

MINUTES of the meeting of Northern Area Planning Sub-Committee held at The Council Chamber, Brockington, 35 Hafod Road, Hereford on Wednesday, 1st December, 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. Dauncey, 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.J. Phillips, R.V. Stockton and J.P. Thomas

In attendance: Councillors P.J. Edwards, Mrs. J.E. Pemberton and Ms. G.A. Powell

119. APOLOGIES FOR ABSENCE

Apologies were received from Councillor DW Rule.

The Chairman welcomed Mr A Banks, Principal Planning Officer, Mrs A Jahn, Senior Planning Officer and Mr R Pryce to the Northern Team of Planning Services.

120. DECLARATIONS OF INTEREST

Councillor JP Thomas declared a prejudicial interest in respect of Agenda Item 18 (DCNC2004/3513/F – Raise Roof Level, Add Conservatory and Replace Existing Flat Roof Structure to Side of House with Single Storey Extension at 34 Newlands Road, Leominster, Herefordshire, HR6 8HN) and left the meeting for the duration of the item.

121. MINUTES

RESOLVED: That the minutes of the meeting held on 3 November 2004 be approved as a correct record and signed by the Chairman.

122. ITEM FOR INFORMATION - APPEALS

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

123. 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.

124. DCNW2004/2886/F - CHANGE OF USE AND CONVERSION TO RESIDENTIAL USE AT KINTON BARN, KINTON, LEINTWARDINE, HEREFORDSHIRE & DCNW2004/2887/L - AT THE SAME (AGENDA ITEM 6)

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In accordance with the criteria for public speaking, Mr Donne spoke against the application.

The Sub-Committee had certain reservations about the application because the building was an outstanding example of an historic barn and was also a Grade II Listed Building. It was noted that this had to be balanced against the fact that the building could be in danger of falling into disrepair in the future and that a sensitive conversion into a dwelling would prevent this.

The Local Ward Member, Councillor Mrs LO Barnett had a number of concerns about the application and asked for it to be deferred for further discussion between the officers and the applicant to explore whether those concerns could be met. The Principal Planning Officer (Development Control Central) suggested that these concerns could be met by delegated authority to the officers and Mrs Barnett felt that this was acceptable provided that the Chairman and Local Ward Member were consulted.

RESOLVED: THAT

DCNW2004/2886/F

In accordance with the amended plans and additional ecological information, 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 in consultation with the Chairman and Local Ward Member.

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) (Amended Site Plan 1303:1206:02 and 04A)

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 - 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.

5 - C05 (Details of external joinery finishes)

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

6 - C06 (External finish of flues)

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

special architectural or historical interest.

7 - C11 (Specification of guttering and down pipes)

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

8 - E16 (Removal of permitted development rights)

Reason: To preserve the open character of the site and the rural setting of the converted barn.

9 - F18 (Scheme of foul drainage disposal)

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

10 - G01 (Details of boundary treatments)

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

11 - G04 (Landscaping scheme (general))

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

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

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

13 - G09 (Retention of trees/hedgerows)

Reason: To safeguard the amenity of the area.

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 - The open fronted garaging hereby approved shall be used for the purposes of parking and other purposes ancillary to the residential use of the dwellinghouse hereby created and shall not be used for any other purpose unless otherwise previously agreed in writing with the local planning authority.

Reason: To ensure that sufficient covered parking and storage is retained so as to avoid undue pressure for additional ancillary buildings within the curtilage of the listed barn.

16 - Prior to the occupation of the converted barn, the existing modern farm building shown on the approved plans to be removed shall be demolished and permanently removed from the site.

Reason: To enhance the setting of the converted building.

Informatives:

1. N15 Reasons for the grant of Planning Permission.
2. NC02 – Warning against demolition
3. NC01 – Alterations to submitted/approved plans

DCNW2004/2887/L

In accordance with the amended plans and additional ecological information, officers named in the Scheme of Delegation to Officers be authorised to issue listed building consent subject to the following conditions and any additional conditions considered necessary by officers in consultation with the Chairman and Local Ward Member.

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. A06 - Development in accordance with approved plans (Amended site plan 1303:1206:02 and 04A)

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. 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.
5. C05 - Details of external joinery finishes

Reason: To safeguard the character and appearance of this building of special architectural or historical interest.
6. C06 - External finish of flues

Reason: To safeguard the character and appearance of this building of special architectural or historical interest.
7. C11 - Specification of guttering and downpipes

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

Informatives:

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1. N15 Reasons for the grant of Planning Permission.
2. NC02 – Warning against demolition
3. NC01 – Alterations to submitted/approved plans

125. DCNW2004/2895/F - CONVERSION OF FORMER METHODIST CHAPEL INTO DWELLING. MINOR EXTENSION TO SOUTHWEST CORNER OF EXISTING BUILDING AT THE METHODIST CHAPEL, BACON LANE, AYMESTREY, HEREFORDSHIRE, HR6 9ST (AGENDA ITEM 7)

The Sub-Committee discussed the merits of the application and was supportive of the proposal to create a two bedroomed property with a rendered external finish and a natural slate roof. The Head of Planning Services said that the building was of considerable interest as a corrugated iron clad Methodist chapel and that the cladding should be retained. The Sub-Committee concurred with the views of the local Ward Member that it would be preferable for the existing features to be retained, particularly the front elevation of the building, and that the corrugated iron cladding should be replaced.

RESOLVED: That

- (a) **The Northern Area Planning Sub-Committee is minded to approve the application subject to the conditions set out below 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;**
 1. **conditions regarding adaptation and extension of the building to create a two bedroomed property which would have a rendered external finish with a natural slate roof**
 2. **consultation with the local Ward Councillor**
- (b) **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 in consultation with the Local Ward Councillor and subject to such conditions referred to above.**

(Note: - The Principal 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.)

126. DCNW2004/3347/F - PROPOSED REPLACEMENT DWELLING WITH NEW ACCESS AT KNOCK HUNDRED, BEARWOOD, LEOMINSTER, HEREFORDSHIRE, HR6 9EF (AGENDA ITEM 8)

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

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

1. The proposed replacement dwelling with the associated garage would by reason of their overall scale and siting result in a form of development that would not compare favourably with the original dwelling fails to contain development within the established residential curtilage of the property. The result would be a form of development that is unacceptable in principle and contrary to Policy H20 of the Hereford and Worcester County Structure Plan and Policy A2(D) of the Leominster District Local Plan (Herefordshire).
2. The proposed replacement dwelling with associated garage would by reason of their overall scale, design and siting detract from the quality and visual appearance of the rural landscape. The resulting development would represent an unacceptable encroachment into the open countryside contrary to Policy A9 of the Leominster Local Development Plan (Herefordshire).

127. DCNW2004/3353/F - REMOVAL OF EXISTING BUNGALOW AND GARAGE, PROPOSED THREE COTTAGE TYPE DWELLINGS AT SUNNYDALE, FLOODGATES, KINGTON, HEREFORDSHIRE, HR5 3NE (AGENDA ITEM 9)

RESOLVED: That consideration of the application be deferred for a site inspection on the following grounds:

- (a) the character or appearance of the development itself is a fundamental planning consideration;
- (b) a judgement is required on visual impact; and
- (c) the setting and surroundings are fundamental to the determination or to the conditions being considered.

128. DCNE2004/3080/F - EXTENSION TO EXISTING ANNEXE TO PROVIDE TWO BEDROOM ACCOMMODATION AT ROYAL OAK INN, SOUTHEND, LEDBURY, HEREFORDSHIRE (AGENDA ITEM 10)

The Sub-Committee did not feel that the application should be determined in isolation from an application for listed building consent.

RESOLVED: That consideration of the application be deferred pending receipt of an application for listed building consent from the applicant.

129. DCNE2004/3268/F - REPLACEMENT DWELLING AT SLATCHWOOD, CODDINGTON, LEDBURY, HEREFORDSHIRE, HR8 1JN (AGENDA ITEM 11)

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 - C05 (Details of external joinery finishes)**

Reason: To ensure that the development hereby approved reflects the character and appearance of the surrounding area.

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

Reason: To ensure that the development hereby approved reflects the character and appearance of the surrounding area.

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

Reason: The replacement dwelling hereby approved is significantly larger than that which exists. The removal of permitted development rights will allow the Local Planning Authority to consider the acceptability of any future extensions.

- 6 - H03 (Visibility splays) (2m x 33m)**

Reason: In the interests of highway safety.

- 7.- The existing iron railing fence may remain, as sufficient visibility is possible through it. If it is replaced, the replacement must allow equal or better visibility. Vegetation must be maintained short enough to keep the visibility requirement effective.**

Reason: In the interests of highway safety.

- 8 - That the existing dwelling is demolished prior to the construction of the new dwelling and all remains of debris be removed.**

Informatives:

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

- 130. DCNC2004/2934/F - PROPOSED TWO STOREY EXTENSION AND CONSERVATORY AT 4 MAPPENORS LANE, LEOMINSTER, HEREFORDSHIRE, HR6 8TG (AGENDA ITEM 12)**

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

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

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

- 2 - A06 (Development in accordance with approved plans)**

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

Informative:

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

131. DCNC2004/2996/F - CONVERSION TO 7 BED RESIDENTIAL CARE HOME AT LEDWYCHE SPRINGS, BLEATHWOOD, HEREFORDSHIRE, SY8 4LF (AGENDA ITEM 13)

Councillor J Stone, the Local Ward Member, requested that consideration of the application be deferred pending further information from the applicant about the change of use to residential care, supervision of the home and further investigation by the Highways Department about highway safety.

RESOLVED: That consideration of the application be deferred for the above reasons.

132. DCNC2004/3095/F - PROPOSED DETACHED BUNGALOW AND GARAGE ON LAND ADJOINING 85A SOUTH ST, LEOMINSTER, HR6 8JH (AGENDA ITEM 14)

It was reported that Welsh Water had withdrawn their objection.

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 - H26 (Access location)

Reason: In the interests of highway safety.

4 - 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.

5 - G01 (Details of boundary treatments)

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

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 - F16 (Restriction of hours during construction)**

Reason: To protect the amenity of local residents.

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

Reason: To control further development in the interests of amenity.

Informative:

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

- 133. DCNC2004/3108/RM - PROPOSED 2 DETACHED HOUSES WITH GARAGES ON LAND AT GRID REFERENCE 55415490, RISBURY, LEOMINSTER, HEREFORDSHIRE, HR6 0NQ (AGENDA ITEM 15)**

The receipt of a letter from a neighbour about land ownership issues was reported.

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

- 1 - A01 (Time limit for commencement (full permission)) (2 years)**

Reason: For the avoidance of doubt and to ensure the site does not continue to remain undeveloped and that it is utilised for the purpose originally intended.

- 2 - B01 (Samples of external materials)**

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

- 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 - 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 - 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 - F18 (Scheme of foul drainage disposal)**

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

Informatives:

- 1 - HN01 - Mud on highway**
- 2 - HN10 - No drainage to discharge to highway**
- 3 - N15 - Reason(s) for the Grant of PP/LBC/CAC**

134. DCNC2004/3334/F - PROPOSED ERECTION OF 4 COTTAGES ON LAND TO REAR OF THE BAY HORSE, LITTLE HEREFORD STREET, BROMYARD (AGENDA ITEM 16)

The Local Ward Members Councillors PJ Dauncey and B Hunt expressed grave reservations about the scheme because of the loss of town center car parking and lack of adequate car parking for the proposed dwellings. They were also concerned about the impact this would have upon on-street car parking in the vicinity.

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) (17 November 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 - H27 (Parking for site operatives)

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

5 - Before the development is commenced a scheme for the provision of secure and covered cycle parking for a minimum of 2 cycles per dwelling unit shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

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.

6 - F17 (Scheme of foul drainage disposal)

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

7 - F22 (No surface water to public sewer)

Reason: To safeguard the public sewerage system and reduce the risk of serious flooding.

Informatives:

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

2 - HN01 - Mud on highway

3 - HN05 - Works within the highway

4 - HN10 - No drainage to discharge to highway

135. DCNC2004/3449/O - SITE FOR DETACHED HOUSE WITH GARAGE, NEW VEHICULAR/PEDESTRIAN ACCESS, AT 55 NEW ROAD, BROMYARD, HEREFORDSHIRE, HR7 4AL (AGENDA ITEM 17)

The Sub Committee had a number of concerns about the application because the proposed dwelling would have an access directly on to a very busy and fast stretch of road. The Senior Planning Officer said that the Highways Department had visited the site and had no objections to the application. Notwithstanding this some Members felt that the application should be refused but when put to the vote the motion was lost.

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. A04 (Approval of reserved matters)

Reason: To enable the local planning authority to exercise proper control over these aspects of the development.

3. H02 (Single access - footway)

Reason: In the interests of highway safety.

4. H03 (Visibility splays)

Reason: In the interests of highway safety.

5. H09 (Driveway gradient)

Reason: In the interests of highway safety.

6. H14 (Turning and parking: change of use - domestic)

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

Informative(s):

1. HN01 - Mud on highway
2. HN05 - Works within the highway
3. HN10 - No drainage to discharge to highway
4. N15 - Reason(s) for the Grant of Planning Permission

136. **DCNC2004/3513/F - RAISE ROOF LEVEL, ADD CONSERVATORY AND REPLACE EXISTING FLAT ROOF STRUCTURE TO SIDE OF HOUSE WITH SINGLE STOREY EXTENSION AT 34 NEWLANDS ROAD, LEOMINSTER, HEREFORDSHIRE, HR6 8HN (AGENDA ITEM 18)**

The Principal Planning Officer reported that the applicant had provided acceptable amended plans which addressed the discrepancy about the height of the proposed dwelling.

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

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

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

- 2 - A06 (Development in accordance with approved amended plans)

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

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

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

- 4 - H10 (Parking - single house) (3 cars)

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

137. **DCNC2004/3647/F - REMOVAL OF CONDITION 14 ON PLANNING PERMISSION NC04/1529/O, RELATING TO RESERVED MATTERS SUBMISSION SHALL INCLUDE PROVISION THAT NO LESS THAN 3 HOUSES SHALL BE AFFORDABLE HOUSING AT RIDLERS PLACE, UPPER SAPEY, HEREFORDSHIRE (AGENDA ITEM 19)**

The Principal Planning Officer reported the receipt of a letter from Festival

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Housing supporting the proposal, subject to the developers paying a commuted sum that could be used for affordable housing on an alternative scheme. He advised that the Councils Strategic Housing department also supported removal of the condition subject to alternative financial arrangements that would provide funding for low cost housing in an alternative scheme.

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

Councillor T W Hunt the Local Ward Member expressed the view that the condition should be lifted in respect of the site because the demand for affordable housing could be met in an alternative location nearby. He did not feel that the provision of low cost housing units would be appropriate for the site at Ridlers Place because of its location and setting and the possibility of highway safety issues involved.

The Sub-Committee discussed the details of the application and took the view that the planning condition could be lifted provided that the applicants entered into a legal agreement to provide funding that could be used for social housing at an alternative location nearby.

RESOLVED:

(a) That the Northern Area Planning sub-committee is mindful to approve the application subject to any conditions felt to necessary by the Head of Planning Services, providing that the Head of Planning Services does not refer the application to the Planning Committee.

- 1 Condition 14 on Planning Permission NC04/1529/O relating to reserved matters submission be removed and replaced by a Section 106 agreement to enable the Local Planning Authority, the Developer and Strategic Housing to negotiate and agree a suitable financial contribution in lieu of on site provision of affordable housing in line with Circular 06/98 (Para 23) that this agreed commuted sum will be used towards the provision of suitable affordable housing within Herefordshire where a need has been identified also a sum be allocated to improve local community facilities in Upper Sapey such as a village hall and if agreement cannot be reached with the developer, the matter be referred back to the Sub-Committee.**

(b) If the Head of Planning 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.

(The Principal 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)

138. DCNC2004/3678/RM - ERECTION OF HOUSE AND GARAGE AT OLD SCHOOL HOUSE, WHITBOURNE, WORCESTER, HEREFORDSHIRE, WR6 5SP (AGENDA ITEM 20)

In accordance with the criteria for public speaking Mr Butler spoke against the application.

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Councillor TW Hunt, the Local Ward Member asked about the highway safety issues regarding the application and the Principal Planning Officer said that they were fully explained in the report. In answer to a question about whether the outline permission had been for a single storey dwelling, the Principal Planning Officer said that the outline was for one dwelling and did not make any reference to the number of floors.

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 - 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.

3. – Working hours

Informatives:

1 - N09 - Approval of Reserved Matters

2 - N15 - Reason(s) for the grant of approval of reserved matters

The meeting ended at 4.15 p.m.

CHAIRMAN