

**MINUTES of the meeting of Planning Committee held at The Assembly Room, Town Hall, St Owen's Street, Hereford on Friday 7 August 2009 at 10.00 am**

**Present:** Councillor TW Hunt (Chairman)  
Councillor RV Stockton (Vice Chairman)

**Councillors:** PA Andrews, ACR Chappell, PGH Cutter, MJ Fishley, KS Guthrie, JW Hope MBE, B Hunt, G Lucas, PJ McCaull, JE Pemberton, AP Taylor, DC Taylor, WJ Walling, PJ Watts, JB Williams and JD Woodward

**In attendance:** Councillors PJ Edwards, JP French, RC Hunt and AT Oliver

**18. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors H Davies, DW Greenow, B Hunt, RI Matthews and PM Morgan.

**19. NAMED SUBSTITUTES (IF ANY)**

The following named substitutes were appointed:-

Councillor PA Andrews for Councillor H Davies.  
Councillor JB Williams for Councillor B Hunt.  
Councillor PJ McCaull for Councillor RI Matthews  
Councillor MJ Fishley for Councillor PM Morgan.

**20. DECLARATIONS OF INTEREST**

The following interests were declared

<b>Councillor</b>	<b>Item</b>	<b>Interest</b>
ACR Chappell	Agenda item No. 12, Minute No. 29 (DCCE0009/0950/F – development of land off Bullingham Lane, Hereford); and  Agenda item No. 13, Minute No. 30 (DCCW0009/0958/F - new secondary school at Hereford Academy (formerly Wyebridge Sports College), Stanberrow Road, Hereford	Personal
RC Hunt	Item 11, Minute No 27 - DCNC2009/0435/CD & DCNC2009/0436/L - proposed extensions and alterations to Grange Court, Pinsley Road,	Personal

	Leominster	
AT Oliver	Agenda item No. 12, Minute No. 29 (DCCE0009/0950/F development of land off Bullingham Lane, Hereford)	Prejudicial [lives opposite the site] Spoke in accordance with the requirements of the Constitution then left the meeting

**21. MINUTES**

**RESOLVED:** That the Minutes of the meeting held on 3rd July, 2009 be approved as a correct record and signed by the Chairman, subject to

- (i) the inclusion of the name of Councillor PJ Edwards in the list of those present; and
- (ii) a declaration of personal interest by Councillor RC Hunt in respect of Item 11, Minute No 27 - DCNC2009/0435/CD & DCNC2009/0436/L - proposed extensions and alterations to Grange Court, Pinsley Road, Leominster

**22. CHAIRMAN'S ANNOUNCEMENTS**

There were no announcements from the Chairman.

**23. CENTRAL AREA PLANNING SUB-COMMITTEE**

**RESOLVED:** That the report of the meeting held on 22nd July, 2009 be received and noted.

**24. NORTHERN AREA PLANNING SUB-COMMITTEE**

**RESOLVED:** That the report of the meeting held on 1st and 29th July, 2009 be received and noted.

**25. SOUTHERN AREA PLANNING SUB-COMMITTEE**

**RESOLVED:** That the report of the meetings held on 8th July, 2009 be received and noted.

**26. ARCHAEOLOGY AND DEVELOPMENT SUPPLEMENTARY PLANNING DOCUMENT**

The Conservation Manager presented a report about the comments received to the Draft Planning Archaeology and Development Supplementary Planning Document (SPD) which had been published for consultation purposes in June 2008. The document formed part of the Council's Local Development Framework and set out the Council's policy and approach to dealing with archaeology and development. It expanded upon and provides additional information and guidance in support of policies and proposals in the Herefordshire Unitary Development Plan. It followed Government guidance planning set out within Planning Policy Guidance 16 (PPG 16) and its purpose was to make the Council's policies and practices clear to interested parties. When adopted, it would be a material consideration in the determination of planning applications. The aims of the SPD were to:

- provided as much certainty as possible to landowners, prospective developers and other interested parties;
- ensure a uniform application of policy;
- ensure the process was fair and transparent; and
- facilitate a speedier response from the Council to development proposals.

The SPD would therefore assist in pre-application discussions and provide a transparent and accountable procedure by which archaeology and development matters were dealt with by the Council. Although there had been a limited response during the consultation period, the comments received had been helpful and had led to amendments being recommended, which would result in a more informed and inclusive document. The Committee agreed with the changes proposed to the SPD by the Conservation Manager together with the way in which it should be incorporated into the Council's planning policies.

## **RESOLVED**

**that it be recommended to Cabinet that the draft SPD on Archaeology and Development be amended as set out in the report of the Head of Planning and Transportation, and adopted as part of the Council's Local Development Framework.**

**27. DCNC2009/0435/CD & DCNC2009/0436/L - PROPOSED REMOVAL OF EXISTING MINOR EXTENSIONS, INTERNAL ALTERATIONS AND NEW EXTENSION TO FORM OFFICES AND COMMUNITY ROOMS FOR RENT AT GRANGE COURT, PINSLEY ROAD, LEOMINSTER, HEREFORDSHIRE, HR6 8NL**

The Northern Team Leader said that the application had been deferred by the Planning Committee at its meeting on 3rd July 2009 when officers had been requested to undertake further negotiations about the proposal to remove an Austrian Black Pine and the Victorian staircase as part of the scheme. The report had been updated to take account of these matters and the additional representations which had been received about the proposals. The applicants had made no changes to the scheme since it was considered by the Committee.

the following additional representations had been received since the report was revised:-

Information has been submitted regarding the economic benefits of the proposal and the losses involved should the development not take place. These indicate a net increase in jobs as a result of 21, with an estimated annual earning of £426k. It is estimated that the economic loss of the development not taking place would be £2.8m from initial capital investment plus the aforementioned.

Further information has also been received setting out why the Austrian Black Pine was categorised as it was. This included a reference to risk as the tree is in a publicly accessible location.

Additionally comments have been submitted countering some of the comments of MADE, explaining the rationale for the design options chosen.

The architect also queries the need for the condition restricting access to the rear of the site to pedestrian only, on the basis that no change of use is involved.

A further letter and plan has been received on behalf of Mr Gaskin, advising that notwithstanding his previous comments about the principle of the scheme to begin with, there are matters of privacy which could be addressed through amendments to the part of the building closest to his boundary.

A further letter has also been received from Mrs Smith, a local resident, reiterating her original concerns.

The view of the Officers was that highway safety issues had led to the requirement for rear access to be restricted to pedestrians only. Although the application involved a change of use, it was not the determining issue as to whether the condition was necessary. The privacy issue raised by Mr Gaskin was addressed in para 6.23 of the report. The window in the gable of the wing adjacent to his boundary was a high level window providing light to the building.

Councillor PJ McCaull, one of the Local Ward Members, said that the decision to defer consideration of the application had proved to be a good one because it had given time for the applicants to arrange a public meeting where the project had been fully explained and all the concerns addressed. The black pine, which had already had to have a number of boughs removed and needed further work, would be replaced with a new one. Although the scheme required the removal of most of the Victorian staircase, part of it would be retained and incorporated into the new scheme and photos of it would be on display in the building. Steps would also be taken to preserve mediaeval stonework forming the 'grotto' situated in the grounds, into the scheme. He had concerns that Pinsley Road should not be used for access purposes because it was too narrow. Careful thought should be given to access and the delivery of materials via Church St when the alterations were being carried out. Overall he felt that the proposals could now be welcomed because all the concerns had been addressed about the building and grounds, together with those raised by local residents. Councillors JP French, RC Hunt and Brigadier P Jones the other Leominster Ward Members also now welcomed the scheme because of the assurances given and the fact that it would bring the building back into use, and help to provide employment and tourism.

Having heard the views of Local Ward Members and the fact that local residents were now satisfied with the proposals, the Committee decided that the application could be approved.

## **RESOLVED**

**That: a) planning permission be granted subject to the following conditions;**

**and,**

**b) that the application for listed building consent is referred to the Secretary of State for the Department of Communities and Local Government with a recommendation that the Council is minded to approve the application 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 D03 (External Elevations)**

**Reason: To ensure that the work is carried out in accordance with the details that are appropriate to the safeguarding of the special architectural or historical interest of the building and to comply with the requirements of Policy HBA1 of Herefordshire Unitary Development Plan.**

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

**Reason: To ensure that the work is carried out in accordance with the details that are appropriate to the safeguarding of the special architectural or historical interest of the building and to comply with the requirements of Policy HBA1 of Herefordshire Unitary Development Plan.**

**5 D05 (Details of external joinery finishes)**

**Reason: To ensure that the work is finished with materials, textures and colours that are appropriate to the safeguarding of the special architectural or historical interest of the building and to comply with the requirements of Policy HBA1 of Herefordshire Unitary Development Plan.**

**6 D10 (Specification of guttering and down pipes)**

**Reason: To ensure that the rainwater goods are of an appropriate form in the interests of the safeguarding of the special architectural or historical interest of the building and to comply with the requirements of Policy HBA1 of Herefordshire Unitary Development Plan.**

**7 D19 (Items to be Re-used)**

**Reason: To ensure the safeguarding of the special architectural or historic interest of the building and to comply with the requirements of Policy HBA1 of Herefordshire Unitary Development Plan.**

**8 D24 (Recording)**

**Reason: To ensure that the fabric which forms part of the special architectural or historic interest of the building is preserved by record where it would be lost as a result of the approved works in accordance with current government guidance and Policy HBA1 of Herefordshire Unitary Development Plan.**

**9 E01 (Site investigation – archaeology)**

**Reason: To ensure the archaeological interest of the site is recorded and to comply with the requirements of Policy ARCH6 of Herefordshire Unitary Development Plan.**

**10 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**

**11 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.**

**12 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.**

**13 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.**

**14 H29 (Secured 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.**

**15 Notwithstanding the plans hereby approved, the rear access shown to be used by service vehicles shall be retained only for use by pedestrians. Details of its treatment shall be submitted to and approved in writing by the local planning authority before development commences. The access shall be altered in accordance with the approved details before the building is first bought into use.**

**Reason: In the interest of highway safety and to conform to the requirements of Policy DR3 of the 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 I32 (Details of floodlighting/external lighting)**

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

**18 I41 Scheme of refuse storage (commercial)**

**Reason: In the interests of amenity and to comply with Policy DR4 of Herefordshire Unitary Development Plan.**

**LISTED BUILDING CONSENT**

**1 D01 Time limit for commencement (Listed Building Consent)**

**Reason: Required to be imposed by Section 18(1) of the Planning (Listed Buildings and Conservation Areas) 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 D03 External Elevations**

**Reason:** To ensure that the work is carried out in accordance with the details that are appropriate to the safeguarding of the special architectural or historical interest of the building and to comply with the requirements of Policy HBA1 of Herefordshire Unitary Development Plan.

**4 D04 Details of window sections, eaves, verges and barge boards**

**Reason:** To ensure that the work is carried out in accordance with the details that are appropriate to the safeguarding of the special architectural or historical interest of the building and to comply with the requirements of Policy HBA1 of Herefordshire Unitary Development Plan.

**5 D05 Details of external joinery finishes**

**Reason:** To ensure that the work is finished with materials, textures and colours that are appropriate to the safeguarding of the special architectural or historical interest of the building and to comply with the requirements of Policy HBA1 of Herefordshire Unitary Development Plan.

**6 D10 Specification of guttering and down pipes**

**Reason:** To ensure that the rainwater goods are of an appropriate form in the interests of the safeguarding of the special architectural or historical interest of the building and to comply with the requirements of Policy HBA1 of Herefordshire Unitary Development Plan.

**7 D19 Items to be Re-used**

**Reason:** To ensure the safeguarding of the special architectural or historic interest of the building and to comply with the requirements of Policy HBA1 of Herefordshire Unitary Development Plan.

**8 D24 Recording**

**Reason:** To ensure that the fabric which forms part of the special architectural or historic interest of the building is preserved by record where it would be lost as a result of the approved works in accordance with current government guidance and Policy HBA1 of Herefordshire Unitary Development Plan.

**INFORMATIVES:**

*N15 – Reason(s) for the Grant of Planning Permission*

*N19 – Avoidance of doubt – Approved Plans*

**28. DCSE0009/1139/CD - ALTERATIONS AND AN EXTENSION OVER TWO FLOORS TO PROVIDE COUNCIL INFORMATION, LIBRARY AND MEETING FACILITIES AT ROSS ON WYE LIBRARY, CANTILUPE ROAD, ROSS ON WYE, HEREFORDSHIRE HR9 7AN**

A report was presented by the Southern Team Leader about a planning application for the erection of a two-storey extension to the rear and alterations to the library building at Ross-on-Wye. The proposal involved the demolition of a freestanding garage and its replacement with an extension. The scheme would enable the delivery of an enhanced community facility and also incorporate the Council information service which was located in Swan House, Edde Cross Street. He provided the Committee with details about the proposals and said that the following representations had been received:-

Conservation Manager (Landscapes and Biodiversity): Having regard to the poor physiological condition and life expectancy of less than 10 years, no objection is raised to the removal of the Silver Birch Tree.

Conservation Manager (Building Conservation): Expresses the view that the redesigned monopitch roof to the lift tower would read as a continuation of the main library roof and would not appear so incongruous in three dimensions as the elevation drawings suggest: No objection.

An additional letter of representation has been received regarding the loss of the Silver Birch tree.

It was reported that the Conservation Manager has no objection to the removal of the Silver Birch, although its contribution to visual amenity was recognised. Moreover, the redesigned lift shaft roof was considered more appropriate than the formerly proposed pyramidal roof.

Having considered the proposals and the favourable views of Local Ward Members, The Committee was agreeable to 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 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 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 D04 (Details of window sections, eaves, verges and barge boards )**



**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 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.**

**6 F17 (Obscure glazing to windows )**

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

**7 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.**

**8 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.**

**9 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.**

**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 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 I16 (Restriction of hours during construction )**  
**During the construction phase no machinery shall be operated, no process shall be carried out and no deliveries taken at or despatched from the site outside the following times: Monday-Friday 7.00 am-6.00pm, Saturday 8.00 am-1.00 pm nor at any time on Sundays, Bank or Public Holidays.**

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

- 15 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.**

**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**
- 6 HN25 - Travel Plans**
- 7 HN26 - Travel Plans**
- 8 HN27 - Annual travel Plan Reviews**

**29. DCCE0009/0950/F - PROPOSED AMENDMENT OF 39 PREVIOUSLY APPROVED RESIDENTIAL DWELLINGS AND THEIR ASSOCIATED PARKING TO 51 RESIDENTIAL DWELLINGS TO PLOTS 99-137 & 505-517 CREATING AN ADDITIONAL 12 DWELLINGS AND THEIR ASSOCIATED PARKING AT LAND OFF BULLINGHAM LANE, HEREFORD, HEREFORDSHIRE, HR2 7RY**

The Principal Planning Officer said that the application had been referred to the Committee because the Central Area Planning Sub-Committee at its meeting on 22nd July 2009 was mindful to refuse planning permission contrary to the Council's Planning Policies and Officer recommendation. The Sub-Committee had been particularly concerned about the increased density of the development and the manner in which the total number of units had incrementally increased across the site as a whole over the last 4 years or so. Members had commented on the quality of the scheme in terms of the design of the houses and problems that had occurred within Phase 2 where they felt there had been insufficient parking and the roads were very narrow. Particular reference was made to policy H15 of the Herefordshire Unitary Development Plan (UDP) and it was felt that the density of the proposed development was unacceptably high. Since the decision to refuse the application, the applicants had considered the concerns of the Sub-Committee and the reasons for refusal. As a result, the proposed development had been amended through the deletion of 3 dwellings reducing the total to 9.

The application sought permission to re-plan part of Phase 3 of the previously approved residential development on the former SAS camp off Bullingham Lane. Reserved matters approval was granted on 19th August 2008 for Phase 3 comprising 151 units, taking the total for the site up to 608. Part of this approval had been implemented and

completed. The UDP allocation was 500 units in the first deposit draft; this followed the 2001 outline permission for the site as a whole which estimated numbers at 500. However, the outline permission was not restricted in numbers. This was subsequently increased to 600 units in the adopted UDP following representations by the developer. The application with the revisions would retain the total number of dwellings at 608.

The Principal Planning Officer said that the Traffic Manager had confirmed that he had no objection to the amended plans. All outstanding issues had been resolved and he therefore changed his recommendation to one of approval.

In accordance with the criteria set out in the Council's Constitution, Councillor AT Oliver having registered a prejudicial interest, spoke against the application and then withdrew from the meeting. Councillor RC Chappell, one of the Local Ward Members had some reservations about the provision of car parking but overall was in favour of the proposals. The Committee did not feel that there were sufficient grounds to refuse the application and therefore decided that it should be approved.

## **RESOLVED**

**That the application be approved subject to the following conditions and any further conditions considered to be necessary by Officers:**

1. **A01 (Time limit for commencement (full permission)) (two years).**

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

2. **During the construction no machinery shall be operated, no process shall be carried out and no deliveries taken at or despatched from the site outside the following times 0800 to 1800 Mondays to Fridays and 0800 to 1300 on Saturdays nor at any time on Sundays, Bank or Public Holidays.**

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

3. **Notwithstanding the provisions of the Town and Country (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order with or without modification) no new permeable or impermeable hardstanding shall be created between any highway or footpath and the frontages of the approved dwellings other than expressly authorised by this permission.**

**Reason: In order to maintain the visual amenity of the area and to comply with Policy H13 of the Herefordshire Unitary Development Plan.**

4. **All integral and attached garages 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 or used for any other purpose incidental to the enjoyment of the dwelling house as such.**

**Reason: To ensure adequate off street parking arrangements remain available at all times and to comply with Policy H18 of the Herefordshire Unitary Development Plan.**

5. **H11 (Parking - estate development (more than one house)).**

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

**6. B06 (Implementation of one permission only).**

**Reason: For the avoidance of doubt and to comply with the requirements of Policies DR1 and H13 of the Herefordshire Unitary Development Plan.**

**7. I56 (Eco Homes –Very Good).**

**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'.**

**Informatives:**

**1. N19 - Avoidance of doubt - Approved Plans.**

**2. N15 - Reason(s) for the Grant of PP/LBC/CAC.**

**30. DCCW0009/0958/F - CONSTRUCTION OF NEW SECONDARY SCHOOL BUILDINGS INCLUDING LANDSCAPING AND OTHER ASSOCIATED WORKS AND DEMOLITION OF EXISTING SCHOOL BUILDINGS AT HEREFORD ACADEMY (FORMERLY WYEBRIDGE SPORTS COLLEGE), STANBERROW ROAD, HEREFORD, HR7 7NG**

The Central Team Leader presented a report about a planning application for a new school for Hereford Academy at Marlbrook Road, Redhill, Hereford. The site occupied by Hereford Academy formed the former schools of Grafton, Haywood, Wyebidge Senior Schools and Marlbrook Primary School. This proposal was to replace all the buildings on site with a new school, 6th Form and community building together with sports pitches. He outlined the main features of the proposals and presented the following updates:-

The applicants have confirmed that due to internal height restrictions the Sports hall roof has been increased by approx. 0.50m. This does not however increase the overall height as the coloured ventilation wraps will still be at 11m.

Highways Agency still awaiting additional information and therefore maintain the holding objection.

Conservation Manager (Archaeology) have reviewed the Archaeological Report and whilst the majority of the site is of low archaeological potential there is an area in the south east corner which has a degree of sensitivity. However mitigation through conditions can be achieved. Accordingly subject to the imposition of conditions to secure a programme of archaeological works and foundation design the proposal is acceptable.

A neighbour has raised concerns that the all weather pitch will create noise pollution into the evening in an area which is quiet at night and that it should be switched with the rugby pitch which is not floodlit.

The Environmental Health and Trading Standards Officers had reviewed the application and had raised no objections. Because of the layout of the site, there was insufficient

room to switch the all-weather pitch with the rugby pitch but its usage would be restricted to 10:00 pm to protect the amenity of local residents. Enhanced landscaping would be considered along the boundary of the all-weather pitch to help with this aspect.

### **CHANGE TO RECOMMENDATION**

Change by removing Archaeology and add conditions E01 (site investigation) E04 (foundation design).

In accordance with the criteria for public speaking, Mr Whitmey, a school governor, spoke in favour of the application

Councillor ACR Chappell, a local Ward Member commended the work that had been done by the school governors, staff and the officers involved in arriving at such significant proposals for the education and community facilities that would be provided at the Academy. These sentiments were echoed by the Committee.

### **RESOLVED**

**That subject to the removal of the objection from the Highways Agency, the Officers named in the Scheme of Delegation to Officers be authorised to approve the application subject to the following conditions including E01 (site investigation) E04 (foundation design); and any further conditions considered necessary by Officers:**

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. **E03 (Site observation – archaeology)**

**Reason: To allow the potential archaeological interest of the site to be investigated and recorded and to comply with the requirements of Policy ARCH6 of Herefordshire Unitary Development Plan.**

4. **E04 (Submission of foundation design).**

**Reason: The development affects a site on which archaeologically significant remains survive and a design solution is sought to minimise archaeological disturbance through a sympathetic foundation design in order to comply with the requirements of Policy ARCH2 of Herefordshire Unitary Development Plan.**

5. **F01 (Restriction on hours of working).**

**Reason: To safeguard the amenities of the locality and to comply with Policy DR2 of Herefordshire Unitary Development Plan.**

6. **F02 (Restriction of hours of delivery).**

**Reason: To safeguard the amenities of the locality and to comply with Policy DR1 of Herefordshire Unitary Development Plan.**

**7. 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.**

**8. G06 (Remedial works to trees).**

**Reason: The trees form an integral part of the visual environment and this condition is imposed to preserve the character and amenities of the area and to ensure that the development conforms with Policies DR1 and LA5 of Herefordshire Unitary Development Plan.**

**9. G10 ( Landscaping schemes).**

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

**10. G11 (Landscaping schemes – implementation).**

**Reason: In order to maintain the visual amenities of the area and to comply with Policy LA6 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. H21 (Wheel washing).**

**Reason: To ensure that the wheels of vehicles are cleaned before leaving the site in the interests of highway safety and to conform with the requirements of Policy DR3 of Herefordshire Unitary Development Plan.**

**13. 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**

**14. 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**

**15. Details of the proposed means of closure of the Stanberrow Road access to all vehicles other than emergency vehicles shall be submitted for approval in writing of the local planning authority.**

**Reason: In the interests of highway safety and visual amenity of the area in accordance with Policies DR and DR3.**

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

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

**17. I18 (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.**

**18. 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.**

**19. I22 (No surface water to public sewer).**

**Reason: To safeguard the public sewerage system and reduce the risk of surcharge flooding so as to comply with Policy DR4 of Herefordshire Unitary Development Plan.**

**20. I32 (Details of floodlighting/external lighting).**

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

**21. I33 (External lighting).**

**Reason: To safeguard the character and amenities of the area and to comply with Policy DR14 of Herefordshire Unitary Development Plan.**

**22. I34 (Colour of floodlighting columns).**

**Reason: To safeguard the character and amenities of the area and to comply with Policy DR14 of Herefordshire Unitary Development Plan.**

**23. I35 (Time limit on floodlighting/external lighting) (4 pm – 10 pm).**

**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.**

**24. I36 (Restriction on level of illuminance of floodlighting (sports grounds)).**

**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.**

**25. I37 (Details of shields to prevent light pollution).**

**Reason: To minimise light overspill and to protect the amenity of neighbouring properties so as to comply with Policy DR14 of Herefordshire Unitary Development Plan.**

**26. I38 (Angle of floodlighting).**

**Reason: To minimise light overspill and to protect the amenity of neighbouring properties so as to comply with Policy DR14 of Herefordshire Unitary Development Plan.**

**27. I41 ( Scheme of refuse storage commercial)).**

**Reason: In the interests of amenity and to comply with Policy DR4 of Herefordshire Unitary Development Plan.**

**28. I44 (No burning of materials/substances during construction phase).**

**Reason: To safeguard residential amenity and prevent pollution and to comply with Policy DR4 of Herefordshire Unitary Development Plan.**

**29. 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.**

**30. L04 (Comprehensive & Integrated draining of site).**

**Reason: To ensure that effective drainage facilities are provided for the proposed development, and that no adverse impact occurs to the environment or the existing public sewerage system so as to comply with Policy CF2 of Herefordshire Unitary Development Plan.**

**31. M14 (Car park drainage).**

**Reason: To ensure that effective drainage facilities are provided for the proposed development, and that no adverse impact occurs to the environment or the existing public sewerage system so as to comply with Policy CF2 of Herefordshire Unitary Development Plan.**

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

**31. DATE OF FORTHCOMING MEETINGS**

23rd October & 4th December 2009

The meeting ended at 12:40 pm

**CHAIRMAN**