

# A G E N D A

## Central Area Planning Sub-Committee

Date: **Wednesday, 16th November, 2005**

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Time: **2.00 p.m.**

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

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

*For any further information please contact:*

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# AGENDA

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

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

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

	Pages
1. <b>APOLOGIES FOR ABSENCE</b> To receive apologies for absence.	
2. <b>DECLARATIONS OF INTEREST</b> To receive any declarations of interest by Members in respect of items on the Agenda.	
3. <b>MINUTES</b> To approve and sign the Minutes of the meeting held on 19th October, 2005.	1 - 14
4. <b>ITEM FOR INFORMATION - APPEALS</b> To note the Council's current position in respect of planning appeals for the central area.	
5. <b>TREE PRESERVATION ORDER 523, CARFAX HOUSE, AYLESTONE HILL, HEREFORD</b> To consider the representations made in relation to the making of a provisional Tree Preservation Order.  Ward: <b>Aylestone</b>	15 - 18
<b>APPLICATIONS RECEIVED</b> To consider and take any appropriate action in respect of the planning applications received for the central area and to authorise the Head of Planning Services to impose any additional and varied conditions and reasons considered to be necessary.  Plans relating to planning applications on this agenda will be available for inspection in the Council Chamber 30 minutes before the start of the meeting.	
6. <b>DCCE2005/2132/O - 40 NEWTOWN ROAD, HEREFORD, HEREFORDSHIRE, HR4 9LL</b> Erection of 3 dwellings.  Ward: <b>Central</b>	19 - 26

7.	<b>DCCW2005/2579/F - ASHGROVE CROFT, MARDEN, HEREFORD, HR1 3HA</b>	27 - 34
	Change of use from agricultural to a one family gypsy caravan site, permission for 2 caravans and stable block.	
	Ward: <b>Sutton Walls</b>	
8.	<b>DCCE2005/2884/F - SHIPLEY, HOLME LACY, HEREFORD, HR2 6LS</b>	35 - 40
	Siting of temporary staff accommodation.	
	Ward: <b>Hollington</b>	
9.	<b>[A] DCCE2005/3098/F &amp; [B] DCCE2005/3099/L - 49 &amp; 50 COMMERCIAL STREET (AND LAND BEHIND), HEREFORD, HR1 2DJ</b>	41 - 48
	[A] & [B] Refurbishment of the above properties including the renewal of shop frontages and full repairs to roofs. Addition of new staircase with new roof, with glazed timber screens to either side and a slate roof to match existing.	
	Ward: <b>Central</b>	
10.	<b>DCCE2005/3026/F - 24 HAMPTON STREET, HEREFORD, HEREFORDSHIRE, HR1 2RA</b>	49 - 54
	Two storey extension and loft conversion.	
	Ward: <b>Tupsley</b>	
11.	<b>DCCE2005/3153/F - LAND WEST OF OVERBURY HOUSE, OVERBURY ROAD, HEREFORD, HR1 1JE</b>	55 - 62
	4 no. 2-storey detached houses.	
	Ward: <b>Aylestone</b>	
12.	<b>DCCE2005/3160/F - THE LITTEN TREE, 58 COMMERCIAL ROAD, HEREFORD, HR1 2BN</b>	63 - 68
	Variation of Condition 4 of planning permission HC/970513/PF/E to allow extended opening hours until 2 am.	
	Ward: <b>Central</b>	
13.	<b>DCCE2005/3180/F - ROWBERRY, LUGWARDINE, HEREFORD, HEREFORDSHIRE, HR1 4DS</b>	69 - 76
	Proposed new dwelling.	
	Ward: <b>Hagley</b>	
14.	<b>[A] DCCE2005/3258/F &amp; [B] DCCE2005/3259/C - CARFAX HOUSE SITE, AYLESTONE HILL, HEREFORD, HR1 1HX</b>	77 - 88
	[A] Construction of 16 no. residential units, associated car parking & landscaping. & [B] Demolition of Carfax House and associated buildings, replacement residential dwellings.	
	Ward: <b>Aylestone</b>	
15.	<b>DCCW2005/3138/F - 14 BAGGALLAY STREET, HEREFORD, HR4 0DZ</b>	89 - 94

Proposed demolition of detached garage and existing extension and erection of 3 no. two bedroom houses.

Ward: **Three Elms**

- 16. DCCW2005/3151/F - 7-8 WALKERS GREEN, MARDEN, HEREFORD, HR1 3DN** 95 - 102

Use of former butchers shop as a fish and chip shop.

Ward: **Sutton Walls**

- 17. DATE OF NEXT MEETING**

The next scheduled meeting is Wednesday 14th December, 2005.



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## **COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL**

**BROCKINGTON, 35 HAFOD ROAD, HEREFORD.**

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COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL

**MINUTES of the meeting of Central Area Planning Sub-Committee held at The Council Chamber, Brockington, 35 Hafod Road, Hereford on Wednesday, 19th October, 2005 at 2.00 p.m.**

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

**Councillors:** Mrs. P.A. Andrews, Mrs. W.U. Attfield, Mrs. E.M. Bew, P.J. Edwards, J.G.S. Guthrie, R.I. Matthews, J.W. Newman, Ms. G.A. Powell, Mrs. S.J. Robertson, W.J.S. Thomas, Ms. A.M. Toon, W.J. Walling and R.M. Wilson

**In attendance:** Councillors T.W. Hunt and J.B. Williams

**73. APOLOGIES FOR ABSENCE**

Apologies for absence had been received from Councillors A.C.R. Chappell, Mrs. S.P.A. Daniels, Mrs. M.D. Lloyd-Hayes, J.C. Mayson, Mrs. J.E. Pemberton, Miss F. Short, D.B. Wilcox and A.L. Williams.

**74. DECLARATIONS OF INTEREST**

The following declarations of interests were made:

Councillors	Item	Interest
Mrs. S.J. Robertson	Agenda Item 10, Minute 82 DCCE2005/2132/O <b>40 Newtown Road, Hereford, Herefordshire, HR4 9LL</b>	Declared a prejudicial interest and left the meeting for the duration of this item.
Mrs. W.U. Attfield	Agenda Item 12, Minute 84 DCCE2005/2619/F <b>2 Holme Lacy Road, Hereford, Herefordshire, HR2 6BY</b>	Declared a personal interest and left the meeting for the duration of this item.
Mrs. S.J. Robertson	Agenda Item 16, Minute 88 DCCW2005/2985/F <b>Bank Lodge, Coldwells Road, Holmer, Hereford, HR1 1LH</b>	Declared a prejudicial interest and left the meeting for the duration of this item.

**75. MINUTES**

**RESOLVED:**

**That the Minutes of the meeting held on 21st September, 2005 be approved as a correct record.**

**76. ITEM FOR INFORMATION - APPEALS**

The Sub-Committee noted the Council's current position in respect of Planning Appeals for the Central Area.

**77. DCCE2005/2426/F - NEW RENTS, LUGWARDINE, HEREFORD, HEREFORDSHIRE, HR1 4AE [AGENDA ITEM 5]**

*Proposed new dwelling with garage.*

Councillor R.M. Wilson, the Local Ward Member, commented on the rural setting of the area and noted that the site was within the Conservation Area of Lugwardine. He noted the proximity of a public right of way and expressed concern about the impact upon privacy. He also felt that the development was over intensive and would have a detrimental impact on the character and appearance of the Conservation Area and the village.

Some Members spoke in support of the Local Ward Member's views, particularly in relation to the density of the development.

The Chairman commented that the application site was within the settlement boundary and noted other development in the locality.

In response to a question, the Senior Planning Officer reported that the proposed density of development was below that required in the guidance but was considered acceptable given the Conservation Area status and the general character of the area; therefore, it would be difficult to defend a refusal of planning permission on the grounds of over intensive development. He also reported that a previous application for a dwelling had been withdrawn [DCCE2005/1437/F refers], given Officers' concerns about scale and design, and this new scheme had been informed by the advice of Officers. In response to concerns about the public right of way, he advised that the issue of privacy related to the impact that this proposal might have on the residents of existing dwellings and not to the possibility of passers-by looking into the proposed dwelling. The Central Team Leader added that it would be up to the occupiers of the dwelling to determine the most appropriate means of protecting their own privacy.

A number of Members felt that the proposal was sensitive to the character and appearance of the locality and supported the application.

**RESOLVED:**

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

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

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

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

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

**3. C04 (Details of window sections, eaves, verges and barge boards).**

**Reason: To safeguard the character and appearance of this building of [special] architectural or historical interest.**

**4. C05 (Details of external joinery finishes).**

**Reason: To safeguard the character and appearance of this building of**

[special] architectural or historical interest.

5. E17 (No windows in side elevation of extension).

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

6. E19 (Obscure glazing to windows).

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

7. G01 (Details of boundary treatments).

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

8. G04 (Landscaping scheme (general)).

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

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

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

10. G17 (Protection of trees in a Conservation Area).

Reason: To ensure the proper care and maintenance of the trees.

11. H03 (Visibility splays).

Reason: In the interests of highway safety.

12. H05 (Access gates).

Reason: In the interests of highway safety.

13. H08 (Access closure).

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

14. H09 (Driveway gradient).

Reason: In the interests of highway safety.

15. 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.

16. W01 (Foul/surface water drainage).

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

17. W02 (No surface water to connect to public system).

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

detriment to the environment.

**18. W03 (No drainage run-off to public system).**

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

**Informatives:**

- 1. N03 - Adjoining property rights.**
- 2. HN01 - Mud on highway.**
- 3. HN02 - Public rights of way affected.**
- 4. HN05 - Works within the highway.**
- 5. HN10 - No drainage to discharge to highway.**
- 6. The site lies adjacent to a public footpath (LU9) which runs along the eastern boundary. This right of way should remain at its historic width and suffer no encroachment or obstruction during or the time of completion. The right of way should remain open at all times throughout the development. If development works are perceived to be likely to endanger members of the public then a temporary closure order should be applied for, 6 weeks in advance of work starting.**
- 7. N16 - Welsh Water Informative.**
- 8. N15 - Reason(s) for the Grant of PP/LBC/CAC.**

**78. DCCW2005/1602/F - 99 DORCHESTER WAY, BELMONT, HEREFORD, HR2 7ZW [AGENDA ITEM 6]**

*New boundary fence.*

Councillor P.J. Edwards, a Local Ward Member, felt it regrettable that the re-alignment of the fence could not be achieved and maintained his view that the openness of the area should be retained. He noted the specific traffic flows in the locality and felt that the proposed 1.80 metre high fence would have a detrimental impact on highway safety. Councillor Edwards emphasised the need to protect open areas and proposed that the application be refused as it was contrary to policies GD1 (General Development Criteria) and C30 (Open Land in Settlements) of the South Herefordshire District Local Plan and policies DR1 (Design) and HBA9 (Protection of Open Areas and Green Spaces) of the Herefordshire Unitary Development Plan (Revised Deposit Draft). He also felt that the application should be refused on the grounds of both vehicular and pedestrian safety.

A number of Members spoke in support of the Local Ward Member's views.

The Development Control Manager noted that it was a matter of interpretation in respect of the appearance and character of the locality but, on the issue of highway safety, reminded Members that the Traffic Manager had raised no objections subject to a condition in respect of the visibility splay.

The Central Team Leader advised the Sub-Committee that the land had been transferred into the applicant's ownership and that permitted development rights

would allow the enclosure of the boundary with a fence not exceeding 1 metre.

Councillor Edwards noted that a 1 metre fence would not have the same impact on highway safety as a 1.8 metre fence.

In response to a comment, the Legal Practice Manager confirmed that the tidiness of open spaces was not a planning consideration but it might form part of a restrictive covenant on the property.

**RESOLVED:**

**That (i) The Central Area Planning Sub-Committee is minded to refuse the application, subject to the reasons for refusal set out below 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:**

- 1. Protection of open areas and green spaces; and**
- 2. Highways safety.**

**(ii) If the Head of Planning Services does not refer the applications to the Planning Committee, Officers named in the Scheme of Delegation to Officers be instructed to refuse the applications, subject to such reasons for refusal referred to above.**

[Note: Following the vote on this application, the Development Control Manager advised that he would not refer the decision to the Head of Planning Services given the Sub-Committee's interpretation of the relevant policies.]

**79. DCCW2005/2861/T - STREETWORKS AT VERGE OPPOSITE GRANDSTAND PUB, GRANDSTAND ROAD, WIDEMARSH, HEREFORD, HR4 9NH [AGENDA ITEM 7]**

*Installation of telecommunications equipment comprising 15m streetworks monopole, containing 3G antenna and associated mini-equipment cabinet.*

Councillors Mrs. P.A. Andrews and Ms. A.M. Toon, the Local Ward Members, advised that they had not received any objections to the proposal directly.

**RESOLVED:**

**That prior approval is not required.**

**80. DCCE2005/2392/F - HEREFORD CHARCOAL GRILL, 41 COMMERCIAL ROAD, HEREFORD, HR1 2BG [AGENDA ITEM 8]**

*Application to vary Condition 1 of CE2000/0427/F to extend opening hours to:- Mon - Tues: 12.00 to 02.00; Wed - Sat: 12.00 to 03.00; Sun: 12.00 to 02.00; Bank Holiday (except Christmas day): 12.00 to 03.00.*

The Senior Planning Officer advised that paragraph 1.2 of the report should also refer to Thursdays in the condition [planning application CE2000/0427/F refers].

The Chairman, speaking in his capacity as Local Ward Member, expressed his concern about late night openings but noted the recommendation to limit the opening hours in line with the hours confirmed by the Licence.

**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. **The use hereby permitted shall only be open to customers during the following hours:**

**Monday to Wednesday 1200 hours to 2330; Thursday 1200 hours to Friday 0030; Friday 1200 hours to Saturday 0130 hours; and Sunday 1200 hours to 2300 hours.**

**Reason: In the interests of residential amenities.**

**Informatives:**

1. **N03 - Adjoining property rights.**
2. **N15 - Reason(s) for the Grant of PP/LBC/CAC.**

**81. DCCE2005/2024/F - PLAY NIGHTCLUB, 51-55 BLUE SCHOOL STREET, HEREFORD, HR1 2AR [AGENDA ITEM 9]**

*Application to vary Condition 1 of Planning Inspector's Appeal Decision CE2000/0448/F to allow opening beyond 1.30 a.m.*

The Principal Planning Officer reported the receipt of a letter from Alistair McHarg and summarised its contents. It was noted that the Regulatory Sub-Committee had granted an extension to hours recently and it was proposed to limit the opening hours accordingly. It was also noted that the applicants had indicated a willingness to provide a contribution towards the operation of CCTV in the locality.

In accordance with the criteria for public speaking, Mr. Sinclair-Simon and Mr. Reynolds (applicants) spoke in support of the application.

The Chairman, speaking in his capacity as Local Ward Member, noted the concerns of local residents about the new Licensing regime and, whilst welcoming a contribution towards CCTV, noted the consequential impact on Police resources. Other Members expressed similar concerns.

Some Members noted the need to prevent under age drinking and for more street cleaning to be undertaken in the area. In response, the Legal Practice Manger advised that the Licensing Act 2003 should provide effective controls and that efforts were being made to harmonise street cleaning provision. Councillor R.I. Matthews commended the applicants for their co-operation in respect of Licensing matters.

The Legal Practice Manager explained the controls available through the Licensing Act and where these linked with the planning system.

**RESOLVED:**

**That Officers named in the Scheme of Delegation to Officers be authorised to negotiate the possibility of a financial contribution towards the operation of**



CCTV in the locality of the application site and if agreement is reached;

The County Secretary and Solicitor be authorised to complete a planning obligation/unilateral undertaking under Section 106 of the Town and Country Planning Act 1990; and

Upon completion of the planning obligation the Officers named in the Scheme of Delegation to Officers be authorised to issue planning permission subject to the following condition and any further condition(s) considered necessary by officers.

The use hereby permitted shall only be open to customers during the following hours:

Monday 1000 hours to Tuesday 0330 hours;  
Tuesday 1000 hours to Wednesday 0200 hours;  
Wednesday 1000 hours to Thursday 0200 hours;  
Thursday 1000 hours to Friday 0330 hours;  
Friday 1000 hours to Saturday 0330 hours;  
Saturday 1000 hours to Sunday 0330 hours;  
Sunday 1200 hours to Monday 0230 hours (except Bank Holiday Sunday until Monday 0300 hours);  
These hours will apply with the exception of Christmas Day 0200 hours, New Years Eve 1100 hours to New Years Day 2300 hours.

Reason: In order to protect the amenity of occupiers of nearby properties and to define the terms of the permission.

**82. DCCE2005/2132/O - 40 NEWTOWN ROAD, HEREFORD, HEREFORDSHIRE, HR4 9LL [AGENDA ITEM 10]**

*Erection of 3 dwellings.*

The Senior Planning Officer advised that paragraph 6.4 of the report should read '...an obligation for each property to contribute £200 per annum (inflated annually to the retail price index) in perpetuity for ~~restoration~~ and maintenance *and management*'. He also advised that the Environment Agency had raised an objection on flooding grounds but it was anticipated that the issue could be resolved and, therefore, the recommendation remained the same as detailed in the report.

Councillor Mrs. P.A. Andrews said that she had considerable anxieties about the proposal, particularly relating to backland development and access issues. Given the potential impact on the locality, Councillor Mrs. Andrews proposed that a site inspection be undertaken on the ground that the setting and surroundings were fundamental to the determination or to the conditions being considered.

**RESOLVED:**

**That consideration of planning application DCCE2005/2132/O be deferred for a site inspection.**

**83. DCCE2005/2799/F - LAND ADJACENT TO 51 LINGEN AVENUE, HEREFORD, HR1 1BY [AGENDA ITEM 11]**

*Two storey dwelling and widening of access.*

The Principal Planning Officer reported the receipt of suitably amended plans and

advised that the recommendation detailed in the report could be amended accordingly.

The Chairman, speaking in his capacity as Local Ward Member, welcomed the amended plans and anticipated that the changes should overcome local concerns.

Councillor Mrs. P.A. Andrews felt that the access was very tight and questioned whether any additional comments had been received from the Traffic Manager. The Development Control Manager advised that the Traffic Manager had no objections, subject to conditions, and that sufficient parking to serve both the existing and the proposed dwellings would be provided.

**RESOLUTION:**

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

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

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

2. **A09 (Amended plans).**

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

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

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

4. **G01 (Details of boundary treatments).**

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

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

**Reason: To enable the local planning authority to control any future enlargement of the dwellings or development within their curtilage in the interests of residential amenity.**

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

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

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

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

8. **H09 (Driveway gradient).**

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

9. **H10 (Parking – single house).**

**Reason: In the interests of highway safety and to ensure the free flow of**

traffic using the adjoining highway.

**10. 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.

**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. **N15 – Reason(s) for the Grant of PP.**

**84. DCCE2005/2619/F - 2 HOLME LACY ROAD, HEREFORD, HEREFORDSHIRE, HR2 6BY [AGENDA ITEM 12]**

*Change of use of ground floor from class A1 (retail) to class A5 (takeaway).*

The Principal Planning Officer introduced the item and explained the proposed rationalisation of parking.

In accordance with the criteria for public speaking, Mr. Bunn (4 Holme Lacy Road) spoke against the application and Mr. Rackham (applicant's agent) spoke in support of the application.

Councillor R. Preece, a Local Ward Member, commented that the residential amenities of the area had improved since the closure of the convenience store. Referring to the Highways Agency comment that '...takeaway restaurants by their very nature generate more trips in the evening and some of these trips may fall within peak times', Councillor Preece noted that peak times lasted until at least 6.30 p.m. in this area. He noted that a 'Keep Clear' marking was proposed at the point of access onto Holme Lacy Road but he felt that drivers would take little notice of it. He also noted the parking problems in the area generally.

Councillor P.J. Edwards suggested that, in order to address some of the concerns of residents, an additional condition requiring the placement of litter bins on all the nearby road junctions should be added to any planning permission granted.

In response to questions, the Principal Planning Officer advised that Environmental Health had looked at the application in detail and did not object to the application subject to conditions; he added that the positioning and type of extraction system would ensure that noise and odours were limited. He advised that recommended condition 7 (scheme of refuse storage) would ensure the provision of bins and the management and collection of litter. He also advised that he was unaware of any serious accidents as a direct consequence of the previous use of the site for retail purposes and noted that neither the Highways Agency nor the Traffic Manager had raised formal objections to the application. He emphasised that the lawful planning use of the site for retail purposes could be re-implemented at any time.

A number of Members expressed concerns about highway safety and sympathised with local residents about the potential impact on residential amenities.

The Development Control Manager commented that the Authority could not require the placement of bins outside the application site but, noting that the applicant's agent had indicated a willingness to resolve such issues, Members' concerns could be addressed through recommended condition 7. The Development Control Manager responded to a question by advising that a delivery service could be operated from the site as long as it was ancillary to the lawful planning use.

The Principal Planning Officer drew attention to recommended condition 8 which sought to safeguard the amenity of adjacent residential properties through the construction of a fence or wall to a minimum height of 2 metres along the eastern boundary of the site.

In response to a proposed condition, the Principal Planning Officer suggested that Officers be delegated to investigate requirements in respect of the use of bio-degradable food containers and, if other legislation did not cover this issue, add an appropriate condition if planning permission was granted.

Councillor Preece felt that the application should be refused on the grounds of highway safety and impact on residential amenities.

A motion to refuse the application received an equal number of votes and the Chairman used his casting vote to refuse the application; the Chairman felt that the case had not been made to warrant approval of the application.

**RESOLVED:**

**That (i) The Central Area Planning Sub-Committee is minded to refuse the application, subject to the reasons for refusal set out below 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:**

- 3. Highways safety; and**
- 4. Detrimental impact on residential amenities.**

**(ii) If the Head of Planning Services does not refer the applications to the Planning Committee, Officers named in the Scheme of Delegation to Officers be instructed to refuse the applications, subject to such reasons for refusal referred to above.**

[Note: Following the vote on this application, the Development Control Manager advised that he would refer the decision to the Head of Planning Services as the Sub-Committee's view might not be defensible if challenged given the comments received from the Highways Agency and the Transportation Manager.]

**85. DCCW2005/2579/F - ASHGROVE CROFT, MARDEN, HEREFORD, HR1 3HA  
[AGENDA ITEM 13]**

*Change of use from agricultural to a one family gypsy caravan site, permission for 2 caravans and stable block.*

Councillor J.G.S. Guthrie, the Local Ward Member, noted that the application site was in open countryside and outside of any identified settlement boundary. It was also noted that the site was close to the boundary of Marden Parish Council and Bodenham Parish Council. Councillor Guthrie proposed that a site inspection be

undertaken on the grounds that a judgement was required on visual impact and the setting and surroundings were fundamental to the determination or to the conditions being considered.

The Central Team Leader noted that there was an issue regarding the positioning of the development and that the re-siting of the mobile home, as recommended in the conditions, would reduce visual impact.

**RESOLVED:**

**That consideration of planning application DCCW2005/2579/F be deferred for a site inspection.**

**86. DCCW2005/2681/O - SITE ADJACENT TO ORCHARD LEA, CREDENHILL, HEREFORD, HR4 7EH [AGENDA ITEM 14]**

*Site for new bungalow.*

The Central Team Leader noted that this was an outline application and that the details, other than the means of access, would be subject to a reserved matters application. He noted the concerns of local residents but it was felt that, with appropriate conditions, the amenities of the locality would be satisfactorily protected.

Councillor R.I. Matthews, the Local Ward Member, noted that Credenhill Parish Council had no objections and that the recommended conditions should address the concerns of adjoining neighbours.

Councillor Ms. A.M. Toon felt that the application site was cramped and expressed concerns about density and congestion.

The Central Team Leader reminded Members that they needed to consider the application before them and that the application was considered acceptable by Officers.

Councillor Matthews noted that the Officers had examined the location of the proposal and, to address concerns about potential overdevelopment, changes had been made as a result.

In response to a question, the Development Control Manager explained that the map attached to the report was an Ordnance Survey map to illustrate the general location of the application site and the map displayed at the meeting was indicative of the proposed layout of the actual proposal.

**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. The development shall be single storey only and no dormer windows, roof lights or other similar structures shall be constructed within the roof space.

Reason: In order to protect the amenities of nearby residents.

6. F16 (Restriction of hours during construction).

Reason: To protect the amenity of local residents.

7. F17 (Scheme of foul drainage disposal).

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

8. The boundary treatment of the driveway and properties on Mill Close shall be submitted for approval in writing of the local planning authority prior to works commencing on site and shall form a fixed treatment of wall/fence together with soft landscaping. The boundary treatment shall be constructed prior to occupation and maintained in accordance with the approved details.

Reason: In order to protect the amenities of nearby residents.

9. The surface treatment of the driveway shall be a sealed surface, tarmacadam or similar to the approval in writing of the local planning authority and maintained in accordance with the approved details.

Reason: In order to protect the amenities of nearby residents.

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 PP.

87. DCCW2005/2550/F - LITTLE HOLME, KENCHESTER, HEREFORD [AGENDA ITEM 15]

*Proposed replacement dwelling.*

The Senior Planning Officer reported the receipt of an additional letter of objection from Mr. Pritchard of The Mill, Kenchester and noted its contents.

Councillor R.I. Matthews, the Local Ward Member, drew attention to the comments of the local Parish Council and noted that Officers considered that the proposal complied with the relevant policies.

Some Members noted the poor state of repair of the existing dwelling and felt that the proposed replacement dwelling would be an improvement.

**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. C02 (Approval of details) (External elevations and fenestration treatment).**

**Reason: To safeguard the character and appearance of this building of [special] architectural or historical interest.**

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

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

- 5. Prior to the commencement of the development, a scheme of flood proof construction shall be agreed with the local planning authority. The development shall be carried out in accordance with the approved scheme.**

**Reason: To protect the development from flood risk.**

- 6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that Order with or without modification), no enlargement or other alteration to the dwelling shall take place, including conversion of the roof void to provide habitable accommodation.**

**Reason: In order to comply with the criteria within Policy SH21 of the South Herefordshire District Local Plan.**

- 7. E09 (No conversion of garage to habitable accommodation).**

**Reason: In order to comply with the criteria within Policy SH21 of the South Herefordshire District Local Plan.**

- 8. H05 (Access gates) (5 metres).**

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

- 9. H09 (Driveway gradient).**

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

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

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

**11. 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.**

**12. G09 (Retention of trees/hedgerows).**

**Reason: To safeguard the amenity of the area.**

**Informative:**

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

**88. DCCW2005/2985/F - BANK LODGE, COLDWELLS ROAD, HOLMER, HEREFORD, HR1 1LH [AGENDA ITEM 16]**

*Retrospective application for general purpose agricultural shed.*

The Central Team Leader advised Members that paragraph 6.5 of the report should read 'The site has been viewed from the grounds of Coldwells Cottage, the nearest residential property and, at the request of the ~~applicant~~ *objector*, from within the ground floor living room'.

A number of Members supported the Officer's recommendation.

**RESOLVED:**

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

**1. The development hereby approved shall not be used for the housing or rearing of pigs.**

**Reason: To safeguard residential amenity.**

**Informative:**

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

**89. DATE OF NEXT MEETING**

It was noted that the next meeting was due to be held on Wednesday 16th November, 2005. In addition to site inspections in respect of planning applications DCCE2005/2132/O and DCCW2005/2579/F, the Sub-Committee agreed to inspect forthcoming planning application DCCW2005/3151/F, 7-8 Walkers Green, Marden.

**CHAIRMAN**



## **TREE PRESERVATION ORDER 523, CARFAX HOUSE, AYLESTONE HILL, HEREFORD**

**Report By: Head of Planning Services**

### **Wards Affected**

Aylestone

### **1. Purpose**

- 1.1 To consider the representations made in relation to the making of a provisional Tree Preservation Order upon trees in the grounds of Carfax House, Aylestone Hill, Hereford, and determine whether to confirm the order.

### **2. Order Description and Details**

- 2.1 This Order concerns 4 individual trees and 5 groups of various species of trees within the grounds of Carfax House. They are as follows:

T1 – Atlas cedar

T2 – Giant redwood

T3 – Yew

T4 – Cedar

G1 – Honey Locust, Silver Birch, Yew

G2 – 1 Atlas Cedar, 1 Holm Oak, 4 Yews, 2 Irish Yews, 3 Incense Cedars, 1 Flowering Cherry, 1 Oak, 1 Beech, 1 Spruce, 1 Douglas Fir, 2 Variegated Holly, 1 Laburnum, 1 Ginkgo, 2 Cotinus Coggia, 1 Cedar.

G3 – 1 Ash, 1 Holly, 1 Sycamore

G4 – 2 Ash, 7 Hawthorns

G5 – 1 Sweet Chestnut, 2 Purple Crabs, 1 Variegated Holly, 1 Chinese Thuja, 1 Beech.

- 2.2 The Order was made on 16th August, 2005

- 2.3 The Council's tree amenity valuation rating scored these individual trees and groups with values between 15 and 20 (the benchmark rating for inclusion within a TPO is 15). Their particular characteristics included – their maturity, form, prominent position in a well frequented Conservation Area and their contribution to the overall composition of Aylestone Hill.

- 2.4 The importance of tree planting in this area is enhanced by the fact that Carfax house is situated near the busy roundabouts where Venn's Lane and Folly Lane meet Aylestone Hill. Aylestone Hill is a busy main road that connects Hereford city centre, via Commercial Road, to the A465 (Bromyard, Worcester and Roman Road). The site is next to Hereford 6th Form college, and opposite both Wye Valley Nuffield Hospital and the large, extensively tree covered public open space of the Church Hill Gardens. The site is located within Aylestone Hill Conservation Area along its eastern boundary.

- 2.5 The grounds are thought to have been laid out as domestic gardens when Carfax House was built. Many of the larger trees appear to date back to that period, although there are also specimens in middle age as well as several that have been planted over the last five years. Although the site is visually dominated by the three oldest and largest trees (two Atlas Cedars and a Giant Redwood) there is quite a good age distribution overall. The grounds also contain a good variety of species providing a range of tree size, form and texture. The grounds appear to have been well managed and the great majority of trees are in good condition.
- 2.6 The site is in the northern part of the city at an elevated position and its largest trees and collectively some of the smaller trees are notable over a wide area beyond the confines of the site. The mature treescape of Carfax House visually links with other prominently treed features such as the Churchill gardens to the west, Wye Valley Nuffield Hospital to the north, Aylestone Hill school, the lime avenue on Aylestone Hill and the Aylestone Hill Conservation Area in general.
- 2.7 This prominent site was the subject of a planning application CE05/2356/F to demolish the existing buildings and redevelop the site for residential development, retaining many of the trees. The application was refused on 21st September, 2005 because Members considered that Carfax House and cottage had intrinsic architectural and historic interest and made a prominent and positive contribution to the Aylestone Hill Conservation Area.

### 3. Background

- 3.1 The Council was alerted to the possible threat to the trees by proposed development works. The Order was made under emergency procedures in accordance with section 198 of the 1990 Town and Country Planning Act.

### 4. Policies

- 4.1 City of Hereford Local Plan states:-

**“Policy CON21**

**The City Council will use its statutory powers to ensure that important elements in townscape and landscape including trees and hedgerows are protected and maintained, and will resist the unnecessary felling of trees”**

### 5. Representations

- 5.1 A letter of objection has been received from Mr. T. Evans of IE Developments Ltd. who has submitted an application to develop the site. The objection relates only to three trees within G5. They comprise a variegated Holly, a Chinese Thuja and a Beech. The grounds of objection are that they are all poor specimens with a limited life expectancy and that their screening value will be lost when the portakabins that they are partially screening are removed in the near future.

### 6. Officer Appraisal

- 6.1 The procedure for making a Tree Preservation Order is one where early action can be taken to provide protection followed by a period for objection and more detailed consideration of the merits of each tree. Following the receipt of this objection, a

further site inspection was made in relation to the three trees to which objection has been made.

- 6.2 The original appraisal had noted that these three trees were of low retention status but were included initially to comprehensively protect all the trees on the site. They could be replaced with more suitable species within a landscaping scheme for the site in association with an acceptable development scheme. The three individual trees are of poor form and, being co-dependant upon each other, cannot be removed independently. As a group they do not significantly contribute to the amenity of the Conservation Area. The remaining trees in the group are in separate ownership and there has been no objection to including them in the TPO. The beech tree might have had the potential to develop into a notable tree but this specimen is suppressed by the other trees and will never become a good specimen. Furthermore, the holly and the thuja are shorter lived and when they die the beech will also have to be removed.

### **RECOMMENDATION**

**THAT Tree Preservation Order no.523 at Carfax House, Aylestone Hill, Hereford be confirmed with the following modification:**

- a) Remove reference to 1 variegated Holly, 1 Chinese Thuja and 1 Beech tree in group G5.**



**6 DCCE2005/2132/O - ERECTION OF 3 DWELLINGS 40  
NEWTOWN ROAD, HEREFORD, HEREFORDSHIRE,  
HR4 9LL**

**For: Mr. Boyal per John Phipps, Bank Lodge,  
Coldwells Road, Holmer, Hereford, HR1 1LH**

**Date Received: 28th June, 2005    Ward: Central    Grid Ref: 51037, 40906**

**Expiry Date: 23rd August, 2005**

Local Member: Councillor D.J. Fleet

### **Introduction**

Members will recall this application from the Central Area Planning Sub-Committee (19<sup>th</sup> October, 2005) and the subsequent site inspection on the 1st November, 2005.

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

- 1.1 This application seeks permission for the erection of three, three storey dwellings to the rear of 40 Newtown Road, Hereford. The application seeks outline permission but with only landscaping reserved for future consideration.
- 1.2 The application site consists of No. 40 Newtown Road, previously the Newtown Road Post Office but since converted into residential use, together with the associated rear garden area. A number of outbuildings are currently found to the rear of the frontage property. The site is not specifically designated in either the adopted Hereford Local Plan or the emerging Herefordshire Unitary Development Plan (Revised Deposit Draft) and as such is 'white land' for the purposes of planning policy. The application site is, however, located immediately to the south of the canal corridor. To the west of the application site is found Pizza Hut, and to the east, the dwellings running along Newtown Road.
- 1.3 The proposal involves the demolition of the existing outbuildings to the rear of the frontage property, the widening of the existing cart way to form a vehicular access, and the erection of a terrace of three dwellings with associated parking. The dwellings are three storey and arranged in a stepped manner. The second floor is formed in the roof space of the proposed dwellings with the accommodation created served by front and rear dormer openings. The finish is brick for two dwellings and render for the third (eastern most property). Six parking spaces (two per unit) are provided to the south of the dwellings and garden area created to the north. The properties are intended to face the south but with a 'face' on the northern elevation to allow the dwellings to also relate to the canal route to the north.

### **2. Policies**

#### **2.1 Hereford Local Plan:**

ENV1    -    Land liable to flood  
ENV14   -    Design

- H3 - Design of new residential development
- T5 - Car parking – designated areas
- R15 - The Herefordshire and Gloucestershire Canal

## 2.2 Herefordshire Unitary Development Plan (Revised Deposit Draft):

- S1 - Sustainable development
- S2 - Development requirements
- S3 - Housing
- S6 - Transport
- DR1 - Design
- DR2 - Land use and activity
- DR3 - Movement
- DR7 - Flood risk
- H1 - Hereford and the market towns: settlement boundaries and established residential areas
- H2 - Hereford and the market towns: housing land allocations
- H16 - Car parking
- T11 - Parking provision
- RST9 - Herefordshire and Gloucestershire Canal

## 3. Planning History

- 3.1 DCCE2004/3383/O - Site for erection of 18 one bedroom flats. Withdrawn 21st February, 2005.

## 4. Consultation Summary

### Statutory Consultations

- 4.1 Welsh Water: No objection subject to conditions.
- 4.2 Environment Agency: No response received.

### Internal Council Advice

- 4.3 Traffic Manager: No objection subject to conditions.
- 4.4 Economic Development Manager: Raises no objection but supports the Canal Trust's position on the application and the negotiation of a Section 106 Obligation towards the reinstatement of the canal.
- 4.5 Forward Planning Manager: No response received.

## 5. Representations

- 5.1 Canal Trust: Object unless a Section 106 Agreement can be secured towards the reinstatement and maintenance of the canal.
- 5.2 Hereford City Parish Council: Objection on the grounds that this development is backland development and has inadequate access from the adjacent highway.

- 5.3 Local Residents: Three letters of objection have been received raising the following points:
1. Inadequate access arrangements;
  2. Lack of contribution for canal redevelopment;
  3. Loss of privacy/overlooking.
- 5.4 The full text of these letters can be inspected at Central Planning Services, Blueschool House, Blueschool Street, Hereford and prior to the Sub-Committee meeting.

## **6. Officers Appraisal**

- 6.1 It is considered that the three principal areas for debate in relation to this application are the principle of development, the impact of the proposal on the restoration of the canal, design and amenity issues, and highway matters.

### Principle of Development

- 6.2 The application site has no specific policy designation, however, the existing property on site is residential and the rear site area is residential curtilage. It is of further note that this site is part of a row of residential properties. A new residential development in this location is appropriate and acceptable at a basic policy level. The acceptability or otherwise of this scheme therefore rests with the details of the proposed development.

### The Canal

- 6.3 The application site is located adjacent to the safeguarded route of the canal which is afforded protection under Policy RST9 of the Herefordshire Unitary Development Plan (Revised Deposit Draft), as well as, by policy R15 of the adopted Hereford Local Plan. Policy RST9 requires the canal route, together with associated infrastructure, buildings, towpath and features to be safeguarded. Development which would prevent or prejudice the restoration of a continuous route, will not be permitted. Policy R15 seeks to encourage the improvement and restoration of the canal.
- 6.4 To the east of the application site is a new development of 14 dwellings granted permission by virtue of application DCCE2003/1090/F. This application has, associated with it, a Section 106 Agreement which required the transfer of an area of land to the Canal Trust, as well as, an obligation for each property to contribute £200 per annum (inflated annually to the retail price index) in perpetuity for restoration and maintenance. This application does not propose such an agreement and the Canal Trust have objected on the basis of this. However, in the case of this application, the canal route runs adjacent to, and not through, the application site. Consequently, it is unreasonable to insist upon a contribution where the land in question is not directly involved in the canal restoration. Furthermore the proposed development would not prejudice redevelopment of the canal and therefore complies with the relevant policies of the adopted and emerging Development Plans.

### Design and Scale

- 6.5 The design and scale of the development is considered appropriate having regard to the wider area and future evolution of this area. The dwellings are traditional in appearance and are designed to face to the north and south, enabling their effective integration into the redevelopment of the canal. The proposal is principally reflective of the new development found to the east of the application sites (DCCE2003/1090/F).

The scale is appropriate in the context of the existing built form on Newtown Road. The design and scale are therefore acceptable.

- 6.6 This proposal reflects acceptably the character of the existing area and furthermore will effectively integrate with the restored canal and wider development of this area. No objection is raised in relation to the impact of this proposal upon the visual amenities of the locality.

#### Residential Amenities

- 6.7 One of the most significant issues associated with this proposal is that of its impact upon the residential amenities of the neighbouring properties. The dwellings are located to the rear of the existing garden area of No. 40 and have a principal elevation facing south. The proposed dwellings will therefore be facing the rear elevations of the properties on Newtown Road, as well as, having aspects over the rear garden areas of the aforementioned dwellings. From the perspective of the dwellings themselves the new dwellings are, at their closest point, approximately 35 metres away from the rear elevation of the closest dwelling on Newtown Road. This is within acceptable limits. The key impact is therefore the overlooking of the rear garden areas. To minimise this impact no side openings on the east facing elevation are proposed and the second floor dormers serve bathrooms and would be conditioned with obscure glazing. Notwithstanding this it cannot be argued that no overlooking will result. The degree of overlooking will not be significantly dissimilar to that found on modern high-density residential developments and as such this issue is considered to be insufficient to refuse this application.

#### Highway Matters

- 6.8 The Traffic Manager supports the proposed access arrangements subject to conditions. Parking provision is in accordance with policy requirements and he therefore has no objections to the proposal.

#### Conclusion

- 6.9 Concerns have been expressed in relation to this proposal, not least in relation to the amenity impact and the implications for the canal restoration. On balance, however, it is considered that the impact of this development will be within acceptable limits and the insistence upon a Section 106 contribution would be unreasonable in this instance. This development is in accordance with planning policy and would not prejudice the future realisation of the canal restoration.

### **RECOMMENDATION**

**Subject to there being no objection from the Environment Agency, the Officers named in the Scheme of Delegation to Officers be authorised to approve the application subject to the following conditions and any further conditions considered necessary by Officers:**

- 1 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 A09 (Amended plans)**

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

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

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

**6 C16 (Detailed scheme of demolition operations)**

**Reason: To minimise the risk of damage to the existing building.**

**7 E16 (Removal of permitted development rights)**

**Reason: To ensure that the local planning authority retains effective control of the development of this site in the interests of the visual and residential amenities of the locality.**

**8 E17 (No windows in side elevation of extension)**

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

**9 E19 (Obscure glazing to windows)**

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

**10 F16 (Restriction of hours during construction)**

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

**11 W01 (Foul/surface water drainage)**

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

**12 W02 (No surface water to connect to public system)**

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

**13 W03 (No drainage run-off to public system)**

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

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

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

- 15 H05 (Access gates)

Reason: In the interests of highway safety.

- 16 H06 (Vehicular access construction)

Reason: In the interests of highway safety.

- 17 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.

**Informatives:**

- 1 N01 - Access for all
- 2 N03 - Adjoining property rights
- 3 HN01 - Mud on highway
- 4 HN04 - Private apparatus within highway
- 5 HN05 - Works within the highway
- 6 HN10 - No drainage to discharge to highway
- 7 N16 - Welsh Water Informative
- 8 N15 - Reason(s) for the Grant of PP/LBC/CAC

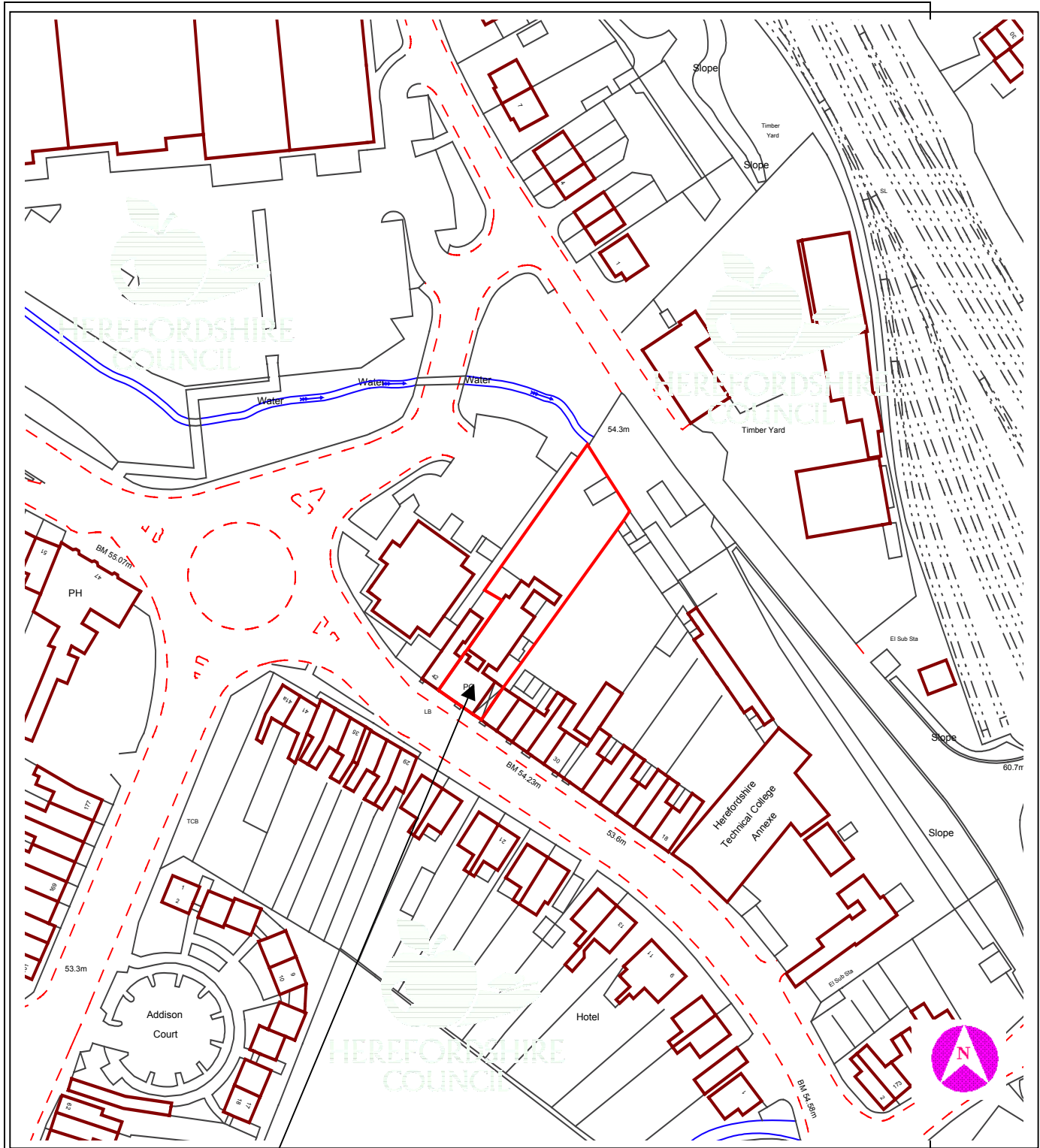
Decision: .....

Notes: .....

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**Background Papers**

Internal departmental consultation replies.



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**APPLICATION NO:** DCCE2005/2132/O

**SCALE :** 1 : 1250

**SITE ADDRESS :** 40 Newtown Road, Hereford, Herefordshire, HR4 9LL

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Further information on the subject of this report is available from Mr. A. Sheppard on 01432 261961



**7 DCCW2005/2579/F - CHANGE OF USE FROM AGRICULTURAL TO A ONE FAMILY GYPSY CARAVAN SITE, PERMISSION FOR 2 CARAVANS AND STABLE BLOCK AT ASHGROVE CROFT, MARDEN, HEREFORD, HR1 3HA**

**For: Mr. R. Jones, Ashgrove Croft, Marden, Hereford, HR1 3HA**

**Date Received: 8th August, 2005    Ward: Sutton Walls    Grid Ref: 54016, 49365**

**Expiry Date: 3rd October, 2005**

Local Member: Councillor J.G.S. Guthrie

Members will recall that the determination of this application was deferred at the Central Area Planning Sub-Committee meeting of 19th October, 2005 in order for a site visit to be held. The site visit took place on 1st November, 2005.

**1. Site Description and Proposal**

- 1.1 The application site is comprised of approximately 0.4 hectares of agricultural land, which forms part of a total holding of 1.6 hectares, located on the north side of an unclassified road which leads to the hamlet known as The Vault, situated approximately 1.5 kilometres to the southwest of the village of Bodenham.
- 1.2 The application seeks retrospective approval for the siting of a residential caravan, accompanied by a smaller touring caravan, which the applicant requires to continue their nomadic lifestyle. The application also proposes the erection of a small stable block, together with the laying out of an access track and parking area.
- 1.3 The application is submitted with an accompanying statement, which sets out the applicant's status as gypsies and their reason for resorting to the application site. It includes three letters of support and reference to the personal circumstances of the applicant's family.

**2. Policies**

2.1 Government Guidance:

PPG3	-	Housing
PPG7	-	The Countryside – Environment Quality and Economic and Social Development
PPG12	-	Development Plans
Circular 1/94	-	Gypsy Sites and Planning
Circular 18/94	-	Gypsy Sites Policy and Unauthorised Camping and Associated Revision of Advice on Tolerance Camping. A Good Practice Guide issued February 2004

## 2.2 Hereford and Worcester County Structure Plan:

Policy H16A	-	Development Criteria
Policy H20	-	Residential Development in Open Countryside
Policy G1	-	Provision of Sites
Policy G2	-	Location of Sites
Policy RC2	-	Locational Requirements
Policy CTC9	-	Development Criteria

## 2.3 South Herefordshire District Local Plan:

Policy GD1	-	General Development Criteria
Policy SH1	-	Housing Land Supply
Policy SH11	-	Housing in the Countryside
Policy SH14	-	Siting and Design of Buildings
Policy SH25	-	Gypsy Caravan Sites

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

Policy S1	-	Sustainable Development
Policy S2	-	Development Requirements
Policy S3	-	Housing
Policy DR1	-	Design
Policy DR2	-	Land Use and Activity
Policy H7	-	Housing in the Countryside Outside Settlements
Policy H12	-	Gypsies and Other Travellers

## 2.5 Herefordshire Council Travellers policy – adopted in November 2002

**3. Planning History**

3.1 None relevant.

**4. Consultation Summary**Statutory Consultations

4.1 None required.

Internal Council Advice

4.2 Traffic Manager: no objection, subject to the imposition of standard conditions.

4.3 Head of Environmental Health and Trading Standards: no objection.

4.4 Conservation Manager – The present location of the mobile home on the western side of the site gives rise to a modest impact on the visual amenity of the rural landscape, which can be overcome by relocating the siting to the east supplemented by a landscaping scheme.

**5. Representations**

5.1 Marden Parish Council: objection, summarised as follows:

- The application is retrospective.
  - The site is not within reasonable distance of local services.
  - The site is not adequately screened.
  - No evidence that the family is nomadic.
  - If this application was for a house and not gypsy accommodation, it would be refused.
- 5.2 One letter of objection has been received from Mr. Wingfield, The Headlands summarised as follows:
- The application is retrospective.
  - Loss of visual amenity within the open countryside.
- 5.3 A non-committal letter was also received from Mr. Priday, The Old Vicarage, which questioned whether or not the application site is served by mains water, the enquires about the suitability of any proposed drainage scheme.
- 5.4 Three general letters of support also accompanied the application from Mr. Bache, 1 & 2 Bowley Cottages; Mr. Troia, The Nook and Mr. Linton, Rowberry Court.

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

## **6. Officers Appraisal**

- 6.1 The application site is located in an area of open countryside, outside of any identified settlement boundary, in either the adopted Local Plan or the emerging Unitary Development Plan, where residential development will not normally be permitted unless exceptional circumstances can be demonstrated.
- 6.2 Policy SH25 of the South Herefordshire District Local Plan makes specific provision for gypsy caravan sites, provided there is an identifiable need, and that the proposal is otherwise in accordance with relevant policies.
- 6.3 Independent confirmation has been received from the West Midlands Consortium Education Service for Travelling Children that Mr. & Mrs. Jones are of a traveller background having been previously known to the project officer for approximately 30 years.
- 6.4 It is considered that this information substantiates the documentation which accompanies the application indicating that Mr. & Mrs. Jones were born and bred into the local traveller community with relatives continuing to live in the Herefordshire area on other sites or having been now settled in permanent accommodation.
- 6.5 In light of the above, it is considered that the application can legitimately be considered against the provisions of Policy SH25 which deals specifically with Gypsy Caravan Sites.

- 6.6 Therefore key issues for consideration are the acceptability of the location of the application site in terms of sustainability and the associated visual impact of the residential caravan and associated structures on the character and appearance of the locality.
- 6.7 Whilst outside the settlement boundary, the site is located within reasonable proximity to Bodenham, which provides access to local services including a shop, public transport and a school which is attended by the applicant's younger daughter. Approximately 3 kilometres to the south Marden offers a similar range of services. The applicant's three elder children attending Minster School in Leominster, travelling via the school bus service which serves Bodenham and its surrounding area.
- 6.8 The application seeks consent for the stationing of one static and one mobile caravan and is therefore considered to be of a limited scale in terms of its effect upon the character and visual amenity of the area, the impact of which can be further reduced by conditions requiring the provision of a comprehensive landscaping scheme.
- 6.9 In conclusion, the supporting information satisfactorily sets out the genuine need of the development, and it is not considered that the impact and the effect of the development upon the visual amenities of locality would represent justifiable grounds for refusal in this instance.

## **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. Within two months of the date of this permission a layout plan for the re-siting of the mobile home, touring caravan and associated structures onto the eastern side of the application site shall be submitted to and approved by the local planning authority. The relocation of these structures shall be undertaken with a timescale to be agreed in writing with the local planning authority and shall thereafter be retained in the approved locations.**

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

- 3. This permission shall enure for the benefit of Mr. Ronald Jones and Mrs. Dorothy Jones only and not for the benefit of the land or any other persons interested in the land.**

**Reason: The nature of the development is such that it is only considered acceptable in this location having regard to the applicant's special circumstances.**

- 4. This permission relates to the siting of one mobile home and one touring caravan only. No other units of accommodation shall be brought onto, or occupied, on the site.**



**Reason:** The nature of the development is such that it is only considered acceptable in this location having regard to the applicant's special circumstances.

5. E11 (Private use of stables only).

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

6. Within two months of the date of this permission, details of the proposed foul and surface water drainage arrangements shall be submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented within three months of that written approval.

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

7. F32 (Details of floodlighting/external lighting).

**Reason:** To safeguard local amenities.

8. G09 (Retention of trees/hedgerows).

**Reason:** To safeguard the amenity of the area.

9. Within two months of the date of this permission details of a scheme of landscaping shall be submitted to and approved by the local planning authority, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of development and any necessary tree surgery. All proposed planting shall be clearly described with species, sizes and planting numbers.

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

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

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

11. H05 (Access gates) (5 metres).

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

12. H06 (Vehicular access construction).

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

**Informatives:**

1. N01 - Access for all.
2. HN01 - Mud on highway.
3. HN05 - Works within the highway.

**4. N15 - Reason(s) for the Grant of PP.**

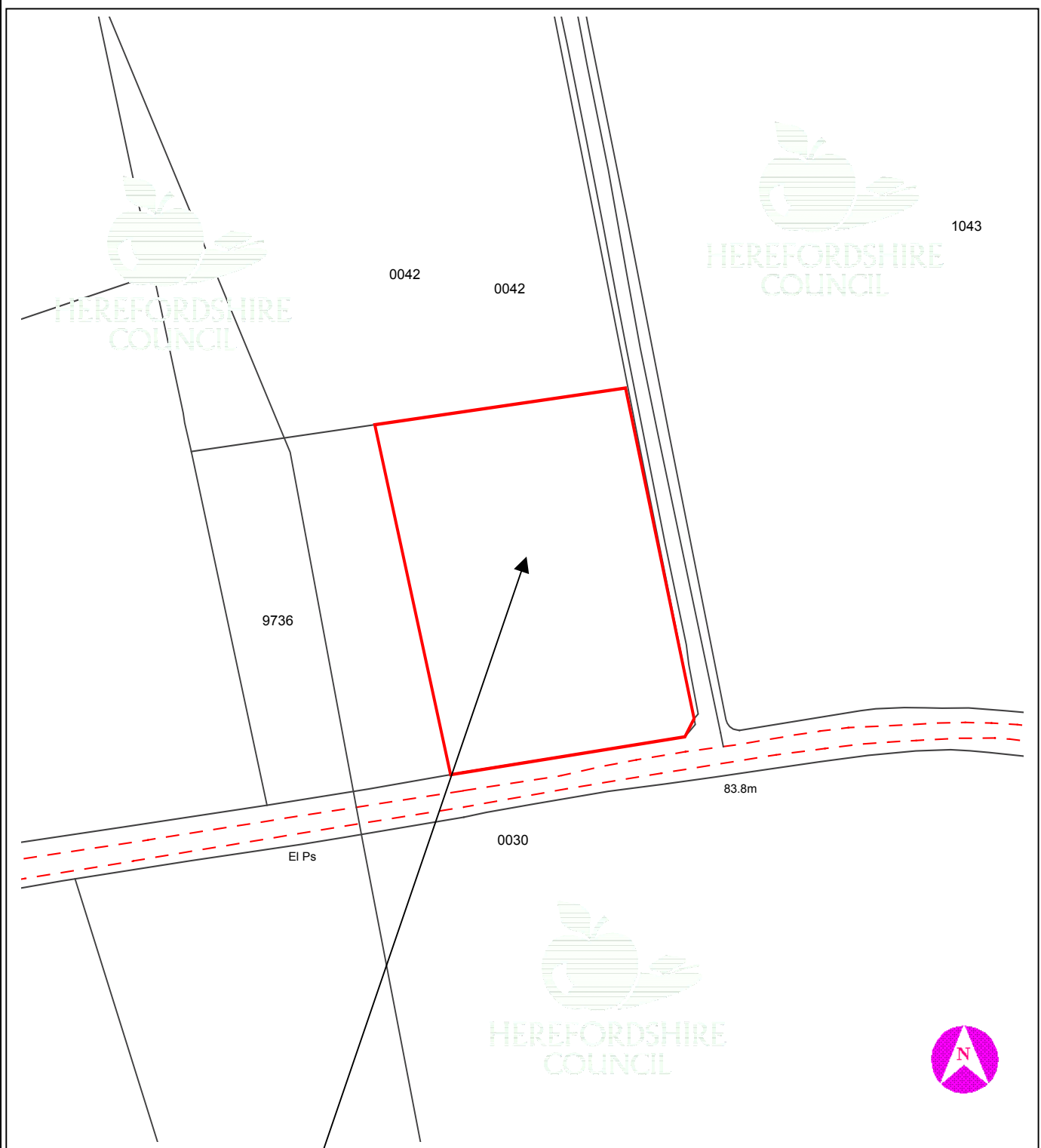
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Notes: .....

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**Background Papers**

Internal departmental consultation replies.



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**APPLICATION NO:** DCCW2005/2579/F

**SCALE :** 1 : 1250

**SITE ADDRESS :** Ashgrove Croft, Marden, Hereford, HR1 3HA

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## **8 DCCE2005/2884/F - SITING OF TEMPORARY STAFF ACCOMMODATION SHIPLEY, HOLME LACY, HEREFORD, HR2 6LS**

**For: Mr. R. Macadie, Shipley, Holme Lacy, Hereford, HR2 6LS**

**Date Received: 31st August, 2005      Ward: Hollington      Grid Ref: 56104, 35836**

**Expiry Date: 26th October, 2005**

Local Member: Councillor W.J.S. Thomas

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

- 1.1 The application effectively relates to two separate parcels of land. The first being the location of the existing portacabins which are sited within the historic walled garden west of the Grade I Listed Holme Lacy House Hotel, just south of Holme Lacy. The second parcel of land lies south east of the B4399, immediately north of Shipley and south east of Holme Lacy and is the proposed site for portacabins. A polytunnel presently occupies the site.
- 1.2 The site is largely surrounded by agricultural land with the exception of a range of buildings immediately to the south including the farmhouse forming Shipley Gardens. The site is enclosed to the east and west by mature and semi-mature trees with a hedge and smaller trees enclosing the northern boundary. Access is via a gravel track. The site and surrounding landscape is designated as an Area of Outstanding Natural Beauty, an Area of Great Landscape Value and land to the east but outside of the site also falls within the Flood Plain, Flood Zone Category 2.
- 1.3 Planning permission is sought for the re-siting of two portacabins used as staff accommodation in association with Holme Lacy House Hotel from within the grounds of the Hotel to land at Shipley, approximately 1 mile away.

### **2. Policies**

#### **2.1 South Herefordshire District Local Plan:**

GD1	-	General development criteria
C1	-	Development within open countryside
C4	-	AONB landscape protection
C5	-	Development within AONB
C6	-	Landscape and AONB
C8	-	Development within AGLV
C29	-	Setting of listed buildings
C40	-	Essential services
C43	-	Foul sewerage
SH11	-	Housing in the countryside
SH26	-	Residential caravans, mobile homes
T1A	-	Environmental sustainability and transport

## 2.2 Herefordshire Unitary Development Plan (Revised Deposit Draft);

S1	-	Sustainable development
S2	-	Development requirements
S7	-	Natural and historic heritage
DR2	-	Land use and activity
DR3	-	Movement
DR4	-	Environment
H7	-	Housing in the countryside outside settlements
T6	-	Walking
T7	-	Cycling
LA1	-	Areas of Outstanding Natural Beauty
LA2	-	Landscape character and areas least resilient to change
HBA4	-	Setting of listed buildings
S8	-	Recreation, sport and tourism

## 3. Relevant Planning History

- 3.1 CE2002/0005/F - Change of use of agricultural land and buildings to rural visitor attraction with alterations to vehicular access (including gardens and woodland walks, sale of plants, trees and garden bric-a-brac) at Shipley Farm, Holme Lacy. Approved 22nd February, 2002.
- 3.2 SH941560PF - Temporary building for staff accommodation associated with the proposed hotel, Holme Lacy House, Holme Lacy. Ten year temporary permission granted 27th February, 1995.

## 4. Consultation Summary

### Statutory Consultations

- 4.1 Environment Agency: The development falls outside of the Flood Risk Standing Advice Area.

### Internal Council Advice

- 4.2 Traffic Manager: No objections.

## 5. Representations

- 5.1 Holme Lacy Parish Council: We are very unhappy with this application. The application is very vague, eg no length of time that temporary permission is required for, no details of disposal of foul water. Proposed buildings are large, ugly and intrusive. This is an AONB. These buildings will be visible from footpaths, residential properties across the river and from the village of Fownhope. The application should be brought to the attention of Fownhope Parish Council.
- 5.2 Supporting information has been provided by the applicant which will be referred to in the Officer's Appraisal.
- 5.3 The full text of these letters can be inspected at Central Planning Services, Blueschool House, Blueschool Street, Hereford and prior to the Sub-Committee meeting.

## 6. Officers Appraisal

- 6.1 Planning permission was approved on 27th February, 1995 for the temporary siting of portacabins for staff accommodation in association with Holme Lacy Hotel. This planning permission was subject to condition that the accommodation had to be removed on or before the 31st March, 2005. As this permission has now elapsed, the portacabins are unauthorised. Furthermore, a lease agreement between the adjacent landowner and Holme Lacy House Hotel requires the removal of the portacabin by the end of October 2005. Whilst this is not, in itself a material planning consideration, it is nevertheless considered to be of relevance in the determination of the application.
- 6.2 Holme Lacy House Hotel is a Grade I Listed country house and permission was approved in the mid-90's for its conversion and use as a hotel, which is now run and managed by the Warner Group. The hotel has 181 double guest rooms with an occupancy rate of 95%. It is estimated that there is an annual turnover of in excess of 30,000 guests and the hotel employs a total of 160 staff. Accommodation for 22 administrative and entertainment staff is provided within the hotel building with the portacabins providing accommodation for 30 restaurant and bar staff. The remaining staff commute to the hotel from the locality. The restaurant and bar staff who would occupy the portacabins often work long and unsociable hours and there is a need for the accommodation to be on or close to the hotel. Based on this information, it is clear that there is continuing need for additional staff accommodation to ensure the successful operation and management of the hotel.
- 6.3 The selected site lies approximately 1 mile north east of the hotel. This location is not ideal as it is desirable for staff accommodation to be sited within the grounds of the business that they serve in order to ensure there is a functional relationship and link with the business and also avoid the need for staff to commute to work. Therefore, if assessed under this criteria the proposed location would be unacceptable in principle.
- 6.4 However, the hotel operates a minibus service, which would transfer staff from the hotel to their accommodation at the start and end of each working day. Furthermore, the current site for the portacabins detracts from the setting of the hotel and its curtilage and therefore there is a conservation benefit in securing their removal. Therefore, in light of these factors and the relatively urgent need for the retention of the accommodation, the alternative site is considered acceptable but only on the basis of a short term permission. A more permanent solution to the problem has been discussed with the hotel manager and a site for permanent staff accommodation within the grounds of the hotel has been identified.
- 6.5 The Parish Council has expressed concerns about the new site in terms of its impact on the landscape, which is designated as an Area of Outstanding Natural Beauty and Area of Great Landscape Value. Whilst acknowledging these concerns the site is very well screened and as a result, only glimpse views of the portacabins would be visible from the wider landscape particularly if they are painted a matt dark colour. A new foul drainage system is proposed and details of which can be conditioned for the approval of the local planning authority.
- 6.6 The hotel is an important local employer as well as being a significant source of tourism income for Herefordshire and therefore although the proposed site is not ideal, given their immediate accommodation needs, a three-year temporary permission is considered justified. This will also enable permanent staff accommodation to be established in a more appropriate location.

**RECOMMENDATION**

That planning permission be approved subject to the following conditions:

- 1 The staff accommodation hereby permitted shall be removed permanently from the site on or before 16th November, 2008 or when permanent staff accommodation has been completed, whichever is the shorter period. The land shall be reinstated on or before 16th November, 2008 in accordance with details which shall be submitted to and approved in writing by the local planning authority prior to this date.

Reason: The development is only considered acceptable having regard to the specific and urgent need for the accommodation and is designed to enable a permanent solution to be progressed.

- 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 B09 (External Finish)

Reason: To protect the visual amenities of the area.

- 4 F18 (Scheme of foul drainage disposal)

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

- 5 The occupation of the accommodation hereby permitted shall be limited to persons solely employed at Holme Lacy House Hotel.

Reason: The accommodation is required to meet the operational needs of the hotel and it would be contrary to policy of the local planning authority to grant planning permission in this location without the special need to provide staff accommodation.

**Note to applicant:**

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

Decision: .....

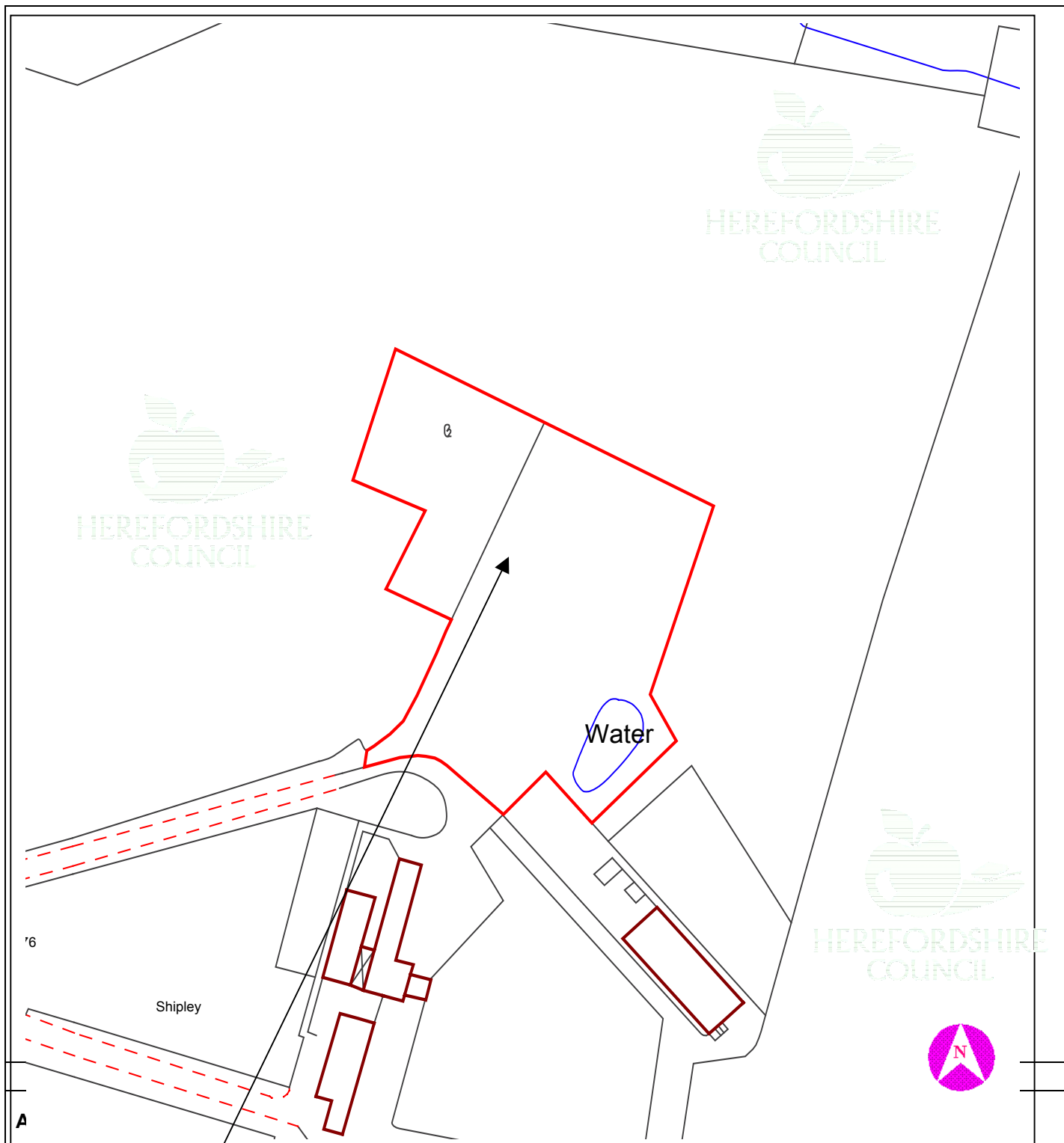
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**Background Papers**

Internal departmental consultation replies.





**SITE ADDRESS :** Shipley, Holme Lacy, Hereford, Herefordshire, HR2 6LS

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**9A DCCE2005/3098/F - REFURBISHMENT OF THE ABOVE PROPERTIES INC. THE RENEWAL OF SHOP FRONTAGES AND FULL REPAIRS TO ROOFS. ADDITION OF NEW STAIRCASE WITH NEW ROOF, WITH GLAZED TIMBER SCREENS TO EITHER SIDE AND A SLATE ROOF TO MATCH EXISTING AT 49 & 50 COMMERCIAL STREET (AND LAND BEHIND), HEREFORD, HR1 2DJ**

**For: Woodbury Park Ltd. per Glazzard Architects, Building C2, Perdiswell Park Droitwich Road, Worcester, WR3 7NW**

**9B DCCE2005/3099/L - REFURBISHMENT OF THE ABOVE PROPERTIES INCLUDING THE RENEWAL OF SHOP FRONTAGE AND FULL REPAIRS TO ROOFS. ADDITION OF NEW STAIRCASE WITH NEW ROOF WITH GLAZED TIMBER SCREENS TO EITHER SIDE AND A SLATE ROOF TO MATCH EXISTING AT 49 & 50 COMMERCIAL STREET (AND LAND BEHIND), HEREFORD, HR1 2DJ**

**For: Woodbury Park Ltd. per Glazzard Architects, Building C2, Perdiswell Park Droitwich Road, Worcester, WR3 7NW**

**Date Received: 28th September, 2005**

**Ward: Central**

**Grid Ref: 51182, 40084**

**Expiry Date: 23rd November, 2005**

Local Member: Councillor D.J. Fleet

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

- 1.1 The site occupies a corner position fronting onto Commercial Street and bordering Union Passage. A three storey property constructed from brick under a natural slate roof fronts Commercial Street and part of Union Passage. This is in retail use at ground floor. To the rear is a further pitched roof detached building which fronts Union Passage, linked to the Commercial Street properties by a single storey extension. This is presently used as a tattooists. To the rear (south) is a further single storey heptagonal shaped building with a lantern light in the roof which it is believed was used as a soup kitchen. South of the site is a retail lighting shop and

north is MacDonalds. To the east and fronting Union Street are residential properties and to the south is a vacant site currently being re-developed for retail purposes.

- 1.2 The site lies within the Central Shopping and Commercial Area, Conservation Area, and is designated as an Area of Archaeological Importance and the frontage on Commercial Street is designated as Primary Shopping Frontage. All the properties within the site are also Grade II listed.
- 1.3 Planning and Listed Building Consent is sought for general modernisation and refurbishment of the listed properties to convert nos. 49 and 50, the tattoo shop and former soup kitchen into a single retail unit with staff accommodation and offices above.
- 1.3 More specifically, the proposal entails the provision of new shopfronts on Commercial Street, removal of some internal dividing walls and partitioning at ground and first floor, construction of a new stairs with single storey glazed roof void to provide access to the first floor, extension of the shopfronts along the northern elevation of the building adjacent Union Passage and general refurbishment such as re-roofing, redecorating, renovation of the windows and other joinery.

## 2. Policies

### 2.1 National:

PPG15 - Planning and the Historic Environment

### 2.2 Hereford Local Plan:

ENV14 - Design  
 S1 - Role of Central Shopping Area  
 S2 - Retail Development within the Central Shopping Area  
 S5 - Primary Shopping Frontages  
 CON1 - Preservation of Buildings of Architectural and Historic Interest  
 CON2 - Listed Buildings – Development Proposals  
 CON3 - Listed Buildings – Criteria for Proposals  
 CON4 - Listed Buildings – Change of Use  
 CON10 - Under Use of Historic Buildings  
 CON11 - Use of Period Materials  
 CON12 - Conservation Areas  
 CON13 - Conservation Areas – Development Proposals  
 CON14 - Planning Applications in Conservation Areas  
 CON18 - Historic Street Pattern  
 CON24 - Shopfronts  
 CON27 - Shopfronts – Design  
 CON28 - Shopfronts – Materials  
 CON35 - Archaeological Evaluation

### 2.3 Herefordshire Unitary Development Plan (Revised Deposit Draft):

S2 - Development Requirements  
 S5 - Town Centres and Retail  
 S7 - Natural and Historic Heritage  
 DR1 - Design

TCR1	-	Central Shopping and Commercial Areas
TCR2	-	Vitality and Viability
TCR3	-	Primary Shopping Frontages
TCR8	-	Small Scale Retail Development
HBA1	-	Alterations and Extensions to Listed Buildings
HBA3	-	Change of Use of Listed Buildings
HBA6	-	New Development within Conservation Areas
HBA10	-	Shopfronts
ARCH1	-	Archaeological Assessments and Field Evaluations
ARCH7	-	Hereford AAI

### 3. Planning History

- 3.1 There is an extensive planning history relating to all properties within the application site for various alterations to the listed buildings and approvals of advertisement consent for new signage.

### 4. Consultation Summary

#### Statutory Consultations

- 4.1 None required.

#### Internal Council Advice

- 4.2 Traffic Manager: no objection but suggests cycle parking facilities be incorporated within the scheme.
- 4.3 Conservation Manager: Presently concerned with several aspects of the proposals including the removal of the Victorian chimney stack, the extent of partition and wall alterations and the new shopfront on Union Passage. It would appear that the principal properties fronting Commercial Street are early timber framed buildings dating from the 17th Century or late Mediaeval which have been re-fronted during the 18th century and extended in the 19th century. Further investigation is therefore required as to how the works impact upon the original Listed Buildings and amended plans are required to minimise the level of alterations proposed.
- 4.4 County Archaeologist: "Given the small scale of the works, I do not think there will be any major issues, but given the location of the site within the Area of Archaeological Importance, I recommend a standard condition requiring an archaeological site investigation.

### 5. Representations

- 5.1 Hereford City Council: no objection.
- 5.2 Conservation Advisory Panel: Object to the applications as the development would be detrimental to the fabric of the Listed Building and the development does not represent the effective redevelopment of this area. The proposal should be linked to the adjacent site subject of redevelopment by the same developer.
- 5.3 A further letter of objection has been received from Jean O'Donnell, 5 Broadlands Lane, Hereford. The main points raised are:

The application identifies alterations to the fabric of the buildings including removing parts of the walls. This will change the integrity of the soup kitchen building in particular. This is a unique example of work of Thomas Nicholson who was a notable church builder and restorer in Herefordshire and beyond. He was at the time architect to the Hereford Society for Aiding the Industrious, still in existence. The purpose of the building is revealed by two doors for exit and entrance by the poor who collected their soup. Inside, the lofty ceiling and lights were part of the dining area. The building is unique for the whole of the County and should not be altered in any way that detracts from its historic role.

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

## **6. Officers Appraisal**

- 6.1 The application essentially entails the amalgamation of three separate retail units to create a single unit also incorporating the Grade II listed former soup kitchen. In order to achieve this development, various alterations to the Listed Buildings at ground, first and second floors are proposed.
- 6.2 The site lies within the Central Shopping and Commercial Area and is also designated as a primary shopping frontage where the predominant land use should be retail. There is also an identified shortage of retail units with large floor plates within Hereford's main shopping area and therefore the principle of turning three shops into one is considered acceptable. The issue is therefore the extent of alteration proposed in order to achieve a single retail unit.
- 6.3 The most extensive alterations are proposed at ground floor where existing dividing walls and partitions between nos. 49 and 50, the tattoo premises to the rear and the adjoining soup kitchen are proposed to be removed. It is difficult to fully assess the impact of these alterations as the majority of the walls have been dry lined and therefore the original walls are not visible. Most of the alterations are acceptable, as they would appear to be more modern partitioning of little significance. However, there are areas, which require further investigation, and some internal features, which are presently proposed to be removed, should be retained such as the Victorian chimney stack. The retention of some elements of the partitioning will not significantly alter the openness of the retail unit that would be created.
- 6.4 Concerns have been expressed regarding the alterations to the former soup kitchen to the rear of no. 49. This is a particularly interesting heptagonal shaped building constructed from brick with a slate roof partially glazed with a lantern style roof light. Whilst alterations are proposed to this building, they essentially entail the removal of existing windows and doors rather than extensive removal of sections of wall. These alterations are therefore considered acceptable and will not significantly affect the integrity of the building. This view is supported by the Conservation Manager.
- 6.5 Lesser alterations are proposed at first floor which largely amount to refurbishment of the existing underused upper floors. A new staircase is proposed to the rear of 49 to provide a new access to the first floor staff accommodation. This also entails the construction of a small lean-to extension which is to be enclosed with glazed screens either side. This represents an acceptable alteration to the building in that the glazed screens will have a lightweight appearance thereby minimising the impact on the

external appearance of the building. The ground floor element of the staircase within no. 49 is also to be removed but this is considered to be of little architectural or historic merit.

- 6.6 The Conservation Manager has also expressed concerns regarding the new shopfront created along the north eastern elevation of no. 49 Commercial Street down Union Passage. Other options are currently being explored including the creation of a smaller opening possibly in the form of traditional sash windows. Ultimately, this is considered to be an important element of the proposal in that it will create an active frontage on Union Passage. Access to the retail unit will also be available via Union Passage increasing the permeability of the site. The proposed new shopfronts will be a significant improvement over the existing shopfronts which are modern with dominating fascias and signage and detract from the character and appearance of the Listed Building.
- 6.7 There are areas of the proposals that require amending and the applicants are currently considering the requested alterations with a view to submitting amended plans in time for Committee. It is clearly not acceptable to permit alterations which adversely affect the character and appearance of the Listed Buildings. However, most of the buildings are presently in a relatively poor state of disrepair and are underused. The scheme will secure the preservation and continued full and beneficial use of the Listed Buildings whilst also bringing buildings such as the former soup kitchen into the public realm and creating an interesting retail space. Therefore, subject to receipt of satisfactory amended plans addressing concerns of the Conservation Manager regarding some of the detailed changes proposed, the development is considered acceptable.

## RECOMMENDATION

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

**In respect of DCCE2005/3098/F:**

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

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

2. **A09 (Amended plans).**

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

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

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

4. **D01 (Site investigation – archaeology).**

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

5. Prior to commencement of the construction of the new shopfronts, details including scaled plans and a schedule of materials for the new shopfronts, shall be submitted for approval in writing by the local planning authority. The new shopfronts shall be installed in accordance with the approved details prior to occupation of the development hereby permitted.

Reason: To enable the local planning authority to control the specific design and materials for the shopfronts in the interests of safeguarding the character and appearance of the Listed Buildings and Conservation Area.

**Informatives:**

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

**In respect of DCCE2005/3099/L:**

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. A09 (Amended plans).

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

3. C02 (Approval of details).

- (a) Schedule of repairs.
- (b) Joinery details.
- (c) Glazing details.
- (d) Finishes to external joinery.
- (e) Specification of guttering and downpipes.
- (f) Internal finishes to walls.

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

4. C18 (Details of roofing material).

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

5. Prior to the commencement of any works/alterations to the listed buildings, the developer shall provide for approval in writing of the Local Planning Authority an investigative schedule including timescales for the proposed 'stripping out/soft strip' works to the Listed Buildings. There shall be no 'stripping out/soft strip' works until an agreed schedule with timescale has been devised by the developer and approved in writing by the local planning authority. The developer shall afford access to the local planning authority/Conservation Manager at all reasonable times in order to observe and record the investigative works.



**Reason:** To ensure the architectural and historical interest of the Listed Buildings are recorded and safeguarded as necessary.

**Informative:**

1. **N15 - Reason(s) for the Grant of Listed Building Consent.**

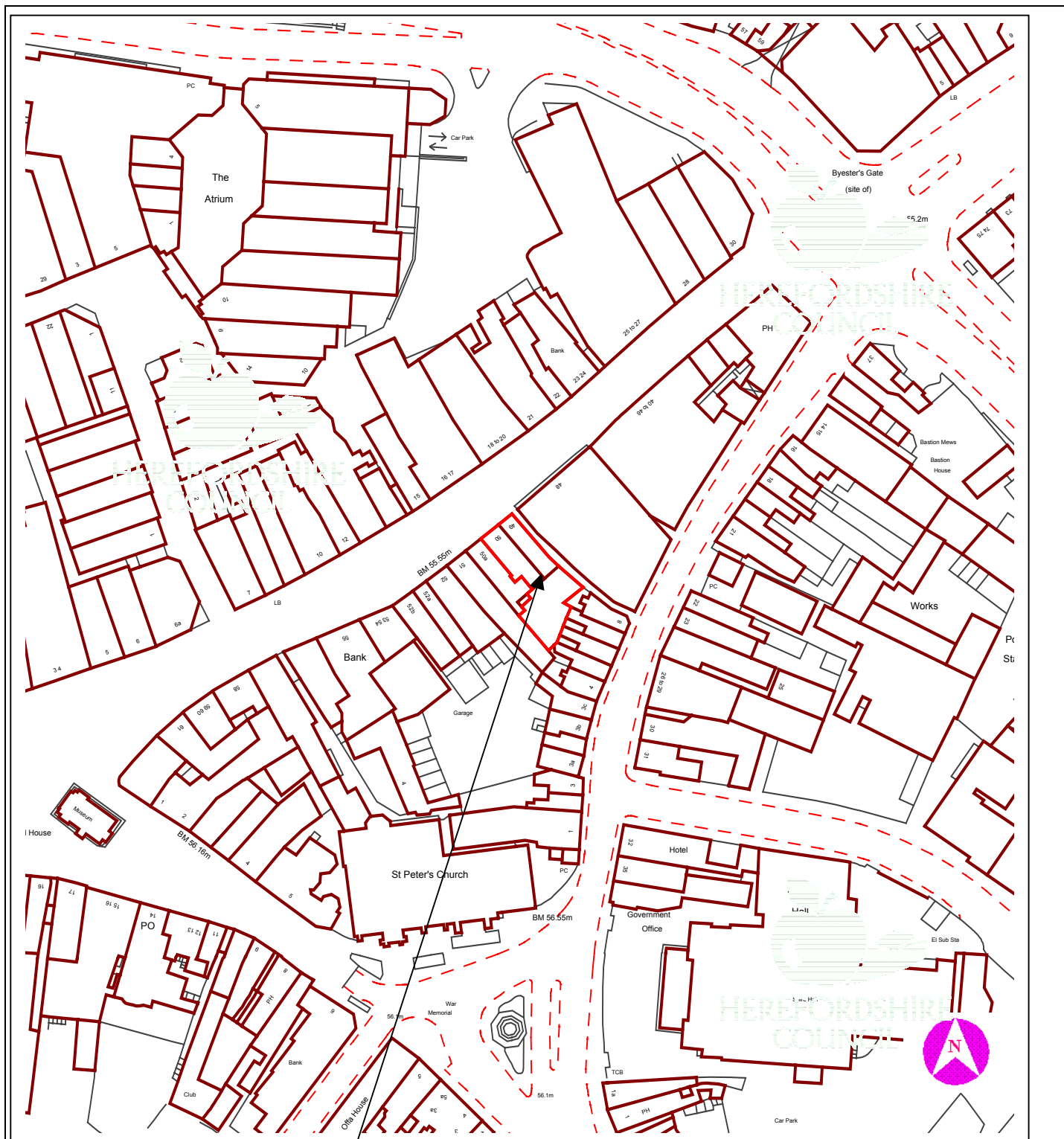
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**Background Papers**

Internal departmental consultation replies.



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**APPLICATION NOS:** DCCE2005/3098/F & DCCE2005/3099/L

**SCALE :** 1 : 1250

**SITE ADDRESS :** 49 & 50 Commercial Street (and land behind), Hereford, HR1 2DJ

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**10 DCCE2005/3026/F - TWO STOREY EXTENSION AND LOFT CONVERSION 24 HAMPTON STREET, HEREFORD, HEREFORDSHIRE, HR1 2RA**

**For: Ms. J. Cross, per Mr. Hemming, Yew Tree Cottage, Tillington, Hereford, HR4 8LW**

**Date Received: 20th September, 2005    Ward: Tupsley    Grid Ref: 51567, 39329**

**Expiry Date: 15th November, 2005**

Local Members: Councillors Mrs. M.D. Lloyd-Hayes and W.J. Walling

**1. Site Description and Proposal**

- 1.1 This applications seeks permission for the erection of a two storey extension at 24 Hampton Street, Hereford. The existing property is a two storey terraced dwelling with an existing single storey extension to the rear with a mono-pitch roof. The site is located within the Established Residential Area of Hereford.
- 1.2 This proposed to enlarge the existing rear extension to increase its width at the point closest to the dwelling, together with the addition of a first floor above. The remaining rear extension beyond that to be extended will be redeveloped and a 'sedum' flat roof introduced. The two storey element will project 1.55 metres back from the main rear wall of the house. A third floor of accommodation will also be formed by virtue of the works within the resulting roof space.

**2. Policies**

2.1 Hereford Local Plan:

ENV14	-	Design
H16	-	Alterations and extensions
T5	-	Car parking – designated areas

2.2 Herefordshire Unitary Development Plan (Revised Deposit Draft):

S1	-	Sustainable development
S2	-	Development requirements
DR1	-	Design
H16	-	Car parking
H18	-	Alterations and extensions
T11	-	Parking provision

**3. Planning History**

- 3.1 None identified.

**4. Consultation Summary**

Statutory Consultations

4.1 None

Internal Council Advice

4.2 Traffic Manager: Raised no objection.

## 5. Representations

5.1 Hereford City Council: No objection.

5.2 Local Residents: Two letters of objection have been received from the following sources:

- Mr D. Bray, 22 Hampton Street, Hereford
- D. Powell, Stocken Farm, Presteigne, Powys - owners of 22 Hampton Street, Hereford.

The comments raised can be summarised as follows:

- Loss of privacy;
- Loss of light;
- Amenity issues associated with proposed new doorway;
- Overbearing impact;
- Obstruction of alleyway access during construction;
- Out of keeping with the area;
- Inappropriate extension type for terraced property.

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

## 6. Officers Appraisal

6.1 It is considered that the main issues for consideration in this instance are:

1. Principle of Development
2. Design, Scale and Visual Amenities
3. Residential Amenity.

Principle of Development

6.2 Hereford Local Plan Policy H16 states that development should be of an appropriate design and scale in the context of the existing situation, and be acceptable in relation to the visual amenities of the locality and highway issues. Herefordshire Unitary Development Plan (Revised Deposit Draft) Policy H18 reflects this position.

6.3 Hereford Local Plan Policy ENV14 and Herefordshire Unitary Development Plan (Revised Deposit Draft) Policy DR1 require a high standard of design in new development.

Design, Scale and Visual Amenities

6.4 The two-storey element of the proposal is gable ended and has a traditional character. The proposed fenestration involves French doors and a Juliet balcony at first floor

level. The single storey element is flat roofed with the exception of the addition to the side which has a mono-pitch roof sloping down towards the boundary to the east. The two storey element is modest in scale and the single storey component is of the same scale as the existing addition. The design represents a typical solution for properties of this form and the immediate area has examples of two storey additions with double pitched roofs and gable ends. Two storey extensions, single storey extensions, double pitched roofs, mono-pitched roofs, flat roofs, and dormer openings can all be found in this locality creating a diverse character. It is of note that the neighbouring property to the west (No. 22) has a two storey addition with a gable ended roof, while the neighbour to the east (No. 26) has a single storey mono-pitch addition. Within this eclectic mix of extensions the proposal is considered to be wholly acceptable. It is considered that the visual amenities of the locality will be preserved through this development.

### Residential Amenities

- 6.5 The principal objection is the impact of the proposal upon the residential amenities of the neighbouring properties. The neighbouring property to the west (No. 22) has an existing two-storey extension. The introduction of a first floor addition could result in an overbearing effect however in this case the first floor extension is only 1.55 metres in length and would comply with the '45 degree rule'. Turning to the east, the 45 degree line from the first floor opening in the rear of No. 26 is just broken by the extension. In this case, however, no first floor extension is found to the rear, allowing a limited degree of flexibility in assessment. It is considered that the overbearing impact will be within acceptable limits.
- 6.6 In relation to privacy, a condition will ensure that the flat roof is not used as a balcony. With this restriction in place it is considered that the overlooking and loss of privacy resulting from this development will be no worse than that found to the rear of the majority of dwellings in this row. In this context the impact upon privacy and overlooking is considered acceptable.
- 6.7 The single storey element as revised is considered to represent no greater impact than the existing addition in situ.

### Other Issues

- 6.8 The creation of the side door is not an amenity issue and furthermore such an opening could be created in the existing rear extension without the need for a planning application.
- 6.9 There are no highway objections.

## **RECOMMENDATION**

**That planning permission be approved 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 B02 (Matching external materials (extension))**

**Reason: To ensure the external materials harmonise with the existing building.**

**3 E16 (Removal of permitted development rights)**

**Reason: In the interests of the residential amenities of the locality**

**4 The roof area of the extension hereby permitted shall not be used as a balcony, roof garden or similar amenity area without the grant of further specific permission from the local planning authority.**

**Reason: In the interests of the residential amenities of the locality.**

**Informatives:**

**1 N03 - Adjoining property rights**

**2 In the interests of clarification it is confirmed that Condition 3 above prevents the flat roofed area of the development authorised by this permission for any purpose other than maintenance, repair and emergency escape.**

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

Decision: .....

Notes: .....

.....

**Background Papers**

Internal departmental consultation replies.



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**APPLICATION NO:** DCCE2005/3026/F

**SCALE :** 1 : 1250

**SITE ADDRESS :** 24 Hampton Street, Hereford, Herefordshire, HR1 2RA

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**11 DCCE2005/3153/F - 4 NO. 2-STOREY DETACHED HOUSES LAND WEST OF OVERBURY HOUSE, OVERBURY ROAD, HEREFORD, HR1 1JE**

**For: Mr. R.C.H. Davies, Nicholas Price & Frances Morrow, 45 North Bar, Banbury, Oxon, OX16 0TH**

**Date Received: 30th September, 2005      Ward: Aylestone      Grid Ref: 52194, 41142**

**Expiry Date: 25th November, 2005**

Local Members: Councillors D.B. Wilcox and A.L. Williams

**1. Site Description and Proposal**

1.1 This application seeks permission for the erection of four detached dwellings on land associated with Overbury House, Hereford. The application site currently forms garden area associated with Overbury House and is approximately 0.46 hectares in size. The site is principally grassed with a relatively dense mixture of trees and shrubs surrounding the area on all boundaries. The application site lies within the Aylesone Hill Conservation Area and the site falls inside an Established Residential Area of Hereford. Of further note is the site's location on the Tupsley Ridge as delineated in the Hereford Local Plan.

1.2 The proposal involves the erection of four 'arts and crafts' style dwellings with associated double garages. Units 1 - 3 consist of 4 bedroomed properties, while Unit 4 is a five-bedroom dwelling. All are two storey with a finish in a mix of brick and render. A new access point through the existing stone boundary wall running along Overbury Road is to be created to serve the development.

**2. Policies**

2.1 Planning Policy Guidance:

PPS1 - Delivering sustainable development  
PPG3 - Housing  
PPG15 - Planning and the Historic Environment

2.2 Hereford Local Plan:

ENV14 - Design  
H3 - Design of new residential development  
H6 - Amenity open space provision in smaller schemes  
H12 - Established residential areas - character and amenity  
H13 - Established residential areas - loss of features  
H14 - Established residential areas - site factors  
CON12 - Conservation areas  
CON13 - Conservation areas - development proposals  
CON14 - Planning applications in conservation areas  
CON21 - Protection of trees  
CON23 - tree planting

- CAL17 - Aylestone Ridge/Tupsley Rdige  
T5 - Car parking - designated areas

### 2.3 Herefordshire Unitary Development Plan:

- S1 - Sustainable development  
S2 - Development requirements  
S3 - Housing  
S6 - Transport  
S7 - Natural and historic heritage  
DR1 - Design  
DR2 - Land use and activity  
DR3 - Movement  
DR6 - Water resources  
H1 - Hereford and the market towns: settlement boundaries and established residential areas  
H15 - Density  
H16 - Car parking  
T11 - Parking provision  
LA5 - Protection of trees, woodlands and hedgerows  
LA6 - Landscaping schemes  
HBA5 - Designation of conservation areas  
HBA6 - New development within conservation areas  
HBA9 - Protection of open areas and green spaces

## 3. Planning History

- 3.1 None identified.

## 4. Consultation Summary

### Statutory Consultations

- 4.1 Welsh Water: No objection subject to conditions.

### Internal Council Advice

- 4.2 Traffic Manager: No objection subject to conditions.  
4.3 Conservation Manager: No objection subject to conditions.

## 5. Representations

- 5.1 Hereford City Council: No objection but expressed concern 'at the poor natural drainage within the development site'.  
5.2 Local Residents: Six letters of objection have been received from the following sources:
- N.H.P. Briggs, 2 Lugg View Close, Hereford
  - M. Martin, 5 Overbury Road, Hereford
  - D. Haworth, 1A Overbury Road, Hereford (x2)

- M. Tucker, 1 Norton Cottages, Grafton, Hereford - on behalf of 1A Overbury Road, Hereford
- J. Scriven, 5 Overbury Road, Hereford.

The objections raised can be summarised as follows:

- Unacceptability of new access point due to loss of tree and impact upon visual amenities of the locality;
- Additional traffic generation;
- Strip of land associated with the existing access point of Lugg View could be used inappropriately for vehicle access or undesirable garden development.

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

## **6. Officers Appraisal**

6.1 The key matters for consideration in this application:

- Principle of development;
- Density;
- Design and scale;
- Conservation Area, Tupsley Ridge, and visual amenities;
- Residential Amenities;
- Highway Issues.

### Principle of Development

6.2 Hereford Local Plan Policies H14 and H13 advise that residential development within the Established Residential Area is appropriate but should resolve a number of issues relating to highways, amenities, design and layout, density, landscaping, visual impact, and impact upon the character and amenity of the area. This stance is echoed in Herefordshire Unitary Development Plan (Revised Deposit Draft). On the basis of this it is considered that the fundamental principle of this development can be accepted with the acceptability or otherwise of this scheme dependent upon the details of this proposal.

### Density

6.3 National Policy Guidance contained within PPG3, together with Policy H15 of the emerging Herefordshire Unitary Development Plan advise that a minimum of 30 dwellings to the hectare should be pursued. In this instance the application seeks to develop the site at a density of slightly below nine dwellings to the hectare. Clearly this is substantially below the minimum, however, it is further advised in the supporting text of Policy H15 that on sites below one hectare, whilst densities should be maximised, the effect of site factors and constraints make guidelines inappropriate. In this case the location of this site within a Conservation Area, and on the line of the sensitive Tupsley Ridge, necessitate flexibility and it is considered that, in this context, the proposed density is appropriate and acceptable.

### Design and Scale

- 6.4 The proposed dwellings are relatively substantial detached dwellings with an 'art and craft' design concept. In the context of Aylestone Hill it is considered that the scale of these dwellings is appropriate. The design of the properties has regard to the character and appearance of the locality and is considered to represent a sensitive form of development. The design of these dwellings is informed by the constraints of the area, having particular regard to the Conservation Area and Tupsley Ridge designations.

### Conservation Area, Tupsley Ridge and Visual Amenities

- 6.5 The sensitive nature of this site and locality has been noted previously in this report. This application site falls along the line of the identified Tupsley Ridge as identified in the adopted Hereford Local Plan. The site also falls within the Aylestone Hill Conservation Area. Extensive pre-application discussion took place prior to the submission of this application with significant input from both Conservation and Landscape Officers. The site has extensive landscaping around the site boundaries and the dwellings, though relatively substantial in scale, have low ridgelines to ensure a minimal intrusion into the views of the City from the east. The low density of the development ensures that the development is appropriate within the Conservation Area. The creation of a new opening in the existing stone wall will allow for safe access and egress to the site and is sited in accordance with advice offered by the Traffic Manager. The creation of this access point is not considered problematic having regard to the character and appearance of the locality. The tree loss from this development will be confined to the new access point, and this is not considered to be of concern by the Landscape Officer. The site will remain well landscaped and screened. It is considered that the visual amenities of the locality will be maintained through this development. The character and appearance of the Conservation Area and Tupsley Ridge will be preserved through this development.

### Residential Amenities

- 6.6 The siting and layout of this development, together with the landscaping on site, will ensure that the residential amenities of the locality are preserved. Privacy and overbearing impact resulting from this proposal will be wholly within acceptable limits. The sole area of concern is the small access strip to the west of the application site. This currently provides access to the site but it does offer the potential for disturbance to the dwellings to the north and south if inappropriately managed. To that end it is proposed to remove Permitted Development Rights and restrict vehicular access on this area in the interests of the residential amenities of the locality. The use of the new access point will not result in a detrimental impact upon residential amenities.

### Highway Issues

- 6.7 The proposed access point raised no objection from the Traffic Manager, who was involved in the identification of this access at the pre-application stage. The traffic generation from these dwellings will not result in unacceptable congestion issues and the access itself will be conditioned to ensure full compliance with the necessary standards in the interests of highway safety.

**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 B03 (Matching external materials (general))**

**Reason: To ensure the satisfactory appearance of the development.**

**3 E08 (Domestic use only of garage)**

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

**4 E09 (No conversion of garage to habitable accommodation)**

**Reason: To ensure adequate off street parking arrangements remain available at all times.**

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

**Reason: In the interests of the amenities of the locality.**

**6 F16 (Restriction of hours during construction)**

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

**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.**

**9 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.**

**10 G02 (Landscaping scheme (housing development))**

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

**11 G03 (Landscaping scheme (housing development) - implementation)**

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

**12 G09 (Retention of trees/hedgerows)**

**Reason: To safeguard the amenity of the area.**

**13 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.**

**14 W01 (Foul/surface water drainage)**

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

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

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

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

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

**Informatives:**

**1 N01 - Access for all**

**2 N03 - Adjoining property rights**

**3 HN01 - Mud on highway**

**4 HN05 - Works within the highway**

**5 HN10 - No drainage to discharge to highway**

**6 N16 - Welsh Water Informative**

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

**This informative is only intended as a summary of the reasons for grant of planning permission. For further detail on the decision please see the application report by contacting Reception at Blueschool House, Blueschool Street, Hereford (Tel: 01432-260342).**

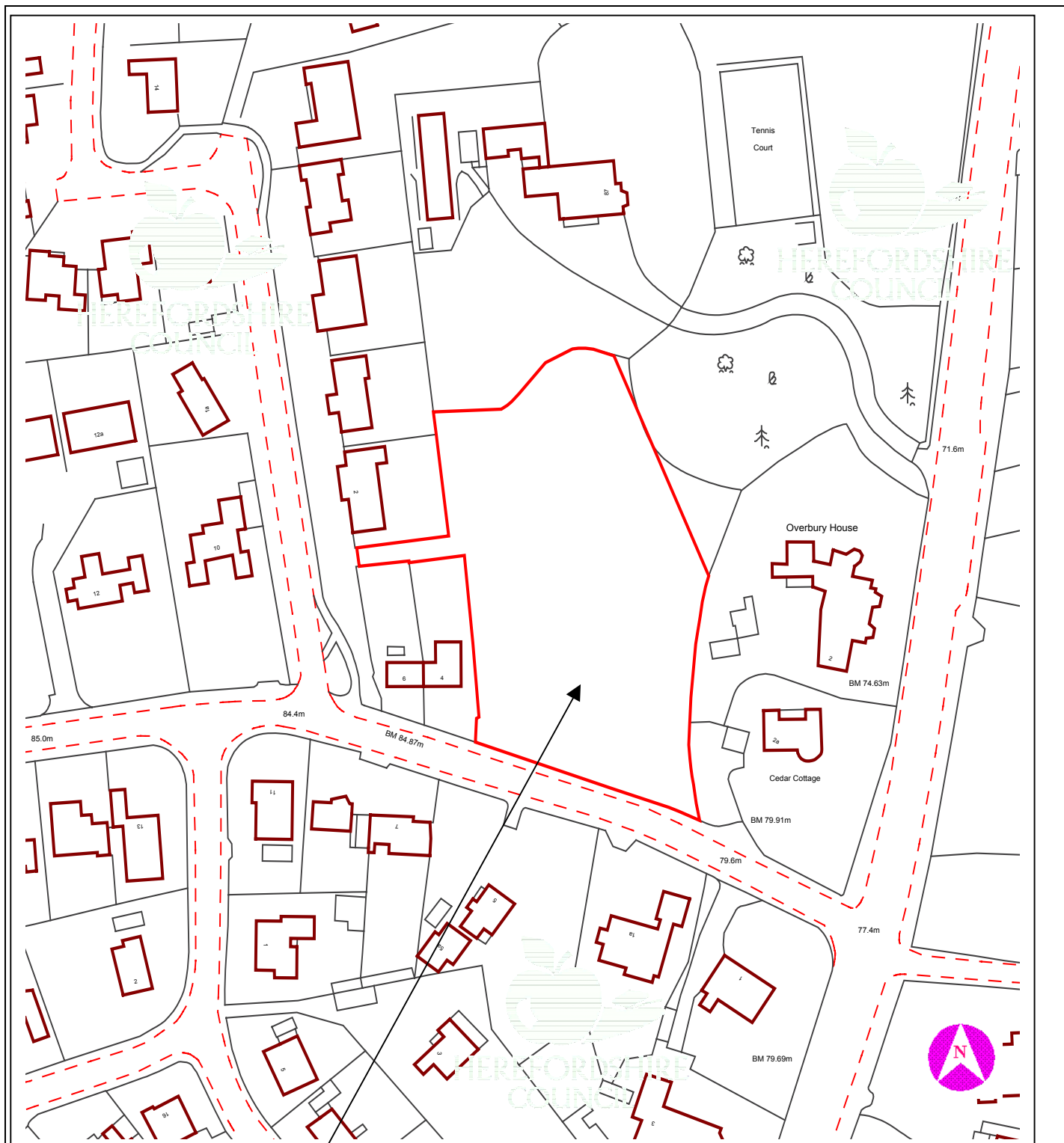
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Notes: .....

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**Background Papers**

Internal departmental consultation replies.



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**APPLICATION NO:** DCCE2005/3153/F

**SCALE :** 1 : 1250

**SITE ADDRESS :** Land West of Overbury House, Overbury Road, Hereford, HR1 1JE

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**12 DCCE2005/3160/F - VARIATION OF CONDITION 4 OF PLANNING PERMISSION HC/970513/PF/E TO ALLOW EXTENDED OPENING HOURS UNTIL 2 AM. THE LITTEN TREE, 58 COMMERCIAL ROAD, HEREFORD, HR1 2BN**

**For: Laurel Pub Company, CgMs Ltd, Morley House, 26 Holborn Viaduct, London, EC1A 2AT**

**Date Received: 30th September, 2005      Ward: Central      Grid Ref: 51366, 40191**

**Expiry Date: 25th November, 2005**

Local Member: Councillor D.J. Fleet

**1. Site Description and Proposal**

1.1 This application seeks permission to vary Condition 4 attached to planning permission HC.970513/PF/E to allow extended opening hours at The Litten Tree, 58 Commercial Road, Hereford. The site is located on the southern side of Commercial Road opposite Monkmoor Street. The application site consists of a four storey terraced property flanked by a public house to the east, and a vacant retail unit to the west. The upper floors have recently been converted into residential use. The site lies within the Central Hereford Conservation Area and the Central Shopping Area.

1.2 Condition 4 attached to permission hC/970513/PF/E states that:

*"The use hereby permitted shall not be open to customers outside the hours of 0800 to midnight".*

1.3 This application seeks to vary Condition 4 to extend opening hours until 2am.

**2. Policies**

2.1 Planning Policy Statement 6 – Planning for Town Centres  
Circular11/95 – The Use of Conditions in Planning Permissions

2.2 Hereford Local Plan:

ENV17 - Safety and security  
CON12 - Conservation areas

2.3 Herefordshire Unitary Development Plan (Revised Deposit Draft):

DR13 - Noise  
HBA6 - Development within conservation areas

### 3. Planning History

- 3.1 CE2002/3017/F - Stair/lift tower with glazed link to main building, timber deck. Approved 28th April, 2005.
- 3.2 CE2001/3378/F - Conversion of upper floors to form 10 apartments. Approved 12th February, 2005.
- 3.3 CE2000/2172/F - Conversion of second and third floors into student accommodation. Approved 17th January, 2001.
- 3.4 CE2000/0967/A - Signage. Approved 19th September, 2000.
- 3.5 CE2000/0808/F - Section 73 application to modify Conditions 1 and 4 of planning permission HC98/0088/PF/E. Approved 31st July, 2001.
- 3.6 CE2000/0407/F - Single storey rear extension, Approved 25th May, 2005.
- 3.7 1999/2461/F - Demolition and erection of single storey addition. Approved 1st December, 1999.
- 3.8 1999/1715 - Change of use second and third floor from B1 (Business) to D2 (Assembly and Leisure). Withdrawn 17th October, 1999.
- 3.9 1999/1714 - Change of use from B1 (Business) to B8 (Storage). Approved 9th September, 1999.
- 3.10 98/0089/PF - Section 73 application to modify Condition 4 of planning permission 97/0513/PF. Approved 29th April, 1998.
- 3.11 98/0799/PF - Alterations to front elevation. Approved 26th January, 1999.
- 3.12 97/0513/PF - Change of use of basement, ground and first floors to A3. Approved 19th February, 1998.

### 4. Consultation Summary

#### Statutory Consultations

- 4.1 West Mercia Police: No comments received.

#### Internal Council Advice

- 4.2 Traffic Manager: No objection.
- 4.3 Conservation Manager: No objection.
- 4.4 Environmental Health and Trading Standards Manager: 'No objection, licensing controls are available to ensure undue disturbance to neighbours'.
- 4.5 Licensing Manager: Confirmed that the licensed opening hours that will be in operation from the 24th November, 2005 will be:

- Supply of alcohol and late night refreshment: various between the hours of 0800 to 0100 daily;
- Premises to be open to the public 0800 to 0145 hours.

## 5. Representations

- 5.1 Hereford City Council: *'Hereford City Council has considered this application and recommends refusal on the grounds that the reason for the condition remains'.*
- 5.2 Local Residents: No comments received.

## 6. Officers Appraisal

- 6.1 The reason for the operating hours conditions attached to permission HC970513/PF/E was stated as being: 'In order to minimise the impact of the use and protect the amenities of occupiers of nearby dwellings to maintain the quality of the environment'. Notwithstanding this, it is of significance that on two occasions (98/0089/PF and CE2000/0808/F) the restriction of closing has been relaxed from 12 midnight to 1am. Both of these permissions were temporary.
- 6.2 On the 24th November, 2005 the Licensing Act 2003 will come into force. This act removes standard licensing hours enabling licensed premises to apply to remain open for longer. It is stated that the act should:

*"..enable flexible opening hours for premises, with the potential for up to 24 hours opening, seven days a week, subject for consideration of the impact on local residents, businesses and the expert opinion of a range of Authorities in relation to licensing objectives. This will help to minimise public disorder resulting from fixed closing times."* (Licensing Act 2003).

- 6.3 The Circular advised that a condition which duplicates the effects of other controls will be unnecessary and one whose requirements conflict with those of other controls will be ultra-vires because it is unreasonable. Notwithstanding this, the Circular also states that even where other controls are available, a condition may be needed when the considerations material to the exercise of the two systems of control are substantially different. In this instance the key reason for the imposition of the condition was the protection of residential amenity. It is of note that the Licensing Act of 2003 is specifically intended to consider the following four objectives:

- 1) The prevention of crime and disorder;
- 2) Public safety;
- 3) The prevention of public nuisance; and
- 4) The protection of children from harm.

The objectives outlined above clearly have implications upon the preservation of residential amenities, however, it is the case that the operations of the unit in question will have wider implications upon the residential amenities of local residents and the proximity of dwellings to this premise renders the retention of this condition necessary and reasonable.

- 6.4 In relation to the specific hours requested, the Environmental Health Manager expressed concerns over the impact of the hours requested but confirmed that the Licensing Act should provide effective controls. On the basis it is proposed that the

condition be varied to reflect the hours of operation confirmed by the Licensing Manager.

6.5 Notwithstanding the comments above, the longer opening hours requested will potentially place an additional burden on the operation of the existing CCTC system within Hereford generally and on Commercial Road in particular, as well as, causing further issues associated with street maintenance, dispersal policies, and taxi availability management. The existing CCTV system does not operate 24 hours. The Litten Tree, along with many other bars and clubs are requesting to remain open for a longer time period which will therefore necessitate the existing CCTV operations to be extended and, subject to resources, operate 24 hours a day. It is considered reasonable that the Litten Tree, along with other bars and clubs, contribute towards the continued and extended operation of CCTV in their respective parts of Hereford. Furthermore, the increased burden being placed upon resources having regard to the aforementioned street maintenance, dispersal policies, and taxi availability management required mitigation. Therefore, an annual financial contribution is requested for this purpose. No response has been received from The Litten Tree as yet and therefore a delegated recommendation is required in order that the possibility of a financial contribution under Section 106 of the Planning Act can be discussed and negotiated.

**RECOMMENDATION**

**That Officers named in the Scheme of Delegation to Officers be authorised to negotiate the possibility of a financial contribution towards the operation of CCTV in the locality of the application site and if agreement is reached:**

**The County Secretary and Solicitor be authorised to complete a planning obligation/unilateral undertaking under Section 106 of the Town and Country Planning Act 1990; and**

**Upon completion of the planning obligation the Officers named in the Scheme of Delegation to Officers be authorised to issue planning permission.**

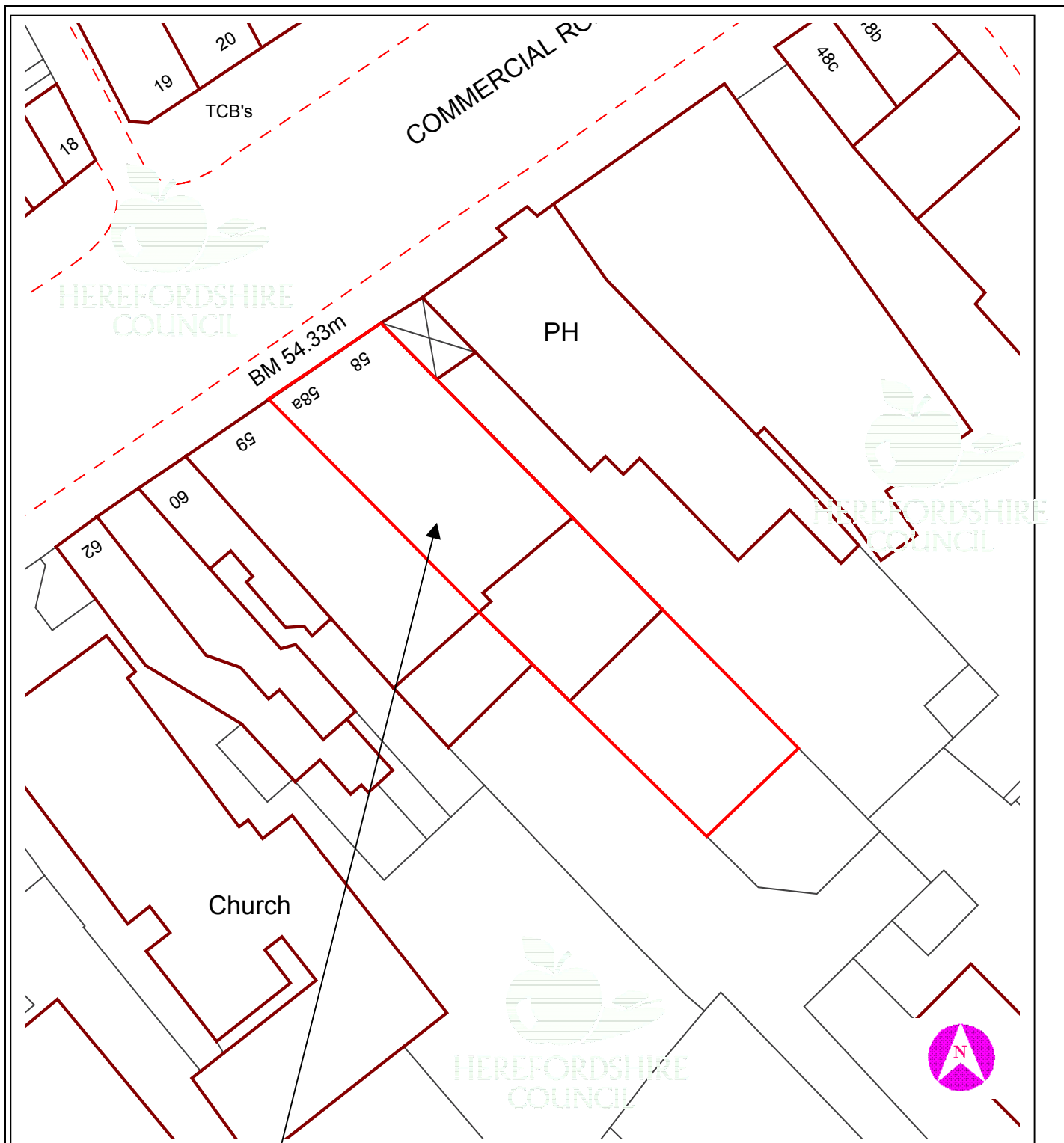
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Notes: .....

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**Background Papers**

Internal departmental consultation replies.



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**APPLICATION NO:** DCCE2005/3160/F

**SCALE :** 1 : 491

**SITE ADDRESS :** The Litten Tree, 58 Commercial Road, Hereford, HR1 2BN

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**13 DCCE2005/3180/F - PROPOSED NEW DWELLING  
ROWBERRY, LUGWARDINE, HEREFORD,  
HEREFORDSHIRE, HR1 4DS**

**For: Mr. & Mrs. T. Smith, per Mr. J.E. Smith, Parkwest,  
Longworth, Lugwardine, Hereford, HR1 4DF**

**Date Received: 4th October 2005**

**Ward: Hagley**

**Grid Ref: 55199, 41084**

**Expiry Date: 29th November, 2005**

Local Member: Councillor R.M. Wilson

**1. Site Description and Proposal**

- 1.1 This application seeks permission for the erection of a dwelling on land adjacent to Rowberry, Lugwardine. The application site is located within the settlement boundary of Lugwardine and is adjacent to a designated Conservation Area. Lugwardine is designated as a 'Larger Village' in the adopted South Herefordshire District Local Plan, and as a 'Main Village' in the emerging Herefordshire Unitary Development Plan (Revised Deposit Draft). The site is also adjacent to a Listed Building to the west (Porch House).
- 1.2 This proposal involves the erection of a dwelling on land between Porch House and Rowberry. The land is currently associated with Rowberry, a single storey dwelling house. The dwelling would be a two storey dormer bungalow dwelling of modern character and design.

**2. Policies**

2.1 Planning Policy Guidance:

- PPS1 - Delivering sustainable development  
PPG3 - Housing  
PPG15 - Planning and the historic environment

2.2 South Herefordshire District Local Plan:

- GD1 - General development criteria  
C2 - Settlement boundaries  
C20 - Protection of historic heritage  
C22 - Maintain character of conservation areas  
C23 - New development affecting conservation areas  
C29 - Setting of a listed building  
C45 - Drainage  
SH6 - Housing development in larger villages  
SH14 - Siting and design of buildings  
T3 - Highway safety requirements  
T4 - Highway and car parking standards

### 2.3 Herefordshire Unitary Development Plan (Revised Deposit Draft):

S1	-	Sustainable development
S2	-	Development requirements
S7	-	Natural and historic heritage
DR1	-	Design
DR2	-	Land use and activity
DR4	-	Environment
DR6	-	Water resources
H4	-	Main villages: settlement boundaries
H5	-	Main villages: housing land allocations
H16	-	Car parking
T11	-	Parking provision
HBA4	-	Settling of listed Buildings
HBA6	-	New development within conservation areas

### 3. Planning History

3.1 None identified.

### 4. Consultation Summary

#### Statutory Consultations

4.1 Welsh Water: Object unless a Grampian condition is attached to prevent the occupation of the dwelling prior to the completion of improvement works.

#### Internal Council Advice

4.2 Conservation Manager: No objection.

4.3 Traffic Manager: No objection subject to revision of access arrangements.

### 5. Representations

5.1 Lugwardine Parish Council: No objection but some concerns over the drainage and access arrangements.

5.2 Local Residents: Three letters of objection have been received raising the following points:

- Excessive height of proposal;
- Proximity to boundary with Porch House;
- Inappropriate design and scale of development;
- Adverse impact upon character and appearance of the locality;
- Loss of light to garden area;
- Drainage concerns;
- Loss of privacy;
- Levels of site may be unacceptable;
- Submitted site plans do not reflect current site layout.

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



## 6. Officers Appraisal

6.1 It is considered that the following matters represent the salient areas for consideration in relation to this application:

- Principle of development;
- Design and scale;
- Visual amenities, Listed building impact, and Conservation Area issues;
- Residential amenities
- Highway issues;
- Drainage.

### Principle of Development

6.2 From a planning policy perspective this application seeks permission for a residential development within the settlement boundary of Lugwardine. To this end the proposal is considered acceptable in principle in the context of both the adopted and emerging local development plans.

### Design and Scale

6.3 The proposed property is a dormer bungalow with a rendered finish. The design concept is relatively conservative but the use of glazing in the south and east facing elevations give a modern feel and enhances the architectural interest of the property. The scale is considered appropriate having regard to the role of this property as a link between the more substantial Porch House, and the single storey Rowberry to the east. The design is considered to be of the standard necessary for a sensitive area such as this. The design and scale are considered acceptable.

### Visual Amenities, Listed Building Impact and Conservation Area Issues

6.4 Porch House is a two storey dwelling dated from the early 19<sup>th</sup> Century. It is a Grade II Listed Building located to the west of the application site on the junction with Lumber Lane. Immediately to the east of the application site is Rowberry itself, a single dwelling dated from the mid to late 20<sup>th</sup> Century. The locality contains a mix of property types with a barn conversion found to the rear and a mixture of single and two storey properties of varying ages opposite and to the east. In this varied context it is considered that the proposed design concept is acceptable and will maintain the visual amenities of the locality.

6.5 Turning to the Conservation Area and Listed Building issues, it is considered that, having regard to the siting and design of this proposal, the character and appearance of the adjacent Conservation Area will be preserved through this development. Furthermore, the setting of Porch House will not be compromised. The proposal is therefore considered acceptable in relation to visual amenities and impact upon the adjacent Conservation Area and Listed Building.

### Residential Amenities

6.6 This proposal has ground floor habitable opening only in the east and west facing elevations. A large area of glazing is found in the east facing roof slope but this is above the dining and kitchen areas on the ground floor which are open from the ground floor up to the roof. The rooflights in east of the east and west facing

elevations serve a bathroom and gallery area and will be conditioned with obscure glazing. A further rooflight in the west facing elevation serves the ground floor kitchen and dining room area. The principle habitable openings in the first floor therefore face north and south. In these directions only the barn conversion to the north is of concern. Though it is notable that this conversion has two openings at ground floor level facing the proposed development, it is also the case that the application site is currently land associated with Rowberry. The aspect currently enjoyed from these windows could therefore be compromised without a planning application for a development such as this. Notwithstanding this, these windows are obscure glazed bathroom windows and as such the protection afforded to them limited. It is therefore considered that this proposal will not impact unacceptably upon the residential amenities of the locality.

- 6.7 The siting of this proposal in relation to the western boundary, and the associated overbearing impact and light loss resulting from this development, is wholly within acceptable limits

#### Highway Issues

- 6.8 It was originally proposed to create a new access directly off the A438, however, the required visibility splays could not be secured and as such a revised proposal, based upon the advise of the Traffic Manager, was put forward utilising the existing access serving Rowberry. Unfortunately, the plan as submitted proposes to access the side of the splay area serving Rowberry. This is not considered acceptable in this instance but a revision to allow the access drive to connect to the rear of the splay is currently being proposed. On the acceptable basis of this, the proposed access and driveway arrangements are considered in relation to highway safety issues.

#### Drainage

- 6.9 Welsh Water have advised that the capacity of the existing drainage system in this area is limited. On the basis of this Welsh Water objected to the application unless a 'Grampian' style condition is attached to prevent to the occupancy of this new dwelling prior to the completion of the improvement works. The Agent has, however, advised that a non-mains sewerage system is available on site, previously being utilised by Rowberry until this property was connected to the mains. The acceptability or otherwise of the alternative of a none mains system is therefore being evaluated.

#### Other Issues

- 6.10 Correspondence from a local resident has been received identifying the fact that the fencing currently found in situ does not match the suggested boundaries but this is not of relevance to the application. Notwithstanding this, a condition relating to the erection of boundary treatment will be attached.
- 6.11 A condition will also be attached to confirm the levels on site to ensure the suitability of this proposal.

#### Conclusion

- 6.12 It is considered that this proposal represents an effective infill development of an appropriate design and scale. The impact upon residential amenities is within

acceptable limits and the drainage and highway issues associated with this application are effectively dealt with through the proposed determination outlined below.

## **RECOMMENDATION**

That, subject to the resolution of the drainage issue, and receipt of the required access revisions, the Officers named in the Scheme of Delegation to Officers be authorised to approve the application subject to the following conditions and any further conditions considered necessary by Officers:

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

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

**2 B03 (Matching external materials (general))**

**Reason: To ensure the satisfactory appearance of the development.**

**3 E16 (Removal of permitted development rights)**

**Reason: In the interests of the residential amenities of the locality.**

**4 E18 (No new windows in specified elevation)**

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

**5 E19 (Obscure glazing to windows)**

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

**6 W01 (Foul/surface water drainage)**

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

**7 W02 (No surface water to connect to public system)**

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

**8 W03 (No drainage run-off to public system)**

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

**9 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.**

**10 G01 (Details of boundary treatments)**

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

**Informatives:**

- 1 N01 - Access for all**
- 2 N03 - Adjoining property rights**
- 3 N15 - Reason(s) for the Grant of PP/LBC/CAC**

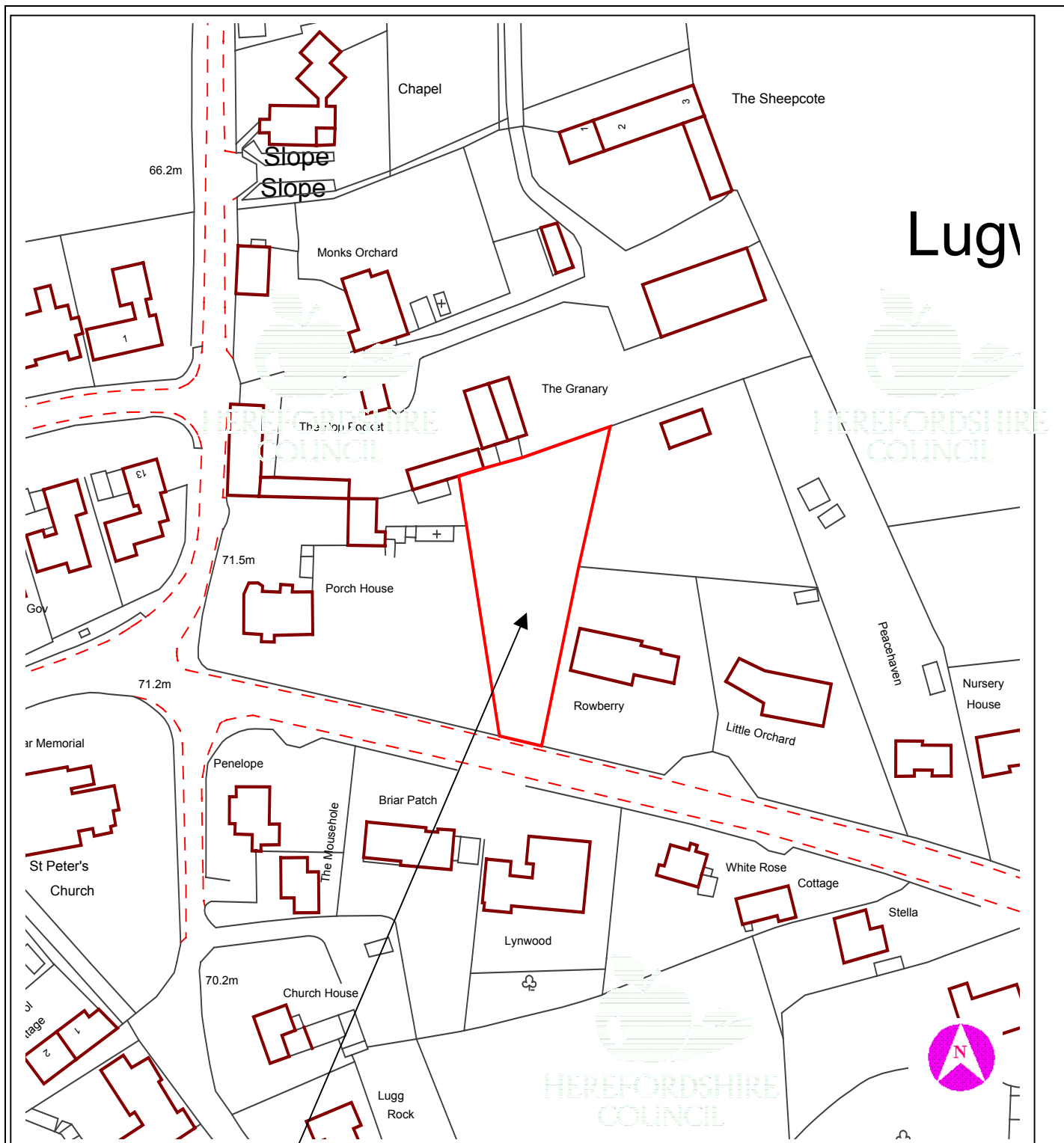
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Notes: .....

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**Background Papers**

Internal departmental consultation replies.



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**APPLICATION NO:** DCCE2005/3180/F

**SCALE :** 1 : 1250

**SITE ADDRESS :** Rowberry, -, Lugwardine, Hereford, Herefordshire, HR1 4DS

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**14A DCCE2005/3258/F - CONSTRUCTION OF 16 NO. RESIDENTIAL UNITS, ASSOCIATED CAR PARKING & LANDSCAPING. CARFAX HOUSE SITE, AYLESTONE HILL, HEREFORD, HR1 1HX**

**For: I.E. Developments Ltd, Warren Benbow Architects, 21 Mill Street, Kington, Herefordshire, HR5 3AL**

**14B DCCE2005/3259/C - DEMOLITION OF CARFAX HOUSE AND ASSOCIATED BUILDINGS, REPLACEMENT RESIDENTIAL DWELLINGS. CARFAX HOUSE SITE, AYLESTONE HILL, HEREFORD, HR1 1HX**

**For: I.E. Developments Ltd, Warren Benbow Architects, 21 Mill Street, Kington, Herefordshire, HR5 3AL**

**Date Received: 11th October, 2005      Ward: Aylestone      Grid Ref: 52170, 40729**

**Expiry Date: 6th December, 2005**

Local Members: Councillors D.B. Wilcox and A.L. Williams

### **Introduction**

Recently, previous applications DCCE2005/12356/F and DCCE2005/2330/C sought permission for a contemporary development of 16 units and associated works on this site. These applications were refused at the Central Area Planning Sub-Committee on the 21st September, 2005 on the basis of a detrimental visual impact and a failure to preserve or enhance the character and appearance of the Conservation. This application represents a resubmission for a development of a similar scale but with a traditional design concept.

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

- 1.1 These applications relate to a revised proposal for a development involving the demolition of Carfax House and Carfax Cottage, and the erection of 16 residential units with associated car parking and landscaping.
- 1.2 The application site is in a corner location on the junction between Aylestone Hill and Folly Lane. Carfax House is assessed to have an early 19th Century core which was extended and altered in the Victorian period and underwent remodelling during the 20th Century. The site is also home to Carfax Cottage, a red brick building of more modest scale located adjacent to Carfax House running down Aylestone Hill, as well

as, three demountable structures. The site is located within the designated Aylestone Hill Conservation Area. Neither Carfax House, nor Carfax Cottage, are Listed Buildings. The last use of the site was for educational purposes in association with Hereford College of Technology. The site falls within the Established Residential Area as defined by both the Hereford City Local Plan and the emerging Herefordshire Unitary Development Plan (Revised Deposit Draft).

- 1.3 This proposal involves the erection of a four storey apartment building on the site of Carfax House (14 units total), and a three storey pair of townhouses in place of Carfax Cottage (two units total). The design concept of the proposed new development is traditional, utilising white render and natural slate to create a sympathetic development reflective of the perceived character of the Aylestone Hill Conservation Area. The new development is sited in the same manner as the previous application, being principally in the same positions as the existing built form on site. The existing demountable buildings will be removed and the parking area recreated, including garaging, refuse storage area, and cover cycle parking. The existing parking facilities found to the south of the site will be removed and additional open space formed. The proposal also involves the stopping up two of the existing three access points with the access currently found between the House and Cottage enhanced to serve the proposed development. The existing site is notable for the fine trees currently found in situ.

## 2. Policies

### 2.1 Planning Policy Guidance:

PPS1	-	Delivering sustainable development
PPG3	-	Housing
PPS9	-	Nature Conservation
PPG13	-	Transport
PPG15	-	Planning and the historic environment
Circular 6/98	-	Planning and affordable housing
Circular 5/05	-	Planning obligations

### 2.2 Hereford Local Plan

ENV14	-	Design
ENV16	-	Alterations and extensions
H3	-	Design of new residential development
H6	-	Amenity open space provision to smaller schemes
H8	-	Affordable housing
H12	-	Established residential areas - character and amenity
H13	-	Established residential areas - loss of features
H14	-	Established residential areas - site factors
CON1	-	Preservation of buildings of architectural and historic interest
CON12	-	Conservation areas
CON13	-	Conservation areas - development proposals
CON16	-	Conservation area consent
CON17	-	Conservation area consent - condition
CON19	-	Townscape
CON20	-	Skyline
CON21	-	Protection of trees
CON22	-	Urban forestry management
CON23	-	Tree planting



- NC6 - Criteria for development proposals
- NC8 - Protected species
- T5 - Car parking - designated areas
- T11 - Pedestrian provision
- T12 - Cyclist provision

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

- S1 - Sustainable development
- S2 - Development requirements
- S3 - Housing
- S4 - Employment
- S6 - Transport
- S7 - Natural and historic heritage
- DR1 - Design
- DR2 - Land use and activity
- DR3 - Movement
- DR4 - Environment
- DR5 - Planning obligations
- H1 - Hereford and the market towns: settlement boundaries and established residential areas
- H2 - Hereford and the market towns: housing land allocations
- H9 - Affordable housing
- H13 - Sustainable residential design
- H14 - Re-using previously developed land and buildings
- H15 - Density
- H16 - Car parking
- E5 - Safeguarding employment land and buildings
- T7 - Cycling
- T11 - Parking provision
- LA5 - Protection of trees, woodlands and hedgerows
- LA6 - Landscaping schemes
- NC1 - Nature conservation: biodiversity and development
- NC5 - European and nationally protected species
- NC6 - Biodiversity action plan priority habitats and species
- NC8 - Habitat creation, restoration and enhancement
- HBA6 - New development within conservation areas
- HBA7 - Demolition of unlisted buildings within conservation areas
- HBA8 - Locally important buildings
- HBA9 - Protection of open areas and green spaces

## 3. Planning History

- 3.1 DCCE2005/12356/F and DCCE2005/2330/C Construction of 16 residential units with associated car parking and landscaping. Refused 21st September, 2005
- 3.2 DCCE2004/0475/O Partial redevelopment of College Campus to provide new learning village. Approved 12th August, 2005.

## 4. Consultation Summary

### Statutory Consultations

## 4.1 Water Authority - No objection

Internal Council Advice

## 4.2 Conservation Manager -

Landscape and Trees: The comments relating to landscaping and tree issues associated with this application echoed those of the previous application. The majority of the trees on the site are protected by Tree Preservation Order 523, though an application is currently in to vary this to remove 3 further trees, identified as being of poor quality. This application is considered acceptable, subject to conditions.

Conservation Area: Objections were raised to this revised scheme on the basis of the design details.

Ecology: No objection subject to condition

## 4.3 Traffic Manager - No objection subject to conditions and planning contribution to provide for a pedestrian crossing.

**5. Representations**

## 5.1 Hereford City Parish Council – decline to comment on the new development but raise an objection to the demolition of Carfax House and Cottage

## 5.2 Conservation Area Panel – No response received

## 5.3 Local Residents – Seven letters of objection have been received against this proposal. The points raised can be summarised as follows:

1. Detrimental impact upon character and appearance of the Conservation Area;
2. Demolition of this locally important building is undesirable;
3. Scale is excessive for this location;
4. Traffic generation and access hazard;
5. Inappropriate urbanisation in this 'semi-rural' location;
6. Unacceptable design;

## 5.5 A single letter of support has also been received

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

**6. Officers Appraisal**

## 6.1 It is considered that the following issues represent the main considerations in these applications:

1. Principle of development;
2. Density and affordable housing provision;
3. Demolition of existing buildings;
4. Design and scale;
5. Residential amenities;
6. Highway issues;

7. Landscaping, trees, and ecology;
8. Visual amenities and impact upon Conservation Area.

#### Principle of Development

- 6.2 The application site was last used for educational purposes, however, the site falls within the defined Established Residential Area and as such a residential use is not contrary to planning policy. Hereford City Local Plan Policies H14 and H13 advise that residential development within the Established Residential Area should resolve a number of issues relating to highways, amenities, design and layout, density, landscaping, visual impact, and impact upon the character and amenity of the area. This stance is echoed in Herefordshire Unitary Development Plan (Revised Deposit Draft). The property no longer forms part of the proposed College redevelopment as signified through its sale. On the basis of this it is considered that the fundamental principle of this development can be accepted with the acceptability or otherwise of this scheme dependent upon the details of this proposal.

#### Density and Affordable Housing Provision

- 6.3 The proposal seeks permission for a development of 16 units on a site in the region of half a hectare in size. This represents a density of approximately 32 dwellings to the hectare. PPG3 identifies 30 – 50 dwellings as an appropriate density for development. This development is therefore at the lower end of this spectrum, however, having regard to the location of the site within a Conservation Area, as well as, in consideration of the generally low-density nature of the locality, the proposed density level is considered acceptable.
- 6.4 Turning to the provision of affordable housing on this site, this scheme does not currently propose an allocation of such a housing type. Herefordshire Unitary Development Plan (Revised Deposit Draft) Policy H9 states that a target of 35% affordable units will be required in developments for 15 dwellings or more. It is of note, however, that adopted planning policy contained within the Hereford City Local Plan states only that a reasonable mix of housing will be encouraged with affordable housing particularly encouraged. On the basis of this it is considered appropriate to turn to national guidance contained within PPG3 and Circular 6/98. National guidance advises that affordable housing in locations such as this should be provided for development on sites of 1 hectare or more, or 25 dwellings. In consideration of this, and the current un-adopted nature of the emerging Herefordshire Unitary Development Plan, it is considered that the provision of no affordable element in this scheme is acceptable in this instance.

#### Demolition of Existing Buildings

- 6.5 Carfax House is assessed as having an early 19<sup>th</sup> Century core, which was later extended a number of times in the Victorian period and also underwent a number of remodelling during the 20<sup>th</sup> century. It is not considered to be of any particular architectural merit, is not worthy of listing and the majority of internal fittings of particular interest have been lost. The number and quality of the extensions and alterations have severely compromised what may have at one time been an architecturally interesting building. They appear to have been added without any particular consideration for the composition of the original building. It would have been expected that the original building faced onto Aylestone Hill but with the extensions it would appear that an attempt was made to have the façade facing the grounds

towards the college. Unfortunately this has not been as successful as would have been hoped as it appears that the needs of space and possibly cost outweighed any design consideration during this time. Internally the building has been almost completely gutted over time and there are few surviving features of interest. The extent of the alterations which have taken place are such that the restoration of the existing building is not viable. The building as found is not worthy of conversion and the original elements of Carfax House have been significantly compromised to an extent that the removal of the undesirable additions would leave nothing of value to convert.

- 6.6 Objections received have commented on the unacceptability of the demolition of the existing buildings on site, and in particular, Carfax House itself. The first point to stress is that Carfax House is not a Listed Building (nor is Carfax Cottage) as has been suggested by some. Notwithstanding this, the application does involve the demolition of a prominent building within a Conservation Area. The Conservation Manager has fully investigated the buildings on site, both inside and out, and the conclusion reached was that the buildings are not worthy of Listing. Furthermore, the extent of the alterations made to Carfax House is such that the building is assessed as having no particular architectural interest. It therefore considered that the demolition of the existing buildings on site could be supported subject to the proposed development being of a high standard of design. In the case of this revised scheme the Conservation Manager has expressed objections to the detailing of the scheme. Notwithstanding this, it is considered that the proposal represents a traditional development with a sensitive design concept that is appropriate for this area having regard to the character and appearance of the locality. A condition will ensure that those features that are of note are reclaimed.

#### Design and Scale

- 6.7 This revised proposal has taken a very different tack from that of the previous scheme. This proposal has abandoned the contemporary approach and instead has been developed so as to be informed by the architecture of the Aylestone Hill Conservation Area. Although the immediate area is characterised by modern residential developments and educational facilities of little merit, and notwithstanding the eclectic mix materials, of old and new dwellings, and of modest and substantial properties, in the wider Conservation Area the perceived character of the Aylestone Hill area is of relatively substantial detached dwellings in large grounds. The buildings which dominate the Conservation Area are the grand rendered properties and the imposing brick/stone dwellings. It is these properties which have informed this revised development which reflects not only the underlying character of the application site as it is current found, but also recognises and acknowledges in its design the wider Conservation Area disposition. The sizing of the proposal is considered acceptable having regard to the college buildings, hospital building, and aforementioned properties which typify this locality. The design is considered to be of a high standard that would preserve the character and appearance of the site and locality.

#### Residential Amenities

- 6.8 As with the previous application, the sole direction of concern in relation to residential amenities is the North/Northeast where a single storey dwelling and Aylestone Grange, a modern suburban cul-de-sac development of residential properties, is found. The proposed semi-detached townhouse has no habitable openings in this direction and in relation to these neighbouring dwellings it is considered that the existing landscaping and the distances involved (35 metres between the apartment building and neighbours

at the closest point) are adequate to ensure an acceptable relationship between these sites. The townhouse is not significantly larger than the existing cottage and it is considered that the impact of this building will be similar to that currently found. The college buildings are 25 metres at their closest point which is considered more than adequate having regard to the use of this building. It is considered that the use of this site for residential purposes will not cause disruption or disturbance of residential amenities to an unacceptable degree beyond that of the previous use of this site for educational purposes.

#### Highway Issues

- 6.9 The application site is currently served by three access points. The proposal involves the stopping up of the two most southerly access points, with the third improved to provide the required visibility splay and access specifications. The Traffic Manager has evaluated the access and confirms that it is in accordance with highway safety requirements. It is considered that the access point identified for retention is the most appropriate and acceptable being furthest away from the junction to the south whilst still being able to provide the required access splays. 24 parking spaces will be provided on site, conforming to the 1.5 per unit requirement specified in the emerging Herefordshire Unitary Development Plan (Revised Deposit Draft). This ratio is considered appropriate having regard to the central location of this development site and the ready access to the main Hereford public transport interchanges at the bottom of Aylestone Hill. Although the existing parking area to the south of the site appears to be unauthorised, it is of note that a parking area of similar size 'under' the portable classrooms currently found on site. In relation to the intensity of use, the Traffic Manager has evaluated the existing and proposed vehicles movements and it has been concluded that no intensification of traffic will result from this proposal over the previous on site activities. The closure of the two accesses nearest the roundabout is seen as *'very beneficial'*.
- 6.10 Independently of this application there is a current requirement for a pedestrian crossing at the top of Aylestone Hill identified by the Traffic Manager as part of the 'Safer Routes to School' Project. I understand that the Agent for this application is prepared to make a voluntary contribution to the works but, as they are not required for the development, the contribution cannot be the subject of a planning condition. At the time of drafting this report negotiations were continuing on the details of the proposed pedestrian crossing, including costings, and the means of securing the voluntary contribution. A verbal update will be made at the meeting.

#### Landscaping, Trees, and Ecology

- 6.11 The County Arbouriculturist and Landscape Officers have been involved in this scheme from an early stage. This development site is particularly notable for the fine trees currently found. The presence of these trees informed the nature of this development from the earliest point and this is reflected in the fact that the majority of the trees on site are now protected by a Tree Preservation Order. This development, as with the previous one, has taken careful regard of the valuable trees on site. As with the highway situation, it is considered that in relation to landscaping and trees this application represents an enhancement of the site. The existing parking area to the South of Carfax House is to be removed and re-landscaped and this will be beneficial to the health of the adjacent trees. The design concept is based around the maintenance of the existing trees on site as the dominant visual form. In relation to trees and

landscaping on site it is therefore considered that this application represents an acceptable form of development, subject to conditions.

#### Visual Amenities and Impact Upon Conservation Area

- 6.12 It is considered that this development represents an acceptable form of development within this designated Conservation Area that will preserve the character and appearance of this area. It is recognised that the Aylestone Hill Conservation Area has some fine architecture and buildings of historical note, it is also the case that this site is flanked by a modern hospital and college developments, as well as suburban residential developments to the north and south of no outstanding merit. The proposed development is considered to be of a high design standard but in this context particularly it is suggested that this development will represent an enhancement to the visual amenities of the locality.

#### Conclusion

- 6.13 The sensitive nature of this site is recognised, however, in this prominent gateway site this development is considered to represent a high quality scheme that will form an impressive gateway building that will enhance this entranceway to the City.

### **RECOMMENDATION**

**That Conservation Area Consent and Planning Permission be approved 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 garage is used only for the purposes ancillary to the dwelling.**

- 5 E09 (No conversion of garage to habitable accommodation)**

**Reason: To ensure adequate off street parking arrangements remain available at all times.**

- 6 E16 (Removal of permitted development rights)**

**Reason: In the interests of maintaining the special architectural value of this development**

**7 E18 (No new windows in specified elevation)**

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

**8 F16 (Restriction of hours during construction)**

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

**9 F39 (Scheme of refuse storage)**

**Reason: In the interests of amenity.**

**10 G01 (Details of boundary treatments)**

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

**11 G02 (Landscaping scheme (housing development))**

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

**12 G03 (Landscaping scheme (housing development) - implementation)**

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

**13 G16 (Protection of trees covered by a Tree Preservation Order)**

**Reason: To ensure the proper care and maintenance of the trees.**

**14 G17 (Protection of trees in a Conservation Area)**

**Reason: To ensure the proper care and maintenance of the trees.**

**15 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.**

**16 H06 (Vehicular access construction)**

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

**17 H08 (Access closure)**

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

**18 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.**

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

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

**20 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.**

**informatives:**

- 1 NC01 - Alterations to submitted/approved plans**
- 2 HN01 - Mud on highway**
- 3 HN04 - Private apparatus within highway**
- 4 HN05 - Works within the highway**
- 5 HN10 - No drainage to discharge to highway**
- 6 N15 - Reason(s) for the Grant of PP/LBC/CAC**

**DCCE2005/2330/C**

**1. C01 - (Time limit for commencement (full permission))**

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

- 2. Prior to the commencement of demolition, a photographic recording of Carfax House and Carfax Cottage shall be deposited with the Council in accordance with details to be agreed prior the conducting of said recording.**

**Reason: In the interests of maintaining a record of the history and development of this site**

- 3. Prior to the commencement of demolition a schedule of reclamation of items of architectural and/or historical interest shall be submitted to and agreed in writing with the Local Planning Authority. The identified items shall then be reclaimed in accordance with the agreed details.**

**Reason: In the interests of preserving items of architectural or historic interest associated with this application site.**

**Informatives:**

- 1. N03 – (Adjoining property rights)**



2. It is advised that the staircase in Carfax House is of a high quality and it would be desirable for this to be salvaged. Please do not hesitate to contact the Conservation Manager on 01423 261950 to discuss this matter further.
  
3. N15 - Reason(s) for the Grant of PP/LBC/CAC

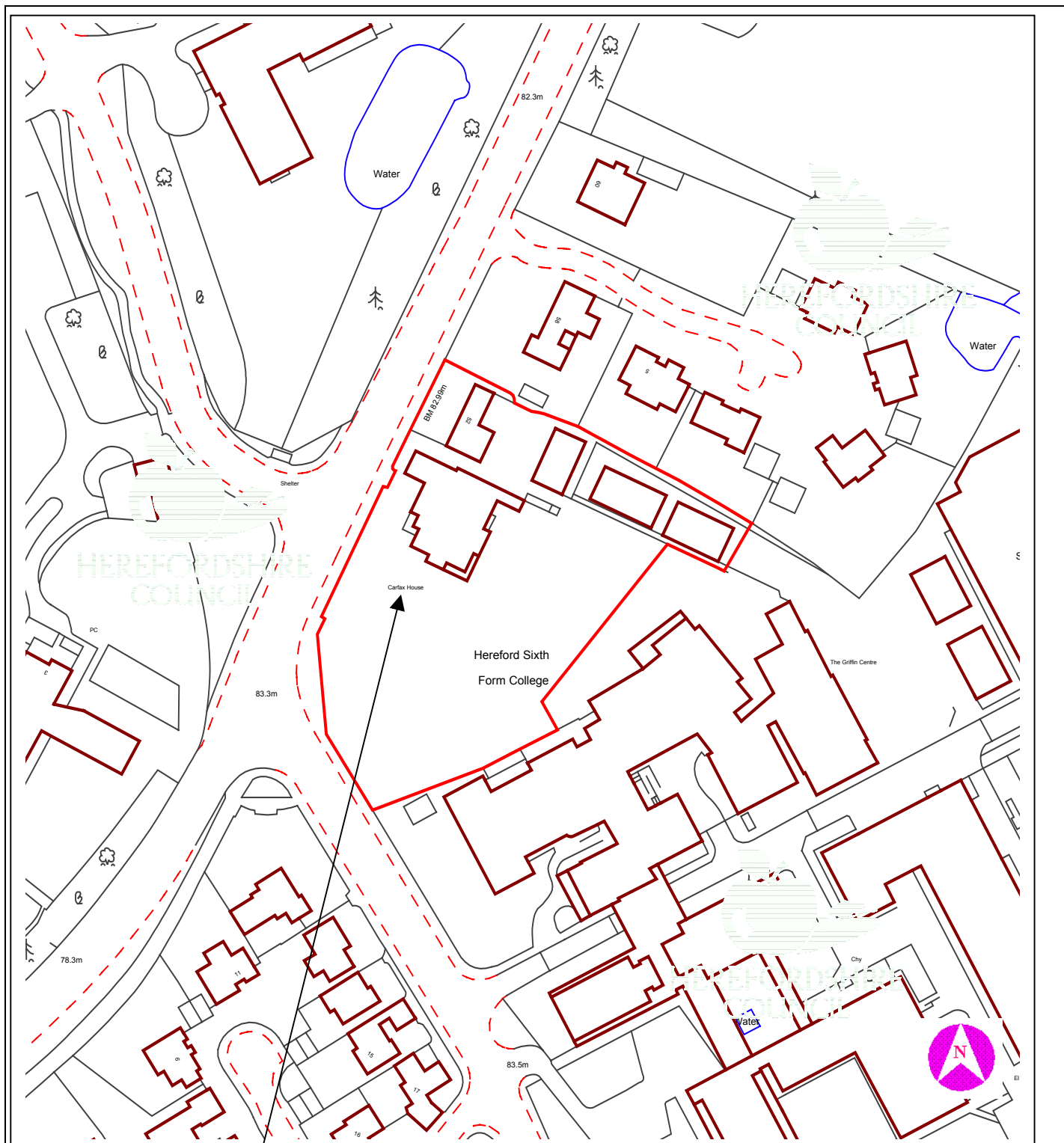
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Notes: .....

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**Background Papers**

Internal departmental consultation replies.



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**APPLICATION NO:** DCCE2005/3258/F

**SCALE :** 1 : 1250

**SITE ADDRESS :** Carfax House Site, Aylestone Hill, Hereford HR1 1HX

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**15 DCCW2005/3138/F - PROPOSED DEMOLITION OF DETACHED GARAGE AND EXISTING EXTENSION AND ERECTION OF 3 NO. TWO BEDROOM HOUSES AT 14 BAGGALLAY STREET, HEREFORD, HR4 0DZ**

**For: Mr. & Mrs. M. Field per David Edwards Associates,  
Station Approach, Barrs Court, Hereford, HR1 1BB**

**Date Received: 28th September, 2005      Ward: Three Elms      Grid Ref: 49824, 40507**  
**Expiry Date: 23rd November, 2005**

Local Members: Councillors Mrs. P.A. Andrews; Mrs. S.P.A. Daniels and Ms. A.M. Toon

**1. Site Description and Proposal**

- 1.1 The application site is comprised of a single storey semi-detached property and adjoining detached double garage located within an established residential area of Hereford.
- 1.2 The area is generally characterised by large detached and semi-detached dwellings, which range between two and three storeys with no overall defining architectural style.
- 1.3 The application seeks consent to demolish the garage and erect a pair of semi-detached dwellings and a two storey extension above the existing single storey element of 14 Baggallay Street.

**2. Policies**

2.1 Hereford Local Plan:

Policy ENV14	-	Design
Policy H3	-	Design of New Residential Development
Policy H12	-	Established Residential Areas – Character and Amenity
Policy H14	-	Established Residential Areas – Site Factors

2.2 Herefordshire Unitary Development Plan (Revised Deposit Draft):

Policy DR1	-	Design
Policy H1	-	Hereford and the Market Towns
Policy H13	-	Sustainable Residential Design
Policy H15	-	Density
Policy H16	-	Car Parking

**3. Planning History**

- 3.1 DCCW2005/1559/F Proposed demolition of detached garage and existing extension and erection of 3 no. 2 bedroom houses. Withdrawn 29th June, 2005.

#### **4. Consultation Summary**

##### Statutory Consultations

- 4.1 Welsh Water - no objection, subject to the imposition of standard sewerage conditions.

##### Internal Council Advice

- 4.2 The Traffic Manager has no objection, subject to the imposition of standard conditions.

#### **5. Representations**

- 5.1 Hereford City Council - Objection – over-intensive development

- 5.2 A letter of objection has been received from 16 Baggallay Street, summarised as follows:

- Loss of residential privacy.
- Noise disturbance.
- Loss of sunlight to the rear garden.

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

#### **6. Officers Appraisal**

- 6.1 The principal considerations in determining this application are the impact on the character and appearance of the wider locality and the impact of the proposal on the residential amenity of the adjoining dwellings.

##### Design

- 6.2 The overall concept of the design has incorporated elements found within the wider area, which will allow the new dwellings to visually relate to the street scene. There is a reduction in ridge height between the elements, which helps the transition from the height of No. 12, which stands at three storeys and the lower height of No. 16, which has two storeys.

- 6.3 The proposed extension of 14 Baggallay Street incorporates the retention of an interesting and unusual bay window which contains large stained glass panels above which will rise a further two storeys set in line with the existing main fascia of No. 12. It is therefore considered that the proposal accords with the objectives of Policies ENV14, H13 and H12 of the adopted Hereford Local Plan.

##### Residential Amenity

- 6.4 Although the proposed semi-detached dwellings will rise above the height of No. 16, it is not considered that the development will unacceptably overbear or give rise to a demonstrable loss of residential amenity.

- 6.5 The rear of the development has been designed to protect the residential amenity of the adjoining dwellings, with the balustrade for the balconies being stepped back behind a screen wall, which will limit oblique views across the immediate area to the rear of the adjoining properties. The three dwellings themselves will be served by private rear gardens, providing amenity space.

#### Highways

- 6.6 There are no highways objections to the development and it is not considered that the development will give rise to any unacceptable increase in traffic.
- 6.7 Following negotiations to remove one parking space, provision is made for five off-road parking spaces to the front of the property served by the existing crossover, to be supplemented by secure cycle storage.
- 6.8 Overall the proposal complies with the relevant policies in the Local Plan and as such, approval is recommended.

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

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

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

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

- 5. F22 (No surface water to public sewer).**

**Reason: To safeguard the public sewerage system and reduce the risk of surcharge flooding.**

- 6. The balustrade/handrail on the balconies marked with a cross on the approved plan shall be set back a minimum distance of 0.7 metres from the rear edge of those balconies and maintained as such at all times thereafter.**

**Reason: To protect the residential amenity of adjacent properties.**

- 7. H09 (Driveway Gradient).**

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

- 8. **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.**

**Informatives:**

- 1. **N01 - Access for all.**
- 2. **N03 - Adjoining property rights.**
- 3. **N04 - Rights of way.**
- 4. **N14 - Party Wall Act 1996.**
- 5. **The development site is crossed by a public sewer and no building should be erected within 3 metres either side of the centreline of that sewer. Therefore the applicant is advised to contact Welsh Water on 01443 331155 for further information.**
- 6. **N15 - Reason(s) for the Grant of PP/LBC/CAC.**

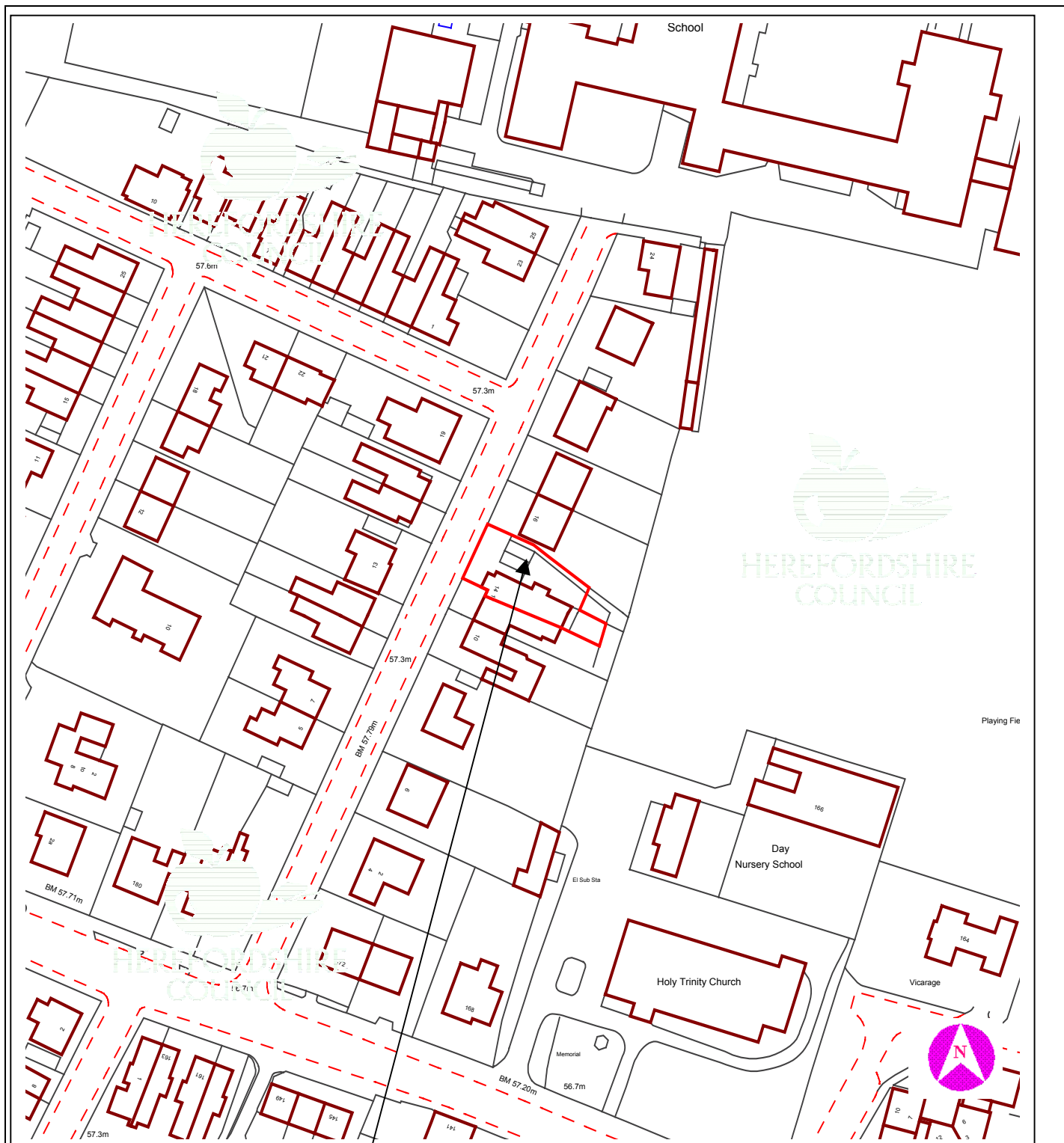
Decision: .....

Notes: .....

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**Background Papers**

Internal departmental consultation replies.



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**APPLICATION NO:** DCCW2005/3138/F

**SCALE :** 1 : 1250

**SITE ADDRESS :** 14 Baggallay Street, Hereford, HR4 0DZ

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## **16 DCCW2005/3151/F - USE OF FORMER BUTCHERS SHOP AS A FISH AND CHIP SHOP AT 7-8 WALKERS GREEN, MARDEN, HEREFORD, HR1 3DN**

**For: Miss C. Lichfield, 18 Burmarsh Cottages, Sutton St. Nicholas, Hereford, HR1 3BW**

**Date Received: 29th September, 2005    Ward: Sutton Walls    Grid Ref: 52200, 47520**

**Expiry Date: 24th November, 2005**

Local Member: Councillor J.G.S. Guthrie

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

- 1.1 This application site comprises a vacant butchers shop (Use Class A1) comprised in a single storey brick built and flat roofed building on the former petrol filling station site at Marden. The building forms one leg of an L-shaped unit the remaining premises being occupied by Blue Bee Sewing Services, Chiropody and Reflexology and a hairdressers.
- 1.2 The building has large shop style windows on the south and west elevations and a covered veranda style entrance. The site is surrounded by residential development containing bungalows and dormer bungalows with farm buildings located on the opposite site of the road.
- 1.3 Parking is available on the existing forecourt and a telephone box occupies the southwest corner of the site.
- 1.4 The proposal is to change the use of the premises to a fish and chip shop (Use Class A5). An integrated extract ventilation system with ducting via the roof is proposed but no specific details have been submitted.
- 1.5 Opening hours proposed are 12 noon to 2pm and 5pm to 9pm Monday to Saturday and not open on a Sunday.

### **2. Policies**

#### **2.1 Hereford and Worcester County Structure Plan:**

Policy CTC9        -        Development Proposals

#### **2.2 South Herefordshire District Local Plan:**

Policy GD1        -        General Development Criteria  
 Policy CF1        -        Retention and Provision of New Community Facilities  
 Policy CF8        -        Access for All  
 Policy RT4        -        Provision of New Village Shops  
 Policy RT5        -        Retention of Village Shops  
 Policy RT11       -        Car Parking Provision

### 2.3 Herefordshire Unitary Development Plan (Revised Deposit Draft):

Policy S1	-	Sustainable Development
Policy S2	-	Development Requirements
Policy DR2	-	Land Use and Activity
Policy DR9	-	Air Quality
Policy TCR13	-	Local and Neighbourhood Shopping Centres
Policy TCR15	-	Hot Food Take-away Outlets
Policy T11	-	Parking Provision
Policy CF5	-	New Community Facilities
Policy CF6	-	Retention of Existing Facilities

### 3. Planning History

3.1 No recent planning history.

### 4. Consultation Summary

#### Statutory Consultations

4.1 None.

#### Internal Council Advice

4.2 Head of Environmental Health and Trading Standards: confirms that a condition requiring submission of ventilation and extraction system is acceptable prior to any use of the premises.

4.3 The Traffic Manager: raises no objections but suggest the provision of further litter bins at applicant's expense.

### 5. Representations

5.1 Marden Parish Council: "Marden Parish is opposed to this application for the following reasons:

1. There is insufficient information on the proposed hours of opening.
2. There is no perceived demand for a fish and chip shop in Marden, when a similar business exists in Moreton-on-Lugg, about 1.5 miles distance.
3. The proposed business would be likely to generate increased traffic, noise and litter. No indication is given in the proposal on measures to ameliorate these potential problems.
4. The building is not considered to be suitable for the proposed use, as it may constitute a fire risk.
5. The proposal is inappropriate in this location in the village."

Included with their observations is a petition against the development signed by 10 people.

5.2 Six letters of objection have been received from:

1. H. & M. Powell, 5 Walkers Green, Marden.
2. R.W. Brown, Stump Hedges, Paradise Green, Marden.

3. Mr. & Mrs. G. Jenkins, 11B Walkers Green, Marden.
4. Mr. A.J. Jenkyn, 'Devoran', 6 Walkers Green, Marden.
5. R.C. Dutson, Woodcroft, Paradise Green, Marden.
6. Mary Matthews, Blue Bee Sewing Service, 9A Walkers Green, Marden.

The concerns raised can be summarised as follows:-

- ° The increase in road traffic and noise.
- ° Fire hazard.
- ° Litter and noise would spoil the residential environment.
- ° Nuisance from cooking fumes and smells.
- ° The threat of anti-social behaviour at night.
- ° There is an existing facility at Moreton-on-Lugg.
- ° The site is unsuitable for food preparation.
- ° Right of access to adjoining property could be blocked.
- ° There are no ventilation points at the front of the shop, therefore all ventilation would need to be to the rear.
- ° Previous businesses have ceased at 5.30pm and no Sunday opening.
- ° Food is already provided in the two public houses that serve Marden together with the local village shop.
- ° The area is predominantly residential and should remain so.
- ° There are no street lights.
- ° The adjoining business Blue Bee Sewing Service could be impacted upon by smells.

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

## **6. Officers Appraisal**

6.1 The main issues for consideration in the determination of this application are as follows:

- (a) The impact of the proposed use on residential amenity.
- (b) Highways and parking issues.
- (c) Retention of community facilities.

### Residential Amenity

- 6.2 The site lies within the established residential area of Marden on the former petrol filling station more recently used as a butchers shop. It is clear from the number of objections received in response to this planning application that noise, litter, odour, nuisance relating to vehicular traffic coming and going and the perceived threat of late night anti-social behaviour are concerns associated with this particular use and therefore notwithstanding its position within a commercial setting of Sewing Services and hairdressers, these are relevant material planning considerations.
- 6.3 In response to these issues the applicant has confirmed that a site specific and integrated ventilation and extraction system through the roof would be commissioned, details of which could be conditioned prior to any work commencing on-site. In addition the applicant advises that the intended opening hours would be 12 noon to 2 pm and 5pm to 9pm Monday to Saturday. The premises would be closed on a Sunday. These time periods could be controlled by conditions. The early closing of the premises would also limit the potential for the public to congregate late at night or cause a nuisance. Litter can be controlled with the provision of litter bins and the applicant has stated that they would undertake litter patrols of the area.

### Highway Safety

- 6.4 The premises has good access onto the main village road together with pedestrian footpath. Parking is available in the forecourt of the former garage and it should be noted that the Traffic Manager raises no objections to the application.

### Retention of Community Facilities

- 6.5 Policy CF1 of the South Herefordshire District Local Plan encourages the retention of community facilities and services together with proposals for new schemes. In this instance the building has been unoccupied for some time and this planning application ensures retention of this community facility providing a service to the local population without the need for private transport.

### Conclusion

- 6.6 This application has evoked objections from near residents and the Parish Council. However with careful control of extraction and ventilation these concerns are considered to be controllable through conditions attached to any planning permission. Likewise the reduction in opening hours, litter bins and litter patrols would further add to the acceptability of the proposals. There are no highway concerns raised by the Traffic Manager and the proposal would retain a community facility, shop, within the village preventing the need to travel and therefore providing a sustainable facility.

## **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 use hereby permitted shall not be open to customers between 9pm and 12 noon or 2pm and 5pm on Mondays to Saturdays and at no time on Sundays.

Reason: To safeguard the amenities of the locality.

3. The premises shall be used for fish and chip shop and for no other purpose (including any other purpose in Classes A3, A4 and A5 of the schedule to the Town and Country Planning (Use Classes) (Amendment) Order 2005, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

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

4. Before the extraction system and ducting is used on the premises, it shall be enclosed with sound insulating material and mounted in a way which will minimise transmission of structures borne sound in accordance with a scheme to be approved in writing by the local planning authority.

Reason: To safeguard the amenity of the area.

5. Prior to the commencement of development, a litter management plan shall be submitted to and approved in writing by the local planning authority. The management plan should include the provision of litter bins on the premises and information relating to regular litter patrols. The approved details shall be implemented prior to the first use of the premises which shall thereafter be operated with the management plan.

Reason: In the interests of amenity of the area.

6. A scheme for the ventilation of fumes and odours arising from the use hereby permitted shall be submitted for the approval of the local planning authority and the use shall not be commenced until the approved scheme has been installed and made fully operational, and thereafter it shall be operated and maintained, as long as the use continues.

Reason: In order to ensure that fumes and odours are properly discharged and in the interests of amenities of residential property in the locality.

7. The flue termination above the roof level of the premises shall be painted in a dark matt finish, which shall have been approved by the local planning authority prior to its installation. The flue shall be maintained in accordance with the approved colour thereafter.

Reason: To safeguard the character and appearance of the area.

8. Prior to the commencement of development a scheme for the provision of storage, prior to disposal, of refuse, crates, packing cases and all other waste materials shall be submitted for the approval of the local planning authority. The approved scheme shall be implemented prior to the first occupation of the development hereby permitted.

Reason: In the interests of amenity.

**Informative:**

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

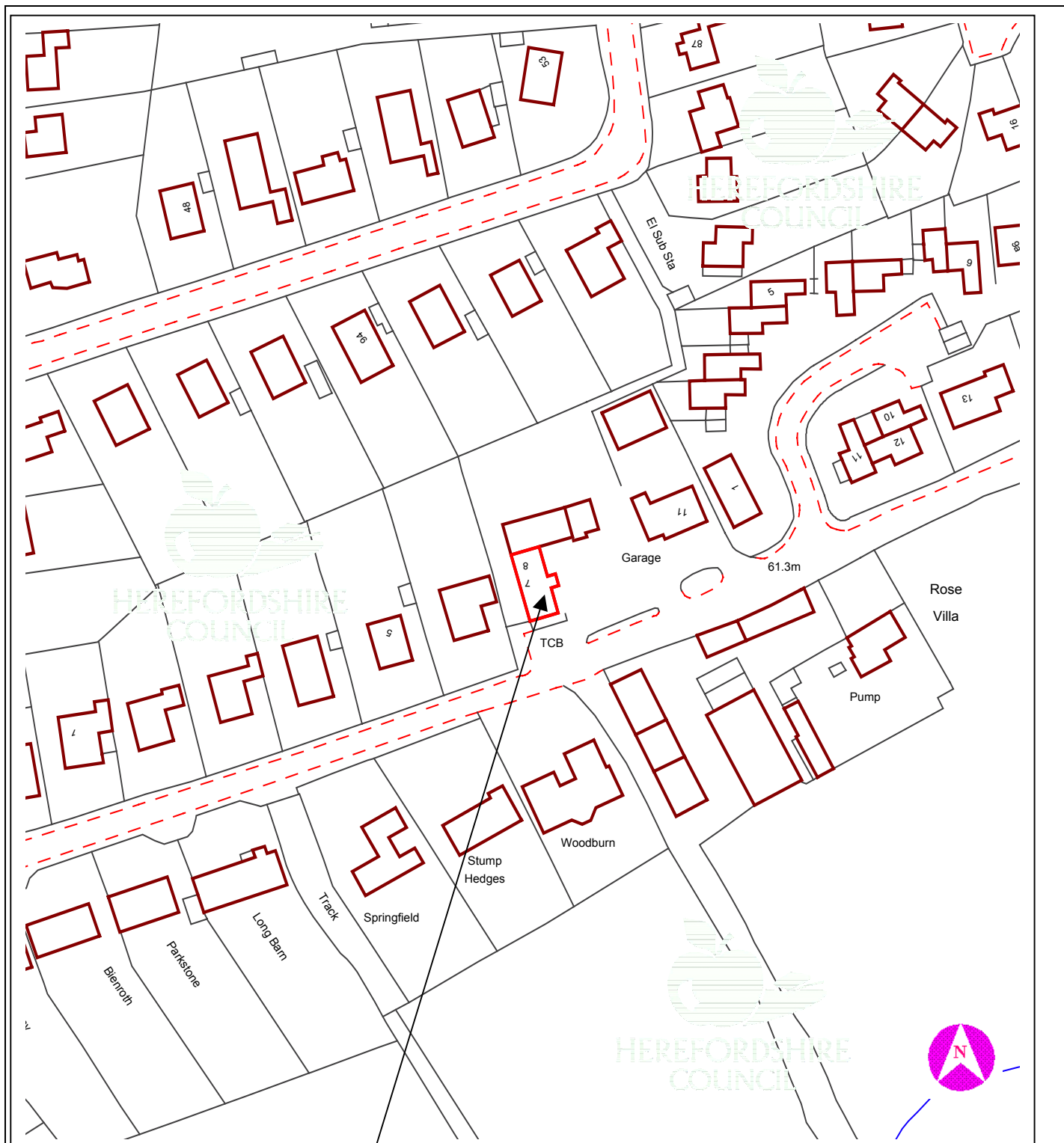
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**Background Papers**

Internal departmental consultation replies.



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**APPLICATION NO:** DCCW2005/3151/F

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