



LEOMINSTER TOWN COUNCIL

PLANNING & HIGHWAYS COMMITTEE

Wednesday 30th May 2018

To: All Members of the Planning & Highways Committee:
Councillors Rosser (Chair), Preece (Vice Chair), Bartlett, Davies, Egan, J
Herschy, Rumsey and Thomas (3 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 4th June 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. **THE HUM**
To receive an update if available.
7. **MINUTES OF PREVIOUS MEETING**
To receive and approve as a correct record the minutes of the Planning & Highways Committee meeting held on 21st May 2018.
8. **PLANNING APPLICATIONS**
The following applications have been received from the Planning Authority and require comment:
 - APPLICATION:** P181308
SITE: 45 The Meadows, Leominster HR6 8QY
DESCRIPTION: Proposed loft conversion and dormer extension to form lounge area, bathroom and bedroom.
LINK: https://www.herefordshire.gov.uk/info/200142/planning_services/planning_application_search/details?id=181308&search=181308
 - APPLICATION:** P181490
SITE: Ashdown, 19 Barons Cross Road, Leominster HR6 8RL
DESCRIPTION: Re-consultation: Proposed erection of studio/annexe to form ancillary accommodation.
LINK: https://www.herefordshire.gov.uk/info/200142/planning_services/planning_application_search/details?id=181490&search=181490
 - APPLICATION:** P181644
SITE: The Frere House, 15 Church Street, Leominster HR6 8NE
DESCRIPTION: Retrospective: Various external and internal works including taking away no structural modern walls, replacing cement based plaster and other mortar with lime based products. Adding traditional oak structural supports.
LINK: https://www.herefordshire.gov.uk/info/200142/planning_services/planning_application_search/details?id=181644&search=181644
 - APPLICATION:** P181649
SITE: The Frere House, 15 Church Street, Leominster HR6 8NE
DESCRIPTION: Retrospective LBC: Various external and internal works including taking away no structural modern walls, replacing cement based plaster and other mortar with



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- lime based products. Adding traditional oak structural supports.
- LINK:** https://www.herefordshire.gov.uk/info/200142/planning_services/planning_application_search/details?id=181649&search=181649
- APPLICATION:** P181645
SITE: Waverley House Care Home, Etnam Street, Leominster HR6 8AQ
DESCRIPTION: Proposed bedroom conversions and new car parking.
LINK: https://www.herefordshire.gov.uk/info/200142/planning_services/planning_application_search/details?id=181645&search=181645
- APPLICATION:** P181728
SITE: 5-6 Corn Square, Leominster HR6 8LR
DESCRIPTION: Proposed modification of front door.
LINK: https://www.herefordshire.gov.uk/info/200142/planning_services/planning_application_search/details?id=181728&search=181728
- APPLICATION:** P181915
SITE: 3 Ropewalk Avenue, Leominster, HR6 8LY
DESCRIPTION: Proposed works to a large ash tree. Tree roots appear to be now pressing against the back wall of house. Crack in mortar bond in centre of ground floor window would tend to indicate heave. Request permission to fell tree and grind out stump.
LINK: https://www.herefordshire.gov.uk/info/200142/planning_services/planning_application_search/details?id=181915&search=181915

9. DECISIONS

There are no outstanding planning decisions made by Herefordshire Council to be reported.

10. HIGHWAYS AND PARKING MATTERS

- (a) **TRO Monkland Road (A44 & U93002)** – To note that documents relating to a statutory consultation for a Traffic Regulation Order for Monkland Speed Limit review have been received. The closing date for the receipt of objections is Friday 22nd June 2018. Committee has been invited to comment.
- (b) **Highway & Parking Matters** – To consider any additional parking and highway issues.



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- 11. LEOMINSTER AREA NEIGHBOURHOOD PLAN**
To note that the Examiner has questioned the status of the Evidence Statement and suggesting that as it is a document that provides evidence that would normally be included with the documents subject to regulation 16 consultation. A view is awaited.
- 12. DATE OF NEXT MEETING**
The next meeting will be held on Monday 18th June 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 21st May 2018 commencing at 19:00 hours in the Council Offices, 11 Corn Square, Leominster HR6 8YP.

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

ALSO PRESENT: LTC Cllr Sutcliffe, Ward Cllrs Marsh, Norman, Stone, and 12 members of the public.

OFFICER PRESENT: Town Clerk.

PH01/18 ELECTION OF CHAIR

Nominations were invited for the position of Chair of the Committee.

Cllr Rosser was proposed by Cllr Thomas and seconded by Cllr Bartlett. There being no other nominations, Cllr Rosser was formally elected Chair of the Planning & Highways Committee.

PH02/18 ELECTION OF VICE CHAIR

Nominations were invited for the position of Vice-Chair of the Committee.

Cllr Preece was proposed by Cllr Rosser and seconded by Cllr Rumsey. There being no other nominations, Cllr Preece was formally elected Vice-Chair of the Planning & Highways Committee.

PH03/18 APOLOGIES FOR ABSENCE

Apologies were received and accepted from Cllrs Davies (illness) and Egan (personal).

PH04/18 DECLARATIONS OF INTEREST

The following Declarations of Interest were made:

- Cllr Rosser (Morrisons employee)
- Cllr Rumsey (Personal P181058)

PH05/18 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.

PH06/18 REQUESTS FOR DISPENSATIONS

There had been no requests received.

PH07/18 QUESTIONS FROM THE PUBLIC

Twelve members of the public were present to raise concerns regarding Planning Applications P181448, P181464, P181465 and P181466. The following concerns were expressed:

- The proposed site to be developed was understood to have been allocated as a green space in the original planning permission for the Safeway Supermarket to create a level of protection between the supermarket and nearby residential dwellings;
- The location was considered not to be suitable for such a development;
- The size of the proposal has a 506m² footprint. The indicated average size of similar restaurants in documentation supporting the proposal was 301m². The proposal is significantly larger than the average Restaurant and is to be sited in a predominantly residential area rather than a retail park;
- The immediate identified customer base is 13,800. Normal customer bases are in the region of 51,000 people. This would assume that an additional 30,000 customers will need to be attracted to the site thus creating unacceptably high traffic volumes;
- The traffic assessment suggests an increase of 500,000 vehicles to this location. Access and egress movements would therefore be in the region of 1,000,000;
- The traffic assessment document is inaccurate and makes reference to the proposal being three storeys high when it is actually two storeys high and refers to the supermarket as a Tesco's;
- The capacity of the access road for the restaurant has been calculated to be 4 cars. Any additional vehicles queuing in the access road will create traffic disruption. The levels of congestion likely to be created will disrupt the flow of traffic along the A44 especially at peak times and result in gridlock;
- The proposal will be detrimental to the air quality both in this area and at the Bargates junction. This area currently does not meet air quality standards and this development will only exacerbate the situation.

Committee **RESOLVED** to consider applications P181448, P181464, P181465 and P181466. Following discussion Committee **RESOLVED** that it would not support the applications as they did not meet the criteria outlined in the Leominster Area Neighbourhood Plan policy LANP9 and the Herefordshire Core Strategy Policy E05 as outlined below:

Page 9 – Addendum to LO1

In Leominster new development proposals will be encouraged where they:

- Maintain and enhance the viability and vitality of the town centre. Proposals for new retail, leisure or office development of over 400m² in gross floor space and located outside of the defined town centre will need to be supported by an impact assessment in accordance with the National Planning Policy Framework to determine whether there

could be any adverse impacts on the vitality and viability of Leominster town centre;

- Ensure that developments do not exacerbate air pollution levels within the designated air quality management area at Bargates;
- Ensure that development does not undermine the achievement of water quality targets in accordance with Policy SD3 and SD4; and
- Has demonstrated engagement and consultation with the community including the town/parish council.

LANP9

In certain circumstances it may be appropriate for retail development to be outside or adjacent to the primary and secondary town centre retail area.

Such proposals will be required to provide evidence that:

- a. the proposal meets the sequential testing requirements as set out in the National Planning Policy Framework (paragraph 24);
- b. the proposal would not have a significant adverse impact on the vitality and viability of Leominster Town Centre and is of a high design quality;
- c. An impact assessment for retail, leisure and commercial proposals outside the town centre to assess the impact on investment in the area and on vitality and viability of the town centre should be carried out in line with Policy E5 of the Herefordshire Core Strategy.

Herefordshire Core Strategy Policy E5 – Town centres (Section 5 General Policies Herefordshire Core Strategy)

Town centres will be the focus for retail, commercial, leisure, cultural and tourism uses. Proposals for such uses which contribute to the vitality and viability of the town centres of Hereford and the market towns will be supported provided that they:

1. Do not adversely affect the primary function of the town centres as shopping destinations; and
2. Are of a scale and design appropriate to the size, role, character and heritage of the centre.

Proposals for development outside the town centres will only be permitted if it can be demonstrated that the requirements of the sequential test, as set out in paragraph 24 of the NPPF, have been met and that the proposal would not have a significant adverse impact on the vitality and viability of the centres. An application will be refused if it fails the sequential test or an impact assessment.

The sequential test requires the above mentioned uses to be located within town centres. Where it is proven there are no available and suitable town centre sites, preference will be given to edge of centre sites before any out of centre site is considered. Where a sequential test adequately demonstrates that the only suitable and available site is an edge of centre or an out of centre location, preference will be given to sites that are well connected to the town centre and are easily accessible by sustainable transport modes.

An impact assessment for retail, leisure and commercial proposals outside of the town centres to assess their impact on investment in the area and on vitality and viability of the town centre may be required depending on the scale and location of the proposal, as specified in the policies in the Place Shaping section.

PH08/18 THE HUM

The following update was noted:

- Herefordshire Council confirmed that its officers had been monitoring the noise at night time from the BPI factory and would shortly be in a position to meet again with all concerned and hopefully agree a way forward.
- It was suggested that a meeting in June be arranged. Leominster Town Council would chair and Cllrs Bartlett and Rumsey would attend.

PH09/18 MINUTES OF PREVIOUS MEETING

It was **RESOLVED** that the minutes of the Planning & Highways Committee meeting held on 23rd April 2018 be agreed and signed as a correct record.

PH10/18 PLANNING APPLICATIONS

It was **RESOLVED** to submit the following comments to Herefordshire Council:

APPLICATION: P181058
SITE: 15 Etnam Street, Leominster HR6 8AD
DESCRIPTION: Proposed removal of existing fascia and hanging signs with 1 no. externally illuminated fascia sign and 2 no. internally illuminated hanging signs.
COMMENT: No objection.

APPLICATION: P181078
SITE: 40 Caradoc Drive, Leominster HR6 8BQ
DESCRIPTION: Retrospective application for a shed.
COMMENT: No objection.

APPLICATION: P181203
SITE: 6 Lacy Way, Leominster HR6 9AY
DESCRIPTION: Removal of existing sheds and proposed single storey ancillary annexe for parents.
COMMENT: No objection.

APPLICATION: P181232
SITE: Walnut Tree Cottage, Brierley Lane, Brierley, Leominster HR6 0NU
DESCRIPTION: LBC – proposed timber frame repairs to main house and proposed replacement of current infills at front of house.
COMMENT: No objection subject to the views of the Conservation

Officer.

APPLICATION: P181272
SITE: Land at Brick House Farm, Brierley, Leominster HR6 0NT
DESCRIPTION: Proposed erection of 2 semi-detached dwellings on plots 3 & 4 to replace 2 dwellings previously approved under application 179524.
COMMENT: It was agreed to respond to this via written representation.

APPLICATION: P181377
SITE: 9-11 High Street, Leominster HR6 8LZ
DESCRIPTION: Externally illuminated logo and letters/non-illuminated aluminium panel. External illuminated heritage projection sign. Internally illuminated ATM surround.
COMMENT: No objection.

APPLICATION: P181436
SITE: Land off Westcroft, Leominster
DESCRIPTION: Non-material amendment ref 171309. Amendments to elevations and floor plans.
COMMENT: Noted.

APPLICATION: P181448
SITE: Land at Morrisons Car Park, Barons Cross Road, Leominster
DESCRIPTION: Proposed erection of two storey restaurant with drive-thru, car parking, landscaping, play place and associated works. Installation of 2 no. COD (Customer Order Displays) with associated canopies.
COMMENT: See minute PH07/18.

APPLICATION: P181456
SITE: Barn at Lower Hyde, Hyde Ash, Leominster, HR6 0JR
DESCRIPTION: Proposed repairing and conversion of existing barns and change of use to form a dwelling. New vehicular access, provision of an access drive and hard standing adjacent to the barns.
COMMENT: No objection subject to the following conditions:

- The hard standing proposed should be constructed of porous materials;
- Bat boxes must be installed to help support the existing bat population;
- Bird boxes should be installed;
- Hedgehog runs to be installed to help protect them.

APPLICATION: P181464
SITE: Land adjacent to Petrol Filling Station, Safeway Service Road, Leominster HR6 8RH

DESCRIPTION: Various site signage including 1 no. height restrictor, 8 no. freestanding signs, 3 no. banner units, 1 no. side by side directional and 12 no. dot signs.

COMMENT: See minute PH07/18.

APPLICATION: P181465

SITE: Land adjacent to Petrol Filling Station, Safeway Service Road, Leominster HR6 8RH

DESCRIPTION: Installation of 7 no. fascia signs.

COMMENT: See minute PH07/18.

APPLICATION: P181466

SITE: Land adjacent to Petrol Filling Station, Safeway Service Road, Leominster HR6 8RH

DESCRIPTION: The installation of a freestanding 12m double sided shared totem.

COMMENT: See minute PH07/18.

APPLICATION: P181490

SITE: Ashdown, 19 Barons Cross Road, Leominster HR6 8RL

DESCRIPTION: Proposed erection of studio/annexe to form ancillary accommodation.

COMMENT: Recommend refusal to this application as it is considered inappropriate development within a garden.

APPLICATION: P181511

SITE: Land at Westbury House, Ryelands Road, Leominster, HR6 8NZ

DESCRIPTION: Proposed town centre garden mews house to enhance the setting of a listed building.

COMMENT: Recommend refusal to this application as it is within the Conservation Area, will be detrimental to the existing dwelling, is considered over-development of the site, is inappropriate development within a garden and will be detrimental to the local environment.

APPLICATION: P181551

SITE: 1 Buckfield Place, Leominster, HR6 8QU

DESCRIPTION: Proposed two storey rear extension and alterations and proposed detached garage/car port.

COMMENT: Recommend refusal to this application as it will be detrimental to the Conservation Area and is considered inappropriate development within the curtilage of the dwelling.

APPLICATION: P181700

SITE: 1 Buckfield Place, Leominster, HR6 8QU

DESCRIPTION: LBC – Proposed two storey rear extension and alterations and proposed detached garage/car port.

COMMENT: Recommend refusal to this application as it is not

registered on the Herefordshire Council website and no plans were available for consideration.

APPLICATION: P181689
SITE: 24 Caswell Rd, Leominster, HR6 8AZ
DESCRIPTION: Notification for a prior approval for a proposed larger home extension which will extend beyond the rear wall of the dwelling house by 4.7 metres. The maximum height of the enlarged part of the dwelling house is 3.0 metres and the height of the eaves of the enlarged part of the dwelling house is 3.0 metres.
COMMENT: No objection.

PH09/18 DECISIONS

Committee noted the following decisions made by Herefordshire Council:

APPLICATION: P180755
SITE: 1 Old Hall Cottages, Brierley, Leominster, HR6 0NU
DESCRIPTION: Replace 2 single casement metal windows on the ground floor and first floor with new single glazed double casement hard wood windows.
COMMENT: No objection.
DECISION: Approved with conditions

APPLICATION: P180756
SITE: 1 Old Hall Cottages, Brierley, Leominster, HR6 0NU
DESCRIPTION: Listed Building Consent – Replace 2 single casement metal windows on the ground floor and first floor with new single glazed double casement hard wood windows.
COMMENT: No objection.
DECISION: Approved with conditions

APPLICATION: P180943
SITE: 21 Radnor View, Leominster, HR6 8TF
DESCRIPTION: Alter an existing window to an Oriol window on the front elevation.
COMMENT: No objection.
DECISION: Approved with conditions

PH10/18 HIGHWAYS AND PARKING MATTERS

- (a) **Highway & Parking Matters** – It was noted that the Residents Parking Permit TRO proposals had not been included in the Annual Maintenance Plan but had been included in the list of requested TROs submitted by parish councils. The review of the TROs in the town centre would be part of the public realm initiative.

Concern was expressed regarding the recent traffic lights along Bargates. They had been in place for a period of 4 days. The work required was undertaken and completed in a day.

PH11/18 LEOMINSTER AREA NEIGHBOURHOOD PLAN

Committee noted that this was progressing to examination.

PH12/18 DATE OF NEXT MEETING

Committee noted that the next meeting would be held on Monday 4th June 2018 at 19:00hrs in the Council Offices, 11 Corn Square, Leominster, HR6 8YP.

There being no other business the meeting closed at 7:20pm.

CHAIR:

DATE: