

MINUTES of the meeting of Southern Area Planning Sub-Committee held at The Council Chamber, Brockington, 35 Hafod Road, Hereford on Wednesday 5 August 2009 at 2.00 pm

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

Councillors: CM Bartrum, H Bramer, AE Gray, JG Jarvis, G Lucas, PD Price, RH Smith, DC Taylor and JB Williams

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

17. APOLOGIES FOR ABSENCE

Apologies were received from Councillors BA Durkin and JA Hyde.

18. DECLARATIONS OF INTEREST

There were no declarations of interest made at the meeting.

19. MINUTES

Councillor AE Gray requested that the minutes be amended in respect of agenda item 16. She confirmed that she had been happy to support the application as boundary planting had to be agreed between all parties.

RESOLVED: That subject to the aforementioned amendment, the Minutes of the meeting held on 8 July 2009 be approved as a correct record and signed by the Chairman.

20. ITEM FOR INFORMATION - APPEALS

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

21. DCSE0009/1021/F - REAR GARDEN PLOT TO TUDORVILLE EXPRESS, WALFORD ROAD, TUDORVILLE, ROSS ON WYE, HEREFORDSHIRE, HR9 5PY.

Provision of new two storey 3 bedroom dwelling in rear of garden.

The Principal Planning Officer advised members that the Building Control Department and Fire Authority had been consulted upon the issue of emergency vehicle access and that provided that fire suppressant measures were incorporated into the design, the proposed access was satisfactory as a means of providing emergency access and would comply with the building regulations.

Councillor AE Gray, one of the local ward members, noted that her concerns in respect of access for emergency vehicles had been addressed. She noted the comments of the traffic manager and welcomed comments from other members.

In response to a question, the Principal Planning Officer confirmed that a number of the mature trees on the site would be retained. He added that any of the trees earmarked for retention would have to be replaced if damaged during the building work.

In response to a question from Councillor RH Smith, the Principal Planning Officer confirmed that Condition 2 could be amended to ensure a non reflective material was used for the roof. He also added that issues relating to fire suppressants would be addressed through building regulations.

Some members expressed concerns in respect of the design of the proposed dwelling, the Principal Planning Officer advised that the discreet nature of the site made the proposed application more acceptable.

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 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 D04 (Details of window sections, eaves, verges and barge boards)

Reason: To ensure that the work is carried out in accordance with details that are appropriate to the architectural characteristics of the building and to comply with the requirements of Policy DR1 of the Herefordshire Unitary Development Plan.

4 Prior to the commencement of development, a scheme to indicate the incorporation of a privacy screen to the balcony hereby approved shall be submitted to and approved in writing by the local planning authority. Development shall accord with the approved details and the privacy screen must be retained in perpetuity unless otherwise agreed in writing by the local planning authority.

Reason: In order to preserve existing levels of residential amenity in the locality so as to comply with Policies DR1 and H13 of the Herefordshire Unitary Development Plan.

5 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

6 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

7 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

8 H29 (Secure covered 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 and to conform with the requirements of Policy DR3 of Herefordshire Unitary Development Plan.

9 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

10 L01 (Foul/surface water drainage)

Reason: To protect the integrity of the public sewerage system and to comply with Policy CF2 of Herefordshire Unitary Development Plan.

11 L02 (No surface water to connect to public system)

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no detriment to the environment so as to comply with Policy CF2 of Herefordshire Unitary Development Plan.

12 L03 (No drainage run-off to public system)

Reason: To prevent hydraulic overload of the public sewerage system and pollution of the environment so as to comply with Policy CF2 of Herefordshire Unitary Development Plan.

13 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.

14 F16 (No new windows in specified elevation)

Reason: In order to protect the residential amenity of adjacent properties and to comply with Policy H18 of Herefordshire Unitary Development Plan.

15 I56 (Sustainable Homes Condition)

Reason: To promote the sustainability of the development hereby approved in accordance with Policies S1 and H13 of the Herefordshire Unitary Development Plan and PPS1 Supplement 'Planning and Climate Change'

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.

Informatives:

- 1 N19 - Avoidance of doubt - Approved Plans**
- 2 N15 - Reason(s) for the Grant of Planning Permission**

22. DCSE0009/0942/F - CIDER BARN, WALFORD, ROSS-ON-WYE, HEREFORDSHIRE, HR9 5SB.

Proposed rear kitchen extension.

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

Councillor JG Jarvis, the local ward member, sought clarification as to the nature of the application. Following confirmation from the Principal Planning Officer, the local ward member voiced his concern in respect of the scale of the extension. He noted that there was only a 600mm gap between the extension and the existing neighbouring residence and felt that this was insufficient. He noted the concerns of the Parish Council and confirmed that he had reservations in respect of the application.

Councillor H Bramer noted that extensions to barn conversions were not usually permitted and requested clarification as to why this site was different. The Principal Planning Officer advised that the original conversion scheme was unsympathetic and therefore there was no agricultural character to retain.

Councillor RH Smith noted that the application site was not 13th Century barn and was not an aesthetically pleasing barn. He noted the concerns of the Parish Council and neighbours and agreed that the proposed development would have an adverse visual impact on the neighbouring dwelling, Brook House.

Councillor JB Williams felt that the application was acceptable and that the extension was fairly modest in size and would be well hidden under a sedum roof.

The Development Control Manager advised Members that the planning department had taken a pragmatic approach in dealing with the application. They felt that there was currently no character to approach due to the nature of the original conversion. He felt that the differing levels between Brook House and the application site resulted in no overlooking or overshadowing and therefore he asked members to approve the application subject to the proposed conditions.

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 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 D04 (Details of window sections, eaves, verges and barge boards)

Reason: To ensure that the architectural details are appropriate to the context so as to ensure that the development complies with the requirements of Policy DR1 of the Herefordshire Unitary Development Plan.

4 D05 (Details of external joinery finishes)

Reason: To ensure that the architectural details are appropriate to the context so as to ensure that the development complies with the requirements of Policy DR1 of the Herefordshire Unitary Development Plan.

5 D06 (External finish of flues)

Reason: To ensure that the architectural details are appropriate to the context so as to ensure that the development complies with the requirements of Policy DR1 of the Herefordshire Unitary Development Plan.

6 D10 (Specification of guttering and downpipes)

Reason: To ensure that the architectural details are appropriate to the context so as to ensure that the development complies with the requirements of Policy DR1 of the Herefordshire Unitary Development Plan.

7 F16 (No new windows in specified elevation)

Reason: In order to protect the residential amenity of adjacent properties and to comply with Policy H18 of Herefordshire Unitary Development Plan.

8 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.

Informatives:

1 N19 - Avoidance of doubt - Approved Plans

2 N15 - Reason(s) for the Grant of Planning Permission

23. DCSE2009/0901/F - LAND ADJACENT TO COLERAINE BUILDINGS, COUGHTON, ROSS-ON-WYE, HEREFORDSHIRE, HR9 5SG.

Change of use of land (part retrospective) from agricultural to site for seasonal agricultural workers' accommodation for up to 173 caravans/mobile homes for permanent retention on site, including associated regrading of the site, laying out of dressed hardcore access tracks and of ancillary informal grassed recreational space.

The Principal Planning Officer reported that the agent had provided additional information regarding the provision of landscaping against the southern edge of the brook and also the potential impact of the development upon Great Crested Newts.

He also reported the responses from Natural England and the Conservation Manager (Ecology) and stated that both advised that they would prefer a larger buffer between the caravan site and the brook. However, each was prepared to accept a narrower, 6-metre buffer provided that an implementation and management condition was attached to each of the 3 Coleraine Farm applications on the agenda. Finally he added that the additional ecological survey work provided sufficient assurance that there would not be any significant adverse effect upon Great Crested Newts.

In accordance with the criteria for public speaking, Mr Littleford spoke in objection to the application, and Mr Chinn, the applicant, spoke in support.

Councillor JG Jarvis, the local ward member, praised the planning officer for a detailed and fair report. He noted that there was a phasing condition to introduce the caravans over a period of time, this condition was welcomed. He also noted that the application was retrospective and felt that enforcement of conditions on the site should be stringent if the application was to be approved. In summing up he advised Members that the applicant could move the caravans on and off the site for the growing seasons without requiring planning permission. He felt that this would cause more concerns for local residents.

Members discussed the application and felt that the proposed conditions would alleviate the concerns of the neighbouring residents. They felt that it was important to ensure that the conditions were complied with and requested that the enforcement team pay close regard to the site.

In response to a question the Principal Planning Officer confirmed that the current application was the same as the one submitted in 2008. However the current application contained an ecological assessment which was not submitted with the 2008 application.

RESOLVED

That planning permission be granted subject to the following conditions:

- 1 This permission shall expire on 5th August 2019. The mobile homes hereby approved shall be removed from the site on or before that date and the land restored in accordance with details (including timescale) to be agreed in writing with the local planning authority.**

Reason: The local planning authority is not prepared to permit the permanent retention of the mobile homes in this location other than for the specified 10 year period, which is in recognition of the functional requirements of the holding and so as to comply with Policy H7 of the Herefordshire Unitary Development Plan 2007.

- 2 For the duration of this planning permission the applicant shall, by no later than 1st February in each calendar year, submit the following information by way of notification to the local planning authority:**
 - i) Including those already on site, the maximum number of mobile homes to be required on site over the course of the following 12 months, which shall not exceed a maximum of 173 units at any one time;**
 - ii) A timetable for the introduction of any additional mobile homes and the removal of any already stationed on the site.**

The introduction/removal of mobile homes shall be carried out in accordance with the submitted timetable.

Reason: To ensure that the mobile homes are introduced according to the functional need of the holding in accordance with Policy H7 of the Herefordshire Unitary Development Plan.

- 3** The occupation of the mobile homes hereby approved shall be limited to persons solely employed in agriculture and associated activities on land owned or farmed by Cobrey Farms Ltd.

Reason: It would be contrary to Policies H7 and H8 of the Herefordshire Unitary Development Plan 2007 to grant planning permission for a mobile home in this location except to meet the expressed case of agricultural need.

- 4** The scheme for flood mitigation works shall be carried out in accordance with the details submitted with the Flood Risk Assessment (JDIH Envireau) and shall consist of the removal of the culvert at crossing 3 (as shown on figure 2, reference 37.438c87, dated September 2008) with a replacement bridge with a soffit level no lower than 48.8m AOD. The work shall be implemented by 30th August 2009, unless otherwise agreed in writing by the local planning authority.

Reason: To protect the caravan site area from flood risk and ensure that future occupiers are not at risk so as to comply with Policy DR7 of the Herefordshire Unitary Development Plan 2007 and Planning Policy Statement 25: Development and Flood Risk.

- 5** Details of the flood mitigation measures indicated within sections 6.1 and 9 of the submitted Flood Risk Assessment shall be submitted to and approved in writing by the local planning authority in consultation with the Environment Agency. The measures shall be implemented in accordance with a timetable to be agreed with the local planning authority and shall be maintained accordingly.

Reason: To manage the residual impacts of flooding on the proposed mobile home site area and ensure that occupants are not at risk so as to comply with Policy DR7 of the Herefordshire Unitary Development Plan 2007.

- 6** A scheme for the disposal of foul drainage effluent from the proposed development shall be submitted to and agreed in writing by the local planning authority within 4 months from the date of this permission. The scheme shall include confirmation of the treatment plant, the design and volumes of the holding lagoons and management plan detailing disposal of treated effluent. Thereafter the scheme shall be implemented and maintained for the lifetime of the development.

Reason: To ensure a sustainable method of foul drainage disposal and prevent pollution of the water environment so as to comply with Policy DR6 of the Herefordshire Unitary Development Plan 2007.

- 7** Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas and associated hardstandings shall be passed through trapped gullies with an overall capacity compatible to the site being drained.

Reason: To prevent pollution of the water environment so as to comply with Policy DR6 of the Herefordshire Unitary Development Plan 2007.

- 8** I14 (Time restriction on music)

Reason: In order to protect the amenity of occupiers of nearby properties and to comply with Policy DR13 of Herefordshire Unitary Development Plan.

9 I02 (Scheme of measures for controlling noise)

Reason: In order to protect the amenity of occupiers of nearby properties so as to comply with Policy DR13 of Herefordshire Unitary Development Plan.

10 I21 (Scheme of surface water regulation)

Reason: To prevent the increased risk of flooding and to comply with Policy DR4 of Herefordshire Unitary Development Plan.

11 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

12 H29 (Secure covered 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 and to conform with the requirements of Policy DR3 of Herefordshire Unitary Development Plan.

13 H30 (Travel plans)

Reason: In order to ensure that the development is carried out in combination with a scheme aimed at promoting the use of a range of sustainable transport initiatives and to conform with the requirements of Policy DR3 of Herefordshire Unitary Development Plan

14 Within 3 months of the date of this planning permission, a biodiversity protection and enhancement strategy shall be submitted to and agreed in writing by the local planning authority. The approved details shall be implemented and maintained thereafter for the lifetime of the development unless otherwise agreed in writing by the local planning authority.

Reason: To comply with Policies NC5, NC6, NC8 and NC9 of the Herefordshire Unitary Development Plan 2007 and fulfil the Council's obligation to Nature Conservation and Biodiversity imposed by the NERC Act 2006.

15 Within 3 months of the date of this planning permission a site management plan for the operation of the use (to include maintenance of common areas, letter collection and disposal, the control of amplified music, external lighting and car parking arrangements) shall be submitted to and approved in writing by the local planning authority. The operation and use of the site shall be in accordance with the management plan.

Reason: In the interests of amenity of nearby residents and to ensure compliance with Policy E3 of the Herefordshire Unitary Development Plan.

16 G01 (Earthworks)

Reason: (Special Reason but to include - in order to ensure that the development conforms with Policies DR1 and LA5 of Herefordshire Unitary Development Plan).

17 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.

18 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.

19 Within 3 months of the date of this planning permission, an ecological and wildlife enhancement strategy for the section of Castle Brook affected by the 3 applications, including a management plan for the buffer zone and retained pasture, shall be submitted to and approved in writing by the local planning authority. The planting shall be implemented and maintained in accordance with the approved details.

Reason: To comply with Herefordshire Unitary Development Plan policies NC6, NC8 and NC9 in relation to Nature Conservation and Biodiversity and to meet the requirements of PPS9: Biodiversity and Geological Conservation

INFORMATIVES:

- 1 N19 - Avoidance of doubt - Approved Plans**
- 2 N15 - Reason(s) for the Grant of Planning Permission**
- 3 HN01 - Mud on highway**
- 4 HN04 - Private apparatus within highway**
- 5 HN05 - Works within the highway**
- 6 HN10 - No drainage to discharge to highway**
- 7 HN24 - Drainage other than via highway system**
- 8 HN25 - Travel Plans**
- 9 HN26 - Travel Plans**
- 10 HN27 - Annual Travel Plan Reviews**

24. DCSE0009/0944/F - LAND ADJACENT TO COLERAINE BUILDINGS, COUGHTON, ROSS-ON-WYE, HEREFORDSHIRE, HR9 5SG.

Erection of fixed, permanent steel framed, polythene-skinned Spanish polytunnels (9900 square metres gross area approximately) as plant nursery/ propagation houses.

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

Councillor JG Jarvis, the Local Ward Member advised Members that Herefordshire and Kent were the two primary locations for the growth of asparagus in England. He noted the concerns of the Parish Council but felt that these had been addressed.

In response to a question from the Local Ward Member, the Principal Planning Officer advised Members that the polytunnels were stationary and would not be rotated around the site.

RESOLVED

That planning permission be granted subject to the following conditions:

1 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.

2 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.

3 G14 (Landscape management plan)

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

4 In the event of the polytunnels hereby permitted becoming redundant the polytunnels, including the supporting structures and any structures, fixtures and fittings within them, shall be removed from the application site within a period of 6 months.

Reason: To ensure that the polytunnels are only retained on site for the period that they are required in connection with the agricultural enterprise so as to comply with Policy LA2 of the Herefordshire Unitary Development Plan.

5 No polytunnel shall exceed 3.7 metres above existing ground level.

Reason: To control the visual impact of the development within the landscape in accordance with Policy LA2 of the Herefordshire Unitary Development Plan.

6 I21 (Scheme of surface water regulation)

Reason: To prevent the increased risk of flooding and to comply with Policy DR4 of the Herefordshire Unitary Development Plan.

- 8 Within 3 months of the date of this planning permission, an ecological and wildlife enhancement strategy for the Coughton Brook shall be submitted to the local planning authority and implemented as approved and maintained thereafter unless otherwise agreed in writing with the local planning authority.**

Reason: To comply with Herefordshire Council's Unitary Development Plan Policies NC6, NC8, NC9 in relation to Nature Conservation and Biodiversity and to meet the requirements of PPS9: Biodiversity and Geological Conservation and the NERC Act 2006.

- 9 Within 3 months of the date of this planning permission, an ecological and wildlife enhancement strategy for the section of Castle Brook affected by the 3 applications, including a management plan for the buffer zone and retained pasture, shall be submitted to and approved in writing by the local planning authority. The planting shall be implemented and maintained in accordance with the approved details.**

Reason: To comply with Herefordshire Unitary Development Plan policies NC6, NC8 and NC9 in relation to Nature Conservation and Biodiversity and to meet the requirements of PPS9: Biodiversity and Geological Conservation

Informatives:

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

25. DCSE0009/0945/F - LAND ADJACENT TO COLERAINE BUILDINGS, COUGHTON, ROSS-ON-WYE, HEREFORDSHIRE, HR9 5SG.

Erection of agricultural plant comprising: an irrigation tank, pump house and bunded liquid fertiliser store.

The Principal Planning Officer advised Members that responses had been received from Natural England and the Environment Agency and that neither of them objected to the application.

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

In response to a number of questions, the Principal Planning Officer advised that the Environment Agency were satisfied with the application. He also confirmed that the tank was capped and that the water would also be collected in the winter and any excess released into the stream.

RESOLVED

That planning permission be granted subject to the following conditions:

- 1 Within 3 months of the date of this planning permission, an ecological and wildlife enhancement strategy for the section of Castle Brook affected by the 3 applications, including a management plan for the buffer zone and retained pasture, shall be submitted to and approved in writing by the local planning**

authority. The planting shall be implemented and maintained in accordance with the approved details.

Reason: To comply with Herefordshire Unitary Development Plan policies NC6, NC8 and NC9 in relation to Nature Conservation and Biodiversity and to meet the requirements of PPS9: Biodiversity and Geological Conservation

INFORMATIVES

- 1 N19 - Avoidance of doubt - Approved Plans**
- 2 N15 - Reason(s) for the Grant of Planning Permission**

26. DCSE0009/1318/F - HUGH'S BARN, WOODEND LANE, LINTON, ROSS ON WYE, HEREFORDSHIRE, HR9 7SR.

Alterations to existing dwelling – addition of 2 ground floor windows to rear (south) elevation.

The Senior Planning Officer reported the receipt of further correspondence from the applicant's agent as well as comments from Linton Parish Council, who raised no objection.

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

Councillor H Bramer, the local ward member, felt that the application was reasonable and acceptable. He noted that the applicant intended to replace the current large door opening with two small windows and felt that the application did not constitute excessive fenestration.

In response to the comments by Councillor Bramer, the Senior Planning Officer confirmed that the windows were 0.9 by 1.0 metre in size.

Councillor Bramer noted that the application for conversion was allowed last year, he felt that the issue regarding fenestration should have been addressed at that stage and therefore proposed approval of the application contrary to the Officer's recommendation.

Members discussed the application and some felt that approving the application would not harm the character of the building. It was also noted that other barn conversions in the area had significantly more fenestration than had been applied for under the proposed application. Other Members noted the requirements set out under policies HBA12 and HBA13 of the Council's Supplementary Planning Guidance and felt that windows were not required on both sides of the barn.

A motion to approve the application contrary to the Officer's recommendation failed and the resolution below was then agreed.

RESOLVED

That planning permission be refused for the following reason:

- 1 The proposed new windows are considered to be an inappropriate form of development which detract from the character and appearance of the converted barn. Therefore, the proposal is contrary to Policy HBA12 of the**

Herefordshire Unitary Development Plan 2007 and paragraph 6.28 of the Supplementary Planning Guidance: Re-use and Adaptation of Rural Buildings 2004.

27. DCSW2009/0822/F - CUSOP VILLAGE HALL, CUSOP, HEREFORDSHIRE, HR3 5RW.

Conversion of redundant village hall to one dwelling.

The Principal Planning Officer reported the following update from Cusop Parish Council:

At para 6.7 you state that "visibility of approximately 60 metres in the westerly direction can be achieved". According to the applicant's drawing 'Visibility Splay to the West from Proposed New Vehicular Access' dated June 2009 (which you kindly sent me), it appears that this sightline crosses third-party land, although at para 6.6 you state that "The Traffic Manager is concerned by the fact that visibility to the west is across land in third party ownership".

Even though the 60m sightline does not stray far into the third-party land and even though that land falls away sharply towards the brook, you would see from a site inspection that this sightline cannot be guaranteed to remain clear for its full length. For example, ash saplings are growing on the upper slopes of the third-party land right up to the highway boundary (adjacent to the field gate shown on the June 2009 drawing) and these are already starting to impinge on the sightline at this point. From the drawing it appears that the longest sightline that can be guaranteed without straying onto third-party land is about 50-55 metres.

The speed survey submitted with the application should have enabled the Traffic Manager to calculate the minimum visibility requirements for this stretch of road. In view of the Parish Council's concern, the visibility requirements are "unspecific and seemingly inadequate". This matter should be clarified before the Sub-Committee makes its decision.

The Principal Planning Officer also advised Members that 3 standard conditions had been recommended by Welsh Water but had been omitted from the report. He therefore requested that these conditions be added to the recommendation.

Councillor PD Price, the Local Ward Member, advised Members that the application had been the subject of a great deal of local debate due to the traffic issues and the splay.

RESOLVED

That planning permission be granted subject to the following conditions:

- 1 The development hereby permitted shall be begun before the expiration of one year from the date of this 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 C05 (Alterations made good)

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

4 Notwithstanding the approved details included in the application, additional drawings and specifications in respect of the following matters shall be submitted to the local planning authority before the commencement of any works. The works to which they relate shall subsequently only be carried out in accordance with the details which have been approved by the local planning authority in writing beforehand:

(a) details of windows and doors and their external finishes.

Reason: In the interests of maintaining the appearance of the development in accordance with the requirements of Policies DR1 and HBA8 of the Herefordshire Unitary Development Plan.

5 G09 (Details of boundary treatments)

Reason: In the interests of visual amenity, to ensure the development has an acceptable standard of privacy and to conform to Policy DR1 of Herefordshire Unitary Development Plan.

6 G10 (Landscaping scheme)

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

7 G11 (Landscaping scheme – implementation)

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

8 Prior to the commencement of development, unless otherwise agreed in writing, visibility splays shall be provided in accordance with the plan received on 26 June 2009. Nothing shall be planted, erected and/or allowed to grow on the area of land so formed that would obstruct the visibility of the area.

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

9 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 the Herefordshire Unitary Development Plan.

10 H05 (Access gates) (5 metres)

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

- 12 Foul and surface water discharges shall be drained separately from the site.**

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

- 13 No surface water shall be allowed to connect, either directly or indirectly, to the public sewerage system unless approved in writing by the Local Planning Authority.**

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

- 14 Land drainage run-off shall not be permitted to discharge, either directly or non-directly, into the public sewerage system.**

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

Informatives:

- 1 HN04 - Private apparatus within highway**
- 2 HN05 - Works within the highway**
- 3 HN13 - Protection of visibility splays on private land**
- 4 N19 - Avoidance of doubt - Approved Plans**
- 5 N15 - Reason(s) for the Grant of Planning Permission**

The meeting ended at 4.02 pm

CHAIRMAN

