

A G E N D A

Southern Area Planning Sub- Committee

Date: **Wednesday, 9th June, 2004**

Time: **2.00 p.m.**

Place: **The Council Chamber, Brockington**

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

For any further information please contact:

*Ricky Clarke, Members' Services,
Brockington, 35 Hafod Road, Hereford
Tel: 01432 261885 Fax: 01432 260286*

e-mail: rclarke@herefordshire.gov.uk

**County of Herefordshire
District Council**

AGENDA

for the Meeting of the Southern Area Planning Sub-Committee

To: 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, Mrs. J.A. Hyde, G. Lucas, D.C. Taylor and J.B. Williams.

	Pages
<p>1. ELECTION OF CHAIRMAN AND APPOINTMENT OF VICE CHAIRMAN</p> <p>To note that, at the Annual Council meeting on 21st May, 2004 Councillor Mrs R.F. Lincoln was elected Chairman and Councillor P.G. Turpin was appointed Vice-Chairman of the Southern Area Planning Sub-Committee.</p>	
<p>2. APOLOGIES FOR ABSENCE</p> <p>To receive apologies for absence.</p>	
<p>3. DECLARATIONS OF INTEREST</p> <p>To receive any declarations of interest by Members in respect of items on the Agenda.</p>	
<p>4. MINUTES</p> <p>To approve and sign the Minutes of the meeting held on 12th May, 2004</p>	1 - 8
<p>5. ITEM FOR INFORMATION - APPEALS</p> <p>To note the contents of the attached report of the Head of Planning Services in respect of the appeals received or determined for the southern area of Herefordshire.</p> <p>APPLICATIONS RECEIVED</p> <p>To consider and take any appropriate action in respect of the planning applications received for the southern area of Herefordshire, and to authorise the Head of Planning Services to impose any additional conditions and reasons considered to be necessary.</p> <p>Plans relating to planning applications on this agenda will be available for inspection in the Council Chamber 30 minutes before the start of the meeting.</p>	9 - 12
<p>6. DCSE2004/0928/A - CASTLE LODGE HOTEL, WILTON, ROSS-ON-WYE, HR9 6AD</p> <p>Flags displayed at an angle on the front of the building.</p>	13 - 16
<p>7. DCSE2004/0990/F - HUNDRED AKER BARN, WESTON-UNDER-PENYARD, ROSS-ON-WYE</p> <p>Erection of a detached shed (retrospective application).</p>	17 - 20

8.	DCSE2004/1302/F - BRIDGE STRUCTURE NEAR WESTON-UNDER-PENYARD, ROSS-ON-WYE	21 - 24
	Partial demolition of bridge structure (carrying disused railway) over minor public road. Subsequent re-grade of embankments to slope away from highway.	
9.	DCSE2004/1226/F - TREBANDY, MARSTOW, ROSS-ON-WYE, HR9 6HD	25 - 32
	Change of use and associated works to barn for conversion to holiday let.	
10.	DCSW2004/1155/F - MIDDLE HUNT HOUSE FARM, WALTERSTONE, HR2 0DY	33 - 48
	Change of use of existing barn. Demolition of modern farm buildings and replacement with a single storey sculpture gallery building and a studio/workshop. Car parking for visitors and a new crossover. Proposed use of some land as a sculpture park.	
11.	DCSE2004/0781/F - MUCH MARCLE MEMORIAL HALL, MUCH MARCLE, LEDBURY, HR8 2NF	49 - 54
	Alterations and single storey extension to existing hall.	
12.	DCSE2004/1128/F - 19 VAGA CRESCENT, ROSS-ON-WYE, HR9 7RQ	55 - 58
	Two storey extension to rear, enclosure of existing porch and replacement of existing garage door with new screen including access door.	
13.	DCSE2003/2109/F - ALAN KEEF LTD, LEA LINE, LEA, ROSS-ON-WYE, HR9 7LQ	59 - 68
	First floor extension to existing offices and extension to factory.	
14.	DCSE2004/1007/F - MARTINDALE, OLD GLOUCESTER ROAD, ROSS-ON-WYE	69 - 74
	Conversion of single dwelling into three flats.	
15.	DCSE2004/1156/RM - LAND ADJACENT TO THE FORGE, KINGS CAPLE, HR1 4TY	75 - 80
	New dwelling.	

Your Rights to Information and Attendance at Meetings

YOU HAVE A RIGHT TO: -

- Attend all Council, Cabinet, Committee and Sub-Committee meetings unless the business to be transacted would disclose 'confidential' or 'exempt information'.
- Inspect agenda and public reports at least three clear days before the date of the meeting.
- Inspect minutes of the Council and all Committees and Sub-Committees and written statements of decisions taken by the Cabinet or individual Cabinet Members for up to six years following a meeting.
- Inspect background papers used in the preparation of public reports for a period of up to four years from the date of the meeting. A list of the background papers to a report is given at the end of each report. A background paper is a document on which the officer has relied in writing the report and which otherwise is not available to the public.
- Access to a public register stating the names, addresses and wards of all Councillors with details of the membership of Cabinet and all Committees and Sub-Committees.
- Have a reasonable number of copies of agenda and reports (relating to items to be considered in public) made available to the public attending meetings of the Council, Cabinet, Committees and Sub-Committees.
- Have access to a list specifying those powers on which the Council have delegated decision making to their officers identifying the officers concerned by title.
- Copy any of the documents mentioned above to which you have a right of access, subject to a reasonable charge.
- Access to this summary of your rights as members of the public to attend meetings of the Council, Cabinet, its Committees and Sub-Committees and to inspect and copy documents.
- Access to this summary of your rights as members of the public to attend meetings of the Council, Cabinet, Committees and Sub-Committees and to inspect and copy documents.

Please Note:

Agenda and individual reports can be made available in large print. Please contact the officer named on the front cover of this agenda **in advance** of the meeting who will be pleased to deal with your request.

The meeting venue is accessible for visitors in wheelchairs.

A public telephone is available in the reception area.

Public Transport Links

- Public transport access can be gained to Brockington via the service runs approximately every half hour from the 'Hopper' bus station at the Tesco store in Bewell Street (next to the roundabout junction of Blueschool Street / Victoria Street / Edgar Street).
- The nearest bus stop to Brockington is located in Old Eign Hill near to its junction with Hafod Road. The return journey can be made from the same bus stop.

If you have any questions about this agenda, how the Council works or would like more information or wish to exercise your rights to access the information described above, you may do so either by telephoning the officer named on the front cover of this agenda or by visiting in person during office hours (8.45 a.m. - 5.00 p.m. Monday - Thursday and 8.45 a.m. - 4.45 p.m. Friday) at the Council Offices, Brockington, 35 Hafod Road, Hereford.

COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL

BROCKINGTON, 35 HAFOD ROAD, HEREFORD.

FIRE AND EMERGENCY EVACUATION PROCEDURE

In the event of a fire or emergency the alarm bell will ring continuously.

You should vacate the building in an orderly manner through the nearest available fire exit.

You should then proceed to Assembly Point J which is located at the southern entrance to the car park. A check will be undertaken to ensure that those recorded as present have vacated the building following which further instructions will be given.

Please do not allow any items of clothing, etc. to obstruct any of the exits.

Do not delay your vacation of the building by stopping or returning to collect coats or other personal belongings.

COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL

MINUTES of the meeting of the Southern Area Planning Sub-Committee held at The Council Chamber, Brockington, 35 Hafod Road, Hereford on 12 May 2004 at 2:00 p.m.

Present: 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, Mrs. A.E. Gray, T.W. Hunt (Ex-officio) G.Lucas, D.C. Taylor, J.B. Williams

In attendance:

66. APOLOGIES FOR ABSENCE

Apologies were received from Councillors Mrs. J.A. Hyde and J.W. Edwards.

67. DECLARATIONS OF INTEREST

Councillor Mrs AE Gray declared a prejudicial interest in Reference 4 – DCSW2003/3266/F – Retention of Bryntirion and Erection of Nine Houses with Garaging and Associated Highways at Bryntirion B4349, Kingstone, Herefordshire HR2 9HJ and left the meeting for the duration of this item.

68. MINUTES

RESOLVED: That the Minutes of the meeting held on 14 April 2004 be approved as a correct record and signed by the Chairman, subject to the inclusion of the name of Councillor TW Hunt in the list of those present.

69. PLANNING APPEALS

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

70. HEAD OF PLANNING SERVICES REPORT

The Southern Divisional Planning Officer presented the report of the Head of Planning Services in respect of the planning applications that had been received for the Southern area of Herefordshire.

RESOLVED: That the planning applications be determined as set out in the appendix to these Minutes.

EXCLUSION OF THE PUBLIC AND PRESS

RESOLVED: That under Section 100 (A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the following item of business on the grounds that it involved the likely disclosure of exempt information as defined in Schedule 12(A) of the Act, as indicated below.

71. CONFIDENTIAL ENFORCEMENT REPORT

The Sub-Committee received an information report about the enforcement matters within the southern area of Herefordshire.

RESOLVED: That the report be noted.

The meeting ended at 2.47 pm

CHAIRMAN

APPENDIX

Ref. 1
CLEHONGER
 DCSW2004/1022/F

Bricking-Up Front To Porch And New Door (Retrospective Application) at:

8 BIRCH HILL ROAD, CLEHONGER, HEREFORD, HR2 9RD

For: V. Edwards per Mr. R. Morris, 8 Birch Hill Road, Clehonger, Hereford, HR2 9RD

RESOLVED: That planning permission be granted.

Ref. 2
KYNASTON
 DCSE2004/0768/F

Proposed agricultural building at:

HALL END FARM, KYNASTON, LEDBURY, HEREFORDSHIRE, HR8 2PD

For: E J Farms Ltd per Mr J C Ashton, The Orchard Office, Union Place, Off Northwick Road Worcester WR3 7DX

RESOLVED: That planning permission be granted subject to the following conditions:

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

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

2 A07 (Development in accordance with approved plans)

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

3 B08 (Dark roof colouring (agricultural buildings))

Reason: To protect the visual amenities of the area.

4 The building hereby approved shall not be used to house livestock on an intensive basis.

Reason: To define the terms to which this planning permission relates and to protect the residential amenities of nearby dwellings.

5 F48 (Details of Slab Levels)

Reason: In order to define the permission and ensure that the development is of a scale and height appropriate to the site.

6 G04 (Landscaping scheme (general))

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

7 G05 (Implementation of landscaping scheme (general))

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

8 Before any work commences on site details of the top surface intended for the new vehicular turning area shall first be submitted to and be subject to the prior written approval of the local planning authority.

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

9 F32 (Details of floodlighting/external lighting)

Reason: To safeguard local amenities.

10 Details of external cowls, louvres or other shields to be fitted to the external lighting to reduce light pollution shall be submitted to and agreed in writing with the local planning authority before the external lighting is erected. The approved shields shall thereafter be retained in perpetuity.

Reason: To minimise light overspill and to protect the amenity of neighbouring properties and the surrounding rural environment.

Informatives:

1 The Environment Agency advises:

i All washwaters, manures and stable waste should be collected, stored and disposed of in accordance with DEFRA "Code of Good Agricultural Practice for the Protection of Water".

ii Any waste excavation material or building waste generated in the course of the development must be disposed of satisfactorily and in accordance with section 34 of the Environment Protection Act 1990.

iii Surface water run-off should be controlled as near to its source as possible through a sustainable

drainage approach to surface water management. This approach involves using a range of techniques including soakaways, infiltration trenches, permeable pavements, grassed swales, ponds and wetlands to reduce flood risk by attenuating the rate and quantity of surface water run-off from a site. This approach can also offer other benefits in terms of promoting groundwater recharge, water quality improvement and amenity enhancements. Approved Document Part H of the Building Regulations 2000 sets out a hierarchy for surface water disposal which encourages a SUDs approach.

2 N15 - Reason(s) for the Grant of Planning Permission.

Ref. 3
**WESTON UNDER
 PENYARD**
 DCSE2004/0983/F

Erection of a storage shed at:

**WESTON UNDER PENYARD C OF E PRIMARY SCHOOL,
 WESTON UNDER PENYARD, ROSS-ON-WYE,
 HEREFORDSHIRE, HR9 7PA**

For: The Governors of the School per Mr Price, Ty-Angles,
 Llangrove, Ross-on-Wye, Herefordshire HR9 6EZ

The receipt of four letters of objection was reported.

In accordance with the criteria for public speaking Mr Bird spoke in favour of the application.

RESOLVED: That subject to no further objections raising additional material planning considerations on the expiry of the consultation period, the officers named in the Scheme of Delegation to Officers be authorised to issue planning permission subject to the following conditions and any additional considered necessary by officers:

- 1 Within 3 months of the date of this permission the new fence/trellis shall be erected in accordance with details which have been submitted to and approved in writing by the local planning authority.

Reason: To protect the visual amenities of the area.

- 2 Within one month of the date of this permission a planting scheme including a timetable for implementation shall be submitted to and approved in writing by the local planning authority.

Reason: To protect the visual amenities of the area.

- 3** The approved planting scheme shall be implemented in accordance with the agreed timetable, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent to any variation. If any plants fail more than once they shall continue to be replaced on an annual basis until the end of the 5 year defects period.

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

- 4** Within 3 months of the date of this permission the roof of the shed shall be re-built and the shed stained in accordance with the drawings hereby approved.

Reason: To protect the visual amenities of the area.

Informative:

- 1** **N15 - Reason(s) for the Grant of Planning Permission.**

Retention of Bryntirion and erection of nine houses with garaging and associated highways at:

BRYNTIRION B4349, KINGSTONE, HEREFORDSHIRE HR2 9HJ

For: Westbury Homes Holdings Ltd per Turley Associates,
Apsley House, 35 Waterloo Street, Birmingham B2 5TJ

The Committee felt that it would be more desirable to have one point of vehicular access serving Bryntirion and the proposed dwellings, rather than two separate vehicular accesses. The Southern Divisional Planning Officer said that he would discuss the matter with the applicant.

RESOLVED: That subject to no further objections raising additional material planning considerations by the end of the consultation period, the Officers named in the Scheme of Delegation to Officers be authorised to approve the application subject to the following conditions and any further conditions considered necessary by Officers:

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

Reason: Required to be imposed by Section 91 of the

Ref. 4
KINGSTONE
DCSW2003/3266/F

Town and Country Planning Act 1990.

2 A07 (Development in accordance with approved plans)

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

3 B01 (Samples of external materials)

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

4 E17 (No windows in side elevation of extension)

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

5 G04 (Landscaping scheme (general))

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

6 G05 (Implementation of landscaping scheme (general))

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

7 G18 (Protection of trees)

Reason: To ensure adequate protection to existing trees which are to be retained, in the interests of the character and amenities of the area.

8 G21 (Excavations beneath tree canopy)

Reason: To prevent the unnecessary damage to or loss of trees.

9 Details of surfacing for all new driveways and paths under the canopy of existing trees to remain on the site shall be the subject of the prior written approval of the local planning authority before any development commences on site.

Reason: In order to protect the root systems of trees in the interest of protecting the amenity of the site.

Informative:

1 N15 – Reason(s) for the Grant of Planning Permission

Ref. 5
MADLEY
DCSW2004/0918/F

Proposed alterations to approved layout, alternative house type for plot 1, addition of plot 5 and entrance wall at:

LAND ADJACENT TO SEABOURNE HOUSE, MADLEY, HEREFORDSHIRE, HR2 9PL

For: H T Developments Ltd per Axys Design, 30 Grove Road, Hereford HR1 2QP

In accordance with the criteria for public speaking Mrs Wild spoke against the application.

The Sub-Committee discussed the application and felt that the proposal to include a fifth dwelling would be detrimental to the layout and have an adverse impact on Seabourne House which was adjoining. The Sub-Committee took the view that a fifth dwelling would not be in keeping with the other dwellings and that there was a danger that it could generate potential problems of vehicles parking on the access road to the development.

RESOLVED: That

- (I) **The Southern Area Planning Sub-Committee is minded to refuse the application on the grounds that the proposed dwelling would be invasive to the privacy enjoyed by the residents of Seabourne House and that five dwellings would prove to be over-intensive development of the site (and any further reasons for refusal felt to be necessary by the Head of Planning Services) provided that the Head of Planning Services doesn't refer the application to the Planning Committee.**
- (II) **If the Head of Planning Services does not refer the application to the Planning Committee, officers named in the scheme of delegation to officers be instructed to refuse the application on the grounds specified above.**

Note – The Southern Divisional Planning Officer said that he would not need to refer the application to the Head of Planning.

ITEM FOR INFORMATION - APPEALS

APPEALS RECEIVED**Application No. DCSW2003/3774/F**

- The appeal was received on 13th May 2004
- The appeal is made under Section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission
- The appeal is brought by Mr I R Prior
- The site is located at Agricultural land adjoining Hangar No 2 off Brampton Road, Madley, Hereford
- The development proposed is Retention of three mobile homes on existing agricultural land for full time/casual part time agricultural worker occupation/storage.
- The appeal is to be heard by Hearing

Case Officer: Andrew Prior on 01432 261932

Application No. DCSE2003/3753/O

- The appeal was received on 30th April 2004
- The appeal is made under Section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission
- The appeal is brought by Tendean Ltd
- The site is located at Land at 5 Alton Road, Ross-on-Wye, Herefordshire HR9 5ND
- The development proposed is Site for two detached dwellings
- The appeal is to be heard by Written Representations

Case Officer: Charlotte Atkins on 01432 260536

Application No. DCSE2003/3822/O

- The appeal was received on 30th April 2004
- The appeal is made under Section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission
- The appeal is brought by Mr T Taylor
- The site is located at Kyrle Cottage, -, Whitchurch, Ross-On-Wye, Herefordshire, HR9 6DJ
- The development proposed is Proposed new dwelling
- The appeal is to be heard by Written Representations

Case Officer: Charlotte Atkins on 01432 260536

APPEALS DETERMINED**Application No. DCSW2003/1726/F**

- The appeal was received on 21st January 2004
- The appeal was made under Section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission
- The appeal was brought by Mrs James

Further information on the subject of this report is available from the relevant Case Officer

- The site is located at Ty Button Cottage, Clodock, Herefordshire, HR2 0NY
- The application, dated 6th June 2003 , was refused on 4th August 2003
- The development proposed was Demolish existing garage and build 2 storey rear extension and provision of new access and drive
- The main issues are (a) the effect of the proposed extensions on the original dwelling with respect to design and scale (b) the impact of the development as a whole on the landscape of the Area of Great Landscape Value (AGLV) within which the appeal site is situated.

Decision: The appeal was ALLOWED on 10th May 2004

Case Officer: Angela Tyler on 01432 260372

Application No. DCSE2003/1651/F

- The appeal was received on 12th January 2004
- The appeal was made under Section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission
- The appeal was brought by Mr D.E. Sayce
- The site is located at Willowbrook, Woolhope, Hereford, Herefordshire, HR1 4RJ
- The application, dated 23rd April 2003 , was refused on 25th July 2003
- The development proposed was Change of use of existing bungalow to holiday accommodation for families with young children with disabilities. Removal of Condition 10 of previous Planning Permission NE2000/0629/F.
- The main issues are (a) whether, in the light of the Development Plan, the disputed condition is necessary and reasonable, and otherwise satisfies the tests for conditions. (b) whether the proposed use justifies the retention of the building in the light of prevailing planning policies for the protection of the countryside.

Decision: The appeal was DISMISSED on 7TH May 2004

Case Officer: Charlotte Atkins on 01432 260536

Application No. SE2003/1150/F

- The appeal was received on 26th September 2003
- The appeal was made under Section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission
- The appeal was brought by J.J. Mill & CE Davies & Mr & Mrs Ward
- The site is located at Woodpeckers Barn, Great Woodend Farm, -, Linton, Ross-On-Wye, Herefordshire, HR9 7SR
- The application, dated 11th April 2003 , was refused on 9th June 2003
- The development proposed was Amended proposal to retain & modify western section of dwelling (part retrospective)
- The main issue is whether the modifications to the building would comply with local and national policies that seek to strictly control development in the countryside.

Decision: The appeal was DISMISSED on 7TH May 2004

Case Officer: Steven Holder on 01432 260479

Further information on the subject of this report is available from the relevant Case Officer

Application No. DCSE2003/2538/F

- The appeal was received on 22nd December 2003
- The appeal was made under Section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission
- The appeal was brought by J.J. Mill & C.E. Davies
- The site is located at Great Woodend Barns, Great Woodend Farm, Linton, Ross-On-Wye, Herefordshire, HR9 7SR
- The application, dated 11th August 2003 , was refused on 13th October 2003
- The development proposed was Amended proposal to modify of western section of dwelling. Providing entrance way and garage/store (part retrospective)
- The main issue is whether the modifications to the building would comply with local and national policies that seek to strictly control development in the countryside.

Decision: The appeal was DISMISSED on 7TH MAY 2004

Case Officer: Steven Holder on 01432 260479

If members wish to see the full text of decision letters copies can be provided

1 DCSE2004/0928/A - FLAGS DISPLAYED AT AN ANGLE ON THE FRONT OF THE BUILDING. CASTLE LODGE HOTEL, WILTON, ROSS-ON-WYE, HEREFORDSHIRE, HR9 6AD

For: Mr J C Felices, Castle Lodge Hotel, Wilton, Ross-on-Wye, Herefordshire, HR9 6AD

Date Received: 15th March 2004 Ward: Llangarron Grid Ref: 58912, 24375

Expiry Date: 10th May 2004

Local Member: Councillor Mrs. J. A. Hyde

1. Site Description and Proposal

1.1 Castle Lodge Hotel is situated within the settlement of Wilton, and adjoins the entrance drive to Wilton Castle and a small modern housing estate. It is an attractive Georgian style building, although it has been extended. It is within the Wilton Conservation Area and Wye Valley Area of Outstanding Natural Beauty but is not listed.

1.2 At present a number of flags are displayed on the building: 6 on the front elevation and one on each of the end elevations. The poles are at an angle of about 45 degrees to the face of the building and display national flags. This application is to continue the display of the flags on the front elevation, although the applicant claims two have been displayed for a sufficient period to obviate the need for express consent. The flags on the ends of the building would be removed. Each flag is about 1.5m x 0.75m. Four of the flagpoles are equally spaced at first floor level; the other two are at a lower level and positioned either side of the entrance to the hotel.

2. Policies

2.1 Hereford and Worcester County Structure Plan

Policy CTC.1 - Development in Areas of Outstanding Natural Beauty
Policy CTC.2 - Development in Areas of Great Landscape Value

2.2 South Herefordshire District Local Plan

Policy C.5 - Development within Area of Outstanding Natural Beauty
Policy C.8 - Development within Area of Great Landscape Value
Policy C.23 - New Development affecting Conservation Areas
Policy C.50 - Advertisement Control

3. Planning History

3.1 SH910820PF Conversion of existing barn to a dwelling - Approved 07.01.92
SH951204PF Change of use of land and barn (with extension) to vehicle hire centre with offices with valetting room. - Refused 05.02.96

SH960935PF	Change of use of land and barn (with extension) to vehicle hire centre with offices with valetting room.	-	Refused 05.02.96
SH961463PF	Conversion of existing barn to a dwelling.	-	Approved 02.06.97
SE2002/1765/F	Change of use to redundant barn into conference centre and construction of new car park.	-	Permitted 25.9.02
SE2003/2164/F	Relocation of existing restaurant to redundant barn, construction of new car park and alterations to existing car park.	-	Approved 15.10.03

4. Consultation Summary

Statutory Consultations

4.1 No statutory or non-statutory consultations required.

Internal Council Advice

4.2 Head of Engineering and Transportation has no objection to the grant of permission.

5. Representations

5.1 The applicant confirms that he will remove 2 of the flags from the sides of the building and will be applying for planning permission for 4 flags, because 2 of them do not need planning permission as they have been there for a long time.

5.2 Bridstow Parish Council have no objection to the application.

5.3 5 letters have been received expressing objections to the proposed display. In summary the reasons given are as follows:

- the area is supposed to be a conservation area, Area of Outstanding Natural Beauty, etc, but has declined, its natural beauty taken away by recent changes and effort needed to restore its lost attractiveness. Flags do not help as totally inappropriate in residential area. Six would be out of place for the building and area generally, they soon become dirty and tatty and detract from an area's appearance
- within 300m there are 5 establishments (food, drink and accommodation) and a further restaurant is projected plus a garage serving fast food, consequently there is a plethora of adverts of all sorts - residents would welcome a reduction in all forms of display
- 7 flags already. Oppose any additional flags as totally excessive. Hotel has numerous signs and banners which detract from residential area.

5.4 One letter has been received from Paul Keetch, MP. The following points are made:

- I have recently visited the hotel and seen the site for myself. I believe that it is usual for flagpoles to be erected either vertically or horizontally but that poles at a 45 degree angle are also permissible providing there is no competition for space.

In the case of Castle Lodge Hotel it stands detached in its own grounds and is distanced adequately from neighbouring properties. I am also advised that national flags can be flown but that flags used for advertisement or that may be inappropriate in content need to be approved.

- In my opinion the angle of the flagpoles and the national flags are a feature of the hotel and not detrimental. The flags are wholly appropriate all being national and, given these factors, would ask that the application is granted without further delay.

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 Applications relating to advertisements must be determined in relation to their impacts upon amenity and safety. No road safety or other safety concerns are raised in the representations and it is considered that the effect on amenity is the sole issue. The proposal is to retain the flagpoles on the front elevation of the hotel. In front of the hotel is the main car park of the hotel, with houses to the south and east of the car park. The houses are about 20m at the closest from these advertisements. The hotel does not front the adjoining road but is at right angles to it. This distance and orientation do help to limit the visual impact of these flagpoles. It is not unusual to display flags on the front elevation of commercial buildings and they do not look incongruous. The issue is the number of flagpoles in relation to the size of the hotel's front elevation and there is a clutter of advertisements at these premises. The number of advertisements at this property is referred to in the representations. The number of signs has been reduced in recent months by the applicant (including several banners) and as noted in paragraph 1.2 above, two flagpoles placed high up on the end elevations would be removed. The flags are not garish, are appropriately sited on the building and although more than normally displayed are not considered to be obtrusive or to detract from the visual amenities of this area.

RECOMMENDATION

That advertisement consent be granted subject to standard conditions and the following conditions:

- 1. Within one month of the date of this decision the flagpoles displayed on the end elevations of the hotel shall be permanently removed.**

Reason: To protect the visual amenities of the area.

- 2. No more than 6 flags shall be displayed on the front (south-west) elevation of the Castle Lodge Hotel.**

Reason: To protect the visual amenities of the area.

Informative(s):

- 1. N15 - Reason(s) for the Grant of Advertisement Consent**

Decision:

Notes:

.....

Background Papers

Internal departmental consultation replies.

2 DCSE2004/0990/F - ERECTION OF A DETACHED SHED (RETROSPECTIVE APPLICATION) HUNDRED AKER BARN, WESTON-UNDER-PENYARD, ROSS-ON-WYE, HR9 7PQ

For: Mr J Williams, Hundred Aker Barn, Weston under Penyard, Ross on Wye, Herefordshire HR9 7PQ

Date Received: 18th March 2004 Ward: Penyard

Grid Ref: 63184, 24571

Expiry Date: 13th May 2004

Local Member: Councillor H. Bramer

1. Site Description and Proposal

- 1.1 The application property is a small single-storey barn which is part of a group of barns (known as Kingstone Barns) which have been converted to residential use. The barn is of stone construction, and is situated on the south-west side of the 'C' class road between Rudhall and Bollitree. The north-east facing end elevation of the barn is close to the boundary with the highway which is defined by a low stone wall.
- 1.2 It appears that part of the stone wall immediately to the north-west of the barn has been increased in height and three further walls constructed to form a ridge roofed shed. This stone shed with grey slates is 3.96 m long x 2.5 m wide x 2.6 m to ridge. The current application is to retain the shed.

2. Policies

2.1 Planning Policy Guidance

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

2.2 Hereford and Worcester County Structure Plan

Policy H20	Residential Development in Open countryside
Policy CTC14	Criteria for the Conversion of Buildings in Rural Areas

2.3 South Herefordshire District Local Plan

Policy C36	Re-use and Adaptation of Rural Buildings
Policy C37	Conversion of Rural Buildings to Residential Use
Policy SH23	Extensions to Dwellings
Policy GD1	General Development Criteria

2.4 Supplementary Planning Guidance

Re-use and Adaptation of Traditional Rural Buildings

3. Planning History

- 3.1 SH891930PF Conversion of outbuilding to dwelling. - Permitted 10.1.90
- SE2002/3218/F Extension to rear. - Withdrawn 18.12.02
- SE2003/1601/F Extension at rear. - Refused 4.7.03

4. Consultation Summary

Statutory Consultations

4.1 No statutory or non-statutory consultations required.

Internal Council Advice

4.2 Head of Engineering and Transportation has no objection to the grant of permission.

5. Representations

5.1 Parish Council objects to any further extensions to this property.

6. Officers Appraisal

6.1 The shed is in a prominent position on the boundary of the property. Nevertheless it is built of natural stone which matches tolerably well the existing stone wall and adjacent barn. It is small, with the eaves only about 1 m. above the boundary wall. It is detached from but close to Hundred Aker Barn and occupies the space between the barn and the radiused entrance to this complex of barns. To the north-west of the entrance is a much larger barn which abuts the boundary with a wide grass verge along the highway. In these circumstances the shed does not, it is considered, obtrude unacceptably into views along this rural lane but appears as part of the larger group of buildings. Consequently although its location and certain design features (in particular the low roof pitch and the fascia and guttering) are not ideal it is considered that there are insufficient grounds to refuse permission.

6.2 Two applications have been submitted for extensions but the earlier was withdrawn and the latter refused. The only addition since conversion seems to be decking and railings at the front of the barn.

RECOMMENDATION

That planning permission be granted. No Conditions.

Informative:

1. N15 - Reason(s) for the Grant of Planning Permission.

Decision:

Notes:

.....

Background Papers

Internal departmental consultation replies.

3 DCSE2004/1302/F - PARTIAL DEMOLITION OF BRIDGE STRUCTURE (CARRYING DIS-USED RAILWAY) OVER MINOR PUBLIC ROAD. SUBSEQUENT RE-GRADE OF EMBANKMENTS TO SLOPE AWAY FROM HIGHWAY AT BRIDGE STRUCTURE NEAR WESTON-UNDER-PENYARD, ROSS-ON-WYE, HEREFORDSHIRE

For: Rail Property Ltd per May Gurney Ltd, Trowse, Norwich, Norfolk NR14 8SZ

Date Received: 7th April 2004

Ward: Penyard

Grid Ref: 63774, 23282

Expiry Date: 2nd June 2004

Local Member: Councillor H. Bramer

1. Site Description and Proposal

1.1 The site lies in open countryside in planning policy terms and to the east of Weston-under-Penyard. The bridge crosses an unclassified road between the A40 and the C1280, to the south of Bury Hill.

1.2 It is proposed to demolish the former railway bridge and regrade the embankments either side. The western embankment would be regraded to the same level as the field and sloped gradually to the road. The eastern embankment would be mainly retained with a maximum of a 30 degree slope down to the road. A small section of the bridge abutment and the wing wall adjacent to the road would be retained. The railway line, from between Ross-on-Wye and Gloucester, has been dismantled and the embankments to the east and west of the site removed.

2. Policies

2.1 Planning Policy Guidance

PPG 1	General Policy and Principles
PPG7	The Countryside: Environmental Quality and Economic & Social Development

2.2 Hereford and Worcester County Structure Plan

Policy CTC9	Development Criteria
-------------	----------------------

2.3 South Herefordshire District Local Plan

Policy GD1	General Development Criteria
------------	------------------------------

2.4 Herefordshire Unitary Development Plan Revised Deposit Draft

Policy DR1	Design
------------	--------

3. Planning History

3.1 No relevant planning history.

4. Consultation Summary

Statutory Consultations

4.1 Environment Agency - no objections - any waste material generated should be disposed of satisfactorily and in accordance with section 34 of the Environment Protection Act 1990.

Internal Council Advice

4.2 Head of Engineering and Transportation has no objections.

4.3 Chief Conservation Officer - No objections regarding vegetation removal. It is considered that the bridge is not worthy of listing.

5. Representations

5.1 Weston-under-Penyard Parish Council make the following comments:

"Councillors are concerned that partial demolition of this bridge is being considered as it is the only architectural monument remaining within the village that relates to the old railway. The Parish Council therefore objects to this application."

5.2 One letter of representation from Mr. D. Smith of 29, Ellsdon, off Post Office Lane, Kempsey, Worcestershire and a list of signatures have been received. The main points raised are:

- Bridge should be retained. Fine stone built structure is, to best of my knowledge, the last standing bridge that crosses the former Gloucester to Hereford line between Ross-on-Wye and the Gloucestershire border.
- Bridge was built for the passage of Broad Gauge trains and has stood for more than 150 years (built 1853). With its Broad Gauge heritage it surely merits special consideration and it also forms part of the historical infrastructure of the area.
- If we want to conserve any of the route for future generations to see we must do our utmost to hang on to what is left.
- There is a faint possibility of a re-instatement scheme of the line. This may never happen, but we have responsibility to future generations if they wished to rebuild the line.
- Bridge has suffered from water penetration and removal of some stonework. Clearly money need to be spend and I fully understand why the rail authorities are considering such action. Wider perspective should be taken before a decision is made - wonder if a trust could be set up to take over the bridge, or grant aid made available for its maintenance (there is a railway heritage trust that do grants for preservation of our railway infrastructure).

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 main considerations in the determination of this application are the principle of the demolition of the bridge and re-grading of the embankments, the impact upon the surrounding rural landscape and wildlife.
- 6.2 The demolition of the bridge structure itself, which is not a listed building, does not constitute development. The re-grading of the embankment either side of the bridge does however constitute development and therefore the scheme should be considered in its entirety. Advice has been sought to ascertain if the bridge would be worth of listing. The Chief Conservation Officer has advised that the structure is not worthy of listing. As such the Local Planning Authority cannot prevent its demolition.
- 6.3 The dismantled railway and embankment to the west of the bridge has been removed and the land is used for agriculture. Generally the land is flat in the surrounding area. It is therefore considered that the proposed regrading of the embankments would be in keeping with the surrounding rural landscape.
- 6.4 There is evidence that there are nesting birds at the site. Protection for birds is provided by other legislation and therefore it is considered that a condition would not be reasonable or necessary.

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 A06 (Development in accordance with approved plans)

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

3 G04 (Landscaping scheme (general))

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

4 G05 (Implementation of landscaping scheme (general))

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

Informatives:

- 1 The attention of the applicant is drawn to the provisions of the Wildlife and Countryside Act 1981 (as amended). This gives statutory protection to a number of species and their habitats. Other animals are also protected under their own legislation. Should any protected species or their habitat be identified during the course of the development then work should cease immediately and English Nature should be informed. English Nature can be contacted at: Herefordshire and Worcestershire Team, Bronsil House, Eastnor, Ledbury, Herefordshire HR8 1EP or telephone 01531 638500.**

2 N15 - Reason(s) for the Grant of Planning Permission

Decision:

Notes:

.....

Background Papers

Internal departmental consultation replies.

4 DCSE2004/1226/F - CHANGE OF USE AND ASSOCIATED WORKS TO BARN FOR CONVERSION TO HOLIDAY LET AT TREBANDY, MARSTOW, ROSS-ON-WYE, HEREFORDSHIRE, HR9 6HD

For: Mr & Mrs G Jordan per RPS, Fairwater House, 1 High Street, Wroughton, Swindon SN4 9JX

Date Received: 5th April 2004

Ward: Llangarron

Grid Ref: 54688, 20453

Expiry Date: 31st May 2004

Local Member: Councillor Mrs. J.A. Hyde

1. Site Description and Proposal

1.1 Trebandy comprises a former farmhouse and complex of traditional barns situated at the western end of the long private drive leading off the A4137 roughly half way between Marstow and the junction with the Llangarron/Glewstone road. The farmhouse is no longer part of the agricultural enterprise and the barns have been converted into residential and holiday accommodation. About 300 m. to the north east of this group of buildings is a small stone building (12 m long x 5.9 m wide) with a monopitch roof. It is proposed to convert this building into holiday accommodation. The main changes would be the replacement of the garage-type doors in the front elevation with glazed panels and entrance doors, with new windows on the left hand side of the front elevation and the south-west end elevation. Access would be along an existing track which leads off the main access drive.

1.2 An earlier application for conversion of a redundant building to holiday let was dismissed on appeal in July 2000. The building had recently been extended to its current dimension and the Inspector considered that the original building had been substantially increased in size such that the proposal was not a genuine conversion of the original structure. He also questioned whether the extension was "reasonably necessary for agriculture" and hence whether the extension was permitted development. Subsequent to the appeal it was decided that the use of the building would be monitored. It is understood that the building was extended in May 2000. Under the "4-year rule" the building would now be lawful whether or not it has been used for agricultural purposes and would benefit from permitted development.

2. Policies

2.1 Planning Policy Guidance

PPG7	The Countryside: Environmental Quality and Economic & Social Development
------	--

2.2 Hereford and Worcester County Structure Plan

Policy CTC13	Buildings of Special Architectural or Historic Interest
Policy CTC14	Criteria for the Conversion of Buildings in Rural Areas
Policy TSM1	Criteria for Tourism Related Development

Policy TSM3 Encouraging Tourism Development

2.3 South Herefordshire District Local Plan

Policy C1	Development Within Open Countryside
Policy C36	Re-use and Adaptation of Rural Buildings
Policy C37	Conversion of Rural Buildings to Residential Use
Policy SH24	Conversion of Rural Buildings
Policy GD1	General Development Criteria
Policy TM5	Proposals for Small Guesthouses, Bed and Breakfast and Self-Catering Accommodation
Policy ED7	Re-use and Adaptation of Rural Buildings for Employment Use
Policy ED8	Farm Diversification

3. Planning History

- | | | | | |
|-----|---------------|---|---|--------------------------------------|
| 3.1 | SE1999/3145/S | Re-roofing and partly enclosing open front to barn. | - | Prior approval not required 21.12.99 |
| | SE1999/1932/F | Conversion to holiday let. | - | Appeal Dismissed 16.8.2000 |

4. Consultation Summary

Statutory Consultations

- 4.1 Environment Agency has no objections in principle.

Internal Council Advice

- 4.2 Head of Engineering and Transportation has no objection to the grant of permission.

5. Representations

- 5.1 The applicants' agents have submitted a detailed Planning Statement. This explains the context of the proposal in relation to continuing decline in agriculture, the importance of rural diversification and tourism and the Development Plan. In addition the applicants' improvements to the buildings and estate are itemised. Key aspects of the case relating to the previous appeal decision and material changes since the appeal are included in full in the appendix to this report.
- 5.2 Parish Council do not support this planning application because the development is too far removed from the curtilage of the main complex and is in open countryside.

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 Inspector in 2000 dismissed the appeal because it was his view that "the extent of the works required to convert the building to [a holiday let] would involve development which would encroach into the open countryside and would be harmful to its overall character and appearance." The current application however does not involve those works in that the subsequently extended building can now be considered to be lawful.

The use of the building has been monitored and although not intensively used it has not been observed to be in non-agricultural use. It has not been considered expedient to take enforcement action as the structure was presumed to be necessary for agriculture and therefore permitted development. The proposal is therefore for conversion of an existing building to holiday accommodation. In principle such changes of use are encouraged in both national and local policies. In this case the general conversion policies are supplemented by the encouragement of farm diversification. On the merits of the proposal it is considered that the scheme respects the character of the building. The proposal is identical to the appeal proposal and the Inspector did not question the suitability of the building nor the conversion scheme. As the Inspector noted the visual impact of the proposal would be limited and with additional and maturing planting since then it is unlikely that the building would be seen from public viewpoints.

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 C02 (Approval of details)

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

3 Notwithstanding the provision of paragraph 3(1) and Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995, (or any order revoking or re-enacting that Order without modification, no development which would otherwise be permitted under Classes A, B, C, D, E and H of Part 1 of Schedule 2, shall be carried out without the prior written consent of the local planning authority.

Reason: To ensure the character of the original conversion scheme is maintained.

4 E31 (Use as holiday accommodation)

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

5 H13 (Access, turning area and parking)

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

Informative(s)

1. N15 - Reason(s) for the Grant of Planning Permission

Decision:

Notes:

.....

Background Papers

Internal departmental consultation replies.

SECTION 8: THE PREVIOUS APPEAL DECISION

- 8.0 An appeal to consider conversion of the field barn in the manner now proposed was dismissed because the inspector regarded the extent of the works to convert the building would encroach into the open countryside and would be harmful to its character and appearance.
- 8.1 The applicant did not agree with this conclusion especially having regard to the improvements listed above. He clearly wishes to ensure his activities improve rather than detract from the quality of the immediate countryside. Since that decision the planting referred to above now ensures that the field barn would be unseen from any public vantage point.
- 8.2 The Inspector also concluded that the proposal then could not be viewed as complementary to a larger tourism related scheme.
- 8.3 The business plan produced by ADAS recommends converting the other buildings into holiday accommodation to bring about profitability so moving matters on positively since the appeal decision. By 2007 Geoffrey Jordan will be operating the farm full time and the accompanying business plan sets out the objectives to that end which include the conversion of other buildings to holiday lets.
- 8.4 The use of the building has always been agricultural. In late 1999 the applicant sought determination under Part 6 and 7 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 as to whether the prior approval of the Local Planning Authority was required for an alteration that increased the height of the existing walls, extended forward the main side walls and re-roofed the building with artificial slates. The authority replied stating that prior approval was not required so confirming the use of the building as agricultural.
- 8.5 Subsequent to the appeal being dismissed in 2000 the building has continued in agricultural use. Enforcement action would have been expected if there had been any reason to believe that the agricultural use of the building was not genuine. The circumstances of this application are therefore different with respect to the consideration of the "original" building and there is no doubt that it was properly extended and altered under permitted development rights and used for agricultural purposes.

Visual Assessment

- 8.6 Trebandy Farm is located in a rural landscape, which is visually influenced by small settlements, farmsteads with large scale agricultural buildings and electricity transmission lines. Trebandy House, which is painted white and located on the lower western part of the farm, is a prominent feature in the local landscape in some views. The application site is situated in a slightly elevated position at the northern boundary of the farm. The application barn is a very small feature in relation to the wider landscape and its features.
- 8.7 Since the appeal decision in August 2000 the applicant has undertaken extensive planting close to the redundant building. To the east and to the south of the access track a plantation is now beginning to mature. Along, the north east, north west and south west boundaries of the site in which the building is located, dogrose and thorn hedges are beginning to mature.
- 8.8 This planting and the small nature of the proposal, combined with minimum intervention render the proposal visually unobtrusive. The sensitive siting and treatment of the new access road and parking area further minimise and mitigate any visual impact of the proposal.
- 8.9 The application site is suitable for the proposed barn conversion, which would be introduced in a manner appropriate to development within the countryside. This would be achieved through design and careful use of natural materials which reflect the character of the surroundings.

SECTION 9: MATERIAL CHANGES SINCE THE APPEAL DECISION OF AUGUST 2000

9.0 Important material changes have taken place since the appeal decision of August 2000 namely:-

- 1) A substantial decline has occurred in two national economic sectors (agriculture and tourism) upon which Herefordshire is highly dependent.
- 2) The foot and mouth crisis of 2001 has compounded an already increasing decline.
- 3) DEFRA recognised in March 2000 (Strategy for Agriculture: An Action Plan for Farming) that the growing problems facing farmers were having wider implications on the rural economy.
- 4) Subsequent to the above, the rural development programme has been initiated to stimulate an upturn in the rural economy. To date this has had little or no effect.
- 5) A Rural White Paper (November 2000) has been produced. This keynote document identified poor housing, increased unemployment, loss of social facilities and poor transport resulting in a growing sense of isolation amongst the rural community.
- 6) Initiatives such as Rural Development Agencies and Rural Priority Areas have raised awareness of the need to acknowledge a requirement for a wider based economy in rural areas.
- 7) During the period since August 2000 the UK tourist industry has been in decline and now runs a £15.2 billion deficit.
- 8) Fears of international terrorism exacerbate this situation.
- 9) A new planning policy guidance note (no. 21) Tourism has been produced (November 2000) and recognises the need to diversify.
- 10) The emerging UDP for Herefordshire recognises the parlous state of agriculture and tourism and positively encourages development that will improve the rural economy.

- 11) The UDP now refers to rural rather than agricultural buildings when considering alternative uses. This introduces a much greater degree of flexibility embracing many more buildings than those that are solely used for agricultural purposes.
- 12) The applicant has commissioned ADAS to advise on the best way forward for the business. ADAS have recommended further diversification to tourism. The field barn should now be considered in this context. The inspector concluded that because it could not be seen in this context (in August 2000) this was a shortcoming leading to one of the reasons for dismissing the appeal.
- 13) The planting referred to above has now matured to cause the field barn to be unseen in the wider landscape from any public vantage point and it must be remembered that the inspector concluded that the visual impact of the proposal would in any case be limited.
- 14) Much of what is set out in this report was not brought to the attention of the inspector when the appeal was considered.

5 DCSW2004/1155/F - CHANGE OF USE OF EXISTING BARN. DEMOLITION OF MODERN FARM BUILDINGS AND REPLACEMENT WITH A SINGLE STOREY SCULPTURE GALLERY BUILDING AND A STUDIO/WORKSHOP. CAR PARKING FOR VISITORS AND A NEW CROSSOVER. PROPOSED USE OF SOME LAND AS A SCULPTURE PARK, MIDDLE HUNT HOUSE FARM, WALTERSTONE, HEREFORDSHIRE, HR2 0DY

For: Rupert Otten & Hanneke Van Der Werf per Mr M Crowley, Grove Hill House, 8 Grove Park, London SE5 8LR

Date Received: 19th April 2004

Ward: Golden Valley South

Grid Ref: 33302, 26060

Expiry Date: 14th June 2004

Local Member: Councillor J. B. Williams

1. Site Description and Proposal

- 1.1 The application site is part of Middle Hunt House Farm, Walterstone. The site lies within open countryside and designated Area of Great Landscape Value, as defined in the Local Plan. It is accessed off the C1218, Walterstone to Longtown road. Middle Hunt House Farm is of an irregular shape comprising of 7.6ha. The application site comprises 5.26ha and remaining agricultural fields comprising 2.4ha. The site slopes steeply from the north to the south from the classified road to a group of 'L' shaped outbuildings. Hedgerow and access to Middle Hunt House Farm define the roadside boundary and hedgerow and trees to the south, west and east boundaries. The Black Mountains are viewed from the south of the site.
- 1.2 The proposal is for a sculpture gallery, artist studio, outdoor sculpture park and trail. It proposes the change of use of existing stone barn, the demolition of the existing modern farm buildings and the construction of a new single storey gallery. It also involves the replacement of an existing building by a new studio incorporating ancillary accommodation. In addition dual use of the land is proposed for the sculpture park, sculpture trail and agriculture.
- 1.3 The application proposes the change of use of an existing stone barn measuring 15.7m long x 6.1m wide, which lies east of the farmhouse to provide the reception area and involves the demolition of the existing modern farm buildings attached to the west and south of the stone barn. It will replace the existing workshop to the south-west of the farmhouse to form a new two storey building for an artists studio and ancillary accommodation measuring 5.9m long x 6.m wide x 6.8m (ridge). The open byre stone building adjoining the two storey building will remain.
- 1.4 The application also provides a new single storey gallery to the west of the stone barn measuring 24m long x 5m wide x 6.1m (to ridge). In addition the land to the south of

the outbuildings and farmhouse will form the outdoor sculpture park and trail to be retained as agricultural use. The outdoor sculpture park directly behind the stone barn and gallery measures approximately 0.4ha, which provides about 6 sculptures situated around the gravelled paths and hedgerows. The field adjacent to this garden measures approximately 0.6ha which will provide a further 5/6 sculptures. The remaining 3.66ha's provides a further 5/6 larger sculptures situated around the sculpture trail. The trail comprises of a 2m wide path of scalplings and grass seeded.

- 1.5 The application also creates a new crossover, clarified as a new access, and provides nine parking spaces to the northern part of the site. This land is flat and adjacent to the roadside. Facilities for disabled parking are provided adjacent to the stone barn. The area, including outbuildings, measures approximately 0.7 ha's. The whole farm has been approved for Countryside Stewardship scheme from 1st November 2003. Under the scheme all the boundaries will be restored over the next 8 years.
- 1.6 Amended plans have been received on the 6th May, 2004, omitting glazing to the north east elevation of the sculpture gallery and substituted with timber cladding. Further amended plans have been received on the 21st May, 2004 detailing the hedgerow renovation and new tree/hedge planting to be carried out under the Countryside Stewardship Scheme.

2. Policies

2.1 Planning Policy Guidance

- PPG7 - The Countryside: Environmental Quality and Economic and Social Development
- PPG13 - Transport

2.2 Hereford and Worcester County Structure Plan:

- Policy CTC2 - Development within Areas of Great Landscape Value
- Policy CTC6 - Development and Significant Landscape Features
- Policy CTC9 - Development Criteria
- Policy CTC14 - Criteria for the Conversion of Buildings in Rural Areas
- Policy A1 - Development Criteria
- Policy A2 - Diversification of Agricultural Units
- Policy TSM1 - Criteria for Tourism Related Development
- Policy TSM2 - Scale of Tourism Development
- Policy TSM3 - Encouraging Tourism Development

2.3 South Herefordshire District Local Plan

- Policy GD1 - General Development Criteria
- Policy C1 - Development within Open Countryside
- Policy C8 - Development within Area of Great Landscape Value
- Policy C9 - Landscape Features
- Policy C36 - Re-use and Adaptation of Rural Buildings
- Policy C50 - Advertisement Control
- Policy C51 - Direction Signs
- Policy ED6 - Employment in the Countryside
- Policy ED7 - Re-use and Adaptation of Rural Buildings for Employment/Tourism Use
- Policy ED8 - Farm Diversification

Policy TM1	-	General Tourism Provision
Policy TM8	-	Provision of New and Improvement of Existing Tourist Attractions
Policy R13	-	Percent for Art
Policy T1A	-	Environmental Sustainability and Transport
Policy T3	-	Highway Safety Requirements
Policy T4	-	Highway and Car Parking Standards

2.4 Herefordshire Unitary Development Plan

Part I

Policy S1	-	Sustainable Development
Policy S2	-	Development Requirements
Policy S4	-	Employment
Policy S6	-	Transport
Policy S8	-	Recreation, Sport and Tourism

Part II

Policy DR1	-	Design
Policy DR2	-	Land Use and Activity
Policy DR4	-	Environment
Policy DR13	-	Noise
Policy DR14	-	Lighting
Policy E11	-	Employment in the Smaller Settlements and Open Countryside
Policy E12	-	Farm Diversification
Policy T11	-	Parking Provision
Policy T13	-	Traffic Management Schemes
Policy LA2	-	Landscape Character and Areas Least Resilient to Change
Policy LA5	-	Protection of trees, Woodlands and Hedgerows
Policy HBA11	-	Advertising
Policy HBA12	-	Re-use of Rural Buildings
Policy RST1	-	Criteria for Recreation, Sport and Tourism Development
Policy RST13	-	Rural and Farm Tourism Development

Supplementary Planning Guidance September 2002 –
Landscape Character Assessment

3. Planning History

3.1 The site has not been the subject of previous applications.

4. Consultation Summary

Statutory Consultations

4.1 Environment agency - No objection, subject to conditions.

4.2 The Ramblers Association - There does not appear to be any impact upon the public right of way. Encouraging to see that the public right of way has been recognised and recorded on the site plan, would prefer grass path, rather than gravel where footpath crosses over sculpture trail.

4.3 Open Spaces Society - Proposal does not appear to affect the public right of way.

Internal Council Advice

- 4.4 Head of Engineering and transportation - No objection subject to conditions. The development would not appear to affect public footpath LQ10, subject to precautionary measures taken whilst works are undertaken.
- 4.5 Chief Conservation Officer - No objections from an architectural point of view, but some concerns relating to species of plants, no objections subject to finalising details of landscape proposals.
- 4.6 Head of Policy and Community - No response.

5. Representations

- 5.1 The applicant submitted a statement of intent together with design statement with the planning application. Further clarification has also been submitted on the 21st May, 2004. They are included as an appendix to this committee report.
- 5.2 The Parish Council has no objection to the proposal.
- 5.3 Five letters have been received objecting to the proposal.

Eirona Fletcher, New Hunt House Farm, Walterstone, Herefordshire HR2 0DY
 Mr. C. Haywood & Mrs. G. Haywood, Cross Ash Cottage, Clodock, Nr. Hereford.
 HR2 0NZ
 Mrs. M. Collins, Heather Cottage, Llanvihangel Crucorney, Abergavenny, Monmouth
 NP7 8EW
 Alison Price, New Buildings Farm, Walterstone, Herefordshire HR2 0DX
 Mrs. G. Smith, The Marlands, Clodock, Herefordshire HR2 0PD

In summary the following reasons are cited:-

- No objection to single storey sculpture gallery
- Object to create car park for visitors and new crossover
- The roads are little more than country lanes with few passing places
- Visibility from existing access is poor
- Land for car park would increase volume of traffic and would be detrimental to area
- The strength of Clodock bridge and its ability to take additional traffic
- Road is narrow in places - safety concerns for local people who walk the road
- Unidentified sculptures over which there will be no control
- Main apprehension is the amount of traffic the project will impose with the expected 20 visitors per day and bigger numbers at private openings.
- The lane is already busy with journeys by car, lorries, tractors, trailers and holiday visitors.
- Business could expand and the amount of cars could easily double facilitating extra parking and yet another entrance.
- Substantial amount of hedge to be removed for new access and car park - concerned about loss of hedgerow and car park being visible.
- Not taken into account the effect on surrounding neighbours and neighbourhood
- No mention of how big the sculptures being placed in the landscape - difficult to image impact from the wider viewpoint.

- Concern of noise generated from cars, dogs, children and other visitors in this peaceful and unspoilt area.
- Disagree that project will create employment for local people - businesses employ people outside the area.
- Sympathetic alterations to the existing buildings would be an improvement - this could be done with the countryside stewardship scheme.
- Sculpture park and large gallery are over ambitious for the area.
- Local people and newcomers have strived to preserve the areas unique character and beauty for generations.
- Proposal would be out of character with local surroundings and agricultural community with its sparsely scattered farms, house, unique field patterns and winding lanes.
- Do not think a sculpture park would fit in with the surroundings of this area.
- Concerned that the sculptures will stand out considerably from the vantage points and ruin beautiful landscape.
- Landscape least resistant to change.
- The vernacular orchard area is to disappear and become a totally untypical formal garden.
- Herefordshire UDP DR13 Noise would appear to have particularly significant relevance to the application.
- Unlikely to create considerable local employment - area has the lowest level of unemployment in Herefordshire.
- Light pollution - this area of Herefordshire described by CPRE enjoys truly dark nighttime skies.
- Viewers from advantage points not expecting to see massed statuary amongst the farms.

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 main considerations in the determination of this application are the principle of development within open countryside and new build; suitability of the conversion of existing outbuilding; the effects on landscape qualities, the impact upon the highway and amenity of neighbouring properties.
- 6.2 The site lies within open countryside and as such Policy C1 of the Local Plan applies. The policy seeks to conserve the natural beauty and amenity of the countryside and states that development within the open countryside will only be allowed for specific purposes, such as sustainable tourism/recreational purposes or re-use of a rural building subject to compliance with other policies of the local plan. Planning Policy Guidance No. 7 seeks to protect the countryside for its own sake and building is strictly controlled away from existing settlements. The proposal seeks to provide the conversion of an existing rural building, new gallery and sculpture park. This is a business use, but does have links to tourism/recreational purposes. The principle of a relatively small-scale development within open countryside is considered to be acceptable.
- 6.3 The proposal lies within the Monnow valley close to the rolling landscape of the Black Mountains and designated Area of Great Landscape Value. The Supplementary Planning Guidance September 2002 'Landscape Character Assessment' identifies the area as being an area least resilient to change. Policy C8 of the Local Plan seeks to

ensure that any proposal does not adversely affect the landscape. The new gallery leads onto the outdoor sculpture gallery, which creates a series of outdoor rooms for the display of sculptures. These will be formed by evergreen hedgerow framework using mainly yew and occasional clumps of bamboo. Existing fruit trees will be retained with occasional fruit trees planted such as mulberry. Progression through the outdoor sculpture gallery leads onto the sculpture park trail providing a 2m wide path to provide a firm pathway designed to link landscape features and viewpoints. The trail will be fenced off and fields will remain in agricultural use for grazing. The sculptures will vary in range and size throughout the park. Six sculptures are proposed in the outdoor gallery park, to be small in scale and no higher than 1 metre. The field behind proposes 5 to 6 sculptures of a slightly larger scale and no higher than 2 metres. The trail park proposes 5 to 6 larger works, specially made for the site, and no higher than 3 metres. The proposed sitings are identified on the site plan and included as an appendix to this report. New planting and shrubs are proposed throughout the site. The area also provides a new pool to the south-east fed by existing stream with native aquatic planting and a series of five pools to the south-west of the site.

- 6.4 The whole farm has been approved for Countryside Stewardship scheme and all boundaries are to be restored as well as new areas of woodland and pond. Approximately 8.094ha of the 12.141ha acres are also covered by a grassland management scheme to ensure that the land is not overgrazed and that natural species are encouraged. It is considered that the creation of the sculpture park and trail would not alter the landscape character nor would it adversely affect the wider landscape, therefore, the proposal accords with Policy C6 and C8 of the Local Plan.
- 6.5 Policy ED6 of the Local Plan encourages proposals for farm diversification or tourism projects and that new buildings should be in unobtrusive locations causing no adverse impact upon the natural environment, the road network or local amenity. The main axis of the new gallery is aligned parallel to the stone barn. A zinc cladding roof canopy connects the gallery to the reception area in the converted stone barn. The frame of the new building and weatherboarding shall be oak, weathered naturally to match the woodwork of the barns and farmhouse. The roof light frame materials, down pipes and gutters shall be simple and discrete, subject to detailing. Similarly the roofing material is intended to respect the local vernacular of existing barns. Transparent vertical glazing is to be provided to the south-west elevation to enjoy views to the Welsh border. The new two storey building for the artist studio and ancillary accommodation will re-use existing stone at ground floor and the first floor constructed in the same materials as the gallery. It is considered that the new gallery and two storey building accords with Policy ED6, C6 and C8 of the Local Plan.
- 6.6 The sculpture park and gallery will be open to the public and shall be an educational resource from Easter until the end of September. It is expected to be open for 3 days a week and the rest of the time will be open by appointment only. It is to attract clients seeking to buy works for their home or garden and wishing to see a range of contemporary works in situ. The new gallery will display sculptures and paintings created by local artists and the artist studio enables facilities for onsite works to be carried out. Any sales of works will help the artists who have made the work and where possible local artists will be asked to participate in events at the gallery and in the park. The expected visitor numbers will not exceed more than 20 persons a day on average with an exception at private view openings of exhibitions and special events. The whole park has been designed to encourage disabled access with paths and tolerable gradients and facilities. The proposed development would encourage local employment in the implementation of the scheme through building works,

restoration of the traditional barn, hedge laying and coppicing, fencing and drainage works. It is anticipated that long-term employment will be created for two part-time posts in the management of the park and administrative duties. Long-term local employment for the park maintenance will also be generated. It is considered that the proposal accords with policy ED6.

- 6.7 Policy ED7 encourages reuse and adaptation of rural buildings for employment or tourism uses and proposals should accord with other local plan policies. The conversion of the existing stone barn is capable of conversion without requiring extensive reconstruction, which will accommodate the new use of the reception area for visitors and artists to the sculpture park. It is considered that the removal of the existing modern farm buildings would improve the view of the stone barn. The new buildings have been designed to enhance the setting of the barn and farmhouse in the wider landscape. Therefore the proposal accords with Policy ED7 of the Local Plan.
- 6.8 The objections raised concerning the impact upon highway safety of the C1218, has been considered by the Head of Engineering and Transportation. There are no objections subject to agreed visibility requirements and the provision of nine car parking spaces within the site. Therefore it is considered that the proposal accords with policy T3 of the Local Plan.
- 6.9 Objections raised concerning the affects of the proposal upon neighbouring properties relating to noise and light pollution are noted. The intended use of the gallery and sculpture park will be open from Easter to end of September, where generally the countryside encourages more visitors to areas of such landscape qualities. The season enjoys lighter evenings and the requirement for additional external lighting would be controlled with the use of appropriate conditions. It is considered that the proposed use of the sculpture park and gallery would not cause an unacceptable loss of amenity to neighbouring residents. Therefore the proposal accords with policies TM1 of the Local Plan.
- 6.10 Other issues raised concerns the scale of the sculptures to be situated within the outdoor gallery park and trail. Further clarification has been submitted relating to the proposed siting, scale and number of the sculptures within the park. The materials and colours will blend into the surroundings and will also be sensitively placed to ensure that they would not affect the wider landscape of the surrounding area.
- 6.11 The proposal complies with policies relating to development within open countryside and areas of great landscape value, contained in the South Herefordshire District Local Plan and Hereford and Worcester County Structure Plan. The proposal would not have a detrimental impact upon the wider landscape of the area.

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. A06 (Development in accordance with approved plans)**

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

3. A09 (Amended plans)

Reason: To ensure the development is carried out in accordance with the amended plans.

4. E03 (Restriction on hours of opening)

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

5. The premises shall be used for sculpture gallery and reception, artist studio and outdoor sculpture park and trail and for no other purpose (including any other purpose in Class D1 of the schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: The local planning authority wish to control the specific use of the land/premises, in the interest of local amenity.

6. E16 (Removal of permitted development rights)

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

7. Notwithstanding the approved drawings, details of the following shall be submitted to and approved by the local planning authority prior to the commencement of any works. The development shall be carried out in accordance with the approved details:-

- (a) all new materials and finishes**
- (b) fenestration**
- (c) doors**
- (d) flues, vents and louvres**
- (e) solar shading**
- (f) canopies**
- (g) glazing to roof**
- (h) staircases and balustrading**
- (i) fencing boundary of footpath trail**

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

8. F32 (Details of floodlighting/external lighting)

Reason: To safeguard local amenities.

9. G03 (Landscaping scheme implementation)

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

10. Notwithstanding the approved drawings, the sculptures sited in the sculpture park and trail shall not exceed a height of 3 metres without the prior written consent of the local planning authority.

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

11. H03 (Visibility splays)

Reason: In the interests of highway safety.

12. H05 (Access gates)

Reason: In the interests of highway safety.

13. H06 (Vehicular access construction)

Reason: In the interests of highway safety.

14. H15 (Turning and parking: change of use - commercial)

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

15. No development approved by this permission shall be commenced until a scheme for the provision of foul drainage works has been approved by the local planning authority. The scheme shall be implemented in accordance with the approved details.

Reason: To prevent pollution of the water environment.

16. The development hereby permitted shall not be sold separately from the dwelling known as Middle Hunt House Farm.

Reason: It would be contrary to the policy of the local planning authority to grant consent for a separate dwelling in this location.

Informative(s)

- 1. The applicant's attention is drawn to the provision of directional signs or advertisement signs relating to the development which would necessitate a further application for advertisement consent.**
- 2. The applicant's attention is drawn to the removal of the existing hay bay and that the application does not authorise the agricultural building to be re-erected.**
- 3. The applicant's attention is drawn to the Environment Agency letter dated 20th May, 2004.**
- 4. HN01 - Mud on highway**
- 5. HN02 - Public rights of way affected**
- 6. The right of way should remain open at all times throughout the development. If development works are perceived to be likely to endanger members of the public then a temporary closure order should be applied for from the Public Rights of Way Department, preferably 6 weeks in advance of work starting.**

7. N15 - Reason(s) for the Grant of Planning Permission

Decision:

Notes:

.....

Background Papers

Internal departmental consultation replies.

MIDDLE HUNT HOUSE FARM
Walterstone, Herefordshire HR2 0DY

Statement of Intent in respect of a planning application

Applicant Rupert Otten and Hanneke van der Werf

Introduction

The application concerns the change of use of an existing stone barn, the demolition of an existing modern farm buildings and the construction of a new single storey gallery and the replacement of an existing building by a new studio incorporating ancillary accommodation. In addition dual use of the land as sculpture park and agriculture is sought and the creation of off street parking for visitors.

Description of the Existing Buildings

The double height traditional barn is built in stone and roofed in stone tiles over oak beams and rafters. It is approximately 15.7 metres long by 6.1 metres wide. The barn has not been formally dated but is probably 17th century in origin. It is in poor condition at present and is redundant to current farm use.

It is in sound enough condition to be restored with most of the original timbers still in place. It is not a listed building nor are the buildings within its curtilage including the farmhouse. An application has already been made under the Countryside Stewardship Scheme for a grant to repair the outside fabric of the barn.

Two modern barns have been built against the south and west flanks of the building and these are to be removed to another site on the farm. This will greatly improve the visibility of the existing structure and restore it to its original appearance.

At right angles to the existing stone barn is a range of single story farm buildings incorporating an open "Dutch" barn and a workshop store. The Dutch barn is to be retained and part included in a new artist's studio. A new two story building is to replace the existing workshop to form the artist's studio with ancillary accommodation above for visiting artists and/or management.

New Business

The farm is not a viable unit being only 29 acres. It is the intention of the owners to open a sculpture park and gallery on the site. The existing barn is to be a reception centre and offices incorporating toilet facilities, a kitchen and a small display area. The new building will incorporate a large gallery space suitable for the display of sculpture and paintings.

As well as exhibiting sculpture indoors, sculpture will be displayed in the landscape. The area to the south of the single story range of buildings, currently an orchard area, has been designated as a formal garden.

Sculpture trails will continue into adjoining fields but these will remain in agricultural use being available for grazing and/or orchard or woodland.

HEREFORDSHIRE COUNCIL
PLANNING SERVICES
DEVELOPMENT CONTROL

Employment

It is intended that the sculpture park and gallery will be open to visitors from Easter until the end of September each year. Opening days and times have as yet not been determined.

The business will be managed by Rupert Otten and Hanneke van der Werf who are both professional gallery administrators. They currently run a gallery in London and will be moving their activities down to Middle Hunt House progressively over the next seven years as well as directing the development of this new venture.

As well as creating considerable local employment in the implementation of the scheme through building works, restoration of the traditional barn, hedge laying and coppicing, fencing, drainage works and path laying; long term employment will be created for two part time posts in the management of the park and in administrative duties. Park maintenance will generate additional long-term local employment.

Visitor numbers, disabled persons access and traffic

The sculpture park and gallery will not be aimed at a mass audience. It's intended clients are those who are seeking to buy works for their home or garden and want to see a range of contemporary works in situ. Occasional exhibitions of paintings and prints will be held mainly with a local interest. Any sales of works will help the artists who made the works and where possible local artists will be asked to participate in events at the gallery and in the park.

As part of the business plan, artists will be asked to install or make site specific works for the park. The planning application incorporates accommodation for such visiting artists.

It is not expected that visitor numbers will exceed more than 20 persons a day on average during the opening season. Higher numbers can be expected at private view openings of exhibitions and special events. Car parking has been provided for 9 cars and a disabled parking spot has been incorporated adjacent to the entrance to the reception area. Additional overflow parking is available in the farm yard when necessary.

The whole park has been designed with a view to encouraging disabled access with paths at tolerable gradients. Disabled persons toilet facilities are provided for in the scheme. It is anticipated that a battery powered buggy will be available so that disabled persons can fully enjoy the experience.

Environmental factors

The buildings and land are overlooked by the Brecon Beacon National Park and can be seen from Offa's Dyke path on the Black Mountains as well as from the public footpath that crosses the farm some 50 metres away from the barn and the public road also some 20 metres away.

The demolition of the modern farm buildings will improve the view of the stone barn and the new buildings have been designed to enhance the setting of the barn and farmhouse in the landscape. The existing field pattern will be preserved and boundary hedges, trees, streams and drains shall be restored and maintained.



Countryside Stewardship Scheme

The whole farm has been approved for Countryside stewardship scheme from 1 November 2003. Under the scheme all the boundaries will be restored over the next 8 years. This will create a haven for birds and small mammals

New areas of woodland and a pond are to be created. Approximately 20 of the 29 acres is also covered by a Grassland Management agreement. This ensures that the land is not overgrazed and that natural species are encouraged.

Work commenced on the hedgerow management in February 2004.

A copy of the Stewardship Agreement dated 3 October 2003 as amended 5 December 2003 is attached./

RJO 12/2/04

Middle Hunt House Farm
Walterstone
Hereford HR2 0DY
01873 860 359

London, 19 May 2004

Re: application number DCSW2004/1155/F

Dear Angela Tyler,

Our architect Mick Crowley told me today that there have been some objections/queries regarding our planning application. In answer to those we would like to supply you with the following information:

The land belonging to Middle Hunt House Farm comprises 30 acres. The majority of the site is managed under the Countryside Stewardship Scheme. Approximately 13 acres will be used for the display of sculpture. The rest is retained in agricultural use for grazing with sheep and haymaking.

Directly behind the barn there will be a formal garden of approximately 1 acre, where about 6 sculptures will be on display. These will be small in scale, not higher than about 1 meter. The field adjacent to this garden is 1.6 acres and we envisage placing another 5/6 sculptures there of slightly larger scale. These will be in tune with the surroundings. As the existing planting of trees and hedgerows give an intimate atmosphere to this field, we do not envisage the sculptures to be larger than 2 meters in height.

In the remaining 10 acres or so we envisage placing another 5/6 larger works, all placed within a natural setting, specifically made for the site. In order for artists to qualify for this, materials and colours used will have to be in tune with the natural setting. I have marked on the attached plan where we envisage sculptures to be placed. Again, in order to be in scale with the site, I do not envisage the works to exceed a height of 3 meters.

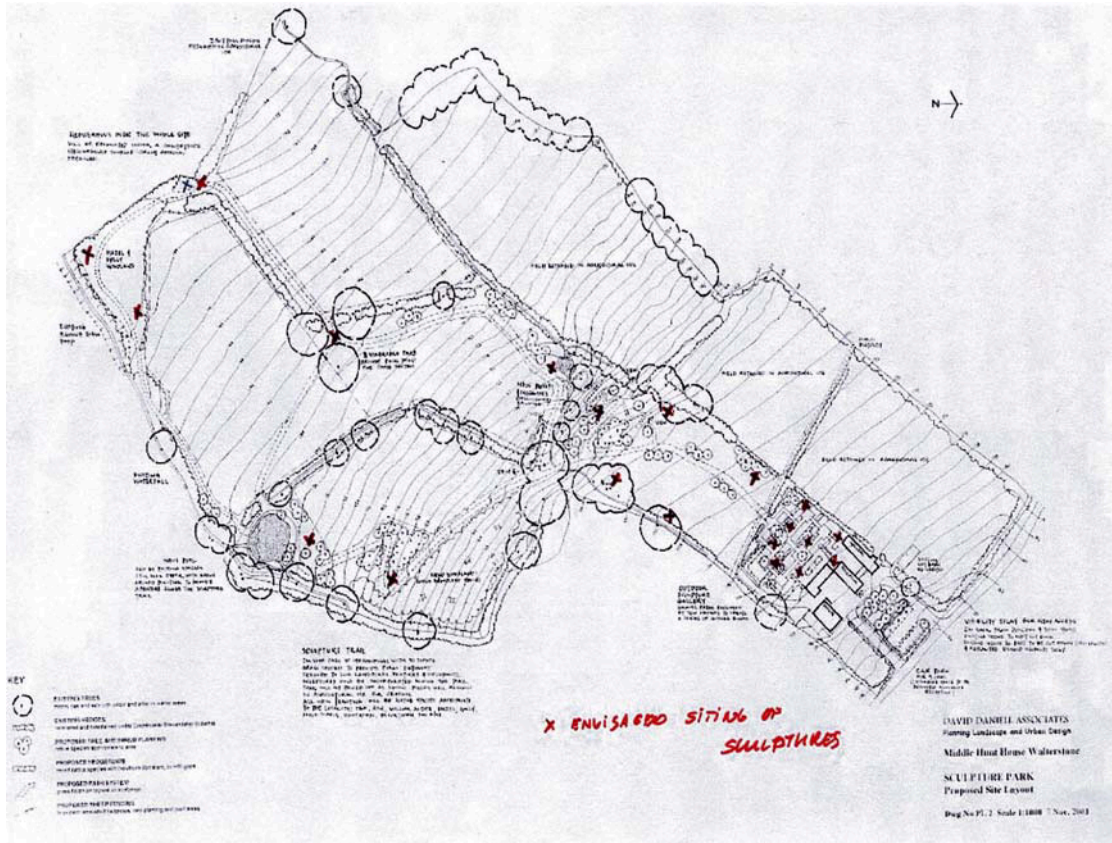
As a result of the above described policy, works will only be visible if one visits the garden and purposefully looks out for the sculptures. To give a better idea of scale and types of materials used, I have attached a number of photographs. Obviously these are not of the works that will be displayed, as this has not been determined and will change from year to year, but of works of similar character. Considering that we do not expect there will be more than about 20 works on display on a 13 acre site and the materials and colours used I do not intend the display of sculpture to infringe on the surroundings.

In understand there is also concern about the increase of traffic with the opening of the park. As we intend to open only part of the year, from Easter – mid-October and during this time only for 3 days a week, we do not envisage a large increase in traffic. The rest of the time we will be open by appointment only. In case of a special occasion like a private view, we have overflow parking in the farmyard for another 15 cars and if more is required we can overflow into the field adjacent to and accessible from the car park. We will certainly not generate more traffic than we would have done if we would have intensively farmed the land and considering the type of traffic it will certainly be less obtrusive.

I trust this is of help, but please do not hesitate to contact me or Rupert Otten if you feel you need more information. We will be happy to talk to anyone who has concerns and explain to them in person what it is we are wanting to do and what impact it might have on their enjoyment of their environment, as we aim not to infringe on anybody.

Yours sincerely,

Hanneke van der Werf
Rupert Otten



6 DCSE2004/0781/F - ALTERATIONS AND SINGLE STOREY EXTENSION TO EXISTING HALL AT MUCH MARCLE MEMORIAL HALL, MUCH MARCLE, LEDBURY, HEREFORDSHIRE HR8 2NF

For: Much Marcle Memorial Hall Management Committee per Trevor Hewett Architects, 25 Castle Street, Hereford HR1 2NW

Date Received: 2nd March 2004 **Ward: Old Gore**

Grid Ref: 65807, 33012

Expiry Date: 27th April 2004

Local Member: Councillor J.W. Edwards

1. Site Description and Proposal

- 1.1 Much Marcle Memorial Hall lies on the eastern side of the B4024, within the village settlement boundary and the Much Marcle Conservation Area. The building is set back some 11 metres from the highway, with an open forecourt to the front of the building. Residential properties are situated to the north, east and south of the hall and a playing field and primary school on the western side of the road. The existing building has a gable end facing the road with a porch and single storey elements set back on either side of the main section of the building. The building has rough casted rendered elevations with some brick detailing under a tiled roof.
- 1.2 It is proposed to extend the hall by way of a single storey extension to the northern elevation and altering the roof to the eastern elevation. The extension and alterations would provide a new entrance, including a ramp access, a meeting room, toilet facilities, store and stage at the rear of the hall. Five external ramps are proposed, one to each external door. The existing porch would be retained but the existing door opening would be glazed.
- 1.3 Amended plans have been received which include a car park layout for 14 spaces, 2 of which would be for the disabled. In addition it is proposed to plant a low hedge along part of the roadside boundary.

2. Policies

2.1 Planning Policy Guidance

PPG1	General Policy and Principles
PPG15	Planning and the Historic Environment

2.2 Hereford and Worcester County Structure Plan

Policy CTC15	Preservation, Enhancement and Extension of Conservation Areas
Policy T12	On-street Parking

2.3 Malvern Hills District Local Plan

Conservation Policy 1	Preserving or Enhancing Conservation Areas
Conservation Policy 2	New Development in Conservation Areas
Transport Policy 5	Boundary Treatments in Conservation Areas
Transport Policy 6	Protection of Listed Buildings
Transport Policy 10	Car Park Design
Transport Policy 11	Traffic Impact
Recreation Policy 31	Retention of Existing Community Facilities

Much Marcle Parish Design Statement

2.4 Herefordshire Unitary Development Plan – Revised Deposit Draft

Part 1	
Policy S8	Recreation, Sport and Tourism
Part 2	
Policy DR1	Design
Policy HBA6	New Development within Conservation Areas
Policy RST1	Criteria for Recreation, Sport and Tourism Development
Policy CF6	Retention of Existing Facilities

3. Planning History

3.1 No relevant planning history.

4. Consultation SummaryStatutory Consultations

4.1 No statutory or non-statutory consultations required

Internal Council Advice

4.2 Transportation Manager has no objections to the amended plans subject to conditions.

4.3 Chief Conservation Officer - No objections to the amended plans.

4.4 Environmental Health Officer - recommends a condition regarding sound insulation.

5. Representations

5.1 Much Marcle Parish Council - No objections to this application.

5.2 Four letters of representation have been received in respect of the original plans from David Beeching of Parting Grounds, C.C Cottage of Egattoc, R.B and M W Yorke of 10 Monks Meadow, Much Marcle and Ross-on-Wye and District Civic Society . The main points raised are:

- Proposed extension would reduce the number of parking spaces by about eight. Functions using the car park already create parking problems resulting in cars parking on the road. This causes problems for agricultural vehicles, ordinary passenger vehicles and cars to pass on the narrow road.

- Increased use of the hall, including proposed introduction of pre-school classes, can only exacerbate the traffic problem.
- The proposed extension would impact upon our amenity, enclose our property and block out sunlight in the afternoon and evening (Egattoc). My property is not shown on the submitted plans, so would not necessarily have been considered.
- Not opposed to extension in principle and suggest an alternative that would be a compromise to my situation.
- In general the Memorial Hall Committee should be congratulated on their plans to extend and improve the building, but we have concerns regarding the treatment of the road side elevation. The proposal would relocate the main entrance and the porch and inscription 'The Great War Memorial 1921' would go and be replaced by a rather bland strip of rectangular glazing. We urge a design that retains a substantial part of the existing elevation.
- Concern regarding impact of increased usage, suggest a condition that the hall's management have as a prime consideration a duty of care and consideration with regard to environmental impact of their promotions on near neighbours.

Any comments received in respect of the amended plans will be reported.

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 main considerations in the determination of this application are the principle of extending the building, the affect of the proposal on the character and appearance of the Conservation Area, the impact upon highway safety and the amenity of neighbouring properties.
- 6.2 Recreation Policy 31 of the Local Plan seeks to retain existing community facilities. It is considered therefore that proposals to improve existing facilities should, in principle, be supported.
- 6.3 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the Conservation Area. Moreover polices CTC15 of the Structure Plan and Conservation Policy 2 of the Local Plan state that new development should not adversely affect the character or appearance of the Conservation Area.
- 6.4 The proposed extension would result in the building being closer to the northern boundary, but no nearer to the road (western boundary). Furthermore the entrance into the building would be relocated from the existing porch on the western elevation to the extension. In terms of scale, mass, and design the extensions and alterations would complement the existing building. It is considered that due to the scale, mass, siting and design of the extension and alterations the resulting building would not appear cramped within the site. Amended plans have been received which would essentially retain the overall appearance of the porch, but would still not retain the existing plaque. There may be scope to relocate the plaque, possibly to within the building. Whilst it is regrettable that the plague would be removed, as the building is not listed it would not be reasonable to require that it be retained. The proposed car park layout would include the provision of a low box hedge to part of the boundary with the road. Together with the proposed 'T' markings to demark the spaces it is considered that it would represent an improvement to the appearance of the existing

forecourt area. Therefore the proposal is considered to preserve the character and appearance of the Much Marcle Conservation Area.

- 6.5 At present the car park area is not marked out and has a large open access, some 28 metres, onto the B4024. Concerns have been raised regarding existing parking problems on and adjacent to the site. This problem is acknowledged in the Much Marcle Parish Design Statement, which states that '*When the Memorial Hall holds village functions, parking is sometimes inadequate.*' (page 15). The proposed scheme would formalise the parking layout and provide a total of 14 spaces. The 2 disabled spaces would be sited next to the main ramped access. In addition new planting would reduce the width of the opening onto the highway. The Transportation Manager has no objections to the amended plans provided that hatching is provided between space 1 and the ramp, further planting is provided between space 9 and the footway to prevent doors opening onto the footway and a height limit is imposed on the planting to protect visibility. It is considered that these matters could be satisfactorily controlled by conditions. It could be argued that the scheme reduces the number of spaces within the site. However not all of the areas used for parking meet the Council's Adopted Standards and therefore may result in indiscriminate parking and potential for maneuvering that would be harmful to highway safety. The submitted scheme would formalise the parking arrangements, making provision for disabled parking and improve the safety of the access on to the 'B' classified road.
- 6.6 To the east of the hall lies a bungalow, 'Egattoc'. This property is set back between some 7 to 7.8 metres from the boundary with the rear of the hall. The proposed alterations and extension would not be nearer to the boundary with the property, but the height of the roof would be increased and the eastern elevation increased in length. The original plans proposed a half-hipped roof, however it was considered that this introduced a roof design that would not be in keeping with vernacular design and amended plans have been submitted revising it to a gable end. The openings on the western elevation of 'Egattoc' comprise a garage door and ensuite, utility room, cloakroom and open plan lounge/dining room windows. Due to the orientation of the hall, to the west of the 'Egattoc', the hipped roof design of the extension and the existing height of the building it is considered that the proposal would not unacceptably overshadow or overbear the neighbouring property. The windows proposed would be at ground floor and by virtue of this and the mature boundary hedge the proposal would not impinge upon privacy.
- 6.7 The site has an existing and established use as a village hall. The proposal would however result in the building being enlarged and the northern elevation being in closer proximity to the boundary. A condition is recommended to ensure that construction is carried out in accordance with a scheme of sound insulation.
- 6.8 In conclusion it is considered that the proposal accords with Development Plan policies and would not adversely impact upon the residential amenity of the neighbouring property.

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 A06 (Development in accordance with approved plans)

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

3 B01 (Samples of external materials)

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

4 F02 (Scheme of measures for controlling noise)

Reason: In order to protect the amenity of occupiers of nearby properties.

5 Prior to the first use of the extension hereby granted the car park shall be laid out in accordance with the approved plans and in addition the area between the disabled car parking space 1 and the ramp shall be hatched and hedgerow planting carried out between car parking space 9 and the footway. The car park layout shall thereafter be retained and kept available for parking.

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

6 Any planting along the site frontage shall be maintained so that it does not exceed 0.6 metres above ground level.

Reason: In the interests of highway safety.

7 Prior to the commencement of development the details of the species, size, position and planting numbers of the hedgerow planting shall be submitted to and approved in writing by the Local Planning Authority. The planting shall be carried out in accordance with the approved details and in the first planting season following the first use of the extension hereby granted. Any plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless the Local Planning Authority gives written consent t any variation. If plants fail more than once they shall continue to be replaced on an annual basis until the end of the 5 year defects period.

Reason: In order to protect the character and appearance of the Conservation Area.

Informative:

1 N15 - Reason(s) for the Grant of Planning Permission

Decision:

Notes:

.....

Background Papers

Internal departmental consultation replies.

7 DCSE2004/1128/F - TWO STOREY EXTENSION TO REAR, ENCLOSURE OF EXISTING PORCH AND REPLACEMENT OF EXISTING GARAGE DOOR WITH NEW SCREEN INCLUDING ACCESS DOOR AT 19 VAGA CRESCENT, ROSS-ON-WYE, HEREFORDSHIRE, HR9 7RQ

For: Mr & Mrs Bailey per Mr R H Ball, Ilex, Ashfield Crescent, Ross-on-Wye, Herefordshire HR9 5PH

Date Received: 29th March 2004 Ward: Ross-on-Wye West Grid Ref: 59872, 24919

Expiry Date: 24th May 2004

Local Members: Councillor G. Lucas and Councillor M.R. Cunningham

1. Site Description and Proposal

- 1.1 The site lies within Ross-on-Wye, in a primarily residential area and within both the Town Conservation Area and the Wye Valley Area of Outstanding Natural Beauty. Number 19, Vaga Crescent is situated on a modern residential development and is accessed off the crescent via a single width driveway that serves numbers 19 to 25 inclusively. The two storey detached property is modern in appearance with a detached double garage that is sited to the northwest (front) of the property. The property is constructed in brick under a tiled roof.
- 1.2 It is proposed to erect a two storey extension to the rear of the dwelling, infill the existing open porch to the front of the dwelling and infill one of the garage openings with a door and window. The infilling of the open porch and one garage opening constitute permitted development under the provisions of the Town and Country Planning (General Permitted Development) Order 1995 and therefore do not require an express planning permission. As such this application relates solely to the erection of the two storey extension.
- 1.3 The proposed extension would project some 3.5 metres from the existing rear elevation of the property and would be some 5.6 metres in width. The extension would be the same height as the roof of the existing dwelling and would have a dual pitched roof. In terms of accommodation the extension would provide a dayroom at ground floor with bedroom and bathroom over.

2. Policies

2.1 Planning Policy Guidance

PPG 1	General Policy and Principles
PPG 15	Planning and the Historic Environment

2.2 Hereford and Worcester County Structure Plan

Policy CTC1	Area of Outstanding Natural Beauty
Policy CTC9	Development Criteria
Policy CTC15	Conservation Areas

2.3 South Herefordshire District Local Plan

Policy GD1	General development criteria
Policy C5	Development within Areas of Outstanding Natural Beauty
Policy C23	New Development affecting Conservation Areas
Policy SH23	Extensions to Dwellings

2.4 Herefordshire Unitary Development Plan – Revised Deposit Draft

Policy DR1	Design
Policy H18	Housing in Rural Areas
Policy LA1	Areas of Outstanding Natural Beauty
Policy HBA6	New Development within Conservation Areas

3. Planning History

3.1 No relevant planning history.

4. Consultation SummaryStatutory Consultations

4.1 No statutory or non-statutory consultations required.

Internal Council Advice

4.2 Head of Engineering and Transportation has no objections

4.3 Chief Conservation Officer - No observations from an architectural point of view.

5. Representations

5.1 Ross-on-Wye Town Council - No comments received. Any comments received will be reported.

5.2 Two letters of objections have been received from N.J Hopkinson of 11, Vaga Crescent and Ian Balm of 9, Vaga Crescent, Ross-on-Wye. The main points raised are:

- when I moved into my property (number 11) I had a clear outlook to the rear and was told houses being built to the rear would still allow this to remain. Was amazed at the proximity of number 19 to my fence and how much of my view was obstructed.
- If extension is allowed it would drastically reduce the little view I have left, leaving me with a two storey high wall only yards from my property. This would lessen the appeal of my house with resultant loss of property value.
- Since the construction of 19 Vaga Crescent my lawn has poor drainage and this extension could exacerbate the problem due to the foundations required.
- 19 Vaga Crescent is angled so that upstairs windows overlook our house and back garden (number 9).
- extension proposed would be large and would severely overlook our back garden and our neighbours (number 11).
- gardens in Vaga Crescent are not large and the infringement would detrimentally effect the value of our property.

- when we bought our property we were shown plans of the row of houses, which includes number 19, which had not been built at that time. The plans showed the properties on the otherside of the green, giving a more open aspect to our property and others.
- Concerns regarding mains drainage, which runs diagonally across our garden and might go under the proposed extension.

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 main considerations in the determination of this application are the impact of the proposal on the character and appearance of the existing dwelling, the effect on the Conservation Area and Area of Outstanding Natural Beauty and the amenity of neighbouring properties.
- 6.2 Policy SH23 of the South Herefordshire District Local Plan states that extensions to dwellings should be in keeping with the character of the existing dwelling in terms of mass, scale, design and materials. Furthermore the existing dwelling should remain the dominant feature in the resulting scheme. The proposed extension would have a slightly narrower gable end than the main gable end of the original property and the same eaves and roof ridge height. Matching materials are proposed together with fenestration to match the existing. It is considered that the proposal would be of a scale, mass, design, siting and materials that would be in keeping with the existing character and appearance of the dwelling which would remain dominant.
- 6.3 Vaga Crescent and the surrounding residential development is characterised by modern, two storey dwellings. In this context and having regard to the siting of the extension to the rear of the property and its complementary scale, mass, design and materials it is considered that the extension would preserve the existing character and appearance of the Conservation Area and would not adversely affect the scenic qualities of the Area of Outstanding Natural Beauty.
- 6.4 The objectors' properties are orientated at approximately right angles and to the northeast of the application site. The proposed two storey extension would not result in the dwelling being sited in closer proximity to the northeastern boundary, which is the common boundary with the objectors' properties. Taking into account the existing relationship between 19 Vaga Crescent and the objectors' dwellings and the siting and size of the extension it would not unduly overshadow and overbear the neighbouring properties to the northeast. A bathroom window is proposed in the northeastern elevation of the extension and a bedroom and bathroom window are proposed in the southeastern elevation. With regards the impact upon privacy of numbers 9 and 11 Vaga Crescent, by virtue of the angle from the windows in the proposed extension to the objectors' properties, and the scope for obscure glazing to the bathroom windows I consider that on a modern residential development and in light of the existing relationship between the properties the proposal would not impinge unacceptably on privacy.
- 6.5 To the southeast (rear) of the site lies 1, Foxglove Close. This property occupies slightly higher ground than the site. There would be a distance of some 20 metres between the proposed rear elevation of the extension and the rear elevation of 1,

Foxglove Close. It is considered that due to the distance separation and difference in levels the proposal would not unacceptably overlook or diminish the residential amenities of 1, Foxglove Close. No objections have been received from the owner/occupiers of this property.

- 6.6 It is proposed to drain storm water to existing drains and foul water to the mains sewer. Whilst the proposed extension would reduce the area of the garden there is no evidence to suggest that the existing drains could not accommodate the additional storm water from the proposed extension.
- 6.7 It is considered that the proposed extension would be in keeping with the existing dwelling, would not adversely impact upon the character and appearance of the Conservation Area or Area of Outstanding Natural Beauty and would not adversely affect the residential amenity of neighbouring properties. The proposal accords with the Development Plan policies and there are no material planning considerations that would outweigh a decision being made accordingly.

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 A09 (Amended plans)**

Reason: To ensure the development is carried out in accordance with the amended plans.

- 3 B02 (Matching external materials (extension))**

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

- 4 E19 (Obscure glazing to windows)**

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

Informative:

- 1. N15 - Reason(s) for the Grant of Planning Permission.**

Decision:

Notes:

.....

Background Papers

Internal departmental consultation replies.

8 DCSE2003/2109/F - FIRST FLOOR EXTENSION TO EXISTING OFFICES AND EXTENSION TO FACTORY, ALAN KEEF LTD, LEA LINE, LEA, ROSS-ON-WYE, HEREFORDSHIRE, HR9 7LQ

For: Mr A Keef per Hook Mason, 11 Castle Street, Hereford, HR1 2NL

Date Received: 14th July 2003

Ward: Penyard

Grid Ref: 66535, 21353

Expiry Date: 8th September 2003

Local Member: Councillor H. Bramer

1. Site Description and Proposal

1.1 These factory premises are located on the west side of the A40(T) at Lea Line, adjoining appropriately the former railway line. The factory manufactures and repairs railway locomotives. The current proposal is for an extension to the main workshop and for a new two-storey office building. The former would extend at the north-west end the length of the workshop by about 10.5m, keep to the same width but with higher eaves and ridge in order to ensure adequate internal headroom. The walls and roof would be plastic coated metal sheeting. The office building would be of brick construction and would be joined to the south-east section of the workshop. It would be about 13.5m long x 8m wide with a ridge roof (8.6m high) topped with a clock tower.

2. Policies

2.1 Planning Policy Guidance

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

2.2 Hereford and Worcester County Structure Plan

Policy E.6	Industrial Development in Rural Areas
Policy CTC.2	Area of Great Landscape Value
Policy CTC.9	Development Requirements

2.3 South Herefordshire District Local Plan

Policy ED.5	Expansion of Existing Businesses
Policy C.1	Development within Open Countryside
Policy C.8	Development within Area of Great Landscape Value
Policy GD.1	General Development Criteria
Policy T.3	Highway Safety Requirements
Policy T.4	Highway and Car Parking Standards

3. Planning History

3.1	SH860270PF	Change of use of warehouse to railway engineering.	-	Permitted 2.4.86
	SH860296PO	Erection of house and garage	-	Permitted 40.4.86
	SH861138PM	Erection of house and garage.	-	Permitted 16.12.86
	SH940621PF	Fill in railway cutting.	-	No objections 30.6.94

4. Consultation SummaryStatutory Consultations

4.1 Highways Agency is content to accept the proposal subject to a condition regarding visibility splays which the Council is directed to impose.

4.2 Environment Agency's advice is awaited.

Internal Council Advice

4.3 Head of Environmental Health has no objections to make.

5. Representations

5.1 The applicants have submitted details of the business and the reasons for the planning application. In summary the statement is as follows:-

1. Alan Keef Limited are locomotive builders and light railway engineers. The scope of the business ranges from the large scale garden railway up to, but not including, the full size railway.
2. Customers range from the peat industry, primarily in Northern England, through tunnelling contractors, to sugar estates and cement works in Tanzania and Bangladesh. The leisure industry forms a large portion of the business.
3. There is also a considerable business in the overhaul and re-building of steam locomotives for private individuals and the minor railway companies. An expanding part of the business is in what is best described as "railbound mechanical handling".
4. Current annual turnover is approaching £1,000,000.
5. The past few years have seen a steady increase in business and all the signs are that this is going to continue. This is the main reason for needing to expand office and workshop accommodation, the former being the more immediately important. The Portacabin-type building has been used as office accommodation for many years and this is now life-expired.
6. Currently, office staff is 6 full-time and one part-time, and workshop staff 6 full-time. In addition, there are two further employees and fairly regular employment is provided for 4-5 self-employed sub-contractors. Over a period of time, I foresee a requirement for a further 2-3 office employees and a similar number, possibly more, in the workshop.
7. The size of the equipment with which the Company deals is getting larger and this is the principal reason for the workshop extension. The additional height is required in order to give satisfactory overhead crange for the large items of locomotives and rolling stock. For example, the company is about to start on a

replica of the 1820 locomotive "Puffing Billy" for Beamish Museum and such facilities become essential in the building of this machine.

- 5.2 The Parish Council "supports provided that there are adequate safety regulations regarding paint spraying and that the Highways Agency is satisfied about the safety of larger vehicles entering and exiting."
- 5.3 3 letters of objection have been received from local residents. These are summarised below and an additional letter from consultants acting on behalf of one neighbour is included in full in the Appendix to this report:
- initially this converted agricultural storage building was screened by mature trees but these have been progressively removed, opening site to view especially at front where plethora of rusty junk, clutter and machinery has proliferated and is now on view
 - site has also become noisier with longer hours worked (very early mornings, late working, some weekends)
 - no effort has been made to integrate the facility into the surrounding countryside
 - extensions are over-bearing and insensitive in design and not in scale or character nor appropriate to the settlement and locality; height of offices would make them significant feature - one of the first things visitors would see as they enter the county. Overlook the property opposite with resulting loss of amenity
 - in view of the above objectors are concerned that the current proposal would result in more rusting equipment on view, more noise and pollution (e.g. paint spraying) and more damage to the distinctiveness of the local area.
 - entrance is on very busy A40 near sharp bend and is very dangerous - long vehicles have to manoeuvre to enter site resulting in tailbacks and stationary vehicles on a blind corner. Proposal would result in more heavy lorries, exacerbating these problems.

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 statutory development plan encourages the expansion of existing businesses in the countryside. Thus the preamble to Local Plan Policy ED.5 states that "the Council will support the expansion of a business activity in a countryside location where this will not give rise to serious environmental problems or have a damaging effect upon the landscape or nature conservation". The issues raised by this proposal therefore are (i) the effect on the character of the countryside, (ii) the effect on the amenities of neighbours and (iii) highway safety.
- 6.2 The extension to the factory increases the length of the building by about a third. As noted in the representations a number of trees, which helped screen the site have been removed. Nevertheless it is considered that the extension would not be intrusive in the landscape. The office building would be attached to the front of the factory and from most views seen against this backdrop. This architect designed building would be of brick construction and would be more attractive than the former agricultural building. In the longer term, additional planting along the frontage would help reduce the visual impact of the factory. Overall it is not considered that the proposal would significantly harm the immediate landscape which is of Great Landscape Value.

- 6.3 The nearest house is about 60m from the proposed office building. * The factory would be about 30m from the closest residential property. There would be scope for adequate sound-proofing of the workshop extension, which, to a degree, would help to buffer noise emanating from the existing factory. It is not thought therefore that the privacy of neighbours would be compromised nor that there would be undue noise and disturbance. The clutter in the yard would be partly addressed by the proposed additional forecourt parking. There have not been any complaints to the Planning Department and consequently this alleged problem has not been investigated. However, a condition restricting external storage would be lawful and enforceable. It is accepted that a complete prohibition on external storage would not be practicable but significant improvements could be achieved.
- 6.4 The Highways Agency has carefully considered the highway aspects of the proposal. Additional parking is proposed but it is not practicable to make significant improvements to the visibility splays: the road is visible from the access for a distance of about 135m to the south-east and for about 75m to the north-west (i.e. to the 30mph speed limit). In these circumstances the Highways Agency does not object to the proposals. The improved layout of the forecourt should help to avoid lorries having to manoeuvre on the highway. It is considered that although not ideal the access is adequate for the modest increase in vehicular movements anticipated.
- 6.5 On the basis of the above appraisal it is concluded that there are insufficient grounds to refuse permission for the proposed development.

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. B01 (Samples of external materials)

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

3. G04 (Landscaping scheme (general))

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

4. G05 (Implementation of landscaping scheme (general))

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

5. F02 (Scheme of measures for controlling noise)

Reason: In order to protect the amenity of occupiers of nearby properties.

6. F32 (Details of floodlighting/external lighting)

Reason: To safeguard local amenities.

7. F42 (Restriction of open storage)

Reason: To protect the appearance of the locality.

- 8. Visibility splays for the A40 trunk road access shall be kept clear of obstructions at all times.**

Reason: To enable the A40 trunk road to continue to be an effective part of the national system of routes for through traffic, in accordance with Section 10(2) of the Highways Act 1980 and to protect the interest of road safety on the Trunk Road.

- 9. H16 (Parking/unloading provision - submission of details)**

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

Informative(s):

- 1. N15 - Reason(s) for the Grant of Planning Permission**

Decision:

Notes:

.....

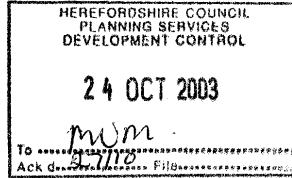
Background Papers

Internal departmental consultation replies.

Our Ref: DMJ/JB22 - 10330

22 October 2003

County of Herefordshire District Council
Planning Services
PO Box 230
Blueschool House
Blue School Street
Hereford
HR1 2ZB



Dear Sirs

**Re: Planning Application by Alan Keef Ltd. Lea line, Lea, Ross-on-Wye,
Herefordshire. Local Authority Planning Ref: SE2003/21/09/F**

We are instructed by Ms Shirley Robertshaw of Thornton House, Lea, Ross-on-Wye to submit representations to your Authority in respect to the above referenced planning application by Messrs Alan Keef Limited.

We have viewed the proposal plans submitted to your Authority and also viewed the site from public vantage points.

The proposal comprises of the construction of a two-storey office addition to the front elevation (east elevation) together with a factory extension to the Northern end of the existing factory/workshop.

The office extension is of traditional design, clad externally in brickwork, under tiled roof and topped with, what looks to be, a clock tower.

The proposed office extension measures some 13.6m X 8m on plan (scaling from other submitted plans).

The proportions of the office extension are similar to that of a two-storey house.

In the written submission accompanying the application, Messrs Alan Keef Ltd claim that the additional office space and workshop extension are required to accommodate larger machinery and rolling stock and form part of their continued business expansion programme. The company appear to have an impressive national and international client base.

It is acknowledged that the expansion of businesses and the creation of additional skilled and unskilled jobs are generally supported; however, heavy industrial uses of this nature must be sited in locations where they do not cause an acceptable disturbance to the visual or environmental amenities of the area as a whole or neighbouring residents.



CHARTERED SURVEYORS
PLANNING CONSULTANTS

6 St. George's Terrace
St. James' Square, Cheltenham
Gloucestershire GL50 3PT

Telephone: (01242) 522822

Facsimile: (01242) 226009

E-mail: enquiries@evansjones.co.uk

www.evansjones.co.uk

PARTNERS

N.J. Bevan, MRICS

D.M. Jones, MRICS

A search of the planning history reveals that planning permission was granted in April 1986 for the change of use of the warehouse to a Railway Engineering factory. Condition 1 and 2 are standard conditions and we understand that the current occupier functions within the terms of Condition 2.

However, the same cannot be said of Condition 3 which requires that **“there should be no outside storage of materials without prior written approval from the Councils Planning Officer”**

We attach a number of photographs taken on the 3rd October 2003 clearly showing the outside storage of materials and machinery utilised in association with the activities within the building.

I am sure the applicant will claim that the proposals are required so that this outside storage can be brought within the building, however this is often a claim made within applications of this type and one regrettably rarely adhered to.

The site is located within an attractive landscape and is clearly visible from many public vantage points.

Furthermore, access to the site is located on the outside of a bend with inadequate visibility for vehicles turning either into or out of the application site. The main road passing the site is heavily trafficked and vehicles are generally fast moving (circa 60mph)

It is acknowledged and accepted that the existing use is a permitted use and thus appropriate within the existing building, however this does not create an automatic precedent for the expansion of the business where such expansion would, by the applicants own admission, allow the business to accommodate larger locomotives and rolling stock, together with additional traffic movements emanating from staff coming and going to and from the site.

It is accepted that planning applications are often a matter of weighing in balance various conflicting issues, here it is necessary to balance the benefits which would accrue from the proposed office and factory extension against the environmental harm which would result from additional industrial building within an area of the County where such uses would not, in normal circumstances be permitted.

The site has an unsatisfactory and unsafe means of access which would, in our view, create danger to other road users. In addition, the applicant has not accorded with conditions imposed on the 1986 consent in so far as materials have been stored outside, apparently **without** the written approval of your Councils Planning Officer.

The stated reason for the imposition of the condition upon the 1986 consent was to insure that the **“...development does not detract from the rural area in which the buildings located.”**

Your Authority has thus accepted that this is an area worthy of protection.

The applicant has made no offer and does not imply that the external areas will be cleared of stored items additionally; the increased activity on site will surely generate a greater requirement for outside storage again to the detriment of the visual amenities of the area as a whole.

In conclusion and weighing all matters in balance, we consider that this proposal is inappropriate in this rural location situated upon the main road way into the village of Lea.

LEA VALLEY COUNCIL
PLANNING SERVICES
DEVELOPMENT CONTROL

24 OCT 2003

The two storey office extension positioned at the Southern end of the existing factory will be very prominent in the landscape; furthermore the two bay factory extension to the Northern end of the building will partially obstruct distance views currently available through the site.

We would respectfully request that this application be refused planning permission in its current form.

Yours sincerely
The Evans Jones Partnership

A handwritten signature in black ink, consisting of a large, stylized 'D' followed by a horizontal line and a vertical line that loops back to the 'D'.

D M Jones MRICS
Chartered Surveyor

9 DCSE2004/1007/F - CONVERSION OF SINGLE DWELLING INTO THREE FLATS AT MARTINDALE, OLD GLOUCESTER ROAD, ROSS-ON-WYE, HEREFORDSHIRE

For: The Estate of Mrs. M Beizsley per Mr G Jones, 53 Broad Street, Ross-on-Wye, Herefordshire, HR9 7DY

Date Received: 19th March 2004 Ward: Ross-on-Wye East Grid Ref: 59995, 24016

Expiry Date: 14th May 2004

Local Members: Councillor Mrs. A.E. Gray and Councillor Mrs. C.J. Davis

1. Site Description and Proposal

- 1.1 The site lies within Ross-on-Wye within both the Town Conservation Area and the Wye Valley Area of Outstanding Natural Beauty. Martindale, a detached property, is on the southern side of Old Gloucester Road and to the east of its junction with High Street/Copse Cross Street. Dwellings lie to the east of the site, whilst there is a private car park and hospital carpark to the west and south of the site. Further along towards the eastern end of Old Gloucester Road there are industrial uses.
- 1.2 The property, which essentially has a 'L' shaped footprint, is elevated in relation to the road and has a small front garden. There is no curtilage to the rear of the property, the rear elevation of the dwelling fronts onto the hospital carpark.
- 1.3 It is proposed to alter and extend the dwelling to provide three flats, two one bedroomed flats and one two bedroomed flat. The alterations would include minor alterations to the existing fenestration, removal of shutters and demolition of a porch. The extension proposed would be to the eastern side elevation. There is an existing ground floor lean-to on the eastern elevation, which would be demolished and replaced with a two storey extension. The extension would provide a lobby and staircase to gain access to the first floor, flat 1. Amended plans are anticipated revising the size of the two storey extension.

2. Policies

2.1 Planning Policy Guidance

PPG 1	General Policy and Principles
PPG 3	Housing
PPG 13	Transport
PPG 15	Planning and the Historic Environment

2.2 Hereford and Worcester County Structure Plan

Policy CTC1	Area of Outstanding Natural Beauty
Policy CTC9	Development Criteria
Policy CTC15	Conservation Areas
Policy H16A	Housing in Rural Areas

Policy H18	Housing in Rural Areas
Policy T12	On-street Parking

2.2 South Herefordshire District Local Plan

Policy GD1	General development criteria
Policy C5	Development within AONB
Policy C23	New Development affecting Conservation Areas
Policy SH5	Housing Land in Ross on Wye

Part 3, Chapter 37	
Policy 5	Housing in Built-up Areas
Policy 12	Off-street Parking
Policy 16	Conservation Area
Policy 17	Re-use of Existing Buildings

2.3 Herefordshire Unitary Development Plan – Revised Deposit Draft

Policy DR1	Design
Policy H1	Hereford and the Market Towns: Settlement Boundaries and established Residential Areas
Policy H14	Re-using Previously Developed Land and Buildings
Policy H17	Sub-division of Existing Housing
Policy T11	Parking Provision
Policy LA1	Areas of Outstanding Natural Beauty
Policy HBA6	New Development within Conservation Areas

3. Planning History

3.1 No relevant planning history.

4. Consultation Summary

Statutory Consultations

4.1 Welsh Water - No objection, subject to conditions regarding the discharge of foul, surface and land drainage.

Internal Council Advice

4.2 Head of Engineering and Transportation has no objections

4.3 Chief Conservation Officer - No objections from an architectural point of view.

5. Representations

5.1 Ross-on-Wye Town Council - No objections but do express concerns about the lack of car parking facilities.

5.2 One letter of objection has been received from Richard Chinn of 'The Laurels' 36, Old Gloucester Road, Ross-on-Wye. The main points raised are:

- the submitted plans do not indicate that the stair well adjoins our property.
- the proposal would shut out a large amount of light and obtrude onto our property.

- Would not be possible to extend without entering our property and causing a lot of nuisance.
- the stairs could be fitted in the existing property without the need for extension.

The full text of this letter 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 main considerations in the determination of this application are the principle of converting the dwelling into three units, the impact of the proposal on the character and appearance of the Conservation Area and Area of Outstanding Natural Beauty, the impact upon highway safety and the amenity of neighbouring properties.
- 6.2 The Development Plan policies and PPG3 – Housing encourage the provision of new residential accommodation particularly in sustainable locations. The area surrounding the site comprises a range and mix of uses, although immediately to the east there is a terrace of houses. The site is in close proximity to the town centre and its facilities. In this context it is considered that in principle the conversion of the existing dwelling to three flats is acceptable. Furthermore the proposal would contribute to providing a range of property sizes within the area.
- 6.3 Old Gloucester Road has a range of building sizes, designs and ages, some of which are sited in close proximity to the road and others set back. As a result the area has a diverse character and appearance. In this context and having regard to the modest alterations and extension proposed and their complementary scale, mass, design and materials it is considered that the proposal would preserve the existing character and appearance of the Conservation Area and would not adversely affect the scenic qualities of the Area of Outstanding Natural Beauty.
- 6.4 In the determination of this proposal the traffic impact, in comparison with the existing use of the site and facilities, should be assessed. PPG3 – Housing and PPG13-Transport, in respect of car parking requirements state that in areas where services are readily available by walking, cycling or on public transport car parking standards should be revised. Moreover car parking requirements should recognise “that car ownership varies with income, age, household type and the type of housing and its location” (PPG3 paragraph 60). The application site lies within the built up area of Ross-on-Wye, some 150 metres from the Market Place and with access to public transport.
- 6.5 There are currently parking restrictions on Old Gloucester Road outside of the application site. As such there is no opportunity to park on the highway immediately outside of the site. The property has an integral garage, with the doors abutting onto Old Gloucester Road. It is not proposed to provide any off road parking. Having taken account of government guidance, the Development Plan policies and the existing situation it is considered that the lack of provision of off road parking in itself is insufficient to withhold planning permission. The Head of Engineering and Transportation has no objections.
- 6.6 The proposed extension would result in an existing single storey element, to the eastern elevation, being rebuilt and increased in height to two storeys. The existing single storey section of the building is attached to the outbuilding in the rear yard of the neighbouring property, ‘The Laurels’. Due to its orientation, to the west of the objector’s property, and its proximity to the common boundary ‘Martindale’ already overshadows and overbears the small yard to the rear of ‘The Laurels’. The proposed

extension would result in the two storey element of 'Martindale' being some 2.1 metres closer to the boundary with the neighbouring property, 'The Laurels'. Taking into account the existing relationship between the site and the neighbouring property it is considered that the extension would not significantly impinge upon the natural light to the neighbouring property, but would increase the domineering impact of the eastern elevation of 'Martindale'. Amended plans are anticipated to reduce the width of the extension by 0.9 metres. The eastern elevation of the extension would be a gable end, the height of which would be lower than the existing two storey gable end facing the neighbour's property and would be set back in relation to the northern and southern elevations. On this basis it is considered that such amended plans would ensure that the proposed extension would not overbear the neighbour's property. With regards to right to access for construction etc this would be a matter between landowners and not a planning issue.

- 6.7 In conclusion it is considered that the proposal accords with national and local planning policies and provided that amended plans are received reducing the width of the extension the scheme would not adversely impact upon the residential amenity of the neighbouring property.

RECOMMENDATION

That subject to the receipt of suitably amended plans, in respect of the extension, the officers named in the Scheme of Delegation to Officers be authorised to issue planning permission subject to the following conditions and any additional conditions considered necessary by officers:

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

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

2 A09 (Amended plans)

Reason: To ensure the development is carried out in accordance with the amended plans.

3 B02 (Matching external materials (extension))

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

4 Prior to the commencement of development architectural details of windows and external doors shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the details so approved.

Reason: To ensure that the character and appearance of the Conservation Area is preserved or enhanced.

5 Foul water and surface water discharges must be drained separately from the site.

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

- 6 No land drainage run-off will be permitted to discharge to the public sewerage system.

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

Informatives:

- 1 If a connection is required to the public sewerage system, the developer is advised to contact the Dwr Cymru Welsh Water's Network Development Consultants on Tel: 01443 331155.
- 2 Adjoining property rights
- 3 N15 - Reason(s) for the Grant of Planning Permission

Decision:

Notes:

.....

Background Papers

Internal departmental consultation replies.

10 DCSE2004/1156/RM - NEW DWELLING, LAND ADJACENT TO THE FORGE, KINGS CAPLE, HEREFORD, HR1 4TY

For: Mr A Marsden per John Phipps, Bank Lodge, Coldwells Road, Holmer, Hereford, HR1 1LH

Date Received: 30th March 2004

Ward: Old Gore

Grid Ref: 56219, 28883

Expiry Date: 25th May 2004

Local Member: Councillor J.W. Edwards

1. Site Description and Proposal

1.1 This site is located within the village settlement boundary of Kings Caple and forms part of the large garden area of the existing adjacent dwelling known as The Forge. There are existing mature fir trees/hedge along the boundaries of the site. The existing boundary with The Forge is currently open. There are existing dwellings on all four sides of the site.

1.2 This application for approval of Reserved Matters deals with the reserved matter details relating to external appearance, siting, design and landscaping. The details relating to means of access were approved at the outline stage. The proposal is for a three bedroomed house with brick and slate to be used externally on the walls and roof.

2. Policies

2.1 Planning Policy Guidance

PPG.1	-	General Policy and Principles
PPG.3	-	Housing
PPG.7	-	The Countryside: Environmental Quality and Economic and Social Development

2.2 Hereford and Worcester County Structure Plan

Policy H.16A	-	Development Criteria
Policy H.18	-	Residential Development in Rural Settlements
Policy CTC.1	-	Development in Areas of Outstanding Natural Beauty
Policy CTC.2	-	Development in Areas of Great Landscape Value
Policy CTC.9	-	Development Criteria

2.3 South Herefordshire District Local Plan

Policy GD.1	-	General Development Criteria
Policy SH.6	-	Housing Development in Larger Villages
Policy SH.7	-	Residential Proposal Sites in Larger Villages
Policy SH.8	-	New Housing Development Criteria in Larger Villages
Policy C.5	-	Development within Area of Outstanding Natural Beauty
Policy C.8	-	Development within Area of Great Landscape Value

- Policy C.43 - Foul Sewerage
- Policy C.45 - Drainage

2.4 Herefordshire Unitary Development Plan (Deposit Draft)

- Policy S.2 - Development Requirements
- Policy S.3 - Housing
- Policy DR.1 - Design
- Policy H.6 - Housing in Smaller Settlements
- Policy LA.1 - Areas of Outstanding Natural Beauty
- Policy CF.2 - Foul Drainage

3. Planning History

- 3.1 CE2001/0734/O Site for one new dwelling house - Outline Planning Permission Approved 20.06.01
- SE2004/0432/F Variation of condition one of outline planning permission CE2001/0734/O (to extend condition by one year) - Planning Permission Approved 02.04.04

4. Consultation Summary

Statutory Consultations

- 4.1 The Environment Agency has no objections.

Internal Council Advice

- 4.2 The Head of Engineering and Transportation recommends that conditions be imposed on any approval.

5. Representations

- 5.1 The Parish Council observe:-

"Sewage and soakaways proposed - septic tank tick under item 13 on the planning application form but no additional information has been given and not ticked off in checklist. The Parish Council wish to know what provisions have been provided for the soakaway for the septic tank as there is no indication on plans provided. The Parish Council are of the understanding that the ground that this plot stands on is impervious.

The applicant is known to be a gun dog breeder and trainer and has history of establishing kennels for this purpose on site. The Parish Council consider this to be a no go area as the proposed plans are only metres from existing properties.

The Leylandi hedge from the entrance to 6 metres back towards property needs to be taken out for visual purposes and safe access and exit as a lot of school traffic passes the proposed property.

The Parish Council would like to see a preservation order put on the two Silver Birch trees in the back garden and also request that this is adhered to as at the applicants

last property the preservation order was breached and when the Council was notified no action was taken.

The Parish Council also understand there is a covenanted right of access on the boundary of the whole property to allow for access to hedge cutting and this needs to be retained.

Historically the applicant is known for applying for retrospective planning permission for mobile homes on building sites. The Parish Council wish that this is not repeated.

If these matters are put into place before the application is passed the Parish Council have no objections to the plans.

The Parish Council request that you give the above concerns your most serious considerations.”

5.2 A letter of objection has been received from Mr. K. Adamson, Woodstock, Kings Caple, Herefordshire, HR1 4UN. The main points being:

- the elevation of the property has a first floor window which directly overlooks the private garden of Woodstock
- being a two storey building there will be a shadow cast over the garden blocking out early morning sunlight
- unlike trees and shrubbery, the building shadow will be permanent and will be very noticeable in the Spring, Autumn and Winter.

5.3 Three letters of representation have been received from:

Mrs. Papps, Boxtree, Kings Caple, Hereford, HR1 4UN

Mr. J. Nicholson, 20 Caple Avenue, Kings Caple, Hereford, HR1 4UL

A & P Garbutt, Wedmore, 24 Caple Avenue, Kings Caple, Hereford

The main points being:

- whilst disappointed that a house will be built on land, a greater concern is that the applicant keeps a large number of dogs and birds. This would be environmentally unacceptable, rats and mice could be attracted and the noise from the dogs would be intolerable
- no objection to new dwelling provided that there will be no run-off from septic tank
- the Silver Birch tree should not be cut down or trimmed
- that any noise from dogs should be similar to domestic use. Rumour that owner intends to breed dogs commercially from the premises
- would object to the applicant breeding dogs on site.

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 main issues relate to the four reserved matters submitted for consideration, i.e. siting, design, external appearance and landscaping. The most relevant policies with respect to this application are Policies GD.1 and SH.8 of the Local Plan and Policies H.16A and H.18 of the Structure Plan.

- 6.2 The proposed size and design of this dwelling is considered to be acceptable and in keeping with the size and design of other dwellings in the immediate vicinity. The use of brick and slate externally on the walls and roof are also considered to be acceptable. The dwelling will be situated in the centre of the plot. There is a fir tree hedge on the north, south and west boundaries of the site which are shown on the submitted drawings to be retained. It is considered that the proposed dwelling will not result in the residential amenities of any of the neighbouring dwellings being adversely affected, especially if the existing fir tree hedge is retained. The first floor window on the western elevation, referred to by the objector, will be a small window of a wc/shower room, however this is likely to be obscure glazed and should not pose a problem to the neighbour. However a condition requiring it to be obscure glazed could be imposed on any approval. The existing fir tree hedge would also partly prevent any adverse overlooking.
- 6.3 The letters received also refer to the possibility that the owner of the dwelling will be keeping/breeding dogs on a commercial basis from the dwelling when it is built. However this would constitute a change of use requiring planning permission and if such an application was submitted the residential amenities of neighbouring dwellings would be of paramount consideration.
- 6.4 There are two mature Silver Birch trees in the south western corner of the site which are considered worthy of retention, although not shown on the submitted landscaping scheme. Also there is no existing boundary fence on the eastern boundary although there is one shown for retention on the submitted drawing.
- 6.5 The Environment Agency consider that the use of a septic tank for the foul drainage is acceptable on this site. Approval for the septic tank drainage arrangements were granted within the ambit of the outline planning permission.
- 6.6 In conclusion, it is considered that the proposed development is acceptable, in keeping with the scale and character of other dwellings in the immediate area and also will not be detrimental to the residential amenities of neighbouring dwellings.

RECOMMENDATION

That approval of reserved matters be granted subject to the following conditions:

1. A07 (Development in accordance with approved plans)

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

2. B01 (Samples of external materials)

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

3. The window serving the en-suite wc/shower room at first floor level on the west elevation of the dwelling shall have obscure glazing and at all times thereafter, unless otherwise first agreed in writing by the local planning authority.

Reason: To ensure that there is no adverse overlooking of the adjacent dwellings.

4. The existing fir tree hedge shown to be retained on the submitted drawing shall not be reduced from its current height and also shall not be wilfully damaged, destroyed, uprooted, removed, felled, lopped and/or topped without the prior written consent of the local planning authority. Any part(s) of the hedgerow(s) removed without such consent or dying, being severely damaged or becoming seriously diseased within 5 years of the date of this permission shall be replaced with hedging of such size and species as is agreed in writing by the local planning authority. Any hedging plants that fail more than once shall continue to be replaced.

Reason: In the interests of the visual amenities of the area and the residential amenities of the neighbouring properties.

5. G01 (Details of boundary treatments)

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

6. The two existing Silver Birch trees situated in the south western corner of the application site shall not be removed, felled, lopped or pruned or damaged in any way without the prior written consent of the local planning authority.

Reason: In order to preserve the character and amenities of the area.

Informative(s):

1. N09 - Approval of Reserved Matters
2. N14 - Party Wall Act 1996
3. The applicant should ensure that there is no discharge from the foul drainage system into any neighbouring property.
4. The applicant/developer should be aware that the details relating to the foul drainage arrangements were formally approved under outline planning permission Reference No. CE2001/0734/O dated 20th June, 2001.
5. The Environment Agency advises that the septic tank and soakaway system should meet the following requirements:
 - (i) a site survey should be carried out to establish the location of any watercourse, ditch or land drainage system on the site,
 - (ii) the foul drainage system, particularly the foul soakaway, should be sited at least 10 metres from any watercourse, ditch or land drainage system to minimise pollution risk,
 - (iii) the foul drainage system, including the foul soakaway, should be situated so as not to cause pollution of any well, borehole, spring or groundwater used for potable water supply. A minimum separation of 100m should be kept from any source of potable water supply.
6. N15 - Reason(s) for the Grant of Approval of Reserved Matters

Decision:

Notes:

.....

Background Papers

Internal departmental consultation replies.