

**MINUTES of the meeting of Central Area Planning Sub-Committee held at The Council Chamber, Brockington, 35 Hafod Road, Hereford on Wednesday 24 June 2009 at 2.00 pm**

**Present:** Councillor JE Pemberton (Chairman)

**Councillors:** PA Andrews, WU Attfield, GFM Dawe, PJ Edwards, DW Greenow, KS Guthrie, MAF Hubbard, MD Lloyd-Hayes, RI Matthews, AT Oliver, SJ Robertson, AM Toon, WJ Walling, DB Wilcox and JD Woodward

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

**14. ELECTION OF CHAIRMAN AND APPOINTMENT OF VICE-CHAIRMAN**

It was noted that, at the extraordinary meeting of Council on 12 June 2009, Councillor JE Pemberton was re-elected Chairman and Councillor GA Powell was re-appointed Vice-Chairman of the Sub-Committee.

**15. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors DJ Benjamin, AJM Blackshaw, ACR Chappell, SPA Daniels, H Davies, GA Powell, AP Taylor and NL Vaughan.

**16. DECLARATIONS OF INTEREST**

7. DCCW2009/0384/F - Upper Hill Farm, Breinton, Hereford, Herefordshire, HR4 7PH  
Councillor PJ Edwards; Personal.  
Councillor GFM Dawe; Personal.  
Councillor DW Greenow; Personal.  
Councillor MAF Hubbard; Personal.  
Councillor DB Wilcox; Personal.

**17. MINUTES**

Referring to minute 8 [DCCW2009/0160/F – Land at Brook Farm, Marden], the Democratic Services Officer advised that reference to policy E9 in the resolution should be omitted; this policy related to home-based businesses.

**RESOLVED:**

**That, subject to the above amendment, the minutes of the meeting held on 27 May 2009 be approved as a correct record and signed by the Chairman.**

**18. ITEM FOR INFORMATION - APPEALS**

The Sub-Committee received an information report.

**19. [A] DCCE2009/0555/F AND [B] DCCE2009/0556/L - TARRINGTON COURT, TARRINGTON, HEREFORDSHIRE, HR1 4EX [AGENDA ITEM 6]**

*Retention of arch and rebuilding of wall. Conversion of existing hay loft to flat in Coach House. Build stable block.*

Details of updates / additional representations received following the publication of the agenda were provided as follows:

- A further letter of objection had been received from Mr. Hodges of Ro-onica, Tarrington and the main points were summarised.
- The officer comments included: 'Trellis fencing is unlikely to be acceptable. There is no evidence of what existed originally in terms of the entrance and boundary treatment. Ultimately, the application must be considered on its merits and is considered an acceptable means of enclosure for the site and setting of the listed building'.

The Chairman, speaking in her capacity as the Local Ward Member, commented on a number of issues, including:

- The recent history of the site and the unauthorised construction of the arch and increase in height of the stone boundary wall.
- Extracts of communications by the Senior Conservation Officer were read out, including comments about the height, style and detailing of the arch and wall additions being out of keeping with the existing wall. However, it was noted that the latest comments reproduced in the agenda now considered this element to be acceptable. The Chairman expressed concerns about apparent inconsistencies and supposition in the comments.
- It was noted that the Parish Council and local residents had raised objections about the arch feature and the height of the wall, particularly given the impact on the setting and views of Tarrington Court.
- Although there were no objections to the conversion of the existing hay loft and the building of a new stable block, the retention of the arch and rebuilding of the wall element was not considered acceptable and, therefore, it was proposed that the application be refused as being contrary to HBA4 (Setting of Listed Buildings) and PPG15 (Planning and the Historic Environment).

The Senior Conservation Officer advised that the comments quoted regarding concerns about the height of the wall related to an earlier proposal. He also advised that, ideally, the arch feature would be more rusticated and less formal but it was not felt that this matter was so significant as to substantiate refusal of the application. It was acknowledged that the position of the original entrance was unclear but it was not considered that the revised gateway and access arrangements were unacceptable.

The Chairman commented that the current gateway access had been the main entrance to Tarrington Court for many years and the boundary wall was considered part of the heritage of the village.

Councillor PJ Edwards considered the style of the arch feature to be out of character with the listed building and the surroundings. In response to a question, the Development Control Manager advised that the Sub-Committee had no statutory authority to make 'split decisions' on planning applications; it was noted that this was permitted in respect of advertisement consents. Councillor Edwards suggested that consideration of the application be deferred to enable the applicants to reconsider the retention of the arch and the rebuilding of wall element.

Councillor RI Matthews supported the officer's appraisal and questioned whether a refusal of planning permission could be sustained on appeal.

Councillor MAF Hubbard commented on the impact of the proposals on the wider area, particularly on public views of Tarrington Court, and supported deferral.

Councillor MD Lloyd-Hayes felt that there were a number of matters that needed to be clarified and urged officers to ensure that the Local Ward Member was involved in the ongoing discussions.

Councillor AM Toon questioned what could be achieved through deferral and suggested that the officers be authorised to find a solution, in consultation with the Local Ward Member. The Development Control Manager, noting that the Sub-Committee had not raised objections to the proposed hay loft conversion and new stable block, said that a possible course of action would be to delegate authority to officers to approve the application subject to the withdrawal of the retention of arch and rebuilding of wall element from the proposal within 28 days. Some Members commented on the potential merit of this approach but Councillor Edwards maintained his view that the application should be deferred.

**RESOLVED:**

**That consideration of planning applications DCCE2009/0555/F and DCCE2009/0556/L be deferred for further negotiations with the applicant.**

**20. DCCW2009/0384/F - UPPER HILL FARM, BREINTON, HEREFORD, HEREFORDSHIRE, HR4 7PH [AGENDA ITEM 7]**

*Change of use of barns to 2 nos houses.*

Councillor RI Matthews, the Local Ward Member, said that there was no objection to the conversion of the barns in principle. In response to a question, the Principal Planning Officer confirmed that the drainage arrangements were considered satisfactory.

Councillor PA Andrews commented on the need for hedges around the visibility splays at the junction of the bridleway with the unclassified road to be trimmed back adequately.

Councillor MAF Hubbard felt that further consideration should be given to options to improve visibility at the junction.

Councillor DW Greenow considered the junction to be unsafe potentially as he did not feel that approaching drivers would necessarily anticipate emerging vehicles. He added that the hedgerows could only be cut back to a limited extent. In response to a question, the Principal Planning Officer advised that recommended condition 14 would require repairs and improvements to the access lane prior to the commencement of any other works. Councillor MD Lloyd-Hayes commented on the need for the lane to be safe for use and fit for purpose for all users.

In response to a question from Councillor AM Toon, the Principal Planning Officer advised that developers only had to commence development within 12 months in order to comply with the current policy relating to planning obligations.

Councillor SJ Robertson noted that significant additional traffic could be generated by these new dwellings which would increase the possibility of conflicting vehicles at the junction.

In response to a question from Councillor WJ Walling, the Principal Planning Officer advised that, although the owner of the lane had not reached an agreement with the applicant, a 'Certificate B' notice had been provided to the landowner for the purposes of the planning application. The Principal Planning Officer re-iterated that recommended

condition 14 would require the upgrading of the lane and, therefore, the applicant would need the consent of the landowner for the works. The Legal Practice Manager confirmed that land ownership was a civil matter with legislation separate to the planning process.

Councillor DB Wilcox noted that the conditions would ensure that the lane was upgraded but he felt it essential that provision was made for its future maintenance to an acceptable standard.

In response to a question from Councillor KS Guthrie, the Principal Planning Officer advised that the applicant did not own the land on the other side of the entrance and, therefore, it would not be possible to move it eastward.

Councillor RI Matthews felt that there were a number of points to clarify, principally relating to access upgrading, maintenance and land ownership issues. Therefore, he suggested that delegated authority be granted to officers, in consultation with the Chairman and himself as the Local Ward Member, to resolve the outstanding matters.

**RESOLVED:**

**That officers named in the Scheme of Delegation to Officers, in consultation with the Chairman and the Local Ward Member, be authorised to issue planning permission following further clarification regarding the outstanding matters identified by the Sub-Committee, subject to the following conditions and any further conditions considered necessary by Officers:**

1. **A01 (Time limit for commencement (full permission)) (One year).**

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

2. **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.**

3. **D08 (Repairs to external brickwork).**

**Reason: To ensure that the work is finished with materials, textures and colours that are appropriate to the safeguarding of the architectural or historic interest of the building (as one which is in a conservation area, or of local interest) and to comply with the requirements of Policies HBA12 and HBA13 of Herefordshire Unitary Development Plan.**

4. **D09 (Details of rooflights).**

**Reason: To ensure that the rooflights are of an appropriate form and minimise the potential disruption to the appearance and continuity of the roofs in the interests of the safeguarding of the architectural or historic interest of the building (as one which is in a conservation area, or of local interest) and to comply with the requirements of Policies HBA12 and HBA13 of Herefordshire Unitary Development Plan.**

5. **D10 (Specification of guttering and downpipes).**

**Reason: To ensure that the rainwater goods are of an appropriate form in the interests of the building (as one which is in a conservation area, or of local interest) and to comply with the requirements of Policies HBA12 and HBA13 of Herefordshire Unitary Development Plan.**

**6. D11 (Repairs to match existing).**

**Reason: To ensure that all of the works arising from the approved scheme are of an appropriate form in the interest of the building (as one which is in a conservation area, or of local interest) and to comply with the requirements of Policies HBA12 and HBA13 of Herefordshire Unitary Development Plan.**

**7. D12 (Repairs in situ).**

**Reason: To ensure that the integrity of the building of local interest is preserved to ensure compliance with Policy HBA13 of Herefordshire Unitary Development Plan.**

**8. Prior to any works commencing a full timber frame repair schedule shall be submitted for approval in writing of the local planning authority and the repairs undertaken in accordance with the approved specification.**

**Reason: To ensure that the integrity of the building of local interest is preserved to ensure compliance with Policy HBA13 of Herefordshire Unitary Development Plan.**

**9. F14 (Removal of permitted development rights).**

**Reason: To ensure the character of the original conversion scheme is maintained and to comply with Policy HBA12 of Herefordshire Unitary Development Plan.**

**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. 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 and to conform with the requirements of Policy T11 of Herefordshire Unitary Development Plan.**

**13. The specification for works to the surface of bridleway BT9, providing private vehicle access to the site, must be submitted for written approval by the highway authority and the planning authority before any work commences.**

**Reason: To comply with Policy T6 of the Herefordshire Unitary Development Plan.**

**14. Prior to the commencement of any other works on site, the access lane between the site and the unclassified 73022 road shall be repaired and**

improved. This work shall be in accordance with details which have been submitted to and approved in writing by the local planning authority.

**Reason:** In the interests of highway safety and to ensure the free flow of traffic using the adjoining highway and to conform with the requirements of Policy T11 of Herefordshire Unitary Development Plan.

**15. H27 (Parking for site operatives).**

**Reason:** To prevent indiscriminate parking in the interests of highway safety and to conform with the requirements of Policy DR3 of Herefordshire Unitary Development Plan.

**16. I16 (Restriction of hours during construction).**

**Reason:** To protect the amenity of local residents and to comply with Policy DR13 of Herefordshire Unitary Development Plan.

**17. I19 (Drainage in accordance with approved plans).**

**Reason:** In order to ensure that satisfactory drainage arrangements are provided and to comply with Policy DR4 of Herefordshire Unitary Development Plan.

**18. K4 (Nature Conservation - Implementation).**

**Reason:** To ensure that all species are protected having regard to the Wildlife and Countryside Act 1981 (as amended), the Conservation (Natural Habitats, & c) Regulations 1994 (as amended) and Policies NC1, NC5, NC6 and NC7 of Herefordshire Unitary Development Plan.

**Informatives:**

- 1. HN05 - Works within the highway.**
- 2. HN10 - No drainage to discharge to highway.**
- 3. N19 - Avoidance of doubt - Approved Plans.**
- 4. N15 - Reason(s) for the Grant of PP/LBC/CAC.**

**21. DCCW2009/0575/F - WARHAM COURT FARM, BREINTON, HEREFORD, HEREFORDSHIRE, HR4 7PF [AGENDA ITEM 8]**

*Provision of one dung midden as a replacement for those previously approved under application DCCW2008/0335/F.*

Councillor RI Matthews, the Local Ward Member, commented on the sensitivity of the landscape and the need to ensure the best form of development for the area. In response to a question, the Principal Planning Officer advised that he was not aware whether an overflow pipe had been installed yet but confirmed that it was a requirement for the construction of a clean water pond (DCCW2008/2647/F). Councillor Matthews drew attention to the comments of Breinton Parish Council about landscaping and said that this needed to be maintained to mitigate the visual impact of recent developments at the farm. The Principal Planning Officer suggested an additional condition to ensure that the hedge was maintained to a certain height. In response to a question, the Principal Planning Officer advised that an offer by the applicant to install a French drain across the

access road did not form part of recent planning applications but officers would take the matter up with the applicant separately. Councillor Matthews considered that the application was acceptable on balance, subject to the midden walls being painted a suitable colour and the identified landscaping conditions being implemented.

A number of Members supported the views of the Local Ward Member.

**RESOLVED:**

**That planning permission be granted subject to the following conditions and any further conditions considered necessary by Officers:**

1. **The landscaping scheme approved under reference DCCW2008/2647/F shall be implemented in the next planting season following the date of this planning permission.**

**Reason: In order to safeguard the amenity of the area and to ensure that the development conforms to Policies DR1 and LA5 of the Herefordshire Unitary Development Plan.**

2. **The external surface of the dung midden walls hereby approved shall be painted dark green (RAL 6003) within three months of the date of this permission unless otherwise agreed in writing by the local planning authority. The walls shall thereafter be maintained in accordance with the approved colour.**

**Reason: To protect the visual amenities of the area and to ensure that the development complies with the requirements of Policy DR1 of the Herefordshire Unitary Development Plan.**

3. **The hedge to the north of the dung midden and running east - west shall be maintained at a minimum height of 2.5 metres for its entire length unless otherwise agreed in writing by the local planning authority.**

**Reason: In the interest of visual amenity of the area and to conform with Policy LA6 of the Herefordshire Unitary Development Plan.**

**Informatives:**

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

**22. DCCE2008/1533/F - PRICKETTS PLACE, BOLSTONE, HEREFORD, HEREFORDSHIRE, HR2 6LZ [AGENDA ITEM 9]**

*Alterations and two storey extension to existing house.*

Councillor GFM Dawe, the Local Ward Member, commented that the cottage was typical of the Herefordshire vernacular style and, although acknowledging that the existing building was quite small at 102 sq m, an extension of some 160 sq m of additional floor space was not compatible with policies H7 (Housing in the countryside and outside settlements) and H18 (Alterations and extensions). He also commented that the cottage was in a very sensitive area and concurred with the officer's recommendation of refusal.

Councillor PJ Edwards complimented the applicant on the quality of the material submitted in support of the application but said that this did not alter the fact that the

proposal would change the character of the cottage and have a detrimental impact on the setting and surroundings.

Councillor DW Greenow expressed a view that the existing cottage was not suitable for modern living standards and felt that the proposal would integrate sympathetically with the original building. He commented that the local parish councils had no objections to the applications and that the site was adjacent to, not in, the Wye Valley AONB.

Councillor AT Oliver noted that policy H18 sought to maintain the proportions of the traditionally smaller dwellings to ensure the retention of such accommodation and considered this application to be directly contrary to policy.

In response to questions, the Development Control Manager outlined the negotiations that had been undertaken since consideration of this application was deferred in February 2009. The Development Control Manager said that, whilst efforts had been made to reduce the size and the reconfigured scheme was considered better than the original submission, officers still considered that the proposal conflicted with policy.

The Chairman commented on the minimal proportions and limitations of the existing dwelling, the extensive negotiations undertaken, and the merits of the revised design approach.

Some Members felt the cottage to be too small to be habitable and supported the scheme. However, other Members noted the importance of retaining a mixture of housing types in rural areas and considered the size and scale of the proposed extension to be excessive in this instance.

**RESOLVED:**

**That planning permission is refused for the following reason:**

- 1. Having regard to Herefordshire Unitary Development Plan Policies H7 and H18 and the size and scale of the existing cottage the proposal is considered to be unacceptable. The proposed extension by virtue of their size and scale would not be in keeping with the character of the existing dwelling which would also not remain the dominant feature.**

**23. DCCE2009/0786/F - LAND TO THE REAR OF 78 HAMPTON PARK ROAD, HEREFORD, HEREFORDSHIRE, HR1 1TJ [AGENDA ITEM 10]**

*Proposed new dwelling.*

The Senior Planning Officer provided details of updates / additional representations received following the publication of the agenda as follows:

- An e-mail had been received from the applicants to clarify a point raised by one of the objectors that the proposed dwelling is within 3.5-5.5 metres of the boundary and not 2-3 metres.

Councillor MD Lloyd-Hayes, a Local Ward Member, said that the principle of development was acceptable given the size of the plot and other backland style developments in the area. However, concerns were expressed about the absence of Section 106 contributions, particularly given the deficiencies identified by the Children and Young People Services Manager. The Development Control Manager confirmed that, subject to a 12-month commencement requirement in accordance with the current policy, no community infrastructure contributions would be required.



Councillor PJ Edwards drew attention to conditions 5 and 6, relating to the protection of trees and hedgerows, and commented on the need for measures to ensure that tree roots were not damaged.

Councillor WJ Walling, also a Local Ward Member, considered that the siting and appearance of the proposed dwelling to be acceptable and supported the application. However, he also expressed reservations about the current Section 106 policy.

**RESOLVED:**

- 1) **The Legal Practice Manager be authorised to complete a planning obligation under Section 106 of the Town and Country Planning Act 1990 to ensure the safeguarding of visibility splays at the access and 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:**
  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. **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.**
  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. **F15 (No windows in side elevation of extension).**  
**Reason: In order to protect the residential amenity of adjacent properties and to comply with Policy H18 of Herefordshire Unitary Development Plan.**
  5. **G02 (Retention of trees and hedgerows).**  
**Reason: To safeguard the amenity of the area and to ensure that the development conforms with Policy DR1 of Herefordshire Unitary Development Plan.**
  6. **G04 (Protection of trees/hedgerows that are to be retained).**  
**Reason: To safeguard the amenity of the area and to ensure that the development conforms with Policies DR1 and LA5 of Herefordshire Unitary Development Plan.**
  7. **H03 (Visibility splays).**  
**Reason: In the interests of highway safety and to conform with the requirements of Policy DR3 of Herefordshire Unitary Development Plan.**

**8. H06 (Vehicular access construction).**

**Reason: In the interests of highway safety and to conform with the requirements of Policy DR3 of Herefordshire Unitary Development Plan.**

**9. H09 (Driveway gradient).**

**Reason: In the interests of highway safety and to conform with the requirements of Policy DR3 of Herefordshire Unitary Development Plan.**

**10. 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 and to conform with the requirements of Policy T11 of Herefordshire Unitary Development Plan**

**11. H27 (Parking for site operatives).**

**Reason: To prevent indiscriminate parking in the interests of highway safety and to conform with the requirements of Policy DR3 of Herefordshire Unitary Development Plan.**

**12. 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.**

**13. F05 (Restriction on hours of use (industrial)).**

**Reason: In order to protect the amenity of occupiers of nearby properties and to comply with Policy DR1 of Herefordshire Unitary Development Plan.**

**14. I14 (Scheme of foul drainage disposal).**

**Reason: In order to ensure that satisfactory drainage arrangements are provided and to comply with Policy DR4 of Herefordshire Unitary Development Plan.**

**15. F14 (Removal of permitted development rights).**

**Reason: In order to protect the character and amenity of the locality, to maintain the amenities of adjoining property and to comply with Policy H18 of Herefordshire Unitary Development Plan.**

**16. K4 (Nature conservation – implementation).**

**Reason: To ensure that all species are protected having regard to the Wildlife and Countryside Act 1981 (as amended), the Conservation (Natural Habitats, &c) Regulations 1994 (as amended) and Policies NC1, NC5, NC6 and NC7 of Herefordshire Unitary Development Plan.**

**Informatives:**

**1. HN05 - Works within the highway.**

2. **HN10 - No drainage to discharge to highway.**
  3. **N15 - Reason(s) for the Grant of PP/LBC/CAC.**
  4. **N19 - Avoidance of doubt - Approved Plans.**
24. **DCCE2009/0935/F - 175 AYLESTONE HILL, HEREFORD, HEREFORDSHIRE, HR1 1JJ [AGENDA ITEM 11]**

*Alterations to dwelling to include a two-storey extension and attached garage.*

The Planning Officer provided details of updates / additional representations received following the publication of the agenda as follows:

- A letter had been received from the agent to explain that the change of the design was intended to incorporate the latest technology by using a more sustainable material, which would give a higher insulation values in accordance with the government's guidelines in reducing carbon emissions. The applicant had also confirmed that he was willing to use a stain and obscure glazing to the rear of the first floor windows.
- It was reported that an additional condition would be attached to ensure the use of obscure glazing to the specific windows.

Councillor DB Wilcox, a Local Ward Member, drew attention to the recent planning history of the site and noted that planning permission had been granted in 2008 for the construction of two storey and single storey extensions (DCCE2008/1168/F). Councillor Wilcox considered that the design of this extant permission was satisfactory and better than the latest proposals. He felt that the impact on visual and residential amenity were key considerations and expressed concerns about the change in the roof design of the two storey element from a single gable to two gables. He also expressed concerns about the introduction of new windows, particularly the potential overlooking impact on the neighbouring property. He did not consider that the new scheme would preserve or enhance the Aylestone Hill Conservation Area. It was noted that the Conservation Manager had expressed a view that timber boarding would not impact upon the vistas from Aylestone Hill but Councillor Wilcox felt that there would be a direct impact upon the vistas from neighbouring properties and, given that the front of the building was rendered white, the timber boarding would be incongruous with the rest of the house and nearby buildings. He considered that the application should be refused as being detrimental to the amenity of the neighbourhood, particularly the immediate neighbour, and out of keeping with the character of the existing structure.

In response to questions, the Development Control Manager advised that the extension would not change the overall footprint of the approved extension and the Planning Officer advised that the proposal would result in a reduction of the roof volume compared to the approved scheme.

A number of members supported the views of the Local Ward Member. Some Members were concerned about the design of the windows and others felt that the external facing material would not be in keeping with the original dwelling.

The Development Control Manager drew attention to the comments of the Conservation Manager and, although noting that it was a matter of judgement, said that officers did not consider the impact of the new design elements to be so significant that the application should be refused. Referring to concerns about overlooking, he advised that the position and shape of the proposed windows should mitigate the impact on residential amenity. He also advised that two smaller gables might be a better architectural solution than a single, wide gable.

**RESOLVED:**

**That**

- (i) **The Central Area Planning Sub-Committee is minded to refuse the application subject to the reasons for refusal set out below (and any further reasons for refusal felt to be necessary by the Head of Planning and Transportation) provided that the Head of Planning and Transportation does not refer the application to the Planning Committee:**
  - 1. **The application site is located within Aylestone Hill Conservation Area in Hereford City and the local planning authority consider that the proposed development, by virtue of its design and materials, would be out of keeping with the character and appearance of the main dwelling resulting in a harmful impact on the visual amenity of the locality and the conservation area and would additionally have an unacceptable impact on the amenity of the adjoining dwelling. The proposal is therefore considered contrary to Policies DR1, H18 and HBA6 of the Herefordshire Unitary Development Plan 2007.**
  
- (ii) **If the Head of Planning and Transportation does not refer the application to the Planning Committee, officers named in the Scheme of Delegation to Officers be instructed to refuse the application, subject to such reasons for refusal referred to above.**

[*Note:*

*Following the vote on this application, the Development Control Manager advised that, although the resolution was contrary to the officers' recommendation, he was not minded to refer the matter to the Head of Planning and Transportation given the reasons put forward by Members.]*

**25. DATES OF FUTURE MEETINGS**

22 July 2009  
19 August 2009  
16 September 2009

The meeting ended at 4.17 pm

**CHAIRMAN**