

A G E N D A

Southern Area Planning Sub- Committee

Date: **Wednesday, 19th January, 2005**

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:

*Ricky Clarke, Members' Services, Tel:
01432 261885 Fax: 01432 260286*

e-mail: rclarke@herefordshire.gov.uk

**County of Herefordshire
District Council**

AGENDA

for the Meeting of the Southern Area Planning Sub-Committee

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

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

	Pages
1. APOLOGIES FOR ABSENCE	
To receive apologies for absence.	
2. DECLARATIONS OF INTEREST	
To receive any declarations of interest by Members in respect of items on the Agenda.	
3. MINUTES	1 - 8
To approve and sign the Minutes of the meeting held on 22nd December, 2004.	
4. ITEM FOR INFORMATION - APPEALS	9 - 10
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. DCSW2004/1691/F - WOODVALE, PONTRILAS, HEREFORD, HEREFORDSHIRE, HR2 0EH	11 - 14
Two-storey side extension including conversion of existing garage to room.	
6. DCSE2004/4116/RM - THE NURSERIES, PLOT 1, LLANGROVE, ROSS-ON-WYE, HEREFORDSHIRE, HR9 6EP	15 - 18
Amendment to approved position of dwelling (ref: planning permission SE2003/3553/RM).	

7.	DCSE2003/3641/O - COMMERCIAL YARD, PONTSHILL, NR ROSS-ON-WYE, HEREFORD.	19 - 22
	Site for the erection of eight dwellings.	
8.	DCSE2004/3946/F - VINE TREE COTTAGE, BISHOPSWOOD, ROSS-ON-WYE, HEREFORDSHIRE, HR9 5RA	23 - 26
	Conversion of an existing games room over a garage/workshop to form a detached granny annexe.	
9.	DCSE2004/3893/F & DCSE2004/4894/C FACTORY PREMISES (ADJACENT TO NO. 31) BRAMPTON STREET, ROSS-ON-WYE, HEREFORDSHIRE, HR9 7EQ	27 - 32
	a) Residential development	
	b) Demolition of factory buildings	

The Public's Rights to Information and Attendance at Meetings

YOU HAVE A RIGHT TO: -

- Attend all Council, Cabinet, Committee and Sub-Committee meetings unless the business to be transacted would disclose 'confidential' or 'exempt' information.
- Inspect agenda and public reports at least five clear days before the date of the meeting.
- Inspect minutes of the Council and all Committees and Sub-Committees and written statements of decisions taken by the Cabinet or individual Cabinet Members for up to six years following a meeting.
- Inspect background papers used in the preparation of public reports for a period of up to four years from the date of the meeting. (A list of the background papers to a report is given at the end of each report). A background paper is a document on which the officer has relied in writing the report and which otherwise is not available to the public.
- Access to a public Register stating the names, addresses and wards of all Councillors with details of the membership of Cabinet and of all Committees and Sub-Committees.
- Have a reasonable number of copies of agenda and reports (relating to items to be considered in public) made available to the public attending meetings of the Council, Cabinet, Committees and Sub-Committees.
- Have access to a list specifying those powers on which the Council have delegated decision making to their officers identifying the officers concerned by title.
- Copy any of the documents mentioned above to which you have a right of access, subject to a reasonable charge (20p per sheet subject to a maximum of £5.00 per agenda plus a nominal fee of £1.50 for postage).
- Access to this summary of your rights as members of the public to attend meetings of the Council, Cabinet, Committees and Sub-Committees and to inspect and copy documents.

Please Note:

Agenda and individual reports can be made available in large print. Please contact the officer named on the front cover of this agenda **in advance** of the meeting who will be pleased to deal with your request.

The meeting venue is accessible for visitors in wheelchairs.

A public telephone is available in the reception area.

Public Transport Links

- Public transport access can be gained to Brockington via the service runs approximately every half hour from the 'Hopper' bus station at the Tesco store in Bewell Street (next to the roundabout junction of Blueschool Street / Victoria Street / Edgar Street).
- The nearest bus stop to Brockington is located in Old Eign Hill near to its junction with Hafod Road. The return journey can be made from the same bus stop.

If you have any questions about this agenda, how the Council works or would like more information or wish to exercise your rights to access the information described above, you may do so either by telephoning the officer named on the front cover of this agenda or by visiting in person during office hours (8.45 a.m. - 5.00 p.m. Monday - Thursday and 8.45 a.m. - 4.45 p.m. Friday) at the Council Offices, Brockington, 35 Hafod Road, Hereford.

COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL

BROCKINGTON, 35 HAFOD ROAD, HEREFORD.

FIRE AND EMERGENCY EVACUATION PROCEDURE

In the event of a fire or emergency the alarm bell will ring continuously.

You should vacate the building in an orderly manner through the nearest available fire exit.

You should then proceed to Assembly Point J which is located at the southern entrance to the car park. A check will be undertaken to ensure that those recorded as present have vacated the building following which further instructions will be given.

Please do not allow any items of clothing, etc. to obstruct any of the exits.

Do not delay your vacation of the building by stopping or returning to collect coats or other personal belongings.

COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL

MINUTES of the meeting of Southern Area Planning Sub-Committee held at The Council Chamber, Brockington on Wednesday, 22nd December, 2004 at 2.00 p.m.

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

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

In attendance: Councillors P.E. Harling, T.W. Hunt (ex-officio) and Ms. G.A. Powell

101. APOLOGIES FOR ABSENCE

Apologies were received from Councillor G.W. Davis.

102. DECLARATIONS OF INTEREST

The following declaration of interest was made:

Councillor	Item	Interest
Mrs R.F. Lincoln	Item 8 – (DCSE2004/3422/F – Mast extension of 2.5m, the installation of 6 antennae and a ground based equipment housing at: Existing CCI mast, Great Trewen Farm, Whitchurch, Ross-on-Wye, Herefordshire, HR9 6ES.	Prejudicial and left the meeting for the duration of the item.

103. MINUTES

RESOLVED: That the Minutes of the meeting held on 24th November, 2004 be approved as a correct record and signed by the Chairman.

104. ITEM FOR INFORMATION - APPEALS

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

105. DCSE2004/2607/RM - NEWTON FARM, WELSH NEWTON, MONMOUTH, HEREFORDSHIRE, NP5 3RN (AGENDA ITEM 5)

Equestrian Centre, car parking and ancillary works, Newton Farm, Welsh Newton.

The Senior Planning Officer reported the receipt of one further letter of objection from a local resident.

In accordance with the Criteria for Public Speaking, Mrs. Fender and Mrs. Swinglehurst both spoke against the application.

RESOLVED:

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

1 A07 (Development in accordance with approved plans)

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

2 B07 (Stonework laid on natural bed)

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

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

Reason: To protect the visual amenities of the area.

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

Reason: To protect the visual amenities of the area.

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

Reason: To protect the visual amenities of the area.

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

Reason: To ensure the development is satisfactory in appearance.

7 F48 – (Details of slab levels)

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

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

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

Informatives:

- 1 **N09 - Approval of Reserved Matters**
- 2 **The applicant/developer should ensure that the public footpath WNN8 which runs along the western boundary of the application site is not affected in any way. If in doubt the applicant should contact the Council Public Rights of Way Manager.**
- 3 **The Environment Agency advises that a Discharge Consent under the Water Resources Act 1991 may be required from the Agency.**
- 4 **The applicant should ensure that no pollutants from the development reaches any watercourse.**
- 5 **N15 - Reason(s) for the Grant of Planning Permission**

106. DCSW2004/3709/O - TOP BARN, LITTLE PENLAN FARM, DORSTONE, HEREFORDSHIRE (AGENDA ITEM 6)

Erection of a detached agricultural dwelling with garage.

In accordance with the Criteria for Public Speaking, Mr Hendy, representing Dorstone Parish Council, and Mr. Howie, the applicant's agent, both spoke in support of the application.

Councillor N.J.J. Davies, the Local Ward Member, supported the views of Dorstone Parish Council. He felt that it was important for a stock farm of this size to have a dwelling on the site in order to maintain security and to be able to meet animal welfare standards.

A number of Members felt that the application should be approved as the original farm house had been divorced from the land since 1987 and that the applicants had found it increasingly difficult to operate the farm efficiently in the absence of a dwelling.

RESOLVED:

That:

- (i) **The Southern Area Planning Sub-Committee is minded to approve the application subject to a Section 106 agreement tying the dwelling to the holding and any conditions felt to be necessary by the Head of Planning Services, provided that the Head of Planning Services does not refer the application to the Planning Committee**
- (ii) **If the Head of Planning Services does not refer the application to the Planning Committee, Officers named in the Scheme of Delegation to Officers be instructed to approve the application subject to such conditions referred to above.**

(Note – The Team Leader (Southern) said that as there were no crucial planning policy issues at stake he would not refer the matter to the Head of Planning Services.)

107. DCSE2004/3136/F - DENBARA LODGE, LEALINE, LEA, ROSS-ON-WYE, HR9 7LL (AGENDA ITEM 7)

Agricultural barn.

Councillor H. Bramer, the Local Ward Member, felt that all of the issues raised by the Parish Council had been addressed in the Officers report and was therefore happy to support 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 B08 (Dark roof colouring (agricultural buildings))

Reason: To protect the visual amenities of the area.

4 Before any work commences on site, detailed drawings showing the rear (south east) and end (south west) elevations of the building shall first be submitted to and be subject to the prior written approval of the local planning authority.

Reason: To ensure the satisfactory appearance of the development.

5 The agricultural building hereby approved shall not be used at any time for intensive livestock purposes.

Reason: To protect the residential amenities of nearby dwellings.

Informative(s):

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

108. DCSE2004/3422/F - EXISTING CCI MAST, GREAT TREWEN FARM, WHITCHURCH, ROSS-ON-WYE, HEREFORDSHIRE, HR9 6ES (AGENDA ITEM 8)

Mast extension of 2.5m, the installation of 6 antennae and a ground based equipment housing.

(Note – The Vice Chairman assumed the Chair for the following item)

The Principal Planning Officer reported the receipt of a further letter from the applicant's agent regarding access to the site.

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 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 Notwithstanding the approved drawings no development shall take place until details of the fencing, cabinets and gantry including design and colour of finish have been submitted to and approved 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

109. DCSE2004/1077/F - 1 HENRY STREET, ROSS-ON-WYE, HEREFORDSHIRE, HR9 7AA (AGENDA ITEM 9)

Conversion of shop premises to form 2 shops, office unit and apartment.

The Principal Planning Officer reported the receipt of a letter of objection from a local shop owner regarding drainage and a number of other issues and he advised Members that these issues could be addressed through appropriate conditions.

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 C02 (Approval of details)

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

Informative:

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

110. DCSE2004/3428/F - OUR LADY OF ST. TERESA OF LISEUX R.C. CHURCH, WHITCHURCH, ROSS-ON-WYE, HEREFORDSHIRE, HR9 6DJ (AGENDA ITEM 10)

Proposed conversion of redundant church building to form 1 residential dwelling.

The Principal Planning Officer reported the receipt of revised drawings.

Councillor Mrs. R.F. Lincoln, the Local Ward Member, felt that the existing church entrance should be used as an access to the dwelling. She also felt that if the existing stone wall had to be moved to improve visibility then it should be rebuilt in local stone.

RESOLVED:

That subject to receipt of acceptable revised drawings with respect to design, access and fenestration, 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 following consultation with the Local Ward Member:

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 E19 (Obscure glazing to windows)

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

3 E17 (No windows in side elevation of extension)

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

4 No floor shall be installed above first floor level in the section of the building outlined in red on the plan attached to this permission.

Reason: To protect the amenities of neighbours.

5 H04 (Visibility over frontage)

Reason: In the interests of highway safety.

6 H05 (Access gates)

Reason: In the interests of highway safety.

7 H08 (Access closure)

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

8 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.

9 W01 (Foul/surface water drainage)

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

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

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

11 E16 (Removal of permitted development rights)

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

Informatives:

1 HN01 - Mud on highway

2 HN05 - Works within the highway

3 HN10 - No drainage to discharge to highway

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

The meeting ended at 2.57 p.m.

CHAIRMAN

ITEM FOR INFORMATION - APPEALS

APPEALS RECEIVED**Application No. DCSE2004/2500/F**

- The appeal was received on 24th November, 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 William Hill Organisation Ltd
- The site is located at 8 Gloucester Road, Ross-On-Wye, Herefordshire, HR9 5BU
- The development proposed is Use of premises for A2 purposes as a licensed betting office
- The appeal is to be heard by Written Representations

Case Officer: Nigel Banning 014320 261974

Application No. DCSW2004/2478/F

- The appeal was received on 7th December, 2004
- The appeal is made under Section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission
- The appeal is brought by Mr. & Mrs. S. Goodwin
- The site is located at Penny Pitt Farm, -, Much Birch, Hereford, Herefordshire, HR2 8HZ
- The development proposed is Renovation of traditional buildings/barn to form 1 no unit of residential accommodation.
- The appeal is to be heard by Hearing

Case Officer: Andrew Prior on 01432 261932

APPEALS DETERMINED**Application No. DCSE2003/3822/O**

- The appeal was received on 30th April, 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. T. Taylor
- The site is located at Kyrle Cottage, -, Whitchurch, Ross-On-Wye, Herefordshire, HR9 6DJ
- The application, dated 22nd December, 2003 , was refused on 16th February, 2004
- The development proposed was Proposed new dwelling

Decision: The appeal was **WITHDRAWN** on 25th October, 2004

Case Officer: Mike Willmont on 01432 260612

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

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

5 DCSW2004/1691/F - TWO STOREY SIDE EXTENSION INCLUDING CONVERSION OF EXISTING GARAGE TO ROOM, WOODVALE, PONTRILAS, HEREFORD, HEREFORDSHIRE, HR2 0EH

For: Mr. & Mrs. Newman, per Broadheath Consulting Ltd, Broadheath, Moreton on Lugg, Hereford, HR4 8DQ

Date Received: 10th May, 2004 Ward: Valletts Grid Ref: 39699, 27614

Expiry Date: 5th July, 2004

Local Member: Councillor P.G. Turpin

1. Site Description and Proposal

1.1 The proposal site is on the northern side of the main thoroughfare in Pontrilas, the Class III road (C1233). Woodvale is a detached property between Doyre House to the east which has a retail premises that is currently vacant, and to the west is The Stonehouse, an imposing three storey stone faced dwelling. The application site and The Stonehouse are both below the level of the Class III road from which both dwellings gain access. The land to the north comprises the River Dore and above that the A465(T) road.

1.2 It is proposed to extend this modern house by erecting a first floor extension over the existing garage on the western end of Woodvale. This also entails adding a two-storey addition to the rear of the existing garage, this addition adds 1.1 metres to the length of the two-storey extension and is like the garage, 3.1 metres wide. Planted timber work already used on the front elevation of the house will be continued into the new first floor elevation facing the Class III road. The remaining areas will be covered in a facing brick matching that used in Woodvale, under a slate roof matching that used on the main roof.

2. Policies

2.1 Planning Policy Guidance

PPG.1 - General Policy & Principles

2.2 Hereford and Worcester County Structure Plan

Policy H.20 - Housing in Rural Areas Outside the Green Belt
 Policy CTC.2 - Development in Areas of Great Landscape Value
 Policy CTC.9 - Development Criteria

2.3 South Herefordshire District Local Plan

Policy GD.1 - General Development Criteria
 Policy C.8 - Development within Area of Great Landscape Value
 Policy SH.23 - Extensions to Dwellings

2.4 Herefordshire Unitary Development Plan (Revised Deposit Draft)

- Policy DR.1 - Design
- Policy H.18 - Alterations & Extensions

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 The Traffic Manager has not replied.

5. Representations

- 5.1 The Parish Council have not replied.

- 5.2 One letter of objection has been received from Mr. C. Hickinbottom, The Stonehouse, Pontrilas, HR2 0EH

The following main points are raised:

- rear of both properties north facing, area between properties our recreational area receiving limited sunlight. Would reduce by 40% if development proceeds
- loss of privacy due to overlooking by a first floor bedroom window and more importantly a kitchen window that looks directly across the rear of our property. Notwithstanding that there is an existing garage window, proposed one directly overlooks
- submitted plan nor OS plan does not show correct alignment of our properties. Woodvale is set back further
- substantial fall from front to rear of both properties. Next door on a 3/4ft elevated foundation, ground level considerably higher hence overlooking 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 are considered to be the scale and form of the extension, and the impact that the new building would have on adjoining residents.
- 6.2 The application has been delayed in determination, as revised block plans were needed. The originally submitted ones showed Woodvale and The Stonehouse as having their rear walls in alignment, which is also how the Ordnance Survey plan incorrectly defines the relationship between the two properties. Woodvale has in fact its rear wall 2 metres further north than The Stonehouse.

- 6.3 Woodvale has not been extended at first floor level previously and it is considered that the extension over the existing garage and a further one made to the north in alignment with the existing rear wall does not result in an extension that is unduly dominant in relationship to the existing 3 bedroom house. The ridge height is no higher than the ridge on the main roof. The second main issue is the impact that the proposed development would have on the amenity of adjoining residents. The extension will have an impact on adjoining residents given the difference in respective ground floor levels between Woodvale and The Stonehouse. Woodvale is approximately 1.7 to 1.9 metres higher. However, no overlooking first floor windows are proposed in the side elevation that is just under one metre away from the boundary shared with The Stonehouse. A planning condition should be attached in the event that planning permission is granted removing the possibility of inserting windows at a later date. The adjoining residents are also concerned about the introduction of a ground floor window which will be higher in the side or west facing wall given the floor area of what was the garage will be heightened in line with the main house. A window facing the garden and a side door in its place may be a possible amendment to the proposal. It is not considered that the north facing bedroom window will unduly overlook the adjoining property to a detrimental degree given the extent of shrub and tree cover along the boundary and to the rear of The Stonehouse affording areas of privacy.
- 6.4 The other issue raised is one relating to the loss of light from the new extension. The proposed extension is no higher than the existing house, it is only slightly longer in length. Overshadowing would only occur as at present and during a particular time frame each day and would have a different impact depending upon the time of year. The patio area used by the objectors would more than likely be used at the time of year of least overshadowing, i.e. when the sun is overhead. It is not considered that the increased area of building would demonstrably impact upon the amenity of the occupants of The Stonehouse such that planning permission could be reasonably withheld for reasons of loss of sunlight or overshadowing.
- 6.5 The proposal can be supported subject to the removal of permitted development rights for additional openings on the west facing wall. In addition, before planning permission is granted revisions should be sought swapping the kitchen door and window around.

RECOMMENDATION

That subject to the receipt of satisfactory revised plans relating to the window for the kitchen area of the scheme, 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. E17 (No windows in side elevation of extension)

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

Informative:

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

Decision:

Notes:

.....

Background Papers

Internal departmental consultation replies.

6 DCSE2004/4116/RM - AMENDMENT TO APPROVED POSITION OF DWELLING (REF: PLANNING PERMISSION SE2003/3553/RM) AT THE NURSERIES, PLOT 1, LLANGROVE, ROSS-ON-WYE, HEREFORDSHIRE, HR9 6EP

**For: Mr. & Mrs. A. Fisher per Design and Materials Ltd,
Lawn Road, Carlton-in-Lindrick, Worksop, Notts,
S81 9LB**

Date Received: 1st December, 2004 Ward: Llangarron Grid Ref: 52865, 19068

Expiry Date: 26th January, 2005

Local Member: Councillor Mrs. R.F. Lincoln

1. Site Description and Proposal

- 1.1 The application site (Plot 1) is part of a larger site for which outline planning permission was granted in March 2000 for the erection of 2 dwellings. The new dwelling, Llanria, on the adjoining part of the outline application site has been constructed; the construction of the dwelling on the current application site is well underway. The siting of the latter does not conform to the approved drawings however in that the front of this house should be slightly forward of the front of the adjoining new house whereas it is about 0.75 m to the rear. Consequently the Plot 1 house extends further to the rear of Llanria. The new dwelling is in approximately the correct position in relation to the bungalow, The Haven, to the north.
- 1.2 The current proposal is to retain the building as built. In all other respects the house would be the same : a 4 bedroom house with an attached garage to the west.

2. Policies

2.1 Planning Policy Guidance

PPG1 - General Principles

2.2 Hereford and Worcester County Structure Plan

Policy H18 - Residential Development in Rural Settlements

2.3 South Herefordshire District Local Plan

GD1 - General Development Criteria
Policy SH6 - Housing Development in Larger Villages
Policy SH15 - Criteria for New Housing Schemes

3. Planning History

- | | | | | |
|-----|----------------|--------------------------|---|-------------------|
| 3.1 | SE2000/0043/O | Two dwellings | - | Approved 6.3.00 |
| | SE2003/0166/RM | Detached dormer bungalow | - | Withdrawn 18.2.03 |
| | SE2003/3553/RM | Detached dormer bungalow | - | Approved 22.1.04 |

4. Consultation Summary

Statutory Consultations

- 4.1 No statutory or non-statutory consultations required.

Internal Council Advice

- 4.2 The Traffic Manager has no objection to the grant of permission provided parking requirements conditioned previously are not impeded.

5. Representations

- 5.1 The applicant's agent has made the following submission:

- (1) I have visited the site to review the setting out of the house and double-checked the same dimension that was taken by the Building Control Officer on an earlier visit from study window to road edge. I made the dimension the same, i.e. within 300 mm of the scaled dimension of the approved drawing.
- (2) A second check was made from the face of the garage to road tarmac edge. This was within 150 mm of scaled dimension.
- (3) Next we compared the line of the main elevation with the rear wall of 'The Haven' bungalow. This worked out to be 750 mm as shown on the same approved drawing.
- (4) Finally, we compared the relative positions of Plots 1 and 2. Plot 2 appears to be 700-800 in front of Plot 1.
- (5) During discussions at your offices, it was indicated that we should be behind, or at least equal to the rear wall of the bungalow in order to address the concerns raised at previous planning submissions. I believe that Plot 1 is in accordance with that and the dwelling is sited and being constructed as previously approved.

- 5.2 The Parish Council have no objections to the amended plans, but would consider that items like this should have been picked up on earlier by the professionals involved.

- 5.3 Two letters have been received objecting to the proposal. In summary the following concerns have been received:

- (1) We went to the trouble, and expense of employing a Chartered Surveyor who negotiated with the planning officer regarding the property that would be built on this site. The planning officer was particularly concerned about the position of the new house in relation to neighbouring properties but agreed in a letter, on a plan that was submitted to her.
- (2) The Building is set back 60 to 90 centimetres from where Planning agreed.
- (3) Because the Building is in the wrong position the door on the East flank wall is some 120 cm out of its original position, and therefore giving a clear view directly into our living room, kitchen and patio. This is a gross intrusion of our privacy and will never be accepted.

- (4) I feel I must point out that your office, the Builder of the said property, and the owner, and his Architect were all informed of this when the house was only up to dpc level but you all chose to ignore it.
- (5) We noticed that they had drawn lines across plot 2 with the work "incorrect" stated. I really cannot understand why this has been done unless it is some kind of "spin" to make it look as if our property is in the wrong place. I can assure you that our property is in the exact position that was shown on our plans that we submitted to planning which has been confirmed by Building Control.
- (6) My property had no restrictions on its position, unlike theirs, to which planning officer had agreed.
- (7) Because of the intrusion to our property I must urge you to make them reinstate this construction to where it should be or at least instruct them to remove the door, and window from the utility room that is on the flank wall facing our property. If you do not what is the point of planning approval?

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 new house is considered to be appropriately sited in relation to The Haven and the distance back from the highway. The relationship to Llanria presumably arises from incorrect plotting of that property on the site plan submitted with application no. SE2003/3553/RM. This has been corrected on the site plan submitted with the current application and shows that the house on Plot 1 is about 1m out of position in relation to Llanria. The main planning issue then is considered to be whether this would harm the amenities of occupants of Llanria.
- 6.2 The eastern elevation of the Plot 1 house, according to the approved drawings, has two windows and a door at ground floor level and one window at first floor level. Two windows would light cloakroom/en-suite rooms and consequently would normally be glazed with obscure glass. The remaining window and the door are part of the utility room. The door is solid rather than glazed. A screen fence along the boundary would protect the privacy of neighbours. This would be about 5 m from the western elevation of Llanria and hence would not be overbearing and a tall fence separating the side walls of neighbouring properties is not unusual.
- 6.3 As noted above the Plot 1 house extends about 1 m further to the rear of Llanria than approved. The rear wall of the former is therefore about 4.8 m beyond that of Llanria. Nevertheless there is a gap of about 6.3 m between Llanria and the rear part of the Plot 1 house, the side wall of Llanria being 5 m from the common boundary. It is considered that viewed from the rear facing rooms of Llanria the adjoining house would not appear as overbearing. The reserved matters approval for Llanria included a garage to be built in the rear garden close to the side boundary and this would further reduce the visual impact of the adjoining house.
- 6.4 It is appreciated that the siting of this new house in relation to both Llanria and The Haven has been problematic. Nevertheless the adjustment in position now proposed

would not seriously harm the amenities of neighbours and there are no cogent planning grounds therefore to refuse permission.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

- 1. **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 windows or dormer windows shall at any time be placed in the eastern and western elevation of the dwelling hereby permitted.**

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

- 2. **Before the dwelling is occupied a 2 m screen fence shall be erected along the eastern boundary of the plot in accordance with details of design, materials and position which have been submitted to and approved in writing by the local planning authority and thereafter the fence shall be permanently retained.**

Reason: To protect the amenities of neighbours.

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

Reason: In the interests of highway safety.

- 4. **H05 (Access gates)**

Reason: In the interests of highway safety.

- 5. **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.

Informatives:

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

Decision:

Notes:

.....

Background Papers

Internal departmental consultation replies.

7 DCSE2003/3641/O - SITE FOR THE ERECTION OF EIGHT DWELLINGS AT COMMERCIAL YARD, PONTSHILL, NR ROSS-ON-WYE, HEREFORD.

**For: Mr. & Mrs. P. Powles per Paul Smith Associates,
Chase View House, Merrivale Road, Ross-on-Wye,
Herefordshire, HR9 5JX**

Date Received: 4th December, 2003 Ward: Penyard Grid Ref: 63963, 21993

Expiry Date: 29th January, 2004

Local Member: Councillor H. Bramer

1. Site Description and Proposal

- 1.1 Outline planning permission was granted in June 2003 for residential development on this site at Pontshill. Although there is no defined boundary it was accepted by the Committee that this haulage and timber yard of about 0.3 ha was within the settlement and that in principle therefore residential development was acceptable. It was further accepted that there were strong environmental grounds to accept the loss of commercial premises which outweighed the employment that could be provided on this site. The application, as considered by the Committee, did not specify the number of dwelling units to be erected.
- 1.2 The current application is also for outline permission but the number of dwellings proposed is 8. An indicative plan has been submitted but all matters except means of access have been reserved for later approval. The original plan has now been amended so that the site is identical to the earlier outline application site and without a second vehicular access.

2. Policies

2.1 Planning Policy Guidance

PPG3	-	Housing
PPS7	-	Sustainable Development in Rural Areas

2.2 Hereford and Worcester County Structure Plan

Policy CTC2	-	Area of Great Landscape Value
Policy CTC9	-	Development Requirements
Policy H16A	-	Housing in Rural Areas
Policy H18	-	Housing in Rural Areas

2.3 South Herefordshire District Local Plan

Policy C1	-	Development Within Open Countryside
Policy C8	-	Development Within Area of Great Landscape Value
Policy SH10	-	Housing in Smaller Settlements
Policy SH14	-	Siting and Design of Buildings

Policy SH15	-	Criteria for New Housing Schemes
Policy ED4	-	Safeguarding Existing Employment Premises
Policy GD1	-	General Development Criteria
Policy T1A	-	Environmental Sustainability and Transport
Policy T3	-	Highway Safety Requirements

3. Planning History

- | | | | |
|-----|---------------|-------------------------------------|--------------------|
| 3.1 | SH901593/PO | 4 pairs semi-detached starter homes | - Refused 6.3.91 |
| | SH910380/PO | 4 pairs semi-detached starter homes | - Refused 10.7.91 |
| | SE2003/0801/O | Site for residential development | - Approved 18.6.03 |

4. Consultation Summary

Statutory Consultations

- 4.1 Environment Agency has no objections in principle but recommends conditions regarding drainage.

Internal Council Advice

- 4.2 The Traffic Manager recommends that conditions be imposed.
- 4.3 Head of Environmental Health recommends that a condition requiring a contaminated land investigation is attached to the planning permission in view of the site's industrial use.

5. Representations

- 5.1 The applicant's agent points out the following:

- (1) Outline planning permission was granted in 2003 for residential development on this site. That application was amended prior to its determination to omit any mention of the number of dwellings proposed at your suggestion. However, it was clear from the subsequent debate of the Planning Committee that Members favoured the erection of this approximate number of dwellings rather than the erection of fewer, larger dwellings.
- (2) My client seeks approval of that which he originally sought; i.e. the erection of eight dwellings to better define his permission for housing on his site. The submitted site layout illustrates that eight dwellings could be erected on the approved site in an acceptable way.
- (3) PPG3 seeks efficient densities of housing development and this design seeks to achieve this objective and to provide a variety of housing types.

- 5.2 Parish Council observations are as follows:

The site is low-lying and local councillors testified that it floods regularly: it is felt that building eight houses here will aggravate the situation. Has the Environment Agency been asked to advise on this?

Councillors considered that eight buildings on this site would be over-development.

- Referring to the building marked '8' on the site plan, it is felt that further consideration should be given to its style and aspect as it does not appear to complement the other houses. Councillors also felt that part of the building numbered '8' may be outside the curtilage of the commercial yard, and therefore may extend beyond the original application.
- The proposed second access to property '8' is felt to be unnecessary: councillors considered that there should be only one access to the site in order to unify the development.

The Parish Council is therefore opposed to the development as proposed in this application.

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

6. Officers Appraisal

- 6.1 The principle of residential development on this site has been established in granting outline permission. This permission remains valid until June 2008. The key issue is therefore considered to be whether 8 dwellings on this site would be acceptable in relation to the Council's policies for residential development in smaller settlements. Policy SH10 of South Herefordshire District Local Plan (SHDLP) states that "planning permission will be granted for small scale housing development within the smaller settlements provided" the proposal satisfies a list of criteria. In this case the relevant criteria are considered to be (i) of a scale and character appropriate to the location and (v) would not adversely alter the character of the location. In addition it must be demonstrated that the development would help satisfy local housing requirements.
- 6.2 The development of the site as a whole has been considered to be small-scale. Provided houses are not crammed in, and there is adequate space between both new and existing dwellings, it is considered that whether there are 4 or 8 houses the scheme would be "small scale". The indicative drawing shows 8 small houses with gardens of at least 9 m depth. The layout is regimented but there is space to allow a more relaxed appearance. In relation to the remainder of Pontshill densities are high but the site is set back behind the frontage houses and with its backdrop of trees need not appear wholly out of character with the settlement.
- 6.3 Only limited evidence was submitted with the earlier application regarding local housing requirements but it did indicate a continuing demand for housing in this area. It seems reasonable to assume that the demand for smaller housing is at least as great as for large detached houses, given the present housing market. It is not therefore considered that further evidence on this matter is required.
- 6.4 This issue of flooding was not raised during consideration of the earlier application. The Environment Agency does not object to the proposal on flooding grounds nor does the Council's Drainage Engineer confirms that there are no records to indicate that the site is subject to flooding.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

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

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

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

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

3. A04 (Approval of reserved matters)

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

4. A05 (Plans and particulars of reserved matters)

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

5. H03 (Visibility splays)

Reason: In the interests of highway safety.

6. H06 (Vehicular access construction)

Reason: In the interests of highway safety.

7. 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.

8. H21 (Wheel washing)

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

9. H27 (Parking for site operatives)

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

Informative

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

Decision:

Notes:

Background Papers

Internal departmental consultation replies.

8 DCSE2004/3946/F - CONVERSION OF AN EXISTING GAMES ROOM OVER A GARAGE/WORKSHOP TO FORM A DETACHED GRANNY ANNEXE AT VINE TREE COTTAGE, BISHOPSWOOD, ROSS-ON-WYE, HEREFORDSHIRE, HR9 5RA

For: Mr. B. Pimblett per Mr. T. Foster, 35 Ghyllside Avenue, Hastings, East Sussex, TN34 2QA

Date Received: 15th November, 2004 Ward: Kerne Bridge Grid Ref: 60709, 19306

Expiry Date: 10th January, 2005

Local Member: Councillor Mrs R.F. Lincoln

1. Site Description and Proposal

- 1.1 This site is located on the eastern side of Bishopswood. Access to the site is via a short road/driveway which leads southwards from the unclassified road. The applicant's dwelling is situated in a large garden with a small wooded area to the north east. There is an existing outbuilding in the garden near to the dwelling in the form of a double garage with an existing games room/store over. The building has a grey slate pitched roof and render on the external walls. Access to the first floor is by an existing external staircase.
- 1.2 The proposal is to convert the upper floor of the garage building into an annexe for use by an elderly relative. There are no external alterations intended for the building. Internally a lounge/diner, kitchen, bathroom and one bedroom will be created.

2. Policies

2.1 Planning Policy Guidance

PPS7 - Sustainable Development in Rural Areas

2.2 Hereford and Worcester County Structure Plan

Policy H16A - Development Criteria
 Policy H20 - Residential Development in Open Countryside
 Policy CTC2 - Development in Areas of Great Landscape Value
 Policy CTC9 - Development Criteria
 Policy CTC14 - Criteria for the Conversion of Buildings in Rural Areas

2.3 South Herefordshire District Local Plan

Policy GD1 - General Development Criteria
 Policy C1 - Development within Open Countryside
 Policy C8 - Development within Area of Great Landscape Value
 Policy C36 - Re-use and Adaptation of Rural Buildings
 Policy C37 - Conversion of Rural Buildings for Residential Use
 Policy SH11 - Housing in the Countryside

Policy SH23	-	Extensions to Dwellings
Policy SH24	-	Conversion of Rural Buildings
Policy T3	-	Highway Safety Requirements
Policy T4	-	Highway and Car Parking Standards

2.4 Herefordshire Unitary Development Plan (Revised Deposit Draft)

Policy S2	-	Development Requirements
Policy H7	-	Housing in the Countryside outside Settlements
Policy H18	-	Alterations and Extensions
Policy HBA13	-	Re-use of Rural Buildings for Residential Purposes

3. Planning History

3.1	SH961268PF	New garage/workshop to replace existing building	-	Planning Permission 24.12.96
	DCSE2004/2587/F	Conversion of existing games room over garage/workshop into one bedroom apartment	-	Refused 07.09.04

4. Consultation Summary

Statutory Consultations

4.1 No statutory or non-statutory consultations required.

Internal Council Advice

4.2 The Traffic Manager recommends that any permission includes a condition requiring the provision of a turning and parking area for two cars.

5. Representations

5.1 The applicant's agent observes that the previous application's description gave rise to a misconception of the proposed usage of the building. The proposed granny annexe will form only ancillary accommodation to his dwellinghouse. The applicant is happy with any condition on an approval which ties both buildings together.

5.2 The Parish Council observe:

The majority of councillors still objected to this scheme as it would constitute the development of a separate dwelling in the open countryside.

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 suitability of the use of this building as an annexe to the dwelling, its effect on the amenities of the dwelling and the surrounding environment and also parking provision. The most relevant policies are H16A, H20 and CTC9 of

the Hereford and Worcester County Structure Plan and GD1, SH11, SH23 and SH24 of the South Herefordshire District Local Plan.

- 6.2 The existing building is situated within the garden area of the applicant's dwelling. A recent planning application to convert the first floor of the building to a one-bedroom apartment (ref no. DCSE2004/2587/F) was refused planning permission as it was essentially considered that an independent dwelling in this position would adversely affect the residential amenities of the occupants of the existing main dwelling and that the building had no architectural merit or historic value to warrant its retention and conversion i.e. it did not comply with this Council's conversion policies and guidance.
- 6.3 However the applicant subsequently stated that it was never his intention to have an independent dwelling and that the accommodation was essentially for an elderly relative to live in. Consequently the applicant has submitted this revised application for a granny annexe.
- 6.4 It is therefore considered that the proposed use of the upper floor of the garage building as an annexe to the main house and ancillary to its use would be acceptable. As such the accommodation would always remain as part of the main dwellinghouse as such and would not constitute the creation of a new independent dwelling unit. The residential amenities of the occupants of the main existing dwellinghouse would therefore not be adversely affected.
- 6.5 The garage site is surrounded by trees on the north and east sides and open fields to the west. The proposal will not adversely affect the residential amenities of any nearby dwellings nor will it affect the surrounding landscape/environment. There is also ample parking provision/space within the garden area and therefore no new parking spaces would need to be provided.
- 6.6 The proposed development is therefore considered to be acceptable in its amended form and is in accordance with planning policies and guidance.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

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

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

2. A06 (Development in accordance with approved plans)

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

3. 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.

Informative:

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

Decision:

Notes:

.....

Background Papers

Internal departmental consultation replies.

9A DCSE2004/3893/F - RESIDENTIAL DEVELOPMENT, FACTORY PREMISES (ADJACENT TO NO. 31) BRAMPTON STREET, ROSS-ON-WYE, HEREFORDSHIRE, HR9 7EQ

9B DCSE2004/3894/C - DEMOLITION OF FACTORY BUILDINGS, FACTORY PREMISES (ADJACENT TO NO. 31) BRAMPTON STREET, ROSS-ON-WYE, HEREFORDSHIRE, HR9 7EQ

**For: A. & P. Developments Ltd. per Axys Design,
30 Grove Road, Hereford, HR1 2QP**

**Date Received: 9th November, 2004 Ward: Ross-on-Wye West Grid Ref: 60094, 24637
Expiry Date: 4th January, 2005**

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

1. Site Description and Proposal

- 1.1 Outline planning permission for redevelopment of this factory, on the west side of Brampton Street, was granted in July 2003. The number of residential units was not specified. The current application is for full permission for 9 units in two buildings. The larger building would front Brampton Street and would have 3 storeys with the upper floor within the roof space and lit by dormer windows. This would contain 3 ground floor flats and 3 further one-bedroom units on first and second floors. The smaller building would be to the rear of the frontage block and close to the southern boundary. It would comprise two sections: a taller part with two small houses and a lower part with a one bedroom flat above three garages and cycle store. The buildings would be constructed in red brick (Ibstock Commercial Red) with fibre cement slate roofs.
- 1.2 The remainder of the site would primarily be an altered access and drive and open parking area. There would be some limited space for soft landscaping, particularly between the two blocks but not for private gardens. The three upper units in the frontage block would however have balconies.
- 1.3 The adjoining properties are all residential except for a modern office building to the south of the site and sandwiched between houses in Brampton Street and Cawdor, for which planning permission has been granted for conversion from office to residential use. Along the northern boundary is a public footpath which rises quite steeply from Brampton Street to Cawdor. There are three houses fronting this pedestrian path: a pair of modern semi-detached houses close to Brampton Street and a more substantial stone property (Cawdor Cottage) nearer Cawdor. This residential area rises steeply to the north along Brampton Street.

2. Policies**2.1 Planning Policy Guidance**

PPG.3 - Housing

2.2 Hereford and Worcester County Structure Plan

Policy H.16 - Ross & Rural Sub-Area
 Policy CTC.1 - Area of Outstanding Natural Beauty
 Policy CTC.9 - Development Criteria

2.3 South Herefordshire District Local Plan

Policy SH.5 - Housing Land in Ross-on-Wye
 Policy SH.14 - Siting and Design of Buildings
 Policy SH.15 - Criteria for New Housing Schemes
 Policy GD.1 - General Development Criteria
 Policy ED.4 - Safeguarding existing Employment Premises
 Policy C.5 - Development within Area of Outstanding Natural Beauty
 Policy T.3 - Highway Safety Requirements

2.4 Unitary Development Plan – (revised deposit draft)

Policy S.3 - Housing
 Policy H.1 - Hereford – Market Towns: Settlement Boundaries and Established Residential Areas
 Policy H.14 - Re-using Previously Developed Land and Buildings
 Policy E.5 - Safeguarding Employment Land - Buildings

3. Planning History

3.1	SH800529LE	Demolition of garages to provide staff parking	- Permitted	25.06.80
	SH830594PF	Erection of garages	- Permitted	14.09.83
	SH881252PO	Demolition and erection of 11 starter homes	- Permitted	05.10.88
	SH881253LF	Demolition and erection of 11 starter homes	- Permitted	05.10.88
	SH891683PF	Extension to workshop	- Refused	02.01.90
	SH900094PF	Extension to workshop	- Permitted	18.04.90
	SE2003/0904/O	Residential development	- Permitted	16.07.00
	SE2004/2396/RM	Residential development	- Withdrawn	10.11.04
	SE2004/2400/C	Residential development	- Withdrawn	10.11.04

4. Consultation Summary

Statutory Consultations

- 4.1 Welsh Water recommends that conditions be imposed.

Internal Council Advice

- 4.2 The Traffic Manager has no objection to the development provided the front boundary wall does not intrude on visibility.
- 4.3 Head of Conservation has reservation regarding detailed design of the rear building but overall does not consider that the proposal would harm the character of the Conservation Area.

5. Representations

- 5.1 A detailed letter of submission has been received from the applicant's agent. This is included as an appendix to this report.
- 5.2 Town Council consider that there are insufficient parking spaces.
- 5.3 Two letters of objection have been received. In summary the following concerns are raised:
- (1) height and massing are excessive and buildings would be out of scale with adjoining houses in Brampton Street
 - (2) overdevelopment, resulting in loss of residential amenities
 - (i) there would be a three-storey wall right in front of the semi-detached houses which already suffer limited light because of high walls
 - (ii) rear block intrudes on both Cawdor Cottage and Charlton (in Cawdor), facing the former at distance of less than 21m: hence overbearing and loss of privacy
 - (iii) would detract from Conservation Area, not being appropriate for 'high density town living space' - better ways to redevelop the site
 - (iv) traffic noise from car parking area
 - (3) a smaller scheme (4 or 5 houses at most) would be supported with units suitable for young or bungalows for elderly
 - (4) add to traffic on busy road through residential area, especially during rush hours and due to on-street parking near Brookfield Road junction
 - (5) need for garages is queried as add to bulk of rear building and block views
 - (6) factory had limited use recently and hence little adverse effect on residential amenity.

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 residential development on this site has been accepted already. The key issues are (1) the effect on the character and appearance of the Ross-on-Wye Conservation Area, (2) the effect on the amenities of neighbours and (3) highway safety.

- 6.2 On the first issue it is accepted that the buildings, which in general follow the layout of the existing factory buildings, are significantly larger than those existing. The rise in ground level tends to exaggerate this appearance along the Brampton Street frontage. Nevertheless compared to adjoining houses they are not thought to be disproportionately larger. In design they are also considered to be acceptable, with minor reservations. The site does not readily lend itself to typical houses and gardens except for low density development, which is discouraged by PPG.3. Although a different type of housing (primarily small flats/maisonettes with no private gardens rather than detached houses with gardens) the buildings do fit acceptably on the site. Furthermore, the factory is not attractive and its demolition and replacement would add rather than detract from the character and appearance of the Conservation Area.
- 6.3 The space between the proposed dwellings and existing houses is considered to be adequate. It would be less than 21m in the case of Cawdor Cottage but the two buildings face at an angle, there is a significant difference in ground floor levels (Cawdor Cottage being much higher) and the distance between the fronts of houses is less than the standard 21m for other properties in Cawdor. There would be 15m or more between the semi-detached houses and the gable end walls of the new development and the latter would have somewhat lower ground floor levels. There may well be some direct views between ground floor windows in the rear of the smaller block and upper windows in the adjoining house in Brampton Street (no. 31) and the higher walls of this building compared to the factory would add to the sense of being overshadowed. However this is not considered to be so serious as to justify refusal of planning permission.
- 6.4 The car parking provision is just over one space per unit. These would be mainly small one bedroom units located within walking distance of the town centre. A relaxation of the parking standard is therefore considered to be acceptable by the Traffic Manager. Although adding to traffic flows on Brampton Street this would not be significant in relation to the total and the improved site access would meet the Traffic Manager's requirements. It is concluded therefore that there would not be a significant adverse impact on highway safety.

RECOMMENDATION

In respect of DCSE2004/3893/F:

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

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

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

- 2. A09 (Amended plans)**

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

- 3. 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. F48 (Details of slab levels)

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

6. F44 (Investigation of contaminated land)

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

7. 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.

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

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

9. F32 (Details of floodlighting/external lighting)

Reason: To safeguard local amenities.

10. 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.

Informative:

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

In respect of DCSE2004/3894/C:

That subject to the receipt of amended drawings regarding detailed design, the officers named in the Scheme of Delegation to Officers be authorised to issue conservation area consent subject to the following conditions and any additional conditions considered necessary by officers:

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

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

2. C14 (Signing of contract before demolition)

Reason: Pursuant to the provisions of Section 17(3) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Informative:

1. N15 - Reason(s) for the Grant of Conservation Area Consent

Decision:

Notes:

.....

Background Papers

Internal departmental consultation replies.