

MINUTES of the meeting of Planning Committee held at The Council Chamber, Brockington, 35 Hafod Road, Hereford on Wednesday 15 June 2011 at 10.00 am

Present: Councillor PGH Cutter (Chairman)
Councillor BA Durkin (Vice Chairman)

Councillors: PA Andrews, AN Bridges, PJ Edwards, DW Greenow, KS Guthrie, J Hardwick, EPJ Harvey, JW Hope MBE, RC Hunt, JG Lester, MD Lloyd-Hayes, G Lucas, FM Norman, GR Swinford, DC Taylor and PJ Watts

In attendance: Councillor JLV Kenyon

1. ELECTION OF CHAIRMAN AND APPOINTMENT OF VICE-CHAIRMAN

It was noted that at the recent meeting of Council, Councillor PGH Cutter was elected as Chairman and Councillor BA Durkin was appointed as Vice-Chairman of the Planning Committee.

2. APOLOGIES FOR ABSENCE

Apologies were received from Councillors RI Matthews and JD Woodward.

3. NAMED SUBSTITUTES (IF ANY)

In accordance with paragraph 4.1.23 of the Council's Constitution, Councillors EPJ Harvey and DC Taylor attended the meeting as substitute members for Councillors JD Woodward and RI Matthews.

4. DECLARATIONS OF INTEREST

There were no declarations of interest made.

5. MINUTES

RESOLVED: That the Minutes of the meeting held on 27 April 2011 be approved as a correct record and signed by the Chairman.

6. CHAIRMAN'S ANNOUNCEMENTS

The Chairman introduced all Officers who were present at the meeting.

The Development Manager advised Members that an appeal had been lodged in respect of two decisions made by the Committee, contrary to Officer's recommendation, in October 2010. He advised that the appeals would be heard on 28 June and 5 July 2011 and requested that a representative of the Planning Committee attend the hearings. Councillor PJ Watts volunteered to represent the views of the Committee.

7. APPEALS

The Planning Committee noted the report.

8. DMS/110564/CD - FRANKLIN HOUSE, 4 COMMERCIAL ROAD, HEREFORD, HEREFORDSHIRE, HR1 2AZ

The Senior Planning Officer gave a presentation on the application and updates / additional representations received following the publication of the agenda were provided; the schedule of committee updates is appended to these minutes.

In accordance with the criteria for public speaking, Mr Edwards spoke in objection to the application.

In accordance with paragraph 4.8.2.2 of the Council's Constitution, Councillor MF Hubbard, the local ward member, commented on a number of issues, including:

- It was recognised that the application was unlikely to be refused due to the strategic delivery of service and the Council's need for an info shop in the city centre.
- Although the building was a good example of 1960's architecture it did need improving.
- Concerns were raised in respect of the Mr Edwards' neighbouring business which would be the only retail unit in Blueschool Street and had been isolated by a strategic decision.
- Concerns were raised regarding the narrow pavement at the front of the building. The provision of a smoking area at the rear of the building was suggested in order to alleviate pedestrian build up near the roadside to the front.
- An average of 4000 people visited the info shop on a weekly basis. The junction may need significant improvements and widening to accommodate the high numbers.
- Mr Edwards should be supported as his business had been threatened with demolition for the previous 6 years.

Some Members had concerns regarding the provision of a smoking area at the rear of the premises. On balance they felt that smoking should be discouraged and that smokers would smoke at the front of the building anyway. It was deemed more appropriate to ensure that the front of the building and the access was designed in a manner to draw people away from the busy pavement in order to address the capacity issues.

Another Member of the Committee did support the provision of a smoking area and also voiced concerns in respect of the cost incurred in moving the info shop from its current location.

Concern was expressed in respect of the provision of roller shutters at the front of the building. The Senior Planning Officer advised Members that the building was in the proximity of a busy nightclub and that the shutter would only be used during evenings. It was also noted that the colour and design of the shutter could be agreed with the planning department prior to installation.

In response to a question the Senior Planning Officer also confirmed that the provision of a smoking shelter would be an unreasonable request on the applicants for a change of use application. The Locum Lawyer also added that any condition added by the committee would have to be precise, relevant, and accurate and that a condition for a smoking shelter would not be relevant or enforceable.

Councillors Hubbard was given the opportunity to close the debate in accordance with the Council's Constitution. He reiterated his opening remarks and made a final request for the committee to reconsider its decision to not include the provision of a smoking shelter as a planning condition.

RESOLVED

That planning permission be granted subject to the following conditions:

- 1. A01 Time limit for commencement (full permission)**
- 2. B03 Amended plans**
- 3. The colour of the new aluminium fenestration surrounds shall match the existing.**

Reason: To ensure that the finished colour of the fenestration is appropriate for the building and the Conservation Area and to comply with Policy HBA6 of the Herefordshire Unitary Development Plan.

- 4. Prior to the installation of the roller shutter doors manufacturer's details of their design and colour shall be submitted to and approved in writin by the local planning authority. The approved shutter doors shall be installed as approved and thereafter maintained.**

Reason: To ensure that the doors are appropriate for hte building and the Conservation Area and to comply with Policy HBA6 of the Herefordshire Unitary Development Plan.

- 5. The change of use hereby approved shall not commence until the secure, covered cycling parking provision has been installed in accordance with the approved amended plan (378140/A/101 P3) and approved manufacturer's details.**

Reason: To ensure that there is adequate provision for secure cycle accommodation within the application site, encouraging alternative modes of transport in accordance with both local and national planning policy and to conform with the requirements of Policy DR3 of Herefordshire Unitary Development Plan.

INFORMATIVES:

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

9. DMN/110776/F - LEADON COURT INDUSTRIAL BUILDS, FROMES HILL, LEDBURY, HEREFORDSHIRE, HR8 1HT

The Senior Planning Officer gave a presentation on the application.

The Committee noted that there were a number of similar developments throughout the county and felt that the applicant should be applauded for their investment in renewable energy.

RESOLVED

That planning permission be granted subject to the following conditions:

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

INFORMATIVES:

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

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

10. **DMN/110787/F - MEADOW END (FORMALLY LABURNUM), LITTLE COWARNE, BROMYARD, HEREFORDSHIRE, HR7 4RG**

The Senior Planning Officer gave a presentation on the application.

In accordance with paragraph 4.8.2.2 of the Council's Constitution, Councillors A Seldon and JG Lester, the local ward members, commented on a number of issues, including:

- The principle of a dwelling on the site had been established through the previous planning permission.
- The dwelling had been designed to be as carbon neutral as possible.
- The only real issue appeared to be one of the design and appearance of the dwelling.
- The dwelling was set back from the highway and was not visibly intrusive.
- At 4 metres high the proposed dwelling was similar in height to the neighbouring dwellings.
- The applicants could implement the previous planning permission, the current proposal was an superior scheme and should be supported.
- A sympathetic landscape scheme would be required to mitigate any possible impact on neighbouring residents.
- The Parish Council supported the application.

Members discussed the application and thanked the local members for clarifying issues regarding the sustainable design of the dwelling. They also welcomed the modern design. One issue regarding the roof material colour was raised. In response the Senior Planning Officer confirmed that condition 3 of the recommendation required the planning department to approve materials prior to the development taking place.

RESOLVED

That planning permission be granted subject to the following conditions:

1. **A01 Time limit for commencement (full permission)**
2. **B01 Development in accordance with the approved plans**
3. **C01 Samples of external materials**
4. **F14 Removal of permitted development rights**
5. **G10 Landscaping scheme**
6. **G11 Landscaping scheme - implementation**
7. **I51 Details of slab levels**
8. **I16 Restriction of hours during construction**

Informative:

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

11. **DMN/102648/F - LOWER BUCKLAND, DOCKLOW, HEREFORDSHIRE, HR6 0RU**

The Principal Planning Officer gave a presentation on the application and updates / additional representations received following the publication of the agenda were provided; the schedule of committee updates is appended to these minutes.

In accordance with the criteria for public speaking, Mr Sinclair, representing the local residents, spoke in objection to the application and Mr Thomas, the applicant, spoke in support.

The Chairman advised Members that Councillor JW Millar, the Local Ward Member, could not be present at the meeting as he was currently out of the country.

Members discussed the application. A number of Members were of the opinion that the application should be approved contrary to recommendation. However they noted that due to the requirement of the Committee to make an assessment on the visual impact of the proposal it would be beneficial for them to visit the site.

In accordance with paragraph 5.13.4.1 of the Council's constitution, the Committee decided to undertake a site inspection as the felt that the setting and surroundings were fundamental to the determination or to the conditions being considered, and could not reasonable be made without visiting the site in question.

In response to a question, the Democratic Services Officer advised that all speakers who had registered to speak at the meeting would be given the opportunity to speak again at the meeting of the Planning Committee on 29 June 2011 when the application was reconsidered. He also advised that the site inspection would take place on the morning of 28 June 2011.

RESOLVED

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

- 1. The setting and surroundings are fundamental to the determination or to the conditions being considered, and cannot reasonable be made without visiting the site in question.**

12. DATE OF NEXT MEETING

The Planning Committee noted the date of the next meeting.

APPENDIX 1 - SCHEDULE OF COMMITTEE UPDATES

The meeting ended at 11.50 am

CHAIRMAN

PLANNING COMMITTEE

Date : 15 June 2011

Schedule of Committee Updates/Additional Representations

Note: The following schedule represents a summary of the additional representations received following the publication of the agenda and received up to midday on the day before the Committee meeting where they raise new and relevant material planning considerations.

DMS/110564/CD- Change of use and shop front alteration to provide a council information centre, along with some internal alterations at Franklin House, 4 Commercial Road, Hereford, Herefordshire, HR1 2AZ

FOR: Mr Williams per Mr Philip Parker, Caburn House Brooks Road, Lewes, East Sussex, BN27 2BY

ADDITIONAL REPRESENTATIONS

Forwarding Planning: The change of use proposed would fall within the policy requirements set out in national, regional and local planning policy frameworks. No objection.

OFFICER COMMENTS

These comments reinforce the Officer's Appraisal and recommendation set out in the Committee Report.

NO CHANGE TO RECOMMENDATION

DMN/102648/F- Erection of single 300kW wind turbine (maximum height 66.7m) and associated infrastructure and access track at Lower Buckland, Docklow, Herefordshire, HR6 0RU

For: Mr Thomas per Mr Oliver Penney, 1 High Street, Clydach, Swansea, SA6 5LG

ADDITIONAL REPRESENTATIONS

A copy of a letter that has been sent to all Members has also been forwarded to the Case Officer.

OFFICER COMMENTS

The letter does not raise any new issues. It questions the weight that has been attributed to the Landscape and Visual Impact Assessment and highlights that the Landscape Officer considered it to be a "fair and balanced" report. This has not been questioned in the committee report. It should be noted that, whilst the Landscape Officer has commented as quoted, she has also commented as follows:

"I remain of the view that the turbine will attract views as a new focal point, appearing as a large, isolated structure, detracting from the semi-natural landscape in the rest of the panoramic view."

NO CHANGE TO RECOMMENDATION

