

A G E N D A

Planning Committee

Date: **Friday, 28th November, 2003**

Time: **10:00 a.m.**

Place: **The Council Chamber,
Brockington, 35 Hafod Road,
Hereford**

Notes: Please note the **time, date** and **venue** of the meeting.

For any further information please contact:

*Pete Martens, Members Services,
Tel 01432 260248*

e-mail: pmartens@herefordshire.gov.uk

**County of Herefordshire
District Council**

AGENDA

for the Meeting of the Planning Committee

To: Councillor T.W. Hunt (Chairman)
Councillor J.B. Williams (Vice-Chairman)

Councillors B.F. Ashton, M.R. Cunningham, P.J. Dauncey, Mrs. C.J. Davis,
D.J. Fleet, J.G.S. Guthrie, J.W. Hope, B. Hunt, Mrs. J.A. Hyde,
Brig. P. Jones CBE, Mrs. R.F. Lincoln, R.M. Manning, R.I. Matthews,
Mrs. J.E. Pemberton, R. Preece, Mrs. S.J. Robertson, D.C. Taylor and
W.J. Walling

	Pages
1. APOLOGIES FOR ABSENCE	
To receive apologies for absence.	
2. NAMED SUBSTITUTES (IF ANY)	
To receive details any details of Members nominated to attend the meeting in place of a Member of the Committee.	
3. DECLARATIONS OF INTEREST	
To receive any declarations of interest by Members in respect of items on the Agenda.	
4. MINUTES	1 - 4
To approve and sign the Minutes of the meeting held on 3rd October, 2003.	
5. CHAIRMAN'S ANNOUNCEMENTS	
To receive any announcements from the Chairman.	
6. NORTHERN AREA PLANNING SUB-COMMITTEE	5 - 6
To receive the attached report of the Northern Area Planning Sub-Committee.	
7. CENTRAL AREA PLANNING SUB-COMMITTEE	7 - 8
To receive the attached report of the Central Area Planning Sub-Committee.	
8. SOUTHERN AREA PLANNING SUB-COMMITTEE	9 - 10
To receive the attached report of the Southern Area Planning Sub-Committee.	

9. **PLANNING APPLICATIONS DCNC2003/2849/F & DCNC2003/2850/L - EXTENSION TO FORM SHOWER ROOM FOR DISABLED PERSON AND LINK PORCH AT 27 BRIDGE STREET, LEOMINSTER, HEREFORDSHIRE, HR6 8DU FOR: CLLR. J FRENCH PER MR R PRITCHARD THE MILL KENCHESTER HEREFORD HR4 7QJ** 11 - 14

To consider the attached planning application which has been submitted on behalf of a Member of the Council.

Ward: Leominster North

10. **DCSE2003/2876/F - RETENTION OF GARAGE/STORE RUDHALL MANOR, PHOCLE GREEN, ROSS-ON-WYE, HEREFORDSHIRE. HR9 7TL FOR: COUNTRY HOUSE WEDDINGS LTD PER TIM HARBORD ASSOCIATES, 1 CONSTABLE COURT, BARN STREET, LAVENHAM, SUDBURY CO10 9RB** 15 - 18

To consider the attached planning application which has been submitted on behalf of a Member of the Council

Ward: Old Gore

11. **PLANNING APPLICATION SW2003/1227/O - SITE FOR ONE DWELLING, LOWER TOMLINS FIELD, ST. WEONARDS, HEREFORD, HR2 8QE FOR: MR S.D. METHVEN PER MR GRIFFIN ADAS, THE PATCH, ELTON NEWNHAM, GLOUCESTER** 19 - 24

To consider a planning application which has been referred to the Committee by the Head of Planning Services because the Southern Area Planning Sub-Committee is minded to refuse it, contrary to the Council's Planning Policies and officer recommendations

Ward: Pontrilas

12. **PLANNING APPLICATION DCNW2003/2418/F - PROPOSED TWO DWELLINGS OF NEGATIVE ENVIRONMENTAL IMPACT USING SELF CONTAINED WATER SUPPLY, RENEWABLE ENERGY, WASTE RECYCLING, TO BE RUN IN CONJUNCTION WITH SUSTAINABLE SYSTEMS OF FOOD PRODUCTION. THE WHOLE LIFESTYLE EXPERIENCE TO BE MADE AVAILABLE TO FAMILY/EDUCATIONAL GROUPS ON A SHORT RESIDENTIAL BASIS AT LAND ADJOINING LEMORE, EARDISLEY, HEREFORD, HEREFORDSHIRE, HR3 6LRFOR: MR J GLYN-JONES, SEPTEMBER ORGANIC DAIRY, NEW HOUSE FARM, ALMELEY, HEREFORDSHIRE** 25 - 34

To consider a planning application which has been referred to the Committee by the Head of Planning Services because the Northern Area Planning Sub-Committee is minded to refuse it, contrary to the Council's Planning Policies and officer recommendations

Ward: Castle

13.	PLANNING APPLICATION DCNE2003/2387/F - DETACHED DWELLING ON LAND ADJACENT TO 47 THE GREEN, ASHPERTON, HEREFORDSHIRE. HR8 2RY	35 - 38
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15.	DEVELOPMENT BRIEF - LAND OPPOSITE SUTTON ST NICHOLAS PRIMARY SCHOOL	47 - 64
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COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL

BROCKINGTON, 35 HAFOD ROAD, HEREFORD.

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COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL

MINUTES of the meeting of Planning Committee held at The Council Chamber, Brockington, 35 Hafod Road, Hereford on Friday, 3rd October, 2003 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, P.J. Dauncey, Mrs. C.J. Davis, D.J. Fleet, J.G.S. Guthrie, J.W. Hope, B. Hunt, Mrs. J.A. Hyde, Brig. P. Jones CBE, Mrs. R.F. Lincoln, R.M. Manning, R.I. Matthews, R. Preece, Mrs. S.J. Robertson, D.C. Taylor and W.J. Walling

In attendance: Councillors P.J. Edwards and R.M. Wilson

15. APOLOGIES FOR ABSENCE

Apologies were received from Councillors MR Cunningham and Mrs JS Pemberton

16. NAMED SUBSTITUTES (IF ANY)

Councillor Mrs PA Andrews substituted for Councillor MR Cunningham

17. DECLARATIONS OF INTEREST

There were no declarations of interest made.

18. MINUTES

RESOLVED: That the Minutes of the meeting held on 17 July 2003 be approved as a correct record and signed by the Chairman.

19. CHAIRMAN'S ANNOUNCEMENTS

The Chairman commented that there were no referred planning applications from the Area Planning Sub-Committees. He drew attention to the new reports which had replaced the minutes from the Sub-Committees to the Planning Committee. The reports had led to a much more manageable agenda and had the benefit of providing more up to date information for the Planning Committee as well as considerable savings in printing materials and costs.

As part of the on going training programme, the next seminar for Members would be held on 6 October 2003 for those who had not been able to attend the previous ones, and to help them to comply with Section 41 of the Council's Planning Code of Conduct. Further training sessions on probity and propriety issues would be held on 27 October 2003 and 17 November 2003.

The tour of implemented planning permissions had been arranged for Friday 17 October 2003 to look at interesting sites in Hereford, Leominster and Ross on Wye. There may also be a walking tour of a town centre area at another time.

The second meeting of the Planning Chairman's Group at recently been held and a newsletter would shortly be issued. It would include a few basic facts about the planning application in respect of the proposed Asda development in Hereford.

The Chairman noted with interest that in the recent planning magazine there was an article about the Department of Trade and Industry which 'attacked' the planning system for supposedly holding back big business. It also included a two-thousand word document on how plants should be distributed in open plan offices, advice on creating that all important oasis effect and how to avoid tricky and anomalous situations.

Finally the Chairman was pleased to announce that the new surgery at Kingstone had recently received a Civic Trust Award.

20. NORTHERN AREA PLANNING SUB-COMMITTEE

RESOLVED: That the Reports of the Northern Area Planning Sub-Committee meetings held on 23 July, 20 August and 17 September 2003 be received and adopted.

21. CENTRAL AREA PLANNING SUB-COMMITTEE

RESOLVED: That the Reports of the Central Area Planning Sub-Committee meetings held on 11 June, 9 July, 6 August, and 3 Spetember 2003 be received and adopted.

22. SOUTHERN AREA PLANNING SUB-COMMITTEE

RESOLVED: That the Reports of the Southern Area Planning Sub-Committee meetings held on 18 June, 16 July, 13 August and 10 September 2003 be received and adopted.

23. THE ENGLISH HERITAGE REGISTER OF BUILDINGS AT RISK 2003

The Chief Conservation Officer presented a report about the contents of English Heritage's Register of Buildings at Risk 2003 in relation to Herefordshire and how assistance might be sought from English Heritage towards preserving the County's historic heritage. He provided the Committee with details of the Grade I and Grade II* Listed Buildings and also the Scheduled Ancient Monuments within the County that were on the list. He said that 33 of these had been included on the Register compared with twenty-six in 1999. Five properties had been deleted from the 1999 Registers and twelve new ones had been added. He advised that five of the additions were churchyard crosses, added because of the serious condition of their stonework. English Heritage hope to promote a grant scheme for the restoration of churchyard crosses.

He advised that the Council had limited resources to assist with the repair of the buildings at risk, many of which were castle ruins or similar substantial structures which could take considerable funds to stabilise and repair. English Heritage was prepared to invest in the establishment of specialist conservation posts in local authorities to help them tackle buildings at risk as part of the management of their historic building stock and to help with undertaking statutory action. He suggested that the matter should be progressed through further discussion with English Heritage to identify what

assistance it might give to the Council to help with monitoring the condition of the buildings at risk and action to help with safeguarding them.

RESOLVED: That the Regional Office of English Heritage be approached to discuss what assistance it might give this Council in order that it can monitor the condition of its historic buildings and increase its actions towards safeguarding the County's Listed Buildings and Scheduled Ancient Monuments.

24. DCMS REVIEW - PROTECTING OUR HISTORIC ENVIRONMENT: MAKING THE SYSTEM WORK BETTER

The Chief Conservation Officer presented a report about the Department of Culture Media and Sport's (DCMS) consultation paper entitled 'Protecting our Historic Environment: Making the System Work Better'. He said that the consultation paper had been issued by the DCMS on 17 July and that comments were invited by 31 October 2003. He advised that the document comprised part of a review of Heritage Protection which had started in November 2002 and had been carried out in association with English Heritage. The outcome of the review would have significant implications for the work of the Planning Committee and its Officers and a number of events were to be staged during the autumn to debate the issues, details of which were awaited. He said that the review covered the designation of Ancient Monuments, Listed Buildings, Registered Parks and Gardens, Registered Battlefields, World Heritage Sites and Conservation Areas, together with how the planning system protected them. The following objectives had been identified as part of the review:

- to simplify what are seen as complex protection systems (Simplifying);
- to increase the openness of processes which are considered inaccessible, even secretive (Openness);
- to have a more flexible regime for management (Flexibility); and
- to have a system robust enough to conserve the best and to continue to take on board changes in what people value without devaluing the purpose (Rigour).

The Principal Conservation Officer explained the principle changes, which were suggested in the consultation document and he provided the Committee with the Officers views upon these questions.

Having discussed the contents of the report, the Committee agreed with the course of action proposed by the Chief Conservation Officer.

RESOLVED That the Cabinet Member for the Environment be advised that Planning Committee's view upon the Review of Protecting the Historic Environment is that it generally supports the intentions for improvement set out in the document, namely to establish a system that is simpler, more open, flexible and rigorous than the present arrangements. Furthermore, the suggestion that a single list be established appears to be a useful approach in this regard. However, it has concerns about many of the more detailed suggestions and these are set out in the answers to the questions posed by the review document listed in Appendix1 and paragraphs 7 – 9 of the report of the Head of Planning Services.

25. PROPOSED CHANGES TO NATIONAL PLANNING POLICY GUIDANCE 3 (PPG 3) - HOUSING

A report was presented by the Principal Strategic Planning Officer about proposed changes to National Planning Policy Guidance 3 – Housing (PPG 3) in respect of:

1. the reallocation of employment and other land to housing, and
2. Influencing the size, type and affordability of housing.

The Principal Strategic Planning Officer outlined the main issues regarding the proposed changes to PPG 3 and referred to the summary of concerns which had been prepared by the Officers in relation to Part 1 of the Re-allocation of Employment and other Land to Housing and to Part 2 Influencing the Size, Type and Affordability of Housing. The Committee discussed the main areas of concern and noted the problems facing the Council because of the extra burden that would be placed upon in relation to the proposed changes.

RESOLVED: That the observations set out in the report of the Chief Forward Planning Officer be submitted to the Office of the Deputy Prime Minister as the views of the Herefordshire Council on the proposed changes to PPG3.

The meeting ended at 12.16 p.m.

CHAIRMAN

REPORT OF THE NORTHERN AREA PLANNING SUB-COMMITTEE

Meetings Held on 15th October and 12th November, 2003

Membership:

Councillors: Councillor J.W. Hope (Chairman)
Councillor J. Stone (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, K.G. Grumbley, P.E. Harling,
B. Hunt, T.W. Hunt T.M. James, Brig. P. Jones C.B.E., R.M. Manning, R. Mills,
R.J. Phillips, D.W. Rule M.B.E., R. V. Stockton, J.P. Thomas and J.B. Williams
(Ex Officio).

PLANNING APPLICATIONS

1. The Sub-Committee has met on 2 occasions and has dealt with the planning applications referred to it as follows:-
 - (a) applications approved = 17;
 - (b) applications refused = 1;
 - (c) deferred applications = 4; and
 - (d) site inspections = 5.
2. The Sub Committee took the view that there were sufficient grounds to approve or refuse 2 applications contrary to officer recommendations and Council policies and these have been dealt with in the following way under the Council's referral procedure:-

the Chief Development Control Officer decided that 2 applications needed to be referred to the Head of Planning Services.

PLANNING APPEALS

1. The Sub-Committee received information reports about 8 Appeals that have been received and 12 which have been determined. Of the latter, 3 have been allowed, 8 have been dismissed, and 1 has been withdrawn.

ENFORCEMENT

4. The Sub-Committee has received reports about enforcement matters within its area.

**J.W. HOPE
CHAIRMAN
NORTHERN AREA PLANNING SUB-COMMITTEE**

- **BACKGROUND PAPERS – Agenda for meetings held on 15 October and 12th November, 2003**

REPORT OF THE CENTRAL AREA PLANNING SUB-COMMITTEE

Meetings Held on 1st and 29th October, 2003

Membership:

Councillors: Councillor D.J. Fleet (Chairman)
Councillor R. Preece (Vice-Chairman)
Councillors Mrs. P.A. Andrews, Mrs. W.U. Attfield, Mrs. E.M. Bew,
A.C.R. Chappell, Mrs. S.P.A. Daniels, P.J. Edwards, J.G.S. Guthrie, T.W. Hunt
(ex-officio), G.V. Hyde, 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,
W.J.S. Thomas, Ms A.M. Toon, W.J. Walling, D.B. Wilcox, A.L. Williams,
J.B. Williams (ex-officio) and R.M. Wilson.

PLANNING APPLICATIONS

1. The Sub-Committee has met on 2 occasions and has dealt with the planning applications referred to it as follows:-
 - (a) applications approved 12;
 - (b) applications refused 0;
 - (c) deferred applications 0; and
 - (d) site inspections 1, the Sub-Committee also undertook 1 site inspection prior to the application being referred to it.

PLANNING APPEALS

2. The Sub-Committee received information reports about 2 Appeals that have been received and 3 which have been determined. Of the latter, 1 had been allowed and 2 had been dismissed.

ENFORCEMENT

3. The Sub-Committee has received reports about enforcement matters within its area.

**D.J. FLEET
CHAIRMAN
CENTRAL AREA PLANNING SUB-COMMITTEE**

- **BACKGROUND PAPERS – Agenda for meetings held on 1st and 29th October, 2003**

**REPORT OF THE SOUTHERN AREA PLANNING
SUB-COMMITTEE**

Meetings Held on 8th October and 5th November, 2003

Membership:

Councillors: Councillor Mrs. R.F. Lincoln (Chairman)
Councillor P.G. Turpin (Vice-Chairman)
Councillors H. Bramer M.R. Cunningham, N.J.J. Davies, Mrs C.J. Davis, G.W. Davis, J.W. Edwards , Mrs. A.E. Gray, T.W. Hunt (Ex-Officio) Mrs. J.A. Hyde, G. Lucas, D.C. Taylor, J.B. Williams

PLANNING APPLICATIONS

1. The Sub-Committee has met on two occasions and has dealt with the planning applications referred to it as follows:-
 - (a) applications approved 15;
 - (b) applications refused 0;
 - (c) deferred applications 2; and
 - (d) site inspections; 1
2. The Sub Committee took the view that there were sufficient grounds to approve 2 applications contrary to officer recommendations and Council policies and these have been dealt with in the following way under the Council's referral procedure:-
 - (a) the Divisional Planning Officer decided that 1 application did not need to be referred to the Head of Planning Services and that it can be approved;
 - (b) the Divisional Planning Officer decided that 1 application needed to be referred to the Head of Planning Services. The Head of Planning Services has referred the application to the Planning Committee and it is detailed elsewhere on the Agenda for determination.

PLANNING APPEALS

1. The Sub-Committee received information reports about 6 Appeals that have been received and 6 which have been determined. Of the latter, 4 have been dismissed and 2 have been withdrawn.

ENFORCEMENT

4. The Sub-Committee has received reports about enforcement matters within its area.

MRS R.F. LINCOLN
CHAIRMAN
SOUTHERN AREA PLANNING SUB-COMMITTEE

- **BACKGROUND PAPERS – Agenda for meetings held on 8th October and 5th November, 2003**

9 DCNC2003/2849/F - EXTENSION TO FORM SHOWER ROOM FOR DISABLED PERSON AND LINK PORCH AT 27 BRIDGE STREET, LEOMINSTER, HEREFORDSHIRE, HR6 8DU

DCNC2003/2850/L – AS ABOVE

**For: Cllr. J French per Mr R Pritchard The Mill
Kenchester Hereford HR4 7QJ**

**Date Received:
19th September 2003**

**Ward:
Leominster North**

**Grid Ref:
49515, 59392**

**Expiry Date:
14th November 2003**

Local Member: Councillors Brig P Jones CBE and Mrs J French

These applications for both planning permission and listed building consent are submitted by Councillor Mrs French.

1. Site Description and Proposal

- 1.1 The proposal is for the erection of a single storey extension to the rear of the Grade II listed building to provide a ground floor WC and shower facility. The extension measures 3m x 2.4m and is of a monopitch design, the highest point of which, close to the boundary wall on the south side of the property, measuring just under 4m. The extension is to be constructed using reclaimed brick painted white and a slate roof to match the existing dwelling. No. 27 Bridge Street is one of a number of Grade II listed buildings on side-by-side on the west side of Bridge Street. The rear boundary of the site lies adjacent to the River Kenwater.

2. Policies

2.1 Leominster District Local Plan (Herefordshire)

A18 – Listed Buildings and their settings
A56 – Alterations, extensions and improvements to dwellings

2.2 Herefordshire Unitary Development Plan (Deposit Draft)

HBA1 – Alterations and extensions to Listed Buildings
H18 – Alterations and Extensions

3. Planning History

92L336 - Replacement of front window at 27 Bridge Street. Listed Building Consent granted 20.7.92.

93L476 - Provision of new door at 27 Bridge Street. Listed Building Consent granted 16.09.93.

93L498 - Alteration to kitchen, fireplace, to restore to original state. Listed Building Consent granted 16.09.93.

NC01/3379/L - Installation of satellite dish. Listed Building Consent granted 8.2.02.

4. Consultation Summary

Statutory Consultations

- 4.1 Environment Agency: No objection.
- 4.2 English Nature has no comment to make on this application.

Internal Council Advice

- 4.3 Head of Engineering and Transport: No objection.
- 4.4 Chief Conservation Officer considers that the monopitch roof which juts out at right angles to the rear of the building neither enhances the listed building nor the setting of the neighbouring properties. A less damaging and more traditional approach would be to provide a lean-to roof in the same plane as the other roofs of this house.

5. Representations

- 5.1 Leominster Town Council recommend approval.
- 5.2 No representations have been received in response to neighbour notification, site notice or newspaper advertisements.

6. Officers Appraisal

- 6.1 The proposal is for a modest single storey extension to the rear of the property in order to provide facilities for a disabled resident. The rear wall of the dwelling projects well beyond that of the two gables of the properties on either side of the application site. Furthermore, there is a larger extension of a similar style to that proposed two properties to the north. It is not considered that the proposed extension detracts from the setting of either of the adjacent listed buildings such that a reason for refusal could be sustained on that ground.
- 6.2 In order to achieve a lean-to extension, as suggested by the Chief Conservation Officer, a pitch of only 14° could be achieved if the first floor window above the kitchen door is to be avoided. This would be a considerably shallower pitch than the main house and would not be steep enough for the use of slates.
- 6.3 On balance, therefore, it is considered that the proposal complies with relevant policies and can be recommended for approval.

RECOMMENDATION

NC032849/F

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 - B02 (Matching external materials (extension))

Reason: To ensure the external materials harmonise with the existing building.

NC2003/2850/L

That Listed Building Consent be granted subject to the following conditions:

- 1 - C01 (Time limit for commencement (Listed Building Consent))

Reason: Required to be imposed by Section 18(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

- 2 – B02 (Matching external materials (extension))

Reason: To ensure the external materials harmonise with the existing building.

Decision:

Notes:

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Background Papers

Internal departmental consultation replies.

**10 DCSE2003/2876/F - RETENTION OF GARAGE / STORE
RUDHALL MANOR, PHOCLE GREEN, ROSS-ON-WYE,
HEREFORDSHIRE. HR9 7TL**

**For: Country House Weddings Ltd per Tim Harbord
Associates, 1 Constable Court, Barn Street, Lavenham,
Sudbury CO10 9RB**

Date Received: 22nd September 2003

Ward: Old Gore

Grid Ref: 62550, 25353

Expiry Date: 17th November 2003

Local Member: Councillor J W Edwards

1. Site Description and Proposal

1.1 Rudhall Manor is a listed building (Grade I) which is situated on the south side of the C1283 road and about 2km north-east of Ross on Wye. The entrance drive approaches the house from the east and until recently led to a wooden garage, prominently sited in front of the main elevations of this architecturally important building. This wooden structure with corrugated iron roof has been demolished and a new stone garage and store erected on site about 20 m to the north. The garage/store did not have the benefit of planning permission and this application for retrospective permission has been submitted.

1.2 The garage is 'L' shaped with a gable jutting forward at the east end. The eaves are higher than normal for a garage and this together with the steeply pitched roof allows for a storage space above the garage. This is entered through an external door in the rear elevation. The garage is built into a bank and ground level at the rear is higher than at the front. There are three sets of garage doors. Externally the building measures about 11.7 m in width, 7.3 m maximum depth and 6.1 m to ridge. The external materials are Forest of Dean stone with a red clay tile roof; lintols and window frames are oak with metal sashes.

1.3 The entrance drive has been slightly extended to facilitate access to the garage and part has been re-surfaced.

2. Policies

2.1 Planning Policy Guidance

PPG7	The Countryside : Environmental Quality and Economic and Social Development
PPG15	Planning and the Historic Environment

2.2 Hereford and Worcester County Structure Plan

Policy H18	Alterations and extensions
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2.3 South Herefordshire District Local Plan

Policy C1	Development in Open Countryside
Policy 27B	Alterations or additions to Listed Buildings
Policy C29	Setting of a Listed Building
Policy SH23	Extensions
Policy GD1	General development criteria

2.4 Unitary Development Plan – Deposit Draft

Policy HBA4	Setting of Listed Buildings
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3. Planning History

3.1	SH880200LA	Alteration to stable to form pool house.	-	Consent 16.3.88.
	SH851166LA	Alterations and restoration.	-	Consent 14.4.86.

4. Consultation Summary

Statutory Consultations

- 4.1 English Heritage's advice on the garage and associated landscape works is that the scale and location of the building is acceptable, the design and execution of the building is acceptable (although there are details and finishes - such as the window surrounds - that are less than ideal), but that the landscape does need further work.

The garage is at present too prominent as one approaches the house up the drive. Service buildings to a country house are normally hidden or visually played down, and are often made less obtrusive by planting. We recommend that further planting (including shrubs at eye level) should be planted on the area between the main drive and the new driveway to the garage. The plain tarmac of the new drive is inappropriately institutional, and should at the very least be modified by rolling in a suitable selected local stone dressing.

Internal Council Advice

- 4.2 The Chief Conservation Officer does not object in principle to the position and scale of the proposal but expresses reservations on aspects of the detailing including lintols to first floor windows, chevron boarding to garage doors, the character of the stonework, projecting rafter feet, first floor window surround and the tarmacadam surfaces.

5. Representations

- 5.1 The applicant's agent makes the following submission:

1. As you are aware the building was erected as a replacement for a building that was previously located a short distance to the south of where the the new one has been positioned. My client thought, mistakenly, that it would not require planning permission, having regard to permitted development rights appertaining to single dwellinghouses and the fact that it was a replacement for a structure of a similar size.

The previous building was sited where it detracted from the setting of Rudhall Manor as one approached from the main entrance, a situation exacerbated by the poor condition and unsightly appearance of the structure. Its removal has opened up and enhanced the setting of the house, and the new building is set back in a much less obvious position relative to the listed building.

- 5.2 Brampton Abbots Parish Council has no objection or comment to make on the application.
- 5.2 Ross Rural Parish Council has no objection to the planning application.
- 5.3 Weston under Penyard Parish Council support the application.
- 5.4 One letter of support has been received. The following reasons are cited:
1. replaces an old wooden structure that probably was an eyesore,
 2. the area on which old garage stood now landscaped and new garage and store tucked under the north wall,
 3. the whole area is much improved being more in keeping with a listed building.

The full text of these letters can be inspected at Southern Planning Services, Blueschool House, Blueschool Street, Hereford and prior to the Sub-Committee meeting.

6. Officers Appraisal

- 6.1 The wooden structure that has been demolished was unattractive and poorly positioned, detracting from the first full view of the house along the entrance drive. The new garage is appropriately sited to the rear of the house and set into a bank with established planting. The extensive planting ensures that the building is not visible from public viewpoints. It is a sizeable building but not out of scale with Rudhall Manor. Both English Heritage and the Chief Conservation Officer express reservations regarding detailed design matters but on the key considerations of the position, size, character and main external materials conclude that it is acceptable and does not harm the setting of the Grade I listed building. In these circumstances it is considered that the garage/store complies with the Council's policies for domestic outbuildings and development within the curtilages of listed buildings.
- 6.2 The entrance drive is bordered by thick planting but opens out on the approach to the house. As a consequence the garage, although set back, is conspicuous. Appropriate planting would focus views on the house. The new black tarmac also detracts from the house and a softer surface would help. Both the additional planting and hard surfacing could be required by planning condition.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

- 1 G04 (Landscaping scheme (general))**
Reason: In order to protect the setting of the listed building.
- 2 G05 (Implementation of landscaping scheme (general))**

Reason: In order to protect the setting of the listed building.

- 3 Within 3 months of the date of this permission the access drive demarcated in red on the attached plan shall be re-surfaced in accordance with a scheme which has been submitted to and approved in writing by the local planning authority.**

Reason: In order to protect the setting of the listed building.

Decision:

Notes:

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Background Papers

Internal departmental consultation replies.

11 SW2003/1227/O - SITE FOR ONE DWELLING, LOWER TOMLINS FIELD, ST. WEONARDS, HEREFORD, HR2 8QE

For: Mr S.D. Methven per Mr Griffin ADAS, The Patch, Elton Newnham, Gloucester GL14 1JN

Date Received: 24th April 2003 Ward: Pontrilas Grid Ref: 4740 2517
Local Member: Councillor G. W. Davis

1. Introduction

- 1.1 This application was first reported to the Southern Area Planning Sub-Committee on 10th September, 2003. A Sub-Committee site visit was then undertaken and the proposal was presented back to Sub-Committee on 8th October, 2003. Members were minded to support the application contrary to the officer recommendation on the basis of the exceptional circumstances involved and the unique service provided by the applicant.
- 1.2 Head of Planning Services has examined the proposal and referred the application to the Planning Committee on the basis that the decision entails a conflict with key development plan policies.
- 1.3 The Council has received a Certificate of Lawful Use application relating to the engineering business, this was registered by the Council on 20th October, 2003.

2. Site Description and Proposal

- 2.1 The proposal site is an area of farmland immediately adjacent to the western side of the unclassified road (u/c 71418) that joins the C1234 road to the north and the C1236 road to the south, close to Treferanon Farm. The site is approximately one mile south of the junction of the unclassified 71418 and the C1234 road, also known as Ross Road.
- 2.2 This is an outline application but with the only matter to be determined at this stage being siting, which is identified with a cross as being 10 metres west of the metalled edge of the unclassified 71418 road, and 30 metres north of the existing track that divides Lower Tomlins Field and the application site. The other matters are reserved for subsequent approval.
- 2.3 The site has roadside frontage of 44 metres along the line of existing established hedgerow and trees that screen the site from the unclassified road. The site is 16 metres wide where it adjoins the aforementioned track serving the farm and dwelling at Lower Tomlins Field, widening to 20 metres on the northern boundary.

3. Policies

3.1 Planning Policy Guidance

PPG.7 - The Countryside: Environmental Quality and Economic and Social Development

3.2 Hereford and Worcester County Structure Plan

- Policy CTC.2 - Area of Great Landscape Value
- Policy CTC.9 - Development Criteria
- Policy H.16A - Housing in Rural Areas
- Policy H.20 - Housing in Rural Areas

3.3 South Herefordshire District Local Plan

- Policy GD.1 - General Development Criteria
- Policy C.1 - Development within Open Countryside
- Policy C.8 - Development within Area of Great Landscape Value
- Policy SH.11 - Housing in the Countryside

3.4 Unitary Development Plan

- Policy H.7 - Housing in the Countryside outside Settlements
- Policy H.8 - Agricultural and Forestry Dwellings and Dwellings Associated with Rural Businesses

4. Planning History

- 4.1 SW2002/1327/O Site for single dwelling - Refused 24.06.02

5. Consultation Summary

- 5.1 The Environment Agency has no objections in principle, but would recommend that conditions be attached in the event of planning permission being granted.

Responses by internal consultees that raise material planning issues are summarised and considered in the Officers Appraisal.

6. Representations

- 6.1 In a supporting statement that accompanied the application, the applicant's agent makes the following main points:

- following refusal (SW2002/1327/O) applicant is re-submitting with a justification based upon the needs of a rural service business
- client is now the owner of the site
- Lower Tomlins Field is a small holding comprising 2 hectares of land, dwelling and group of buildings. Small scale agricultural enterprise exists, but does not justify an agricultural dwelling
- for over 10 years my client has undertaken an agricultural engineering and emergency call-out and repair service to local agricultural businesses and other rural businesses in locality
- work includes repair to hydraulic hoses, welding, work to electrical circuits, modifying machines to improve performance, maintenance of specialist machinery and carrying essential spare parts and materials to fabricate repairs
- work undertaken on site and on location

- repair works often late in day, and machinery repairs after working day, i.e. late, over a third to half of such work is after 6pm in planting and harvesting season
- repairs at weekend common
- list of recent customers set out
- my client plus two part-time workers for busy times
- my client and his wife have lived in a number of local rented properties, currently at Northgate Lodge, St. Weonards until they have to vacate the property
- have lived in three different addresses in last 5 years
- my client is the owner occupier of the proposal site and has a life-long lease of the building which is the base for his business
- remainder owned by Mrs. Tomlins senior, client will inherit the remaining buildings and land, but not his mother's dwelling
- the Deposit Draft (September 2002) recognises the changing rural economy given it allows for in Policy H.7, dwellings that are a necessary accompaniment to the growth of rural enterprise, including tourism and farm diversification schemes and complies with Policy H.8
- justification for a dwelling is given "where a worker is required day and night for supervision, inspection or emergency responses. Security is not in itself sufficient to justify a dwelling, but it may be a contributing factor"
- UDP Policy H.8 provides criteria to be satisfied, that are very similar to the criteria to justify agricultural/forestry dwellings
- my client works in excess of 60 hours per week
- business is viable (accounts for 1998, 1999 and 2000 can be forwarded). Income exceeds agricultural workers wage
- need for dwelling is due to out of hours service for clients who require emergency repairs at short notice, either at Lower Tomlins Field or on site
- no buildings suitable for conversion
- recent building erected on nearby site, in a far more prominent position than site applied for
- previous application was not refused by Highways (subject to conditions) nor the Environment Agency.

6.2 The Parish Council has no objections.

6.3 14 letters of support have been received in which the following main points are made:

- very essential service
- farming is not 9 - 5, need help up to 11pm
- key part of community
- repairing agricultural machinery for over 30 years
- if not approved, would be detrimental to my business
- on call at least 16 hours per day
- good for security
- quality of life for applicant would improve
- no loss of privacy
- would not adversely affect anyone
- would not spoil surrounding area.

The full text of these letters can be inspected at Southern Planning Services, Blueschool House, Blueschool Street, Hereford and prior to the Sub-Committee meeting.

7. Officers Appraisal

- 7.1 The main issue is considered to be the principle of erecting a dwelling on this site in the open countryside.
- 7.2 The previous application, a dwelling refused under delegated powers in June 2002, was accompanied by letters from the applicant and the NFU. The case advanced was on grounds that the applicant was managing the smallholding, including feeding stock and completing paperwork. No mention was made at that time of the business carried out by the applicant to the rear of the farmhouse. This business requires planning permission or a Certificate of Lawfulness. It is understood that one building to the rear of the farmhouse is used in connection with the applicant's business.
- 7.3 The relevant development plan policies are Policy H.20 contained in the Hereford and Worcester County Structure Plan, and in particular H.20(c) that refers to the necessary accompaniment of a new dwelling to the establishment and success of a new enterprise which needs to be located outside a settlement. It is considered that the existing use does not need to be located outside a settlement. The fact that it would be more convenient is not sufficient reason in itself to outweigh the policy requirement. Therefore, it is also contrary to the provisions of Policy SH.11, as it constitutes development in the open countryside. Policy H.8 in the Unitary Development Plan is the subject of representations during the deposit stage, therefore it cannot be given much weight, i.e. over existing policies in the Development Plan cited above. There is in any case a dwelling serving the smallholding.
- 7.4 The applicant's agent makes reference to a decision made by the Secretary of State in North Shropshire. It is not considered that this appeal case is directly relevant given the personal circumstances cited in the Inspector's decision letter. An application determined by your officers more recently was the subject of appeal for a bungalow at a site adjacent to a workshop at Llangarron. It was dismissed on appeal. The Inspector did not consider that the need for a dwelling was so compelling as to warrant justifying a dwelling in open countryside. There is also an existing dwelling nearby, which was not the case for the Llangarron appeal decision.
- 7.5 Clearly, this proposal constitutes development in the open countryside that does not meet the stringent tests established in Government advice contained in PPG.7 nor policies contained in the Development Plan. These policies essentially affirm that the countryside should be protected for its own sake.

RECOMMENDATION

That planning permission be refused for the following reason:

- 1. The site is in open countryside, within the designated Area of Great Landscape Value and having regard to Hereford and Worcester County Structure Plan Policies H.16A, H.20, CTC.2 and CTC.9, and South Herefordshire District Local Plan Policies GD.1, C.1, C.8 and SH.11, the local planning authority consider the proposed development to be unacceptable. The erection of a dwelling in this open countryside location would, in the absence of sufficient justification such that the above policies can be set aside, be harmful to the character and appearance of the countryside**

Decision:

Notes:

Background Papers

Internal departmental consultation replies.

12 DCNW2003/2418/F - PROPOSED TWO DWELLINGS OF NEGATIVE ENVIRONMENTAL IMPACT USING SELF CONTAINED WATER SUPPLY, RENEWABLE ENERGY, WASTE RECYCLING, TO BE RUN IN CONJUNCTION WITH SUSTAINABLE SYSTEMS OF FOOD PRODUCTION. THE WHOLE LIFESTYLE EXPERIENCE TO BE MADE AVAILABLE TO FAMILY/EDUCATIONAL GROUPS ON A SHORT RESIDENTIAL BASIS AT LAND ADJOINING LEMORE, EARDISLEY, HEREFORD, HEREFORDSHIRE, HR3 6LR

For: Mr J Glyn-Jones, September Organic Dairy, New House Farm, Almeley, Herefordshire

Date Received:
7th August 2003

Ward:
Castle

Grid Ref:
31010, 51591

Expiry Date:
2nd October 2003

Local Member: Councillor John Hope

This application was reported to the Northern Area Planning Sub-Committee on 15 October 2003. Members were minded to support the application, which at that time was against officer recommendation, on the grounds that the proposal had merit in terms of providing tourism related and educational benefits to Herefordshire, and the diversification of the existing farm activities. Reference was also made to the varying interpretation of relevant policies within the Leominster District Local Plan (Herefordshire) and other adopted Local Plan policies for other areas and the lack of any local objections to the proposal.

The Head of Planning Services has examined the proposal and referred the application to the Planning Committee on the basis that Policies H16A and H20 of the Hereford and Worcester County Structure plan and Policy A2(D) of the Leominster District Local Plan (Herefordshire) establish a strong presumption against new residential development unless there are exceptional circumstances to justify otherwise. At this time it was not considered that sufficient evidence to support the long-term viability of the project and a permanent residential presence had been sufficiently submitted.

Since the Sub-Committee's consideration of this proposal, the applicant has provided further additional financial information seeking to demonstrate the viability of the project and discussions have taken place with respect to the imposition of appropriate conditions to restrict the use of the 'main house' element of the proposal in particular. The outcome of these detailed deliberations is that there is now considered to be a basis for supporting this application and as such the attached report has been amended to take account of the updated position. The original appraisal and recommendation are attached as an Appendix to this report for comparative purposes. It should also be stressed that the opportunity to change the description of the proposal to more accurately reflect the applicant's intentions has been taken in this interim period.

1. Site Description and Proposal

- 1.1 The application site comprises 0.7 hectares of agricultural land located to the west of New House Farm (operating as the September Organic Dairy). The site is accessed via a private track shared with 3 other properties including Campbell Manor, a residential nursing home. The access onto the A4111 is located some 2kms north of Eardisley.
- 1.2 The field in question is well screened along all boundaries by existing hedgerows and is characterised by a dilapidated agricultural/stable building located on the southern boundary adjacent to the field access to the site. It forms part of a larger holding the majority of which is farmed on a tenanted basis from Herefordshire Council.
- 1.3 Planning permission is sought for the erection of two lodges on the site to provide accommodation associated with the applicants plans to establish an educational and recreational facility promoting sustainable technology and systems of food production. It is intended that the 'main house' would generally be occupied by groups (with the emphasis on families) on a short- term residential basis and during the winter months it would be occupied on a more permanent basis by an individual or family who would oversee the management of the site. The 'bunk house' would be used to provide short-term accommodation for groups throughout the year, focusing more specifically on schools and other interested organisations.
- 1.4 Alongside the two lodges it is proposed to establish a permaculture garden within the application site with the potential for sustainable/organic fish production given the local water supply. The site would also be supported by grey water irrigation and sustainable foul drainage systems. In addition to these features a polytunnel is proposed together with a composting toilets.
- 1.5 The proposal entails the demolition of the existing dilapidated stable building on the site.

2. Policies

Central Government Guidance

PPG 7- The Countryside – Environmental Quality and Social and Economic Development

Hereford & Worcester County Structure Plan

Policy H16 A	Housing in Rural Areas
Policy H20	Housing in Rural Areas Outside the Green Belt
Policy E20	Tourism Development
Policy CTC 9	Development Requirements
Policy A1	Development on Agricultural Land
Policy A2	Diversification
Policy TSM 1	Tourism Development
Policy TSM 2	Tourism Development
Policy TSM 3	Tourism Development
Policy TSM 6	Tourism Accommodation
Policy TSM 7	Tourism Accommodation
Policy LR1	Leisure and Recreation Development
Policy LR2	Leisure and Recreation Development

Leominster District Local Plan (Herefordshire)

Policy A1	Managing the Districts Assets & Resources
Policy A2 (D)	Settlement Hierarchy
Policy A9	Safeguarding the Rural Landscape
Policy A10	Trees and Woodlands
Policy A12	New Development and Landscape Schemes
Policy A14	Safeguarding Water Resources
Policy A15	Development and Watercourses
Policy A16	Foul Drainage
Policy A24	Scale and Character of Development
Policy A35	Small Scale New Development for Rural Businesses
Policy A38	Rural Tourism and Recreational Activities
Policy A39	Holiday Chalet, Caravan and Camping Sites
Policy A41	Protection of Agricultural Land
Policy A45	Diversification on Farms
Policy A61	Community, Social and Recreational Facilities
Policy A68	Water Supply
Policy A70	Accommodating Traffic from Development

Herefordshire Unitary Development Plan (Deposit Draft)

Policy S1	Sustainable Development
Policy S2	Development Requirements
Policy S7	Natural and Historic Heritage
Policy S8	Recreation, Sport and Tourism
Policy DR1	Design
Policy DR2	Land Use & Activity
Policy DR4	Environment
Policy H7	Housing in Countryside Outside Settlements
Policy E12	Farm Diversification
Policy E15	Protecting Greenfield Land
Policy LA2	Landscape Character and Areas Least Resilient to Change
Policy LA6	Landscape Schemes
Policy RST 12	Visitor Accommodation
Policy RST 13	Rural and Farm Tourism Development
Policy RST 14	Static Caravans, Chalets, Camping and Touring Caravan Sites

3. Planning History

3.1 None relevant.

4. Consultation SummaryStatutory Consultations

4.1 Environment Agency state :

'The site is located on Raglan Mudstone which under the Policy and Practice for the protection of Groundwater as being Minor aquifer with Intermediate vulnerability, important for local supplies and maintaining river baseflows. There are no source protection zones within the local area. As this proposal involves no foul drainage to surface or groundwater, the Agency has no objections in principle.

Internal Consultation Advice

- 4.2 Head of Engineering and Transportation raises no objection subject to conditions preserving visibility at the junction with the A4111 and upgrading of private track to the site.
- 4.3 Head of Environmental Health and Trading Standards raises no objection.
- 4.4 Chief Conservation Officer raises no objection to the proposal in terms of impact on the character and appearance of the surrounding countryside but recommends a condition regarding landscaping and ecological mitigation in relation to the loss of habitat through the siting of additional buildings.

5. Representations

- 5.1 The applicant has submitted a statement – please see appendix.
- 5.2 Eardisley Parish Council raise no objection but raise concern regarding access for emergency vehicles.
- 5.3 Almeley Parish Council (neighbouring parish) raise no objection.
- 5.4 There are no private responses from neighbours or other interested parties.
- 5.5 The full text of these letters can be inspected at Northern Planning Services, Blueschool House, Blueschool Street, Hereford and prior to the Sub-Committee meeting.

6. Officers Appraisal

- 6.1 The basis of ongoing discussions in this case has been focussed on establishing the acceptability of the principle of the residential element associated with the 'main house'. The proposal as submitted will entail a combination of permanent residential and holiday accommodation since it is maintained by the applicant that in the off-season (October – April) it would be necessary to facilitate a residential presence to ensure that the sustainable drainage systems and permaculture garden are kept operational when the site is not otherwise occupied.
- 6.2 Traditionally, the demonstration of a functional need for a dwelling is based on a case associated with a new or expanding agricultural enterprise and it has been explained that this proposal does not fall neatly into any of the land-use classification set out in adopted Local Plan policy. A strict interpretation therefore might lead to a continuing recommendation of refusal. However, it is now considered that greater weight can be given to other material considerations relating to the merits of the proposal as a whole.
- 6.3 The main basis of this has centred upon the submission of a financial appraisal which indicates that the initial capital expenditure to establish the site would be in the region of £85,000-£90,000. It has been indicated by the application that a significant proportion of this cost would be covered by the compensation received following the loss of his dairy herd to foot and mouth. Although clearly regrettable in its own right it does provide a sound financial basis to establish this new project. The figures produced estimate an initial first year return of £13,310 based on the income from the holiday lets, specialised courses and seasonal demonstrations. It is envisaged that the rental income from both the main house and bunkhouse elements could increase by up

to 20% over a period of 4-5 years which would then make it comparable to other similar tourist and educational establishments.

- 6.4 The figures also demonstrate the modest income generated by the existing farming activities demonstrating the importance of the project to the holding as a whole. It is considered that this exercise indicates that the enterprise has a realistic chance of success and has been planned on a sound financial basis with direct benefits through the support of the existing agricultural activities at New House Farm.
- 6.5 In addition to this, the residential element would be limited to a 5-6 month period during the winter months and the applicant is agreeable to the imposition of a temporary 3 year period in order for a more detailed assessment to be made of the project in due course. It is clear that the promotion of issues of sustainability is supported by both current and emerging policies and furthermore encouragement is offered to the establishment of tourist/educational related development in the open countryside in terms of an acceptance of the broad principle.
- 6.6 On balance therefore, having regard to the financial information provided and the material consideration set out above, the recommendation is now one of approval.

RECOMMENDATION

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) (Drawing Nos. 3, 4, 5, 6 and JGJ 001 received on 31 July 2003)**

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

- 3 - The building known as the bunk house on the approved plans shall be used for holiday accommodation only and for no other purpose including any other purpose within Class C of the Schedule of the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enting that Order with or without modification.**

Reason: The local planning authority are not prepared to allow the introduction of an additional unit of residential accommodation in this rural location.

- 4 - The occupation of the building known as the main house on the approved plans shall be limited to a person solely or mainly employed in the business occupying the plot edged red on the attached plan or shall otherwise be used for holiday accommodation only.**

Reason: It would be contrary to the Development Plan policies to grant planning permission in this location without the need to provide on site accommodation and in recognition of the flexibility required by the applicant in terms of the seasonal use of the building.

- 5 - The residential use of the main house shall permanently cease on or before 28 November 2006 unless prior to the end of the period further consent is granted in writing by the local planning authority.

Reason: To enable the local planning authority to give further consideration of the acceptability of the proposed use after the temporary period has expired.

- 6 - F18 (Scheme of foul drainage disposal)

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

- 7 - G04 (Landscaping scheme (general)) (including provision for mitigation of the loss of existing grassland within the application site)

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

- 8 - G05 (Implementation of landscaping scheme (general))

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

- 9 - The development hereby approved shall not be brought into use until details of the surfacing of the access, turning and parking areas have been submitted to and approved in writing by the local planning authority and those areas shall thereafter be retained and kept available for those uses at all times.

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

- 10 - The development hereby approved shall not be brought into use until the existing building on the southern boundary of the application site has been demolished and permanently removed.

Reason: To enhance the character of the site and to safeguard the amenity of the area.

Decision:

Notes:

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Background Papers

Internal departmental consultation replies

APPENDIX

Appraisal and recommendation contained in report to Northern Area Planning Sub-Committee on 15 October 2003**6. Officers Appraisal**

6.1 The key issues for consideration in the determination of this application are as follows:

- a) The principle of establishing an educational/recreational facility and nature of the accommodation proposed.
- b) Impact of the proposed use and associated structures on the character and appearance of the site and surrounding countryside.
- c) Access, and;
- d) Drainage Issues

Principle of the Facility

6.2 The starting point in respect of assessing the application is established in Policy A2(D) of the Leominster District Local Plan (Herefordshire). This sets out a strong presumption against development in the open countryside unless it accords with a set of exceptional circumstances. In terms of this proposal the relevant criteria relate to the establishment of a dwelling in the open countryside and the development of a small scale employment generating/recreational facility. It should be recognised however that the nature of the proposal as a whole does not fit neatly into the land use classifications set out in the Policy.

6.3 The proposal as submitted incorporates both of these elements namely residential and employment, and of fundamental concern is the limited justification for the presence of the 'main house'. It has been advised by the applicant that during the peak season the main house would be occupied on a short term basis in a similar way that a holiday cottage would be occupied, whilst over the winter it would be more likely to be occupied on a longer term basis. Notwithstanding this distinction it is considered that this element of the proposal would be tantamount to the erection of a new dwelling in the open countryside, which in the absence of an exceptional need, would be contrary to Policy A2(D) of the Leominster District Local Plan (Herefordshire). No business plan has been submitted to suggest that the proposal has a prospect of being viable, in the same way that an applicant would in proposing a new farm dwelling for instance.

6.4 The bunk house element is more appropriately assessed in relation to Policies A38 (rural tourism and recreation activities) and A39 (holiday chalet, caravan and camping sites). It is clear that the proposal as a whole has tourist related and educational benefits which are supported by policies set out in the Local Plan and the Hereford & Worcester County Structure Plan. However both Local Plan policies set out above establish strict criteria against which proposals for new development must be assessed. It is advised that these policies do not rule out the principle of new development but they do require that its scale and character is appropriate to the locality and ancillary to the primary proposal.

- 6.5 It is not considered that this proposal meets the more specific tests set by Policies A38 and A39 for reasons that are addressed in more detail below. In essence whilst the sustainable aspects of the use proposed could be supported the associated new-build elements are not generally supported by these more specific policies.

Impact of the Proposal on the Character and Appearance of the Site and Surroundings

- 6.6 The main concern here is the introduction of the two lodge buildings. The main house measures some 8.5 metres by 7.2 metres on the ground with a maximum height of 6.4 metres whilst the bunk house has a floor area of 8 metres by 6.3 metres with a height of 4.4 metres.
- 6.7 This relatively substantial combined scale coupled with what is considered to be an inappropriate 'Scandinavian' appearance would result in development out of keeping with the character of the surrounding countryside and isolated from any established development. It is acknowledged that the site is well screened and not readily visible from public vantage points but guidance set out in PPG 7 advises that this in its own right is not justification for development that is otherwise inappropriate since it could be repeated to the detriment of the landscape as a whole.
- 6.8 On the basis of the proposal as submitted it is considered that it fails to conserve or enhance the character and setting of the countryside and accordingly would be contrary to Policy A9 of the Leominster District Local Plan (Herefordshire). This concern links back to the policies that seek to promote tourism and recreational activities in the countryside but not to the detriment of its landscape character.

Access

- 6.9 No objection has been raised by the Head of Engineering and Transportation subject to the retention of the visibility splay at the junction with the A4111 and the upgrading of the access track. The latter issue which could be controlled by condition would serve to overcome the concerns raised by Eardisley Parish Council so far as access for emergency vehicles is concerned.

Drainage

- 6.10 The application proposes systems of sustainable drainage, which in their own right should be encouraged. The Environment Agency state that they have no objection to the proposal in this respect but would require more technical information regarding the design of the systems. This would be satisfactorily dealt with by way of a condition.

Conclusion

- 6.11 The applicants desire to promote issues of sustainability are supported and furthermore encouragement is offered to the establishment of tourist/educational related development in the countryside in terms of an acceptance of the broad principle. Although the proposal purports to represent a form of farm diversification, there are no details or evidence as to how this proposal will aid an existing farming operation. This proposal raises specific issues in respect of the establishment of what would amount to a permanent dwelling in the open countryside as well as new development that would be out of keeping with the prevailing character of the locality. In this instance it is the policies of restraint, namely Policy A2(D) and Policy A9 of the Leominster District Local Plan (Herefordshire) that have been afforded greater weight and result in this recommendation of refusal.

RECOMMENDATION

That planning permission be refused for the following reasons:

1. The main house element of the proposal would result in development tantamount to the erection of a new house in open countryside, which in the absence of any exceptional circumstances, would be contrary to Policies H16A and H20 of the Hereford & Worcester County Structure Plan and Policy A2 (D) of the Leominster District Local Plan (Herefordshire).
2. The proposal as a whole would result in the introduction of isolated lodge buildings out of keeping with the character and appearance of the site and the surrounding countryside which would be contrary to Policies E20, CTC9, A2, TSM1, TSM5, TSM6 and LR2 of the Hereford and Worcester County Structure Plan and Policies A1, A9, A24, A38, A39, A45 and A61 of the Leominster District Local Plan (Herefordshire).

**13 DCNE2003/2387/F - DETACHED DWELLING ON LAND
ADJACENT TO 47 THE GREEN, ASHPERTON,
HEREFORDSHIRE. HR8 2RY****For: Mr & Mrs P Barnes per Mr R Pritchard, The Mill,
Kenchester, Hereford HR4 7QJ****Date Received:****21st July 2003****Ward:****Frome****Grid Ref:****64305, 41856****Expiry Date:****15th September 2003**

Local Member: Councillor R Manning

Introduction

This application was first reported to the Northern Area Planning Sub-Committee on 15 October 2003 and was deferred for a site meeting, which took place on 30 October 2003. Members, at the meeting of 12 November 2003, were minded to support the application contrary to the officer recommendation on the basis that the site for the proposed dwelling formed part of the settlement and consequently was acceptable in policy terms. In addition, Members supported the proposal on grounds of meeting a local housing need for a key worker.

The Head of Planning Services has examined the proposal and referred the application to the Planning Committee on the basis that the decision entails conflict with key Development Plan policies.

The original report and recommendation remain unchanged and are set out in full below.

1. Site Description and Proposal

- 1.1 The site is located to the rear of 45/46 The Chandlers and 47 The Green, Ashperton, all listed buildings, with access off the western side of the A417 road.
- 1.2 The proposal is to construct a 4 bedroom timber frame cottage with brick infill panels under a clay tile roof. The elevated plot measures approximately 28m x 16m and presently contains a mature hedge on the boundaries with a lawned area and hardstanding.
- 1.3 The site lies outside of the village envelope defined on the Malvern Hills District Local Plan.

2. Policies

PPG7 – The Countryside – Environmental Quality and Economic and Social Development
PPG15 – The Historic Environment

Hereford and Worcester County Structure Plan

H16A – Housing in Rural Areas
H20 – Housing in Rural Areas
CTC9 – Development Requirements
CTC7 – Listed Buildings

Malvern Hills Development Local Plan

Housing Policy 4 – Development in the Countryside
Conservation Policy 11 – The Setting of Listed Buildings

Unitary Development Plan

H6 – Housing in Smaller Settlements
DR1 – Design
DR4 – Environment
HBA4 – Setting of Listed Buildings

3. Planning History

3.1 No recent history.

4. Consultation SummaryStatutory Consultees

4.1 The Environment Agency raise no objections subject to appropriate drainage.

Internal Consultation Advice

4.2 The Head of Engineering and Transportation recommends conditions relating to vehicular access, but has no objection in relation to the public right of way.

4.3 Chief Conservations Officer raises no objection on the impact of the setting of the listed buildings but raises concerns on the character of the village.

5. Representations

5.1 The applicant's agent has submitted the following details in support of the application.

1. My client's have long family connections with Ashperton.
2. They presently live in a two-bedroom dwelling with their baby in Ashperton. It is a listed building and they have been told it cannot be extended to meet their requirements.
3. The new build is a traditional style timber frame building indigenous to Herefordshire.
4. The applicant is a plumber and a key worker in the area having a large local base, therefore he will be working within a short distance of his home.
5. The site lies on the edge of the village envelope and forms a natural extension and it appears to be without logic why it was ommitted.
6. It will retain the tight knit pattern of deverlopment without impact on the boundary of the settlement.
7. The design would enhance and not detract from the traditional scene in the locality.
8. Historically the site had a dwelling on it identified on a Tithe map 1841.
9. This would round off development in this area.

10. The applicant's are active members of the local community.
 11. The applicant's have looked at other properties in the area but all fall outside their price range.
- 5.2 Ashperton Parish Council have no objection to this application. Councillors take the view that this sort of development is vital if Ashperton's younger residents are to be encouraged to remain in the Village.
- 5.3 The Ramblers Association confirm that a public footpath runs along the southern boundary and does not cross the site.
- 5.4 CPRE think the site is rather close to other dwellings, but our main concern is that the building proposed - a large, 4-bedroom house - would be out of scale with the other dwellings in the vicinity. We therefore ask the Council to refuse this application unless the size is significantly reduced.
- 5.5 Three letters of objection have been received from:
- C G Vertue, Chandlers, 45/46 The Green, Ashperton.
 - Miss P M Jackson, Martindale, 5 The Ryders, Ashperton.
 - J B Haslett, 2 The Ryders, Ashperton.

The main points raised are:

1. The site is outside the Village Settlement Boundary.
 2. Backland development being behind the building line and immediately behind 45-47.
 3. Because of its elevated position the house will be prominent in an area of old houses and cottages.
 4. It will overlook and dominate No. 45/46 which is a lovely listed house.
 5. It will also overlook bungalows to the south at The Ryders.
 6. Drainage details needs to be resolved.
 7. Vehicular access is onto a busy and dangerous road.
 8. All modern development in the village have been bungalows and this should continued.
 9. If this development proceeds No. 47 will have no parking.
 10. This could set a precedent for further development in the village.
- 5.6 The full text of these letters can be inspected at Planning Services, Blueschool House, Blueschool Street, Hereford and prior to the Sub-Committee meeting.

6. Officers Appraisal

- 6.1 This elevated and backland site clearly lies outside of the village envelope as defined by the Malvern Hills District Local Plan and is therefore contrary to Housing Policy 4.
- 6.2 The impact on the setting of the listed building has been considered by the Historic Buildings Officer who opinions that the proposal will not have a direct conflict with the setting of the listed building. However, he is concerned that the development of the site would lead to a visual spread of the village and potential loss of its linear form at this point.

- 6.3 The local residents concerns regarding overlooking are noted however there is a 60m separation distance between dwellings and even though elevated this distance is considered acceptable. Furthermore, the design also compliments the character of the buildings in the village.
- 6.4 However, the principle of developing this site is contrary to the main thrust of planning policies that seeks to prevent the spread of urban development into the open countryside.

RECOMMENDATION

That planning permission be refused for the following reasons:

- 1. The site is located outside of the settlement boundary as defined in the Malvern Hills District Local Plan and is accordingly contrary to Housing Policy 4 and Policy H20 of the Hereford and Worcester County Structure Plan.**
- 2. The development of this site would detract from the character of the village at this point which is linear in form and therefore contrary to Policy CTC 9 of the Hereford and Worcester County Structure Plan.**

Decision:

Notes:

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Background Papers

Internal departmental consultation replies.

**14 PLANNING POLICY STATEMENT 7 (PPS7) –
SUSTAINBLE DEVELOPMENT IN RURAL AREAS****Report By: CHIEF FORWARD PLANNING OFFICER****Wards Affected**

Countywide

Purpose

To inform Members of the consultation paper from the Office of the Deputy Prime Minister and to agree a response.

Financial Implications

None on the Council.

Draft PPS7 – The Government's Proposals

Draft PPS7 sets out the Government's broad policy objectives relevant to rural areas in England and its proposed planning policies that will help deliver these objectives. These policies are firmly based on the principles of sustainable development and the need to protect the wider, largely undeveloped countryside for the benefit of all.

Most of the policies in draft PPS7 reproduce, or are closely based on existing policies in PPG7. The Countryside – Environmental Quality and Economic and Social Development published in 1997, and are updated as appropriate.

In summary, there are new policies proposed on the replacement of buildings in the countryside, and on equine-related activities, whilst the policies on community services and on tourism and leisure are expanded (to reflect the proposed cancellation of PPG21, Tourism). The proposals also include a significant change to the policy on local countryside designations. Significantly, the Government also proposes to remove the specific policy exception in para. 3.21 of PPG7 which allows large, high quality houses to be built in open countryside.

The Government proposes to issue accompanying guidance on agricultural and forestry permitted development rights when the final version of PPS7 is published. Such guidance would reflect any changes that may need to be made as a result of the Government's review of the Town & Country Planning (General Permitted Development) Order 1995.

Finally, the new draft includes one annex which sets out important policy criteria for new occupational dwellings in the countryside along with the policy setting out the implementation and removal of occupancy conditions for such dwellings.

General Comments to draft PPS7

1. The shorter, simpler style new form of PPS introduced by the Planning Green Paper that omits background, contextual and non-planning material and which minimises duplication of policies is to be welcomed.
2. Given the increased emphasis on sustainability, which is apparent in the introductory sections, this is not translated into policies or criteria for specific forms of development. Additionally, there should be an introductory definition of 'sustainability' within the context of this PPS – the term has a wide variety of definitions, many of which are subjective and may be contradictory. It would be helpful to know which one applies specifically to government thinking on rural development to avoid ambiguity and misunderstanding, particularly in future appeals and court cases.
3. On diversification, whilst the draft appears to take a more relaxed approach to development in the countryside in general, it makes little attempt to distinguish between activities which are appropriate for the countryside and those which are not. Additionally, there is little mention of the increase in road traffic from such developments.
4. Most of the draft is devoted to buildings, but a substantial number of rural applications are for developments for changing land use or engineering operations. Consequently, there is little reference to landscape character implications or impacts on biodiversity / ecology.

Detailed points of PPS7

The following is a summary of the policy areas with Officer comments where felt necessary.

Key Principles

- Decisions on development proposals should be firmly based on sustainable development principles
- Good quality, carefully-sited development within existing towns and villages should be allowed where it meets local economic and community needs, and maintains or enhances the local environment.
- Larger scale developments should be located in or near to towns or other service centres that are accessible by public transport, walking and cycling.
- New development away from existing settlements, or outside areas allocated for development in development plans, should be strictly controlled; in particular, isolated new houses in the countryside require special justification.
- Priority should be given to re-using previously developed (brownfield) sites in preference to greenfield sites, except where brownfield sites perform so poorly in terms of sustainability considerations (e.g. remoteness from settlements and services) in comparison with greenfield sites.
- All development in rural areas should be well designed, in keeping and scale with its location, and sensitive to the character of the countryside and local distinctiveness.

Officer Comments:

Key principles are to be supported.

Sustainable Rural Communities, Rural Businesses and Services

- Encourage positive policies in authorities development plans for sustainable development to revitalise and support country towns and villages.
- Most new development should focus in or near to local service centres (country town, large village or a group of villages)
- Elsewhere development should be limited to meet local business, community and identified local housing needs. Small-scale development should be supported where it provides the most sustainable option in villages that are remote from, and have poor public transport links with, service centres.
- Support should be given to a wide range of economic activities in rural areas particularly where traditional, rural-based industries are in decline.
- Encourage and provide new community services and facilities in towns, other service centres or settlements, which serve rural catchments and enhance public transport as a means of improving access.
- Adopt a positive approach to planning proposals designed to improve the viability, accessibility or community value of existing services and facilities, such as village shops, post offices, rural petrol stations, village halls and rural public houses that play a vital role in sustaining village communities. Authorities should support their retention in development plans by setting out criteria they will apply in considering applications that will result in the loss of vital village services.
- In relation to housing, the PPS states that authorities should apply the policies of PPG3. That would amount to making sufficient land available in villages but strictly controlling new house building (including single dwellings) in the countryside away from established settlements. Isolated new housing in the countryside will require special justification. The need to enable farm, forestry or certain other workers who are essential for the effective and safe operation of rural-based enterprises, to live permanently at or near their place of work, may constitute special justification in this context. Authorities should examine applications for isolated new houses particularly carefully and wherever appropriate follow the advice in Annexe A of the statement.
- Authorities should prepare positive policies on rural design, utilising tools such as Countryside Character, Village Plans and Village Design Statements prepared by local communities. Authorities should take care to apply design criteria reasonably and not render necessary development in rural areas prohibitively expensive and unfeasible.

Officer Comment:

Support. Such necessary policies are either in the Deposit Draft UDP or are being recommended as changes. In respect of housing, the removal of the country house policy is welcomed as is the introduction of a policy allowing dwellings associated with diversification / new or existing enterprise but only where there is special justification. The guidance within the annex concerning agricultural and forestry dwellings which appears to be largely unchanged is still very helpful.

The Countryside

- Provide a positive framework for facilitating sustainable development that makes the most of new leisure and economic opportunities whilst minimising any potentially detrimental effects on established rural activities, communities, countryside quality and the natural environment.
- Authorities should continue to protect the countryside for the sake of its intrinsic character and beauty, the diversity of its landscapes and wildlife and the wealth of its natural resources. Particular regard should be given to areas statutorily designated for their landscape, wildlife or historic qualities where greater priority should be given to restraint of potentially damaging development.
- Authorities should support development that delivers diverse and sustainable farming enterprises and other countryside based enterprises and activities which contribute to rural economies, and/or promote recreation in and enjoyment of the countryside that help maintain its character and quality.
- Provide for the sensitive exploitation of renewable energy sources.
- Protect natural resources and specific features and sites of landscape, wildlife and historic or architectural value, in accordance with statutory designations.
- Outside of villages, encourage the re-use of existing rural buildings (including modern buildings) for business use or uses with wider benefits (i.e. education /interpretation centre) subject to certain criteria.
- Allow the replacement of existing buildings in the countryside for business use or uses with wider benefits again subject to certain criteria.
- Conservation of the natural beauty of the landscape and countryside should be given great weight in Areas of Outstanding Natural Beauty. Authorities should set out positive policies for development necessary to facilitate the economic and social well-being of these designated areas and their communities. Major developments only being allowed where they have demonstrated that they are in the public interest following an assessment.
- Government does not believe that local countryside designations are necessary and consider that policies set out in the draft PPS, when incorporated into development plans, should provide sufficient protection for the countryside. Authorities should remove any existing designations and instead adopt criteria-based policies for the location and design of rural development.
- Authorities should ensure that planning policies address the particular land use issues and opportunities to be found in the countryside around urban areas. The aim being to secure environmental improvements and maximise a range of beneficial uses whilst minimising conflicts with neighbouring land uses. This should include improvement of public access (country parks) and facilitating the provision of sport and recreation facilities.

Officer Comment:

1. General support for the policies within the countryside section.
2. Support for the protection of landscapes and wildlife particularly where statutorily designated. Acknowledgement that local landscape designations should be removed but concerned that the concept of Landscape Character Assessments as promoted by the Countryside Agency (and as pursued by this authority through the UDP and supporting SPG) is not recognised. Elements of landscape character should therefore be included. Para 17 should be amended to add the following:

vi) protect and enhance the character of the landscape outside of statutorily designated areas – because the character of landscape is a material consideration

Similarly reference should also be made to biodiversity

viii) protect and enhance the biodiversity of the countryside – because the protection of biodiversity is a fundamental element of sustainability and one of the government's priorities.
3. Within the countryside section there needs to be some reference to the protection of the heritage of landscape history. As archaeology is not confined to actual known sites, evidence of past occupation / land use is easily overlooked and destroyed.
4. Support for the criteria at para. 20 – could this style be expanded into other paras as it provides the necessary, clear and unambiguous policy guidance that could be relied upon at Appeal, or in court if necessary.
5. Policies for re-use of buildings in the countryside is supported but some reference required to allow for the provision of wildlife habitats for protected and other species.
6. Support for policy on replacement of buildings in the countryside but more emphasis should be made to retain / convert / adapt first.

Agriculture, Farm Diversification, Equine – Related Activities and Forestry

- Authorities should adopt positive planning policies, and support development proposals that will enable farming and farmers to:
 - i) become more competitive, sustainable and environmentally friendly
 - ii) adapt to new and changing markets
 - iii) comply with changing legislation and associated guidance
 - iv) diversify into new agricultural opportunities (e.g. renewable energy crops)
 - v) or broaden their operations to 'add value' to their primary produce
- The presence of best and most versatile agricultural land should be taken into account alongside other sustainability considerations when determining planning applications. Where significant development of agricultural land is unavoidable poorer quality should be used in preference to higher quality unless this would be inconsistent with other sustainability considerations. Little weight, in agricultural terms, should be given to the loss of agricultural land in lower grades except in areas (such as uplands) where particular agricultural practices may themselves contribute in some special way to the quality on the environment or local economy.

- Recognise that farm diversification into non-agricultural activities is vital to the continuing vitality of many farm enterprises
- Set out criteria to be applied to planning applications for farm diversification projects
- Support well – conceived farm diversification schemes for business purposes that are consistent in their scale with their rural location
- A supportive approach to farm diversification should not result in excessive expansion and encroachment of building development into the countryside. Re-use / replace existing buildings where feasible and have regard to amenity of nearby residents or other rural businesses that may be affected.
- Authorities should set out supporting policies for equine enterprises, whilst maintaining environmental quality and countryside character. These should provide for a range of suitably located recreational and leisure facilities and where appropriate, for the needs of training and breeding businesses by using farm buildings wherever possible.
- Whilst forestry operations mostly lie outside the scope of planning controls authorities should have regard to the Government's forestry policy when deciding planning applications

Officer Comment:

1. General support, however it should be noted that the guidance will lead to more equine related schemes and possibly new dwellings based on these and other diversification schemes.
2. Some diversification schemes making other use of land (fishing/shooting) can have significant impact on the landscape, water resources and ecology and therefore the need for mitigation in the form of habitat creation / enhancement.

Tourism and Leisure

- Support sustainable rural tourism and leisure proposals that benefit rural businesses, communities, and visitors and which utilise and enrich, but do not harm, the character of the countryside, its towns, villages, buildings and other features.
- Recognise that in areas designated for their landscape, nature conservation or historic qualities, there will be scope for tourist and leisure related development, subject to appropriate control over their number and location to protect environmental quality.
- Subject large-scale tourism and leisure developments in rural areas to close assessment or weigh-up their advantages and disadvantages to the locality in terms of sustainability particularly where high volumes of traffic may be generated.
- Support the provision of general tourist and visitor facilities in appropriate locations where needs are not met by existing facilities in rural service centres. Where new or additional facilities are required, these should normally be provided in, or close to, service centres or villages.

- Allow small-scale facilities needed to enhance visitors' enjoyment and/or improve the financial viability of a particular countryside feature or attraction, providing they will not detract from the attractiveness or importance of the feature, or the surrounding countryside.
- Wherever possible, tourist and visitor facilities should be housed in existing or replacement buildings, particularly where they are located outside existing settlements. Facilities needing new buildings in the countryside need to be justified.
- Government expects most tourist accommodation requiring new buildings to be located in, or adjacent to, existing towns and villages.
- Proposals for static holiday and touring caravan parks and holiday chalet developments with adequate facilities will need to be adjudged against protecting landscapes and environmentally sensitive sites.

Officer comment:

General support

Annex A – Agricultural, Forestry and Other Occupational Dwellings

Contains detailed policy advice and criteria governing permanent and temporary agricultural dwellings, forestry dwellings, other occupational dwellings, occupancy conditions along with the information and appraisals needed for consideration of such proposals. Much of this annex provides the functional and financial test requirements which whilst reduced significantly from that within PPG7 does provide advice largely unchanged. One point of mention is that to obtain a new dwelling related to business enterprise does require that enterprise to already be there or with planning permission. Taking the latter it would be more beneficial for the residential requirement to be known up front and incorporated within the overall development rather than to add tack it on afterwards to the possible detriment of the overall layout.

Recommendation

That the comments set out above be submitted to the Office of the Deputy Prime Minister as the views of the Herefordshire Council on the draft consultation paper.

Background Papers

Draft consultation paper on new Planning Policy Statement 7 (PPS7) – Sustainable Development in rural areas.

**15 DEVELOPMENT BRIEF – LAND OPPOSITE SUTTON
ST. NICHOLAS PRIMARY SCHOOL.****Report By: CHIEF FORWARD PLANNING OFFICER****Wards Affected**

Sutton Walls

Purpose

To agree and adopt the development brief as supplementary planning guidance to inform future planning applications.

Financial Implications

None directly, but the brief will lay down certain design parameters that will be required for the authority's new primary school.

Background

This 2.75 hectare site opposite the current primary school in Sutton St Nicholas is identified within the Deposit Draft Unitary Development Plan (UDP) for a mixed use scheme including residential development, a new school and community facilities (policies H5 and CF8).

Since the Deposit Plan consultation, a draft brief was prepared in conjunction with the Council's Property and Education Services and then for discussion purposes with the landowner, school governors and the Parish Council. Following these discussions and with some amendments, the draft brief was made available for public comment which culminated in a public meeting in early September. The Parish Council summarised the local comments received which and where appropriate have been included within the final brief.

In respect of the UDP, most representations to the Deposit Draft site proposals are supportive. Objections relate mainly to the housing element and are either relative to the release of other sites elsewhere, against the cumulative effect of housing generally within the rural area or are detailed site issues that can be addressed through the brief and in the layout/design of resulting planning applications. Such representations were initially considered by the UDP Working Group at their meeting on 19th November 2003.

Aim of Brief

The aim of this development brief is to:

- establish the development framework in a positive and enabling manner providing a development concept early in the development plan process.
- identify development requirements before land values are set to ensure the delivery of viable schemes.
- provide greater certainty
- promote good design standards and address plan policy issues.

Development Requirements

An indicative layout has been included to provide the basis of a 'master plan' to enable satisfactory implementation of each element described in the brief. That layout shows the school positioned to the north providing a softer edge to the village with new housing (15 dwellings) adjacent to that existing. The layout includes provision of a community field to the east, a children's play area and refers to the community uses within the school as possibly including a part-time surgery and replacement post office. A single vehicular access to the development would be complemented by pedestrian access links to other parts of the village and further afield linking into the wider public rights of way network.

Whilst the development brief will help provide the overall design principles for the site, planning applications will require a design statement addressing local context, general layout, health and safety and conservation of resources as identified in the Council's Design and Development Requirements SPG.

Finally, it should be noted that the indicative layout which useful to show the overall layout and relationship of the various development components may vary particularly in terms of the housing layout and design.

Recommendation

That the development brief be approved and adopted as supplementary planning guidance to be used as the basis of a more detailed master plan to inform and guide future planning applications on this site.

Background Papers

Various consultation correspondence.



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**DRAFT DEVELOPMENT BRIEF
MAY 2003**



SUTTON ST NICHOLAS

DEVELOPMENT BRIEF

LAND OPPOSITE SUTTON ST NICHOLAS PRIMARY SCHOOL

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1. Introduction

i) Background

This development brief is to provide design guidance for the development of a 2.75 hectare site opposite the existing primary school in Sutton St Nicholas. The site has been identified in the Herefordshire Unitary Development Plan (UDP) as suitable for a mixed scheme including residential development, a new school and community facilities. The Plan anticipates that 15 dwellings would be provided on the site and that they should vary in size, type and tenure and to help meet local affordable housing needs. The need for a replacement school has been confirmed for some time and the site identified is the culmination of an extensive site search with the Parish Council. The school would include a joint-use community hall. Other community requirements which have been assessed by the Parish Council through their Parish Plan may also be provided within the site such as community playing field incorporating a small sized football pitch/kick about area, children's play area and possibly a skateboard park. Other suggestions have included a general practitioners surgery and a post office. An indicative plan is included to show the possible layout of the overall development given known requirements, constraints and opportunities within the context of the village.

This brief has been prepared in conjunction with the Council's Property and Education services who will primarily have an interest in the development of the school. It has also been the subject of discussions with the landowner, school governors and the Parish Council and was published for comments from the community during August and early September when a Public Meeting was held. Following amendments the brief was adopted by Herefordshire Council's Planning Committee on 27th November 2003 as supplementary planning guidance and used to guide future planning applications.

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ii) Aim of Brief

The aim of this brief is to:

- Establish the development framework in a positive and enabling manner providing a development concept early in the development plan process.
- Identify development requirements before land values are set to ensure the delivery of viable schemes
- Provide greater certainty
- Promote good design standards and address plan policy issues

iii) Site Description

The site is located on the north eastern edge of the village and is to be accessed off the C1125 road which bisects the village and forms the sites western boundary. Housing adjoins the eastern, southern and western boundaries of the site with agricultural land to the north. The land is currently used for arable farmland. Given its roadside location the site is visible from the northern approach into the village whilst its open nature offers views into and across the site.

iv) Planning Background

There is no planning history on this site.

2. Development Requirements

i) Planning Process

It will be a requirement of any planning permission that each individual development complements and enables the whole scheme to be provided in the event of differing development timescales. The indicative layout should therefore provide the basis of a 'master plan' to enable satisfactory implementation of each element described in this brief. Any variation will need to be agreed by both Herefordshire and Sutton Parish Councils.

A single application including the basic elements (housing, school and community field) would be the preferred option of Herefordshire Council. If two or more applications are made they should be concurrent and clearly stated that they are linked. If an outline application is made for the residential element of the scheme alongside a full application for the new school then 'means of access' must be addressed at this stage.

ii) Access

A single road access to the site will be required off the main village road (C1125) at the highest possible point of the rise to enable clear visibility. The single road access, constructed to adoptable standards, should ideally offer a separate cul de sac solely serving the new housing to reduce internal traffic conflict and help safeguard residential amenity. Design will need to be in accordance with Councils highways and parking standards and particularly in relation to the school/community hall to allow operational space and use by the public.

Provision should be made for the implementation of safer routes to the new school, reducing wherever possible dangers with road traffic. This could include improvements to existing paths, new crossing points, measures to reduce traffic speeds on the relevant roads and possibly a new footpath to the east if this is deemed beneficial. Footpath links to the wider public rights of way network are to be encouraged.

iii) Primary School

The school is to be positioned to the north of the site providing a softer edge to the village and enabling the new housing to be an extension to complement that existing. Set back from the village road, a linear and landscaped open space area would offer off-road pedestrian access and make footpath links to those already existing.

The school will consist of three classrooms and a minimum 120m² hall area for school and community use, hard play areas and a school playing field. This replaces equivalent facilities and community access agreements at the current school building. Sufficient parking provision for staff and visitors will be required in accordance with the Councils current vehicle parking standards (UDP – Appendix B)

Given the site setting and landscape context, the school and community fields should be located along the east of the site ensuring the sites open appearance, relationship to adjoining countryside and amenity of surrounding residential properties.

The development of the new primary school will need to be commenced or the ownership of land transferred to Herefordshire Council before the housing development can commence in order to

ensure that the site is not developed for other purposes. The developer will need to discuss these details further with the Councils Property, Education and Planning sections.

iv) Housing

UDP policy H5 identifies the site as expected to provide a mix and range of housing types with an estimated capacity of 15 dwellings. Of this total a target of 35% (5 dwellings) is set to be of affordable housing to be of a type/tenure to meet local affordable housing needs.

Whilst the provision of affordable housing is outlined within separate supplementary planning guidance (SPG), developers will need to discuss this requirement with the Councils Housing Services and possibly the Parish Council to help ensure that local needs are best met and provided for. Should this involve the partnership of a Council preferred Registered Social Landlord (RSL), the selection should be completed prior to submitting a planning application so that again the type of affordable units can be discussed.

v) Community Facilities

The layout includes provision of a community field to the east of the site and could include a small sized football pitch along with a laid out childrens play area. Any childrens play area should be related to the new housing enabling easy access and be overlooked for safety and security.

The possibility of the community uses within the school including a part-time general practitioner surgery and replacement post office and/or that land within the development is suitable and can be made available for the provision of a skateboard park will need further investigation. The provision of adequate parking will be dependant on the degree and scale of usages for community activities and flexible use may need to be made on hard surfaces such as daytime play areas.

vi) Landscaping and Open Space

The site comprises of a large open field and will require substantial landscaping along its new northern boundary to define and take account of landscape character. A linear and landscaped buffer will be a requirement alongside the C1125. Further landscape treatment will be required along the southern boundaries and to the north adjacent to Willow Croft to safeguard residential amenity. Some of this treatment to the north could incorporate a school wildlife area.

Open space/landscaped areas that are well related to the development will be required as part of an integral layout and design. Within the housing scheme, developers may wish to make a financial contribution to either the provision or the cost of future maintenance of the community fields as an alternative to the formal open space provision within the housing development as set out in Plan policies H19 and RST3.. Such agreement would be the subject of a planning obligation (policy DR5) and may involve the Parish Council as the recipient. Standard requirements for the planning and design for open space within new housing developments is provided at Appendix C.

vii) Services

After undertaking consultations with local utility providers the following has been highlighted:

Water supply (Welsh Water)	A water supply can be made available but off-site reinforcement of the water mains network may be required.
Sewerage System (Welsh Water)	Sewerage system suffers from hydraulic overloading and causes surcharging. A hydraulic model is required to address the problems and identify solutions. The Water Authority have no plans for such an assessment within its current Capital Investment Programme (year 2000-2005).
Sewerage Treatment (Welsh Water)	Sewerage drains to Moreton-on-Lugg sewerage treatment works which is reaching capacity. Development of this site is constrained by the capacity of the public sewerage system and waste water treatment works, for which no regulatory improvements are planned under Welsh

Water's Capital Investment Programme (Year 2000-2005). Should this site be developed in advance of Welsh Water's capital investment, developers may be required to fund the essential improvements..

Land Drainage/Water Abstraction (Environment Agency)	There are sixteen licensed abstraction points found within 1 km of the site. It would be the developers responsibility to ensure that development will not effect any legal water interests in the area.
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Developers will be required to confirm this information and where necessary seek further advice from the relevant bodies. A list of contact information is provided at Appendix A.

3. Design

i) Design Statement

Planning applications for this site will be required to include a Design Statement. This statement will need to address issues around local context, general layout, health and safety and conservation of resources. Details of issues that may need to be addressed are contained in the Councils Design and Development Requirements SPG, a summary of which is contained in Appendix B. Whilst the information within this development brief will help provide the overall design principles for the site, further site information will be necessary to meet the requirements of the design statement.

ii) Design Requirements

A high quality and imaginative scheme will be required on this important gateway site into Sutton St Nicholas to ensure character and identity within the village context.

The indicative layout confirms a more dense layout to the south to complement existing residential areas adjoining, with lower level of development to the north to reflect the gradual merging into proposed open space and on into the countryside beyond. In addition thought needs to be given to preserving any important long and short distance views into and out of the site.

In more detail the Local Planning Authority will expect developers to give careful consideration to the use of high quality and local materials, indigenous features and building styles. Siting, height, massing, orientation, public safety and privacy along with opportunities for energy conservation and recycling are collectively aspects to be addressed to ensure a high quality living environment.



LOCATION PLAN - Sutton St Nicholas
Indicative Layout



SCALE 1:1250

Herefordshire Council
Planning Services
PO Box 144
HEREFORD
Herefordshire
HR4 9PZ
Tel.: (01432) 260000

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APPENDIX A – CONTACT LIST

HEREFORDSHIRE COUNCIL

PROPERTY SERVICES

Colin Birks – Property Services Manager
Tel: 01432 261980

EDUCATION

Graham Parfitt – Schools Accommodation
& Forward Planning Officer
Tel: 01432 2601918

LEISURE SERVICES

Ruth Jackson - Principle Leisure and
Countryside Recreation Officer
Tel: 01432 260324

PLANNING SERVICES - DEVELOPMENT CONTROL

Peter Evans - Central Divisional Planning
Officer
Tel: 01432 260756

PLANNING SERVICES - CONSERVATION

Bill Bloxsome – Chief Conservation Officer
Tel: 01432 261783

PLANNING SERVICES - FORWARD PLANNING

Chris Botwright – Principal Local Planning
Officer
Tel: 01432 260133

HOUSING SERVICES

Jane Thomas - Enabling Manager
Tel: 01432 261910

TRANSPORTATION

David Stephens - Development Control
Officer
Tel: 01432 260070

ENVIRONMENTAL HEALTH

Marc Willimont - Senior Environmental
Health Officer
Tel: 01432 261986

ENGINEERING SERVICES

Brian Lee - Drainage Engineer
Tel: 01432 260788

EXTERNAL AGENCIES

ENVIRONMENT AGENCY

The Environment Agency,
St Mellons Business Park,
Cardiff, CF3 0LT
Tel: 029 2077 0088

WELSH WATER

Mr Ryan Bowen,
Welsh Water
Network Development Consultants
Hyder Consulting Ltd
TREHARRIS
CF46 6XZ
Telephone: 01443 331155.

TRANSCO

Mr. A. Read,
Network Assistant,
Transco W. District,
P.O. Box 502,
Malago House,
Bedminster Road,
Bedminster,
Bristol,
BS99 5RS.
Tel: 01199 535444.

NATIONAL POWER

Property Services Manager,
National Power PLC,
Windmill Hill Business Park,
Whitehill Way,
Swindon,
SN5 6PB.

APPENDIX B - HEREFORDSHIRE COUNCIL: DESIGN STATEMENT

Planning Application Guidance

A Design Statement is now a requirement of any planning application where the design of the development proposed needs to be accompanied by a set of design principles. Its purpose is to illustrate the overall design concept that has been adopted in relation to the application site and its wider context based upon survey and analysis data

The Herefordshire Unitary Development Plan (UDP) Policies DR1 and H13 confirms the design statement requirement and highlights the general design issues to be addressed. Other Plan policies provide more specific design advice. This guidance leaflet seeks to cover the main areas of concern referred to in the UDP policies with questions to be answered through the design preparation process. This will enable design issues to be considered early and elements to be incorporated in the application proposal prior to approval being sought. Further detail is published as supplementary planning guidance to the UDP entitled "Design and Development Requirements".

The following are considered to be the main areas of investigation for the design principles to be established.

LOCAL CONTEXT

Assessment

In most cases it will be important for a Design Statement to include a preliminary assessment of the development site surroundings and uses. In rural areas, edge of village settlements and around urban areas such elements as landscape, land form, orientation, form and pattern of existing development should be noted with natural features such as native trees, hedge lines, water courses and significant views to and from the site.

Within urban areas where the proposal is redevelopment, infill or town extension the particular qualities of built form and spaces, access and movement will need to be recorded. The scale and grouping of existing structures, the colour and texture of predominant building materials and the nature of public and private spaces are elements which contribute to the local character of the place.

Design Statement

The Design statement should address the following issues;

- **How does your proposal relate to the existing urban or rural context ?**
- **How has your proposal taken account of the sites characteristics, opportunities and constraints?**
- **How have the existing site features been used ?**
- **How have views to and from your site been affected ?**
- **Does your proposal reflect or complement the form, pattern and style of surrounding buildings?**
- **How does your proposal relate to landscape character?**
- **Are there any cultural elements, architectural features or predominant materials used in the locality which are included in the proposal?**
- **How does your proposal relate to neighbouring uses and environmental amenity?**
- **Does your proposal provide any opportunity to enhance the appearance of the site/locality?**

GENERAL LAYOUT

Assessment

Creative site planning is a crucial element in the provision of high quality living and operational environments. Given the local context the design concept will be to provide an interesting and individual development that complements and enhances the area. The aim is to achieve a balance

between individual and community needs, privacy, safety and convenience and environmental protection and enhancement. Access and safe movement particularly by means other than car, siting, density and design of buildings and spaces all harnessing site opportunities will be elements requiring investigation.

Design Statement

The Design Statement should address the following issues;

- **Is the proposal site entrance safe, distinctive and in character with its surroundings?**
- **Can road traffic be minimised by promoting alternatives to the car? Has the proposal safely accommodated any new pedestrian/cycleways that also link to the existing network and community facilities?**
- **Are access roads and junctions designed to be sympathetic to their surroundings? Are they designed to reduce speed?**
- **If the proposal is for public use does it provide for the needs of cyclists, the elderly/very young and those whose mobility is impaired?**
- **Do building sizes, their inter-relationships and spaces between relate to the local setting?**
- **How does your proposal satisfy the need for both community and privacy in terms of spaces provided?**
- **Are new public spaces safely accessible and do they relate well to existing surrounding developments?**
- **Has your proposal satisfied any known community needs/requirements?**
- **How has the layout, ground form and planting been used to control noise and influence microclimate ?**
- **Does your proposal achieve mixed uses to reduce commuting ?**
- **How does your proposal achieve a social mix ?**
- **How has additional landscaping complemented landscape character, created new interest and enhanced nature conservation and wildlife?**

HEALTH AND SAFETY

Assessment

New developments will be required to incorporate within their design and layout elements to address issues of health and safety. Developments will need to be so designed to ensure that occupiers and users of the development and those surrounding are not to be faced with future problems over safety, pollution and nuisance. Developments involving contaminated land/ hazardous substances will require separate consent.

Design Statement

The Design Statement should address the following issues;

- **Does your proposal need to include mitigation measures to account for localised flooding and surface water run-off from adjacent land. Will it exacerbate such problems for neighbouring land users?**
- **Does your proposal need to address any existing hazardous installation or natural feature which would give rise to health and safety concerns?**
- **Within your overall layout , have you designed out crime?**
- **Has your proposal fully addressed any likely nuisance or pollution from noise, lighting, smell, odour, dust or grit?**
- **If no public sewage system is available is the on/off site treatment proposed suitable for this particular site?**

CONSERVATION OF RESOURCES

Assessment

Conservation and management of natural resources is key to sustainable development. New development is required to minimise its use of energy particularly non-renewable energy sources i.e. oil, gas, coal and make best use of building materials particularly locally sourced and sustainable construction methods.

In respect of water, good design and specification can significantly reduce the water requirements for a development without compromising hygiene or comfort. Hot water savings have an associated energy saving. Priority should be given to efficiency measures rather than water recycling. Water efficient landscape design provides drought-tolerance and saves water when supplies are most stressed.

The waste generated in Herefordshire covers all the recognised waste types i.e. agricultural, household, industrial and commercial. As a waste planning, collection and disposal authority the Council has set out objectives to treat waste as a resource, minimise waste generation, maximise reuse and reduce the loss of amenities.

- **Are your buildings designed to use orientation for solar gain. Do they avoid overshadowing?**
- **Does your proposal avoid exposed positions and can a sheltered site be created either by buildings, walls or landscaping?**
- **Are your buildings insulated in excess of Building Regulations Part L. Are you proposing any sustainable energy sources/installations?**
- **Has your material choice fully considered environmental impact. Where possible are they locally sourced and have low levels of energy in manufacture?**
- **Is your proposal designed so as to safeguard the availability and quality of water supplies?**
- **How does your proposal collect rainwater for garden use. Does it minimise the use of mains water?**
- **Does your proposal use water-efficient appliances to reduce consumption?**
- **Is your site free draining, suitable for soakaways rather than being discharged direct to sewers or watercourses?**
- **Can any natural drainage or water feature enhance wildlife habitats and possibly flood alleviation?**
- **If your proposal will generate waste what provisions are included for separated storage for recycling or composting of household and garden waste?**
- **In construction is there any opportunity for reusing and recycling any materials from within the site or elsewhere?**

APPENDIX C - PLANNING AND DESIGN FOR OPEN SPACE: STANDARD REQUIREMENTS FOR NEW HOUSING DEVELOPMENTS

SIZE:

All public open space located within a new housing development should be an integral part of the development. They should be:

- Functional, Usable and Accessible
- Spaces should ideally be of “village green” size and not small areas dotted around, e.g. SLOAP areas - (Space Left Over After Planning).
- It should be located, so as to form an integral feature of the housing development and should not be in a “back-land” situation
- In addition to formal recreational space there is also a need to have informal areas for walking, jogging, sitting etc. depending on the size of development and links to other networks of open space.
- For example, on larger residential development sites or sites in sensitive locations, landscaping may be provided to act as a buffer or screen. These landscape areas could also be suitable for informal recreational uses.

LOCATION:

- Consideration should be given to existing open spaces and networks and in particular for links to be established where appropriate
- The siting of public open spaces on new developments should ensure no damage will be caused to properties by the legitimate use of the open space

MAINTENANCE:

- Design and layout of open spaces should ensure maintenance machinery access and use is considered
- No “steep” grass banks to hinder mowing machinery
- Small sites are often “underused or unusable” and difficult and expensive to maintain

LANDSCAPING/PLANTING:

- Planning conditions will include for a landscaping scheme to be approved by the Council, which should provide details of planting trees, shrubs, grass seed etc. for open space areas.
- Public Open Space will be sown with grass seed mixture suitable for site-use and landscaping (trees and shrubs) will be in accordance with the location and site conditions.
- Public Open Space should have adequate perimeter protection to prevent the unauthorised entry of vehicles on to the area and to ensure the safety of uses of the area to any adjacent roadway
- Public Open Spaces may need to have litterbins and/or seats provided for users of the area.
- Public Open Space may require pathway to be constructed to facilitate access/use of the areas.

ADOPTION/COMMUTED SUMS:

- The acquisition of new public open space areas (including children’s play areas) will engage the Council in increased revenue maintenance funding in future years.

- Any open space within a development intended/agreed for Adoption by the Council will require the developer to pay a Commuted Sum to cover the maintenance costs for 10 years.
- Whilst “left over” areas of amenity areas will not form part of the open space provision, they will be eligible for adoption and future maintenance under the Council’s separate scheme for adoption.

CALCULATING COMMUTED SUMS:

For improvement or provision of Public Open Space, the calculation of the commuted sum is based on actual costs of cutting and maintaining play areas over a 10 year period, together with any remedial works necessary before the adoption of the open space by the Council. The cost is based on year one prices multiplied by 10 and does not account for any element of inflation during that period. The commuted sum calculation also includes for the cost of maintenance of horticultural features, hedges, grassland areas, trees, fences, gates and footpaths in addition to play area costs.

HEREFORDSHIRE COUNCIL PARKS AND COUNTRYSIDE SERVICE

TARIFF FOR CALCULATION OF COMMUTED SUMS 2002

Grass Cutting	Price per annum per 100m² - 2002
Fortnightly Cut and Drop – April – September	£16.94
Weekly Cut and Drop – April – September	£31.40
Hay Cut – August	£2.42
Bank Cut – May and September	£6.05

Amenity Features	Price per annum per 100m² - 2002
Formal Shrub Bed	£2.11
Informal Shrub Bed	£0.60
Flower Beds	£9.98
Rose Beds	£4.23
New Hedges	£1.21
Existing Hedges - including laying once within 10 years	

Trees	Price per annum per 100m² - 2002
Whips	£0.60
Heavy Standards	£72.60
Trees, planted less than 5 years	£2.42
Trees, planted over 5 years	£1.21
Mature Trees and Trees over 5m tall	£6.05

Play Areas	Price per Value of Play area per annum
General Maintenance Based per £10,000 (or part) value of play area equipment, surfacing and fencing combined	£121.00
Safety Inspections to EN1176/77 52 weekly inspections and annual ROSPA survey	£356.95
	Price per m² per annum - 2002
Replacement Surfacing – Rubber Tiles/Wet Pour (once only)	£78.65
– Loose fill material	£12.10

16 DRAFT REGIONAL PLANNING GUIDANCE FOR THE WEST MIDLANDS**Report By: Chief Forward Planning Officer****Wards Affected**

County Wide

Purpose

1. To consider the response on behalf of Herefordshire Council to the Office of the Deputy Prime Minister's proposed changes to draft Regional Planning Guidance.

Financial implications

2. No direct implications.

Background

3. Work on preparing the update and roll forward of Regional Planning Guidance (RPG 11) commenced in early 2000 with a tight timetable of some 30 months. Members have been kept informed and involved in the progress of the developing plan at salient points in its process:
 - Cabinet member and member attendance at regional conferences on the direction of the RPG
 - Local presentations on the first and final drafts of the emerging plan
 - Further comments on the final draft of the plan
 - The Authority was represented at the Examination in Public (EIP) of the Plan
 - Report on the EIP Panel's proposed changes
4. Following the above sequence of events the plan has passed to the Secretary of State (SoS) for final approval. The present consultation period is in response to the SoS's proposed changes to the plan with a closing date for comments of 12th December. Following the announcement of this consultation period, The Leader, Cabinet Member for Transport and Councillor B Hunt and officers have attended a regional presentation on the ODPM proposed changes. A copy of the consultation material is available for inspection in the members room.

Commentary

5. Many of the proposed changes to the RPG are to be welcomed in principle, as the attempt has been made to give the document more clarity and brevity. However, in reducing the number of policies, by removing those perceived as duplications, it

Further information on the subject of this report is available from Richard Woodhead, Principal Strategic Planning Officer on (01432) 260131

could be said that the emphasis on some elements is reduced. This is particularly the case with rural renaissance.

6. Spatial strategy Chapter 3

- The spatial strategy, based on countering decentralisation and population drift from the conurbation, has been endorsed.
- Emphasis is very much on recognising all places/settlements are important in their own right.
- Hereford remains as one of five 'sub-regional foci for development' beyond the major urban areas (along with Rugby, Shrewsbury, Telford and Worcester. Burton on Trent has been deleted from the original list).
- All the policies previously contained in this chapter have been amalgamated into the more detailed policies in the later topic based chapters

7. Rural renaissance Chapter 5

- Government has implemented all the EIP Panel's recommended changes to the Rural Renaissance Chapter. There are now just four policies in this Chapter compared to nine in draft RPG, thus:
 - RR1 is now 'Rural Renaissance',
 - RR2 is now 'Rural Regeneration Zone',
 - RR3 is now 'Market Towns' (previously draft RR5),
 - RR4 is now 'Rural Services' (previously draft RR9).

Whilst:

- Draft RR2 'Economic Development' removed and placed within PA15,
- Draft RR3 'Agriculture and Farm Diversification' removed and placed within PA16,

see comments under this chapter for detail.

- Draft RR4 'Tourism' removed and placed within PA10,
- Draft RR6 'Villages' and Draft RR7 'Open Countryside' deleted, and
- Draft RR8 and text regarding community regeneration deleted but is reflected in paras 5.6 to 5.10.
- Policy RR2: continues to feature the A49 as a corridor in the RRZ, priorities to be given to traffic management and public transport improvements to aid accessibility, this is welcomed. See Chapter 9, Transport, for further comment.

- New investment opportunities focussed on towns and villages in A49 corridor - this is very much in line with UDP proposals at Leominster, Hereford and Ross.
 - The reduction in the number of policies in this chapter does appear to diminish the importance of rural issues in the overall strategy, particularly in respect of the dominance of implementation actions outlined in the plan which are predominantly in and around the conurbation.
8. Communities for the future Chapter 6
- No change to housing figs for Herefordshire (800 dwellings per annum to 2006, then 600 to 2021). So far in UDP period, average is 870 dwellings per annum.
 - UDP figures assume existing RPG provision will be met.
 - In **Table 3 Housing on previously developed land** in the Column “2001-2011 Target % on previously developed land” on the Herefordshire line should read 63% not 44% as stated.
9. Prosperity for All Chapter 7
- The rural employment policies moved from the original Rural Renaissance chapter appear as the last two policies in the Chapter together with elements of the rural tourism policy being amalgamated into policy PA10. It is also clear that the neither the EIP Panel or the SoS have taken on board this County’s written comments in respect the range of uses suitable for rural regeneration.
 - The preamble to Policy PA15 stresses the need to broaden the economic base, reduce the over-reliance on traditional employment in order to retain local people. However, neither Policy PA15 Economic Development and the Rural Community or PA16 Agriculture and Farm Diversification take this view forward. Policy PA16 Agriculture and Farm Diversification specifies “innovative business schemes including tourism, environmentally sustainable farming, forestry and land management, new and innovative crops, on-farm processing etc.”, all largely agriculturally based added value activities.
 - This stance does not match the policy statements in PPG7 para 3.4A advice which indicates “diversification into other forms of non-agricultural activities is vital to the continuing viability of many farm businesses”. In the Council’s view this aspect is largely absent from the policy statement and should be strengthened in the wording by including examples in addition to the farm based listing set out above.
10. Quality of the Environment Chapter 8
- Suggested amendments to RPG Part 3 Minerals Policies;
 - Amend the table in policy M2 to refer to the Revised National and Regional Guidelines for Aggregates Provision 2001- 2016 issued on 10th June 2003 and the agreed sub regional apportionment. (The current RPG refers to figures contained in MPG 6 1994)

- In Policy M3 the requirement to "develop better systems" to improve the way in which alternative sources of materials are used in construction projects", although necessary are quite beyond meaningful influence by planning authorities. Recommend the deletion of these words from the policy
- Minerals Output Targets and Indicators
 - Amend M1 by adding the word "only" after "To" in the first sentence. As drafted the Target appears to actively promote the development of mineral sites in AONB's
 - Remove the ref to 0% sterilisation in the third target wording as being impossible to implement, if retained this would prevent any development on known mineral reserves, many of which may never be worked but which cover most of the county.

11. Transport and Accessibility Chapter 9

- RPG includes the regional transport strategy. This sets priorities for investment to support the regional strategy.
- In Herefordshire this would include the role of the A49 as summarised above in the context of the RRZ.
- By issuing RPG, the SoS will be committed to taking forward those transport proposals for which central government is responsible subject to statutory procedures and viable schemes that represent good value for money.
- Herefordshire Council should seek the following changes to RPG to recognise the fact that the Hereford Local Multi Modal Study has been concluded and makes specific recommendations:
 - a. RPG para 9.69 be re drafted. Proposed wording:

"The A49 in Hereford is subject to increasing congestion. This has a number of implications for sub-regional land use development and regeneration. To address this issue a Local Multi Modal Study has been carried out. The study identifies a package of measures to release travel capacity needed to accommodate development and regeneration and to allow Hereford to fulfil its identified role as a sub-regional centre. This role includes supporting long term balanced sustainable growth. Where appropriate, elements of the recommended package are included as priorities for investment in policy T12."
 - b. An additional line in table policy T12: *"Hereford outer distributor road as recommended by the Hereford Local Multi Modal Study"*

(This should appear following reference to "A500 City Road & Stoke Road junctions"); or,
 - c. Addition of an entry at the end of table policy T12: *"Implementation of recommendations from the Hereford Local Multi Modal Study"*.
 - d. Amend Fig 6 on p. 141 to show A417 Hope under Dinmore to Gloucester as 'primary route' providing alternative to travelling through Hereford on A49 in

times of flood. De-priming could be accepted if Hereford outer distributor road can be progressed.

Conclusions

12. The proposed changes to the RPG provide a positive base for the development of local development plans in the County in the future. However, a stronger commitment to measures to enhance rural renaissance and positive assistance in respect of the A49 transport needs will be of significant benefit to the County and its future ability to meet its local needs and fulfill its regional potential.

RECOMMENDATIONS

That the following comments on the proposed changes to the RPG be recommended to the Cabinet Member (Environment):

- (a) **Rural renaissance Chapter 5 - Concern is expressed in respect of apparent diminution of the importance of this aspect in the RPG.**
- (b) **Amend Table 3 Housing on previously developed land in the Column "2001-2011 Target % on previously developed land" on the Herefordshire line should read 63% not 44% as stated.**
- (c) **In policy PA16, the encouragement to development plans to include positive policies for farm diversification should be strengthened to include the possible use of non-agricultural developments in the wording.**
- (d) **Quality of the Environment Chapter 8 - Amend the table in policy M2 to refer to the Revised National and Regional Guidelines for Aggregates Provision 2001- 2016 issued on 10th June 2003 and the agreed sub regional apportionment. (The current RPG refers to figures contained in MPG 6 1994)**
- (e) **In Policy M3 the requirement to "develop better systems to improve the way in which alternative sources of materials are used in construction projects", although necessary are quite beyond meaningful influence by planning authorities. Recommend the deletion of these words from the policy**
- (f) **Minerals Output Targets and Indicators - Amend M1 by adding the word "only" after "To" in the first sentence.**
- (g) **Remove the reference to 0% sterilisation in the third target wording as being impossible to implement.**
- (h) **Transport and Accessibility Chapter 9**
- (i) **RPG para 9.69 be re drafted. Proposed wording:**

"The A49 in Hereford is subject to increasing congestion. This has a number of implications for sub-regional land use development and regeneration. To address this issue a Local Multi Modal Study has been carried out. The study identifies

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a package of measures to release travel capacity needed to accommodate development and regeneration and to allow Hereford to fulfil its identified role as a sub-regional centre. This role includes supporting long term balanced sustainable growth. Where appropriate, elements of the recommended package are included as priorities for investment in policy T12.”

- (ii) **An additional line in table policy T12: “Hereford outer distributor road as recommended by the Hereford Local Multi Modal Study”**

(This should appear following reference to “A500 City Road & Stoke Road junctions”); or,

- (iii) **Addition of an entry at the end of table policy T12: “Implementation of recommendations from the Hereford Local Multi Modal Study”.**
- (iv) **Amend Fig 6 on p. 141 to show A417 Hope under Dinmore to Gloucester as 'primary route' providing alternative to travelling through Hereford on A49 in times of flood.**