

APPENDIX

Ref. 1
WHITBOURNE
NC2003/1850/F

Proposed Building Packing Hydroponic Produce, Egg Grading, Cold Store, Package Store and Small Workshop at:

LYNCROFT, BADLEY WOOD, WHITBOURNE, WORCESTER, WR6 5SJ

For: **Mr L R Roper at above address**

The Senior Planning Officer reported that additional conditions would be included in the planning permission, stating that the portacabin on the site would be removed before commencement of the proposed use, and that the hedgerow on the northern site boundary would not be removed without the prior written consent of the Local Planning Authority.

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

The local member expressed concern about the fact that neither the viability of the proposal, nor the evidence of current use appeared to have been proved. Contrary to the report, he felt that PPG7 did not support the application, and he said that it should be refused on the following grounds:

- During the two years in which the business has had a temporary planning permission, it has not contributed to a healthy rural economy as required by PPG7;
- The application would have an adverse effect on the character of the surrounding area, and did not in his opinion, comply with Malvern Hills District Policy LS7, and the Hereford and Worcester County Structure Plan.

The Senior Planning Officer explained that the temporary planning permission was in accordance with PPG7 and its purpose was to enable investment in farm buildings. In respect of the previous application (NC2001/0174/F refers), the appeal had been allowed because the Inspector felt that the agricultural had overridden the relevant planning policies. In response to a question, he confirmed that the evidence in relation to Paragraph 5.2. (d) of the report had come from a letter from the applicant, dated 1st August, 2003.

After careful consideration, and a vote, members felt that the application should be approved, with an amendment to Condition 1, that the time limit for commencement of the permission should be reduced to 12 months only.

RESOLVED: That planning permission be granted subject to

the following conditions:

- 1 - A01 (Time limit for commencement (12 months from 15th October 2003))
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 - Prior to the building hereby permitted being brought into use the 2 portacabin type structures shall be removed from the site.

Reason: In the interests of visual amenity.

- 4 - The existing hedgerow along the northern boundary of the site shall not be removed, destroyed, felled, lopped or pruned without the prior written consent of the Local Planning Authority.

Reason: To safeguard the character of the area.

- 5 - Prior to the development hereby permitted being brought into use a native species hedgerow shall be planted along the western boundary of the site in accordance with details to be submitted and approved in writing by the Local Planning Authority.

Reason: In the interests of visual amenity.

Ref. 2
LEDBURY
DCNE2003/2615/F

Retention of parking space at:

FRONT 84 BRIDGE STREET, LEDBURY, HEREFORDSHIRE, HR8 2AH

For: **A J Smith at above address.**

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

- 1 - A06 (Development in accordance with approved plans)

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

- 2 - H10 (Parking - single house) (1 car)

Reason: In the interests of highway safety.

Notes to Applicant

- 1 - HN05 - Works within the highway
- 2 - HN10 - No drainage to discharge to highway

Ref. 3
STAPLOW
DCNE2003/2090/F

Proposed Trellis Fencing At:

PEGS FARM, STAPLOW, LEDBURY, HEREFORDSHIRE, HR8 1NQ

For: **Mr & Mrs C J Nicholls per Wall, James & Davies, 15-23 Hagley Road, Stourbridge, West Midlands, DY8 1QW**

The receipt of one further letter from Miss Holmes was reported. The letter made additional points about the amended plans, that she felt all of the fence should be at a lower height of 1.5 metres, to prevent any detracting from the setting of the Listed farmhouse.

In accordance with the criteria for public speaking, Miss Holmes, an objector, spoke against the proposal.

In accordance with the criteria for public speaking, Mrs Mitchell, the applicant's agent, spoke in support of the proposal.

In response to a request, the Senior Planning Officer went through the proposal in detail. Members recognised that the need to preserve public views of the Listed Building should be balanced with the applicant's need for privacy. After careful debate, it was agreed that the application should be approved.

RESOLVED: That planning permission be approved 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 - **A09 (Amended plans) (29 August 2003)**

Reason: To ensure the development is carried out in accordance with the amended plans.

- 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.

Installation of new ground floor windows at:

RADWAY, BELLE ORCHARD, LEDBURY, HEREFORDSHIRE, HR8 1DD

For: Mr D Pengelly per Mr P D Jones 92 Robinsons Meadow Ledbury Herefordshire HR8 1SX

The Sub-Committee noted slight amendments to the recommendation.

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

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

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

2 - 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 - Prior to commencement of the development hereby permitted, details of the proposed glazing to be used including samples of the proposed glass blocks shall be submitted for the approval in writing of the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity and to safeguard the privacy of

Ref. 4
LEDBURY
DCNE2003/2139/F

neighbours.

Ref. 5
ASHPERTON
DCNE2003/2387/F

Detached dwelling on land adjacent to:

47 THE GREEN, ASHPERTON, HEREFORDSHIRE. HR8 2RY

For: **Mr & Mrs P Barnes per Mr R Pritchard, The Mill, Kenchester, Hereford. HR4 7QJ**

Members noted slight amendments to the recommendation. It was agreed that the site should be inspected, on the grounds that the character or appearance of the development itself was a fundamental planning consideration; and a judgement was required on visual impact.

In accordance with the criteria for public speaking, Mrs Barnes, the applicant, was present at the meeting and reserved her right to speak on the application until it came back before the Sub-Committee for consideration.

RESOLVED: That consideration of the site be deferred for a site inspection.

Ref. 6
STAPLOW
DCNE2003/2542/F

Proposed alterations of reception & office building & erection of toilet block extension at:

JUGS GREEN BUSINESS PARK, STAPLOW, LEDBURY, HEREFORDSHIRE, HR8 1NR

For: **Davant Products per Wall, James & Davies 15-23 Hagley Road Stourbridge West Midlands DY8 1QW**

The receipt of Ledbury Town Council's observations (no objection) was reported.

In response to a request, the Northern Divisional Planning Officer said that he would review the conditions relating to the site, and impose any necessary condition to restrict the use of the toilet block to the hours of use already established for the site.

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)

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

4 - Hours of use of the toilet block.

Ref. 7
LEDBURY
DCNE2003/2582/F

Create off road parking at:

FRONT OF PROPERTY 60 BRIDGE STREET, LEDBURY, HEREFORDSHIRE, HR8 2AH

For: **Mr Williams of above address.**

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

1 - A06 (Development in accordance with approved plans)

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

2 - H10 (Parking - single house) (1 car)

Reason: In the interests of highway safety.

Notes to Applicant

1 - HN05 - Works within the highway

2 - HN10 - No drainage to discharge to highway

Ref. 8
LEDBURY
DCNE2003/1841/F

Change Of Use Of Land From Agriculture To Tourist Accommodation To Site Log Cabin On Land At:

LITTLE VERZONS FRUIT FARM, HEREFORD ROAD, LEDBURY, HEREFORDSHIRE, HR8 2PZ

For: **Little Verzons Fruit Farm per Bruton Knowles, Bisley House, Green Farm Business Park, Bristol Road, Gloucester GL2 4LY**

The Sub-Committee noted amendments to the Notes to Applicant.

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

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

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

- 2 - A06 (Development in accordance with amended and approved plans)

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

- 3 - E31 (Use as holiday accommodation)

Reason: To prevent the establishment of the residential use in the countryside where it would not normally be permitted.

4. No one person or family group shall use the holiday chalet hereby permitted for more than 8 weeks in any period of 4 months in any one calendar year.

Reason: To prevent the establishment of the residential use in the countryside where it would not normally be permitted.

- 5 - G09 (Retention of trees/hedgerows)

Reason: To safeguard the amenity of the area.

- 6 - F19 (Drainage in accordance with approved plans)

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

7. H01 (Single access – not footway) (2.4 metres)

Reason: In the interests of highway safety.

8. H03 (Visibility splays) (3 x 160 metres)

Reason: In the interests of highway safety.

9. H05 (Access gates) (2.5 metres)

Reason: In the interests of highway safety.

- 10. H06 (Vehicular access construction) (First 4 metres from the edge of the carriageway)**

Reason: In the interests of highway safety.

- 11. H13 (Access, turning area and parking)**

Reason: In the interests of highway safety.

Notes to Applicant

- 1. The attention of the applicant is drawn to the need to keep the highway free from any mud or other material emanating from the application site or any works pertaining thereto.**
- 2. This permission does not authorise the laying of private apparatus within the confines of the public highway. The applicant should apply to Mr. A. Culley, Divisional Surveyor (South), Thorn Business Park, Rotherwas, Hereford Tel: 01432-261955, for consent under the New Roads and Streetworks Act 1991 to install private apparatus within the confines of the public highway. Precise details of all works within the public highway must be agreed on site with the Highway Authority.**
- 3. This planning permission does not authorise the applicant to carry out works within the publicly maintained highway and Mr. A. Culley, Divisional Surveyor (South), Thorn Business Park, Rotherwas, Hereford, Tel: 01432-261955, shall be given at least 28 days' notice of the applicant's intention to commence any works affecting the public highway so that the applicant can be provided with an approved specification for the works together with a list of approved contractors.**

Ref. 9
COLWALL GREEN
DCNE2003/2232/F

Change of use of existing building to single dwelling including alterations and demolitions, construction of new access and new garages at:

EVEDINE COURT, EVEDINE LANE, COLWALL GREEN,

MALVERN, HEREFORDSHIRE, WR13 6DY

For: Mr J Williams per Stainburn Taylor Architects Bideford House Church Lane Ledbury HR8 1DW

The Sub-Committee agreed that the site should be inspected on the grounds that the setting and surroundings were felt to be fundamental to the determination of the conditions being considered.

RESOLVED: That consideration of the application be deferred for a site inspection.

Ref. 10
LEOMINSTER
DCNC2003/2330/F

Proposed B1 office development with ancillary B1 workshop use at:

PLOT 13, LEOMINSTER TECHNOLOGY PARK, OFF HEREFORD ROAD, LEOMINSTER

For: Advantage West Midlands per Howl Associates Shrubbery House 21 Birmingham Road Kidderminster Worcs DY10 2BX

Slight amendments to the recommendations were 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 - A09 (Amended plans – received 8th October 2003)

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 - H03 (Visibility splays) (4.5 x 90m)

Reason: In the interests of highway safety.

5 - H04 (Visibility over frontage) (4.5m)

Reason: In the interests of highway safety.

6 - H05 (Access gates) (10m)

Reason: In the interests of highway safety.

7 - H06 (Vehicular access construction)

Reason: In the interests of highway safety.

8 - H16 (Parking/unloading provision - submission of details) (add: 'Appropriate turning facilities for articulated HGV to be provided within the site at the southern extent of the site (not adjacent to the site access junction)')

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

9 - H21 (Wheel washing)

Reason: To ensure that the wheels of vehicles are cleaned before leaving the site in the interests of highway safety.

10 - H27 (Parking for site operatives)

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

11 - H29 (Secure cycle parking provision)

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

12 - The area of land marked on the plan 02.03/102/A as 'visibility splay on bend' shall be kept free from any obstruction. Nothing shall be planted, erected and/or allowed to grow within this area which would obstruct forward visibility on the bend.

Reason: In the interest of highway safety.

13 - G04 (Landscaping scheme/visibility splay)

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

14 - G05 (Implementation of landscaping scheme (general))

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

15 - G06 (Scope of landscaping scheme)

Reason: In order that the local planning authority may be satisfied that the deposited scheme will meet their requirements.

- 16 - Prior to commencement of any of the development hereby approved a cycle audit and Green Transport Plan shall be submitted to and approved in writing by the Local Planning Authority. The cycle audit shall demonstrate how the development will be linked to the cycle scheme along the primary estate road and the development shall not be occupied until the cycle scheme along the primary estate road has been constructed together with cycle storage and other facilities designed to encourage cycle commuting, unless an alternative timescale is submitted to and agreed with the Local Planning Authority.**

Reason: In the interest of safety for cyclists and to reduce the level of vehicular traffic likely to be generated by the development.

17 - D01 (Site investigation - archaeology)

Reason: To ensure the archaeological interest of the site is recorded.

- 18 - The premises and units within shall be used for the purposes within Class B1 as defined in the Town and Country Planning Act (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) and for no other purpose.**

Reason: In order to define the terms of this permission.

- 19 - Foul water and surface water discharge must be drained separately from the site.**

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

- 20 - No surface water shall be allowed to connect (either directly or indirectly) to the public sewerage system.**

Reason: To prevent hydraulic overload of the public sewerage system, to protect the health and safety of existing residents and ensure no detriment to the environment.

- 21 - No land drainage run-off will be permitted, either directly or indirectly, to discharge into the public sewerage system.**

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

- 22 - No development approved by this permission shall be commenced until a scheme for the provision of surface water drainage works has been submitted to and approved in writing by the Local Planning Authority. Such a scheme shall be implemented in accordance with the details approved by the Local Planning Authority prior to the construction of any impermeable surfaces draining to the system.**

Reason: To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water drainage.

- 23 - No development approved by this permission shall be commenced until a scheme for the provision and implementation of a surface water regulation system has been submitted to and approved in writing by the Local Planning Authority. Such a scheme shall be implemented in accordance with details approved by the Local Planning Authority prior to construction of any impermeable surfaces draining to the scheme.**

Reason: To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water drainage.

- 24 - Prior to being discharged into any watercourse, soakaway, drainage shall be passed through an oil interceptor designed and constructed to have a capacity compatible with the site being drained. Roof water shall not pass through the interceptor.**

Reason: To protect ground water quality of the area.

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

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

26 - Prior to commencement of the development hereby approved details of the proposed external lighting to the building and car parking area shall be submitted to and approved in writing by the Local Planning Authority. The scheme as approved shall be implemented in full prior to the first occupation of the building.

Reason: In the interests of the amenity of the area.

Notes to applicant:

- 1 - HN04 - Private apparatus within highway**
- 2 - HN05 - Works within the highway**
- 3 - HN10 - No drainage to discharge to highway**
- 4 - HN19 - Disabled needs**

Ref. 11
BROMYARD
DCNC2003/2426/O

Outline Application For Residential Development at:

WESTFIELDS HOUSE, HEREFORD ROAD, BROMYARD, HEREFORDSHIRE, HR7 4ES

For: Mr J.M. Jones per Wall, James & Davies 15-23 Hagley Road Stourbridge West Midlands DY8 1QW

The Senior Planning Officer said that he would impose an additional condition on the permission, limiting the number of dwellings on the site to 3, in accordance with the Sub-Committee's request.

In accordance with the criteria for public speaking, Mrs Mitchell, the applicant's agent, spoke in support of the proposal.

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

- 1 - A02 (Time limit for submission of reserved matters (outline permission))**

Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990.

- 2 - A03 (Time limit for commencement (outline permission))**

Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990.

- 3 - A04 (Approval of reserved matters) (delete 'means of access')**

Reason: To enable the local planning authority to exercise proper control over these aspects of the development.

- 4 - A05 (Plans and particulars of reserved matters) (delete 'means of access')**

Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990.

- 5 - 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.

- 6 - H08 (Access closure)**

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

- 7 - The development hereby permitted shall be restricted to 3 dwellings only.**

Reason: In order to define the permission and in the interests of highway safety.

Notes to applicant:

- 1 - HN01 - Mud on highway**
- 2 - HN04 - Private apparatus within highway**
- 3 - HN05 - Works within the highway**
- 4 - HN10 - No drainage to discharge to highway**

Ref. 12
EYTON
DCNC2003/2454/F

Proposed shelter & implement store at:

RIDDLE PADDOCK, EYTON, LEOMINSTER, HEREFORDSHIRE

For: **Mr & Mrs T Davies per Mr I Savagar 35 Caswell Crescent Leominster Herefordshire HR6 8BE**

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.

Ref. 13
WIGMORE
DCNW2003/1854/F

Hardcore area for use as sheep pens and parking for farm machinery at:

FIELD NO. 0533, CROOKMULLEN, DEERFOLD, WIGMORE, HEREFORDSHIRE

For: **Mr E.G. Thomas, 73 Kings Meadow, Wigmore.**

The Principal Planning Officer reported the receipt of one further email from Mr Phillips, including additional photographs depicting unauthorised non-agricultural uses. The Principal Planning Officer said that these had been referred to the Enforcement Section.

In accordance with the criteria for public speaking, Mr Phillips, an objector, spoke against the proposal.

In response to questions, the Principal Planning Officer confirmed the following:

- The report referred to the untidy site, and the proposed conditions would secure improved screening, which might take a variety of forms;
- The application was for the retention of the existing hardstanding area. And no further areas had been approved;

- There were no other handling facilities available to the applicant, who intended to establish a flock of about 50 sheep which would be transported to and from the site;
- The application did not make clear how much land would be used for the livestock.

Members expressed concern about the lack of clarity in the applicant's proposal, particularly in relation to the area that would be in use. They felt that further information should be provided on the land/stock involved, and that the site should be inspected on the grounds that the character and appearance of the development was a fundamental planning consideration, and a judgement was required in visual impact.

RESOLVED: That consideration of the application be deferred for a site inspection.

Ref. 14
KINGTON
DCNW2003/1972/F

Proposed erection of a cottage on land to the rear of:

STONEWOOD COTTAGE, OXFORD LANE, KINGTON, HR5 3ED

For: **Mr J Lupton, per Mr D Walters, 27 Elizabeth Road, Kington, Herefordshire HR5 3DB**

In accordance with the criteria for public speaking, Ms Rolls, of Kington Town Council, spoke about the proposal.

During the discussion, the following principal points were raised:

- The parking area proposed in the application was a fundamental part of it; yet the parking site was not believed to be in the applicant's ownership, and the owners were unaware of this particular proposal;
- The applicant had signed a notice stating that he was the owner of the parking site. The Sub-Committee was able to grant planning permission given the current facts, but the applicant would not be able to implement it unless he

attained control of the land;

- A decision on whether the application necessitated a parking space, depended upon what view was taken about the site's town centre location. Most discussions in respect of the site had so far taken account of the need to provide parking, as requested by the Town Council;
- A garage or on site parking in this location was not possible, because this would require the removal of part of Kington's historic stone wall.

Members agreed that the issues about parking and land ownership had to be resolved before the application was determined.

RESOLVED: That the application be deferred for further information about land ownership and the need for off site parking.

Ref. 15
PRESTEIGNE
DCNW2003/2229/F

Removal of condition 2 of planning permission 96/0297/N - change of use of the garage/workshop to a car repair B2 use at:

**THE QUARRY, KINSHAM, PRESTEIGNE, HEREFORDSHIRE,
LD8 2HP**

For: **Mr K Oldershaw per Mr B Thomas, The Malt House,
Shobdon, Leominster, Herefordshire HR6 9NL**

Slight amendments to the recommendation were noted.

In accordance with the criteria for public speaking, Mrs Street, an objector, spoke against the proposal.

The Sub-Committee expressed concern that a permanent B2 use at this time, without further monitoring of the site, might adversely affect the neighbours' amenity, particularly because some of the conditions on the existing planning permission might not have been adhered to. The Principal Planning Officer reminded members that Conditions 4 and 5 restricted the proposed B2 use in a very specific manner. He added that the conditions could not be further strengthened because the Environmental Health Officer had offered no objection. Any reported breaches of conditions would, however, be dealt with through the Magistrates' Court via a Breach of Condition Notice.

Members felt that, in order to protect the neighbour's amenity, planning permission should be granted for a 12-month period only

to enable further monitoring of the site.

RESOLVED: That a 12 month temporary permission until 15th October, 2004 be granted to delete condition 2 in permission 96/0297/N issued on 25 June 1996, and replace it with the following new conditions:

- 1 - A01 (Time limit for commencement)
Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990.
- 2 - E01 (Restriction on hours of working)
Reason: To safeguard the amenities of the locality.
- 3 - E20 (Temporary Permission) (15 October 2004)
Reason: To enable the local planning authority to give further consideration of the acceptability of the proposed use after the temporary period has expired.
- 3 - E02 (Restriction on hours of delivery)
Reason: To safeguard the amenities of the locality.
- 4 - E06 (Restriction on Use) (vehicle repair workshop) (Class B2)
Reason: The local planning authority wish to control the specific use of the land/premises, in the interest of local amenity.
- 5 - E27 (Personal condition) (Mr KE and Mrs JM Oldershaw)
Reason: The nature of the development is such that it is only considered acceptable in this location having regard to the applicant's special circumstances.
- 6 - Within one month of the date of this approval a detailed parking layout setting out provision for employees and visitors and vehicles awaiting repair shall be submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented within a further month of the date of approval and thereafter kept available at all times.
Reason: To minimise the likelihood of indiscriminate parking in the interests of highway safety.
- 7 - Within one month of the date of this approval the applicant shall submit a scheme of noise attenuation measures for approval in writing by the local planning authority. The approved scheme shall be implemented within a further month of the date of approval and retained for the duration of the use.
Reason: To safeguard the amenity of the area.

- 8 - All repairs and maintenance to vehicles undertaken on the site shall take place within the workshop, the shutter doors of which shall remain closed when the nut runner is in use.

Reason: To protect the amenities of nearby properties.

- 9 - No more than 3 vehicles, either awaiting or receiving repair/maintenance shall be stationed on the site at any one time.

Reason: To clarify the terms of the small scale use and minimise visual intrusion.

Ref. 16
**MORTIMERS
 CROSS**
 DCNW2003/2328/F

Single storey extension at:

**BERWICK HOUSE, MORTIMERS CROSS, LEOMINSTER,
 HEREFORDSHIRE, HR6 9TQ**

For: **Mr & Mrs R Wall, per Mr B Thomas, The Malt House,
 Shobdon, Leominster, Herefordshire HR6 9NL**

RESOLVED: That planning permission be refused for the following reason :

1. The application site lies within the Indicative Flood Plain of the River Lugg, and the proposed extension in view of its size and position and in the absence of a Flood Risk Assessment would be at risk of flooding and could unacceptably increase the risk of flooding elsewhere. Accordingly the proposal would be contrary to Policy A15 of the Leominster District Local Plan (Herefordshire) and the guiding principles of Planning Policy Guidance Note 25 - Development and Flood Risk.

Ref. 17
EARDISLEY
 DCNW2003/2418/F

Proposed two dwellings of negative environmental impact using self contained water supply, renewable energy, waste recycling, to be run in conjunction with sustainable systems of food production. The whole lifestyle experience to be made available to family/educational groups on a short residential basis at:

**LAND ADJOINING LEMORE, EARDISLEY, HEREFORD,
 HEREFORDSHIRE, HR3 6LR**

For: **Mr J Glyn-Jones, September Organic Dairy, New House
 Farm, Almeley, Herefordshire**

The Principal Planning Officer reported that further discussions with the Landscape Officer had taken place since the production of the agenda. The Landscape Officer had concluded that the development would not adversely affect the surrounding

countryside; therefore the second reason for refusal had been removed from the recommendation. In relation to the first reason for refusal, the words "development tantamount" would be removed. The Principal Planning Officer reported that the applicant had acknowledged the concern over certain ecological matters in relation to the site, and had agreed to discuss this further with officers.

In accordance with the criteria for public speaking, Mrs Beresford of Almeley Parish Council, spoke in support of the proposal.

In accordance with the criteria for public speaking, Mr Glyn-Jones, the applicant, spoke in support of the proposal.

Whilst acknowledging that the development was in open countryside and therefore against policy, members agreed that there was merit in the application. In addition, they felt that it was supported by policies in the Deposit Draft Unitary Development Plan (UDP), and concluded that the UDP now carried more weight because it had proceeded beyond its first draft. Members also noted that the application might have accorded with other current Local Plan Policies, and was not compliant specifically with the Leominster District Local Plan. It had also received no local objections, which members felt indicated that there was general support for the application. Taking these factors into consideration, the Sub-Committee felt that the application should be approved.

The Northern Divisional Planning Officer reminded members that the crucial policies in this instance related to the Leominster District Local Plan and the Hereford and Worcester County Structure Plan. These were still the relevant policies, and the UDP remained subservient to them. Furthermore, the scheme would introduce 2 new dwellings, and no evidence had been provided to prove its viability. He advised that the dwelling, once built, would be a permanent structure; therefore, it was not possible to grant a temporary permission for it. He said that the application should be refused.

The Principal Lawyer (Planning, Environment and Transport) informed members of the Council's referral procedure, applicable in instances when members were minded to make a decision against officer advice.

RESOLVED:

That (i) the Northern Area Planning Sub-Committee is minded to approve the application, subject to the conditions set out below (and any further conditions felt to be necessary by the Head of Planning Services), provided that the Head of

Planning Services does not refer the application to the Planning Committee;

- 1. Landscaping**
- 2. Ecological mitigation**
- 3. Drainage**
- 4. The submission of a business plan**

- (ii) If the Head of Planning Services does not refer the application to the Planning Committee, Officers named in the Scheme of Delegation to Officers be instructed to approve the application, subject to such conditions referred to above.**

(NB, the application was referred to the Head of Planning Services because it was considered that there were crucial policy issues at stake.)