

# A G E N D A

## Southern Area Planning Sub- Committee

Date: **Wednesday, 1st September, 2004**

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Time: **2.00 p.m.**

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

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

*For any further information please contact:*

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# AGENDA

## for the Meeting of the Southern Area Planning Sub-Committee

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

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

	Pages
<b>1. APOLOGIES FOR ABSENCE</b>	
To receive apologies for absence.	
<b>2. DECLARATIONS OF INTEREST</b>	
To receive any declarations of interest by Members in respect of items on the Agenda.	
<b>3. MINUTES</b>	1 - 8
To approve and sign the Minutes of the meeting held on 4th August, 2004.	
<b>4. ITEM FOR INFORMATION - APPEALS</b>	9 - 14
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.	
<b>REPORTS BY THE HEAD OF PLANNING SERVICES</b>	
To consider and take any appropriate action in respect of the planning applications received for the southern area and to authorise the Head of Planning Services to impose any additional or varied conditions and reasons considered to be necessary.	
Plans relating to planning applications on this agenda will be available for inspection in the Council Chamber 30 minutes before the start of the meeting.	
Agenda Items 5 to 7 are applications that were deferred at the last meeting and agenda items 6 to 14 are new applications.	
<b>5. DCSE2004/1949/O - HAZELNUT COTTAGE AND ADJOINING LAND, LLANGROVE, NR ROSS-ON-WYE, HEREFORDSHIRE</b>	15 - 20
Proposed site for residential development.	
<b>6. DCSE2004/2155/O - LAND ADJOINING LLANGROVE COTTAGE, LLANGROVE, ROSS-ON-WYE, HEREFORDSHIRE, HR9 6EZ</b>	21 - 26
Outline for residential development of six detached houses and associated vehicular access.	

7.	<b>DCSE20041910F - COURT FARM, KINGS CAPLE, HEREFORDSHIRE, HR1 4TX</b>	27 - 34
	Detached 3 bedroom bungalow with double garage/store.	
8.	<b>DCSW2004/1729/RM - LAND ADJACENT TO LITTLE BIRCH ROAD, KINGSTHORNE, HEREFORDSHIRE</b>	35 - 40
	Proposed detached bungalow.	
9.	<b>DCSE2004/2399/F - LAND AT WELSH NEWTON, ROSS-ON-WYE, HEREFORDSHIRE</b>	41 - 44
	Application for the retention of newly formed access.	
10.	<b>DCSE2004/2241/F - HOPYARD COTTAGE, UPTON BISHOP, ROSS-ON-WYE, HEREFORDSHIRE, HR9 7UJ</b>	45 - 48
	Timber framed shed 7.5m x 4m with apex roof.	
11.	<b>DCSE2004/1789/F - DCSE2004/1790/C - FORMER ALTON COURT BREWERY, STATION STREET, ROSS-ON-WYE, HEREFORDSHIRE</b>	49 - 58
	Erection of three storey sheltered accommodation.	
	Demolition works to accommodate construction of retirement flats.	
12.	<b>DCSE2004/2133/F - LAND ADJOINING OWL BARN, BAILEY LANE END, ROSS-ON-WYE, HEREFORDSHIRE HR9 5TR</b>	59 - 62
	Change of use from Forestry Commission land to domestic garden by moving the existing fence.	
13.	<b>DCSE2004/2238/F - MUCH MARCLE C. OF E. PRIMARY SCHOOL, MUCH MARCLE, LEDBURY, HEREFORD HR8 2LY</b>	63 - 66
	Building to provide accommodation for pre-school and nursery education.	
14.	<b>DCSE2004/2421/O - LAND ADJACENT TO HORNBEAM, SCHOOL LANE, WESTON UNDER PENYARD, ROSS-ON-WYE, HEREFORDSHIRE</b>	67 - 70
	Site for proposed dwelling.	

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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 on Wednesday, 4th August, 2004 at 2.00 p.m.**

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

**Councillors:** H. Bramer, M.R. Cunningham, N.J.J. Davies,  
Mrs. C.J. Davis, G.W. Davis, J.W. Edwards, Mrs. J.A. Hyde, G. Lucas  
and J.B. Williams

**In attendance:** Councillors P.J. Edwards, P.E. Harling, T.W. Hunt and J. Stone

**32. APOLOGIES FOR ABSENCE**

Apologies were received from Councillors Mrs A.E. Gray and D.C. Taylor.

**33. DECLARATIONS OF INTEREST**

The following declaration of interest was made:

<b>Councillor</b>	<b>Item</b>	<b>Interest</b>
J.W. Edwards	5 (DCSE2004/1019/F – Proposed change of use of site for 10 seasonal caravans, DCSE2004/1027/F – Variation of condition 5 of permission SH960118PF from 15 to 13 caravans, DCSE/2004/1029/F – Variation of condition 3 of planning permission SS980401PF to allow storage of seasonal touring caravans (10) on land adjacent to storage building, Haywood Farm, Gorsley, Ross-on-Wye, Herefordshire, HR9 7SP)	Prejudicial and left the meeting for the duration of the item.

**34. MINUTES**

**RESOLVED:** That the Minutes of the meeting held on 7th July, 2004 be approved as a correct record and signed by the Chairman.

**35. ITEM FOR INFORMATION - APPEALS**

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

**APPLICATIONS RECEIVED**

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

**36. DCSE2004/1019/F, DCSE2004/1027/F, DCSE2004/1029/F - HAYWOOD FARM, GORSLEY, ROSS-ON-WYE, HEREFORDSHIRE, HR9 7SP (AGENDA ITEM 5)**

*Proposed change of use of site for 10 seasonal caravans.*

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

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

The Principal Planning Officer reported the receipt of a further letter of objection from Mr. Parker, a local resident.

Members discussed the application and felt that vehicular movements associated with the development would not significantly add to the current volume of traffic to and from Haywood Farm.

A number of Members commented that the Kempley Road access to the site was acceptable with ample passing points for vehicles. Mrs R.F. Lincoln, the Chairman, felt that a condition requesting signage for the site on Kempley Road should be added to any planning permission granted. Members also requested a condition be added restricting the application to seasonal use only.

**RESOLVED:**

**With respect to DCSE2004/1027/F:**

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

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

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

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

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

**Informative:**

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

**With respect to DCSE2004/1019/F:**

**That:**

**(i) The Southern Area Planning Sub-Committee is minded to approve the application subject to any reasonable conditions felt to be necessary by**

the Head of Planning Services provided that the Head of Planning Services does not refer the application to the Planning Committee.

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

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

**With respect to DCSE2004/1029/F:**

That:

- (i) The Southern Area Planning Sub-Committee is minded to approve the application subject to any conditions felt to be necessary by the Head of Planning Services provided that the Head of Planning Services doesn't refer it to the Planning Committee.
- (ii) If the Head of Planning Services does not refer the application to the Planning Committee, Officers named in the Scheme of Delegation to Officers be instructed to approve the application.

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

**37. DCSW2004/1758/F - FORMER CHAPEL, HOARWITHY, HEREFORDSHIRE, HR2 6QH (AGENDA ITEM 6)**

*Conversion of former chapel into 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. B01 (Samples of external materials)

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

4. C02 (Approval of details)

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

5. E16 (Removal of permitted development rights)

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

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

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

**Informative(s):**

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

**38. DCSE2004/1593/F - QUARRY COTTAGE, GOODRICH, ROSS-ON-WYE, HEREFORDSHIRE, HR9 6JD (AGENDA ITEM 7)**

*Removal of condition 7 from planning permission SE2003/2744/F.*

In accordance with the criteria for Public Speaking, Mr. Clarke, the applicant, and Mr. Harris, the applicant's neighbour, 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. A06 (Development in accordance with approved plans)**

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

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

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

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

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

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

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

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

**Reason:** The replacement dwelling represents an enlargement of the existing. In accordance with Policies H.20 of the Hereford and

Worcester County Structure Plan and SH.11 and SH.21 of the South Herefordshire District Local Plan, the local planning authority considers control should be retained over further enlargements in order to protect the character and appearance of the area.

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

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

Informative(s):

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

39. DCSE2004/1421/F - THE MAIL ROOMS, GLOUCESTER ROAD, ROSS-ON-WYE, HEREFORDSHIRE (AGENDA ITEM 8)

*Removal of existing kitchen extract duct and installation of 2 no. new ducts.*

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

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

Informative(s):

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

40. DCSE2004/1847/F - LAND AT DARNELLS FARM, LINTON, NR. ROSS-ON-WYE, HEREFORDSHIRE (AGENDA ITEM 9)

*Retention of conservation pond (amended design).*

Mr Davis, a resident of an adjoining property, spoke against the application.

Councillor H. Bramer, the Local Ward Member, noted the concerns of the objector and the Parish Council and asked if the pond could be re-designed to alleviate the leakage problems.

In response to the question, the Planning Officer (Minerals and Waste) advised Members that the issue of leakage from the pond could be resolved and had been addressed in condition 1 of the recommendation. She also advised Members that failure to adhere to condition 1 of the recommendation could lead to enforcement action being taken by the Council.

Members felt that Conditions 1 and 4 addressed the issues raised by the objector but requested that Officers re-visit the wording of the conditions to ensure that they were enforceable and appropriate timescales were adhered to.

**RESOLVED:**

**That planning permission be granted subject to the following conditions and any other conditions felt to be necessary by Officers:**

**1. Notwithstanding the submitted plans the lake hereby permitted shall be remodelled in accordance with the details stated in the applicant's letter dated 5th July 2004, such that:**

- no part of the embankment on the western margin of the lake shall be beneath the canopy of the existing trees, and
- the ground beneath that tree canopy shall be restored to the original levels.
- the gradient of the northern end of the lake shall not exceed 1 in 7 (14%), being widened if necessary in a westerly direction to accommodate this.
- the embankment to the southern end of the lake shall not be more than 1 metre in height above the highest adjoining original ground level.
- the proposed stock-proof fence shall be located so as to establish a margin of at least 1.5m between it and the edge of the cut to the lake bank.
- measures shall be taken to ensure that all excess water from the lake shall be directed into the existing adjacent watercourse ditch.

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

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

**Reason: to ensure a satisfactory form of development and to preserve**

and enhance the quality of the environment.

3. All planting comprised in the details approved under condition 2 shall be carried out in the first planting season following the completion of the engineering works as specified by condition 1, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless otherwise agreed in writing by the local planning authority.

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

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

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

Informative:

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

41. **DCSE2004/1949/O - HAZELNUT COTTAGE AND ADJOINING LAND, LLANGROVE, NR. ROSS-ON-WYE, HEREFORDSHIRE (AGENDA ITEM 10)**

*Proposed site for residential development.*

Councillor Mrs. J.A. Hyde, the Local Ward Member, proposed that a site inspection be undertaken as the setting and surroundings were fundamental to the decision or to the conditions being considered.

In accordance with the criteria for Public Speaking, Mrs. Wright had registered to speak against the application but decided to defer her 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 on the ground that the setting and surroundings are fundamental to the determination or to the conditions being considered.**

42. **DCSE2004/2155/O - LAND ADJOINING LLANGROVE COTTAGE, LLANGROVE, ROSS-ON-WYE, HEREFORDSHIRE, HR9 6EZ (AGENDA ITEM 11)**

*Outline for Residential Development of six detached houses and associated vehicular access.*

Councillor Mrs. J.A. Hyde, the Local Ward Member, proposed that a site inspection be undertaken as the setting and surroundings were fundamental to the decision or to the conditions being considered.

In accordance with the criteria for Public Speaking, Mrs. Wright and Mr. Spreckly had registered to speak but both decided to defer their 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 on the ground that the setting and surroundings are fundamental to the determination or to the conditions being considered.**

**43.      DCSE2004/1910/F - LAND ADJACENT TO COURT FARM, KINGS CAPLE, HEREFORDSHIRE, HR1 4TX (AGENDA ITEM 12)**

*Detached 4 bedroom bungalow with double garage/store.*

Councillor J.W. Edwards, the Local Ward Member, proposed that a site inspection be undertaken as the character or appearance of the development itself was a fundamental planning consideration and the setting and surroundings were fundamental to the decision or to the conditions being considered.

In accordance with the criteria for Public Speaking, Mr. Waymouth 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 on the grounds that the character or appearance of the development itself is a fundamental planning consideration and the setting and surroundings are fundamental to the determination or to the conditions being considered.**

The meeting ended at 2.50 p.m.

**CHAIRMAN**



**ITEM FOR INFORMATION - APPEALS****APPEALS RECEIVED****Application No. DCSE2004/1215/F**

- The appeal was received on 11th August, 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. M. Phelps
- The site is located at Land adjacent to Laurels Farm, Barrell Lane, Longhope, Herefordshire, GL17 0LS
- The development proposed is Conversion of agricultural barn to residential accommodation. Detached garage.
- The appeal is to be heard by Hearing

**Case Officer: Mike Willmont on 01432 260612**

**Application No. DCSE2004/1020/F**

- The appeal was received on 27th July, 2004
- The appeal is made under Section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission
- The appeal is brought by Mr. G. Jones
- The site is located at Rose Cottage, Aston Ingham Road, Kilcot, Glos
- The development proposed is Two storey side extension, single storey study extension, extension to existing garage to provide carport and garden store area
- The appeal is to be heard by Hearing

**Case Officer: Mike Willmont on 01432 260612**

**Application No. DCSW2004/0910/F**

- The appeal was received on 5th August, 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. D. Mussell
- The site is located at Home Farm, Dorstone, Herefordshire, HR3 6AD
- The development proposed is new dormer bungalow with attic bedrooms and double garage to replace store and barn outbuildings.
- The appeal is to be heard by Written Representations

**Case Officer: Andrew Prior on 01432 261932**

**Application No. DCSW2004/2060/F**

- The appeal was received on 9th August, 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. Hodgkinson
- The site is located at 2 Crossways, Walterstone, Herefordshire, HR2 0DX
- The development proposed is Proposed two storey extension.
- The appeal is to be heard by Written Representations

**Case Officer: Andrew Prior on 01432 261932**

**APPEALS DETERMINED**

**Application No. DCSW2003/3096/F**

- The appeal was received on 4th March, 2004
- The appeal was made under Section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission
- The appeal was brought by Mr. D. Thomas
- The site is located at Perry Hill Farm, Clehonger, Hereford, HR2 9SB
- The application, dated 12th September, 2003, was refused on 9th December, 2003
- The development proposed was Removal of condition 4 of application SW01/1457/F.
- The main issue is whether Condition 4 is necessary and reasonable as a means of safeguarding the countryside.

**Decision:** The appeal was **DISMISSED** on 17th August, 2004

**Case Officer: Andrew Prior on 01432 21932**

**Application No. DCSE2003/2496/F**

- The appeal was received on 28th January, 2004
- The appeal was made under Section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission
- The appeal was brought by Mr. M.B. Gwilliam
- The site is located at 4 Green Close, Brampton Abbots, Ross-On-Wye, Herefordshire, HR9 7JB
- The application, dated 2nd July, 2003, was refused on 9th October, 2003.
- The development proposed was Change of roof style from flat felt to tiled pitch, to include a dormer window to allow light into new spare room.
- The main issue is the effect of the proposed pitched roof on the living conditions of adjoining occupiers, with particular reference to overlooking and loss of privacy, and overshadowing and overbearance.

**Decision:** The appeal was **DISMISSED** on 10th August, 2004

**Case Officer: Charlotte Atkins on 01432 260536**

**Application No. DCSE2003/3140/F**

- The appeal was received on 19th February, 2004
- The appeal was made under Section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission
- The appeal was brought by Mr. & Mrs. J. Benwell
- The site is located at Primrose Cottage, Howle Hill, Ross-on-Wye, Herefordshire, HR9 5SP
- The application, dated 15th October, 2003, was refused on 12th December, 2003
- The development proposed was Proposed first floor extension
- The main issue is the effect the proposed extension would have on the character and appearance of Primrose Cottage, with particular reference to matters of scale and character.

**Decision:** The appeal was **ALLOWED** on 2nd August, 2004

**Case Officer:** Nigel Banning on 01432 261974

**Application No. DCSW2003/3076/L**

- The appeal was received on 3rd March, 2004
- The appeal was made under Section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission
- The appeal was brought by M. & J. Cook
- The site is located at Clodock Mill, Longtown, Herefordshire, HR2 0PD
- The application, dated 8th October, 2003, was refused on 8th December, 2004
- The development proposed was Deletion of condition 3 of listed building consent SW2002/2796/L. Variation of design of replacement windows.
- The main issue is whether the use of undivided casements would preserve the architectural and historic interest of Clodock Mill, which is listed in grade II.

**Decision:** The appeal was **DISMISSED** on 30th July, 2004

**Case Officer:** Angela Tyler on 01432 21961

**Application No. DCSW2003/2377/F**

- The appeal was received on 11th February, 2004
- The appeal was made under Section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission
- The appeal was brought by Trustees of the Hunter Variation Tr
- The site is located at Land opposite Forge Cottage, Michaelchurch Escley, Herefordshire.
- The application, dated 1st August, 2003, was refused on 29th September, 2003
- The development proposed was Two detached houses with associated access and detached garages.
- The main issue is the suitability of the site for the residential development proposed, having regard to the location of the site and the relevant planning policies.

**Decision:** The appeal was **DISMISSED** on 16th July, 2004

**Case Officer:** Andrew Prior on 01432 261932

**Application No. DCSW2003/3045/F**

- The appeal was received on 25th February, 2004
- The appeal was made under Section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission
- The appeal was brought by Mrs. Wright
- The site is located at Stable on land adjoining Southwell Arms, Broad Oak, Herefordshire, HR2 8RA
- The application, dated 7th October, 2003, was refused on 2nd December, 2003
- The development proposed was Convert existing stable to residential accommodation with new road access
- The main issue is the nature and extent of the proposed conversion, and its effect on the buildings at the appeal site and their surroundings, in the light of established planning policy concerning residential development in the countryside

**Decision:** The appeal was **DISMISSED** on 26th July, 2004

**Case Officer:** Andrew Prior on 01432 261932

**Application No. DCSE2003/3272/F**

- The appeal was received on 23rd March, 2004
- The appeal was made under Section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission
- The appeal was brought by Mr. D.A. Wyatt
- The site is located at Slades, Peterstow, Ross-on-Wye, Herefordshire, HR9 6LJ
- The application, dated 28th October, 2003, was refused on 24th December, 2003
- The development proposed was Site for caravan storage
- The main issues are traffic and highway safety, effect on the appearance and character of the area and the effect on residential amenity.

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

**Case Officer:** Steven Holder on 01432 260479

**Enforcement Appeal No. EN2004/0003/ZZ**

- The appeal was received on 6th April, 2004
- The appeal is made under Section 174 of the Town and Country Planning Act 1990 against the service of an Enforcement Notice
- The appeal is brought by Mr. D. Wyatt
- The site is located at Slades, Peterstow, Ross-on-Wye, Herefordshire, HR9 6LJ
- The breach of planning control alleged in this notice is "Without planning permission, change of use of the land from use as a dwelling house and cartilage to a mixed use for the storage of caravans and use as a dwelling house and curtilage"
- The requirements of the notice are: Stop using the land for the storage of caravans and remove all caravans from the land
- The main issues are traffic and highway safety, effect on the appearance and character of the area and the effect on residential amenity.

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

**Case Officer:** Steven Holder on 01432-260479

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

**Application No. DCSE2003/1521/F**

- The appeal was received on 15th January, 2004
- The appeal was made under Section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission
- The appeal was brought by Mr. & Mrs. R. Boocock
- The site is located at Crocketts Barn Aston Crews, Ross-on-Wye, Hereford.
- The application, dated 3rd April, 2003, was refused on 16th July, 2003
- The development proposed was Extension to side and rear of dwelling.
- The main issue is the effect of the proposal on the character and appearance of the appeal building, having regard to development plan policies, and local and national guidance.

**Decision:** The appeal was **DISMISSED** on 18th August, 2004

**Case Officer: Steven Holder on 01432-260479**

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



**DEFERRED APPLICATION**

<p><b>5 DCSE2004/1949/O - PROPOSED SITE FOR RESIDENTIAL DEVELOPMENT AT HAZELNUT COTTAGE AND ADJOINING LAND, LLANGROVE, NR ROSS-ON-WYE, HEREFORDSHIRE</b></p>
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<p><b>For: Paul Smith Associates, Chase View House, Merrivale Road, Ross on Wye, Herefordshire HR9 5JX</b></p>
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**Date Received: 26th May, 2004      Ward: Llangarron      Grid Ref: 52445, 19305**

**Expiry Date: 21st July, 2004**

Local Member:    Councillor Mrs. J.A. Hyde

Consideration of this application was deferred by the Sub-Committee on 4th August, 2004 in order that a site visit could be held. This took place on 16th August, 2004.

**1. Site Description and Proposal**

1.1 This site of about 0.3 ha comprises the detached house known as Hazelnut Cottage and its garden, which extends along the south side of the main village road in Llangrove, together with the field to the rear. An outline application for residential development of this land has been received, with all matters except access reserved for later approval. The field continues to the west but that part is in different ownership. An outline application (SE2004/2155/O) for the erection of 6 dwellings on that land has been received and a separate report is included in this Agenda.

1.2 The access is at the western extremity of the site, adjoining the car park of the Royal Arms Inn. A visibility splay of 2 m x 45 m is proposed. No other details of the proposal have been included at this stage.

1.3 The application site is adjoined to east and south by residential properties.

**2. Policies**

**2.1 Planning Policy Guidance**

PPG3                  Housing

**2.2 Hereford and Worcester County Structure Plan**

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

**2.3 South Herefordshire District Local Plan**

Policy C2	Settlement Boundaries
Policy C29	Setting of a Listed Building

## DEFERRED APPLICATION

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

### 2.4 Herefordshire Unitary Development Plan – Revised Deposit Draft

Policy H6	Housing in smaller settlements
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### 3. Planning History

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

### 4. Consultation Summary

#### Statutory Consultations

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

#### Internal Council Advice

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

### 5. Representations

- 5.1 The applicant makes the following submission:

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



## DEFERRED APPLICATION

- (4) This proposed access design would provide safe access to the site for existing and potential occupiers and enhance road conditions by widening this stretch of the public highway.
- (5) The number of parking spaces stated on the application form (15) was not meant to indicate the number of dwellings sought in the application – the number of houses to be sited will need to be approved if and when the application for reserved matters is submitted.

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

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

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

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

### 5.4 In addition a petition with 121 signatures expressing local opposition to the scheme has been received. It is pointed out that the signatures have been gathered in a very

## DEFERRED APPLICATION

short time, from throughout the village and from all sectors. Also some signatures from users of facilities in the village.

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

### 6. Officers Appraisal

- 6.1 The site is within the defined settlement and in principle therefore the erection of further houses accords with the adopted development plan policies. "Sustainability" is cited as an argument against this proposal and the limited bus service and facilities are contributory factors to Llangrove being defined as a smaller rather than a main village in UDP. However objections have been made to the relevant UDP housing policies and these therefore remain of limited weight. The adopted policies (in particular SH6 of SHDLP) encourage residential development in Llangrove and it is not considered that the emerging policy framework outweighs these policies.
- 6.2 The number of houses proposed, together with their siting, design and external appearance are matters for later approval. The site (about 0.2 ha of which is open field) is clearly of sufficient size to site at least 2 dwellings which would not be so crammed together as to be out of character with this part of the village nor so close to existing houses as to harm the amenities of occupants. The difference in levels is appreciated but can be taken into account in the reserved matters application.
- 6.3 The concerns of local residents with regards to the level of traffic and highway safety have been strongly expressed. Nevertheless the local highway network is not untypical of rural Herefordshire and the access to the site is off the main village road. It is considered that for a limited number of dwellings the proposed access would be acceptable, taking into account the speed of traffic, width of the road and the visibility splay that can be achieved. The Head of Engineering and Transportation, it should be noted, does not object to either the access or the inevitable increase in local traffic.
- 6.4 Whilst each application must be considered on its merits the cumulative impact of several small developments is certainly a planning consideration. It is not considered however that the increase in numbers, which would be significant but less than 10% of the existing number of houses in the defined settlement, would swamp the village and destroy its character. The Head of Engineering and Transportation has considered the proximity of the two new accesses and is satisfied that highway safety would not be compromised.

### RECOMMENDATION

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

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

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

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

**DEFERRED APPLICATION**

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

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

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

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

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

**Informative:**

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

Decision: .....

Notes: .....

.....

**Background Papers**

Internal departmental consultation replies.



**DEFERRED APPLICATION**

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

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

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

**Expiry Date: 10th August, 2004**

Local Member:    Councillor Mrs. J.A. Hyde

Consideration of this application was deferred by the Sub-Committee on 4th August, 2004 in order that a site visit could be carried out. This took place on 16th August, 2004.

**1. Site Description and Proposal**

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

**2. Policies**

**2.1 Planning Policy Guidance**

PPG3                                    Housing

**2.2 Hereford and Worcester County Structure Plan**

Policy H16A                            Housing in Rural Areas

## DEFERRED APPLICATION

Policy H18	Residential Development in Rural Settlements
Policy CTC9	Development Requirements

### 2.3 South Herefordshire District Local Plan

Policy C2	Settlement Boundaries
Policy C29	Setting of a Listed Building
Policy SH6	Housing Development in Larger villages
Policy SH8	New Housing Development Criteria in Larger Villages
Policy SH9	Balance of Housing Types
Policy SH14	Siting and Design of Buildings
Policy SH15	Criteria for New Housing Schemes
Policy GD1	General Development Criteria
Policy T1A	Environmental Sustainability and Transport
Policy T3`	Highway Safety Requirements

### 2.4 Herefordshire Unitary Development Plan – Revised Deposit Draft

Policy H6	Housing in smaller settlements
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## 3. Planning History

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

### Statutory Consultations

4.1 Environment Agency recommends a condition regarding drainage be imposed.

### Internal Council Advice

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

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

## 5. Representations

5.1 Parish Council observations are as follows:

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

## DEFERRED APPLICATION

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

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

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

5.2 7 letters have been received objecting to the proposals. The main reasons for objecting are, in summary, as follows:

- (1) only part of field is included but to grant permission would open door for development on rest of field (SE2004/1949/O) and at Hill View (development rejected previously on access grounds) and field to south (permission refused 12 years ago).
- (2) In total this could result in 10% or more increase in size of village 20 or more extra houses; this would be a housing estate more appropriate to a town.
- (3) Such a large development would be wholly out of keeping with character of the village with potential to destroy peaceful way of life - whole village should therefore be consulted.
- (4) Local road network has narrow lanes, not always wide enough for two vehicles to pass - this enhances rural character but brings road safety problems. Always congestion at school starting/leaving time; school has increased numbers mostly from outside village.
- (5) The proposal would lead to very significant increase in traffic (probably 20% extra) with dramatically increased safety risks unless traffic calming measures are undertaken.
- (6) Reduction in number of parking spaces at pub which will result in parking on main village street or on access road.
- (7) Ownership of access road will have bearing on how remaining part of field can or will be developed.
- (8) Concern expressed regarding 6 septic tanks as experience indicates that there is a continuous layer of rock which may cause the effluent to flow towards existing properties. Independent consultant's study is needed. Soakaways, drainage etc. would have adverse environmental impact and electricity supply already stretched.
- (9) Local infrastructure not adequate to support a medium sized housing development.
- (10) Proposal does not meet European, UK and development plan requirements on sustainable development.
- (11) Access road is outside village envelope and is long compared to size of development – appears to be no suitable access to the main village road.

5.3 In addition a petition with 121 signatures expressing local opposition to the scheme has been received. It is pointed out that the signatures have been gathered in a very short time, from throughout the village and from all sectors. Also some signatures from users of facilities in the village.

## DEFERRED APPLICATION

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

### 6. Officers Appraisal

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

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

6.2 The proposed number of houses (6) would result in a higher density in comparison with the property on adjoining plots. Higher densities are encouraged by PPG3 however and plot sizes would not be as high as elsewhere in the village e.g. Chapelfields. This is considered appropriate in view of the location toward the periphery of the village. The housing would not be visually intrusive, being partly screened by existing properties along the main village road and set away from the road and by-ways to west and south respectively. The indicative layout shows detached houses, informally arranged, which reflects the character of this part of the village. The number of new houses proposed would not be disproportionate to the size of the village. Although permanent pasture the land is not considered to be of special amenity value and development would not harm the setting of the village. For these reasons it is considered that the proposed development would be appropriate in this location and not harm the character of the village. The concern that permission would set a precedent for adjoining sites is appreciated but each case needs to be treated on its own merits and determined in the light of prevailing policies.

6.3 The roads leading to the village are typical narrow rural lanes. Within the village there is a network of by-ways. The proposed development however would be accessed off the main village road. There would be adequate visibility at the access, which is considered to be acceptable by the Head of Engineering and Transportation. There would be additional cars but not on such a scale as to add significantly to hazards and congestion within the village and its environs. The replacement car park for the Royal Arms is considered to be of adequate size.

6.4 It is understood that it would be practicable to connect the houses to the existing mains drainage system. This is preferable to septic tank drainage on environmental grounds and would overcome the concerns of neighbours.



### DEFERRED APPLICATION

#### RECOMMENDATION

That subject to the receipt of acceptable drainage proposals, the officers named in the Scheme of Delegation to Officers be authorised to issue planning permission subject to the following conditions and any additional conditions considered necessary by officers:

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

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

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

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

- 3 A04 (Approval of reserved matters )

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

- 4 A05 (Plans and particulars of reserved matters )

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

- 5 H03 (Visibility splays)

Reason: In the interests of highway safety.

- 6 No development approved by this permission shall be commenced until a scheme for the provision of foul drainage works has been approved by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details.

Reason: To prevent pollution of the water environment.

#### Informative:

- 1 The Environment Agency advises that surface water run-off should be controlled as near to its source as possible through a sustainable drainage approach to surface water management.

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

Decision: .....

Notes: .....

.....

## DEFERRED APPLICATION

### **Background Papers**

Internal departmental consultation replies.

**DEFERRED APPLICATION**

**7 DCSE2004/1910/F - DETACHED 3 BEDROOM BUNGALOW WITH DOUBLE GARAGE/STORE, LAND ADJACENT TO COURT FARM, KINGS CAPLE, HEREFORDSHIRE, HR1 4TX**

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

**Date Received: 24th May, 2004**

**Ward: Old Gore**

**Grid Ref: 56122, 28967**

**Expiry Date: 19th July, 2004**

Local Member: Councillor J. W. Edwards

Consideration of this application was deferred by the Sub-Committee on 4th August, 2004 in order that a site visit could be held. This took place on 16th August, 2004.

## **1. Site Description and Proposal**

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

## **2. Policies**

### **2.1 Planning Policy Guidance and 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	-	Development Criteria
Policy H.18	-	Residential Development in Rural Settlements
Policy CTC.1	-	Development in Areas of Outstanding Natural Beauty
Policy CTC.2	-	Development in Areas of Great Landscape Value
Policy CTC.9	-	Development Criteria

## DEFERRED APPLICATION

### 2.3 South Herefordshire District Local Plan

Policy GD.1	-	General Development Criteria
Policy SH.6	-	Housing Development in Larger Villages
Policy SH.7	-	Residential Proposal Sites in Larger Villages
Policy SH.8	-	New Housing Development Criteria in Larger Villages
Policy SH.9	-	Balance of Housing Types
Policy C.5	-	Development within Area of Outstanding Natural Beauty
Policy C.8	-	Development within Area of Great Landscape Value
Policy C.43	-	Foul Sewerage
Policy C.45	-	Drainage
Policy T.3	-	Highway Safety Requirements

### 2.4 Herefordshire Unitary Development Plan (Revised Deposit Draft)

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

## 3. Planning History

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

## 4. Consultation Summary

### Statutory Consultations

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

### Internal Council Advice

- 4.2 None received.

## 5. Representations

## DEFERRED APPLICATION

### 5.1 The Parish Council observe:

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

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

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

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

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

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

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

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

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

### 5.2 Four letters of objection have been received from:

Mr. R. Taylor, Case Hill, Kings Caple, HR1 4UD

R.G. & K. Parkin, Cross Trees, Kings Caple, HR1 4UD

C.H.T. Waymouth, Crossways Bungalow, Kings Caple, HR1 4UD

Mrs. A. Taylor, St. Anthony, Kings Caple, HR1 4UD

The main points being:-

- size and position of bungalow appears to be rather large and in a curious position
- large frontage onto road in relation to plot and as such in village context is overbearing
- side wall of bungalow very close to objectors hedge jeopardising privacy of both dwellings
- proposed chimney stack will be in front of neighbours bedroom window in gable end of dormer bungalow, which could cause unsightly and hazardous consequences of smoke and fumes
- concern over use of "workshop" area in garage

## DEFERRED APPLICATION

- proposed brick wall at rear of property could be unsightly
- the dutch barn on site will be removed and could lead to a new agricultural building in nearby paddock which would affect objectors outlook to the west. Can a change of use to residential be permissible when agricultural role on site is not redundant
- applicant stated he wants a quality building which should be encouraged
- landscaping of site will be required
- if barn is to be replaced by a bungalow then it would be ideal if it was reflected in the design, e.g. the retention of the semi-circular corrugated iron roof
- the submitted drawings show a strip of land down the side of the plot. This could lead to a new access being opened out onto the road creating an alternative access and track leading to the existing farm at the rear. Furthermore in the future this strip of land if included with the proposed bungalow access (:with the new garage/workshop being demolished) could lead to an even wider vehicular access and driveway being created to provide an access to the farm to make way for a possible larger development. With the cul-de-sac entrance road opposite this could create a crossroads effect which could be a hazard to road safety and children
- previous applications relating to Court Farm need to be taken into account to establish purpose of this strip of land. Possible development of existing farm buildings to residential use
- substantial access serving Court Farm already exists and can perhaps be used for this proposed development
- hope concerns about possible future motives of applicant is unfounded with respect to the strip of land by plot.

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

### 6. Officers Appraisal

- 6.1 The main issues relate to the principle of placing a dwelling on this land, its size and design, its effect on neighbouring properties and the vehicular access arrangements. The most relevant policies are H.16A, H.18 and CTC.9 in the Structure Plan and policies SH.6, SH.8, GD.1 and T.3 in the Local Plan.
- 6.2 This is a very large plot within the settlement boundary designated for the 'larger village' of Kings Caple. The principle of siting a dwelling on this site is therefore considered to be acceptable and this has been endorsed by previous outline planning permissions. The siting, size and design of the proposed bungalow is also considered to be acceptable and appropriate for this large plot in the village. There are a mixture of house types within the village including other large bungalows. The replacement of the existing barn with the proposed new bungalow is also considered to be a visual improvement to the site.
- 6.3 With respect to the proposed bungalow itself it is considered that it will not have an unacceptable impact on the residential amenities of any of the neighbours. There is an existing row of fir trees on the neighbours boundary to the south which helps to screen the new development from the dwelling. Also the proposed garage/workshop building is considered to be acceptable and it is understood it will be used for domestic purposes only.

## DEFERRED APPLICATION

- 6.4 The proposed vehicular access is also considered to be acceptable and can comply with the conditions imposed on previous permissions on the site. One of the main concerns of the objectors is the fact that there is a narrow strip of land (approximately 3 metres wide) which extends along the northern boundary of the site, which if included with the proposed access and driveway could create a substantial access and roadway to serve the existing farm to the rear of the plot and consequently potential new housing development in the form of barn conversions. Any such housing development would require planning permission and its effect on the newly built bungalow and access would have to be carefully considered. In any event there is an existing vehicular access which serves the farm which emerges on another road.
- 6.5 In conclusion it is considered that the proposed development is considered to be acceptable and in accordance with the planning policies for the area in particular the policies relating to new housing development referred to in section 6.1.

### RECOMMENDATION

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

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

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

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

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

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

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

4. **E08 (Domestic use only of garage)**

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

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

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

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

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

7. **F18 (Scheme of foul drainage disposal )**

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

**DEFERRED APPLICATION**

- 8. D01 (Site investigation - archaeology )

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

- 9. H01 (Single access - not footway )

Reason: In the interests of highway safety.

- 10. H03 (Visibility splays )

Reason: In the interests of highway safety.

- 11. H05 (Access gates )

Reason: In the interests of highway safety.

- 12. H06 (Vehicular access construction )

Reason: In the interests of highway safety.

- 13. H13 (Access, turning area and parking )

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

- 14. The whole of the works relating to means of access, including drainage, shall be completed before the development is first occupied.

Reason: In the interests of highway safety.

**Informative(s):**

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

Decision: .....

Notes: .....

.....



## DEFERRED APPLICATION

### Background Papers

Internal departmental consultation replies.



## **8 DCSW2004/1729/RM - PROPOSED DETACHED BUNGALOW, LAND ADJACENT TO LITTLE BIRCH ROAD, KINGSTHORNE, HEREFORDSHIRE**

**For: Mr. N. Jones per Mr. J. Clarke, JCA Design Ltd,  
2 Abbey Terrace, Tewkesbury, Gloucester, GL20 5SP**

**Date Received: 11th May, 2004**

**Ward: Pontrilas**

**Grid Ref: 49880, 32070**

**Expiry Date: 6th July, 2004**

Local Member: Councillor G.W. Davis

### **1. Site Description and Proposal**

- 1.1 This site is located via a private, partly stoned track which leads off the southern side of The Thorn. The junction with The Thorn is 30 metres east of the junction of The Thorn with the Class III road (C1263) that runs north to south.
- 1.2 The site is approximately 0.22 hectares in area. It slopes from west to east and towards the south-eastern corner of the site. There is a stone barn in the north-western corner of the site, close to where the above-mentioned access road bends eastward towards Mosscroft, which is presently being converted into a dwelling unit by the applicant.
- 1.3 The application is for reserved matters for a single-storey dwelling on the site. The original application was refused planning permission in 1998, essentially on drainage and access grounds. However, a subsequent appeal was allowed. This outline permission was renewed on 9th January, 2002.
- 1.4 The proposal is for a 3 bedroom bungalow with integral double garage sited in the south-western portion of the site. The double garage being sited approximately 2 metres from the boundary of Jabiru, and on the southern boundary, shared with Karapiro, the bungalow would be between 5 metres at the nearest and 10 metres at the furthest from this boundary. The dwelling would be cut into the slope by at least 1.85 metres, such that the first floor level of the bungalow is below that of Jabiru and Karapiro.
- 1.5 Further details have been provided detailing the landscaping involving planting of trees in the south-east and north-eastern corners of the plot, together with details of the red facing brick proposed and natural slate roofing for the 'C' shaped dwelling and linked double garage.

### **2. Policies**

#### **2.1 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

## 2.2 South Herefordshire District Local Plan

### Kingsthorne Policy (Part 2) on Drainage

Policy GD.1	-	General Development Criteria
Policy C.8	-	Development within Area of Great Landscape Value
Policy C.43	-	Foul Sewerage
Policy SH.8	-	New Housing Development Criteria in Larger Villages
Policy SH.14	-	Siting and Design of Buildings
Policy SH.15	-	Criteria for New Housing Schemes
Policy T.3	-	Highway Safety Requirements

## 3. Planning History

3.1	SH960448PO	2 dwellings	-	Refused 12.06.96
	SH970683PO	Dwelling	-	Refused 08.10.97
	SH971289PO	Dwelling	-	Refused 04.02.98
	SS980186PO	One dwelling	-	Refused 15.04.98 Appeal allowed 16.09.98
	SS981071PF	Conversion of barn to form one bedroom accommodation	-	Approved 25.03.98
	SW2001/1412/O	Site for construction of two dwellings	-	Withdrawn
	SW2001/2404/O	Site for construction of a dwelling. Renewal of SH980186PO	-	Approved 09.01.02
	SW2004/0769/F	Construction of conservatory to barn conversion and amendment of kitchen roof	-	Approved 27.04.04

## 4. Consultation Summary

### Statutory Consultations

- 4.1 The Environment Agency recommends a condition be attached to any planning permission.

### Internal Council Advice

- 4.2 Head of Engineering and Transportation has no objection.

## 5. Representations

- 5.1 The applicant's agent states in a letter received following submission of the application the following main points:

- see copies of revised plan providing details of landscaping, site section, levels and contours, and specifications
- can confirm that information provided already by Alan Williams Drainage is illustrative only
- proposed siting to highest part of site is obviously affected by proposed slab level and will have effect of lowering roofline when viewed from the west
- garage sited at west of bungalow in order to protect privacy of existing houses as there are no windows in that elevation. Nearest windows are approximately 11 metres from the western boundary of the site.

5.2 Much Birch Parish Council make the following observations:

"The Parish Council supports the application but would suggest that the bungalow be moved away from the plot boundaries, for the benefit of neighbouring properties. Drainage will need special attention."

5.3 Much Dewchurch has no objections to this application.

5.4 Four letters of objection have been received from:

Mrs. M. McNeice, Karapiro, Kings Thorn, HR2 8AL  
Mr. C. & Mrs. M. Swift, Jabiru, Kings Thorn, HR2 8AL  
Mr. & Mrs. E. Kimm, Mosscroft, The Thorn, Kings Thorn, HR2 8AN  
Mr. & Mrs. K. Wilson, Sheppon Lodge, Kings Thorn, HR2 8AL

The following main points are made:

- scale is incorrect on drawings 02, 03 and 04
- apparent discrepancy in plans relating to position of bungalow within 4-5 metres of my boundary, could be in centre. Planning Inspectorate letter dated 16th September, 1998 stated reasonable privacy would be maintained
- within one metre of our boundary
- larger dwelling than expected, difficult to ascertain, no dimensions given and it is stated dimensions should not be scaled from drawing
- previous correspondence on this site still obtains
- loss of amenity due to loss of view
- no details of landscaping
- landscaping should not be too close to our retaining wall
- tree planting indicated over our soakaway, will hinder maintenance
- built over our soakaways for which we have a legal easement, not a planning issue but Building Regulations Department should be made aware
- bungalow/barn boundary as per drawing 01 acceptable, other plans indicate boundary straddles my soakaway, awkward with two third parties involved.

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 loss of view, proximity to adjoining properties, larger dwelling than expected, drainage issues including disturbance to soakaways in ownership of third parties and omission of landscaping details.

- 6.2 With regard to the accuracy of the plans, those submitted included a drainage plan providing a siting for the bungalow at variance with the block plan provided in drawing 01. This issue has been clarified by applicant's agents letter recently received stating that the drainage plan was drawn up by drainage engineers acting on behalf of the applicant whom inadvertently plotted the bungalow at variance to the submitted plan. It should also be noted that the scale, as has been stated, is incorrect, it is 1:100 and not 1:500 as stated on drawing nos. 2, 3 and 4.
- 6.3 A loss of view as such is not a material land use consideration. One can object to a particular building or structure in view, i.e. the design and its materials, but the fact that it removes an existing view is not a matter than is supported in planning policies, including Government advice.
- 6.4 The next issue relates to the size and positioning of the bungalow. The siting for the bungalow has been dictated by the need for at least 52.8 square metres of soakaway as stipulated by the Environment Agency and this together with the need for separate drainage system for the barn to the north of the site, and also in the applicant's ownership has resulted in the requirement for the bungalow to be sited at approximately the highest point of the site which is in the south-western corner. This relative proximity is however mitigated by the bungalow being cut into the slope such that the finished floor level which is lower than the garden areas of both Jabiru and Karapiro at present is reduced further. The configuration allows for privacy for the occupants of the bungalow principally on the eastern and northern areas of the plot. The footprint of the building is considered to be commensurate with the remaining land around the site and consistent in footprint to Karapiro for example. The design and the materials proposed, i.e. different ridge heights over elements built from red brick under a natural slate roof will not detract from the amenity of the site. The Planning Inspectorate in his decision letter dated 16<sup>th</sup> September, 1998 refers specifically to privacy in terms of restricting the dwelling to single storey only. This would ensure a reasonable standard of privacy is maintained. A reasonable amount of privacy has been provided given the dwelling is single storey as conditioned initially by the appointed Inspector and again in the reserved planning permission in 2001.
- 6.5 The issue of disturbance to soakaways is a matter than would need to be resolved by any developer of the site and adjoining residents. Landscaping originally proposed on the boundary with Sheppon Lodge has been reviewed, and in the landscaping scheme received recently by the Council. The landscaping details received addresses not only the fact that such details needed further clarification, but also have been considered in relation to soakaway systems on the site.
- 6.6 The Environment Agency have not objected to the drainage system proposed. There is not a highways issue in that the Council at the time of the appeal had identified the existing means of access onto The Thorn, to the east as being deficient for visibility purposes, however the appointed Inspector had deemed that the visibility available was adequate. Therefore, it is considered that the proposal for a three bedroom bungalow can be supported for reasons previously stated.

## RECOMMENDATION

**That approval of reserved matters 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. The bungalow shall be cut into the site consistent with submitted plan (drawing 01A).

**Reason:** In order to settle the dwelling into the site in the interests of the visual amenity of the site.

**Informative(s):**

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

Decision: .....

Notes: .....

.....

**Background Papers**

Internal departmental consultation replies.





## **9 DCSE2004/2399/F - APPLICATION FOR THE RETENTION OF NEWLY FORMED ACCESS, LAND AT WELSH NEWTON, ROSS-ON-WYE, HEREFORDSHIRE**

**For: Mrs. B. Jones per Williams Parry Richards,  
Windsor House, St Mary's Street, Ross on Wye  
Herefordshire, HR9 5HT**

**Date Received: 1st July, 2004**

**Ward: Llangarron**

**Grid Ref: 50874, 18564**

**Expiry Date: 26th August, 2004**

Local Member: Councillor Mrs. J.A. Hyde

### **1. Site Description and Proposal**

- 1.1 This field access has been formed on the southern side of the Class C road (C1248) between Welsh Newton and Llangarron. The access is about 1.5km west of the junction with the unclassified road leading to Llangrove. It has been formed near the crown of a bend, close to the northern apex of the fields to which it provides vehicular access. These two fields have an area of about 10.6ha.

### **2. Policies**

#### **2.1 Planning Policy Guidance**

- PPS.7 - The Countryside: Environmental Quality and Economic & Social Development  
PPG.13 - Transport

#### **2.2 Hereford and Worcester County Structure Plan**

- Policy CTC.2 - Area of Great Landscape Value  
Policy CTC.10 - Development Requirements

#### **2.3 South Herefordshire District Local Plan**

- Policy T.3 - Highway Safety Requirements  
Policy C.8 - Development within Area of Great Landscape Value  
Policy GD.1 - General Development Criteria

### **3. Planning History**

- 3.1 No previous applications have been submitted relating to this site.

### **4. Consultation Summary**

#### Statutory Consultations

- 4.1 No statutory or non-statutory consultations required.

Internal Council Advice

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

**5. Representations**

- 5.1 Llangarron Parish Council "does not support this application for the retention of the newly formed access, but would suggest that support would be given upon examination of plans for an access further up the road."
- 5.2 Welsh Newton Parish Council "object to the proposed site for this access. A number of parishioners have complained that the access has been situated on an inappropriate bend giving rise to safety concerns, due to the type of vehicles likely to be using this access. The Parish Council have no objections to an access per se, however feel that a more appropriate access should be formed on a straight section of the road (which they would like to see before agreed)."

**6. Officers Appraisal**

- 6.1 This small agricultural unit has a frontage only to the Welsh Newton – Llangarron road. Until this new access was formed there was no direct vehicular access to these fields, which it is understood were part of a larger land holding. The access is on the inside of the bend and a visibility splay of 2m x 60m in each direction can be formed which the Head of Engineering and Transportation considers is adequate for this road. In his opinion this is the best position for such an access and at 5m would be wide enough for large agricultural equipment to enter and leave.
- 6.2 It may be that greater visibility could be achieved further to the west of the application site but this would entail a greater loss of hedgerow. The hedgerow adjoining the access is deep and aside from the 5m access itself it may be possible to form the visibility splays and still retain most of these hedges. In view of the Head of Engineering and Transportation's advice it is considered therefore that the proposal is acceptable.

**RECOMMENDATION**

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

- 1. H01 (Single access - not footway )**

**Reason: In the interests of highway safety.**

- 2. H03 (Visibility splays )**

**Reason: In the interests of highway safety.**

- 3. H05 (Access gates )**

**Reason: In the interests of highway safety.**

- 4. None of the hedgerows on the site (other than those required to be removed to provide the access and visibility splays pursuant to condition nos. 1 & 2 above) shall be removed, destroyed, felled, lopped or pruned without the prior consent in writing of the local planning authority. Details of those to be removed to form the access and visibility splays and of new planting shall be submitted to and approved in writing by the local planning authority before any works are undertaken.

Reason: To safeguard the amenity of the area.

- 5. G05 – Implementation of landscaping scheme (general)

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

**Informative(s):**

- 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

Decision: .....

Notes: .....

.....

**Background Papers**

Internal departmental consultation replies.



**10 DCSE2004/2241/F - TIMBER FRAMED SHED 7.5M X 4M WITH APEX ROOF, HOPYARD COTTAGE, UPTON BISHOP, ROSS-ON-WYE, HEREFORDSHIRE, HR9 7UJ**

**For: Mr. S. Christian, Hopyard Cottage, Upton Bishop, Herefordshire**

**Date Received: 21st June, 2004**

**Ward: Old Gore**

**Grid Ref: 65371, 26861**

**Expiry Date: 16th August, 2004**

Local Member: Councillor J.W. Edwards

**1. Site Description and Proposal**

- 1.1 This site at Upton Bishop constitutes a small paddock immediately adjacent to the applicant's dwelling and garden. The proposal is to erect a small wooden shed at the north western end of the paddock immediately adjacent to the roadside boundary and the applicant's house and garden to the north-east. The shed will be located behind the roadside hedge and will be close to the applicant's existing garage which lies on the garden boundary. The shed will measure 7.5 metres by 4 metres and will be 3.8 metres high to ridge level. The walls will be clad in horizontal timber boarding except for the south east elevation which will be left open. There will be heavily weathered second hand fibre cement roof sheeting on the pitched roof.
- 1.2 The paddock to a large extent has existing mature trees on its boundaries. The roadside boundary is a mature hedge with a metal field gate in the corner. The shed building will be used to store a tractor as well as hay, straw, firewood and timber. The building will be for domestic use and not for any commercial purposes. There is no intention to change the use of the land to part of the garden area of house.

**2. Policies**

**2.1 Planning Policy Guidance**

PPS.7 - Sustainable Development in Rural Areas

**2.2 Hereford and Worcester County Structure Plan**

Policy H.16A - Development Criteria  
 Policy H.20 - Residential Development in Open Countryside  
 Policy CTC.9 - Development Criteria

**2.3 South Herefordshire District Local Plan**

Policy GD.1 - General Development Criteria  
 Policy C.1 - Development within Open Countryside

**2.4 Herefordshire Unitary Development Plan (Revised Deposit Draft)**

Policy S.2 - Development Requirements  
 Policy DR.1 - Design

### 3. Planning History

3.1 No relevant history.

### 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.

### 5. Representations

5.1 The Parish Council observe:

"Object. Substantial structure that is out of keeping in rural area. Concern; spread of piecemeal development."

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, design and appearance of the building, its location and its effect on the landscape and adjoining land uses. The most relevant policies are GD.1 and C.1 in the Local Plan and CTC.9 in the Structure Plan.

6.2 The proposed building is small, will not be prominent on the landscape and will be of a design in keeping with the character of this rural area. The proposed building is intended for domestic/non-commercial use, i.e. purposes incidental to the enjoyment of the dwelling house and the general upkeep of the paddock/associated land. Also the proposed building will be close to the applicant's dwelling and garage building.

6.3 As such, it is considered that the proposed building set in this position, in close association with those existing buildings, will be acceptable and in accordance with planning policies and guidance.

### RECOMMENDATION

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

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

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

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

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

- 3. The external surfaces of the timber boarding/cladding shall be treated to assume a matt dark brown concurrently with construction of the building unless otherwise first agreed in writing by the local planning authority.

Reason: To protect the visual amenities of the area.

- 4. B01 (Samples of external materials)

Reason: To protect the visual amenities of the area.

- 5. E08 (Domestic use only of shed)

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

**Informative(s):**

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

Decision: .....

Notes: .....

.....

**Background Papers**

Internal departmental consultation replies.





**11a DCSE2004/1789/F - ERECTION OF THREE STOREY SHELTERED ACCOMMODATION, FORMER ALTON COURT BREWERY, STATION STREET, ROSS-ON-WYE, HEREFORDSHIRE**

**11b DCSE2004/1790/C - DEMOLITION WORKS TO ACCOMMODATE CONSTRUCTION OF RETIREMENT FLATS, FORMER ALTON COURT BREWERY, STATION STREET, ROSS-ON-WYE, HEREFORDSHIRE**

**For: M.F. Freeman Ltd. per Blencowe Associates, Old Parish Barn, Sandford St Martin, Chipping Norton, Oxfordshire, OX7 7AG**

**Date Received: 3rd June, 2004      Ward: Ross-on-Wye East      Grid Ref: 60123, 24317**

**Expiry Date: 29th July, 2004**

Local Member:    Councillor Mrs. C.J. Davis  
                          Councillor Mrs. A.E. Gray

## **1. Site Description and Proposal**

- 1.1 The site is towards the northern edge of the town centre and fronts Station Street. It is roughly square in shape with an area of some 0.29ha. The current use of the land is for car parking which has its access from Station Street, along which is a high wall. In the north east corner is a large single storey building. There is other land within the control of the applicants:- three houses fronting Station Street and a link to Millpond Street. There is a mixture of development both in terms of its use and architectural style in the vicinity.
- 1.2 Application DCSE2004/1789/F proposes the redevelopment of the site to provide sheltered housing. This would be in the form of a 'T' shaped three storey block fronting Station Street. It would provide 42 units - 33 1-bed flats, 8 2-bed flats and warden's accommodation. There would be a vehicular access from Station Street, through an archway, with 14 car parking spaces. The remainder of the site would be laid out as landscaped gardens. Application DCSE2004/1790/C proposes the demolition of the large single storey building in the north east corner.
- 1.3 The site is within the Ross-on-Wye Conservation Area and the Area of Outstanding Natural Beauty.

## **2. Policies**

### **2.1 Planning Policy Guidance**

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

**2.2 Hereford and Worcester County Structure Plan**

- Policy H.2C - Low-cost Housing
- Policy CTC.1 - Development in Areas of Outstanding Natural Beauty
- Policy CTC.7 - Development and Features of Historic and Architectural Importance
- Policy CTC.15 - Preservation, Enhancement and Extension of Conservation Areas

**2.3 South Herefordshire District Local Plan**

- Policy GD.1 - General Development Criteria
- Policy C.5 - Development in Area of Outstanding Natural Beauty
- Policy C.23 - New Development affecting Conservation Areas
- Policy C.24 - Demolition in Conservation Areas
- Policy C.40 - Provision of Essential Services
- Policy C.44 - Flooding
- Policy SH.12 - Cross sub-sidisation schemes
- Policy SH.14 - Siting and Design of Buildings
- Policy SH.15 - Criteria for New Housing Schemes
- Policy 5 - Housing in Built-up Areas
- Policy 16 - Conservation Areas
- Policy C.23 - Redevelopment of Sites

**2.4 Herefordshire Unitary Development Plan (Revised Deposit Draft)**

- Policy DR.1 - Design
- Policy DR.2 - Land Use and Activity
- Policy DR.3 - Movement
- Policy DR.4 - Environment
- Policy DR.7 - Flood Risk
- Policy H.2 - Housing Land Allocations
- Policy H.9 - Affordable Housing
- Policy H.13 - Sustainable Residential Design
- Policy H.16 - Car Parking
- Policy LA.1 - Area of Outstanding Natural Beauty
- Policy HBA.6 - New Development
- Policy CF.2 - Foul Drainage

**3. Planning History****3.1** The following are relevant to this application:

- |                 |   |   |                    |
|-----------------|---|---|--------------------|
| SH891058PO      | Redevelopment/refurbishment to form 30 sheltered flats, 1 warden, 17 apartments, 7 shops, 1 flat and 1 dwelling | - | Approved 04.10.89  |
| SH891059LE      | Demolition of buildings   | - | Approved 04.10.89  |
| DCSE2003/2242/F | Proposed Retirement Homes   | - | Withdrawn 22.10.03 |
| DCSE2003/2245/C | Demolition works to accommodate construction of retirement homes.   | - | Withdrawn 22.10.03 |

DCSE2003/3862/F	Three storey sheltered accommodation.	-	Withdrawn 23.03.04
DCSE2003/3863/C	Demolition works to accommodate construction of retirement flats.	-	Withdrawn 04.05.04
DCSE2004/2315/F	Erection of three storey sheltered accommodation	-	Current – Not determined
DCSE2004/2422/F	Residential development consisting of mixed scheme containing 22 units.	-	Current – Not determined

#### 4. Consultation Summary

##### Statutory Consultations

- 4.1 The Environment Agency has no objections subject to conditions.
- 4.2 Welsh Water have no objections subject to conditions.
- 4.3 English Heritage make no comment.

##### Internal Council Advice

- 4.4 Head of Engineering and Transportation has no objection subject to conditions.
- 4.5 Head of Environmental Health has no objections subject to conditions.
- 4.6 The Chief Conservation Officer has no objection subject to conditions.

#### 5. Representations

- 5.1 The applicants' agent has submitted a number of letters in support. These refer to the policy context, the requirement for affordable housing and the constraints on the development of the site.

- 5.2 Ross-on-Wye Town Council comment:

"The Committee were concerned that until the infrastructure in that area of town is addressed this development would overload the current systems and exacerbate the flooding problems.

Also it is not clear how many units are to be developed. In the accompanying letter the first paragraph quotes 41 units and then the letter goes on to talk about the development of 21 units. Two drawings show different proposed layouts with one showing houses being developed immediately abutting the buildings in Brookend Street and another showing the area to be dedicated car parking spaces."

- 5.3 Representations have been received from Ross-on-Wye and District Civic Society and R. Lane, 2 Millpond Street. The Civic Society observe that it would be regrettable if affordable housing were not included. R. Lane comments that a previously indicated

sub-station is now not shown, the sewer outlet from his property is not shown and there is no information as to how the boundary walls are to be established.

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 in the determination of the application are the principle of the development, the provision of affordable housing, the design and impact on the Conservation Area, the access and car parking, the impact on adjoining property and service/infrastructure issues.
- 6.2 The site has remained undeveloped for many years. Although the high wall to Station Street does act as a screen the site makes no positive contribution to the town centre, either in its use or appearance. In 1989 outline permission was granted for redevelopment, although the site was larger, to provide a mixed development of shops and housing. This has expired. The Local Plan identifies the site as "housing land with existing planning permission" and Policy 23 suggests that the site is "particularly suited for a mixed development of retail, commercial and recreational uses with a small element of residential. As this did not result in development the position was reviewed under the work on the Unitary Development Plan. As a consequence the UDP identifies the site purely for housing, and Policy H.2 suggests a site capacity of 30 dwellings. Having regard to the policy context it is considered that in principle a residential only scheme is acceptable.
- 6.3 With regard to affordable housing the applicants' agent suggests that it is not appropriate to seek such provision (the letter provides the reasoning). In the 1989 scheme there was no such provision. The Local Plan, in Policy SH.12, suggests that for sites in excess of 25 dwellings there should be an element of affordable housing. The proposal on the face of it, which is for 42 units, should therefore include affordable housing. However in examining the suitability of a site government advice (Circular 06/98 – Planning and Affordable Housing) lists criteria to consider, being the site size, suitability and economics of provision and the need to achieve a successful housing development. In particular the Circular advises that housing sites should incorporate a mix of housing types. The applicants argue that their proposal should be assessed on the basis of the suitability of the site for such a housing scheme and not specifically on the basis of their proposal which is a form of development to which different standards apply, for example, with regard to car parking. On this basis, i.e. to establish the development capacity of the site they have submitted an application for 22 dwellings, which is below the 25 dwelling threshold in the Local Plan. The case made by the applicants that there is a level playing field in the assessment of the housing capacity of a site has been supported at appeal. The applicants general housing scheme has been examined, and whilst the application is yet to be determined it is considered unlikely that the 25 dwelling threshold could be achieved. The approved scheme in 1989 did involve a considerably higher number of housing but that site was larger, the constraints in development are now evident and in terms of its design, which was four storey, such an approach would no longer be considered appropriate.
- 6.4 The site is identified in the Revised Unitary Development Plan as a housing site (Policy H.2) with the estimated capacity being 30, of which 11 would be expected to be affordable housing. There are no substantive objections to this policy and it can therefore at this time be given some weight. There are objections to the other UDP

affordable housing policy. However, as discussed above, there are doubts as to whether a mixed housing scheme of 30 units can now be achieved on this site.

- 6.5 In conclusion on this issue it is considered that having regard to the policy context it would be difficult to require affordable housing on this site. However the applicants have stated that without prejudice they are willing to consider the principle of an off-site contribution to affordable housing. This is to be discussed further.
- 6.6 With regard to design, the proposal is for a substantial three storey building. The most critical elevation is that to Station Street, with the existing gap entirely filled by the building. It will be positioned directly on the rear of the footway with the long elevation broken up by projecting gables. The archway to provide access is necessarily large but this is recessed behind the façade. The building will also be seen from other viewpoints but will partly be viewed against the backdrop of The Maltings which is opposite. Overall it is considered that the design is acceptable and despite being large the building is not out of scale. The exact choice of materials and finishes together with the detailing of elements such as windows, cills and eaves will be important. The development will enhance both the Conservation Area and the Area of Outstanding Natural Beauty.
- 6.7 The access from Station Street can be constructed to the appropriate standard and will enable access for service vehicles. Fourteen car parking spaces are shown which as the development is for sheltered housing is acceptable.
- 6.8 With regard to the impact on the adjoining property, there are a number of dwellings adjoining. Clearly any development on this site will have an impact on the amenities of these dwellings. However the design is such that there should not be an unacceptable impact from overshadowing or overlooking. Conditions can be applied with regard to boundary treatment and the position of any sub-station.
- 6.9 The site is partly on land that is within the indicative floodplain. The applicants have previously provided a Flood Risk Assessment and the Environment Agency raise no objection. With regard to drainage Welsh Water advise that a public sewer crosses the site and this must be protected. The application proposes this to be diverted. In terms of the impact on the capacity of the foul sewerage system Welsh Water have no objection.
- 6.10 The demolition of the single storey stone building is regrettable as it is an attractive structure. However, on balance, its demolition with the subsequent redevelopment of the site will result in an overall townscape improvement and is acceptable.
- 6.11 This is an important site within the centre of Ross-on-Wye, the redevelopment of which can only result in a benefit to the town.

## RECOMMENDATION

**With respect to DCSE2004/1789/F:**

- 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 deal with a contribution to the provision off-site of affordable housing in Ross-on-Wye 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 and any other conditions considered appropriate:
1. **A01 (Time limit for commencement (full permission) )**  
**Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990.**
  2. **A07 (Development in accordance with approved plans )**  
**Reason: To ensure adherence to the approved plans in the interests of a satisfactory form of development.**
  3. **B01 (Samples of external materials )**  
**Reason: To ensure that the materials harmonise with the surroundings.**
  4. **C02 (Approval of details )**  
**Reason: To safeguard the character and appearance of this building of [special] architectural or historical interest.**
  5. **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.**
  6. **G01 (Details of boundary treatments )**  
**Reason: In the interests of visual amenity and to ensure dwellings have satisfactory privacy.**
  7. **G04 (Landscaping scheme (general) )**  
**Reason: In order to protect the visual amenities of the area.**
  8. **G05 (Implementation of landscaping scheme (general) )**  
**Reason: In order to protect the visual amenities of the area.**
  9. **H03 (Visibility splays )**  
**Reason: In the interests of highway safety.**
  10. **H05 (Access gates )**  
**Reason: In the interests of highway safety.**
  11. **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.**

**12. H21 (Wheel washing )**

**Reason: To ensure that the wheels of vehicles are cleaned before leaving the site in the interests of highway safety.**

**13. H27 (Parking for site operatives )**

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

**14. H29 (Secure cycle parking provision )**

**Reason: To ensure that there is adequate provision for secure cycle accommodation within the application site, encouraging alternative modes of transport in accordance with both local and national planning policy.**

**15. No development shall take place until the following has been submitted to and approved in writing by the local planning authority:**

- a) a 'desk study' report documenting the history of the site and its surrounding area and likelihood of contaminant extent and type**
- b) if the study confirms the possibility of contamination, a site investigation report documenting the ground conditions of the site, incorporating a "conceptual model" of all the potential pollutant linkages and an assessment of risk to identified receptors**
- c) if risk assessment identifies unacceptable risk(s) a detailed scheme specifying remedial works and measures necessary to avoid risk from contaminants/or gases when the site is developed. The Remediation Scheme shall include consideration of an dproposals to deal with situations where, during works on site, contamination is encountered which has not previously been identified. Any further contamination shall be fully assessed and an appropriate remediation scheme submitted to the local planning authority for written approval.**

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

**16. The Remediation Scheme, as approved pursuant to condition no. 15 above, shall be fully implemented before the development is first occupied. Any variation to the scheme shall be agreed in writing with the local planning authority in advance of works being undertaken. On completion of the remediation scheme the developer shall provide written confirmation that all works were completed in accordance with the agreed details.**

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

**17. F16 (Restriction of hours during construction )**

**Reason: To protect the amenity of local residents.**

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

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

19. 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.

20. 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.

21. No development shall commence until the developer has prepared a scheme for the comprehensive and integrated drainage of the site showing how foul water, surface water and land drainage will be dealt with and this has been agreed in writing by the local planning authority in liaison with Dwr Cymru Welsh Water's Network Development Consultant.

Reason: To ensure that effective drainage facilities are provided for the proposed development, and that no adverse impact occurs to the environment or the existing public sewerage system.

22. 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.

23. Prior to the commencement of development the siting and details of any electricity sub-station shall be submitted to and be approved in writing by the local planning authority. The work shall be carried out in accordance with the approved details.

Reason: In order to protect the amenities of adjoining property.

**Informatives:**

1. HN05 - Works within the highway
2. HN09 - Drainage details for Section 38
3. HN10 - No drainage to discharge to highway
4. N15 - Reason(s) for the Grant of Planning Permission



With respect to DCSE2004/1790/C:

That Conservation Area Consent be granted subject to the following condition:

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

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

Decision: .....

Notes: .....

.....

**Background Papers**

Internal departmental consultation replies.



**12 DCSE2004/2133/F - CHANGE OF USE FROM FORESTRY COMMISSION LAND TO DOMESTIC GARDEN BY MOVING THE EXISTING FENCE AT LAND ADJOINING OWL BARN, BAILEY LANE END, ROSS-ON-WYE, HEREFORDSHIRE HR9 5TR**

**For: Mrs. C. Atkins, Owl Barn, Bailey Lane End, Ross on Wye, Herefordshire HR9 5TR**

**Date Received: 14th June, 2004    Ward: Penyard**

**Grid Ref: 64241, 20030**

**Expiry Date: 9th August, 2004**

Local Member:    Councillor H. Bramer

**1. Site Description and Proposal**

- 1.1 Owl Barn is within a small cluster of dwellings at Bailey Lane End. A vehicular access off the nearby Pontshill - Drybrook road has been formed to the north of the property. To the south a pedestrian gate leads onto a narrow grassed area between adjoining properties, Nuttshell and semi-detached dwellings, Elemlough and Hazel Cottage. The rear walls of the latter houses adjoin this area of land. The southern boundary of the site adjoins a track which serves a number of properties. This small area of land, about 12m x 4 m, is currently owned by the Forestry Commission. The proposal is to change the use of this small area to incorporate it into the curtilage of Owl Barn.
- 1.2 The rear wall of Hazel Cottage has a ground floor window which looks directly over the application site. Vehicular access to Nuttshell is via a short drive across the southern part of the application site which leads off the track referred to above.

**2. Policies**

**2.1 Hereford and Worcester County Structure Plan**

Policy CTC2                    -            Area of Great Landscape Value

**2.2 South Herefordshire District Local Plan**

Policy C8                        -            Development Within Area of Great Landscape Value

**3. Planning History**

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

**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 which would not appear to affect public footpath HM22A.

**5. Representations**

5.1 The applicant makes the following statement:

- (1) It is proposed that I purchase a small parcel of land measuring 12 metres x 4 metres narrowing to 3 metres which is immediately outside my garden fence.
- (2) The Forestry Commission currently owns the land that consists only of rough grass that is maintained by me. Up to the end of the eighties, it provided sole access to this property.
- (3) The Land Agent has visited the property and stated "I would not see sale of this very small area as being controversial".
- (4) Also enclosed are two photographs of the area.
- (5) The intention is to move the existing post and rail fence to the southern boundary of the area. This would encompass the rough grassland into my garden. The fence is 1 metre high.

5.2 Weston under Penyard PC has no objection to the proposal.

5.3 Hope Mansell PC is unanimously opposed to this application. There are several issues of access for maintenance to adjoining properties, together with some doubt as to the ownership of the strip of land itself. Furthermore, part of the initial agreement of sale between Mrs Atkins and the Forestry Commission stipulates that all local residents that are affected by this possible sale must be notified in writing and their written agreement obtained. To date this has not been done.

It should be noted that the application site straddles the parish boundary.

5.4 Two letters have been received from Mr. and Mrs. Nutt, of Nuttshell. The following concerns are raised:

- (1) Proposal has serious issues of access for the three adjacent houses.
- (2) Inaccurate site plan.
- (3) In view of serious affect on access and that straddles parish boundary imperative that this is discussed at site visit with case officer before proceeding with proposal.

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 small area of land is surrounded on three sides by residential properties and on the fourth by an access track. In principle the change of use to domestic curtilage would not harm the rural character of this area. The main issues are the effect on the amenity of neighbours and on access to adjoining properties. These issues are considered together.
- 6.2 The window in Hazel Cottage and vehicular access to Nuttshell are referred to in paragraph 1.2 above. It is understood that the new fence line would be positioned to the north of the window and access. This would minimise any loss of privacy and ensure that vehicular access to Nuttshell was not blocked. It is apparent that the application site is currently being used to gain access to both Owl Barn and Nuttshell. The question of right of access is essentially a legal matter, which would not normally be effected by the grant of planning permission. In these circumstances it is not considered that there are sufficient grounds to refuse planning permission.

**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 No development shall take place until details of the proposed post and rail fence including its position and height 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 define the terms of this permission.**
- 3 E16 (Removal of permitted development rights )**  
**Reason: To protect the amenities of neighbours.**

**Informative:**

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

Decision: .....

Notes: .....

.....

**Background Papers**

Internal departmental consultation replies.



**13 DCSE2004/2238/F - BUILDING TO PROVIDE ACCOMMODATION FOR PRE-SCHOOL AND NURSERY EDUCATION AT MUCH MARCLE C. OF E. PRIMARY SCHOOL, MUCH MARCLE, LEDBURY, HEREFORD HR8 2LY**

**For: The School Governors per Mr. J.L. Reed, The Old Barn, Perrystone Hill, Ross-on-Wye, Herefordshire HR9 7QX**

**Date Received: 22nd June, 2004 Ward: Old Gore**

**Grid Ref: 65719, 33046**

**Expiry Date: 17th August, 2004**

Local Member: Councillor J.W. Edwards

**1. Site Description and Proposal**

- 1.1 This site is located in the village of Much Marcle. The site itself is a rough unused area of land within the primary school grounds immediately adjacent to the main school building. There is a hard-surfaced play area to the rear of the building and a playing field to the south east.
- 1.2 The proposal is to erect a timber clad building with a pitched roof. This single storey building will measure approximately 12 metres by 6 metres and will have bitumen shingles on the roof. The building will be used to provide pre-school and nursery education.

**2. Policies**

**2.1 Planning Policy Guidance**

PPG.1	General Policy and Principles
PPS7	Sustainable Development in Rural Areas

**2.2 Hereford and Worcester County Structure Plan**

Policy CTC2	Area of Great Landscape Value
Policy CTC9	Development Criteria
Policy CTC15	Preservation, Enhancement and Extension of Conservation Areas

**2.3 Malvern Hills District Local Plan**

Conservation Policy 2	New Development in Conservation Areas
Landscape Policy 3	Development in Areas of Great Landscape Value

**2.4 Herefordshire Unitary Development Plan (Revised Deposit Draft)**

Policy S2	Development Requirements
Policy DR1	Design

Policy HBA6  
Policy CF5

New Development within Conservation Areas  
New Community Facilities

## 2.5 Much Marcle Parish Design Statement

### 3. Planning History

- 3.1 NE2002/3185/F Conversion of school house to entrance/cloakroom, formation of classroom and library in existing classroom, replace flat roof with pitched roof. - Planning Permission 06.12.02

### 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.
- 4.3 The Director of Education supports the application which will enhance pre-school education.

### 5. Representations

- 5.1 The applicant's agent states:

- The nursery will provide pre-school care for a maximum of 16 children
- the organisation, layout and floor area are dictated by OFSTEAD rules
- the opening and closing times together with start/finish of any other session will be arranged so they do not coincide with those of the main school, e.g. nursery opens at 8.00 am whereas school starts at 9.00 am
- car parking is provided at the nearby Parish Hall for which an annual rent is paid.

- 5.2 The Parish Council returned their consultation making no comments.

- 5.3 One letter of objection has been received from Mr. K.E. Payne, Bartons Well, Much Marcle, Ledbury, Herefordshire HR8 2LY. The main points being:

- objector has visited log cabin at Much Birch which is understood to be similar to proposed building. Find it incomprehensible that a building of this size and cost should be contemplated
- a previous pre-school and nursery project held at village hall failed due to lack of numbers
- the village hall is due to be extended and the number of car parking spaces will be curtailed and any activity which will increase number of cars at the school is to be deplored
- object to the proposal as it will have yet another detrimental effect on objector's privacy and what peace and quiet there is remaining.



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, design and location of the building and its effect on the visual amenities of the area and the residential amenities of neighbouring dwellings. Also the effect the proposal will have on parking in the vicinity. The most relevant planning policies are CTC9 of the Structure Plan and Conservation Policy 2 of the Local Plan.
- 6.2 The proposed building set in this position adjacent to the main school building is considered to be acceptable. The building itself is not large and when viewed against the backdrop of the school, and also the hedge to the rear, it will not be prominent or detrimental to the visual amenities of the area. It will not harm the Conservation Area.
- 6.3 Also this type of use forms a natural extension to the existing primary school use and as such will not adversely affect the residential amenities of any neighbouring properties. The objector's dwelling is situated on the other side of the main school building and as such will not be adversely affected by the proposed development.
- 6.4 The design of the building is considered to be acceptable, although a better quality roofing material would be preferable to the proposed bitumen shingles. A condition requiring the roofing materials to be submitted for consideration could be imposed on any planning permission.
- 6.5 The proposed parking arrangements i.e. use of the existing nearby Village Hall car park is considered to be acceptable. The Head of Engineering and Transportation raises no objection.
- 6.6 The proposed development is considered to be acceptable and in accordance with planning policies and guidance.

## **RECOMMENDATION**

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

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

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

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

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

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

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

- 4 The timber cladding to be used externally on the walls shall be treated to assume a matt dark brown concurrently with the construction of the building unless otherwise first agreed in writing by the local planning authority.

Reason: To protect the visual amenities of the area.

**Informative:**

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

Decision: .....

Notes: .....

.....

**Background Papers**

Internal departmental consultation replies.

**14 DCSE2004/2421/O - SITE FOR PROPOSED DWELLING AT LAND ADJACENT TO HORNBEAM, SCHOOL LANE, WESTON UNDER PENYARD, ROSS-ON-WYE, HEREFORDSHIRE**

**For: Mr. D. Gardiner per V.J.M. Design House, 26 Whaddon Road, Cheltenham, Gloucester GL52 5NA**

**Date Received: 2nd July, 2004      Ward: Penyard      Grid Ref: 63318, 23264**  
**Expiry Date: 27th August, 2004**  
 Local Member:    Councillor H. Bramer

**1. Site Description and Proposal**

- 1.1 The application site of about 0.2 ha is part of the garden of Hornbeam, a detached bungalow which has been extended, in School Lane, Weston under Penyard. This half of the garden adjoins Rosbach, another detached dwelling to the north-east. To the north-west and on the opposite side of School Lane are further residential properties.
- 1.2 This outline application is for the erection of one dwelling. All matters are reserved for later decision except for the means of access. The access would be off School Lane at a point opposite the junction with Mill Orchard.

**2. Policies**

**2.1 Planning Policy Guidance**

PPG.3                    -                    Housing

**2.2 Hereford and Worcester County Structure Plan**

Policy H18                    Housing in Rural Areas  
 Policy H16A                    Housing in Rural Areas

**2.3 South Herefordshire District Local Plan**

Policy GD.1                    General Development Criteria  
 Policy SH6                    Housing Development in Larger Villages  
 Policy SH8                    New Housing Development Criteria in Larger Villages  
 Policy SH.14                    Siting and Design of Buildings  
 Policy SH.15                    Criteria for New Housing Schemes  
 Policy T1A                    Environmental sustainability and Transport  
 Policy T3                    Highway Safety Requirements

**2.4 Herefordshire Unitary Development Plan (Revised Deposit Draft)**

Policy H4                    Main Villages: Settlement Boundaries  
 Policy H15                    Density

### 3. Planning History

- |     |               |   |   |                       |
|-----|---------------|---|---|-----------------------|
| 3.1 | SE2002/0562/F | Single-storey extension to front, 2 single-storey extensions to rear. | - | Permitted<br>04.04.02 |
|     | SE2003/2230/F | Extension and loft conversion and garage.                             | - | Refused<br>08.09.03   |
|     | SE2004/1556/F | Replacement conservatory and roof alterations.                        | - | Permitted<br>23.06.04 |

### 4. Consultation Summary

#### Statutory Consultations

- 4.1 Welsh Water request that conditions be imposed regarding surface water drainage.

#### Internal Council Advice

- 4.2 Head of Engineering and Transportation recommends that any permission include conditions regarding the access and off-street parking.

### 5. Representations

- 5.1 Weston under Penyard Parish Council unanimously object to the application to build a dwelling on this site, having given consideration to the serious road hazard for young schoolchildren which yet another access onto the narrow School Lane would impose. Four accesses from residential properties close to the proposed site already exist, plus the entrance to the Mill Orchard development which is directly opposite.
- 5.2 One letter has been received expressing concerns about a new access onto School Lane as this section of School Lane becomes very congested as children are driven or walk to school.
- 5.3 One letter states that there are no fundamental objections to the proposal and suggests that a bungalow-style of dwelling would be appropriate and that it comes no closer to boundary with Weston Mews than recent rear extension to Hornbeam.

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 application site is within the defined settlement boundary of Weston under Penyard and in principle therefore residential development is acceptable (Policy SH6). The site is larger than other residential curtilage in School Lane but the frontage is of similar width, and the style of the adjoining houses (Hornbeam and Rosbach) requires a more spacious setting. The proposal to build one house is considered to be acceptable therefore despite strictures in PPG3 to ensure best use of available housing land. The large plot would also ensure that a new dwelling could be sited a sufficient distance from neighbouring properties to protect residential amenities.
- 6.2 The main issue therefore is whether the new access and traffic generated would prejudice road safety. The village primary school is along School Lane to the south.

There is no off-street parking at the school and the short section of School Lane north to the A40(T) is no doubt the most congested area at the start and end of the school day. The concern of the Parish Council and local resident is therefore appreciated. Nevertheless this new access would serve only one house and the number of traffic movements generated during the short busy period would be few. Visibility of the access of both vehicles and pedestrians would be good and traffic would be moving slowly, School Lane having a 30 mph speed restriction. In these circumstances it is not considered that there would be significant extra risks to vehicular traffic or pedestrians.

## 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.**

**5 H01 (Single access - not footway )**

**Reason: In the interests of highway safety.**

**6 H03 (Visibility splays )**

**Reason: In the interests of highway safety.**

**7 H05 (Access gates )**

**Reason: In the interests of highway safety.**

**8 H06 (Vehicular access construction )**

**Reason: In the interests of highway safety.**

**9 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.**

**10 H27 (Parking for site operatives )**

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

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

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

**12 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.**

**13 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 If a connection is required to the public sewerage system, the developer is advised to contact the Dwr Cymru Welsh Water's Network Development Consultants on Tel: 01443 331155**

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

Decision: .....

Notes: .....

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**Background Papers**

Internal departmental consultation replies.