

MINUTES of the meeting of Central Area Planning Sub-Committee held at The Council Chamber, Brockington, 35 Hafod Road, Hereford on Wednesday, 28th June, 2006 at 2.00 p.m.

Present: Councillor D.J. Fleet (Chairman)

Councillors: Mrs. P.A. Andrews, Mrs. W.U. Attfield, Mrs. E.M. Bew, A.C.R. Chappell, J.G.S. Guthrie, Mrs. M.D. Lloyd-Hayes, R.I. Matthews, J.C. Mayson, J.W. Newman, Mrs. J.E. Pemberton, Ms. G.A. Powell, Mrs. S.J. Robertson, Mrs E.A. Taylor, W.J.S. Thomas, W.J. Walling, D.B. Wilcox, A.L. Williams and R.M. Wilson.

In attendance: Councillors J.B. Williams (ex-officio)

20. APOLOGIES FOR ABSENCE

Apologies for absence were received from Mrs. S.P.A. Daniels, P.J. Edwards, R. Preece, Miss F. Short and Ms. A.M. Toon.

21. DECLARATIONS OF INTEREST

The following declarations were made:-

Councillor	Item	Interest
D.J. Fleet and A.L. Williams	Agenda Item 5, Minute 24 DCCE2006/1219/F 23 Venns Lane, Hereford, HR1 1DE *	D.J. Fleet declared a personal interest. A.L. Williams declared a prejudicial interest and left the meeting for the duration of the item.
A.L. Williams	Agenda Item 10, Minute 29 DCCE2006/1277/F 1-3 Peregrine Close, Hereford, HR2 6BS	A.L. Williams declared a prejudicial interest and left the meeting for the duration of the item.
Mrs. S.J. Robertson and A.L. Williams	Agenda Item 11, Minute 30 DCCE2006/1158/F & DCCE2006/1159/C 57-59 Commercial Road, Hereford, HR1 2NL	Both Members declared prejudicial interests and left the meeting for the duration of the item.
Mrs. E.A. Taylor and Mrs. S.J. Robertson	Agenda Item 14, Minute 33 DCCE2006/0099/O Royal National College for the Blind, College Road, Hereford, HR1 1EB	Mrs. E.A. Taylor declared a prejudicial interest and left the meeting for the duration of the item. Mrs. S.J. Robertson declared a personal interest.

J.C. Mayson	Agenda Item 18, Minute 37 DCCW2006/1515/F Shetton Farm, Mansel Lacy, Hereford, HR4 7HP	Declared a prejudicial interest and left the meeting for the duration of the item.
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* Mr. K. Bishop, Principal Planning Officer declared a personal interest in this application and left the meeting for the duration of the item.

22. MINUTES

RESOLVED: That the Minutes of the meeting held on 31st May, 2006 be approved as a correct record and signed by the Chairman.

23. ITEM FOR INFORMATION - APPEALS

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

24. DCCE2006/1219/F - 23 VENNS LANE, HEREFORD, HR1 1DE [AGENDA ITEM 5]

Proposed two storey extension.

The Senior Planning Officer reported the receipt of a further letter of objection from Mr. and Mrs. Peter and summarised the issues raised.

In accordance with the criteria for public speaking, Mrs. Peter spoke against the application.

In response to a question from the Chairman arising from the comments of the public speaker, the Senior Planning Officer advised that the block plan did not show the adjacent properties in detail but the locations of the properties were clear from the Ordnance Survey map included in the agenda for the meeting.

Councillor Mrs. M.D. Lloyd-Hayes commented that the public speaker had raised some important issues and felt that related amendments would make the proposal more acceptable. Councillor W.J. Walling expressed sympathy with the views of the public speaker and concurred that revisions were necessary.

For the efficient transaction of business, the Central Team Leader suggested that Officers be delegated to approve the application subject to the identified amendments. Should officers not be able to secure the amendments, Officers be delegated to refuse the application. The Sub-Committee endorsed this approach.

RESOLVED:

1. **That Officers named in the Scheme of Delegation to Officers, in consultation with the Local Ward Members and the Chairman, be authorised to approve the application subject to appropriate amendments and any conditions considered necessary by Officers.**
2. **If the identified amendments cannot be secured, Officers named in Scheme of Delegation to Officers be instructed to refuse the application on the grounds of over-intensive development, impact on residential amenity and privacy and any further reasons considered to be necessary by Officers.**

25. **DCCE2006/1231/RM - LAND AT LUGWARDINE COURT, LUGWARDINE, HEREFORD, HR1 4AE [AGENDA ITEM 6]**

Proposed erection of three detached houses and ancillary garages, formation of new vehicular access and driveway.

The Senior Planning Officer reported the following:-

- Welsh Water had no objections subject to three standard conditions which would be incorporated into any planning permission granted.
- Additional conditions were recommended in respect of boundary treatment and stability.
- A planning consultant's report had been received which sought to address the concerns raised by local residents.

In accordance with the criteria for public speaking, Mr. Norman spoke against the application and Ms. Jones spoke in support of the application.

Councillor R.M. Wilson, the Local Ward Member, noted that when the outline planning permission was approved (CE2002/3749/O refers) Members envisaged that three 'modest' dwellings would be built on site but he did not feel that the proposed buildings could be described as such. Councillor Mrs. P.A. Andrews concurred that the proposed buildings were substantial and felt that the applicant should be encouraged to revise the scale of the proposal to make it more appropriate to its surroundings.

Councillor Mrs. M.D. Lloyd-Hayes felt that the proposal was acceptable subject to the additional conditions proposed. She noted the concerns of local residents but felt that the landscaping and boundary treatments would mitigate disturbance and noted that the distances between properties were considered acceptable.

In response to Members' concerns about the size of the proposed buildings, the Senior Planning Officer advised that, following refusal of a previous scheme, the scale of the two roadside properties had been substantially reduced and modifications had been made to the site layout to minimise impact on adjacent dwellings.

A motion to approve the application received an equal number of votes and the Chairman used his casting vote to support the recommendation.

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. **E18 (No new windows in specified elevation).**

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

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

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

- 4. 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.

- 5. 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.

- 6. Prior to the commencement of the development hereby authorised a maintenance plan for site boundary treatments shall be submitted to and approved in writing by the local planning authority. The maintenance shall then be undertaken in accordance with the agreed details.**

Reason: In the interests of the visual and residential amenities of the locality.

- 7. The garage hereby permitted shall be used solely for the garaging of private vehicles and for purposes incidental to the enjoyment of the dwelling house as such and not for the carrying out of any trade or business.**

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

- 8. The integral garage/garage and access thereto must be reserved for the garaging or parking of private motor vehicles and the garage shall at no time be converted to habitable accommodation.**

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

- 9. Prior to the commencement of the development hereby authorised a scheme of works and protection plan to ensure the stability of the site boundaries during construction and thereafter shall be submitted to and agreed in writing by the local planning authority. The development shall then be undertaken in accordance with the agreed details.**

Reason: To ensure the stability of the site boundaries.

26. DCCW2006/1148/F - FORMER FROMINGTON NURSERY, BURMARSH, HEREFORDSHIRE [AGENDA ITEM 7]

Construction of hostel to accommodate up to 56 seasonal workers employed by the Tillington Fruit Farms.

The Principal Planning Officer reported the receipt of correspondence from the applicant requesting the removal of the words 'or in control' from recommended condition 16 and 'within the control' from condition 17. Therefore, the applicant would only be required to remove agricultural workers caravans from land within the ownership of the applicant.

Councillor J.G.S. Guthrie, the Local Ward Member, noted the concerns of local residents and Marden Parish Council and felt that Members would benefit from a site inspection, particularly given the highway and pedestrian safety considerations.

In accordance with the criteria for public speaking, a representative had registered to speak on behalf of Marden Parish Council and Mr. Brown had registered to speak on behalf of the applicant. Both parties decided to defer their opportunities to speak until the next meeting following the site inspection.

RESOLVED:

That consideration of planning application DCCW2006/1148/F be deferred for a site inspection for the following reason:

- **The setting and surroundings are fundamental to the determination or to the conditions being considered.**

**27. DCCW2006/1255/F - THE BOUNDARY, SWAINSHILL, HEREFORD, HR4 7QE
[AGENDA ITEM 8]**

New dwelling (amendment to former approved application CW2005/0333/F).

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

Councillor R.I. Matthews, the Local Ward Member, expressed sympathy for the views of the public speaker and questioned the extent of the modifications to the approved application. The Principal Planning Officer confirmed that the depth of the proposal was the same but the width had actually been reduced. He added that a critical factor was to ensure that the slab level was dropped as low as possible so as to minimise impact.

Councillor Matthews questioned whether a refusal of planning permission would be defensible on appeal. In response, the Development Control Manager advised that the previous permission provided a 'fallback position' which would be a material planning consideration in any appeal.

A number of Members stressed the need for the slab level to be as low as possible.

In response to suggestions by Members, the Principal Planning Officer advised that recommended condition 7 would control hours during construction and condition 9 would ensure appropriate boundary treatments. Councillor Matthews emphasised the need to protect residential amenity and privacy for adjacent dwellings.

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. **A09 (Amended plans).**

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. E16 (Removal of permitted development rights).

Reason: In order to clarify the terms of this permission and protect the amenity of adjoining residents.

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

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

6. E19 (Obscure glazing to windows).

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

7. F16 (Restriction of hours during construction).

Reason: To protect the amenity of local residents.

8. F48 (Details of slab levels).

Reason: In order to define the permission and ensure that the development is of a scale and height appropriate to the site.

9. G01 (Details of boundary treatments).

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

10. Prior to occupation of the dwelling details of the proposed steps from the terrace to the garden shall be submitted for approval in writing of the local planning authority and the steps installed in accordance with the approved details.

Reason: No details submitted with the application.

11. H03 (Visibility splays).

Reason: In the interests of highway safety.

12. H05 (Access gates).

Reason: In the interests of highway safety.

13. H12 (Parking and turning - single house).

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

Informatives:

1. HN01 - Mud on highway.

2. **HN05 - Works within the highway.**
3. **HN10 - No drainage to discharge to highway.**
4. **Regarding the slab level required to be submitted under condition no. 8, the local planning authority will be expecting the lowest level achievable for the site in the submission of the details.**
5. **N15 - Reason(s) for the Grant of Planning Permission.**

[Note: In accordance with Standing Order 5.10.2, Councillor R.I. Matthews wished it to be recorded that he abstained from voting on this application.]

28. DCCE2006/1550/F - PLOT 2 AT NO. 1 HOLME LACY ROAD, HEREFORD, HR2 6DP [AGENDA ITEM 9]

Erection of 2 no. semi detached dwellings.

The Principal Planning Officer reported the receipt of amended plans which sought to address the issues raised by the Traffic Manager, particularly in relation to visibility splays and parking.

Councillor A.C.R. Chappell, a Local Ward Member, noted that an application for the erection of a new parsonage house and detached four bedroom dwelling house had been approved in 1988 (HC870581/PF/E refers) but felt that the situation had changed since then. He commented that the use of the access road to St. Martin's Church and Community Centre had increased significantly in recent years, particularly with the establishment of a nursery, adult literacy classes and other projects. He felt that the further vehicular traffic, coupled with congestion at the junction with Holme Lacy Road, would unacceptably increase risks to highway and pedestrian safety.

Councillor Mrs. W.U. Atfield, also a Local Ward Member, emphasised the traffic problems in the vicinity of the site and felt that the intensification of use and proximity to the Holme Lacy Road junction was unacceptable.

The Principal Planning Officer reminded the Sub-Committee that a residential development scheme had already been approved. Furthermore, a refusal of planning permission based on highways concerns might not be sustainable as the current proposal was likely to generate less traffic than the previous scheme, which used the same access as now proposed.

Other Members noted the concerns of the Local Ward Members but felt that the development was acceptable having regard to the development plan policies and the fall back position of the approved 4 bedroom dwelling.

RESOLVED:

Subject to the receipt of satisfactory amended plans relating to the access and internal parking, 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. **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. **E01 (Restriction on hours of working).**

Reason: To safeguard the amenities of the locality.

5. **E16 (Removal of permitted development rights).**

Reason: The local planning authority wish to control any future enlargement of the properties and development within the curtilage due to the confined nature of the site.

6. **G01 (Details of boundary treatments).**

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

7. **E17 (No windows in side elevation of extension).**

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

8. **H03 (Visibility splays)**

Informatives:

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

29. **DCCE2006/1277/F - 1-3 PEREGRINE CLOSE, HEREFORD, HEREFORDSHIRE, HR2 6BS [AGENDA ITEM 10]**

Conversion of 4 flats to 3 no. 2-storey mews houses and 1 first floor flat; demolition of outbuildings and development of 2 no. cottages; and extension to existing take away.

The Principal Planning Officer advised that comments were still awaited from the Environment Agency and, therefore, the recommendation remained the same as printed in the agenda. It was reported that the Traffic Manager had concerns but had not raised any objections subject to conditions as there would be no increase in off street parking.

Councillor A.C.R. Chappell, a Local Ward Member, noted that there were highways and pedestrian safety considerations and, as other Members may not be familiar with this area, suggested that a site inspection would be appropriate.

In accordance with the criteria for public speaking, Mr. Mitchell had registered to speak against the application but decided to defer the opportunity to speak until the next meeting following the site inspection.

RESOLVED:

That consideration of planning application DCCE2006/1277/F be deferred for a site inspection for the following reason:

- **The setting and surroundings are fundamental to the determination or to the conditions being considered.**

30. [A] DCCE2006/1158/F AND [B] DCCE2006/1159/C - 57-59 COMMERCIAL ROAD, HEREFORD, HEREFORDSHIRE, HR1 2BP [AGENDA ITEM 11]

[A] Demolition of rear two storey extensions and construction of new extension to provide living accommodation for 38 key workers and extension to public house.

[B] Demolition of rear two storey extensions forming ancillary accommodation to the existing public house premises.

The Principal Planning Officer reported that an updated acoustic report had been received and that Environmental Health and Trading Standards Manager was satisfied with the proposal subject to a scheme of noise insulation works.

The Chairman, speaking in his capacity as Local Ward Member, noted that this was an intensive development proposal of a type which was not currently found in Hereford. He felt that the site was suitable for some form of development but he expressed concerns about the access arrangements, particularly the lack of a rear access. He also felt that the car free nature of the development should be emphasised with the addition of an informative note alerting potential occupiers that they would not be entitled to residents' parking permits if a scheme for the area was introduced.

The Principal Planning Officer advised that a rear access would involve third party land and, therefore, this possibility had not been pursued further. He commented that a key aspect of the development was that it should be car free because of its sustainable location and it was considered that occupiers were less likely to require the use of a car compared to a standard residential development.

Councillor Mrs. P.A. Andrews felt that a rear access was needed, especially as occupation by student nurses was anticipated and they would expect pedestrian access to the County Hospital. The Chairman added that the lack of a rear access could potentially hinder the emergency services should an incident occur at the development. The Principal Planning suggested that officers be delegated to investigate this matter with the applicant in consultation with the Chairman.

In response to a question, the Principal Planning Officer advised that the proposal was not a joint venture with the Hospital but it was understood that the applicant had undertaken market research which demonstrated the demand for such accommodation.

Councillor A.C.R. Chappell noted that many of the professions listed under recommended condition 14 would be required to have access to a vehicle as part of their jobs and there would be no viable alternative to park their cars elsewhere given the cost and safety considerations. Therefore, he felt that this element needed to be looked at again.

Councillor W.J.S. Thomas noted the apparent demand but commented that married key workers might also need affordable accommodation and he questioned the mix proposed. He felt that the proposal was very intensive and noted the need for insulation to mitigate disturbance from adjacent uses.

A suggestion was made that the list of potential occupiers should include students given the plans for the Learning Village. Other Members had mixed views about this suggestion.

A number of Members felt that the lack of rear access and parking were significant concerns.

Councillor Mrs. M.D. Lloyd-Hayes commented that congestion and safety problems might result from a single entrance. It was noted that Hereford City Council had also expressed concerns about the lack of a rear emergency route. Mrs. Lloyd-Hayes felt that further details were required about who would be responsible for the communal areas and deal with any on site problems.

In response to comments and questions, the Principal Planning Officer advised that:

- Officers would look into the fact that the application referred to 57-59 Commercial Road but the Ordnance Survey map appended to the report showed a different address.
- Deliveries to the Hop Pole Public House were made via Commercial Road because the access arch to the rear was not large enough to accommodate delivery lorries.
- Four parking places would be provided for employees and deliveries associated with the Public House but the residential scheme was to be car free. It was noted that the Traffic Manager had no objections subject to conditions.
- A rear pedestrian / emergency access could be discussed with the applicant but it would involve third party negotiations.
- Conditions 14 and 15 sought to restrict occupation to the identified key workers, highlighting that this was not standard residential accommodation but the restrictions could be reconsidered.

Councillor Mrs. W.U.A. Attfield felt that the type of accommodation proposed was not suitable for the identified purpose and concurred with the Strategic Housing Manager's comment that 'shared accommodation is outdated'. Councillor Mrs. Andrews commented that there was unlikely to be demand from student nurses for bed-sit accommodation and that self-contained units would be more acceptable. Councillor Chappell felt that there could be security issues with the type of accommodation proposed. The Principal Planning Officer drew attention to recommended condition 15 which would require further details about management issues.

Councillor R.I. Matthews felt that there were a number of fundamental concerns with the application, particularly relating to access arrangements, the intensive nature of the development and the design, which warranted refusal of the application.

RESOLVED:

That (i) The Central Area Planning Sub-Committee is minded to refuse the applications subject to the following reasons for refusal set out below (and any further reasons for refusal felt to be necessary by the Development Control Manager) provided that the Development Control Manager does not refer the applications to the Planning Committee:

DCCE2006/1158/F

1. It has not been demonstrated that the type of accommodation proposed is required as 'affordable' housing to meet the proven local need and therefore the proposal is contrary to Policy H8 of the Hereford Local Plan and H9 of the Herefordshire Unitary Development Plan (Revised Deposit Draft) and advice contained within Supplementary Planning Guidance entitled the Provision of Affordable Housing.
2. The development has inadequate parking and no rear access for general or emergency use. As such the development is contrary to Policies ENV17 and T11 of the Hereford Local plan and Policies H3, H14, S2, DR1, DR3, T6 and T11 of the Herefordshire Unitary Development Plan (Revised Deposit Draft).

DCCE2006/1159/C

1. In the absence of a formal approval for the re-development of the site within the Conservation Area, the proposed demolition is considered unacceptable and contrary to Policies CON12, CON16 of the Hereford Local Plan and HBA7 of the Herefordshire Unitary Development Plan (Revised Deposit Draft).

- (ii) If the Development Control Manager 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.

[Note: Following the vote on this application, the Development Control Manager advised that he would not refer the application to the Planning Committee.]

**31. DCCE2006/1374/O - 22 FOLLY LANE, HEREFORD, HEREFORDSHIRE, HR1 1LY
[AGENDA ITEM 12]**

Proposed dwelling in garden.

The Senior Planning Officer reported the receipt of a further letter of objection from the occupiers of 20 Folly Lane.

In accordance with the criteria for public speaking, Mrs. Built (the applicant) spoke in support of the application.

In response to a comment made by the public speaker, the Senior Planning Officer confirmed that a brief letter in support from the applicant's agent had accompanied the application but it was not considered necessary to report this specifically as it did not add any further information to the indicative layout provided. He commented that the proposal would result in an unacceptable relationship with the existing dwelling and the street scene.

Councillor W.J. Walling, a Local Ward Member, drew attention to the size of the garden and felt that some form of development could be accommodated on the site without detracting from the character and appearance of the area. The Senior Planning Officer re-iterated that the proposal as submitted would either compromise the privacy of the existing dwelling or represent an incongruous feature within the street scene given the particular constraints of the site. He commented that an acceptable form of development might be achieved but the current outline proposal

was not satisfactory. The Central Team Leader advised that, if Members were minded to approve the application, an informative note would be needed to highlight the constraints of the site and emphasise the design considerations.

Councillor D.B. Wilcox expressed concerns about access arrangements and the potential loss of amenity for the residents of adjacent properties. Therefore, he proposed that a site inspection be held to enable Members to fully assess the setting and surroundings.

RESOLVED:

That consideration of planning application DCCW2006/1148/F be deferred for a site inspection for the following reason:

- **The setting and surroundings are fundamental to the determination or to the conditions being considered.**

32. DCCE2006/1023/F - ACCESS TRACK FROM U72011 ROAD TO FIELD KNOWN AS WARWICKSHIRE OSM 9071, DINEDOR, HEREFORD, HR2 6PG [AGENDA ITEM 13]

Resurface track with hardcore and scalplings (part retrospective).

In accordance with the criteria for public speaking, Mr. Joynt spoke against the application and Mr. Greenow spoke on behalf of the applicant.

Councillor W.J.S. Thomas, the Local Ward Member, noted the value of public speakers' input. He drew attention to paragraph 1.1 on page 91 of the report which identified that the "site falls within an Area of Great Landscape Value and is characterised as 'Forest Smallholdings and Dwellings' in the Character Assessment". He felt it unsatisfactory that hardcore had been laid resulting in detrimental impact to the environment and ecology of the area. Therefore, he proposed that the application be refused.

A number of Members felt it regrettable that this was a retrospective application and did not feel that there was sufficient justification for the works.

In response to a question, the Legal Practice Manager advised that retrospective planning applications were not unlawful and had to be considered on their own merits.

The Development Control Manager commented that Officers did not consider the works to be acceptable but had attempted to find a compromise that would mitigate some of the damage that had occurred. He noted that the options available to the Sub-Committee were to support the proposal or to refuse planning permission whereupon enforcement action would need to be contemplated.

RESOLVED:

That (i) The Central Area Planning Sub-Committee is minded to refuse the application subject to the reason for refusal set out below (and any further reasons for refusal felt to be necessary by the Development Control Manager) provided that the Development Control Manager does not refer the application to the Planning Committee:

- 1. The development already undertaken, together with the proposed outstanding works, are detrimental to the ecology**

and landscape of the locality and harmful to the visual amenities of the area. The proposal is therefore contrary to PPS9, South Herefordshire District Local Plan Policies GD1, C1, C8 and C9, Herefordshire Unitary Development Plan (Revised Deposit Draft) Policies S1, S2, S7, DR1, DR4, LA2, NC1, NC8 and adopted Supplementary Planning Guidance: Landscape Character Assessment.

- (ii) **If the Development Control Manager 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.**

[Note: Following the vote on this application, the Development Control Manager advised that he would not refer the application to the Planning Committee.]

33. DCCE2006/0099/O - ROYAL NATIONAL COLLEGE FOR THE BLIND, COLLEGE ROAD, HEREFORD, HR1 1EB [AGENDA ITEM 14]

Construction of halls of residence, sports and complementary therapy building, creation of floodlit outdoor sports pitch, residential development on 2.3ha and associated open spaces, landscaping, infrastructure, access roads, footpaths and cycle paths.

The Principal Planning Officer reported the receipt of a letter from the applicant which highlighted the funding arrangements for the project and which claimed that the requirement to provide general needs affordable housing could have significant implications for the development of the scheme. The Principal Planning Officer commented that the key question was whether there existed such special circumstances that would merit approval of application despite the policy objections.

Councillor D.B. Wilcox, a Local Ward Member, felt it unfortunate that he had not been consulted about the situation earlier. In response to a question, the Principal Planning Officer advised that, although it had been requested, the applicant had not yet provided their definition of 'people with a disability' for the purposes of the selection criteria. Councillor Wilcox commented that it was paramount that progress with the scheme was maintained and he felt that, following a conversation with the Strategic Housing Manager, a suitable definition of eligibility could be agreed and interpreted appropriately. He felt that this was an exceptional case and that, subject to relevant amendments, planning permission should be granted.

Councillor Mrs. P.A. Andrews felt that the tone of the letter from the applicant was unfortunate and questioned the robustness the funding arrangements if adequate affordable housing provision could not be provided.

A number of Members spoke in support of the proposal.

The Principal Planning Officer clarified the policy considerations. The Development Control Manager commented that the Authority was struggling to meet affordable housing targets and cautioned the Sub-Committee about the risks of allowing special circumstances to circumvent adopted planning policies. A number of Members stressed that this was a special case which would not set a precedent for future developments.

That (i) The Central Area Planning Sub-Committee is minded to approve the application subject to conditions felt to be necessary by the Development Control Manager, in consultation with the Local Ward

Members and the Chairman, provided that the Development Control Manager does not refer the application to the Planning Committee:

- (ii) **If the Development Control Manager 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: Following the vote on this application, the Development Control Manager advised that he would not refer the application to the Planning Committee.]

34. DCCW2006/1438/F - PLOT ADJACENT BROOKLANDS, MORETON-ON-LUGG, HEREFORD, HEREFORDSHIRE, HR4 8DQ [AGENDA ITEM 15]

Proposed detached new house with incorporated double garage.

Councillor J.G.S. Guthrie, the Local Ward Member, noted the concerns Moreton-on-Lugg Parish Council regarding the scale of the proposed dwelling and felt that Members would benefit from a site inspection.

In accordance with the criteria for public speaking, Mr. Morris had registered to speak on behalf of the applicant but decided not to speak at this meeting.

RESOLVED:

That consideration of planning application DCCW2006/1148/F be deferred for a site inspection for the following reason:

- **The setting and surroundings are fundamental to the determination or to the conditions being considered.**

35. DCCW2006/1258/RM - PLOT ADJOINING WYLOE, LYDE, HEREFORDSHIRE, HR4 8AD [AGENDA ITEM 16]

Detached dwelling and garage.

The Senior Planning Officer reported the receipt of a letter of objection from Mr. Harbour of Holly Tree Cottage and summarised the points raised.

In accordance with the criteria for public speaking, Mr. Bradley spoke on behalf of Pipe and Lyde Parish Council. Mr. Stain had registered to speak against the application but was not present at the meeting when the application was considered.

The Senior Planning Officer advised that both Welsh Water and the Environment Agency had been consulted on the suitability of the drainage arrangements but neither had replied formally. Therefore, conditions were recommended to ensure that a full and satisfactory scheme was implemented.

Councillor Mrs. S.J. Robertson, the Local Ward Member, noted local residents' concerns about foul water drainage and asked that Building Control be made aware of the situation. She also noted concerns about the proposed ridge height and issues relating to a stone wall and suggested that Officers, in consultation with the Chairman and herself, be authorised to negotiate relevant amendments to the scheme.

RESOLVED:

That Officers named in the Scheme of Delegation to Officers, in consultation with the Local Ward Member and the Chairman, be authorised to issue planning permission, subject to negotiating the potential for a reduction in the height of the proposed dwelling and the inclusion of a stone boundary wall, and to the following conditions and any further conditions considered necessary by Officers.

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. E18 (No new windows in specified elevation) (southern).

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

Informatives:

1. N03 - Adjoining property rights.
2. N09 - Approval of Reserved Matters.
3. N15 - Reason(s) for the Grant of Planning Permission.

36. DCCW2006/1383/F - 137 EDGAR STREET, HEREFORD, HEREFORDSHIRE, HR4 9JR [AGENDA ITEM 17]

Proposed ground floor extension.

This application was withdrawn by the applicant before the meeting.

37. DCCW2006/1515/F - SHETTON FARM, MANSEL LACY, HEREFORDSHIRE, HR4 7HP [AGENDA ITEM 18]

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

The Principal Planning Officer advised that an additional highway note would need to be added to any planning permission granted.

In accordance with the criteria for public speaking, Mr. Spreckley had registered to speak on behalf of the applicant but decided not to speak at the meeting.

Councillor W.J.S. Thomas, the Local Ward Member, noted that the proposal was considered acceptable in policy terms but emphasised the need for an adequate number of passing bays.

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. B05 (Alterations made good).

Reason: To maintain the appearance of the building.

4. C05 (Details of external joinery finishes).

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

5. C09 (External repointing).

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

6. C11 (Specification of guttering and downpipes).

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

7. E16 (Removal of permitted development rights).

Reason: In order to retain the character of the buildings.

8. F16 (Restriction of hours during construction).

Reason: To protect the amenity of local residents.

9. F17 (Scheme of foul drainage disposal).

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

10. G01 (Details of boundary treatments).

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

11. G04 (Landscaping scheme (general)).

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

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

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

13. No dwelling hereby approved shall be occupied until all of the buildings have been demolished and removed from the site.

Reason: In order to protect the visual amenity of the area and occupants of the dwellings.

14. The conversion hereby approved shall be carried out in full accordance with the Ecological Survey for the barns at Shetton Farm, Mansel Lacy, Herefordshire received on 12th April 2006. The mitigation and

enhancement recommendations shall be fully implemented prior to the occupation of the converted barns and shall thereafter be retained in situ.

Reason: In recognition of the acknowledged nature conservation interest of the site.

15. H13 (Access, turning area and parking).

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

16. No development shall take place until a scheme for the provision of passing bays from the junction of the classified 1098 road to the site is submitted for approval in writing of the local planning authority. The passing bays shall be installed in accordance with the approved scheme prior to any other works commencing on site.

Reason: In the interests of highway safety.

Informatives:

1. N15 - Reason(s) for the Grant of Planning Permission.
2. HN5 – Works within the highway.

38. DATE OF NEXT MEETING

It was noted that the next scheduled meeting was Wednesday 26th July, 2006.

The meeting ended at 5.12 p.m.

CHAIRMAN