

APPENDIX

Ref. 1
PRESTEIGNE
NW2003/1250/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**

In accordance with the criteria for public speaking, Mrs Gill, an objector, spoke against the proposal.

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

The local member felt that the application would be further improved by re-orientating the building 90°. She also felt that the lane adjacent to the site should be open to pedestrians only, and that no further development should be permitted on the site.

The Principal Planning Officer said that he would include a note to the applicants stating that only four dwellings would be permitted on the site. In addition, he said that he would discuss with the applicant, issues surrounding access to the lane, and the re-orientation of the building, although these actions could not be made conditions of the planning permission.

RESOLVED: That planning permission be granted, subject to the following conditions, and subject to further discussions with the applicants in respect of pedestrian access only in the lane adjacent to the site, and re-orientating the building:

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)
(drawing no. 1/4/2003 received on 8 September 2003).**

Reason: To ensure adherence to the approved plans in the interests of a satisfactory form of development.

**3 - A12 (Implementation of one permission only)
92/532 dated 16 February 1993.**

Reason: To prevent over development of the site.

4 - B01 (Samples of external materials)

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

- 5 - C04 (Details of window sections, eaves, verges and barge boards)

Reason: To safeguard the character and appearance of this building of [special] architectural or historical interest.

- 6 - C05 (Details of external joinery finishes)

Reason: To safeguard the character and appearance of this building of [special] architectural or historical interest.

- 7 - C06 (External finish of flues)

Reason: To safeguard the character and appearance of this building of [special] architectural or historical interest.

- 8 - D02 (Archaeological survey and recording) (relating to the conservation and treatment of the remaining mill machinery)

Reason: A building of archaeological/historic/architectural significance will be affected by the proposed development. To allow for recording of the building during or prior to development. The brief will inform the scope of the recording action.

- 9 - Prior to the first occupation of the dwelling hereby permitted the works required by Condition 8 including the construction of the mill pit cover shall be completed in accordance with the approved details and thereafter retained unless otherwise agreed in writing by the local planning authority.

Reason: To ensure that the archaeological value of the site is preserved.

- 10 - E16 (Removal of permitted development rights) (schedule 2, Part 1 and Part 2)

Reason: To preserve the open character and setting of the proposed dwelling in this historically sensitive landscape.

- 11 F18 (Scheme of foul drainage disposal)

Reason: In order to ensure that satisfactory drainage arrangements are provided.

- 12- G01 (Details of boundary treatments)

Reason: In the interests of visual amenity and to ensure dwellings have satisfactory privacy.

- 13 - Prior to the first occupation of the dwelling hereby permitted the scheme for the restoration and landscaping of the former mill ponds and stream received on 20 October 2003 shall be fully implemented in accordance with the details submitted unless otherwise agreed in writing by the local planning authority.

Reason : To conserve the historic character of this sensitive landscape.

- 14- No dredging of the mill pond as part of the agreed restoration works shall be carried out until full details of the means of removal from the site or redistribution within the surrounding area have been submitted to and agreed in writing by the local planning authority. The redistribution of the dredged material shall be carried out in accordance with the submitted details.

Reason: To ensure that the character and appearance of the surrounding area is conserved.

- 15- All construction traffic associated with the construction of the dwelling and mill pond restoration hereby approved shall access the site from the Stapleton Hill access to the north of the application site.

Reason: In order to protect the amenities of the occupiers of nearby properties.

- 16- All vehicular traffic associated with the occupation of the dwelling hereby approved and the property known as Stapleton Castle Court shall access the site from the Stapleton Hill access to the north of the application site.

Reason: In order to protect the amenities of the occupiers of nearby properties.

- 17 - 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.

Notes to applicants :

- 1- A discharge consent under the Water Resources Act 1991 (as amended by the Environment Act 1995) may be required from the Environment Agency and it is the applicants responsibility to ensure that any existing discharge consent conditions are met. For further information please contact Holly Sisley on 01600 772245.
- 2- With regard to the proposed dredging of the mill pond, the applicant is advised that the exportation of waste may be subject to Waste

Management Licensing Regulations. Please contact Holly Sisley at the Environment Agency on 01600 772245 for further advice on this.

- 3 Any waste excavation material or building waste generated in the course of the development must be disposed of satisfactorily and in accordance with Section 34 of the Environment Protection Act 1990.**
- 4 It is unlikely that any development on this site above four dwellings will be permitted.**
- 5. The applicant be advised that his use of the private right of way adjacent to Plots 2 and 3 and Ford Cottage should be restricted to pedestrian use only.**

Ref. 2 & 3
PEMBRIDGE
DCNW2003/2267/F
AND
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**

In accordance with the criteria for public speaking, Mrs Palmer, an objector, spoke against the proposal.

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

Some members felt that the applications should be refused because they would set an unwelcome precedent in the area, allowing what was effectively a new building in a relatively open area. The proposal also had a larger footprint than the original, and would be higher, and members felt that it would be out of keeping with the area.

The Principal Planning Officer reported on some minor changes to the report, and made the following principal points:

- Issues relating to gas services and drainage for the proposed property were outside the scope of the planning applications. The owner of Nurses Cottage would be able to object to the relevant authority, in respect of any service provision through her property;
- There was no alternative access to the site. Previously, the owner had attempted to establish an access though a different boundary, but the negotiations had been unsuccessful. The Principal Planning Officer explained that the Sub-Committee was required to consider whether one further dwelling in this location would cause sufficient highway problems to merit a refusal;
- The proposal was located in a Conservation Area, which had also been

designated an important open space. It was within the settlement boundary however, and so was not deemed to be in open countryside. The principle of residential development was acceptable in this location, and other appropriate policies would ensure that no further development was likely on this site. In making a recommendation, officers had taken all material considerations into account, such as the existing presence of the barn and the fact that the footprint was very similar to the original. He added that all permitted development rights had been removed by conditions, and that these factors combined would negate the loss of any open space.

A vote for refusal was lost, and the application was then approved as per the recommendation. Members requested that a note to the applicant be added to the planning permission, stating that no further dwellings would be permitted on the site.

RESOLVED:

DCNW2003/2267/F

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) (Site plan elevations and floor plans received on 25 July 2003)

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 - C04 (Details of window sections, eaves, verges and barge boards)

Reason: To safeguard the character and appearance of this building of [special] architectural or historical interest.

5 - C05 (Details of external joinery finishes)

Reason: To safeguard the character and appearance of this building of [special] architectural or historical interest.

6 - D01 (Site investigation - archaeology)

Reason: To ensure the archaeological interest of the site is recorded.

7 - E16 (Removal of permitted development rights)

Reason: To safeguard the open character of the site in recognition of its designation as an Area of Important Open Space.

8 - E17 (No windows in side elevation of extension)(South)

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

9 - Prior to the first occupation of the dwelling hereby approved the existing surface water connection from The Old Post Office to the public sewerage system shall be removed and an alternative private soakaway system shall be installed in accordance with the details to be approved in advance in writing by the local planning authority and thereafter retained.

Reason: To prevent hydraulic overload of the public sewerage system and the pollution of the environment when the foul connection from the approved dwelling is made.

10 - Foul water and surface water discharges shall be drained separately from the site and no surface water or land drainage run-off (either directly or indirectly) shall be allowed to connect to the public sewerage system.

Reason: To prevent hydraulic overload of the public sewerage system and the pollution of the environment when the foul connection from the approved dwelling is made.

11 - G09 (Retention of trees/hedgerows)

Reason: To safeguard the amenity of the area.

12 - H13 (Access, turning area and parking)

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

Note to applicant:

1 - ND03 - Contact Address

2 - The applicant is advised that proposals for any further residential development of this site are unlikely to be supported in views of its

designation as an Important Open Area (Policy A.25 of the Leominster District Local Plan (Herefordshire) applies in this case).

DCNW2003/2268/C

That Conservation Area Consent 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 - C14 (Signing of contract before demolition)

Reason: Pursuant to the provisions of Section 17(3) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

(Note: Councillor R.B.A. Burke requested that his name be recorded as having taken no part in the debate on these applications, and abstaining from the voting on the above decisions.)

Ref. 4
STOKE PRIOR
DCNC2003/1530/F

Erection of four detached dwellings with garages and private drive at:

LAND ADJ TO BELMONT, STOKE PRIOR, LEOMINSTER.

For: **Mrs C Shaw per Border Oak, Kingsland Sawmills, Kingsland, Leominster**

Members agreed that the site should be inspected on the grounds that a judgement was required on visual impact.

In accordance with the criteria for public speaking, Mr Lefroy-Owen of Humber and Stoke Prior Parish Council, Mr Barker and Mr Bromley, objectors, and Mr Shaw, the applicant, were present at the meeting, and reserved their right to speak on the application until it came back before the Sub-Committee for consideration.

RESOLVED: That consideration of the application be deferred for a site inspection.

Ref. 5
HATFIELD
DCNC2003/2101/F

Change of use for the provision of 17 static caravans, waste treatment plant, reception point, new internal access and landscaping at:

FAIRVIEW CARAVAN PARK, HATFIELD, HR6 OSD

For: **Mr & Mrs Morgan per Mr Griffin ADAS The Patch Elton Newnham Gloucester GL14 1JN**

The Northern Divisional Planning Officer reported a further letter of support from

Mrs. A. Morgan, Old Hall, Hatfield.

Members decided that the site should be inspected on the grounds that a judgement was required on visual impact.

In accordance with the criteria for public speaking, Mr Standing, an objector, and Mr Griffin, the applicants' agent, were present at the meeting, and reserved their right to speak on the application until it came back before the Sub-Committee for consideration.

RESOLVED: That consideration of the application be deferred for a site inspection.

Ref. 6
BRIMFIELD
DCNC2003/2251/F

**ERECTION OF NEW BUNGALOW IN GARDEN OF EXSTING BUNGALOW AT:
GREYSTONES, WYSON, BRIMFIELD SY8 4NL**

For: Mr W Tong per Mr Hulse MCIOB 48 Gravel Hill, Ludlow, Shropshire. SY8 1QR

Members felt that the site should be inspected on the grounds that the setting and surroundings were fundamental to the determination of the application or to the conditions being considered.

RESOLVED: That consideration of the application be deferred for a site inspection.

Ref. 7
RISBURY
DCNC2003/2883/F

Mobile home to replace existing dilapidated mobile home on same site at:

THE WOODLANDS, RISBURY, LEOMINSTER, HEREFORDSHIRE, HR6 0NN

For: **Mr E Clark per Mr J I Hall, New Bungalow, Nunnington, Hereford, HR1 3NJ**

In accordance with the criteria for public speaking, Mr Norris of Stoke Prior and Humber Parish Council, spoke against the proposal.

In accordance with the criteria for public speaking, Mr Harcombe, an objector, spoke against the proposal.

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

The Senior Planning Officer reported some amendments to the report. He confirmed that the application had been recommended for approval because its use had been supported by a Certificate of Lawful Use. He explained that in such instances, the use of the land was a material planning consideration. In response to a point raised, the Chief Development Control Officer stated that any matters relating to the Mobile Homes Act 1983 were not relevant to the planning 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 - No development approved by this permission shall be commenced until a scheme for the provision of foul drainage works has been approved by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details.

Reason: To prevent pollution of the water environment.

3. G11 – (Retention of hedgerows (where not covered by Hedgerow Regulations))

Reason: To ensure that the application site is properly landscaped in the interests of the visual amenity of the area.

Ref. 8
BODENHAM
DCNC2003/2914/F

Proposed extension at:

18 BROCKINGTON ROAD, BODENHAM, HEREFORDSHIRE, HR1 3LR

For: Mr & Mrs M. Walton per Mr N La Barre 38 South Street Leominster Herefordshire HR6 8JG

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 - A09 (Amended plans) (3 December 2003)

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

3 - B02 (Matching external materials (extension))

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

4 - E18 (No new windows in specified elevation) (side elevation)

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

5. Prior to the extension hereby approved first being brought into use the en-suite bathroom window shall be glazed with obscure glass only and thereafter retained as such.

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

Ref. 9
**TEDSTONE
DELAMERE**
DCNC2003/2950/F

Proposed indoor exercise arena (building E only) at land adjacent to:

**TEDSTONE COURT, TEDSTONE DELAMERE, BROMYARD,
HEREFORDSHIRE, HR7 4PS**

**For: Mr S Harrison per Linton Design Group, 27 High Street, Bromyard,
Herefordshire. HR7 4AA**

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 - E11 (Private use of stables only)

Reason: In order to safeguard the residential amenity of the area.

Notes to applicant:

1 - All wash waters, manures and stable waste shall be collected, stored and disposed of in accordance with DEFRA "Code of Good Agricultural Practice for the Protection of Water".

2 - Any waste excavation material or building waste generated in the course of the development must be disposed of satisfactorily and in accordance with Section 34 of the Environment Protection Act 1990.

Ref. 10
**TEDSTONE
DELAMERE**
DCNC2003/2952/F

Proposed equine facilities, buildings A, B, C & D only (partially retrospective) at:

**LAND ADJACENT TO TEDSTONE COURT, TEDSTONE DELAMERE,
BROMYARD, HEREFORDSHIRE, HR7 4PS**

**For: Mr S. Harrison per Linton Design Group, 27 High Street, Bromyard,
Herefordshire. HR7 4AA**

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. E11 (Private use of stables only)

Reason: In order to safeguard the residential amenity of the area.

Notes to applicant:

1 - All wash waters, manures and stable waste shall be collected, stored and disposed of in accordance with DEFRA "Code of Good Agricultural Practice for the Protection of Water".

2 - Any waste excavation material or building waste generated in the course of the development must be disposed of satisfactorily and in accordance with Section 34 of the Environment Protection Act 1990

Ref. 11
EDWYN RALPH
DCNC2003/3002/F

Conversion of stable/former farm office building to residential staff accommodation at:

BLACK VENN, EDWYN RALPH, BROMYARD. HR7 4LU

For: Trustees of the Harry Wolton Settlement per
Mr H Wolton, The Black Venn, Edwyn Ralph, Bromyard. HR7 4LU

The Senior Planning Officer reported an amendment to Condition 2, and said that this would be included in the 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 - The accommodation hereby permitted shall not be occupied other than by a member of staff employed by the occupants of The Black Venn, and their dependants.

Reason: In order to define the permission.

Ref. 12
BROMYARD
DCNC2003/3230/F

Proposed gas tank at:

DOWNSFIELD COTTAGE, NORTON, THE DOWNS, BROMYARD, HEREFORDSHIRE, HR7 4QH

For: Mrs J Cookayne of same address

Receipt of a further letter from S. Langridge, reiterating concerns about the application's impact on the land and livestock, was reported. The Principal Planning Officer said that she would consult the local member as necessary over the application.

RESOLVED: That planning permission be granted in consultation with the Chairman and the local member, subject to the following conditions:

1 - E16 (Removal of permitted development rights) ('no fences, gates or walls shall be erected')

Reason: In the interests of visual amenities of the area

2 - G09 (Retention of trees/hedgerows) ('existing boundary hedge/trees')

Reason: To safeguard the amenity of the area.

- 3 - Within 2 months of the date of this permission details shall be submitted to and agreed in writing with the Local Planning Authority of the revised siting of the tank. The works shall thereafter be carried out in accordance with the approved details to a timescale to be agreed in writing with the Local Planning Authority.

Reason: In the interests of visual amenities of the area.

Ref. 13
LEOMINSTER
DCNC2003/2955/F

Creation of vehicular access at:

65 MILL STREET, LEOMINSTER, HEREFORDSHIRE, HR6 8EE

For: **Mr B Hampsey at same address**

The Principal Planning Officer reported the receipt of amended plans, and she made alterations to the recommendation as a result.

RESOLVED: That planning permission be granted subject to the following conditions:

- 1 - The parking of vehicles on the site shall be in accordance with the amended plans received on 10th December 2003, and shall not thereafter be used for any other purpose than the parking of domestic vehicles.

Reason: in the interest of highway safety and to ensure the free flow of traffic using the adjacent highway.

- 2 - The existing side boundary wall shall be retained and also maintained, and shall not be removed without the prior written consent of the local planning authority.

Reason: To safeguard the character and amenities of the area.

Ref. 14
WIGMORE
NW2003/0630/F

USE OF LAND FOR PARKING OF AGRICULTURAL IMPLEMENTS & CUSTOMER VEHICLE PARKING AT TEME VALLEY TRACTORS LTD, BROAD STREET, WIGMORE, HEREFORDSHIRE.

For: **Teme Valley Tractors Ltd per Mr D R Davies,**
23 Charlton Rise, Ludlow, Shropshire. SY8 1ND

The Northern Divisional Planning Officer reported some minor amendments to the recommendations, and the receipt of further representations from Mr Bingham. He read extracts from the letter. In particular, Mr Bingham had queried why the application was being considered in the absence of a site survey to assess the presence of Great Crested Newts. The Northern Divisional Planning Officer said that the applicant had overcome the need for a survey by agreeing to certain conditions protecting the newts' habitat.

In response to a question, the Northern Divisional Planning Officer said that the Council's Ecologist had visited the site and had not raised any issues relating to the removal of tree stumps, or replanting. He added that the matter would be further investigated, and if there were grounds to remove them, this would be addressed.

RESOLVED: That planning permission be granted subject to the following conditions, and subject to any necessary negotiations/conditions in respect of the removal of tree stumps on the site:

- 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)**
Reason: To ensure adherence to the approved plans in the interests of a satisfactory form of development.
- 3 - **D01 (Site investigation - archaeology)**
Reason: To ensure the archaeological interest of the site is recorded.
- 4 - **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.
- 5 - **The areas indicated on the approved plan for agricultural implement storage and customer parking shall be used for this purpose only and vehicles/implements within this area shall not be actively worked upon.**
Reason: In the interests of residential amenity.
- 6 - **Within 3 months of the date of this permission details of the laying out and surfacing of the areas referred to in Condition 5 shall have been submitted to the Local Planning Authority for approval in writing. Use of these areas shall not then commence until these works have been carried out in accordance with the approved details.**
Reason: In the interests of visual amenity and to protect the settings of listed buildings and the Conservation Area.
- 7 - **G04 (Landscaping scheme (general))**
Reason: In order to protect the visual amenities of the area.
- 8 - **G05 (Implementation of landscaping scheme (general))**
Reason: In order to protect the visual amenities of the area.
- 9 - **G10 (Retention of trees)**
Reason: In order to preserve the character and amenities of the area.
- 10 - **There shall be no new buildings, structures (including gates, walls or fences) or raised ground levels within a) 5m of the top of any bank of**

watercourses, and/or b) 3m of any side of an existing culverted watercourse, inside or along the boundary of the site, unless agreed otherwise in writing by the Local Planning Authority.

Reason: To maintain access to the watercourse for maintenance or improvements and provide for overland flood flows.

- 11 - Details of the proposed temporary access over the stream shall be submitted to the Local Planning Authority for approval in writing, prior to the use of the land beyond the stream for storage purposes.

Reason: For the avoidance of doubt and to ensure compliance with Environment Agency Regulations.

- 12 - Work shall only be carried out between 15 March and 10 June in any year.

Reason: Any newts would be safely within the adjoining ponds during this period.

- 13 - Before the development hereby permitted is commenced details of a newt fence shall have been submitted to and approved in writing by the Local Planning Authority. The fence shall be provided in accordance with a timetable to be agreed in writing by the Local Planning Authority.

Reason: In the interests of protection of a protected species.

- 14 - Before the development hereby permitted is commenced details of a watching brief for protected species during construction work shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of protection of a protected species.

Note to applicant:

The details required by condition 6 will be expected to show:

A rough grass border, of 2 metres either side of the stream, to be kept and clearly demarcated

The grassed area on the opposite side of the stream to be left as grass

All trees, including the deadwood stump, to be kept in situ.

The left hand corner of the grassland area not to be used to store vehicles, this should also be demarcated.

AND
NW2003/1984/L

**THE FORMER D.G. GAMES SITE, THE OLD MILL, WEOBLEY,
HEREFORDSHIRE, HR4 8SH**

**For: Kingsmead Trust per Mr N La Barre 38 South Street Leominster
Herefordshire HR6 8JG**

In accordance with the criteria for public speaking, Mr Ware, of Weobley Parish Council, spoke against the proposal.

In accordance with the criteria for public speaking, Mrs Williams, an objector, spoke against the proposal.

The Principal Planning Officer provided the following updates:

- English Heritage had raised no objection to the applications, but had asked for the inclusion of rigorous conditions in respect of construction and materials;
- A letter had been received from Mr Harrison of Dell Cottage, Church Lane, Weobley, requesting an extension to the proposed footway. The Principal Planning Officer commented that this matter had been addressed in Paragraph 6.19 of the report;
- In respect of Planning Application NW2003/0703/F, the Sub-Committee noted that the financial contribution referred to in Paragraph 1 of the recommendation amounted to £22,000. £15,000 of this would be used for additional facilities in the local schools, and £7,000 would be used to enhance recreational playspace in the village;
- The following additional conditions would be included at the request of the Historic Buildings Officer:
 - NW2003/0703/F and NW2003/1704/L – Standard Conditions B05, B08, C04, C09, C15; and
 - NW2003/1984/L – Standard Condition C16.

Members expressed concern about the proposed dwellings, feeling that the applicant had not made best use of the site in terms of quality, design and density. Furthermore, it was felt that the dwellings would not be affordable for local people, that insufficient funds had been allocated for creating and maintaining a play area, and that there might be additional safety issues surrounding the location of the play area.

The Principal Planning Officer reported that the Architect and the Historic Buildings Officer had been closely consulted over design issues, and officers' opinion was that the current design, being set back and rendered, would allow the existing historic buildings to dominate the area. The design had sought to copy the vernacular and would help to preserve the character and merit of the existing buildings. In terms of density, it had been necessary to have regard to the surrounding Conservation Area when seeking the correct balance. The proposed

density would equate to approximately 40 dwellings per hectare, which was well within the acceptable Government guidelines.

The Principal Planning Officer confirmed that the offsite provision of a play area and the surrounding safety issues had been discussed with the Countryside and Parks Department.

The Sub-Committee requested that the applications be deferred for further information about the design, quality and density of the dwellings.

RESOLVED: That planning applications NW2003/0703/F NW2003/0704/L and NW2003/1984/L be deferred for further information in respect of design, drainage, the proposed play area and financial commitment.

Ref. 18
KINGTON
NW2003/2583/F

Proposed erection of a cottage on land to the rear of:

STONEWOOD COTTAGE, OXFORD LANE, KINGTON, HR5 3ED

For: **Mr J Lupton, per Mr D Walters, 27 Elizabeth Road, Kington, Herefordshire HR5 3DB**

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 floor plans and elevations received on 1 July 2003 and the site plan received on 13 August 2003).

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 - C04 (Details of window sections)

Reason: To safeguard the character and appearance of this building of [special] architectural or historical interest.

5 - C10 (Details of rooflights)

Reason: To ensure the rooflights do not break the plane of the roof slope in the interests of safeguarding the character and appearance of this building of [special] architectural or historical interest.

6 - D01 (Site investigation - archaeology)

Reason: To ensure the archaeological interest of the site is recorded.

7 - E16 (Removal of permitted development rights)

Reason: To preserve the spacious setting of the dwelling hereby approved which is within a conservation area and area of important open space.

8 - F16 (Restriction of hours during construction)

Reason: To protect the amenity of local residents.

9 - F20 (Scheme of surface water drainage)

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

10 - F48 (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.

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.

12 - H27 (Parking for site operatives)

Reason: To prevent indiscriminate parking in the interests of highway safety.

13 - Foul and surface water shall be drained separately from the site and no surface water or land drainage run-off will be permitted to discharge into the public sewerage system.

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

Notes to applicant :

1 - HN03 - Access via public right of way

- 2 - **HN04 - Private apparatus within highway**
- 3 - **HN05 - Works within the highway**
- 4 - **ND03 - Contact Address Archaeology**
- 5 - **HN02 - Public rights of way affected (adjacent to site)**

Ref. 19
KINGSLAND
DCNW2003/2583/F

Proposed erection of four dwellings at land to the rear of:

STONELEIGH, KINGSLAND, HEREFORDSHIRE

For: **Mr A.M. and Mrs J. Pugh, per Mr P. Titley, New Cottage, Upper Common, Eyton, Leominster, Herefordshire, HR6 0AQ**

In accordance with the criteria for public speaking, Mrs Maddocks, an objector, spoke against the proposal.

The local member felt that an insufficient visibility splay would be achieved at the access point, due to the retention of a stone pier. He said that this would present an additional traffic hazard at a location where there was already heavy traffic use of the highway, and regular parking. He also felt that the application would have a considerable impact on the surrounding conservation area, and that there might be problems with overlooking of the neighbouring property.

In response to a question, the Northern Divisional Planning Officer reported that a Certificate A had been served. He also confirmed that it was difficult to establish the ownership of some 20 cm (8 inches) of the stone pier due to the thickness of the pen used to draw the boundary line on the plan. It had been proposed that the pier be retained to avoid any ownership issues.

The Sub-Committee agreed that the site should be inspected, using all 3 criteria for a site inspection as referred to in Appendix 13 to the Council's Constitution.

RESOLVED: That consideration of the application be deferred for a site inspection.

Ref. 20
PRESTEIGNE
DCNW2003/2589/RM

Approval of reserved matters on new key worker's dwelling at:

HIGHFIELD, BYTON, PRESTEIGNE, HEREFORDSHIRE, LD8 2HS

For: **J Rogers & Son, McCartneys, 35 West Street, Leominster, Herefordshire. HR6 8EP**

In accordance with the criteria for public speaking, Mr Hughes, the applicants' agent, spoke in support of the proposal.

Some members felt that the policies of the Herefordshire Draft Unitary Development Plan were not applicable in this instance because it was insufficiently established to carry any weight. Furthermore, they felt that the proposed application was justifiable as a means to perpetuate a local family enterprise.

The Chief Development Control Officer advised that the size of the dwelling should be commensurate with the holding, in line with the occupancy condition in the existing Section 106 Obligation relating to the site. Furthermore, the proposal should satisfy the needs of the enterprise rather than the needs of the individual in accordance with PPG7. He explained that the proposed dwelling was comparatively too large, and should be refused.

Having considered all of the relevant issues surrounding the application, the Sub-Committee was minded to approve it. The Principal Lawyer (Planning, Environment and Transport) reminded members of the referral procedure, applicable in instances when members were minded to determine an application against officer advice.

RESOLVED: That

- (i) **The Northern Area Planning Sub-Committee is minded to approve the application, subject the conditions listed below, and 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:**

1. A08 (Development in accordance with approved plans and materials)

Reason: To ensure adherence to the approved plans and to protect the general character and amenities of the area.

2. G04 (Landscaping scheme (general))

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

3. G05 (Implementation of landscaping scheme (general))

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

Notes to Applicant:

N09 - Approval of Reserved Matters

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

- (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 not referred to the Head of Planning Services because it was considered that there were no crucial planning policy issues at stake. The application was therefore approved.)

Ref. 21
STAUNTON-ON-WYE
DCNW2003/2807/O

AGRICULTURAL WORKER'S DWELLING AT:

OAKCHURCH FARM, STAUNTON-ON-WYE, HEREFORDSHIRE, HR4 7NE

For: **Mr & Mrs J.M. & A.E Price per Burton & Co, Lydiatt Place, Brimfield, Ludlow, Shropshire SY8 4NP**

The Principal Planning Officer confirmed that he had received a copy of the papers that had been circulated to members recently by the applicants' agent.

In accordance with the criteria for public speaking, Mr Price, the applicant, and Mr Burton, the applicants' agent, spoke in support of the proposal.

The local member was of the opinion that the application was supported by with policies A42 and A43, because it was necessary for the efficient running of the agricultural business. He also felt that there was a case to support the application in accordance with PPG7, because he felt that he business had met the functional test to prove that one or more workers were required on site for most of the day and night.

The Chief Development Control Officer commented that although the functional need for an additional worker had been proven, the need for an additional dwelling was questionable, given that there were already additional buildings on or near to the site, and that there were suitable dwellings elsewhere in the village. He reminded members that a barn conversion on the site had recently been sold, and that this could be used as evidence to support a lack of agricultural need.

Having considered all of the issues surrounding the application, members were minded to approve it on the grounds that a clear case of need for an additional on-site worker had been proven. Members felt that it was particularly necessary in the case of this enterprise, being one of the largest in Herefordshire, and having delicate produce which required regular attention.

The Principal Lawyer (Planning, Environment and Transport) reminded members of the referral procedure, applicable in instances when members were minded to determine an application against officer advice.

RESOLVED: That

- (iii) **The Northern Area Planning Sub-Committee is minded to approve the application in consultation with the Chairman and local member, subject to the conditions listed below, and 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:

1. A02 Time limit for submission of reserved matters (outline permission)

Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990 and to reflect the urgent need for the dwelling.

2. A03 Time limit for commencement (outline permission)

Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990 and to reflect the urgent need for the dwelling.

3. A04 Approval of reserved matters

Reason: To enable the local planning authority to exercise proper control over these aspects of the development.

4. A05 Plans and particulars of reserved matters

Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990.

5. 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.

6. F18 Scheme of foul drainage disposal

Reason: In order to ensure that satisfactory drainage arrangements are provided.

7. Within one month of the occupation of the dwelling the mobile home shall have been removed from the site.

Reason: The need for the mobile home will have ceased.

- (iv) **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 not referred to the Head of Planning Services because it was considered that there were no crucial planning policy issues at stake. The application was therefore approved.)

Ref. 22
LEDBURY
DCNE2003/2307/F

Two storey extension to existing property at:

29 BRONTE DRIVE, LEDBURY, HEREFORDSHIRE, HR8 2FZ

For: **Mr & Mrs P J Almond, Gibson Associates, Bank House, Bank Crescent, Ledbury, Herefordshire, HR8 1AA**

It was noted that Mr Boaler, an objector, had registered to speak on this application, but was not present at the meeting.

RESOLVED: That planning permission be approved 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)(received 28th November 2003)

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

3 - B02 (Matching external materials (extension))

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

4 - E19 (Obscure glazing to windows)(delete dwelling, insert windows on the east elevation of the extension and western elevation of the original dwelling)

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

5 - E18 (No new windows in specified elevation)(eastern or western elevations of the extension or original dwelling)

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

Ref. 23
COLWALL
DCNE2003/2798/F

Erection of ten, three bedroomed dwellings with garages site off:

STATION ROAD, COLWALL, MALVERN, HEREFORDSHIRE

For: **Milton Ltd per Mr A H Roper, Dolefield Cottage, Bank Farm, Mathon, West Malvern. WR14 4DX**

The Sub-Committee felt that the proposed density was too high in such a central location, and being in an Area of Outstanding Natural Beauty. Members requested that further negotiations took place with the applicant to reduce the density.

The Principal Planning Officer emphasised that the proposed density fell within the lower requirements of PPG3, and that there were already equivalent densities adjacent to the site and elsewhere in the village.

RESOLVED: That consideration of the application be deferred for further negotiations with the applicant.

Ref. 24
**WELLINGTON
HEATH**
DCNE2003/3087/F

Construction of balcony at **FIRST FLOOR AND INFILL GLAZED SCREENS AND DOORS TO EXISTING EXTERNAL WALLS AT:**

WOODFIELDS, FLOYDS LANE, WELLINGTON HEATH, LEDBURY, HEREFORDSHIRE, HR8 1LR

For: **Mr & Mrs A Blundell per M Davis Greenfield House Church Lane Priors Norton Gloucester GL2 9LS**

Receipt of a letter from the applicants was reported, in which they had proposed an alternative solid hardwood screen on the side of the balcony overlooking a neighbour. The Senior Planning Officer reported that he had received no plans of the screen to date.

RESOLVED: That Subject to the receipt of suitably amended plans relating to the screen along the northern end of the balcony, officers named in the Scheme of Delegation to Officers be authorised to issue planning permission in consultation with the Chairman and the local members, subject to the following conditions and any additional 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 - 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 - C05 (Details of finish for the balcony)

Reason: In the interest of visual amenity.

Ref. 25
LEDBURY
DCNE2003/3101/F

Change of use to pre-school from Monday - Friday, and football club room from Saturday – Sunday at:

THE OLD CHANGING ROOMS, LEDBURY RUGBY CLUB, LEDBURY, HEREFORDSHIRE

For: **Mucky Pups Pre-school at above address.**

The Principal Planning Officer reported a slight amendment to Condition 2 which would be included in the recommendation.

RESOLVED: That a temporary planning permission be granted subject to the following conditions:

1 - E20 (Temporary permission)(15th December 2004)

Reason: To enable the local planning authority to give further consideration of the acceptability of the proposed use after the temporary period has expired.

2 - Flood warning notices shall be erected and maintained in numbers, positions and with wording all to be approved by the Local Planning Authority prior to the commencement of the development. The notices shall be kept legible and clear of obstruction at all times.

Reason: To minimise the flood related danger to people in the flood risk area.

-3 - Prior to the occupation of the development, an Excavation Management Plan shall be submitted to and approved in writing by the

Local Planning Authority in consultation with the Local Authority Emergency Planning Officer and Emergency Services. The Plan shall include full details of proposed awareness training and procedure for evacuation of persons and property (including vehicles), training of staff; method and procedures for timed evacuation. It shall also include a commitment to retain and update the Plan and include a timescale for revision of the Plan.

Reason: To minimise the flood related danger to people in the flood risk area.

Ref. 26
EASTNOR
DCNE2003/3136/F

New driving elements to be linked into existing tracks in Birchams Wood to be used by Land Rover Experience at:

SHEEP HILL AND HOLTS COPPICE, EASTNOR CASTLE ESTATE, EASTNOR, LEDBURY, HEREFORDSHIRE, HR8 1RD

For: Eastnor Castle Estate per Mr C F Knock, 22 Aston Court, Aston Ingham, Ross-On-Wye, Herefordshire, HR9 7LS

The Principal Planning Officer reported the receipt of comments from the AONB Advisory Group. The Group had stated that there would be a minimal impact on the surrounding landscape, and had requested an addition condition to limit the number of vehicles to 20, thereby preserving the visual amenity of the area. The Principal Planning Officer advised that the size of the car park would limit the number of vehicles.

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 - Prior to the use hereby approved commencing details of the materials to be used to form the new tracks and Holts Matrix shall be submitted for approval in writing by the local planning authority.

Reason: In the interest of visual amenity.