

A G E N D A

Southern Area Planning Sub- Committee

Date: **Wednesday, 24th November, 2004**

Time: **2.00 p.m.**

Place: **The Council Chamber, Brockington**

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

For any further information please contact:

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

e-mail: rclarke@herefordshire.gov.uk

**County of Herefordshire
District Council**

AGENDA

for the Meeting of the Southern Area Planning Sub-Committee

To: Councillor Mrs. R.F. Lincoln (Chairman)
Councillor P.G. Turpin (Vice-Chairman)

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

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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.	
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To approve and sign the Minutes of the meeting held on 27th October, 2004.	
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To note the contents of the attached report of the Head of Planning Services in respect of the appeals received or determined for the southern area of Herefordshire.	
REPORTS BY THE HEAD OF PLANNING SERVICES	
To consider and take any appropriate action in respect of the planning applications received for the southern area and to authorise the Head of Planning Services to impose any additional or varied conditions and reasons considered to be necessary.	
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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 Southern Area Planning Sub-Committee held at The Council Chamber, Brockington, 35 Hafod Road, Hereford on Wednesday, 27th October, 2004 at 2.00 p.m.

Present: Councillor Mrs. R.F. Lincoln (Chairman)
Councillor P.G. Turpin (Vice Chairman)

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

In attendance: Councillors P.J. Edwards and T.W. Hunt

71. APOLOGIES FOR ABSENCE

The Chairman advised Members that as part of the restructuring of the Planning Services Department Mrs. A. Tyler and Mrs. H. Bradbury would be joining the Southern Division.

Apologies were received from Councillor H. Bramer.

72. DECLARATIONS OF INTEREST

The following declarations of interest were made:

Councillor	Item	Interest
Councillor Mrs. A.E. Gray	6 (DCSE2004/0891/F – Change of use to temporary construction project office, site compound and with new access at Vine Tree Farmhouse, Walford Road, Ross-on-Wye)	Declared a prejudicial interest and left the meeting for the duration of the item
Councillor J.W. Edwards	7 (DCSE2003/2298/F – Conversion of redundant traditional stone barns to residential use (amended plans) at redundant barns at Llanrothal Farm, Llanrothal, Monmouth, NP25 5QJ)	Declared a prejudicial interest and left the meeting for the duration of the item

73. MINUTES

RESOLVED: That the Minutes of the meeting held on 29th September, 2004 be approved as a correct record and signed by the Chairman.

74. ITEM FOR INFORMATION - APPEALS

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

75. DCSE2004/2733/F - PETROL FILLING STATION (FORMER), GLOUCESTER ROAD, ROSS-ON-WYE, HEREFORDSHIRE, HR9 5NA

Demolition of existing filling station and erection of 18 no. residential apartment dwellings.

The Principal Planning Officer reported the receipt of 3 further letters of objection from local residents. He also reported the receipt of comments from the Environment Agency who had no objections to the application subject to conditions regarding drainage and ground water.

In accordance with the criteria for Public Speaking Mr. Eagles spoke against the application and Mr. Baume, the applicant's agent spoke in support.

Councillor Mrs A.E. Gray, one of the Local Ward Members felt that the development would be more acceptable to the local residents if it had been limited to two storeys. She also noted the concerns of local residents regarding drainage issues and loss of privacy.

A number of Members felt that although they were not opposed to development on the site, this application was too close to neighbouring properties and that the inclusion of a third storey could lead to issues of overlooking.

RESOLVED

- (i) The Southern Area Planning Sub-Committee is minded to refuse the application on grounds of over development and overlooking (and any further reasons for refusal 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.**
- (ii) If the Head of Planning Services does not refer the application to the Planning Committee, Officers named in the Scheme of Delegation to Officers be instructed to refuse the application subject to such reasons for refusal referred to above.**

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

76. DCSE2004/0891/F - VINE TREE FARMHOUSE, WALFORD ROAD, ROSS-ON-WYE

Change of use to temporary construction project office, site compound and with new access.

In accordance with the criteria for Public Speaking Mr. Gray, representing Tudorsville Residents Association, spoke against the application and Mr. Thomas, the applicant, spoke in support.

RESOLVED

That planning permission be granted subject to the following conditions:

- 1 E21 (Temporary permission and reinstatement of land) (31 October 2007 or completion of the development at Vine Tree Farm, whichever is the**

sooner).

Reason: To protect the amenities of neighbours and the visual amenities of the area.

- 2 No development shall take place unless planning permission has been granted for the associated development at Vine Tree Farm, application reference no. SE2003/2323/F.**

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

- 3 A09 (Amended plans)**

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

- 4 No vehicles shall be parked or equipment and materials shall be stored in the area specified as buffer zone on the approved drawing.**

Reason: To protect the amenities of neighbours.

- 5 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:**

Monday - Friday 7.00 am - 6.00 pm

Saturday 8.00 am - 1.00 pm

Not at any time on Sundays, Bank or Public Holidays

Reason: To protect the amenities of neighbours.

- 6 Before the use commences the buffer zone shall be fenced off from the compound in accordance with details submitted to and approved in writing by the local planning authority.**

Reason: To protect the amenities of neighbours.

- 7 H03 (Visibility splays)**

Reason: In the interests of highway safety.

- 8 H05 (Access gates)**

Reason: In the interests of highway safety.

- 9 H15 (Turning and parking: change of use - commercial)**

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

Informative:

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

**77. DCSE2003/2298/F - REDUNDANT BARNs AT LLANROTHAL FARM,
LLANROTHAL, MONMOUTH, NP25 5QJ**

Conversion of redundant traditional stone barns to residential use (amended plans)

The Principal Planning Officer advised members that revised plans had been received by the planning department, he also reported the receipt of comments from the Parish Council, who object to the application, and 7 further letters of objection from local residents.

In accordance with the criteria for Public Speaking, Mr. Smyth, a resident of a neighbouring property, spoke against the application.

RESOLVED

That planning permission be granted subject to the following conditions:

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

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

2 A09 (Amended plans)

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

3 E16 (Removal of permitted development rights)

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

4 The external surfaces of the new flues shall be coloured black unless otherwise first agreed in writing by the local planning authority.

Reason: To ensure the development is satisfactory in appearance.

5 Before any of the dwellings, hereby approved, are first brought into use the existing modern agricultural buildings and structures shown on the drawings to be demolished, shall be removed from the site unless otherwise first agreed in writing by the local planning authority.

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

6 G05 (Implementation of landscaping scheme (general))

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

7 F18 (Scheme of foul drainage disposal)

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

8 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.

- 9 Before the new development is first brought into use a visitor parking area shall be provided within/or adjacent to the site in accordance with details to be first submitted to and approved in writing by the local planning authority.

Reason: To ensure there is adequate parking provision for visitors at the site.

Informatives:

- 1 HN01 - Mud on highway
- 2 HN04 - Private apparatus within highway
- 3 HN05 - Works within the highway
- 4 HN24 - Drainage other than via highway system
- 5 The developer should ensure that proposed arrangements for the water supply are properly put in place prior to the occupation of any of the dwellings.
- 6 N03 - Adjoining property rights
- 7 The Public Rights of Way Manager advises:
 - The nearby right of way, i.e. Public Footpath L05, should remain open at all times throughout the development. If development works are perceived to be likely to endanger members of the public then a temporary closure order should be applied for from the Public Rights of Way Department, preferably 6 weeks in advance of work starting.
 - 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.
 - The applicants should ensure that they hold lawful authority to drive over the public footpath.
 - The applicants should note that the right of way has footpath status and will only be maintained as such.
- 8 N15 - Reason(s) for the Grant of Planning Permission

78. DCSW2004/1558/F - YEW TREE COTTAGE, COBHALL COMMON, ALLENSMORE, HEREFORDSHIRE, HR2 9BN

Erection of detached dwelling with garage and ancillary works.

RESOLVED

That subject to the receipt of satisfactory revised plans relating to the means of access and turning area on site, the officers named in the Scheme of Delegation to Officers be authorised to issue planning permission subject to

the following conditions and any additional conditions considered necessary by officers:

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

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

2 A07 (Development in accordance with approved plans)

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

3 B01 (Samples of external materials)

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

4 G04 (Landscaping scheme (general))

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

5 G05 (Implementation of landscaping scheme (general))

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

Informative:

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

79. DCSE2004/3063/F - PARAGON LAUNDRY WORKS, LEDBURY ROAD, ROSS-ON-WYE, HEREFORDSHIRE

Residential development including demolition of existing buildings and associated site works.

The Principal Planning Officer reported the receipt of a letter from the applicant requesting that consideration of the application be deferred.

Councillor Mrs. A.E. Gray, one of the Local Ward Members, proposed that a site inspection be undertaken as the character or appearance of the development itself was a fundamental planning consideration, a judgement was required on visual impact and the setting and surroundings were fundamental to the determination or to the conditions being considered.

In accordance with the criteria for Public Speaking, Mr Shovelton had registered to speak against the application but decided to defer his opportunity to speak until this application was considered again after the site inspection had taken place.

RESOLVED:

That consideration of the application be deferred for a site inspection be undertaken on the grounds that the character or appearance of the development itself is a fundamental planning consideration, a judgement is required on visual impact and the setting and surroundings are fundamental to the determination or to the conditions being considered

**80. DCSW2004/2454/F - PETERCHURCH BAPTIST CHURCH, B4348,
PETERCHURCH, HEREFORDSHIRE, HR2 0RL**

Demolition of the existing church and erection of 3 no. detached residential dwellings.

Councillor N.J.J. Davies, the Local Ward Member, supported the views of the Parish Council, he felt the chapel was a landmark which should not be demolished.

The Chief Development Control Officer advised Members that the chapel was not a listed building and was not of listable quality. He also said that the application site fell within the settlement boundary of Peterchurch.

A motion to refuse the application failed and the Sub-Committee subsequently agreed the resolution detailed below.

RESOLVED

That planning permission be granted subject to the following conditions:

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

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

2 A07 (Development in accordance with approved plans)

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

3 B01 (Samples of external materials)

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

4 D02 (Archaeological survey and recording)

Reason: A building of archaeological/historic/architectural significance will be affected by the proposed development. To allow for recording of the building during or prior to development. The brief will inform the scope of the recording action.

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 H01 (Single access - not footway)

Reason: In the interests of highway safety.

8 H03 (Visibility splays)

Reason: In the interests of highway safety.

9 H05 (Access gates)

Reason: In the interests of highway safety.

10 H06 (Vehicular access construction)

Reason: In the interests of highway safety.

11 H10 (Parking - single house)

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

12 H12 (Parking and turning - single house)

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

13 H13 (Access, turning area and parking)

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

14 H27 (Parking for site operatives)

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

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

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

16 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 existing residents and ensure no detriment to the environment.

17 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.

Informatives:

1 HN01 - Mud on highway

2 HN04 - Private apparatus within highway

3 HN05 - Works within the highway

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

81. DCSE2004/1796/F - BARN ADJOINING PETERSTOW HOUSE, PETERSTOW, ROSS-ON-WYE, HR9 6LB

Change of use of offices to one dwelling.

RESOLVED

That planning permission be granted subject to the following conditions:

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

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

- 2 A07 (Development in accordance with approved plans)

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

- 3 E16 (Removal of permitted development rights)

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

- 4 The whole of the splayed entrance (to serve the new dwelling) shall have a sealed surface and which shall be completed before the development is first brought into use.

Reason: In the interests of highway safety.

- 5 The existing driveway connecting the site and Peterstow House shall be permanently sealed before the new development is first brought into use in accordance with details to be first submitted to and subject to the prior written approval of the local planning authority unless otherwise first agreed in writing by the local planning authority.

Reason: To define the terms to which this planning permission relates and in the interests of highway safety.

Informatives:

- 1 N03 - Adjoining property rights

- 2 N14 - Party Wall Act 1996

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

82. DCSE2004/2916/F - PORCH FARM, WESTON UNDER PENYARD, ROSS-ON-WYE, HEREFORDSHIRE, HR9 7PG

Extension to existing livestock building for free range egg unit.

The Principal Planning Officer reported the receipt of comments from the Environment Agency, who had no objections subject to conditions, and the Head of Engineering and Transportation, who had no objections.

SOUTHERN AREA PLANNING SUB-COMMITTEE WEDNESDAY, 27TH OCTOBER, 2004

In accordance with the criteria for Public Speaking, Mr. Duthie, the applicant, spoke in support of the application.

RESOLVED

That planning permission be granted subject to the following conditions:

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

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

2 B01 (Samples of external materials)

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

3 G04 (Landscaping scheme (general))

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

4 G05 (Implementation of landscaping scheme (general))

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

5 No mechanical fans or other equipment shall be installed unless details of the fans and equipment have been submitted to and approved in writing by the local planning authority.

Reason: To protect the amenities of neighbours.

6 Before the extension is brought into use details of the areas of land to be used for the storage and spreading of poultry litter and the regime for disposal of litter shall be submitted to and approved in writing by the local planning authority. Litter from the extension shall only be stored and spread in accordance with the approved details.

Reason: To protect the amenities of neighbours and to avoid environmental pollution.

7 No incinerator for disposal of carcasses shall be installed without the prior approval in writing of the local planning authority.

Reason: To protect the amenities of neighbours and to avoid environmental pollution.

Informative:

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

The meeting ended at 3.30 p.m.

CHAIRMAN

ITEM FOR INFORMATION - APPEALS**APPEALS RECEIVED****Application No. DCSW2004/1670/F**

- The appeal was received on 14th October, 2004
- The appeal is made under Section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission
- The appeal is brought by Mr. & Mrs. T. Wilson
- The site is located at Old School House Garden, Clifford County Primary School, Clifford, Herefordshire, HR3 5HA
- The development proposed is Erection of single dwelling and improvement of existing access
- The appeal is to be heard by Hearing

Case Officer: Andrew Prior on 01432 261932

Application No. DCSW2004/1476/O

- The appeal was received on 19th October. 2004
- The appeal is made under Section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission
- The appeal is brought by R.B., E.A., D.J. & G.I. Morgan
- The site is located at OS 5983, Valley View Farm, Peterchurch, Herefordshire
- The development proposed is Site for residential development
- The appeal is to be heard by Written Representations

Case Officer: Andrew Prior on 01432 261932

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

DEFERRED

5 DCSE2004/3063/F - RESIDENTIAL DEVELOPMENT INCLUDING DEMOLITION OF EXISTING BUILDINGS AND ASSOCIATED SITEWORKS AT PARAGON LAUNDRY WORKS, LEDBURY ROAD, ROSS-ON-WYE, HEREFORDSHIRE

For: Newland Homes Limited, 8 Lansdown Place, Cheltenham, Glos GL50 2HU

**Date Received: 20th September, 2004 Ward: Ross-on-Wye East Grid Ref: 60436, 4878
Expiry Date: 15th November, 2004**

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

Consideration of this application was deferred by the Sub-Committee on 27th October, 2004 in order that a site visit could be held. This took place on 8th November, 2004.

1. Site Description and Proposal

- 1.1 Paragon Laundry Works is situated on the south-eastern side of Ledbury Road in Ross on Wye. It comprises a collection of various industrial buildings plus a reception area for dry cleaning on a site of about 0.34 ha. The rear part of the site has been built up and is considerably higher than the saw mill to the south-east (which fronts Tanyard Lane) and housing to the south-west in Rudhall Close. To the north-east are mobile homes (Cottage Mobile Home Park).
- 1.2 This long-established laundry is re-locating to Overross and the current proposal is for residential redevelopment. The dwellings would be arranged in three sections (i) two terraces of 3 houses each fronting Ledbury Road (ii) a terrace of 7 houses, extending along the central part of the site to which an additional unit has been attached at the northern corner, comprising a first floor flat with garage below and an entrance to the car parking area to the rear, and (iii) a block of apartments flanked by further houses at the south-east end of the site. All units would be 3-storeyed with the second floor within the roof slope, except for the flat with garage and entry in section (ii). The second floors would be lit by dormer windows and rooflights. A drive would extend from the existing access along the south-western boundary of the site which would lead to the open car parking (31 spaces) and 3 garages.
- 1.3 The 22 dwellings would be a mix of 2 and 3 bed units (11 and 9 respectively) plus two 1 bed apartments. They would be of brick construction with a tiled roof. In design the terraced houses would be flat fronted with Victorian-style windows. A gap between terraces and change in ground floor levels (as in (i)) or staggering part of the terrace (as in (ii)) or the apartment block projecting forward of its flanking houses and a central gable (as in (iii)) are employed to add variety to the basically simple designs. All units would have private gardens, that of the six apartments being shared, which would be 7-10m long. A play area for toddlers would be provided.

DEFERRED

- 1.4 The ground level over almost all of the site would be reduced. This would be minimal close to Ledbury Road but by 2 m or more to the rear. Along the boundary with the saw mill a 2 m high retaining structure (gabions) would be formed with a 3 m high acoustic fence on top.

2. Policies**2.1 Planning Policy Guidance**

PPG3 - Housing

2.2 South Herefordshire District Local Plan

Policy R3A - Development and Open Space Targets
 Policy SH9 - Balance of Housing Types
 Policy SH14 - Siting and Design of Buildings
 Policy SH15 - Criteria for New Housing Schemes
 Policy ED4 - Safeguarding Existing Employment Premises
 Policy 3 (Part 3) - Infill Sites for Housing

2.3 Herefordshire Unitary Development Plan (Revised Deposit Draft)

Policy H1 - Established Residential Area
 Policy H9 - Affordable Housing
 Policy H13 - Sustainable Residential Design
 Policy H14 - Re-Using Previously Developed Land and Buildings
 Policy H16 - Housing in Rural Areas- Car Parking
 Policy H19 - Open Space Requirements

3. Planning History

- | | | | | |
|-----|---------------|------------------------------------|---|----------------------|
| 3.1 | SH961186PF | Portable building for storage | - | Approved
15.12.96 |
| | SE2003/3149/F | Residential development (24 units) | - | Withdrawn
20.9.04 |

4. Consultation SummaryStatutory Consultations

- 4.1 Welsh Water recommend conditions.

Internal Council Advice

- 4.2 Head of Engineering and Transportation recommends that conditions be imposed if permission is granted.
- 4.3 Head of Environment Health's advise is awaited.

5. Representations

- 5.1 The applicant had submitted a noise assessment report prior to the current application.

DEFERRED

- 5.2 Town Council has no objections but would like to be assured that the development is not considered cramming.
- 5.3 7 letters have been received from local residents, the owner of the Cottage Mobile Home Park and Ross on Wye and District Civic Society which object to the proposal or express concerns. The following is a summary of these representations:
- (1) Unacceptably overbearing on properties in Rudhall Close as their main aspect faces the site and ground floor level of new buildings would be almost 3 m higher and 3-storeyed development about 10 m high (i.e. 13 m above Mornington Crescent's ground level).
 - (2) Height of 3-storey buildings will totally dominate skyline and be grossly obtrusive and obvious for miles around.
 - (3) At Area Forum emphasis placed on not damaging outlook and views from existing properties : proposal would completely destroy outlook from Court Road area especially of church (block A6 even blocks out tip of spire – illustrating how much of skyline would be destroyed).
 - (4) Buildings either side of site have roofs only 1 or 2 m above existing asphalt level of site and block of flats at rear (A6) is shown 6 m above these buildings, is more than 2 m higher than nearest building and occupies part of site with no existing buildings
 - (5) Bungalows should be considered as 3 storey flats will tower above mobile homes.
 - (6) An appeal is quoted in which the proposals, although only a bungalow was dismissed partly due to a 3.5 m build level difference (SE2001/2851/F).
 - (7) Very detrimental to Mobile Home Park site, tenants and livelihood - boundary can be almost stepped over and tenants (all retired) privacy and security would be severely encroached upon. In particular car parking and children's play area next to fence; mobile homes have 4 gas cannisters and problem of children climbing fences are mentioned.
 - (8) All properties in area single or two-storeyed, and a development containing 3 levels both out of character and unfitting to the area.
 - (9) Egress from Rudhall Court can prove difficult at times - further development in close proximity will only exacerbate this.
 - (10) Is access safe for 22 dwellings? Hundreds of school children pass to and from John Kyrle School makes this more than usually dangerous.
 - (11) Area Forum stated would be access through laundry and adjoining sawmill for pedestrians and cyclists but not shown on plan.
 - (12) No provision for cyclists and pedestrians other than main access.
 - (13) Add to drainage problems - the Ross 'smell' already well known and not aware of plans to remedy this - planning permission recently refused for change of use of commercial premises to dwelling for this reason.
 - (14) Meeting promised at Park but has not happened.
 - (15) New plans not thought to be any different from original, according to one resident but another is pleased that revised scheme shows a lot more respect for residents of Mobile Home Park.

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

DEFERRED

6. Officers Appraisal

- 6.1 The site is within a residential area, and a laundry (as well as the adjoining sawmill) may well give rise to some environmental problems. There is no evidence that there has been severe environmental pollution. Nevertheless the redevelopment of this site for residential purposes would be both appropriate and be likely to enhance the amenities of those living nearby. The factory is not attractive and a well-designed housing scheme would improve the appearance of the area. In principle therefore it is considered that residential development is acceptable and has environmental benefits that outweigh the loss of employment land (Policy ED4).
- 6.2 The specific issues raised by this proposal are considered to be (i) the effect on the street scene(s) and the character of the area, (ii) the effect on the amenities of neighbours and (iii) whether the living conditions of occupants would be acceptable in view of the proximity of a saw mill.
- 6.3 It is appreciated that the new buildings would have three storeys. However the second floor would be within the roof and the houses would not be unusually deep, so that they would be no higher than a typical two-storey house. The apartment block is deeper but the houses on either side are lower (1.5 m difference in ridge height) and this helps to reduce the visual impact of these buildings. The differences in ground level with adjoining sites is a factor, with the properties in Rudhall Close being about 1.5 m below the proposed level of the new houses and a much greater difference with the saw mill. To this should be added the low buildings in Rudhall Close (two-storeyed but with flat roofs) and the mobile homes. Nevertheless with the reduction in the level of the application site it is considered that the disjunction between the proposed and existing housing would not be so serious as to be grounds to refuse permission.
- 6.4 The design of the buildings and their disposition on the site are considered to be acceptable. The one concern is the height of section (iii) which would stand well above the saw mill and be prominent viewed from lower ground to the south. Nevertheless this would be seen against the backdrop of higher buildings to the north – this tiered effect is an attractive feature of the town. It is considered therefore that the proposal would not harm the street scene or character of the town.
- 6.5 On the second issue the relative differences in ground levels and height of buildings have been referred to above. It is not considered however that this would result in overbearing and intrusive development because there would be sufficient distance between the new and existing housing. The central section (ii) is at least 21 m from the dwellings in Rudhall Close facing it and 10 m or more from the rear of the mobile homes. The southern – eastern section (iii) is closer to the mobile homes and Rudhall Close but is not directly in front of them. A 1.8 m high wall or screen fence would separate the new estate from the mobile homes and provide some security. An appropriate fence would also help reduce noise from the parking areas that would adjoin the mobile home park. For these reasons it is considered that the amenities of neighbours would not be seriously harmed.
- 6.6 The adjoining saw mills is the source of considerable noise and odours. A study of the former was submitted prior to this application which concluded that with appropriate amelioration the ambient noise levels within the proposed houses would not be above accepted levels. This has been considered by the Council's Head of Environmental Health who concluded that daytime noise could be mitigated to an acceptable level by

DEFERRED

the acoustic fence. This would not protect the upper floors of the nearest units (section (iii)) but only bedrooms would face the saw mill and night time working is not normally undertaken and could be controlled under environmental legislation.

- 6.7 Odours are primarily from creosote and cannot be reduced by physical measures on the application site. These odours are pervasive but there is no record of complaint and a number of dwellings are as close as those proposed. As best available techniques to minimise odours are undertaken at the mill it is not likely that future complaints would prejudice the continued running of that business. On balance it is considered that although at times odours would be detrimental to residential amenity this is not sufficient to refuse permission.
- 6.8 The problems of drainage are acknowledged but Welsh Water has considered the proposal and does not object provided surface water is not discharged to the public sewers. This could be controlled by planning condition.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

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

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

2 B01 (Samples of external materials)

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

3 G04 (Landscaping scheme (general))

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

4 G05 (Implementation of landscaping scheme (general))

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

5 G01 (Details of boundary treatments)

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

6 Notwithstanding the submitted drawing no development shall take place until full drawings showing cross sections of the existing site profiles and cross sections of the proposed site including all buildings, roads and car parking areas shall be submitted to and approved by the local planning authority.

Reason: To ensure that the development is satisfactorily assimilated into the site.

7 E18 (No new windows in specified elevation)

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

DEFERRED

- 8 Development approved by this planning permission shall not be commenced unless:
- a) A desk top study has been carried out which shall include the identification of previous site use, potential contaminants that might reasonably be expected given those uses and other relevant information and using this information a diagrammatical representation (Conceptual Model) for the site of all potential contaminant sources, pathways and receptors has been produced.
 - b) A site investigation has been designed for the site using the information obtained from the desktop study and any diagrammatical representations (Conceptual Model). This should be submitted to, and approved in writing by the local planning authority prior to that investigation being carried out on the site. The investigation must be comprehensive enough to enable:
 - a risk assessment to be undertaken relating to the receptors associated with the proposed new use, those uses that will be retained (if any) and other receptors on and off the site that may be affected, and
 - refinement of the Conceptual Model, and
 - the development of a Method Statement detailing the remediation requirements.
 - c) The site investigation has been undertaken in accordance with details approved by the local planning authority and a risk assessment undertaken.
 - d) A Method Statement detailing the remediation requirements using the information obtained from the Site Investigation has been submitted to the local planning authority. This should be approved in writing by the local planning authority prior to that remediation being carried out on the site.

Reason: To ensure potential soil contamination is satisfactorily dealt with before the development is occupied.

- 9 The development of the site should be carried out in accordance with the approved Method Statement.

Reason: To ensure potential soil contamination is satisfactorily dealt with before the development is occupied.

- 10 If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted, and obtained written approval from the local planning authority, for an addendum to the Method Statement. This addendum to the Method Statement must detail how this unsuspected contamination shall be dealt with and from the date of approval the addendum shall form part of the Method Statement.

Reason: To ensure potential soil contamination is satisfactorily dealt with before the development is occupied.

- 11 Upon completion of the remediation detailed in the Method Statement a report shall be submitted to the local planning authority that provides verification that the required works regarding contamination have been carried out in accordance

DEFERRED

with the approved Method Statement. Post remediation sampling and monitoring results shall be included in the report to demonstrate that the required remediation has been fully met. Future monitoring proposals and report shall also be detailed in the report.

Reason: To ensure potential soil contamination is satisfactorily dealt with before the development is occupied.

12 H03 (Visibility splays)

Reason: In the interests of highway safety.

13 H13 (Access, turning area and parking)

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

14 W01 (Foul/surface water drainage)

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

15 W02 (No surface water to connect to public system)

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

16 W03 (No drainage run-off to public system)

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

17 F20 (Scheme of surface water drainage)

Reason: To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal.

18 Prior to the occupation of any dwelling a management plan, to include proposals for the long term design objectives, management responsibilities and maintenance schedules in perpetuity, for the areas of open space and play area shall be submitted to and approved by the local planning authority. The management plan shall be carried out as approved.

Reason: In order to ensure that the use and maintenance in perpetuity of the open space is assured.

Informative:

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

Decision:

DEFERRED

Notes:

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Background Papers

Internal departmental consultation replies.

6 DCSE2004/3075/O - SITE FOR FAMILY HOME AT THE GABLES, ASTON CREWS, ROSS-ON-WYE, HEREFORDSHIRE, HR9 7LW

For: Mr. & Mrs. Edwards per Milsom Kane Architects, 1 Riverside Business Centre, New Road, Crickhowell, Powys NP8 1AY

Date Received: 7th September, 2004 Ward: Penyard Grid Ref: 67229, 23239

Expiry Date: 2nd November, 2004

Local Member: Councillor H. Bramer

1. Site Description and Proposal

- 1.1 This site is on the east side of the Class III road at Aston Crews just to the north of its junction with the Class II road.
- 1.2 The site comprises part of the garden for The Gables which is a detached two-storey house which is rendered and with a tile roof. The site is to the south of The Gables adjacent to its access drive. There is a road frontage of some 13 metres with the plot depth being some 45 metres. The whole site is laid out a garden. Along the road frontage is a mature hedge and this continues along the front of The Gables. Adjoining to the south is The Penny Farthing Public House.
- 1.3 This is an outline application with all matters reserved for subsequent approval.

2. Policies

2.1 Planning Policy Guidance/Statements

PPG1	–	General Policy and Principles
PPS7	–	Sustainable Development in Rural Areas.

2.2 Hereford and Worcester County Structure Plan

Policy H18	–	Housing in Rural Areas
Policy CTC2	–	Areas of Great Landscape Value

2.3 South Herefordshire District Local Plan

Policy GD1	–	General Development Criteria
Policy C8	–	Development in AGLV
Policy SH10	–	Housing in Smaller Settlements

2.4 Unitary Development Plan – Deposit Draft

Policy S1	–	Sustainable Development
Policy S2	–	Development Requirements
Policy H6	–	Housing in Smaller Settlements

Policy H7	–	Housing in the Countryside Outside Settlements
Policy LA2	–	Landscape Character

3. Planning History

- 3.1 SE2004/0446/O Site for dwelling to include new access road. - Withdrawn 1/4/04

4. Consultation Summary

Statutory Consultations

- 4.1 Hyder - comment that there are no public sewers in the area.

Internal Council Advice

- 4.4 Head of Engineering and Transportation has no objection subject to conditions.

5. Representations

- 5.1 In support of the application the agent advises that the dwelling would be for a member of the applicants' family.
- 5.2 Aston Ingham Parish Council have not replied.
- 5.4 An objection has been received from Mr and Mrs Bradney, Hill View House. The grounds are that the hamlet is not categorised for development a requirement for new housing must be demonstrated and as there is no shortage of workforce for local businesses and no local services are under threat this cannot be the case. Additionally the site should be regarded as countryside so permission should not be granted. Concern is also raised about the safety of the access and that there would be external visual problems.

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

6. Officers Appraisal

- 6.0 This is an outline application with all matters reserved for subsequent approval. At this time therefore the main issue for consideration is the principle of the development.
- 6.1 Aston Crews is a hamlet and contains a number of dwellings of various styles together with two public houses (one of which is closed). The settlement is included within the list of smaller settlements under Policy SH10. This Policy establishes a range of criteria against which individual proposals should be considered.
- 6.2 The UDP reconsiders the settlement policy for the County and whilst it retains a policy providing for development in smaller settlements Aston Crews is no longer included. Aston Crews would under the UDP be considered as countryside. However until the UDP has proceeded further in its adoption process greater weight should be given to the current Development Plan policy.

- 6.3 Therefore the proposal should be assessed against the criteria in Policy SH10. The site is considered to be within what could reasonably considered to be the boundary of the settlement and a single dwelling would be of a scale and character appropriate to the settlement. It would be important that any future detailed scheme reflected the scale, form and character of The Gables. No position for the dwelling is indicated but a siting on a similar building line to The Gables would cause no harm the character of the area and would not be cramped or backland development. The provision of an access would be acceptable in highway terms. Policy SH10 requires proposals to demonstrate that they would satisfy local housing requirements. A case has been submitted, which is that the house would be for a family member (of the family residing in The Gable). It is considered that this is acceptable, having regard to cases accepted in similar situations elsewhere.
- 6.4 There would be unlikely, subject to a suitable design, to be an unacceptable impact on the adjoining property.
- 6.5 The site is within the AGLV but having regard to its particular location it is unlikely that there would be undue harm to landscape character. The provision of the access would inevitably result in the loss of the roadside hedge or part of it. It would be preferable that the future design of the access sought to retain as much of the hedge as possible and that a new hedge is also planted.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

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

Informative(s):

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

Decision:

Notes:

Further information on the subject of this report is available from Mr. M. Willmont on 01432 260612

Background Papers

Internal departmental consultation replies.

7 DCSE2004/3160/F - BLOCK OF 3 STABLES. GREEN ACRE STABLES, LEA, ROSS-ON-WYE, HEREFORDSHIRE, HR9 7JZ

For: Mr. & Mrs. King, Long Orchard House, Lea, Ross on Wye HR9 7JY

Date Received: 10th September 2004 Ward: Penyard Grid Ref: 66227, 21918

Expiry Date: 5th November 2004

Local Member: Councillor H. Bramer

1. Site Description and Proposal

- 1.1 The application site is part of a field which adjoins the rear of houses in Millbrook Gardens, Lea. It was formerly part of a small farm at Green Acres, a bungalow situated to the rear of houses in Rock Lane, Lea. The farm included a small agricultural building located about 20m north-east of Green Acres. Planning permission was granted in August 2000 for conversion of this building to livery stables. The intention was to use the 22 acres of farmland for grazing the horses.
- 1.2 It is now proposed to erect a block of 3 stables about 10m to the north-east of the barn. This would be about 11m long x 3.7 m wide and 2.9m high at the ridge and would be of boarded construction with an Onduline corrugated sheet roof.

2. Policies

2.1 Planning Policy Guidance

PPS7 - Sustainable Development in Rural Areas

2.2 South Herefordshire District Local Plan

Policy GD1 - General Development Criteria
Policy C1 - Development within Open Countryside

3. Planning History

- 3.1 SE2000/1377/F Change of use to livery stable - Approved 30.8.04

4. Consultation Summary

Statutory Consultations

- 4.1 No statutory or non-statutory consultations required.

Internal Council Advice

- 4.2 Head of Engineering and Transportation has no objections to this proposal.

5. Representations

5.1 Parish Council representations are as follows:

Circulated to Council on 1.10.04. A parishioner claims that the following conditions of permission (Application no. SE2000/1377/F) has not been complied with:

CONDITION NO. 3 - No development shall take place until there has been submitted to and approved by the local planning authority a scheme of landscaping, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of development and any necessary tree surgery. All proposed planting shall be clearly described with species, sizes and planting numbers. Reason: In order to protect the visual amenities of the area.

CONDITION NO. 4 - All planting seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent to any variation., If any plants fail more than once they shall continue to be replaced on an annual basis until the end of the 5-year defects period. Reason: In order to protect the visual amenities of the area.

Council supports this application only after the above conditions have been met.

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

6. Officers Appraisal

- 6.1 There are no specific policies relating to the erection of stables in the open countryside. Policy C1 of South Herefordshire District Local Plan states that new development in such locations will only be allowed for the purposes of agriculture, forestry or sustainable tourism/recreational purposes, a replacement dwelling or re-use of a rural building. However in general planning permission has been granted for a small stable building provided the location is not obtrusive. In this case the site is close to a large village and to existing stables. The land rises so that the stables would be conspicuous from houses in Millbrook Gardens but not in the wider views. The stables would be 50 m. from the nearest houses and orientated so that the end elevation (the narrowest part) faced the houses. The design and materials are acceptable. The stable would be used for domestic purposes only. In these circumstances it is considered that the proposed stable block would not harm significantly the open countryside.
- 6.2 The conditions referred to by the Parish Council do not appear to have been complied with. This is not however grounds to refuse the current application and if expedient appropriate steps can be taken to ensure appropriate landscaping.

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 G04 (Landscaping scheme (general))

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

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

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

- 4 B01 (Samples of external materials)

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

- 5 E11 (Private use of stables only)

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

- 6 F48 (Details of slab levels)

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

Informative:

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

Decision:

Notes:

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Background Papers

Internal departmental consultation replies.

8 DCSE2004/2594/F - RETENTION OF BOUNDARY FENCING AT THE SKAKES, GLEWSTONE, ROSS-ON-WYE, HEREFORDSHIRE, HR9 6AZ

**For: S. Feng, The Skakes, Glewstone, Herefordshire
HR9 6AZ**

Date Received: 13th, July 2004

Ward: Llangarron

Grid Ref: 54786, 22618

Expiry Date: 7th September, 2004

Local Member: Councillor Mrs. J.A. Hyde

1. Site Description and Proposal

- 1.1 The Skakes is a detached house which adjoins the east side of the A4137 about 2 km south of the junction with the B4521 St Owen Cross junction with a minor road. Along the boundary with the highway to the north of the house is a low stone wall of varying height and to the south a corrugated metal sheet fence about 2 m high. The height of these boundary walls and fences has been increased by the addition of wooden fencing. This is positioned on top of the lowest wall, partly behind and partly in front of the higher stone wall and behind the corrugated fencing. Its height varies up to a maximum of about 2.5 m. In addition short section of fencing have been erected closer to the house. This application is to retain these fences.

2. Policies

2.1 South Herefordshire District Local Plan

Policy GD1 - General Development Criteria
Policy C1 - Development within Open Countryside

3. Planning History

- 3.1 There have not been any recent applications relating to this property.

4. Consultation Summary

Statutory Consultations

- 4.1 No statutory or non-statutory consultations required.

Internal Council Advice

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

5. Representations

- 5.1 The applicant gives the following explanation:

(1) two sections of fencing (about 7 m long x 1.6 m high and 43 m long x 5 m high) have been added on top of the wall. Former is two staggered rows,

(2) these are to protect the house from gales and water splash from the road, to filter the wind and prevent water entering the kitchen window and causing window frames to rot and rendered external walls to deteriorate.

5.2 Parish Council has no objections to this planning application.

5.3 Adjoining Marstow Parish Council has no objection.

5.4 Two letters of objection have been received, which in summary, make the following points:

Reasons for building these fences do not justify their retention as:

- (1) they are an eyesore and spoil the stone walling - both viewed from nearby houses and along road
- (2) recollection that no problem with water coming over wall and windows always open before applicants' moved in
- (3) fencing juts out blocking view of drivers on a fast road.

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

6. Officers Appraisal

6.1 The issues raised by this application are considered to be the effect on the visual amenities of the area and the effect on highway safety. On the first issue it is agreed that the fencing is not attractive, with its construction and erection crudely executed. Minor amendments would improve the appearance of these fences, for example reducing the height of the lower fence to below that of the gate pier and a less abrupt junction of this fence with the next higher section. A dark stain would also improve matters. The two other fences are taller and it would help if that adjoining the house were re-built behind, rather than being in front of the boundary wall. Subject to these changes it is considered that the harm to visual amenity is not so serious as to justify refusal of planning permission.

6.2 The extra height along the boundary does not obscure visibility of the junction with the minor road. The section of fencing that projects forward of the boundary wall does so by only a few centimetres and does not interfere with the vision of drivers on the A4137. It is not considered therefore that there would not be any significant adverse impact on highway safety.

RECOMMENDATION

That subject to the receipt of suitably amended plans with regard to height, position and appearance of the fences, the officers named in the Scheme of Delegation to Officers be authorised to issue planning permission subject to the following condition and any additional conditions considered necessary by officers.

Decision:

Notes:

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Background Papers

Internal departmental consultation replies.

9 DCSE2004/2777/F - NEW SOAKAWAY OUTFALL TO EXISTING SEWAGE TREATMENT PLANT OUTFALL AT WALLOW FARM, PONTSHILL, ROSS-ON-WYE, HEREFORDSHIRE, HR9 5TQ

For: Kingsmead Construction Ltd. per M D Hughes & Partners, 52 High Street, Stonehouse, Glos GL10 2NA

Date Received: 29th July, 2004

Ward: Penyard

Grid Ref: 63210, 21819

Expiry Date: 23rd September, 2004

Local Member: Councillor H. Bramer

1. Site Description and Proposal

- 1.1 Wallow Farm comprises a farmhouse and complex of stone barns on the southern side of the Pontshill - Coughton road (C1275). The barns have been converted into dwellings and the farmhouse renovated and extended. As part of this development a sewage treatment plant has been installed with the treated effluent being diverted to a stream to the west of the site through an existing field drain. The current proposal is to remove or abandon the western section of that drain and install a new soakaway system.
- 1.2 The former farm complex is elevated above the road with the land continuing to rise to the rear. A pond has been formed and a considerable volume of soil deposited on the land to the west of the buildings in order to resolve surface water drainage problems. The adjoining highway has been subject to flooding in the past and land to the north of the road by the stream has a high water table.

2. Policies

2.1 Planning Policy Guidance

D Circ 3/99 – Planning Requirements in respect of the use of non-mains sewerage

2.2 South Herefordshire District Local Plan

Policy C43 - Foul Sewerage

3. Planning History

- | | | | | |
|-----|------------|---|---|-----------------------|
| 3.1 | SH930203PF | Conversion of 6 barns to residential use. Construction of garage to serve existing house with new access. | - | Withdrawn
17.11.93 |
| | SH931417PF | Conversion of 6 barns to 5 residential and 1 garage | - | Approved
13.06.94 |

4. Consultation Summary

Statutory Consultations

- 4.1 Environment Agency has no objection to the proposed development.

Internal Council Advice

- 4.2 Head of Engineering and Transportation has no observations on the proposal.

5. Representations

- 5.1 A report prepared by consulting engineers has been submitted which investigated the practicability of containing effluent within the field rather than discharging the stream 200 m to the west. It concludes, following a standard percolation test on the stony red marl subsoil that a total soakaway length of about 280 m would be required.

- 5.2 Parish Council representations are as follows:

After examining the drawings included with this application, it was unanimously resolved that Councillors felt that they were not qualified to form an opinion and that the matter should be referred to the Department of the Environment for their consideration.

- 5.3 Two letters have been received expressing concerns regarding this proposal. The following is a summary of these letters:

- (1) Apprehensive that the soakaway is to be built on land that has recently received on it hundreds of tons of waste and stone. Therefore the water will eventually find its own level which was the previous level of the field before the developer had his infill programme. This means however carefully it is 'laid' that on this sand land the above circumstances will prevail.
- (2) The effluent will eventually come out on the road or onto our land. We seem to be beset with major problems with this development, as the lake has not been properly lined and now propose that more water should flow onto our land.
- (3) We have lived here for 37 years, immediately to the north west and at least 6 to 9 metres below the development. We have planted many rare trees, only to find that since this development commenced we have lost many shrubs and trees to the south side of our stream. Now we find that far too many Sycamores and Hazel nuts (possibly the toughest species there are) are dying back and some of the largest bunches of nut have died.
- (4) The blue outline showing the demesne of the Developer is drawn so inaccurately, that the area is many metres out to the south and on other boundaries too, which leads one to ask how accurate is this proposal.
- (5) In my view of past history need to be aware of any implications this proposal may have on our property.

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

6. Officers Appraisal

- 6.1 The applicants do not give reasons why they propose to alter the foul drainage system. The planning issue however is whether the submitted scheme would result in environmental pollution or flooding on adjoining highway and land. There has been a history of drainage problems in this locality, which are continuing according to the representations. These presumably result from the topography, with surface water collecting in the valley bottom, and the inability of the soil, ditches and drains to ensure that all the water drains away. The rise in the water table coincident with development at Wallow Farm, according to objectors, has not been explained.
- 6.2 The treated effluent from the sewage treatment plant would add only a limited quantity to the volume of water that would drain through this area of land. The Environmental Agency is satisfied that the soakaway would be effective. There are no cogent reasons therefore to justify refusal of planning permission.

RECOMMENDATION

That planning permission be granted subject to the following condition:

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

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

Informative(s):

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

Decision:

Notes:

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Background Papers

Internal departmental consultation replies.

10 DCSW2004/3343/RM - ERECTION OF TWO DWELLINGS AFTER DEMOLITION OF EXISTING BUNGALOW, ALLWAYS, CLEHONGER, HEREFORD, HEREFORDSHIRE, HR2 9TE

For: Beaumont Builders Ltd per Mr. J. Spreckley, Brinsop House, Brinsop, Hereford, HR4 7AS

Date Received: 27th September, 2004 Ward: Stoney Street Grid Ref: 44795, 37564
Expiry Date: 22nd November, 2004
 Local Member: Councillor D.C. Taylor

1. Site Description and Proposal

- 1.1 This site is located at the junction of Croft Road and the Class II road at the northern edge of Clehonger.
- 1.2 The site is a rectangular area of land within which is a detached bungalow. The bungalow has been unoccupied for some time. The main vehicle access is to the Class II road adjacent to the boundary with 19 Syers Croft and there is a secondary access to Croft Road adjacent to the boundary with No 2. Along the roadside boundaries is a mature conifer hedge but in the north east corner is a mature willow tree. Existing dwellings adjoin the west and south boundaries.
- 1.3 This proposal is for the erection of two dwellings, one house and one a dormer bungalow. The house would be the northern plot and utilise the existing main access onto the Class II road. This would have four bedrooms. The dormer bungalow would be to the south using the current secondary access onto Croft Road and would have three bedrooms.

2. Policies

2.1 Planning Policy Guidance/Statements

PPG.1	-	General Policy and Principles
PPG.3	-	Housing
PPS.7	-	Sustainable Development in Rural Areas

2.2 Hereford and Worcester County Structure Plan

Policy H.16A	-	Housing in Rural Areas
Policy H.18	-	Residential Development in Rural Settlements
Policy CTC.9	-	Development Requirements

2.3 South Herefordshire District Local Plan

Policy GD.1	-	General Development Requirements
Policy SH.6	-	Housing Development in Larger Villages
Policy SH.8	-	New Housing Development Criteria in Larger Villages

- Policy SH.14 - Siting and Design of New Buildings
- Policy T.3 - Highway Safety Requirements

2.4 Unitary Development Plan (Revised Deposit Draft)

- Policy S.1 - Sustainable Development
- Policy S.2 - Development Requirements
- Policy DR.1 - Design
- Policy DR.2 - Land Use and Activity
- Policy DR.3 - Movement
- Policy DR.4 - Environment

3. Planning History

- 3.1 SW2002/2349/O Site for three dwelling houses - Refused 02.11.02
- SW2003/2405/O Site for the erection of two dwellings - Approved 29.09.03
- SW2004/2091/RM Erection of two dwellings - Refused 28.07.04

4. Consultation Summary

Statutory Consultations

- 4.1 No statutory or non-statutory consultations required.

Internal Council Advice

- 4.2 Head of Engineering and Transportation has no objection subject to conditions.

5. Representations

- 5.1 The agent, in support, states that revisions have been made to the design since the previous refusal and the design aims to reflect the style of the area. Plot A is for a house with dormer windows which reflects the style along the B4349 and Plot B is a dormer bungalow typical of those elsewhere in the village. The design ensures no loss of privacy for the neighbours.
- 5.2 Clehonger Parish Council feel the layout is an improvement but that the dwellings should be bungalows and not houses, as they are too tall for the surrounding area. Local residents have expressed concern. The Parish Council also feel the visibility on the corner needs to be improved.

6. Officers Appraisal

- 6.1 This site is within the settlement boundary for Clehonger where new housing development can be permitted. The site contains an existing dwelling, a bungalow, and also has the benefit of a planning permission for the erection of two dwellings which was granted in 2003. That planning permission was in outline but with the details of the accesses included. In addition the decision contained an Informative Note which advised that it was considered that the most appropriate form of development would be in the form of two bungalows.

- 6.2 This application, as the principle of two dwellings on the site has been accepted, is for the approval of the remaining details, namely the design and external appearance of the buildings and the landscaping. With regard to the access the outline permission showed a separate access for each plot - with both existing access points to be used.
- 6.3 The main issues for the consideration of this proposal are whether the form, design and scale of the development is appropriate, whether the landscaping details are suitable and an assessment of the impact on adjoining dwellings.
- 6.4 In the vicinity of the site there is a mixture in the form of development. To the west and east are houses while to the south are bungalows. The proposed dwelling for Plot B is a dormer bungalow. This in terms of its design, scale and position would not appear inappropriate or incongruous in this location. The dormer windows would face Croft Road. There would be no overlooking of the adjoining dwellings. It would be some 3-4 metres from the southern boundary and some 4 metres from the west boundary. Although it would therefore be close to the boundary with the adjoining dwellings due to the orientation it should not cause unacceptable overshadowing or be overbearing. The Plot itself would not have a large area of private garden this would not be unreasonable in this location.
- 6.5 The dwelling for Plot A would be a two-storey house although it would incorporate dormer windows. It would be in front of the building line along the Class II road and also in front of the building line, including that for Plot B along Croft Road. However having regard to the pattern of development in the area which does have variety in terms of building lines it is considered that the siting of the dwelling would be unacceptably prominent. It would not affect visibility at the junction. The first floor dormer windows would face north and south and there will be no overlooking of the existing dwelling adjoining to the west. The dormers will overlook Plot B but this will be to the front garden and access. The size of the dormer windows have been reduced in size to two rather than three casements so as to reduce this apparent impact.
- 6.6 With regard to landscaping the submitted scheme shows the retention of the existing mature willow together with additional tree and shrub planting. The conifer hedge would be removed. The scheme is considered acceptable. The scheme also shows a 1.8m high close boarded fence to the boundary to the Class II road and Croft Road. Whilst it is considered that a fence is appropriate for privacy it should be set back behind a new hedgerow. This can be covered by a condition.
- 6.7 As stated above the proposed access details were agreed at the outline stage. The conditions include a requirement for visibility splays for the two access points.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

1. A06 (Development in accordance with approved plans)

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

2. A07 (Development in accordance with approved plans)

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

3. B01 (Samples of external materials)

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

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

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

5. Notwithstanding the approved plans, the details of the boundary treatment to the north west and north east boundaries of the site shall be submitted to and approved in writing by the local planning authority prior to the commencement of the development. The work shall be carried out in accordance with the approved details.

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

Informative(s):

1. N09 - Approval of Reserved Matters

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

Decision:

Notes:

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Background Papers

Internal departmental consultation replies.

11 DCSE2004/3028/F - INSTALLATION OF A 12M PHASE 1.5 MONOPOLE, 6 X ANTENNA, 2 X 600MM DISHES, RADIO EQUIPMENT HOUSING AND ANCILLARY DEVELOPMENT THERETO AT EDMO ENGINEERING LTD., OVERROSS INDUSTRIAL ESTATE, NETHERTON ROAD, ROSS-ON-WYE, HEREFORDSHIRE, HR9 7QQ

For: Vodafone Ltd. per Stappard Howes, Unit 4, Sovereign Court 2, University of Warwick Science Park, Sir William Lyons Road, Coventry CV4 7EZ

**Date Received: 26th August, 2004 Ward: Ross-on-Wye East Grid Ref: 60279, 25594
Expiry Date: 21st October, 2004**

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

1. Site Description and Proposal

- 1.1 Edmo Engineering Ltd occupy land at the north-west corner of the Overross Industrial Estate. There are a number of sizeable industrial buildings plus car parking and yard. Adjoining the site to the west is a wide strip of land along a stream that has been densely planted about 20 years ago. The applicant, Vodafone Ltd, propose to erect a telecommunications mast and ancillary equipment within the main car park next to the planted area referred to above.
- 1.2 The mast would be a 12 m tall monopole above which would project 6 antennae. Two cabinets for electrical and other equipment together with the mast would be positioned within a compound (5.25 m x 3.25 m) enclosed by a 2.1 m pallisade fence. The mast, antennae and cabinets would be painted olive green.

2. Policies

2.1 Planning Policy Guidance

PPG8 - Telecommunications

2.2 Hereford and Worcester County Structure Plan

Policy CTC1 - Development in Areas of Outstanding Natural Beauty

2.3 South Herefordshire District Local Plan

Policy C4 - AONB landscape protection
Policy C5 - Development within AONB
Policy C6 - Landscape and AONB
Policy C41 - Telecommunications Development
Policy C42 - Criteria to Guide Telecommunications Development

3. Planning History

- | | | | | |
|-----|------------|--------------------------|---|-------------------|
| 3.1 | SH930902PF | Extension to factory. | - | Approved 3.9.93 |
| | SH941462PF | Construction of canteen. | - | Approved 23.12.94 |

4. Consultation Summary

Statutory Consultations

- 4.1 No statutory or non-statutory consultees required.

Internal Council Advice

- 4.2 Head of Engineering and Transportation has no objection to the grant of permission.
- 4.3 Head of Environmental Health has no adverse comment.

5. Representations

- 5.1 The applicant's agent has submitted a supporting explanation of the proposal, photomontages and details of correspondence with the Parish Council. The following is a summary of the applicant's case:

(1) The proposed installation is located in an Industrial Estate, away from populated areas and other sensitive land uses. The design proposed will be minimalistic to preserve local amenity and as such will be in keeping with the surrounding environment. The site also enjoys the provision of natural and artificial screening in the form of the existing tree lines and industrial building present.

(2) Discounted sites in the area include:

(a) John Kyrle High School & 6th Form Centre. There is an existing stub tower present, however discussions with the Herefordshire Council Estates Department revealed that there is a current moratorium on telecoms development at School sites. This site was therefore discounted from both an acquisition and planning perspective as it was considered there are preferred options available to Vodafone.

(b) T-Mobile Site Share at Williams and Williams Auctioneers. To share this existing structure redevelopment and extension would be required. It was considered that even minimal extension and redevelopment of this existing lattice tower would be overly intrusive on local amenity and that a second installation within the Industrial Estate would be a more acceptable solution from landscaping terms.

- 5.2 Ross Rural Parish Council has no objections to this application.

- 5.3 Brampton Abbots Parish Council has not yet responded.

- 5.4 Two letters expressing objections to the proposal have been received. In summary the following reasons are cited:

(1) The placing of these masts is controversial and the public should be notified and given all the facts in order to have a balanced opinion - in fact the site notice was

positioned in the wrong place, no members of public knew of the Vodafone open meeting as Ross Rural Parish Council were not notified until much later and local residents have not been notified.

- (2) The health arguments are still inconclusive - too close to secondary and primary schools and insurance companies are withdrawing product liability insurance.
- (3) If for benefit of Bridstow residents why is it not within Bridstow Parish?
- (4) Will encourage further masts on this site, making local area uglier and multiplying health risks to schools and residents.

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

6. Officers Appraisal

6.1 Policy C42 of South Herefordshire District Local Plan states that applications for development of telecommunications equipment will be “resisted which would have a detrimental impact on, or would adversely affect the character and quality of the Wye Valley AONB.” In this case the mast would be within an industrial estate and close to an area planted with shrubs and trees. The latter have reached about 11 m, according to the application, and appear to be growing vigorously. In addition there is established planting to the north of the application site. Consequently although the mast would not be fully screened, with the antennae showing above the tree tops and the mast and compound fully visible from Netherton Road, this would be sufficient to mitigate the visual impact in the wider landscape. It is considered therefore that there would not be significant harm to the natural beauty of the AONB.

6.2 The concerns of residents regarding health risks are appreciated. The proposal does however meet internationally accepted standards and the nearest houses are about 300 m from the application site. In view of Government guidance in PPG8 this concern is not sufficient grounds to refuse planning permission.

RECOMMENDATION

That planning permission be granted subject to the following condition:

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

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

Informative:

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

Decision:

Notes:

Background Papers

Internal departmental consultation replies.

12 DCSE2004/2607/RM - EQUESTRIAN CENTRE, CAR PARKING AND ANCILLARY WORKS AT NEWTON FARM, WELSH NEWTON, MONMOUTH, HEREFORDSHIRE, NP5 3RN

**For: Mr. J. Gilling per M. John Crowther & Associates,
Suite 2, Cobb House, 82 Newport Road, Caldicot NP26
4BR**

Date Received: 14th July, 2004 Ward: Llangarron Grid Ref: 50069, 17882

Expiry Date: 8th September, 2004

Local Member: Councillor Mrs. J.A. Hyde

1. Site Description and Proposal

- 1.1 This site is located in a field immediately to the south-east of the small settlement/hamlet of Welsh Newton. The site itself is on sloping grassland on the side of a hill. There are some existing buildings on the land to the north-west of the proposed site, two of which have planning permission for conversion to residential use i.e. one dwelling and also for 3 holiday cottages. Work to convert these two buildings has commenced. There is an existing vehicular access off the class III road to the north which serves the site. There is also a public footpath which runs past the proposed development on its western side.
- 1.2 Outline planning permission was granted on this site on 11th October, 2001 for an equestrian centre with car parking (ref no. SW2000/0312/O). The details relating to siting and means of access were also approved at that stage. The outline planning permission was augmented by a Section 106 Legal Agreement which basically required (i) the equestrian centre, the accommodation and the farmhouse must remain part of the land, (ii) the whole of the land shall remain in same ownership, (iii) no further dwellings or mobile homes/caravans be erected/stationed on the land (iv) certain buildings be removed from the land and the sites be landscaped and not used for farming or equestrian purposes. This current application for approval of reserved matters is for the remaining reserved matter details relating to external appearance, design and landscaping.
- 1.3 The proposal is for an 'L'-shaped building split into 3 sections by two access points. The building is single storey with natural stone walls with a natural slate roof. The building is approximately 58.5 m along the western side and 33.5 m along the northern side and 7.8 m wide. The top of the ridged roof will be 5.4 m high. The building will consist of 22 loose boxes with a tack room and toilet/changing facilities and a menage area attached to the south-east side i.e. within 'L' shape. A car parking area is to be situated immediately to the north of the building catering for 34 cars and 6 horse box parking. The proposed landscaping is essentially for the planting of trees around the site.

2. Policies

2.1 Planning Policy Guidance and Statements

- PPG1 - General Principles
- PPS7 - Sustainable Development in Rural Areas

2.2 Hereford and Worcester County Structure Plan

- Policy CTC2 - Area of Great Landscape Value
- Policy CTC6 - Development and Significant Landscape Features
- Policy CTC9 - Development Criteria
- Policy A2 - Diversification of Agricultural Units
- Policy LR1 - Enjoyment of the Countryside
- Policy LR2 - Development Criteria
- Policy LR3 - Promotion of Facilities

2.3 South Herefordshire District Local Plan

- Policy GD1 - General Development Criteria
- Policy C1 - Development Within Open Countryside
- Policy C8 - Development Within Area of Great Landscape Value
- Policy C9 - Landscape Features
- Policy R1 - Provision of New Recreational Facilities
- Policy ED6 - Employment in the Countryside
- Policy ED8 - Farm Diversification
- Policy T3 - Highway Safety Requirements

2.4 Herefordshire Unitary Development Plan (Revised Deposit Draft)

- Policy S2 - Development Requirements
- Policy DR1 - Design
- Policy E12 - Farm Diversification
- Policy LA2 - Landscape Character and Areas Least Resistant to Change
- Policy LA6 - Landscaping Schemes
- Policy RST1 - Criteria for Recreation, Sport and Tourism Development

3. Planning History

- | | | | | |
|-----|--|---|---|---|
| 3.1 | SW2000/0312/O | Equestrian centre with car parking. | - | Outline Planning Permission
11.10.01 |
| | SW2000/0313/F | Conversion of equestrian building to farmhouse. | - | Planning Permission
11.10.01 |
| | SW2000/0314/F | Conversion to form 6 holiday cottages | - | Planning Permission
11.10.01 |
| | N.B. A Section 106 Legal Agreement was approved in association with the above-mentioned permissions. | | | |
| | SW2002/2136/F | Barn conversion for residential purposes | - | Planning Permission
13.11.02 |
| | SW2002/3708/F | Erection of domestic garages | - | Planning Permission |

SW2002/3712/F	Conversion of stable block into three holiday cottages	- 06.03.03 Planning Permission 01.05.03`
DCSE2003/2909/F	Upgrading existing access	- Refusal of Planning Permission 20.11.03
DCSE2003/3063/F	Equestrian Centre, including Restaurant, Staff and Instructors Accommodation, Car Parking and Ancillary Works.	- Refusal of Planning Permission 08.01.04. Subject of current Appeal to DoE
DCSE2004/0912RM	Proposed equestrian centre, car parking and ancillary works	- Refused 07.05.04
DCSE2004/3729/F	Conversion of Existing Stables into Holiday Accommodation	- Not yet determined.

4. Consultation Summary

Statutory Consultations

- 4.1 The Environment Agency has no objections but notes that the applicant is proposing a Package Sewage Treatment Plan and as such a discharge consent may be required which may not be granted. All washwaters, manure and stable waste should be disposed of in accordance with DEFRA requirements.
- 4.2 The Open Spaces Society comment that proposal does not affect their interests.
- 4.3 The Ramblers Association are concerned with safety of walkers on public footpath. The footpath must not be encroached upon nor obstructed during building work.

Internal Council Advice

- 4.4 The Head of Engineering and Transportation recommends that any permission includes a condition relating to the parking spaces and that there should be a restriction on surface waste discharge from site to equivalent of 'green field site' run off and pollutants must not reach watercourse.

In addition he observes that the public footpath WNN8 will be affected and that certain points should be taken into consideration i.e. warning signs be erected at access with class III road and at exit to car park warning drivers of pedestrians. The track should be wide enough to cater for vehicles and pedestrians. Any works to surface of public footpath requires approval from PROW Department and it is an offence to render a footpath inconvenient as a public right of way. Applicants should ensure they have lawful authority to drive over footpath.

- 4.5 The Chief Conservation Officer has no objections. Finishes and materials should be to approval. Could Barn Owl box be provided?

4.6 The Head of Environmental Health has no adverse comments to make.

5. Representations

5.1 The Parish Council observe:

The Parish Council were split in their decision. Some opposed the actual development in its entirety. Whilst others generally supported this original proposal with reservations concerning access as below. The Council would reiterate there is very strong local opposition to the proposal. This is fundamental and covers all aspects of the plans.

The Parish Council do have strong concerns over the proposed access to the centre. This would be from a small lane on a blind bend and there are serious concerns for safety. It was felt that an alternative access should be considered.

5.2 Eight letters of objection have been received from:

Mr. R. and Mrs. G. Moseley, Malicar Mill, Welsh Newton, Monmouth NP25 5RN
G. & P. Ravenhill, Hunters Post, Welsh Newton, Nr Monmouth NP25 5RW
Mrs. M.P. Swinglehurst, Pembridge House, Welsh Newton, Monmouth NP25 5RN
E. Swinglehurst, Pembridge House, Welsh Newton, Monmouth NP25 5RN
Mrs P. Fender, Farley Cottage, Welsh Newton, Monmouth NP25 5RN
Mr. D. Fender, Farley Cottage, Welsh Newton, Monmouth NP25 5RN
M.S. Phillips, The Old Post Office, Welsh Newton, Nr Monmouth, NP25 5RN
J.C.M. Phillips, The Old Post Office, Welsh Newton, Nr Monmouth, NP25 5RN

The main points being:

- bemused outline planning permission was originally granted,
- increase in traffic will be a hazard to local residents,
- the character of area will be changed by the development,
- major earth moving will be required, how will hillside be retained?
- public footpath has not been shown on the plans,
- no longer any justification for this development which was originally granted for Miss Telford's expanding business,
- proposed development will be an eyesore and discordant with the area,
- the proposal is poorly conceived and would not meet basic standards of the British Horse Society, loose boxes too small, whole design inappropriate,
- difference in levels from existing barn to site. Some of land has been excavated to get more space behind barn. Extensive earthworks will be required to get vehicular access from lower level to site level,
- the proposal does nothing for local people. Already equestrian facilities in area,
- access track will be dangerous for walkers etc,
- loss of privacy to local residents,
- effect the character of Pembridge House and Grade II Listed building,
- no staff accommodation vital in previous applications,
- the choice of Acer trees in countryside inappropriate,
- menage area overlooked by stabled horses which is not good practice,
- public footpath by barn has been destroyed and dug deeper to allow barn conversion floor to be made lower,
- where will excavated soil be dumped?
- a massive construction will need to be built to contain the hillside
- discrepancies in levels,

- is it an equestrian centre or riding school
- each planning application submitted has been changed. Restaurant and staff accommodation now omitted from current scheme,
- no intention of applicant to use property for equestrian purposes,
- many changes to proposals on site suggesting main intent is just to develop site,
- the equestrian centre is not a viable proposition.

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

6. Officers Appraisal

- 6.1 This application for 'approval of reserved matters' purely relates to those matters relating to external appearance, design and landscaping. As such the main issues will relate to the size, design and appearance of the building, its effect on the landscape and surrounding properties. The most relevant planning policies are GD1, R1 and C8 of the Local Plan and also CTC2, CTC9 and LR2 of the Structure Plan which relate to these issues.
- 6.2 This application has been submitted following negotiations with officers, the applicant and his agents with respect mainly to the size, design and external appearance of the building and the uses contained within it. The size of the building has been reduced considerably from that previously considered and refused, which also included a restaurant and residential accommodation. Although the site is in an elevated and prominent position it is considered that the current proposal is probably the best solution given the provisions of the original outline planning permission. The building is low level and the use of local stone on the most prominent walls and natural slate on the roof are considered to be acceptable. The proposed building will not adversely affect the residential amenities of neighbouring properties and with the landscaping proposals will not be too obtrusive on the surrounding area designated as an Area of Great Landscape Value.
- 6.3 Some of the objectors have referred to whether there is a need for an equestrian centre as well as traffic implications. However the principle of the building/use and the traffic implications were considered at the time the outline planning permission was granted.
- 6.4 The details relating to the required earthworks fall under the ambit of landscaping and can be dealt with via conditions on any approval. However the development will be cut into the ground in accordance with details submitted and approved at the outline stage and form part of the siting of the development.
- 6.5 In conclusion it is considered that the proposed development is considered to be acceptable and in accordance with the relevant planning policies. Matters relating to the layout of the proposal with respect to good practice and standards of keeping horses/training etc are not material planning considerations.

RECOMMENDATION

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

1 A07 (Development in accordance with approved plans)

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

2 B07 (Stonework laid on natural bed)

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

3 Notwithstanding the details shown on the approved drawings the roofs shall be clad in natural blue/black Welsh slate and the ridges/hips shall be blue clay to match the slate roof unless otherwise first agreed in writing by the local planning authority.

Reason: To protect the visual amenities of the area.

4 Before any work commences on site details of the colour intended for the render to be used externally on the walls shall first be submitted to and be subject to the prior written approval of the local planning authority.

Reason: To protect the visual amenities of the area.

5 Before any work commences on site full details of all earthworks/banking etc. shall first be submitted to and be subject to the prior written approval of the local planning authority.

Reason: To protect the visual amenities of the area.

6 All external doors and windows shall be stained a matt dark brown colour unless otherwise first agreed in writing by the local planning authority.

Reason: To ensure the development is satisfactory in appearance.

7 F48 – (Details of slab levels)

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

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

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

Informatives:

1 N09 - Approval of Reserved Matters

2 The applicant/developer should ensure that the public footpath WNN8 which runs along the western boundary of the application site is not affected in any way. If in doubt the applicant should contact the Council Public Rights of Way Manager.

3 The Environment Agency advises that a Discharge Consent under the Water Resources Act 1991 may be required from the Agency.

4 The applicant should ensure that no pollutants from the development reaches any watercourse.

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

Decision:

Notes:

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Background Papers

Internal departmental consultation replies.

13 DCSW2004/0047/O - SITE FOR SIX DWELLINGS (AFFORDABLE/MARKET HOUSING), BIO-DISC TREATMENT SYSTEM, REMOVAL OF POULTRY BUILDINGS, ORCOP POULTRY, ORCOP HILL, MUCH DEWCHURCH, HR2 8EN

For: Mr. K. Jones per Mr. Griffin, ADAS, The Patch, Elton Newnham, Gloucester, GL14 1JN

Date Received: 7th January, 2004 Ward: Pontrilas Grid Ref: 48120, 28138

Expiry Date: 3rd March, 2004

Local Member: Councillor G.W. Davis

1. Introduction

1.1 This application was reported to the meeting on 14th April, 2004 when it was resolved as follows:

“1. The County Secretary and Solicitor be authorised to complete a planning obligation under Section 106 of the Town and Country Planning Act 1990 to ensure that the benefits of low cost affordable housing will be enjoyed in perpetuity by initial owner occupiers and contribute to meeting local housing requirements and any additional matters and terms as she considers appropriate.

2. Upon completion of the aforementioned planning obligation, that the officers named in the Scheme of Delegation to Officers be authorised to issue planning permission subject to the following conditions:”

1.2 A copy of the report to that meeting is attached as an Appendix.

2. Officers Appraisal

2.1 This application was reported to the meeting on 14th April, 2004 when the resolution was that subject to the making of a S.106 Agreement that outline planning permission be granted. Since the meeting work has progressed on the preparation of a Draft S.106 but the applicant is disputing the terms that have been suggested.

2.2 The purpose of the application is to seek to provide affordable housing in Orcop in the form of two and three bed semi-detached dwellings each with a 90sq. m floor area. The application was submitted on the basis that the houses would be for open market sale but at a discount in order to make them affordable. The application proposed that the discount to be offered would be 25% below open market value. This was considered in paragraph 6.3 of the April report, although it was noted that where this method had been used elsewhere in the County the discount was set at 30%.

2.3 During the debate in April reference was made to an alternative approach in securing affordable open market housing, and which has been used at Weston-under-Penyard, which is to determine the selling price essentially on the basis of average local incomes.

- 2.4 The resolution of the Committee as quoted above is not specific to the exact method.
- 2.5 The Draft S106 was prepared on the basis of the income method as opposed to the discounted method. The applicant is disputing that the agreement is not in accordance with the wishes of the Committee and the discounted method should be used. The applicant states that the method proposed would result in the houses not being built unless they were accompanied by additional unrestricted open market houses.
- 2.6 The Housing Needs Study for Orcop identified a requirement for 7 affordable and 11 market houses, with the affordable to include social rented homes and low cost purchase up to £90,000. It is essential that any housing provided can actually meet the identified affordable housing need so as to comply with policy, as this site is an exception to policy. The most recent survey of incomes (ASHE Oct 2004) indicates that average single earnings in the County are some £22,088 per annum. The proposed S106 would provide that the houses are sold initially at three times the average income plus 10%. This would in principle give a price that could be afforded of some £73,627. In addition various calculations can be done on joint incomes and/or where the income multiplier is slightly increased.
- 2.7 The agent suggests that the current average price of two/three bedroom houses in Orcop is some £175000. It is not known whether this value is based on a floor area of 90sq m. Based on the discount of 25% as offered in the application this would give a market price of £131250. In addition he points out that in assessing the cost of the development other abnormal costs should be taken into account. In this case it is agreed that the cost of removal of the poultry houses and the alteration of the overhead electricity line are such costs. He suggests that only at a market price in this region would the development attract a builder and that the values produced by the income earned method are too low unless the scheme was accompanied by additional units.
- 2.8 This site is not within what can be considered to be the settlement boundary of Orcop. It is an exception site with the exception being the need to provide affordable housing. There could be no exception to provide additional open market housing. Unless the houses can be afforded by those in need then the policy exception will not be achieved. To use the percentage discount method as suggested by the applicant will result in the sale price of the houses, although being well below the open market price, being considerably in excess of what would be affordable to most households. The use of the income method would result in the house being at an affordable price to those households with a single earner on average incomes but this price would in the view of the agent result in the houses not being constructed. In either case the affordable housing need would not be met.
- 2.9 In conclusion whilst there is a clear need for affordable housing in Orcop, to actually deliver the necessary housing on the basis of the current scheme would not appear to be possible. In these circumstances it is necessary to reconsider the previous decision.

RECOMMENDATION

That planning permission be refused for the following reason:

- 1. The proposal in the opinion of the Local Planning Authority involves new housing development outside the settlement of Orcop and therefore in the countryside. Having regard to South Herefordshire District Local Plan Policy**

SH13 the Local Planning Authority are not satisfied that the housing proposed and the method of its delivery will satisfy the identified affordable housing need in Orcop. The development is therefore contrary to Hereford and Worcester Structure Plan Policies H16A and H20 and South Herefordshire District Local Plan Policies C1 and SH11.

Decision:

Notes:

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Background Papers

Internal departmental consultation replies.

APPENDIX

3 DCSW2004/0047/O - SITE FOR SIX DWELLINGS (AFFORDABLE/MARKET HOUSING), BIO-DISC TREATMENT SYSTEM, REMOVAL OF POULTRY BUILDINGS, ORCOP POULTRY, ORCOP HILL, MUCH DEWCHURCH, HR2 8EN

For: Mr. K. Jones per Mr. Griffin, ADAS, The Patch, Elton Newnham, Gloucester, GL14 1JN

Date Received: 7th January, 2004 Ward: Pontrilas Grid Ref: 48120, 28138

Expiry Date: 3rd March, 2004

Local Member: Councillor G.W. Davis

1. Site Description and Proposal

- 1.1 The proposal site is on the western side of Lyston Lane, a Class III road (C1235) that links Orcop Hill to the A466 road. The southern boundary of the site fronts onto the hedgerow lined C1235 road that continues westward towards Saddlebow Hill onto Bagwyllydiart. The eastern boundary of the site comprises the western boundaries of Wenmai Cottage, which is on the corner of Lyston Lane and Etna to the north of Wenmai Cottage, which the applicant resides in. A new arbitrary boundary will be created on the north-western side of the 0.37 hectares plot at an angle to the more elevated turkey sheds that are still in use. These sheds will be demolished and the site cleared in the event of planning permission being granted.
- 1.2 Access will be off the western side of Lyston Lane utilising an existing bell-mouth access that serves Etna and the poultry units that are uphill from Lyston Lane.
- 1.3 Only the means of access, which is the existing means of access, is to be determined at this stage. All other matters are reserved for future consideration.

2. Policies

2.1 Planning Policy Guidance

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

2.2 Hereford and Worcester County Structure Plan

Policy H.16A	-	Housing in Rural Areas
Policy H.20	-	Residential Development in Open Countryside
Policy H.18	-	Residential Development in Rural Areas
Policy CTC.2	-	Area of Great Landscape Value

Policy CTC.9 - Development Criteria

2.3 South Herefordshire District Local Plan

Policy GD.1 - General Development Criteria
 Policy SH.10 - Housing in Smaller Settlements
 Policy SH.11 - Housing in the Countryside
 Policy SH.13 - Affordable Housing in/adjacent to Settlements
 Policy C.1 - Development within Open Countryside
 Policy C.2 - Criteria for Exceptional Development outside Settlement Boundaries
 Policy C.8 - Development within Area of Great Landscape Value

2.4 Unitary Development Plan

There are no policies that are considered to raise issues different from the current Development Plan policies. Although, it should be noted that Orcop will no longer be identified as a settlement in the Unitary Development Plan.

3. Planning History

- | | | | | |
|-----|---------------|---|---|----------------------|
| 3.1 | Code 11623 | 2 flock houses, boiler house and agricultural workers bungalow | - | Approved August 1961 |
| | SH930279PF | Demolish 2 existing poultry houses and buildings and replace with 2 modern poultry houses, bins | - | Approved 21.04.93 |
| | SH971420PF | Extension of time for one year only (conditions 1 – 7) excluding condition 6 agreed on SH930279PF | - | Approved 09.12.97 |
| | SS990095PF | Extension of time for 2 years only for planning permission SH971420PF | - | Approved 16.03.99 |
| | SW2001/0496/F | Extension of time for 2 years of previous planning permission SS990095PF | - | Approved 11.04.01 |
| | SW2003/2651/O | Site for 11 dwellings with bio-disc treatment system (affordable housing) | - | Withdrawn 28.11.03 |

4. Consultation Summary

Statutory Consultations

- 4.1 The Environment Agency has no objections subject to the imposition of conditions.

Internal Council Advice

- 4.2 The Head of Engineering and Transportation recommends that conditions be attached in the event of planning permission being granted.

- 4.3 The Environmental Health and Trading Standards Officer has received a number of complaints in the past relating to the existing units. The removal of the units will obviously resolve the issue once and for all.
- 4.4 The Head of Strategic Housing Services states that there is evidence of local housing need. A Housing Needs Survey has been undertaken and a local need identified. The amount of discount in order to make the properties affordable is crucial.

5. Representations

5.1 In a statement that accompanied the application, the following main points are made:

- 164 properties in Orcop, proposal constitutes 3.6% increase
- Orcop Housing Needs Survey identifies need for 18 dwellings, 7 of which are affordable and 11 market housing
- Policy SH.13 (in the South Herefordshire District Local Plan) provides the exception for providing a site, as the Council considers the site is outside the settlement
- proposal for 6, small affordable dwellings (90m squared floor area at 25% discount of open market value of a semi-detached dwelling)
- development would allow for removal of 2 active intensive/broiler sheds, and offer considerable environmental gains for Orcop
- Council's Supplementary Planning Guidance on Affordable Housing states (page 2) that the Council is strongly committed to the delivery of affordable housing. The Unitary Development Plan recognises the difficulty of achieving this aim, proposal offers chance to provide below market cost housing
- site is 2.6 ha (6.5 acres) holding owned and occupied by Mr. K. Jones, as an intensive broiler enterprise. Each building is 1,338m squared plus ancillary buildings, poultry buildings cover 3,000 m squared of the holding
- existing bell mouth access to east serves restricted dwelling and holding. Site comprises pasture and belts of trees (leylandii and poplar)
- approval in 1993, later renewed to expand the poultry unit by provision of extra sheds. Services to site (i.e. mains water, electricity and telephone)
- in Area of Great Landscape Value. Orcop Hill is a loose arrangement of mainly two storey dwellings, constructed out of stone, or brick, and a few rendered properties with large gardens
- Orcop Hill has a public house, telephone box and small Chapel. Other facilities in Orcop, are an impressive Church, and wider still, Parish Hall.
- four bus stops serve Orcop Hill
- the site is 0.37 ha. In addition to the applicant's own dwelling, five other dwellings adjoin or affront the application site
- on southern and western boundaries are mature hedgerows with clumps of native trees, group of over mature poplars in south-east of site felled recently as they posed a safety risk
- production would cease in poultry buildings and they would be demolished. Overhead services would be placed underground
- proposed to arrange 6 dwellings in three pairs around a central access road and turning area, single garaging is proposed for each dwelling of 90m squared
- a hedgerow would be planted on the new north-western boundary
- a bio-disc treatment system would be used
- Housing Needs Survey was carried out in Orcop in January 2003, higher than normal response (i.e. 67% of 379 represented in responses). Covers period of next 5 years
- Housing Needs Survey identified greater need than the average parish for additional affordable market housing

- survey identified need for 11 new dwellings from emergent households, seven of which should be affordable and 4 market housing. The existing households showed a need for 7 new dwellings, comprising no affordable dwellings and 7 market housing. Therefore, 18 houses identified 11 market houses and 7 affordable houses
- application is for 6 discounted market houses to make them affordable
- proposal meets requirements of Policy SH.13 in South Herefordshire District Local Plan as given size and planning condition would sell at 25% below their normal market value
- no ecological nor historical interests on site. Not prominent in landscape
- adjoining properties not overlooked
- dwellings would be block rendered with some stone detailing to reflect the local vernacular
- existing access is proposed
- short length of minor road, before joining the Class I (A) road. Less heavy traffic with demise of poultry units
- Orcop Hill is served by bus route 412
- new north-western boundary hedgerow, three other sides constrained by existing physical barriers
- no sound trees are lost
- proposal will meet identified local need. Transport in rural areas is car based, however site is served by regular bus services
- nine properties are within 100 metres of poultry units, complaints have been made. ADAS appraisal of odour accompanied previous application and forms part of this proposal
- planning permission would not be granted today for units on site with current environmental awareness
- Environmental Health and Trading Standards Officer supports application, see accompanying letter.

Also attached to the statement were specifications and cost of sewage treatment plant and cost of demolition and associated matters, i.e. site clearance.

5.2 Orcop Parish Council make the following observations:

"The Council are pleased that the existing access is being utilised but feels that six dwellings under utilises the site.

The Council would prefer to see 11 dwellings in the northern section of the site, much like the u shape development at Much Dewchurch, thus leaving the south side of the site as an open green site and not enclosing existing local residents.

This they feel would be supporting the findings of the Orcop Housing Needs Study carried out in January 2003."

5.3 Much Dewchurch Parish Council "fully support this application."

5.4 Llanwarne Parish Council have no objections.

5.5 Fourteen letters of representation have been received in which the following main points are raised:

- contrary to Development Plan
- reducing number to six makes it less objectionable

- need a sensitive scheme, not ugly rendered boxes
- self-build on larger plots that are also energy efficient would assist
- £100,000 ceiling unviable given cost of sewage treatment plant and road to serve development
- lack of detail amazing
- small houses with relatively small gardens give a suburban feel
- facilities outside the area, further need for 2 cars
- if low income how can they afford 2 cars?
- potential buyers are not country orientated, happier on an urban brown field site
- need good mix of dwellings
- devaluation of our properties, by poor quality low cost housing and related social problems
- site will be rubbish strewn, and there will be broken down cars also
- moved away due to lack of affordable housing
- dwellings could be bought by landlord types exploiting low income groups
- Orcop Hill is renowned for landscape views, six counties are visible on a clear day. It is therefore a potential blot on the landscape
- no facilities, i.e. shop, post office, school nor facilities for young children
- need 30mph speed limit
- access road (Lyston Lane) takes high volumes of traffic (school run and commuting) recently impassable due to snow and ice
- agricultural field to north drains onto site, during periods of wet weather it lies on the site, therefore pollution risk given existence of sewage treatment plant
- road to Saddlebow floods, southern boundary of site lies on natural line of springs, floods properties nearby and further down hill
- springs opens up in my garden and has lifted neighbours paving stones
- even if permeable surfaces used, still problems
- run-off should be channelled north-east or east of plot not to south or west. should be on north side of plot, cannot pump water up hill
- need larger plots for drainage/run-off
- what is the west of the site to be used for? Need Section 106 if approved
- residents mostly retired elderly people, please leave our beautiful quiet village alone.

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

6. Officers Appraisal

- 6.1 There are five main issues relating to the proposal. They are the principle of developing the site, the road network, drainage issues, impact in landscape and availability of facilities.
- 6.2 Orcop is listed a smaller settlement in Policy SH.10 contained in the Local Plan, although strictly speaking the area of Orcop parish clustered around the Fountain Inn is Orcop Hill. Nevertheless, it is considered that the site is outside the reasonable physical limits of Orcop given there is only Wenmai Cottage and the applicant's property known as Etna on the north-western side of the C1235 road that borders the eastern and southern sides of the Etna, Wenmai Cottage and the field to the south-east of the existing poultry units on which it is proposed to erect six affordable market dwellings. However, there is provision in Policy SH.13 contained in the Local Plan for affordable housing on sites adjacent to or within settlements. It is considered that in locational terms the proposal site falls into this category, given the existence of

development on the southern side of the Class III (C1235) road opposite the site. This site does not constitute an incursion into open countryside.

- 6.3 The development also needs to be small scale and demonstrate that there is a clearly demonstrated and genuine local need, that cannot be accommodated elsewhere. The Herefordshire Needs Survey for Orcop carried out in 2003 identified a need for affordable housing in the settlement, this is borne out by the stance of the Orcop Parish Council who state that six dwellings should be increased to 11 dwellings. It is considered that a site for affordable housing in Orcop can be justified and that the numbers proposed are also acceptable. In addition, the number of houses would not be out of scale with the size of the settlement. A crucial element of Policy SH.13 is the requirement that the affordable element will be enjoyed by successive as well as by initial occupiers of the properties. This would need to be controlled by way of a Section 106 Agreement. It is a little more complicated in that the applicant is not a Registered Social Landlord (RSL), usually a Housing Association, nevertheless it is possible given the experience of the Council elsewhere. The houses proposed are to be discounted open market rather than for rent. The applicants are proposing this at 25% below open market value. The most recent similar agreement elsewhere in the county has been on the basis of a 30% discount.
- 6.4 The site has poultry units that have been on this elevated site for over 40 years and have been the subject of complaints to the Council's Environmental Health and Trading Standards Department. This is verified by consultation reply. Also, there are no trees on the proposal site and with the removal of the more elevated poultry units the amenity of this site in the Area of Great Landscape Value can only be enhanced. This would though be subject to the design and layout of the dwellings at the time that they are submitted.
- 6.5 The road network is considered to be capable of managing the traffic generated by the development site such that there will be an adverse impact on highway safety. The previously submitted proposal for 11 dwellings proposed taking the access onto the southern side of the site onto a narrower stretch of the C1235 road, that also had poorer visibility than the existing bell mouthed access point serving the poultry units site that is currently proposed. It is true that living in this rural location will necessitate the use of a motor vehicle, however this needs to be weighed against the continuing requirement of affordable housing across Herefordshire and particularly in the parish of Orcop.
- 6.6 The Environment Agency have not raised any objection in principle to the development of the site. The Environment Agency have focused on the potential for pollution with the demolition of the existing poultry units, boiler unit and ancillary buildings. There is considered to be sufficient land in the applicant's ownership on which to drain onto. Should there be water run-off from Orcop Hill through the site, then that will be a matter for the applicant to address at the time.
- 6.7 There will be an impact in developing the site, the development is lower in the landscape than the existing poultry units and will relate more to existing development to the south-east and south than the poultry units do at present. Further landscaping on the site will help ameliorate the development.
- 6.8 Orcop is designated as a smaller settlement in the South Herefordshire District Local Plan, not only for reasons of its population and size, but also given that it is limited in facilities. However, the requirement to provide affordable housing as set out in Government advice contained in PPG.3 – Housing, which has not been possible in or

adjacent to many of the smaller settlements identified in Policy SH.10, to a degree outweighs the requirements of providing development that is sustainable which is a requirement of Policies GD.1 and SH.10 contained in the South Herefordshire District Local Plan.

- 6.9 Subject to the applicant entering into a Section 106 Agreement, the principle of development of this site for six dwellings can be supported

RECOMMENDATION

That: 1. The County Secretary and Solicitor be authorised to complete a planning obligation under Section 106 of the Town and Country Planning Act 1990 to ensure that the benefits of low cost affordable housing will be enjoyed in perpetuity by initial owner occupiers and contribute to meeting local housing requirements and any additional matters and terms as she considers appropriate.

2. Upon completion of the aforementioned planning obligation that the officers named in the Scheme of Delegation to Officers be authorised to issue planning permission subject to the following conditions:

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

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

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

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

- 3. A04 (Approval of reserved matters)**

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

- 4. A05 (Plans and particulars of reserved matters)**

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

- 5. F17 (Scheme of foul drainage disposal)**

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

- 6. F20 (Scheme of surface water drainage)**

Reason: To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal.

- 7. F44 (Investigation of contaminated land)**

Reason: To ensure that potential contamination of the site is satisfactorily assessed.

8. F45 (Contents of scheme to deal with contaminated land)

Reason: To ensure that potential contamination is removed or contained to the satisfaction of the local planning authority.

9. F46 (Implementation of measures to deal with contaminated land)

Reason: To ensure contamination of the site is removed or contained.

10. Before development commences on site all poultry units and ancillary buildings and structures shall be demolished and cleared from the site to the satisfaction of the local planning authority in accordance with conditions 7, 8 and 9 above.

Reason: In order to define the terms to which the application relates and in the interests of the residential amenity of future residents.

11. H03 (Visibility splays)

Reason: In the interests of highway safety.

12. H05 (Access gates)

Reason: In the interests of highway safety.

13. H06 (Vehicular access construction)

Reason: In the interests of highway safety.

Informative(s)

1. N15 - Reason(s) for the Grant of planning permission

Decision:

Notes:

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Background Papers

Internal departmental consultation replies.

14 DCSW2004/2832/F - EXTENSION TO AGRICULTURAL AND MOTOR REPAIR WORKSHOP INCLUDING AREA FOR MOT TESTING WITH WAITING ROOM AND OFFICE, HINTON CROSS GARAGE, PETERCHURCH, HEREFORD, HEREFORDSHIRE, HR2 0TF

For: Mr. J. Bufton per A.R. Tong, Castleton Barn, Clifford, Herefordshire, HR3 5HF

Date Received: 30th July, 2004 Ward: Golden Valley North Grid Ref: 33882, 38861

Expiry Date: 24th September, 2004

Local Member: Councillor N.J.J. Davies

1. Site Description and Proposal

1.1 The application site comprises a range of buildings granted approval in 1986 for use as an agricultural and motor repair workshop. It is an elevated site, the slate blue coloured clad roof and sides of the existing building being visible from the Hinton crossroads. Access is gained onto an unclassified road (u/c 75407). The entrance is approximately 32 metres from the Class III road (C1207 road).

1.2 It is proposed to extend the existing workshop by replicating the footprint and scale of the existing workshop building. The existing workshop building is 9.14 metres wide and 13.72 metres long and 6.1 metres to the ridge. This new building will replace two smaller buildings. The materials will match those already used on the existing workshop building, i.e. slate blue coloured sheeting on walls and on the roof. An existing office with rendered walls will be extended to provide an MOT office and waiting room. This will have a vertical clad outside wall and roof matching that on the existing and proposed buildings.

2. Policies

2.1 Planning Policy Guidance

PPG.1 - General Principles

2.2 Hereford and Worcester County Structure Plan

Policy CTC.2 - Area of Great Landscape Value

2.3 South Herefordshire District Local Plan

Policy GD.1 - General Development Criteria
 Policy ED.5 - Expansion of Existing Businesses
 Policy C.1 - Development within Open Countryside
 Policy C.8 - Area of Great Landscape Value

3. Planning History

- 3.1 SH861419 Erection of house and garage with agricultural and motor repair workshop - Approved 15.04.87
- SW2000/1754/U Use of land for car sales - Certificate of Lawfulness issued 11.01.01

4. Consultation Summary

Statutory Consultations

- 4.1 The Environment Agency recommends that conditions be attached relating to bunding of fuel, oils or chemicals and oil interceptors on foul drainage systems.

Internal Council Advice

- 4.2 Head of Engineering and Transportation requested initially an assessment of traffic generation. Following receipt of further details no objection was raised although improvements to visibility uphill were recommended.

5. Representations

- 5.1 In a letter received recently from the applicant's agent, in reply to a letter requesting further information, the following main points are made:

- hours of operation at garage 8.30 am - 6 p.m. (Monday - Friday), 8.30 am - 12.30 pm on Saturdays. Not open on Bank Holidays. These hours will be unchanged
- two bays of garage devoted to MOT facility, one in existing building, one in extension. Repair works in other areas, i.e. building and extension
- on average six vehicles are brought to the garage per day for pre-MOT checks. Then taken to Michaelchurch, tested and returned to Hinton, i.e. two visits to Hinton garage for each vehicle tested. Therefore, vehicles will only visit once.

- 5.2 Peterchurch Parish Council's observations are as follows:

"Council supports this application. The business is a very worthwhile facility and provides employment in the village."

- 5.3 Two letters of representation have been received from:

M. Price & S. Turner, Fields End, Hinton Cross, Peterchurch, HR2 0SH
S. A. Turner, Boston Cottage, Hinton Cross, Peterchurch, HR2 0SQ

The following main points are made:

- extension will attract extra business, and more noise
- long working hours will mean more noise pollution
- peaceful and tranquil Golden Valley
- appreciate time restriction

- approach lane very narrow. Congestion possible on crossroads constitutes a safety hazard
- restrict hours to 6 pm Monday - Friday, 1 pm on Saturdays and no Sunday hours.

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

6. Officers Appraisal

- 6.1 The main issues are considered to be the impact of the new development in this part of the designated Area of Great Landscape Value, the impact of the development on adjoining residents in terms of noise and access to the site.
- 6.2 It is considered that the impact of the extension to the existing workshop building, notwithstanding the elevated pitch of it above Hinton crossroads, is acceptable given the use of slate blue coloured cladding on the sides and roof. The relatively new workshop building, it is considered, although on an elevated site is not unduly obtrusive given the massing and colour of facing materials.
- 6.3 The applicant has provided further details relating to times of opening and traffic movement. One of the letters of representation requests times of operation at the garage that fall within those advocated by the applicant. The repair of vehicles compliments the MOT testing use, such that vehicles will not have to leave the site for their MOT at Michaelchurch and then return later for collection at Hinton Garage or possibly more work.
- 6.4 The access to the site is along a relatively short stretch of unclassified road from the Hinton crossroads. Whilst the Head of Engineering and Transportation is satisfied that the traffic movements associated with the MOT testing facility will not materially increase traffic movements to an unacceptable degree, following the submission of further information by the applicant. He would wish to see visibility improved further to the west, if practicable, i.e. up hill from the existing site entrance.
- 6.5 It is considered that the proposal constitutes an acceptable development in this part of the Area of Great Landscape Value. There is sufficient parking in front of the workshop and proposed MOT facility. The hours of operation can be controlled along lines acceptable to all parties and with possible improvements to the access suggested by the Head of Engineering and Transportation visibility at the existing access point could be improved upon.

RECOMMENDATION

That subject to revisions being sought to the existing entrance serving the site, the officers named in the Scheme of Delegation to Officers be authorised to issue planning permission subject to the following conditions and any additional conditions considered necessary by officers:

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

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

2. 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. E01 (Restriction on hours of working)

Reason: To safeguard the amenities of the locality.

4. E06 (Restriction on Use)

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

5. F25 (Bunding facilities for oils/fuels/chemicals)

Reason: To prevent pollution of the water environment.

6. F26 (Interception of surface water run off)

Reason: To prevent pollution of the water environment.

7. F32 (Details of floodlighting/external lighting)

Reason: To safeguard local amenities.

8. F42 (Restriction of open storage)

Reason: To protect the appearance of the locality.

Informative(s):

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

Decision:

Notes:

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Background Papers

Internal departmental consultation replies.

15 DCSW2004/3114/F - DEMOLITION OF DERELICT BUNGALOW AND CONSTRUCTION OF 3 COTTAGES ON THE SITE, SITE AT DORSTONE VILLAGE GREEN, DORSTONE, HEREFORD, HR3 6AN

For: Mr. R. Morgan per Mr. R.L. Gell, The Old Post House, Blakemere, Hereford, HR2 9PZ

**Date Received: 3rd September, 2004 Ward: Golden Valley Grid Ref: 31372, 41675
North**

Expiry Date: 29th October, 2004

Local Member: Councillor N.J.J. Davies

1. Site Description and Proposal

- 1.1 The proposal site is on the south-eastern side, just to the north-east of The Pandy Inn, of the triangular area formed across the Cross. It is proposed to demolish the existing asbestos clad bungalow on the site and in its place erect three natural stone faced dwellings. Each cottage style dwelling will have a Bradstone stone tiled roof over stone faced walls, each dwelling will have three bedrooms. Access will be taken from the rear, off an existing roadway that serves a stone faced house nearing completion. This roadway adjoins the car park serving the village shop/gallery.
- 1.2 The three cottages will step down in appearance, i.e. the roof ridges will step down. The finished floor level of the cottages will be lower than that of the unprepossessing bungalow that it is proposed to demolish.
- 1.3 This site is within the defined settlement boundary and the designated Conservation Area.

2. Policies

2.1 Planning Policy Guidance

PPG.1 - General Policy & Principles

2.2 Hereford and Worcester County Structure Plan

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

2.3 South Herefordshire District Local Plan

Policy GD.1 - General Development Criteria
Policy C.8 - Development within Area of Great Landscape Value
Policy C.23 - New Development affecting Conservation Areas
Policy C.24 - Demolition in Conservation Areas
Policy SH.8 - New Housing Development Criteria in Larger Villages

Policy SH.14 - Siting and Design of Buildings

2.4 Herefordshire Unitary Development Plan (Revised Deposit Draft)

Policy H.4 - Main Villages: Settlement Boundaries

3. Planning History

3.1 None identified.

4. Consultation Summary

Statutory Consultations

4.1 English Heritage recommend that the application be determined in accordance with government guidance, development plan policies and with the benefit of conservation advice locally.

Internal Council Advice

4.2 Head of Engineering and Transportation recommends that conditions be attached relating to visibility and parking provision.

4.3 The Chief Conservation Officer recommends that an archaeological survey and recording condition be attached to any grant of planning permission, together with revisions to Unit 3, namely altering the dormer window.

5. Representations

5.1 In a letter that accompanied the application, the applicant's agent states:

- three dwellings are proposed to be built in stone with Bradstone reproduction stone slate laid in diminishing courses
- three dwellings will replace an eyesore, a dilapidated bungalow
- proposed to sit them down by having first floor space within roof space. Bungalow on raised level, dwellings can be cut into site more
- eaves level of Unit 3, only 600mm above the existing bungalow eaves level
- will utilise existing treatment plant (for foul water), it has a capacity of 4,000 litres/day (the three houses, house nearing completion and shop) only require 2,880 litres/day.

5.2 Dorstone Parish Council make the following observations:

"Support the application with the following comments:

1. Correct and safe demolition of the asbestos clad bungalow is carried out.
2. Concern from the information supplied in the application letter that there is only 1100 litres/day spare capacity for the three dwellings in the existing bio-disposal plant.
3. Confirmation that the 600 referred to in the letter refers to 600mm "(No. 3 only 600 above existing bungalow eaves)"."

5.3 One letter of representation has been received from:

Mr. A. & Mrs. L. Perry, Millbrook House, Chapel Lane, Dorstone, HR3 6AP

The following main points are:

- immediate neighbours, front of our house faces the northern border of the site
- excessive density, out of keeping, also most dwellings have substantial gardens
- suggest two dwellings be built centrally positioned and built as one building
- concern with ridge height, dominant to us reducing light and views, should be of single storey construction
- do not consider that drainage arrangements are adequate, history of problems in village, with foul smelling discharges into the Dorstone brook.

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

6. Officers Appraisal

- 6.1 The main issues are considered to be the form of development proposed, disposal of foul water and the means of access.
- 6.2 The site is within a Conservation Area and Policy C.23 requires that new development is in keeping and contributes to the scale and character of the particular Conservation Area in question, in terms of scale, height, materials and design. The materials proposed complement those used in existing buildings throughout the Conservation Area that include stone and render predominantly. The roof tile proposed has been used on a nearby dwelling and again stone slates and natural slates are evident in Dorstone. The form of development proposed, three cottages will increase the frontage of built development across the site. There will be a greater impact than that of the dilapidated bungalow, however this is mitigated by the scale and massing of the dwellings and that the dwellings will have a finished floor level 0.75 metres lower than that of the bungalow. The line of dwellings complements the line of buildings on the north-western side of the village green. Buildings are predominantly two-storey in Dorstone.
- 6.3 There is a requirement that demolition in Conservation Areas satisfy Policy C.24 contained in the Local Plan, namely that the demolition of the building in question would benefit the appearance and character of the area. It is considered that the demolition of this bungalow would greatly enhance the appearance of the Conservation Area. The demolition would, as the Parish Council state, need to be carried out in accordance with regulations covering the disposal of asbestos.
- 6.4 An issue has been raised about the predominance of the dwellings from residents living near to the site. It is considered that the applicant has reduced the impact of the dwellings as much as practicable. The loss of a view is not strictly a planning issue. Also, it is considered that the proposed dwellings are sufficient distance away from the dwelling in question so as not to remove daylighting nor overshadow.
- 6.5 The issue of foul drainage is raised both by the Parish Council and the objector. The Parish Council query the capacity of the existing packaged sewage treatment plant, as stated in the supporting letter accompanying the planning application. The letter states that in effect there is still spare capacity even with it being used by 4 houses and the shop. It is considered that problems associated with pollution of the brook should not

arise given that the sewage treatment plan will produce treated effluent. The issue of foul drainage disposal has though already been addressed with the installation of the sewage treatment plant for the house nearing completion and shop/gallery.

- 6.6 The proposal provides a development of three dwellings with a safe means of access that reflect the character of the Conservation Area. It is an important site given its location facing the village green, however with careful use of materials and planting, including the retention of the apple tree on the northern side of the site the development should prove to be a positive asset to Dorstone. Therefore, the proposal meets the requirements of Policies GD.1, C.8, C.23, C.24 and SH.15 contained in the South Herefordshire District Local Plan. The Chief Conservation Officer recommends a reduction in the width of a dormer extension from a 3 light to a 2 light one. It is considered that such a revision would be more in keeping with the scale of fenestration and dormer windows in this part of the Conservation Area.

RECOMMENDATION

That subject to the receipt of satisfactory revised plans relating to the fenestration for Unit 3, the officers named in the Scheme of Delegation to Officers be authorised to issue planning permission subject to the following conditions and any additional conditions considered necessary by officers:

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

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

2. **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. **F48 (Details of slab levels)**

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

4. **G04 (Landscaping scheme (general))**

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

5. **G05 (Implementation of landscaping scheme (general))**

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

6. **H04 (Visibility over frontage)**

Reason: In the interests of highway safety.

7. **H13 (Access, turning area and parking)**

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

8. H27 (Parking for site operatives)

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

Informative(s):

- 1. HN01 - Mud on highway**
- 2. HN04 - Private apparatus within highway**
- 3. HN05 - Works within the highway**
- 4. HN10 - No drainage to discharge to highway**
- 5. N15 - Reason(s) for the Grant of Planning Permission**

Decision:

Notes:

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Background Papers

Internal departmental consultation replies.

16 DCSE2004/0969/F - PROPOSED TWO STOREY EXTENSION AT WYE VIEW, BULLS HILL, WALFORD, NR. ROSS-ON-WYE, HEREFORDSHIRE.

For: Mr. G. Millfield per AGS Development Consultants, Corse Grange, Corse, Gloucestershire, GL19 3RQ

Date Received: 17th March, 2004 Ward: Kerne Bridge Grid Ref: 58749, 19615

Expiry Date: 12th May, 2004

Local Member: Councillor Mrs. R.F. Lincoln

1. Site Description and Proposal

- 1.1 The application property is a small two-storey garage with garden situated on Bulls Hill. The site slopes steeply downwards to the front of the house, where there are further residential properties and upwards immediately at the rear, which is part of a wooded area.
- 1.2 It is proposed to extend the property by building a gabled, two-storey building at right angles to the main axis of the existing house with a narrow linking section, plus a small porch/wc with mono-pitched roof at the rear. The main part of the extension would be 3.6 m wide x 7.7 m deep. It would be of timber frame construction with the front gabled mainly glazed between the timbers and the side and rear having rendered panels. As the bank to the rear would be partially cut away a timber walling system (Permacrib) with stone fill would be constructed to retain the steep bank.
- 1.3 It is also proposed to install a sewage treatment plant to the south of the existing house.
- 1.4 Access to the property is along a narrow track of about 50 m long.

2. Policies

2.1 Planning Policy Guidance

- | | | |
|---------------|---|--|
| PPS7 | - | Sustainable Development in Rural Areas |
| DOE Circ 3/99 | - | Planning Requirements in respect of Non-Mains Sewerage Systems |

2.2 Hereford and Worcester County Structure Plan

- | | | |
|-------------|---|---|
| Policy CTC1 | - | Area of Outstanding Natural Beauty |
| Policy CTC2 | - | Area of Great Landscape Value |
| Policy H20 | - | Residential Development in Open Countryside |

2.3 South Herefordshire District Local Plan

- | | | |
|-----------|---|-------------------------|
| Policy C5 | - | Development within AONB |
|-----------|---|-------------------------|

Policy C8	-	Development Within Area of Great Landscape Value
Policy SH23	-	Extensions to Dwellings
Policy GD1	-	General Development Criteria

3. Planning History

3.1 No recent applications have been submitted relating to this property.

4. Consultation Summary

Statutory Consultations

4.1 Environment Agency advice has not yet been received.

4.2 Forestry Commission states that the scale of the proposals is such that there will be no effect on the woodland and consequently we have no comment to make on this occasion.

Internal Council Advice

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

5. Representations

5.1 The applicant's agent makes the following submission:

- (1) The existing cottage is a very modest one-bedroomed dwelling and it is our intention to extend it to a two-bedroomed family dwelling, again of modest size.
- (2) The proposed is designed so as to stand away and be subservient to the existing form and is designed to have an appearance, which is in contrast to the original character. In its extended form, its scale and mass is similar, possibly slightly smaller than the surrounding dwellings. Furthermore due to its location it is virtually unseen.

5.2 Parish Council agreed that this cottage needs renovation. They were concerned with:

- (1) the size of the proposed extension in comparison with the original dwelling,
- (2) the materials to be used and the glass frontage affecting the privacy of the lower dwellings,
- (3) the roof of the original dwelling should match that of the extension

In addition the Parish Council has supplied the following comments by a local resident:

- (1) The site plans are reversed from the actual layout.
- (2) To her best knowledge, there is no existing septic tank on the site.
- (3) Storm water drains straight on to the ground by the cottage.
- (4) There is an almost constant wet patch inside the house between the sitting room and kitchen - spring?

- (5) She queries the ownership of footpath shown unless the new owner has come to an agreement with a neighbour (at Killara?).
- 5.3 One letter has been received from A.M. Wadley, Starryway, Cherrytree Lane, Bulls Hill, Walford, Ross on Wye, HR9 expressing serious concern about the proposed drainage for the following reasons:

- (1) There has never been any provision for foul water or storm water disposal at this cottage.
- (2) The previous occupant, an old lady, never had a toilet. In fact she never had mains water until approximately 5 years ago when a sink was installed which drained into a very small rudimentary pit in front of the house.
- (3) At the bottom of Wye View garden - behind our house - exists a 4-metre high gabion supporting wall. During the construction, I was informed by a geotechnical engineer that it would be difficult to put a septic tank on land above use because of possible foul water dispersal through these gabions.
- (4) This site is very steep. Drainage considerations are of paramount importance here.

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

6. Officers Appraisal

- 6.1 The two issues to be considered are (1) whether the proposals would harm the natural beauty of this part of the Wye Valley AONB and (2) whether the sewage treatment plant would result in environmental pollution and localised flooding. With regard to the first issue it is accepted that the extension would be sizeable in relation to this small cottage. Nevertheless because of its positioning and the steep bank and woodland to the rear it is not considered that the extended house would be intrusive in the landscape. The design and external materials are different from this stone cottage but are felt to be complementary. The proposal also ensures that the existing cottage remains discrete and does not merge into the extension. Although elevated above adjoining properties there is sufficient distance to ensure that the amenities of neighbours would not be harmed. It is considered therefore that proposal complies with policies for extensions to rural dwellings.
- 6.2 According to the representations there is no adequate drainage system and the proposed treatment plant is preferred to a cesspit. The effluent from such a system should not cause pollution but no information has been submitted to indicate that it could be dispersed acceptably within the application site. Further details could be required by planning condition however and the system only be approved if it can be shown that it would work effectively.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

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

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

2 A09 (Amended plans)

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

3 B01 (Samples of external materials)

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

4 G04 (Landscaping scheme (general))

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

5 G05 (Implementation of landscaping scheme (general))

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

6 Notwithstanding the approved drawing the sewage treatment plant shall not be installed until full details of the system, including percolation tests, have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: To prevent environmental pollution and flooding.

Informative:

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

Decision:

Notes:

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Background Papers

Internal departmental consultation replies.

17 DCSE2004/2297/F - EXTENSION/ALTERATIONS TO PROVIDE ADDITIONAL FLAT AT WYEVERN, WALFORD ROAD, ROSS-ON-WYE, HEREFORDSHIRE, HR9 5PT

For: Mr. A. Sargeantson, Court Stables, Fownhope, Hereford HR1 4PA

Date Received: 24th June, 2004 Ward: Ross-on-Wye East Grid Ref: 59731, 23075

Expiry Date: 19th August, 2004

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

1. Site Description and Proposal

1.1 This site is located within Ross on Wye and fronts onto the B4228 Walford Road. The rear of the property backs onto Chapel Road (unadopted). The property forms part of a terrace with a rear extension and patio area plus an unused area of land set behind a wooden fence. In front of the fence is a concrete layby which is adjacent to Chapel Road. The site is surrounded by dwellings. The premises at present constitutes three flats. With the exception of the layby area at the rear of the property there is no on-site parking provision at present.

1.2 The proposal is to erect a small extension at the rear of the existing building to provide an additional flat. The proposal also involves the creation of seven parking spaces in the rear garden area which will gain access onto Chapel Road.

2. Policies

2.1 Planning Policy Guidance

PPG1	-	General Principles
PPG3	-	Housing
PPG13	-	Transport

2.1 Hereford and Worcester County Structure Plan

Policy H16A	-	Development Criteria
Policy H18	-	Residential Development in Rural Settlements
Policy CTC1	-	Development in Areas of Outstanding Natural Beauty
Policy CTC9	-	Development Criteria

2.3 South Herefordshire District Local Plan

Policy GD1	-	General Development Criteria
Policy T3	-	Highway Safety Requirements
Policy T4	-	Highway and Car Parking Standards
Policy C5	-	Development within AONB
Policy Ross on Wye 2	-	New Housing Developments
Policy Ross on Wye 3	-	Infill sites for Housing

Policy Ross on Wye 4 - Primarily Residential Areas

2.4 Herefordshire Unitary Development Plan (Revised Deposit Draft)

Policy S2	-	Development Requirements
Policy S3	-	Housing
Policy S6	-	Transport
Policy DR1	-	Design
Policy H1	-	Hereford and the Market Towns: Settlement Boundaries and Established Residential Areas
Policy LA1	-	Areas of Outstanding Natural Beauty
Policy T11	-	Parking Provision

3. Planning History

3.1	SH880776PF	Alterations to house to form 2 flats.	-	Planning Permission 29.06.88
	SH910377PF	Alterations/extension to ground floor forming 2 flats and garages.	-	Refused 05.06.91
	SH911057PF	Alteration and extension to ground floor forming 2 flats and garages.	-	Planning Permission 11.09.91

4. Consultation Summary

Statutory Consultations

4.1 No statutory or non-statutory consultations required.

Internal Council Advice

4.2 The Head of Engineering and Transportation recommends refusal for the following reasons:

- The layout indicated on the deposited plan accompanying this application is at variance with the requirements of the County Council's Design Guide for Car Parking.
- The layout would preclude the ability for vehicles to enter and leave the property in a forward gear. Manoeuvring would be restricted by the narrow unadopted road adjacent to the parking area and an increase of vehicles would result in congestion and may lead to parking elsewhere on the public highway which would not be in the interests of highway safety. However, it is noted that no clear parking area exists on the site at present.
- Taking into account the location of the application site, public transport provision and PPG13 guidelines, it is suggested that the applicant submit a layout indicating a 'sustainable' alternative.
- The provision of secure covered cycle parking - such as cycle lockers - would be considered suitable. This would be in lieu of vehicular parking indicated in the current application.

4.3 The Chief Environmental Health Officer recommends that smoke detectors be introduced in living room area.

5. Representations

5.1 The applicant observes:

Recently spoke to Highways Officer about the parking, probably should have spoken to him before submitting application. A similar parking/turning arrangement approved at former Public House, The Plough, two years ago with less parking spaces for more flats.

5.2 The Town Council has no objections.

5.3 Two letters of objection have been received from:

Mr. S. and Mrs. T. Phillips, Chapel Road, Ross on Wye, HR9 5PR
Mr. G. Pye, The Bungalow, Chapel Road, Tudorville, Ross on Wye HR9 5PR

The main points being:

- this section of Chapel Road is unadopted which is therefore maintained by residents,
- No room for another 7 vehicles on the lane,
- refuse lorry and emergency vehicles cannot access road because of congestion from parked vehicles,
- insufficient space on site for number of vehicles proposed,
- Chapel Road is very narrow and in the evenings is full of parked cars,
- several years ago there was a fire in Tudor Street and fire engine could not get past The Noahs Ark inn,
- additional traffic would only exacerbate an already unacceptable situation,
- to manoeuvre cars out of the proposed parking area onto the very narrow road would be very difficult,
- the traffic calming measures in Walford Road and additional parking restrictions will lead to more parking and congestion on chapel Road,
- approval could lead to a new vehicular access to rear of The Arches Guest House again increasing traffic,
- additional traffic will degrade already unsatisfactory road surface
- the proposed parking spaces are too small.

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

6. Officers Appraisal

6.1 The main issues relate to the size and design of the proposed extension, its effect on the residential amenities of the neighbouring dwellings and also the proposed new parking provision and its effect on the road to the rear i.e. Chapel Road. The effect and principle of another residential dwelling unit on this site is also an issue. The most relevant policies are GD1, T3, Ross on Wye 2 and 3 of the Local Plan and also policies CTC9 of the Structure Plan.

6.2 The proposed extension will look acceptable, be in external materials to match the existing extension and will not adversely affect the residential amenities of adjacent dwellings. The visual amenities of the area will not be adversely affected by the proposed development.

- 6.3 The main issue of concern is the proposed parking provision and the resultant effect on the unadopted road at the rear i.e. Chapel Road. The latest planning permission on the site (SH911057PF) allowed for a single storey extension to the existing single storey extension and the provision of three garages with access onto Chapel Road. This extension and the three garages were never built. It should be noted that there are existing parking restrictions on this section of Chapel Road.
- 6.4 The proposed parking layout and proposed number of spaces for seven cars is considered to be unacceptable. However the Head of Engineering and Transportation has indicated that a revised scheme with reduced parking, preferably three parking spaces in total, supplemented by secure covered cycle parking e.g. cycle lockers, would be an acceptable alternative in this location and for this type of development which should overcome the problems of car parking congestion on site and congestion along the unadopted road. The applicant has verbally agreed to amend his scheme accordingly and amended drawings are expected to be received in the near future.
- 6.5 As such it is therefore considered that subject to the receipt of suitably amended drawings/scheme showing a revised proposal along the lines set out in paragraph 6.4 and which are acceptable to the Head of Engineering and Transportation that officers named in the Scheme of Delegation to Officers be authorised to grant planning permission for the development.

RECOMMENDATION

That subject to the receipt of suitably amended plans with regard to amending the proposed parking arrangements i.e. reduce number of parking spaces and introducing cycle parking that the Officers named in the Scheme of Delegation to Officers be authorised to issue planning permission subject to the following conditions and any additional conditions considered necessary by officers:

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

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

2 A09 (Amended plans)

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

3 Before any work commences on site detailed drawings showing the south west and north west elevations of the proposed extension shall first be submitted to and be subject to the prior written approval of the local planning authority.

Reason: To ensure the development is satisfactory in appearance.

4 The new rooflights shall be flush with the roof slope unless otherwise first agreed in writing by the local planning authority.

Reason: To ensure that the roof lights do not protrude unduly above the external surface of the roof.

5 The area to be used for car parking, including the access onto the road, shall be hard surfaced and drained before the development is first brought into use details of which shall first be submitted to and approved in writing by the local planning authority.

Reason: In the interests of highway safety.

6 All of the works relating to car and cycle parking and also the vehicular access shall be completed before the development is first brought into use.

Reason: In the interests of highway safety.

Informatives:

- 1 N03 - Adjoining property rights**
- 2 N14 - Party Wall Act 1996**
- 3 N15 - Reason(s) for the Grant of Planning Permission**

Decision:

Notes:

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Background Papers

Internal departmental consultation replies.

18 DCSW2004/2915/F - NEW GARAGE TO REPLACE EXISTING, WITH UTILITY ROOM AT REAR AND WITH STORE AND STUDIO OVER, MALT HOUSE, PRIORY WOOD, CLIFFORD, HEREFORDSHIRE, HR3 5HF

For: Mr. & Mrs. J. Meres per Mr. A.R. Tong, Castleton Barn, Clifford, Herefordshire, HR3 5HF

Date Received: 11th August, 2004

**Ward: Golden Valley
North**

Grid Ref: 26112, 45228

Expiry Date: 6th October, 2004

Local Member: Councillor N.J.J. Davies

1. Site Description and Proposal

- 1.1 The proposal site is on the southern side of an area of common ground at Priory Wood. Malt House is adjoined to Fair View immediately to the north and Cedar Dene adjoins it to the rear or west.
- 1.2 It is proposed to demolish a dilapidated corrugated iron garage some 22 metres to the east of Malt House, a terrace property, with a double garage and utility room and on the first floor a store, wash room and studio. It is sited closer to the existing access point onto the unclassified road (u/c 76203), now 7 metres away. The building is 6.2 metres wide, 9.7 metres long, 3.8 metres to the eaves and 6.6 metres to the ridge. The building has a balcony on the southern gable end off the first floor studio. It is covered in feather-edged boarding at first floor level and above on three elevations, the roadside or north elevation has boarding that comes down to the stone faced plinth. The plinth is 0.9 metres high. The remaining areas of walling are stone faced. The roof will be covered in natural slates.
- 1.3 Rooflights are proposed in the west elevation serving the studio and wash room together with a first floor window providing more light for the studio. A window and glazed doors are proposed in the south gable elevation for the ground floor utility room and studio above respectively. The north elevation facing the unclassified road has a first floor window only. On the east elevation, two first floor windows are proposed serving the store and studio, together with a rooflight providing additional light for the store.

2. Policies

2.1 Planning Policy Guidance

PPG.1 - General Policy and Principles

2.2 South Herefordshire District Local Plan

Policy GD.1 - General Development Criteria
 Policy C.1 - Development within Open Countryside
 Policy C.8 - Areas of Great Landscape Value

3. Planning History

3.1 None identified.

4. Consultation Summary

Statutory Consultations

4.1 The Environment Agency has no objection but requests that a conditions providing details of foul drainage are approved before commencement of development.

Internal Council Advice

4.2 Head of Engineering and Transportation recommends that two parking spaces are provided.

5. Representations

5.1 In a letter that accompanied the application the applicants make the following main points:

- wish to build new garage to replace old corrugated iron one, which is a bit of an eyesore and does not meet our needs
- my partially disabled husband requires own bedroom resulting in loss of office/workroom. Need space for storage and utility. Also space for two vehicles including our Classic Volkswagen Camper Van
- do not wish to move from hamlet home of 30 years. Unable to extend, end of terrace, not been able to purchase small area of land for purpose
- house not large enough for our needs, as well as visits from family and friends
- site away from other dwellings. Trees and shrubs partially screen it
- use of stone and cladding done in order to blend it in
- not built too high, minimal windows except south facing from the road to avoid an obtrusive structure
- point out that three other similar applications (garages with extra rooms) have been approved in the hamlet.

5.2 Clifford Parish Council unanimously support the application.

5.3 One letter of representation has been received from:

Mr. K. & Mrs. B. Barnes, Fairview, Priory Wood, Clifford, HR3 5HF

The following main points are raised:

- siting forward of current garage site, placing it in unobstructed view of our own property, at bottom of not very long garden
- height some 22 feet, great concern, resembles more a detached two bedroom house, even with its own waste system
- all our main windows look towards the site, loss of amenity and privacy from our garden
- appreciate sympathetic use of materials

- whilst main windows look to the rear, elevation facing our house contains windows destroying our privacy. Also balcony position can overlook all of our garden and windows on both floors
- no trees big enough to screen the building
- suggest building be pushed back, and height and size reduced.

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

6. Officers Appraisal

- 6.1 The main issue is the principle of allowing the building as proposed to be erected on a site that is in open countryside, given that Priory Wood is not an identified settlement within the remit of development plan policies.
- 6.2 The materials proposed are satisfactory and are complementary to the local vernacular of stone faced or rendered buildings under predominantly slated roofs.
- 6.3 The site is one within the designated Area of Great Landscape Value in a part of the countryside characterised by sporadic development and the common area, the dwellings are well established and modest in scale and footprint. The building proposed is longer than that of Malt House and only marginally narrower by some 200mm. It is of a similar height to Malt House. The building will be prominent, notwithstanding it is considered to be sited an acceptable distance from the nearest neighbours. The applicants make mention of other garages in the locality, however it is for each application to be determined on its merits. It is considered that the prominence of the building in terms of its scale and massing would detract from the amenities of this part of the Area of Great Landscape Value.

RECOMMENDATION

That planning permission be refused for the following reason:

- 1. The scale of the building proposed and its prominence in an Area of Great Landscape Value would detract from the amenity of the locality and is therefore contrary to the provisions of Policies GD.1, C.1 and C.8 contained in the South Herefordshire District Local Plan.**

Decision:

Notes:

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Background Papers

Internal departmental consultation replies.

