

**MINUTES of the meeting of Planning Committee held at
The Council Chamber, Brockington, 35 Hafod Road,
Hereford on Friday, 20th January, 2006 at 10.00 a.m.**

Present: Councillor T.W. Hunt (Chairman)
Councillor J.B. Williams (Vice Chairman)

Councillors: Mrs. P.A. Andrews, B.F. Ashton, H. Bramer, P.J. Dauncey,
Mrs. C.J. Davis, G.W. Davis, D.J. Fleet, P.E. Harling, J.W. Hope MBE,
B. Hunt, Mrs. J.A. Hyde, Mrs. R.F. Lincoln, R.M. Manning, R.I. Matthews,
Mrs. J.E. Pemberton, R. Preece, Mrs. S.J. Robertson and
Mrs E.A. Taylor

In attendance: Councillors P.J. Edwards, K.G. Grumbley, Ms. G.A. Powell and
R.M. Wilson

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors MR Cunningham, Brig P Jones CBE, DC Taylor and WJ Walling.

2. NAMED SUBSTITUTES (IF ANY)

The following named substitutes were appointed:-

Councillor Mrs PA Andrews for Councillor WJ Walling; Councillor H Bramer for Councillor Brig. P Jones; Councillor GW Davis for Councillor DC Taylor; and Councillor Mrs E Taylor for Councillor MR Cunningham.

3. DECLARATIONS OF INTEREST

There were no declarations of public interest made at the meeting.

4. MINUTES

RESOLVED: That the Minutes of the meeting held on 25th November, 2005 be approved as a correct record and signed by the Chairman.

5. CHAIRMAN'S ANNOUNCEMENTS

The Chairman made the following announcements:

[Pendleton Assessment of the electronic delivery of Planning Services by Herefordshire Council](#)

Following a lot of hard work by Planning Services and ICT staff the Council has received 19 out of 21 points under the Pendleton Survey criteria for its delivery of Planning Services by electronic means. This is a provisional outcome and discussions are underway to increase this score to 20 points. As a result of the progress made in the development of Planning IT systems over the last 12 months it was possible for all users of the service to carry out the following activities via the

Internet and Intranet:

- submit planning applications via the Internet;
- examine historic records from the planning registers via the Internet and Intranet;
- view full details, including forms, maps, plans and letters, of all planning applications submitted after November 2005 via the Internet; and
- view all UDP proposals maps and policies.

The Pendleton Survey is an annual e-planning survey carried out on behalf of the Office of the Deputy Prime Minister of all planning authorities in England, Scotland and Wales and a good score for this survey will have a significant impact on the amount of performance related funding received by the service in the future".

Achievement of Best Value Performance Indicators.

In the final quarter of 2005, i.e. the three month period from 1st October 2005 to 31st December 2005, the Development Control performance figures measured against the requirements of BVPI 109 were as follows:

Major applications: 62% (target 60%)

Minor applications: 81% (target 65%)

Other applications: 91% (target 80%)

This is the first quarter in which Herefordshire Council has achieved all three targets.

The cumulative figures for 2005/06 so far are:

Major applications: 55%

Minor applications: 70%

Other applications: 83%

Provided that the current rate of performance could be maintained, it was anticipated that by March 2006 Minor and Other figures would meet the targets and that Major applications would be just slightly below target.

6. NORTHERN AREA PLANNING SUB-COMMITTEE

RESOLVED: That the report of the meetings held on 30th November, 2005 and 4th January, 2006 be received and noted.

7. CENTRAL AREA PLANNING SUB-COMMITTEE

RESOLVED: That the report of the meetings held on 14th December, 2005 and 11th January, 2006 be received and noted.

8. SOUTHERN AREA PLANNING SUB-COMMITTEE

RESOLVED: That the report of the meetings held on 23rd November and 21st December, 2005 be received and noted.

9. DCSE2005/3536/F - AGRICULTURAL DWELLING AT THE FRUIT YARD, LINTON, ROSS-ON-WYE, HEREFORDSHIRE, HR9 7SDFOR: MR. & MRS. N. JONES PER JAMES SPRECKLEY, MRICS FAAV, BRINSOP HOUSE, BRINSOP, HEREFORDSHIRE, HR4 7AS

The Development Control Manager said that the application was submitted to the Southern Area Planning Sub-Committee on 21st December, 2005 with a recommendation for refusal. Notwithstanding the recommendation, the Sub-Committee resolved that it was minded to grant permission on the grounds that there was an agricultural requirement for a permanent dwelling. The Sub-Committee considered that the permission should include an agricultural occupancy condition and the dwelling should be tied to the farm holding.

In accordance with the criteria for public speaking, Mr. Jones, the applicant, spoke in support of his application.

Councillor H. Bramer, the Local Ward Member, felt that the application should be approved, he felt that the proposed dwelling was essential to help the applicant to operate his sheep farming business more efficiently. At present he lived some miles away and had to travel to the farm during the night for the lambing season. The applicant was also involved in fruit production from strawberry growing and orchards. It was likely that lambing would extend over a period of 5 months and could take place at any time, day or night. Councillor Bramer felt that it was unreasonable for the applicant to perform these tasks from a caravan away from his family. Councillor BF Ashton had a number of concerns about the application because it constituted development in the open countryside and was contrary to a number of the Council's Planning Policies.

Having considered all the circumstances in relation to the application, the Committee decided that approval should be granted provided that the dwelling is tied to the business.

RESOLVED:

That the application be approved subject to any conditions felt to be necessary by the Head of Planning Services and subject to it being tied to the business and include an agricultural occupancy condition.

10. DCNC2005/3689/O - SITE FOR SMITHY & STABLES WITH FARRIERS COTTAGE AND APPRENTICE FLAT ON PART PARCEL NO 4493, HOLMER FARM, PUDLESTON, LEOMINSTER, HEREFORDSHIREFOR: MR R PRICE, C/O HAMNISH FARM, LEOMINSTER, HEREFORDSHIRE, HR6 0QP

The Development Control Manager said that the application was submitted to the the Northern Area Planning Sub-Committee meeting held on 4th January 2006 when it was recommended for refusal. Notwithstanding the recommendation the Sub-Committee was minded to approve outline planning permission for this development. The view of the Head of Planning Services was that the application did not constitute a farm diversification venture and should therefore not be considered under the exceptions in Planning Policy S7. He also felt that the proposed location of the business and dwellings was such that there would be considerable adverse impact on an area of previously undeveloped open countryside. The evidence provided by the applicant did not meet the criteria for an exception to be made to the adopted planning policies and he was satisfied that the proposal was contrary to the operative development plan policies of the Leominster District Local Plan and the Hereford and Worcester County Structure Plan.

The receipt of a letter and photographs from the objector and a letter from DEFRA was reported. The Development Control Manager said that DEFRA required more information from the applicants and that its letter did not support or reject the proposal.

In accordance with the criteria for public speaking, Mr. Phillips (objector) spoke against the application and Mr. Price (applicant) spoke in favour.

Councillor KG Grumbley, the Local Ward Member, said that the applicant required accommodation and facilities to undertake his work as a farrier and to train an apprentice. The applicant had been using a building on his father's farm and also had to operate from the back of his van for his work but had found this to be increasingly difficult and no longer practicable. He needed proper facilities to deal with difficult horses and to locate a forge. He also needed accommodation for himself and his apprentice and Councillor Grumbley felt that the application site was in ideal situation to help the applicant to modestly expand and move forward. He pointed out that there was a national shortage of farriers and that Holme Lacy College was one of only four within the Country which provided courses for them. He felt that the proposal was in keeping with national planning legislation and guidance for agricultural diversification and that there was scope within the Council's planning policies E12, H8, A2D and A35 to support it. He also took the view that it was an established business and that the development would be in line with the Government's White Paper on farm diversification. The equine industry was on the decline in this area and he felt that animal welfare was paramount and that this kind of development would help to maintain jobs and income in the countryside. He noted that there were some concerns about the prominent location of the proposal but felt that it was a relatively modest development and that there was sufficient scope within the site for the buildings to be carefully orientated with suitable landscaping to lessen their visual impact. He pointed out that permission had recently been granted for a stable block within the area which was in a much more prominent location. He said that this was an outline application and that various aspects could be agreed and conditions established prior to a full application, along with the conditions required by the Head of Environmental Health and Trading Standards and an appropriate requirement that all development was tied to the business.

On the suggestion of the Chairman the Committee decided that there was merit in holding a site inspection because a number of Committee Members would be unfamiliar with the site.

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.**

11. **DCCW2005/3683/F - WIND TURBINE WITH 9M DIAMETER BLADES ON A 15M TOWER AT NEW WHITECROSS HIGH SCHOOL, THREE ELMS ROAD, HEREFORD, HR4 0RN FOR: STEPNELL LTD. PER STEPNELL LTD., SITE OFFICES, NEW WHITECROSS HIGH SCHOOL, THREE ELMS ROAD, HEREFORD, HR4 0RN**

RESOLVED: That consideration of the application be deferred for 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**
 - (c) the setting and surroundings are fundamental to the determination or to the conditions being considered.**
12. **DCCE2005/3940/F - CONSTRUCTION OF NEW PUBLIC TOILETS AT GAOL STREET CAR PARK, GAOL STREET, HEREFORD, HR1 2JB FOR: HEREFORDSHIRE COUNCIL PER HEREFORDSHIRE COUNCIL PROPERTY SERVICES, FRANKLIN HOUSE, 4 COMMERCIAL ROAD, HEREFORD, HR1 2BB**

The Development Control Manager presented a report about an application from Herefordshire Council Property services to site a new public conveniences block on the southwestern corner of Gaol Street car park off, Hereford. The location had been chosen because it would have the least impact upon the Hereford City Conservation Area and Area of Archaeological Importance. Notwithstanding this, Councillor DJ Fleet the local ward member thought that the location may make it more prone to anti-social behaviour and that it would be better for it to be located more visibly at the entrance to the car park. The Committee concurred with this view and decided to authorise the officers to grant permission, subject to agreement being reached with the Ward Member and Property Services.

RESOLVED THAT

subject to no further objections raising additional material planning considerations by the end of the consultation period, the Officers named in the Scheme of Delegation to Officers be authorised to approve the application, subject to the location being agreed with the Local Ward Member and the Property Services Manager, the following conditions, and any further 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. **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. **D03 (Site observation – archaeology).**

Reason: To allow the potential archaeological interest of the site to be investigated and recorded.

5. **Foul water and surface water discharges must be drained separately from the site.**

Reason: To protect the integrity of the public sewerage system.

6. **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.

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

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

Informatives:

1. **ND03 - Contact Address.**
2. **N15 - Reason(s) for the Grant of PP.**

13. STATEMENT OF COMMUNITY INVOLVEMENT

The Team Leader (Local Planning) presented the report of the Forward Planning Manager about a [new planning document required as part of the new planning system setting out how the Council will consult on planning matters](#). He outlined the purpose of the Statement of Community Involvement (SCI) and the timetable for its production. He referred to the initial consultation that took place in September and the comments and response that has helped form the draft which is now to be published for further comment in line with the Regulations. He made clear the consultation arrangements which also included a workshop session and the need for Council to agree a final draft version of the SCI in May before it is submitted to the Secretary of State in June/July.

The Team Leader (Local Planning) outlined the main aspects of the SCI and the Committee agreed with the proposals put forward in the report of the Forward Planning Manager.

RESOLVED THAT

the Draft Statement of Community Involvement be endorsed by the Committee and commended to the Cabinet Member (Environment) for publication for consultation purposes.

14. BURGHILL PARISH PLAN

The Burghill Parish Plan had been prepared to provide further Planning Guidance to

the emerging Herefordshire Unitary Development Plan. The Burghill Parish Plan had been prepared to provide further Planning Guidance to the emerging Herefordshire Unitary Development Plan. The Plan set out the planning issues relevant to the parish and outlined the need to retain the parish's rural identity. It sought to ensure a clear definition between Hereford City and the countryside, avoiding ribbon development joining the City to its outlying villages. The Plan set out an action plan table detailing out how future actions on planning issues were expected to be addressed along with an anticipated timetable.

The Committee expressed its appreciation for the hard work undertaken by the local community in helping to prepare the document.

RESOLVED: That it be recommended to the Cabinet Member (Environment) that the planning elements of the Burghill Parish Plan be adopted as further planning guidance to the Herefordshire Unitary Development Plan and as an expression of local distinctiveness and community participation.

15. WESTON-UNDER-PENYARD PARISH PLAN

The Weston-under-Penyard Parish Plan had been prepared to provide further Planning Guidance to the emerging Herefordshire Unitary Development Plan. The main objectives were:

- to provide research-based evidence in support of future bids and applications;and
- to enable the local community to participate actively in managing their affairs.

The Plan set out how the policies of the Herefordshire UDP can best be applied to Weston parish. Whist making clear how the UDP policies would guide parish development it also set out the desires and needs expressed by the local community on new housing. It also addresses housing design and layout and open spaces and set out an action plan.

The Committee expressed its appreciation for the hard work undertaken by the local community in helping to prepare the document.

RESOLVED: That it be recommended to the Cabinet Member (Environment) that the planning elements of the Weston-under-Penyard Parish Plan be adopted as further planning guidance to the Herefordshire Unitary Development Plan and as an expression of local distinctiveness and community participation.

16. DATE OF NEXT MEETING

3rd March, 2006 at 10:00 a.m.

The meeting ended at 11.40 a.m.

CHAIRMAN

