

**MINUTES of the meeting of Planning Committee held at
The Council Chamber, Brockington, 35 Hafod Road,
Hereford on Friday, 11 April 2008 at 10.00 a.m.**

Present: Councillor TW Hunt (Chairman)
Councillor RV Stockton (Vice Chairman)

Councillors: PGH Cutter, H Davies, GFM Dawe, DW Greenow,
JW Hope MBE, B Hunt, G Lucas, RI Matthews, R Mills, RH Smith,
AP Taylor, DC Taylor, WJ Walling, PJ Watts and JD Woodward

In attendance: Councillors WLS Bowen and JB Williams

108. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors ACR Chappell, PM Morgan and JE Pemberton.

109. NAMED SUBSTITUTES (IF ANY)

Councillor RH Smith was appointed named substitute for Councillor PM Morgan.

110. DECLARATIONS OF INTEREST

There were no declarations of interest made at the meeting.

111. MINUTES

RESOLVED: That the Minutes of the meeting held on 29th February, 2008 be approved as a correct record and signed by the Chairman

112. CHAIRMAN'S ANNOUNCEMENTS

The Chairman welcomed Sian Clark, new Democratic Services Manager, to the meeting.

The Development Control Manager provided the committee with the following changes to Development Control procedures:-

On 14 March 2008 the rules on permitted development were relaxed in respect of solar heating panels. Outside conservation areas householders can now put solar heating panels up to 200 mm thick on any or all walls and roofs of their house provided that they do not, thereby, increase the height of the building. Previously in Herefordshire planning applications had been required where the householder intended to cover more than 25% of the roof of the house

With effect from 1 April 2008 the new Supplementary Planning Document came into effect on Section 106 agreements. Applicants are already being informed that all applications where Section 106 agreements are likely to be required must include draft heads of terms with the applications when they are first submitted.

On 4 April the Government released details of new planning application fees which

came into effect on 7 April. Typical changes include:

Application type	Old Fee	New Fee
Householder	£135	£150
Single New House	£265	£335
Confirming discharge of planning conditions	No fee	£25 (for householder development) £85 (for all other development)

Planning application fees are set by government – there is no local discretion. This is the first rise in fees since April 2005. These fee increases were anticipated and have been taken into account for budget purposes. A new fee for discharging planning conditions was also introduced on 7th April, with a new government circular published on 10th April explaining how it is meant to be used.

On 7th April the new National Planning Application Form, known as 1-APP came into use. By 5th May it will be compulsory; from that date any application not lodged on the 1-APP form will be invalid. The 1-APP form currently has 28 variations and replaces the six different types of forms previously used by Herefordshire Council

On 7th April the new Planning Application Requirements (Local) also came into effect, as approved by the Committee on 29th February. A new set of standard planning conditions was being introduced during April. Taken together these changes amount to a major change in development control procedures.

113. NORTHERN AREA PLANNING SUB-COMMITTEE

RESOLVED: That the report of the meeting held on 12 March 2008 be received and noted.

114. CENTRAL AREA PLANNING SUB-COMMITTEE

RESOLVED: That the report of the meeting held on 19 March 2008 be received and noted.

115. SOUTHERN AREA PLANNING SUB-COMMITTEE

RESOLVED: That the reports of the meetings held on 5 March and 2 April 2008 be received and noted.

116. POLYTUNNELS SUPPLEMENTARY PLANNING DOCUMENT

The Team Leader Local Planning presented a report about a draft Supplementary Planning Document (SPD) which set out planning guidance on polytunnel development. He said that it was included within the Council's Local Development Scheme (January 2008) and had been produced in line with the regulations of the new planning system introduced under the Planning and Compulsory Purchase Act 2004. The SPD was aimed at expanding upon and providing additional information and guidance in support of policies contained within the Herefordshire Unitary Development Plan. The document would replace the Council's Voluntary Code of Practice to control polytunnels which had been suspended In July. He outlined the preliminary consultation and information gathering which had taken place involving parish councils, statutory undertakers, interested organisations, growers and

stakeholders. He advised that the SPD was aimed at assisting all those involved about the requirements and issues to be addressed in any polytunnel development through:

- helping to clarify the forms of development that would require planning permission;
- setting out the planning issues associated with the erection of polytunnels;
- setting out the UDP policies that will need to be addressed;
- make clear the additional information that would need to accompany an application; and
- Set out the Council's pre-application planning guidance.

Team Leader Local Planning thanked those involved in the preparation of the draft, particularly the Principal Planning Officer, Roland Close. The Committee discussed various aspects of the report and agreed with the consultation proposals put forward within it.

RESOLVED

THAT the Cabinet Member (Environment and Strategic Housing) be requested to agree the publication of the Draft Supplementary Planning Document for consultation purposes.

117. MODEL FARM SUPPLEMENTARY PLANNING DOCUMENT

A report was presented the Team Leader Local Planning about a Draft Supplementary Planning Document (SPD) comprising a development brief for land at Model Farm, Hildersley, Ross-on-Wye. He said that the document was included within the Council's Local Development Scheme (January 2008) and was produced in line with the regulations of the new planning system introduced under the Planning and Compulsory Purchase Act 2004. He advised that the site of some 15 hectares had been identified in the Herefordshire Unitary Development Plan (UDP) under policy E3 as an allocated employment site. The SPD had been prepared by consultants on behalf of Ross Area Partnership and Herefordshire Council. It had been produced to expand upon and provide additional information and guidance in support of policies contained within the UDP. It formed a development brief which expanded upon the outline planning permission granted in January 2008 and he explained the main issues involved and that the SPD would:

- provide guidance on the existing planning policy framework which would influence the delivery of any future planning application;
- identify the development requirements and constraints of the site;
- provide guidance on the delivery of high quality design and landscaping principles for the site;
- provide guidance on the delivery of access and movement to, from and within the site; and
- ensure that the development can become fully integrated with the

surrounding area.

The Committee welcomed the proposals put forward in the report and felt that the type of employment development that would be provided in the scheme would be a considerable asset to the Town and to the County.

RESOLVED THAT:

the Cabinet Member (Environment and Strategic Housing) be requested to agree the publication of the Draft Supplementary Planning Document for consultation purposes.

118. DEVELOPMENT CONTROL: ANNUAL REPORT FOR 2007/08

The Development Control Manager presented his report about Development Control performance for 2007/08 and prospects for 2008/08. He explained the main issues that it covered and answered questions from Members.

RESOLVED THAT:

the report be received and noted.

119. DCSE2008/0119/O - SITING OF BUNGALOW IN REPLACEMENT OF EXISTING RESIDENTIAL CARAVAN AT LAND AT TREWAUGH FARM, THREE ASHES, HEREFORDSHIRE, HR2 8LY

The Southern Team Leader said that the Southern Area Planning Sub-Committee was minded to grant planning permission contrary to recommendation. The Sub-Committee had given weight to the existence of the lawful development certificate for a caravan on the site, which could be replaced by another temporary structure such as a "log cabin" style caravan. The suggestion made by the agent that the occupant of the caravan would be able to assist in the running of the farm and was a close family member of the occupant of the main farmhouse was also taken into account. The support of the Parish Council was also taken into consideration. It was, however, noted that the normal requirements of the functional and financial tests for a new farmworker's dwelling had not been established in this case. He reported the following updates:

Letter from Paul Smith Associates, 19 St. Martins Street, Hereford:

On planning policy, I would remind you that in *R v Rochale MBC ex p Milne (2001) 81 P & CR 27*, Sullivan J. said:

"..I regard as untenable the proposition that if there is a breach of any one policy in a development plan a proposed development cannot be said to be "in accordance with the plan"....

For the purpose of Section 54A it is enough that the proposal accords with the development plan considered as a whole. It does not have to accord with each policy and every policy therein."

In light of this and UDP policy H11 that treats caravans on the same basis as dwellings I suggest that you should draw no distinction between the two in this application.

Furthermore, I believe that the proposal accords with UDP policy S1 (3), (4), (S5) and (13), policy S2 (1) and (2) to greater extent than the compelling my

client's to occupy the residential caravan or any replacement caravan, mobile home or log cabin which could be reinstated with your Council's express permission. Without question, a bungalow would be far more energy-efficient and longer lasting than these alternative units of accommodation.

In light of this and that this proposal would not, in your officers opinion, cause any harm in site specific terms, I cannot identify any harm caused by this proposal. I stand by my earlier comments that there is a contradiction within the UDP in that policy H11 treats caravans the same as dwellings yet policy H7 seems to oppose the replacement of one with the other. Policy H11 carries no less weight than policy H7.

Lastly, my purpose of submitting the Cornwall appeal decision with the planning application was to demonstrate that my arguments carry considerable weight in very similar circumstances to those that exist with this application.

The view of the Southern Team Leader was that the agent had not interpreted policy correctly. The lawful development for the use of the land for one caravan was not the same as a permission for a permanent building. There was a fundamental difference in planning law between a material change of use for the stationing of the caravan on the land, and an operational development for the building of a house. The latter as proposed was contrary to H7 in all respects. The agent/applicant had not put forward a case for an agricultural worker's dwelling, no functional or financial case had been made, and the proposal was not put forward as affordable housing in accordance with policy H.10. The proposal met none of the criteria in policy H7 and, as a new dwelling in the rural area outside any recognised settlement, it was contrary to all the relevant criteria in the Development Plan..

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

The Committee discussed the details of the application and noted the points that had been raised about it. The Committee noted the policy issues at stake but were of the view that the dwelling would be for a member of the family who would be contributing to the operation of the farm and that an exception could therefore be made. The Southern Team Leader said that this would cause a problem in the future when the family member no longer occupied the dwelling. He pointed out that there was also the issue of the existing permission which existed for a caravan on the site. Councillor RH Smith was of the view that this could be dealt with through a Section 106 Planning Obligation. Councillors PGH Cutter and JB Williams felt that any new dwelling should be tied to the existing agricultural building through suitable conditions.

RESOLVED

That the planning application be approved subject to the following conditions and any further conditions felt to be necessary by the Head of Planning Services:

- (i) extinguishment of the existing lawful development certificate.**

120. DCSW2007/3846/O - RESIDENTIAL DEVELOPMENT, POND, PARKING FOR VILLAGE HALL AND SURGERY. PROPOSED LANDSCAPING AND TREATMENT PLANT. DEMOLITION OF PACK HOUSE, REMOVAL OF STATIC CARAVANS, COURT FARM, MUCH BIRCH, HEREFORDSHIRE, HR2 8HT.

It was reported that the application had been referred to the Committee because the Southern Area Sub-Committee was mindful to approve it contrary to policy and officer advice. The Sub-Committee felt that although the proposal did not accord with the policies of the Unitary Development Plan, in this case an exception should be made because:

1. there was an unmet need for affordable and specialist housing in the rural areas;
2. Much Birch had many facilities which made it a suitable settlement for additional housing including a primary school, church, community hall and doctors' surgery. The village is also on a main bus route;
3. the site was very unkempt and untidy and a well designed new housing scheme would be a significant improvement. Furthermore, the site had been previously identified as development land;
4. the development would bring a specific benefit of additional parking facilities for the church, surgery and village hall; and
5. the biodiversity reason for refusal could be overcome with appropriate conditions.

The Southern Team Leader presented the following updates:

An ecological survey has been received which states that there is no evidence of bat use in the buildings on the site and that the potential for it to support any is low. It is also stated in the report that nesting birds are protected in the breeding season,

The Council's Ecologist confirms the findings of the mitigation survey recently received. However, the Council's Ecologist understands that a survey for Great Crested Newts has not been completed, and therefore that remains an outstanding issue as reflected in the second reason for refusal

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

Councillor RH Smith, the Local Ward Member, felt that the proposals would serve to fulfil a local housing need, provide car parking for the village hall and considerably enhance the village by redeveloping an area which had become derelict and a considerable eyesore. The local community was enthusiastic about the proposals and in view of the advantages that would be provided for them he felt that an exception could be made to the Council's planning policies and approval granted. Several Members expressed their support for the proposals and shared the view of the Local Member and the community that the scheme would be a considerable asset for the village. Councillor JW Hope was of the view that the proposals were premature and that the housing needs survey needed to be completed before a judgement could be made. Councillor RV Stockton was concerned about the proposed density on the site and that there were no guarantees that social housing would be provided.

The Development Control Manager and the Southern Team Leader confirmed that the application was for outline permission only and that the access was the only factor to be determined at this stage. They confirmed that there was no pressing housing need in the village and that the application was contrary to Policies H6, H9 and H10 of the UDP. They felt that approval would raise expectations for other sites and the Regional Spatial Strategy was leaning more towards new housing in the market towns rather than rural areas. The fact that the site was brown field and an eyesore did not outweigh the policies. The Head of Planning Services said that the Committee needed to be aware of all the implications and to weigh them against the material considerations of the application. Notwithstanding the views of the Officers and having considered all the points put forward about the application, the Committee decided to make an exception to policy and approve it.

RESOLVED

That the application be approved subject to a Section 106 Planning Obligation, Town and Country Planning Act 1990 to secure at least 5 affordable dwellings, and subject to any appropriate conditions felt to be necessary by the Head of Planning Services.

121. DCCW2007/3940/F - PROPOSED DEVELOPMENT OF TWO BUILDINGS (4 UNITS) FOR SMALL BUSINESS B1 AND B8 USE - LIGHT INDUSTRIAL AT MARSHALL BUSINESS CENTRE, WESTFIELDS TRADING ESTATE, HEREFORD, HR4 9NS

The Development Control Manager said that the Central Area Planning Sub-Committee was minded to refuse planning permission for Unit 2 contrary to recommendation. He said that the Sub Committee was of the view that Unit 1 could be approved as recommended but that permission should be refused for Unit 2. The Sub-Committee gave weight to the objections from local residents, and were concerned with noise impacts and the visual impact on the nearest residential properties.

In accordance with the criteria for public speaking, Mr Baskerville, a local resident, spoke against the application.

Councillor A Taylor was of the view that there were difficulties associated with industrial uses close to residential properties and that there would be a detrimental impact of the development on the privacy and residential amenity of adjoining properties. He therefore felt that the application should be refused. Councillor H Davies was of the view that the mass of the building would be overpowering when viewed from the gardens of the dwellings. Councillor Greenow had reservations about the noise disturbance experienced by occupiers of adjacent properties and the proximity of the building would have a significant impact on residential amenity. He did not feel that there was sufficient room for large delivery vehicles to manoeuvre at the furthest point from the houses as proposed in the scheme.

The Development control Manager said that the building was orientated away from the residential properties to minimise noise and that only light industrial use would be permitted. This included storage and distribution, office or research use. He reminded Members that the site lay within a designated area safeguarded for B1, B2 and B8 employment purposes within the UDP. The main source of noise from such development tended to be from the parking and circulation area. As the building was close to the boundary and doorways had been relocated, the building itself would act as a buffer to noise generated from this area. He considered that the approval of one unit and the refusal of the other could be difficult to sustain on appeal and

suggested that the conditions could be reviewed to ensure that the noise attenuation measures were sufficient. Having considered all the aspects of the application and whilst noting the concerns raised, the Committee decided to approve it.

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. E05 (Restriction on hours of use (industrial)).**

Reason: In order to protect the amenity of occupiers of nearby properties.

- 4. Notwithstanding the provisions of paragraph 3(1) and Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995, (or any order revoking or re-enacting that Order with or without modification), no development which would otherwise be permitted under Classes A or B of Part 8 and of Schedule 2, shall be carried out.**

Reason: In order to protect the character and amenity of the locality, to maintain the amenities of adjoining properties and to comply with Policies DR1 and E8 of the Herefordshire Unitary Development Plan 2007.

- 5. The development hereby permitted shall not be brought into use until areas for the manoeuvring, parking, loading and unloading of vehicles have been laid out, consolidated, surfaced and drained in accordance with a scheme to be submitted to and approved in writing by the local planning authority and such areas shall thereafter be retained and kept available for those uses at all times.**

Reason: To minimise the likelihood of indiscriminate parking in the interests of highway safety and to conform with the requirements of Policy T11 of Herefordshire Unitary Development Plan

- 6. 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.

- 7. 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.

8. F01 (Scheme of noise attenuating measures).
Reason: To safeguard the amenity of the area.
9. F04 (No open air operation of plant/machinery/equipment).
Reason: To protect the amenities of nearby properties.
10. F16 (Restriction of hours during construction).
Reason: To protect the amenity of local residents.
11. F32 (Details of floodlighting/external lighting).
Reason: To safeguard local amenities.
12. No external flues or extractor equipment shall be installed at the premises without the prior written approval of the local planning authority.

Reason: In the interests of the amenity of the area and to comply with Policy DR4 of the Herefordshire Unitary Development Plan 2007.
13. F22 (No surface water to public sewer).

Reason: To safeguard the public sewerage system and reduce the risk of surcharge flooding.
14. F28 (No discharge of foul/contaminated drainage).

Reason: To prevent pollution of the water environment.

Informatives:

1. N03 - Adjoining property rights.
 2. If a connection is required to the public sewerage system, the developer is advised to contact the Dwr Cymru Welsh Water's Network Consultants on Tel: 01443 331155.
 3. N19 - Avoidance of doubt.
 4. N15 - Reason(s) for the Grant of PP/LBC/CAC.
122. **DCCE2008/0220/F - ERECTION OF 6 NO APARTMENTS IN TWO STOREY FORM TOGETHER WITH ASSOCIATED CAR PARKING & DCCE2008/0225/C – DEMOLITION OF EXISTING DWELLING, 84 AYLESTONE HILL, HEREFORD, HEREFORDSHIRE, HR1 1JJ**

The Development Control Manager said that the Central Area Planning Sub-Committee was minded to refuse planning permission contrary to recommendation. He said that the Sub-Committee had given weight to the objections from local residents and were concerned at the loss of the existing single dwelling and its replacement with 6 self contained flats. They were also concerned about increased

traffic and car parking. He provided the Committee with the following updates:

The following letter has been received by Councillor Wilcox from the occupant of 96 Aylestone Hill.

"I thank you for your e-mail and subsequent letter outlining the discussions and decision to refuse the above application presented to the Central Area Planning Committee in March.

Mr Harry Speight of 15 Walney Lane was present at the meeting and informed me of discussion and outcome.

As I wrote in my letter of objection, should this application be eventually passed it will set a precedent for the future development of Aylestone Hill. I thank you and Councillor Vaughan for resisting the construction of flats within an area of the City which is predominantly single dwellings in spacious plots.

However I think such resistance is a lost cause in the present climate of Town development. Many of the Victorian houses at the south end of Aylestone Hill are being converted into flats, whilst I watched, with sadness, Carfax being demolished to make way for the large block of flats known as The Point at the 'top' of the Hill.

With such inevitability, I would hope that such blocks would be constructed within existing building lines and that associated car parking areas be located to the side or rear, with a control on front parking to avoid the total destruction of gardens, which help to form the Conservation landscape of the Hill.

My objection to the proposed development at '84' was based upon my concern with the design and location of the associated car parking, as well as the fact that the block is well forward of the Walney Lane building line.

We can see what happens when a building is converted into multiple flats; the greenery of a front garden disappears under a sea of gravel and the road boundary becomes a 1.5m 'solid' timber fence.

I disagree with the Traffic Manager's observations that "the access is safe and that adequate parking has been proposed within the application". The proposed design indicates double-banked parking for residents and visitors, which is not practical.

What will happen? Visitors to the flats will park their cars on the Walney Lane entrance splay or on the lay-by outside 94-98 Aylestone Hill. Hopefully this will be stopped with the introduction of "No Parking" for these areas.

It seems inevitable that as soon as the Planners 'backs are turned' the given parking area for the flats will be enlarged to cover most of the front garden.

I am of the opinion that the nature of the Conservation Area that we presently enjoy on Aylestone Hill has no future. The houses set in large gardens on the north side of the hill, both east and west sides, which have no architectural merit, will be demolished to make way for large blocks of flats. The Traffic Manager has given the green light with the statement: "the

local highway network has sufficient capacity”.

Such developments have been going on in leafy suburbia about most major Cities; it's now reached Hereford.

This is yet another example of a Planning Application where the local Councillors and/or Officers may wish to limit development but are feared to so do, for should the Developer win his case at Appeal, the local tax payer will foot the bill.”

The Development Control Manager said that the applicant had agreed to increase the total parking provision on the site to nine spaces and to use “grasscrete” or a similar material for the car-park surfacing. The applicant had also agreed to enter into a Section 106 agreement to pay for a Traffic Regulation Order to prevent parking in the recently widened entrance and first section of Walney Lane. The Transportation Manager had no objection to the proposals. The view of the Officers was that should the site be developed for flats, it would not be conspicuous because there were others nearby. The footprint of the new building would be different and larger than the existing one but would not significantly change the character of the built form of the area. The general scale was comparable to the neighbouring dwelling to the north. In these circumstances a refusal of permission would be very difficult to defend on appeal.

The Committee discussed the details of the application and noted the steps agreed with the applicant to overcome the objections that had been raised. In answer to a question from Councillor PJ Watts about retaining the trees, the Development Control Manager said that they would be protected through the landscaping scheme to be approved by the officers, and by virtue of being in the Conservation Area.

RESOLVED:

That

- 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 subject to the Heads of Terms attached to this report an any additional matters and terms as he considers appropriate;**
- 2) 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 and any other conditions considered necessary by officers.**

Note to applicant:

- 1) this permission is granted pursuant to an agreement under Section 106 of the Town and Country Planning Act 1990.**

CE2008/0220/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 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 G04 (Landscaping scheme (general))**

Reason: In order to protect the visual amenities of the area.
- 5 G05 (Implementation of landscaping scheme (general))**

Reason: In order to protect the visual amenities of the area.
- 6 G09 (Retention of trees/hedgerows)**

Reason: To safeguard the amenity of the area.
- 7 G18 (Protection of trees)**

Reason: To ensure adequate protection to existing trees which are to be retained, in the interests of the character and amenities of the area.
- 8 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.
- 9 Notwithstanding the submitted details, the finished floor level of the development hereby permitted shall be constructed at 76.400**

Reason: in order to define the permission and to ensure the development is of a scale and height appropriate to the site and its surroundings.
- 10 F16 (Restriction of hours during construction)**

Reason: To protect the amenity of local residents.
- 11 H27 (Parking for site operatives)**

Reason: To prevent indiscriminate parking in the interests of highway safety.
- 12 The development hereby permitted shall not occupied until evidence documenting the foul drainage connection to the mains sewer has been submitted to and approved in writing by the local planning authority.**

Reason: To ensure satisfactory drainage arrangements are provided.
- 13 Foul and water surface discharges shall be drained separately from the site.**

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

- 14 No surface water shall be allowed to connect, either directly or indirectly, to the public sewerage system unless otherwise approved in writing by the local planning authority.

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.

- 15 Land drainage run-off shall not be permitted to discharge, either directly or indirectly, into the public sewerage system.

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

- 16 F39 (Scheme of refuse storage)

Reason: In the interests of amenity.

- 17 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 There are no foul/surface water sewers in the immediate vicinity. It is therefore likely that off-site sewers will be required to connect to the public sewerage system.

If a connection is required to the public sewerage system, the developer is advised to contact Dwr Cymru Welsh Water's Network Development Consultants on 01443 331155.

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

- 3 N19 - Avoidance of doubt

DCCE2008/0225/C

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. G18 (Protection of trees)

Reason: To ensure adequate protection to existing trees which are to be retained, in the interests of the character and amenities of the area.

2 C14 (Signing of contract before demolition).

Reason: Pursuant to the provisions of Section 71(3) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

INFORMATIVES:

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

2 N19 - Avoidance of doubt

123. DCNW2008/0221/F - INSTALLATION OF TWO TEMPORARY UNITS AND REMOVAL OF TWO UNITS. ORLETON PRIMARY SCHOOL, ORLETON, LUDLOW, HEREFORDSHIRE, SY8 4HQ

The Development Control Manager said that the application had been submitted to the Committee because it involved Council owned property. He outlined the main aspects of the proposals and an objection that had been received to it.

Councillor WLS Bowen, the Local Ward Member, He said that the proposals would provide an invaluable facility for the school and the local Community. He sympathised with the concerns raised by the objector but felt that these could be mitigated with the proposed conditions and the orientation of the building, which would have its windows facing away from the adjoining dwellings.

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 existing modular units as indicated on drawing number PSD/H/08/02 shall be removed from the site within two months of first use of the development hereby approved.

Reason: In the interest of the amenity of the surrounding area.

3. The premises shall be for use only as indicated on drawing number PSD/H/08/02 submitted as part of the application for planning determination and for no other purpose (including any other purpose in Class D1 of the schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: The local planning authority wish to control the specific use of

the land/premises, in the interest of local amenity.

4. The use hereby permitted shall not be open outside the hours of 8.00 am - 6pm Mondays to Saturdays.

Reason: To safeguard the amenities of the locality.

5. G01 (Details of boundary treatments)

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

6. 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.

7. 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.

124. DATE OF NEXT MEETING

23 May 2008

The meeting ended at 12.40 p.m.

CHAIRMAN

