

A G E N D A

Central Area Planning Sub-Committee

Date: **Wednesday, 25th August, 2004**

Time: **2.00 p.m.**

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

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

For any further information please contact:

*Ben Baugh, Members' Services,
Tel: 01432 261882*

e-mail: bbaugh@herefordshire.gov.uk



**County of Herefordshire
District Council**

AGENDA

for the Meeting of the Central Area Planning Sub-Committee

To: Councillor D.J. Fleet (Chairman)
Councillor R. Preece (Vice-Chairman)

Councillors Mrs. P.A. Andrews, Mrs. W.U. Attfield, Mrs. E.M. Bew, A.C.R. Chappell, Mrs. S.P.A. Daniels, P.J. Edwards, J.G.S. Guthrie, T.W. Hunt (ex-officio), G.V. Hyde, Mrs. M.D. Lloyd-Hayes, R.I. Matthews, J.C. Mayson, J.W. Newman, Mrs. J.E. Pemberton, Ms. G.A. Powell, Mrs. S.J. Robertson, Miss F. Short, W.J.S. Thomas, Ms. A.M. Toon, W.J. Walling, D.B. Wilcox, A.L. Williams, J.B. Williams (ex-officio) and R.M. Wilson

	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 - 8
To approve and sign the Minutes of the meeting held on 28th July, 2004.	
REPORTS BY THE HEAD OF PLANNING SERVICES	
To consider and take any appropriate action in respect of the planning applications received for the central area of Herefordshire and to authorise the Head of Planning Services to impose any additional and 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 items 4 and 5 are applications that were deferred for site inspections at the last meeting and items 6 to 9 are new applications.	
4. DCCW2004/1679/F - TESCO STORES LTD., ABBOTSMEAD ROAD, BELMONT, HEREFORD, HR2 7XS	9 - 12
Amendment to planning permission ref: CW2001/1848/F to accommodate a re-positioning of the approved bulk store extension (no increase in floor space) together with a free standing canopy in association with home delivery service.	
Ward: Belmont	

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|-----|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------|
| 5. | DCCE2004/1858/F - PAGETS SPRING, HAWKERS LANE, FOWNHOPE, HEREFORDSHIRE, HR1 4PZ | 13 - 20 |
| | Proposed stable block and hardstanding, retention of gates. | |
| | Ward: Backbury | |
| 6. | DCCE2004/0535/F - WORKSHOP ADJACENT TO STONELEIGH, BULLINGHAM, HEREFORD, HEREFORDSHIRE, HR2 6EG | 21 - 26 |
| | Proposed 2 no. 1 bedroom flats and parking areas. | |
| | Ward: St. Martins & Hinton | |
| 7. | DCCE2004/1826/F - LAND AT BREWERS ARMS, EIGN ROAD, HEREFORD, HR1 2RU | 27 - 32 |
| | Proposed 2 no. 3 bed dwellings. | |
| | Ward: Tupsley | |
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| | Retrospective application for the siting of temporary sales centre for use in connection with Jennings Homes Ltd. | |
| | Ward: Hagley | |
| 9. | (A) DCCW2004/1701/F AND (B) DCCW2004/1703/F - THE PLOUGH INN, CANON PYON, HEREFORDSHIRE, HR4 8NU | 37 - 46 |
| | (A) Change of use from public house to private dwelling. Alterations and extensions to convert the existing building into two units and the erection of two additional units. | |
| | (B) Change of use of existing car park to residential use and for the erection of two dwellings and associated covered and uncovered parking. | |
| | Ward: Wormsley Ridge | |
| 10. | DATE OF THE NEXT MEETING | |
| | To confirm the date of the next meeting. | |

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COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL

BROCKINGTON, 35 HAFOD ROAD, HEREFORD.

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COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL

MINUTES of the meeting of Central Area Planning Sub-Committee held at The Council Chamber, Brockington, 35 Hafod Road, Hereford on Wednesday, 28th July, 2004 at 2.00 p.m.

Present: Councillor D.J. Fleet (Chairman)
Councillor R. Preece (Vice-Chairman)

Councillors: Mrs. P.A. Andrews, Mrs. E.M. Bew, A.C.R. Chappell, Mrs. S.P.A. Daniels, P.J. Edwards, J.G.S. Guthrie, Mrs. M.D. Lloyd-Hayes, R.I. Matthews, J.W. Newman, Mrs. J.E. Pemberton, Ms. G.A. Powell, Mrs. S.J. Robertson, Miss F. Short, W.J.S. Thomas, W.J. Walling, D.B. Wilcox and R.M. Wilson

In attendance: Councillors P.E. Harling and T.W. Hunt.

20. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Mrs. W.U. Attfield, G.V. Hyde, J.C. Mayson, Ms. A.M. Toon and A.L. Williams.

21. DECLARATIONS OF INTEREST

No declarations of interest were made.

22. MINUTES

RESOLVED:

That the Minutes of the meeting held on 30th June, 2004 be approved as a correct record and signed by the Chairman.

23. ITEM FOR INFORMATION - APPEALS

The Sub-Committee received an information report about planning appeals for the central area.

RESOLVED:

That the report be noted.

The Chairman reported the following news regarding the Development Control - Central team:

- Angela Tyler, Planning Officer, was welcomed to her first meeting of this Sub-Committee;
- Helen Bradbury (nee Brown), Senior Planning Officer, had returned from maternity leave;
- Steve MacPherson, Principal Planning Officer, had recently married; and
- Pete Evans was attending the meeting for the last time in his capacity as Central Divisional Planning Officer following his appointment as Area Services Manager in Highways - Management and Support. The Sub-Committee thanked Mr.

Evans for his hard-work and dedication and wished him every success in the future.

24. DCCW2004/1053/F - NELSON TECHNICAL CENTRE, H.P. BULMER, WHITECROSS ROAD, HEREFORD, HR2 0LE

Change of use from laboratory facility to studios/classroom for educational purposes.

The Central Divisional Planning Officer reported the receipt of correspondence from the applicant indicating that a three-year temporary permission would be acceptable. It was also reported that the Transportation Unit had commented that, subject to the contribution of £15,000 to a residents' parking scheme, there was no objection to a temporary planning permission.

Councillor R.M. Wilson, speaking in his capacity as Cabinet Member (Highways and Transportation), noted that the proposal would enable the residents' parking scheme in that area to be speeded up. He felt that weight should be given to the comments of the Transportation Unit and to the support expressed by the Economic Development Section. In accordance with section 31 (Cabinet Members) of the Code of Conduct for Members and Officers Dealing with Planning Matters, Councillor R.M. Wilson then withdrew from the meeting for the remainder of this item.

Councillor Mrs. P.A. Andrews, a Local Ward Member, expressed strong concerns about the lack of cross-departmental co-operation and the fact that Local Ward Members were not informed of progress with proposals in their Ward. She felt that, even with a residents' parking scheme, the change of use would exacerbate existing parking problems. However, given that the proposal intended to facilitate the re-development of the existing College site, Councillor Mrs. Andrews said that she reluctantly supported a temporary planning permission. Councillor S.P.A. Daniels, another Local Ward Member, supported these views and also commented on the lack of consultation with Members.

A number of Members spoke in support of a temporary planning permission; a comment was made about the need for the building to revert to Class B use at the end of the three-year period.

Some Members expressed concerns about congestion and parking problems in the area and the withdrawal of some bus services.

The Central Divisional Planning Officer advised that a Section 106 Agreement would be required to ensure that the contribution towards the residents' parking scheme was secured. He also advised that a condition would require a Green Transport Plan to be submitted to and approved by the Local Planning Authority prior to occupation. The Local Ward Members felt that the residents' parking scheme should cover both sides of Whitecross Road and noted that the problems were particularly acute in the St. Nicholas area.

RESOLVED:

That

- (i) **The Central Area Planning Sub-Committee is minded to approve the application, subject to the conditions listed below (and any further conditions felt to be necessary by the Head of Planning Services), provided that the Head of Planning Services does not refer the application to the Planning Committee:**

1. This consent shall expire on (3 years from completion of Section 106 agreement). Unless further consent is granted by the local planning authority prior to the end of that period, the use hereby approved shall permanently cease.

Reason - To enable the local planning authority to give further consideration to the use after the temporary permission has expired.

2. A Green Transport Plan containing measures to promote alternative modes of transport for staff and students using the Nelson Technical Centre including a schedule for its implementation shall be submitted to the local planning authority prior to the first occupation of the building. A detailed written record shall be kept of measures taken to promote Green Transport Initiatives and shall be made available for inspection by the local planning authority upon request.

Reason - To clarify the terms of this temporary permission and to ensure a range of sustainable transport alternatives are available and promoted for users of the building in accordance with sustainable development objectives.

- (ii) If the Head of Planning Services does not refer the application to the Planning Committee the Officers named in the Scheme of Delegation to Officers be instructed to approve the application, subject to such conditions referred to above.

(Note: The Chief Development Control Officer advised that, having regard to the reasons put forward by Members, he would not refer the application to the Head of Planning Services.)

25. DCCW2004/1679/F - TESCO STORES LTD., ABBOTSMEAD ROAD, BELMONT, HEREFORD, HR2 7XS

Amendment to planning permission ref: CW2001/1848/F to accommodate a re-positioning of the approved bulk store extension (no increase in floor space) together with a free standing canopy in association with home delivery service.

Councillor P.J. Edwards, a Local Ward Member, noted that this proposal could have an impact on residential amenity and proposed that a site visit be undertaken as, in accordance with the criteria, the setting and surroundings were fundamental to the determination or to the conditions being considered. The other Local Ward Members supported this.

RESOLVED:

That consideration of planning application DCCW2004/1679/F be deferred for a site visit.

26. DCCE2004/1858/F - PAGETS SPRING, HAWKERS LANE, FOWNHOPE, HEREFORDSHIRE, HR1 4PZ

Proposed stable block and hardstanding, retention of gates.

The Planning Officer reported the receipt of correspondence from the applicant, including photographs of the gates lit up at night. The receipt of a letter from the

Country Land and Business Association was also reported.

Councillor Mrs. J.E. Pemberton, the Local Ward Member, proposed that a site visit be undertaken as, in accordance with the criteria, the character or appearance of the development itself was a fundamental planning consideration and a judgement was required on visual impact.

In accordance with the criteria for public speaking, Mrs. Scully had registered to speak in support of the application but decided to defer this opportunity to speak until the Sub-Committee considered this application again once the site visit had taken place.

RESOLVED:

That consideration of planning application DCCE2004/1858/F be deferred for a site visit.

27. DCCE2004/1772/F - 35A MORTIMER ROAD, HEREFORD, HR4 9SP

Change of use from Class B8 (Storage or Distribution) to B2 (Manufacture of Windows/Conservatories).

The Central Divisional Planning Officer advised that an informative note had been included in the report in error and should be removed.

The Local Ward Members noted the importance of conditions 2 and 4 to safeguard the amenities of the area.

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 No machinery shall be operated, no process shall be carried out and no deliveries taken at or despatched from the site outside the following times 7.30am to 6.00pm Monday to Friday and 8am to 1pm on Saturday nor at any time on Sundays, Bank or Public Holidays.

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

3 The premises shall be used for the manufacture of windows and conservatories only and for no other purpose (including any other purpose in Class B2 of the schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.

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

4 The applicant shall submit for the prior written approval of the local planning authority a scheme of noise attenuating measures. The

approved scheme shall be implemented before the first use of the development to which it relates commences and shall be retained for the duration of the use. The scheme shall be based on a noise and vibration report from a suitably qualified and experienced consultant who shall specifically refer to the impact of the development on nearby residential properties in terms of both noise and vibration and shall quantify the effects of any proposed mitigation measures.

Reason: To safeguard the amenity of the area.

- 5 The front doors of the building containing the manufacturing workshop shall be kept closed whenever machinery and/or tools are in use.

Reason: To safeguard the amenities of the area.

- 6 Prior to the commencement of the use of the building a plan showing the access parking and turning areas shall be submitted to and approved in writing by the local planning authority. The area shall be retained for the parking and turning of vehicles at all times.

Reason: To prevent indiscriminate parking on the highway safety.

- 7 The car parking spaces shown on the plan detailed by Condition 7 shall be clearly demarcated in a method to be submitted to and agreed in writing by the local planning authority.

Reason: To clarify the parking areas and prevent indiscriminate parking on the highway.

Informative:

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

28. DCCW2004/1004/O - SCHOOL FIELD OPPOSITE EXISTING PRIMARY SCHOOL, SUTTON ST. NICHOLAS, HEREFORDSHIRE, HR1 3AZ

Construction of a replacement primary school incorporating a village hall and the provision of 15 residential houses.

The Legal Practice Manager explained that ordinarily a Section 106 agreement would be entered into with an applicant in respect of the planning obligations. However, the Council was the applicant in this instance and the planning obligations would be secured through covenants on the land.

In accordance with the criteria for public speaking, Mr. Lewis spoke against the application.

Councillor J.G.S. Guthrie, the Local Ward Member, noted the length of time it had taken to get to this stage and the frustrations felt by local residents, particularly given the resulting delay in the construction of a village hall. Concerns about the residential housing element of the scheme and the lack of car parking for the primary school/village hall were also expressed. Councillor Guthrie felt that, in the interests of safety and to reduce congestion, there should be separate access and egress and further parking provided.

The Central Divisional Planning Officer advised the Sub-Committee that, as an

outline application, the key considerations were the principle of the proposed development and the means of access to the site. He added that the layout was indicative only and other elements would need to be addressed at the reserved matters stage.

A number of Members supported the views of the Local Ward Member, particularly in respect of access and parking provision, and felt that the views of local residents should be taken into account with regard to the layout of the housing. The affordable housing element of the scheme was welcomed.

A Member felt it unfortunate that the comments of the Environment Agency were still awaited.

In response to questions about the justification for the new school, the Central Divisional Planning Officer advised that the need for a replacement primary school had been raised in the South Herefordshire District Local Plan and the land opposite the existing school had been identified in the emerging Unitary Development Plan.

The Sub-Committee agreed that the Chairman and the Local Ward Member should be consulted as part of the resolution.

RESOLVED:

Subject to the receipt of detailed highways conditions that Officers named in the Scheme of Delegation to Officers, in consultation with the Chairman and the Local Ward Member, be authorised to grant outline planning permission subject to conditions considered necessary by Officers.

29. DCCE2004/1330/F - 62 COMMERCIAL STREET, HEREFORD

Change of use to allow mixed A1/A3 coffee shop.

It was noted that Members had received a letter from solicitors acting on behalf of Costa Coffee. The Legal Practice Manager clarified the position in respect of the unilateral undertaking by Cheltenham and Gloucester Building Society that upon their relocation No. 62 Commercial Street would be used at ground floor level for A1 (retail) purposes only. He stressed that an application to discharge the current Planning Obligation would need to be submitted and granted prior to the issue of planning permission in respect of the proposed use.

The Chairman, speaking as the Local Ward Member, noted the prominent position of the building and felt that careful consideration would need to be given to any external seating.

In response to a question, the Central Divisional Planning Officer advised that, following approval of planning application CE2003/0829/F in respect of the relocation of the Cheltenham and Gloucester Building Society, the building had been advertised for sale but interest had come from A3 uses only. He added that issues such as footfall and vitality and viability had to be considered, particularly given the number of vacant primary frontage units in the area.

A number of Members felt that the proposal would enhance the town centre and spoke in support of the application. Some Members felt that this type of use during evenings and on Sundays would have a positive impact on the locality.

A number of comments were made about external seating, including the need to ensure that the pedestrian walkway was not obstructed and customers were not at

risk from vehicles using the highway. In response, the Central Divisional Planning Officer advised that this application was for a change of use but Members' comments could be forwarded to the Street Trading unit. He added that an option could include the removal of an existing planter outside the building and the creation of a defined seating area away from the frontage and pedestrian walkway. A number of Members supported this suggestion. A comment was made that all town centre businesses should be subject to strict delivery times, as was the case in a number of other cities.

The Sub-Committee agreed that the Chairman/Local Ward Member should be consulted as part of the resolution.

RESOLVED:

Upon the submission and granting of an application for the discharge of the Planning Obligation affecting the site, Officers named in the Scheme of Delegation to Officers, in consultation with the Local Ward Member, be authorised to issue planning permission subject to conditions.

30. DATE OF NEXT MEETING

It was noted that the next scheduled meeting was Wednesday 25th August, 2004.

The meeting ended at 2.59 p.m.

CHAIRMAN

4 DCCW2004/1679/F - AMENDMENT TO PLANNING PERMISSION REF: CW2001/1848/F TO ACCOMMODATE A RE-POSITIONING OF THE APPROVED BULK STORE EXTENSION (NO INCREASE IN FLOOR SPACE) TOGETHER WITH A FREE STANDING CANOPY IN ASSOCIATION WITH HOME DELIVERY SERVICE AT TESCO STORES LTD., ABBOTSMEAD ROAD, BELMONT, HEREFORD, HR2 7XS

For: Tesco Stores Limited per Development Planning Partnership, 14 Windsor Place, Cardiff, CF10 3BY

Date Received: 6th May 2004

Ward: Belmont

Grid Ref: 49325, 38452

Expiry Date: 1st July 2004

Local Members: Councillors P.J. Edwards, J.W. Newman and Ms. G.A. Powell

This application was deferred at the meeting of the Central Area Planning Sub-Committee on the 28th July 2004 in order that Members could undertake a site visit, held on 9th August 2004.

1. Site Description and Proposal

1.1 The Tesco store, Abbotsmead Road is located adjacent to the A465 trunk road approximately 2 miles to the southwest of Hereford City Centre. The adjoining A465 is the main access into the city from the southwest. The site is presently occupied by a Tesco's superstore which is currently in the process of being extended and altered including the recent relocation of the petrol filling station on land to the west of Abbotsmead Road. The recent planning permission which is currently being implemented was approved on the 8th September 2003.

1.2 This application seeks full planning permission for an amendment to permission CW2001/1848/F to allow the repositioning of an approved bulk store extension and the provision of a new freestanding canopy to the rear elevation of the store in connection with the dot.com home delivery service.

2. Policies

2.1 Hereford and Worcester County Structure Plan:

Policy S3	-	Retail Development outside Town Centres
Policy CTC9	-	Development Requirements

2.2 South Herefordshire District Local Plan:

Policy GD1	-	General Development Criteria
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2.3 Herefordshire Unitary Development Plan (Revised Deposit Draft):

Policy DR1	-	Design
Policy DR13	-	Noise

3. Planning History

- 3.1 There is a detailed and complex planning history associated with this site since the store was first approved under reference SH88/1340PM on the 19th December 1988. It is not considered that any of the recent history affects the consideration of this scheme which should be assessed on its own merits.
- 3.2 This application is for an amendment to approval CW2001/1848/F - extension to existing supermarket and storage area, provision of cage marshalling area. Relocation of existing petrol filling station, alterations to car park layout and associated highway works. Approved 8th September 2003.

4. Consultation Summary

4.1 Statutory Consultations

None.

Internal Council Advice

- 4.2. Head of Engineering and Transportation - has no objection but recommends that any permission which the Authority may give includes conditions.
- 4.3 Head of Environmental Health & Trading Standards - comments awaited.

5. Representations

- 5.1 Belmont Rural Parish Council - Belmont Rural Parish Council does not support the proposed development on the grounds that the additional noise generated from the activity proposed would be intrusive for those living in close proximity to the store. The existing operation is resulting in many complaints of noise nuisance from the loading and unloading activities and any expansion of this activity will exacerbate the situation.

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

6. Officers Appraisal

- 6.1 The key issues for consideration in this application are the design issues associated with the relocation of the bulk store extension and the addition of a freestanding canopy on the rear elevation of the building.
- 6.2 The proposal involves amendments which will enable the Tesco's dot.com home delivery service to operate from the site without causing congestion or nuisance to existing customers at the store entrance. An existing access which is presently gated on to Abbotsmead Road would be utilised for the delivery vehicles only and would give them direct access to the store area at the northern side of the existing building. Officers have carried out a detailed history search and there is no restriction on the use

of the access which is provided onto Abbotsmead Road which would enable an element of control over the proposed dot.com service. It must be noted that the provision of the dot.com service from an existing access does not require the benefit of any specific planning permission and is clearly ancillary to the overall operation of the Tesco's site. As such the critical planning considerations as set out above are the visual impact associated with relocating the bulk store extension and the provision of a new canopy over the area where dot.com vehicles would be loaded.

- 6.3 The proposed bulk store extension measures 4.5 metres to the ridge and is a flat roofed structure which would be finished with a panel cladding system. It is a very well concealed position to the rear of the store and adjoins a significant strip of Lleylandii trees which separate the retail premises from adjoining residential properties. Given that the extension will be attached to the main store which measures 8.3 metres to the ridge and having regard to the existing landscape belt between the site and adjoining residential properties, Officers do not consider the extension would have an overbearing or detrimental impact on residential amenity. Furthermore, the canopy proposed would be situated under the eaves level of the existing building and again having regard to its position on the rear of the store, an objection on design grounds could not be sustained.
- 6.4 At the time of writing this report, comments from the Council's Environmental Health Officer were awaited, however it is stressed that any noise issues associated with activity on site must be dealt with under the appropriate environmental legislation and would not be a planning issue given the use of the access by dot.com vehicles does not require as a specific planning permission. The applicant's agent has indicated that the home delivery service would involve the use of four small vans which would be loaded no earlier than 0700 hours and would typically depart by about 0900 hours. The vehicles are reloaded (if necessary) at about 1600 hours and the only activity after 1900 hours would be returning vehicles.
- 6.5 In view of the above, subject to the outstanding comments from the Council's Environmental Health & Trading Standards Officer, planning permission is recommended subject to the conditions as set out.

RECOMMENDATION

Subject to the receipt of the comments from the Council's Head of Environmental Health and Trading Standards, Officers named in the Scheme of Delegation to Officers be authorised to grant planning permission subject to the following conditions:

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

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

- 2. B01 (Samples of external materials).**

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

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

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

4. H23 (Canopies/signs/projections over the highway).

Reason: In the interests of highway safety.

5. H26 (Access location).

Reason: In the interests of highway safety.

Informatives:

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

Decision:

Notes:

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Background Papers

Internal departmental consultation replies.

5 DCCE2004/1858/F - PROPOSED STABLE BLOCK AND HARDSTANDING, RETENTION OF GATES AT PAGETS SPRING, HAWKERS LANE, FOWNHOPE, HEREFORDSHIRE, HR1 4PZ

For: Veronica F. Scully of the same address

Date Received: 20th May 2004

Ward: Backbury

Grid Ref: 59523, 34477

Expiry Date: 15th July 2004

Local Member: Councillor Mrs. J.E. Pemberton

This application was deferred by Members at the Sub-Committee meeting on the 28th July 2004 for a Committee site visit. The site visit took place on the 9th August 2004.

Members are aware a verbal update was given at Committee consisting of a letter from the applicant detailing the wattage of the lamps to the gates and timer currently set at 4 minutes and Country Land & Business Association supporting the application. A further letter has also been received since the drafting of the original report from Mr. S. Laughton, Queens Road, London on behalf of Ramblers, supporting the scheme.

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

1. Site Description and Proposal

- 1.1 The site lies on the southern side of the unclassified road 72215 road known as Hawkens Lane leading to Woolhope. The property known as 'Pagets Spring' is approximately 140 metres from the unclassified road via a steep drive through fenced paddocks. The property is a large detached dwelling situated in irregular grounds and against the backdrop of Paget's Wood. To the south-east, north and north-west lies Lea and Pagets Wood Site of Special Scientific Interest (SSSI). Public Footpaths FWA4 and FWA6A cross the parcel of land parallel to the driveway from north-west to north-east known as the Wye Valley Walk. In planning policy terms the site is in open countryside and designated Area of Outstanding Natural Beauty and Area of Great Landscape Value.
- 1.2 The application is to retain the structure of the gates situated midway along the long drive of double stone pillars measuring 2.62 metres at its highest and electronic green copper gates designed with curved shapes and long stems measuring 3 metres at its highest.
- 1.3 The application also proposes to provide a small hardstanding adjacent to the field gate parallel to the driveway and a stable block to the north-east of the land adjacent Lea Wood. The stable block measures 9.6 metres x 8.5 metres comprises four stables, which will be constructed of weatherboarding and tiled roof.

2. Policies

2.1 Planning Policy Guidance:

- PPG1 - General Principles
- PPG7 - The Countryside – Environmental Quality and Economic and Social Development

2.2 Hereford and Worcester County Structure Plan:

- Policy CTC1 - Development in Areas of Outstanding Natural Beauty
- Policy CTC2 - Development in Areas of Great Landscape Value
- Policy CTC9 - Development Criteria

2.3 South Herefordshire District Local Plan:

- Policy GD1 - General Development Criteria
- Policy C1 - Housing in the Open Countryside
- Policy C5 - Development within Areas of Outstanding Natural Beauty
- Policy C8 - Development within Areas of Great Landscape Value
- Policy C12 - Statutory Protection of Nature Conservation Sites
- Policy SH23 - Extensions to Dwellings

2.4 Herefordshire Unitary Development Plan (Revised Deposit Draft):

- Policy S2 - Development Requirements
- Policy S7 - Natural and Historic Heritage
- Policy DR1 - Design
- Policy DR14 - Lighting
- Policy LA1 - Areas of Outstanding Natural Beauty
- Policy LA6 - Landscaping Schemes
- Policy NC4 - Sites of Local Importance

3. Planning History

- 3.1 SH970688PF Retention of buildings, previously to be demolished for use as outbuildings/storage to main building - Approved 23.07.97.

4. Consultation Summary

Statutory Consultations

4.1 Open spaces Society observe:-

"Registered Footpath FAW4 runs approximately north then west from Pagets Wood, the existing gate or other physical works must not form an obstruction over the registered way."

4.2 Environment Agency - has no objections.

4.3 Forestry Commission - no comment to make upon the application.

4.4 The Ramblers' Association observe:-

"The development does not appear to have any impact upon the adjacent public right of way FAW. The gates are unsuitable in such an unspoilt rural setting."

- 4.5 English Nature - would have no objection to this planning application provided there are conditions stating that all animal waste materials from the stable block are contained and not allowed to pollute the pond and stream.
- 4.6 Hereford Nature Trust - no response received.

Internal Council Advice

- 4.7 The Chief Conservation Officer - has no objections to the proposed stables and hardstanding. The retention of the gates would have a harmful effect on the character of the Area of Outstanding Natural Beauty and Area of Great Landscape Value.
- 4.8 Head of Engineering and Transportation - has no objection. The development would affect the public footpath, however, the hardstanding is to tidy the area and recommends an informative to the decision of the application.

5. Representations

- 5.1 The applicants have submitted a further letter of support from the metal sculptor of the gates. It states the importance of the design to ensure that the gates would be a unique and have a sympathetic benefit to the environment. The 'verdigris' green copper panel has been especially chosen to complement the natural greenery of the surrounding trees and leaves. The angle iron is heated and forged to give the gentle curves and copper panels are then riveted in between using large copper domed head rivets. Mr. & Mrs. Scully support local 'Arts & Crafts' and are fully aware of their responsibilities of the community.

- 5.2 Fownhope Parish Council observe:-

"The Parish Council would like to express its concern at the retrospective nature of the application, but supports the retention of the gates. The proposed stable block and hardstanding is also supported."

- 5.3 Fownhope Residents' Association observe: "We are writing to inform you that we object to the applicant's construction of the gate and pillars. Their design is such that they are totally inappropriate in the chosen location, a particular beautiful valley within an Area of Outstanding Natural Beauty. We also have been informed that they are lit at night. We understand that there is significant support for the view expressed above. We have no objection to the other two aspects of the application.

- 5.4 Two letters of objection have been received:-

Malcolm Harrison Architectural Design Ltd. representing Mr. Watts of Stone Cottage, Common Hill, Hawkers Lane, Fownhope and Mrs. J. Edmondson, Common Hill Farm, Fownhope. The main points being:-

- ° Piece of land at Pagets Spring is very visible and the landscaping and gates impact significantly on the area.
- ° No objection to the stable block.

- ° Visual intrusion of the size and nature of the gates.
 - ° These gates and the surrounding stonework are not of a sensitive construction and bear no relationship to their surroundings, which looks out of place.
 - ° The gates are lit up if something triggers them.
 - ° The siting of the hardstanding and gates can be visually seen from the rear of the cottage and lane.
 - ° To lessen the impact mixed hedging should be planted down the edge of the drive, reduce the lighting significantly and area for hardstanding be restored to its original state.
- 5.5 One letter of support has been received from Mrs. W. Jackson, Stonehouse, Hawkers Lane, Fownhope. The main points being:-
- ° The stable block of wooden construction will blend in with the environment.
 - ° The gates are exciting and intriguing.
 - ° Their design reflects the wildness of nature and when the stone has mellowed and weathered may well become a local landmark.
- 5.6 The full text of these letters can be inspected at Central Planning Services, Blueschool House, Blueschool Street, Hereford and prior to the Sub-Committee meeting.

6. Officers Appraisal

- 6.1 The main issues in the consideration of this proposal are the effect on the visual appearance upon the landscape quality and the amenities of the neighbouring properties.
- 6.2 The site is in the open countryside and designated Areas of Outstanding Natural Beauty and Area of Great Landscape Value having Lea and Paget Wood to its south, north and east. Visually, the woods screen Pagets Spring from the top of Hawkers Lane, however, the access drive and parcel of land to the north-east of the driveway is predominantly open to view at this point. The existing gates and proposed hardstanding are visible against the backdrop of the surrounding woodlands and concerns raised by neighbouring properties relate to this issue.
- 6.3 Policies C5 and C8 of the South Herefordshire District Local Plan seeks to ensure that proposals within these designated areas are small in scale and are of a high standard of design to either enhance or have minimal adverse effect upon the scenic quality of the landscape. The application seeks to retain the gates as built and whilst concerns have been raised by the Head of Conservation regarding the scale and design within the designated areas, it is considered that due to their sculpture abstract they create a different feature set amongst the rural landscape of this area. They are small in scale and are of a high standard of design, which prominently announces the entrance to Pagets Spring, which is visually screened from the roadside.

- 6.4 The concerns raised by neighbouring properties relating to the lighting of the gates are noted, however, the light intrusion into the night skies can be reduced through the use of appropriate conditions.
- 6.5 With regard to the area of hardstanding proposed lying parallel to the existing driveway, the area at present has little grass showing signs of dilapidation and whilst the applicants have stated its purpose is to tidy the area and reduce the muddiness during the winter months, it will not be used for parking purposes. It is considered that through the use of appropriate conditions, the area would be enhanced without significantly harming the surrounding landscape.
- 6.6 The proposed stable block to the north-eastern boundary of Lea Wood would not be visually intrusive nor would it have an adverse effect upon the Site of Special Scientific Interest.
- 6.7 In conclusion, it is considered that the proposal would not adversely affect the special scenic quality of the area nor would it affect the amenities of the neighbouring properties.

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 The development shall be carried out in all respects strictly in accordance with the approved plans date stamped 20th May 2004.**

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. Notwithstanding the submitted application, details of the external lighting to be installed at the entrance gates shall be submitted to and approved in writing by the local planning authority within one month of the date of this decision. This shall include light positions, light wattage and time periods of operation. Only the approved details shall be installed and operated on site. The approved scheme shall be implemented on site within three months from the date the scheme is approved.**

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

- 5. Notwithstanding the submitted drawings, ground levels and drainage of the hardsurfacing area shall be submitted to and approved in writing by the local planning authority.**

Reason: To ensure that the development is of a scale and height appropriate to the area.

- 6. Notwithstanding the submitted drawings, details of any materials surfacing the hardstanding including technical engineering specification of the area shall be submitted to and approved in writing by the local planning authority.**

Reason: To protect the visual amenities of the area.

- 7. E11 (Private use of stables only).**

Reason: In order to safeguard the residential amenity of the area.

- 8. The waste material from the development is to be disposed of on site, none of the material should be disposed of inside the SSSI boundary and neither spread across the meadow.**

Reason: To protect the natural environment.

Informatives:

- 1. Referring to Conditions 5 and 6, the local planning authority in the absence of the information requested has concerns regarding the surface of the area and request discussions with the local planning authority prior to commencement of the submitted application.**
- 2. The right of way should remain at its historic width and suffer no encroachment or obstruction during the works or at any time after completion and should remain open at all times. If development works are perceived to be likely to endanger members of the public then a temporary closure order should be applied for from the Public Rights of Way Department, preferably 6 weeks in advance of work starting.**
- 3. All washwaters, manures and stable waste should be collected, stored and disposed of in accordance with DEFRA "Code of Good Agricultural Practice for the Protection of Water".**
- 4. Developments on this scale in these lower risks locations outside zone 3 fall outside the scope of formal standing advice. The following is offered to aid local planning authorities and developers in managing the surface water runoff issues for information purposes only as a pointer towards best practice for surface water disposal.**

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

In accordance with Approved Document Part H of the Building Regulations 2000, the first option for surface water disposal should be the use of sustainable drainage methods (SUDS) which limit flows through infiltration e.g. soakaways or infiltration trenches, subject to establishing that these are feasible, can be adopted and properly maintained and would not lead to any other environmental problems. For example, using soakaways or other infiltration methods on contaminated land carries ground water pollution risks and may not work in areas with a high water table. Where the intention is to dispose to soakaway, these should be shown to work through an appropriate assessment carried out under BRE Digest 365.

- 5. Any waste excavation material or building waste generated in the course of the development must be disposed of satisfactorily and in accordance with Section 34 of the Environment Protection Act 1990.
- 6. N15 - Reason(s) for the Grant of Planning Permission.

Decision:

Notes:

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Background Papers

Internal departmental consultation replies.

6 DCCE2004/0535/F - PROPOSED 2 NO 1 BEDROOM FLATS AND PARKING AREAS. WORKSHOP ADJACENT TO STONELEIGH, BULLINGHAM, HEREFORD, HEREFORDSHIRE, HR2 6EG

For: Perfection Homes per Paul T. Sant, Broxash, Litmarsh, Marden, Hereford, HR1 3EZ

Date Received: 16th February, 2004 Ward: St. Martins & Hinton Grid Ref: 52038, 38270

Expiry Date: 12th April 2004

Local Member: Councillor Mrs. W.U. Attfield, Councillor A.C.R. Chappell, Councillor R. Preece

1. Site Description and Proposal

- 1.1 The site that is the subject of this application currently comprises a single storey furniture workshop unit adjacent to the residential property known as Stoneleigh and is accessed from the slip road that runs adjacent to Holme Lacy Road. Immediately to the west of the site lies the access to three new dwellings approved under application number CE2004/0207/RM.
- 1.2 To the south of the proposed access, between the slip road and Holme Lacy Road lies the Grade II Listed Manor Cottage. The Scheduled Ancient Monument of the medieval settlement of Lower Bullingham lies to the south of Holme Lacy Road.
- 1.3 The proposal is a full application for the erection of a two-storey building to accommodate two one-bed flats. There is a garden area and car parking for two dwellings to the front of the proposed building and small area of amenity space to the rear.
- 1.4 The initial submission raised some concerns relating to the impact on the property to the east and as such a revised siting has been submitted. It is this revised scheme that has been considered.

2. Policies

2.1 Planning Policy Guidance:

PPG1	-	General Policy and Principles
PPG3	-	Housing
PPG13	-	Transport
PPG25	-	Development and Flood Risk

2.2 South Herefordshire District Local Plan:

GD1	-	General Development Criteria
C20	-	Protection of Historic Heritage
C29	-	Setting of a Listed Building

SH4	-	Housing Land Adjacent to Hereford City
SH6	-	Housing Development in Larger Settlements
SH7	-	Residential Proposal Sites in Larger Villages
SH8	-	New Housing Development Criteria in Larger Villages
SH14	-	Siting and Design of Buildings
SH15	-	Criteria for New Housing Schemes
T3	-	Highway Safety Requirements

2.3 Unitary Development Plan (Deposit Draft):

HR1	-	Hereford and the Market Towns: Settlement Boundaries and Established Residential Areas
H16	-	Car Parking
HBA4	-	Setting of a Listed Building
ARCH1	-	Archaeological Assessments and Field Excavations
ARCH3	-	Scheduled Ancient Monuments

3. Planning History

3.1 None relevant to this application.

4. Consultation Summary

Statutory Consultations

4.1 Hyder Consulting: No objection but recommended conditions relating to sewerage and surface water drainage should be included in the consent to ensure no detriment to the residents and Dwr Cymru - Welsh Water assets.

4.2 Environment Agency: The Agency objects to the proposed development, as submitted, on the following grounds:

Flood Risk: The site is located in close proximity to the Agency's Indicative Floodplain which shows the 1% apf (annual probability flooding).

For this proposed residential development, the Agency would be looking for a 'minimum standard of defence' as outlined in PPG25 - Development and Flood Risk, which includes a safe dry pedestrian access. Whilst the buildings themselves would not be at risk of flooding, it has not been demonstrated that a dry pedestrian access is achievable.

It is accepted that the actual site does not flood during severe flood events. However, pedestrian and vehicular access to this proposal would be lost during severe flood events as the site would be cut off and isolated. If the development were permitted this would place additional burdens on the emergency services during flood events when existing commitments stretch resources. The Agency needs to be satisfied that safe evacuation of the property is achievable.

I refer you to PPG25 - Development and Flood Risk, which states in Appendix F that the Local Planning Authority should be satisfied in respect of the fact that it is ensured that "the site can be developed and occupied safely".

If you are minded to approve the application contrary to our objection, attention is drawn to paragraphs 65 of PPG25 Development and Flood Risk which advises that the Agency should be re-notified, for you to explain why material considerations outweigh the objection, and to give the Agency the opportunity to make further representations.

Where the Agency maintain their objection on flood risk grounds the case will be well founded and stand scrutiny. The Agency will give full support to your Authority in the conduct of an appeal.

Foul Drainage: The local planning authority should ensure that the existing public mains sewage system has adequate capacity to accommodate this proposal.

Internal Council Advice

- 4.3 The Head of Conservation has no comments to make in relation to archaeology.
- 4.4 The Head of Engineering and Transportation has no objection and recommends conditions that the local planning authority may wish to impose.

5. Representations

- 5.1 Lower Bullingham Parish Council: No objections.
- 5.2 At the time of writing this report there have been no letters of objection received. The consultation period expires on the 31st August, 2004.
- 5.3 The full text of these letters can be inspected at Central Planning Services, Blueschool House, Blueschool Street, Hereford and prior to the Sub-Committee meeting.

6. Officers Appraisal

- 6.1 The main issues for consideration in the assessment of this application are:
 - The use of the land for residential purposes
 - The design and potential impact of the proposed building on the neighbouring properties and street scene
 - Provision of safe vehicular access to the site
 - Drainage
 - Impact on the setting of the Listed Building
 - Archaeological implications due to the close proximity of the Schedule Ancient Monument
 - Flooding.
- 6.2 The site itself lies within a dense residential area to the south of the city. The land is surrounded by existing residential properties, including large detached dwellings, terraced and semi-detached properties. Penglaise Court faces onto Holme Lacy Road and consists of 14 no. flats. The siting of three dwellings on land to the rear of this site has also been approved. There is no objection in principle to the introduction of two further units of residential accommodation within this primarily residential area.
- 6.3 Although the design of the proposed building is considered acceptable, the siting of the proposed building did initially raise some concerns regarding the impact on the property immediately to the east of the site. The scheme has subsequently been

revised by moving the footprint of the building forward therefore reducing the two-storey projection to the rear. This revision is considered to have substantially reduced any overbearing impact on the neighbouring property and is acceptable.

- 6.4 At present vehicles visiting the retail unit/workshop park to the front of the building and as such the access and parking will be as existing. It is likely that the use of the site for residential purposes instead of a furniture workshop/retail unit would actually reduce traffic movements. The site can easily accommodate the two parking spaces shown on the submitted plans. The conditions that have been recommended by the Head of Engineering and Transportation have been considered and those relevant and reasonable have been included in the recommendation. There is however no objection to the development relating to highway safety.
- 6.5 In response to our consultation, Hyder brought to our attention the drainage capabilities in and around the site. Conditions have been recommended to ensure that the local sewerage system is not overloaded.
- 6.6 The application site also lies to the north of a Grade II Listed Building. This building would only be affected by the access to the site given the nature of the area and the distance between the dwelling and site access it is unlikely to harm the setting of the Listed Building. In addition to this the Scheduled Ancient Monument site lies to the north of Holme Lacy Road. There is no objection in terms of the setting on the Listed Building nor to the Scheduled Ancient Monument.
- 6.7 The road and area to the front of the application site are at risk of flooding and as such the Environment Agency have raised an objection to this scheme although the Environment Agency has accepted that the main body of the building itself will not flood.
- 6.8 An assessment of the proposal must balance the merits of the site against the possible threat of flooding to the access. Whilst the safety of the occupiers will be of obvious importance, it should be remembered that the building itself will not flood and that the proposal is for the replacement of an existing building that is already used by members of the public. The introduction of two one-bedroom flats is likely to attract the same or less people to the site. The probability of the occurrence of the flood to the road, at the same time as the occupiers would require the assistance of the emergency services, is minimal. It is questionable whether the safety of the residents of the proposed dwellings would be any different to that of the occupiers of the many other dwellings in the immediate vicinity. The Environment Agency actively promotes flood safety issues and procedures for those affected and as with the adjoining site the occupiers could register with the Flood Warnings System.
- 6.9 In conclusion, the proposal itself would not cause or add to flooding problems in the area and the risks associated with localised flooding are no more than to other local residents. There are no policy objections to the scheme, and there are no longer concerns relating to the impact on the neighbouring properties. The proposed access can adequately serve the two new flats. On this basis it is recommended that the application be approved subject to conditions and informative notes.

RECOMMENDATION

That the Environment Agency be notified and re-consulted on the decision to approve the application and;

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

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

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

2 B01 (Samples of external materials)

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

3 H05 (Access gates)

Reason: In the interests of highway safety.

4 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.

5 H27 (Parking for site operatives)

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

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

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

7 No surface water shall be allowed to connect (either directly or indirectly) to the public sewerage system.

Reason: To prevent hydraulic overload of the Public Sewerage System and pollution of the environment.

8 No land drainage run-off will be permitted to discharge to the Public Sewerage System.

Reason: To prevent hydraulic overload of the Public Sewerage System and pollution of the environment.

9 Prior to the first occupation of the dwellings residents shall be advised in writing to place themselves on the Environment Agency's flood warning system. Written confirmation that this advice has been issued shall be submitted to and approved in writing by the local planning authority.

Reason: To ensure that residents are made aware of the potential flooding to the highway.

Informatives:

- 1 The Environment Agency Flood Defence team can be contacted in Monmouth on 01600 771145 with regard to the flood warning system.**
- 2 If a connection is required to the public sewerage system, the developer is advised to contact the Network Development Consultants (DVWW Sewerage Agents) on tel: 01443 331155.**
- 3 HN04 - Private apparatus within highway**
- 4 HN05 - Works within the highway**
- 5 Your attention is drawn to the concerns of the Environment Agency who maintain that the access to the site could be affected by flooding at a rate of 1% apf (annual probability flooding). The Council can take no legal responsibility whatsoever in the event of a flood.**
- 6 N15 – Reasons for the Grant of PP/LBC/CAC**

Decision:

Notes:

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Background Papers

Internal departmental consultation replies.

7 DCCE2004/1826/F - PROPOSED 2 NO. 3 BED DWELLINGS LAND AT BREWERS ARMS, EIGN ROAD, HEREFORD HR1 2RU

For: SD & SL Harrison, per Mr A Last, Brookside Cottage, Knapton, Birley, Herefordshire, HR4 8ER

Date Received: 18th May 2004

Ward: Tupsley

Grid Ref: 51978, 39450

Expiry Date: 13th July 2004

Local Member: Councillor Mrs. M.D. Lloyd-Hayes, Councillor G.V. Hyde, Councillor W.J. Walling

1. Site Description and Proposal

- 1.1 The application site is located within a designated Established Residential Area to the eastern end of Eign Road. The site is currently the pub garden associated with the Brewers Arms Public House. To the front of the site lies a 1 metre wall with the hedgerow above. The properties in the area are a mix of ages and housing types, with little or no off street parking. A residents' parking scheme is currently in place in the area.
- 1.2 The proposal is to erect a pair of three-bed semi-detached dwellings. The footprint of the dwelling would measure 9.5m by 8m with a porch/lobby to the rear. The dwellings would be constructed of brick with a slate roof and have a small porch canopy over the front doors that would be sited together, centrally to the front elevation. The properties would be set back from the highway by 3.6m in line with the dwelling to the west and set back slightly from the pub to the east. The area to the front of the proposed dwellings would accommodate a small front garden area and it is proposed that the existing 1m high boundary wall be rebuilt. The dwellings would also have small back gardens. The proposal does not include any provision for off road car parking.

2. Policies

2.1 Planning Policy Guidance:

PPG1	-	General Policy and Principles
PPG3	-	Housing
PPG13	-	Transport

2.2 Hereford Local Plan:

ENV14	-	Design
H3	-	Design on new residential development
H12	-	Established residential areas – character and amenity
H13	-	Established residential areas – loss of features
H14	-	Established residential areas – site factors

2.3 Herefordshire Unitary Development Plan (Deposit Draft):

S3	-	Housing
DR1	-	Design
H1	-	Hereford and Market Towns: settlement boundaries and established residential areas

3. Planning History

3.1 None relevant to this application.

4. Consultation Summary

Statutory Consultations

4.1 Welsh Water: Request that conditions relating to foul water and surface water discharge are imposed.

Internal Council Advice

5. Representations

5.1 Hereford City Council: Overintensive use of site with no on-site car parking, or street parking facilities. Poor amenity as concerns the proposed development.

5.2 One letter of objection was received on behalf of numbers 2, 3, 4, 5, 6 and 7 Scots Close that raises concerns below:

- The piece of land that currently constitutes the beer garden of the Brewers Arms Public House, which is under consideration for planning of 2 no. 3 bedroom dwellings, should be utilised for car parking for the Brewers Arms Public House and their adjoining flats, thus overcoming the parking problems which have affected the surrounding residents. This would also make it possible to turn right out of Scots Close, into Eign Road, which is nigh on impossible in the present situation (ie lengthen the double yellow lines outside the Brewers Arms Public House, so that we can safely turn right out of Scots Close). A number of accidents have occurred at the junction of Scots Close with Eign Road over the years.
- Business lettings with private housing should not be permitted in the same area.
- Increased noise, disruption and parking problems would be created by the proposed development.
- The entire situation, regarding the parking problems, makes our lives a misery and devalues the neighbourhood where we reside.
- The proposed development should not be three storey, whereby it would overlook Scots Close and the surrounding area.
- The site would be overdeveloped if this planning application was to be passed.
- With regards to safety, the current parking situation is a catastrophe waiting to happen and the council will be responsible for the next incident that occurs, if they were to pass this application.
- Scots Close is missing from the site plan of the planning application.
- The negative impact on the character of the area would turn a disaster into a calamity.
- No site notices have been posted reference the above planning application.
- Ever since the current owners of the Brewers Arms Public House purchased all the properties backing on to Scots Close, it has devalued the local area, produced parking problems, has made it increasingly difficult to turn right out of Scots Close,

whilst the general noise and disruption has made out lives a misery. This planning application has certainly been one development too many in the locality.

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

6. Officers Appraisal

6.1 The issues for consideration in the assessment of this application are:

- The principle of a residential property on this site
- The layout and design of the dwelling in relation to the character of the surrounding area
- The relationship with and impact on the adjoining properties
- Highway safety and car parking provision
- Drainage.

6.2 The application site within the Established Residential Area as defined in the Hereford Local Plan. Within the Established Residential Areas new residential development can be appropriate subject to policy criteria set out in the Local Plan Policies H12-H14.

6.3 The proposed two storey semi-detached dwellings are not uncharacteristic of this part of Eign Road, which is dominated by detached, semi-detached and terraced dwellings. Although the proposal would involve the sub-division of the pub garden from the pub, the loss of this amenity facility is not cause for an objection to this scheme. The layout and siting of the dwellings has also respected the character of this part of Eign Road through setting the proposed building back by 3.6m. The introduction of the two new dwellings preserves the character of the surrounding area and respects the wider setting. The design and form of the properties also respects the character and scale of the surrounding properties.

6.4 The proposed dwellings would incorporate three bedrooms, one within the attic space, a living room, and kitchen diner, and toilet and lobby in the rear porch and bathroom upstairs. The design, fenestration and internal layout do not cause or raise any objections relating to overlooking or privacy. The neighbours have raised concern relating to overlooking from the second floor of the building. The attic room would incorporate roof lights only that would be a minimum height of 1.7m and as such unlikely to be able to look out of them directly. They will serve to allow light into the room only. Discussions have been held with the agent relating to the proposed rooflights and potential problems relating to Building Regulations. If amendments are required with relation to this, then these alterations could be incorporated into the rooflights to the front elevation to ensure that privacy is retained to the rear.

6.5 Concern has been raised from the residents of the properties to the rear of the site relating to parking. The proposed dwellings do not include any off road car parking provisions. However, the area is characterised by dwellings that rely upon on road parking, and a residents' parking scheme has been implemented in this area. In accordance with the principles of PPG3 and PPG13 and the need to encourage city centre living and the use sustainable methods of transport, it should be noted that the site is within walking distance of the town centre and bus routes. Neighbours have raised concerns due to additional cars parking on the highway and obscuring views when driving out of Scots Close. These parking bays and yellow lines have already

been designated this area will not be altered as part of this application and as such the situation will not be worsened.

- 6.6 Regarding drainage, conditions are recommended to ensure that the local sewerage system is not overloaded and to protect the health and safety of existing residents and pollution of the environment.
- 6.7 In conclusion, the proposed dwellings are in scale and keeping with the surrounding dwellings and the character and appearance of the area. There is no on site parking available, but due to the close proximity to the town centre and the residents' parking scheme, it is felt that the parking issue is not one that would uphold a refusal of this application. Having regard to the above, the application is considered to be in accordance with the policies of the Hereford Local Plan.

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 material)

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

4 E19 (Obscure glazing to windows)

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

5 E17 (No windows in side elevation of extension)

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

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

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

7 No surface water shall be allowed to connect (either directly or indirectly) to the public sewerage system.

Reason: To prevent hydraulic overload of the public sewerage system, to protect the health and safety of existing residents and ensure no detriment to the environment.

- 8 No land drainage run-off will be permitted, either directly or indirectly, to discharge to the public sewerage system.

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

- 9 E16 (Removal of permitted development rights)

Reason: To protect the character and amenities of the surrounding area.

Informatives:

- 1 HN01 - Mud on highway
- 2 HN04 - Private apparatus within highway
- 3 HN05 - Works within the highway
- 4 If connection is required to the public sewerage system, the developer is advised to contact Dwr Cymru Welsh Water Development Consultants on tel: 01443 331155.
- 5 N14 - Party Wall Act 1996
- 6 N15 - Reason(s) for the Grant of PP/LBC/CAC

Decision:

Notes:

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Background Papers

Internal departmental consultation replies.

8 DCCE2004/2101/F - RETROSPECTIVE APPLICATION FOR THE SITING OF TEMPORARY SALES CENTRE FOR USE IN CONNECTION WITH JENNINGS HOMES LTD. MERIDIAN GRANGE DEVELOPMENT (OPPOSITE) LAND OFF WITHIES ROAD, WITHINGTON, HEREFORDSHIRE

**For: Jennings Homes Ltd., per MRP, Salisbury House,
2A Tettenhall Road, Wolverhampton, WV1 4SG**

Date Received: 25th June 2004 Ward: Hagley Grid Ref: 56215, 43044

Expiry Date: 20th August 2004

Local Member: Councillor R.M. Wilson

1. Site Description and Proposal

- 1.1 The site that is the subject of this application is an area of grassed land, associated with the Withington Parish Hall. The site lies to the north of Withies Lane opposite the former GB Stores site that is currently undergoing the construction of a residential development.
- 1.2 The retrospective application has been submitted for the retention of a sales centre that is being used in connection with the above residential development. The sales centre is a temporary building measuring 4m x 12.5m x 3m (h) and is orange in colour. It has been positioned facing Withies Road and is set back by approximately 3 metres with a small area of landscaping to the road frontage and to the west. A paved path has also been laid leading from the existing public footpath to the entrance and also from the village hall car park. Visitors would use the village hall car park. The plans as submitted also show an area of car parking for four vehicles to be constructed immediately to the west of the sales centre with access directly from Withies Road. This has not been undertaken. The siting of temporary sales offices within the application site would not normally require permission however this site is not within the approved scheme.

2. Policies

2.1 Planning Policy Guidance:

PPG1	-	General Policy and Principles
PPG3	-	Housing
PPG13	-	Transport

2.2 South Herefordshire District Local Plan:

GD1	-	General Development Criteria
SH14	-	Siting and Design of Buildings
T3	-	Highway Safety Requirements

2.3 Unitary Development Plan (Deposit Draft):

HR1 - Hereford and the Market Towns: Settlement Boundaries and Established Residential Areas

3. Planning History

3.1 None relevant to this application.

4. Consultation Summary

Statutory Consultations

4.1 There were no consultations with Statutory Consultees.

Internal Council Advice

4.2 Head of Engineering and Transportation has no objection to the proposal but recommends that a condition be imposed.

5. Representations

5.1 Withington Parish Council has no objection to the siting of the sales centre as already undertaken, but objects to the plans as shown, which do not reflect the situation on the ground. The four car parking spaces shown should be omitted as parking is readily available on the village hall car park.

5.2 Letters of objection to the scheme have been received from Mr. R. Jones of 1 Coppice Close, Mr. J. Land, The Beeches, Withies Lane and Mrs. J.D. Fish, 3 Coppice Close. These letters raise the following points:

- Disgust and concern over the arrogant way in which Jennings have gone about the relocation of the sales centre without gaining planning permission first.
- Blatant disregard for neighbours, causing an invasion of privacy and having an impact on the outlook.
- The Orange Sales Centre is an eyesore.

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

6. Officers Appraisal

6.1 The main issues for consideration in the assessment of this application are the visual impact of the sales centre and impact on the amenities of the neighbouring properties.

6.2 The site itself lies in a prominent position on the approach into the village of Withington. The siting of the sales centre would be temporary in connection with the sale of the dwellings currently being erected on the site opposite. Some landscaping works and the laying of a path and services have been included in order to enhance the appearance of the Sales Centre for this period of time. A condition can be imposed to ensure that the land is restored to its original condition once the properties have been sold and sales centre removed.

- 6.3 The letters of representation raise concern relating to the appearance and to the issues of privacy and outlook. The Sales Centre has been located some distance from the boundary of the properties and does not have an overbearing impact on the properties in the immediate vicinity. Nor does it impinge upon the privacy and amenities currently enjoyed by the occupiers of the surrounding properties.
- 6.4 The plans show parking for four cars immediately to the west of the site, this further intervention into the grassland would not be supported and as such has not been completed. A condition removing this element from the scheme is suggested. Car parking is readily available within the village hall car park.
- 6.5 In conclusion, there is ample car parking and safe pedestrian access to the site. The Sales Centre does not have a detrimental impact on privacy or living conditions of the surrounding properties. Having regard to the above, the temporary siting of this sales centre is considered to be acceptable in this location subject to the conditions set out below.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

- 1 Within one month of the occupation of the last dwelling on the associated site the use and temporary building hereby approved shall be removed and the land restored to its former condition in accordance with a scheme of work to be submitted to and approved in writing by the local planning authority.**

Reason: The local planning authority is only prepared to allow the use and temporary building until sale of the dwellings is complete.

- 2 Notwithstanding the submitted plans, the area of car parking shown, and marked with a 'X' shall be omitted from the scheme.**

Reason: The local planning authority would not support the introduction of parking in this location having regard to the close proximity of the car parking available at the village hall.

Informative:

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

Decision:

Notes:

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Background Papers

Internal departmental consultation replies.

9 (A) DCCW2004/1701/F - CHANGE OF USE FROM PUBLIC HOUSE TO PRIVATE DWELLING. ALTERATIONS AND EXTENSIONS TO CONVERT THE EXISTING BUILDING INTO TWO UNITS AND THE ERECTION OF TWO ADDITIONAL UNITS AT THE PLOUGH INN, CANON PYON, HEREFORDSHIRE, HR4 8NU

For: Mrs. V. Santillo per Mr. A. Last, Brookside Cottage, Knapton, Birley, Herefordshire HR4 8ER

(B) DCCW2004/1703/F - CHANGE OF USE OF EXISTING CAR PARK TO RESIDENTIAL USE AND FOR THE ERECTION OF TWO DWELLINGS AND ASSOCIATED COVERED AND UNCOVERED PARKING AT THE PLOUGH INN, CANON PYON, HEREFORDSHIRE, HR4 8NU

For: Mrs. V. Santillo per Mr. A. Last, Brookside Cottage, Knapton, Birley, Herefordshire, HR4 8ER

Date Received: 10th May 2004

Ward: Wormsley Ridge

Grid Ref: 46322, 48669

Expiry Date: 5th July 2004

Local Member: Councillor J.C. Mayson

1. Site Description and Proposal

- 1.1 The site is within the village of Canon Pyon on the western side of the A4110. The existing public house is a traditional double fronted building facing the main road with extensive car parking to the rear, and a skittle alley extending along the side boundary. To the east of the site are a pair of recently constructed semi detached dwellings and opposite are detached residential units, otherwise the site is surrounded by farmland. The existing access into the site is to remain unchanged. Both application sites (with the exception of a narrow strip of land on the southern side of application DCCW2004/1701/F), are identified in the existing Leominster District Local Plan and the emerging Unitary Development Plan as within the settlement boundary.
- 1.2 Application DCCW2004/1701/F is for the change of use of the public house and alterations, to create two units, and to demolish the skittle alley to create two additional units. The alterations to the public house include a first floor extension to the front and demolition of an existing single storey section to the side. The conversion creates two four bed units. The additional new units would be a three bed dwelling and a two bed bungalow.

- 1.3 Application DCCW2004/1703/F is on the car parking area to the rear of the public house. This application proposes two new two storey units, both three bed. These are sited directly behind the public house and together with the other new units and conversion of the public house, a courtyard formation of dwellings is proposed. Twenty parking spaces are proposed for the overall development, mainly in the north western corner of the site, five of which are covered by an open "barn" style car port.

2. Policies

2.1 Planning Policy Guidance:

- PPG1 - General Policy and Principles
PPG3 - Housing

2.2 Leominster District Local Plan:

- Policy A1 - Managing the District's Assets and Resources
Policy A2 - Settlement Hierarchy
Policy A23 - Creating Identity and an Attractive Built Environment
Policy A24 - Scale and Character of Development
Policy A34 - Village based Neighbourhood Shops and other Small Scale Commercially based Local Services
Policy A62 - Proposals resulting in the Loss of Community Facilities
Policy A70 - Accommodating Traffic from Development
Policy A71 - Vehicle Parking Standards for Development away from Central Shopping and Commercial Areas and Conservation Areas

2.3 Herefordshire Unitary Development Plan (Revised Deposit Draft);

- Policy H4 - Main Villages: Settlement Boundaries
Policy H9 - Affordable Housing
Policy H13 - Sustainable Residential Development
Policy H14 - Re-using Previously Developed Land and Buildings
Policy CF6 - Retention of Existing Facilities

3. Planning History

- 94/00361 Site for 4 dwellings. Refused 23/08/1994.
- 95/0569/O New access, two dwellings and revised car park layout. Approved 19/10/1995.
- 98/0668/O New access, two dwellings and revised car park layout. Approved 20/01/1999.
- NW00/1800/F 2 no four bedroomed houses with garages. Approved 01/11/2000.
- CW2003/1547/F Change of use from public house to private dwelling. Alterations and extensions to convert existing building into two units and erection of 3 units. Refused 20/08/2003.

4. Consultation Summary

Statutory Consultations

- 4.1 Dwr Cymru Welsh Water: No objection subject to conditions.
Internal Council Advice
- 4.2 Head of Engineering and Transportation: No objection subject to conditions and providing the two applications are linked.
- 4.3 Conservation Manager: The site is close to the recorded course of a Roman Road and as such the proposal has minor archaeological implications and a condition is recommended.
- 4.4 Forward Planning Manager: Advises that the loss of a locally based service should only be permitted where the local service is no longer viable and the premises can accommodate the proposed new use without redevelopment. The proposed new build is to be assessed in relation to Policy A2 which states that small scale development will be permitted within settlement boundaries. Whilst a narrow strip of land (part of the existing skittle alley) is outside the settlement boundary designated by the Leominster District Local Plan, the land is brownfield and is included in the settlement boundary of the Unitary Development Plan.

5. Representations

5.1 Canon Pyon Parish Council:

Application DCCW2004/1701/F

1. Under Hereford UDP Revised Deposit Draft H5 Canon Pyon has a brownfield site earmarked to provide 12 dwellings adequate for current needs.
2. The Parish Council consider the application is contrary to Policies A29 and A39(2), A62(3) of the Leominster District Local Plan and Chapter 27 Paragraphs 10 and 11 of the Leominster District Local Plan.
3. The Parish Council objections dated 19th June, 2003, referring to the previous application DCCW2003/1547/F still apply.
4. In the wider interest of the community the Parish Council opposes the loss of amenities and cannot support the application.

Application DCCW2004/1703/F

1. Under the Hereford UDP Revised Deposit Draft H4 Canon Pyon has a brownfield site earmarked to provide 12 dwellings adequate for current needs.
2. The application is contrary to Leominster District Local Plan 27.10 "Reducing the need to travel" and Leominster District Local Plan 27.11 "No new housing sites proposed for Canon Pyon".
3. It would appear contrary to:

- (a) Leominster District Local Plan Policy A1(3) and Policy 54 harming the amenities of existing properties.
- (b) Policy A1(4), general density.
- (c) Policy A24(8), cramped development.
- (d) Policy A1(6), reducing the need to travel.

4. The Parish Council cannot support the application.

5.2 DCCW2004/1701/F and DCCW2004/1703/F

One letter from Canon Pyon Post Office raising no objection and stating that the applicants have been considerate in their design to the properties most likely to be affected. Request that the mature Ash tree adjacent to the boundary is retained if at all possible.

5.3 DCCW2004/1701/F and DCCW2004/1703/F

Two letters of objection, one from the Hereford and District Skittle League and one from the Pioneers Skittle Team, both objecting on the basis of the loss of the skittle alley. The Hereford and District Skittle League have played at the Plough Inn for 18 years, the closure would mean the end of the village skittle team, pool team, darts, crib etc. which would be a sad loss to the social well being of the village community.

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

6. **Officers Appraisal**

6.1 The applications are integrally linked and will be appraised together. The proposal raises a number of key issues and is firstly considered in terms of the general principle of both the loss of a community facility and the principle of new residential development in this location. Detailed design matters, neighbour implications, parking and access issues are then addressed.

6.2 The Principle of a Change of Use of the Public House

Policies A29, A34 and A62 of the Leominster District Local Plan seek to retain employment generating uses and community facilities in villages unless it can be demonstrated that the local service is no longer commercially viable or required and an alternative community facility is not needed. The previous application (CW2003/1547/F, which was refused on the impact upon open countryside, amenity issues and access grounds), included substantial evidence that the public house has been marketed for a prolonged period of time (for 7 years), at what was considered to be a reasonable asking price, without success. Confidential financial details were also provided which indicated that the business was no longer commercially viable. Taking this into account, together with the fact that there is another public house in the village (as well as one in Bush Bank a few miles north), and that the village has reasonable provision of other local services such that there is not an identified need for an alternative community use, it was not considered reasonable to raise objection to the principle of a change of use of the building.

6.3 The Principle of New Residential Building

The site is identified within the settlement boundary of Canon Pyon in both the Leominster District Local Plan and the emerging Unitary Development Plan, whereby Policy A2 allows small scale residential development in principle. In this case the development is considered to be of a scale and character compatible with the surroundings. Although the site is at the end of a linear section of development, it forms an integral courtyard and as such is not considered to create backland development or a precedent for further development in rear gardens. The previous application (reference CW2003/1547/F) was refused partly on the grounds that built development would overhang the settlement boundary and would therefore have an adverse affect on the surrounding open countryside. In this case a narrow strip of the application site still overhangs the settlement boundary, however this is now proposed to be residential curtilage and the built form is taken away from the boundary, therefore there are no objections in this respect.

6.4 Design

The existing public house has been converted into two units without the need for significant extension and the basic traditional appearance of this building is retained. The design of the new build has been the subject of negotiation during the application process. The new units have been designed with the intention of creating a scheme which has the appearance of converted outbuildings. Amended plans have been received which show more traditional detailing and avoid the regularity of openings which was previously considered problematic. These amended plans are acceptable and improve the appearance of the units. Re-consultation has not been considered necessary in this instance. Conditions can be imposed to control landscaping and boundary treatments which will have a significant impact upon the overall appearance of the scheme.

6.5 Amenity Issues

Levels of mutual overlooking and privacy for the new units are considered acceptable, and although the garden areas created are relatively small they are considered adequate and in any event it would not be appropriate for the planning process to dictate garden sizes. A reasonable distance (25 metres) is maintained to the existing neighbouring semi detached properties and the level of activity associated with the new dwellings would not cause any more disturbance to neighbours than the public house use of the site.

6.6 Parking/Access

The existing access to the site is to be used and 20 parking spaces will be provided in total for the scheme as well as turning and manoeuvring space. This equates to at least three spaces per property and is more than adequate, furthermore subject to conditions there are no objections to the access arrangements.

6.7 Conclusion

Overall, it has been satisfactorily demonstrated and previously accepted that a change of use of the public house accords with Local Plan policy. Furthermore, the principle of new residential development in this location is acceptable in line with Policy A2 of the Leominster District Local Plan. The detailed design has been subject to negotiation

and is now considered acceptable. There is no adverse impact upon neighbours and the amenities created for the new units are considered acceptable as are the parking/access arrangements. Overall no objections are raised to the scheme.

RECOMMENDATION

In respect of DCCW2004/1701/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. A09 (Amended plans).**

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

- 3. B01 (Samples of external materials).**

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

- 4. D03 (Site observation - archaeology).**

Reason: To allow the potential archaeological interest of the site to be investigated and recorded.

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

Reason: In the interests of the character and amenity of the surrounding area.

- 6. E18 (No new windows in specified elevation).**

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

- 7. E19 (Obscure glazing to windows).**

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

- 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.

11. H14 (Turning and parking: change of use - domestic).

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

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

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

13. No surface water shall be allowed to connect (either directly or indirectly) to the public sewerage system.

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of exiting residents and ensure no detriment to the environment.

14. No land drainage run-off will be permitted, either directly or indirectly, to discharge into the public sewerage system.

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

15. The proposed development site is crossed by a public sewer with the approximate position being marked on the attached Statutory Public Sewer Record. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times. No part of the building will be permitted within 3 metres either side of the centreline of the public sewer.

Reason: To protect the integrity of the public sewer and avoid damage thereto.

16. E24 (Staging of Development)

Reason: To ensure that adequate parking provision for the overall development is provided.

17. F39 (Scheme of refuse storage).

Reason: In the interests of amenity.

18. F16 (Restriction of hours during construction).

Reason: To protect the amenity of local residents.

Informatives:

- 1. If a connection is required to the public sewerage system, the developer is advised to contact the Dwr Cymru Welsh Water's Network Development Consultants on Tel: 01441 331155.**
- 2. The proposed development is crossed by a trunk/distribution watermain, the approximate position being shown on the attached plan. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus**

at all times. I enclose our Conditions for Development near Watermains. It may be possible for this watermain to be diverted under Section 185 of the Water Industry Act 1991, the cost of which will be re-charged to the Developer.

3. N15 - Reasons for the Grant of PP.

In respect of DCCW2004/1703/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. A09 (Amended plans).

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

3. B01 (Samples of external materials).

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

4. D03 (Site observation - archaeology).

Reason: To allow the potential archaeological interest of the site to be investigated and recorded.

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. G01 (Details of boundary treatments).

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

8. H14 (Turning and parking: change of use - domestic).

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

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

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

- 10. No surface water shall be allowed to connect (either directly or indirectly) to the public sewerage system.

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of exiting residents and ensure no detriment to the environment.

- 11. No land drainage run-off will be permitted, either directly or indirectly, to discharge into the public sewerage system.

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

- 12. E16 (Removal of permitted development rights).

Reason: In the interests of the character and amenity of the surrounding area.

- 13. F39 (Scheme of refuse storage).

Reason: In the interests of amenity.

- 14. F16 (Restriction of hours during construction).

Reason: To protect the amenity of local residents.

Informatives:

- 1. If a connection is required to the public sewerage system, the developer is advised to contact the Dwr Cymru Welsh Water's Network Development Consultants on Tel: 01441 331155.
- 2. The proposed development is crossed by a trunk/distribution watermain, the approximate position being shown on the attached plan. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times. I enclose our Conditions for Development near Watermains. It may be possible for this watermain to be diverted under Section 185 of the Water Industry Act 1991, the cost of which will be re-charged to the Developer.
- 3. N15 - Reasons for the Grant of PP.

Decision:

Notes:

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Background Papers

Internal departmental consultation replies.

