

A G E N D A

Southern Area Planning Sub- Committee

Date: **Wednesday, 29th September, 2004**

Time: **2.00 p.m.**

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

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

For any further information please contact:

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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
1. APOLOGIES FOR ABSENCE	
To receive apologies for absence.	
2. DECLARATIONS OF INTEREST	
To receive any declarations of interest by Members in respect of items on the Agenda.	
3. MINUTES	1 - 14
To approve and sign the Minutes of the meeting held on 1st September, 2004.	
4. ITEM FOR INFORMATION - APPEALS	15 - 16
To note the contents of the attached report of the Head of Planning Services in respect of the appeals received or determined for the southern area of Herefordshire.	
REPORTS BY THE HEAD OF PLANNING SERVICES	
To consider and take any appropriate action in respect of the planning applications received for the southern area and to authorise the Head of Planning Services to impose any additional or varied conditions and reasons considered to be necessary.	
Plans relating to planning applications on this agenda will be available for inspection in the Council Chamber 30 minutes before the start of the meeting.	
5. DCSE2004/2752/F - DOWARD HOTEL, WHITCHURCH, ROSS-ON-WYE, HEREFORDSHIRE, HR9 6DW	17 - 22
Change of use from residential C3 to residential care home C2 for adults with learning difficulties.	
6. DCSE2004/2323/F - CHRISTMAS COTTAGE, SANDYWAY LANE, WHITCHURCH, ROSS-ON-WYE, HR9 6DN	23 - 26
Double and single storey extensions to side of dwelling.	

7.	DCSW2004/2175/F - LAND ADJACENT TO GREAT HOUSE FARM, DORSTONE, HEREFORD, HR3 6BE	27 - 32
	Erection of two detached 4 bed houses and double garages.	
8.	DCSE2004/2716/T - COMPOUND 2, BROAD MEADOWS INDUSTRIAL ESTATE, STATION APPROACH, ROSS-ON-WYE, HEREFORDSHIRE	33 - 38
	Telecommunications development comprising 15m high monopole, incorporating 3 no. antennae, 1 no. 30cm transmission dish, 2 no. 60cm transmission dishes and associated cabinet equipment and compound security.	
9.	DCSE20042624F - 9 PROSPECT TERRACE, HOMS ROAD, ROSS-ON-WYE, HEREFORDSHIRE, HR9 7DE	39 - 42
	Establishment of detached building as annexe to property and alterations.	
10.	DCSE2004/2614/F - ST. JOSEPHS CONVENT, WALFORD ROAD, ROSS-ON-WYE, HEREFORDSHIRE, HR9 5PQ	43 - 50
	New access.	
11.	DCSW2004/2703/F - FIELD ADJACENT TO THE CROSSING BUNGALOW, PETERCHURCH, HEREFORDSHIRE	51 - 56
	Change of use from grazing land to sports field, provision for Fairfield High School.	
12.	DCSE2004/1769/F - LAND ADJOINING AND INCLUDING 1 & 2 LOWER GREYTREE COTTAGES, SIXTH AVENUE, GREYTREE, ROSS-ON-WYE, HEREFORDSHIRE, HR9 7HW	57 - 64
	Erection of seven dwellings and associated garages. Demolition of existing pair of cottages. Alteration and improvement to existing vehicular access and construction of private driveway.	
13.	DCSE20042733F - PETROL FILLING STATION (FORMER), GLOUCESTER ROAD, ROSS-ON-WYE, HEREFORDSHIRE, HR9 5NA	65 - 72
	Demolition of existing petrol filling station and erection of 18 no. residential apartment dwellings.	

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COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL

BROCKINGTON, 35 HAFOD ROAD, HEREFORD.

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COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL

MINUTES of the meeting of Southern Area Planning Sub-Committee held at The Council Chamber, Brockington, 35 Hafod Road, Hereford on Wednesday, 1st September, 2004 at 2.00 p.m.

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

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

In attendance: Councillor T.W. Hunt

44. APOLOGIES FOR ABSENCE

Apologies were received from Councillors H. Bramer, J.W. Edwards and D.C. Taylor.

45. DECLARATIONS OF INTEREST

The following declarations of interest were made:

Councillor	Item	Interest
Councillor Mrs. A.E. Gray and Councillor G. Lucas	11a (DCSE2004/1789/F – Erection of three storey sheltered accommodation. Former Alton Court Brewery, Station Street, Ross-on-Wye, Herefordshire) and 11b (DCSE2004/1790/C – Demolition works to accommodate construction of retirement flats, former Alton Court Brewery, Station Street, Ross-on-Wye, Herefordshire)	Both Members declared a prejudicial interest and left the meeting for the duration of the item.

46. MINUTES

RESOLVED: That the Minutes of the meeting held on 4th August, 2004 be approved as a correct record and signed by the Chairman.

47. 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.

48. DCSE2004/1949/O - HAZELNUT COTTAGE AND ADJOINING LAND, LLANGROVE, NR ROSS-ON-WYE, HEREFORDSHIRE (AGENDA ITEM 5)

Proposed site for residential development.

The Principal Planning Officer advised Members that conditions should be added regarding access.

In accordance with the criteria for public speaking, Mrs Wright, representing the residents action group, spoke in objection to the application.

Councillor Mrs. J.A. Hyde, the Local Ward Member, agreed with the objections raised by the local residents and felt she could not support the application.

A number of Members sympathised with local residents but noted that the application site was within the development area of Llangrove and felt that the application should not be refused.

RESOLVED

That planning permission be granted subject to the following conditions:

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

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

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

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

3 A04 (Approval of reserved matters)

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

4 A05 (Plans and particulars of reserved matters)

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

Informative:

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

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

Outline for residential development of six detached houses and associated vehicular access.

The Principal Planning Officer reported the receipt of a further letter of support from a local resident.

In accordance with the criteria for Public Speaking, Mr Spreckley, the applicant's agent, spoke in support of the application.

In response to a question, the Principal Planning Officer advised Members that Welsh Water had confirmed that there was capacity in the drainage system to facilitate the development.

RESOLVED

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 in writing 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**

50. DCSE20041910F - LAND ADJACENT TO COURT FARM, KINGS CAPLE,
HEREFORDSHIRE, HR1 4TX (AGENDA ITEM 7)

Detached 3 bedroom bungalow with double garage/store.

In accordance with the criteria for Public Speaking, Mr Waymouth, a resident of a neighbouring property spoke in objection to the application.

RESOLVED

That planning permission be granted subject to the following conditions:

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

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

2 A07 (Development in accordance with approved plans)

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

3 B01 (Samples of external materials)

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

4 E08 (Domestic use only of garage)

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

5 G04 (Landscaping scheme (general))

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

6 G05 (Implementation of landscaping scheme (general))

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

7 F18 (Scheme of foul drainage disposal)

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

8 D01 (Site investigation - archaeology)

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

9 H01 (Single access - not footway)

Reason: In the interests of highway safety.

10 H03 (Visibility splays)

Reason: In the interests of highway safety.

11 H05 (Access gates)

Reason: In the interests of highway safety.

12 H06 (Vehicular access construction)

Reason: In the interests of highway safety.

13 H13 (Access, turning area and parking)

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

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

51. DCSW2004/1729/RM - LAND ADJACENT TO LITTLE BIRCH ROAD, KINGSTHORNE, HEREFORDSHIRE (AGENDA ITEM 8)

Proposed detached bungalow.

In accordance with the criteria for Public Speaking, Mrs. Swift, a local resident, spoke in objection to the application.

Councillor G.W. Davis, the Local Ward Member, voiced concerns regarding the position of the bungalow on the site and asked if it could be moved to a more central location.

In response to the question, the Principal Planning Officer advised members that the bungalow needed to be located at the highest point of the site to facilitate the soakaway drainage required by the Environment Agency.

RESOLVED

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

52. DCSE2004/2399/F - LAND AT WELSH NEWTON, ROSS-ON-WYE,
HEREFORDSHIRE (AGENDA ITEM 9)

Application for the retention of newly formed access.

In accordance with the criteria for public speaking, Mr Lane, representing Llangarron Parish Council, spoke in objection to the application.

Councillor Mrs J.A. Hyde, the Local Ward Member, agreed with the objections raised by the Parish Council and felt a more suitable access point could be found.

The Chairman advised Members that she understood the current owner was unlikely to use the access. The Team Leader (Southern) advised Members that the application had to be considered on its merits and, as the Head of Engineering and Transportation had no objections subject to conditions, a refusal based on Highways issues could be difficult to sustain on appeal.

A number of Members expressed concerns about Highway Safety and felt the application should be refused.

RESOLVED

- (i) **The Southern Area Planning Sub-Committee is minded to refuse the application on grounds of highway safety (and any further reasons for refusal felt to be necessary by the Head of Planning Services) provided that the Head of Planning Services does not refer the application to the Planning Committee.**
- (ii) **If the Head of Planning Services does not refer the application to the Planning Committee, Officers named in the Scheme of Delegation to Officers be instructed to refuse the application.**

(Note: The Team Leader (Southern) said that he would refer the application to the Head of Planning Services as the Sub-Committee's view might not be defensible if challenged.)

53. DCSE2004/2241/F - HOPYARD COTTAGE, UPTON BISHOP, ROSS-ON-WYE,
HEREFORDSHIRE, HR9 7UJ (AGENDA ITEM 10)

Timber framed shed 7.5m x 4m with apex roof.

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 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

54. DCSE2004/1789/F - DCSE2004/1790/C - FORMER ALTON COURT BREWERY,
STATION STREET, ROSS-ON-WYE, HEREFORDSHIRE (AGENDA ITEM 11)

Erection of three storey sheltered accommodation.

Demolition works to accommodate construction of retirement flats

The Team Leader (Southern) confirmed that a sum of £164,500 had been offered by the developer in order to contribute to the offsite provision of affordable housing in Ross-on-Wye, this sum would be secured through a section 106 agreement. He advised Members that a condition should be added to restrict the sale of the dwellings to Ross-on-Wye residents or people with strong links to the area for a limited time. He also advised that a condition should be added regarding the age range of the occupants of the units.

Councillor Mrs. C.J. Davis, the Local Ward Member, noted the concerns of the

residents and the Parish Council regarding problems with foul drainage in the area. As a result of this she felt that she could not support the application.

Some Members raised concerns regarding the suitability of the proposed design in this location.

In response to a number of concerns raised by Members, the Team Leader (Southern) advised that Welsh Water and the Environment Agency had raised no objections to the application and felt that the development should not have an adverse effect on the drainage system.

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

RESOLVED

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 and proposals 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.

55. DCSE2004/2133/F - LAND ADJOINING OWL BARN, BAILEY LANE END, ROSS-ON-WYE, HEREFORDSHIRE HR9 5TR (AGENDA ITEM 12)

Change of use from Forestry Commission land to domestic garden by moving the existing fence.

The Principal Planning Officer reported the receipt of a further letter of correspondence from the Forestry Commission advising that they were no longer willing to sell the land to the applicant.

RESOLVED

That planning permission be granted subject to the following conditions:

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

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

- 2 No 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

56. DCSE2004/2238/F - MUCH MARCLE C. OF E. PRIMARY SCHOOL, MUCH MARCLE, LEDBURY, HEREFORD HR8 2LY (AGENDA ITEM 13)

Building to provide accommodation for pre-school and nursery education.

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

RESOLVED

That planning permission be granted subject to the following conditions:

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

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

2 A07 (Development in accordance with approved plans)

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

3 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

57. DCSE2004/2421/O - LAND ADJACENT TO HORNBEAM, SCHOOL LANE, WESTON UNDER PENYARD, ROSS-ON-WYE, HEREFORDSHIRE (AGENDA ITEM 14)

Site for proposed dwelling.

RESOLVED

That planning permission be granted subject to the following conditions:

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

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

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

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

3 A04 (Approval of reserved matters)

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

4 A05 (Plans and particulars of reserved matters)

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

5 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**

The meeting ended at 3.27 p.m.

CHAIRMAN

ITEM FOR INFORMATION - APPEALS**APPEALS RECEIVED****Application No. DCSW2004/1240/F**

- The appeal was received on 25th 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 Mrs. A. Lewis
- The site is located at Cider House, Unit 1, Pool Farm, Much Dewchurch, Hereford, Herefordshire, HR2 8DL
- The development proposed is Variation of Condition 3. to permit erection of 1.80m high close boarded fencing to rear boundaries of Unit 1, of approved application No SW1999/1762/F. Removal of Condition 4 of approved application SW1999/1762/F to allow access to Unit 1 off main entrances to Pool Farm House.
- The appeal is to be heard by Written Representations

Case Officer: Andrew Prior on 01432 261932

APPEALS DETERMINED**Application No. DCSW2003/3107/F**

- 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 Mr. & Mrs. C. Swainson
- The site is located at 1 Redlands Cottages, Longtown, Hereford, HR2 0LQ
- The application, dated 14th October, 2003, was refused on 8th December, 2003
- The development proposed was Proposed first floor extension
- The main issue is the effect of the proposed development on the character and appearance of the host dwelling and the locality.

Decision: The appeal was **DISMISSED** on 23rd August, 2004

Case Officer: Andrew Prior on 01432 261932

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

5 DCSE2004/2752/F - CHANGE OF USE FROM RESIDENTIAL C3 TO RESIDENTIAL CARE HOME C2 FOR ADULTS WITH LEARNING DIFFICULTIES AT DOWARD HOTEL, WHITCHURCH, ROSS-ON-WYE, HEREFORDSHIRE, HR9 6DW

For: Voyage Care Services per Homewood Design Unit, 9 Tamworth Enterprise Park, Mariner, Tamworth B79 7UL

Date Received: 26th July, 2004 Ward: Kerne Bridge Grid Ref: 53915, 16645

Expiry Date: 20th September, 2004

Local Member: Councillor Mrs. R.F. Lincoln

1. Site Description and Proposal

- 1.1 The site is located on the east side of the Class III road at Crockers Ash, which comprises a collection of dwellings about 1 mile south of Whitchurch. Doward Hotel, which is in residential use and no longer a hotel, is approached by a short drive that also serves two recently constructed houses. There is also an access onto the lane at the rear that serves the Doward.
- 1.2 The building is a Listed Building and dates from 1800 but has been much altered more recently. It is of two stories with rendered walls and a tile roof. Its rear abuts the road that serves the Doward. The site is on rising ground and is visible for some distance from the south. It is within the AONB and AGLV. The curtilage that includes the whole of the drive extends to some 0.4 ha.
- 1.3 The proposal is to change the use to care home for adults with learning disabilities, which is a change in Use Class from C3 to C2. No external alterations are proposed.

2. Policies

1.1 Planning Policy Guidance/Statements

PPG1	-	General Policy and Principles
PPG3	-	Housing
PPS7	-	Sustainable Development in Rural Areas
PPG15	-	Planning and the Historic Environment

1.2 Hereford and Worcester Structure Plan

Policy CTC1	-	Areas of Outstanding Natural Beauty
Policy CTC2	-	Areas of Great Landscape Value
Policy CTC9	-	Development Requirements
Policy CTC13	-	Conversion of Buildings

1.3 South Herefordshire District Local Plan

Policy GD.1	-	General Development Criteria
Policy C.1	-	Development within Open Countryside
Policy C.5	-	Development within Area of Outstanding Natural Beauty
Policy C.8	-	Development within Area of Great Landscape Value
Policy C27A	-	Change of Use to a Listed Building
Policy CF.4	-	Residential Homes
Policy T.3	-	Highway Safety Requirements
Policy T.1A	-	Environmental Sustainability and Transport

1.4 Unitary Development Plan

Policy S.1	-	Sustainable Development
Policy S.2	-	Development Requirements
Policy DR.2	-	Land Use and Activity
Policy LA.1	-	Areas of Outstanding Natural Beauty
Policy LA.2	-	Landscape Character and Areas Least Resilient to Change
Policy HBA3	-	Change of Use of Listed Buildings
Policy CF.7	-	Residential Nursing and Care Homes

3. Planning History

3.1	SH030100LA	Repairs and maintenance to halt further deterioration.	-	Approved 18/3/93
	SH940013PF	Conversion of hotel into 6 apartments and 2 detached houses.	-	Not determined
	SH971030PF	Hotel conversion to 6 flats plus two cottage style dwellings.	-	Approved 30/3/98
	SH971031LA	Hotel conversion to 6 flats plus two cottage style dwellings.	-	Approved 30/3/98
	SE1999/1468/F	Proposed manager's dwelling.	-	Withdrawn
	SE1999/2102/F	Managers house.	-	Withdrawn

4. Consultation SummaryStatutory Consultations

4.1 No statutory or non-statutory consultations required.

Internal Council Advice

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

5. Representations

5.1 In support of the proposal it is stated:

"Voyage Limited provides specialist residential homes for people with a learning disability and complex needs. Our services and support aim to help individuals develop and progress within an extended family model, in this case for 10 individuals, two of who will be supported in self-contained apartments to assist in building their

independence. The residents will be supported to access normal community facilities in adjoining towns and villages.

Given the special needs of the people we support, we provide a high ratio of staff to residents, a minimum of 1 staff member to two residents during waking hours but in approximately 30% of cases staffing levels are higher. We would estimate that there would be 6 or 7 support staff on duty during waking hours. At night time there would be a minimum of one staff member on waking duty supported by a member of staff on sleep-in duty.”

- 5.2 Ganarew Parish Council's response is awaited
- 5.3 Commission for Social Care Inspection have no observations
- 5.4 Herefordshire Primary Care Trust response is awaited
- 5.5 West Mercia Constabulary response is awaited
- 5.6 Letters of objection have been received from Well Vale Farm, Crockers Ash House, 2 Fernbank Cottages and Falcon Dene. The reasons are:-
 - the plans are incorrect and do not show two new houses which are close to the site
 - the property is not a hotel but in residential use
 - that there is no community into which the residents can be reintroduced/integrated
 - there is nothing to do in the area
 - residents will get lost in the woods or fall in the river
 - there is no garden
 - it is close to a busy road
 - the application is for profit
 - there will be trespass onto farmland
 - there is no guarantee for the personal security/protection of local children and other homes have recently shut due to incompetent running
 - the use will not conform to planning policies C.1, GD.1, CF.4
 - it will generate noise, general activity and traffic which will be detrimental and unsafe in the area
 - it is suggested that access is limited to the side access and that other works such as speed limits and pavements are provided on the public highway
 - there is lack of facilities and public transport in the area
 - it is concluded that the proposal is ill thought out and not in the interests of proposed or local residents

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

6. Officers Appraisal

- 6.1 The starting point for the determination of the application is the policies of the development plan. In this case the primary issue is the suitability of the site for such a use. Local Plan Policy CF.4 deals with residential homes and states that permission will be granted for such uses subject to the meeting of certain criteria. In addition, Unitary Development Plan Policy CF.7 deals with residential nursing and care homes and, subject to meeting certain criteria, states that such uses will be permitted in areas

where new residential development is acceptable or where they involve the environmentally acceptable conversion of buildings.

6.2 The Doward Hotel was previously a hotel but the building fell into disrepair. Following the permission in 1998 it was converted into the six flats as approved but only one of these has been occupied. This proposal therefore effectively seeks the re-use of a rural building that was previously in a commercial use.

6.3 From the policy context the following two broad issues can be identified –

- whether this is a suitable location for a residential institution, and
- the impact of the use on the amenities of nearby properties

6.4 Whether this is a suitable location for a residential institution

The site is within open countryside where planning permission would not normally be granted for new development. This proposal is however for the change in use of an existing building. Local Plan Policy CF.4 does not include a locational constraint, as such, for residential homes and neither does UDP Policy CF.7, in terms of the conversion of an existing building.

Crockers Ash is essentially a collection of dwellings alongside the Class III road. It contains no local services or facilities. The nearest facilities are located nearby in Whitchurch. The full range of community services and facilities are located either in Ross on Wye or Monmouth. It is clear therefore that the occupants, as currently do all the existing local residents, will have to travel to obtain all the basic services and facilities. However, there are throughout the county a number of other similar establishments that are in the more rural areas with similar travel distances for access to services. It is considered that the use in this location would not be so disadvantaged in terms of access to these services such that it is unacceptable.

With regard to accessibility and traffic issues, the site is close to the A40 that provides a good link to the nearest towns. The access to the site from the public highway is a recently surfaced driveway that also serves two other houses. The occupancy in terms of numbers of people is not considered to be excessive for the size of the property. It is considered that the traffic generated by the use will not be at a level such that there would be an unacceptable increase on the road network resulting in an adverse impact on highway safety. Within the site itself there is an acceptable provision for car parking. Of the two access points it would be preferable for vehicles to use the access direct to the Class III road rather than onto the narrow lane at the side. However it is not considered necessary to close the secondary access. The Head of Engineering and Transportation has no objection subject to conditions requiring the car parking area to being resurfaced.

In conclusion on this issue it is considered that the site is a suitable location.

6.5 The impact of the use on the amenities of nearby properties

It is likely that the residents of the home will require continuing professional care and support. The application makes it clear that there will be care staff present at all times. Local Plan Policy CF.4 and UDP Policy CF.7 seek to ensure that residential care homes do not adversely affect the amenities of neighbouring properties. This is an issue of concern to local residents and it has been raised during the consideration of other similar proposals both in the county and nationally. It has been confirmed that a

fear of the behaviour from the occupants of residential care homes can be a material planning consideration. However in order to carry significant, and determining, weight such concerns need to be accompanied by convincing evidence that the assertions made will result.

Firstly it is considered that from the level of occupation intended the operation of the use within the site itself, in terms particularly of noise and disturbance, is unlikely to have an unacceptable impact on the amenities of nearby dwellings. Additionally it is unlikely that any additional traffic generated would cause unacceptable harm to residential amenity.

With regard to the broader issue the expressed fears (in the representations) are that the use may give rise to danger to local children and that there is no local community into which the occupants can integrate.

It is accepted that the residents are likely to be in a different environment to that which they are used to. The regulatory body for the use is the Commission for Social Care Inspection who has no observations. It is necessary to also be mindful of the advice in PPG.3 that promotes the concept of mixed and inclusive communities, including meeting the housing needs of specific groups.

In conclusion on this issue it is considered that the proposal would not result in an unacceptable impact on the amenities of residential property in the area.

- 6.5 The site is within the Wye Valley Area of Outstanding Natural Beauty and the Area of Great Landscape Value. It is considered that the nature of the proposal is such that harm will not be caused to the landscape character of the area.
- 6.6 The property is a Listed Building. No physical alterations are proposed but should any be necessary, such as to enable compliance with Fire Regulations, these would need to be the subject of a separate application. The proposed car parking is shown to be to the front of the property on the existing gravelled area. It would be preferable, in the interests of preserving/improving the setting of the building if it were relocated to the side of the building. This can be reserved by condition.
- 6.7 Conclusion

The introduction of such uses into any location is usually accompanied by concerns from the local community. In this case having regard to the policies of the development plan it is considered that the proposal is acceptable. With regard to other material considerations, whilst the concerns of the local community are understood they do not represent, in planning terms, a clear justification to refuse the application.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

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

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

- 2 The occupation of the property shall be limited to a maximum number of ten adults.

Reason: In order to define the terms under which this permission is granted.

- 3 At all times when adults are present in the property a minimum of one care staff shall also be present.

Reason: In order to ensure that continued residential care is available.

- 4 H16 (Parking/unloading provision - submission of details)

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

Informative:

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

Decision:

Notes:

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Background Papers

Internal departmental consultation replies.

6 DCSE2004/2323/F - DOUBLE AND SINGLE STOREY EXTENSIONS TO SIDE OF DWELLING AT CHRISTMAS COTTAGE, SANDYWAY LANE, WHITCHURCH, ROSS-ON-WYE HR9 6DN

For: Mr. & Mrs. Davies per Mr. M. Keyse, Sawpits, Great Doward, Symonds Yat, Ross on Wye, HR9 6BP

Date Received: 25th June, 2004 Ward: Kerne Bridge Grid Ref: 54499, 16779

Expiry Date: 20th August, 2004

Local Member: Councillor Mrs R.F. Lincoln

1. Site Description and Proposal

- 1.1 This site flanks the south eastern side of Sandyway Lane which leads upwards from the A40 Trunk Road towards the Great Doward. The site itself is a very small stone cottage (some grey render) set in a narrow garden. The garden is elevated above the road. The rear boundary of the garden area is a steep rock bank with a field behind at a higher level. There is an existing cottage on the opposite side of the road which is at road level. There are a lot of mature trees along the rear boundary of the property. The front boundary of the garden is composed of a roadside hedge.
- 1.2 The proposal is to erect a two storey extension at the south western end of the cottage and a single storey extension at the north eastern end. The external walls will be clad in render with concrete tiles on the roof.

2. Policies

2.1 Planning Policy Guidance and Statements

PPG.1	-	General Principles
PPS7	-	Sustainable Development in Rural Area

2.2 Hereford and Worcester County Structure Plan

Policy H16A	-	Development Criteria
Policy H20	-	Residential Development in Open Countryside
Policy CTC1	-	Development in Areas of Outstanding Natural Beauty
Policy CTC2	-	Development in Areas of Great Landscape Value
Policy CTC9	-	Development Criteria

2.3 South Herefordshire District Local Plan

Policy GD1	-	General Development Criteria
Policy C1	-	Development within Open Countryside
Policy C5	-	Development within AONB
Policy C8	-	Development Within Area of Great Landscape Value
Policy SH23	-	Extensions to Dwellings
Policy T3	-	Highway Safety Requirements

2.4 Herefordshire Unitary Development Plan (Revised Deposit Draft)

Policy S2	-	Development Requirements
Policy DR1	-	Design
Policy H18	-	Alterations and Extensions
Policy LA.1	-	Areas of Outstanding Natural Beauty

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 applicants state:

Small one bedroomed house which as a family of three we are starting to outgrow. The extensions would bring home up to modern standards and give a bedroom for the son. No previous extensions to cottage. Not possible to extend at back due to steep rock bank at rear. The extensions will be traditional in appearance and will not dominate original cottage.

5.2 The Parish Council observe:

Supported, as it is in keeping with other rendered properties in close proximity.

5.3 Three letters of objection have been received from B.J. and M.J. Lyons, Littlefield, Sandyway Lane, Whitchurch, Ross on Wye HR9 6DN. The main points being:

- over-intensification of development, 80% increase in floor area. No longer subordinate to original dwelling
- render on walls is inappropriate and out of keeping with locality
- increased visual intrusion on landscape
- design is inappropriate to style of original dwelling
- single storey extension will directly overlook objectors dwelling (at first floor level) on opposite side of lane
- reduce availability of affordable housing in Parish
- increase in bedrooms will lead to increase in traffic
- previous stable block and summerhouse built at property
- block and location plans not accurate and do not accurately show proximity of other cottages
- site has suffered 4 slippages in recent years
- infrastructure will be pressured by non stop extensions
- recommend Committee make a site visit before deciding application

- enclose copy of letter to the O.S. Director General which essentially says that O.S. maps do not accurately show position of dwellings and surrounding spaces.

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

6. Officers Appraisal

- 6.1 The main issues relate to the size and design of the proposed extensions and its effect on the character and appearance of the original cottage, its setting and the residential amenities of the dwelling on the opposite side of the road. The most relevant planning policies are GD1 and SH23 of the Local Plan and H16A, H20 and CTC9 of the Structure Plan.
- 6.2 The existing cottage has had no recent extensions to it. The proposed extensions are considered to be in keeping with the size, scale and design of the existing cottage which will remain the dominant feature of the resultant extended dwelling. The proposed external materials are also considered to be acceptable. The site is restricted by the steep rock bank to the rear which has resulted in the single-storey extension having to be pushed forward. However this extension is only small and it is not considered that it will adversely affect the character or appearance of the original cottage nor its garden area. There is a large number of mature trees in the area and especially to the rear of the application site. When viewed against the backdrop of the trees and the bank it is not considered that the proposed development will adversely affect the visual amenities and character of the immediate setting nor the surrounding landscape.
- 6.3 The position of proposed extensions in relation to the existing dwelling on the opposite side of the road has been carefully evaluated and it is considered that the residential amenities of that dwelling will not be adversely affected by the proposed development. Although the application site is at a higher level than the dwelling opposite it is considered that the size and position of the windows and the distance between the two dwellings will mean that no adverse overlooking will occur as a result of this development.
- 6.4 It is therefore considered that the proposed development is acceptable and will be in accordance with the relevant planning policies in particular those relating to extensions and landscape.

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 Before any work commences on site full details of all new gates and fencing shall first be submitted to and be subject to the prior written approval of the local planning authority.

Reason: In the interests of visual amenity.

Informative:

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

Decision:

Notes:

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Background Papers

Internal departmental consultation replies.

7 DCSW2004/2175/F - ERECTION OF TWO DETACHED 4 BED HOUSES AND DOUBLE GARAGES, LAND ADJACENT TO GREAT HOUSE FARM, DORSTONE, HEREFORD, HR3 6BE

For: D. Nixon per Mr. Griffiths, 41 Widemarsh Street, Hereford, HR4 9EA

Date Received: 16th June, 2004 Ward: Golden Valley North Grid Ref: 31488, 41533

Expiry Date: 11th August, 2004

Local Member: Councillor N.J.J. Davies

1. Site Description and Proposal

- 1.1 The proposal site is on the southern side of the Class III road (C1207), the main thoroughfare running through Dorstone and at the heart of the Conservation Area. This 0.16 hectares site has the benefit of extant planning approval for 2 dwellings.
- 1.2 This lawned area of ground was formerly garden area to Great House Farm. There is a mature hedging on the western boundary of the site that adjoins Pitt Lane, an unclassified road that leads southward towards Common Bach and Vagar Hill. There are metal railings across most of the northern boundary and around the corner, these complement a stone plinth that runs along the northern and western boundaries. The southern boundary of the site also defines the southern boundary of the settlement boundary for Dorstone.
- 1.3 The proposal is for the erection of two detached houses that will front onto the main thoroughfare of Dorstone, which is consistent with other residential properties to the east and west of the application site. It is proposed to build on the eastern plot a rectangular configured 4 bedroom house, comprising natural stone porch, rendered walls together with a natural stone chimney, under a natural slate roof. The ridge height is 9 metres. A double garage is sited to the north-east of the dwelling, it will have a horizontal timber finish under a natural slate roof.
- 1.4 The second dwelling is the western one or the corner plot one. It is in a rectangular configuration but has a projecting gable on the north or front elevation. There are dormers in this dwelling that bring the eaves down lower than on the other dwelling. There is a horizontal boarding, rendered walls and a higher stone plinth wall in this 8.2 metres high dwelling. It has a garage of the same size and design as for the eastern plot.

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

Policy GD.1	-	General Development Criteria
Policy C.8	-	Development within Area of Great Landscape Value
Policy C.23	-	New Development affecting Conservation Areas
Policy SH.8	-	New Housing Development Criteria in Larger Villages
Policy SH.15	-	Criteria for New Housing Schemes

2.3 Herefordshire Unitary Development Plan (Revised Deposit Draft)

Policy H.6	-	Housing in Smaller Settlements
Policy H.13	-	Sustainable Residential Design
Policy HBA.6	-	New Development within Conservation Areas
Policy DR.1	-	Design
Policy DR.2	-	Land Use & Activity
Policy DR.3	-	Movement
Policy DR.4	-	Environment

3. Planning History

3.1	SW2002/2210/O	Erection of two houses	-	Approved 23.09.02
	SW2003/3676/F	Two dwellings	-	Withdrawn 16.06.04

4. Consultation SummaryStatutory Consultations

- 4.1 The Environment Agency has submitted a Holding Objection until further information is supplied on how foul drainage will be safely disposed of from the proposed development.

Internal Council Advice

- 4.2 Head of Engineering and Transportation recommends that conditions be attached to any grant of planning permission.
- 4.3 The Chief Conservation Officer has no objections in principle subject to revisions to the porch.

5. Representations

- 5.1 Dorstone Parish Council make the following observations:

Dorstone Parish Council support the application with the following comments:

1. Disposal of foul water marked other.
2. Accuracy of coloured block plan, external hedge does not reach the corner as railings for visibility installed.
3. Visibility from access to vehicles exiting new development, visibility of traffic exiting Pitt Road due to position of garage.
4. Height of new dwellings should be no more than 8.2m, the proposed house Plot 1 appears to be 9m and Plot 2 8.4m.

The site extends outside the settlement area, presumably if concerns over access are resolved permission granted SW2002/2210/O entrance onto Pitt Road will be withdrawn. Both houses' external walls preferably clad with natural stone in accordance with planning permission.

5.2 Two letters of representation have been received from:

Mrs. J.M. Arnott, Ashbrook House, Dorstone, HR3 6AP
E. Ann Davies & Davies (Solicitors), 18 Castle Street, Hay-on-Wye on behalf of
Mr. R. Goodwin

The following main points are made:

- site only suitable for one four bedroom house. Should be in keeping as regards style and materials and should not exceed roofline of adjacent properties
- why was walnut tree allowed to be felled? Was permission sought? When?
- whilst not objecting, proximity to eastern boundary for purposes of maintenance is an area of concern.

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

6. Officers Appraisal

- 6.1 The main issues raised are considered to be the style, form and materials for the two dwellings, the principle of two dwellings, the loss of the walnut tree and the issues raised by the Environment Agency in relation to the disposal of foul drainage from this site.
- 6.2 This site already has the benefit of planning permission for two dwellings from September 2002. Therefore the principle of development has been accepted.
- 6.3 There are rendered dwellings in Dorstone, stone faced or rendered buildings being the predominant material used in the settlement. Both dwellings use some stone for detailing in quoins; or in porches and chimneys which help settle them into the site. The ridge heights are greater than for most modern houses, however this has been proposed in order that the pitches of the roofs reflect those of older properties in Dorstone including Great House Farm. The Parish Council, whilst not objecting, refer to the ridge heights. The lower dwelling is in fact 8.2 metres high to the ridge and not 8.4 metres as stated by the Parish Council. The eastern plot closest to Great House Farm is 9 metres to the ridge which is lower than Great House Farm. Therefore, the dwellings will step down in height from Great House Farm in a westerly direction.
- 6.4 The Environment Agency are understood to be discussing the means of foul drainage, given the limited means of drainage available, with the applicants and therefore it is recommended that the application be delegated to officers to determine the application once this issue has been finally resolved.
- 6.5 It should also be noted that an area of land has been identified to the south of the two plots that is outside the defined curtilages and beyond the southern boundary for the settlement. This area of land will not attract permitted development rights as it falls outside the boundary of both plots, and therefore the setting of the Conservation Area will be protected.

- 6.6 The two dwellings are sympathetically designed, reflect the local vernacular and will not detract from the amenity of this part of the Conservation Area in Dorstone as required by Policies GD.1, C.23 and SH.8 contained in the South Herefordshire District Local Plan.

RECOMMENDATION

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

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

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

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

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

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

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

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

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

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

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

6. **H03 (Visibility splays)**

Reason: In the interests of highway safety.

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

Reason: In the interests of highway safety.

8. **H05 (Access gates)**

Reason: In the interests of highway safety.

9. **H06 (Vehicular access construction)**

Reason: In the interests of highway safety.

10. **H10 (Parking - single house)**

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

11. 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.

12. 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.

13. H27 (Parking for site operatives)

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

14. Details of any sub-division of the plot of land delineated in blue immediately adjacent to the application site shall be the subject of the prior written approval of the local planning authority.

Reason: In the interests of protecting the amenity of this area of land adjacent to the designated Conservation 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:

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Background Papers

Internal departmental consultation replies.

8 DCSE2004/2716/T - TELECOMMUNICATIONS DEVELOPMENT COMPRISING 15M HIGH MONOPOLE, INCORPORATING 3 NO. ANTENNAE, 1 NO. 30CM TRANSMISSION DISH, 2 NO. 60CM TRANSMISSION DISHES AND ASSOCIATED CABINET EQUIPMENT AND COMPOUND SECURITY AT COMPOUND 2, BROAD MEADOWS INDUSTRIAL ESTATE, STATION APPROACH, ROSS-ON-WYE, HEREFORDSHIRE

For: Hutchison 3G UK Limited per White, Young, Green Planning, Ropemaker Court, 12, Lower Park Row, Bristol, BS1 5BN

**Date Received: 10th August, 2004 Ward: Ross-on-Wye East Grid Ref: 60273, 24520
Expiry Date: 4th October, 2004**

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

1. Site Description and Proposal

- 1.1 The site lies within Ross-on-Wye, and in the northwestern part of the Broadmeadows Industrial Estate. The Rudhall Brook lies to the northwest, between the site and the properties fronting Overross Street. The Plough Inn and the Renault garage are directly on the opposite side of the brook to the site. There are also residential properties to the north and northwest and these include two housing estates, Brookmead and Rudhall Meadow. The site is within the Rudhall Brook flood plain. The site is not within the Wye Valley Area of Outstanding Natural Beauty, the boundary of which is defined by Overross Street and Ledbury Road, with the Area of Outstanding Natural Beauty lying to the west of the road and the site to the east.
- 1.2 Currently the site subject to this proposal comprises a chain link fenced compound. This is one of a number of similar compounds at this location. The levels are flat both within the site and the immediate surroundings. Land levels within the wider area rise from south to the north.
- 1.3 It is proposed to erect a 15 metre high telecommunications mast of monopole design and incorporating 3 antenna, 3 dishes (1 of 30 centimetre diameter and 2 of 60 centimetre diameters). In addition there would be an equipment cabin which would be mounted on a platform 1.2 metres above ground. The associated ground equipment would be contained within the existing compound and its existing boundary chain link fence.
- 1.4 The proposal comprises 'permitted development', although under the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) an application to the local planning authority for a determination as to whether their prior approval is required, in respect of the siting and appearance of the proposal. Under this procedure the local planning authority is required to issue its determination and decision within 56 days of the date of receipt of the application, in

this case by 4th October, 2004. If after the expiration of this period the applicant has not received the local planning authority's determination and decision the development is authorised by default.

2. Policies

2.1 Planning Policy Guidance

PPG 1	General Policy and Principles
PPG 8	Telecommunications
PPG 25	Development and Flood Risk

2.2 Hereford and Worcester County Structure Plan

Policy CTC9	Development Criteria
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2.3 South Herefordshire District Local Plan

Policy GD1	General Development Criteria
Policy C41	Telecommunications Development
Policy C42	Criteria to Guide Telecommunication Development
Policy C44	Flooding

2.4 Herefordshire Unitary Development Plan – Revised Deposit Draft

Part 1	
Policy S2	Sustainable Development

Part 2	
Policy DR7	Flood risk
Policy CF3	Telecommunications

3. Planning History

- 3.1 DCSE2004/0561/T Erection of 15 metre telecommunications monopole incorporating three telecommunications antenna, one 30cm transmission dish, two 60cm transmission dishes and associated cabinet equipment and compound. - Refusal of Prior Approval 16.04.04

4. Consultation Summary

Statutory Consultations

- 4.1 Environment Agency request a deferral pending the receipt of additional information

Internal Council Advice

- 4.2 Head of Engineering and Transportation has no objection.
4.3 Head of Environmental Health has no adverse comments.

5. Representations

- 5.1 Ross-on-Wye Town Council's views are awaited.
- 5.2 In a supporting letter the agent states that the previous reason for refusal has been addressed and included with the application is a flood risk assessment and the required ICNIRP Certificate.
- 5.3 Letters of objection have been received from 1, 4, 5, 6, 8, 9 and 16 Brookmead and 7, 9 and 10 Rudhall Meadows. The points raised are:
- What has changed since April?
 - The mast will be visible from residential property and will be an eyesore
 - Why has a site near housing been chosen
 - There will be a risk of damage to health
 - The value and saleability of property will be affected
 - It is as close to as many children as it would be if sited close to a school
 - It will be visible from the town and have an unacceptable visual impact
 - It will be on a flood plain
 - There will be noise disturbance
 - Other sites would be less harmful

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

6. Officers Appraisal

- 6.1 This application is almost identical to a proposal that was submitted in April 2004. That application was refused prior approval on 16th April for the following reason:
- “In the absence of evidence of an exhaustive sequential test in relation to the suitability of alternative sites outside of the Indicative Floodplain, the Local Planning Authority is not satisfied that the proposed siting of the mast is acceptable in respect of the impact on the floodplain. The proposal is therefore contrary to policy C44 of the South Herefordshire District Local Plan and the principles of PPG25 - Development and Flood Risk.”**
- 6.2 This application is submitted on the basis that the reason for refusal has been overcome. The reason for refusal was solely with regard to flooding. Notwithstanding that the refusal was on one issue the main considerations in the determination of this application for prior approval are the siting and appearance of the mast, together with associated material planning considerations including health risks and flooding.
- 6.3 As set out in PPG8 – Telecommunications, the government's policy is to facilitate the growth of new and existing telecommunications systems, whilst keeping the environmental impact to a minimum. Policy C41 of the Local Plan supports the long term economic, social and environmental benefits of developing telecommunications and states that proposals for its development will be considered in the context of current government advice. Policy C42 sets out the criteria to guide telecommunications development. In particular the specific requirements of the development including its location, the siting and external appearance of the apparatus, the availability of alternative sites and the dual use of existing installations where possible should be taking into account. Proposals, which would have a

detrimental impact on the Wye Valley Area of Outstanding Natural Beauty, Conservation Areas, Listed Buildings, sites of Scheduled Ancient Monuments and other designated sites, will be resisted. The site does not lie within any area of special landscape, ecological, geological or nature conservation designation. This policy approach is repeated in UDP Policy CF3.

- 6.4 The site is within an area used for industrial purposes, but in relatively close proximity to a residential area. The compound, for which the existing boundary fencing will remain, clearly reads visually in conjunction with the industrial development and due to the soft landscaping to the north of the site it would not be unduly prominent in its immediate context or the wider surrounding area. The proposed mast would be 15 metres in height and a slender monopole design. The three transmission dishes would be at a maximum of 13 metres in height. Whilst the land to the south of the site is predominantly open the land to the north and northwest comprises close knit, mainly two storey buildings. By virtue of the existing density and scale of development in the area views of the mast would be limited. On this basis and taking into account the natural topography of the area and the height and design of the mast it is considered that it would not be prominent in the wider landscape nor loom above surrounding buildings. It is recognised that the mast could be seen from some neighbouring properties, however the fact that it can be seen does not mean that it would be prominent or have an overbearing impact.
- 6.5 PPG 8 and policy C42 of the Local Plan encourage the dual or multiple use of masts. It is proposed to erect a monopole mast on the site, which would not be capable of being shared. It is considered that to satisfactorily minimise the visual impact of the mast this design is preferred and outweighs the preference for a mast that is capable of being shared.
- 6.6 The applicant has assessed other potential sites for the mast, however within the search (cell) area there were limited sites available. The Larruperz Community Centre site would have enabled mast sharing, in line with the government's preference. However the increase in height of the mast, which is of a lattice design, to provide the required distance separation between the existing and proposed equipment would have resulted in an increase in height of the mast to 20 metres, which would be unduly prominent in the wider area and the Wye Valley Area of Outstanding Natural Beauty.
- 6.7 Many of the objections to the application specify health risks as a major concern. It has been established that both health risks and the perception of health risks can be material planning considerations. The boundary of the curtilage of the nearest property would be 31 metres from the site, whilst the southeastern part of The Plough Inn's beer garden would be 10 metres from the site, albeit separated by the brook and existing vegetation.
- 6.8 Both mobile 'phones and masts use electromagnetic fields (EMF's) to transmit and receive signals. EMF's also occur naturally and are found in other manmade sources, where there is an electrical circuit, such as domestic wiring and appliances. The government's statutory advisor, the National Radiological Protection Board (NRPB) provide advice regarding EMF's and health issues, to local planning authorities and the general public. At the request of the government, the NRPB set up an independent expert group, chaired by Sir William Stewart, whose report was published in May 2000. With regard to base stations the report found that the '*balance of evidence indicates that there is no general risk to the health of people living near to base stations...*'. The cautionary approach recommended is limited to specific recommendations in the report. With regards emissions from mobile 'phone base stations they must meet the

guidelines of the International Commission on Non-Ionising Radiation Protection (ICNIRP) for public exposure.

- 6.9 A certificate of compliance with the International Commission on Non-Ionising Radiation Protection (ICNIRP) was submitted with the application. PPG8, paragraph 98 states that it is *'the government's firm view that the planning system is not the place for determining health safeguard. It remains central Government's responsibility to decide what measures are necessary to protect public health. In the Government's view, if a proposed mobile phone base station meets the ICNIRP guidelines for public exposure it should not be necessary for a local planning authority, in processing an application for planning permission or prior approval, to consider further the health aspects and concerns about them [emphasis added].'* In addition, as stated at paragraph 101 *'In the Government's view, local planning authorities should not implement their own precautionary policies.'* In light of the submission of the certificate of compliance with the International Commission on Non-Ionising Radiation Protection (ICNIRP), which confirms that the whole of the coverage area would meet the ICNIRP requirements and government advice it is considered that the health risks raised are not sufficient to outweigh technical evidence and government advice. With regards the perception of health risks, whilst the mast could be seen from some neighbouring properties, it would be partially screened by existing trees and read against the industrial development beyond. Furthermore the limited height and slender design of the mast would further reduce its prominence. Therefore it is considered that simply having limited views of the mast, in this context, would not give rise to a significant or justified heightened sensitivity about health risks.
- 6.10 The issue of noise generated by the development has been raised. This has been investigated further and details of noise levels submitted. The Head of Environmental Health advises that the noise generated should not cause a problem at the nearby properties.
- 6.11 The objections state that if the mast is erected it would reduce local house values and saleability. PPG 1 notes that it is not for the planning system to protect private interests of one person against the activities of another. Furthermore no evidence has been submitted to support this view.
- 6.12 The site lies within land identified as within the historic floodplain of the Rudhall Brook and the indicative floodplain which shows a 1% annual probability of flooding. In accordance with PPG25 and C44 of the Local Plan, development is discouraged within the floodplain wherever possible. Of particular concern is the impact of the proposal on flood storage and flood flow conveyance. The compound is presently surfaced with gravel. The mast would be sited at ground level with the equipment cabin raised above ground by 1.2 metres. For the previous application the Environment Agency requested additional information in respect of whether the sequential test for identifying the site took into account the flood plain, as required by PPG25. The applicants have submitted a Flood Risk Assessment but the Environment Agency have requested deferral as they seek further information.
- 6.13 If a decision is not made on this application by 4th October 2004 the development is authorized by default. The applicants have been advised of the response of the Environment Agency and are seeking to provide the information required.
- 6.14 In conclusion it is considered that the mast would not have a harmful impact upon the landscape, visual amenity or the health of local residents. With respect to flooding it is anticipated that the issue will be resolved by the meeting

RECOMMENDATION

A verbal report will be made

Decision:

Notes:

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Background Papers

Internal departmental consultation replies.

9 DCSE2004/2624/F - ESTABLISHMENT OF DETACHED BUILDING AS ANNEXE TO PROPERTY AND ALTERATIONS, 9 PROSPECT TERRACE, HOMES ROAD, ROSS-ON-WYE, HEREFORDSHIRE, HR9 7DE

For: Mr. Walton per Mr. R.H. Ball, Ilex, Ashfield Crescent, Ross-on-Wye, Herefordshire, HR9 5PH

Date Received: 15th July, 2004 Ward: Ross-on-Wye West Grid Ref: 59803, 24679

Expiry Date: 9th September, 2004

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

1. Site Description and Proposal

- 1.1 The application site comprises an end of terrace house, outbuildings and garden, which is on the north-east side of Homs Road in Ross-on-Wye. A vehicular access separates Prospect Terrace from Brixton Terrace. About 5m to the rear of the house at 9 Prospect Terrace is a detached single-storey building about 7m x 5.2m.
- 1.2 It is proposed to refurbish the outbuilding to provide additional living accommodation viz. living room, bedroom and w.c. This would be occupied by a relative of the applicant but the intention is not to provide a self-contained annexe, as kitchen and dining facilities would be in the main house. A patio is shown on the drawings adjoining the west side of the building.

2. Policies

2.1 South Herefordshire District Local Plan

Policy SH.23	-	Extensions to Dwellings
Policy GD.1	-	General Development Criteria
Policy C.23	-	New Development affecting Conservation Areas

3. Planning History

- | | | | | |
|-----|---------------|---------------------------|---|--------------------|
| 3.1 | SH911528PF | Outside toilet | - | Permitted 07.01.92 |
| | SE2002/0825/F | Re-roofing of outbuilding | - | Permitted 08.05.02 |

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 to the grant of permission.
- 4.3 Head of Conservation has no objection from an architectural point of view but would prefer existing double Roman roof tile to be retained and re-used.

5. Representations

5.1 The applicant's agent makes the following submission:

- "1. My client wishes to use this existing building as an annexe to the existing building for his relative.
2. Your advice was that no 'change of use' was necessary as this building is within the hereditament of 9 Prospect Terrace and would therefore have established residential use.
3. My client does not wish to establish a separate dwelling unit and as you can see there is a living room and bedroom but kitchen and dining facilities would be in the main house.
4. My client was given permission to re-roof the detached building under application number SE2002/0825/F, our proposal is to re-roof in a mineral slate which will match the general material in the area."

5.2 One letter of objection has been received from Mr. & Mrs. C. Jones, 8, Prospect Terrace, Homs Road, Ross-on-Wye, HR9 7DE. The grounds cited are as follows:

- "1. Over-development of the site. The site already has had the following alterations
- (i) Ground floor extension to the side of the house including a bathroom.
 - (ii) Second floor bedroom extension.
 - (iii) Loft conversion to make a 4th bedroom.
 - (iv) Ground floor extension to make extra living space.
 - (v) A large number of sheds, (5) for storage and a lean-to conservatory.
2. Proposed building is and always has been a workshop and storage (the surround for the original workshop door and brickwork remains) and is not part of the domestic dwelling.
3. Plans show patio to side of proposed conversion, while the actual intention is for a driveway to provide parking for a vehicle.
4. Internal work in connection with this application has already started without permission including a new doorway made through between two rooms."

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

6. Officers Appraisal

- 6.1 The main issue raised by this proposal is the effect on the amenities of neighbours. This is an existing building which has been in place for many years and no extensions are proposed. Loss of privacy could arise from the insertion of windows allowing inter-looking between the proposed accommodation and the rear of houses in Prospect and Brixton Terrace. However the shape of the houses in Prospect Terrace which are extended along the western boundary act as partial screens. There is a drive leading to a yard separating the building from the nearest house in Brixton Terrace and the front of the building is angled away from that property. Overlooking of adjoining properties from the side windows could be avoided by fencing along the garden boundaries, as the building is only single-storeyed. Noise generated in the building could disturb neighbours. Some improvements to the sound insulation of the building may be required under the Building Regulations and although this may not be as effective as in a modern building it should be adequate. For these reasons it is considered that there would not be a significant loss of residential amenity.
- 6.2 Concern is also raised that the patio would become a parking space. However at present there is no vehicular access and this could only readily be achieved via the existing drive adjoining 20 Brixton Terrace. Even so, it is unlikely that the use of this area for parking would harm the amenities of neighbours.
- 6.3 The previous permission for re-roofing was granted on the basis that the existing tiles could not in practice be re-used. An appropriate mineral slate roof is considered to be an acceptable substitute.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

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

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

2. B01 (Samples of external materials)

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

3. E29 (Occupation ancillary to existing dwelling only (granny annexes))

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

4. E16 ((Removal of permitted Development Rights)

To protect the amenities of neighbours.

Informative(s):

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

Decision:

Notes:

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Background Papers

Internal departmental consultation replies.

10 DCSE2004/2614/F - NEW ACCESS AT ST. JOSEPHS CONVENT, WALFORD ROAD, ROSS-ON-WYE, HEREFORDSHIRE, HR9 5PQ

For: Woodfield Developments Ltd. per James Spreckley MRICS FAAV, Brinsop House, Brinsop, Herefordshire, HR4 7AS

Date Received: 14th July, 2004 Ward: Ross-on-Wye East Grid Ref: 59826, 23543

Expiry Date: 8th September, 2004

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

1. Site Description and Proposal

1.1 St Joseph's Convent is on the east side of Walford Road, Ross-on-Wye. The main part of the Convent is a former Victorian villa, but substantial additional accommodation has been erected to the north of the house. The Convent adjoins St. Joseph's R.C. Primary School to the east, with the Conservative Club occupying the former villa to the north and an old people's home that to the south. Other nearby properties along Walford Road are residential.

1.2 The access to the Convent off Walford Road is at the northern end of the site. The access is relatively narrow (about 3m wide) and marked by 4 attractive stone pillars with elaborated caps : two set wide apart in the stone boundary wall and two marking the narrower entrance with curving stone walls joining each pair of pillars. It is proposed to close this access by building a new stone wall and forming a new access towards the southern end of the frontage. This section of the frontage has a modern re-constituted stone wall which would be re-built using natural stone at the back of the visibility splays for the new access. The rear pair of pillars would be used to delineate the new entrance which would be about 9m wide including footways. The new access would require removal of thick screen of shrubs and a landscaping scheme is proposed. It is understood that the Convent is to close and an application for change of use will be submitted but as this scheme has not yet been fully developed only the new access has been submitted at this stage.

2. Policies

2.1 Hereford and Worcester County Structure Plan

Policy CTC1 - Area of Outstanding Natural Beauty

2.2 South Herefordshire District Local Plan

Policy C23 - New Development affecting Conservation Areas
 Policy C24 - Demolition in Conservation Areas
 GD1 - General Development Criteria
 Policy T3 - Highway safety requirements

3. Planning History

- 3.1 SH800191PF Dormitory block. - Approved
23.04.80

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 any permission granted includes conditions regarding the access.
- 4.3 Chief Conservation Officer is concerned that there would be loss of historic fabric in attempting to re-use the piers and suggests the following:
1. Retain piers and curved walls as existing with suitable designed fixed gate/screen across entrance.
 2. Designing new opening/piers in materials and detailing to complement nature of original.

5. Representations

- 5.1 The applicant's agent points out that:

- (1) the detailed arrangements for the new access, including carriageway width and visibility splays have been agreed on site
- (2) the application is supported by a Tree Survey and Arboricultural Assessment carried out by Jerry Ross Arboricultural Consultancy.

The conclusion of the latter is included in an appendix to this report.

Although a detailed landscaping scheme has not been submitted the aim is described as follows:

The landscaping proposal is intended to both preserve the current aesthetic qualities of the site and complement the proposed access alterations.

In essence, all of the most prominent and healthy trees shall be retained, whilst much of the bank of dense evergreen foliage shall be removed, or trimmed back to lighten the appearance of the boundary planting to Walford Road. In its place, we propose to introduce a Yew hedge behind the boundary wall to provide low level screening to the house. Between the large, retained specimens we shall introduce small to medium specimen trees with vibrant foliage to contrast the dark appearance of the retained conifers.

Much of the existing shrubs shall be removed and replaced within a refined strategic approach for the site.

- 5.2 The Town Council's comments are awaited.

5.3 One letter has been received from Ashcote expressing objections to the proposal on the basis of 4 primary issues and 1 secondary issue:

1. General observations: the drawings are now out of date (new house opposite) and photographs are misleading (minimal traffic).

Photographs included with the letter of objection were taken at 14.30 on August 31st, probably a low - medium time in terms of traffic movements and were all taken from a height of 1.5m and as close as possible to the boundary line.

2. Redundancy: unnecessary as low volume of vehicular use by the Sisters and access is destructive of habitat and architecture without bringing any benefit.
3. Unsuitability of proposed access as an exit: Visibility to the right is somewhat improved but visibility to the left is severely restricted by the vehicles that are regularly parked outside Lawfords. Also the partially obscured exit from Palmerston Road is heavily used by school buses and private cars.

Although traffic surmounting the hill brow (at the junction with The Avenue) cannot be seen, this is offset as there are no entrances to properties along this section of Walford Road and no parking.

4. Unlikelihood that the existing flanking pillars can be moved: This property is of considerable local interest as it was constructed by Sir Thomas Blake who also funded the rebuilding of the Baptist Church. One of these features is the repeated marble pillar motif found on the inner gate pillars.

It is unlikely that the existing pillars can be moved because of the extreme friability of the local sandstone from which they are constructed. The marble insets on the inner pillars are more robust.

5. Further loss of tree habitat: Whilst no important trees would be lost the somewhat untidy shrubs provide a hunting ground for bats and owls.
6. Conflict with current traffic calming proposals: Queried whether necessary but a consensus about the desirability of calming at the 'Prince of Wales' junctions, which would reduce speeds toward the existing entrance. But there will be a large pavement extension immediately opposite the proposed new access causing a further, confusing hazard.
7. We, therefore, feel that a new access is unnecessary and undesirable on the above grounds but if approved advise that better to retain the existing access as an exit and construct a new, single vehicle width entrance to the property.

5.4 Ross on Wye and District Civic Society consider that all 4 pillars should be retained.

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

6. Officers Appraisal

- 6.1 There are considered to be two main issues relating to this proposal : highway safety and the effect on the character and appearance of Ross on Wye Conservation Area and Area of Outstanding Natural Beauty. On the first issue it should be noted that a visibility splay of 2.4m x 90m would be achieved. This fully meets standards for a 30 mph speed limit and the proposed traffic calming along Walford Road by the Council may well further reduce traffic speeds. A modification to that scheme would be necessary if permission is granted for the new access but it is understood that this would not compromise traffic calming. The traffic calming scheme allows on-street parking at appropriate locations only. The level of traffic to and from the Convent does not appear to be great. If an application for development of the site is submitted the suitability of the new access can be considered at that time. It is not considered therefore that the proposed access would be inimical to highway safety.
- 6.2 The pillars are attractive and important features in the street scene. In view of their condition it would seem more prudent to retain them in situ, as recommended by the Chief Conservation Officer, and construct new pillars for the new access. This has been agreed in principle by the applicant and amended drawings are awaited. The wider new access and loss on existing planting would make the site more open. Nevertheless this planting is not of intrinsic merit, with all the important trees being retained. The main building is very attractive and would be better seen from the street. The new landscaping although creating a different feel need not be less attractive. It is concluded therefore that the character and appearance of the Conservation Area would not be harmed.
- 6.3 The loss of habitat is also mentioned in the representations. This would be partly compensated by the new planting once this matures. Nevertheless it is not considered that the residual harm is sufficient to justify refusal of permission.

RECOMMENDATION

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

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

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

2 G04 (Landscaping scheme (general))

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

3 G05 (Implementation of landscaping scheme (general))

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

4 G18 (Protection of trees)

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

5 H03 (Visibility splays)

Reason: In the interests of highway safety.

6 H05 (Access gates)

Reason: In the interests of highway safety.

7 H06 (Vehicular access construction)

Reason: In the interests of highway safety.

8 H08 (Access closure)

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

INFORMATIVES:

1 HN01 - Mud on highway

2 HN04 - Private apparatus within highway

3 HN05 - Works within the highway

4 HN10 - No drainage to discharge to highway

5 HN19 - Disabled needs

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

Decision:

Notes:

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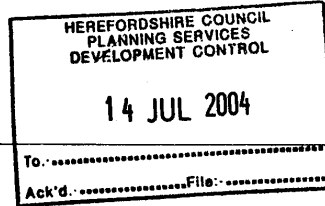
Background Papers

Internal departmental consultation replies.



St. Joseph's Convent, Ross-on-Wye.

Tree Survey & Arboricultural Assessment



June 2004

3 GENERAL OBSERVATIONS:

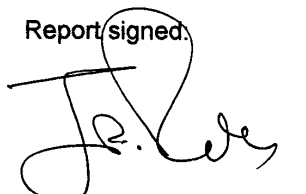
- 3.3 While the tree schedule provides detailed information on the individual trees, some more general discussion of the tree cover is provided here:
- 3.4 The site as existing comprises the attractive building of St. Joseph's Convent itself, together with an annexe to the adjacent school, a more recent construction situated to the north of the main house. The trees that form the main part of this report are situated near the western boundary of the property, fronting Walford Road. These trees, together with banks of shrubs (mainly Laurel with some Philadelphus) form a very well established, high and dense screen, with the trees basically forming a double row a short distance inside the boundary retaining wall above the footpath to Walford Road. Most of the component trees and shrubs are all well on in maturity and many in the row nearest the road are rather poor, some showing dieback and others with dense ivy and structural imbalances. While individually poor, they do however provide a dense bank of foliage that screens the property very effectively. How beneficial this screening is must remain a matter of opinion; the foliage is nondescript in appearance, especially as viewed from the west, while due to its density and considerable height it hides an interesting and attractive building.
- 3.5 While maintaining some degree of privacy for residents must be an important consideration, I believe there is scope for some improvements to be made to this grouping. It will in any event be necessary to carry out some works merely to keep them in an acceptably safe condition, but it is my opinion that consideration might be given to some felling and replanting. A number of the trees in the front (western) row could be removed, along with some of the poorer specimens at the rear, but taking care to retain and improve the growing conditions of the better specimen trees. In order to maintain an acceptable degree privacy some new planting could be carried out. This should be designed largely to consolidate low-level growth, although the establishment of some young trees that can act as eventual replacements for older, existing specimens could also be considered.
- 3.6 As well as the more nondescript trees along the road frontage, there are a number of considerably more striking specimens, notably the very well established Thujas (or Western Red Cedars) nearer the buildings. These are identified here as two trees 23 & 24; although they comprise over twenty individual stems, these evidently originated from two specimens that produced numerous sub-stems from low lateral branches that have subsequently layered themselves to create a small grove of sweeping sub-stems. These occupy a considerable area and it is appreciated that they may limit the opportunities to adapt or develop the site. While unconsidered removal of sub-stems could seriously harm the integrity and appearance of the stand, there may be some opportunity for one or two of the more strongly leaning, outermost stems to the north-west to be removed without having any serious impact upon the group as a whole.
- 3.7 The existing entrance drive passes between the two trees, while close to tree 24 is a tarmac-surfaced footpath that runs alongside the annexe building. The rooting area of these trees is thus somewhat disrupted and compacted and



some abrasion of exposed roots has occurred. Although the trees appear to be generally sound and healthy at this time, they would be vulnerable to root damage in the event of these surfaces being adapted or upgraded (or even removed). Care should therefore be taken to minimise potentially harmful earthworks and other activities in their vicinity.

- 3.8 Tree 27, a Wellingtonia (or Giant Redwood – *Sequoiadendron gigantea*), is the other tree of particular note. This is not within the actual survey area, but it is close to it and of a size such that its presence must be considered when considering alterations to the site. The species generally forms a tall, slender spire, but this specimen has an uncharacteristically low, spreading form. Clearance under the rather low canopy of this tree must be carefully considered as, due to its form, unconsidered branch removal could have harmful and unsightly results. In addition (and like the Thujas) it is close to an existing driveway and it would be vulnerable to root damage in the event of this being upgraded.
- 3.9 Finally I must draw attention to some other trees that are not within the survey area but whose condition could impact upon the site. These are a group of Lawson Cypress trees that form a screen to the north of Lawfords House, a property adjoining to the south. These are generally rather untidy in appearance but two trees within the row are dead or dying. Inspection revealed that they have been infected by Honey Fungus (*Armillaria sp.*), a potentially fatal fungal disease that can spread from an infected tree or stump to other nearby trees. A number of shrubs in the vicinity showed signs of dieback and it is quite possible that the fungus is actively spreading from these infected trees. As both existing and proposed new trees within the survey area could become infected, it is recommended that the attention of the owners be drawn to this situation and appropriate action taken. (Note that there is a Yew tree at one end of the row of Cypresses: Yews are generally rather resistant to Honey Fungus and, even if the Cypresses were to be removed, the felling of the Yew should *not* be necessary on grounds of plant hygiene.)

Report signed,



J.P. Ross B.Sc. F.Arbor.A.
17 March 2004

11 DCSW2004/2703/F - CHANGE OF USE FROM GRAZING LAND TO SPORTS FIELD, PROVISION FOR FAIRFIELD HIGH SCHOOL, FIELD ADJACENT TO THE CROSSING BUNGALOW, PETERCHURCH, HEREFORDSHIRE

**For: Herefordshire Council per Property Services,
Herefordshire Council, Franklin House, 4 Commercial
Road, Hereford, HR1 2BB**

Date Received: 21st July, 2004

**Ward: Golden Valley
North**

Grid Ref: 34656, 38019

Expiry Date: 15th September, 2004

Local Member: Councillor N.J.J. Davies

1. Site Description and Proposal

- 1.1 The site is an area of grazing land on the south-eastern side of the Class III road (C1209) that leads north eastward joining the B4348 road, some 230 metres to the north-east. The north western corner of the application site is in close proximity to the junction of the C1209 road and the C1207 road. New House is on the opposite side of the C1209 road. Horsepool Crossing Cottage is to the north-east of the application, it is on the same side of the C1209 road as the playing field. It is the closest dwelling to the proposed playing field. Fairfield School would be 70 metres walk from the main entrance proposed to the playing field.
- 1.2 The proposal entails creating a new entrance that will not entail associated car parking facilities, but will be solely used by users and maintenance staff. The playing field will be aligned approximately north-west to south-east. The access will entail the removal of roadside hedgerow in order to achieve the required visibility, the creation of a footpath leading south-westward for the benefit of Fairfield School pupils and teachers.
- 1.3 There is a public footpath (PR18) that crosses the site, this is proposed to be diverted around the 70 metres wide and 99.9 metres long pitch area behind a 2 metre high security fence that runs along the eastern, southern and the western sides of the playing field for a distance of 326 metres. Details of the security fence are to be agreed with the local planning authority, in the event that planning permission is granted.

2. Policies

2.1 South Herefordshire District Local Plan

Policy GD.1	-	General Development Criteria
Policy C.1	-	Development within Open Countryside
Policy C.2	-	Settlement Boundaries
Policy C.3	-	Criteria for Exceptional Development Outside Settlement Boundaries
Policy C.11	-	Protection of Best Agricultural Land
Policy R.1	-	Provision of New Recreational Facilities

- Policy R.11 - Diversions to Public Rights of Way
- Policy CF.1 - Retention & Provision of New Community Facilities

2.2 Unitary Development Plan (Revised Deposit Draft)

- Policy S.8 - Recreation, Sport & Tourism
- Policy DR.3 - Movement
- Policy H.4 - Settlement Boundaries
- Policy T.14 - School Travel
- Policy RST.1 - Criteria for Recreation, Sport & Tourism Development
- Policy CF.5 - New Community Facilities

3. Planning History

- 3.1 SW2003/1697/F Change of use from grazing land to sports field. Provision for Fairfield High School - Withdrawn 19.08.03

4. Consultation Summary

Statutory Consultations

- 4.1 The Environment Agency's response is awaited.
- 4.2 Sport England is generally supportive of proposals for new playing fields, as for the previous application. However, note that public footpath crosses the site, this will need to be diverted otherwise issues of security may arise.

Internal Council Advice

- 4.3 Head of Engineering and Transportation recommends that conditions relating to the means of access be attached to any grant of planning permission. The public footpath (PR18) crosses the field and therefore a public path diversion order under the Town and Country Planning Act 1990 will be required. Public bridleway (PR19A) runs along the track outside the western boundary of site and would not appear to be affected by the development.

5. Representations

- 5.1 The applicant states that sectional plans or flooding reports are as submitted with the previous application and the revised plan has been agreed with the Open Space Society.
- 5.2 Peterchurch Parish Council make the following observations:

"Council supports this application and hopes the local community will be able to use this facility."
- 5.3 The Ramblers Association "has no objection to change of use of land. Concerns relating to future maintenance of line of conifers, in order to keep the path clear. Could path follow the boundary fence so that proposed conservation area acts as a screen between the path and the playing field? Walking along a 2 metres high security fence not very picturesque."

5.4 One letter of representation has been received from:

J. Bland and H. McNamara, Horsepool Crossing Cottage, Peterchurch, HR2 0SG

The following main points are made:

- bought property for peace and privacy. Enjoy our time outside facing the site. Have a large patio area for the purpose. Proximity of football pitch will impact upon our amenity/quality of life
- seen from plans playing level to be raised, what account will this have on drainage patterns
- our garden floods two to four times a year and drains off into field, increased frequency and depth of flood water a major concern
- what processes are there for different facilities besides football?
- what will the 2 metre fence comprise
- what is in place for dealing with inconvenience to us whilst work is carried out and field is in use?
- intrusive during school hours. Other times potential for unsupervised use. What provisions will be made for unofficial use of the field?
- how will increased litter, noise and use of road be managed?
- how can we challenge plans for altering our hedge?
- what plans are there to deal with our access to the field and footpath?
- place the field the other side of the conifers, although we would still suffer
- not possible to communicate ideas for area, i.e. wildlife and educative possibilities
- if there are other implications will gladly talk them through.

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

6. Officers Appraisal

- 6.1 The main issues are considered to be the principle of the use in this location, the impact on residents in the vicinity of the site, the need for a footpath diversion, the suitability of the site and the means of access available to it.
- 6.2 The playing field will, when in use, give rise to more noise than at present, although it should be noted that a public footpath crosses the site at present and a bridleway runs along the western side of the application site. The noise generated by children playing football will though be regulated by factors such as term time, day-time hours and not every day and all day long. The type of noise generated will not, it is considered, be unduly intrusive given that spectators will be few if indeed present for many of the games. This issue has to be placed in the context of the benefits that would accrue for children from the school in terms of less travelling than previously, i.e. to Dorstone playing fields, but also more time available for sport and recreation and possibly more time for other types of lesson in the curriculum.
- 6.3 A further issue raised is one of flooding, which is a matter raised by the Environment Agency and was one of the reasons why the previous application was withdrawn, as further information was required. The Environment Agency's formal response is awaited but it is understood that they will not object. The Environment Agency were concerned, amongst other things, that the development should not impede flood flows or result in a net loss of flood storage. Clearly, with the information provided the Environment Agency appears satisfied that the development meets the requirements

of Government advice contained in PPG.25 'Development and Flood Risk'. Therefore, the concern raised about flooding by local residents is considered to have been addressed.

- 6.4 The public footpath crossing the site needs to be diverted, this diversion will not have a detrimental impact on ramblers. It will though entail the delineation of a new boundary around part of the southern half of the application site with a 2 metre high security fence. The fence is needed for safety reasons for both walkers and sports participants alike. Concern has been raised that the diverted footpath could be impeded by existing conifers. These issues will be resolved by the formal diversion process. Therefore, diversion can be made as required by the provisions of Policy R.11 contained in the South Herefordshire District Local Plan.
- 6.5 This site is in open countryside and is considered to be reasonably sited to the settlement boundary and more crucially to the school to which it will serve. It will not result in a loss of trees on the site that make an important contribution to the landscape. Roadside hedgerow will be removed in order to provide for visibility needed and in turn a refuge for pedestrians by way of a surfaced footpath. This means that the site can be reasonably safely reached by foot. This site reduces the need to use motor vehicles which is a requirement of Policy GD.1 contained in the South Herefordshire District Local Plan and Government advice contained in PPG.13 'Transport'.
- 6.6 The land could revert back to use for agricultural purposes which is a requirement for Policy C.11 contained in the South Herefordshire District Local Plan. This policy is concerned with the irreversible loss of high grade agricultural land.
- 6.7 The final issue is one of access that is addressed in this proposal with the provision of a new entrance onto the C1209 road; the provision of a footpath and visibility splays which is a matter that needs to be addressed by both current Development Plan policy, in particular Policy GD.1 in the South Herefordshire District Local Plan and Policy RST.1 in the emerging policy, i.e. in the Unitary Development Plan. The removal of the hedgerow will have an environmental impact, this needs though to be weighed against the need for a safe and secure access across this unlit country road.
- 6.8 This site meets an identifiable need and is relatively well sited in relation to the school and the settlement. It will also entail a reduction in motorised journeys. It will have an impact on the amenity of local residents particularly those on the same side, i.e. southern side of the C1209 road, however this has to be weighed against the times of use, duration of that use, the fact that floodlighting is not proposed nor a car park.

RECOMMENDATION

That subject to the formal response of the Environment Agency, the officers named in the Scheme of Delegation to Officers be authorised to issue planning permission subject to the following conditions and any additional conditions considered necessary by officers:

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

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

2. A07 (Development in accordance with approved plans)

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

3. Details of the boundary fence shall be the subject of the prior written approval of the local planning authority before the use is first brought into use.

Reason: In the interests of the amenity of this part of the designated Area of Great Landscape Value.

4. G04 (Landscaping scheme (general))

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

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

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

6. 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. H21 (Wheel washing)

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

10. H27 (Parking for site operatives)

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

Informative(s):

- 1. HN01 - Mud on highway
- 2. HN04 - Private apparatus within highway
- 3. HN05 - Works within the highway
- 4. N15 - Reason(s) for the Grant of Planning Permission

Decision:

Notes:

Background Papers

Internal departmental consultation replies.

12 DCSE2004/1769/F - ERECTION OF SEVEN DWELLINGS AND ASSOCIATED GARAGES. DEMOLITION OF EXISTING PAIR OF COTTAGES. ALTERATION AND IMPROVEMENT TO EXISTING VEHICULAR ACCESS AND CONSTRUCTION OF PRIVATE DRIVEWAY, LAND ADJOINING AND INCLUDING 1 & 2 LOWER GREYTREE COTTAGES, SIXTH AVENUE, GREYTREE, ROSS-ON-WYE, HEREFORDSHIRE, HR9 7HW

For: K.W. Bell & Sons Ltd., Steam Mills Road, Cinderford, Gloucester, GL14 3JA

Date Received: 13th May, 2004 Ward: Ross-on-Wye West Grid Ref: 59499, 25087
Expiry Date: 8th July, 2004

Local Member: Councillor M.R. Cunningham
 Councillor G. Lucas

1. Site Description and Proposal

- 1.1 Planning permission was granted in March 2002 for the erection of 4 houses on land to the rear of Lower Greytrees and houses in Willowbrook, and in August 2002 for 5 houses on this site. For both schemes access would be along the former railway embankment which leads off Greytrees Road. The fifth house was sited on the embankment which was considered to be outside the town boundary and hence in open countryside. In addition, planning permission was granted for a single dwelling to replace 1 and 2 Greytrees. The latter would be accessed via an existing private drive leading off Sixth Avenue.
- 1.2 The current application relates to both these application sites and includes a revised scheme for the 5 houses but two rather than a single house on the smaller site. The siting of the 5 houses would be very similar to the approved scheme, but the design and sizes of the houses would vary. The house types of the earlier scheme would be replaced by 3 different designs, with a Victorian style. The siting of these houses is intended to ensure that the large willows along the brook which forms the northern boundary of the site could be kept and also some of the larger trees within the site.
- 1.3 As submitted the two houses would be accessed via the private drive off Sixth Avenue but following concerns raised by the Head of Engineering and Transportation regarding the poor junction with Sixth Avenue the scheme has been reconsidered and a sixth dwelling would now be accessed via the former railway embankment. Revised drawings are awaited at the time of writing this report. This house would have 3 bedrooms with the other 6 houses having 4. They would be of brick construction with fibre cement slate roofs.

2. Policies**2.1 Planning Policy Guidance**

- PPG.3 - Housing
- PPG.13 - Transport

2.2 Hereford and Worcester County Structure Plan

- Policy CTC.1 - Area of Outstanding Natural Beauty
- Policy CTC.2 - Area of Great Landscape Value
- Policy CTC.9 - Development Requirements
- Policy H.18 - Housing in Rural Areas
- Policy H.16A - Housing in Rural Areas
- Policy LR.10 - Cycling Routes

2.3 South Herefordshire District Local Plan

- Policy GD.1 - General Development Criteria
- Policy C.1 - Open Countryside
- Policy C.2 - Settlement Boundaries
- Policy C.5 - Development within Area of Outstanding Natural Beauty
- Policy C.8 - Development within Area of Great Landscape Value
- Policy SH.5 - Housing Land in Ross-on-Wye
- Policy SH.11 - Housing in the Open Countryside
- Policy T.3 - Highway Safety
- Policy T.9 - Cycle Routes

Ross Chapter 37

- Policy 2 - New Housing Developments
- Policy 3 - Infill Sites for Housing

3. Planning History

- | | | | | |
|-----|---------------|--|---|-------------------|
| 3.1 | SE2001/3206/F | Replacement dwelling together with garage (demolition of existing pair of cottages) | - | Approved 23.01.02 |
| | SE2001/3207/F | Redevelopment of previously developed land; erection of 4 dwellings and associated garages. Alterations and improvements to existing vehicular access and construction of private driveway | - | Approved 27.03.02 |
| | SE2002/1695/F | Redevelopment of previously developed land; erection of 5 dwellings and associated garages. Alterations and improvements to existing vehicular access and construction of private driveway | - | Approved 28.08.02 |

4. Consultation Summary

Statutory Consultations

- 4.1 Environment Agency has no objections in principle but recommends that floor levels be set above the local flood level (32.9m AOD) and to protect the watercourse.
- 4.2 Welsh Water request that conditions be imposed to ensure that surface water discharges do not enter the public sewerage system.

Internal Council Advice

- 4.3 Head of Engineering and Transportation recommends that conditions be included regarding the access and parking provision.
- 4.4 Chief Conservation Officer accepts the selection of trees to be retained and that the remedial works to the willows are appropriate but requires further information regarding service runs and tree protection zones.
- 4.5 Head of Environmental Health recommends a condition requiring a risk assessment and appropriate mitigation to ascertain whether the former railway land is contaminated.

5. Representations

- 5.1 Parish Council "objects strongly on the grounds of over development and restriction of access. Happy for original application to go ahead."
- 5.2 Five letters of objection have been received. The following grounds are cited:
 1. Too many houses - too close together, over-development.
 2. Cause major traffic hazard along both Greytree and Sixth Avenue:
 - (a) new access drive would meet Greytree at dangerous corner, already very busy with parked cars, not constructed to take all this traffic, vehicles speed down hill towards corner, HGVs use frequently and minor accidents have already occurred - this would be exacerbated by this proposal
 - (b) corner is particularly difficult for pedestrians especially elderly and small children; vehicles often forced to mount pavement as road not sufficiently wide and no footway on opposite side of road
 - (c) Sixth Avenue already congested and junction with private drive is at constricted point - 1 and 2 Greytree have been converted to one house so proposal would result in significant increase in traffic. Egress at this junction is often blind (parked vehicles). Parking along the drive could block access for existing residents
 - (d) suggested that one or preferably both houses be accessed off new drive rather than via Sixth Avenue
 - (e) queried whether all of drive is to be altered and improved or just section within application site.
 3. New access road would be 10' above adjoining gardens resulting in overlooking of properties, traffic noise especially at speedbumps, light from streetlamps - full screening including planting must be provided to fully mitigate these problems.

4. Too close to existing property and would therefore reduce privacy and light.
5. During construction all traffic should access site off new drive not via Sixth Avenue, to avoid damage/subsidence to private drive, noise/disturbance to residents and damage to parked cars in Sixth Avenue. Site compound should be on land north of existing house (1 and 2 Lower Greytree).
6. Hard surfaces will increase run off therefore must be adequate drainage.

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 principle of development both on the garden of 1 and 2 Lower Greytree (which is within the settlement boundary for Ross-on-Wye) and on the former railway embankment (which is outside the boundary) together with the construction of an access drive along the latter has been accepted in 2002 (SE2002/1695/F). The issue raised by the current proposal are whether there would be significant harm to highway safety, the effect on the visual amenities of the area which is within the Wye Valley Area of Outstanding Natural Beauty and the effect on the amenities of neighbours.
- 6.2 On the first issue the proposed access onto the highway network would be as previously approved. Although on a sharp bend, visibility at the access would be above minimum standards for an urban road, particularly along Greytree. The Head of Engineering and Transportation recommends that visibility at the access be significantly greater than was required in the previous scheme, viz. 4.5m x 60m to right, 90m to left rather than 2m x 30m. The current proposal would increase the number of dwellings accessed off Greytree by 1 (6 rather than 5). It is not considered that this change would significantly alter the risks to highway safety, a view shared by the Head of Engineering and Transportation. The revised scheme overcomes the concerns raised regarding increased traffic along Sixth Avenue and the private drive.
- 6.3 The former railway embankment with its planting provides a soft edge to the built-up part of Greytree. A house on the embankment (Plot 1) would be very visible from the lower land to the west (River Wye floodplain). The proposal is to reduce the height of the embankment by a metre and a half or more. Nevertheless the finished floor level of this house would be about 1.5m above the adjoining playing field. The two houses adjoining Plot 1 (plots 2 and 3) would be raised above existing ground levels and would be about 0.8m above the finished floor levels necessary to ensure flood protection. The developer is looking at the practicability of reducing the levels of these houses.
- 6.4 Even so, thick planting along the western boundary will be important. The increase in the number of houses accessed off the new drive may mean that service strips have to be provided (a "shared surface" rather than "private drive" which is limited to 5 dwellings). However, the width of the embankment is considered to be sufficient to ensure adequate space for planting. The design and size of the proposed houses is considered to be acceptable. The increase in density above the approved schemes (7 rather than 6 houses) is not considered to make a significant difference to the visual impact of the scheme, although the siting of this extra house needs further consideration. On balance it is not considered that the harm to the visual amenities of the area are so serious as to justify refusal of planning permission.

- 6.5 The spacing of dwellings within the site and in relation to adjoining houses is considered to be acceptable and to meet generally accepted standards. There would be noise and disturbance from traffic along the access road. Most of the adjoining properties have long gardens but two properties at Greytree (The Willows and Hawthorne House) are much closer. Nevertheless an acoustic barrier could be erected with appropriate planting on its eastern side which should mitigate the problem. It is considered therefore that residential amenities would not be harmed significantly.

RECOMMENDATION

That subject to the receipt of satisfactory revised drawings of siting and of the access drive, the officers named in the Scheme of Delegation to Officers be authorised to issue planning permission subject to the following conditions and any additional conditions considered necessary by officers:

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

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

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

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

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

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

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

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

5. **G01 (Details of boundary treatments) (acoustic fence or wall)**

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

6. **Prior to development commencing, full drawings showing sections of the existing site profiles and sections of the proposed site including buildings, roads and embankment and specifying their proposed levels shall be submitted to and approved by the local planning authority. Development shall be carried out in accordance with the approved levels and profiles.**

Reason: To ensure that the development is satisfactorily assimilated into the site and does not adversely affect the flood plain.

7. **Notwithstanding the approved drawings, no development shall take place until details of any works to the embankment have been submitted to and approved in writing by the local planning authority.**

Reason: To protect the visual amenities of the area.

8. F20 (Scheme of surface water drainage)

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

9. There must be no new buildings, structures (including gates, walls and fences) or raised ground levels within

- a) 5 metres of the top of any bank or watercourses, and/or
- b) 3 metres of any side of an existing culverted watercourse,

inside or along the boundary of the site, unless agreed otherwise in writing by the local planning authority.

Reason: To maintain access to the watercourse for maintenance or improvements and provide for overland flood flows.

10. 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 extension to the rear (north east) elevation of Plots 2 and 3 shall be erected.

Reason: To protect the amenities of occupiers of neighbours.

11. H03 (Visibility splays)

Reason: In the interests of highway safety.

12. H06 (Vehicular access construction)

Reason: In the interests of highway safety.

13. H11 (Parking - estate development (more than one house))

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

14. 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.

15. H21 (Wheel washing)

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

16. H27 (Parking for site operatives)

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

17. F44 (Investigation of contaminated land)

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

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

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

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

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

Informative(s):

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

Decision:

Notes:

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Background Papers

Internal departmental consultation replies.

13 DCSE2004/2733/F - DEMOLITION OF EXISTING PETROL FILLING STATION AND ERECTION OF 18 NO. RESIDENTIAL APARTMENT DWELLINGS AT PETROL FILLING STATION (FORMER), GLOUCESTER ROAD, ROSS-ON-WYE, HEREFORDSHIRE, HR9 5NA

For: First London Investment Group Ltd per Hook Mason, 11 Castle Street, Hereford HR1 2NL

Date Received: 23rd July, 2004 Ward: Ross-on-Wye East Grid Ref: 60729, 24175

Expiry Date: 17th September, 2004

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

1. Site Description and Proposal

- 1.1 The application site, the petrol filling station and car sales lot that has recently closed, is located towards the eastern end of Gloucester Road, Ross-on-Wye. To the east is the former Ashburton Inn which has now been converted into residential accommodation and beyond is the Ashburton Industrial Estate. Other nearby properties in Gloucester Road and Weston Grove to the north of the application site are residential.
- 1.2 It is proposed to erect three blocks of flats on this site. Two blocks would be sited in the rear half of the plot, the third would be sited close to the front and the boundary with the former Inn. This aims to relate the blocks to the adjoining dwellings, with Rowancroft positioned near the rear of its plot, the former Inn close to Gloucester Road. The western block would be 2-storeyed, the central block 3-storeyed, also with a hipped roof and the eastern block 3-storeyed but with a gabled roof. 18 apartments would be provided with 1 or 2 bedrooms. The external materials would be brick, render and plain clay tiles. 27 parking spaces would be provided mainly to the front of the blocks but with 11 spaces to the rear. Communal amenity areas are proposed to the rear of the apartment blocks.

2. Policies

2.1 Planning Policy Guidance

PPG3 - Housing

2.2 Hereford and Worcester County Structure Plan

Policy H16 - Location of Growth
 Policy CTC9 - Development Requirements
 Policy CTC18 - Development in Urban Areas

2.3 South Herefordshire District Local Plan

Policy GD1 - General Development Criteria
 Policy SH14 - Siting and Design of Buildings

Policy SH15	-	Criteria for New Housing Schemes
Policy R3A	-	Development and Open Space Targets
Policy SH9	-	Balance of Housing Types
Policy T3	-	Highway Safety Requirements
Policy T4	-	Highway and Car Parking Standards
Policy 3	-	Infill Sites for Housing
Policy 4	-	Primary Residential Areas

2.4 Herefordshire Unitary Development Plan – Revised Deposit Draft

Policy H1	-	Established Residential Area
Policy H2	-	Housing Land Allocations
Policy H9	-	Affordable Housing
Policy H13	-	Sustainable Residential Design
Policy H14	-	Re-using Previously Developed Land and Buildings
Policy H15	-	Density
Policy H16	-	Car Parking
Policy H19	-	Open Space Requirements
Policy RST3	-	Standards for Outdoor Playing and Public Open Space

3. Planning History

3.1	SH930690PF	New petrol tanks, pumps, islands and canopy	-	Approved 28.07.93
	SE2001/2584/F	New underground storage tanks.	-	Approved 28.01.02

4. Consultation Summary

Statutory Consultations

4.1 Welsh Water's representations are awaited.

Internal Council Advice

4.2 Head of Engineering and Transport recommends that conditions be imposed regarding the access and off-street parking.

4.3 Head of Environmental Health recommends that a contaminated land investigation be undertaken with appropriate mitigation if required. It is recommended that the underground petrol tanks be removed.

5. Representations

5.1 The Town Council's comments are awaited.

5.2 7 letters of objection have been received one of which is supported by a petition with 20 signatures. The following grounds are cited:

- (1) A major concern is that the proposed development would be totally out of character with the area and spoil it completely - adjoining houses are lower with a lower terrace to rear, whereas proposed would be tallest residential buildings in the area, which is one of oldest, established residential streets in Ross.

- (1) Size, height, appearance and density are all considered unacceptable and so is car park at front with only a low boundary wall. Less would be better for all.
- (2) A second, strongly voiced objection is that there would be loss of privacy as too close to boundary fence (Weston Grove) with overlooking of gardens and full view inside houses. Privacy is a right. A 2-storey scheme would allow trees to be planted which would secure some measure of privacy, which has been enjoyed for at least 40 years.
- (3) Significant loss of amenity already as shop at petrol filling station has closed - this was very important to elderly as allowed shopping locally for essential goods.
- (4) Obscure views of Chase Woods, Tank Meadow and surrounding area.
- (5) Removal of large fir tree would be a great loss as haven for birds - more trees/landscaping needed especially against boundary (Weston Grove) and to soften impact along Gloucester Road.
- (6) Disproportionate increase in number of local residents would result in significant increase in traffic flow and parking problems along Gloucester Road and in crime. Gloucester Road is very busy especially at junction with Alton Road and Camp Road, is dangerous with cars parked both sides and speeding vehicles so that exiting properties safely is difficult at times.
- (7) Flooding in this area is frequent due to lack of drainage.
- (8) Other concerns mentioned include devaluation of adjoining properties (very distressing); some neighbours have not been notified and gain rear access through the site and would like this to continue.

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 firstly the effect on the visual amenities of the area and secondly the effect on the amenities of neighbours. On the first issue the principal consideration is whether the proposal is in keeping with the residential area in which it would be set. Along the section of Gloucester Road to the west which is within the Ross on Wye Conservation Area there are detached houses, well separated from each other and in a variety of styles. The proposed blocks would certainly be larger than these and much closer together. The former Inn however has a greater floor area. Although two blocks are 3-storeyed the development would not be dissimilar in height and scale at the western and eastern ends to Rowancroft and the former Inn, building up in the central part to a full 3-storeys. They are bulkier buildings but have been designed to reduce as far as possible this visual impact. In style they respect without copying nearby properties and the 3 individual designs reflect the diversity in this part of Gloucester Road. Thus, whilst not identical to the adjoining section of Gloucester Road the proposed apartment blocks are not so different as to be discordant and out of character.

- 6.2 The extensive car parking area at the front is not ideal but there is scope for planting along the frontage and attractive hard surfacing materials would be important. There is more opportunity for planting trees at the rear of the site. On balance then it is considered that there are not sufficient grounds to refuse permission on this issue.
- 6.3 Turning to the second issue the main concerns are whether there would be loss of privacy and whether the buildings would be overbearing. The rear of the blocks would be about 40m from the nearest house in Weston Grove. This is well above generally accepted standard, even allowing for the new buildings being 3 storeys. However the central block is just 10m from the boundary of properties in Weston Grove. This will result in overlooking of gardens and hence some loss of privacy. Nevertheless these are long gardens and any negative impact can be reduced in the longer term by tree planting. The relationship of the eastern block to the former Inn is more sensitive. The gap between these two buildings would be 5.5m which is considered to be at the margin of acceptability but windows directly facing windows in the former Inn from this distance are too close. The applicant's agent is preparing revisions to overcome this concern. Subject to this being achieved it is considered that they would not be a significant loss of amenity by neighbours. The loss of views is appreciated but in this case is not grounds to refuse permission.
- 6.4 Of the other matters raised the access and traffic implications have been carefully considered by the Head of Engineering and Transportation and are acceptable. It should be borne in mind that a petrol filling station would generate a considerable volume of traffic and that the number of accesses has been reduced to one. The closure of a local shop is no doubt an important loss but this site is too large for retail development to meet local needs.
- 6.5 Policy R.3A of the Local Plan requires an infants play area for schemes of more than 10 dwellings. There is space for a play area at the rear of the apartments and this provision can be ensured by a planning condition.

RECOMMENDATION

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

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

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

2 B01 (Samples of external materials)

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

3 G04 (Landscaping scheme (general))

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

4 G05 (Implementation of landscaping scheme (general))

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

5 G01 (Details of boundary treatments)

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

6 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.

7 H03 (Visibility splays)

Reason: In the interests of highway safety.

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

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

9 H21 (Wheel washing)

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

10 Before the occupation of any dwelling hereby approved, an infants play area shall be provided in accordance with a scheme which has been submitted to and approved in writing by the local planning authority.

Reason: To ensure appropriate provision of amenity space and facilities.

11 Development approved by this planning permission shall not be commenced unless:

- a) A desk top study has been carried out which shall include the identification of previous site use, potential contaminants that might reasonably be expected given those uses and other relevant information and using this information a diagrammatical representation (Conceptual Model) for the site of all potential contaminant sources, pathways and receptors has been produced.
- b) A site investigation has been designed for the site using the information obtained from the desktop study and any diagrammatical representations (Conceptual Model). This should be submitted to, and approved in writing by the local planning authority prior to that investigation being carried out on the site. The investigation must be comprehensive enough to enable:
 - a risk assessment to be undertaken relating to the receptors associated with the proposed new use, those uses that will be retained (if any) and other receptors on and off the site that may be affected, and
 - refinement of the Conceptual Model, and
 - the development of a Method Statement detailing the remediation requirements.
- c) The site investigation has been undertaken in accordance with details approved by the local planning authority and a risk assessment undertaken.

- d) A Method Statement detailing the remediation requirements using the information obtained from the Site Investigation has been submitted to the local planning authority. This should be approved in writing by the local planning authority prior to that remediation being carried out on the site.

Reason: To ensure that the proposed site investigations and remediation will not cause pollution of the environment or harm to human health.

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

Reason: To ensure that the development complies with approved details in the interests of protection of the environment and harm to human health.

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

Reason: To ensure that the development complies with approved details in the interests of protection of the environment and harm to human health.

- 14 Upon completion of the remediation detailed in the Method Statement a report shall be submitted to the local planning authority that provides verification that the required works regarding contamination have been carried out in accordance with the approved Method Statement. Post remediation sampling and monitoring results shall be included in the report to demonstrate that the required remediation has been fully met. Future monitoring proposals and report shall also be detailed in the report.

Reason: To protect the environment and prevent harm to human health by ensuring that the remediated site has been reclaimed to an appropriate standard.

INFORMATIVES:

- 1 HN05 - Works within the highway
- 2 HN10 - No drainage to discharge to highway
- 3 HN19 - Disabled needs
- 4 N15 - Reason(s) for the Grant of Planning Permission.

Decision:

Notes:

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Background Papers

Internal departmental consultation replies.

AREA SUB-COMMITTEE

Further information on the subject of this report is available from «CONTACT» on «CONTACT_TELNO»