

MINUTES of the meeting of Southern Area Planning Sub-Committee held at The Council Chamber, Brockington, 35 Hafod Road, Hereford on Wednesday, 15th March, 2006 at 2.00 p.m.

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

Councillors: H. Bramer, M.R. Cunningham, N.J.J. Davies, J.W. Edwards,
Mrs. A.E. Gray, Mrs. J.A. Hyde, G. Lucas, D.C. Taylor and J.B. Williams

In attendance: Councillors P.J. Edwards and T.W. Hunt (ex-officio)

122. APOLOGIES FOR ABSENCE

Apologies were received from Councillors Mrs. C.J. Davis and G.W. Davis.

123. DECLARATIONS OF INTEREST

There were no declarations of interest made.

124. MINUTES

RESOLVED: That the Minutes of the meeting held on 15th February, 2006 be approved as a correct record and signed by the Chairman.

125. ITEM FOR INFORMATION - APPEALS

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

126. DCSW2004/3397/F - LAND AT JUNCTION OF A465 AND B4348, WINNAL COURT, ALLENSMORE, HEREFORDSHIRE, HR2 9AR (AGENDA ITEM 5)

Conversion of redundant farm buildings to farm shop, plant centre and landscape design centre, including erection of polytunnels, display gardens and associated car parking.

The Southern Team Leader reported the receipt of comments from the Highways Agency, which did not object to the application.

In accordance with the criteria for Public Speaking, Mr. Taylor, the applicant, spoke in support of the application.

Councillor P.G. Turpin, the Local Ward Member noted that the Highways Agency had not objected to the application. He felt that the application should be approved providing the business was operated as a plant centre and not as a garden centre.

A number of Members felt concerned regarding the access for the site, which was located on a busy crossroads. It was noted that a number of accidents had occurred on the crossroads and that this could be made worse by granting the application.

The Southern Team Leader confirmed that the application was not being recommended for refusal on highway grounds as the Highways Agency had not objected to the access.

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) The site should remain a plant centre.**
- (b) Highway safety regarding the access.**
- (c) Hedge replanting scheme.**

(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 in consultation with the Forward Planning Manager]

127. DCSW2006/0263/F - DISUSED AIRFIELD, MADLEY, HEREFORDSHIRE, HR2 9NH (AGENDA ITEM 6)

Temporary offices, welfare facilities and storage yard for plant, equipment and materials for the construction of the Brecon to Corse pipeline on behalf of the National Grid.

The Southern Team Leader confirmed that an expiry date of 30th September, 2008 should have been added to condition 1 of the recommendation. He also confirmed that a new plan detailing the proposed HGV route had been received from the applicant and that comments had been received from the Conservation Manager, the Environmental Health Department, and Welsh Water.

Councillor D.C. Taylor, the Local Ward Member, noted the concerns of the local residents but felt that the addition of a condition regarding vehicles to be required to use the proposed HGV route would allay a number of their fears. The Southern Team leader confirmed that a suitable condition could be added to the recommendation.

RESOLVED

That subject to the resolution of the traffic/highway issues, 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. E21 (Temporary permission and reinstatement of land)**

Reason: This planning permission is only granted so as to meet the special and temporary needs of the applicants as the site is considered unsuitable for such a use on a permanent basis.

- 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. F25 (Bunding facilities for oils/fuels/chemicals)

Reason: To prevent pollution of the water environment.

4. F32 (Details of floodlighting/external lighting)

Reason: To safeguard local amenities.

5. F39 (Scheme of refuse storage)

Reason: In the interests of amenity.

6. F40 (No burning of material/substances)

Reason: To safeguard residential amenity and prevent pollution.

Informative(s):

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

128. DCSW2006/0255/F - THE ESTATE YARD, KINGSTHORNE, HEREFORDSHIRE, HR2 8AN (AGENDA ITEM 7)

Conversion of redundant agricultural saw-mill buildings to two B1 workshop units, including improving junction of access track with highway.

The Principal Planning Officer reported the receipt of further comments from the Rights of Way Manager who had concerns regarding the application.

In accordance with the criteria for public speaking Mrs. Philpott and Mr. Tweddell, two of the neighbouring residents, spoke in objection to the application and Mr. Gell, the applicant's agent, spoke in support.

The Chairman confirmed that the Local Ward Member, Councillor G.W. Davis, did not object to the application.

The Principal Planning Officer confirmed that the colour of the materials used for the development was covered by conditions. He also confirmed that condition 7 of the recommendation covered the use of hand held power tools.

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. A07 (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. E01 (Restriction on hours of working) (8.00am – 6.00pm Mondays to Fridays, 8.00am – 1.00pm on Saturdays. There shall be no such working on Sundays, Bank or Public Holidays).

Reason: To safeguard the amenities of the locality.

5. E02 (Restriction on hours of delivery) (8.00am – 6.00pm Mondays to Fridays, 8.00am – 1.00pm on Saturdays. There shall be no such working on Sundays, Bank or Public Holidays).

Reason: To safeguard the amenities of the locality.

6. E06 (Restriction on Use) (Class B1)

Reason: The local planning authority wish to control the specific use of the land/premises, in the interest of local amenity.

7. F08 (No power tools or machinery)

Reason: In the interest of the amenity of the area.

8. F16 (Restriction of hours during construction)

Reason: To protect the amenity of local residents.

9. F32 (Details of floodlighting/external lighting)

Reason: To safeguard local amenities.

10. F41 (No burning of materials/substances during construction phase)

Reason: To safeguard residential amenity and prevent pollution.

11. G01 (Details of boundary treatments)

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

12. Prior to the first use of the development hereby permitted the access road to the site from the unclassified road 71603 shall be improved. This improvement shall include its widening to 4.5m for the first 10 metres from the junction and its re-surfacing. Details of these works, to include a specification, shall be submitted and approved in writing by the local planning authority prior to commencement of work.

Reason: In the interests of highway safety.

13. The existing ditchway adjoining the roadway from the northern most access, i.e. to Unit 1 and the unclassified road 71603, shall be properly piped with a suitable headwell to the satisfaction of the local planning authority.

Reason: In the interests of controlling surface water run-off onto the unclassified 71603 and to reduce flooding in the locality.

- 14. Specifications and position for a warning sign, warning visitors/users of the industrial site of horse riders and walkers, shall be agreed in writing with the local planning authority and erected and thereafter maintained to the satisfaction of the local planning authority before either unit is first brought into use.**

Reason: In the interests of highway safety.

Informative(s):

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

- 129. DCSE2006/0104/F - CHAPEL MILL COTTAGE, BROMSASH, ROSS-ON-WYE, HEREFORDSHIRE, HR9 7PL (AGENDA ITEM 8)**

Two storey extension and alterations.

The Principal Planning Officer advised Members that the distance between the proposed dwelling and Moorcroft was 20 metres and not 30 metres as indicated in paragraph 6.5 of the report. He reported the receipt of a letter of objection from Mr. Lewis of High House, Bromsash and also asked that a condition be added to the recommendation in respect of boundary treatment.

In accordance with the criteria for public speaking, Mr. Lewis, one of the neighbouring residents spoke in objection to the application.

Councillor H. Bramer, the Local Ward Member noted that the drainage issues had not been resolved. He felt that granting the application would result in overdevelopment of the site and that a two-storey extension was not suitable.

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. Notwithstanding the approved drawings, no development shall take place until details of the boundaries of the site and the design, materials and alignment of the fence have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.**

Reason: In the interests of visual amenity and highway safety.

- 4. E17 (No windows in side elevation of extension) (south and east elevations)**

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

5. H10 (Parking - single house)

Reason: In the interests of highway safety and to ensure the free flow of traffic using the adjoining highway.

6. F18 (Scheme of foul drainage disposal)

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

Informatives:

1. A watching brief should be kept during the works for the presence of bats as well as nesting birds and if found to be present during the work should cease and an ecologist licensed by English Nature for bat surveys should be engaged to determine the species, populations and impact of the works together with mitigation and compensation. The presence of nesting birds should also be evaluated throughout the works and if revealed or potentially disturbed by the development then the Herefordshire Council's Ecologist should be notified. Works should avoid disturbance to the nests, young, eggs, adults and nesting area.

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

130. DCSW2006/0227/F - LOWER MONKTON FARM, ST. WEONARDS, HEREFORDSHIRE, HR2 8PF (AGENDA ITEM 9)

Conversion of and alterations to a range of period barns to create six residential dwellings.

The Chairman confirmed that the Local Ward Member, Councillor G.W. Davis, supported the application but had concerns about the unclassified road and the location of the passing places.

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. A07 (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. C02 (Approval of details)

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

5. E16 (Removal of permitted development rights)

Reason: In order to define the terms to which the application relates.

6. G01 (Details of boundary treatments)

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

7. G04 (Landscaping scheme (general))

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

8. G05 (Implementation of landscaping scheme (general))

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

9. The recommendation outlined in the ecological appraisal/report that accompanied planning application DCSW2005/2731/F outlined in 4.5 to 4.19 of the Discussions and Conclusions of said report regarding mitigation, habitat enhancement and monitoring for birds and bats shall be followed to the satisfaction of the local planning authority.

Reason: To ensure that all species of bat and their roosts, together with nesting birds are protected under the Wildlife and Countryside Act 1981.

10. An ecological clerk of works should be appointed (or consultant engaged in that capacity) to oversee demolition and ecological mitigation work in accordance with condition 9.

Reason: To ensure that all species of bat and their roosts, together with nesting birds are protected under the Wildlife and Countryside Act 1981.

11. H03 (Visibility splays)

Reason: In the interests of highway safety.

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

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

13. Before the development is first brought into use, i.e. any dwelling is first occupied, at least three passing places shall be provided along the unclassified 71600 road in positions and specifications, i.e. width and length and surfacing that all shall be the subject of the prior written approval of the local planning authority.

Reason: In the interests of general highway safety.

Informative(s):

1. Listed building consent will also be required for this proposal.

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

The meeting ended at 3.17 p.m.

CHAIRMAN