

MINUTES of the meeting of Northern Area Planning Sub-Committee held at The Council Chamber, Brockington, 35 Hafod Road, Hereford on Wednesday, 3rd November, 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, 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.J. Phillips, D.W. Rule MBE, R.V. Stockton, J.P. Thomas and J.B. Williams

In attendance: Councillors P.J. Edwards and Mrs. J.E. Pemberton

101. APOLOGIES FOR ABSENCE

Apologies were received from Councillors RBA Burke, PJ Dauncey and Mrs JP French.

102. DECLARATIONS OF INTEREST

Councillor	Item	Interest
DW Rule	6 - DCNC2004/2192/F - Construction Of 8 No. Houses At The Old Fold Yard, Church Lane, Upper Sapey, Worcester WR6 6XR	Personal
WLS Bowen JHR Goodwin JW Hope JP Thomas RM Manning	8 - DCNC2004/2599/F - New General Purpose Building, Chilled Plant Store And Associated Hardstandings And Access Ways At Brierley Court Farm, Brierley, Leominster, Herefordshire, HR6 0NU	Personal
Mr A Poole	4 - Item For Information - Appeals; and 8 - DCNC2004/2599/F - New General Purpose Building, Chilled Plant Store And Associated Hardstandings And Access Ways At Brierley Court Farm, Brierley, Leominster, Herefordshire, HR6 0NU	Prejudicial and left the meeting for the duration of this item

Miss C Wright	12 - DCNW2004/1305/F - Ramp access to south entrance door of Church At St Michael and All Angels Church, Croft, Leominster	Prejudicial and left the meeting for the duration of this item
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103. MINUTES

RESOLVED: That the minutes of the meeting held on 6 October 2004 be approved as a correct record and signed by the Chairman subject to the inclusion of the following in Minute 86:

DCNC2004/2598/N - VARIATION OF CONDITIONS 1,2,3 AND 4 OF PLANNING PERMISSION NC03/1895/N, PRINCIPALLY TO ENABLE THE PILOT PLANT FOR ACCELERATED COMPOSTING OF ORGANIC MATERIAL TO BE UNDERTAKEN UNTIL 31 ST DECEMBER 2008 AT WHARTON COURT, WHARTON, LEOMINSTER, HEREFORDSHIRE, HR6 0NX (AGENDA ITEM 6)

In accordance with the criteria for public speaking Mr Eley spoke for the application on behalf of Leominster Town Council but reiterated the previous objections of Humber, Ford and Stoke Prior Group Parish Council. Mr Morgan, Managing Director of Bioganix Ltd, spoke in favour of the application. He also stated that his company had no plans to extend the duration of the composting operation on this site beyond December 2008.

104. ITEM FOR INFORMATION - APPEALS

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

105. 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.

106. DCNW2004/1921/F - YATTON MARSH FARM, YATTON, LEOMINSTER, HEREFORDSHIRE, HR6 9TP FOR: MR. P. J. LUKEMAN PER MR. P. M. ENTICKNAP, SUNRISE COTTAGE, GREEN LANE, PEMBRIDGE, HEREFORD, HR6 9EL (AGENDA ITEM 5)

In accordance with the criteria for public speaking Mr Enticknap, the agent acting on behalf of the applicant, spoke in favour of the application.

The Local Ward Member, Councillor Mrs LO Barnett initially expressed support for the application and felt that the alterations to the design in accordance with the advice from the officers would help to meet the objections from the local parish council. She suggested that the dwelling should be tied to the farmland through a planning obligation under Section 106 of the Town and Country Planning Act 1990. The Senior Planning Officer said that such a requirement would not be appropriate in this instance because the application was for an extension to an existing dwelling in the countryside and not for one attached to farmland. Councillor Mrs LO Barnett did not consider that she had been made aware of the all the facts regarding the application and stated that she felt misled over the matter.

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.

Informatives:

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

107. DCNC2004/2192/F - THE OLD FOLD YARD, CHURCH LANE, UPPER SAPEY, WORCESTER WR6 6XR FOR: ELGAR HOUSING ASSOCIATION PER FELLOWS BURT DALTON ASSOCS LTD, THE OLD TELEPHONE EXCHANGE, GIPSY LANE, BALSALL COMMON, COVENTRY, CV7 7FW.

The receipt of a further letter of objection from one of the objectors and an e-mail from another objector was reported, including reference to Structure Plan policies.

In accordance with the criteria for public speaking Mr Maddock spoke against the application and Mrs Cope of Elgar Housing Association spoke in favour.

Councillor TW Hunt, the Local Ward Member objected to the application on the following grounds:

1. the application for 8 houses was contrary to Policy H11 of the Malvern Hills District Council Local Plan (Section on Affordable Housing for Local People In Rural Areas) in of a scale, character and density not appropriate to the character of the area;
2. the local housing needs survey of August 2003 did not show a very strong need for affordable properties within the North Bromyard Group of Parishes and no further surveys since then have been requested or undertaken by this Parish Council; and
3. the proposed development was contrary to Policy H16A of the Hereford and Worcester County Structure Plan in that: -
 - (i) It was not of a scale and character appropriate to this particular settlement or location.
 - (ii) It was not acceptable in relation to the environment or landscape quality of the area.
 - (iii) It was not located with due regard to the availability of public transport.
 - (iv) It would not help sustain the rural community due to there being no facilities to sustain or support.

The Senior Enabling Officer explained the work that had been undertaken in establishing need and the reasons why the application had been made for the

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provision of social housing to serve the local community. He also explained how the statistical data had been compiled in conjunction with Homepoint and information contained within the 2001 Housing Needs Study.

The Sub-Committee discussed the details of the application and felt that it had merits because there were few opportunities for social housing to be provided in the northern part of the district. A motion that the planning application should be refused was lost.

RESOLVED: That the County Secretary and Solicitor be authorised to complete a planning obligation under Section 106 of the Town and Country Planning Act 1990 to ensure compliance with the requirements of the affordable housing policy and any additional matters and terms she considers appropriate

Upon completion of the aforementioned planning obligation that the officers named in the Scheme of Delegation to Officers be authorised to issue planning 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 A09 (Amended plans)

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

3 B01 (Samples of external materials)

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

4 F18 (Scheme of foul drainage disposal)

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

5 F25 (Bunding facilities for oils/fuels/chemicals)

Reason: To prevent pollution of the water environment.

6 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.

7 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.

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 G31 (Details of play equipment)

Reason: To ensure the play area is suitably equipped.

11 H03 (Visibility splays) (4.5m x full extent of site frontage and 2.4m x 60m)

Reason: In the interests of highway safety.

12 H06 (Vehicular access construction)

Reason: In the interests of highway safety.

13 H14 (Turning and parking: change of use - domestic) (16 cars – min 2 per dwelling)

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

14 H21 (Wheel washing)

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

15 H27 (Parking for site operatives)

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

Informatives:

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

2 HN05 - Works within the highway

3 HN10 - No drainage to discharge to highway

Councillor B Hunt abstained from voting on this item.

**108. DCNE2004/2398/RM - GILBERTS FARM, LILLY HALL LANE, LEDBURY FOR:
MR. & MRS. G. GILBERT PER DAVID BULL ASSOCIATES, 25
BLANQUETTES AVENUE, WORCESTER, WR3 8DA (AGENDA ITEM 7)**

The receipt of a letter from the CPRE raising no objections to the application provided that certain conditions were imposed was reported.

In accordance with the criteria for public speaking Mr Casdagli spoke on behalf of 19 objectors to the application. Mr Bull acting on behalf of the applicant spoke in favour of the application.

RESOLVED: That Approval of Reserved Matters be granted subject to the following conditions:

1 B01 (Samples of external materials)

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

2 E16 (Removal of permitted development rights)

Reason: To ensure the property remains commensurate with the need.

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 F17 (Scheme of foul drainage disposal)

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

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.

Informative:

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

109. DCNC2004/2599/F - BRIERLEY COURT FARM, BRIERLEY, LEOMINSTER, HEREFORDSHIRE FOR: S. & A. PROPERTY PER MR. P. DUNHAM, PAUL DUNHAM ASSOCIATES, 19 TOWNSEND, SOHAM, CAMBRIDGESHIRE, CB7 5DD (AGENDA ITEM 8)

The Northern Team Leader reported that the Leominster Town Council had recommended approval to the application but had raised some concerns about noise pollution from the chilling unit.

RESOLVED: That planning permission be refused for the following reason:

It is considered that the proposal would be contrary to Leominster District Local Plan Policy A9 and Herefordshire Unitary Development (Revised Deposit Draft) Policy E13 in that the buildings would be detrimental to the visual amenity of the area.

110. DCNC2004/2461/F - KILLIGARTH, BODENHAM, HEREFORD, HEREFORDSHIRE, HR1 3LB (AGENDA ITEM 9)

In accordance with the criteria for public speaking Mrs Heap spoke against the application.

The Sub-Committee discussed Mrs Heaps concerns about her property being overlooked by the extension and the way in which these could be overcome.

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 B03 (Matching external materials (general))

Reason: To ensure the satisfactory appearance of the development.

3 The annexe and the approved extension is attached shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as Killigarth.

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

Informative(s):

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

111. DCNE2004/2753/F - 51 OAKLAND DRIVE, LEDBURY, HEREFORDSHIRE, HR8 2EX FOR: MR. & MRS. M.J. CHAPPELL, GIBSON ASSOCIATES, BANK HOUSE, BANK CRESCENT, LEDBURY, HEREFORDSHIRE, HR8 1AA (AGENDA ITEM 10)

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 PP/LBC/CAC

112. DCNE2004/2771/F - LAND OFF NEW MILLS WAY - FROME BROOK ROAD, LEDBURY FOR: ST. JOHN KEMBLE HOUSING ASSOCIATION PER ROGER P. DUDLEY & ASSOCS, BARTLEET HOUSE, 165A BIRMINGHAM ROAD, BROMSGROVE, WORCESTERSHIRE, B61 0DJ (AGENDA ITEM 11)

Team leader North updated members on:

Issue of play area omission

The possibility of slowworms on site

Reference to a letter previously submitted by an objector wishing his development to be moved away from existing housing.

RESOLVED THAT:

The County Secretary and Solicitor be authorised to complete a planning obligation under Section 106 of the Town and Country Planning Act 1990 to secure affordable housing, and any additional matters and terms as she considers appropriate or alternatively a suitable planning condition be imposed

Upon completion of the aforementioned planning obligation or decision to impose a condition, the officers named in the Scheme of Delegation to Officers be authorised to issue planning 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 A09 (Amended plans)

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

3 B01 (Samples of external materials)

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

4 F16 (Restriction of hours during construction)

Reason: To protect the amenity of local residents.

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 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.

7 G01 (Details of boundary treatments)

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

8 G02 (Landscaping scheme (housing development))

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

9 G05 (Implementation of landscaping scheme (general))

Reason: To ensure the play area is suitably equipped.

11 H05 (Access gates)(15 metres)

Reason: In the interests of highway safety.

12 H11 (Parking - estate development (more than one house))

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

13 H18 (On site roads - submission of details)

Reason: To ensure an adequate and acceptable means of access is available before the dwelling or building is occupied.

14 H21 (Wheel washing)

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

15 H27 (Parking for site operatives)

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

16 Affordable Housing

Informatives:

- 1 N15 - Reason(s) for the Grant of PP/LBC/CAC**
- 2 HN05 - Works within the highway**
- 3 HN08 - Section 38 Agreement details**
- 4 HN10 - No drainage to discharge to highway**
- 5 HN19 - Disabled needs**

113. DCNW2004/1305/F - ST MICHAEL AND ALL ANGELS CHURCH, CROFT, LEOMINSTER FOR: P.C.C. OF ST MICHAEL'S CHURCH PER BARTOSCH AND STOKES, 1 BATH MEWS, BATH PARADE, CHELTENHAM, GLOUCESTERSHIRE, GL53 7HL (AGENDA ITEM 12)

RESOLVED: That planning permission be approved 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 D03 (Site observation – archaeology)

Reason: To allow the potential archaeological interest of the site to be investigated and recorded.

3 Prior to the commencement of development the existing steps shall be recorded by drawing and photographs with said records submitted to,

and approved in writing by the Local Planning Authority.

Reason: To ensure the preservation of this building of special architectural and historical importance.

4 B01 (Samples of external materials)

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

5 Prior to the commencement of development the method of protecting the area of wall to the nave of the church, adjacent to the steps, on the south facing elevation shall be submitted to, and approved in writing by the Local planning Authority.

Reason: To ensure the preservation of this building of special architectural importance and to safeguard the character and appearance of this building of special architectural and historical importance.

Informatives:

- 1 N15 (Reason(s) for the Grant of PP/LBC/CAC**
- 2 N03 (Adjoining property rights)**
- 3 ND03 (Contract Address)**
- 4 - NC01 (Alterations to Submission/Approved Plans)**

114. DCNW2004/2397/F - TYRRELLS COURT, STRETFORD, LEOMINSTER, HEREFORDSHIRE, HR6 9DQ FOR: MR. W. CHASE PER MULTI-FAB CONSTRUCTION, LOWERFIELDS, STRETFORD BRIDGE, LEOMINSTER, HEREFORDSHIRE, HR6 9DQ (AGENDA ITEM 13)

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 A11 (Change of use only details required of any alterations)

Reason: To define the terms under which permission for change of use is granted.

3 E06 (Restriction on Use) (Manufacturing of potato and vegetable crisps)

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

4 F37 (Scheme of odour and fume control)

Reason: In order to ensure that fumes and odours are properly discharged and in the interests of the amenities of residential property in the locality.

5 Prior to the use hereby approved, details of the means of handling waste products associated with the potato and vegetable crisp production process shall be submitted to and approved in writing by the local

planning authority. The treatment scheme as approved shall be installed/implemented and thereafter retained.

Reason: To prevent pollution of the water environment.

- 6 Upon commencement of the use of the building subject of this application for the approved production of potato and vegetable crisps, the use of the adjacent building approved pursuant to Application No. NW2001/3173/F on 13th February, 2002 for production purposes shall permanently cease. This building shall thereafter only be used for office and storage purposes associated with potato and vegetable crisp production.

Reason: To ensure that the expansion of the operation is limited to an appropriate level having regard to local amenity and highway safety.

Informatives:

- 1 N15 - Reason(s) for the Grant of PP.
- 2 The future expansion of this business remains a cause for concern for the local planning authority in terms of its effect upon local amenity and highway safety. An application for further expansion of the crisp manufacturing process may prove difficult to support in view of the traffic generation implications in the isolated rural location.

115. DCNW2004/2577/F - CHAPEL VIEW, LYONSHALL, KINGTON, HEREFORDSHIRE, HR5 3HW MR. A.G. TAYLOR AT ABOVE ADDRESS (AGENDA ITEM 14)

The receipt of further comments from the Lyonshall Parish Council was reported together with a letter of objection from a firm of solicitors acting on behalf of some of the objectors.

In accordance with the criteria for public speaking Mr Richardson the agent of the applicant spoke in favour of the application.

Councillor RJ Phillips, the Local Ward Member expressed concerns that the application was a retrospective one.

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

- 1 E27 (Personal condition) (Albert George Taylor & Rosetta Taylor)

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

- 2 When the caravan site ceases to be occupied by Albert George Taylor and Rosetta Taylor, the use hereby permitted shall cease and the caravan and all associated structures brought onto the site in connection with the use shall be permanently removed and the land reinstated to its former agricultural condition.

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

circumstances.

- 3 This permission relates to the siting of one residential touring caravan and no other units of accommodation shall be brought onto or occupied on the site.

Reason: In order to define the terms of this permission.

- 4 Within one month of the date of this permission, confirmation of the connection of the touring caravan and any other structure requiring connection to the mains sewer shall be providing in writing for the approval of the local planning authority. The approved scheme shall be implemented within a further month of the approval and thereafter maintained.

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

- 5 Within one month of the date of this permission a landscaping scheme including orchard planting and appropriate hedgerow planting along the northern boundary of the fenced area together with details of species, sizes and planting numbers and measures for their protection shall be submitted to and approved in writing by the local planning authority.

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 H16 (Parking/unloading provision - submission of details)

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

Informatives:

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

2 The applicant is advised that the current levels of activity associated with his employment is considered to be ancillary to the approved residential use of the site. The local planning authority reserve the right to reconsider this matter if business related activities increase to the extent that a material change of use occurs.

116. DCNW2004/2763/F & DCNW2004/2760/C - THE BURTON HOTEL, MILL STREET, KINGTON, HEREFORDSHIRE, HR5 3BQ FOR: MR. J. RICHARDSON PER WARREN BENBOW ARCHITECTS, 21 MILL STREET, KINGTON, HEREFORDSHIRE, HR5 3AL (AGENDA ITEM 15)

In accordance with the criteria for public speaking Mr Benbow acting on behalf of the applicant spoke in favour of the application.

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

NW2004/2763/F

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 C02 (Approval of details) (the method of constructing the lift shaft and the treatment and exact position of glazed junction with the existing hotel building).

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

5 E18 (No new windows in specified elevation)(windows)

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

6 F16 (Restriction of hours during construction)

Reason: To protect the amenity of local residents.

7 F18 (Scheme of foul drainage disposal)

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

8 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.

9 G04 (Landscaping scheme (general))

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

10 G05 (Implementation of landscaping scheme (general))

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

11 G09 (Retention of trees/hedgerows)

Reason: To safeguard the amenity of the area.

12 Prior to the commencement of the use of the swimming pool, health suite, bedroom and holiday let wings, 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 in accordance with the sustainable objectives of Herefordshire Council.

13 H05 (Access gates)(5 metres)

Reason: In the interests of highway safety.

14 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.

15 H21 (Wheel washing)

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

16 H27 (Parking for site operatives)

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

17 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.

Informatives:

- 1 N15 - Reason(s) for the Grant of PP/LBC/CAC**
- 2 HN05 - Works within the highway**
- 3 HN10 - No drainage to discharge to highway**
- 4 HN19 - Disabled needs**
- 5 N13 - Control of demolition - Building Act 1984**

NW2004/2760/C

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 C14 (Signing of contract before demolition)

Reason: Pursuant to the provisions of Section 17(3) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

117. DCNW2004/2850/F - THE BOOZIE, UPHAMPTON FARM, UPHAMPTON, SHOBDON, LEOMINSTER, HEREFORDSHIRE, HR6 9PA FOR: MR. & MRS. J. ROBERTS PER BRYAN THOMAS ARCHITECTURAL DESIGN LTD, THE MALT HOUSE, SHOBDON, LEOMINSTER, HEREFORDSHIRE, HR6 9NL (AGENDA ITEM 16)

Councillor RJ Phillips the Local Ward Member felt that the applicants had demonstrated a functional need for the dwelling as part of the agricultural business and that the proposed size of the dwelling was not excessive bearing in mind the family need combined with the need to provide an office in connection with the running of the business. He suggested that appropriate conditions for approval could include the removal of permitted development rights, the removal of the mobile home, appropriate landscaping conditions and consultation with the Chairman prior to permission being granted. Councillor WLS Bowen had reservations about permission being granted for the size of dwelling requested because it was at variants with the Council's planning policies which either needed to be complied with or changed to permit such dwellings.

Having considered details of the application the Sub-Committee felt that the dwelling applied for would be suitable to serve the business requirements of the enterprise. The Sub-Committee did not feel that the size of the dwelling was excessive for the provision of family sized accommodation for an agricultural worker and his family subject to it being tied in with the existing farm and the permitted development rights being removed.

RESOLVED: That

- (a) The Northern Area Planning Sub-Committee is minded to approve the application subject to the conditions set out below (and 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;**
 - 1) no permitted development rights;**
 - 2) the dwelling being tied to the agricultural business;**
 - 3) on completion demolition/removal of the mobile home;**
 - 4) a scheme of landscaping to meet the prior approval of the Planning Authority; and**
 - 5) other conditions approved by the Chairman of the Sub-Committee and local Ward Councillor**

- (b) If the Head of Planning Services does not refer the application to 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 Development Control Manager said that as there were crucial planning policy issues at stake he would refer the matter to the Head of Planning Services.)

118. DCNW2004/3056/F - BRIDGE FARM, ALMELEY, HEREFORD, HEREFORDSHIRE, HR3 6LD FOR: D.J. MORGAN, MCCARTNEYS, 34 HIGH STREET, KINGTON, HEREFORDSHIRE, HR5 3BJ (AGENDA ITEM 17)

NORTHERN AREA PLANNING SUB-COMMITTEE WEDNESDAY, 3RD NOVEMBER, 2004

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 PP/LBC/CAC

The meeting ended at Time Not Specified

CHAIRMAN