

**APPENDIX**

*Note: Having declared a prejudicial interest in Ref. 19 (Planning application DCNW2003/2547/F), Councillor J.W. Hope vacated the Chair and left the room for the duration of this item, and Councillor J. Stone took the chair. Councillor Hope then resumed the Chair for the remainder of the meeting.*

Ref. 1

**STOKE PRIOR**  
DCNC2003/1503/F

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

**LAND ADJACENT TO BELMONT, STOKE PRIOR, LEOMINSTER****For: Mrs C Shaw per Border Oak, Kingsland Sawmills, Kingsland, Leominster**

The receipt of two further letters was reported, one of which was from Stoke Prior Parish Council, and the other from Councillor Grumbley, the local ward member. Both letters expressed concern that the revised plans – depicting the deletion of garages close to the village hall – had not been forwarded to the Parish Council for consultation. The Senior Planning Officer stated that it had been considered unnecessary to re-consult the Parish Council because the amendments had allayed one of the Parish Council's main concerns, and had not introduced any additional buildings to the scheme.

In accordance with the criteria for public speaking, Mr Lefroy-Owen, of Humber and Stoke Prior Parish Council, and Mr Taylor, an objector, spoke against the proposal.

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

During the ensuing discussion, some members raised the following concerns:

The proposed density was felt to be too high, and the uneven shape of the site had exacerbated this. Members suggested that the maximum number of dwellings on the site should not exceed three;

A previous outline planning permission had provided details about a pedestrian footway, and the gradient of the site, and these details had not been included in the reserved matters application;

It was felt that the proposed dwellings would be too close to the existing building on the site. There was a possibility of overlooking in respect of Plot 4;

The village hall access had not been taken into account in the application, and it was felt that there would have been merit in addressing this;

Members also questioned whether the drainage was adequate.

The Senior Planning Officer explained that a footpath had not been proposed with this application because it was felt that it would urbanise the area. In

respect of the suggested density, the figures given had complied with the requirements of PPG3, and it was possible that building less than four dwellings on the site would be regarded as an inefficient use of the land. The Transportation Manager had confirmed that the site gradients were acceptable, and the Environment Agency had offered no objection to the proposed drainage. The Chief Development Control Officer stated that there were no grounds for refusal, excepting amenity issues, although members would have to feel that such issues were a fundamental consideration if they favoured refusal.

Having considered all aspects of the application, members felt that there were sufficient grounds to refuse it in terms of the impact it would have on the amenity of the immediate area, and also on the wider village area.

The Principal Lawyer (Planning, Environment and Transport) informed the Sub-Committee of the Council's referral procedure which was followed in instances when members were minded to make a decision against officer advice.

**RESOLVED: That**

- (i) **The Northern Area Planning Sub-Committee is minded to refuse the application, subject to the reason for refusal listed below (and to any further reasons for refusal 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. It is considered that the proposal is contrary to policy A54 of the adopted Leominster District Local Plan (Herefordshire) in that it would have an adverse impact upon the residential amenity of the occupiers of Belmont. Furthermore, that the erection of dwellings in such close proximity to the village hall would impact adversely upon the operation of the hall to the detriment of the amenity of local residents utilising it.**

- (ii) **If the Head of Planning Services 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.**

(NB the application was not referred to the Head of Planning Services, and was therefore refused. )

Ref. 2  
**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 that the applicants' agent had advised that the proposed caravans would be coloured olive green. This would therefore become a condition of any planning permission granted.

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

Members felt that the application's impact on the surrounding area would be lessened by the proposed colour of the caravans, and that the site appeared to be tidy and well maintained. It was noted that the applicants had addressed many of the parish council's initial concerns. The Sub-Committee was minded to approve the application, and requested that some mature/grown on species of trees be included in the landscaping scheme to facilitate more rapid screening of the site.

**RESOLVED: That**

- (i) **The Northern Area Planning Sub-Committee is minded to approve the application, subject to the conditions listed below, (and to any further 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. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.  
Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990.**
  - 2. The development hereby approved shall be carried out strictly in accordance with the amended plans received by the local planning authority on 17 October 2003.  
Reason: To ensure the development is carried out in accordance with the amended plans.**
  - 3. Prior to the commencement of the development details of the proposed foul and surface water drainage arrangements shall**

be submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented before the first use of the caravans hereby permitted.

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

4. No caravan on the site shall be occupied during February in any year.

Reason: To prevent the establishment of a residential use in the countryside where it would not normally be permitted.

5. No external surface of any static caravan hereby approved shall be of a colour other than Olive Green.

Reason: To minimise visual intrusion.

6. The holiday caravans hereby approved shall be used for holiday purposes only, and not become the occupant's sole unit of occupation.

Reason: It would be contrary to policies A2D and A40 of the Leominster District Local Plan to allow anything other than holiday use.

7. No development shall take place until there has been submitted to and approved by the local planning authority a scheme of landscaping, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of development and any necessary tree surgery. All proposed planting shall be clearly described with species, sizes and planting numbers.

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

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

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

9. Before the development hereby approved is commenced details of the external materials of the reception point shall be submitted to and approved in writing by the Local Planning Authority.

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

- (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. 3  
**BRIMFIELD**  
DCNC2003/2251/F

Erection of new bungalow in garden of existing bungalow at:

**GREYSTONES, WYSON, BRIMFIELD, SY8 4NL**

For: **Mr W Tong per Mr Hulse MCI0B 48 Gravel Hill, Ludlow, Shropshire, SY8 1QR**

In response to a question, the Senior Planning Officer confirmed that the applicant had considered using some of the site to provide a waiting area/shelter for the local bus. This had been discounted, however, due to the possible detriment that might be caused to highway safety through cars being enabled to gain speed at that point. The Chief Development Control Officer stated that the applicant's decision not to incorporate this aspect into the planning application was an insufficient ground to refuse it.

**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 ) (30 October 2003)**

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

- 3 - B01 (Samples of external materials )**

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

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

**Reason: In the interests of highway safety.**

**5 - H05 (Access gates ) (5 metres)**

**Reason: In the interests of highway safety.**

**6 - H06 (Vehicular access construction )**

**Reason: In the interests of highway safety.**

**7 - H12 (Parking and turning - single house ) (2 cars)**

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

**8 - H27 (Parking for site operatives )**

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

**9 - H08 (Access closure)**

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

**Notes to applicant:**

**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**

□

Ref. 4  
KINGSLAND  
BDCNW2003/2583/F

Proposed erection of four dwellings at:

**LAND TO THE REAR OF STONELEIGH, KINGSLAND, HEREFORDSHIRE.**

For: **Mr AM & Mrs J Pugh per Mr P Titley, New Cottage, Upper Common, Eyton, Leominster, Herefordshire, HR6 OAQ**

Some members expressed concern about the access onto the site, particularly because the area was prone to heavy traffic, and this made the exit onto the main road more hazardous. The Northern Divisional Planning Officer said that there would be sufficient visibility at the exit point. He advised that the issue of highway safety had been balanced against the need to conserve the wall at the access point. He added that the safety issues had, out of necessity, outweighed the conservation issues.

Members considered whether the access could be widened by the removal of a stone pillar, which would still enable significant parts of the walls to be retained, and would further improve road safety. It was agreed that further negotiations would take place in respect of removing/relocating the stone pillars.

**RESOLVED: That planning permission be granted, in consultation with the Chairman and the local member, subject to the following conditions and to any further conditions considered necessary by officers, and subject to further negotiations in respect of the stone pillars:**

**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 - A07 (Development in accordance with approved plans )**

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

**3 - B01 (Samples of external materials )**

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

**4 - 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 - 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 - G09 (Retention of trees/hedgerows )

Reason: To safeguard the amenity of the area.

10 - H03 (Visibility splays )(insert 2m x 30m)

Reason: In the interests of highway safety.

11 - H05 (Access gates )(insert 5m)

Reason: In the interests of highway safety.

12 - The first section of the new roadway to the rear of Stonleigh shall be  
not less than  
4.5m wide.

Reason: In the interest of highway safety.

13 - Before the development hereby permitted is commenced details of  
the replacement stone wall and piers shall be submitted to and  
approved in writing  
by the Local Planning Authority. The development shall be carried  
out in

accordance with these plans prior to occupation of any of the dwellings.

**Reason:** In order to protect the character of the Conservation Area.

**Notes to the Applicant:**

- 1 - ND03 - Contact Address
- 2 - HN01 - Mud on highway
- 3 - HN04 - Private apparatus within highway
- 4 - HN05 - Works within the highway
- 5 - HN10 - No drainage to discharge to highway

Ref. 5  
**LEOMINSTER**  
DCNC2003/2959/F

Use of redundant buildings and yard for sale of architectural salvage and antiques at:

**SUMMERGALLS, NORTH ROAD, LEOMINSTER, HEREFORDSHIRE, HR6 0AB**

For: **Mr & Mrs R.J. Woods per David Taylor Consultants, The Wheelwright's Shop, Pudleston, Leominster, Herefordshire HR6 0RE**

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

Members noted that Condition 4 required amendment to enable the applicant to sell certain items from the premises, such as birdbaths and sundials. It was also noted that the description of the application would need to be re-worded to accommodate this, and approval of the the application would therefore be delegated to officers.

**RESOLVED:** That officers named in the Scheme of Delegation to Officers be authorised to grant planning permission in consultation with the Chairman and the local members, subject to the following conditions and negotiations/amendments in respect of Condition 4, and the description of the application:

- 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 - **There shall be no open storage of reclaimed building materials.**  
**Reason:** In the interests of the visual amenity.
  
- 3 - **H15 (Turning and parking: change of use - commercial )(12 cars)**  
**Reason:** To minimise the likelihood of indiscriminate parking in the

interests of highway safety.

- 4 - The use of the site shall be restricted to the sales and storage of reclaimed building materials only and for no other purpose.

Reason: In order to define the permission. The local planning authority would not be prepared to permit unrestricted retail sales in this location.

Note to the applicant:

1. The decision to grant planning permission has been taken having regard to the policies and proposals in the Leominster District Local Plan (Herefordshire) set out below, and to all relevant material considerations including Supplementary Planning Guidance:

- A1 Managing The District's Assets And Resources  
A15 Development and Watercourses  
A36 New Employment Generating Uses For Rural Buildings

This informative is only intended as a summary of the reasons for grant of planning permission. For further detail on the decision please see the application report by contacting Reception at Blueschool House, Blueschool Street, Hereford (Tel: 01432-260342).

Ref. 6  
**LINTON**  
DCNC2003/3388/F

Erection of 21 apartments (alterations to previous consent NC2000/0051/F) at:

**LINTON COURT, LINTON, BROMYARD, HEREFORDSHIRE, HR7 4QJ**

For: **Draycott Developments per Mr D Scott, Dudbridge House, Selsley Hill, Stroud, Glos, GL5 5JS**

Slight amendments to Condition 9 of the report were noted.

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

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

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

- 1 - This permission shall expire on 17 February 2005.

Reason: The site is located in an area of open countryside where residential development is contrary to policy and not normally permitted. This permission is granted as an amendment to planning permission NC2000/0051/F.

**2 - A09 (Amended plans)**

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

**3 - B01 (Samples of external materials)**

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

**4 - G04 (Landscaping scheme) ('... shall include full details of open space provision, together with an indication of ...')**

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

**5 - G05 (Implementation of landscaping scheme)**

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

**6 - Prior to the commencement of the development hereby approved details of the siting and treatment of the drying area, bin storage and cycle storage shall be submitted to and approved in writing by the local planning authority. The works shall thereafter be carried out in accordance with the approved details prior to the first occupation of any of the units hereby approved.**

**Reason:** To ensure a satisfactory and well-planned development in the interest of amenity of the area.

**7 - The future maintenance of the open space and landscaping shall be in accordance with a scheme and timetable to be submitted to and agreed in writing with the local planning authority prior to the occupation of any of the units hereby approved.**

**Reason:** In order to ensure the satisfactory maintenance of the site and to protect the visual amenities of the area.

**8 - F18 (Scheme of foul drainage disposal)**

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

**9 - There shall be no discharge of foul or contaminated surface water from the site into either the groundwater system or any surface waters. Foul water should be directed into the main sewerage system.**

**Reason:** To minimise the risk of pollution of rivers and watercourses

and other surface water.

10 - H03 (Visibility splays ) (4.5m x 60m) (add 'unless otherwise agreed in writing with the local planning authority')

Reason: In the interests of highway safety.

11 - H05 (Access gates ) (5m)

Reason: In the interests of highway safety.

12 - H06 (Vehicular access construction )

Reason: In the interests of highway safety.

13 - H08 (Access closure )

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

14 - H12 (Parking and turning - single house ) (within the site for 33 cars)

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

15 - H21 (Wheel washing )

Reason: To ensure that the wheels of vehicles are cleaned before leaving the site in the interests of highway safety.

16 - H27 (Parking for site operatives )

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

17 - H29 (Secure 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.

Notes to applicant:

1. N15

Malvern Hills District Plan

Housing Policies 4 & 17

Landscape Policies 1, 3 and 8

Transport Policy 8

Recreation Policies 24, 25 and 26

**2 - HN05 - Works within the highway**

Ref. 7

**CRADLEY**

DCNE2003/2423/F

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

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

For: **Mr I Johnson of above address.**

The Principal Planning Officer reported that, following discussions with the applicant, a 12-month planning permission would be granted, and the situation would be monitored. Full planning permission would be dependent on compliance with the conditions.

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

- 1 - **This permission shall expire on 28 January 2005. Unless further permission is granted in writing by the local planning authority prior to the end of that period, the use hereby approved shall permanently cease, and the site reinstated.**

**Reason:** To enable the local planning authority to give further consideration to the acceptability of the proposed use after the temporary period has expired and consider any intensification in the use.

- 2 - **Notwithstanding the submitted plans no amplified sound or music shall be used at anytime in conjunction with the use of the land unless otherwise agreed by the local planning in accordance with condition number 11.**

**Reason:** In the interests of the amenities of existing residential property in the locality.

- 3 - **There shall be no floodlighting of the site at anytime.**

**Reason:** In the interests of the amenities of existing residential property in the locality.

- 4 - **No marquees or tents shall be erected on the land without the express permission of the local planning authority other than on the identified campsite unless otherwise agreed in writing with the local planning authority in accordance with condition number 11.**

**Reason:** In the interests of the amenities of existing residential property in the locality.

- 5 - Within one month of the date of this permission a traffic route shall be agreed with the local planning authority. Vehicular traffic generated by this use shall be directed to the agreed route which shall be via the Bromyard/Cradley road.

Reason: In the interests of the amenities of existing residential property in the locality.

- 6 - The use hereby permitted shall not be open to customers between the hours of 8 pm and 9 am daily.

Reason: In the interests of the amenities of existing residential property in the locality.

- 7- No equipment, earthworks, hoardings or advertisements shall be erected/constructed on the application site without the prior written approval of the local planning authority.

Reason: In the interests of visual amenity and to protect the character and appearance of this open countryside location.

- 8 - No materials including soil shall be imported into the site for use in connection with the development hereby permitted.

Reason: In the interests of visual amenity.

- 9 - This permission only relates to the use of 'mountain boards' on the course hereby approved, no motorised sports equipment, with the exception of the lift truck, shall be used on the course at any time.

Reason: In the interests of local amenity.

- 10 - No new 'runs' shall be formed without the express written consent of the local planning authority details of which shall be submitted for approval in writing of the local planning authority.

Reason: In order to clarify the terms of this permission and to protect the amenity of adjoining residents.

- 11 - Only one National Championship event in a 12-month cycle shall be held on the site. Full details of which shall be submitted for approval in writing of the local planning authority a minimum of 3 months prior to the event taking place. These details shall include the length of the event (maximum of 2 days), position of public address/tannoy system, noise levels, time periods, overflow parking, temporary structures, marquees etc.

Reason: In order to protect the amenity of nearby residents.

Note to applicant:

- 1 - The decision to grant planning permission has been taken having regard to the policies and proposals in the Hereford and Worcester County Structure Plan and Malvern Hills District Local Plan set out below, and to all relevant material considerations including Supplementary Planning Guidance:

**Hereford and Worcester County Structure Plan**

**A1 - Development in Agricultural Land**  
**A2 - Diversification**  
**LR1 - Leisure and Recreation Development**  
**LR2 - Leisure and Recreation Development**  
**CTC2 - Areas of Great Landscape Value**  
**CTC9 - Development Requirements**

**Malvern Hills District Local Plan**

**Employment Policy 9 - Further Means of Rural Diversification**  
**Landscape Policy 3 - Development in Areas of Great Landscape Value**  
**Landscape Policy 4 - Agricultural Land**  
**Landscape Policy 8 - Landscape Standards**  
**Transport Policy 11 - Traffic Impact**  
**Recreation Policy 3 - Recreation in Other Countryside Areas**

This informative is only intended as a summary of the reasons for grant of planning permission. For further detail on the decision please see the application report by contacting Reception at Blueschool House, Blueschool Street, Hereford (Tel: 01432-260342).

Ref. 8  
**COLWALL**  
DCNE2003/2798/F

Erection of ten, three bedroomed dwellings with garages at:

**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 Principal Planning Officer reported that the application had been deferred from the Sub-Committee's meeting held in December, 2003 to discuss issues relating to density. The applicant had preferred to make no further amendments to the application on the basis that it was already compliant with PPG3.

The Sub-Committee noted that the applicant had offered a contribution of £5,000 to enhance play spaces in the village.

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

Members took into consideration the fact that the application site was in an Area of Outstanding Natural Beauty, and decided that a site inspection should be conducted using all three criteria in the Code of Conduct for Members and Officers Dealing with Planning Matters.

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

Ref. 9  
**COLWALL**  
DCNE2003/3075/F

Garage and bathroom extensions to include two new dormer windows and first floor balustrade at:

**FAIRFIELD, OLD CHURCH ROAD, COLWALL, MALVERN,  
HEREFORDSHIRE, WR13 6EZ**

For: **Mr & Mrs S Harford at same address**

**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 - E06 (Restriction on Use )(Garage use only)**

**Reason: The local planning authority wish to control the specific use of the land/premises, in the interest of local amenity.**

**4 - B02 (Matching external materials (extension) )**

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

**5 - Following completion of the development the planting shall be completed in accordance with a timetable to be agreed in writing with the local planning authority. The development shall be carried out in accordance with the agreed replacement hedgerow planting details.**

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

**Note to applicant:**

- 1 - The decision to grant planning permission has been taken having regard to the policies and proposals in the Hereford and Worcester County Structure Plan and the Malvern Hills District Local Plan set out below, and to all relevant material considerations including Supplementary Planning Guidance:

**Hereford and Worcester County Structure Plan**

**Policy CTC 7 - Conservation Areas**

**Policy CTC 9 - Development Requirements**

**Malvern Hills District Local Plan**

**Housing Policy 16 - Extensions**

**Landscape Policy 2 - Areas of Outstanding Natural Beauty**

**Landscape Policy 3 - Areas of Great Landscape Value**

**Conservation Policy 1 - Preserving or Enhancing Conservation Areas**

**Conservation Policy 2 - New Development in Conservation Areas**

**Conservation Policy 5 - Boundary Treatments in Conservation Areas**

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Ref. 10  
**STIFFORDS BRIDGE**  
DCNE2003/3181/F

Installation of 21m slim line lattice mast with antennas attached and implementation of two cabinets and ancillary developments at:

**LAND ADJACENT TO A4103, STIFFORDS BRIDGE, WORCESTERSHIRE, WR13 5EL**

For: **Vodafone Ltd per Daly International, Fairbank House, Ashley Road, Altringham, Cheshire, WA14 2DP**

Receipt of one further letter of objection from J. Prosser was reported. The letter had raised no new concerns.

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

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

**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 - 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.**

Ref. 11  
**COLWALL**  
DCNE2003/3185/F

Erection of tree house at:

**THE GOULDINGS, OLD CHURCH ROAD, COLWALL, MALVERN,  
HEREFORDSHIRE, WR13 6ET**

For: **Mr & Mrs D & P Bounds at same address**

The Senior Planning Officer reported that the Council's Tree Officer had requested additional conditions regarding protection of trees.

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

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

**RESOLVED: That planning permission be granted subject to the following conditions, and to 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 - A09 (Amended plans )(received 17<sup>th</sup> December 2003 and plans received 21<sup>st</sup> October 2003)**

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

**3 - The development shall be constructed in accordance with the Tree Survey provided by Mr John Harris and received by the local planning authority on 17th December 2003. No other trees or hedgerows within the application site shall be removed, felled, lopped, pruned or damaged in any way without the prior written consent of the local planning authority.**

**Reason: In order to protect the existing trees in the interests of safeguarding the character and visual amenities of the area.**

**4 - E29 (Use ancillary to existing dwelling only )(tree house)(The Gouldings)**

**Reason:** It would be contrary to the policy of the local planning authority to grant planning permission for a separate dwelling in this location.

**5 - F14 (Time restriction on music )**

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

**6 - The tree works hereby approved shall be carried out in accordance with BS 3998 : 1989.**

**Reason:** To maintain the visual and environmental quality of the site and surrounding area.

**7 - Building debris (resultant of demolition), construction materials, and development tools/machinery, in connection with the development, will not be stored, for whatever period of time, within the rooting area of existing trees on site ('rooting area' is defined as the ground beneath the extremity of crown spreads of the relevant trees), without the prior consent in writing of the local planning authority.**

**Reason:** To maintain the visual and environmental quality of the site and surrounding area.

**8 - All excavations to be undertaken within 3m of the stems of existing trees on site shall be undertaken in accordance with NJUG Publication Number 10 "Guidelines for the Planning, Installation and Maintenance of Utility Services in Proximity to trees".**

To ensure that existing trees are not damaged through the loss of roots. Which will maintain the visual and environmental quality of the site and surrounding areas.

**Note to applicant:**

The decision to grant planning permission has been taken having regard to the policies and proposals in the Hereford and Worcester District Local Plan and Malvern Hills District Local Plan set out below, and to all relevant material considerations including Supplementary Planning Guidance:

**Hereford and Worcester County Structure Plan**

- CTC1 - Areas of Outstanding Natural Beauty**
- CTC2 - Areas of Great Landscape Value**
- CTC7 - Listed Buildings in Conservation Areas**
- CTC9 - Development Requirements**
- CTC15 - Conservation Areas**

**Malvern Hills District Local Plan**

**Conservation Policy 1 - Preserving or Enhancing Conservation Areas**

**Conservation Policy 2 - New Development in Conservation Areas**

**Landscape Policy 2 - Areas of Outstanding Natural Beauty**

**Landscape Policy 3 - Development in Areas of Great Landscape Value**

**This informative is only intended as a summary of the reasons for grant of planning permission. For further detail on the decision please see the application report by contacting Reception at Blueschool House, Blueschool Street, Hereford (Tel: 01432-260342).**

Ref. 12  
**LEDBURY**  
DCNE2003/3344/F

New bungalow and detached garage at:

**THE PRIORY GATEHOUSE, WORCESTER ROAD, LEDBURY, HEREFORDSHIRE, HR8 1PL**

**For: Mr & Mrs D Studman per Mr B Mills, Henry Mein Partnership, 12 Clarenmon Street, Nottingham, NG1 5HG**

Members felt that the site should be inspected on all three grounds referred to in the Code of Conduct for Members and Officers Dealing with Planning Matters.

In accordance with the criteria for public speaking, Mr Maldwyn-Evans, an objector, and Mr and Mrs Studman, the applicants 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. 13

**WELLINGTON HEATH**  
DCNE2003/3437/F

Application under section 73 to proceed with the development without compliance with condition 15 (planning permission NE2002/2904/O) on site at:

**ROSE AND COOMBE COTTAGES, FLOYDS LANE, WELLINGTON HEATH, LEDBURY, HEREFORDSHIRE, HR8 1LR**

For: **Mr H Kent per Mr P H Tufnell, Tufnell Town & Country Planning, Waverley Studio, Gloucester Road, Hartpury, Gloucester, GL19 3BG**

Receipt of a further letter of objection from Mrs S. Blundell was reported. Mrs Blundell had disagreed with the officer's appraisal, and felt that the application would result in a significant loss of her privacy.

**RESOLVED: That planning permission is granted.**

**Note to Applicant:**

The decision to grant planning permission has been taken having regard to the policies and proposals in the Hereford and Worcester County Structure Plan and Malvern Hills District Local Plan set out below, and to all relevant material considerations including Supplementary Planning Guidance:

**Hereford and Worcester County Structure Plan**

**H16a - Housing in Rural Areas**

**H18 - Housing in Rural Areas Outside the Greenbelt**

**CTC1 - Areas of Outstanding Natural Beauty**

**CTC2 - Areas of Great Landscape Value**

**Malvern Hills District Local Plan**

**Housing Policy 3 - Settlement Boundaries**

**Landscape Policy 2 - Areas of Outstanding Natural Beauty**

**Landscape Policy 3 - Development in Areas of Great Landscape Value**

This informative is only intended as a summary of the reasons for grant of planning permission. For further detail on the decision please see the application report by contacting Reception at Blueschool House, Blueschool Street, Hereford (Tel: 01432-260342).

Ref. 14, 15 & 16  
**WEOBLEY**  
NW2003/0703/F,  
NW2003/0704/L and  
NW2003/1984/L

Construction of 11 new dwellings & conversion/extension of mill into 4 apartments &

Demolition of rendered extension at:

**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**

The Northern Divisional Planning Officer reported the receipt of letter from Weobley Parish Plan Steering Group, stating that the application was inconsistent with the surrounding area and did not reflect the needs of the local community. The letter also stated that the site was the last remaining central amenity site, and suggested that it would be better used for parking and/or leisure facilities. Furthermore, the letter had referred to a recent newspaper article which had suggested that the sum of £15,000 from the developer for education and open space provision had been construed as an attempt to “buy” planning permission.

Members acknowledged that there were insufficient planning grounds on which to refuse the application, although some members still expressed reservations about the proposed design, feeling that improvements could be made to the proposed density and appearance. Some concern also remained about highway safety. The Northern Divisional Planning Officer stated that any additional highway improvements would require a highways agreement, and that officers had confirmed that this would be unnecessary in this instance.

**RESOLVED: That NW2003/0703/F**

1. **The County Secretary and Solicitor be authorised to complete a planning obligation under Section 106 of the Town and Country Planning Act 1990 to provide:**
  - a) **a financial contribution towards the provision of additional facilities at the local schools (£15,000)**
  - b) **a financial contribution towards the maintenance/enhancement of existing recreational Playspace in the village (£9,400)**
2. **Upon completion of the aforementioned planning obligation officers named in the scheme of delegation to officers be authorised to issue planning permission subject to the following conditions:**

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

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

- 2 - A07 (Development in accordance with approved plans )  
(drawing nos. 02638-19 Rev. B, 20 Rev. B, 21 Rev. B, 22, 23 Rev. A and 24 Rev. A)

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- B05 (Alterations made good)

Reason: To maintain the appearance of the building.

- 5 - C02 (Approval of details ) (detailies of individual porches, details of the treatment of cills and window heads)

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

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

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

- 7 - C05 (Details of external joinery finishes )

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

- 8 - C09 (External repointing)

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

- 9 - 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.

- 10 - C11 (Specification of guttering and downpipes )

Reason: To safeguard the character and appearance of this building

of special architectural or historical interest.

**11 - C15 (Salvage recording)**

**Reason: To enable a record to be made of this building of historical and/or architectural interest.**

**12 - C19 (Commencement condition )**

**Reason: In order to ensure compliance with Sections 7 and 9 of the Planning (Listed Buildings and Conservation Areas) Act 1990.**

**13 - D01 (Site investigation - archaeology )**

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

**14 - E09 (No conversion of garage to habitable accommodation)**

**Reason: To ensure adequate off street parking arrangements remain available at all times.**

**15 - E16 (Removal of permitted development rights )**

**Reason: To safeguard the character, appearance and setting of the development and in the interests of local amenity.**

**16 - E18 (No new windows in specified elevation ) (west elevation of Plot 11)**

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

**17 - F16 (Restriction of hours during construction )**

**Reason: To protect the amenity of local residents.**

**18 - F39 (Scheme of refuse storage )**

**Reason: In the interests of amenity.**

**19 - Development shall not commence until a scheme to deal with the potential contamination of the site has been submitted to and approved in writing by the local planning authority. The scheme shall include a full assessment to identify the extent of contamination and the measures to be taken to avoid risk to the buildings/environment. The measures approved in the scheme shall**

be fully implemented before the commencement of development.

Reason: To ensure contamination of the site is removed or contained.

20 - 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.

21 - G01 (Details of boundary treatments )

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

22 - G04 (Landscaping scheme) (hard and soft landscaping including the surfacing of the new access road)

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

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

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

24 - G09 (Retention of trees/hedgerows )

Reason: To safeguard the amenity of the area.

25 - Prior to the commencement of the conversion/extension of the Mill building, a mitigation strategy in respect of provision for bats and nesting swallows/housemartins together with the timing of building and conversion works shall be submitted to and approved in writing by the local planning authority. The approved strategy shall be fully implemented prior to the completion of the conversion/extension works.

Reason: To ensure that the nature conservation interest of the site is protected.

26 - The conversion and extension of the listed Mill as approved shall be carried out contiguously with the remainder of the development and shall be completed in accordance with the approved plans and elevations prior to the first occupation of any of the Plots 1-11 as shown on the approved plan.

Reason : To ensure that this important and integral element of the development is undertaken in a timely manner and to safeguard the

character and appearance of the building.

**27 - 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.

**28 - H21 (Wheel washing )**

**Reason:** To ensure that the wheels of vehicles are cleaned before leaving the site in the interests of highway safety.

**29 - H27 (Parking for site operatives )**

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

**30 - 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.

**31 - Foul and surface water must be drained separately and no surface water shall be allowed to connect to the public sewerage system.**

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

**Notes to applicant :**

- 1 - HN01 - Mud on highway
- 2 - HN05 - Works within the highway
- 3 - HN08 - Section 38 Agreement details
- 4 - HN09 - Drainage details for Section 38
- 5 - HN10 - No drainage to discharge to highway
- 6 - N02 - Section 106 Obligation
- 7 - N13 - Control of demolition - Building Act 1984
- 8 - ND03 - Contact Address
- 9 - N15 - Reason(s) for the Grant of PP/LBC/CAC

**NW2003/0704/L**

That listed building consent be granted subject to the following conditions:

**1- C01 (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- A07 (Development in accordance with approved plans )  
(drawing nos. 02638-19 Rev. B, 20 Rev. B, 21 Rev. B, 22, 23 Rev. A  
and 24 Rev. A)

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 - B05 (Alterations made good)

Reason: To maintain the appearance of the building.

- 5- C02 (Approval of details) (details of individual porches, details of the treatment of cills and window heads)

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

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

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

- 7- C05 (Details of external joinery finishes)

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

- 8- C09 (External repointing)

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

- 9- 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.

- 10- C11 (Specification of guttering and downpipes)

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

11- C15 (Salvage recording)

Reason: To enable a record to be made of this building of historical and/or architectural interest.

12- C19 (Commencement condition)

Reason: In order to ensure compliance with Sections 7 and 9 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

NW2003/1984/L

That:

- a) The intention to grant Listed Building Consent be notified to the Office of the Deputy Prime Minister
- b) Subject to the Deputy Prime Minister confirming that he does not intend to call it in, Listed Building Consent be granted subject to the following conditions :
  1. C01 (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. C16 (Detailed scheme of demolition operations)

Reason: To minimise the risk of damage to the existing building.

Ref. 17 & 18  
**KINGTON**  
DCNW2003/2576/G  
and  
DCNW2003/1916/F

DCNW2003/2576/G - The discharge of the obligation to provide for open space as per section 106 agreement

**&**

DCNW2003/1916/F - Change of use of play area to domestic garden at:

**BLACK BARN CLOSE, KINGTON, HR5 3FB**

**For:** Tabre Developments per John Phipps,  
Bank Lodge, Coldwells Road, Holmer, Hereford

The Sub-Committee noted that the S106 agreement remain in place until the sum of money involved had been allocated. Members felt that it was unclear what status the land involved would have if the obligation was discharged, and emphasised that it would be unsuitable for housing.

The Sub-Committee requested further information before making its decision.

**RESOLVED: That consideration of applications DCNW2003/2576/G and DCNW2003/1916/F be deferred for further information about the status of the land.**

Ref. 19  
**ALMELEY**  
DCNW2003/2547/F

Conversion of barn into residential unit with workshop at:

**UPCOTT, ALMELEY, HEREFORDSHIRE, HR3 6LA**

**For:** Mr M Goodwin per McCartneys, The Ox Pasture, Overton Road,  
Ludlow, Shropshire, SY8 4AA

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

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

In response to a question, the Northern Divisional Planning Officer confirmed that the relevant planning policies on redundant buildings allowed for the conversion of buildings other than barns. He drew members' attention to Paragraph 6.7 of the report, which covered the integrity of the structure. He explained that the proposal would retain the character of the existing building. He added that the personal circumstances of the applicant were a material consideration in this instance. He also advised that, because the application had not been made on the basis of agricultural need, an agricultural occupancy condition would be unreasonable.

The Northern Divisional Planning Officer reported that the proposed workshop element of the application had now been deleted, and it had been proposed that the area in question now be used for a garage.

**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 - A07 (Development in accordance with approved plans ) (drawing nos. 4882 Rev. C and 4882/11 Rev. A)

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

3- E27 – The dwelling hereby approved shall in the first instance be occupied by Matthew Goodwin.

Reason: In recognition of the personal circumstances of the intended occupant, which were considered to be a material consideration in the determination of the application.

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 - E16 (Removal of permitted development rights )

Reason: To preserve the character and setting of the converted building.

9 - G01 (Details of boundary treatments ) (including repair and maintenance of existing stone boundary walls)

Reason: In the interests of visual amenity and to ensure dwellings

have satisfactory privacy.

- 10 - G04 (Landscaping scheme (general) ) (including treatment of hard surfaces)

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

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

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

- 12 - G09 (Retention of trees/hedgerows )

Reason: To safeguard the amenity of the area.

- 13 - H08 (Access closure ) (Prior to the occupation of the building)(vehicular)(into the application site)

Reason: In the interests of residential amenity and to ensure the safe and free flow of traffic using the adjoining track.

- 14 - H13 (Access, turning area and parking )

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

Ref. 20  
**AYMESTREY**  
DCNW2003/2717/F

Replacement of former Methodist chapel with two bedroom cottage at

**METHODIST CHAPEL, BACON LANE, AYMESTREY, HEREFORDSHIRE, HR6 9ST**

**For: Mrs Willmett per Mundy Construction Services,**  
5 Upper Court, Luston, Leominster, HR6 OAP

The Principal Planning Officer reported that the application had been withdrawn.

**RESOLVED:** That it be noted that the applicant has withdrawn the application.

Ref. 21  
**KINNERSLEY**  
DCNW2003/2763/F

Refurbishment of old laundry cottage to residential use with workshop and new garage at:

**OLD CASTLE, KINNERSLEY, HEREFORDSHIRE, HR3 6NY**

For: **Mr D.H.G Probert per McCartneys, The Ox Pasture, Overton Road, Ludlow, Shropshire, SY8 4AA**

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

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

In response to a question, the Northern Divisional Planning Officer confirmed that the hours referred to in Condition 13 would be 8am to 6pm Monday to Friday, 8am to 1pm on Saturday, and none on Sundays and Bank Holidays.

**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 - A07 (Development in accordance with approved plans ) (drawing nos. 4779 Rev. C, 4779/20 F, 4779/31 Rev. B and 4779/32 Rev. A) (including preservation of stable dividers, bread oven, pot gallows and copper *in situ*)**

**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 architectural or historical interest.

6 - C06 (External finish of flues )

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

7 - E16 (Removal of permitted development rights )

Reason: To preserve the open character and setting of the converted building.

8 - F17 (Scheme of foul drainage disposal )

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

9 - G01 (Details of boundary treatments )

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

10 - G04 (Landscaping scheme (general) )

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

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

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

12 - G09 (Retention of trees/hedgerows )

Reason: To safeguard the amenity of the area.

13 - E01 (Restriction on hours of working )

Reason: To safeguard the amenities of the locality.

**Notes to applicant :**

1 - All rights of way should remain at their historic width and suffer no encroachment/obstruction. The applicants should ensure that they hold lawful authority to drive over the registered right of way.

2 - If treated effluent from the foul drainage system discharges to a controlled water source, the Environment Agency would require an application to discharge this effluent under the provision of the Water Resources Act 1991.

- 3 - The decision to grant planning permission has been taken having regard to the policies and proposals in the Leominster District Local Plan set out below, and to all relevant material considerations including Supplementary Planning Guidance:

**A9 Safeguarding The Rural Landscape**  
**A54 Protection Of Residential Amenity**  
**A60 Conversion Of Rural Buildings Outside Settlements To Residential Use**  
**A70 Accommodating Traffic From Development**

This informative is only intended as a summary of the reasons for grant of planning permission. For further detail on the decision please see the application report by contacting Reception at Blueschool House, Blueschool Street, Hereford (Tel: 01432-260342).

Ref. 22  
**KINNERSLEY**  
DCNW2003/2770/F

New farm access, existing drive retained for residential use only at:

**OLDCASTLE, KINNERSLEY, HEREFORDSHIRE.**

For: **Mr D.M.G. Probert per McCartneys, The Ox Pasture, Overton Road, Ludlow, Shropshire, SY8 4AA**

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

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

The Northern Divisional Planning Officer referred to Paragraph 4.3 of the report, and said that this would be included as a condition on the planning permission.

**RESOLVED: That planning permission be granted subject to the following conditions, and to 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 - **A07 (Development in accordance with approved plans ) (revised drawing no. to be substituted)**

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

3 - G01 (Details of boundary treatments )

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

4 - G04 (Landscaping scheme (general) )

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

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

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

6 - G09 (Retention of trees/hedgerows )

Reason: To safeguard the amenity of the area.

7 - H01 (Single access - not footway ) (new entrance, 5 metres)

Reason: In the interests of highway safety.

8 - H03 (Visibility splays ) (2.4m)(90m)

Reason: In the interests of highway safety.

9 - H05 (Access gates ) (10m)

Reason: In the interests of highway safety.

10 - H06 (Vehicular access construction )

Reason: In the interests of highway safety.

11 - Notwithstanding the details relating to the treatment of the footpath as shown on Drawing No. 4779/20 Rev.G, gates shall be installed in substitution for the gates as shown. The details of these gates shall be agreed in writing with the local planning authority and installed prior to the first use of the dwelling hereby permitted and thereafter retained.

Reason: To facilitate the wider and safer use of the public right of way.

**Notes to applicant :**

- 1 - HN01 - Mud on highway
- 2 - HN02 - Public rights of way affected
- 3 - HN05 - Works within the highway
- 4 - N15 - Reason(s) for the Grant of PP/LBC/CAC

Ref. 23  
**SHOBDON**  
 DCNW2003/2856/F

steel framed building to house cattle at:

**ZINTEC, DOWN WOOD, SHOBDON, HEREFORDSHIRE, HR6 9NH**

For: **Mr C Williams per Mr W Jones, Shufflebottom Ltd, Cross Hands Business Park, Llanelli, Carmarthenshire**

The Northern Divisional Planning Officer reported that the Environment Agency had commenced investigations into unauthorised tipping on the site. In view of this, members agreed to defer the application to enable completion of the investigation.

In accordance with the criteria for public speaking, Mr Sharp, of Shobdon Parish Council, Mr Woods, an objector, and Mr Williams, 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 to enable the Environment Agency to conduct investigations.**

Ref. 24  
**LOWER YATTON**  
 DCNW2003/3247/F

Removal of condition nos. 3, 7 and 19 of NW2001/1318/F at:

**UNIT 1, DAIRY HOUSE, LOWER YATTON, LEOMINSTER, HEREFORDSHIRE, HR6 9TL**

For: **Mr M Perrott, Walford Lodge, Leintwardine.**

Receipt of one further letter from Mr McLeod was reported.

**RESOLVED: That conditions 3, 7 and 19 in permission NW2001/1318/F issued on 8 January 2002 be deleted and replaced by the following condition(s):**

- 1 - This permission relates solely to the converted barn known as Unit 1, The Dairy House, Yatton.

**Reason: The remaining building(s) have not been the subject of market testing in accordance with the Council's Supplementary Guidance in respect of The Re-Use and Adaptation of Traditional Rural Buildings.**

- 2 - A10 (Amendment to existing permission )

**Reason: For the avoidance of doubt.**

#### **Notes to Applicant**

- 1 - The decision to grant planning permission has been taken having regard to the policies and proposals in the Leominster District Local Plan set out below, and to all relevant material considerations

including Supplementary Planning Guidance:

**2. A60 Conversion Of Rural Buildings Outside Settlements To Residential Use**

This informative is only intended as a summary of the reasons for grant of planning permission. For further detail on the decision please see the application report by contacting Reception at Blueschool House, Blueschool Street, Hereford (Tel: 01432-260342).

Ref. 25  
**PEMBRIDGE**  
DCNW2003/3343/F

Two storey extension and conservatory to dwelling and detached garage at:

**WESTON VILLA, GORSTY, PEMBRIDGE, LEOMINSTER,  
HEREFORDSHIRE, HR6 9JF**

For: **Mr D. Cotterall per Mr S Mitchell, 102 Bath Road, Cheltenham, GL53 7JX**

The Northern Divisional Planning Officer reported that the applicant had submitted amended plans proposing the re-siting of the garage. This had allayed the concerns of the neighbours, who had withdrawn their objections to the garage as a result.

**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 - A07 (Development in accordance with approved plans )**

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

**3 - B01 (Samples of external materials )**

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

**4 - E08 (Domestic use only of garage )**

**Reason: To ensure that the garage is used only for the purposes ancillary to the dwelling.**

**5 - H08 (Access closure )**

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

**6 - H13 (Access, turning area and parking )**

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

**7 - G09 (Retention of trees/hedgerows )**

**Reason:** To safeguard the amenity of the area.

**8 - Within three months of the occupation of the dwelling the existing mobile home shall be removed from the site.**

**Reason:** It would be contrary to adopted policy to permit a separate mobile home in this location, and in the interests of preserving the visual amenity of this rural location.

**Note to applicant:**

1. N15 (Leominster District Local Plan, Policies A54 and A56)

Ref. 26  
**CRAVEN ARMS**  
 DCNW2003/3402/F

Retrospective oak framed porch at:  
**CANDELMAS, KINTON, LEINTWARDINE, CRAVEN ARMS,**  
**HEREFORDSHIRE, SY7 0LT**  
 For: **Mr. J.L. Thomas at above address.**

The Sub-Committee felt that the proposed timber frame should not be painted black, but should be allowed to weather naturally. The proposed Condition 2 was therefore removed from the planning permission.

**RESOLVED:** That planning permission be granted subject to the following condition:

**1 - B02 (Matching external materials (extension) )**

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

Ref. 27  
**LYONSHALL**  
 DCNW2003/3420/RM

Site for one dwelling with detached garage at:  
**LAND ADJOINING LITTLEBROOK COTTAGE, LYONSHALL, KINGTON,**  
**HEREFORDSHIRE, HR5 3JP**  
 For: **Mr & Mrs S Williams per Mr A Last, Brookside Cottage, Knapton,**  
**Birley, Herefordshire, HR4 8ER**

In accordance with the criteria for public speaking, Mrs Rolls of Lyonshall Parish Council, spoke against the proposal.

The Sub-Committee felt that significant improvements should be made to the proposed siting of the garage, and also expressed concern about the fact that the proposed dwelling occupied almost the entire width of the plot. It was agreed that further negotiations would take place with the applicant to address these points.

**RESOLVED: That**

(i) **officers named in the Scheme of Delegation to Officers be authorised to grant planning permission in consultation with the Chairman and the local member, subject to the following conditions, and subject to further negotiations in respect of the siting of the garage and the dwelling:**

**1 - A07 (Development in accordance with approved plans) (drawing nos. 03431/15 and 03431/16)**

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

**2 - B01 (Samples of external materials)**

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

**3 - E18 (No new windows in specified elevation) (north and south elevations)**

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

**Notes to applicant:**

**1 - The applicants' attention is specifically drawn to the requirements of Conditions 6 (archaeological evaluation) and 8, 9 and 10 (foul and surface water drainage arrangements).**

**2 - The decision to grant planning permission has been taken having regard to the policies and proposals in the Leominster District Local Plan set out below, and to all relevant material considerations including Supplementary Planning Guidance:**

**A18 Listed Buildings And Their Settings  
A24 Scale And Character Of Development  
A54 Protection Of Residential Amenity**

**This informative is only intended as a summary of the reasons for grant of planning permission. For further detail on the decision please see the application report by contacting Reception at Blueschool House, Blueschool Street, Hereford (Tel: 01432-260342).**

- (ii) if negotiations as set out above are unsuccessful, the application be returned to the Sub-Committee for determination.**