

**MINUTES of the meeting of Northern Area Planning Sub-Committee held at The Council Chamber, Brockington, 35 Hafod Road, Hereford on Wednesday, 23rd February, 2005 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, R.M. Manning, R. Mills, R.J. Phillips, D.W. Rule MBE and J.P. Thomas

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

**180. APOLOGIES FOR ABSENCE**

Apologies were received from Councillors Brig P. Jones, T.M. James and R.V. Stockton.

**181. DECLARATIONS OF INTEREST**

<b>Councillor/Officer</b>	<b>Item</b>	<b>Interest</b>
Cllr Mrs J.P. French	6 - Change of use of ground floor to snooker Hall at Brook Hall, 27 Broad Street, Leominster.	prejudicial and left the meeting for the duration of this item.
Cllr R.B.A. Burke, Cllr J.P. Thomas Mr M Tansley	8 - Residential development of 44 dwellings including affordable housing on land at St. Botolph's Green, Southern Avenue, Leominster.	prejudicial and left the meeting for the duration of this item.
Cllr P.E. Harling	10 - Change of use to retail of furniture, bric-a-brac, clothes, books & all donated items at Units 17 & 18 Station Yard, Worcester Road, Leominster.	prejudicial and left the meeting for the duration of this item.
Cllr B.F. Ashton Cllr D.W. Rule Cllr J.P. Thomas	11 - Single storey extension to provide reception class, remodel internal Class 2 & nursery at St Michaels C of E Primary School, Bodenham.	prejudicial and left the meeting for the duration of this item.
Cllr P.J. Dauncey Cllr R.M. Manning Cllr D.W. Rule	13 - New build family centre at rear of Top Garage, Panniers Lane, Bromyard.	prejudicial and left the meeting for the duration of this item.

Cllr J. Stone	14 - Site for mobile home for agricultural management of livestock (temporary) at land at Woonton.	prejudicial and left the meeting for the duration of this item.
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**182. MINUTES**

**RESOLVED:** That the Minutes of the meeting held on 26 January 2005 be approved as a correct record and signed by the Chairman.

**183. ITEM FOR INFORMATION - APPEALS**

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

**184. 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.

**185. DCNC2004/3716/F - CHANGE OF USE OF GROUND FLOOR TO SNOOKER HALL AT BROOK HALL, 27 BROAD STREET, LEOMINSTER, HEREFORDSHIRE  
DCNC2004/3717/L - AS ABOVE FOR: MR M ROBERTS PER MR T MARGRETT  
GREEN COTTAGE HOPE MANSEL ROSS-ON-WYE HEREFORDSHIRE HR9 5TJ  
(AGENDA ITEM 6)**

The receipt of two letters of objection was reported.

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

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

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

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

**2 - The use hereby permitted shall not take place between the hours of 11.00 pm and 10.30 am daily.**

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

**3 - Before the development hereby permitted commences a scheme for noise attenuating measures for the snooker hall and lounge bar shall be submitted to and approved in writing by the local planning authority. The approved scheme shall be fully implemented before the first use of the development to which it relates commences and shall be retained for the duration of the use.**

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

Informatives

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

186. DCNC2004/2250/F - QUAD BIKING TRACK AND PAINTBALLING AREA AT BODENHAM MANOR, BODENHAM, HEREFORD, HR1 3JS FOR: MR P WILLIAMS PER HOOK MASON, 11 CASTLE STREET, HEREFORD, HR1 2NL (AGENDA ITEM 7)

**RESOLVED**

That consideration of 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; and
- (b) the setting and surroundings are fundamental to the determination or to the conditions being considered.

187. DCNC2004/2651/F - RESIDENTIAL DEVELOPMENT OF 44 DWELLINGS INCLUDING AFFORDABLE HOUSING ON LAND AT ST. BOTOLPH'S GREEN/SOUTHERN AVENUE, LEOMINSTER, HEREFORDSHIRE FOR: WESTBURY HOMES (HOLDINGS) LTD PER MR G BROCKBANK HUNTER PAGE PLANNING LTD THORNBURY HOUSE 18 HIGH STREET CHELTENHAM GL50 1DZ (AGENDA ITEM 8)

The Northern Team Leader reported that the number of affordable housing units proposed in the scheme was 15.

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

**RESOLVED**

That consideration of the application be deferred pending a site inspection on the following grounds.

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

188. **DCNC2004/3698/F - PROPOSED THERAPEUTIC RIDING CENTRE COMPRISING INDOOR AND OUTDOOR ARENAS WITH ASSOCIATED FACILITIES, STABLE YARD AND HAY STORE AT WHARTON BANK FARM, WHARTON, LEOMINSTER, HEREFORDSHIRE, HR6 0NX FOR: HEREFORDSHIRE RIDING FOR THE DISABLED PER DAVID TAYLOR CONSULTANTS, THE WHEELWRIGHT'S SHOP, PUDLESTON, LEOMINSTER, HEREFORDSHIRE, HR6 0RE (AGENDA ITEM 9)**

The receipt of a letter of support was reported.

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

**RESOLVED**

**That consideration of the application be deferred pending a site inspection on the following grounds.**

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

189. **DCNC2004/3783/F - CHANGE OF USE TO RETAIL OF FURNITURE, BRIC A BRAC, CLOTHES, BOOKS & ALL DONATED ITEMS AT UNITS 17 & 18, STATION YARD, WORCESTER ROAD, LEOMINSTER. FOR: ST MICHAELS HOSPICE, BARTESTREE, HEREFORD (AGENDA ITEM 10)**

In accordance with the criteria for public speaking Mrs Pafford spoke in favour of the application.

The Northern Team Leader said that the speaker applicant had mentioned a number of proposed uses which were in addition to that for retail set out in the application. He therefore suggested that consideration of the application be deferred to permit further discussions with the applicant.

**RESOLVED**

**That consideration of the application be deferred to allow further discussions between the officers and the applicant about all the proposed uses of the units.**

190. DCNC2004/4265/F - SINGLE STOREY EXTENSION TO PROVIDE RECEPTION CLASS, REMODEL INTERNAL CLASS 2 AND NURSERY AT ST. MICHAELS C OF E PRIMARY SCHOOL, BODENHAM, HEREFORD, HEREFORDSHIRE, HR1 3JU FOR: GOVENORS OF BODENHAM ST MICHAELS C OF E PRIMARY SCHOOL PER HEREFORDSHIRE COUNCIL PROPERTY SERVICES FRANKLIN HOUSE 4 COMMERCIAL ROAD HEREFORD HR1 2BB (AGENDA ITEM 11)

In accordance with the criteria for public speaking Mrs Potts spoke in favour of the application.

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

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

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

- 2 - B01 (Samples of external materials )

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

- 3 - G12 (Planting of hedgerows which comply with Hedgerow Regulations )

Reason: To ensure that hedges planted are ecologically and environmentally rich and to assist their permanent retention in the landscape.

**Informative:**

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

191. DCNC2005/0055/F - PROPOSED FARMHOUSE AT LOWER POOL FARM, LEYSTERS, HEREFORDSHIRE, HR6 0HN FOR: MR & MRS N GREENER PER MR D DICKSON, 101 ETNAM STREET, LEOMINSTER, HEREFORDSHIRE, HR6 8AF (AGENDA ITEM 12)

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

Councillor J. Stone the Local Ward Member was of the view that the application should be approved because it complied with Planning Policy Statement 7, a number of the Council's Planning Policies and those of the emerging Unitary Development Plan regarding the functional agricultural use of the farm, agricultural diversification and tourism. He 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 portacabin accommodation; no separate sales room; and appropriate landscaping/screening.

Having considered details of the application the Sub-Committee felt that there was merit in further discussions between the Officers and the applicants about the 'fishermans rest room' proposed within the dwelling. The Sub-Committee felt that if this was deleted the application might be more acceptable.

**RESOLVED**

That consideration of the application be deferred for further discussions between the Officers and the applicants to determine if the size of the proposed dwelling could be reduced as outlined above.

192. **DCNC2005/0062/F - NEW BUILD FAMILY CENTRE AT REAR OF TOP GARAGE, PANNIERS LANE, BROMYARD, HEREFORDSHIRE, HR7 4QU FOR: HOPE FAMILY CENTRE PER PROPERTY SERVICES HEREFORDSHIRE COUNCIL FRANKLIN HOUSE 4 COMMERCIAL ROAD HEREFORD HR1 2BB (AGENDA ITEM 13)**

In accordance with the criteria for public speaking Mr Cave of Bromyard and Winslow Group Parish Council and Mrs Davies both spoke in favour of the application.

The Senior Planning Officer said that amended plans had been received and he suggested that consideration of the application be deferred to allow the Officers to consider them together with the implications of the applicant's proposals to erect a new boundary fence.

**RESOLVED**

That consideration for the application be deferred to enable the Officers to consider the amended plans submitted by the applicants.

193. **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 (AGENDA ITEM 14)**

The Chairman suggested that there was merit in granting the application because the proposed location of the temporary mobile home was the best location to minimise the impact on the adjoining countryside and for the agricultural needs of the applicant.

**RESOLVED: That**

- (a) **The Northern Area Planning Sub-Committee is minded to approve the application subject to the following conditions (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) the mobile home being tied to the agricultural business;**
  - 2) a scheme of landscaping to meet the prior approval of the Planning Authority; and**
  - 3) the lowest possible slab level for the mobile home**
- (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.**

*(The Development Control Manager said that he would not refer the application to the Head of Planning Services)*

194. DCNW2004/3562/F - PROPOSED AGRICULTURAL BARN AT TUNNEL LANE NURSERY, TUNNEL LANE, ORLETON, LUDLOW, HEREFORDSHIRE, SY8 4HY FOR: TUNNEL LANE NURSERY PER MR D LEE, OILMILL STUDIOS, BRAMPTON BRYAN, BUCKNELL, SY7 0EW (AGENDA ITEM 15)

**RESOLVED**

That consideration of the application be deferred pending a site inspection on the following grounds.

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

195. DCNW2004/4206/L - INTERNAL ALTERATIONS AND UPGRADING, DEMOLITION OF GARDEN SHEDS AT 1 GLAN ARROW COTTAGES, BRIDGE STREET, PEMBRIDGE, LEOMINSTER, HEREFORDSHIRE, HR6 9EX FOR: MRS E C FRANCIS PER MS G AMOS, BOULTIBROOKE, NORTON ROAD, PRESTEIGNE, POWYS, LD8 2EU (AGENDA ITEM 16)

**RESOLVED:** That listed building consent be granted subject to the following conditions.

- 1 - C01 (Time limit for commencement (Listed Building Consent) )

Reason: Required to be imposed by Section 18(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

- 2 – All development shall be carried out in strict accordance with the approved plans, except for the roof lights as indicated on the approved plans, on the rear elevation, which will be reduced to one, for which full details of location, design and type will be submitted to the Local Planning Authority and approved in writing prior to any development on site.

Reason: In the interests of the historical importance and character of the existing dwelling's structure.

- 3 - C07 (Painted finish to windows/doors )

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

**Informatives:**

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

196. **DCNW2005/0036/F - ERECTION OF PERMANENT AGRICULTURAL WORKERS DWELLING WITH GARAGE AT 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 18)**

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 running of the business. He felt that it met the necessary financial and functional tests for an agricultural dwelling. He suggested that appropriate conditions for approval could be imposed to remove permitted development rights and to ensure that the proposed garage could not be converted into residential use in the future

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**

- (c) **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;**
  - 5) garage for storage of vehicles only and not sales; and**
  - 6) other conditions approved by the Chairman of the Sub-Committee and local Ward Councillor**
- (d) **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.**

*(The Development Control Manager said that he would not refer the application to the Head of Planning Services)*



197. DCNW2004/4300/F - SINGLE STOREY REPLACEMENT GARDEN ROOM AND TWO STOREY EXTENSION AT THE HALLETS, ORLETON, LUDLOW, HEREFORDSHIRE, SY8 4HJ FOR: MS S ATKINSON & MS J FOWLER PER MR A LAST, BROOKSIDE COTTAGE, KNAPTON, BIRLEY, HEREFORDSHIRE, HR4 8ER (AGENDA ITEM 17)

The receipt of a letter from a local Parish Councillor was reported.

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

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

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

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

- 2 - C02 (Approval of details ) (A) Roofing material. (B) Exterior Wall Finish. (C) Window Design and Construction.

Reason: To safeguard the character and appearance of the Conservation Area.

- 3 - Notwithstanding the approved plans no roof lights will be inserted into the roof of the approved garden room.

Reasons: In order to protect the character of the existing dwelling and surrounding Conservation Area.

- 4 - The first floor window on the southwest elevation will be in obscure glazing and top hung.

Reasons: To protect the privacy of the adjoining neighbour to the south west of the application site.

- 5 - G01 (Details of boundary treatments )

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

- 5 - E01 Restriction on hours of working

Reason: To safeguard the amenities of the locality.

**Informatives**

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

- 2 - The applicants/developers are respectfully required to show consideration to the adjoining dwelling's amenity during construction and not to obstruct the pedestrian access to the property.

- 198. DCNW2005/0072/O - SITE FOR PROPOSED LOCAL NEEDS HOUSING AT DIS-USED FILLING STATION, ADJOINING THE OLD CARPENTERS SHOP, KINNERSLEY, HEREFORD, HEREFORDSHIRE, HR3 6QB FOR: MR & MRS P BISHOP PER MR A JENKINS 12 BROAD STREET HAY-ON-WYE HEREFORDSHIRE HR3 5DB (AGENDA ITEM 19)**

The Northern Team Leader said that the Environmental Health Department had advised on conditions to deal with any contaminated land should the site be developed.

In accordance with the criteria for public speaking Lt Colonel Saville spoke on behalf of Kinnersley Parish Council in favour of the application.

The Sub-Committee considered the merits of the application which would provide affordable housing and enable an eyesore to be considerably improved. The Officers reaffirmed that the applicants had failed to identify a local need and had not sought support from a registered social housing provider. In view of this it was agreed that the application could not be supported but that the applicants be advised to seek such support if they wished to reapply.

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

- 1. The proposal development is in open countryside outside any recognised settlement boundary. In the absence of an identified local need the proposal is considered to be contrary to Policy A2(D,iv), and Policy A48 Affordable Housing for Local Needs in Rural Areas of the Leominster District Local Plan.**
  - 2. The application does not comply with criteria of Herefordshire Supplementary Planning Guidance on Provision of Affordable Housing in that no clear evidence of need for the proposed development has been submitted with the planning application.**
  - 3. In the absence of adequate exceptional circumstances to justify the form of development as proposed in this application, residential development at this isolated location is regarded as an unsustainable form of development contrary to Policy A1 of the Leominster District Local Plan (Herefordshire), the emerging Policy S1 of the Herefordshire Unitary Development Plan (Revised) Deposit Draft and National Planning Policy Statement 7: Sustainable Housing in Rural Areas.**
  - 4.**
- 199. DCNW2005/0079/O - SITE FOR DWELLING AS PART OF EQUESTRIAN BUSINESS AT RIDGEWAY PADDOCKS, LUCTON, LEOMINSTER, HEREFORDSHIRE FOR: MR R. MATHIAS & MISS C.J. THOMAS MCCARTNEYS CORVEDALE ROAD CRAVEN ARMS SHROPSHIRE SY7 9NE (AGENDA ITEM 20)**

**RESOLVED**

**That consideration of the application be deferred pending a site inspection on the following grounds.**

- (I) the character or appearance of the development itself is a fundamental planning consideration;**

(m) a judgement is required on visual impact; and

(n) the setting and surroundings are fundamental to the determination or to the conditions being considered.

200. DCNE2004/3080/F - EXTENSION TO EXISTING ANNEXE TO PROVIDE TWO BEDROOM ACCOMMODATION AT ROYAL OAK INN, SOUTHEND, LEDBURY, HEREFORDSHIRE & DCNE2004/4327/L - AS ABOVE FOR: I P MARTIN PER C A MASEFIELD, BUILDING DESIGN SERVICES, 66-67 ASHPERTON ROAD, MUNSLEY, LEDBURY, HEREFORDSHIRE HR8 2RY (AGENDA ITEM 21)

**RESOLVED:** That  
NE2004/3080/F

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 - 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.

3 - C05 (Details of external joinery finishes)

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

4 - B01 (Samples of external materials)

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

5 - D01 (Site investigation – archaeology)

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

**Informative:**

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

**DCNE2004/4327/L**

Listed Building Consent be granted subject to the following conditions:

1 - C01 -(Time limit for commencement (Listed Building Consent))

Reason: Required to be imposed by Section 18(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

- 2 - 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.

- 3 - C05 Details of external joinery finishes)

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

- 4 - B01 (Samples of external materials)

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

- 5 - D01 (Site investigation – archaeology)

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

Informative:

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

201. DCNE2004/3402/L - REMOVAL OF WINDOW AND INSERTION OF DOORWAY WITH INTERIOR LOBBY TO RESTAURANT AT THE FEATHERS HOTEL, HIGH STREET, LEDBURY, HEREFORDSHIRE FOR: THE FEATHERS HOTEL PER MR N J TEALE, BRAMBLE FARM, NAUNTON UPTON UPON SEVERN, WORCESTERSHIRE WR8 0PZ (AGENDA ITEM 22)

**RESOLVED:** That the Sub-Committee is minded to approve the application subject to it not being called in by the Office of the Deputy Prime Minister and subject to the following conditions:

- 1 - C01 (Time limit for commencement (Listed Building Consent) )

Reason: Required to be imposed by Section 18(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

- 2 - A09 (Amended plans )

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

- 3 - 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.

- 4 - C05 (Details of external joinery finishes )

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

**Informatives:**

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

202. DCNE2004/3889/F - PROPOSED TWO STOREY SIDE EXTENSION AT BUDDING COTTAGE, CANON FROME, LEDBURY, HEREFORDSHIRE, HR8 2TA & DCNE2004/3891/L - REMOVAL OF SINGLE STOREY LEAN-TO STRUCTURE AND PROPOSED TWO STOREY EXTENSION AT SAME ADDRESS.FOR: MR A G BUTCHER AT SAME ADDRESS (AGENDA ITEM 23)

**RESOLVED:** That  
DCNE2004/3889/F

That planning permission be granted 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 ) (6<sup>th</sup> January 2005)

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 - B09 (Colour of cladding (extension))

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

5 - 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.

6 - C06 (External finish of flues )

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

**Informatives:**

1 - N15 - Reason(s) for the Grant of PP/LBC/CAC  
DCNE2004/3891/L

That Listed Building Consent be granted to the following conditions:

1 – C01 (Time limit for commencement (Listed Building Consent)

Reason: Required to be imposed by Section 18(1) of the Planning (Listed

Buildings and Conservation Areas) Act 1990.

2 - A09 (Amended plans ) (6<sup>th</sup> January 2005)

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 - B09 (Colour of cladding (extension)

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

5 - 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.

6 - C06 (External finish of flues )

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

Informatives:

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

203. DCNE2004/3988/F - PROPOSED EXTERIOR ACCESS TO REAR VIA STAIRWAY, TWO ROOF LIGHTS AND FLUE ON THE CIDER BARN AT CHURCH HOUSE, RECTORY LANE, CRADLEY, MALVERN, WR13 5LHFOR:MR DAVIES AT ABOVE ADDRESS. (AGENDA ITEM 24)

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 - Within one month of the date of this approval, the external flue shall be painted in a dark matt black colour to the written satisfaction of the Local Planning Authority and so maintained to the satisfaction of the Local Planning Authority.

Reason: In the interests of visual amenity.

3 - A06 (Development in accordance with approved plans )

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

- 4 - Prior to the installation of the external staircase, sectional and elevational drawings at a minimum scale of 1:20 shall be submitted to and approved in writing by the local planning authority.

Reason: In the interests of visual amenity.

- 5 - E15 (Restriction on separate sale ) (ancillary accommodation) (Church House)

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

- 6 - E29 (Occupation ancillary to existing dwelling only (granny annexes) )

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

**Informatives**

1. Reason(s) for the grants of PP/LBC/CAC

**204. DCNE2004/3965/F - RETROSPECTIVE RELOCATION OF FENCE AT 8 HALLWOOD DRIVE, LEDBURY, HEREFORDSHIRE, HR8 2FY FOR: MS M JOHNSON AT ABOVE ADDRESS. (AGENDA ITEM 25)**

In accordance with the criteria for public speaking Ms Johnson spoke in favour of her application.

Councillor D.W. Rule one of the Local Ward Members spoke against the application because he was of the view that the fence was unsightly and spoiled the appearance of the area. He was concerned that it would detract from the open feeling of the development and lead to similar applications which would be to the detriment of the residential area. A motion that the application be refused was lost.

**RESOLVED: That planning permission be permitted subject to the following conditions:**

- 1 - Within one month of the date of this permission the fence hereby approved shall be stained with a colour details of which shall be submitted to and approved in writing by the local planning authority. There shall be no change in colour without the further written approval of the local planning authority.

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

- 2 - Within 3 months of the date of this approval, a scheme of landscaping shall be submitted to and approved in writing by the local planning authority. All proposed planting shall be clearly described with species, sites and planting numbers.

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.

**Informative:**

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

**205. DCNE2004/4078/F - PROPOSED RELOCATION OF BOUNDARY FENCE AT 51 HALLWOOD DRIVE, LEDBURY, HEREFORDSHIRE, HR8 2FYFOR:MR C BELL & MRS D J SWIFT AT SAME ADDRESS (AGENDA ITEM 26)**

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

Councillor D.W. Rule one of the Local Ward Members spoke against the application because he was of the view that the fence would be unsightly and spoil the appearance of the area.

**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 - Before the development hereby permitted is commenced details of the proposed fence and colour shall be submitted and approved in writing by the local planning authority. The colour shall not be changed without the written approval of the local planning authority.**

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

**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.

**206. DCNE2004/4186/F - EXTENSION TO EXISTING UNIT AT UNIT 16, COURT FARM BUSINESS PARK, BISHOPS FROME, WORCESTER, HEREFORDSHIRE, WR6 5AYFOR: W J HOLDEN & ASSOCIATES MICHAEL LATCHEM & ASSOCIATES 9 AYLESTONE DRIVE HEREFORD HR1 1HT (AGENDA ITEM 27)**

**RESOLVED**

That consideration of the application be deferred pending a site inspection on the following grounds.

- (o) the character or appearance of the development itself is a fundamental planning consideration;



(p) a judgement is required on visual impact; and

(q) the setting and surroundings are fundamental to the determination or to the conditions being considered.

207. DCNE2005/0083/F - NEW DWELLING ON THE SITE OF EXISTING DOUBLE GARAGE AT THE GARDEN OF MELROSE HOUSE, 141 THE HOMEND, LEDBURY, HEREFORDSHIRE. HR8 1BP FOR:MR EVANS AT ABOVE ADDRESS. (AGENDA ITEM 28)

**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.

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: In the interests of the visual amenities of the area.

5 - C05 (Details of external joinery finishes )

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

6 - 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.

7 - F16 (Restriction of hours during construction )

Reason: To protect the amenity of local residents.

8 - The applicant or his agents or successors in title shall ensure that a professional archaeological contractor undertakes an archaeological watching brief during any development to the current archaeological standards and to the satisfaction of the local planning authority.

Reason: To ensure that the archaeological interest of the site is investigated.

Informatives

**N15 – Reason(s) for Grant PP/LBC/CAC**

208. DCNE2005/0108/F - TWO STOREY EXTENSIONS TO FRONT, REAR AND SIDE OF DWELLING AT BRAMLEIGH, NEW STREET, LEDBURY, HEREFORDSHIRE, HR8 2EY FOR: MR & MRS G WILLIAMS PER MR R PRITCHARD THE MILL KENCHESTER HEREFORD HR4 7QJ (AGENDA ITEM 29)

**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.

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

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

- 4 - E09 (No conversion of garage to habitable accommodation )

Reason: To ensure adequate off street parking arrangements remain available at all times.

- 5 - E17 (No windows in side elevation of extension )

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

**Informative:**

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

The meeting ended at 4.55 p.m.

**CHAIRMAN**