

**APPENDIX**

Ref. 1  
**ULLINGSWICK**  
DCNC2003/3755/F

Upgrade an access track to a stone surface at:

**THE TACK FARM, ULLINGSWICK, HEREFORDSHIRE, HR1 3JQ**

For: **Ms K Kawczynski , at the same address.**

Receipt of further representations, raising no new issues, were reported. The Principal Planning Officer reported on slight amendments to the conditions, which were included in the recommendation.

In accordance with the criteria for public speaking, Mr Hoskins of Much Cowarne Parish Council, and Mr Daly, spoke in objection to the proposal.

During the ensuing discussion, Members raised concerns about Paragraph 6.3 of the report, which had stated that vehicle access would be limited, although it had not mentioned how this would be monitored or enforced. There were additional concerns about how conditions 4, 5, 6, and 7 would be met. Refusal was moved on the grounds that 1) the proposed works would increase the historic width of the bridleway to an unacceptable level; 2) It would be impossible to ensure that the proposed conditions would be met; 3) the application was felt likely to encourage unacceptable and damaging levels of traffic; 4) the safety of the public could not be guaranteed by stewards; 5) the historic width of the bridleway could prevent use by aggregate vehicles; 6) it was unlikely that the Environment Agency would grant permission for culverting; and 7) the use of the bridleways by horseboxes would be damaging to the locality.

Other members stated that the application, being a simple upgrading of an existing track, would not be detrimental to the amenity of the area, and noted that the Public Rights of Way Manager and the Transportation Manager had not objected to the application. They felt that the application should be approved, and that the conditions recommended would be sufficient to ensure suitable and safe use of the bridleway.

The Northern Divisional Planning Officer explained that the law allowed for the bridleway to be used for equestrian purposes for up to 28 days without permission. Other issues relating to horseboxes, safety, and road traffic were pertinent to the 28-day usage and not to the planning application. He added that enforcement of this rule was not a matter to be considered with the application either, but would be referred to the Enforcement Section if there were any breaches. In the same manner, any references to culverting were solely a matter for the Environment Agency. With reference to the historic bridleway, he reported that, if the acceptable width was crucial, a condition would be included in any permission granted specifying the track width, after a site investigation had been conducted. He said that the reasons given for refusal could not be supported.

Having carefully considered the issues surrounding the application, the Sub-Committee approved it.

**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 - Prior to the commencement of any of the development hereby approved details of the land drainage associated with the re-surfaced track shall be submitted to and approved in writing by the local planning authority. Provision should be made to incorporate drainage channels cut at angles across the track at regular intervals**

**Reason: To minimise run-off and control erosion.**

**3 - Prior to the commencement of the development hereby approved details of the following advisory signage shall be submitted to and approved in writing with the local planning authority:**

**i) warning signs to be placed at either end of the bridleway to advise users that an equestrian event is taking place.**

**ii) warning signs at the point where any horse jump crosses the bridleway to warn bridleway users of the presence of the jump.**

**iii) these signs must be removed upon completion of the event.**

**Reason: In the interest of public safety and to safeguard the use of a public bridleway.**

**4 - The bridleway must not be obstructed in any way by activities associated with the equestrian event.**

**Reason: In the interest of public safety and to safeguard the use of a public bridleway.**

**5 - Vehicular access along the bridleway should be restricted to Tack Farm vehicles servicing the land and emergency vehicles only and must not at any time be used for general event traffic.**

**Reason: In the interest of public safety and to safeguard the use of a public bridleway.**

**6 - Any horse jump with an approach or exit route crossing the line of the public bridleway must only be used in connection with an organised equestrian event. In such cases, safety stewards must be provided to ensure safe and unhindered passage to users of the public bridleway in accordance with approved standards or in consultation and agreement in writing with the local planning authority.**

**Reason:** In the interest of public safety and to safeguard the use of a public bridleway.

- 7 - Prior to the commencement of any of the development hereby approved details of the following shall be submitted to and approved in writing by the Local Planning Authority:

- i) weight limit of aggregate delivery/collection lorries
- ii) route for aggregate delivery/collection lorries

The details as approved shall thereafter be carried out in their entirety in accordance with the approved details.

**Reason:** In the interest of visual amenities, highway safety and amenities of local residents.

- 8 - Notwithstanding any details to the contrary on the application details, the depth of the stone surface shall not exceed 150mm unless previously agreed in writing by the Local Planning Authority.

**Reason:** For the avoidance of doubt and in the interest of highway safety and amenities of the area.

- 9 - None of the waste material associated with the approved works shall be disposed of on the application site or land within the applicant's control unless specific planning permission has been granted.

**Reason:** To prevent pollution of the environment and to safeguard amenities and character of the area.

**Informative(s):**

1. N15 - Reason(s) for the Grant of PP.  
Landscape Policy 7 - Agricultural and Forestry Buildings and Roads
2. A suitable temporary alternative bridleway route should be provided (in consultation with the PROW area warden) during the development works. If development works are perceived to be likely to endanger members of the public then a temporary closure order should be applied for from this department, preferably 6 weeks in advance of work starting.
- 3 - The right of way should remain at its historic width on completion of the works.
- 4 - The applicants should ensure that they hold lawful authority to drive over the registered right of way.
- 5 - Any culverting or damming of a watercourse requires the prior written

approval of the local authority under the terms of the Public Health Act 1936, and the prior written consent of the Environment Agency under the terms of the Land Drainage Act 1991/Watercourse Resources Act 1991. The Agency seeks to avoid culverting, and its consent for such works will not normally be granted except for access crossings.

Ref. 2  
**BROMYARD**  
DCNC2003/3805/F

Refurbishment & extension to existing convenience store at:

**HATTON PARK STORES, HATTON PARK, BROMYARD, HEREFORDSHIRE**

For: **Mr M Cockayne per Amber Project Management Ltd, c/o 27 High Street, Bromyard HR7 4AA**

The Senior Planning Officer reported on amendments to Condition 5 of the report, which would be included in the recommendation.

The Local Member, Councillor B. Hunt referred to Paragraph 5 of the report, and said that the application should be refused for the reasons given by the Town Council. He felt that any reduction in the proposed car parking area would be unacceptable. The Senior Planning Officer said that Condition 4 of the report addressed the relevant parking issues, and in response to a question, he confirmed that the application did not propose an access off Hatton Park, and that deliveries would be taken forecourt area.

**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 ) (23 January 2004)**

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

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

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

**4 - H15 (Turning and parking: change of use - commercial ) (11 cars)**

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

**5 - Goods shall only be stored/displayed within the shop and not outside.**

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

**Informative:**

**1 - N15 - Reason(s) for the Grant of PP/LBC/CAC  
Malvern Hills District Local Plan  
Shopping Policies 7 and 9**

Ref. 3  
**LUSTON**  
DCNC2003/3817/F

Construction of two detached cottages at plot 4, land to the rear of:

**THE BALANCE INN, LUSTON, LEOMINSTER. HR6 OBE**

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

The Senior Planning Officer reported the receipt of correspondence from the applicant's agent, confirming that the proposed access was 4.5 metres wide, and that the space between the buildings accorded with policy requirements, and confirming amendments to plot 5. The Senior Planning Officer reported that planning policy allowed five dwellings off a private drive, although, because the access width was below requirements, two dwellings would be acceptable, and the Council would not maintain the access road.

Some members expressed the following opinions:

- It was felt that the proposal constituted overdevelopment;
- The access presented a road traffic hazard;
- The application would have a detrimental impact on the character and amenity of the area, and would cause some existing neighbouring properties to be overlooked;
- The application site lay within a Conservation Area, and it was felt that the application would not enhance and protect the character of the village.

Councillor J. Stone, the Local Member, felt that the application should be refused on the grounds that it did not accord with policies A1, A54, A24 and A13 of the Leominster District Local Plan. The Northern Division Planning Officer said that a refusal on access grounds would be difficult to substantiate, given that the access served a public house.

**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 - A12 (Implementation of one permission only ) (NC2002/1155/F) (12 June 2002)

Reason: To prevent over development of the site.

- 4 - F48 (slab levels)

Reason: In order to define the permission and ensure that the development is of a scale and height appropriate to the site.

Informative:

1. N15 (Reasons for granting pp)  
Leominster District Local Plan (Herefordshire)  
A1 - Managing the District's Assets and Resources  
A2 - Settlement Hierarchy  
A21 - Development within Conservation Areas  
A24 - Scale and Character of Development  
A54 - Protection of Residential Amenity  
A55 - Design and Layout of Housing Development

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Ref. 4  
**BRIERLEY**  
DCNC2004/0321/F

Construction of amenity building, toilet buildings and siteworks for 300 unit caravan standing for farmworkers accommodation at:

**BRIERLEY COURT FARM, BRIERLEY, LEOMINSTER, HEREFORDSHIRE, HR6 0NU**

For: **S & A Property Ltd per McConaghy BGP Architects 2 Shrubbery Avenue Worcester WR1 1QH**

**RESOLVED:** That a site inspection be held on the following grounds:

- The character or appearance of the development itself is a fundamental planning consideration;
- A judgement is required on visual impact;

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

Ref. 5  
**WHARTON**  
DCNC2003/1895/N

Pilot plant and associated buildings for accelerated composting of organic material for 5 years at:

**WHARTON COURT, WHARTON, LEOMINSTER, HEREFORDSHIRE, HR6 0NX**

For: **Bioganix Ltd at the same address**

**RESOLVED:** That members hold a formal site inspection to consider the

possible effects of the proposal on the character and appearance of the area.

Ref. 6  
**LEDBURY**  
DCNE2003/3714/F

Retention of timber framed building and continued use of the building for furniture sales and storage at:

**FOLEY HOUSE, 39 BYE STREET, LEDBURY, HEREFORDSHIRE, HR8 2AA**

For: **Kevin Neil & Terry Jenkins at same address**

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

**1 - E20 (Temporary permission )(25 March 2005)**

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

**2 - E06 (Restriction on Use )(delete premises insert building)(for sale of furniture only)**

**Reason:** The local planning authority wish to control the specific use of the building in the interest of local amenity.

**3 - E03 (Restriction on hours of opening )(9am – 6pm)**

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

**4 - Within 3 months of the date of this permission all outside storage shall have ceased and the items shall have been removed either to within the building or from the site.**

**Reason:** In the interests of visual amenity and to protect the character and setting of the listed building and Conservation Area.

**Informative:**

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

Ref. 7  
**LEDBURY**  
DCNE2004/0323/F

Use of land for storage of equipment and materials in association with the applicants landscape business. Remainder of the land, change of use from agricultural to domestic curtilage at:

**THE OLD BAKEHOUSE, PARKWAY, LEDBURY, HEREFORDSHIRE, HR8 2JG**

For: **Mr & Mrs R Higgins per Mr V C Arnold Mount Ottawa Upleadon Newent GLOS GL18 1HN**

The Principal Planning Officer outlined some of the key issues surrounding the application. He reported that the applicants had agreed to remove the dewpond on the site in order to address concerns that had been raised. During the ensuing discussion, the applicants confirmed that the dewpond had already been filled in, and the Principal Planning Officer said that he would include any additional conditions necessary in relation to this.

In accordance with the criteria for public speaking, Mr Higgins, the applicant, spoke in support of the proposal. It was noted that Mrs Taylor, representing Mrs Hughes and Ms Wadley, had registered to speak in objection to the proposal, but had withdrawn because their objections had primarily related to the retention of the dewpond.

**RESOLVED: That planning permission be granted subject to the following conditions, and subject to any further conditions considered necessary by officers:**

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

**Reason: In order to protect the visual amenity of the application.**

**2 - G01 (Details of boundary treatments )**

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

**3 - Details of boundary treatments to the business storage area shall be submitted for approval within one month of the date of this permission and constructed within 2 months. The boundary treatment so approved shall be maintained thereafter.**

**Reason: In order to protect the visual amenity of the application**

**4 - No materials or equipment associated with the applicants landscape business shall be stored outside of the land identified on the approved scheme.**

**Reason: In order to protect the visual amenity of the application.**

**5 - No materials or equipment associated with the landscape business shall**



be stored above a height of 2.5 metres above ground level unless otherwise agreed in writing with the Local Planning Authority.

**Reason:** In order to protect the visual amenity of the application.

- 6 - H14 (Turning and parking: change of use - domestic)  
 Within one month of the date of this permission an area for the parking of vehicles shall be laid out, consolidated, surfaced and drained within the application site in accordance with the approved plans for vehicles to turn so that they may enter and leave the site in a forward gear. These areas shall thereafter be retained and kept available for those uses at all times.

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

**Informative:**

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

Construction of six new dwellings at:

**FORMER ENGINEERING SITE, PINSLEY ROAD LEOMINSTER  
 HEREFORDSHIRE**

**For: R.M Caldicott & Sons Ltd per Mr N La Barre 38 South Street  
 Leominster Herefordshire HR6 8JG**

In accordance with the criteria for public speaking, Mr Grover, an objector, was present at the meeting, and reserved his right to speak on the application when it came back before the Sub-Committee for consideration.

**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 )(14 January 2004)

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

- 3 - B04 (Matching brickwork )

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

Ref. 8  
**LEOMINSTER**  
 DCNC2003/2699/F

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

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

**5 - G02 (Landscaping scheme (housing development) )**

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

**6 - 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.**

**7 - No development shall be commenced until**

**a) A site investigation has been designed for the site using the information from the desk top study and any diagrammatical representations (Conceptual Model). This should be submitted to and approved in writing by the Local Planning Authority prior to that investigation being carried out on the site. The investigation must be comprehensive enough to enable:**

- a risk assessment to be undertaken relating to the receptors associated with the proposed new use, those uses that will be retained (if any) and other receptors on and off site that may be affected, and**
- refinement of the Conceptual Model, and**
- the development of a Method Statement detailing the remediation requirements.**

**b) The site investigation has been undertaken in accordance with details approved by the Local Planning Authority and a risk assessment undertaken.**

**c) A Method Statement detailing the remediation requirements using the information obtained from the Site Investigation has been submitted to the Local Planning Authority. This should be approved in writing by the Local Planning Authority prior to that remediation being carried out on the site.**

**Reason: To ensure that the proposed site investigations and remediation will not cause pollution of the environment or harm to human health.**

**8 - The development of the site should be carried out in accordance with**

the approved Method Statement.

**Reason:** To ensure that the development complies with the approved details in the interests of protection of the environment and harm to human health.

- 9 - If during development, contamination not previously identified, is found to be present at the site then no further development (unless otherwise agreed in writing by the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for an addendum to the Method Statement. This addendum to the Method Statement must detail how this unsuspected contamination shall be dealt with and from the date of approval the addendum(s) shall form part of the Method Statement.

**Reason:** To ensure that the development complies with the approved details in the interests of protection of the environment and harm to human health.

- 10 - Upon completion of the remediation detailed in the Method Statement a report shall be submitted to the Local Planning Authority that provides verification that the required works regarding contamination have been carried out in accordance with the approved Method Statement(s). Post remediation sampling and monitoring results shall be included in the report to demonstrate that the required remediation has been fully met. Future monitoring proposals and reporting shall also be detailed in the report.

**Reason:** To protect the environment and prevent harm to human health by ensuring that the remediation site has been reclaimed to an appropriate standard.

- 11 - Soakaways shall only be used in areas on site where they would not present a risk to groundwater. If permitted their location must be approved in writing by the Local Planning Authority.

**Reason:** To prevent pollution of controlled waters.

- 13 - No development approved by this permission shall be commenced until a scheme for the provision of surface water drainage and regulation has been submitted to and approved in writing by the Local Planning Authority. Such a scheme shall be implemented in accordance with the details approved by the Local Planning Authority prior to the construction of any impermeable surfaces draining into the system.

**Reason:** To prevent the increased risk of flooding.

**Informative:**

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

Ref. 9 and 10  
**BROMYARD**  
 DCNC2004/0101/F  
 AND  
 DCNC2004/0102/C

DCNC2004/0101/F - Construction of 3 no. 2 bed cottages and 2 no. 2 bed flats at:

**SITE AT JUNCTION OF PUMP STREET AND LITTLE HEREFORD STREET, BROMYARD, HEREFORDSHIRE**

DCNC2004/0102/C – Demolition of walls at same address

For: **Rocrest Limited per Linton Design Group 27 High Street Bromyard Herefordshire HR7 4AA**

The Principal Planning Officer clarified that the two letters referred to in Paragraph 5.2 of the report had been in objection, and not support, as stated. She reported the receipt of one further letter of objection from Mr. Grover, re-stating his original objections. She added that further information was awaited in respect of the courtyard area and entrance. She said that Condition 8 of the report would be separated into two conditions.

Members felt that the site should be inspected on all three grounds given in the criteria for site inspections, contained in the Code of Conduct for Members and Officers Dealing with Planning Matters.

**RESOLVED: That consideration of applications DCNC2004/0101/F and DCNC2004/0102/C be deferred for a site inspection.**

Ref. 11  
**LEOMINSTER**  
 DCNC2004/0280/O

Proposed site for one single storey dwelling at:

**85A, SOUTH STREET, LEOMINSTER, HEREFORDSHIRE, HR6 8JH**

For: **Mrs G H Galvagni of Ongar Street Cottage, Ongar Street, Lingen, Craven Arms, SY7 0EE**

The Principal Planning Officer reported receipt of confirmation from Welsh Water that the foul flows from the property would be to a private system, and no connection to the public sewer would be required.

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

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

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

**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 - A04 (Approval of reserved matters )**

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

**4 - A05 (Plans and particulars of reserved matters )**

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

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

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

**6 - E13 (Restriction on height of building )**

**Reason: To safeguard the character and amenities of the locality.**

**7 - H26 (Access location )**

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

**8 - H12 (Parking and turning - single house )**

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

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

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

**13 - F17 (Scheme of foul drainage disposal )**

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

**Informatives:**

**1 - HN01 - Mud on highway**

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

Ref. 12  
**BODENHAM**  
DCNC2004/0293/F

Siting of residential gypsy static caravan accommodation with associated works at:

**POOL HEAD ORCHARD, CHAPEL LANE, BODENHAM HR1 3HP**

For: **Mr Johns of the same address**

Receipt of a further representation from the applicant's representative was reported, confirming that the proposal would enable the applicants daughter to attend a local school, and that the applicant still intended to travel. Minor changes to Condition 3 of the report were noted.

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

Some members expressed concern about the development being in open countryside, and felt that it might set an unwelcome precedent.

The Northern Divisional Planning Officer said that the application was permissible under Policy A59.

Members felt that the fence on the site was inappropriate and too conspicuous in this location, and asked that the conditions relating to hedge planning be adhered to as a matter of urgency, in order to mask the fence.

**RESOLVED: That planning permission be granted subject to the following conditions, and subject to any further conditions considered necessary by officers:**

- 1 - This permission shall enure for the benefit of Mr and Mrs Alfred and Caroline Johns only and not for the benefit of the land or any other persons interested in the land.**

**Reason: The nature of the development is such that it is only considered acceptable in this location having regard to the applicant's special circumstances.**

- 2 - In accordance with the approved drawings, this permission relates to the siting of one static caravan and one mobile home only. No other units of accommodation shall be brought onto or occupied on the site.**

**Reason: The nature of the development is such that it is only considered acceptable in this location having regard to the applicant's special circumstances.**

- 3 - When the caravans cease to be occupied by Mr and Mrs Alfred and Caroline Johns, or at the end of 5 years from the date of this planning permission, whichever shall first occur, the use hereby permitted shall cease and all materials and equipment brought on to the site in connection with the use shall be removed, and that land shall be cleared**

of all caravans and left in an open state.

**Reason:** The nature of the development is such that it is only considered acceptable in this location having regard to the applicant's special circumstances.

**Informative:**

1 - N15 - Reason(s) for the Grant of PP/LBC/CAC  
Leominster District Local Plan  
Policies A1, A2, A12, A59

Ref. 13  
**LEOMINSTER**  
DCNC2004/0430/F

Proposed nursery & family centre off:

**CONINGSBY ROAD, LEOMINSTER, HEREFORD.**

**For: Surestart per Herefordshire Council Property Services Franklin House  
4 Commercial Road Hereford HR1 2BB**

The Principal Planning Officer reported confirmation from the applicant, that car parking would be available at an early stage in respect of this site. Members felt that it would be necessary to address the long-term pedestrian/highway issues in relation to the site, particularly when the new swimming pool was built.

**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 - 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.

4 - H21 (Wheel washing )

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

5 - 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.

**6 - G04 (Landscaping scheme (general) )**

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

**7 - G05 (Implementation of landscaping scheme (general) )**

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

**8 - G06 (Scope of landscaping scheme )**

**Reason:** In order that the local planning authority may be satisfied that the deposited scheme will meet their requirements.

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

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

**Informatives:**

**1 - HN19 - Disabled needs**

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

Ref. 14  
**KINGTON**  
DCNW2004/0123/F

Erection of a detached dwelling on land to the rear of:

**NO. 7 HIGH STREET, KINGTON**

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

In accordance with the criteria for public speaking, Mrs Rolls of Kington Town Council, and Miss Booton, the applicant's agent, spoke in support of the proposal. It was noted that Mrs Caldicott, had registered to speak in objection, but was not present during the discussion on the application.

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

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

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

**2 - A07 (Development in accordance with approved plans ) (site plan, block plan, proposed floor plan and proposed elevations received 26 January 2004)**

**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 - C05 (Details of external joinery finishes )

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

5 - D01 (Site investigation - archaeology )

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

6 - E16 (Removal of permitted development rights )

Reason: To preserve the openness of the remainder of the garden curtilage in the interests of protecting the character of the site and amenities of neighbouring occupiers.

7 - E18 (No new windows in specified elevation )(dormer windows)(east)

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

8 - F18 (Scheme of foul drainage disposal )

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

9 - 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.

10 - H13 (parking )

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

11 - H27 (Parking for site operatives )

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

**Informatives:**

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

Ref. 15  
KINNERSLEY  
DCNW2004/0197/F

Erection of hay/straw and implement storage barn at:

HURSTLEY COURT, KINNERSLEY, HEREFORDSHIRE, HR3 6PD

For: Mr B Thomas per Mr I Savagar, 35 Caswell Crescent, Leominster, Herefordshire HR6 8BE

**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 ) (drawing number 3437/1, received on 05/04/04, and Location Plan received on 02/02/04).**

**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.

**Informatives :**

**1 - N03 - Adjoining property rights**

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

Ref. 16 and 17  
**KINGTON**  
DCNW2004/0260/F  
&  
DCNW2004/0261/L

Conversion and change of use from public house to 2 no. shops and 7 no. dwelling units at:

**THE CASTLE INN, CHURCH STREET, KINGTON, HEREFORDSHIRE, HR5 3BE**

**For: Messrs D A & S A Jaques per Mr B Thomas, The Malt House, Shobdon, Leominster, Herefordshire**

The Senior Planning Officer reported that Condition 17 in the report would be replaced with standard planning condition E06.

In accordance with the criteria for public speaking, Mrs Rolls of Kington Town Council, spoke on the proposal.

The Local Member, Councillor T.M. James, felt that the application should be refused due to inadequate parking arrangements, and the possible impact that this would have on the surrounding road network. The Senior Planning Officer referred to the issues in Paragraph 6.15 in response. He added that the intrinsic value of the property was an important consideration, and stated that garaging would be inappropriate in this instance, due to its detrimental impact on the listed building. He reminded members that the building could be put to a hotel use without permission, and that this in itself would create more parking problems. He suggested that there was merit in the current planning application because it afforded graded flexibility for parking. He said that the application should be approved, because its relative benefits outweighed the potential parking problems.

Members felt that the site should be inspected on all three grounds given in the criteria for site inspections, contained in the Code of Conduct for Members and Officers Dealing with Planning Matters.

**RESOLVED: That consideration of applications DCNW2004/0260/F and DCNW2004/0261/L be deferred for a site inspection.**

Ref. 18  
**PEMBRIDGE**  
DCNW2004/0429/F

Reconstruction of demolished cottage at:

**MOSELEY COTTAGE, PEMBRIDGE, LEOMINSTER, HEREFORDSHIRE,  
HR6 9HY**

For: **Mr R L Norman & Miss P Hulme per David Taylor Consultants, The Wheelwright's Shop, Pudleston, Leominster, Herefordshire HR6 0RE**

Receipt of the observations of Pembridge Parish Council (no objection) was reported. The Principal Planning Officer reported that the applicant had sought to address the Environment Agency's comments since the publication of the report. A response from the Environment Agency was still awaited, and if the Agency withdrew its objection, reason 3 might need to be removed from the reasons for refusal.

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

Members noted that further information was required in respect of some issues relating to the principles of demolition and rebuilding. It was noted that this principle had wider policy implications, and members agreed that the application should be deferred for further information in this respect.

**RESOLVED: That consideration of the application be deferred for further information.**