

MINUTES of the meeting of Southern Area Planning Sub-Committee held at Brockington, 35 Hafod Road, Hereford on Wednesday, 8th October, 2003 at 2.00 p.m.

Present: Mrs. R.F. Lincoln (Chairman)
P. G. Turpin (Vice Chairman)

Councillors: H. Bramer, M.R. Cunningham, N.J.J. Davies,
Mrs. C.J. Davis, G.W. Davis, J.W. Edwards, Mrs. A.E. Gray, T.W. Hunt,
G. Lucas, D.C. Taylor and J.B. Williams

25. APOLOGIES FOR ABSENCE

Apologies were received from Councillor Mrs J.A. Hyde.

26. DECLARATIONS OF INTEREST

The following declarations of interest were made:

Councillor	Item	Interest
Councillor G. Lucas	Item 3 (DCSE2003/2020/F - Change of use from retail to A3 (food and drink). 33 High Street, Ross-on-Wye, Herefordshire, HR9 7DY)	Prejudicial and left the meeting for the duration of the item
Councillor Mrs. A.E. Gray	Item 5 (DCSE2003/2422/F – Proposed taxi office. 5 Cantilupe Road, Ross-on-Wye, Herefordshire, HR9 7AN)	Prejudicial and left the meeting for the duration of the item

27. MINUTES

RESOLVED: That the Minutes of the meeting held on Wednesday, 10th September, 2003 be approved as a correct record and signed by the Chairman.

28. ITEM FOR INFORMATION - APPEALS

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

29. HEAD OF PLANNING SERVICES REPORT

The report of the Head of Planning services was presented in respect of planning applications received for the southern area of Herefordshire.

RESOLVED: That the planning applications be determined as set out in the appendix to these Minutes.

30. ITEM FOR INFORMATION - ENFORCEMENT

The Sub-Committee received an information report about the enforcement matters within the southern area of Herefordshire.

RESOLVED: That the report be noted.

The meeting ended at 3.20 p.m.

CHAIRMAN

APPENDIX**SITE VISIT**

Ref. 1

ST WEONARDS
SW2003/1227/O

Site for one dwelling at:

LOWER TOMLINS FIELD, ST WEONARDS, HEREORD, HR2 8QEFor: **Mr SD Methven per Mr Griffin ADAS, the Patch, Elton Newnham, Gloucester. GL14 1JN**

In accordance with the criteria for Public Speaking Mr Methven, the applicant, and his agent Mr Griffin, spoke in favour of the application.

Having discussed details of the application the Sub-Committee took the view that the applicant's local agricultural engineering business provided a vital service to the local community in an area where affordable housing was virtually non-existent. They felt that there were exceptional circumstances under which planning permission could be granted for a dwelling, which could be tied to the business of the applicant.

The Chief Development and Control Officer pointed out that the application was contrary to a number of key planning policy issues. He said that it would also be inappropriate for the Sub-Committee to favour planning permission being granted because the applicant did not have planning permission for his business or a certificate of lawful use. He strongly recommended that permission be refused in accordance with the recommendations of the Officers.

Having considered all the points made about the application the Sub-Committee took the view that given the exceptional circumstances involved and the unique service provided by the applicant, planning permission should be granted.

RESOLVED: That

1. The Southern Area Planning Sub-Committee is minded to approve the application because of the special circumstances of the applicant's local agricultural engineering business which serves the local community and which necessitates a dwelling to be located in the open countryside, subject to any 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.

2. 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.

Note:

Under the Council's referral procedure, the Chief Development Control Officer decided to refer the application to the Head of Planning Services.

Ref. 2
LITTLE BIRCH
 DCSW2003/2308/F

Two storey extension at:

ACONTREE HOUSE, BARRACK HILL, LITTLE BIRCH, HEREFORDSHIRE. HR2 8BA

For: Mr & Mrs Johnson per Hook Mason, 11 Castle Street, Hereford. HR1 2NL

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. A06 (Development in accordance with approved plans)

Reason: To ensure adherence to the approved plans in the interests of a satisfactory form of development.

Ref. 3
ROSS-ON-WYE
 DCSE2003/2020/F

Change Of Use From Retail To A3 (Food And Drink) At:

33 HIGH STREET, ROSS-ON-WYE, HEREFORDSHIRE. HR95HD

For: Mrs L Preece per Johnathan Preece & Co, 53 Broad Street, Ross-on-Wye, Herefordshire. HR9 7DY

The receipt of a further letter from an objector was reported.

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 A06 (Development in accordance with approved plans)

Reason: To ensure adherence to the approved plans in the interests of a satisfactory form of development.

3 The use hereby approved relates solely to the ground floor of the premises.

Reason: To define the terms to which this planning permission

relates and to protect the residential amenities and character of the area.

- 4 The use hereby permitted shall not be open to customers outside the hours of 8.00 am and 11.00 pm Sundays to Thursdays and 8.00 am and 12.00 midnight Fridays and Saturdays.

Reason: To safeguard the amenities of the locality.

- 5 A scheme for the ventilation of fumes and odours arising from the use hereby permitted shall first be submitted to and be subject to the prior written approval of the local planning authority. The use shall not be commenced until the approved scheme has been installed and made fully operational, and thereafter it shall be operated and maintained, as long as the use continues.

Reason: In order to ensure that fumes and odours are properly discharged and in the interests of the amenities of residential property in the locality.

- 6 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.

Two storey side extension at:

MEADOW COTTAGE, BACTON, HEREFORDSHIRE, HR2 0AR

**For: Mr & Mrs Lewis per Broadheath Consulting Ltd,
Broadheath, Moreton on Lugg, Hereford, HR4 8DQ**

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. **A06 (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)**

Ref. 4
BACTON
DCSW2003/2450/F

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

4. F24 (Standard of septic tank/soakaway system)

Reason: To prevent pollution of the water environment.

Ref. 5
ROSS-ON-WYE
DCSW2003/2422/F

Proposed taxi office at:

5 CANTILUPE ROAD, ROSS-ON-WYE, HEREFORDSHIRE, HR9 7AN

For: R. Brooke, 9 Walford Road, Ross-on-Wye, Herefordshire, HR9 5PX

RESOLVED: That planning permission be granted subject to the following conditions:

1 E20 (Temporary permission) for one year only

Reason: To enable the local planning authority to give further consideration of the acceptability of the proposed use after the temporary period has expired.

2. E03 (Restriction on hours of opening- 9am-11.30pm Sunday to Thursday and 9am-1am on Firdays and Saturdays)

Reason: In the interests of the amenities of existing residential property in the locality.

Ref. 6
ROSS-ON-WYE
DCSE2003/2422/F

Change of use of land to residential garden land to the rear of:

9 CHURCH CLOSE/DECEMBER HOUSE, COPSE CROSS STREET, ROSS-ON-WYE, HEREFORDSHIRE

For: Ms D L Evans, 9 Church Close, Ross-On-Wye, Herefordshire, HR9 5HS

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 No development shall take place until details of the treatment of the boundaries of the site have been

submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details before use as a residential garden commences.

Reason: To protect the setting of the listed building.

Ref. 7
ROSS-ON-WYE
 DCSE2003/2380/F

Reconstruction of existing outbuilding to garage and store at:

KILN GREEN BARN, KILN GREEN, WALFORD, ROSS-ON-WYE, HEREFORDSHIRE, HR9 5RE

For: C. A. Burley, Kiln Green Barn, Kiln Green, Walford, Ross-on-Wye, Herefordshire, HR9 5RE

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

RESOLVED: That planning permission be granted subject to the following conditions:

1. Within two months of the date of this permission a scheme of landscaping shall be submitted for approval in writing by the local planning authority. The approved scheme shall be implemented before the garage/store is brought into use.

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

2. **G05 (Implementation of landscaping scheme (general))**

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

3. Details of the doors and windows shall be submitted for approval in writing before they are installed. Development shall be carried out in accordance with the approved details.

Reason: To ensure that the development is satisfactory in appearance.

4. **E09 (No conversion of garage to habitable accommodation)**

Reason: To define the terms of the permission and to ensure adequate off-street parking arrangements remain available at all times.

Ref. 8 and Ref 9
UPTON BISHOP
 DCSE2003/2231/F

Demolition of storage shed and poultry units. Restoration and conversion of redundant listed farm buildings to form 5 holiday cottages and indoor swimming pool at:

AND
DCSE2003/2233/L

**WOODHOUSE FARM BARNs, UPTON BISHOP, ROSS-ON-WYE,
HEREFORDSHIRE, HR9 7UW**

For: **Mr & Mrs Skerrett per Warren Benbow Architects, 21 Mill
Street, Kington, Herefordshire HR5 3AL**

The receipt of a further letter from the agent regarding improvements to the vehicular access was reported.

In accordance with the criteria for public speaking Mr Benbow, the agent acting on behalf of the applicant, spoke in favour of the application.

RESOLVED: That subject to the satisfactory resolution of outstanding highway issues, the Officers named in the Scheme of Delegation to Officers be authorised to grant planning permission subject to the following conditions:

In respect of DCSE2003/2231/F:

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 (Approval of details)

Reason: To safeguard the character and appearance of these buildings of special architectural or historical interest.

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 Notwithstanding the submitted drawings no demolition and/or re-building of the walls of the barns and cartshed shall be carried out unless details of the extent and nature of the works have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: To protect the character of these buildings of special architectural or historical interest.

- 6 No development shall take place until details of the layout of the site including access drive, parking and turning areas and the treatment of the site of the buildings to be demolished have been submitted to and approved in writing by the local planning authority.**

Reason: To protect the visual amenities of the area and the setting of the listed building.

- 7 No development shall take place until details of improvements to the surface of the private access track and formation of parking spaces have been submitted to and approved in writing by the local planning authority.**

Reason: In the interests of highway safety and convenience.

- 8 The details of access track, passing places, drive, parking and turning areas approved pursuant to condition nos 5 & 6 shall be implemented before the occupation of the holiday cottages.**

Reason: In the interests of highway safety and convenience.

- 9 E31 (Use as holiday accommodation)**

Reason: The local planning authority are not prepared to allow the introduction of a separate unit of residential accommodation in this rural location.

- 10 F18 (Scheme of foul drainage disposal)**

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

- 11 The poultry units specified in the application to be demolished shall be demolished and the materials including all hard surfaces shall be removed from the site before the occupation of any of the holiday cottages hereby approved.**

Reason: To define the terms of the permission and in the interests of visual amenity.

In respect of DCSE2003/2233/L:

That listed building consent be granted subject to the following conditions

- 1 C01 (Time limit for commencement (listed building consent))**

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

- 2 C02 (Approval of details)**

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

- 3 Notwithstanding the submitted drawings no demolition and/or re-building of the walls of the barns and cartshed shall be carried out unless details of the extent and nature of the works have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.**

Reason: To protect the character of these buildings of special architectural or historical interest.

- 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 No development shall take place until details of the layout of the site including access drive, parking and turning areas and the treatment of the site of the buildings to be demolished have been submitted to and approved in writing by the local planning authority.**

Reason: To protect the visual amenities of the area and the setting of the listed building.

- 7 The details of access track, passing places, drive, parking and turning areas approved pursuant to condition nos 5 & 6 shall be implemented before the occupation of the holiday cottages.**

Reason: In the interests of highway safety and

convenience.

- 8 The poultry units specified in the application to be demolished shall be demolished and the materials including all hard surfaces shall be removed from the site before the occupation of any of the holiday cottages hereby approved.

Reason: To define the terms of the permission and in the interests of visual amenity.

Ref. 10 and Ref 11
COUGHTON
SE2003/1002/F
AND
DCSE2003/2157/F

Proposed Building For The Storage And Repairs Of Agricultural, Horticultural, Automative And Plant Machinery

For: **Mr S Cole Per RPS Ltd, Park House, Greyfriars Road, Cardiff, CF10 3AF and;**

Retention Of Existing Replacement Hay Barn, Hardstanding And Terrace at:

THORNY ORCHARD, PART OS 8691, COUGHTON, ROSS-ON-WYE, HEREFORDSHIRE

For: **Mr S Cole per C F Knock, 22 Aston Court, Aston Ingham, Ross-on-Wye, Herefordshire, HR9 7LS**

The Chairman suggested that there was merit in the Sub-Committee carrying out a site inspection prior to determining the application.

RESOLVED: That consideration of the application be deferred for a site inspection on the ground that a judgement is required on the visual impact.

Ref. 12 and 13
FOWNHOPE
DCSE2003/1460/F
AND
DCSE2003/1461/L

Conversion of 2 redundant barns into two dwellings with separate garages and:

Conversion of 2 redundant barns into two dwellings with separate garages at:

UPPER BUCKENHILL, FOWNHOPE, HEREFORDSHIRE, HR1 4PU

For: **Mr P.R. Clay per Hook Mason, 11 Castle Street, Hereford HR1 2NL**

In accordance with the criteria for public speaking, Mr Drakeford spoke against the application and Mr Peachy, the agent acting on behalf of the applicant, spoke in favour of the application.

The Sub-Committee discussed details of the application and felt that there was merit in further discussions being held with the applicant

about the orientation of the garage to determine if the visual impact could be further minimised.

RESOLVED: That the Officers named in the Scheme of Delegation to Officers in consultation with the Chairman of the Sub-Committee and the local Ward Councillor be authorised to grant planning permission and listed building consent subject to further consideration of the garage proposals and subject to the following conditions and any further conditions considered necessary by Officers.

In respect of DCSE2003/1460/F:

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 B01 (Samples of external materials)

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

4 B07 (Stonework laid on natural bed)

Reason: In the interests of conserving the character of the building.

5 Prior to the commencement of development a full schedule of repair to timber frame, stonework and all other structural elements and a method statement for both units of accommodation shall be submitted to and approved in writing by the Local Planning Authority.

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

6 C02 (Approval of details)

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

7 C05 (Details of external joinery finishes)

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

8 C06 (External finish of flues)

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

9 C11 (Specification of guttering and downpipes)

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

10 No cutting or alteration of the historic timber frame shall be undertaken other than that approved as part of this application or unless it has been submitted to and approved in writing by the Local Planning Authority.

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

11 The protection measures and works laid out in the two ecological studies shall be implemented and maintained in accordance with the details submitted.

Reason: In the interests of nature conservation.

12 The developer shall afford access at all reasonable times to any ecologist nominated by the local planning authority for the purpose of observing and monitoring the biological features of the site and works completed under the ecological surveys submitted.

Reason: To allow the potential nature conservation interests of the site to be investigated, recorded and monitored.

13 E16 (Removal of permitted development rights)

Reason: To retain the character and appearance of this agricultural building.

14 E09 (No conversion of garage to habitable accommodation)

Reason: To ensure adequate off-street parking arrangements remain available at all times.

15 E08 (Domestic use only of garage)

Reason: To ensure that the garage is used only for the purposes ancillary to the dwelling.

In respect of DCSE2003/1461/L:

That listed building consent be granted subject to the following conditions:

1 C01 (Time limit for commencement (listed building consent))

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 B07 (Stonework laid on natural bed)

Reason: In the interests of conserving the character of the building.

5 Prior to the commencement of development a full schedule of repair to timber frame, stonework and all other structural elements and a method statement for both units of accommodation shall be submitted to and approved in writing by the Local Planning Authority.

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

8 C02 (Approval of details)

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

9 C05 (Details of external joinery finishes)

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

8 C06 (External finish of flues)

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

9 C11 (Specification of guttering and down pipes)

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

10 No cutting or alteration of the historic timber frame shall be undertaken other than that approved as part of this application or unless it has been submitted to and approved in writing by the Local Planning Authority.

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

11 The protection measures and works laid out in the two ecological studies shall be implemented and maintained in accordance with the details submitted.

Reason: In the interests of nature conservation.

12 The developer shall afford access at all reasonable times to any ecologist nominated by the local planning authority for the purpose of observing and monitoring the biological features of the site and works completed under the ecological surveys submitted.

Reason: To allow the potential nature conservation interests of the site to be investigated, recorded and monitored.

