

MINUTES of the meeting of Northern Area Planning Sub-Committee held at The Council Chamber, Brockington, 35 Hafod Road, Hereford on Wednesday, 16th August, 2006 at 2.00 p.m.

Present: Councillor J.W. Hope MBE (Chairman)
Councillor K.G. Grumbley (Vice Chairman)

Councillors: B.F. Ashton, Mrs. L.O. Barnett, W.L.S. Bowen,
R.B.A. Burke, P.J. Dauncey, Mrs. J.P. French, J.H.R. Goodwin, B. Hunt,
T.W. Hunt, R.M. Manning, R. Mills, R.J. Phillips, D.W. Rule MBE,
J.P. Thomas and J.B. Williams

52. APOLOGIES FOR ABSENCE

Apologies were received from Councillors T.M. James, R.J. Phillips RV Stockton and J Stone.

53. DECLARATIONS OF INTEREST

Councillor JW Hope declared a prejudicial interest in Agenda item 6 - DCNW2006/1310/F – conversion to residential use at The Old Station House, Almeley and left the meeting for the duration of this item.

54. MINUTES

RESOLVED: That the Minutes of the meeting held on 12th July, 2006 be approved as a correct record and signed by the Chairman.

55. APPEALS

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

56. APPLICATIONS RECEIVED

The Sub-Committee considered the following planning applications received for the Northern Area of Herefordshire and authorised the Head of Planning Services to impose any additional or varied conditions and reasons which he considered to be necessary.

57. DCNW2006/1310/F - CONVERSION TO RESIDENTIAL USE AT THE OLD STATION HOUSE, ALMELEY, HEREFORDSHIRE

The Vice-Chairman assumed the Chair for the duration of this item because the Chairman had declared a prejudicial interest and had left the meeting.

In accordance with the criteria for public speaking Mr Hughes the applicant's agent spoke in favour of the application.

Councillor RJ Phillips felt that the building was of considerable local historic and architectural importance and if the application was not approved there was a danger that another part of Herefordshire's railway heritage could be lost. He did not feel that the proposals would result in any significant change to the building above ground and that it would therefore retain its existing character and blend in with nearby dwellings. He suggested that the proposals satisfied planning policies A9 of the Leominster Local Plan and H7, HVA 8 & 13 of the Herefordshire Unitary Development Plan. The Sub Committee concurred with these views.

RESOLVED:

That (i) The Northern Area Planning Sub-Committee is minded to approve the application subject to the following conditions and any further conditions felt to be necessary by the Development Control Manager in consultation with the Vice Chairman, provided that the Head of Planning Services does not refer the application to the Planning Committee.

1. Removal of Permitted development Rights

2. Landscaping

(iii) 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: Following the vote on this application, the Development Control Manager advised that he would not refer the application to the Head of Planning Services.]

58. DCNW2006/1476/F - GARDEN CAFE AND TEA ROOM AT WALFORD COURT, WALFORD, LEINTWARDINE, CRAVEN ARMS, SHROPSHIRE, SY7 0JT

It was reported that the Transportation Manager had no objection to the application.

Councillor Mrs LO Barnett had some concerns about the danger of traffic congestion arising from patrons of the premises and asked if investigation could be made into the erection of signage requesting that they use the second entrance to it.

RESOLVED

That the Officers named in the Scheme of delegation to Officers investigate with the Transportation Manager the provision of acceptable signage by the applicant for vehicular access to the premises and that planning permission be granted subject to this and also 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 - The premises shall provide facilities for no more than 24 table top covers at any one particular time.

Reason: In the interests of the amenity of the surrounding area.

- 4 - E03 (Restriction on hours of opening) 10.30 a.m. – 4.30 p.m.

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

5. The use hereby permitted shall be carried on only by Mrs. Deborah Fraser and shall be for the period during which the premises are occupied by Mrs. Deborah Fraser.

Reason: The nature of the development is such that it is only considered acceptable in this location having regard to the applicant's special circumstances.

- 6 . C04 (Details of window sections, eaves, verges and barge boards)

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

Informatives:

- 1 - N15 - Reason(s) for the Grant of PP/LBC/CAC
- 2 - The applicant is reminded that Listed Building Consent is required from the Local Planning Authority for new window sections before development commences.

59. DCNE2006/2023/F - ERECTION OF TWO DWELLINGS ON LAND TO REAR OF 1 RAILWAY TERRACE, WALWYN ROAD, COLWALL, MALVERN, WORCESTERSHIRE, WR13 6EG

The receipt of a letter of support from the Agent acting on behalf of the applicants was reported.

RESOLVED

That planning permission be granted subject to the following conditions:

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

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

- 2 - A06 (Development in accordance with approved plans)

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

- 3 - B01 (Samples of external materials)

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

- 4 - E18 (No new windows in specified elevation)**

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

- 5 - E19 (Obscure glazing to windows)**

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

- 6 - F16 (Restriction of hours during construction)**

Reason: To protect the amenity of local residents.

- 7 - F18 (Scheme of foul drainage disposal)**

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

- 8 - F41 (No burning of materials/substances during construction phase)**

Reason: To safeguard residential amenity and prevent pollution.

- 9 - 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.

- 10 - H27 (Parking for site operatives)**

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

- 11 - G01 (Details of boundary treatments)**

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

- 12 - G04 (Landscaping scheme (general))**

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

- 13 - G05 (Implementation of landscaping scheme (general))**

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

- 14 - G16 (Protection of trees covered by a Tree Preservation Order)**

Reason: To ensure the proper care and maintenance of the trees.

Informatives:

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

60. DCNC2006/1537/O - OUTLINE APPLICATION FOR THREE BEDROOMED DETACHED HOUSE WITH INTEGRAL DOUBLE GARAGE AT 56 & 58 OLD ROAD, BROMYARD, HEREFORDSHIRE, HR7 4BQ

RESOLVED

That subject to the amended details regarding surface water and foul sewage drainage arrangements (relating to the applicants existing dwellings Nos 56 and 58 and also the proposed dwelling) being acceptable to Welsh Water, the Head of Planning Services be given delegated authority to approve the application subject to the following conditions and any other appropriate conditions considered to be necessary:

- 1 - A02 (Time limit for submission of reserved matters (outline permission))
Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990.
- 2 - A03 (Time limit for commencement (outline permission))
Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990.
- 3 - A04 (Approval of reserved matters)
Reason: To enable the local planning authority to exercise proper control over these aspects of the development.
- 4 - A05 (Plans and particulars of reserved matters)
Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990.
- 5 - A07 (Development in accordance with approved plans) (amended drawing no. 1293/1 A)
Reason: To ensure adherence to the approved plans in the interests of a satisfactory form of development.
- 6 - 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.
- 7 - H06 (Vehicular access construction)
Reason: In the interests of highway safety.
- 8 - 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.
- 9 - The wall on the site's roadside frontage shall not exceed 0.6m in height at any point along its length.
Reason: In the interests of highway safety.

10 - F20 (Scheme of surface water drainage)

Reason: To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal.

11 - W01 (Foul/surface water drainage)

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

12 - W02 (No surface water to connect to public 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.

13 - W03 (No drainage run-off to public system)

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

14 - Conditions 10, 11, 12 and 13 apply to the new dwelling hereby approved and also to the two existing dwellings, Nos. 56 and 58 Old Road.

Reason: To define the terms to which this planning permission relates and to ensure that satisfactory drainage arrangements are provided.

Informatives:

- 1 - N03 - Adjoining property rights
- 2 - HN05 - Works within the highway
- 3 - HN10 - No drainage to discharge to highway
- 4 - HN22 - Works adjoining highway
- 5 - N15 - Reason(s) for the Grant of PP/LBC/CAC

61. DCNC2006/2096/F - PROPOSED CONSTRUCTION OF A SINGLE STOREY EXTENSION TO REAR AND NEW FRONT PORCH AT 2 YEW TREE COTTAGES, LITTLE HEREFORD, LUDLOW, SHROPSHIRE, SY8 4BA

RESOLVED

That planning permission be granted subjected 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 - E17 (No windows in side elevation of extension)
Reason: In order to protect the residential amenity of adjacent properties.

Informative:

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

62. DCNC2006/2193/F - ERECTION OF 4 NO ONE BEDROOMED DWELLINGS ON AT LAND ADJACENT TO HOP POLE BARN, ROWBERRY STREET, BROMYARD HR7 4DT

It was reported that a letter of objection had been received from Bromyard and Winslow Town Council raising concerns about overdevelopment, loss of car parking for the nearby hotel, narrow vehicular access and potential drainage problems. Welsh Water had no objection to the application subject to the inclusion of acceptable conditions regarding the disposal of foul and surface water drainage. It was advised that trial pits were to be dug and submitted for the prior approval of the Local Planning Authority before development takes place.

RESOLVED

That planning permission be granted subject to the requirements of Welsh Water, trial pits being dug for the prior approval of the Local Planning Authority before development takes place and also 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 - C05 (Details of external joinery finishes)

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

4 - C04 (Details of window sections, eaves, verges and barge boards)

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

5 - E16 (Removal of permitted development rights)

Reason: To bring any future development under planning control.

6 - E18 (No new windows in specified elevation) (east elevation)

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

7 - G13 (Landscape design proposals)

Reason: In the interests of visual amenity.

8 - G14 (Soft landscaping works)

Reason: In the interests of visual amenity.

9 - G15 (Landscaping implementation)

Reason: To ensure the site is satisfactorily landscaped.

10 - H29 (Secure cycle parking provision)

Reason: To ensure that there is adequate provision for secure cycle accommodation within the application site, encouraging alternative modes of transport in accordance with both local and national planning policy.

Informative:

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

63. DCNW2006/1777/F - PROPOSED VARIATION TO PLANNING APPROVAL REF. DCNW2005/1217/F TO PERMIT AMENDMENTS PLOT 1, LAND ADJACENT TO THE OLD CORNER HOUSE, BROAD STREET, WEOBLEY, HEREFORDSHIRE, HR6 8SA

In accordance with the criteria for public speaking, Mr Kilvert spoke in favour of his application. The Development Control Manager said that additional conditions would be included in the permission to ensure that the garage was used for car parking only.

RESOLVED

That planning permission be granted subject to the garage being used for the parking of vehicles only, and subject to the following condition:

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 - A10 (Amendment to existing permission) NW05/1217/F 10th August 2005

Reason: For the avoidance of doubt.

INFORMATIVES:

1 - HN01 - Mud on highway

2 - N03 - Adjoining property rights

3 - N14 - Party Wall Act 1996

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

64. DCNW2006/1785/F - GENERAL PURPOSE GRADING BUILDING, ASSOCIATED HARDSTANDINGS AND LANDSCAPING AT COURT FARM, BYTON, PRESTEIGNE, HEREFORDSHIRE, LD8 2HS

In accordance with the criteria for public speaking, Mr Edwards spoke in favour of his application.

RESOLVED

That planning permission be granted subject to the following conditions:

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

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

2 - 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 - E02 (Restriction on hours of delivery)

Reason: To safeguard the amenities of the locality.

4 - F09 (Sound insulation of plant and machinery)

Reason: To safeguard the amenity of the area.

5 - F20 (Scheme of surface water drainage)

Reason: To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal.

6 - F32 (Details of floodlighting/external lighting)

Reason: To safeguard local amenities.

7 - All potato boxes stored outside shall be retained within the designated area as indicated on plan ref. 319.401.C2C and shall be stored no more than eight boxes high.

Reason: In the interests of the visual amenity of the surrounding area.

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 - Prior to any development on site details will be submitted to the local planning authority and approved in writing of the external colour of the grading building and the building will be retained in this colour.

Reason: In the interests of the surrounding amenity.

10 - The grading building as indicated on plan ref. 319.401.C2C shall be used for no other purpose than that of potato grading in relationship to the applicants own potato harvest. If the building is used for any other

purpose, the prior written approval from the local planning authority will be obtained by the applicants or their successors in title.

Reason: In order that the local planning authority can control the use of the building in the interests of surrounding residential amenity.

- 11 - G04 (Landscaping scheme (general)) – and shall include a mixture of native deciduous and evergreen plantings and suitable trees.

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

- 12 - G05 (Implementation of landscaping scheme (general)) – construction of the buildings main frame.

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

- 13 - G07 (Details of earth works)

Reason: In order to protect the amenity of surrounding dwellings and the visual amenity of the surrounding countryside.

- 14 - All potato waste will be removed from site, and not disposed of on the perimeter of the farmyard. Full details with regards to disposal of potato waste will be submitted to and approved in writing by the local planning authority prior to any development on site.

Reason: In the interests of the amenity of the surrounding area.

- 15 - The grading store shall have provided from its entrance doors to the entrance to the site from the public highway a concrete driveway sufficient for Heavy Goods Vehicles to travel upon. This will be implemented prior to the first use of the building. Details will be submitted to and approved in writing by the local planning authority.

Reason: In the interests of the amenity of surrounding dwellings and to prevent debris being transported onto the adjoining public highway.

- 16 - The entrance door as indicated leading out of the existing workshop/grading area) on plan ref. 319.401.C2C shall be for emergency access only.

Reason: In the interests of public highway safety and residential amenity.

INFORMATIVES

- 1 - HN01 - Mud on highway
- 2 - HN02 - Public rights of way affected
- 3 - The Right of Way should remain open at all times throughout the development. If development works are perceived to be likely to endanger members of the public then a temporary closure order should be applied for from the Public Right of Way Department, preferably 6 weeks in advance of work starting.

- 4- **The right of way should remain at its historic width and suffer no encroachment or obstruction during the works or any time after completion.**

65. DCNW2006/2123/F - REMOVAL OF EXISTING AND CONSTRUCTION OF NEW BOUNDARY FENCE AT MILL COTTAGE, PAYTOE, LEINTWARDINE, CRAVEN ARMS, SHROPSHIRE, SY7 0NB

The Senior Planning Officer reported on the following issues:-
no objection from the Transportation Manager to the amended plans; a letter from Mr & Mrs Challis complaining that they had not been notified about the amendments; a letter from Mr & Mrs Challis about another property in the ownership of the applicants which they considered to be in an unsafe condition; a letter raising concerns about the car parking in an historic setting. The Head of Environmental Health and Trading Standards had no objections and felt that the proposed fence height was much more preferable to the existing unauthorised one.

In accordance with the criteria for public speaking, Mr Challis spoke against the application and Mr Hughes, the applicant's agent, spoke in favour.

Councillor Mrs LO Barnett, the Local Ward Member, was concerned that the applicants had caused difficulties by undertaking the work without the necessary permissions rather than following the required procedure. This had led to considerable local concerns and much work being necessitated by the Officers in conjunction with English Heritage. She felt that following extensive negotiations the stage had been reached where it was difficult to refuse the application but that there should be additional conditions regarding the parking of vehicles when staff changed over, to avoid any loss of amenity to adjoining properties. The Senior Planning Officer said that he would seek the advice of the Transportation Manager on this issue. The Development Control Manager said that investigation could be made into the applicant being required to submit a car parking management scheme for the prior approval of the Officers in consultation with the Chairman and the Local Ward Member.

RESOLVED

That planning permission be granted subject to the submission of an acceptable car parking management scheme for the prior approval of the Officers in consultation with the Chairman and the Local Ward Member and 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 - **C02 (Approval of details)**

Reason: To safeguard the character and appearance of this building of

[special] architectural or historical interest.

- 4 - The pedestrian access gate shall be kept locked so that only members of staff have access through it during times of staff changes at the premises. Details will be submitted and approved in writing to the local planning authority prior to any development on site subject to this approval.

Reason: In the interests of surrounding dwellings, amenity and safety.

- 5 - Prior to the erection of the new boundary fence the subject of the planning application a car park management scheme shall be submitted to and approved in writing by the local planning authority. The scheme shall be based on submitted drawing no. LSV222/02B dated June 2006 and shall provide for all cars parked at the site and within the control of staff or visitors to the children's home to be parked within the curtilage of Mill Cottage in the area bounded by the new hedge and fence. In addition, limited staff parking may also take place during staff shift changes in the 'additional car parking space' identified on the plan for such purposes. The use of the 'additional car parking space' shall be limited to the minimum necessary for the safe operation of the children's home. All areas identified for car parking shall be maintained available for such use at all times.

Reason: In the interests of the amenity of the surrounding area.

INFORMATIVES:

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

The meeting ended at 3.40 p.m.

CHAIRMAN