

APPENDIX

Ref. 1
**MORETON-ON-
LUGG**
CW2002/3058/M

Extraction of sand and gravel; erection of aggregate processing plant and ancillary facilities / infrastructure; construction of new access; diversion of utility services and continued use of rail sidings for loading / dispatch of aggregates at:

**LAND AT MORETON DEPOT, OFF A49, MORETON-ON-LUGG,
HEREFORDSHIRE**

For: **TARMAC LIMITED PER SLR CONSULTING LIMITED,
STRELLEY HALL, MAIN STREET, STRELLEY VILLAGE,
NOTTINGHAM, NG8 6PE**

The Principal Planning Officer (Minerals and Waste) advised the Sub-Committee that the recommendation detailed in the report should be amended to include the words '*...Officers named in the Scheme of Delegation to Officers*'.

In accordance with the criteria for public speaking, Mrs. Lane spoke against the application and Mr. Lawer spoke in support of the application.

Councillor J.G.S. Guthrie, referring to the representations detailed in the report, commented on the significant local concern about the impact of the proposal on road safety and on the surrounding road network. He noted, however, that the Highways Agency had no objection subject to a Direction regarding conditions. He also noted the planning contributions to be made by the applicant in respect of highway works to the A49, off site highway works and community facilities; in particular, the provision of a bus stop off the main carriageway was welcomed.

A number of Members commented on road safety concerns but noted that none of the statutory consultees had raised any objections to the proposal.

RESOLVED:

That planning permission be granted subject to the following conditions and any others considered necessary by Officers named in the Scheme of Delegation to 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 and in order to define the commencement of the development.

2. **The whole of the plant and external walls and roofs of the buildings, including cladding, shall be constructed and finished in accordance with a schedule of materials, colours and finishes which shall first have been submitted to and approved by the local planning authority before the development is commenced.**

Reason: To secure properly planned development.

3. **Prior to the commencement of extraction and the exportation of any sands or gravels from this site the highway features illustrated on drawing AS/1, Tarmac, Moreton Quarry, Roundabout Access, Advance Signage, Revision 1 dated October 2003, shall have been certified as complete by the local planning authority in consultation with the Highway Authority.**

Reason: To enable the A49 Trunk Road to continue to be an effective part of the system of routes for through traffic, in accordance with Section 10(2) of the Highways Act 1980 by avoiding the disruption to flow on those routes by traffic expected to be generated by the development, and to protect the interest of road safety on the Trunk Road, as directed by the Highways Agency.

4. **Prior to the commencement of extraction and the exportation of any sands or gravels from this site a village gateway feature equivalent to the feature illustrated on drawing AS/1, Tarmac, Moreton Quarry, Roundabout Access, Advance Signage, Revision 1 dated October 2003 to the north of the proposed access shall be provided to the south of Wellington Marsh in a form and position to be agreed with the local planning authority in consultation with the Highway Authority.**

Reason: To enable the A49 Trunk Road to continue to be an effective part of the system of routes for through traffic, in accordance with Section 10(2) of the Highways Act 1980 by avoiding the disruption to flow on those routes by traffic expected to be generated by the development, and to protect the interest of road safety on the Trunk Road, as directed by the Highways Agency.

5. **Prior to the commencement of extraction and the exportation of any sands or gravels from this site the quarry operator shall be obliged to enter into an agreement with Herefordshire Council to promote and co-ordinate Green Transport Plans. The main aims will be to reduce the need to use private transport to access this site and to increase the opportunities for walking, cycling, bus use, car sharing and any other initiative that is able to make a positive contribution to reducing the need to use private transport inefficiently.**

Reason: To enable the A49 Trunk Road to continue to be an effective part of the system of routes for through traffic, in accordance with Section 10(2) of the Highways Act 1980 by avoiding the disruption to flow on those routes by traffic expected to be generated by the development, and to protect the interest of road safety on the Trunk Road, as directed by the Highways Agency.

6. Prior to the commencement of extraction and the exportation of any sands or gravels from this site the highway works illustrated in form shown on drawing 2, Tarmac, Moreton Quarry, Roundabout Access, General Arrangement, Revision 2 (Amended to Incorporate Comments from Stage 1 Safety Audit) dated October 2003, shall have been certified as complete by the local planning authority in consultation with the Highway Authority.

Reason: To enable the A49 Trunk Road to continue to be an effective part of the system of routes for through traffic, in accordance with Section 10(2) of the Highways Act 1980 by avoiding the disruption to flow on those routes by traffic expected to be generated by the development, and to protect the interest of road safety on the Trunk Road, as directed by the Highways Agency.

7. No development shall take place until details or samples of materials to be used on internal roadways and hardstanding have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure that the materials harmonise with the surroundings and to minimise the risk of pollution to groundwater or the River Lugg SSSI cSAC.

8. The development shall be carried out in all respects strictly in accordance with the approved plans (drawing nos. MLM6/1, MLM6/2, MLM6/3, MLM6/4, MLM6/5, MLM7/1 Revision A), except where otherwise stipulated by conditions attached to this permission.

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

9. Not later than two years from the date of this permission schemes shall be submitted in writing to the local planning authority for their approval for the creation of:
 - i) Shallow, permanently or seasonally, wet scrapes
 - ii) Reed beds, which remain permanently below the water table
 - iii) Lakeside shallows
 - iv) Bank gradients
 - v) An area of wet woodland
 - vi) Ditches, designed to maximise their use as wildlife corridors and as habitat for water voles
 - vii) Hides, open to the public at no expense, within 2 years of the approval of the proposals for this part of this

condition and maintained so during the course of the development hereby permitted including any period of aftercare

viii) Exposed sections which can be permanently retained after the reclamation of the site as a record of its geological features

ix) An artificial sand martin nest bank

as supplements to drawing MLM7/1, Revision A, in order to foster the nature conservation and geological value of the reclaimed site.

The submitted scheme shall specify the nature conservation objectives to be achieved and the Biodiversity Action Plan or other groups of species which are to be fostered in the reclamation of the site, the landforms, ground and water levels to be achieved, and

x) Proposals to monitor and amend these in the light of experience as the site reclamation progresses.

Reason: In the interests of biodiversity, nature conservation, geological record and the protection and enhancement of wildlife habitats on the site.

10. At least every four calendar years from the date of this permission until the completion of all aftercare schemes, a biodiversity audit shall be submitted for the approval of the local planning authority. The submitted scheme shall identify

i) The species present and

ii) Where National and Herefordshire biodiversity species are identified, estimate the numbers present and

iii) Propose how the habitats of such species may be improved during the course of the development hereby permitted, including the period of aftercare.

Reason: In order to ensure that the site is properly reclaimed in a way that maximises its nature conservation interest.

11. No development shall take place until there has been submitted to and approved in writing by the local planning authority a plan indicating the positions, design, materials, and type of landscaping, planting and earth mounding, to be undertaken around the new highway access to the site and in the north-west and south-west corners of the site. The proposed scheme shall be completed before any winning or working of minerals takes place except that the proposed tree planting may be undertaken during the first planting

season following the commencement of winning and working of minerals. Development shall be carried out in accordance with the approved details.

Reason: In the interests of visual and residential amenity and to preserve and enhance the quality of the environment.

12. Not later than two years after the date of this permission a scheme of landscaping shall be submitted to the local planning authority for their approval in writing. The submitted scheme shall include details of the species, sizes, densities and planting numbers of the trees, shrubs and other plant species and grass seed mixes to be used on site with the intention of creating as wide a range of habitats as possible on site. The landscaping of the site shall be carried out in accordance with the approved details unless otherwise agreed in writing by the local planning authority.

Reason: In order to protect the visual amenities of the area, to preserve and enhance the quality of the environment and in the interests of the landscape and increasing its nature conservation value.

13. During the course of the development hereby permitted up to and including the extraction of materials from Phase 9, the operator shall carry out the barn owl and species rich grassland mitigation scheme set out in Tarmac's letter of 7th July 2003, reference ML/JA/M103(P) (Barn owl and species rich grassland mitigation scheme) and plan reference "Management Proposals" drawing number 2, July 2003.

Reason: In order to retain suitable habitats for barn owls and grassland of nature conservation interest.

14. No development shall take place until a scheme and programme of the means for the suppression of dust has been submitted to and approved in writing by the local planning authority. The submitted scheme shall include inter alia: measures for the suppression of dust caused by the movement and storage of aggregate materials within the site and shall not be less than that proposed in para. 14.7 and table 14/5 of the Environmental Statement submitted by the applicant. The approved scheme shall be complied with throughout the use of the site in accordance with the development hereby permitted.

Reason: In the interests of the occupiers of nearby buildings and the prevention of pollution.

15. No development shall take place until the applicants or their agents or successors in title have secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been approved in writing by the local planning authority. This programme shall be in accordance with a

brief prepared by the County Archaeological Service. Items of prior archaeological excavation required as part of this programme must be completed in the field to the satisfaction of the local planning authority before the commencement of any development.

Reason: To ensure that the exceptional archaeological interest of the site is recorded, and also to ensure that specific items of archaeological excavation can take place within an acceptable timescale that will not be compromised by other site works or factors.

16. Throughout the course of the development hereby permitted, including the reclamation and aftercare for the site, hydro-geological monitoring shall be undertaken in accordance with the monitoring scheme/programme reference "groundwater monitoring scheme" received on 12th January 2004 and plan reference Groundwater Monitoring Borehole Locations Jan. 04 Drawing No. 2.

Reason: In the interests of pollution control, the protection of ground and surface waters in and around the site, the residential amenities of nearby dwellings and the nature conservation interests of the River Lugg cSAC and SSSI.

17. Throughout the course of the development hereby permitted including the reclamation and aftercare of the site, control procedures for managing contaminated soils and groundwater shall be undertaken in accordance with document reference "Control Procedures for Managing Contamination Soils and Groundwater during Mineral Extraction Operations" received on 8th December 2003.

Reason: In the interests of pollution control, the protection of ground and surface waters in and around the site, the residential amenities of nearby dwellings and the nature conservation interests of the River Lugg cSAC and SSSI.

18. No dewatering shall be undertaken in connection with the development hereby approved other than for the processing of extracted minerals, manufacturing of ready mixed concrete, dust suppression or wheel washing and any dewatering shall be entirely in accordance with the prior authorisation in writing of either the Environment Agency or where they are not the licensing authority, the local planning authority.

Reason: In the interests of protecting ground and surface waters in and around the site and to protect the nature conservation interests of the River Lugg cSAC and SSSI.

19. No foul or contaminated drainage shall be discharged from the site other than in accordance with the prior authorisation in writing of either the Environment Agency or where they are not the licensing authority, the local planning authority.

Reason: In the interests of the protection of ground and surface waters and to protect the nature conservation interests of the River Lugg cSAC and SSSI.

20. The level of noise from the development hereby permitted shall not exceed the following levels at the locations specified below:

Adjacent to the property boundary of Holmesdale House, 55dB LAeq 1 hour (free field)

Adjacent to the property boundary of Yew Tree House, 55dB LAeq 1 hour (free field)

Adjacent to property boundary of The Almshouses 55dBLAeq, 1 hour (free field)

Adjacent to the property boundary of St. Mary's Church Vicarage, LAeq 55dB (1 hour (free field)

and if requested in writing the operator shall submit a noise survey at these locations to demonstrate compliance.

The location of these properties is shown on plan MLR7/1 attached to this permission.

Reason: In order to protect the residential amenities of nearby dwellings.

21. No light source shall be visible from outside the extremities of the application site or produce more than 1 lux horizontal or vertical illuminance at any adjacent property boundary.

Reason: To minimise the impact of the floodlights and to protect the residential amenity of nearby dwellings.

22. F25 (Bunding facilities for oils/fuels/chemicals).

Reason: To prevent pollution of the water environment.

23. No machinery shall be operated, no process shall be carried out and no deliveries taken at or despatched from the site outside the following times 0700 to 1900 Mondays to Fridays, 0800 to 1300 on Saturdays and not at all on Sundays, Bank or Public Holidays, except that within the area permitted for use as a rail loading facility, permitted under consent reference CW2001/3080/M granted 18th July 2002, the unloading of aggregates from vehicles and loading of aggregates into railway wagons for trans-shipment by rail may take place at any time.

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

24. No extraction shall be undertaken in connection with the permission hereby granted at any point within the

application area deeper than the naturally occurring sand and gravel deposits at that point.

Reason: To define the permission for the avoidance of doubt and because further excavation would require further assessment in the interests of local amenity, pollution control, the protection of ground and surface waters and the nature conservation interests of the River Lugg cSAC and SSSI.

25. No materials or substances shall be burnt within the application site.

Reason: To safeguard residential amenity and prevent pollution.

26. Notwithstanding the Town and Country Planning (General Permitted Development) Order 1995 or any statutory instrument revoking and re-enacting that Order with or without modification, no materials, including aggregates shall be stockpiled or deposited in the open to a height exceeding 5 metres.

Reason: To protect the appearance of the locality.

27. No topsoil, subsoil or over burden shall be removed from the site.

Reason: In order to ensure the proper reclamation of the site, in the interests of landscape and nature conservation.

28. No soil, subsoil, stone or waste materials shall be imported into the site for use in its reclamation.

Reason: In order to ensure the proper reclamation of the site and in the interests of local amenity, pollution control and the conservation interests of the River Lugg sSAC and SSSI.

29. No later later than 31st May 2008, the operator shall submit an aftercare scheme to ensure the reclamation of the site for the approval in writing of the local planning authority. The submitted scheme shall include provision for:

- i. Managing the site in the interests of nature conservation and in particular for the provision and maintenance of habitats for priority species identified on site specified in the National and Herefordshire Biodiversity Action Plans.
- ii. The alteration of management practices where in the opinion of the local planning authority as advised by English Nature or any successor bodies, the habitats of Biodiversity Action Plan species identified on site could be enhanced.

- iii. For a site meeting to be held every year during the aftercare period to discuss the progress of reclamation to date and to agree future proposals.
- iv. For such a meeting to be attended by the person(s) responsible for undertaking the aftercare of the land.

Reason: To ensure that the site is reclaimed to the highest possible nature conservation and landscape interest.

30. Not later than two years after the cessation of the winning of minerals, as determined by the local planning authority,
- i) all stockpiles, stores, plant, hardstandings, buildings, tracks, machinery, equipment, infrastructure. Chain link fencing and concrete fence posts and waste associated with the winning, working, processing, storage, sale and transportation of minerals and readymix concrete and use of the site as a rail loading facility shall be permanently removed from the application site, and
 - ii) the site shall be fully reclaimed in accordance with drawing MLM7 Revision A as supplemented by schemes approved in accordance with the conditions hereby approved.

Reason: In order to ensure that the site is properly reclaimed within a specified timescale in the interests of local amenity, pollution control, nature conservation and the River Lugg cSAC and SSSI.

31. This permission shall expire thirteen years after the date of commencement and no winning, working, sale or transportation of minerals or readymix concrete either by road or rail shall take place in connection with the development hereby permitted or that permitted under reference CW2001/3080/M granted 18th July 2002 after that date.

Reason: Required to be imposed by Part 1 of Schedule 5 of the 1990 Town and Country Planning Act.

32. Notwithstanding the provisions of Schedule 2, Parts 6, 7 and 21 of the Town and Country Planning (General Permitted Development) Order 1995 or any statutory instrument revoking or re-enacting that Order with or without modification, the land and lakes which remain on the cessation of mineral winning shall not be used for any activity other than for the purposes of nature conservation unless a specific permission for such is obtained from the local planning authority.

Reason: Because the local planning authority wish to control the use of the site in the interests of pollution control, nature conservation and the River Lugg cSAC and

SSSI, the landscape and local amenity.

- 33. A copy of this planning permission and the approved plans and all other documents approved in accordance with this permission shall be held in the office at this site and made available to any Officer of the Council or their nominee at all working hours during the course of the operations hereby permitted.**

Reason: To ensure that the requirements of the planning permission are readily available at the site.

Ref. 2
HEREFORD
DCCW2003/2792/F

Proposed conversion of buildings into 3 dwellings:

HOLMER PARK, OFF ATTWOOD LANE, HEREFORD

For: **MR. D. EDWARDS, STATION APPROACH, HEREFORD, HR1 1BB**

In accordance with the criteria for public speaking, Mr. Owen spoke on behalf of Holmer Parish Council.

Councillor Mrs. S.J. Robertson, the Local Member, felt that there was a need for traffic calming measures, for work to be undertaken on the Grade II Listed Building in close proximity to the site and for drainage concerns to be addressed.

Councillor J.G.S. Guthrie commented on local concerns regarding drainage from the site.

The Central Divisional Planning Officer advised that a letter would be sent with the planning permission requiring a schedule of works for the Listed Building and advising the applicant of their statutory obligations. He advised that it would be unreasonable to require highway works outside the application site given the nature of this proposal. He also clarified the foul and surface water drainage arrangements.

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).**

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

- 3. F18 (Scheme of foul drainage disposal).**

Reason: In order to ensure that satisfactory drainage

arrangements are provided.

4. E16 (Removal of permitted development rights).

Reason: To preserve the character and appearance of this conversion scheme.

5. B05 (Alterations made good).

Reason: To maintain the appearance of the building.

6. E19 (Obscure glazing to windows).

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

7. F39 (Scheme of refuse storage).

Reason: In the interests of amenity.

8. G10 (Retention of trees).

Reason: In order to preserve the character and amenities of the area.

9. F41 (No burning of materials/substances during construction phase).

Reason: To safeguard residential amenity and prevent pollution.

10. 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.

11. C05 (Details of external joinery finishes).

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

12. C10 (Details of rooflights).

Reason: To ensure that 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 character.

13. C11 (Specification of guttering and downpipes).

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

14. G02 (Landscaping scheme (housing development)).

Reason: To ensure a satisfactory and well planned development and to preserve and enhance the quality of the environment.

15. **G03 (Landscaping scheme (housing development) – implementation).**

Reason: To ensure a satisfactory and well planned development and to preserve and enhance the quality of the environment.

16. **G01 (Details of boundary treatment).**

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

Informatives:

1. **N03 – Access for All.**
2. **N06 – Listed Building Consent.**
3. **N07 – Housing standards.**
4. **N14 – Party Wall Act 1996.**
5. **N15 – Reasons for Grant of PP/LBC/CAC.**

Ref. 3
WHITESTONE
DCCE2003/3566/F

Proposed two storey rear extension at:

PRIMROSE COTTAGE, WHITESTONE, HEREFORD, HR1 3RY

For: **MR. & MRS. HICK PER WARREN BENBOW ARCHITECTS,
21 MILL STREET, KINGTON, HEREFORDSHIRE, HR5 3AL**

The Central Divisional Planning Officer reported the receipt of correspondence from the residents of a neighbouring property who indicated a willingness to withdraw their objection if the conifer trees on the adjoining boundary were not more than two metres in height. The Central Divisional Planning Officer commented that this was not a planning matter as the scheme was acceptable on its own merits and any agreement regarding the conifer trees would be a private matter.

Councillor R.M. Wilson, the Local Member, noted the amendments that had been made to the original submission to reduce the impact of the proposal on the amenities of the neighbouring property.

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. **E19 (Obscure glazing to windows).**

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

Informatives:

1. **N03 - Adjoining property rights.**

2. **N14 - Party Wall Act 1996.**

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

Ref. 4
LUGWARDINE
DCCE2003/2808/F

Change of use of agricultural land to domestic garden. Erection of brick faced retaining wall, brick piers and metal infill panels at:

STANFORD HOUSE, RECTORY ROAD, HAMPTON BISHOP, HEREFORD

For: **MR. W. BEAUMONT PER JAMES SPRECKLEY, MRICS
FAAV, BRINSOP HOUSE, BRINSOP, HEREFORDSHIRE,
HR4 7AS**

Councillor Mrs. J.E. Pemberton, the Local Member, felt it regrettable that this was a retrospective application. It was noted that Hampton Bishop Parish Council supported the application.

That planning permission be granted subject to the following condition:-

1. **Notwithstanding the provision of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification, no fences, gates, walls or other means of enclosure, or garages, outbuildings, other buildings or hardstandings/surfacings shall be erected or constructed other than those expressly authorised by this permission.**

Reason: To safeguard the amenities of the locality and to safeguard the flood storage capacity of the land, in accordance with Policies C1 and C44 of the South Herefordshire District Local Plan.

Note to Applicant:

1. **Reason(s) for the Grant of PP/LBC/CAC.**

Ref. 5

BARTESTREE

DCCE2003/3431/O

Site for erection of two no. detached houses with garages at:

LAND TO NORTH SIDE OF BARNEBY AVENUE, BARTESTREE, HEREFORD, HR1 4DHFor: **MR. E.F. HUNT PER FLINT & COOK, 4 KING STREET, HEREFORD, HR4 9BW**

In accordance with the criteria for public speaking, Mr. Fancourt spoke against the application and Mr. Flint spoke in support of the application.

It was noted that condition 9 and informative 3, as detailed in the report, should refer to the east and not the west boundary of the site.

A number of Members noted that there were no planning reasons to warrant refusal of this application but felt that there was a need for measures to improve highway safety, particularly given the close proximity of Lugwardine Primary School. The Principal Planning Officer recommended an informative note to highlight the need to include such measures as part of any future reserved matters application.

RESOLVED:

That subject to satisfactory resolution of the objection from welsh water, outline planning permission be granted subject to the following conditions:

1. A04 (Approval of reserved matters).

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

2. A03 (Time limit for commencement (outline permission)).

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

3. 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.

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. B01 (Samples of external materials).

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

6. F16 (Restriction of hours during construction).

Reason: To protect the amenity of local residents.

7. F18 (Scheme of foul drainage disposal).

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

8. F41 (No burning of materials/substances during construction phase).

Reason: To safeguard residential amenity and prevent pollution.

9. No development shall take place until there has been submitted to and approved in writing by the local planning authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The plan shall include a 2 metre high close-boarded fence to be erected along the east boundary of the site with the public footpath. The boundary treatment shall be completed before either of the buildings are occupied in accordance with a timetable to be agreed in writing with the local planning authority. Development shall be carried out in accordance with the approved details.

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

10. G02 (Landscaping scheme (housing development)).

Reason: To ensure a satisfactory and well planned development and to preserve and enhance the quality of the environment.

11. G03 (Landscaping scheme (housing development) - implementation).

Reason: To ensure a satisfactory and well planned development and to preserve and enhance the quality of the environment.

12. The reserved matters shall include details of the means of access to the dwellings, to include visibility splays with 'x' distance of 2 metres and 'y' distance of 40 metres in each direction. The means of access shall be provided as approved and the visibility splays shall be kept permanently clear of obstruction to visibility over 0.6 metres in height.

Reason: In the interests of highway safety.

13. H10 (Parking - single house) (2 cars).

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

14. H05 (Access gates) (2.5 metres).

Reason: In the interests of highway safety.

15. H27 (Parking for site operatives).

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

16. G01 (Details of boundary treatments).

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

Informatives:**1. HN01 - Mud on highway.****2. HN05 - Works within the highway (South).**

3. The applicant's attention is drawn to Public Footpath no. LU8 which runs alongside the east boundary of the site. The footpath must remain open at all times throughout the development. If development works are perceived to be likely to endanger members of the public then a temporary closure order should be applied for from the Council's Head of Engineering and Transportation, preferably six weeks in advance of work starting. The footpath must be maintained at its historic width and suffer no encroachment during the works or at any time after completion.

4. The applicant's attention is drawn to the overhead and underground electric cables which cross part of the site. This planning permission gives no authority to carry out works in, over or under these cables in breach of any covenant or other restriction imposed by the electricity supplier in relation to these cables. The applicant is advised to contact the electricity supplier for their requirements before commencing works on site. Attached with this decision notice is a copy letter from the electricity supplier setting out their requirements which should be incorporated into any reserved matters application.

5. N15 – Reason(s) for the Grant of PP/LBC/CAC.

6. The applicant is advised that when submitting an application for reserved matters approval the location of adjoining school and resulting traffic conditions will be a material consideration. The submitted scheme should be designed accordingly.

Ref. 6
HEREFORD
DCCE2003/3692/F

Proposed extensions and internal alterations at:

**NEWSTEAD HOUSE RESIDENTIAL AND NURSING HOME, 43
VENNS LANE, HEREFORD, HR1 1DT**

For: **SOMERSET REDSTONE TRUST PER FORRESTER
ASSOCIATES, SPADESBOURNE HOUSE, 184
WORCESTER ROAD, BROMSGROVE, WORCESTER, B61
7AZ**

Councillor D.B. Wilcox, a Local Member, commented on the difficulties caused by on-street parking in the vicinity of the site and welcomed measures to improve parking facilities within the application site. A number of Members supported this view.

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 development shall be carried out in all respects strictly in accordance with the approved plans (drawing nos. 03:50:05A, :06A, :08A, :09A and :10A), except where otherwise stipulated by conditions attached to this permission.**

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

3. **B03 (Matching external materials (general)).**

Reason: To ensure the satisfactory appearance of the development.

4. **The proposed and existing parking and turning areas at the premises as shown on the application drawings shall be permanently maintained exclusively for that purpose.**

Reason: In the interests of highway safety.

5. **Before the "new two storey extension" hereby approved is occupied, details of a replacement tree to be planted on the site shall be submitted to the local planing authority for approval in writing. The tree shall be planted in accordance with the approved details in the first planting season following approval.**

Reason: To ensure satisfactory replacement of the sycamore tree proposed to be removed.

Informative:**1. Reason(s) for the Grant of PP/LBC/CAC.**

Ref. 7
HEREFORD
DCCW2003/3419/F

Re-alignment of post and rail to property boundary at:

55 DORCHESTER WAY, BELMONT, HEREFORD, HR2 7ZW

For: **MR. S. COTTAM, 55 DORCHESTER WAY, BELMONT,
HEREFORD, HR2 7ZW**

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

Councillor P.J. Edwards, a Local Member, drew attention to the comments of Belmont Rural Parish Council and spoke in support of the view that to permit the application in its present form would set an unacceptable precedent. Councillor Edwards felt that determination of the application should be delegated to Officers, in consultation with the Local Members, in order to negotiate a re-alignment of the boundary fence and reduce the area to be enclosed. Councillor Ms. G.A. Powell, also a Local Member, supported this view.

In response, the Planning Assistant noted that the extent of the re-alignment had been substantially reduced from that proposed in a previous application which had been refused. He reminded the Sub-Committee that each application had to be considered on its individual merits and must not be prejudiced on the basis that less acceptable forms of development may ensue.

A motion to amend the recommendation failed and the Sub-Committee subsequently approved the recommendation as detailed in the report and reproduced below.

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. The re-aligned fence hereby approved must match in height, style and materials the fence that it replaces.

Reason: To ensure a satisfactory form of development.

Informative:**1. Reason(s) for the Grant of PP/LBC/CAC.**

Ref. 8
HEREFORD
DCCE2003/3505/F

Change of use from storage/warehousing to blacksmithing workshop to include erection of two chimneys at:

35A MORTIMER ROAD, HEREFORD, HR4 9SP

For: **MR. R. HASTINGS, 5 GREEN STREET, HEREFORD, HR1 2QG**

The Principal Planning Officer outlined noise attenuation measures proposed by the applicant.

The Local Members expressed concerns about the application but noted that Officers did not consider that any adverse harm would be caused to residential amenity.

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 development shall be carried out in all respects strictly in accordance with the approved plans received by the local planning authority on 24th November 2003, except where otherwise stipulated by conditions attached to this permission.

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

3. No noisy machinery shall be operated, no process shall be carried out and no deliveries taken at or despatched from the site outside the following times 8.00 a.m. to 6.00 p.m. nor at any time on Saturdays, Sundays, Bank or Public Holidays.

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

4. The premises shall be used as an Artists' Blacksmith Workshop only and for no other purpose (including any other purpose in Class B2 of the schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

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

5. The applicant shall submit for the prior written approval of the local planning authority a scheme of noise attenuating measures. The approved scheme shall be implemented before the first use of the development to which it relates commences and shall be retained for the duration of the use. The scheme shall be based on a noise and vibration report from a suitably qualified and experienced consultant who shall specifically refer to the impact of the development on nearby residential properties in terms of both noise and vibration and shall quantify the effects of any proposed mitigation measures.

Reason: To safeguard the amenity of the area.

6. The front doors of the building containing the Artists' Blacksmith Workshop shall be kept closed whenever noisy machinery and / or tools (including hammers, air hammers and anvils), are in use.

Reason: To safeguard the amenities of the area.

Informatives:

1. For the purposes of condition Nos. 4 and 6, "Artists' Blacksmith Workshop" is defined as a blacksmith's workshop where sculptures, fine art, ornate gates and railings and other ornate metal items are manufactured. The definition specifically excludes the manufacture of horseshoes and / or the shoeing of horses at the site and general engineering.
2. N15 – Reason(s) for the Grant of PP/LBC/CAC.

Ref. 9
HEREFORD
DCCE2003/2992/F

Provision of new w.c alterations to porch and associated site works at:

ST. MARY'S CHURCH, FOWNHOPE, HEREFORDSHIRE

For: **ST MARY'S PCC PER HOOK MASON, 11 CASTLE STREET, HEREFORD, HR1 2NL**

The Central Divisional Planning Officer recommended an additional condition which would require the submission of full details of drainage runs.

Councillor Mrs. J.E. Pemberton drew Members' attention to the comments of Fownhope Parish Council as summarised in the report. Councillor Mrs. Pemberton felt that the proposals were not in keeping with the character of the building and expressed concerns about the proposed new door, timber cladding, floor tiles, toilet facilities and tree works. Councillor Mrs. Pemberton proposed that a site visit be held as the character or appearance of the development itself was a

fundamental planning consideration and a judgement was required on visual impact.

RESOLVED:

That consideration of planning application DCCW2003/2973/F be deferred for a site visit.

Ref. 10
CREDENHILL
DCCW2003/2973/F

Construction of three water storage tanks at:

LOWER VELDIFER FIELD, ROMAN ROAD, CREDENHILL, HEREFORDSHIRE

For: **WYEVALE CONTAINER PLANTS LTD., KINGS ACRE ROAD, HEREFORD, HR4 7AY**

In accordance with the criteria for public speaking, Mrs. Morris spoke against the application.

Councillor R.I. Matthews, the Local Member, noted the history of the surface water drainage and flooding problems and commented that the proposal might result in a possible improvement to the existing levels. Councillor Matthews proposed that site visit be held as the setting and surroundings were fundamental to the determination or to the conditions being considered.

RESOLVED:

That consideration of planning application DCCW2003/2973/F be deferred for a site visit.

Ref. 11
CREDENHILL
DCCW2003/3293/F

Demolition of outbuildings and erection of extension. New drive with parking area at:

HEREFORDSHIRE HEADWAY, HEADWAY HOUSE, TRENCHARD AVENUE, CREDENHILL, HEREFORD, HR4 7DX

For: **HEREFORDSHIRE HEADWAY PER RRA LTD., PACKERS HOUSE, 25 WEST STREET, HEREFORD, HR4 0BX**

The Central Divisional Planning Officer reported the receipt of correspondence from the applicant which clarified parking details and indicated that additional capacity could be provided.

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

Councillor R.I. Matthews, the Local Member, commented on the need to address the parking problems. In response to a question from Councillor Matthews, the Central Divisional Planning Officer advised that lighting in the parking area was likely to be provided by low-level bollards to limit impact of the proposal on residential amenity.

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. Notwithstanding the details shown on the submitted drawings the development hereby permitted shall not be brought into use until the access, turning area and parking facilities have been properly consolidated, surfaced and drained and otherwise constructed in accordance with revised details to be submitted to and approved in writing by the local planning authority and these areas shall thereafter be retained and kept available for those uses at all times.**

Reason: The details as submitted are unsatisfactory and to protect the interests of highway safety and improve the flow of traffic on the adjoining highway.

- 4. G01 (Details of boundary treatments).**

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

- 5. G04 (Landscaping scheme (general)).**

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

- 6. G05 (Implementation of landscaping scheme (general)).**

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

- 7. F32 (Details of floodlighting/external lighting).**

Reason: To safeguard local amenities.

Informative:

- 1. N15 - Reason(s) for the Grant of PP.**