

MINUTES of the meeting of Southern Area Planning Sub-Committee held at The Council Chamber, Brockington, 35 Hafod Road, Hereford on Wednesday, 7th July, 2004 at 2.00 p.m.

Present: Councillor P.G. Turpin (Vice Chairman in the Chair)

Councillors: H. Bramer, M.R. Cunningham, N.J.J. Davies,
Mrs. C.J. Davis, G.W. Davis, J.W. Edwards, Mrs. A.E. Gray, G. Lucas,
D.C. Taylor and J.B. Williams

In attendance: Councillors P.J. Edwards, P.E. Harling, T.W. Hunt and R.M. Wilson

16. APOLOGIES FOR ABSENCE

Apologies were received from Councillors Mrs. J.A. Hyde and Mrs. R.F. Lincoln.

17. DECLARATIONS OF INTEREST

The following declarations of interest were made:

Councillor	Item	Interest
H. Bramer	12 (DCSE2004/1637/F – Change of use for weddings in part of the property, Homme House, Much Marcle, Ledbury, Herefordshire, HR8 2NJ)	Prejudicial and left the meeting for the duration of the item.
H. Bramer	13 (DCSE2004/1555/F – Conversion of redundant barn to residential use at Upper Rudhall Farm, Rudhall, Ross-on-Wye, Herefordshire)	Prejudicial and left the meeting for the duration of the item.
J.W. Edwards	14 (DCSE2004/1019/F – Proposed change of use of site for 10 seasonal caravans, DCSE2004/1027/F – Variation of condition 5 of permission SH960118PF from 15 to 13 caravans, DCSE/2004/1029/F – Variation of condition 3 of planning permission SS980401PF to allow storage of seasonal touring caravans (10) on land adjacent to storage building, Haywood Farm, Gorsley, Ross-on-Wye, Herefordshire, HR9 7SP)	Prejudicial and left the meeting for the duration of the item.

G.W. Davis, Mrs. A.E. Gray and G. Lucas	16 (DCSE2004/1470/F – Construction of a flood alleviation scheme for Ross-on-Wye to provide protection from flooding from the Rudhall and Chatterley brooks at various locations along the Rudhall and Chatterley brooks, through Ross-on-Wye, Herefordshire)	Prejudicial and left the meeting for the duration of the item.
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18. MINUTES

RESOLVED: That the Minutes of the meeting held on 9th June, 2004 be approved as a correct record and signed by the Chairman.

19. ITEM FOR INFORMATION - APPEALS

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

APPLICATIONS RECEIVED

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

20. DCSW2004/1216/F - MOUNT PLEASANT, GARWAY HILL (AGENDA ITEM 5)

Erection of wind turbine on 11m high tower.

The Principal Planning Officer reported the receipt of two further letters of objection and one letter of support.

In accordance with the criteria for public speaking Mr. Macrae, a local resident, spoke against the application and Mr Whitfield, the applicant, spoke in support.

Councillor G.W. Davies, the Local Member, noted the concerns raised by Garway Parish Council and felt the application would have a detrimental effect on the Area of Outstanding Natural Beauty.

RESOLVED:

That:

- (I) **The Southern Area Planning Sub-Committee is minded to refuse the application on the grounds that the proposed wind turbine would have an adverse impact in an Area of Outstanding Natural Beauty and Great Landscape Value (and any further reasons for refusal felt to be necessary by the Head of Planning Services) provided that the Head of Planning Services doesn't refer the application to the Planning Committee.**
- (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 refuse the application subject to such reason for refusal referred to above.**

Note The Chief Development Control Officer said that he would not need to

refer the application to the Head of Planning Services.

**21. DCSW2004/1499/O - OS.0034, LAND SOUTH OF PONTILLA, LONGTOWN
(AGENDA ITEM 6)**

Renewal of outline planning permission SW2000/1521/O for residential development.

In accordance with the criteria for public speaking, Mrs. Hvass, Mrs Pritchard and Mrs Mafling spoke against the application and Mr Spreckley, the applicant's agent, spoke in support.

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

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

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. **G11 (Retention of hedgerows (where not covered by Hedgerow Regulations))**

Reason: To ensure that the application site is properly landscaped in the interests of the visual amenity of the area.

9. **H07 (Single access - outline consent)**

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

Informative(s)

1. **ND01 - Scheduled Monument Consent**
2. **N15 - Reason(s) for the Grant of Planning Permission**
22. **DCSW2004/1521/L - TRELOUGH HOUSE, WORMBRIDGE (AGENDA ITEM 7)**

Demolition of outbuildings, internal and external alterations.

The Principal Planning Officer reported the receipt of one further letter of objection from Mr. Clark.

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

RESOLVED:

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. **C02 (Approval of details)**
Reason: To safeguard the character and appearance of this building of [special] architectural or historical interest.

Informative(s):

1. **N15 - Reason(s) for the Grant of Listed Building Consent**
23. **DCSE2004/1569/F - 1 THE SQUARE, GOODRICH, ROSS-ON-WYE (AGENDA ITEM 8)**

Replacement extension with dormer window, sun room to front of property, loft conversion with Velux rooflights and various alterations.

In accordance with the criteria for public speaking, Mr Owens, the applicant, spoke 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 **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 B07 (Stonework laid on natural bed)

Reason: In the interests of conserving the character of the building.

4 The slates to be used externally on the roof shall match those on the existing dwelling unless otherwise first agreed in writing by the local planning authority.

Reason: To ensure the development is satisfactory in appearance.

5 The rooflights shall be flush with the roof slope.

Reason: To ensure that the rooflights do not protrude unduly above the external surface of the roof.

6 Before any work commences on site details of the external materials and finish intended for the sides and gable of the new dormer window shall first be submitted to and be subject to the prior written approval of the local planning authority.

Reason: To ensure that the development is satisfactory in appearance.

Informatives:

1 N03 - Adjoining property rights

N14 - Party Wall Act 1996

3 The applicants should be aware that this planning permission does not override any civil/legal rights enjoyed by adjacent property owners. If in doubt the applicants are advised to seek legal advice on the matter.

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

5 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.

24. DCSE2003/3528/F, DCSE2003/3530/L, DCSE2003/3677/A - 33 HIGH STREET, ROSS-ON-WYE (AGENDA ITEM 9)

The provision of external rear roof mounted air conditioning ducts and pipes to existing shop premises.

The provision of external rear roof mounted air conditioning ducts and pipes to existing shop premises, installation of shop fixtures and fittings, fascia signage and

projecting sign.

Non-illuminated shop fascia sign and projecting sign.

The Senior Planning Officer reported the receipt of a further letter of objection from Mr. Campkin.

RESOLVED:

That subject to the receipt of suitably amended drawings that the officers named in the Scheme of Delegation to Officers be authorised to issue planning permission, Listed Building Consent and advertisement consent subject to the following conditions and any additional conditions considered necessary by officers:

WITH RESPECT TO DCSE2003/3528/F

1 A09 (Amended plans)

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

2 The ventilation/air conditioning shall be designed and operated such that the noise level from the discharge shall not exceed 45 dB Laeq, 8hrs between 23.00 - 0700 hrs, nor shall exceed 55dB LAeq, 8 hrs between 0700 - 2300 hrs, as measured 1 metre from the rear facade of 33A High Street.

Reason: To protect the residential amenities of occupants of adjacent properties.

Informative:

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

WITH RESPECT TO DCSE2003/3530/L

1 A09 (Amended plans)

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

Informative:

1 N15 - Reason(s) for the Grant of Listed Building Consent.

With respect to DCSE2003/3677/A

1 I01 (Time limit on consent)

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

2 A09 (Amended plans)

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

3 H23 (Canopies/signs/projections over the highway)

Reason: In the interests of highway safety.

25. DCSE2004/0967/A, DCSE2004/0968/L - SPAR STORE, 37 HIGH STREET, ROSS-ON-WYE (AGENDA ITEM 10)

Externally illuminated fascia and projecting signs.

The Sub-Committee discussed the application and felt that the illuminated sign was acceptable and would not have an adverse effect on the listed building.

RESOLVED:

With respect to DCSE2004/0967/A

That: (i) with respect to the fascia sign advertisement consent be granted subject to the following conditions:

1. I01 (Time limit on consent)

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

2. The lighting over the fascia sign must be directed away from the public highway and no light source shall produce more than 2Lux horizontal or vertical illuminance at any adjacent property boundary.

Reason: In the interests of highway safety.

That: (ii) with respect to the projecting box sign advertisement:

(I) The Southern Area Planning Sub-Committee is minded to approve the application provided that the Head of Planning Services doesn't refer it to the Planning Committee.

(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.

Note The Chief Development Control Officer said that he would not refer the application to the Head of Planning Services.

With respect to DCSE2004/0968/L

That Officers named in the Scheme of Delegation to Officers be authorised to issue Listed building consent subject to any conditions considered necessary by Officers:

Informative(s):**1. N15 - Reason(s) for the Grant of Listed Building Consent****26. DCSE2004/1829/F - NTL TRANSMITTING STATION, LARRUPERZ COMMUNITY CENTRE, OFF STATION ROAD, ROSS-ON-WYE (AGENDA ITEM 11)**

Installation of 3 additional antennas on the existing tower for Vodafone.

RESOLVED:

That planning permission be granted subject to the following condition:

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

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

Informative:

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

27. **DCSE2004/1637/F - HOMME HOUSE, MUCH MARCLE, LEDBURY (AGENDA ITEM 12)**

Change of use for weddings in part of the property.

The Southern Divisional Planning Officer reported the receipt of comments from the Environmental Health Officer who voiced concerns regarding amplified music in the marquee. He also reported the receipt of two letters of objection from Mr. and Mrs. Ward and Mr. and Mrs. Wood and a further email from Mr. Kyrle-Pope.

In accordance with the criteria for public speaking Mr. Kyrle-Pope spoke against the application, and Mrs. Finnigan, the applicant, spoke in support.

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 premises shall be used for the purposes of a dwelling house and for holding of weddings and associated receptions only, and for no other purposes.

Reason: In order to control the specific use of the premises in the interests of local amenity.

3. All vehicular traffic in connection with the operation of the use hereby permitted shall be solely by the existing main drive and onto the Class II B4024 road. There shall be no use of the access onto the Class I A449 road or of the access drive into the rear courtyard.

Reason: In the interests of highway safety.

4. The use hereby permitted shall not operate between the hours of midnight and 10.00 a.m. daily.

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

5. The playing of amplified, or other music, shall be limited to Homme House itself and any music shall not be audible at the nearest

residential property. Amplified or other music shall not be played inside any marquee or elsewhere on the site.

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

6. Any marquee erection for after wedding reception purposes may only be erected no more than two days before the date of the organised event and shall be removed no later than two days after that organised ceremony has taken place.

Reason: In order to maintain the setting of the Listed Building.

7. Details of any surface treatment for the car park shall be submitted to and approved in writing by the local planning authority prior to the commencement of development. The work shall be carried out as approved.

Reason: In order to protect the appearance of the locality.

Informative(s):

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

28. DCSE2004/1555/F - UPPER RUDHALL FARM, RUDHALL, ROSS-ON-WYE
(AGENDA ITEM 13)

Conversion of redundant barn to residential use.

The Principal Planning Officer reported the receipt of comments from the Transportation Department who raised no objections.

RESOLVED:

That subject to the receipt of suitably amended plans, 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 C02 (Approval of details)

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

- 3 Notwithstanding the provisions 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 with or without modification) no development which would otherwise be permitted under Classes A, B, C, D, E and H of Part 1 and of the 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 F18 (Scheme of foul drainage disposal)

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

5 E18 (No new windows in specified elevation)

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

6 The modern farm building referred to on drawing no. 1057.03 shall be demolished and all materials removed from the site before the occupation of the dwelling hereby approved.

Reason: To protect the amenities of the occupiers of the dwelling.

7 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.

8 G04 (Landscaping scheme (general))

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

9 G05 (Implementation of landscaping scheme (general))

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

10 G01 (Details of boundary treatments)

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

Informatives:

1 The Environment Agency advises that:

Any waste excavation material or building waste generated in the course of the development must be disposed of satisfactorily and in accordance with section 34 of the Environmental Protection Act 1990. Carriers transporting waste from the site must be registered waste carriers.

2 The Housing Manager advises:

Egress from bedrooms is via a long route into living room, an area of higher fire risk. Recommend smoke detectors at stairwell.

Consider fire escape window to ground floor bedroom as alternative means of escape.

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

29. DCSE2004/1019/F, DCSE2004/1027/F, DCSE2004/1029/F - HAYWOOD FARM, GORSLEY (AGENDA ITEM 14)

Proposed change of use of site for 10 seasonal caravans.

Variation of condition 5 of permission SH960118PF from 15 to 13 caravans.

Variation of condition 3 of planning permission SS980401PF to allow storage of seasonal touring caravans (10) on land adjacent to storage building.

In accordance with the criteria for public speaking, Mr. Parker spoke against the application and Mr Stringer, the applicant, spoke in support.

RESOLVED

That consideration of the application be deferred for a site inspection on the grounds that the setting and surroundings are fundamental to the determination or to the conditions being considered.

30. DCSE2003/3710/O - OLD BAKERY, LAND TO REAR OF PETERSTOW STORES, PETERSTOW (AGENDA ITEM 15)

Erection of one dwelling.

The Principal Planning Officer reported the receipt of two letters of objection and a revised response from the Highways Agency.

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 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. 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.

6. F18 (Scheme of foul drainage disposal)

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

7. Prior to the occupation of the proposed dwelling the existing access to the south-east of the village shop shall be permanently closed to vehicular traffic. The means of affecting this closure shall be agreed with the local planning authority in consultation with the highway authority.

Reason: To ensure that the A49 trunk road continues to serve its purpose as part of a national system of routes for through traffic in accordance with Section 10 (2) of the Highways Act 1980 by minimising disruption on the trunk road resulting from traffic entering and emerging from the application site and in the interests of road safety.

8. Prior to the occupation of the proposed dwelling the car parking adjacent to this property and to the village store shall be permanently marked out in the manner illustrated on the site plan drawing.

Reason: To ensure that the A49 trunk road continues to serve its purpose as part of a national system of routes for through traffic in accordance with Section 10 (2) of the Highways Act 1980 by minimising disruption on the trunk road resulting from traffic entering and emerging from the application site and in the interests of road safety.

Informative(s):

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

31. DCSE2004/1470/F - VARIOUS LOCATIONS ALONG THE RUDHALL AND CHATTERLEY BROOKS THROUGH ROSS-ON-WYE (AGENDA ITEM 16)

Construction of a flood alleviation scheme for Ross-on-Wye to provide protection from flooding from the Rudhall and Chatterley Brooks.

In accordance with section 31 of the Planning Code of Conduct Councillor R.M. Wilson, Cabinet member for Environment, left the meeting during this item.

RESOLVED:

That subject to the Environment Agency objections being met the officers named in the Scheme of Delegation to Officers be authorised to approve the application 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 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 G07 (Details of earth works)

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

6 D01 (Site investigation – archaeology)

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

Informative(s)

1 N15 (Reasons for the Grant of Planning Permission)

The meeting ended at 3.43 p.m.

CHAIRMAN

