

MINUTES of the meeting of Southern Area Planning Sub-Committee held at The Council Chamber, Brockington on Wednesday, 24th November, 2004 at 2.00 p.m.

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

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

In attendance: Councillors P.J. Edwards, T.W. Hunt (ex-officio) and Ms. G.A. Powell

83. APOLOGIES FOR ABSENCE

Apologies were received from Councillor J.B. Williams.

84. DECLARATIONS OF INTEREST

There were no declarations of interest made at the meeting.

85. MINUTES

RESOLVED: That the Minutes of the meeting held on 27th October, 2004 be approved as a correct record and signed by the Chairman.

86. ITEM FOR INFORMATION - APPEALS

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

87. DCSE2004/3063/F - PARAGON LAUNDRY WORKS, LEDBURY ROAD, ROSS-ON-WYE, HEREFORDSHIRE (AGENDA ITEM 5)

Residential development including demolition of existing buildings and associated works.

The Principal Planning Officer reported the receipt of comments from the Environmental Health Officer who did not object to the application subject to suitable conditions.

In accordance with the Criteria for Public Speaking, Mr. Shovelton, a resident from a neighbouring property spoke against the application.

Councillor Mrs. A.E. Gray, one of the Local Ward Members, felt that the proximity of the application site to the sawmills could lead to future Environmental Health issues.

In response to a question, the Principal Planning officer advised Members that the ground level over most of the site would be reduced by 2 metres.

RESOLVED

That planning permission be granted subject to the following conditions:

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

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

2 B01 (Samples of external materials)

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

3 G04 (Landscaping scheme (general))

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

4 G05 (Implementation of landscaping scheme (general))

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

5 G01 (Details of boundary treatments)

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

6 Notwithstanding the submitted drawing no development shall take place until full drawings showing cross sections of the existing site profiles and cross sections of the proposed site including all buildings, roads and car parking areas shall be submitted to and approved by the local planning authority.

Reason: To ensure that the development is satisfactorily assimilated into the site.

7 E18 (No new windows in specified elevation)

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

8 Development approved by this planning permission shall not be commenced unless:

a) A desk top study has been carried out which shall include the identification of previous site use, potential contaminants that might reasonably be expected given those uses and other relevant information and using this information a diagrammatical representation (Conceptual Model) for the site of all potential contaminant sources, pathways and receptors has been produced.

b) A site investigation has been designed for the site using the information obtained from the desktop study and any diagrammatical representations (Conceptual Model). This should be submitted to, and approved in writing by the local planning authority prior to that investigation being carried out on the site. The investigation must be

comprehensive enough to enable:

- a risk assessment to be undertaken relating to the receptors associated with the proposed new use, those uses that will be retained (if any) and other receptors on and off the site that may be affected, and
- refinement of the Conceptual Model, and
- the development of a Method Statement detailing the remediation requirements.

- c) The site investigation has been undertaken in accordance with details approved by the local planning authority and a risk assessment undertaken.
- d) A Method Statement detailing the remediation requirements using the information obtained from the Site Investigation has been submitted to the local planning authority. This should be approved in writing by the local planning authority prior to that remediation being carried out on the site.

Reason: To ensure potential soil contamination is satisfactorily dealt with before the development is occupied.

- 9 The development of the site should be carried out in accordance with the approved Method Statement.

Reason: To ensure potential soil contamination is satisfactorily dealt with before the development is occupied.

- 10 If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted, and obtained written approval from the local planning authority, for an addendum to the Method Statement. This addendum to the Method Statement must detail how this unsuspected contamination shall be dealt with and from the date of approval the addendum shall form part of the Method Statement.

Reason: To ensure potential soil contamination is satisfactorily dealt with before the development is occupied.

- 11 Upon completion of the remediation detailed in the Method Statement a report shall be submitted to the local planning authority that provides verification that the required works regarding contamination have been carried out in accordance with the approved Method Statement. Post remediation sampling and monitoring results shall be included in the report to demonstrate that the required remediation has been fully met. Future monitoring proposals and report shall also be detailed in the report.

Reason: To ensure potential soil contamination is satisfactorily dealt with before the development is occupied.

- 12 H03 (Visibility splays)

Reason: In the interests of highway safety.

- 13 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.
- 14 W01 (Foul/surface water drainage)
Reason: To protect the integrity of the public sewerage system.
- 15 W02 (No surface water to connect to public system)
Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no detriment to the environment.
- 16 W03 (No drainage run-off to public system)
Reason: To prevent hydraulic overload of the public sewerage system and pollution of the environment.
- 17 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.
- 18 Prior to the occupation of any dwelling a management plan, to include proposals for the long term design objectives, management responsibilities and maintenance schedules in perpetuity, for the areas of open space and play area shall be submitted to and approved by the local planning authority. The management plan shall be carried out as approved.
Reason: In order to ensure that the use and maintenance in perpetuity of the open space is assured.

Informative:

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

88. DCSE2004/3075/O - THE GABLES, ASTON CREWS, ROSS-ON-WYE, HEREFORDSHIRE, HR9 7LW (AGENDA ITEM 6)

Site for family home.

The Team Leader (Southern) reported the receipt of comments from Aston Ingham Parish Council, who objected to the application.

Councillor H. Bramer, the Local Ward Member, noted the concerns of local residents and the Parish Council.

RESOLVED

- (i) The Southern Area Planning Sub-Committee is minded to refuse the application as it does not fulfil policy SH10 in terms of meeting a local housing requirement (and any further reasons for refusal 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.

- (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 reasons for refusal referred to above.

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

89. DCSE2004/3160/F - GREEN ACRE STABLES, LEA, ROSS-ON-WYE,
HEREFORDSHIRE, HR9 7JZ (AGENDA ITEM 7)

Block of 3 stables.

The Principal Planning Officer reported the receipt a letter 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 G04 (Landscaping scheme (general))

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

3 G05 (Implementation of landscaping scheme (general))

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

4 B01 (Samples of external materials)

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

5 E11 (Private use of stables only)

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

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.

Informative:

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

90. DCSE2004/2594/F - THE SKAKES, GLEWSTONE, ROSS-ON-WYE,
HEREFORDSHIRE, HR9 6AZ (AGENDA ITEM 8)

Retention of boundary fencing.

RESOLVED

That subject to the receipt of suitably amended plans with regard to height, position and appearance of the fences, the officers named in the Scheme of Delegation to Officers be authorised to determine the application subject to any conditions considered necessary by officers.

91. DCSE2004/2777/F - WALLOW FARM, PONTSHILL, ROSS-ON-WYE, HEREFORDSHIRE, HR9 5TQ (AGENDA ITEM 9)

New soakaway outfall to existing sewage treatment plant outfall.

The Principal Planning Officer reported the receipt of a further letter of objection from a local resident.

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.

92. DCSW2004/3343/RM - ALLWAYS, CLEHONGER, HEREFORD, HEREFORDSHIRE, HR2 9TE (AGENDA ITEM 10)

Erection of two dwellings after demolition of existing bungalow.

The Team Leader (Southern) reported the receipt of two emails objecting to the application from Mr. and Mrs Lloyd, and Mr. and Mrs. Bussell.

Mrs. Honey had registered to speak on behalf of Clehonger Parish Council but was not present at the meeting. Mr. Spreckley, the applicant's agent, spoke in support of the application.

Councillor D.C. Taylor, the Local Ward Member, supported the views of the Parish Council and the local residents and felt that two bungalows would be more appropriate than the house and dormer bungalow proposed for the application site.

RESOLVED

That planning permission be granted 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 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 G05 (Implementation of landscaping scheme (general))

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

5 Notwithstanding the approved plans, the details of the boundary treatment to the north west and north east boundaries of the site shall be submitted to and approved in writing by the local planning authority prior to the commencement of the development. The work shall be carried out in accordance with the approved details.

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

Informative(s):

1 N09 - Approval of Reserved Matters

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

93. DCSE2004/3028/F - EDMO ENGINEERING LTD., OVERROSS INDUSTRIAL ESTATE, NETHERTON ROAD, ROSS-ON-WYE, HEREFORDSHIRE, HR9 7QQ (AGENDA ITEM 11)

Installation of a 12m phase 1.5 monopole, 6 x antenna, 2 x 600mm dishes, radio equipment housing and ancillary development.

The Principal Planning Officer reported the receipt of comments from Brampton Abbot Parish Council who did not object to the application. He also reported the receipt of the ICNIRP certificate.

In accordance with the Criteria for Public Speaking, Mr. Evans, the applicant's agent, spoke in support of the application.

The Legal Practice Manager advised Members of a recent case heard by the Court of Appeal, *T-Mobile (UK) Ltd. And Others v First Secretary of State*, which stated that if an ICNERP Certificate had been received it should not be necessary for a local planning authority, in processing an application for planning permission or prior approval, to consider further the health aspects and concerns about them.

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

94. DCSE2004/2607/RM - NEWTON FARM, WELSH NEWTON, MONMOUTH, HEREFORDSHIRE, NP5 3RN (AGENDA ITEM 12)

Equestrian Centre, car parking and ancillary works.

Councillor Mrs. J.A. Hyde, the Local Ward Member, proposed that a site inspection be undertaken as the character or appearance of the development itself was a fundamental planning consideration, a judgement was required on visual impact and the setting and surroundings were fundamental to the determination or to the conditions being considered.

In accordance with the criteria for Public Speaking, Mrs. Fender and Mrs. Swinglehurst had registered to speak against the application but decided to defer their opportunity to speak until this application was considered again after the site inspection had taken place.

RESOLVED:

That consideration of the application be deferred for a site inspection be undertaken on the grounds that the character or appearance of the development itself is a fundamental planning consideration, a judgement is required on visual impact and the setting and surroundings are fundamental to the determination or to the conditions being considered

95. DCSW2004/0047/0 - ORCOP POULTRY, ORCOP HILL, MUCH DEWCHURCH, HR2 8EN (AGENDA ITEM 13)

Site for six dwellings (affordable/market housing), bio disc treatment system, removal of poultry system, removal of poultry buildings.

The Team Leader (Southern) reported the receipt of a further letter from the applicant's agent. He also reported the receipt of a letter of support from Orcop Parish Council.

The Senior Enabling Officer (Strategic Housing) advised members that the Housing Need Survey for Orcop outlined 7 people in need of affordable housing. The Survey also stated that they could not afford more than £90,000. He also said that the October 2004 ASHE Figures indicated that the average household income for Herefordshire was £22,088. This would result in a maximum figure of £73,000 that people could expect to raise towards the cost of a house through a mortgage lender. He also said that as the applicant had indicated a starting price of £131,000 for these dwellings they would not be affordable to local residents and would not satisfy the local housing needs.

Councillor G.W. Davis, the Local Ward Member, supported the views of the Parish Council, he felt that it would be very difficult for the applicant to build the dwellings for £90,000. He also felt that the proposed cost of £131,000, which included a 25% discount on market value, was considerably lower than current house prices in Orcop.

In response to a question, the Southern Team Leader advised Members that that the site was an exception site that had only initially been granted planning permission due to the promise of affordable housing.

RESOLVED

- (i) The Southern Area Planning Sub-Committee is minded to approve the application subject to the following, and any 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**
 - (a) 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 that a 25% reduction on market value is applied to the dwellings.**
 - (b) 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 any conditions considered necessary by the Head of Planning Services.**
- (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 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.)

96. DCSW2004/2832/F - HINTON CROSS GARAGE, PETERCHURCH, HEREFORD, HEREFORDSHIRE, HR2 0TF (AGENDA ITEM 14)

Extension to agricultural and motor repair workshop including area for MOT testing with waiting room and office.

RESOLVED

That subject to revisions being sought to the existing entrance serving the site, 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 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 E01 (Restriction on hours of working)**

Reason: To safeguard the amenities of the locality.

4 E06 (Restriction on Use)

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

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

Reason: To prevent pollution of the water environment.

6 F26 (Interception of surface water run off)

Reason: To prevent pollution of the water environment.

7 F32 (Details of floodlighting/external lighting)

Reason: To safeguard local amenities.

8 F42 (Restriction of open storage)

Reason: To protect the appearance of the locality.

Informative(s):

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

97. DCSW2004/3114/F - SITE AT DORSTONE VILLAGE GREEN, DORSTONE,
HEREFORD, HR3 6AN (AGENDA ITEM 15)

Demolition of derelict bungalow and construction of 3 cottages on the site.

RESOLVED

That subject to the receipt of satisfactory revised plans relating to the fenestration for Unit 3, 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 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 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 G04 (Landscaping scheme (general))

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

5 G05 (Implementation of landscaping scheme (general))

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

6 H04 (Visibility over frontage)

Reason: In the interests of highway safety.

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 H27 (Parking for site operatives)

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

Informative(s):

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 Planning Permission

98. DCSE2004/0969/F - WYE VIEW, BULLS HILL, WALFORD, NR. ROSS-ON-WYE, HEREFORDSHIRE. (AGENDA ITEM 16)

Proposed two storey extension.

The Principal Planning Officer reported the receipt of a further letter of objection from a local resident.

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 B01 (Samples of external materials)

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

4 G04 (Landscaping scheme (general))

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

5 G05 (Implementation of landscaping scheme (general))

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

6 Notwithstanding the approved drawing the sewage treatment plant shall not be installed until full details of the system, including percolation tests, have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: To prevent environmental pollution and flooding.

Informative:

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

99. DCSE2004/2297/F - WYEVERN, WALFORD ROAD, ROSS-ON-WYE, HEREFORDSHIRE, HR9 5PT (AGENDA ITEM 17)

Extension/alterations to provide additional flat.

The Senior Planning Officer reported the receipt of revised plans with detail of improved parking and cycle lockers.

In accordance with the Criteria for Public Speaking Mr. Pye spoke in objection to the application and Mr Sargeantson, the applicant, spoke in support.

Councillor Mrs. A.E. Gray, one of the Local Ward Members, felt that she could not support the application due to the poor vehicular access.

RESOLVED

- (i) The Southern Area Planning Sub-Committee is minded to refuse the application due to traffic issues with view to the impending traffic calming on Walford Road and on grounds of over intensification (and any further reasons for refusal 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.**
- (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 reasons for refusal referred to above.**

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

**100. DCSW2004/2915/F - MALT HOUSE, PRIORY WOOD, CLIFFORD,
HEREFORDSHIRE, HR3 5HF (AGENDA ITEM 18)**

New garage to replace existing, with utility room at rear and with store and studio over.

RESOLVED

That planning permission be refused for the following reason:

- 1. The scale of the building proposed and its prominence in an Area of Great Landscape Value would detract from the amenity of the locality and is therefore contrary to the provisions of Policies GD.1, C.1 and C.8 contained in the South Herefordshire District Local Plan.**

The meeting ended at 4.04 p.m.

CHAIRMAN

