

Ref. 1  
**HEREFORD**  
DCCE2004/0190/F

Three storey development of 16 no. 2 bed flats and 1 no. 1 bed flat at:

**36 FOLLY LANE, HEREFORD, HR1 1LX**

For: **RICHARD HARPER ESTATES PER PLANNING SOLUTIONS,  
96 ROCK HILL, BROMSGROVE, WORCESTER, B61 7HX**

The Principal Planning Officer advised that the layout had been amended with the bin store now positioned further away from the site boundary with 32 Folly Lane.

Councillor W.J. Walling, a Local Member, felt it regrettable that the existing building had been allowed to fall into such a state of disrepair particularly given its considerable character. Councillor Mrs. M.D. Lloyd-Hayes, another Local Member, expressed concerns about the design of the proposed development, the density of accommodation and highway safety issues.

A number of Members felt that the design of the proposed development was unacceptable. It was felt unfortunate that the existing building could not be preserved and restored; it was noted that other landmark buildings had been lost to the area recently. Some Members felt that the proposal was not compatible with the character of the area.

In response to Members' comments, the Chief Development Control Officer noted that design was a valid consideration. He advised, however, that the existing building was not Listed and that demolition was outside the control of the Authority. He also advised that density and car parking provision was considered acceptable having regard to the relevant national and local policies.

**RESOLVED:**

**The Central Area Planning Sub-Committee is minded to refuse the application, in view of the design of the proposed development and the subsequent adverse effect on the character of the area and any further reasons for refusal felt to be necessary by the Head of Planning Services provided he does not refer the application to the Planning Committee.**

**If the Head of Planning Services does not refer the application to the Planning Committee, officers named in the Scheme of Delegation to Officers be instructed to refuse the application for the reasons referred to above.**

[Note: Following the vote on the above resolution, the Chief Development Control Officer advised that he would not refer the application to the Head of Planning Services given the reasons for refusal put forward by Members.]

Ref. 2  
**HEREFORD**  
DCCE2004/0475/O

Partial redevelopment of college campus to provide new learning village (application for outline permission including Master Plan) at:

**HEREFORDSHIRE COLLEGE OF TECHNOLOGY,  
HEREFORDSHIRE COLLEGE OF ART AND DESIGN AND  
HEREFORDSHIRE SIXTH FORM COLLEGE, FOLLY LANE,  
HEREFORD**

For: **HEREFORDSHIRE COLLEGE OF TECHNOLOGY PER  
STUBBS RICH ARCHITECTS, 1A RIVERSIDE BUSINESS  
PARK, BATH, BA2 3DW**

The Principal Planning Officer reported receipt of the comments of the Conservation Area Advisory Committee (no objections, subject to satisfactory details).

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

Councillor A.L. Williams, a Local Member, noted that the car parking provision would fall short of the Local Plan standard but hoped that the proposals, with the retention of some existing parking facilities, would ease the parking problems in the area. Councillor Williams urged support for the application, particularly given the local and regional importance of the colleges. In response to a question, the Chairman advised that the roads included in the residents' parking scheme would be undesignated for the time being as a number of zones might be affected. The Central Divisional Planning Officer commented on the consultation process that was required for the implementation of parking schemes.

Councillor A.C.R. Chappell welcomed the application but felt that adequate parking facilities were required to ensure that existing problems were addressed and that future growth could be accommodated. The Central Divisional Planning Officer responded by advising that parking provision had been considered during months of pre-application discussions and the proposed increase from 455 existing spaces to 650 spaces was significant, particularly given the additional benefits of the residents' parking scheme and sustainable transport proposals. The Central Divisional Planning Officer also commented that the funding for the project was finely balanced and that it was unlikely that it would be viable if further decked car parking was insisted upon.

A number of Members expressed concerns about the parking facilities but also felt that the project should not be jeopardised given the wider community benefits of the proposed Learning Village. It was suggested that the applicant should consider ways in which the proposed decked car parking could be built upon in the future if needed and when further funding was available. In response to a request for the parking facilities to be looked at again, the Central Divisional Planning Officer suggested an additional condition. requiring details of car parking at the phase 1 stage, could be added.

**RESOLVED: That:**

- i) The County Secretary and Solicitor be authorised to complete a planning obligation under Section 106 of the Town and Country Planning Act 1990 requiring the applicant to make a financial contribution to cover the cost of implementing a "resident only" on-street parking scheme on nearby roads and any additional matters and terms as she considers appropriate, and
  - ii) Upon completion of the aforementioned Planning Obligation, the Officers named in the Scheme of Delegation to Officers be authorised to issue planning permission subject to the following conditions and any additional condition considered necessary by Officers.
- 1 Approval of the details of the siting, design and external appearance of the buildings, the means of access thereto and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the local planning authority in writing before any development is commenced.

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

- 2 Application for approval of the reserved matters shall be made to the local planning authority before the expiration of three years from the date of this permission.

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

- 3 The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last reserved matters to be approved, whichever is the later.

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

- 4 Prior to commencement of the development hereby approved, a programme for the phasing of the development shall be submitted to the local planning authority for approval in writing and the programme shall be implemented, as approved. The programme will require a minimum number of the approved staff / student and / or visitor parking spaces to be ready for use prior to the occupation of any particular phase of the development.

**Reason:** To ensure the proper planning of the development in accordance with the agreed scheme and, in order that the development should not prejudice highway safety, the free flow of traffic nor cause inconvenience to other highway users.

- 5 The details of the “means of access” required by condition No. 1 shall include the following matters:
- a) traffic calming;
  - b) signing and road markings;
  - c) cycle and pedestrian routes linking to the existing and proposed off site routes;
  - d) additional cycle parking facilities;
  - e) improved pedestrian crossing and routing facilities;
  - f) rationalisation and extension of parking;
  - g) improved on-site lighting; and
  - h) off-site junction and access improvements.

The details shall be implemented as approved in accordance with the programme to be approved under condition No. 4 above.

Reason: To accord with the terms of the Transportation Assessment and to ensure that the development should not prejudice highway safety, the free flow of traffic nor cause inconvenience to other highway users.

- 6 Notwithstanding the concepts illustrated in the Master Plan, the existing car parking facilities adjacent to Whittern Way shall be retained, redesigned and incorporated into the overall siting details and implemented as approved as part of the phased programme to be approved under condition No. 4 above.

Reason: To ensure adequate on-site parking in the interests of highway safety and amenity.

- 7 No development shall take place until details or samples of materials to be used externally on walls and roofs 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.

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

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

- 9 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is

the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent to any variation. If any plants fail more than once they shall continue to be replaced on an annual basis until the end of the 5 year defects period.

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

**10** In this condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of 1 year from the date of the occupation of the building for its permitted use.

- (a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998 (Tree Work).
- (b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the local planning authority.
- (c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought onto the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority.

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

**11** Prior to occupation of any phase of the development hereby approved, a Green Travel Plan for the Hereford Learning Village shall be submitted to the local planning authority for approval in writing and implemented as approved. The Green Travel Plan shall include details of the intended method of managing the staff / student car parks.

**Reason:** In the interests of highway safety and to ensure a sustainable form of development.

**Informatives:**

- 1 N01 - Access for all
- 2 N02 - Section 106 Obligation
- 3 N03 - Adjoining property rights
- 4 N13 - Control of demolition - Building Act 1984
- 5 N15 - Reason(s) for the Grant of PP/LBC/CAC
- 6 HN01 - Mud on highway
- 7 HN05 - Works within the highway
- 8 HN07 - Section 278 Agreement
- 9 HN21 - Extraordinary maintenance

Ref. 3  
**HEREFORD**  
DCCE2004/0347/F  
&

Ref. 4  
**HEREFORD**  
DCCE2004/0348/C

Replacement detached garage and potting shed and widening of entrance gates:

&  
Demolition of existing garage and potting shed at:

**88 HAMPTON PARK ROAD, HEREFORD, HEREFORDSHIRE, HR1 1TL**

For: **MR. & MRS. M. BROAD PER DRAWING & DESIGN SERVICES, 251 KINGS ACRE ROAD, HEREFORD, HR4 0SR**

The Principal Planning Officer reported the receipt of a further letter of objection from The Grange, Litley Court and summarised its contents.

**RESOLVED:**

**That in respect of Item 3, planning permission be granted subject to the following conditions:**

- 1 **A01 (Time limit for commencement (full permission))**  
**Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990.**
- 2 **A07 (Development in accordance with approved plans)**  
**Drawing No. DDS0403A.**  
**Reason: To ensure adherence to the approved plans in the interests of a satisfactory form of development.**
- 3 **The materials to be used on the external faces of the proposed development shall be in accordance with the details shown on the submitted application particulars. In particular, the east facing side elevation shall be sand / cement rendered**

**blockwork with a cream coloured final finish.**

**Reason: To accord with the terms of the application and safeguard amenity.**

**And, in respect of Item 4, Conservation Area Consent be granted subject to the following condition:**

**1 C01 (Development within open countryside)**

**Reason: Required to be imposed by Section 18(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.**

Ref. 5

**MARDEN**

DCCW2003/2957/O

Site for the erection of 23 houses at:

**LAND AT PARADISE FARM, (LAND SOUTH OF LAYSTONE GREEN), MARDEN, HEREFORDSHIRE**

**For: INBUILT CARE DEVELOPMENTS LTD., HORNHILL BARN, SANHAM GREEN, HUNGERFORD, BERKSHIRE, RG17 0RR**

The Principal Planning Officer reported the receipt of a further letter of objection from 31 Orchard Green and summarised its contents. The Principal Planning Officer suggested alterations to the recommendation detailed in the report; these are incorporated into the resolution below.

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

Councillor J.G.S. Guthrie, the Local Member, noted the comments of Marden Parish Council, particularly the view that the proposed housing density was too great and constituted overdevelopment of the site. In response, the Principal Planning Officer advised that, having regard to the Government policy on greenfield housing sites, the proposed scheme was at the lower end of the minimum standards of density at 36 units per hectare. He added that a reduction in the number of units would remove the requirement for the provision of affordable housing on the site.

The Principal Planning Officer noted that the proposal was at a much higher density than much of Marden but this situation reflected changes in housing policy which were imposed across the country. The Chief Development Control Officer commented that the principle of residential development on this site had been established through the South Herefordshire District Local Plan.

In response to questions, the Principal Planning Officer outlined the other planning obligations, including: improvements to education facilities; improvements to play equipment and public open space; and improvements to the existing pumping station to upgrade sewerage capacity.

**RESOLVED:**

- 1. The County Secretary and Solicitor be authorised to**

complete a planning obligation under Section 106 of the Town and Country Planning Act 1990 for the developer to provide

- i) 8 on site affordable housing units through a registered social landlord.
  - ii) A financial contribution of £20,000.00 to provide improved play and open space facilities within Marden.
  - iii) A financial contribution of £8,000.00 towards enhanced cloakroom and toilet facilities at Marden County Primary School.
  - iv) A financial contribution for the maintenance of the open space on the site.
2. Upon completion of the afore-mentioned planning application, the Officers named in the Scheme of Delegation to Officers be authorised to issue planning permission subject to the following conditions and any other conditions considered necessary by Officers:
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) (delete means of access).  
  
Reason: To enable the local planning authority to exercise proper control over these aspects of the development.
  4. The development hereby approved shall be constructed in accordance with the housing mix set out in the schedule of accommodation indicated on the submitted proposed site layout drawing no. 1049/01/A Revision A.  
  
Reason: To ensure an appropriate mix of housing types having regard to Government advice contained in Planning Policy Guidance Note 3.
  5. Notwithstanding the details indicated on the illustrative proposed site layout plan drawing no. 1049/01/A Revision A, an area of public open space and amenity land shall be provided within the application site and shall be landscaped and available for use within six calendar months of the substantial completion as specified by the Local Planning Authority of 75% of the dwellings hereby approved (17 units).



**Reason: To ensure an adequate and acceptable form of development.**

- 6. Before any other works hereby approved are commenced, visibility splays shall be provided from a point 0.6 metres above ground level at the centre of the access to the application site and 4.5 metres back from the nearside edge of the adjoining carriageway (measured perpendicularly) for a distance of 90 metres to the right and 2.4 metres by 70 metres to the left along the nearside edge of the adjoining carriageway. Nothing shall be planted, erected and/or allowed to grow on the triangular area of land so formed which would obstruct the visibility splays described above.**

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

- 7. H06 (Vehicular access construction).**

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

- 8. H11 (Parking - estate development (more than one house)).**

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

- 9. 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.**

- 10. H21 (Wheel washing).**

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

- 11. H27 (Parking for site operatives).**

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

- 12. H20 (Road completion in 2 years or 75% of development) (17 dwellings).**

**Reason: In the interests of highway safety and convenience and a well co-ordinated development.**

- 13. Floor levels shall be set at least 57.5 metres above Ordnance Datum (unless otherwise agreed in writing by the Local Planning Authority).**

**Reason: To protect the development from flooding.**

- 14. No development approved by this permission shall be commenced until a scheme for the provision and implementation of a surface water regulation system 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 to the system.

Reason: To prevent the increased risk of flooding.

15. No development approved by this permission shall be commenced until a scheme for the provision of surface water has been submitted to and approved in writing by the local planning authority. Such a scheme shall be implemented with the details approved by the local planning authority prior to the construction of any impermeable surfaces for draining to the system.

Reason: To prevent the increased risk of flooding.

16. F18 (Scheme of foul drainage disposal).

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

Informative:

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

Ref. 6  
**BURGHILL**  
DCCW2004/0584/F

New conservatory and garage extension at:

**10 CEDAR LANE, BURGHILL, HEREFORD, HR4 7QQ**

For: **MR. & MRS. BIRD PER RRA ARCHITECTS, PACKERS HOUSE, 25 WEST STREET, HEREFORD, HR4 0BX**

Councillor Mrs. S.J. Robertson, the Local Member, commented on local concerns about the design and scale of the proposed extensions and the impact upon the amenities of the neighbouring properties. Given these concerns, Councillor Mrs. Robertson proposed that a site visit be held.

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

**RESOLVED:**

**That consideration of planning application DCCW2004/0584/F be deferred for a site inspection as a judgement was required on visual impact and the setting and surroundings were fundamental to the determination or to the conditions being considered.**

Ref. 7  
**BARTESTREE**  
DCCE2004/0688/F

Two storey extension and redevelopment of existing care home wing at:

**CASTLE FARM CARE HOME, BLACKHOLE LANE, BARTESTREE,  
HEREFORDSHIRE, HR1 4BE**

For: **CRAEGMOOR HEALTHCARE LTD. PER ATKINS, 160  
AZTEC WEST, ALMONDSBURY, BRISTOL, BS32 4TU**

**RESOLVED:**

That subject to no other third party representations being received raising other material planning objections before the consultation expiry date, planning permission be granted subject to the following conditions:

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

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

**2 A07 (Development in accordance with approved plans)  
(Drawing No. 5019641 AA/016/4203A)**

**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 The overall number of persons with learning difficulties resident at the premises shall be limited to 15.**

**Reason: To accord with the terms of the application and safeguard amenity.**

**Informatives:**

**1 N01 - Access for all**

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

Ref. 8  
**HEREFORD**  
DCCW2003/2070/F

Proposed single and first storey extension at:

**170 WHITECROSS ROAD, HEREFORD, HR4 0DJ**

For: **MR. SINGH PER JOHN FARR AND ASSOCIATES, FINCHAM,  
STOCKLEY HILL, PETERCHURCH, HEREFORD, HR2 0SS**

In accordance with the criteria for public speaking, Mr. Powell spoke against the application.

In response to concerns about drainage problems in the area, the

Central Divisional Planning Officer commented on the responsibilities of Welsh Water and Building Control and advised the Sub-Committee that the Local Planning Authority should not seek to fulfill the roles of other enforcement bodies. The Chief Development Control Officer acknowledged Members' concerns but noted that the drainage problems already existed and that the Sub-Committee had to consider the specific impact of the application before them. The Central Divisional Planning Officer suggested that an informative note be added to any planning permission granted to draw the applicant's attention to the relevant legislation. Councillor D.B. Wilcox provided further clarification on the duties of various departments and agencies in respect of drainage issues.

**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. **B02 (Matching external materials (extension)).**

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

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

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

**Informative:**

1. **N15 - reason(s) for the grant of planning permission.**