local planning authority. The statement shall include in particular:

- i) Details of the type, source and estimated quantity of stone to be used;**
- ii) A plan showing the indicative locations for stockpiles of stone and parking of construction vehicles plant and equipment;**
- iii) Details of, arrangements for the public rights of way, including fencing, signage, and the use of a banksman for the crossing point;**
- iv) Details of all preparatory work necessary, including vegetation trimming the ground preparation, excavations, working area and stone movements;**
- v) Indicative provision for a watching brief to identify, record and protect archaeological remains;**
- vi) Details, and a large scale plan, of the design, construction method and materials to be used for the proposed access ramp on the riverbank and the haul route at the river's edge;**
- vii) Full methodology for the in-river working, groyne construction and all other works;**
- viii) Measures to prevent pollution to ground and surface waters;**
- ix) Health and safety details and precautions including emergency strategy;**

- x) Mitigation proposals for the minimal disturbance of silt during the in-river works, including a risk assessment of alternative measures.
- xi) A scheme for the treatment and control of Japanese knotweed.
- xii) Timescales for all the above.

The works shall be undertaken in accordance with the approved details unless otherwise agreed in writing in advance by the local planning authority.

Reason: To ensure a satisfactory form of development in accordance with agreed principles, to ensure public safety during the operations, to ensure a design solution is sought to minimise archaeological disturbance, and to protect the amenity of the area in accordance with policies S1, S2, DR1, ARCH5, ARCH6, NC2 & NC3 and LA1 of the Herefordshire Unitary Development Plan 2007.

Restoration Scheme

- 4 No development shall take place until a reinstatement and restoration scheme for the completion of the project has been submitted to and approved in writing by the local planning authority. In particular the scheme shall include:
 - i) A large-scale plan showing details of the removal of the in-river haul route and temporary river access ramp as shown on plan reference 04-1106-200 rev 4 dated September 2007 and date stamped 13 Mar 2008,
 - ii) Details of the reinstatement of the riverbank on completion of the works, and final restoration including any re-planting or re-seeding areas including the earth bank at the crossing point;
 - iii) Specifications for the resurfacing and restoration of the definitive footpath and cycleway route/s;
 - iv) Removal of temporary fencing, signage etc and making good;
 - v) Indicative details of ancillary remedial works on the island.
 - vi) Timescales for all the above.

The works shall be undertaken in accordance with the approved details unless otherwise agreed in writing in advance by the local planning authority.

Reason: To ensure the site is restored in accordance with agreed principles and to protect the amenity of the area in accordance with policies S1, S2, DR1 and LA1 of the Herefordshire Unitary Development Plan 2007.

Protected species

- 5 Prior to the commencement of any works, schemes for surveying and protecting the following species and their habitats shall be submitted to and approved in writing by the local planning authority:
 - i) White clawed crayfish
 - ii) Freshwater pearl mussel
 - iii) Bats (all species)
 - iv) Otter
 - v) Dormouse

The scheme shall include a Method Statement and give details of any protection, mitigation and translocation measures as appropriate, which shall be thereafter implemented in accordance with the approved schemes, unless otherwise agreed in writing in advance by the local planning authority in consultation with Natural England and the Environment Agency.

Reason: To ensure the protection of White clawed crayfish, Freshwater pearl mussels, Bats and other species in accordance with policies S1, S7, NC1, NC2, NC3, NC5 and NC6 of the Herefordshire Unitary Development Plan 2007.

Archaeology

6 E01 (Site investigation - archaeology)

Reason: To ensure the archaeological interest of the site is recorded and to comply with the requirements of policies ARCH1 and ARCH6 of the Herefordshire Unitary Development Plan 2007.

In-river working

7 Any in-channel works shall only be carried out during the period between 1st July and 15th October in any year and at no other time, unless otherwise agreed in writing in advance by the local planning authority in consultation with the Environment Agency.

Reason: To prevent adverse impact on protected species and to comply with policies S7, NC1, NC5 and NC6 of the Herefordshire Unitary Development Plan 2007.

Western channel

8 No working or disturbance shall take place in the channel to the west of the island or the western riverbank unless agreed in writing in advance by the local planning authority in consultation with the Environment Agency and Natural England.

Reason: To prevent adverse impact on protected species and to comply with policies S7, NC1, NC5 and NC6 of the Herefordshire Unitary Development Plan 2007.

Operating hours

9 F01 (Restriction on hours of working)

While the in-river works are actually in progress, the hours during which working may take place shall be restricted to 0700-1900 on any day. At all other times including preparatory and restoration work until the project is complete, unless otherwise agreed in writing in advance the hours during which working may take place shall be restricted to 0800 to 1800 hours Mondays to Fridays, 0800 to 1300 on Saturdays and not at any time on Sundays, Bank or Public Holidays.

Reason: To safeguard the amenities of the locality and to comply with policies NC5 and DR2 of the Herefordshire Unitary Development Plan

2007, whilst enabling the in-river works to be completed as quickly as possible utilising available daylight.

Biodiversity protection

- 10 The recommendations set out in the submitted Ecological Assessment date-stamped 23 Jan 2008 shall be followed unless otherwise stipulated by conditions attached to this permission or as agreed in writing in advance by the local planning authority. An appropriately qualified and experienced Ecological Clerk or Works shall be appointed (or consultant engaged in that capacity) to oversee the ecological mitigation work.

Reason: To ensure the adequate protection of important species, habitats and designated sites and to comply with the requirements of policies S7, NC1, NC5, NC6, NC7, NC8 and NC9 of the Herefordshire Unitary Development Plan 2007.

Protection of trees

- 11 G02 (Retention of trees and hedgerows)

Reason: To safeguard the amenity of the area and to ensure the development conforms with policy DR1 of the Herefordshire Unitary Development Plan 2007.

No burning

- 12 I43 (No burning of material/substances)

Reason: To safeguard amenity and biodiversity, prevent pollution, and to comply with policy DR4 of the Herefordshire Unitary Development Plan 2007.

Vehicle parking and materials storage

- 13 No plant, machinery, equipment or materials shall be parked or stored other than in the designated location/s approved under condition 3 of this permission unless otherwise agreed in writing in advance by the local planning authority.

Reason: In order to protect the amenity of the area and to comply with policies DR1, T6 and T8 of the Herefordshire Unitary Development Plan 2007.

INFORMATIVES:

- 1 Aquatic invertebrates, in particular Riffle beetles and mussels, should be protected from disturbance; fine gravels and material such as rotting bark and exposed tree roots should be retained as important habitat.
- 2 Under the Wildlife and Countryside Act 1981 (as amended) it is an offence to cause the growth of Japanese knotweed in the wild. Chemical control of Japanese knotweed should be undertaken once per year only, during August/September. No cutting of the plant should be carried out. 2,4-D Amine is not approved for use near water.
- 3 Himalayan balsam should be controlled by manually uprooting the plant

prior to the production of seeds, and the plants appropriately disposed of away from the riverbank.

- 4 The Conservation (Natural Habitats &C) Regulations 1994 (the Habitats Regs) have recently been updated so that disturbance of a European Protected Species can be an offence even if it is the result of an otherwise lawful activity.
 - 5 If an area of the river is to be sealed off and drained down (in order to create a dry working area), then a fish rescue must be carried out by suitably competent people on the advice of the Environment Agency's Fisheries Team.
 - 6 N11A - Wildlife and Countryside Act 1981 (as amended) - Birds
 - 7 N11B - Wildlife & Countryside Act 1981 (as amended) and Conservation (Nat. Habitats & C.) Regs 1994 - Bats
 - 8 N11C - General
 - 9 N18 - European Protected Species Licence
 - 10 ND03 - Contact Address
 - 11 HN03 - Access via public right of way
 - 12 N04 - Rights of way
 - 13 Any re-planting or re-seeding should comprise native species only. The scheme submitted under the requirements of condition 4 ii) above should specify the species, numbers, sizes and area of land.
 - 14 HN20 - Common land
 - 15 Environment Agency advice on statutory responsibilities and good environmental practice is available at <http://www.environment-agency.gov.uk/business/444251/444731/ppg/> . Please refer to Pollution Prevention Guideline 5 'works in, near or liable to affect watercourses'.
 - 16 Any waste generated in the course of the development must be disposed of satisfactorily and in accordance with Section 34 of the Environment Act 1990, Carriers transporting waste from the site must be registered waste carriers.
 - 17 N15 (Reasons for the Grant of Planning Permission)
 - 18 N19 – Avoidance of doubt
155. DCSE2008/0710/O - 1 WOODVIEW, PONTSHILL, ROSS-ON-WYE, HEREFORDSHIRE, HR9 5SY. (AGENDA ITEM 8)

Erection of detached house and garage to include joint access with 1 Woodview

The Senior Planning Officer reported the following updates:

- Weston under Penyard Parish Council do not object to the application.

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

Councillor H Bramer, the local ward member, felt that the concerns regarding the visibility splay could be resolved by relocating the site entrance. He noted that the application would have been approved under the former South Herefordshire District Plan.

The Southern Team Leader advised members that the application was contrary to the UDP. He confirmed that the UDP classified Pontshill as open countryside and felt that the application should be refused accordingly.

RESOLVED

THAT the determination of the application be deferred pending further discussions with the applicant in respect of the access.

156. DCSE2008/0481/F - LONG RIDGE, LINTON, ROSS-ON-WYE, HEREFORD, HR9 7RS. (AGENDA ITEM 9)

Change of use of existing double garage to holiday accommodation.

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 F30 (Use as holiday accommodation)

Reason: Having regard to Policies RST1, RST12 and RST13 of Herefordshire Unitary Development Plan the local planning authority are not prepared to allow the introduction of a separate unit of residential accommodation.

3 H03 (Visibility splays)

Reason: In the interests of highway safety and to conform with the requirements of Policy DR3 of Herefordshire Unitary Development Plan

4 H05 (Access gates)

Reason: In the interests of highway safety and to conform with the requirements of Policy DR3 of Herefordshire Unitary Development Plan

5 H06 (Vehicular access construction)

Reason: In the interests of highway safety and to conform with the requirements of Policy DR3 of Herefordshire Unitary Development Plan

6 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 and to conform with the requirements

of Policy T11 of Herefordshire Unitary Development Plan

7 H27 (Parking for site operatives)

Reason: To prevent indiscriminate parking in the interests of highway safety and to conform with the requirements of Policy DR3 of Herefordshire Unitary Development Plan

INFORMATIVES:

- 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 HN22 - Works adjoining highway
- 6 N15 - Reason(s) for the Grant of Planning Permission
- 7 N19 - Avoidance of doubt - Approved Plans

157. DCSE2008/0749/F - UNIT E, BEAVER CENTRE, ASHBURTON INDUSTRIAL ESTATE, ROSS-ON-WYE, HEREFORDSHIRE, HR9 7BW. (AGENDA ITEM 10)

Change of use of Unit E Beaver Centre from B1/B8 to A1 retail warehouse.

The Senior Planning Officer reported the following updates:

- 16 letters of support from potential customers had been received
- WM Griffiths, Ross Feed Ltd, commented that he had been advised that there were no plans to expand retail uses onto industrial land.

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

Councillor PGH Cutter, one of the local ward members noted that there were a number of retail outlets in close proximity to the application site. He felt that the creation of 4 to 5 jobs would be beneficial to the town of Ross and noted that the applicants planned to deal in bulk sales of agricultural feed. He felt that the proposed usage did not constitute a normal A1 retail use and therefore moved the recommendation.

Councillor H Bramer noted that the application site had been empty for some years and felt that the proposed usage was acceptable.

RESOLVED

The Southern Area Planning Sub-Committee is minded to approve the application subject to the conditions set out below (and any further conditions 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.

- 1) This permission shall enure for the benefit of Mr and Mrs J Taylor only and not for the benefit of the land or any other persons

interested in the land.

- 2) Retail sales should be limited to Bulky Goods only
- 3) the retail display and sales area shall be restricted to that area shown on the layout plan

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 approve the application to such conditions referred to above.

[Note: Following the vote on this application, the Southern Team Leader advised that he would not refer the decision to the Head of Planning Services]

158. DCSW2008/0272/F - UPPER CEFN, EWYAS HAROLD, HEREFORD, HEREFORDSHIRE, HR2 0JJ. (AGENDA ITEM 11)

Proposed new livestock housing/fodder storage building. Alterations to existing access and proposed roadway across to building.

Councillor JB Williams, the local ward member, felt that the livestock building was needed in order to preserve animal welfare. He noted the comments of the local residents and 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 B02 (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 in accordance with the requirements of Policy DR1 of Herefordshire Unitary Development Plan

3 G02 (Retention of trees and hedgerows)

Reason: To safeguard the amenity of the area and to ensure that the development conforms with Policy DR1 of Herefordshire Unitary Development Plan

4 G13 (Tree planting)

Reason: In order to maintain the visual amenity of the area and to comply with Policy LA6 of Herefordshire Unitary Development Plan.

5 H03 (Visibility splays)

Reason: In the interests of highway safety and to conform with the requirements of Policy DR3 of Herefordshire Unitary Development Plan

6 H05 (Access gates)

Reason: In the interests of highway safety and to conform with the requirements of Policy DR3 of Herefordshire Unitary Development Plan

7 H09 (Driveway gradient)

Reason: In the interests of highway safety and to conform with the requirements of Policy DR3 of Herefordshire Unitary Development Plan

8 H17 (Junction improvement/off site works)

Reason: To ensure the safe and free flow of traffic on the highway and to conform with the requirements of Policy DR3 of Herefordshire Unitary Development Plan

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 N19 - Avoidance of doubt - Approved Plans****6 N15 - Reason(s) for the Grant of Planning Permission****159. DCSW2008/0294/F - HUNTERS LODGE, WORMELOW, HEREFORD, HR2 8EQ.
(AGENDA ITEM 12)**

Construction of a 5 bed residential C2 care home for adults with learning disabilities with associated parking

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

Councillor MJ Fishley, the local ward member, noted the concerns raised by the parish council as well as the local residents. However she felt that all of these concerns had been addressed in the officer's report and therefore moved the recommendation.

In response to a question, the Senior Planning Officer confirmed that the access road was not in the ownership of the applicant.

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 (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 in accordance with the

requirements of Policy DR1 of Herefordshire Unitary Development Plan

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 and to conform with the requirements of Policy T11 of Herefordshire Unitary Development Plan

Informative(s):

1 N19 - Avoidance of doubt - Approved Plans

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

160. DCSW2008/0430/F - BRYNMELYN, CUSOP, HAY-ON-WYE, HEREFORDSHIRE, HR3 5RQ. (AGENDA ITEM 13)

Alteration to garden building (retrospective).

In accordance with the criteria for public speaking Mr Greaves, a neighbouring resident, spoke in objection to the application, and Mr Hardin, the applicant's agent, spoke in support.

Councillor PD Price, the Vice-Chairman speaking in his capacity of local ward member, felt that the addition of a condition requiring the use of opaque glass would address any concerns of overlooking for the neighbouring resident. He noted that the outbuilding would not be inhabited and moved the recommendation.

RESOLVED

That planning permission be granted subject to the following conditions:

1 F08 (No conversion of outbuilding to habitable accommodation)

Reason: In order to protect the residential amenity of adjacent properties and to comply with Policy H18 of Herefordshire Unitary Development Plan.

3 C08 (Colour of cladding)

Reason: To protect the visual amenities of the area and to ensure that the development complies with the requirements of Policy DR1 of Herefordshire Unitary Development Plan

Informative(s):

1 N19 - Avoidance of doubt - Approved Plans

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

161. DCSE2008/0613/F - LAND TO THE REAR OF PYECROFT, FRIMBLE HOUSE AND EGATTOC, MONK'S MEADOW & DYMOCK ROAD, MUCH MARCLE, LEDBURY, HEREFORDSHIRE, HR8 2NF. (AGENDA ITEM 14)

Change of use from agricultural land to domestic.

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 F14 (Removal of permitted development rights)

Reason: To safeguard the amenity of the area and to ensure that the development conforms with Policies DR1 and HBA6.

3 G02 (Retention of trees and hedgerows)

Reason: To safeguard the amenity of the area and to ensure that the development conforms with Policy DR1 of Herefordshire Unitary Development Plan

4 Within 3 months of the date of this permission a landscape design has been submitted to and approved in writing by the Local Planning Authority. The details submitted should include:

- a) A plan(s) showing details of all existing trees and hedges on the application site**
- b) A plan(s) at a scale of 1:200 or 1:500 showing the layout of proposed tree, hedge and grass areas**
- c) The position, design and materials of all site enclosures (e.g fences)**

Reason: To safeguard the amenity of the area and to ensure that the development conforms with Policies DR1 and HBA6.

5 The landscaping scheme approved under condition 4 (as shown on the approved plan no.) shall be maintained for a period of 5 years. During this time, any trees, hedges or other plants which are removed, die or are seriously retarded shall be replaced during the next planting season with others of similar sizes and species unless the LPA gives written consent to any variation. If any plants fail more than once they shall continue to be replaced on an annual basis until the end of the 5-year maintenance period.

Reason: To safeguard the amenity of the area and to ensure that the development conforms with Policies DR.1 and HBA.6

INFORMATIVES:

1 N19 - Avoidance of doubt - Approved Plans

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

162. DCSE2008/0384/F - BROCKWOOD, HOWLE HILL, ROSS-ON-WYE, HEREFORDSHIRE, HR9 5SH. (AGENDA ITEM 15)

Two storey extension and replacement of existing garage

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 C02 (Matching external materials (extension))

Reason: To ensure the external materials harmonise with the existing building so as to ensure that the development complies with the requirements of Policy DR1 of Herefordshire Unitary Development Plan

3 F16 (No new windows in specified elevation)

Reason: In order to protect the residential amenity of adjacent properties and to comply with Policy H18 of Herefordshire Unitary Development Plan.

4 F07 (Domestic use only of garage)

Reason: To ensure that the garage is used only for the purposes ancillary to the dwelling and to comply with Policy H18 of Herefordshire Unitary Development Plan.

5 H05 (Access gates)

Reason: In the interests of highway safety and to conform with the requirements of Policy DR3 of Herefordshire Unitary Development Plan

6 H06 (Vehicular access construction)

Reason: In the interests of highway safety and to conform with the requirements of Policy DR3 of Herefordshire Unitary Development Plan

7 H08 (Access closure)

Reason: To ensure the safe and free flow of traffic using the adjoining County highway and to conform with the requirements of Policy DR3 of Herefordshire Unitary Development Plan

8 H09 (Driveway gradient)

Reason: In the interests of highway safety and to conform with the requirements of Policy DR3 of Herefordshire Unitary Development Plan

INFORMATIVES:

1 HN01 - Mud on highway

2 HN04 - Private apparatus within highway

3 HN09 - Drainage details for Section 38

4 N19 – Avoidance of doubt – Approved Plans

5 N15 – Reason(s) for the Grant of Planning Permission

163. DCSE2008/0553/F - THE OLD CANOE SHOP, MILL POND STREET, ROSS-ON-WYE, HEREFORDSHIRE, HR9 7AP. (AGENDA ITEM 16)

Variation of condition 8 in relation to boundary wall to replace with wooden fencing, (application number DCSE2007/2920/F).

The Vice-Chairman took the chair for the following item.

The Southern Team Leader reported the following update:

- Further clarification of Welsh Water's views has been sought. It is understood that construction of a brick wall may be acceptable but an application needs to be made to Welsh Water showing details of the proposal before a decision can be made.

In accordance with the criteria for public speaking, Mr Wadge, a resident of Wallace Court, spoke in objection to the application.

Councillor PGH Cutter, one of the local ward members, felt that the applicant should honour the condition and build a boundary wall as agreed. He said that a wooden fence would not give the same level of security to the residents of Wallace Court and felt that the application should be refused contrary to the officer's recommendation.

Councillor JA Hyde felt that the residents of Wallace Court had been reasonable throughout the whole application process and had only requested one condition. She felt that the applicant should ensure that this condition was complied with.

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) Negative impact on residential and visual amenity.

(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 Southern Team Leader advised that he would not refer the decision to the Head of Planning Services.]

164. DCSE2008/0627/RM - HAZELNUT COTTAGE AND ADJOINING LAND, LLANGROVE, ROSS-ON-WYE, HEREFORDSHIRE, HR9 6EZ. (AGENDA ITEM 17)

Erection of five houses and one bungalow.

Councillor JA Hyde, the local ward member, had a number of reservations in respect of the access to the site and the visibility splays. She voiced her concerns in respect of the application but felt that she should move the officer's recommendation.

RESOLVED

That approval of reserved matters be granted subject to the following conditions:

1 C01 (Samples of external materials)

Reason: To ensure that the materials harmonise with the surroundings so as to ensure that the development complies with the requirements of Policy DR1 of Herefordshire Unitary Development Plan

2 G10 (Landscaping scheme)

Reason: In order to maintain the visual amenities of the area and to conform with Policy LA6 of Herefordshire Unitary Development Plan.

3 G11 (Landscaping scheme - implementation)

Reason: In order to maintain the visual amenities of the area and to comply with Policy LA6 of Herefordshire Unitary Development Plan.

4 I32 (Details of floodlighting/external lighting)

Reason: To safeguard local amenities and to comply with Policy DR14 of Herefordshire Unitary Development Plan.

5 I51 (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 so as to comply with Policy DR1 of Herefordshire Unitary Development Plan.

6 F16 (No new windows in specified elevation)

Reason: In order to protect the residential amenity of adjacent properties and to comply with Policy H18 of Herefordshire Unitary Development Plan.

Informative(s):

1 N19 - Avoidance of doubt - Approved Plans

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

The meeting ended at 3.55 p.m.

CHAIRMAN