

**MINUTES of the meeting of Northern Area Planning Sub-Committee held at The Council Chamber, Brockington, 35 Hafod Road, Hereford on Wednesday, 16th June, 2004 at 2.00 p.m.**

**Present:** Councillor J.W. Hope (Chairman)  
Councillor J. Stone (Vice Chairman)

**Councillors:** B.F. Ashton, Mrs. L.O. Barnett, W.L.S. Bowen, R.B.A. Burke, P.J. Edwards, Mrs. J.P. French, J.H.R. Goodwin, K.G. Grumbley, P.E. Harling, B. Hunt, T.W. Hunt, T.M. James, Brig. P. Jones CBE, R.M. Manning, R. Mills, R.V. Stockton and R.M. Wilson

**1. ELECTION OF CHAIRMAN AND APPOINTMENT OF VICE CHAIRMAN**

It was noted that at the Annual Council meeting on 21 May 2004, Councillor JW Hope was elected Chairman of the Sub-Committee and Councillor J Stone was appointed Vice-Chairman of the Sub-Committee.

**2. APOLOGIES FOR ABSENCE**

Apologies were received from Councillors RJ Phillips, DW Rule and JP Thomas.

**3. DECLARATIONS OF INTEREST**

The following declarations of interest were made:

<b>Councillor</b>	<b>Item</b>	<b>Interest</b>
Mrs JP French	Agenda Item 19 – DCNC2004/0182/F & DCNC2004/0183/L – Conversion to Snooker Hall and Bar Area and Four Flats at Brook Hall, 27 Broad Street, Leominster, Herefordshire, HR6 8BT.	Prejudicial and left the meeting for the duration of this item.
WLS Bowen	Agenda Item 7 – DCNC2003/1895/N – Pilot Plant for Accelerated Composting of Organic Material for 5 Years at Wharton Court, Wharton, Leominster, Herefordshire, HR6 0NX.	Personal and remained in the meeting for the duration of this item.

JHR Goodwin	Agenda Item 7 – DCNC2003/1895/N – Pilot Plant for Accelerated Composting of Organic Material for 5 Years at Wharton Court, Wharton, Leominster, Herefordshire, HR6 0NX.	Personal and remained in the meeting for the duration of this item.
RM Manning	Agenda Item 9 – DCNE2004/0951/O - Site For Detached Dwelling At Forge Courtyard, Canon Frome, Ledbury, Herefordshire, HR8 2TG.	Prejudicial and left the meeting for the duration of this item.
RM Manning	Agenda Item 10 – DCNE2004/1160/O – Site for Erection of Single Dwelling at Land West of Access to Millfields, Canon Frome, Ledbury, Herefordshire, HR8 2TG.	Personal and remained in the meeting for the duration of this item
J.W. Hope	Agenda Item 8 – DCNW2004/0080/O – Site for the Building of a Replacement Primary School on Land Belonging to Bliss Hall Farm, Staunton-on-Wye.	Prejudicial and left the meeting for the duration of this item.
A Poole	Agenda Item 7 – DCNC2003/1895/N – Pilot Plant for Accelerated Composting of Organic Material for 5 Years at Wharton Court, Wharton, Leominster, Herefordshire, HR6 0NX.	Prejudicial and left the meeting for the duration of this item.

#### 4. MINUTES

**RESOLVED:** That the Minutes of the meetings held on 12 and 19 May 2004 be approved as a correct record and signed by the Chairman subject to the following: -

12 May 2004:-

Ref 1 (Brierley Court Farm, Brierley, Leominster DCNC2004/0321/F) - Councillor Mrs JP French also referred to the development of 300 units of accommodation at Barons Cross, Leominster in the Development Plan and draft Unitary Development Plan which had received a considerable amount of consultation whereas this proposal had not. She likened the proposals to the imposition of a university campus on a rural agricultural area and felt that planning law had not kept pace with agricultural changes.

The following amendments were made to the minutes of 19 May 2004:-

Ref 9 (Junction of Pump Street and Little Hereford Street, Bromyard DCNC2004/0101/F) – Replace the words “limited parking” with “lack of any parking” and.

Application Ref 4 (Stretton Grange Retirement Home, Stretton Grandison DCME2003/3706/F) – Councillor Mrs LO Barnett requested that reference to material considerations be made.

#### 5. ITEM FOR INFORMATION - APPEALS

The report of the Head of Planning Services was received and noted.

#### 6. APPLICATIONS RECEIVED

The Sub-Committee considered the following planning applications received for the northern area of Herefordshire and authorised the Head of Planning Services to impose any additional or varied conditions and reasons considered to be necessary.

#### 7. DCNC2003/1895/N - PILOT PLANT FOR ACCELERATED COMPOSTING OF ORGANIC MATERIAL FOR 5 YEARS AT WHARTON COURT, WHARTON, LEOMINSTER, HEREFORDSHIRE, HR6 0NX

The receipt of five letters of objection and one letter of support was reported.

In accordance with the criteria for public speaking Mr Eley spoke against the application on behalf of Leominster Town Council and Humber, Ford and Stoke Prior Parish Council and Mr Helme spoke in favour of the application.

The Sub-Committee discussed the main elements of the application and the problems that had arisen in the past due to odour arising from the composting process at the site. The steps that had been taken by the applicant to deal with the problems and advice given by the officers in that respect were also noted. The Sub Committee was also mindful of the need to encourage diversification to help local agriculture and the importance of innovative waste management schemes.

Councillor KG Grumbley suggested that consideration of the application should be deferred until the composting process was perfected and odour problems had been resolved. The Principal Planning Officer (Minerals and Waste) advised that the Council had limited grounds of enforcement if consideration was deferred and that a Waste Management Licence could not be issued by the Environment Agency until planning permission had been granted.

Having further debated the application, the Sub-Committee considered whether permission should be granted for a temporary period and agreed that as the operation had been in place for nearly twenty eight months already, a 12 month permission should be granted. The Minerals and Waste Officer asked for and was given authority to amend the conditions as he thought necessary.

**RESOLVED:** That planning permission be granted for a 12 month period from the date of this meeting, subject to the following conditions to be amended as thought necessary and any further conditions considered necessary by Officers named in the scheme of Delegation to Officers:

- 1 - The use hereby permitted shall cease on 1st July 2005 and all of building 1, the high part of building 4 (i.e. that part not permitted under ref. NC1999/2252/F granted 8 March 2000), the scrubber tanks numbered 1, 2, 3, 4 and 5, the enclosed conveyor, two overhead ducts, the structure between building 4 and odour scrubbing unit no. 1, and contents of the bio-filter, and associated structures and works shown on plans 488/03 Rev B (May 04) and 488/04 Rev B (May 04) and described in Bioganix's letter of 10 May 2004, shall be removed from the application site before 1st July 2005.

**Reason:** In the interests of protecting the long term setting of Wharton Court and the two adjoining listed barns, of protecting the long term amenity of local people and visitors of the area, and because any longer use may have adverse environmental effects which would require further consideration.

- 2 - Not later than 1st July 2005 a scheme of work shall be submitted to the Local Planning Authority for their approval in advance in writing for the clearance of all of building 1, the high part of building 4 (i.e. that part not permitted under ref. NC1999/2252/F granted 8 March 2000), the scrubber tanks numbered 1, 2, 3, 4 and 5, the enclosed conveyor, two overhead ducts, the structure between building 4 and odour scrubbing unit No. 1, contents of the bio-filter and associated structures and works shown on plans 488/03 Rev B (May 04) and 488/04 Rev B (May 04) and described in Bioganix's letter of 10 May 2004, shall be removed from the application site before 1st July 2008, and for the restoration of the site to agriculture and to the condition permitted under ref. NC1999/2252/F and the approved scheme shall be fully implemented before 1st July 2005.

**Reason:** To ensure that the site is cleared and restored in a way which will not adversely affect the setting of Wharton Court, the two adjoining listed barns, the amenities of the local people and visitors to the area or the interests of the River Lugg SSSI/cSAC.

- 3 - Not more than 12,000 tonnes of material shall be imported into this site in connection with the development hereby permitted during any 12 month period.

**Reason:** In the interests of protecting the long term setting of Wharton Court and the two adjoining listed barns, of protecting the amenity of local people and visitors of the area and because any longer use may have adverse environmental effects which would require further consideration.

- 4 - A12 (Implementation of one permission only )

**Reason:** In the interests of protecting the long term setting of Wharton Court and the two adjoining listed barns, of protecting the long term amenity of local people and visitors of the area and because any longer use may have adverse environmental effects which would require further consideration.

- 5 - E02 (Restriction on hours of delivery )(standard hours)

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

- 6 - E06 (Restriction on Use )(use as a pilot plant for the accelerated composting of organic material until 1<sup>st</sup> July 2005)(B2)

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

- 7 - Not later than 1st October 2004 a scheme for the provision of surface water drainage works and surface water regulation shall be submitted to the Local Planning Authority for their approval in writing. The approved scheme shall be implemented in full not later than 3 months after its approval in writing. No other impermeable surfaces draining into the approved system shall be constructed.

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

- 8 - F25 (Bunding facilities for oils/fuels/chemicals )

**Reason:** To prevent pollution of the water environment.

- 9 - F28 (No discharge of foul/contaminated drainage)(standard reasons and to protect the interests of the SSSI/cSAC)

**Reason:** To prevent pollution of the water environment and to protect the interests of the SSSI/cSAC.

- 10 - F32 (Details of floodlighting/external lighting )

**Reason:** To safeguard local amenities.

- 11 - F34 (Restriction on level of illuminance of floodlighting)(after 'boundary' add 'and in the interests of highway safety')

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

- 12 - F40 (No burning of material/substances )

**Reason:** To safeguard residential amenity and prevent pollution.

- 13 - F42 (Restriction of open storage )(after material add 'including any material intended for composting')

**Reason:** To protect the appearance of the locality and the setting of Wharton Court and the two listed barns and to protect the amenities of local people and visitors to the area.

- 14 - Not later than 24 hours after any request in writing from the Local Planning Authority the site shall be swept clean of any and all litter or waste material.

Reason: To protect the appearance of the locality and the setting of Wharton Court and the two listed barns and to protect the amenities of local people and visitors to the area.

- 15 - Not later than 31 days after any request in writing from the Local Planning Authority, as advised by the Council's Environmental Health Officer, a noise monitoring scheme shall be submitted to the Local Planning Authority for their approval in writing. The submitted scheme shall include:

- Noise monitoring locations
- Method and frequency of measurement in accordance with BS4142 1997
- Presentation of results and their interpretation within 7 days of measurement  
and
- Procedures to be adopted if noise levels go above 5d BA LAeq above background levels

Reason: To protect the amenities of local residents.

- 16 - All vehicles containing untreated material for composting or treated compost shall be sheeted with a tarpaulin when within the application site area unless wholly within one of the buildings hereby permitted for this use.

Reason: To protect the amenities of the local residents.

- 17 - With the exception of the external bio filter the general building structure and ventilation of the development hereby permitted shall be designed to contain fugitive emissions and prevent their escape into the open air. To achieve this the ventilation system shall be suitable and sufficient to maintain negative air pressure at all times other than when the doors to the process buildings are open.

Reason: To protect the interests of residential amenity.

- 18 - All doors shall be kept firmly closed when not in use.

Reason: To protect the interests of residential amenity.

- 19 - Not later than 1st July 2005 details of the provision to be made for an owl nesting box within 400 metres of the application site together with details of the timing of its erection shall be submitted to the Local Planning Authority for their agreement in writing.

Reason: In order not to disturb or deter the nesting or roosting of barn owls.

- 20 - Not later than 31st August 2004 a scheme to ensure that water voles are not poisoned by the use of vermin control measures on site shall be submitted to the Local Planning Authority for their approval in writing.

Reason: In order to protect water voles.

- 21 - Not later than 1st July 2005 a scheme for the erection of a sign reading 'No left turn' to be erected at the junction of the exit road leading to the A49 and the B4361 for the instruction of drivers leaving the site shall be submitted to and approved in writing by the Local Planning Authority and shall implemented in accordance with the approved details not later than 28 days of their approval in writing.

Reason: To direct traffic onto the primary road network.

- 22 - Not later than 3 months of any request in writing by the Local Planning Authority as advised by English Nature a scheme for the enhancement of the biological water treatment capacity of the drainage ditches between the application site and the River Lugg shall be submitted for the approval by the Local Planning Authority in writing and the approved scheme shall be implemented in full within 3 months of its approval in writing.

Reason: In order to protect the nature conservation interests of the River Lugg SSSI/cSAC.

- 23 - Unless otherwise agreed in writing in advance only enclosed conveyors or pipework shall be used to transport materials between the buildings on site.

Reason: To prevent pollution of the water environment and to protect the interests of the SSSI/cSAC and to protect the amenities of local residents.

- 24 - A structural and condition survey of Wharton Court and the two Listed Barns shall be undertaken in accordance with the Royal Institute of Chartered Surveyors' current good practice advice and submitted to the local planning authority for their approval not later than 1<sup>st</sup> July 2005. The submitted survey shall contribute to the understanding of the construction and development of these buildings and identify areas at risk as a basis for ensuring their protection and repair.

Reason: To safeguard the character, appearance and stability of the three Listed Buildings adjoining the site.

*The Vice-Chairman, Councillor J Stone assumed the Chair for the following item.*

8. DCNW2004/0080/O - SITE FOR THE BUILDING OF A REPLACEMENT PRIMARY SCHOOL ON LAND BELONGING TO BLISS HALL FARM, STAUNTON-ON-WYE. (OS: 3625/4505)

In accordance with the criteria for public speaking Mr Pyemont spoke against the application and Mr Grist spoke in favour.

**RESOLVED:** That planning permission be approved subject to 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 - F20 (Scheme of surface water drainage )

Reason: To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal.

- 6 - F32 (Details of floodlighting/external lighting) (details of time limitations, level of illuminance, light shelling and the angle of floodlights)

Reason: To safeguard local amenities.

- 7- F48 (Details of slab levels)(buildings, hardstanding areas and playing field)

Reason: To ensure that the impact of the development upon the character and appearance of the site, surroundings and the immediately neighbouring properties is minimised.

- 8 - G05 (Implementation of landscaping scheme (general) )

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

- 9 - G06 (Scope of landscaping scheme) (Condition 3)

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

- 10 - A full ecological assessment of the site and the surrounding hedgerows shall be undertaken prior to the submission of any reserved matters application and shall include details of mitigation measures and proposals for habitat creation and enhancement within and around the site. The approved details shall be carried out prior to, or commensurate with the development of the site, whichever is appropriate, and thereafter retained in accordance with a landscape and nature conservation plan for the site.

Reason: To ensure that the nature conservation interest of the site is evaluated and protect where necessary.



**11 - H03 (Visibility splays)(4.5 metres) (70 metres)**

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

**12 - 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.**

**13 - H21 (Wheel washing)**

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

**14 - H27 (Parking for site operatives)**

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

**15 - 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.**

**16 - Prior to the commencement of the use of the school hereby approved, the full details of the Green Travel Plan together with measures for monitoring its effectiveness shall be submitted to and approved in writing by the local planning authority. The document shall be maintained and kept available for inspection by the local planning authority upon request and all reasonable improvements agreed in writing shall be incorporated into the Green Travel Plan.**

**Reason: To ensure that a range of sustainable transport alternatives are available and promoted users of the site in accordance within sustainable objectives of Herefordshire Council and Central Government.**

**17 - The details of the design, extent and surfacing of the shared pedestrian and cycle path shall be submitted for consideration at the reserved matters stage. The approved details shall be carried out prior to the commencement of the use of the school and thereafter maintained.**

**Reason: To ensure that a locally acceptable and safe pedestrian and cycle access is provided.**

**Informative(s):**

- 1 - HN1 (Mud on highway)**
- 2 - HN2 (Public rights of way affected)**
- 3 - HN3 (Access via public right of way)**
- 4 - HN5 (Works within the highway)**
- 5 - N15 - Reason(s) for the Grant of PP/LBC/CAC**

***The Chairman assumed the Chair for the remainder of the meeting***

**9. DCNE2004/0951/O - SITE FOR DETACHED DWELLING AT FORGE COURTYARD, CANON FROME, LEDBURY, HEREFORDSHIRE, HR8 2TG**

In accordance with the criteria for public speaking Mr Masefield spoke in favour of the application.

The Committee considered details about the site and proposed layout and concluded that the development would be acceptable if the play area was moved from the rear of the site to the front and tied into a Section 106 obligation for its future maintenance and adoption.

**RESOLVED: That**

- (I) the Northern Area Planning Sub-Committee is minded to approve the application subject to any conditions felt necessary by the Head of Planning Services and the applicants entering into a Section 106 obligation for the play area to be located at the front of the site, provided that the Head of Planning Services does not refer the application to the Planning Committee; and**
- (II) 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 approve the application subject to such conditions referred to above.**

*(Note – the Northern Divisional Planning Officer said that given that the Sub Committee had considered the planning policies he would not refer the application to the Head of Planning Services)*

**10. DCNE2004/1160/O - SITE FOR ERECTION OF SINGLE DWELLING AT LAND WEST OF ACCESS TO MILLFIELDS, CANON FROME, LEDBURY, HEREFORDSHIRE, HR8 2TG**

In accordance with the criteria for public speaking Mr Jolly spoke in favour of the application.

The Principal Planning Officer said that a single storey dwelling was viewed as acceptable on planning grounds because it was more appropriate than a 2 storey dwelling at the entrance to the site. In answer to a question from Councillor Mrs LO Barnett the Principal Planning Officer said that there were sufficient material planning grounds for the application to be approved.

**RESOLVED: That planning permission be granted subject to 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 54a 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 - H28 (Public rights of way )

Reason: To ensure the public right of way is not obstructed.

6 - All access to the site is to be via the estate road (Millfields) to the east of the site and not access for vehicle or pedestrians shall be permitted directly onto the Class C 1154 road.

Reason: In the interests of highway safety.

7 - The subsequent submission of Reserved Matters shall provide for a single storey dwelling only.

Reason: In order to clarify the terms of this permission and reduce impact on the amenity of the area and nearby residents.

Informative:

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

11. DCNE2004/0241/F - REMOVAL OF CONDITION 7 OF PLANNING CONSENT MH92/1564 SOMERFIELD STORES LTD, NEW STREET, LEDBURY, HEREFORDSHIRE, HR8 2EZ

The receipt of a further letter of objection was reported.

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

- 1 - Within one month of the date of this permission the area to be used for the storage of trolleys, including improved surface treatment, shall be submitted for approval in writing by the Local Planning Authority and the area permanently marked out within one month of approval of the details. The area shall thereafter be maintained to ensure compliance with this condition.

Reason: To ensure suitable turning facilities for vehicles are retained and to protect the amenity of adjoining residents.

- 2 - There shall be no other outside storage within the service yard other than the area identified under condition 1 above.

Reason: To ensure suitable turning facilities for vehicles are retained and to protect the amenity of adjoining residents.

- 3 - Details of the screen to be attached to the gates shall be submitted for approval in writing of the Local Planning Authority within one month of approval and the screen erected within one month of the date of the Sub-

Committee approval.

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

- 4 - There shall be no use of the service yard outside the hours of 7 am to 6 pm Monday to Friday, 7 am to 1pm Saturdays and not at anytime on Sundays, Bank or Public Holidays.

Reason: In order to protect the residential amenity of adjoining residents.

Informative:

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

12. DCNW2004/0429/F - RECONSTRUCTION OF DEMOLISHED COTTAGE AT MOSELEY COTTAGE, PEMBRIDGE, LEOMINSTER, HEREFORDSHIRE, HR6 9HY

The Sub-Committee felt that there should be further clarification of the implications of the issues raised in a letter which had just been submitted to it.

**RESOLVED:** That consideration of the application be deferred.

13. DCNW2004/1097/F - TWO STOREY AND SINGLE STOREY EXTENSIONS AT NO. 2 LATIMER COTTAGE, THE MARSH, WEOBLEY, HEREFORDSHIRE, HR4 8RP

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

- 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) C04 - (Details of window sections, eaves, verges and barge boards )

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

Informatives:

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

14. DCNW2004/1173/F - MOBILE HOME ON SITE FOR RESIDENTIAL USE AT THE BUILDINGS, BRILLEY, WHITNEY-ON-WYE, HEREFORD, HEREFORDSHIRE, HR3 6JH

In accordance with the criteria for public speaking Mr Withnell of Brilley Parish

Council and Mr Richardson on behalf of the applicant spoke in favour of the application.

The Chairman spoke in favour of the application and felt that there was sufficient flexibility within the planning policies to support it because the applicant provided a vital agricultural contracting service for the local community. The Sub-Committee discussed the details of the application and noted the grounds under which the applicant needed to live on site to operate his business more proficiently and to have greater security for his agricultural equipment. The Sub-Committee was satisfied that there were material reasons why there could be an exception could be made to the Council's policies in this particular case.

RESOLVED: That

1. the Northern Area Planning Sub-Committee is minded to approve the application subject to the permission being personal to the applicant and linked to his business for a maximum period of 5 years, subject to any further conditions felt to be necessary by the Head of Planning Services, provided that the Head of Planning Services does not refer the application to the Planning Committee; and
2. 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 approve the application subject to such conditions referred to above.

*(Note – the Northern Divisional Planning Officer said that given that the Sub Committee had considered the planning policies he would not refer the application to the Head of Planning Services)*

15. DCNW2004/1194/F - INSTALLATION OF 2 NO. MOBILE CLASSROOMS AND CAR PARKING AREA AT WEOBLEY HIGH SCHOOL, WEOBLEY, HEREFORD, HEREFORDSHIRE, HR4 8ST

The receipt of a letter of objection was reported.

RESOLVED: That planning permission be approved, subject to the following conditions:-

1. A06 (Development in accordance with approved plans )

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

2. The mobile classrooms shall not be installed on site until details of the materials to be used externally on the 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.
3. This permission shall expire on 16th Jun, 2009 . Unless further permission is granted in writing by the local planning authority prior to the end of that period, the use hereby approved shall permanently cease.

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

4. The buildings hereby permitted shall be removed and the land restored to its former condition on or before 16th June, 2009 in accordance with a scheme of work submitted to and approved by the local planning authority.

Reason: To ensure that the land is restored to an acceptable condition to safeguard the amenities of the locality.

5. Prior to the commencement of the use of the area designated as car parking, details of the proposed new fence shown on plan 6KAT/JHB/03/01/A shall be submitted to and agreed in writing by the Local Planning Authority. The fence shall not be erected until the written confirmation of acceptability has been received from the Local Planning Authority.

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

6. Prior to the commencement of the use of the area designated as car parking, the new pedestrian access point and footpath, Zebra Crossing and signage associated with the entry and exit points shown on approved plan 6KAT/JHB/03/01/A shall be completed in their entirety and retained at all times.

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

#### Informatives

1. N03 - Adjoining property rights
2. N15 - Reason(s) for the Grant of PP/LBC/CAC

#### 16. DCNW2004/1236/F - AGRICULTURAL WORKERS DWELLING AT THE LIMES, NORTON CANON, HEREFORDSHIRE, HR4 7BP

In accordance with the criteria for public speaking Mrs Cole spoke against the application and Mr Palliser the applicant spoke in favour.

The Chairman referred to the planning policies that he considered were appropriate to the application and which supported the applicant's case as an agricultural worker. The Sub-Committee discussed whether the applicant could convert the existing barn into a dwelling or whether it would be more advantageous for him to be able to construct a new dwelling. The Sub-Committee felt that on balance it was more desirable for the applicant to construct a new dwelling on site but that the overall size of the proposed dwelling was too large for the site and to meet the requirements of planning policies relating to agricultural dwellings. It was agreed that this issue should be discussed further with the applicant.

**RESOLVED:** That consideration of the application be deferred pending negotiations with the applicant to ascertain if a smaller dwelling could be agreed than that proposed in the planning application.

**17. DCNW2004/1257/F - PROPOSED SINGLE STOREY FRONT EXTENSION 27 LLEWELLIN ROAD, KINGTON, HEREFORDSHIRE, HR5 3AB**

In accordance with the criteria for public speaking Mr Williams spoke against the application. The Sub-Committee had some concerns about the proposed extension because of the impact it would have on the neighbouring property through loss of light. It considered that permission could be granted if the officers could negotiate a smaller extension or one allowing the passage of more light through.

**RESOLVED: That officers named in the Scheme of Delegation to Officers be authorised to grant planning permission, subject to negotiating an extension that would allay the concerns of the neighbours and consulting the neighbours and 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 - B02 (Matching external materials (extension) )**

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

**3 - E17 (No windows in side elevation of extension )**

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

**Informatives:**

**1 - N03 - Adjoining property rights**

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

**18. DCNC2003/3768/F & DCNC2003/3769/L- DEMOLITION OF GARAGE AND CONSERVATORY, CONSTRUCTION OF SIDE EXTENSION AND NEW BUILDING TO FORM 2 ADDITIONAL DWELLINGS, INTERNAL AMENDMENTS TO GROUND FLOOR AT 33 SOUTH STREET, LEOMINSTER, HEREFORDSHIRE, HR6 8JQ**

**NC2003/3768/F**

**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 )(7<sup>th</sup> April 2004)**

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

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

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

**NC2003/3769/L**

**That Listed Building Consent be granted subject to the following conditions:**

**1 - C01 (Time limit for commencement (Listed Building Consent) )**

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

**2 - A09 (Amended plans )(7<sup>th</sup> April 2004)**

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

**Informative:**

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

**19. DCNC2004/0182/F & DCNC2004/0183/L - CONVERSION TO SNOOKER HALL AND BAR AREA AND FOUR FLATS AT BROOK HALL, 27 BROAD STREET, LEOMINSTER, HEREFORDSHIRE, HR6 8BT**

The Northern Divisional Planning Officer advised that further conditions needed to be added to any permission granted to tie car parking to the flats. He suggested that consideration of the application be deferred to allow further amendments to be made and the Conservation Officer to give further views.

**RESOLVED:** That consideration of the planning application be deferred.

**20. DCNC2004/1133/F - SILAGE, HAY AND STRAW STORAGE AGRICULTURAL BUILDING AT PUDLESTON COURT FARM, PUDLESTON, LEOMINSTER, HEREFORDSHIRE, HR6 0QY**

The receipt of a letter of objection was reported.

**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.

**Informative:**

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



21. DCNC2004/1137/F - SINGLE STOREY FRONT EXTENSION TO FORM ATTACHED GARAGE. TWO STOREY SIDE EXTENSION AT SUNNYMEAD, LITTLE HEREFORD, HEREFORDSHIRE, SY8 4LJ

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

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

**Informative:**

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

22. DCNC2004/1246/F - REPLACEMENT CONSERVATORY, LOFT CONVERSION AND VARIOUS INTERNAL ALTERATIONS AT ST. THOMAS, STOCKENHILL ROAD, LEOMINSTER, HEREFORDSHIRE, HR6 8PP

**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 - None of the development hereby approved shall be commenced until details of the 'fire wall' have been submitted to and approved in writing by the local planning authority. The works shall thereafter be carried out in accordance with the approved details prior to the accommodation first being brought into use unless otherwise agreed in writing with the local planning authority.

**Reason:** To ensure the satisfactory appearance of the development.

23. DCNC2004/1409/F - REMOVAL OF EXISTING STORAGE BARN, BINS AND SILO AND REPLACEMENT WITH OPEN PLAN STORAGE BUILDING AT BODENHAM GRAIN STORE, POOL HEAD, BODENHAM, HEREFORDSHIRE, HR1 3HP

The receipt of a letter of representation from the occupiers of the dwelling was reported. It was also reported that amended plans had been received from the applicant.

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

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

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

- 2 - The development hereby approved shall be carried out strictly in accordance with the amended plan, no. 01/A, including the external colour finish, received by the Local Planning Authority on 8 June 2004

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

- 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.

Informative:

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

**24. DCNE2003/3874/F - DEMOLITION OF EXISTING DWELLING AND ERECTION OF THREE NEW DWELLINGS AT OAK TREE COTTAGE, WELLINGTON HEATH, LEDBURY, HEREFORDSHIRE, HR8 1NA**

The Northern Divisional Planning Officer advised that the Conservation Officer had said that there were three trees worthy of a Tree Preservation Order on the site. The Sub-Committee decided that there was merit on a TPO being placed on the wayfarer tree and the ash tree on the frontage of the site but that the yew tree was not worthy of retention.

**RESOLVED:** That subject to a Tree Preservation Order being placed upon the wayfarer tree and the ash tree on the frontage of the site, 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 - H01 (Single access - not footway )(5 metres)

Reason: In the interests of highway safety.

- 5 - H03 (Visibility splays )(2 x 33 metres)

Reason: In the interests of highway safety.

- 6 - H09 (Driveway gradient )

Reason: In the interests of highway safety.

- 7 - H12 (Parking and turning - single house )(3 cars per house)

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

- 8 - H26 (Access location )(The Common)

Reason: In the interests of highway safety.

- 9 - No development shall take place until details of earthworks have been submitted to and approved in writing by the local planning authority. These details shall include the proposed grading and mounding of land areas including the levels and contours to be formed, showing the relationship of proposed mounding to existing vegetation and surrounding landform. Development shall be carried out in accordance with the approved details.

Reason: To safeguard the landscape character of the site.

- 10 - No development shall be commenced on the site or machinery or materials brought onto the site for the purpose of development until adequate measures have been taken to prevent damage to those trees which are to be retained. Measures to protect those trees shown must include:

(a) Fencing, of a type and form agreed in writing with the local planning authority, must be erected around each tree or group of trees. This fencing must be at least 1.25 metres high and at a radius from the trunk defined by the canopy spread.

(b) No excavations, site works, trenches, channels, pipes, services, temporary buildings used in connection with the development or areas for the deposit of soil or waste or for the storage of construction materials, equipment or fuel or other deleterious liquids shall be sited within the crown spread of any tree without the prior written consent of the local planning authority.

(c) No burning of any materials shall take place within 6 metres of the furthest extent of the canopy of any tree or tree groups to be retained.

(d) There shall be no alteration of soil levels under the crown spread of any tree or group of trees to be retained.

**Reason: To ensure adequate protection to existing trees which are to be retained, in the interests of the character and amenities of the area.**

- 11 Any damage caused to any tree which it has been agreed shall be retained shall immediately be notified to the local planning authority and any such remedial work as is advised by the Authority shall be undertaken immediately. As soon as possible thereafter such further work as is necessary to secure the preservation of the tree shall be undertaken in accordance with BS 3998:1989 Tree Work.**

**Reason: The trees form an integral part of the visual environment and this condition is imposed to preserve the character and amenities of the area.**

- 12 - G19 - Existing trees which are to be retained**

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

- 13 - Details of any excavations or trenches beneath the canopy of any trees to be retained shall be submitted to and agreed in writing with the local planning authority. Where excavations are carried out beneath the canopy of any tree to be retained on land or on adjoining land, no roots of those trees of a diameter of 2.5 cm or more shall be severed, without the agreement of the local planning authority. In order to achieve this requirement all excavations shall be carried out by hand tools. The excavations shall be backfilled with sub-soil and a minimum depth of 600 mm good quality stone free loamy top soil of similar p.h. to the original. Any subsequent settlement shall be made good with similar top soil.**

**Reason: To prevent the unnecessary damage to or loss of trees.**

- 14 - The existing dwelling known as Oak Tree Cottage shall be demolished prior to work commencing on the construction of the new dwellings hereby permitted.**

**Reason: To clarify the terms of this permission.**

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

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

- 16 - E01 (Restriction on hours of working)**

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

- 17 - E16 (Removal of permitted development rights) (delete 'fence/gates')**

**Reason: In order to clarify the terms of this permission.**

- 18 Notwithstanding the information shown on the deposited plans and prior to commencement of any work on site, the applicant shall provide for the Local Planning Authority's approval, details of the access arrangements which shall prevent damage or harm to the protected trees and works**

shall be carried out in accordance with those agreed plans.

**Reason:** To prevent harm to the trees protected by a Tree Preservation Order.

**Informatives:**

- 1 - HN1
- 2 - HN4
- 3 - HN5
- 4 - HN10
- 5 - HN13
- 6 - HN22
- 7 - N15 - Reason(s) for the Grant of PP/LBC/CAC

**25. DCNE2004/0639/F - NEW DETACHED HOUSE AT HIGHWOOD, UPPERFIELDS, LEDBURY, HEREFORDSHIRE, HR8 1LE**

The receipt of a further letter of objection was recorded. in accordance with the criteria for public speaking Mr Clive the applicant 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 - A07 (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 - Before the development hereby permitted is commenced details of the proposed screening to the balcony shall have been submitted to and approved in writing by the local planning authority.**

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

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

**Reason:** In order that the local planning authority may retain control over the scale of this development.

**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 - G09 (Retention of trees/hedgerows )**

**Reason: To safeguard the amenity of the area.**

**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 - 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.**

**11 - H05 (Access gates ) (5 metres)**

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

**Informative:**

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

**26. DCNE2004/1018/F - AGRICULTURAL MACHINE STORE AND WORKSHOP AT TOWNEND FARM, BOSBURY, LEDBURY, HEREFORDSHIRE HR8 1JT**

In accordance with the criteria for public speaking Mr Andrews the applicant 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 - Before the development hereby approved is commenced details of the precise location of the building shall have been submitted to and approved in writing by the local planning authority.**

**Reason: For the avoidance of doubt.**

**4 - H13 (Access, turning area and parking ) (delete 'shown on approved plan')**

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

**Informative:**

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

**27. DCNE2004/0801/F - CONSTRUCTION OF AGRICULTURAL BUILDING AND MENAGE AT BROOK HOUSE, BISHOPS FROME, HEREFORDSHIRE, WR6 5BG**

**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 - 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.

**4 - E11 (Private use of stables only )**

**Reason:** In order to safeguard the residential amenity of the area.

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

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

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

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

**7 - H01 (Single access - not footway ) (5 metres)**

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

**8 - H05 (Access gates ) (5 metres)**

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

**9 - H06 (Vehicular access construction )**

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

**10 - H08 (Access closure )**

**Reason:** To ensure the safe and free flow of traffic using the adjoining County highway.

**11 - 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.

**12 - F32 (Details of floodlighting/external lighting )**

**Reason: To safeguard local amenities.**

**Informatives:**

**1 - HN01 - Mud on highway**

**2 - HN04 - Private apparatus within highway**

**3 - HN05 - Works within the highway**

**4 - HN10 - No drainage to discharge to highway**

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

The meeting ended at 5.05 pm

**CHAIRMAN**