

A G E N D A

Southern Area Planning Sub- Committee

Date: **Wednesday, 4th August, 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 2601885 Fax: 01432 260286*

e-mail: rclarke@herefordshire.gov.uk

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, T.W. Hunt, Mrs. J.A. Hyde, G. Lucas, D.C. Taylor and J.B. Williams

	Pages
1. APOLOGIES FOR ABSENCE	
To receive apologies for absence.	
2. DECLARATIONS OF INTEREST	
To receive any declarations of interest by Members in respect of items on the Agenda.	
3. MINUTES	1 - 14
To approve and sign the Minutes of the meeting held on 7th July, 2004.	
4. ITEM FOR INFORMATION - APPEALS	15 - 16
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.	
REPORTS BY THE HEAD OF PLANNING SERVICES	
To consider and take any appropriate action in respect of the planning applications received for the southern area and to authorise the Head of Planning Services to impose any additional or varied conditions and reasons considered to be necessary.	
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.	
Agenda Item 5 is an application that was deferred at the last meeting and agenda items 6 to 12 are new applications.	
5. DCSE2004/1019/F, DCSE2004/1027/F, DCSE2004/1029/F - HAYWOOD FARM, GORSLEY, ROSS-ON-WYE, HEREFORDSHIRE, HR9 7SP	17 - 24
Proposed change of use of site for 10 seasonal caravans.	
Variation of condition 5 of permission SH960118PF from 15 to 13 caravans.	

Variation of condition 3 of planning permission SS980401PF to allow storage of seasonal touring caravans (10) on land adjacent to storage building.

- | | | |
|-----|--|---------|
| 6. | DCSW2004/1758/F - FORMER CHAPEL, HOARWITHY, HEREFORDSHIRE, HR2 6QH | 25 - 28 |
| | Conversion of former chapel into dwelling. | |
| 7. | DCSE2004/1593/F - QUARRY COTTAGE, GOODRICH, ROSS-ON-WYE, HEREFORDSHIRE, HR9 6JD | 29 - 32 |
| | Removal of condition 7 from planning permission SE2003/2744/F. | |
| 8. | DCSE2004/1421/F - THE MAIL ROOMS, GLOUCESTER ROAD, ROSS-ON-WYE, HEREFORDSHIRE | 33 - 36 |
| | Removal of existing kitchen extract duct and installation of 2 no. new ducts. | |
| 9. | DCSE2004/1847/F - LAND AT DARNELLS FARM, LINTON, NR. ROSS-ON-WYE, HEREFORDSHIRE | 37 - 42 |
| | Retention of conservation pond (amended design). | |
| 10. | DCSE2004/1949/O - HAZELNUT COTTAGE AND ADJOINING LAND, LLANGROVE, NR. ROSS-ON-WYE, HEREFORDSHIRE | 43 - 48 |
| | Proposed site for residential development. | |
| 11. | DCSE2004/2155/O - LAND ADJOINING LLANGROVE COTTAGE, LLANGROVE, ROSS-ON-WYE, ROSS-ON-WYE, HEREFORDSHIRE, HR9 6EZ | 49 - 54 |
| | Outline for Residential Development of six detached houses and associated vehicular access. | |
| 12. | DCSE2004/1910/F - LAND ADJACENT TO COURT FARM, KINGS CAPLE, HEREFORDSHIRE, HR1 4TX | 55 - 60 |
| | Detached 4 bedroom bungalow with double garage/store. | |

The Public's 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 five 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 of 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 (20p per sheet subject to a maximum of £5.00 per agenda plus a nominal fee of £1.50 for postage).
- 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 Southern Area Planning Sub-Committee held at The Council Chamber, Brockington, 35 Hafod Road, Hereford on Wednesday, 7th July, 2004 at 2.00 p.m.

Present: Councillor P.G. Turpin (Vice Chairman in the Chair)

Councillors: H. Bramer, M.R. Cunningham, N.J.J. Davies, Mrs. C.J. Davis, G.W. Davis, J.W. Edwards, Mrs. A.E. Gray, G. Lucas, D.C. Taylor and J.B. Williams

In attendance: Councillors P.J. Edwards, P.E. Harling, T.W. Hunt and R.M. Wilson

16. APOLOGIES FOR ABSENCE

Apologies were received from Councillors Mrs. J.A. Hyde and Mrs. R.F. Lincoln.

17. DECLARATIONS OF INTEREST

The following declarations of interest were made:

Councillor	Item	Interest
H. Bramer	12 (DCSE2004/1637/F – Change of use for weddings in part of the property, Homme House, Much Marcle, Ledbury, Herefordshire, HR8 2NJ)	Prejudicial and left the meeting for the duration of the item.
H. Bramer	13 (DCSE2004/1555/F – Conversion of redundant barn to residential use at Upper Rudhall Farm, Rudhall, Ross-on-Wye, Herefordshire)	Prejudicial and left the meeting for the duration of the item.
J.W. Edwards	14 (DCSE2004/1019/F – Proposed change of use of site for 10 seasonal caravans, DCSE2004/1027/F – Variation of condition 5 of permission SH960118PF from 15 to 13 caravans, DCSE/2004/1029/F – Variation of condition 3 of planning permission SS980401PF to allow storage of seasonal touring caravans (10) on land adjacent to storage building, Haywood Farm, Gorsley, Ross-on-Wye, Herefordshire, HR9 7SP)	Prejudicial and left the meeting for the duration of the item.

G.W. Davis, Mrs. A.E. Gray and G. Lucas	16 (DCSE2004/1470/F – Construction of a flood alleviation scheme for Ross-on-Wye to provide protection from flooding from the Rudhall and Chatterley brooks at various locations along the Rudhall and Chatterley brooks, through Ross-on-Wye, Herefordshire)	Prejudicial and left the meeting for the duration of the item.
---	--	--

18. MINUTES

RESOLVED: That the Minutes of the meeting held on 9th June, 2004 be approved as a correct record and signed by the Chairman.

19. ITEM FOR INFORMATION - APPEALS

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

APPLICATIONS RECEIVED

The Sub-Committee considered the following planning applications received for the southern area of Herefordshire and authorised the Head of Planning Services to impose any additional or varied conditions and reasons considered to be necessary.

20. DCSW2004/1216/F - MOUNT PLEASANT, GARWAY HILL (AGENDA ITEM 5)

Erection of wind turbine on 11m high tower.

The Principal Planning Officer reported the receipt of two further letters of objection and one letter of support.

In accordance with the criteria for public speaking Mr. Macrae, a local resident, spoke against the application and Mr Whitfield, the applicant, spoke in support.

Councillor G.W. Davies, the Local Member, noted the concerns raised by Garway Parish Council and felt the application would have a detrimental effect on the Area of Outstanding Natural Beauty.

RESOLVED:

That:

- (I) The Southern Area Planning Sub-Committee is minded to refuse the application on the grounds that the proposed wind turbine would have an adverse impact in an Area of Outstanding Natural Beauty and Great Landscape Value (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 subject to such reason for refusal referred to above.**

Note The Chief Development Control Officer said that he would not need to

refer the application to the Head of Planning Services.

**21. DCSW2004/1499/O - OS.0034, LAND SOUTH OF PONTILLA, LONGTOWN
(AGENDA ITEM 6)**

Renewal of outline planning permission SW2000/1521/O for residential development.

In accordance with the criteria for public speaking, Mrs. Hvass, Mrs Pritchard and Mrs Mafling spoke against the application and Mr Spreckley, the applicant's agent, spoke in support.

RESOLVED:

That planning permission be granted subject to the following conditions:

1. **A02 (Time limit for submission of reserved matters (outline permission))**

Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990.
2. **A03 (Time limit for commencement (outline permission))**

Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990.
3. **A04 (Approval of reserved matters)**

Reason: To enable the local planning authority to exercise proper control over these aspects of the development.
4. **A05 (Plans and particulars of reserved matters)**

Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990.
5. **D01 (Site investigation - archaeology)**

Reason: To ensure the archaeological interest of the site is recorded.
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. **G11 (Retention of hedgerows (where not covered by Hedgerow Regulations))**

Reason: To ensure that the application site is properly landscaped in the interests of the visual amenity of the area.
9. **H07 (Single access - outline consent)**

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

Informative(s)

1. **ND01 - Scheduled Monument Consent**
2. **N15 - Reason(s) for the Grant of Planning Permission**
22. **DCSW2004/1521/L - TRELOUGH HOUSE, WORMBRIDGE (AGENDA ITEM 7)**

Demolition of outbuildings, internal and external alterations.

The Principal Planning Officer reported the receipt of one further letter of objection from Mr. Clark.

In accordance with the criteria for public speaking Mr. Shuttleworth, the applicant's agent, spoke in support of the application.

RESOLVED:

That listed building consent be granted subject to the following conditions:

1. **C01 (Time limit for commencement (Listed Building Consent))**
Reason: Required to be imposed by Section 18(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.
2. **C02 (Approval of details)**
Reason: To safeguard the character and appearance of this building of [special] architectural or historical interest.

Informative(s):

1. **N15 - Reason(s) for the Grant of Listed Building Consent**
23. **DCSE2004/1569/F - 1 THE SQUARE, GOODRICH, ROSS-ON-WYE (AGENDA ITEM 8)**

Replacement extension with dormer window, sun room to front of property, loft conversion with Velux rooflights and various alterations.

In accordance with the criteria for public speaking, Mr Owens, the applicant, spoke in support of the application.

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 B07 (Stonework laid on natural bed)

Reason: In the interests of conserving the character of the building.

4 The slates to be used externally on the roof shall match those on the existing dwelling unless otherwise first agreed in writing by the local planning authority.

Reason: To ensure the development is satisfactory in appearance.

5 The rooflights shall be flush with the roof slope.

Reason: To ensure that the rooflights do not protude unduly above the external surface of the roof.

6 Before any work commences on site details of the external materials and finish intended for the sides and gable of the new dormer window shall first be submitted to and be subject to the prior written approval of the local planning authority.

Reason: To ensure that the development is satisfactory in appearance.

Informatives:

1 N03 - Adjoining property rights

N14 - Party Wall Act 1996

3 The applicants should be aware that this planning permission does not override any civil/legal rights enjoyed by adjacent property owners. If in doubt the applicants are advised to seek legal advice on the matter.

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

5 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: Hereforshire and Worcestershire Team, Bronsil House, Eastnor, Ledbury, Herefordshire, HR8 1EP or telephone 01531 638500.

24. DCSE2003/3528/F, DCSE2003/3530/L, DCSE2003/3677/A - 33 HIGH STREET, ROSS-ON-WYE (AGENDA ITEM 9)

The provision of external rear roof mounted air conditioning ducts and pipes to existing shop premises.

The provision of external rear roof mounted air conditioning ducts and pipes to existing shop premises, installation of shop fixtures and fittings, fascia signage and

projecting sign.

Non-illuminated shop fascia sign and projecting sign.

The Senior Planning Officer reported the receipt of a further letter of objection from Mr. Campkin.

RESOLVED:

That subject to the receipt of suitably amended drawings that the officers named in the Scheme of Delegation to Officers be authorised to issue planning permission, Listed Building Consent and advertisement consent subject to the following conditions and any additional conditions considered necessary by officers:

WITH RESPECT TO DCSE2003/3528/F

1 A09 (Amended plans)

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

2 The ventilation/air conditioning shall be designed and operated such that the noise level from the discharge shall not exceed 45 dB Laeq, 8hrs between 23.00 - 0700 hrs, nor shall exceed 55dB LAeq, 8 hrs between 0700 - 2300 hrs, as measured 1 metre from the rear facade of 33A High Street.

Reason: To protect the residential amenities of occupants of adjacent properties.

Informative:

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

WITH RESPECT TO DCSE2003/3530/L

1 A09 (Amended plans)

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

Informative:

1 N15 - Reason(s) for the Grant of Listed Building Consent.

With respect to DCSE2003/3677/A

1 I01 (Time limit on consent)

Reason: In the interests of the visual amenity of the area.

2 A09 (Amended plans)

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

3 H23 (Canopies/signs/projections over the highway)

Reason: In the interests of highway safety.

25. DCSE2004/0967/A, DCSE2004/0968/L - SPAR STORE, 37 HIGH STREET, ROSS-ON-WYE (AGENDA ITEM 10)

Externally illuminated fascia and projecting signs.

The Sub-Committee discussed the application and felt that the illuminated sign was acceptable and would not have an adverse effect on the listed building.

RESOLVED:

With respect to DCSE2004/0967/A

That: (i) with respect to the fascia sign advertisement consent be granted subject to the following conditions:

1. I01 (Time limit on consent)

Reason: In the interests of the visual amenity of the area.

2. The lighting over the fascia sign must be directed away from the public highway and no light source shall produce more than 2Lux horizontal or vertical illuminance at any adjacent property boundary.

Reason: In the interests of highway safety.

That: (ii) with respect to the projecting box sign advertisement:

(I) The Southern Area Planning Sub-Committee is minded to approve the application provided that the Head of Planning Services doesn't refer it 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 approve the application.

Note The Chief Development Control Officer said that he would not refer the application to the Head of Planning Services.

With respect to DCSE2004/0968/L

That Officers named in the Scheme of Delegation to Officers be authorised to issue Listed building consent subject to any conditions considered necessary by Officers:

Informative(s):

1. N15 - Reason(s) for the Grant of Listed Building Consent**26. DCSE2004/1829/F - NTL TRANSMITTING STATION, LARRUPERZ COMMUNITY CENTRE, OFF STATION ROAD, ROSS-ON-WYE (AGENDA ITEM 11)**

Installation of 3 additional antennas on the existing tower for Vodafone.

RESOLVED:

That planning permission be granted subject to the following condition:

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

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

Informative:

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

27. **DCSE2004/1637/F - HOMME HOUSE, MUCH MARCLE, LEDBURY (AGENDA ITEM 12)**

Change of use for weddings in part of the property.

The Southern Divisional Planning Officer reported the receipt of comments from the Environmental Health Officer who voiced concerns regarding amplified music in the marquee. He also reported the receipt of two letters of objection from Mr. and Mrs. Ward and Mr. and Mrs. Wood and a further email from Mr. Kyrle-Pope.

In accordance with the criteria for public speaking Mr. Kyrle-Pope spoke against the application, and Mrs. Finnigan, the applicant, spoke in support.

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. The premises shall be used for the purposes of a dwelling house and for holding of weddings and associated receptions only, and for no other purposes.

Reason: In order to control the specific use of the premises in the interests of local amenity.

3. All vehicular traffic in connection with the operation of the use hereby permitted shall be solely by the existing main drive and onto the Class II B4024 road. There shall be no use of the access onto the Class I A449 road or of the access drive into the rear courtyard.

Reason: In the interests of highway safety.

4. The use hereby permitted shall not operate between the hours of midnight and 10.00 a.m. daily.

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

5. The playing of amplified, or other music, shall be limited to Homme House itself and any music shall not be audible at the nearest

residential property. Amplified or other music shall not be played inside any marquee or elsewhere on the site.

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

6. Any marquee erection for after wedding reception purposes may only be erected no more than two days before the date of the organised event and shall be removed no later than two days after that organised ceremony has taken place.

Reason: In order to maintain the setting of the Listed Building.

7. Details of any surface treatment for the car park shall be submitted to and approved in writing by the local planning authority prior to the commencement of development. The work shall be carried out as approved.

Reason: In order to protect the appearance of the locality.

Informative(s):

1. N15 - Reason(s) for the Grant of Planning Permission
28. DCSE2004/1555/F - UPPER RUDHALL FARM, RUDHALL, ROSS-ON-WYE (AGENDA ITEM 13)

Conversion of redundant barn to residential use.

The Principal Planning Officer reported the receipt of comments from the Transportation Department who raised no objections.

RESOLVED:

That subject to the receipt of suitably amended plans, 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 C02 (Approval of details)

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

- 3 Notwithstanding the provisions 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 with or without modification) no development which would otherwise be permitted under Classes A, B, C, D, E and H of Part 1 and of the 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 F18 (Scheme of foul drainage disposal)

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

5 E18 (No new windows in specified elevation)

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

6 The modern farm building referred to on drawing no. 1057.03 shall be demolished and all materials removed from the site before the occupation of the dwelling hereby approved.

Reason: To protect the amenities of the occupiers of the dwelling.

7 H13 (Access, turning area and parking)

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

8 G04 (Landscaping scheme (general))

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

9 G05 (Implementation of landscaping scheme (general))

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

10 G01 (Details of boundary treatments)

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

Informatives:

1 The Environment Agency advises that:

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 Environmental Protection Act 1990. Carriers transporting waste from the site must be registered waste carriers.

2 The Housing Manager advises:

Egress from bedrooms is via a long route into living room, an area of higher fire risk. Recommend smoke detectors at stairwell.

Consider fire escape window to ground floor bedroom as alternative means of escape.

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

29. DCSE2004/1019/F, DCSE2004/1027/F, DCSE2004/1029/F - HAYWOOD FARM, GORSLEY (AGENDA ITEM 14)

Proposed change of use of site for 10 seasonal caravans.

Variation of condition 5 of permission SH960118PF from 15 to 13 caravans.

Variation of condition 3 of planning permission SS980401PF to allow storage of seasonal touring caravans (10) on land adjacent to storage building.

In accordance with the criteria for public speaking, Mr. Parker spoke against the application and Mr Stringer, the applicant, spoke in support.

RESOLVED

That consideration of the application be deferred for a site inspection on the grounds that the setting and surroundings are fundamental to the determination or to the conditions being considered.

30. DCSE2003/3710/O - OLD BAKERY, LAND TO REAR OF PETERSTOW STORES, PETERSTOW (AGENDA ITEM 15)

Erection of one dwelling.

The Principal Planning Officer reported the receipt of two letters of objection and a revised response from the Highways Agency.

RESOLVED

That planning permission be granted subject to the following conditions:

1. A02 (Time limit for submission of reserved matters (outline permission))

Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990.

2. A03 (Time limit for commencement (outline permission))

Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990.

3. A04 (Approval of reserved matters)

Reason: To enable the local planning authority to exercise proper control over these aspects of the development.

4. A05 (Plans and particulars of reserved matters)

Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990.

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. F18 (Scheme of foul drainage disposal)

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

7. Prior to the occupation of the proposed dwelling the existing access to the south-east of the village shop shall be permanently closed to vehicular traffic. The means of affecting this closure shall be agreed with the local planning authority in consultation with the highway authority.

Reason: To ensure that the A49 trunk road continues to serve its purpose as part of a national system of routes for through traffic in accordance with Section 10 (2) of the Highways Act 1980 by minimising disruption on the trunk road resulting from traffic entering and emerging from the application site and in the interests of road safety.

8. Prior to the occupation of the proposed dwelling the car parking adjacent to this property and to the village store shall be permanently marked out in the manner illustrated on the site plan drawing.

Reason: To ensure that the A49 trunk road continues to serve its purpose as part of a national system of routes for through traffic in accordance with Section 10 (2) of the Highways Act 1980 by minimising disruption on the trunk road resulting from traffic entering and emerging from the application site and in the interests of road safety.

Informative(s):

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

31. DCSE2004/1470/F - VARIOUS LOCATIONS ALONG THE RUDHALL AND CHATTERLEY BROOKS THROUGH ROSS-ON-WYE (AGENDA ITEM 16)

Construction of a flood alleviation scheme for Ross-on-Wye to provide protection from flooding from the Rudhall and Chatterley Brooks.

In accordance with section 31 of the Planning Code of Conduct Councillor R.M. Wilson, Cabinet member for Environment, left the meeting during this item.

RESOLVED:

That subject to the Environment Agency objections being met the officers named in the Scheme of Delegation to Officers be authorised to approve the application 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 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 G07 (Details of earth works)

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

6 D01 (Site investigation – archaeology)

Reason: To ensure the archaeological interest of the site is recorded.

Informative(s)

1 N15 (Reasons for the Grant of Planning Permission)

The meeting ended at 3.43 p.m.

CHAIRMAN

ITEM FOR INFORMATION - APPEALS

APPEALS RECEIVED**Application No. DCSW2004/0079/O**

- The appeal was received on 21st June, 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. & Mrs. D. Evans
- The site is located at Land to the rear of Lawnsdown House, Clehonger, Hereford, Herefordshire, HR2 9TE
- The development proposed is Site for a dormer bungalow.
- The appeal is to be heard by Written Representations

Case Officer: Andrew Prior on 01432 261932

Application No. DCSE2004/0624/L

- The appeal was received on 13th July, 2004
- The appeal is made under Section 78 of the Town and Country Planning Act 1990 against conditions on the Listed Building Consent (relating to resiting of the hanging sign)
- The appeal is brought by Hale Jackson Knight
- The site is located at Montague House, 4 St. Marys Street, Ross-on-Wye, Herefordshire, HR9 5HT
- The development proposed is Repairs and internal alterations. Fascia sign and erection of hanging sign.
- The appeal is to be heard by Written Representations

Case Officer: Mike Willmont on 01432-260612

Application No. DCSE2004/1005/F

- The appeal was received on 21st July, 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 C.E. Boultree-Brooks
- The site is located at Little Canwood, Checkley, Herefordshire, HR1 4NF
- The development proposed is Replacement two storey dwelling with new vehicular access.
- The appeal is to be heard by Hearing

Case Officer: Nigel Banning on 01432 261974

APPEALS DETERMINED**Application No. DCSE2003/2662/F**

- The appeal was received on 9th February, 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. L. Worsley

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

- The site is located at Wyeseide Cottage, Coppet Hill, Goodrich, Ross-on-Wye, Herefordshire, HR9 6JH
- The application, dated 28th August, 2003 , was refused on 24th October, 2003
- The development proposed was Increase height of existing cottage and erect a two storey rear extension with single storey lean-to.
- The main issue is the effects the proposed alterations and extension would have on the scale and character of the existing cottage and on the visual amenity of the surrounding Wye Valley Area of Outstanding Natural Beauty (AONB).

Decision: The appeal was **DISMISSED** on 22nd June, 2004

Case Officer: Steven Holder on 01432 260479

Application No. DCSE2003/2493/O

- The appeal was received on 18th February 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. J Parker
- The site is located at Iglis, Gorsley, Ross-On-Wye, Herefordshire, HR9 7SJ
- The application, dated 8 August 2003, was refused on 8 October 2003
- The development proposed was Site for the erection of a bungalow
- The main issue is the effect of the proposal on the street scene in Quarry Lane and on the character of the surrounding area.

Decision: The appeal was **DISMISSED** on 15 July, 2004

Case Officer: Charlotte Atkins on 01432 260536

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

DEFERRED APPLICATIONS

5a DCSE2004/1019/F - PROPOSED CHANGE OF USE OF SITE FOR 10 SEASONAL CARAVANS

5b DCSE2004/1027/F - VARIATION OF CONDITION 5 OF PERMISSION SH960118PF FROM 15 TO 13 CARAVANS

5c DCSE2004/1029/F - VARIATION OF CONDITION 3 OF PLANNING PERMISSION SS980401PF TO ALLOW STORAGE OF SEASONAL TOURING CARAVANS (10) ON LAND ADJACENT TO STORAGE BUILDING

HAYWOOD FARM, GORSLEY, ROSS-ON-WYE, HEREFORDSHIRE, HR9 7SP

For: Mr. D. Stringer per Mr. C.F. Knock, 22 Aston Court, Aston Ingham, Ross-on-Wye Herefordshire, HR9 7LS

Date Received: 18th March, 2004 Ward: Old Gore

Grid Ref: 68014, 26822

Expiry Date: 13th May, 2004

Local Member: Councillor J.W. Edwards

Consideration of these applications was deferred by the Sub-Committee on 7th July, 2004 in order that a site visit could be held. This took place on 19th July, 2004.

1. Site Description and Proposal

1.1 Haywood Farm is situated on the borders of Herefordshire and Gloucestershire. The farm and adjoining land is within Herefordshire; the access track (a bridleway) and local roads connecting to the main road network are within Gloucestershire. The property comprises a former farmhouse which has been extended, plus outbuildings and surrounding fields. Planning permission (SH960118PF) for a touring caravan site was granted permission in 1996. This related to land to the east and north of the farmhouse. Conditions (nos. 5 & 6) limited the number of caravans to 15 and the period of use from March to November only. Subsequently permission (SH980401PF) was granted to change an agricultural building into a caravan store. Storage of caravans was only allowed within the building (condition no. 3). In addition to these permitted uses Haywood Farm also has a certificated site for 5 caravans and caravan rallies are held regularly. Both these activities benefit from "permitted development".

1.2 In 2001 an application (SE2001/1766/F) to increase the number of caravans from 15 to 25 was refused permission and the subsequent appeal dismissed because the local road network was insufficient to accommodate any additional traffic. A later

DEFERRED APPLICATIONS

application (SE2002/1393/F) for a caravan storage compound was refused permission primarily because of additional movements of cars and caravans on the sub-standard access roads and junctions.

1.3 The current applications are linked. There are three proposals:

- (1) Reduction in the number of touring caravans from 15 to 13 (SE2004/1027/F).
- (2) Use of part of the existing caravan site to the north of the caravan store for siting 10 "seasonal caravans" i.e. caravans that stay on site during the season, occupied by their owners and not for hire (SE2004/1019/F).
- (3) These same caravans would be stored for the winter (November - March) on an area of land (about 25m x 13m) immediately north-west of the store (part of the area for which caravan storage was previously sought - SE2001/1393/F).

1.4 Caravans have been stored on land adjoining the caravan store building, despite the refusal of planning permission. The current applications have been submitted in order to remedy this breach of planning control.

2. Policies

2.1 Planning Policy Guidance

PPG.7	The Countryside: Environmental Quality and Economic & Social Development
PPG21	Tourism

2.2 Hereford and Worcester County Structure Plan

Policy TSM1	Criteria for Tourism Related Development
Policy TSM8	Touring Caravan and Camping Sites

2.3 South Herefordshire District Local Plan

Policy TM1	General Tourism Provision
Policy TM6	Holiday Caravan/Chalet/Camp Parks
Policy TM7	Improvements to Existing Holiday Caravan and Chalet Sites
Policy GD1	General Development Criteria
Policy T3	Highway Safety Requirements
Policy ED3	Employment Proposals within/adjacent to Settlements
Policy ED5	Expansion of Existing Businesses
Policy C1	Development within Open Countryside

2.4 Herefordshire Unitary Development Plan – Revised Deposit Draft

RSTI	Static Caravans, Chalets, Camping and Touring Caravan Sites
------	---

3. Planning History

3.1	SH960118PF	Towing caravan site.	-	Permitted 12.6.96
	SH980401	Change of use to seasonal caravan store.	-	Permitted 23.11.98

DEFERRED APPLICATIONS

SE2001/1766/F	Variation of condition 5 of planning permission Ref. SH960118PF to increase limit of 15 caravans to 25 at any one time.	-	Appeal dismissed 11.7.02
SE2002/1393/F	Caravan storage compound and laundry room.	-	Refused 23.9.02
SE2002/2835/N	Reed-bed sewage treatment system.	-	Permitted 13.11.02

4. Consultation Summary

Statutory Consultations

4.1 Environment Agency comment as follows:

SE2004/1019/F - requests deferral pending additional information to allow assessment of risk of flooding.

SE2004/1027/F - has no objections to the proposal.

SE2004/1029/F - has no objections to the proposal.

4.2 Forestry Commission (re SE2004/1019/F) states that the scale of the proposal is that that there will be no effect on the woodland and consequently have no comment to make.

4.3 Gloucester County Council:

SE2004/1019/F - recommends that permission be refused on highway grounds for the following reasons:

The site is served by a series of narrow, substandard access roads and hazardous road junctions and such conditions are totally unsuitable to cater for increased traffic resulting from the proposed development

The proposed development would be likely to result in vehicular traffic using a designated public footpath/bridleway with the consequent risk of conflict with pedestrians/equestrians, all to the detriment of highway safety.

SE2004/1027/F - no highway objection is raised to the proposal which is welcomed as it will reduce traffic along substandard roads, sites and bridleway.

SE2004/1029/F - recommends that permission be refused on highway grounds (for the same reasons as SE2004/1019/F)

Internal Council Advice

4.4 Head of Environmental Health has no comments on the proposals.

5. Representations

DEFERRED APPLICATIONS

5.1 The applicant's agent states that from the previous planning history of the site the overriding issue relates to caravan movements and this application incorporates a proposal to help alleviate this issue. This proposal (planning application) will result in a reduction in caravan movements of between 10 and 15% by reducing the number of touring caravans allowed by two. It is proposed that the ten seasonal caravans will be put into the storage area adjacent the storage building out of season thus reducing caravan movements to a minimum.

5.2 In addition evidence is submitted of caravan movements for each month (March-November) of 2002 and 2003 taken from the registers of the caravan park.

5.3 Upton Bishop Parish Council:

SE2004/1019/F - object : access is poor and any increase in number of caravans increases risk.

SE2004/1027/F - no comment.

SE2004/1029F - object : access is poor and any increase in number of caravans increases risk.

5.4 Gorsley and Kilcot Parish Council:

SE2004/1019/F - objects to this application. Gloucester County Council letter dated 8.8.2001 stated that "The site is served by a series of narrow substandard access roads and hazardous road junctions". The caravan movements attached to the application do not reflect the neighbour's observations and do not appear to include Caravan Club Certified Location Site or rally traffic. Furthermore the figures indicate that more caravans arrived than left suggesting that caravans were still on site on 30th November contrary to Planning permission SH960118PF. This Planning Permission also states that "No more than 15 caravans shall be stationed on the land at any one time" for the reason "To define the terms of the permission to protect the visual amenities of the area and the amenities of the neighbours" and this application is therefore contrary to that permission.

SE2004/1027/F - has no objections.

SE2004/1029F - objects to this application. The applicant has previously applied for permission for a storage compound (Planning Application SE2002/1393/F) and this was refused but he has continued to disregard this refusal and we understand that the infringements have been reported to yourselves on several occasions.

Overall the Parish Council would like to refer to their letter dated 2nd August, 2001, outlining the Parish Council concerns re this site as it feels that many of the points have not yet been resolved. The local residents have expressed their concerns and objections to the above applications and the Parish Council wishes to support them in these objections. The Parish Council feels that the applicant shows a continuing disregard of all regulations concerning the conditions of his planning permission.

DEFERRED APPLICATIONS

5.5 Three letters of objection have been received from local residents, one of which is on behalf of 4 additional households. In summary the main reasons for objecting are as follows:

- (1) The Inspector's decision is referred to and it is strongly maintained that nothing has changed regarding narrow local roads with poor visibility and that the additional traffic would exacerbate these problems and be unsafe. This is grounds for refusal.
- (2) It is emphasised that the narrow access track is a bridleway, and is only wide enough for one vehicle. It is questioned whether caravanners have right of access as a bridleway is limited to pedestrians, cyclists, horses and the vehicles of those with properties off the bridleway.
- (3) Additional vehicles throughout the year would result from owners visiting stored caravans for maintenance and collecting for touring elsewhere.
- (4) The submitted table of vehicle movements is questioned as it does not include rallies and the certificated site. There have been 5 rallies so far for this year and an estimated 1500 journeys on the bridle path. A separate calculation based on a typical bank holiday weekend (Friday – Monday with 35 caravans plus tents each with one car making on average 2 trips each per day) results in a figure of 560 movements. In previous month 4 rallies were held with an estimated 2000 trips plus a further 300 associated with the touring site.
- (5) Priority of local Parish Councils and both Herefordshire District Council and Gloucestershire County Council is to reduce traffic on B 4221 because of notorious speeding and accident records.
- (6) One letter welcomes any decrease in the number of caravans (i.e. SE2004/1027/F) but another considers that the site owner is assuming that the restriction on numbers of caravans would not be enforced by the Council. Planning regulations have been ignored and there is currently an outstanding breach of condition notice and enforcement action has been initiated.
- (7) In effect 20 extra caravans are being sought but on a very different basis to the current site - 10 may be used as permanent homes and the other 10 let on similar terms (say to itinerant workers or migrant workers, as is thought to occur already in breach of regulations). In practice virtually impossible to differentiate (all 20 might be owner's caravans let as permanent homes). The seasonal caravans are those that have long been on the site and are owned by the site owners
- (8) Total number of caravans would be 33, well beyond earlier applications which were rejected. The caravan store has nevertheless continued and enforcement action initiated (see 6 above) which resulted in these applications.
- (9) Permanent siting would result in increased traffic.
- (10) The caravan site brought increased traffic and noise making life very unpleasant for the occupants of houses along the bridle path and the current proposals would exacerbate these problems.
- (11) Additional caravans would be an environmental eyesore with caravans sprawled across the hillside.

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

DEFERRED APPLICATIONS

- 6.1 The Inspector in her decision letter regarding the proposal to increase the number of touring caravans from 15 to 25 found that “the local road network is not of sufficient capacity to adequately accommodate existing traffic. As such, it must follow that the local road network is also of insufficient capacity to accommodate the additional traffic that would occur if an additional 10 caravans were permitted to be stationed on the site. I consider that the local road network was of insufficient width and that there is inadequate visibility at the junction with the B4221 and route 3/60 to accommodate existing traffic.” The appeal was dismissed therefore on highway safety grounds.
- 6.2 The applicant has sought to meet these concerns by reducing the number of touring caravans by 2, by the 10 additional caravans remaining on site all year round and being occupied only by their owners. On this basis, once the caravans have been brought onto the site there would be less movement of caravans than at present, although there may be extra cars as the owners of the 10 extra caravans may visit Gorsley frequently during the season. However it is not considered that this situation could be controlled by planning condition without intrusive investigation of the business and of the caravan owners. It would not be practicable for example to stop hiring out and consequently caravans could be occupied throughout the season with a considerable number of extra vehicle trips. Furthermore it would be difficult to ensure that the same 10 caravans remained on site throughout the year. There would be movements on and off the site at any time during the year as caravan owners decided to site their caravans elsewhere. The Council would not be able to determine whether this was the reason for the caravan moving or whether this was an additional touring caravan. Nor could the Council readily determine whether the stored caravans were the same vehicles as the seasonal caravans. It is not clear why these static caravans need to be moved a few yards for winter storage. It is considered therefore that vehicular movements cannot be controlled and that the proposals for seasonal caravans and caravan storage could lead to additional traffic movements on the inadequate road network. Clearly this would not apply to the reduction in number of season caravans and there are no highway objection to this proposal.
- 6.3 A second concern of local residents is noise and disturbance. The area for seasonal caravans and storage would be of the furthest part of the site from residents. It may be expected from the greater numbers staying at the site that there would be some extra activities resulting in more noise and as traffic movements cannot be restricted these may add to this problem. Nevertheless it is not considered that the increase in noise and disturbance would make a significant difference to the amenities of neighbours. This was the conclusion of the Inspector in the appeal referred to above. Reference is made to other activities at Haywood Farm in addition to the 15 seasonal caravans. As noted above, caravan rallies are held at this site and there is also a certificated site (5 caravans), both under permitted development. It has not been substantiated that more than 15 caravans are regularly stationed in breach of the planning condition for the caravan park.
- 6.4 The addition of just 8 more caravans (i.e. 10 seasonal minus 2 touring caravans) on the existing caravan park site would not be visually intrusive. The area for storage would extend the park but with additional planting along the lane and by reducing ground level it is considered that there would not be significant harm to the landscape or character of the countryside.

DEFERRED APPLICATIONS

RECOMMENDATION

With respect to DCSE2004/1019/F:

That planning permission be refused for the following reason:

- 1 The Council considers that vehicular movements associated with the development would add to the current volume of traffic to and from Haywood Farm. As a consequence the proposal would result in additional movement of cars and caravans on the narrow sub-standard access roads and hazardous road junctions which serve this caravan site, which would be contrary to the interests of highway safety. The proposal would conflict therefore with Policies TSM1 and TSM8 of the Hereford and Worcester County Structure Plan and Policies TM1, TM6, TM7, GD1 and T3 of the South Herefordshire District Local Plan.

With respect to DCSE2004/1027/F:

That planning permission be granted subject to the following conditions:

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

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

- 2 No more than 13 caravans shall be stationed on the land at any one time.

Reason: To define the terms of the permission to protect the visual amenities of the area and the amenities of neighbours.

Informative:

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

With respect to DCSE2004/1029/F:

That planning permission be refused for the following reason:

- 1 The Council considers that vehicular movements associated with the development would add to the current volume of traffic to and from the Haywood Farm. As a consequence the proposal would result in additional movement of cars and caravans on the narrow sub-standard access roads and hazardous road junctions which serve this caravan site, which would be contrary to the interests of highway safety. The proposal would conflict therefore with Policies TSM1 and TSM8 of the Hereford and Worcester County Structure Plan and Policies TM1, TM6, TM7, GD1 and T3 of the South Herefordshire District Local Plan.

DEFERRED APPLICATIONS

Decision:

Notes:

.....

Background Papers

Internal departmental consultation replies.

.....

6 DCSW2004/1758/F - CONVERSION OF FORMER CHAPEL INTO DWELLING, FORMER CHAPEL, HOARWITHY, HEREFORDSHIRE, HR2 6QH

**For: Mr. P. Pember per Mr. N.J. Teale, Brambles Farm,
Naunton, Upton-upon-Severn, Worcestershire,
WR8 0PZ**

Date Received: 12th May, 2004 Ward: Pontrilas Grid Ref: 54619, 29332

Expiry Date: 7th July, 2004

Local Member: Councillor G.W. Davis

1. Site Description and Proposal

- 1.1 The proposal site comprises a stone faced former chapel and barrel roofed garage on the eastern side of the C1261 road that runs through this settlement. There is a parking area in front of the open ended garage on the northern side. The northern tip of this tapering car park is virtually on the junction of the aforementioned C1261 road, and the north-eastward bound C1267 road to Kings Cagle.
- 1.2 Public Footpath HN3 crosses part of the open forecourt area in front of the garage, it leads south-eastward but does not cross any other land that forms part of the application site.
- 1.3 The chapel building is comprised of rubble stone, it has a hipped small plain tile roof that is proposed to be replaced with a slate covered one. There is a link building between the chapel building and Stone House, a painted brick building that also houses the Post Office. It is proposed to demolish this link building that is 2.1 metres wide on the roadside elevation, widening to 2.5 metres on the rear elevation, this section of building is reached off the stage area of the chapel.
- 1.4 There is a link building on the north-eastern side of the chapel building linking it with the garage. This building has a mono-pitch roof at present, joining the north-eastern gable wall of the chapel at a height of 33 metres, sloping down to a height of 2 metres where it joins at eaves level on the corrugated tin roofed garage. A new roof is proposed over this element. It is 4.3 metres to the ridge which is 200mm below the new ridge height for the proposed new gable roof over the garage. This roof will again be covered in slates.
- 1.5 New windows are proposed in the front elevations directly under the existing arches, with two windows for the ground floor accommodation. The rear elevation will have two first floor windows under arches and one smaller window underneath on one side and French windows for access to the garden under the other first floor window.
- 1.6 Four bedrooms will be provided on the first floor and downstairs a kitchen/dining room, living room, porch and w.c.

2. Policies

2.1 Hereford and Worcester County Structure Plan

Policy CTC.13	-	Conversion of Buildings
Policy CTC.14	-	Conversion of Buildings
Policy CTC.15	-	Conservation Areas
Policy CTC.1	-	Areas of Outstanding Natural Beauty
Policy CTC.2	-	Areas of Great Landscape Value
Policy CTC.9	-	Development Requirements

2.2 South Herefordshire District Local Plan

Policy GD.1	-	General Development Criteria
Policy C.5	-	Development within Area of Outstanding Natural Beauty
Policy C.6	-	Landscape and 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.24	-	Demolition in Conservation Areas
Policy C.25	-	Demolition and Redevelopment

2.3 Herefordshire Unitary Development Plan (Revised Deposit Draft)

There are no policies that are considered to raise issues different from Development Plan policies.

3. Planning History

3.1 None identified

4. Consultation Summary

Statutory Consultations

4.1 Environment Agency - raises no objection in principle subject to a condition requiring the provision of foul drainage works.

Internal Council Advice

4.2 Head of Engineering and Transportation - raises no objection, but advises that the line of the public footpath HN3 should remain unobstructed at all times.

5. Representations

5.1 The Parish Council has no objections.

5.2 One letter of objection has been received from:

Mr. D. Weaver, Kirkvale, Hoarwithy, HR2 6QH

The following main points are raised:

- access onto narrowest part of Hereford - Ross-on-Wye road

- vehicle could hit our wall in avoiding a pedestrian using the entrance
- overlooking windows from bedroom window resulting in loss of privacy
- increase in garage height from 3.6 to 4.4 metres and porch 4.3, lean-to it replaces between 2 to 3.3 metres in height. Impinges upon our view, should restrict to 3.6 metres and 3.3 metres for garage and porch respectively
- could be increase in vehicles parked on roadside, as garages are seldom used. Close to junction with Kings Cople to detriment of road safety.

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 issues are considered to be ones relating to traffic, demolition of a building in a Conservation Area and Area of Outstanding Natural Beauty, the merits of the conversion scheme and in turn its impact in the Conservation Area and Area of Outstanding Natural Beauty, and issues relating to loss of amenity to a local resident.
- 6.2 The garage and forecourt area have, it is understood, been used for many years, and vehicles leaving the site have good unobstructed views to the north and uphill, and to the north-east towards the bridge over the River Wye. Views are not as good to the south-west, but nevertheless given the curvature of the road a satisfactory level of visibility is available. This access has also been used for many years by vehicular and pedestrian traffic in association with the parking area and the public footpath.
- 6.3 There are policies protecting Conservation Areas from unwarranted demolition, particularly in Policies C.24 and C.25 contained in the Local Plan. It is considered that the demolition of the brick building between the stone buildings, the chapel and Stone House will not harm the Conservation Area or the Area of Outstanding Natural Beauty.
- 6.4 The conversion scheme entails providing a new gable roof over the garage, replacing a corrugated tin roof with a slate one and replacing a mono-pitch roof with a gable roof over a block of building providing a utility area and link between the chapel and the garage. The roof pitch on the new gable roof is not dissimilar to that on the 8.2 metres high roof of the chapel. A lower pitch would be difficult for the 7 metres span required and would detract from the appearance of the roof particularly when viewed from the north and north-east. The windows are configured in a regular pattern on the front elevation which is not the case presently. The scheme is sympathetic and is considered acceptable.
- 6.5 The final issue is the one relating to the impingement of a view and the loss of privacy through overlooking. The loss of a view is not a matter that can be addressed by planning policies, it is possible to object to what is in view of a particular property, but not that a particular view is impinged or reduced in some way. The other issue raised relating to overlooking from what will be a new floor, at first floor level of the objector's garden. It is considered that the elevated garden area overlooked has a relatively open aspect at present, and that although it would be possible to look eastward towards Kirkvale from the new first floor this is mitigated by the fact that the top of each window is below an eye level of 1.5 metres which would entail occupants either needing to stoop or stand back into each room in order to look out of the bedroom windows.
- 6.6 There are therefore considered to be no reasonable grounds for withholding planning permission for the scheme as submitted subject to a condition for details of foul

drainage disposal as required by the Environment Agency and with the removal of permitted development rights.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

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

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

- 2. **A07 (Development in accordance with approved plans)**

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. **C02 (Approval of details)**

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

- 5. **E16 (Removal of permitted development rights)**

Reason: In order to preserve the character of the original conversion scheme.

- 6. **F18 (Scheme of foul drainage disposal)**

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

Informative(s):

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

Decision:

Notes:

.....

Background Papers

Internal departmental consultation replies.

7 DCSE2004/1593/F - REMOVAL OF CONDITION 7 FROM PLANNING PERMISSION SE2003/2744/F, QUARRY COTTAGE, GOODRICH, ROSS-ON-WYE, HEREFORDSHIRE, HR9 6JD

For: Mr. & Mrs. C. Clarke, Colgarron Lodge, Goodrich, Ross-on-Wye, Herefordshire, HR9 6JD

Date Received: 30th April, 2004

Ward: Kerne Bridge

Grid Ref: 56168, 18550

Expiry Date: 25th June, 2004

Local Member: Councillor Mrs. R.F. Lincoln

1. Site Description and Proposal

- 1.1 The application site has a frontage to both Old Forge Lane and the B4229 which links the A40(T) to Kerne Bridge, and is about 0.3 ha in area and also adjoins a narrow track. Planning permission (SE2003/2744/F) for a replacement dwelling and garage was granted on 3rd November, 2003. The permission included a condition (no. 7) that required that:

"Prior to the first occupation of the replacement dwelling hereby approved an area shall be laid out within the curtilage of the property for the parking of 1 car so that it may turn within the site and enter and leave the site in a forward gear. The access, turning area and parking facilities shall be properly consolidated, surfaced, drained and otherwise constructed in accordance with details to be submitted to and approved in writing by the local planning authority. These areas shall thereafter be retained and kept available for those uses at all times."

The current application is for removal of that condition. The new house has been erected but not completed.

- 1.2 The access to the application property is off the narrow track which serves both Quarry Cottage and the adjoining property Wye Guildown. The access is wide (about 8m) but visibility along the track is restricted by the boundary wall between Quarry Cottage and Wye Guildown. The replacement lean-to single garage adjoins the boundary wall and is set back about 6m from the track but is at a significantly lower level.

2. Policies

2.1 Planning Policy Guidance

PPG.13 - Transport

2.2 Hereford and Worcester County Structure Plan

Policy CTC.1 - Housing in Rural Areas

Policy CTC.2 - Development in Areas of Great Landscape Value

2.3 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 T.3 - Highway Safety Requirements

3. Planning History

- 3.1 SE2002/1694/F Demolition of cottage and erection of cottage style dwelling - Permitted 30.07.02
- SE2003/2744/F Demolition of dwelling and construction of proposed 3 bedroom dwelling and garage - Permitted 03.11.03

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 applicants write in support of their application as follows:

- the requirement to meet the datum levels for the house build has resulted in level changes that severely restrict the area available for turning
- the access to the house is via an unadopted private road.

- 5.2 Parish Council objects as no alternative parking/turning scheme put forward.

- 5.3 One letter has been received from Mr. R.A. Harris, Guildown, Goodrich, Ross-on-Wye which states that there are no objections to the proposal.

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 This property prior to the house being demolished did not have an off-street turning area for vehicles, which had to reverse onto the site or onto the access track. The Head of Engineering and Transportation noted that a turning area was not proposed but nevertheless did not recommend that permission be refused. In view of the position of the dwelling on the site and the level at which it has been built the formation of a turning area is now impracticable. Whilst a turning area is desirable the issue is whether its absence would probably harm highway safety.
- 6.2 The access is on the outside of a bend in the track but visibility is restricted to the right by the boundary wall. Manoeuvring a car into and out of the garage would be awkward because of the steep slope. This change in level would probably preclude the

construction of a full turning area in front of the garage. The track serves only 2 houses, although it joins another track leading to a few other properties and may be used by occupants/visitors to those properties. As a consequence there is very little traffic and vehicle speeds are slow. It is considered therefore that there would not be a significant risk to highway safety if this condition were to be removed. Nevertheless careful grading of the frontage area combined with the existing wide access would enable vehicles to leave the site away from the boundary wall. This could be required by planning condition.

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. Within 2 months of the date of this permission the treatment of the area shown on the drawing attached to this permission which shall include details of hard surfacing, gradients and planting shall be submitted to and approved in writing by the local planning authority.

Reason: In the interests of visual amenity and road safety.

5. The details approved pursuant to condition no. 4 above shall be carried out before the dwelling is occupied.

Reason: In the interests of visual amenity and road safety.

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no extensions, dormer windows, roof extensions shall be erected or constructed.

Reason: The replacement dwelling represents an enlargement of the existing. In accordance with Policies H.20 of the Hereford and Worcester County Structure Plan and SH.11 and SH.21 of the South Herefordshire District Local Plan, the local planning authority considers control should be retained over further enlargements in order to protect the character and appearance of the area.

7. The garage hereby approved shall be kept available for garaging and storage use and shall not be converted into habitable accommodation.

Reason: In order to ensure that garage accommodation remains available for ancillary residential use and so as to restrict pressure for additional or alternative garaging in new buildings, which may harm the surrounding rural landscape, noted for its quality and to ensure that there remains adequate off-road parking provision 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.

8 DCSE2004/1421/F - REMOVAL OF EXISTING KITCHEN EXTRACT DUCT AND INSTALLATION OF 2 NO. NEW DUCTS, THE MAIL ROOMS, GLOUCESTER ROAD, ROSS-ON-WYE

**For: J.D. Wetherspoon Plc per Murdoch Bowers Ltd,
Gemini House, 180/182 Bermondsey Street, London,
SE1 3TQ**

**Date Received: 20th April 2004 Ward: Ross-on-Wye East Grid Ref: 60062, 24062
Expiry Date: 15th June 2004**

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

1. Site Description and Proposal

- 1.1 This site is located in the centre of Ross-on-Wye within the designated Conservation Area. The property in question is a bar/restaurant which forms part of a row of buildings which front onto Gloucester Road. The building is fairly large and extends outwards at the back. At the side of the building there is an existing kitchen extract duct made of metal and which is fixed to the side of the building.
- 1.2 This application is to remove the existing galvanised steel duct and replace it with two new galvanised steel ducts which are more appropriate for the requirements of the building.

2. Policies

2.1 Planning Policy Guidance

PPG.1 - General Policies and Principles

2.2 Hereford and Worcester County Structure Plan

Policy CTC.1 - Areas of Outstanding Natural Beauty
Policy CTC.9 - Development Requirements
Policy CTC.15 - Conservation Areas

2.3 South Herefordshire District Local Plan

Policy GD.1 - General Development Criteria
Policy C.5 - Development within Area of Outstanding Natural Beauty
Policy C.23 - New Development affecting Conservation Areas
Policy RT.1 - Ross-on-Wye Town Centre
Policy Ross-on-Wye 16 – Conservation Areas

2.4 Herefordshire Unitary Development Plan (Revised Deposit Draft)

Policy S.2 - Development
Policy S.5 - Town Centres and Retail

Policy DR.1	-	Design
Policy DR.4	-	Environment
Policy LA.1	-	Areas of Outstanding Natural Beauty
Policy HBA.6	-	New Development within Conservation Areas
Policy TCR.1	-	Central Shopping and Commercial Areas

3. Planning History

3.1	SE2000/0486/F	Traditional ale, wine and food bar, change of use from a former post office	-	Planning Permission 05.07.00
	SE2000/0487/F	Traditional ale, wine and food bar, change of use of former post office	-	Planning Permission 05.07.00
	SE2000/2223/A	Fascia signs and projecting sign	-	Advertisement Consent 11.12.00
	SE2000/2384/F	Alterations to convert former post office to a traditional ale, wine and food bar, with extension to form a new conservatory	-	Planning Permission 11.12.00

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 objections.

4.3 The Chief Conservation Officer has no objections.

4.4 The Head of Environmental Health has no objections and suggests that any approval includes a condition requiring details of the proposed system to be submitted in order to protect the amenities of neighbours as regards noise and odour emissions.

5. Representations

5.1 The Town Council have no objections.

5.2 One letter of objection has been received from Mr. C. & Mrs. J. Benwell, Creature Comforts, Warwick House, Gloucester Road, Ross-on-Wye, HR9 5BS

The main points being:-

- the smell and noise from the single duct prohibits the objectors from using the flat above their premises and from opening windows and doors in the shop during the day. The proposed two vents will make matters worse

- no parking facilities at the Mail Rooms and are concerned that contractors will park their vehicles in the objectors' and neighbours' private car parks and restrict access to rear of properties.

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 issues relate to the visual appearance of the proposed development, its effect on its setting and the Conservation Area, the requirements of the premises to have a system that works properly and also the effect on the residential amenities of the occupants of the nearby residential and commercial properties. The main policies in the Local Plan which directly relate to the proposal are GD.1, RT.1, C.23 and Ross-on-Wye 16.
- 6.2 From a visual point of view the proposed replacement of the existing metal duct with two slightly smaller ones will have no adverse impact on the surrounding area. The proposed development is tucked away near to the rear of the premises where it is not prominent from a visual point of view. Obviously it can be seen by the immediate neighbours but it will not have any adverse visual impact on them. Nor will it have any adverse effect on the Conservation Area.
- 6.3 The objectors are particularly concerned that the residential amenities of their upstairs flat will be adversely affected by noise and smells from the two new ducts. The Head of Environmental Health received a copy of the objectors' letter. It is considered that the new ducts will not adversely affect the residential amenities of the occupiers of the adjacent flat and shop. A condition can be imposed with respect to the noise levels and odours to ensure that the residential amenities are protected. Further to the rear of the applicant's premises are some existing fans which make a certain amount of noise and which appear to drown out any noise from the existing duct. Also the top of the proposed ducts are fairly high up which should carry any smells away from the neighbouring properties.
- 6.4 The objectors also refer to potential parking problems that could occur when the contractors come to install the new apparatus. However any problems which may or may not occur would only be temporary and are not considered to be sufficient to refuse the grant of planning permission.
- 6.5 The proposed development is therefore considered to be acceptable and in accordance with planning policies and in particular those referred to in Section 6.1.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

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

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

- 2. A07 (Development in accordance with approved plans)**

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

- 3. **Before any work commences on site full details of the proposed extraction systems, specifying the provisions to be made for the control of any noise and odour emanating from the said systems, shall first be submitted to and be subject to the prior written approval of the local planning authority. The agreed systems shall be carried out in accordance with the approved details.**

Reason: To ensure that the residential amenities of the occupants of the nearby properties are not adversely affected by noise or odour emissions.

Informative(s):

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

Decision:

Notes:

.....

Background Papers

Internal departmental consultation replies.

9 DCSE2004/1847/F - RETENTION OF CONSERVATION POND (AMENDED DESIGN) AT LAND AT DARNELLS FARM, LINTON, NR ROSS-ON-WYE, HEREFORDSHIRE.

For: Mr. G. Chapman per Hamiltons, Chartered Surveyors, Overton Farm, Maisemore, Gloucester, GL2 8HR

Date Received: 7th June, 2004

Ward: Penyard

Grid Ref: 67491, 24597

Expiry Date: 2nd August, 2004

Local Member: Councillor H. Bramer

1. Site Description and Proposal

- 1.1 The application is retrospective. If the application had been made prior to the works being commenced it is likely that the project would have been permitted development, but those rights do not now apply.
- 1.2 A roughly oval lake, approximately 75m x 30m has been created for "conservation" purposes on the applicant's eastern property boundary at the foot of a sloping field and is contained by embankments approximately 1.5m high along the downslope margins. There are several properties situated to the east at a distance of between 300m and 350m.
- 1.3 The site lies in wooded hilly country approximately 7 kilometres east of Ross-on-Wye at Linton and is close to the Gloucestershire border, to the south of Dymock Forest. It is just visible from an unclassified highway that is a no through road ending in a public right of way at Darnells Farm itself.
- 1.4 The adjoining land, outside the applicant's ownership, is a Special Wildlife Site and designated as Ancient or Semi-natural Woodland.

2. Policies

2.1 Planning Policy Guidance

Note 1 - General Policy and Principles.

Note 7 - The countryside, environmental quality and economic and social development

2.2 Hereford and Worcester County Structure Plan

Policy CTC6	Landscape Features
Policy CTC11	Trees and Woodlands
Policy CTC12	Improving Wildlife Value
Policy A1	Development on Agricultural Land
Policy A2	Diversification

2.3 South Herefordshire District Local Plan

Policy GD1	General Development Criteria
Policy C1	Development in Open Countryside
Policy C9	Landscape Features
Policy C11	Protection of Best Agricultural Land
Policy C13	Protection of Local Nature Conservation Sites
Policy C15	Creation of New Sites of Nature Conservation Importance
Policy C17	Trees/Management
Policy C18	New Tree Planting
Policy C19	Ancient and Semi-Natural Woodlands
Policy C45	Drainage
Policy C46	Water Abstraction

2.4 UDP Revised Deposit Draft

Policy S1	Sustainable Development
Policy S2	Development Requirements
Policy DR1	Design
Policy DR6	Water Resources

3. Planning History

- 3.1 SE2004/0132/F first retrospective application for the lake - withdrawn 16th March 2004

4. Consultation Summary

Statutory Consultations

- 4.1 The Environment Agency - no objection,
4.2 Forestry Commission - no objection,.

Internal Council Advice

- 4.3 The Head of Engineering and Transportation has no objection on either highway or drainage grounds.
4.4 The Chief conservation Officer has no objection on archaeological grounds, but still has concerns on landscape grounds with further remodelling being recommended.

5. Representations

- 5.1 Mr. B. Davies of Baldwins Wood, Kilcot, Newent, has objected as the adjoining neighbour. The main points raised are as follows:

- The lake is too close to Baldwins Wood land.
- The embankment is leaking onto his land.
- Groundwater runs directly onto his land and no longer goes into the existing ditch as it formerly did.
- The embanked soil will affect trees on his land.
- Winter water levels could seriously affect Baldwins Wood and Yew tree Cottage.

- 5.2 Mr. M. Price, NFU Group Secretary for the area, has made representation on behalf of the above objector as an NFU member. He is not making an objection himself, but reiterates the points raised by Mr. Davies.

5.3 Mr. & Mrs. A. Thomas of Yew Tree Cottage, Newent have also objected, and the main points they raise are:

- It is sited in the incorrect position.
- Water is seeping out over the length of the walls of the lake.
- We do not believe it has been constructed for conservation reasons.

5.4 Aston Ingham Parish Council raises no objection.

5.4 Linton Parish Council does not support the application and has commented that concerns have been expressed with regard to the method use to construct the pond, its position relative to the property boundary, that the pond had been leaking along the length of the retaining dam into the neighbour's farmland, and that the natural drainage of the site had been altered.

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

5.5 An email was received at 11.25 am on 23rd July, 2004 from B. Atherton, Clerk to Linton Parish Council.

This email is summarised as follows:

The Chairman of the Parish Council had seen the leakage along the dam and damage to neighbouring grazing land.

When the second, revised application was made Parish Councillors visited the neighbouring land and felt that the revisions to the design were not sufficient to overcome the perceived problems.

Every precaution should be made to ensure that leakage and subsequent failure of the dam does not occur, otherwise Herefordshire Council could be held culpable for any damage to the adjacent land.

6. Officers Appraisal

6.1 The site lies in landscape described as "forest smallholdings and dwellings" typified by small enclosed fields and relatively dense but scattered settlement, although hedgerows are being progressively lost. The lake has been formed in a damp field corner with a background of sparse woodland. Although Officers consider the specific design requires some amendment, there are no policies that would prevent the siting in principle of a lake at this location.

6.2 Public footpath LTR 24 skirts the outside of the western edge of the same large field that the lake is sited in, and the lake would be distantly visible from the path.

6.3 The site comprises grade 3 agricultural land but due to being very wet its use as a lake would be unlikely to constitute a significant loss of valuable agricultural land and therefore would not conflict with South Herefordshire District Local Plan policy C11. Appropriately designed, the lake could enhance wildlife habitat in line with policy C15 and Structure Plan policy CTC12

- 6.4 There were several matters of concern in the earlier application, notably that the embankment might be unstable and likely to affect the health of mature trees on the neighbouring property, and that the design of the lake does not sit naturally in the landscape.
- 6.5 Following the withdrawal of the earlier application, a detailed letter was sent to the applicant's agent outlining the revisions and remodelling necessary to ensure an acceptable design for the lake. The revised drawings submitted with this new application go some way to satisfying these requirements but some amendment would still be necessary. In particular, as currently proposed the embankment would need to be pulled still further far away from the canopy of the mature trees on the neighbouring property.
- 6.6 The neighbouring objector has repeatedly drawn attention to alleged damage from some discernable leakage and seepage of water from the lake onto his land and to the fact that run-off from the field above the site now drains onto his land instead of into the ditch between the two properties as it formerly did. Although material, this is largely a civil matter outside of the control of the local authority and would not justify refusal in itself at this site.
- 6.7 The applicant has submitted a letter detailing further amendments he would be willing to undertake including moving the embankment further away from the tree canopies and capping an old land drain located under the newly-installed overflow, that he believes is responsible for the seepage. The letter also explains that no remedial works have been undertaken to address the drainage problems while the works were unauthorised and there was no planning permission to rely on.
- 6.8 It is considered that the mitigations detailed in the suggested amendments to the submitted plans would sufficiently address the concerns such as to satisfy South Herefordshire District Local Plan policies C44A and C45 and that this could be imposed through conditions. Members should be aware that should the application be refused, the Council would need to consider the expediency of proceeding with enforcement action and it is possible that neither a refusal nor an enforcement notice could be defended successfully at appeal.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

- 1 Notwithstanding the submitted plans the lake hereby permitted shall be remodelled in accordance with the details stated in the applicant's letter dated 5th July 2004, such that:**
- **no part of the embankment on the western margin of the lake shall be beneath the canopy of the existing trees, and**
 - **the ground beneath that tree canopy shall be restored to the original levels.**
 - **The gradient of the northern end of the lake shall not exceed 1 in 7 (14%), being widened if necessary in a westerly direction to accommodate this.**
 - **The embankment to the southern end of the lake shall not be more than 1 metre in height above the highest adjoining original ground level.**
 - **The proposed stock-proof fence shall be located so as to establish a margin of at least 1.5m between it and the edge of the cut to the lake bank.**
 - **Measures shall be taken to ensure that all excess water from the lake shall be directed into the existing adjacent watercourse ditch.**

Reason: to ensure a satisfactory form of development and to preserve and enhance the quality of the environment.

- 2 No further development shall take place until there has been submitted to and approved in writing by the local planning authority a planting scheme giving the location, species, sizes and planting numbers. The scheme shall include at least 2 native wetland tree species

Reason: to ensure a satisfactory form of development and to preserve and enhance the quality of the environment.

- 3 All planting comprised in the details approved under condition 2 shall be carried out in the first planting season following the completion of the engineering works as specified by condition 1, 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 otherwise agreed in writing by the local planning authority.

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

- 4 The pool shall be used for the quiet private enjoyment of the owner and for wildlife conservation or agriculture and for no other purpose.

Reason: The local planning authority wish to control the specific use of the pool in the interests of local amenity as any other use could have adverse environmental effects which would need further assessment.

Informative:

- 1 N15 - Reason(s) for the Grant of Planning Permission
- 2 The Council is concerned that the design of the lake could have a detrimental effect on the health and stability of the mature trees on the adjoining land. The applicant is strongly advised to seek professional advice on this matter.

Decision:

Notes:

.....

Background Papers

Internal departmental consultation replies.

10 DCSE2004/1949/O - PROPOSED SITE FOR RESIDENTIAL DEVELOPMENT AT HAZELNUT COTTAGE AND ADJOINING LAND, LLANGROVE, NR ROSS-ON-WYE, HEREFORDSHIRE

For: Paul Smith Associates, Chase View House, Merrivale Road, Ross on Wye, Herefordshire, HR9 5JX

Date Received: 26th May, 2004 Ward: Llangarron Grid Ref: 52445, 19305

Expiry Date: 21st July, 2004

Local Member: Councillor Mrs. J.A. Hyde

1. Site Description and Proposal

- 1.1 This site of about 0.3 ha comprises the detached house known as Hazelnut Cottage and its garden, which extends along the south side of the main village road in Llangrove, together with the field to the rear. An outline application for residential development of this land has been received, with all matters except access reserved for later approval. The field continues to the west but that part is in different ownership. An outline application (SE2004/2155/O) for the erection of 6 dwellings on that land has been received and a separate report is included in this Agenda.
- 1.2 The access is at the western extremity of the site, adjoining the car park of the Royal Arms Inn. A visibility splay of 2 m x 45 m is proposed. No other details of the proposal have been included at this stage.
- 1.3 The application site is adjoined to east and south by residential properties.

2. Policies

2.1 Planning Policy Guidance

PPG3 Housing

2.2 Hereford and Worcester County Structure Plan

Policy H16A Housing in Rural Areas
 Policy H18 Residential Development in Rural Settlements
 Policy CTC9 Development Requirements

2.3 South Herefordshire District Local Plan

Policy C2 Settlement Boundaries
 Policy C29 Setting of a Listed Building
 Policy SH6 Housing Development in Larger villages
 Policy SH8 New Housing Development Criteria in Larger Villages
 Policy SH9 Balance of Housing Types
 Policy SH14 Siting and Design of Buildings
 Policy SH15 Criteria for New Housing Schemes

Policy GD1	General Development Criteria
Policy T1A	Environmental Sustainability and Transport
Policy T3`	Highway Safety Requirements

2.4 Herefordshire Unitary Development Plan – Revised Deposit Draft

Policy H6	Housing in smaller settlements
-----------	--------------------------------

3. Planning History

3.1	SH900008PO	Two-bedroom dwelling and garage.	-	Permitted 7.3.90
	SH900733/PM	Two bedroom dwelling and garage.	-	Permitted 27.7.90
	SH911112PF	New access	-	Refused 24.10.91
	SH930019PF	Amended positioning of access and garage	-	Permitted 8.2.93

4. Consultation Summary

Statutory Consultations

- 4.1 Welsh Water requests that conditions are imposed to ensure that surface water does not discharge into the public sewerage system.

Internal Council Advice

- 4.2 Head of Engineering and Transportation recommends that conditions be imposed if planning permission is granted.

5. Representations

- 5.1 The applicant makes the following submission:

- (1) Site lies within the village of Llangrove and its settlement boundary as defined and adopted in the South Herefordshire District Local Plan. As such, the principle of residential development is acceptable.
- (2) The site is of sufficient size to accommodate more than one dwelling, there is sufficient room to ensure that dwellings could be sited and orientated to ensure that the amenity of neighbours would not be compromised.
- (3) The enclosed plans indicate that a 5 m wide access with 2 m x 45 m splays in both directions can be accommodated. The western splay would be secured in the long term because it coincides with those of the adjoining public house car park.
- (4) This proposed access design would provide safe access to the site for existing and potential occupiers and enhance road conditions by widening this stretch of the public highway.

- 5.2. Llangarron Parish Council's observations are as follows:

Because of the vagueness of the application, the Parish Council feel that more details, certainly regarding access and the number of proposed dwellings, would be appreciated prior to our submission of a comment.

5.3 Letters have been received objecting to the proposal. In summary the following points are made:

- (1) Site adjoins land for which permission is being sought or has been sought for further houses and hence is part of a much larger scheme estimated as a further 16 dwellings (10% increase in size of village) of which 6 would be on this site.
- (2) This would be akin to a housing estate appropriate to an urban area not a small village and would be overdense, backland development, out of character with village; taken with significant increase in building over past decade would destroy present tranquillity and quality of life and the character of village and surrounding environment.
- (3) Create precedent for further development in Llangrove and surrounding villages.
- (4) Loss of privacy as would directly overlook adjoining properties, domineer over them as existing house on a lower level to field and cause noise disturbance - serious loss therefore of residential amenity.
- (5) Roads around the village are insufficient in places for even two cars to pass and with sub-standard surfaces; inadequate for current traffic levels with main village road congested at school opening and closing times; pedestrians especially children and elderly (high percentage in villages) at risk as no footway.
- (6) Numerous accidents and near accidents are recounted to emphasise the current problems. Has become a rat-run.
- (7) an estimated 20% increase in village traffic (likely 32 cars) would greatly increase these hazards and make serious injuries and deaths inevitable.
- (8) New access would further exacerbate these problems as Hazelnut Cottage obscures view and would need to be demolished, which would be unacceptable on policy grounds, involving loss of character cottage; removal of garage would not be sufficient as house obscures visibility.
- (9) Proposals would not be sustainable (fails to meet European, UK and local criteria) with poor public transport, few facilities and residents forced to rely on their cars; adverse environmental impact of soakaways, drainage etc. Agenda 21 findings not considered.
- (10) Infrastructure is not adequate with already stretched electricity supply - needs to be improved before more development.
- (11) Insufficient detail - number of houses needs to be clarified so that representations are based on the full facts.

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 site is within the defined settlement and in principle therefore the erection of further houses accords with the adopted development plan policies. "Sustainability" is cited as an argument against this proposal and the limited bus service and facilities are contributory factors to Llangrove being defined as a smaller rather than a main village in UDP. However objections have been made to the relevant UDP housing policies and these therefore remain of limited weight. The adopted policies (in particular SH6 of SHDLP) encourage residential development in Llangrove and it is not considered that the emerging policy framework outweighs these policies.

- 6.2 The number of houses proposed, together with their siting, design and external appearance are matters for later approval. The site (about 0.2 ha of which is open field) is clearly of sufficient size to site at least 2 dwellings which would not be so crammed together as to be out of character with this part of the village nor so close to existing houses as to harm the amenities of occupants. The difference in levels is appreciated but can be taken into account in the reserved matters application.
- 6.3 The concerns of local residents with regards to the level of traffic and highway safety have been strongly expressed. Nevertheless the local highway network is not untypical of rural Herefordshire and the access to the site is off the main village road. It is considered that for a limited number of dwellings the proposed access would be acceptable, taking into account the speed of traffic, width of the road and the visibility splay that can be achieved. The Head of Engineering and Transportation, it should be noted, does not object to either the access or the inevitable increase in local traffic.
- 6.4 Whilst each application must be considered on its merits the cumulative impact of several small developments is certainly a planning consideration. It is not considered however that the increase in numbers, which would be significant but less than 10% of the existing number of houses in the defined settlement, would swamp the village and destroy its character. The Head of Engineering and Transportation has considered the proximity of the two new accesses and is satisfied that highway safety would not be compromised.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

- 1 **A02 (Time limit for submission of reserved matters (outline permission))**
Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990.
- 2 **A03 (Time limit for commencement (outline permission))**
Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990.
- 3 **A04 (Approval of reserved matters)**
Reason: To enable the local planning authority to exercise proper control over these aspects of the development.
- 4 **A05 (Plans and particulars of reserved matters)**
Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990.

Informative:

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

Decision:

Notes:

.....

Background Papers

Internal departmental consultation replies.

11 DCSE2004/2155/O - OUTLINE FOR RESIDENTIAL DEVELOPMENT OF SIX DETACHED HOUSES AND ASSOCIATED VEHICULAR ACCESS AT LAND ADJOINING LLANGROVE COTTAGE, LLANGROVE, ROSS-ON-WYE, HEREFORDSHIRE, HR9 6EZ

For: M.F. Freeman Ltd per Mr. J. Spreckley, Brinsop House, Brinsop, Hereford, HR4 7AS

Date Received: 15th June 2004 Ward: Llangarron Grid Ref: 52376, 19310

Expiry Date: 10th August 2004

Local Member: Councillor Mrs. J.A. Hyde

1. Site Description and Proposal

- 1.1 The application site is immediately to the rear of the Royal Arms Inn in Llangrove. It comprises pasture land about 0.3 ha in area, belonging to Llangrove Cottage farm plus a small part of the Inn's car park. To the west of the site is a dwellinghouse (Garden Cottage) and two stone barns (part of the farm) for which planning application has been submitted for conversion into two dwellinghouses. To the south-west is farmland and to the south-east a further dwelling. To the east is a further part of the field but which is a further part of the field which is attached to Hazelnut Cottage.
- 1.2 The proposal is for residential development of 6 detached houses. The application is in outline form with only the access not reserved for later decision. The access would be through the car park of the Royal Arms. An indicative site layout shows a new car park to the rear of the Inn and the houses arranged around a curving access road.
- 1.3 This proposal is a revised scheme. An earlier application for the erection of 6 houses included access off the by-way about 70 m to the south of the application. This application has been withdrawn. An outline application (SE2004/1949/O) for residential development of the adjoining land south of Hazelnut Cottage has been submitted. This is the subject of a separate report in the Agenda.

2. Policies

2.1 Planning Policy Guidance

PPG3 Housing

2.2 Hereford and Worcester County Structure Plan

Policy H16A Housing in Rural Areas
 Policy H18 Residential Development in Rural Settlements
 Policy CTC9 Development Requirements

2.3 South Herefordshire District Local Plan

Policy C2 Settlement Boundaries

Policy C29	Setting of a Listed Building
Policy SH6	Housing Development in Larger villages
Policy SH8	New Housing Development Criteria in Larger Villages
Policy SH9	Balance of Housing Types
Policy SH14	Siting and Design of Buildings
Policy SH15	Criteria for New Housing Schemes
Policy GD1	General Development Criteria
Policy T1A	Environmental Sustainability and Transport
Policy T3`	Highway Safety Requirements

2.4 Herefordshire Unitary Development Plan – Revised Deposit Draft

Policy H6	Housing in smaller settlements
-----------	--------------------------------

3. Planning History

3.1	SE2003/1765/O	Site for residential development of six detached houses & associated vehicular access	-	Withdrawn 18.5.04
-----	---------------	---	---	----------------------

4. Consultation Summary

Statutory Consultations

4.1 Environment Agency response is awaited.

Internal Council Advice

4.2 Head of Engineering and Transportation recommends that conditions be imposed if permission is granted.

4.3 Head of Conservation does not wish to object in principle.

5. Representations

5.1 Parish Council observations are as follows:

Whilst the Parish Council have on a majority basis, no objections to the residential part of this application, serious concern is raised regarding the layout of the access and the possibility of a precedent being set for additional development on adjoining land. We feel that the provision for car parking at the Pub is insufficient. The Parish Council cannot emphasise too strongly the need, if this goes ahead, for an improvement in the road structure serving the village.

The Parish Council would also like to raise the following issues:

- (1) Why is the development utilising septic tanks and not mains sewerage?
- (2) If the reason for septic tank usage is because of the saturation of the existing mains sewerage, is sufficient care being taken with the percolation tests over a wide enough area to avoid problems to neighbours?

In conclusion we would add that the concerns that we have raised were along the lines of those raised by a large attendance at our Parish Council meeting.

5.2 4 letters have been received objecting to the proposals. The main reasons for objecting are, in summary, as follows:

- (1) only part of field is included but to grant permission would open door for development on rest of field (SE2004/1949/O) and at Hill View (development rejected previously on access grounds) and field to south (permission refused 12 years ago).
- (2) In total this could result in 10% or more increase in size of village 20 or more extra houses; this would be a housing estate more appropriate to a town.
- (3) Such a large development would be wholly out of keeping with character of the village with potential to destroy peaceful way of life - whole village should therefore be consulted.
- (4) Local road network has narrow lanes, not always wide enough for two vehicles to pass - this enhances rural character but brings road safety problems. Always congestion at school starting/leaving time; school has increased numbers mostly from outside village.
- (5) The proposal would lead to very significant increase in traffic (probably 20% extra) with dramatically increased safety risks unless traffic calming measures are undertaken.
- (6) Reduction in number of parking spaces at pub which will result in parking on main village street or on access road.
- (7) Ownership of access road will have bearing on how remaining part of field can or will be developed.
- (8) Concern expressed regarding 6 septic tanks as experience indicates that there is a continuous layer of rock which may cause the effluent to flow towards existing properties. Independent consultant's study is needed.

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 Llangrove is one of the larger settlements in the current development plan (Policy SH5 of South Herefordshire District Local Plan). The application site is within the defined boundaries of the settlement. Policy SH5 states that "new housing development will be directed to those settlements best able to support it and where need and demand is known. Within the limit to development....residential development will be allowed provided it conforms with Policies SH8, GD1 and other appropriate plan policies." The latter policies list criteria which new housing schemes should meet, of which the following are considered to be most relevant to this proposal:

- scale of the development must complement the size, scale and character and not be visually intrusive;
- will not adversely affect the settlement's setting, lead to cramming, unacceptable backland development or the loss of valuable amenity or open space;
- additional traffic can be accommodated on the road system without undue environmental, operational and safety consequences.

6.2 The proposed number of houses (6) would result in a higher density in comparison with the property on adjoining plots. Higher densities are encouraged by PPG3 however and plot sizes would not be as high as elsewhere in the village e.g. Chapelfields. This is considered appropriate in view of the location toward the periphery of the village. The housing would not be visually intrusive, being partly screened by existing

properties along the main village road and set away from the road and by-ways to west and south respectively. The indicative layout shows detached houses, informally arranged, which reflects the character of this part of the village. The number of new houses proposed would not be disproportionate to the size of the village. Although permanent pasture the land is not considered to be of special amenity value and development would not harm the setting of the village. For these reasons it is considered that the proposed development would be appropriate in this location and not harm the character of the village. The concern that permission would set a precedent for adjoining sites is appreciated but each case needs to be treated on its own merits and determined in the light of prevailing policies.

- 6.3 The roads leading to the village are typical narrow rural lanes. Within the village there is a network of by-ways. The proposed development however would be accessed off the main village road. There would be adequate visibility at the access, which is considered to be acceptable by the Head of Engineering and Transportation. There would be additional cars but not on such a scale as to add significantly to hazards and congestion within the village and its environs. The replacement car park for the Royal Arms is considered to be of adequate size.
- 6.4 It is understood that it would be practicable to connect the houses to the existing mains drainage system. This is preferable to septic tank drainage on environmental grounds and would overcome the concerns of neighbours.

RECOMMENDATION

That subject to the receipt of acceptable drainage proposal, 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 A02 (Time limit for submission of reserved matters (outline permission))

Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990.

2 A03 (Time limit for commencement (outline permission))

Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990.

3 A04 (Approval of reserved matters)

Reason: To enable the local planning authority to exercise proper control over these aspects of the development.

4 A05 (Plans and particulars of reserved matters)

Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990.

5 H03 (Visibility splays)

Reason: In the interests of highway safety.

Informative:

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

Decision:

Notes:

.....

Background Papers

Internal departmental consultation replies.

12 DCSE2004/1910/F - DETACHED 4 BEDROOM BUNGALOW WITH DOUBLE GARAGE/STORE, LAND ADJACENT TO COURT FARM, KINGS CAPLE, HEREFORDSHIRE, HR1 4TX

**For: Mr. Price per Total Design Ltd, Hillview,
Gloucester Road, Upleadon, Newent,
GL18 1EJ**

Date Received: 24th May, 2004

Ward: Old Gore

Grid Ref: 56122, 28967

Expiry Date: 19th July, 2004

Local Member: Councillor J.W. Edwards

1. Site Description and Proposal

- 1.1 This site, located within the village settlement boundary of Kings Caple, is a substantial area of grassland with a dutch barn located towards the rear. The site was last used as agricultural land. There is a large stone/red brick agricultural building to the rear of the site. The site is between a dormer bungalow to the south and a bungalow to the north. There are a mixture of house types in the immediate vicinity but mostly single storey.
- 1.2 This full planning application is for the erection of a four bedroomed bungalow with a detached double garage and store/workshop at the rear. There will be a new vehicular access onto the road at the front. The external walls will be natural stone and render with the roofing material to be agreed.

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 SH.9	-	Balance of Housing Types
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
Policy T.3	-	Highway Safety Requirements

2.4 Herefordshire Unitary Development Plan (Revised 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	SH921479PO	Erection of new 3 / 4 bedroomed bungalow with detached garage	-	Outline Planning Permission 13.01.93
	CE2000/1781/O	Site for construction of new 3 / 4 bedroomed bungalow with detached garage	-	Outline Planning Permission 09.02.01
	SE2003/3535/F	Detached four bedroomed bungalow with attached double garage	-	Withdrawn 19.01.04
	SE2004/0242/O	Renewal of outline consent CE2000/1781/O	-	Outline Planning Permission 17.03.04

4. Consultation Summary

Statutory Consultations

- 4.1 The Environment Agency has no objections and recommends that any permission includes a condition requiring a scheme to be submitted for approval with respect to the provision of foul drainage.

Internal Council Advice

- 4.2 None received.

5. Representations

- 5.1 The Parish Council observe:

"The council feel that the access area to the proposed dwelling is creating a second crossroad effect by another very busy crossroads less than 40 yards away.

The council also feel the splay to the proposed dwelling should be increased as it leads onto a busy road used for the school run and on the brow of a hill.

There is also great concern over the waste land between the proposed dwelling and Case Hill as this may well be used in future for access to farm buildings.

The council would also like to bring to the attention of the planning authority, regarding the above strip of land, a planning CE2002/3296/F which was forwarded in 2002 for a holiday cottage and feel very strongly that this strip of land is not turned into an access area.

The new plans show the proposed dwelling has been moved closer to the boundary of St. Antonies with five windows overlooking the property. The bedroom window of St. Antonies would also open up onto the chimney breast of the proposed dwelling.

The council feels that the comments made on the last application DCSE2003/3535/F (12/12/03) have not been taken into consideration before these new plans were drawn up and also feels that the proposed dwelling is much larger than adjacent properties and therefore would be out of context with the other properties in the area.

The proposed plans of the dwelling show three bedrooms but it is stated on the SE04/1910/F form that four bedrooms is applied for.

There is great concern in the parish over this proposed dwelling as the increase in traffic from an unsuitable entrance will eventually cause an accident.

Following these comments the Parish Council feel it must object to this application."

5.2 Four letters of objection have been received from:

Mr. R. Taylor, Case Hill, Kings Caple, HR1 4UD
R.G. & K. Parkin, Cross Trees, Kings Caple, HR1 4UD
C.H.T. Waymouth, Crossways Bungalow, Kings Caple, HR1 4UD
Mrs. A. Taylor, St. Anthony, Kings Caple, HR1 4UD

The main points being:-

- size and position of bungalow appears to be rather large and in a curious position
- large frontage onto road in relation to plot and as such in village context is overbearing
- side wall of bungalow very close to objectors hedge jeopardising privacy of both dwellings
- proposed chimney stack will be in front of neighbours bedroom window in gable end of dormer bungalow, which could cause unsightly and hazardous consequences of smoke and fumes
- concern over use of "workshop" area in garage
- proposed brick wall at rear of property could be unsightly
- the dutch barn on site will be removed and could lead to a new agricultural building in nearby paddock which would affect objectors outlook to the west. Can a change of use to residential be permissible when agricultural role on site is not redundant
- applicant stated he wants a quality building which should be encouraged
- landscaping of site will be required
- if barn is to be replaced by a bungalow then it would be ideal if it was reflected in the design, e.g. the retention of the semi-circular corrugated iron roof

- the submitted drawings show a strip of land down the side of the plot. This could lead to a new access being opened out onto the road creating an alternative access and track leading to the existing farm at the rear. Furthermore in the future this strip of land if included with the proposed bungalow access (:with the new garage/workshop being demolished) could lead to an even wider vehicular access and driveway being created to provide an access to the farm to make way for a possible larger development. With the cul-de-sac entrance road opposite this could create a crossroads effect which could be a hazard to road safety and children
- previous applications relating to Court Farm need to be taken into account to establish purpose of this strip of land. Possible development of existing farm buildings to residential use
- substantial access serving Court Farm already exists and can perhaps be used for this proposed development
- hope concerns about possible future motives of applicant is unfounded with respect to the strip of land by plot.

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 principle of placing a dwelling on this land, its size and design, its effect on neighbouring properties and the vehicular access arrangements. The most relevant policies are H.16A, H.18 and CTC.9 in the Structure Plan and policies SH.6, SH.8, GD.1 and T.3 in the Local Plan.
- 6.2 This is a very large plot within the settlement boundary designated for the 'larger village' of Kings Cuple. The principle of siting a dwelling on this site is therefore considered to be acceptable and this has been endorsed by previous outline planning permissions. The size and design of the proposed bungalow is also considered to be acceptable and appropriate for this large plot in the village. There are a mixture of house types within the village including other large bungalows. The replacement of the existing barn with the proposed new bungalow is also considered to be a visual improvement to the site.
- 6.3 With respect to the proposed bungalow itself it is considered that it will not adversely affect the residential amenities of any of the neighbours. There is an existing row of fir trees on the neighbours boundary to the south which helps to screen the new development from the dwelling. Also the proposed garage/workshop building is considered to be acceptable and it is understood it will be used for domestic purposes only.
- 6.4 The proposed vehicular access is also considered to be acceptable and can comply with the conditions imposed on previous permissions on the site. One of the main concerns of the objectors is the fact that there is a narrow strip of land (approximately 3 metres wide) which extends along the northern boundary of the site, which if included with the proposed access and driveway could create a substantial access and roadway to serve the existing farm to the rear of the plot and consequently potential new housing development in the form of barn conversions. Any such housing development would require planning permission and its effect on the newly built bungalow and access would have to be carefully considered. In any event there is an existing vehicular access which serves the farm which emerges on another road.

6.5 In conclusion it is considered that the proposed development is considered to be acceptable and in accordance with the planning policies for the area in particular the policies relating to new housing development referred to in section 6.1.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

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

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

2. A07 (Development in accordance with approved plans)

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. E08 (Domestic use only of garage)

Reason: To ensure that the building is used only for the purposes ancillary to the dwelling.

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. F18 (Scheme of foul drainage disposal)

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

8. D01 (Site investigation - archaeology)

Reason: To ensure the archaeological interest of the site is recorded.

9. H01 (Single access - not footway)

Reason: In the interests of highway safety.

10. H03 (Visibility splays)

Reason: In the interests of highway safety.

11. H05 (Access gates)

Reason: In the interests of highway safety.

- 12. **H06 (Vehicular access construction)**

Reason: In the interests of highway safety.

- 13. **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.

- 14. **The whole of the works relating to means of access, including drainage, shall be completed before the development is brought into use.**

Reason: In the interests of highway safety.

Informative(s):

- 1. **HN05 - Works within the highway**
- 2. **HN10 - No drainage to discharge to highway**
- 3. **HN22 - Works adjoining highway**
- 4. **HN01 - Mud on highway**
- 5. **N03 - Adjoining property rights**
- 6. **ND03 - Contact Address**
- 7. **N15 - Reason(s) for the Grant of Planning Permission**

Decision:

Notes:

.....

Background Papers

Internal departmental consultation replies.