

MINUTES of the meeting of Southern Area Planning Sub-Committee held at The Council Chamber, Brockington, 35 Hafod Road, Hereford on Wednesday 15 April 2009 at 2.00 pm

Present: Councillor PGH Cutter (Chairman)
Councillor MJ Fishley (Vice Chairman)

Councillors: CM Bartrum, H Bramer, BA Durkin, AE Gray, JA Hyde,
JG Jarvis, G Lucas, PD Price and RH Smith

In attendance: Councillors TW Hunt

97. APOLOGIES FOR ABSENCE

Apologies were received from Councillors RV Stockton, DC Taylor and JB Williams.

98. DECLARATIONS OF INTEREST

5. DCSW2008/2972/F - STEINER ACADEMY HEREFORD, MUCH DEWCHURCH, HEREFORD, HR2 8DL..
Councillor MJ Fishley; Personal; Council appointed School Governor.

99. MINUTES

RESOLVED: That the Minutes of the meeting held on 18 March 2009 be approved as a correct record and signed by the Chairman.

100. ITEM FOR INFORMATION - SECTION 106 AGREEMENTS DETERMINED UNDER DELEGATED POWERS

The Sub-Committee noted the Council's current position in respect of Section 106 agreements determined under delegated powers for the southern area of Herefordshire.

101. DCSW2008/2972/F - STEINER ACADEMY HEREFORD, MUCH DEWCHURCH, HEREFORD, HR2 8DL.

Amendments to planning permission for new assembly hall, classrooms and ancillary building (ref DCSW2003/3461/F) including minor alterations to Church Farm.

The Principal Planning Officer advised Members that the determination of the application had been deferred at the previous meeting due to concerns raised regarding the delivery of woodchip to the site. He confirmed that a delivery vehicle had visited the site and presented a series of plans and photographs showing how the delivery of woodchip could be achieved. He added that the delivery times regarding the woodchip were restricted through condition 7 of his recommendation.

Councillor MJ Fishley, the Local Ward Member, was pleased that the concerns regarding the woodchip delivery had been addressed and therefore moved the

Officer's 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. **B03 (Amended plans)**
Reason: To ensure the development is carried out in accordance with the amended plans and to comply with the requirements of Policy DR1 of Herefordshire Unitary Development Plan.
3. **B04 (Amendment to existing permission)**
Reason: For the avoidance of doubt and to comply with the requirements of Policy DR1 of Herefordshire Unitary Development Plan.
4. **D05 (Details of external joinery finishes)**
Reason: To ensure that the materials harmonise with the surroundings so as to ensure that the development complies with the requirements of Policy DR1 of the Herefordshire Unitary Development Plan.
5. **C01 (Samples of external materials)**
Reason: To ensure that the materials harmonise with the surroundings so as to ensure that the development complies with the requirements of Policy DR1 of Herefordshire Unitary Development Plan.
6. **The delivery of woodchip shall be carried out in accordance with the management policy dated 26 March 2009.**
Reason: In the interests of the safety of local residents and school children and to comply with Policy DR3 of the Herefordshire Unitary Development Plan
7. **In addition to the requirements of Condition 6, deliveries of woodchip will be restricted to between the hours of 09.00 – 12.00 and 14.00 – 15.30 from Monday to Friday and shall not take place on Saturdays, Sundays, Bank or Public Holidays.**
Reason: To safeguard the amenities of the locality and to comply with Policy DR1 of Herefordshire Unitary Development Plan.

Informatives:

1. **N19 - Avoidance of doubt - Approved Plans**
 2. **N15 - Reason(s) for the Grant of Planning Permission**
102. **DCSW2009/0298/O - ORCOP HILL, MUCH DEWCHURCH, HEREFORD, HR2 8EW.**

Provision of 6 affordable dwellings on site of former poultry unit, bio-disc treatment plant and use of existing access.

The Principal Planning Officer reported the following updates:

Orcop Parish Council provided the formal response to a questionnaire sent out to 178 local residents. 100 responses were received.

The findings of the survey indicated that 75% of those who responded felt there was a need for affordable dwellings in the parish, 25% of respondents felt that the young adults in their household would benefit from the purchase of an affordable dwelling. 40% of respondents identified that affordable housing would be a benefit.

In conclusion just under 70% of those who responded wished the Parish Council to support the proposed scheme.

A further letter of objection had been received from a Mrs V Harcombe of Wenmai Cottage, Orcop Hill. She reiterated her strong objections and urged the refusal of planning permission as follows:-

- maintain that burying of asbestos is a health hazard
- only 3 of the affordable homes were sold as affordable, the remaining 3 were sold privately. Likelihood that this would happen again if permission was granted given the current housing market
- No facilities within 3 miles of the site

The Southern Team leader advised that the key changes to the current application were an increased market value discount of 45% and an amendment to the indicative housing layout plan.

In accordance with the criteria for public speaking, Mrs Morris, representing Orcop Parish Council, spoke in support of the application, Mr Baly, a local resident, spoke in objection, and Mr Griffin, the applicant's agent, spoke in support.

Councillor MJ Fishley, one of the Local Ward Members, felt that the additional dwellings would benefit the local community. She added that in her opinion the revised price of 109000 for a three bed dwelling was affordable and therefore she supported the recommendation.

Councillor RH Smith, the other Local Ward Member, advised Members that he had requested that the application come before committee. In response to a point raised by Councillor Fishley, he confirmed that a housing needs survey had been completed in 2003 and that Orcop Parish Council had requested another one in 2007 although this request had been rejected. He noted the support of the Parish Council and felt that there was a need for affordable housing in Orcop. He voiced concerns regarding the possibility of buried asbestos on the site and he stated that this would have to be addressed through conditions if planning permission was granted. He noted that there was not unanimous local support for the application and felt that this view was supported by a 52 name petition which had been submitted to the planning department.

Councillor JG Jarvis concurred with Councillor Smith in respect of the local housing need but noted that the application was contrary to policy H10 of the Council's Unitary Development Plan. He advised Members that Policy H10 stated that only one dwelling could be permitted on the site at present and therefore moved the

Officer's recommendation.

In response to a question the Southern Team leader confirmed that the dwellings would be allocated through Homepoint with priority given to local residents on a priority basis. He added that if local buyers could not be found then Homepoint would offer the properties to applicants from further afield within Herefordshire.

Councillor PD Price voiced his concerns regarding Homepoint's allocation procedures. He advised Members that a local family could be ineligible for a 3 bed house through Homepoint's conditions if they were only deemed to require a two bed house.

Councillor RH Smith echoed the concerns raised by Councillor Price. He felt that the application should be refused subject to an amendment to reason 1 for refusal in the Officer's report.

RESOLVED

That planning permission be refused for the following reasons:

- 1. The proposal constitutes development in open countryside where there is a strong presumption against new residential development unless there are exceptional circumstances to justify otherwise. The proposal does not entail the provision of a single affordable dwelling and is therefore contrary to Policies H7 and H10 of the Herefordshire Unitary Development Plan and the guiding principles of PPS7 - Sustainable Development in Rural Areas.**
- 2. The proposal by reason of its isolated rural location would not be sustainable in terms of reducing the need to travel by private car as required by Policies S1, S6 and DR2 and as set out in Government advice contained in PPS7 – Sustainable Development in Rural Areas, and PPG13 – Transport.**

103. DCSW2009/0091/F - COURT FARM, MUCH BIRCH, HEREFORD, HEREFORDSHIRE, HR2 8HT.

Replace seven ageing poultry units (in two different locations on the farm) with four modern poultry units.

The Principal Planning Officer reported the following updates:

Environment Agency raised no objection. On the basis that the proposal involved the replacement of existing poultry units, there was not deemed to be any significant risk to the environment.

The response confirmed that the site would also be controlled by the Pollution Prevention and Control Permit regime and also advised that a condition requiring details of surface water run-off should be considered.

In accordance with the criteria for public speaking, Mr Snell, a neighbouring resident, spoke in objection to the application.

Councillor RH Smith, the Local Ward Member, advised Members that the application was supported by policy E16 of the Council's Unitary Development Plan. He noted the comments of the public speaker and felt that these concerns, regarding delivery times and screening, could be addressed through appropriate conditions. He

therefore supported the application but sought clarification regarding a possible increase in Dust and also whether condition 12 required the bases of the old buildings to be removed.

In response to the questions raised by the Local Ward Member, the Principal Planning Officer confirmed that the issue of landscaping was extremely important and had been addressed through conditions. He added that condition 6 covered the issue of dust extraction and that condition 12 did require the existing buildings, including bases, to be removed completely.

The Southern Team leader added that the existing buildings would have to be removed before the new ones could be used, he also confirmed that delivery times were addressed through condition 4 of the Officer's recommendation. In response to an addition comment from Councillor RH Smith, the Southern Team Leader confirmed that condition 12 could be amended to allow the applicant sufficient time to move the poultry from the existing buildings to the new ones.

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 (Development in accordance with the approved plans)**
Reason: To ensure adherence to the approved plans in the interests of a satisfactory form of development and to comply with Policy DR1 of Herefordshire Unitary Development Plan.
- 3. C01 (Samples of external materials)**
Reason: To ensure that the materials harmonise with the surroundings so as to ensure that the development complies with the requirements of Policy DR1 of Herefordshire Unitary Development Plan.
- 4. F02 (Restriction on hours of delivery)**
Reason: To safeguard the amenities of the locality and to comply with Policy DR1 of Herefordshire Unitary Development Plan.
- 5. No litter from any of the proposed poultry houses shall be spread on any land at Court Farm. All litter shall be taken off the site properly sheeted and via the access onto the B4348.**
Reason: To safeguard residential amenity.
- 6. I40 (Details of flues or extractors)**
Reason: In the interests of the amenity of the area and to comply with Policy DR4 of Herefordshire Unitary Development Plan.
- 7. Details of any replacement incinerator, including the proposed siting, shall be the subject to the existing incinerator being permanently removed from Court Farm and shall be approved in writing by the local**

planning authority before the incinerator is first installed.

Reason: To safeguard residential amenity.

8. I32 (Details of floodlighting/external lighting)

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

9. At times of cleaning out any of the poultry houses a deodorising unit, specifications of which shall be the subject of the prior written approved of the local planning authority, shall be sited down wind of the poultry units in order to lessen the potential for odour.

Reason: To safeguard residential amenity.

10. G10 (Landscaping scheme)

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

11. G11 (Landscaping scheme - implementation)

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

12. Before any of the poultry units are brought into use the seven identified poultry units and associated equipment including silos shall be decommissioned and all materials not to be used in the construction of the new buildings shall be permanently removed from Court Farm in accordance with details to be approved in writing by the local planning authority.

Reason: In order to define the terms to which the application relates in order to protect the landscape and the amenity of residents in the area by reducing the cumulative impact of intensive livestock units on Court Farm in accordance with Policies LA2, LA3, DR4 and E16 of the Herefordshire Unitary Development Plan.

13. I51 (Details of slab levels)

Reason: In order to define the permission and ensure that the development is of a scale and height appropriate to the site so as to comply with Policy DR1 of Herefordshire Unitary Development Plan.

14. I20 (Scheme of surface water drainage)

Reason: To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal and to comply with Policy DR4 of Herefordshire Unitary Development Plan

Informatives:

1. N19 - Avoidance of doubt - Approved Plans

2. N15 - Reason(s) for the Grant of Planning Permission (to include reference to consideration of the Content of the Environmental

Statement)

104. DCSE2009/0370/F - ROWAN LODGE, PETERSTOW, ROSS-ON-WYE, HEREFORDSHIRE, HR9 6LF.

Detached garage and storerooms with study above.

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. C03 (Matching external materials (general))

Reason: To ensure the satisfactory appearance of the development so as to ensure that the development complies with the requirements of Policy DR1 of Herefordshire Unitary Development Plan.

3. F07 (Domestic use only of garage)

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

4. F08 (No conversion of garage to habitable accommodation)

Reason: The [integral garage/garage/car port] and access thereto must be reserved for the garaging or parking of private motor vehicles and the garage shall at no time be converted to habitable accommodation.

Informatives:**1. N19 - Avoidance of doubt – Approved Plans****2. N15 – Reason(s) for the Grant of Planning Permission****105. DCSE2009/0388/F - JUNCTION OF FERNBANK ROAD EASTFIELD ROAD, ASHFIELD, ROSS-ON-WYE, HR9 5PP.**

10m high telecommunication pole with antennas, associated radio equipment cabinet and Lucy AR pillar.

The Southern team Leader advised Members that the application had been withdrawn at the request of the applicant.

106. DCSE2009/0308/A - HOPE & ANCHOR, ROPE WALK, ROSS-ON-WYE, HEREFORDSHIRE, HR9 7BU.

Two free standing signs (pole sign illuminated) and a fascia sign to building.

The Senior Planning Officer reported the following updates:

An alteration to the objection listed in paragraph 5.3. The fourth reason for objection should read:

It would be obtrusive to the views from all rooms, which currently have an uninterrupted view of the riverside.

In accordance with the criteria for public speaking, Mrs Baugh, a neighbouring resident, spoke in objection to the application.

Councillor CM Bartrum, one of the Local Ward Members, noted that the neither the Traffic Manager nor the Town Council had not objected to the application and therefore moved the recommendation.

Councillor G Lucas, the other Local Ward Member, concurred with Councillor Bartrum and seconded the motion.

Councillor H Bramer felt that the door sign and the ground sign were perfectly acceptable although he had reservations in respect of the sign which was due to be relocated. He felt that there was no need to move the sign and felt that it's current position was acceptable.

The Southern Team leader drew Members' attention to section 6.1 of the Officer's report and confirmed that commercial need was not a factor when determining advertisement applications. He added that public safety and amenity were the only issues that could be used as reasons for refusal.

Councillor JA Hyde concurred with Councillor H Bramer, she felt that moving the sign would have a detrimental effect on the amenity of the residents of the White House. She noted that the proposed sign was illuminated and was advised that the existing sign was also illuminated.

In response to a question, the Senior Planning Officer confirmed that conditions allowed the sign to be illuminated during the public house's hours of business. He advised Members that as the application was for advertisement consent they could choose to approve the application in part.

Members discussed the application and felt that their concerns related solely to the relocation of the pole sign. The original motion to approve the application was withdrawn and the resolution below was agreed.

RESOLVED

That advertisement consent be refused in respect of the pole sign (Item B) due to the impact on the amenity of local residents.

That advertisement consent be granted in respect of the double sided directional sign and the wall sign (Items A and C) subject to standard conditions and the following further 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. B03 (Amended plans)**

Reason: To ensure the development is carried out in accordance with the amended plans and to comply with the requirements of Policy DR1 of Herefordshire Unitary Development Plan

3. I35 (Time limit on floodlighting/external lighting) (amended)

Reason: To minimise the impact of the floodlights and to protect the residential amenity of nearby dwellings so as to comply with Policy DR14 of Herefordshire Unitary Development Plan.

Informatives:

- 1. N19 - Avoidance of doubt - Approved Plans**
- 2. N15 - Reason(s) for the Grant of Advertisement Consent**

The meeting ended at Time Not Specified
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CHAIRMAN