

MINUTES of the meeting of Central Area Planning Sub-Committee held at The Council Chamber, Brockington, 35 Hafod Road, Hereford on Wednesday, 16 April 2008 at 2.00 p.m.

Present: Councillor PA Andrews (Acting Chairman)

Councillors: DJ Benjamin, ACR Chappell, H Davies, PJ Edwards, DW Greenow, MAF Hubbard, AT Oliver, SJ Robertson, AM Toon, WJ Walling, DB Wilcox and JD Woodward

In attendance: Councillors TW Hunt (ex-officio) and RV Stockton (ex-officio)

CHAIRMAN

Councillor TW Hunt advised the Sub-Committee that, as both the Chairman and the Vice-Chairman had given their apologies, it was necessary to appoint an acting Chairman for this meeting. The Sub-Committee nominated and elected Councillor PA Andrews for this purpose.

146. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors WU Attfield, SPA Daniels, KS Guthrie, MD Lloyd-Hayes, JE Pemberton, GA Powell and AP Taylor.

147. DECLARATIONS OF INTEREST

The following declarations of interest were made:

Councillor	Item	Interest
DW Greenow	Minute 150, Agenda Item 5 [A] DCCE2008/0112/F and [B] DCCE2008/0114/L Hereford Conservative Club, 102 East Street, Hereford, HR1 2LW	Declared a prejudicial interest and left the meeting for the duration of the item.
AM Toon	Minute 151, Agenda Item 6 DCCW2008/0235/F Land Adjoining 9 and 11 Pixley Walk, Hereford, HR2 7TA	Declared a personal interest.
SJ Robertson	Minute 153, Agenda Item 8 DCCE2008/0256/F Land Adjacent to 53 Barrs Court Road, Hereford, HR1 1EQ	Declared a prejudicial interest and left the meeting for the duration of the item.
AM Toon	Minute 154, Agenda Item 9 DCCE2008/0442/F 16 Aylestone Hill, Hereford, Herefordshire, HR1 1HS	Declared a personal interest during the item.

148. MINUTES

RESOLVED: That the minutes of the meeting held on 19 March 2008 be approved as a correct record and signed by the Chairman.

149. ITEM FOR INFORMATION - APPEALS

The Sub-Committee received an information report about the Council's current position in respect of planning appeals for the central area.

150. [A] DCCE2008/0112/F AND [B] DCCE2008/0114/L - HEREFORD CONSERVATIVE CLUB, 102 EAST STREET, HEREFORD, HR1 2LW [AGENDA ITEM 5]

Conversion of parts of building to eight flats, relocation of manager's flat and secretary's office.

The following updates were reported:

- Two letters had been received from the agent, points included:
 - i. Agreement to contribute £10,167 towards sustainable transport initiatives and off-site play areas and sports facilities.
 - ii. The need to satisfy the requirements of the Conservation Manager and English Heritage would add to the conversion costs.
 - iii. The project would bring back into use and enables proper preservation of the building.
 - iv. The capital injection made to the Club would enable its continuation and was likely to be used in part to restore other parts of the building.
 - v. It was considered unlikely that the prospective occupants would own cars.
 - vi. It was considered unlikely that the scheme would place additional burden upon the county's play area resource.
- A letter had been received from the scheme's architect stating that conversion and other costs would be higher than normal, owing to the Grade II* listed status.
- A letter had been received from the Club Secretary which provided details of club membership, advised that several members had expressed interest in the proposed flats, stated that the development was essential to secure the future of the club, and questioned the need for Section 106 contributions.

In response to the additional representations, the Senior Planning Officer advised that:

- The confirmation of the developer's intent to contribute £10,167 via a Section 106 Agreement had been received too late to enable the amendment of the Heads of Terms as appended to the report. Therefore, the Head of Terms would be amended to reflect the proposed increased contributions and other minor changes in line with the Council's standard requirements (£5,040 for the enhancement of off site open space, play and sports provision in the locality and £5,127 for improvements to sustainable transport infrastructure in the locality). All contributions to be indexed linked and paid back within 10 years of not being spent.

Councillor MAF Hubbard, the Local Ward Member, said that there were few Grade II* listed buildings in the locality and the long-term future of this building was a key consideration. He was generally supportive of the scheme and noted that the

Conservation Manager (Historic Buildings) recommended approval.

Councillor WJ Walling commented on the present state of the building and felt that the conversion scheme was acceptable.

Councillor AT Oliver did not feel that the proposal would result in a satisfactory standard of accommodation and, referring to Policy H17 (Sub-division of existing housing), he felt that the application should be refused. However, this motion was not seconded.

RESOLVED:

That the Head of Legal and Democratic Services be authorised to complete a planning obligation under Section 106 of the Town and Country Planning Act 1990 in accordance with the amended Heads of Terms and any additional matters and terms that he considers appropriate.

Upon completion of the aforementioned planning obligation officers named in the Scheme of Delegation to Officers be authorised to issue planning permission subject to the following conditions and any further conditions considered necessary by officers:

DCCE2008/0112/F

- 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. C04 (Details of window sections, eaves, verges and barge boards).**

Reason: To safeguard the character and appearance of this building of [special] architectural or historical interest.

- 4. C05 (Details of external joinery finishes).**

Reason: To safeguard the character and appearance of this building of [special] architectural or historical interest.

- 5. C10 (Details of rooflights).**

Reason: To ensure the rooflights do not break the plane of the roof slope in the interests of safeguarding the character and appearance of this building of [special] architectural or historical interest.

- 6. C11 (Specification of guttering and downpipes).**

Reason: To safeguard the character and appearance of this building of [special] architectural or historical interest.

- 7. W01 (Foul/surface water drainage).**

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

8. W03 (No drainage run-off to public system).

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

9. F16 (Restriction of hours during construction).

Reason: To protect the amenity of local residents.

10. F39 (Scheme of refuse storage).

Reason: In the interests of amenity.

11. H29 (Secure covered cycle parking provision).

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

12. D02 (Archaeological survey and recording).

Reason: A building of archaeological/historic/architectural significance will be affected by the proposed development. To allow for recording of the building during or prior to development. The brief will inform the scope of the recording action.

Informatives:

1. N15 - Reason(s) for the Grant of PP/LBC/CAC.
2. N19 - Avoidance of doubt.

DCCE2008/0114/L

Subject to the Secretary of State raising no objection following referral of the application, officers named in the Scheme of Delegation to Officers be authorised to issue listed building consent subject to the following conditions and any further conditions considered necessary by officers:

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.

2. B01 (Samples of external materials).

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

3. C04 (Details of window sections, eaves, verges and barge boards).

Reason: To safeguard the character and appearance of this building of [special] architectural or historical interest.

4. C05 (Details of external joinery finishes).

Reason: To safeguard the character and appearance of this building of [special] architectural or historical interest.

5. C10 (Details of rooflights).

Reason: To ensure the rooflights do not break the plane of the roof slope in the interests of safeguarding the character and appearance of this building of [special] architectural or historical interest.

6. C11 (Specification of guttering and downpipes).

Reason: To safeguard the character and appearance of this building of [special] architectural or historical interest.

7. Prior to the commencement of development details of the method of closure of the entrance to the attic space above the billiard room shall be submitted to and approved in writing by the local planning authority. The entrance shall be closed and inaccessible to occupants of Flat 8 prior to the first occupation of this unit.

Reason: To safeguard the character and appearance of this building of [special] architectural or historical interest and for the avoidance of doubt.

8. C06 (External finish of flues).

Reason: To safeguard the character and appearance of this building of [special] architectural or historical interest.

9. C18 (Details of roofing).

Reason: To safeguard the character and appearance of this building of [special] architectural or historical interest.

Informatives:

1. N15 - Reason(s) for the Grant of PP/LBC/CAC.

2. N19 - Avoidance of doubt.

151. DCCW2008/0235/F - LAND ADJOINING 9 & 11 PIXLEY WALK, HEREFORD, HR2 7TA [AGENDA ITEM 6]

Erection of 2 no. two bedroom three persons flats and associated parking.

- The following update was reported:

An e-mail had been received from Councillor GA Powell, a Local Ward Member and was summarised. Councillor Powell felt unable to support the application 'on the grounds of over intensification of housing in a small area, highway safety and visual impact.'

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

Councillor H Davies, a Local Ward Member, commented on the compact size of the site and did not feel that it had capacity for two flats. She noted the demand for three bedroom houses and felt that consideration of the application should be deferred so that the proposal could be amended accordingly.

Councillor PJ Edwards, also a Local Ward Member, said that local residents had expressed concerns about anti-social behaviour in this area and many would welcome the redevelopment of the site. He felt that, on balance, the proposal was acceptable having regard to problems experienced with the site and the need for affordable accommodation.

A number of members supported deferral to enable the type of building to be reconsidered and comments were made about the need for private amenity space.

Councillor AM Toon commented that the road network and open space provision in this area was better than in many recent estate developments and felt that the form of accommodation proposed would not be incongruous with the existing street scene.

The Team Leader - Central advised that deferral of the application to amend the scheme to a three-bedroom house would not be appropriate as this would result in a materially different proposal. It was noted that the application should be refused if members did not consider the type of development to be acceptable. However, he advised that the application complied with the relevant policies and a refusal of planning permission might not be sustainable on appeal. He added that it was likely that a three-bedroom house would have a similar footprint to the proposal under consideration.

Councillor AT Oliver proposed that the application be refused as he felt that the building would have a detrimental impact on highway safety by compromising visibility on a severe bend, represented an over-intensive form of development, and because it lacked private amenity space for residents.

Councillor ACR Chappell noted the demand for affordable residential units and felt that it was an appropriate development for the site.

Councillor MAF Hubbard felt that the expert advice provided by the applicant and by officers, particularly in relation to affordable housing provision, had to be given due consideration and he supported the application. He noted that the footprint of a three-bedroom house would not allow for any private amenity space either.

Councillor DB Wilcox noted that the Sub-Committee had to determine the application before it and did not feel that there were any defensible reasons for refusal in this instance.

Councillor Edwards felt that it would be better to redevelop this land for affordable housing than let it remain in a dilapidated state. He noted that it would be difficult to satisfy all parties and he acknowledged the concerns of the objectors.

In view of the advice that a different form of accommodation would require an entirely separate application, the motion to defer consideration of the application was withdrawn. A motion to refuse planning permission failed and the resolution below was then agreed.

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. B02 (Matching external materials).

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

4. F22 (No surface water to public sewer).

Reason: To safeguard the public sewerage system and reduce the risk of surcharge flooding.

5. H13 (Turning area and parking).

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

6. During the construction phase no machinery shall be operated, no process shall be carried out and no deliveries taken at or despatched from the site outside the following times: Monday - Friday 7.30 am - 6.00 pm, Saturday 8.00 am - 1.00 pm or at any time on Sundays, Bank or Public Holidays.

Reason: To safeguard residential amenity.

Informatives:

1. N01 - Access for all.
2. N03 - Adjoining property rights.
3. N04 - Rights of way.
4. N14 - Party Wall Act 1996.
5. All machinery and plant shall be operated and maintained in accordance with BS5228: 1997 'Noise Control of Construction and Open Sites'.
6. N19 - Avoidance of doubt.
7. N15 - Reason(s) for the Grant of PP/LBC/CAC.

152. DCCW2008/0578/F - LAND TO THE REAR OF 140-142 KINGS ACRE ROAD, HEREFORD, HEREFORDSHIRE, HR4 0SD [AGENDA ITEM 7]

Proposed dwelling.

The following update was reported:

- A further letter of objection had been received from Mrs. Pritchard of 11 Pennine Close and was summarised. In particular, concerns were expressed about the impact of the proposed development on privacy, outlook and residential amenity.

In response to the additional representation, the Senior Planning Officer advised that:

- Paragraph 6.9 of the report specifically addressed the impact of the development on the amenity of surrounding properties with regard to overlooking and loss of light and concluded that, due to the separation distances (over 35 metres property to property), there were no residential amenity grounds for refusal.

Councillor AM Toon, a Local Ward Member, noted that the development was within the settlement boundary, was within an existing residential curtilage and the orientation of the proposed dwelling should minimise overlooking. She commented on problems experienced in the area with flooding and felt it essential that measures in respect of surface water drainage and rainwater harvesting be incorporated into the conditions.

RESOLVED:

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

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

4. **E17 (No windows in side elevation of dwelling).**

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

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

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

6. **G02 (Landscaping scheme (housing development)).**

Reason: To ensure a satisfactory and well planned development and to preserve and enhance the quality of the environment.

7. G03 (Landscaping scheme (housing development) – implementation).

Reason: To ensure a satisfactory and well planned development and to preserve and enhance the quality of the environment.

8. H03 (Visibility splays).

Reason: In the interests of highway safety.

9. H05 (Access gates) (5 metres).

Reason: In the interests of highway safety.

10. H06 (Vehicular access construction).

Reason: In the interests of highway safety.

11. H10 (Parking - single house) (2 cars).

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

12. H27 (Parking for site operatives).

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

13. 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.

14. F18 (Scheme of foul and surface water drainage disposal).

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

15. During the construction phase no machinery shall be operated, no process shall be carried out and no deliveries taken at or despatched from the site outside the following times: Monday - Friday 7.00 am - 6.00 pm, Saturday 8.00 am - 1 pm nor at any time on Sundays, Bank or Public Holidays.

Reason: To safeguard residential amenity.

16. The development shall be designed and constructed to meet level three of the Code for Sustainable Homes: A Step change in Sustainable Home Building Practice Design dated December 2006 or equivalent standard as may be agreed in writing with the local planning authority. No development shall commence until authorised certification has been provided confirming compliance with the agreed standard and prior to the occupation of the last dwelling, further certification shall be provided confirming that the development has been constructed in accordance with the agreed standard.

Reason: To promote the sustainability of the development hereby

approved in accordance with Policies S1 and H13 of the Herefordshire Unitary Development Plan and PPS1 Supplement 'Planning and Climate Change'.

Informatives:

1. **N01 - Access for all.**
2. **N03 - Adjoining property rights.**
3. **N14 - Party Wall Act 1996.**
4. **HN05 - Works within the highway.**
5. **HN10 - No drainage to discharge to highway.**
6. **All machinery and plant shall be operated and maintained in accordance with BS5228: 1987 'Noise Control of Construction and Open Sites'.**
7. **N19 - Avoidance of doubt**
8. **N15 - Reason(s) for the Grant of PP/LBC/CAC.**

153. DCCE2008/0256/F - LAND ADJACENT TO 53 BARRS COURT ROAD, HEREFORD, HR1 1EQ [AGENDA ITEM 8]

Proposed residential development of 6 flats.

The following updates were reported:

- Two further letters of objection had been received from Mr. & Mrs. Moucher, 52 Barrs Court Road and Mrs. M. Nobbs, 3 Penn Grove Road, Hereford. It was reported that the letters reiterated previous objections which were based upon the absence of parking within the scheme. Comment was also made on the time given to respond to notification of the receipt of amended plans.

In response to the additional representations, the Senior Planning Officer advised that:

- Car parking had been removed owing to inadequacies with the proposed vehicular access. He added that the Traffic Manager felt that car free would be an acceptable option for the development proposed.
- He also reported that the Heads of Terms, as appended to the report, should read a *total* of £8,790 and not this amount per unit. All unspent money to be paid back after 10 years. The requested contribution remained to be agreed by the applicant.

In accordance with the criteria for public speaking, Mrs. Moucher spoke in objection to the application.

Councillor DB Wilcox, a Local Ward Member, commented on the particular access difficulties associated with this site and noted the arguments for and against the proposal. He noted that a vehicular access could not be provided without compromising highway safety or having a detrimental impact on traffic congestion. He said that, without having the power to prevent residents from owning vehicles, the Section 106 Agreement to restrict future occupants from applying for residents' parking permits was a reasonable control to ensure that the development remained

car free. As a further means of managing the situation, he proposed an additional condition to prevent parking by any vehicles on site, with the exception of motorised mobility scooters. He emphasised the need for facilities for the less mobile and proposed that a secure, covered parking area for mobility scooters should be required as part of the scheme; he felt that similar provision should be considered in all future city centre developments of this kind.

Councillor ACR Chappell felt that the parking area should accommodate at least two mobility scooters and, furthermore, should incorporate recharging facilities.

The Development Control Manager outlined the principles relating to car free development and advised that recommended condition 16 (Details of boundary treatments) would incorporate measures to prevent car access to the site.

The Team Leader - Central re-iterated that the applicant had not yet agreed the requested contribution towards sustainable transport initiatives. A number of members felt that the requested contribution was important having regard to the car free nature of the proposal. Councillor Wilcox proposed that delegated authority be given to the officers, in consultation with the Chairman of the Sub-Committee and the Local Ward Members, to resolve this issue before any planning permission was granted.

Councillor MAF Hubbard said that, to respond to environmental challenges and to address transport issues in the city, the authority had to take a progressive attitude towards car free development. He added that some 44% of people in the adjoining Central Ward did not have access to a private car.

Councillor PJ Edwards was disappointed that only £8,790 in total, rather than per unit, was being sought towards infrastructure improvements. He supported the comments made about the need for an integrated approach to sustainable transport issues in the city.

A number of members concurred with the views of the Local Ward Member. In response to questions, the Senior Planning Officer advised that:

- pedestrian access would be provided off Barrs Court Road only and an impermeable boundary treatment would ensure that there was no through access to Pengrove Road;
- the contribution being sought towards sustainable transport initiatives was in line with the Supplementary Planning Document on Planning Obligations; and
- the existing buildings on the site would be demolished.

RESOLVED:

Subject to agreement between the Council, in consultation with the Chairman of the Sub-Committee and the Local Ward Members, and the applicants regarding the planning contribution towards sustainable transport initiatives:

- 1) That the Head of Legal and Democratic Services be authorised to complete a planning obligation under Section 106 of the Town and Country Planning Act 1990 in accordance with the Heads of Terms appended to this report and any additional matters and terms that he considers appropriate.**
- 2) Upon completion of the aforementioned planning obligation officers named in the Scheme of Delegation to Officers be authorised to issue**

planning permission 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. **A09 (Amended plans).**
Reason: To ensure the development is carried out in accordance with the amended plans.
3. **B01 (Samples of external materials).**
Reason: To ensure that the materials harmonise with the surroundings.
4. **C11 (Specification of guttering and downpipes).**
Reason: To safeguard the character and appearance of this building of [special] architectural or historical interest.
5. **C04 (Details of window sections, eaves, verges and barge boards).**
Reason: To safeguard the character and appearance of this building of [special] architectural or historical interest.
6. **C05 (Details of external joinery finishes).**
Reason: To safeguard the character and appearance of this building of [special] architectural or historical interest.
7. **E18 (No new windows in specified elevation).**
Reason: In order to protect the residential amenity of adjacent properties.
8. **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.
9. **F39 (Scheme of refuse storage).**
Reason: In the interests of amenity.
10. **H29 (Secure covered cycle and mobility buggy parking provision).**
Reason: To ensure that there is adequate provision for secure covered cycle and mobility buggy accommodation within the application site, encouraging alternative modes of transport in accordance with both local and national planning policy and the needs of the less mobile.
11. **F16 (Restriction of hours during construction).**
Reason: To protect the amenity of local residents.

12. W01 (Foul/surface water drainage).

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

13. 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.

14. W03 (No drainage run-off to public system).

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

15. H32 (Sustainable Home).

Reason: To promote the sustainability of the development hereby approved in accordance with Policies S1 and H13 of the Herefordshire Unitary Development Plan 2007 and PPS1 Supplement 'Planning and Climate Change'.

16. G01 (Details of boundary treatments including a permanent boundary to close off the Penn Grove Road vehicular access).

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

17. G04 (Landscaping scheme (general)).

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

18. G05 (Implementation of landscaping scheme (general)).

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

Informative(s):

1. N19 - Avoidance of doubt.

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

154. DCCE2008/0442/F - 16 AYLESTONE HILL, HEREFORD, HEREFORDSHIRE, HR1 1HS [AGENDA ITEM 9]

Conversion of ground, first and second levels of townhouse into six self contained flats with single storey extension and parking.

The following update was reported:

- Further comments had been received from the Traffic Manager clarifying that the sustainable transport contribution should be £5350 in line with the Supplementary Planning Document on Planning Obligations with the money likely to be used towards the proposed cycle lane improvements on Commercial Road and pooled towards the park and ride facilities.

The Team Leader (Central) advised that:

- The applicant had agreed to reduce the height of part of the rear extension but amended plans had not yet been received.
- The applicant had also now agreed to the principle of a contribution towards sustainable transportation infrastructure.
- The Heads of Terms, as appended to the report, would be amended to reflect the Traffic Manager's further comments.

In accordance with the criteria for public speaking, Mr. Bolt spoke in objection to the application. Mr. Goldsworthy had registered to speak in support but was not present when the opportunity to speak arose.

Councillor DB Wilcox, a Local Ward Member, noted that the Sub-Committee had refused planning permission for a change of use of this building into a house in multiple occupation in January 2008 [planning application DCCE2007/3542/F refers]. As this proposal would result in the creation of six flats, in addition to the basement flat already permitted [DCCE2007/1450/F refers], he questioned whether the concerns of the Sub-Committee had been addressed, particularly regarding the potential over-intensive use of the building, and sought clarification about the floor area of the living and bedroom accommodation. The Team Leader - Central responded by advising that the rooms were of a typical size and each self-contained flat would benefit from a satisfactory standard of accommodation.

Councillor AM Toon commented on the party wall and, noting that the proposal could result in living rooms being situated next to bedrooms in the adjoining dwelling, asked whether the layout could be reviewed in order to minimise disturbance. The Team Leader – Central advised that noise attenuation measures may be required by building regulations approval and controls existed through other legislation. He added that the internal layout of the flats could be altered at any time without necessarily requiring planning permission.

A number of members expressed concerns about tandem parking, particularly as this could prevent vehicles from leaving the site in a forward gear. The Team Leader – Central advised that removing the tandem formation would enable the creation of up to five spaces in total, rather than seven spaces, along with the necessary manoeuvring area. He confirmed that the Traffic Manager was satisfied with this revised arrangement and the recommendation had been formulated on this basis.

Councillor PJ Edwards noted that development had to preserve or enhance the character or appearance of the Conservation Area and expressed concerns about the flat roofed extension. The Team Leader – Central confirmed that the Conservation Manager considered the proposal acceptable and he advised that the comments of the Conservation Advisory Panel partly related to roadside fencing which did not form part of this application. He commented that the flat roof of the single storey rear extension would have less visual impact than a pitched roof, particularly on the amenity of the neighbouring property.

In response to a question from Councillor JD Woodward, the Team Leader – Central advised that the purpose of seeking amended plans was to reduce further the height of the rear portion of the extension; so that it followed a similar line to the existing flat roofed extension on the neighbouring property, then stepped down to the height of the boundary wall. He re-iterated that the applicant had agreed to amend the plans accordingly.

In response to a question from Councillor AM Toon, the Chairman advised that

building regulations, rather than planning conditions, specified the measures required in respect of fire/emergency control and evacuation.

Councillor DW Greenow felt that consideration of the application should be deferred pending the receipt of amended plans and resolution of the parking arrangements. Councillor Edwards suggested that, rather than defer the application, delegated authority be given to the officers, in consultation with the Chairman of the Sub-Committee and the Local Ward Members, to resolve the outstanding matters satisfactorily. Other members supported this idea.

In response to a question from Councillor Toon, the Central Team Leader confirmed that the sustainable transport contribution would be in line with the Supplementary Planning Document on Planning Obligations. He added that the contribution had been revised from £7,325, as given in the report, to £5,350 following further analysis of trip rates.

RESOLVED

Subject to the receipt of suitably amended plans relating to a reduction in the scale/height of the rear extension and (subject to agreement between the Council, in consultation with the Chairman of the Sub-Committee and the Local Ward Members, and the applicants):

- 1) **The Head of Legal and Democratic Services be authorised to complete a planning obligation under Section 106 of the Town and Country Planning Act 1990 in accordance with the amended Heads of Terms appended to this report and any additional matters and terms that he considers appropriate.**
- 2) **Upon completion of the aforementioned planning obligation the Officers named in the Scheme of Delegation to Officers be authorised to issue a planning permission 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. **H13 (Turning area and parking).**
Reason: In the interests of highway safety and to ensure the free flow of traffic using the adjoining highway.
 4. **H29 (Secure covered cycle parking provision).**
Reason: To ensure that there is adequate provision for secure covered cycle accommodation within the application site, encouraging alternative modes of transport in accordance with both local and national planning policy.
 5. **Notwithstanding the submitted details, the proposed privacy screen at**

first floor along the eastern boundary between No. 16 and No. 18 Aylestone Hill shall be at a minimum height of 1.8 metres above the roof level of the extension and glazed with obscure glass. The details of which shall be submitted for the approval in writing of the local planning authority prior to the commencement of development. The screen shall be maintained in perpetuity in accordance with the approved details thereafter.

Reason: To safeguard the residential amenity of neighbouring property.

Informatives:

1. N19 - Avoidance of doubt.
2. N15 - Reason(s) for the Grant of PP/LBC/CAC.

155. DATE OF NEXT MEETING

14 May 2008

In response to a question from Councillor ACR Chappell, Councillor TW Hunt advised that, as had been arranged in previous years, a tour of recent planning developments in the county was being considered.

The meeting ended at 3.45 p.m.

CHAIRMAN