

APPENDIX

Ref. 1
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**

In accordance with the criteria for public speaking, Mrs Barnes, the applicant, spoke in support of the proposal.

Some members felt that the application met a case of local need for a key worker. They expressed an opinion that the Unitary Development Plan (UDP) could be amended to include the site in the settlement boundary for Ashperton, because it appeared to be located acceptably in relation to the rest of the settlement. They stated that the application was further supported by the fact that the Historic Buildings Officer had no objection to the proposals, and it had also gained local support. Members felt that the application would not contribute towards urban spread, because it only constituted one house.

The Northern Divisional Planning Officer stated that the applicants' personal circumstances could not be considered in this instance, and reminded members that the dwelling would be permanent. He said that this application did not accord with planning policy, would set an unwelcome precedent for development, and should be refused.

Having considered all aspects of the application, members felt that the case for local need outweighed the planning policies in this instance, and were minded to approve it.

RESOLVED: That

- (i) **The Northern Area Planning Sub-Committee is minded to approve the application in consultation with the Chairman and the local member, 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;**
- (ii) **If the Head of Planning Services does not refer the application to the Planning Committee the 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 planning policy issues at stake.)

Ref. 2

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

CROOKMULLEN
DCNW2003/1854/F

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

For: **MR E.G. THOMAS, 73 KINGS MEADOW, WIGMORE.**

Councillor Mrs. L.O. Barnett, the Local Member, thanked those Members who had attended the Site Inspection. She noted concerns raised by local residents and felt it important to keep the site tidy.

In response to a question, the Northern Divisional Planning Officer advised Members that the site could only be used for personal use and that no commercial use would be permitted.

RESOLVED:

That planning permission be granted subject to the following conditions:

- 1 - Within one month of the date of this planning permission, a scheme of landscaping, including the treatment of the embankment, roadside hedgerow and additional planting, shall be submitted to and approved in writing by the local planning authority. All proposed planting shall be clearly described with species and planting numbers.**

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

- 2 - All planting and seeding comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the date of such approval or in accordance with a programme agreed in writing with the local planning authority. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent to any variation. If any plants fail more than once they shall continue to be replaced on an annual basis until the end of the 5 year defects period.**

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

Ref. 3
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:

**EVENDINE COURT, EVENDINE LANE, COLWALL GREEN, MALVERN,
HEREFORDSHIRE, WR13 6DY**

**For: MR J WILLIAMS PER STAINBURN TAYLOR ARCHITECTS BIDEFORD
HOUSE CHURCH LANE LEDBURY HR8 1DW**

The Northern Divisional Planning Officer reported receipt of one further letter of objection from Mr Leaper.

Councillor R.V. Stockton, a Local Member, noted the comments of the Parish Council stating that no new entrance was required. He also felt concern regarding road safety issues and the removal of the existing hedgerow. For these reasons he felt the application should be refused.

The Principal Planning Officer explained that the existing entrance has poor visibility. The new proposal would be an improvement and would also provide an opportunity for a passing bay.

A vote took place to refuse the application, which was not carried.

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 - H01 (Single access - not footway) (5 metres)

Reason: In the interests of highway safety.

5 - H05 (Access gates) (5 metres)

Reason: In the interests of highway safety.

6 - H08 (Access closure)

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

7 - H03 (Visibility splays) (2 x 33m)

Reason: In the interests of highway safety.

8 - H06 (Vehicular access construction)

Reason: In the interests of highway safety.

9 - G04 (Landscaping scheme (general))

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

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

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

Notes to applicant:

1 - HN05 - Works within the highway

2 - This permission does not imply listed building consent for the gallery landing area shown on the first floor plan nor for the painting of the exterior. Separate listed building consent will be required.

Ref. 4
STAPLETON
DCNW2003/1250/F

Erection of house and garage. Re-roofing over mill pit and formation of new store building adjacent to:

STAPLETON CASTLE MILL, STAPLETON, PRESTEIGNE, HEREFORDSHIRE, LD8 2LS

For: **MR & MRS GRIFFITHS PER MR C A UNDERWOOD, THE BARN, CHURCH LANE, RAVENSTONE, LEICESTER LE67 2AE**

Councillor Mrs. L.O. Barnett, the Local Member, felt that Members would benefit from seeing the site and proposed that a site inspection be held on the grounds that the setting and surroundings were felt to be fundamental to the determination or to the conditions being considered, as defined in Paragraph 14 of the Code of Conduct for Councillors and Officers Dealing with Planning Matters.

In accordance with the criteria for public speaking, Mr. Griffiths and Mrs. Gill were present at the meeting and reserved their right to speak on the application when it came back before the Sub-Committee for consideration.

RESOLVED:

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

Ref. 5&6
KINGTON
DCNW2003/2576/G
&
DCNW2003/1916/F

The discharge of the obligation to provide for open space as per Section 106 agreement; and

Change of use of play area to domestic garden at:

BLACK BARN CLOSE, KINGTON, HEREFORDSHIRE HR5 3FB

For: **TABRE DEVELOPMENTS PER JOHN PHIPPS, BANK LODGE, COLDWELLS ROAD, HOLMER, HEREFORD**

The Northern Divisional Planning Officer advised of an amendment to the recommendation.

In accordance with the criteria for public speaking Mrs Bradbury of Kington Town Council spoke against the application.

Members felt that the amount of money requested for a new play area was not sufficient and decided that the application be deferred for further discussion with the applicant about this and the alternative site proposed.

RESOLVED:

That the application be deferred for further discussion with the applicant.

Ref. 7&8
PEMBRIDGE
DCNW2003/2267/F
&
DCNW2003/2268/C

Demolish existing building, erection of new 2 storey dwelling at:

THE BARN, EAST STREET, PEMBRIDGE, LEOMINSTER, HEREFORDSHIRE.

For: **MR J.A. PRICE PER MR D WALTERS, 27 ELIZABETH ROAD, KINGTON, HEREFORDSHIRE, HR5 3DB**

Members felt they would benefit from seeing the site and proposed that a site inspection be held on the ground that the setting and surroundings were felt to be fundamental to the determination or to the conditions being considered, as defined in Paragraph 14 of the Code of Conduct for Councillors and Officers Dealing with Planning Matters.

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

RESOLVED:

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

Ref. 9
EARDISLEY

Site for bungalow with a semi basement area dedicated to the management of the old and new woodland and amenity ponds areas at:

DCNW2003/2785/O

OAKLANDS, EARDISLEY, HEREFORDSHIRE, HR3 6PR

For: **MR J.W. MOKLER PER ARKWRIGHT OWENS, BERRINGTON HOUSE,
2 ST NICHOLAS STREET, HEREFORD HR4 0BQ**

The application was withdrawn at the request of the applicant.

Ref. 10

WEOBLEY

DCNW2003/2545/F

Two storey extension at:

8 CHAPEL ORCHARD, WEOBLEY, HEREFORDSHIRE, HR4 8SP

For: **MISS E BOUND, 8 CHAPEL ORCHARD, WEOBLEY,
HEREFORDSHIRE, HR4 8SP**

In accordance with the criteria for public speaking Dr. Ellis spoke against the application.

Councillor J.H.R. Goodwin, the Local Member, sympathised with the objectors but felt that there were insufficient grounds to oppose the officers 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 - B01 (Samples of external materials)

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

3 - E19 (Obscure glazing to windows) (delete 'windows marked X', insert 'windows in the north elevation')

Reason: In order to protect the residential amenity of adjacent properties.

4 - H10 (Parking - single house) (3 cars)

Reason: In the interests of highway safety and to ensure the free flow of traffic using the adjoining highway.

Ref. 11
CRADLEY
DCNE2003/2423/F

Continued use of landscaped mountain board centre. Retention of cabin for reception, shop, toilet block, hardstanding, camp site and car park at:

WOODEND FARM, BROMYARD ROAD, CRADLEY, MALVERN, HEREFORDSHIRE, WR13 5JW.

For: **MR I JOHNSON, WOODEND FARM, BROMYARD ROAD, CRADLEY, MALVERN, HEREFORDSHIRE, WR13 5JW.**

The Principal Planning Officer advised of changes to the recommendation.

Mrs Ramsden of Cradley Parish Council and Mr Johnson, the applicant, spoke in support of the application.

Councillor R.M. Manning, the Local Member, felt that the site was an excellent example of farm diversification. He also noted the success of the World Championship Event and felt the application should be given full planning permission.

The Northern Divisional Planning Officer advised that the applicant had not requested a change to any of the conditions prior to the meeting of the Sub-Committee.

In response to points raised by Members, the Principal Planning Officer advised that the previous planning permission had expired in February 2003, and that no further application had been made until an enforcement notice was served. He also advised Members that large events held in the past had proved problematic to local residents. Therefore he felt Members should defer the application pending further discussion with the applicant.

RESOLVED:

That the application be deferred for further discussion with the applicant.

Ref. 12
LEDBURY
DCNE2003/2794/F

Proposed two storey extension at:

2 PRINCE RUPERT ROAD, LEDBURY, HEREFORDSHIRE, HR8 2FA

For: **MR & MRS DARCY PER MR S SMITH, THE LAURELS, CHURCH LANE, WELLINGTON HEATH, LEDBURY HR8 1NG**

The Principal Planning Officer reported the receipt of amended plans.

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

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 - B02 (Matching external materials (extension))

Reason: To ensure the external materials harmonise with the existing building.

4 - E17 (No windows in side elevation of extension) (West)

Reason: In order to protect the residential amenity of adjacent properties.

5 - E19 (Obscure glazing to windows) (window at first floor on the west elevation)

Reason: In order to protect the residential amenity of adjacent properties.

Ref. 13
LEOMINSTER
DCNC2002/3730/F

Extension to provide additional class A1 sales area, ancillary warehouse, staff facilities & extension to existing coffee shop at:

SAFEWAY STORES PLC, BARONS CROSS ROAD, LEOMINSTER, HR6 8RH.

For: **SAFEWAYS STORES PLC PER DTZ PIEDA CONSULTING, 10 COLMORE ROW, BIRMINGHAM, B3 2QD.**

The application was withdrawn at the request of the applicant.

Ref. 14
LEOMINSTER
DCNC2003/1833/F

Two steel framed industrial units with offices and open yard at

PLOT E, GLENDOWER ROAD, LEOMINSTER, HEREFORDSHIRE.

For: **LEOMINSTER CRANE HIRE PER LEOMINSTER CONSTRUCTION,**

**SOUTHERN AVENUE INDUSTRIAL ESTATE, LEOMINSTER,
HEREFORDSHIRE, HR6 0QF.**

Councillor J.P. Thomas, the Local Member, felt that although the application was acceptable the opening hours should be reduced due to the site location being close to a residential area. Opening hours of 7 am – 8 pm Mondays to Fridays, and 7 am – 2 pm on Saturdays were suggested.

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 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) (13 October 2003)

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

3 - B01 (Samples of external materials)

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

4 - Prior to the building being brought into use the applicant shall submit to the Local Planning Authority details of a 2 metre high fence to be erected along the northern boundary of the site.

Reason: To protect residential amenity.

5 - G04 (Landscaping scheme (general))

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

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

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

7 - Crane movements shall take place only between 7.00am and 7.00pm on Monday to Friday and 7.00am to 1.00pm on Saturdays nor at any time Sundays, Bank or Public Holidays.

Reason: In order to protect residential amenity.

- 8 -** The level of noise emitted from the site during normal operations shall not exceed 48 DbLaeq (1 hour) between 7.00am and 7.00pm Monday to Friday and 7.00am and 1.00pm on Saturdays, and 45 DbLaeq (5 minutes) at all other times as measured on the northern side of the boundary.

Reason: In order to protect residential amenity.

- 9 -** There shall be no working outside the building except between 7.00am and 7.00pm Monday to Friday and 7.00am and 1.00pm on Saturdays nor at any time on Sundays, Bank or Public Holidays.

Reason: In order to protect residential amenity.

- 10 -** Foul water and surface water discharges must be drained separately from the site.

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

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

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

- 12 -** 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.

- 13 -** No developments approved by this permission shall be commenced until a scheme for the provision of surface water drainage works has been approved 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 commencement of any development.

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

- 14 -** No development approved by this permission shall be commenced until a scheme for the provision and implementation of the 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 the details approved by the Local Planning

Authority prior to the construction of any impermeable surfaces draining to the system.

Reason: To prevent increased risk of flooding.

15 - 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.

Ref. 15
BROMYARD
DCNC2003/2842/F

Demolition of bungalow and erection of a 14-bed residential unit at:

ROWDEN HOUSE SCHOOL AND WINSLOW COURT, ROWDEN, WINSLOW, BROMYARD, HR7 4LS.

For: **ROWDEN HOUSE SCHOOL PER JAMIESON ASSOCIATES, 30 EIGN GATE, HEREFORD, HR4 OAB.**

The Senior Planning Officer reported receipt of Bromyard and Winslow Town Councils comments in support of the application, and one letter of objection from Mrs Mallett.

Councillor B. Hunt, the Local Member, commented on the environmental initiatives undertaken by the school and supported the application.

RESOLVED:

That planning permission be granted subject to the following conditions:

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

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

2 - B01 (Samples of external materials)

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

3 - G02 (Landscaping scheme (housing development))

Reason: To ensure a satisfactory and well planned development and to preserve and enhance the quality of the environment.

4 - G03 (Landscaping scheme (housing development) - implementation)

Reason: To ensure a satisfactory and well planned development and to preserve and enhance the quality of the environment.

5 - G18 (Protection of trees)

- (a) Fencing, of a type and form agreed in writing with the local planning authority, must be erected around each tree or group of trees. This fencing must be at least 1.25 metres high and at a radius from the trunk defined by the canopy spread.
- (b) No excavations, site works, trenches, channels, pipes, services, temporary buildings used in connection with the development or areas for the deposit of soil or waste or for the storage of construction materials, equipment or fuel or other deleterious liquids shall be sited within the crown spread of any tree without the prior written consent of the local planning authority.
- (c) No burning of any materials shall take place within 6 metres of the furthest extent of the canopy of any tree or tree groups to be retained.
- (d) There shall be no alteration of soil levels under the crown spread of any tree or group of trees to be retained.

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