

MINUTES of the meeting of Southern Area Planning Sub-Committee held at The Council Chamber, Brockington, 35 Hafod Road, Hereford on Wednesday 30 September 2009 at 2.00 pm

Present: Councillor PGH Cutter (Chairman)

Councillors: CM Bartrum, H Bramer, AE Gray, JA Hyde, G Lucas, PD Price, RH Smith and DC Taylor

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

38. APOLOGIES FOR ABSENCE

Apologies were received from Councillors BA Durkin, MJ Fishley, JG Jarvis, and JB Williams.

39. DECLARATIONS OF INTEREST

8. DCSE0009/1676/F - CATS NURSERY SCHOOL, LEYS HILL, WALFORD, ROSS ON WYE, HEREFORDSHIRE, HR9 5QU.

Councillor JA Hyde; Personal; Cabinet Member for Children's Services.

40. MINUTES

RESOLVED: That the Minutes of the meeting held on 2 September 2009 be approved as a correct record and signed by the Chairman.

41. ITEM FOR INFORMATION - APPEALS

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

42. DCSE0009/1495/F - KNAPP FIELD, GOODRICH, ROSS-ON-WYE, HEREFORDSHIRE, HR9 6JA.

Proposed dwelling with detached garage and associated works.

The Principal Planning Officer reported the following updates:

- The receipt of amended plans including a further reduction in slab level and a reduction in roof pitch resulting in a reduction in ridge height of over half a metre.
- The Parish Council had been re-consulted on the amended plans and reiterated its objection to the overall scale and prominence of the dwelling.
- Five local residents had also written in response to the amendments, again reiterating their objections to the scale and position of the building relative to the neighbours to the rear of the plot.
- The applicant had sought to justify the scale of the building on the basis that it was intended as their family home – the family comprising 4 children ranging in age from 4 to 19 years. Reference is also made to the Design and Access Statement submitted with the original outline planning permission, which suggested that the house intended

for plot 2 (the current application site) might measure 8.75 metres to the ridge, which was 750mm taller than the current proposal.

The Principal Planning Officer made the following comments as reported in the updates sheet circulated to Members at the start of the meeting:

The amendments act to reduce both the absolute height of the dwelling (through the reduction in roof pitch) and the height relative to the neighbouring properties. A further reduction in ground levels is not thought practical owing to the need to maintain the requisite fall in order that a connection can be made to the main sewer in the road.

Welsh Water has asked that foul and surface water drainage be drained separately from the site and request that surface water is not allowed to discharge into the public sewerage system unless prior approval is sought. In these circumstances an additional condition requiring details of sustainable surface water drainage techniques is recommended

Councillor H Bramer advised Members that Councillor JG Jarvis, the Local Ward Member, had concerns in respect of the height of the proposed dwelling. He added that in his opinion the ridge height could be reduced further through the use of dormer windows in the upper rooms.

Councillor RH Smith noted that the Parish Council had undertaken consultation in respect of a forthcoming village design statement. He welcomed the proposed reduction in height of the dwelling but felt that a 0.5m reduction was not enough. He therefore felt that that application should be refused due to overlooking and an unacceptable dwelling size in terms of height and mass.

Councillor PD Price noted that the application was purely for reserved matters and that the principal of planning on the site had already been established through the outline planning application, permitted in 2008

In response to the comments from members, the Principal Planning Officer confirmed that the original Design and Access statement proposed a dwelling of up to 8.75 metres and that the proposed dwelling was in fact lower than this. He also confirmed that the ground levels had not been raised on the site.

Councillor H Bramer reiterated his previous point regarding dormer windows and added that the issue of overlooking was a result of the position of the proposed dwelling on the site. He felt that the application should be refused due to the overall prominence of the dwelling over neighbouring properties.

A motion to refuse the application failed and the resolution below was agreed.

RESOLVED

That planning permission be granted subject to the following conditions:

- 1 A01 (Time limit for commencement (full permission))**
- 2 Amended plans**
- 3 C01 (Samples of external materials)**
- 4 D05 (Details of external joinery finishes)**

- 5 F15 (No windows in side elevation of extension)
- 6 F17 (Obscure glazing to windows)
- 7 G02 (Retention of trees and hedgerows)
- 8 G10 (Landscaping scheme)
- 9 G11 (Landscaping scheme - implementation)
- 10 H03 (Visibility splays)
- 11 H05 (Access gates)
- 12 H06 (Vehicular access construction)
- 13 H13 (Access, turning area and parking)
- 14 H27 (Parking for site operatives)

INFORMATIVES:

- 1 HN01 - Mud on highway
- 2 HN04 - Private apparatus within highway
- 3 HN05 - Works within the highway
- 4 HN10 - No drainage to discharge to highway
- 5 N19 - Avoidance of doubt - Approved Plans
- 6 N15 - Reason(s) for the Grant of Planning Permission

43. DCSE0009/1487/O - HILLCREST, GORSLEY, ROSS-ON-WYE, HR9 7SW.

3 detached dwellings with new access and associated works.

The Principal Planning Officer reported the following:

- A 22 signatory petition from residents of Ivy House Estate was received on 28 September. This states opposition to the proposal on the basis of the perceived adverse impact suffered by the residents of Nos. 3 and 4 Ivy House Estate.

In accordance with the criteria for public speaking Mrs Reading, also speaking on behalf of Mr and Mrs Davies, spoke in objection to the application.

Councillor H Bramer, the Local Ward Member, advised members that he had attended a meeting at the nearby school recently and was therefore very familiar with the site. He noted the comments from the Parish Council and the Traffic Manager and agreed that the proposal would improve highway safety in the area.

In response to a question from Councillor AE Gray, the Area Engineer confirmed that the traffic survey had indicated an average speed of 37 mph in a westerly direction and 36 mph easterly.

Councillor RH Smith advised Members that he was a resident of Gorsley but that he lived some distance away from the application site. He felt that there were visibility issues in respect of the access to the site and therefore felt that a site visit would be beneficial

Members discussed the application and felt that the speed limit outside the school should be set at a maximum of 20 mph.

RESOLVED

THAT determination of the application be deferred pending a site inspection on the following grounds:

- **The setting and surroundings are fundamental to the determination or to the conditions being considered.**

44. DCSW0009/1681/F - STONE HOUSE, MUCH DEWCHURCH, HEREFORDSHIRE, HR2 8DL.

Proposed detached double garage, garden/mower store and first floor storage area.

The Senior Planning Officer reported the following:

- Further letters have been received relating to the amended plans from Hereford Waldorf School, Mr. Grubb of Almond House and Mrs Davies of The Forge.

They reiterate their concerns in terms of height and size of the garage.

In accordance with the criteria for public speaking, Mrs Taylor, the applicant, spoke in support of her application.

Councillor CM Bartrum advised Members that the Local Ward Member felt that all of the concerns raised by local residents had been addressed through conditions recommended in the Officers report.

RESOLVED

That planning permission be granted subject to the following conditions:

- 1. A01 (Time limit for commencement (full permission))**
- 2. B03 (Amended plans)**
- 3. C01 (Samples of external materials)**
- 4. D09 (Details of rooflights)**
- 5. F07 (Domestic use only of garage)**
- 6. F08 (No conversion of garage to habitable accommodation)**
- 7. G02 (Retention of trees and hedgerows)**
- 8. H27 (Parking for site operatives)**

Informatives:

1. **HN01 - Mud on highway**
 2. **HN04 - Private apparatus within highway**
 3. **HN05 - Works within the highway**
 4. **HN10 - No drainage to discharge to highway**
 5. **N19 - Avoidance of doubt - Approved Plans**
 6. **N15 - Reason(s) for the Grant of Planning Permission**
45. **DCSE0009/1676/F - CATS NURSERY SCHOOL, LEYS HILL, WALFORD, ROSS ON WYE, HEREFORDSHIRE, HR9 5QU.**

Proposed dormitory accommodation with dining and recreational unit in association with continued use of land as a children's nursery school and kids club, together with approved leisure, recreational, educational and cultural use (diversification of existing use)

The Senior Planning Officer reported the following:

- Conservation Manager – Ecology has no objection.

In accordance with the criteria for public speaking, Mr Macrostie spoke in objection to the application, and Mr Frecknell, the applicants' agent, spoke in support.

Councillor H Bramer, advised Members that the Local Ward Member had concerns in respect of the issues raised in regarding traffic and that he also noted the objection received by the children's and young persons directorate.

Councillor JA Hyde felt that the two operations in question did not compliment each other. She added that the Council's primary concern should be the safeguarding of children and therefore she could not support the application.

The Southern Team Leader advised Members that licensing issues would be addressed through the relevant bodies and that Members should determine the application on its planning merits.

Members discussed the application and had concerns in respect of the site operating as a health spa and a nursery. The Southern Team Leader advised that the site currently operated as a gym and a nursery and that this relationship between the two uses was not being changed.

A motion to approve the application failed and the resolution as set out below was agreed.

RESOLVED

That:

(i) The Southern Area Planning Sub-Committee is minded to refuse the application subject to the reasons for refusal set out below (and any further reasons for refusal felt to be necessary by the Head of Planning and Transportation) provided that the Head of Planning and Transportation does not refer the application to the Planning Committee:

- The application is contrary to policy DR2 of the Herefordshire Council Unitary Development Plan in respect of the incompatibility between the health and fitness facility and the children's nursery on the site.
- Concerns over the access onto the B4324.

(ii) If the Head of Planning and Transportation does not refer the application to the Planning Committee, Officers named in the Scheme of Delegation to Officers be instructed to refuse the application subject to such reasons for refusal referred to above.

[Note: Following the vote on this application, the Southern Team Leader advised that he would refer the decision to the Head of Planning and Transportation.]

The meeting ended at 3.38 pm

CHAIRMAN