

MINUTES of the meeting of Southern Area Planning Sub-Committee held at The Council Chamber, Brockington on Wednesday, 9th June, 2004 at 2.00 p.m.

Present: Mrs. R.F. Lincoln (Chairman)
P.G. Turpin (Vice Chairman)

Councillors: H. Bramer, N.J.J. Davies, G.W. Davis, J.W. Edwards,
Mrs. A.E. Gray, Mrs. J.A. Hyde, G. Lucas and J.B. Williams

1. ELECTION OF CHAIRMAN AND APPOINTMENT OF VICE CHAIRMAN

It was noted that at the Annual Council meeting on 21 May 2004, Councillor Mrs RF Lincoln was the elected Chairman and Councillor PG Turpin was the appointed Vice-Chairman of the Southern Area Planning Sub-Committee.

2. APOLOGIES FOR ABSENCE

Apologies were received from Councillors MR Cunningham and DC Taylor.

3. DECLARATIONS OF INTEREST

The following declaration of interest was made:

Councillor	Item	Interest
G Lucas	6 (DCSE2004/0928/A – Flags displayed at an angle on the front of the building, Castle Lodge Hotel, Wilton, Ross-on-Wye, Herefordshire, HR9 6AD)	Prejudicial and left the meeting for the duration of this item.

4. MINUTES

RESOLVED: That the Minutes of the meeting held on 12th May, 2004 be approved as a correct record and signed by the Chairman.

5. ITEM FOR INFORMATION - APPEALS

The Sub-Committee noted the Council's current position in respect of planning appeals for the southern area of Herefordshire.

6. DCSE2004/0928/A - CASTLE LODGE HOTEL, WILTON, ROSS-ON-WYE, HR9 6AD

Flags displayed at an angle on the front of the building.

The receipt of a letter of support was reported.

In accordance with the criteria for public speaking, Mr Felices spoke in favour of his application.

RESOLVED:

That advertisement consent be granted subject to standard conditions and the following conditions:

1. **Within one month of the date of this decision the flagpoles displayed on the end elevations of the hotel shall be permanently removed.**

Reason: To protect the visual amenities of the area.

2. **No more than 6 flags shall be displayed on the front (south-west) elevation of the Castle Lodge Hotel.**

Reason: To protect the visual amenities of the area.

Informative(s):

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

7. **DCSE2004/0990/F - HUNDRED AKER BARN, WESTON-UNDER-PENYARD, ROSS-ON-WYE**

Erection of a detached shed (retrospective application).

RESOLVED

That planning permission be granted. No Conditions.

Informative:

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

8. **DCSE2004/1302/F - BRIDGE STRUCTURE NEAR WESTON-UNDER-PENYARD, ROSS-ON-WYE**

Partial demolition of bridge structure (carrying disused railway) over minor public road. Subsequent re-grade of embankments to slope away from highway.

Councillor H Bramer, the local Ward Member asked if consideration of the application could be deferred pending the receipt of information from the Department of Culture, Media and Sport as to whether it was prepared to accede to the request of the Parish Council for the bridge to be designated as a listed building. The Southern Divisional Planning Officer said that the bridge was not in the ownership of the Parish Council and that the Council was obliged to determine the application. The applicants had included the bridge in the application even though planning permission was only required for the removal of the embankments. The Principal Lawyer (Planning, Environment and Transport) advised that the applicants would have the right to appeal against non determination and that if the Sub-Committee was mindful to refuse the application reasons would need to be stated.

After further discussion the Sub-Committee decided to defer consideration of the application and to authorise the officers to determine it if the bridge was not given

listed status.

RESOLVED

That consideration of the application be deferred pending the outcome of the application by Weston-under-Penyard Parish Council to the Department of Culture, Media and Sport for the bridge to be listed and that if the application is refused, the Officers named in the Scheme of Delegation to Officers be authorised to grant permission subject to the following conditions:

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

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

2 **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 **G04 (Landscaping scheme (general))**

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

4 **G05 (Implementation of landscaping scheme (general))**

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

Informatives:

1 **The attention of the applicant is drawn to the provisions of the Wildlife and Countryside Act 1981 (as amended). This gives statutory protection to a number of species and their habitats. Other animals are also protected under their own legislation. Should any protected species or their habitat be identified during the course of the development then work should cease immediately and English Nature should be informed. English Nature can be contacted at: Herefordshire and Worcestershire Team, Bronsil House, Eastnor, Ledbury, Herefordshire HR8 1EP or telephone 01531 638500.**

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

9. **DCSE2004/1226/F - TREBANDY, MARSTOW, ROSS-ON-WYE, HR9 6HD**

Change of use and associated works to barn for conversion to holiday let.

It was reported that Marstow Parish Council was in support of 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 C02 (Approval of details)

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

3 Notwithstanding the provision of paragraph 3(1) and Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995, (or any order revoking or re-enacting that Order without modification, no development which would otherwise be permitted under Classes A, B, C, D, E and H of Part 1 of Schedule 2, shall be carried out without the prior written consent of the local planning authority.

Reason: To ensure the character of the original conversion scheme is maintained.

4 E31 (Use as holiday accommodation)

Reason: The local planning authority are not prepared to allow the introduction of a separate unit of residential accommodation in this rural location.

5 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.

Informative(s)**1. N15 - Reason(s) for the Grant of Planning Permission****10. DCSW2004/1155/F - MIDDLE HUNT HOUSE FARM, WALTERSTONE, HR2 0DY**

Change of use of existing barn. Demolition of modern farm buildings and replacement with a single storey sculpture gallery building and a studio/workshop. Car parking for visitors and a new crossover. Proposed use of some land as a sculpture park.

In accordance with the criteria for public speaking Mrs Haywood spoke against 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. 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. A09 (Amended plans)

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

4. E03 (Restriction on hours of opening)

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

5. The premises shall be used for sculpture gallery and reception, artist studio and outdoor sculpture park and trail and for no other purpose (including any other purpose in Class D1 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.

6. E16 (Removal of permitted development rights)

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

7. Notwithstanding the approved drawings, details of the following shall be submitted to and approved by the local planning authority prior to the commencement of any works. The development shall be carried out in accordance with the approved details:-

- (a) all new materials and finishes
- (b) fenestration
- (c) doors
- (d) flues, vents and louvres
- (e) solar shading
- (f) canopies
- (g) glazing to roof
- (h) staircases and balustrading
- (i) fencing boundary of footpath trail

Reason: To safeguard the character and appearance of this building.

8. F32 (Details of floodlighting/external lighting)

Reason: To safeguard local amenities.

9. G03 (Landscaping scheme implementation)

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

10. Notwithstanding the approved drawings, the sculptures sited in the sculpture park and trail shall not exceed a height of 3 metres without the prior written consent of the local planning authority.

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

11. H03 (Visibility splays)

Reason: In the interests of highway safety.

12. H05 (Access gates)

Reason: In the interests of highway safety.

13. H06 (Vehicular access construction)

Reason: In the interests of highway safety.

14. H15 (Turning and parking: change of use - commercial)

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

15. No development approved by this permission shall be commenced until a scheme for the provision of foul drainage works has been approved by the local planning authority. The scheme shall be implemented in accordance with the approved details.

Reason: To prevent pollution of the water environment.

16. The development hereby permitted shall not be sold separately from the dwelling known as Middle Hunt House Farm.

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

Informative(s)

1. The applicant's attention is drawn to the provision of directional signs or advertisement signs relating to the development which would necessitate a further application for advertisement consent.

2. The applicant's attention is drawn to the removal of the existing hay bay and that the application does not authorise the agricultural building to be re-erected.

3. The applicant's attention is drawn to the Environment Agency letter dated 20th May, 2004.

4. HN01 - Mud on highway

5. HN02 - Public rights of way affected

6. The right of way should 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 Public Rights of Way Department, preferably 6 weeks in advance of work starting.

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

11. DCSE2004/0781/F - MUCH MARCLE MEMORIAL HALL, MUCH MARCLE, LEDBURY, HR8 2NF

Alterations and single storey extension to existing hall.

In accordance with the criteria for public speaking Mr Cottage spoke against the

application and Mr Dallow spoke in favour.

It was reported that Much Marcle Parish Council had been re-consulted on the revised proposals and had raised no objections.

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. B01 (Samples of external materials)

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

4. F02 (Scheme of measures for controlling noise)

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

5. Prior to the first use of the extension hereby granted the car park shall be laid out in accordance with the approved plans and in addition the area between the disabled car parking space 1 and the ramp shall be hatched and hedgerow planting carried out between car parking space 9 and the footway. The car park layout shall thereafter be retained and kept available for parking.

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

6. Any planting along the site frontage shall be maintained so that it does not exceed 0.6 metres above ground level.

Reason: In the interests of highway safety.

7. Prior to the commencement of development the details of the species, size, position and planting numbers of the hedgerow planting shall be submitted to and approved in writing by the Local Planning Authority. The planting shall be carried out in accordance with the approved details and in the first planting season following the first use of the extension hereby granted. Any 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 a similar size and species, unless the Local Planning Authority gives written consent to any variation. If 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 character and appearance of the

Conservation Area.**Informative:**

1. **N15 - Reason(s) for the Grant of Planning Permission**
12. **DCSE2004/1128/F - 19 VAGA CRESCENT, ROSS-ON-WYE, HR9 7RQ**

Two storey extension to rear, enclosure of existing porch and replacement of existing garage door with new screen including access door.

It was reported that Ross-on-Wye Town Council had raised no objection to 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. **A09 (Amended plans)**

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. **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.**
13. **DCSE2003/2109/F - ALAN KEEF LTD, LEA LINE, LEA, ROSS-ON-WYE, HR9 7LQ**

First floor extension to existing offices and extension to factory.

In accordance with the criteria for public speaking Mr Keef spoke in favour of 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. **B01 (Samples of external materials)**

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

3. **G04 (Landscaping scheme (general))**

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

4. **G05 (Implementation of landscaping scheme (general))**

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

5. **F02 (Scheme of measures for controlling noise)**

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

6. **F32 (Details of floodlighting/external lighting)**

Reason: To safeguard local amenities.

7. **F42 (Restriction of open storage)**

Reason: To protect the appearance of the locality.

8. **Visibility splays for the A40 trunk road access shall be kept clear of obstructions at all times.**

Reason: To enable the A40 trunk road to continue to be an effective part of the national system of routes for through traffic, in accordance with Section 10(2) of the Highways Act 1980 and to protect the interest of road safety on the Trunk Road.

9. **H16 (Parking/unloading provision - submission of details)**

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

Informative(s):

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

14. **DCSE2004/1007/F - MARTINDALE, OLD GLOUCESTER ROAD, ROSS-ON-WYE**

Conversion of single dwelling into three flats.

The Southern Divisional Planning Officer said that revised plans had been submitted by the applicant and that the neighbours needed to be consulted about them.

RESOLVED

That subject to the neighbours raising no relevant planning objection to the amended plans in respect of the extension, the officers named in the Scheme of Delegation to Officers be authorised to issue planning permission subject to the following conditions and any additional conditions considered necessary by officers:

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

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

2. A09 (Amended plans)

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. Prior to the commencement of development architectural details of windows and external doors shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the details so approved.

Reason: To ensure that the character and appearance of the Conservation Area is preserved or enhanced.

5. Foul water and surface water discharges must be drained separately from the site.

Reason: To protect the integrity of the public sewerage system.

6. No land drainage run-off will be permitted to discharge to the public sewerage system.

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

Informatives:

1. If a connection is required to the public sewerage system, the developer is advised to contact the Dwr Cymru Welsh Water's Network Development Consultants on Tel: 01443 331155.

2. Adjoining property rights

N15 Reason(s) for the Grant of Planning Permission

15. DCSE2004/1156/RM - LAND ADJACENT TO THE FORGE, KINGS CAPLE, HR1 4TY

New dwelling.

In accordance with the criteria for public speaking Mr Everett of Kings Caple Parish Council and Mr Adamson spoke against the application.

RESOLVED

That approval of reserved matters be granted subject to the following conditions:

1. A07 (Development in accordance with approved plans)

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

2. B01 (Samples of external materials)

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

3. The window serving the en-suite wc/shower room at first floor level on the west elevation of the dwelling shall have obscure glazing and at all times thereafter, unless otherwise first agreed in writing by the local planning authority.

Reason: To ensure that there is no adverse overlooking of the adjacent dwellings.

4. The existing fir tree hedge shown to be retained on the submitted drawing shall not be reduced from its current height and also shall not be wilfully damaged, destroyed, uprooted, removed, felled, lopped and/or topped without the prior written consent of the local planning authority. Any part(s) of the hedgerow(s) removed without such consent or dying, being severely damaged or becoming seriously diseased within 5 years of the date of this permission shall be replaced with hedging of such size and species as is agreed in writing by the local planning authority. Any hedging plants that fail more than once shall continue to be replaced.

Reason: In the interests of the visual amenities of the area and the residential amenities of the neighbouring properties.

5. G01 (Details of boundary treatments)

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

6. The two existing Silver Birch trees situated in the south western corner of the application site shall not be removed, felled, lopped or pruned or damaged in any way without the prior written consent of the local planning authority.

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

Informative(s):

1. N09 - Approval of Reserved Matters

2. N14 - Party Wall Act 1996

3. The applicant should ensure that there is no discharge from the foul drainage system into any neighbouring property.

4. The applicant/developer should be aware that the details relating to the foul drainage arrangements were formally approved under outline planning permission Reference No. CE2001/0734/O dated 20th June, 2001.

5. The Environment Agency advises that the septic tank and soakaway system should meet the following requirements:
 - (i) a site survey should be carried out to establish the location of any watercourse, ditch or land drainage system on the site,
 - (ii) the foul drainage system, particularly the foul soakaway, should be sited at least 10 metres from any watercourse, ditch or land drainage system to minimise pollution risk,
 - (iii) the foul drainage system, including the foul soakaway, should be situated so as not to cause pollution of any well, borehole, spring or groundwater used for potable water supply. A minimum separation of 100m should be kept from any source of potable water supply.

6. N15 - Reason(s) for the Grant of Approval of Reserved Matters

The meeting ended at 3.00 p.m.

CHAIRMAN