



LEOMINSTER TOWN COUNCIL

PLANNING & HIGHWAYS COMMITTEE

Monday 15th October 2018

To: All Members of the Planning & Highways Committee:
Councillors Rosser (Chair), Preece (Vice Chair), Bartlett, Davies, Egan, J
Hersch, Rumsey, Thomas and Williams. (2 vacancies)
(Copies to other Councillors for information)

NOTICE OF MEETING

You are hereby summoned to attend a meeting of the **Planning & Highways Committee** to be held on **Monday 22nd October 2018** commencing at **19:00 hours** in the Council Offices, 11 Corn Square, Leominster HR6 8YP.

Paul Russell
TOWN CLERK

AGENDA

- 1. APOLOGIES FOR ABSENCE**
Schedule 12 of the Local Government Act 1972 requires a record be kept of the members present and that this record form part of the minutes of the meeting. Members who cannot attend a meeting should tender apologies to the Town Clerk as it is usual for the grounds upon which apologies are tendered also to be recorded. Under Section 85(1) of the Local Government Act 1972, members present must decide whether the reason(s) for a member's absence are acceptable.
- 2. DECLARATIONS OF INTEREST**
Under the Localism Act 2011 (sections 26-37 and Schedule 4), and in accordance with the Council's Code of Conduct, members are required to declare any interests which are not currently entered in the member's register of interests or if he/she has not notified the Monitoring Officer of it.
- 3. HEREFORDSHIRE COUNCIL MEMBERS**
To consider resolving that the participation of those Town Councillors who are also members of Herefordshire Council in both the debate and any subsequent vote on matters contained in this agenda is on the basis that the views expressed are preliminary views taking account of the information currently available to the Town Council and that County Councillors reserve their final views on all applications until they are in full possession of all relevant information both for and against.
- 4. REQUESTS FOR DISPENSATIONS**
To consider requests for dispensations (must be notified in writing).



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5. **QUESTIONS FROM THE PUBLIC (maximum 15 minutes)**
To receive questions and statements from members of the public as provided for in Standing Orders.
6. **MINUTES OF PREVIOUS MEETING**
To receive and approve as a correct record the minutes of the Planning & Highways Committee meeting held on 1st October 2018.

7. **PLANNING**

- (a) **Planning applications** – The following applications have been received from the Planning Authority and require comment:

APPLICATION: P183214
SITE: Land adjacent to Petrol Filling Station, Morrisons, Safeway Service Road, Leominster HR6 8RH
DESCRIPTION: Advertising Consent: Installation of a freestanding 7.5m double sided shared tote.
LINK: https://www.herefordshire.gov.uk/info/200142/planning_services/planning_application_search/details?id=183214&search=183214

APPLICATION: P183221
SITE: Norfolk House, 46 Etnam Street, Leominster
DESCRIPTION: Convert former internal toilet block to form one new dwelling. Provision of six external mobility scooter stores with charging facilities.
LINK: https://www.herefordshire.gov.uk/info/200142/planning_services/planning_application_search/details?id=183221&search=183221

APPLICATION: P183565
SITE: 23 Merwald Close, Leominster HR6 8FA
DESCRIPTION: Fall to ground level, cherry tree on front garden of 23 Merwald Close. Tree roots are growing back towards bungalow and the cherry fruit is becoming a problem for Mrs Vickress and her dog, who is eating the fallen cherries, which are also becoming a hazard for Mrs Vickress as she is an OAP. She plans to plant an ornamental tree in garden instead.
LINK: https://www.herefordshire.gov.uk/info/200142/planning_services/planning_application_search/details?id=183565&search=183565

APPLICATION: P183601
SITE: The White House, 94 Bridge Street, Leominster HR6 8DZ



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DESCRIPTION: Non-material amendment ref 172634/FH (The removal of side extension to the north and construction of a two storey replacement. The removal of rear extension and replacement with a two storey and single storey flat roof extension. Change of colour to UPV windows and doors from oak effect to anthracite grey)

LINK: https://www.herefordshire.gov.uk/info/200142/planning_services/planning_application_search/details?id=183601&search=183601

(b) **Home Notification – Prior Approval**

APPLICATION: P183475
SITE: 446 Buckfield Road, Leominster HR6 8SD
DESCRIPTION: Proposed conservatory which will extend beyond the rear wall of the dwelling house by 3.0 metres. The maximum height of the enlarged part of the dwelling house is 3.8 metres and the height of the eaves of the enlarged part of the dwelling house is 2.2 metres.

LINK: https://www.herefordshire.gov.uk/info/200142/planning_services/planning_application_search/details?id=183475&search=183475

8. DECISIONS

To note the following planning decisions made by Herefordshire Council:

APPLICATION: P174229
SITE: The Cottage, Newtown Lane, Newtown Leominster HR6 8QD
DESCRIPTION: Proposed extension and alterations to existing dwelling.
COMMENT: No objection.
DECISION Approved with conditions.

APPLICATION: P181386
SITE: Firtree Cottage, Ginhall Lane, Leominster HR6 9AQ
DESCRIPTION: Proposed garage extension.
COMMENT: No objection provided the garage extension is utilised exclusively for domestic purposes and that no business activity is undertaken on site.
DECISION Approved with conditions.

APPLICATION: P182409
SITE: Land behind 67 Bargates, Leominster
DESCRIPTION: Proposed bungalow.
COMMENT: Recommend refusal for the following reasons:

- The proposal would adversely impact on the current traffic and highway issues being experienced in this area;



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- There are concerns that the proposed access is inadequate for an additional dwelling;
- Parking provision is inadequate in an area which already suffers from a lack of parking provision;
- The proposal goes against the requirements of Policy LANP19 – New Building in Leominster as the design is inappropriate to the local context;
- The proposal is over-development of the site;
- The proposal will result in the loss of the garden amenity of the existing dwelling and is in essence backland development.

DECISION Refused.

9. HIGHWAYS AND PARKING MATTERS

- (a) **Review of the speed limits on the B4360 and the C1037 in Cobnash –** Please see attached our Briefing Note for your comments. It has been recommended to extent the existing 30 mph speed limit on the B4360 further south on the B4360 and reduce the National Speed Limit to 40 mph on the B4360 and the C1037 as shown on the plan on the last page of the attached Briefing Note. The deadline for receipt of comments is Friday 2nd November 2018.
- (b) **Highway Maintenance response –** Please see the attached draft response to be submitted to Herefordshire Council
- (c) **The Hum –** To receive an update if available.
- (d) **Highway & Parking Matters –** To consider any parking and highway issues relating to the Parish of Leominster.

10. LICENCING MATTERS

Application for Corn Square submitted by Leominster Town Council.

11. LEOMINSTER AREA NEIGHBOURHOOD PLAN

Open spaces map has now been updated and submitted to the Examiner.

12. DATE OF NEXT MEETING

The next meeting will be held on Monday 5th November 2018 at **19:00hrs** in the Council Offices, 11 Corn Square, Leominster, HR6 8YP.

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PLANNING & HIGHWAYS COMMITTEE

Minutes of the Planning & Highways Committee meeting held on Monday 1st October 2018 commencing at 18:00 hours in the Council Offices, 11 Corn Square, Leominster HR6 8YP.

MEMBERS PRESENT: Councillors Rosser (Chair), Preece (Vice-Chair), Bartlett, Rumsey and Thomas.

ALSO PRESENT: Ward Cllr Stone and one member of the public.

OFFICER PRESENT: Town Clerk.

PH75/18 APOLOGIES FOR ABSENCE

Apologies were received and accepted from Cllrs Davies (Illness), Herschy (work) and Williams (holiday). Cllr Egan was absent.

PH76/18 DECLARATIONS OF INTEREST

There were no Declarations of interest were made.

PH77/18 HEREFORDSHIRE COUNCIL MEMBERS

Committee **RESOLVED** that the participation of those Town Councillors who are also members of Herefordshire Council in both the debate and any subsequent vote on matters contained in this agenda was on the basis that the views expressed were preliminary views taking account of the information that was currently available to the Town Council and that County Councillors reserved their final views on all applications until they were in full possession of all relevant information both for and against.

PH78/18 REQUESTS FOR DISPENSATIONS

No requests for dispensations had been received.

PH79/18 QUESTIONS FROM THE PUBLIC

There was one member of the public present. It was agreed to bring forward the item relating to the Leominster Hum (Agenda item 9b).

A request was made to the Town Council to retain this item as a standing item on a Council agenda. It was suggested that the issue might be wider than just BPI and needed to be kept under review. There were other potential sources of noise including the Community Hospital and the swimming pool. It was noted that all Council and Committee meetings were open to the public.

Following discussion, it was **RESOLVED:**

- To include this item as a standing item on the Planning & Highways Committee meeting agendas as the Committee met on a regular basis and would be more responsive to issues raised;

- That a request be submitted to Herefordshire Council's Environmental Health Department to request that it carries out a wider survey and assessment of the area to try to identify any other potential sources of the noise, especially focusing on low frequency emissions;
- That Environmental Health be informed that there was anecdotal evidence that there had been no noise reduction in the area even when BPI shut down for its two-week period in August.

PH80/18 MINUTES OF PREVIOUS MEETING

It was **RESOLVED** that the minutes of the Planning & Highways Committee meeting held on 3rd September 2018 be agreed and signed as a correct record.

PH81/18 PLANNING APPLICATIONS

(a) **Planning Applications** – It was **RESOLVED** to submit the following comments to Herefordshire Council:

APPLICATION: P182666
SITE: 24 West Street, Leominster HR6 8ES
DESCRIPTION: Restoration of front of building using like materials other than oak beams. Replace oak beams with steel beams
COMMENT: No objection.

APPLICATION: P182888
SITE: Unit 1, Croft Business Park, Leominster HR6 0QF
DESCRIPTION: Proposed extension to the south elevation.
COMMENT: No objection. It was noted that the plans referred to a unit on the Hereford Industrial Estate and it was requested that the Planning Department confirms prior to decision that the plans relate to the site in Leominster

APPLICATION: P183109
SITE: Broad Farm, Leominster HR6 0AN
DESCRIPTION: Proposed cover to an existing cattle handling unit.
COMMENT: No objection.

APPLICATION: P183195
SITE: 1 Old Hall Cottages Brierley, Leominster HR6 0NU
DESCRIPTION: LBS: Proposed to replace two windows
COMMENT: No objection.

APPLICATION: P183320
SITE: Broad Stone Farm, Stoke Prior, Leominster HR6 0LW
DESCRIPTION: Proposed laying of stone farm tracks
COMMENT: No objection subject to the views of the PROW Officer being taken into account.

PH82/18 DECISIONS

Committee noted the following planning decisions made by Herefordshire Council:

APPLICATION: P173650
SITE: Brierley Court Barns, Brierley Lane, Leominster HR6 0NU
DESCRIPTION: Application variation of condition 2 of P162302/F
COMMENT: No objection
DECISION Approved with conditions.

APPLICATION: P181899
SITE: The Cottage, Ivington Rd, Newtown HR6 8QD
DESCRIPTION: Proposed works to property (including works to doors, windows, chimney, access, demolition of coal/fuel store, WC, garage and erection of new garage).
COMMENT: Fully support the comments and conditions outlined of the Building Conservation Officer regarding the works.
DECISION Approved with conditions.

APPLICATION: P181900
SITE: The Cottage, Ivington Rd, Newtown HR6 8QD
DESCRIPTION: Listed Building Consent: Proposed works to property (including works to doors, windows, chimney, access, demolition of coal/fuel store, WC, garage and erection of new garage).
COMMENT: Fully support the comments and conditions outlined of the Building Conservation Officer regarding the works.
DECISION Approved with conditions.

APPLICATION: P182493
SITE: 90 Etnam Street, Leominster HR6 8AN
DESCRIPTION: Proposed construction of new enclosed porch.
COMMENT: No objection subject to the materials used being in keeping with the current materials, and the comments and conditions outlined by the Building Conservation Officer be taken into consideration.
DECISION Approved with conditions.

APPLICATION: P182494
SITE: 90 Etnam Street, Leominster HR6 8AN
DESCRIPTION: Listed Building Consent: Proposed construction of new enclosed porch.
COMMENT: No objection subject to the materials used being in keeping with the current materials, and the comments and conditions outlined by the Building Conservation Officer be taken into consideration.
DECISION Approved with conditions.

APPLICATION: P182576

SITE: 4 Thomas Court, Green Lane, Leominster HR6 8QJ
DESCRIPTION: LBS: Proposed replacement central heating boiler with Worcester Bosch combination boiler. A new flue (painted black) will exit the front elevation approx. midway between existing dormer windows.

COMMENT: No objection.
DECISION Approved with conditions.

APPLICATION: P182024

SITE: Alba, Bargates, Leominster HR6 8EY

DESCRIPTION: Listed Building Consent: Conversion and repairs to an existing building to create a single dwelling house (retrospective).

COMMENT: Recommend refusal of this application for the following reasons:

- Fully support the objections outlined by the Building Conservation Officer regarding the proposed conversion and repairs;
- The materials used to replace the door and windows are not in keeping with a listed building and should be removed;
- It is against Policy LANP20 which requires any development to use materials similar in appearance to those of the exterior of the existing house.

DECISION Refused

APPLICATION: P182227

SITE: 9 Corn Square, Leominster HR6 8LT

DESCRIPTION: Proposed new external ramp and steps to main entrance.

COMMENT: Recommend refusal of this application for the following reasons:

- Fully support the objections outlined by the Building Conservation Officer regarding the proposed ramp;
- It is against Policy LANP18 which requires any development not to have a negative impact on the heritage, character and appearance of the town centre;
- The proposal will have a negative impact on the Friday and Farmers Markets that are held regularly in Corn Square.

DECISION Refused

PH83/18 HIGHWAYS AND PARKING MATTERS

- (a) **507 Bus Service** – Committee received the letter regarding the alteration of the bus timetable to the 507/502 service. Following discussion, Committee **RESOLVED:**

- To forward a copy of the letter to Herefordshire Council's Integrated Passenger Transport Team for information;
- That advice be sought regarding potential solutions to ensure that the service continued and met the needs of its users;
- To request support from the Parish Councils affected by the service to find a solution;
- To contact the bus company to discuss the change.

(b) The Hum – This item had been dealt with under Minute PH79/18.

(c) Highway & Parking Matters – It was agreed to obtain an update on the progress of permit parking zones in Leominster.

PH84/18 LICENCING MATTERS

Committee noted that there were no licencing matters to consider.

PH85/18 LEOMINSTER AREA NEIGHBOURHOOD PLAN

Committee noted that the latest consultation had been completed on 17th September 2018. An update on the progress of the Examination process was awaited. Further clarification regarding LANP11, Open Spaces, had been submitted along with a clearer map. It was noted that due to elections taking place on 2nd May 2019 the latest date for the completion of a referendum on the Plan was 28th February 2018. At present it was expected that the examination process would be by written representations.

PH86/18 DATE OF NEXT MEETING

Committee noted that the next meeting would be held on Monday 22nd October 2018 at 19:00hrs in the Council Offices, 11 Corn Square, Leominster, HR6 8YP.

There being no other business the meeting closed at 6:42pm.

CHAIR:

DATE:

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HIGHWAYS MAINTENANCE - POTHOLES

1. What works well?

- 1.1 The Lengthsman scheme was a useful mechanism to deal with potholes in C and U roads in the parish as well as addressing season work such as grip clearance, cutting back junctions to improve sight lines, and weed control.
- 1.2 The loss of funding from this scheme has, and will continue to have, a detrimental effect on the ongoing maintenance of these roads, and increase the pressure on Herefordshire Council to meet the inevitable additional works. The investment made through town and parish councils to oversee this work, and to deliver local maintenance through a local Lengthsman, ensures that local needs are met and reacted to speedily.
- 1.3 The Locality Stewards are an integral part of ensuring that issues and concerns are raised and dealt with. The direct communication between the parishes and the Locality Steward keeps things simple and easy.
- 1.4 The continued investment in the Locality Stewards will help towards further development of the response to local issues

2. What areas for improvement are recommended?

- 2.1 Increase the role and responsibility of the Locality Steward to help meet the concerns of local residents expressed through the town and parish councils.
- 2.2 Reinstate Lengthsman funding, and expand the remit of this initiative to enable better, reactive and proactive responses to local issues. An increased remit could include a small budget for renewing white lines, carrying out interim pothole repairs on B roads, footpath repairs and weed spraying.

3. Questions for the Committee to explore?

- 3.1 Review the reinstatement of funding for the Lengthsman scheme.
- 3.2 Investigate expanding the remit of the Lengthsman scheme subject to additional funding being provided.
- 3.3 Carry out a Best Value assessment to ensure that the Lengthsman scheme is providing value for money and a responsive, local service.
- 3.4 Consult with town and parish councils in the County to assess who would be willing to continue with the enhanced Lengthsman Scheme especially if a level of funding was reinstated.
- 3.5 Carry out an assessment of works no longer being carried out by town and parish councils due to the discontinuation of the Lengthsman scheme.

- 3.6 Carry out an assessment on the effect the withdrawal of funding has had on local Lengthsmen and their businesses, as the scheme potentially invested in local employment.

PUBLIC REALM SERVICES

1. What works well?

- 1.1 The maintenance of the public realm in Leominster is poor and leaves much to be desired. This is not the entire fault of the Contractor as the current infrastructure is well past its sell-by date and requires significant investment.
- 1.2 The major issue currently being experienced is quality control. Repairs are undertaken but there appears to be no quality control once completed to ensure that it is fit for purpose.
- 1.3 The use of cheaper, non-compatible materials to repair damaged and broken public realm surfaces is unacceptable and has left Leominster looking like a patchwork quilt of poorly carried out repair work that creates a sense that no one really cares about the public realm.
- 1.4 Street furniture is removed annually each year to enable the May Fair to take place. The reinstallation of this sometimes sees seats and benches being removed and never being reinstated.
- 1.5 Leominster Town Council supports the street cleaning service in the town centre by providing street cleaning services three times a week under a Service Level Agreement (SLA) with Balfour Beatty (BBLP) at no cost to either BBLP or Herefordshire Council. The quid pro quo was that BBLP would focus on more regular cleaning and maintenance of the public realm outside the town centre. There is a lack of evidence that this has been delivered.
- 1.6 Litter removal in the town centre is carried out by BBLP, although the SLA has been slightly revised to enable the Town Council to undertake this task especially when the bins are overflowing.
- 1.7 The issue, which has never been properly addressed, is that despite there being a waste collection site in the town the Town Council's Environmental Team has never been allowed to dispose of rubbish here. Instead it has to be collected through a third party, the Town Council has to house large 1,100 litre wheelie bins on its main site, and pay a significantly higher price for the collection and disposal of that rubbish because it is commercial.
- 1.8 Among the issues raised with BBLP and Herefordshire Council over the past few years with regard to the maintenance of the public realm are the following:
- Fading white lines throughout the town which have not been repainted;
 - A town centre public realm that is a hazard to pedestrians, especially when the weather is inclement;
 - Poor quality running repairs using materials that are not in keeping with the existing public realm;

- Loss of various pieces of street furniture;
- Poor signage;
- Extremely poor road surfaces especially in Etnam Street, Worcester Road (especially on the roundabout), High Street, West Street, Dishley Street, Cursnew Road, Rainbow Street, New Street, Burgess Street, Church Street, Pinsley Road and Hereford Road.

2. What areas for improvement are recommended?

- 2.1 Improved communication between BBLP, Herefordshire Council and Leominster Town Council.
- 2.2 Post-repair quality control regime to be fully developed, funded and implemented.
- 2.3 Reintroduction of funding for town and parish councils for the Lengthsman scheme to help deliver reactive maintenance and repairs.
- 2.4 Provide an opportunity for the Town Council to input into the Annual Maintenance Plan and be consulted on what the priorities are for the area.
- 2.5 Improved maintenance planning, in consultation with the Town Council.

3. Questions for the Committee to explore?

- 3.1 Consider delegating authority to discharge these functions to town and parish councils willing to take responsibility for their area. They would be responsible for carrying out everyday maintenance and repairs of the public realm using a contract similar to that entered into between Herefordshire Council, the parish council and BBLP for the Lengthsman scheme. This could be implemented using the delegated authority power contained within the Local Government Act 1972 (s101). An adequate funding agreement would need to be put in place in order for town and parish councils to be in a position to take on this responsibility. A pilot scheme could be developed using a market town such as Leominster that is in a position to deliver such a service. Section 101 of the LGA 1972 is outlined below:

s101 - Arrangements for discharge of functions by local authorities.

(1) Subject to any express provision contained in this Act or any Act passed after this Act, a local authority may arrange for the discharge of any of their functions—

- (a) by a committee, a sub-committee or an officer of the authority;***
or
- (b) by any other local authority.***

- 3.2 Consider the reintroduction of funding for the Lengthsman and P3 schemes.