

**MINUTES of the meeting of Northern Area Planning Sub-Committee held at The Council Chamber, Brockington, 35 Hafod Road, Hereford on Wednesday, 26th January, 2005 at 2.00 p.m.**

**Present:** Councillor J.W. Hope MBE (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, R.M. Manning, R. Mills, R.J. Phillips, D.W. Rule MBE, R.V. Stockton and J.P. Thomas

**In attendance:** Councillor P.J. Edwards

The Chairman welcomed Mr P Mullineux (Senior Planning Officer) to the meeting

**167. APOLOGIES FOR ABSENCE**

Councillors WLS Bowen, B. Hunt, Brig P Jones CBE, RM Manning, RV Stockton and JB Williams.

**168. DECLARATIONS OF INTEREST**

<b>Councillor/Officer</b>	<b>Item</b>	<b>Interest</b>
Councillor J Stone	DCNW2004/3221/F - SITE FOR MOBILE HOME FOR AGRICULTURAL MANAGEMENT OF LIVESTOCK (TEMPORARY) AT LAND AT WOONTON, HEREFORDSHIRE For: Mr J Mills per McCartneys The Ox Pasture Overton Road Ludlow Shropshire SY8 4AA	Prejudicial and left the meeting for the duration of this item.
Councillor Mrs JP French	DCNC2004/3716/F - CHANGE OF USE OF GROUND FLOOR TO SNOOKER HALL AT BROOK HALL, 27 BROAD STREET, LEOMINSTER, HEREFORDSHIRE AND DCNC2004/3717/L - AS ABOVE For: Mr M Roberts per Mr T Margrett Green Cottage Hope Mansel Ross-on-Wye Herefordshire HR9 5T	Prejudicial and left the meeting for the duration of this item.

**NORTHERN AREA PLANNING SUB-COMMITTEE WEDNESDAY, 26TH JANUARY, 2005**

Councillor James TM	DCNW2004/3419/F - PROPOSED BARN CONVERSION TO 3 BEDROOMED DWELLING AT TRADITIONAL BARN (ADJ STANSBATCH HOUSE), STANSBATCH, STAUNTON-ON-ARROW For: A H Morris & Son per McCartneys 46 High Street Built Wells Powys LD2 3AB	Prejudicial and left the meeting for the duration of this item.
Mr M Tansley	DCNW2004/4118/F - PROPOSED REMOVAL/ DEMOLITION OF 2 INDUSTRIAL UNITS AND THE ERECTION OF HOUSE AND GARAGE ON LAND BEHIND WALCOTE BUNGALOW, HIGH STREET, PEMBRIDGE, LEOMINSTER, HEREFORDSHIRE, HR6 9DT AND DCNW2004/4119/C For: Mr J A Price per Mr D Walters, 27 Elizabeth Road, Kington, Herefordshire, HR5 3DB	Prejudicial and left the meeting for the duration of this item.

**169. MINUTES**

**RESOLVED:** That the Minutes of the meeting held on 5th January, 2005 be approved as a correct record and signed by the Chairman.

**170. ITEM FOR INFORMATION - APPEALS**

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

**171. 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.

**172. DCNW2004/3221/F - SITE FOR MOBILE HOME FOR AGRICULTURAL MANAGEMENT OF LIVESTOCK (TEMPORARY) AT LAND AT WOONTON, HEREFORDSHIRE FOR: MR J MILLS PER MCCARTNEYS THE OX PASTURE OVERTON ROAD LUDLOW SHROPSHIRE SY8 4AA**

In accordance with the criteria for public speaking Mrs Shayler spoke against the application and Mr Skelton spoke in favour.

The Chairman expressed reservations about the proposed siting of the mobile home and proposed that consideration of the application be deferred to enable the officers to hold further discussions with the applicant to ascertain if a more satisfactory location could be agreed.

**RESOLVED**

**That the Officers named in the Scheme of Delegation to Officers be authorised to determine the application subject to agreeing a more suitable location for the mobile home in consultation with the Chairman of the Planning Committee, subject to the conditions considered necessary by Officers and that if such an agreement cannot be reached the matter be referred back to the Committee for**

consideration

173. **DCNW2004/3597/F - PROPOSED 2 STABLES AND TACK ROOM ON 3.2 ACRES OF LAND AT UPPER WELSON, EARDISLEY, HEREFORD, HR3 6ND FOR: MR & MRS S & S HARRIS, PINE TREE COTTAGE, 7 CHURCH ROAD, EARDISLEY, HEREFORDSHIRE, HR3 ENJ**

The Chairman proposed that the application should be refused on the grounds of development in the open countryside, it did not relate to any existing dwellings; and there was a need to protect local environment.

**RESOLVED**

**(a) That the Northern Area Planning Sub-Committee is minded to refuse the application subject to the reasons for refusal set out below (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.**

1. That planning permission be refused on the grounds that the proposal would be contrary to policy A9 - . Development in the open countryside.
2. Policy A2 in respect of protection of the landscape contained in the emerging Unitary Development Plan.

**(b) If the Head of Planning 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.**

*(The Development Control Manager said that given that the Sub-Committee had considered the issues involved, he would not refer the application to the Head of Planning Services)*

174. **DCNW2004/3725/F - CHANGE OF USE FROM Paddock TO RESIDENTIAL GARDEN AND RETENTION OF PART OF DECKING AT THE BOTHY, LOWER HERGEST, KINGTON, HEREFORDSHIRE FOR: MR D BROADLEY AT ABOVE ADDRESS**

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

The Sub-Committee had a number of reservations about application because of the prominent location of the decking on a hillside and the potential for the overlooking of the adjoining property. They were of the view that the decking could be relocated in another part of the applicants garden where these problems would not arise.

**RESOLVED**

**(a) That the Northern Area Planning Sub-Committee is minded to refuse the application subject to the reasons for refusal set out below (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.**

1. The development would result in an unreasonable level of overlooking and consequent loss of privacy to the private

garden space of the adjoining dwelling, having an adverse effect on residential amenity.

2. The adverse impact on the landscape.

- (b) if the Head of Planning 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

*(The Development Control Manager said that given that the Sub-Committee had considered the issues involved , he would not refer the application to the Head of Planning Services)*

**175. DCNC2004/3716/F - CHANGE OF USE OF GROUND FLOOR TO SNOOKER HALL AT BROOK HALL, 27 BROAD STREET, LEOMINSTER, HEREFORDSHIRE AND DCNC2004/3717/L - AS ABOVE FOR: MR M ROBERTS PER MR T MARGRETT GREEN COTTAGE HOPE MANSEL ROSS-ON-WYE HEREFORDSHIRE HR9 5T**

The receipt of further letters of objection was reported together with the observations of the Conservation Officer raising no objections. The Northern Team Leader advised that the applicant had submitted amended plans from which he had determined that Listed Building consent would not be necessary.

The Chairman suggested that there was merit in holding a site inspection of the premises.

**RESOLVED**

**That consideration for the application be deferred pending 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.**

**176. DCNW2004/3353/F - REMOVAL OF EXISTING BUNGALOW AND GARAGE, PROPOSED THREE COTTAGE TYPE DWELLINGS AT SUNNYDALE, FLOODGATES, KINGTON, HEREFORDSHIRE, HR5 3NE FOR: KINGTON BUILDING SUPPLIES LTD PER GARNER SOUTHALL PARTNERSHIP, 3 BROAD STREET, KNIGHTON, POWYS, LD7 1BL**

The receipt of a further letter of objection from Mr Otter was reported. The Northern Team Leader reported that the applicant had advised that he had obtained discharge consent from the Environment Agency in respect of sewage disposal from the property. He advised that at its last meeting the application had been deferred to ascertain if the applicant would be prepared to reduce the number of dwellings from three to two on the site but that the applicant had declined.

The Sub-Committee expressed a number of reservations about the application, particularly in respect of over- development of the site and was also concerned that it

appeared to be at variance with Policy K8 of the Leominster District Local Plan.

**RESOLVED**

**(a) That the Northern Area Planning Sub-Committee is minded to refuse the application subject to the reasons for refusal set out below (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.**

- 1. The development would constitute over development of the site.**
- 2. proposal was out of character with the local environment**

**(b) If the Head of Planning 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**

*(The Development Control Manager said that given that the Sub-Committee had considered the issues involved , he would not refer the application to the Head of Planning Services*

**177. DCNW2004/3419/F - PROPOSED BARN CONVERSION TO 3 BEDROOMED DWELLING AT TRADITIONAL BARN (ADJ STANSBATCH HOUSE), STANSBATCH, STAUNTON-ON-ARROW FOR: A H MORRIS & SON PER MCCARTNEYS 46 HIGH STREET BUILTH WELLS POWYS LD2 3AB**

Councillor RJ Phillips the local Ward Member expressed a view that the applicant had made every effort to market the barn for agricultural/ commercial purposes without success and had therefore fulfilled the necessary requirements. He pointed out that permission had previously been granted by the Sub-Committee for the similar conversion of barns to residential in nearby parishes and asked for the application to be considered favourably.

**RESOLVED**

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

- 1 The Local Planning Authority, based upon the evidence provided, are not convinced that every reasonable attempt has been made to secure a suitable business re-use and it is not considered that the element of studio/workshop and office proposed represents a sufficiently dominant part of the scheme to enable support for the residential use. Accordingly the proposed residential conversion of the barn would be contrary to Policy A.60 of the Leominster District Local Plan (Herefordshire) and the guiding principles identified in PPS7 - Sustainable Development in Rural Areas.**

- 2 The main barn is in poor structural condition, and not withstanding the information in relation to the condition of the existing timber framing, it is not considered that the building is capable of conversion without extensive alteration and major reconstruction. Furthermore it is maintained that the extent of alterations would have a detrimental effect on the simple character of the building and its setting. This would be contrary to Policies A1, A2(D), A9 and A60 of the Leominster District Local Plan, Policies H.20 and CTC14 of the Hereford & Worcester Council Structure Plan and the guiding principles identified in PPS7 - Sustainable Development in Rural Areas.**
- 3 The local planning authority do not consider that the information provided with the application relating to the presence of bats, great crested newts and other protected species is sufficient to enable its impact to be thoroughly assessed. In the absence of sufficient information it is concluded that harm could result that would be contrary to Policies A5, A7 and A8 of the Leominster District Local Plan (Herefordshire) and Policies CTC3 and CTC14 of the Hereford & Worcester Council Structure Plan.**

**178. DCNW2004/3904/F - PROPOSED DECKING AREAS, CREATION OF BIN STORE AND GENERAL LANDSCAPING AT THE JOLLY FROG THE TODDEN LEINTWARDINE CRAVEN ARMS SHROPSHIRE SY7 0LX FOR: J A TAIT AT THE SAME ADDRESS**

In accordance with the criteria of public speaking Mr Tilson spoke against the application and Miss Tait spoke in favour.

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

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

- 3 - G06 (Scope of landscaping scheme )**

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

**Informatives:**

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

**2 -This permission does not authorise any exterior lighting. A separate application should be made for this to Herefordshire Council in accordance with the Town and Country Planning Act 1990**

179. DCNW2004/4118/F - PROPOSED REMOVAL/ DEMOLITION OF 2 INDUSTRIAL UNITS AND THE ERECTION OF HOUSE AND GARAGE ON LAND BEHIND WALCOTE BUNGALOW, HIGH STREET, PEMBRIDGE, LEOMINSTER, HEREFORDSHIRE, HR6 9DT AND DCNW2004/4119/C FOR: MR J A PRICE PER MR D WALTERS, 27 ELIZABETH ROAD, KINGTON, HEREFORDSHIRE, HR5 3DB

In accordance with the criteria of public speaking Mr James spoke against the application and Mr Walters the applicant's agent spoke in favour.

**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 - A08 (Development in accordance with approved plans and materials )

Reason: To ensure adherence to the approved plans and to protect the general character and amenities of the area.

- 3 - B01 (Samples of external materials )

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

- 4 - Prior to any development on site details will be submitted and approved in writing by the Local Planning Authority with regards to details of window sections and construction, external doors, barge boards and mortar mix to be used in the external construction of the development.

Reason: To safeguard the character and appearance of the surrounding vicinity of the development site.

- 5 - D01 (Site investigation - archaeology )

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

- 6 - E08 (Domestic use only of garage )

Reason: To ensure that the garage is used only for the purposes ancillary to the dwelling.

- 7 - Foul water and surface water discharges must be drained separately from the site.

Reason: To protect the integrity of the Public Sewerage System.

- 8 - No surface water shall be allowed to connect (either directly or indirectly) to the public sewerage 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.

- 9 - No land drainage run-off will be permitted, either directly or in-directly, to discharge into the public sewerage system.**

**Reason: To prevent hydraulic overload of the public sewerage system and pollution of the environment.**

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

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

- 11 - G09 (Retention of hedgerows )**

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

**Informatives:**

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

**That conservation area consent be granted subject to the following condition:**

- 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.**

**Informatives:**

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

The meeting ended at 3.15 a.m.

**CHAIRMAN**