

MINUTES of the meeting of Southern Area Planning Sub-Committee held at The Council Chamber, Brockington, 35 Hafod Road, Hereford on Wednesday, 18th January, 2006 at 2.00 p.m.

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

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

In attendance: Councillors T.W. Hunt (ex-officio)

102. APOLOGIES FOR ABSENCE

Apologies were received from Councillors M.R. Cunningham and J.B. Williams.

103. DECLARATIONS OF INTEREST

The following declaration of interest was made:

Councillor	Item	Interest
H. Bramer	Item 7 – DCSE2005/3799/F & DCSE2005/3801/F – Barn at Rudge Farm, Pontshill, Nr. Ross-on-Wye, Herefordshire	Declared a prejudicial interest and left the meeting for the duration of the item.

104. MINUTES

RESOLVED: That the Minutes of the meeting held on 21st December, 2005 be approved as a correct record and signed by the Chairman.

105. ITEM FOR INFORMATION - APPEALS

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

106. DCSE2005/1284/F - STERRETT'S CARAVAN PARK, SYMONDS YAT, HEREFORDSHIRE (AGENDA ITEM 5)

Erection of four chalets.

The Southern Team Leader summarised the points raised in a further letter of correspondence from the applicant.

The Chairman, speaking in her capacity as the Local Ward Member, thanked the Case Officer for producing a detailed report and felt that it was a fair appraisal of the site. She thanked Members for attending the site inspection and felt that the application should be approved contrary to the Officer's recommendation. She noted that both Welsh Water, and the Environment Agency had not objected to the application and that Whitchurch Parish Council were also in support. She felt that

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granting the application would result in an increase in tourism in the area and would also be beneficial to the local economy. She also felt that the log cabins would not be detrimental to the Area of Outstanding Natural Beauty.

Councillor Mrs. J.A. Hyde felt that the site visit had been beneficial to Members. She felt that the log cabins were non intrusive and that the site was extremely well run.

Councillor H. Bramer felt that the proposed log cabins were less intrusive than the current static caravans. He also noted that the amusement park was more detrimental to the Area of Outstanding Natural Beauty than the log cabins would be.

The Southern Team Leader advised Members that the South Herefordshire Local Plan acknowledged the current leisure complex and caravan park but that policy SY2 clearly stated that no further spread of the developments would be permitted.

RESOLVED:

That: (i) The Southern 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:

(a) No conditions were recommended.

(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 he would refer the application to the Head of Planning Services]

107. DCSW2005/3913/M - LLANDREW FARM, CRASWALL, HEREFORD, HEREFORDSHIRE, HR2 0PW (AGENDA ITEM 6)

Re-opening of disused delve for the extraction of sandstone for stone roof tiles, flagstones and building stone.

RESOLVED:

That planning permission be granted subject to the following conditions:

- 1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission. Written notification of the date of commencement shall be sent to the local planning authority within 7 days of the commencement.**

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

- 2. The development, including restoration of the site for which permission is hereby granted, shall cease not later than 7 years from the date of the commencement of development as notified to the local planning authority under Condition 1, unless otherwise agreed in writing by the**

local planning authority.

Reason: Required to be imposed by Section 72(5), and paragraph 1 of Part 1 of Schedule 5 of the Town and Country Planning Act 1990.

- 3. The development shall be carried out in all respects in accordance with the approved plans (drawing nos. 2, 2.1, 3, 3.1 and 4 and the operational detail in the submitted application form and Annex 1: Mineral Extraction and Processing), except where agreed in advance in writing by the local planning authority, or where otherwise stipulated by conditions attached to this permission.**

Reason: To ensure adherence to the approved plans in the interests of a satisfactory form of development and in accordance with Structure Plan Policy CTC.9 and Local Plan Policies GD.1 and C.1.

- 4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, or any Order revoking and re-enacting that Order with or without modification, no development within Schedule 2 Part 19 shall be undertaken other than with the prior written agreement of the local planning authority.**

Reason: To control the development of the site and in accordance with Structure Plan Policies M4 and CTC9 and Local Plan Policies GD1 and C1.

- 5. H01 (Single access - not footway)**

Reason: In the interests of highway safety and to comply with Local Plan Policy GD.1.

- 6. H03 (Visibility splays)**

Reason: In the interests of highway safety, and to comply with Local Plan Policy GD.1.

- 7. H05 (Access gates)**

Reason: In the interests of highway safety, and to comply with Local Plan Policy GD.1.

- 8. Before any other works hereby approved are commenced, the highway verge crossing to be constructed to Highways Authority specifications shall be carried out in accordance with a specification to be submitted to and approved in writing by the local planning authority, at a gradient not steeper than 1 in 12.**

Reason: In the interests of highway safety, and to comply with Local Plan Policy GD.1.

- 9. Prior to the occupation of the development hereby approved the driveway and/or vehicular turning area shall be consolidated, surfaced and drained in accordance with details to be submitted to, in advance, and approved in writing by the local planning authority.**

Reason: In the interests of highway safety, and to comply with Local Plan Policy GD.1.

- 10. There shall be no more than 3 vehicle movements outbound from the site on any day for transporting stone, and not more than 12 in any week, unless otherwise agreed in advance in writing by the local planning authority.**

Reason: To minimise any additional traffic impact in accordance with Local Plan Policy GD1 (xviii).

- 11. No soil moving or stone extraction shall take place until the boundaries of the delve hereby permitted have been permanently marked out on the ground by means of posts and the marker positions have been agreed in writing by the local planning authority. The agreed boundary markers shall be retained throughout the life of the development of the site.**

Reason: To identify the area permitted for extraction and to comply with Structure Plan Policy CTC2 and Local Plan Policy C8.

- 12. No machinery shall be operated, no process carried out and no deliveries taken at or despatched from the site outside the following times: 0800 hours to 1700 hours Monday to Friday, 0800 hours to 1300 hours on Saturday, nor at any time on Sundays, Bank or Public Holidays, unless otherwise agreed in advance in writing by the local planning authority.**

Reason: In order to protect the amenity of nearby properties in accordance with Local Plan Policy GD1 (vi).

- 13. All stripped soils and overburden shall be saved on site and stored in accordance with the submitted plans and used for re-spreading to complete the restoration of the site**

Reason: In the interests of nature conservation and agriculture and to ensure successful restoration of the site in the spirit of Local Plan Policy C8.

- 14. No excavation shall take place below the depth of the water table. Even if the water table is not encountered within 5m of ground level, then no further excavation shall take place below this depth, unless otherwise agreed in writing by the local planning authority in consultation with the Environment Agency.**

Reason: To prevent derogation of the groundwater resource at this site.

- 15. Not less than 12 months before the expiry of this permission a scheme for the final reclamation and restoration of the excavations formed as a result of the development hereby permitted shall be submitted for approval in writing to the local planning authority. The submitted scheme shall include:**

- a) the date by which the restoration will be completed;**
- b) that the site shall be cleared and all plant or machinery removed;**
- c) the re-spreading of all stores of soils overburden and delve waste within the excavation site;**
- d) the extent of exposed rock faces to be retained;**
- e) proposals for the final landform and treatment of the restored**

- surfaces and delve faces in the interests of nature conservation, scientific study or agriculture;
- f) details of the grading of any exposed rock faces to be retained, to remove any significant vertical drop.

On cessation of the winning and working of minerals the scheme shall be implemented without delay in accordance with the approved details.

Reason: In the interests of landscape quality, nature conservation and public safety and to comply with Structure Plan Policies M3, M4, CTC6 and CTC12 and Local Plan Policies C8 and C15.

16. Backfill material intended for the resulting void shall be inert and of similar permeability to the excavated rock.

Reason: To protect the quality of controlled waters in the area and to ensure that recharge of groundwater resources is not significantly altered.

17. Only uncontaminated soil and rock spoil arising from on site shall be used for restoration, with no importation or deposit of other materials.

Reason: To prevent pollution of the environment in accordance with Local Plan Policy C47.

18. Prior to the cessation of the winning and working of minerals, a scheme for the aftercare of the restored site shall be submitted to and approved in writing by the local planning authority. The submitted scheme shall include:

- a) proposals to ensure the reclamation of the site to nature conservation, scientific study or agriculture;
- b) details of any planting, cultivation, maintenance or otherwise treatment of the land for 5 years after the site has been reclaimed;
- c) proposals for 5 annual inspections during this period to review and if necessary amend the agreed proposals.

The reclamation shall be carried out in accordance with the approved scheme.

Reason: To ensure the site is successfully reclaimed for the purposes intended and to comply with Structure Plan Policies M3, CTC6 and CTC12 and Local Plan Policies C8 and C15 .

19. Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound shall be at least equivalent to the capacity of any tank plus 10%. If there is multiple tankage, the compound shall be at least equivalent to the capacity of the largest tank, vessel or the combined capacity of interconnected tanks or vessels plus 10%. All filling points, associated pipework, vents, gauges and sight glasses must be located within the bund or have separate secondary containment. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework shall be located above ground and protected from accidental damage. All filling points and tank/vessel

overflow pipe outlets shall be detailed to discharge downwards into the bund.

Reason: To prevent pollution of the environment in accordance with Local Plan Policy C47.

- 20. No blasting or burning shall be undertaken at the site**

Reason: In the interests of the amenity of the locality to comply with Local Plan Policy GD1.

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. If excavation below the water table is to be conducted, further information would be required to demonstrate, to the satisfaction of the local planning authority, that groundwater would not be effected. This may involve intrusive investigation, monitoring and water balance calculations, to allow better characterisation of the hydrogeological regime in the area around the planned works.**
 - 6. The developers should adopt all appropriate pollution control measures, both underground and on the surface, to ensure that the integrity of the aquatic environment, both groundwater and surface water, is assured.**
 - 7. The proposed excavation area is bounded by surface watercourses and as such pollution prevention measures should be put in place to prevent any impact on the watercourse. From the application it is noted that top soil is to be stored on the site, this stockpile must be at least 10m away from the watercourses to prevent any run-off entering the stream.**
 - 8. The proposal includes a plan to backfill the quarry. If any waste material is to be utilised then the following should be noted:**
 - * Carriers transporting waste from, or to, the site must be registered waste carriers.**
 - * The activity of importing waste into the site would require some form of Waste Management Licence. The applicant should contact the Environment Agency for further information. Please telephone: 02920 582739.**
 - 9. N15 - Reason(s) for the Grant of Planning Permission**
- 108. DCSE2005/3799/F & DCSE2005/3801/F - BARN AT RUDGE FARM, PONTSHILL, NR. ROSS-ON-WYE, HEREFORDSHIRE (AGENDA ITEM 7)**

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Conversion of barn to one dwelling. Construction of vehicular access and access road.

The Principal Planning Officer reported the receipt of comments from the Conservation Manager who had no objections but recommended conditions. He also noted that the revised plans had been received from the applicant.

Councillor G.W. Davis, the Local Ward Member, noted that the access had been improved and he therefore supported the application.

RESOLVED:

In respect of DCSE2005/3799/F:

Subject to submission of acceptable drawings of the proposed access and access drive 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 C02 (Approval of details)

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

3 G13 (Landscape design proposals)

Reason: In the interests of visual amenity.

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 RB1 (No Permitted Development)

Reason: To ensure the character of the original conversion scheme is maintained.

7 H01 (Single access - not footway)

Reason: In the interests of highway safety.

8 H05 (Access gates)

Reason: In the interests of highway safety.

9 H06 (Vehicular access construction)

Reason: In the interests of highway safety.

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

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

Informatives:

- 1 HN05 - Works within the highway**
- 2 HN10 - No drainage to discharge to highway**
- 3 HN01 - Mud on highway**
- 4 HN04 - Private apparatus within highway**
- 5 N15 - Reason(s) for the Grant of Planning Permission**

In respect of DCSE2005/3801/F:

Subject to submission of acceptable drawings of the proposed access and access drive 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 C02 (Approval of details)

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

3 G13 (Landscape design proposals)

Reason: In the interests of visual amenity.

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 RB1 (No Permitted Development)

Reason: To ensure the character of the original conversion scheme is maintained.

7 H01 (Single access - not footway)

Reason: In the interests of highway safety.

8 H05 (Access gates)

Reason: In the interests of highway safety.

9 H06 (Vehicular access construction)

Reason: In the interests of highway safety.

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

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

Informatives:

1 HN05 - Works within the highway

2 HN10 - No drainage to discharge to highway

3 HN01 - Mud on highway

4 HN04 - Private apparatus within highway

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

109. DCSE2005/3821/O - GARDEN OF BALLARD LODGE, EASTFIELD ROAD, ROSS-ON-WYE, HEREFORDSHIRE, HR9 5JZ (AGENDA ITEM 8)

Site for erection of dwelling.

In accordance with the criteria for public speaking, Mr. Goldsworthy, the applicant's agent, spoke in support of the application.

Councillor Mrs. C.J. Davis, one of the Local Ward Members, noted that a request for planning permission was approved in 1989 but had unfortunately been allowed to lapse. She felt that the application should be granted contrary to the Officer's recommendation.

Councillor Mrs. A.E. Gray, the other Local Ward Member, noted the concerns raised by the Council's Traffic Manager regarding the access onto Walford Road.

RESOLVED:

That planning permission be refused for the following reasons:

1 **Having regard to Policies GD.1, C.22 and C.23 within Part 1 of the South Herefordshire District Local Plan and Policy 3 within Part 3 of the South Herefordshire District Local Plan a proposed dwelling on this site is considered to be an unacceptable form of development.**

The erection of a dwelling, due to its likely position and the creation of a vehicular access, would appear both prominent and intrusive in the street scene of Walford Road and would adversely affect the character of the adjacent Conservation Area. In addition, it is likely that the

erection of a dwelling would have an adverse impact on the amenities of the existing adjoining dwellings.

- 2 The proposal would result in the public sewerage system being overloaded and would be likely to increase the risk of flooding and environmental pollution. The proposal therefore conflicts with Policies C40 and C43 of the South Herefordshire District Local Plan.

110. **DCSE20054025F - 5 MALMO PLACE, GLEWSTONE, ROSS-ON-WYE, HEREFORDSHIRE, HR9 6RW (AGENDA ITEM 9)**

Retrospective application for garage.

The Senior Planning Officer reported the receipt of comments from the Transport Manager who raised no objections to the application. She also reported the receipt of four further letters of support for the application, including one letter from the applicant.

In accordance with the criteria for public speaking, Mr. Pickering, representing Marstow Parish Council, spoke in objection to the application.

RESOLVED:

That following the expiry of the consultation period 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 **E08 (Domestic use only of garage)**

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

- 2 **E09 (No conversion of garage to habitable accommodation)**

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

- 3 **G09 (Retention of trees/hedgerows)**

Reason: To safeguard the amenity of the area.

Informative:

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