

**MINUTES of the meeting of Planning Committee held at
The Council Chamber, Brockington, 35 Hafod Road,
Hereford on Friday, 25th August, 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,
M.R. Cunningham, Mrs. C.J. Davis, J.G.S. Guthrie, P.E. Harling,
J.W. Hope MBE, B. Hunt, Mrs. J.A. Hyde, T.M. James,
Brig. P. Jones CBE, R.M. Manning, R.I. Matthews, R. Preece,
D.C. Taylor, P.G. Turpin and W.J. Walling

In attendance: Councillors Mrs. L.O. Barnett, W.L.S. Bowen, J.W. Edwards,
P.J. Edwards, J.P. Thomas and R.M. Wilson

40. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors PJ Dauncey, DJ Fleet and Mrs JM Pemberton.

41. NAMED SUBSTITUTES (IF ANY)

The following named substitutes were appointed:-

MEMBER	SUBSTITUTE
DJ Fleet	MR Cunningham
PJ Dauncey	TM James
Mrs JE Pemberton	H Bramer

42. DECLARATIONS OF INTEREST

There were no Declarations of interest made at the meeting.

43. MINUTES

RESOLVED: That the Minutes of the meeting held on 14th July, 2006 be approved as a correct record and signed by the Chairman

44. CHAIRMAN'S ANNOUNCEMENTS

The Chairman welcomed Councillor JGS Guthrie to his first meeting and expressed his thanks to Councillor Mrs SJ Robertson for her service on the Committee. He also read out a letter from her to the Committee.

[UDP Proposed Modifications](#)

At the meeting on 28th July, 2006 Council agreed the Proposed Modifications to the Revised Deposit Draft Unitary Development Plan. This follows receipt and consideration of the Inspectors Report into the Public Local Inquiry. The Modifications along with a Statement of the Councils Decisions and Reasons would be published for consultation over a six-week period from 7th September to 19th October, 2006. Comments would be welcome but were limited to the Modifications or

the Councils decision not to make a modification recommended by the Inspector. There were only nine of the Inspectors six hundred and thirty-three recommendations which had been rejected by the Council. Objectors to the Plan would be informed of the Councils decisions and arrangements were being put in place to ensure that all relevant documents were publicly available at all the Council's information points, libraries and the Forward Planning website.

45. NORTHERN AREA PLANNING SUB-COMMITTEE

RESOLVED: That the report of the meetings held on 12th July and 16th August, 2006 be received and noted.

46. CENTRAL AREA PLANNING SUB-COMMITTEE

RESOLVED: That the report of the meeting held on 26th July, 2006 be received and noted.

47. SOUTHERN AREA PLANNING SUB-COMMITTEE

RESOLVED: That the report of the meeting held on 2nd August, 2006 be received and noted.

48. PLANNING OBLIGATIONS

The Team Leader (Local Planning) introduced the report of the Forward Planning Manager about the Planning Obligations Supplementary Planning Document (SPD) He said that the document was included within the Council's Local Development Scheme and would be produced in line with the requirements of the Planning and Compulsory Purchase Act 2004. He advised that the main aims of the SPD were to:-

- provide as much certainty as possible to landowners, prospective developers and other interested parties;
- ensure a uniform application of policy;
- ensure the process is fair and transparent;
- enable developers to have a 'one stop shop' approach to establishing likely contributions expected; and
- facilitate a speedier response from the authority to development proposals.

The Team Leader (Local Planning) clarified where the agreements would apply and how the scale of contributions would work. Councillor Mrs P. A. Andrews agreed that there was a need to introduce a different system than the current ad hoc one, but was concerned that the proposals may be too restrictive on developers. The Team Leader (Local Planning) said that the aim was to establish a code of practice that would be clear to all. The Director of Environment said that the Audit Commission had strongly advised that Councils should introduce the proposals to introduce a consistent framework throughout the Country and to maximise contributions for the benefit of the public.

Councillor H. Bramer had concerns about the proposals which he felt would be too

prescriptive for developers and result in the land acquisition and development costs being passed on to house buyers, thereby having an adverse effect on the provision of affordable housing within the County. Councillor B. F. Ashton endorsed this view and felt that there was a need for flexibility to vary the likely contributions from site to site rather than imposing a global charge. The Team Leader (Local Planning) said that the aim of the proposals was to assist in determining land values from the outset and the Director of Environment said that it would help with the planning process for the financial impact of the land, rather than leaving the community to meet the costs. He also said that the Government was trying to gain consistency throughout the Country because the contributions required by different Councils varied considerably. The Team Leader (Local Planning) said that there was an expectation from developers for the Council to determine the contributions they should make and that the proposals would make the situation clearer and more uniform.

RESOLVED: That the Cabinet Member (Environment) be recommended to agree that the Planning Obligations SPD is prepared as identified in this report and in line with the Town & Country Planning (Local Development) (England) Regulations 2004.

49. DEVELOPMENT BRIEF FOR LAND AT SHOBDON

A report was introduced by the Team Leader (Local Planning) about a Development Brief which had been prepared for land adjacent to the Birches Shobdon, as amended, and proposed for adoption as a Supplementary Planning Document. He said that the Brief had been prepared following a process of extensive consultation with the Parish Council and the Public had included a Public meeting. As a result of the consultation process, changes had been made to the Brief in respect of amenity, access and the relationship of the site with the existing development, and the changes had the full support of the Parish Council. He advised that a developer was interested in the site and that the Brief had been used to prepare a draft scheme.

RESOLVED: That the Cabinet Member (Environment) be recommended to approve the development brief for Land adjacent to The Birches, Shobdon, as amended, for adoption as a Supplementary Planning Document.

50. REPORTS OF THE HEAD OF PLANNING SERVICES

The Committee considered the following planning applications and authorised the Head of Planning Services to impose any additional or varied conditions and reasons which he considered to be necessary.

51. DCNW2006/1523/RM - ERECTION OF SIX NO. DWELLINGS AT BURNSIDE, HIGH STREET, LEINTWARDINE, CRAVEN ARMS, SHROPSHIRE, SY7 0LQ

In accordance with the criteria for public speaking Mr Campbell Kerr, a neighbour, spoke against the application and Mrs Morris, the applicant's agent, spoke in favour.

Councillor Mrs LO Barnett the Local Ward Member had a number of reservations about the application, feeling that the proposal was not complimentary to the setting of the area and the nearby buildings. She felt that that it was wholly inappropriate for a scheme of six houses to be developed on a site where there had previously only been a single bungalow and that the local community and parish Council were opposed to it. She was gravely concerned that when the applicants had appealed against refusal the Inspector had decided to increase the number of dwellings permitted on the site to six. She felt that it was wrong for such urban densities to be applied to rural villages and that strong representations should be made to the

Government about this. Members discussed the concerns which had been raised about the density of the proposed dwellings and limited car parking and access. Councillor BF Ashton was also very concerned about the density and the Inspector imposing it upon the Council.

The Committee debated all the facts for and against the application and noted that it would be difficult to refuse on planning grounds without incurring costs. The Development Control Manager said that comments had been received about landscaping, fencing materials and the preservation of existing trees and that he would ensure that the appropriate conditions were put in place regarding these.

RECOMMENDATION

That Reserved Matters be approved subject to appropriate conditions about landscaping, fencing materials and the preservation of existing trees and the following conditions:

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 – The windows to be installed into the northern and southern gable elevations shall be glazed with obscure glass only and shall be non-opening and shall thereafter be maintained.

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

Informatives:

1 – N15 – Reason(s) for the Grant of PP

52. DCNC2006/1129/F - ERECTION OF SHOPS AND DWELLINGS WITH ASSOCIATED DEMOLITION AND SITE WORKS AT 40-42 WEST STREET, LEOMINSTER, HEREFORDSHIRE, HR6 8ES

The Development Control Manager said that the application had been submitted to the Committee because the Council owned part of the land which formed the scheme. He referred to the draft Heads of Terms attached to the report and said that paragraph 9 contained a requirement for the applicant to pay £20,000 compensation for the loss of income for car parking. He advised that the Applicant had submitted a written offer of £2,000 per year for a period of 10 years or until the time that West Street was pedestrianised, whichever came first. The Development Control Manager asked for delegated powers to negotiate this matter with the Applicant to arrive at a satisfactory agreement that was acceptable to the Council.

Councillor J. P. Thomas, one of the local Ward Members, had a number of concerns about the application and suggested that there was merit in the Committee holding a Site Inspection on the grounds of setting and surroundings. The Committee was agreeable to this proposal.

RESOLVED:

That consideration of planning application DCNC2006/1129/F be deferred for a site inspection for the following reasons:

- (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.

53. DCCE2006/1744/F - PROPOSED CHANGE OF USE TO CAR PARK. THE CAR CENTRE, 15-17, KYRLE STREET, HEREFORD, HR1 2ET

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 F32 (Details of floodlighting/external lighting)

Reason: To safeguard local amenities.

4 G01 (Details of boundary treatments)

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

5 G04 (Landscaping scheme (general))

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

6 G05 (Implementation of landscaping scheme (general))

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

7 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.

8 Prior to the commencement of the development, details shall be provided of the method in which the car park is to be managed and enforced along with details of the proposed pricing structure. The car park shall be managed and priced in accordance with the approved details unless otherwise agreed in writing with the local planning authority.

Reason: To ensure the car parking is properly managed and appropriately priced in accordance with Council's car park strategy.

INFORMATIVE:

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

54. **DCSW2006/1298/F - NEW NATURAL GAS PRESSURE REDUCTION INSTALLATION AND ASSOCIATED WORKS. (TIE-IN TO EXISTING PETERSTOW COMPRESSOR STATION AND NO. 2 FEEDER OUTSIDE THE COMPRESSOR STATION AND EXTENSION TO EXISTING SITE ACCESS ROAD), LAND ADJACENT TO PETERSTOW COMPRESSOR STATION, TREADDOW OFF THE A4137, HENTLAND, HEREFORDSHIRE, GRID. REF. SO: 545/240**

In accordance with the criteria for public speaking Mr Wood of Peterstow Parish Council and Mr Preece who was representing a number of local residents spoke against the application and Mr Knight-Gregson of National Grid, spoke in favour.

The Development Control Manager said that the application was in respect of a gas pipeline of National importance which ran from Milford Haven. There were permitted development rights for the pipeline when underground but when it ran above ground such as in respect of the gas pressure reduction installation, planning permission had to be sought. He reported the receipt of a further letter from the Principal Objectors reiterating their objections and a letter of support for Site D. He also reported on the receipt of a letter from the occupiers of nearby dwellings in support of Site A and objecting to Site D. He also reported the receipt of a letter from National Grid which undertook to closely inform the Council of progress on the works and the licence application from DEFRA. He advised that the main points for the Committee to consider were that the pipeline was of national interest and that it could have a significant impact upon the local landscape. On balance he felt that Site D would have a worse impact on the environment than Site A and said that National Grid had stated that there were significant technical difficulties in using Site D for the necessary connections.

Councillor Mrs J. A. Hyde, one of the local Ward Members, said that at its meeting on 5th July, the Southern Area Planning Sub-Committee was minded to refuse the application for Site D on the basis that it was too visually intrusive in open countryside, there would be light and noise pollution for local residents and the environmental damage. She was concerned at the speed at which National Grid was proceeding with the preparation of Site A prior to obtaining the necessary permissions. The concerns of local residents appeared to have been ignored and she felt that Site D was a creditable alternative on grounds of visual impact and health and safety issues. Councillors Mrs. C. J. Davis and J. B. Williams supported this view and felt that A was too visually intrusive and elevated a site and would have a considerable detrimental effect on an area of open countryside that was of great importance to the Southern part of the County.

Councillor B. F. Ashton pointed out that Site D was closer to the main road, so he did not consider it to be safer and that the applicants had drawn attention to the considerable technical difficulties of placing the installation there. He felt that wherever it was sited it would have a significant impact but this could be considerably lessened by adequate tree screening which in time would mature and conceal the site. Whilst sympathetic to the Objectors he felt that the visual intrusion would be minimised with the passage of time and that Site A was the logical one to grant Planning Permission for.

Arising from the concerns raised by some Members about floodlights, the Development Control Manager said that these were for the working day only during

the Winter months and were activated by movement sensors and therefore would be switched off during other times. He advised that there was a significant safety issue involved in high pressure pipelines crossing each other and that Site D was genuinely much more difficult to achieve on technical grounds and to make safe. The Officers considered that Site A was slightly better on the grounds of landscaping and the impact on local archaeology and listed buildings and bio-diversity. Councillor R. I. Matthews suggested that if the application was approved then a condition should be imposed requiring the planting of mature root bowl trees which would be 20-30 foot high and achieve speedier screening.

A resolution that Site A should be approved was lost.

RESOLVED: That Site A be refused on the grounds of the impact that it would have on the open countryside within Landscaping Policy LA2 of the Herefordshire Unitary Development Plan.

55. DCSE2006/1358/O - ICT DEVELOPMENT, CUSTOMER SUPPORT AND SALES OFFICES AT MUDDY BOOTS SOFTWARE LTD, PHOCLE GREEN, ROSS-ON-WYE, HEREFORDSHIRE, HR9 7XU

In accordance with the criteria for public speaking Mr Simmons of the Ross Partnership spoke in favour of the application.

Councillor JW Edwards, the Local Ward Member, said that there was a need to encourage young entrepreneurial firms such as the Applicant's which could provide a key role in high-tech employment within the area. He felt that the proposed single storey building was close to the existing ones and set into a dingle and so would be very unobtrusive. Councillor H. Bramer endorsed this view and said that the company had a landmark site which was kept in an extremely high quality condition and that it would considerably add to the employment opportunities for the area.

RESOLVED: That outline planning permission be granted.

56. DCSE2006/2479/F - INSTALLATION OF CELLULAR GRASS REINFORCEMENT TO FORM OVERSPILL PARKING AREA AT WALFORD PRIMARY SCHOOL, WALFORD, ROSS-ON-WYE, HEREFORDSHIRE, HR9 5SA

The Development Control Manager reported the receipt of an objection from the owner of The Sycamores which adjoined the site. He also said that a letter of objection had been received from Sport England about the potential loss of playing fields and that if the application was approved it would need to be referred to the Government Office for the West Midlands. Councillor J. Jarvis the local Ward Member spoke in support of the application. Councillor B. F. Aston suggested that the car park should only be used for dropping off and collection of children in view of the objections and the Development Control Manager said that he would prepare the appropriate car parking management scheme with the Children's Services Directorate.

RECOMMENDATION

That subject to Sport England not objecting and no other objection having been received at the expiration of the consultation period the officers named in the Scheme of Delegation to Officers be authorised to issue planning permission subject to the following conditions and any additional conditions considered necessary by officers:

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

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

2 H02 (Single access - footway)

Reason: In the interests of highway safety.

3 H08 (Access closure)

Reason: To ensure the safe and free flow of traffic using the adjoining County highway.

4 G04 (Landscaping scheme (general))

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

5 G05 (Implementation of landscaping scheme (general))

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

Informative(s):

1 N15 - REASON(S) FOR THE GRANT OF PLANNING PERMISSION.

57. DATE OF NEXT MEETING

29th September, 2006

The meeting ended at 12:15 pm

CHAIRMAN