

A G E N D A

Southern Area Planning Sub- Committee

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

Time: **2.00 p.m.**

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

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

For any further information please contact:

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AGENDA

for the Meeting of the Southern Area Planning Sub-Committee

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

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

		Pages
1.	APOLOGIES FOR ABSENCE To receive apologies for absence.	
2.	DECLARATIONS OF INTEREST To receive any declarations of interest by Members in respect of items on the Agenda.	
3.	MINUTES To approve and sign the Minutes of the meeting held on 26th October, 2005.	1 - 12
4.	ITEM FOR INFORMATION - APPEALS To note the contents of the attached report of the Head of Planning Services in respect of the appeals received or determined for the southern area of Herefordshire.	13 - 16
REPORTS BY THE HEAD OF PLANNING SERVICES		
To consider and take any appropriate action in respect of the planning applications received for the southern area and to authorise the Head of Planning Services to impose any additional or varied conditions and reasons considered to be necessary.		
Plans relating to planning applications on this agenda will be available for inspection in the Council Chamber 30 minutes before the start of the meeting.		
5.	DCSW2005/3155/F - LAND ADJOINING 'FALCON', SCHOOL LANE, CLEHONGER, HEREFORDSHIRE, HR2 9RF Proposed detached dwelling with integral garage and access.	17 - 22
6.	DCSW2004/0500/F - KERRY'S GATE FARM BUILDINGS, KERRY'S GATE, HEREFORD, HEREFORDSHIRE, HR2 0AH Conversion of redundant farm building into 2 no. holiday flats.	23 - 28

7.	DCSW2005/2970/F - THE CLOSERIE, LYSTON, WORMELOW, HEREFORDSHIRE, HR2 8EL	29 - 36
	Upgrading of track, converting barn to stables and change of use on animal shed to workshop/ store/garage	
8.	DCSE2005/3107/F - ROYAL HOTEL, SYMONDS YAT EAST, ROSS-ON-WYE, HEREFORDSHIRE, HR9 6JL	37 - 42
	Single storey extension to side to provide toilet facilities.	
9.	DCSE2005/2257/F - GLEBE COTTAGE, ASHFIELD PARK ROAD, ROSS-ON-WYE, HEREFORDSHIRE, HR9 5AS	43 - 48
	Demolition of single storey cottage, renovation of part of cottage to return as garage to The Glebe. Erection of two storey dwelling and garage.	
10.	DCSE2005/3231/F - REVELLS FARM, GORSLEY, ROSS-ON-WYE, HEREFORDSHIRE, HR9 7SE.	49 - 54
	20 metre slimline tele-communications lattice tower incorporating 3 no. antennae.	
11.	DCSW20053321F - GREAT OAK HOUSE, KILPECK, HEREFORDSHIRE, HR2 9DN.	55 - 60
	Demolish Acorn Cottage and replace with a new dwelling.	

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COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL

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COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL

MINUTES of the meeting of Southern Area Planning Sub-Committee held at The Council Chamber, Brockington, 35 Hafod Road, Hereford on Wednesday, 26th October, 2005 at 2.00 p.m.

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

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

In attendance: Councillors T.W. Hunt (ex-officio)

68. APOLOGIES FOR ABSENCE

Apologies were received from Councillors Mrs. J.A. Hyde and G. Lucas.

69. DECLARATIONS OF INTEREST

There were no declarations of interest made.

70. MINUTES

RESOLVED: That the Minutes of the meeting held on 28th September, 2005 be approved as a correct record and signed by the Chairman.

71. ITEM FOR INFORMATION - APPEALS

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

72. DCSE2005/2311/F - CHAPEL MILL COTTAGE, BROMSASH, ROSS-ON-WYE, HR9 7PL

Proposed two-storey extensions and alterations.

The Southern Team Leader reported the receipt of a further letter from the applicant's agent regarding Linton Parish Council's comments.

In accordance with the criteria for public speaking Mrs. Foley, speaking on behalf of Linton Parish Council, and Mr. Rogers, a local resident who objected to the application, both addressed the Sub-Committee with their concerns regarding the application. Mr. Edwards had registered to speak in support of the application but was not present at the meeting.

Councillor H. Bramer, the Local Ward Member, felt that granting the application would result in overdevelopment of the site and he asked the committee to refuse it.

Members discussed the application thoroughly and felt that it should be refused

contrary to Officers recommendation.

RESOLVED:

That: (i) The Southern 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. Over development of the site

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

[Note: The Development Control Manager said that he would not refer the application to the Head of Planning Services]

73. DCSW2005/2391/F - OPPOSITE THE GARWAY MOON PUBLIC HOUSE, GARWAY COMMON, GARWAY, HEREFORDSHIRE, HR2 8RF

Proposed construction of new community hall and car parking area.

The Principal Planning Officer reported the receipt of two further letters of objection from local residents.

In accordance with the criteria for public speaking, Mr. Thomas, a local resident, spoke in objection to the application and Mr. Brice, the architect, spoke in support.

Councillor G.W. Davis, the Local Ward Member, noted that there was an issue regarding the ownership of the application site. He felt that this was a matter for the Commons Commissioner and not the Sub-Committee. He felt that the proposed development was suitable for the location and would be a benefit to the local community.

Councillor H. Bramer noted the concerns of the local residents but felt that this was a good use of common land and supported the application.

The Principal Planning Officer advised Members that conditions could be added to the resolution regarding Lighting and Sound limits for the function room.

RESOLVED

That planning permission be granted subject to the following conditions:

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

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

2. A07 (Development in accordance with approved plans)

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

3. B01 (Samples of external materials)

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

4. No development approved by this permission shall be commenced until a scheme for the conveyance of foul drainage to a private treatment plant has been submitted to and approved by the local planning authority. No part of the development shall be brought into use until such treatment plant has been constructed.

Reason: To prevent pollution of the water environment.

5. G09 (Retention of trees/hedgerows)

Reason: To safeguard the amenity of the area.

6. Final details of car parking, including layout and surfacing shall be agreed on site between the local planning authority and the applicant's representatives. Any agreed revisions shall be implemented. Such car parking spaces shall allow for 6 metres spacing in aisles.

Reason: To minimise the environmental impact of development.

7. All areas of trees, shrubs, grass or scrub shown to be retained shall be protected from damage during the course of construction. No development shall be commenced on the site or machinery or materials brought onto the site for the purposes of development until adequate measures have been taken for their protection. All such measures shall be agreed with the local planning authority before implementation.

Reason: In order to preserve the character and amenity of the area.

8. Prior to the first use of the village hall hereby permitted, a management plan, to include proposals for the long term design objectives, management responsibilities and maintenance schedules in perpetuity, for the site shall be submitted to and be approved in writing by the local planning authority. The management plan shall be carried out as approved.

Reason: In order to ensure that the use and maintenance in perpetuity of the Common in the interests of its amenity.

9. Details of any floodlighting and or external lighting proposed to illuminate the development shall be submitted to and approved in writing by the local planning authority before the building is occupied. Development shall be carried out in accordance with the approved details and there shall be no other external illumination of the development.

Reason: To safeguard local amenities.

10. Before the use commences, the function room, hall and stage shall be insulated in accordance with a scheme agreed with the local planning authority.

Reason: To safeguard the amenity of the area.

Informative(s):

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

74. DCSE2005/2648/F - LAND ADJOINING MONK WALK COTTAGE, MUCH MARCLE, LEDBURY, HEREFORDSHIRE, HR8 2LY

Erection of one dwelling.

RESOLVED

That planning permission be granted subject to the following conditions:

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

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

2. **A09 (Amended plans)**

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

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

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

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

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

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

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

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

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

7. **D03 (Site observation - archaeology)**

Reason: To allow the potential archaeological interest of the site to be investigated and recorded.

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

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

Informative(s):

1. **N03 - Adjoining property rights**
2. **N14 - Party Wall Act 1996**
3. **ND03 - Contact Address**

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

75. **DCSE2005/0843/F - LAND AT LEA PRIMARY SCHOOL, LEA, ROSS-ON-WYE, HEREFORDSHIRE**

Conversion of part school building with extension to 2 no. dwellings and the construction of 4 no. new dwellings.

Councillor H. Bramer, the Local Ward Member, noted that the access to the site would be the same access used by Lea primary school. He said that he was concerned that cars would be using the same access as the Children attending the school and felt that he could not support the application.

The Southern Team Leader advised Members that the Highways Department were aware of the access and had not objected to the application.

RESOLVED

That planning permission be granted subject to the following conditions:

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

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

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

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

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

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

4. **Before any work commences on site full details of all new joinery, flues and vents with respect to the development of the original school building and house shall first be submitted to and be subject to the prior written approval of the local planning authority.**

Reason: To ensure the development is satisfactory in appearance and in keeping with the character and appearance of the original building.

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

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

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

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

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

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

8. **W01 (Foul/surface water drainage)**

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

9. **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.

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

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

Informative(s):

1. **N03 - Adjoining property rights**

2. The applicant/developer should be aware that this planning permission does not override any civil/legal rights enjoyed by adjacent property owners. If in doubt the applicant/developer is advised to seek legal advice on the matter.

3. **N16 - Welsh Water Informative**

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

76. **DCSW2005/2516/F - MOUNT PLEASANT, KINGSTHORNE, HEREFORDSHIRE**

Erection of replacement dwelling and garage.

The Principal Planning Officer reported the receipt of a letter from the applicant's agent regarding the revised plans.

Councillor G.W. Davis, the Local Ward Member, requested that the application be deferred until the revised plans were received.

RESOLVED

That the application be deferred pending the receipt of suitably amended plans from the applicant.

77. **DCSE2005/2343/F - CASTLE LODGE HOTEL, WILTON, ROSS-ON-WYE, HEREFORDSHIRE, HR9 6AD**

Refurbishment and conversion of existing derelict barn to restaurant and creation of new car parking facilities serving existing hotel and new restaurant, together with associated junction improvement works.

The Southern Team Leader reported the receipt of further correspondence from the Highways agency, who wanted further discussions regarding landscaping; Bridstow Parish Council, who did not object to the application but had concerns regarding road safety issues; English Heritage, who felt that their earlier concerns had not been addressed; and the Applicant's Agent, who did not agree with the condition limiting the restaurant to 60 covers.

SOUTHERN AREA PLANNING SUB-COMMITTEE WEDNESDAY, 26TH OCTOBER, 2005

The Southern Team Leader felt that a condition should be added to the recommendation limiting the number of covers to 60.

In accordance with the criteria for public speaking, Mr. Staight and Mr. Tait, two of the local residents who objected to the application, addressed the sub-committee with their concerns. Mr. Felices, the applicant, spoke in support of his application.

The Chairman advised the Sub-Committee that the local member had concerns regarding overnight parking on the site. She also felt that the applicant should be required to pay for any changes to the access roads and asked for a condition to be added to tie the new restaurant to the existing hotel.

RESOLVED

That subject to submission of acceptable revised drawings of the entrance/staircase extension and car park layout and landscaping the officers named in the Scheme of Delegation to Officers be authorised to issue planning permission subject to the following conditions and any additional conditions considered necessary by officers:

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

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

2. 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. 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.

5. C05 (Details of external joinery finishes)

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

6. No external flues or extraction equipment shall be installed at the premises without the prior written approval of the local planning authority.

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

7. C09 (External repointing)

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

8. C10 (Details of rooflights)

Reason: To ensure the rooflights do not break the plane of the roof slope

in the interests of safeguarding the character and appearance of this building of [special] architectural or historical interest.

9. C11 (Specification of guttering and downpipes)

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

10. C18 (Details of roofing)

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

11. D01 (Site investigation - archaeology)

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

12. The use hereby permitted shall only be open to customers between 8am and 11pm daily and shall only serve meals between 8am and 9.30am, 12 noon and 2pm, and 6pm and 11pm daily.

Reason: In the interests of the amenities of existing residential property in the locality.

13. The restaurant hereby approved shall only be used for purposes ancillary to the hotel known as Castle Lodge Hotel and within Class C1 of the Town and Country Planning (Use Classes) Order 1987 (or any order revoking and re-enacting that order with or without amendment) and shall not be used as a separate restaurant or for any other purpose within Class A3 of that Order.

Reason: To define the terms of the permission and in the interests of safe and free flow of traffic on the highway and the amenities of neighbours.

14. No take-away service shall be carried out from the restaurant hereby approved.

Reason: To define the terms of the permission and in the interests of safe and free flow of traffic on the highway and the amenities of neighbours.

15. The restaurant and car park hereby permitted and the Castle Lodge Hotel shall not be sold, let or leased separately from each other, and the car parking shall be permanently available for use by both the restaurant and the Castle Lodge Hotel.

Reason: To ensure that car parking facilities are readily available for both premises and to protect the amenities of neighbouring dwellings.

16. F18 (Scheme of foul drainage disposal)

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

17. F22 (No surface water to public sewer)

Reason: To safeguard the public sewerage system and reduce the risk of

surcharge flooding.

18. F32 (Details of floodlighting/external lighting)

Reason: To safeguard local amenities.

19. F40 (No burning of material/substances)

Reason: To safeguard residential amenity and prevent pollution.

20. G13 (Landscape design proposals)

Reason: In the interests of visual amenity.

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

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

22. G15 (Landscaping implementation)

Reason: To ensure the site is satisfactorily landscaped.

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

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

24. G37 (Access for disabled people)

Reason: In order to ensure that the development is fully accessible.

25. G40 (Barn Conversion - owl box)

Reason: In order not to disturb or deter the nesting or roosting of barn owls which are a species protected by the Wildlife and Countryside Act 1981.

26. No development shall commence upon the application site unless or until the mitigation measures as shown on drawing number 1427.03B have been completed to the satisfaction of the local planning authority after consultation with the Highways Agency.

Reason: In the interests of highway safety and as directed by the Highways Agency.

27. H03 (Visibility splays)

Reason: In the interests of highway safety.

28. H05 (Access gates)

Reason: In the interests of highway safety.

29. 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.

30. H21 (Wheel washing)

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

31. H27 (Parking for site operatives)

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

32. 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.

33. The car park hereby approved shall not be used for the overnight parking of commercial vehicles, caravans or mobile homes at any time.

34. F37 (Scheme of odour and fume control)

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

Informative(s):

1. NC01 - Alterations to submitted/approved plans

2. NC02 - Warning against demolition

3. ND03 - Contact Address

4. HN01 - Mud on highway

5. HN04 - Private apparatus within highway

6. HN05 - Works within the highway

7. HN07 - Section 278 Agreement

8. HN10 - No drainage to discharge to highway

9. HN13 - Protection of visibility splays on private land

10. HN17 - Design of street lighting for Section 278

11. HN22 - Works adjoining highway

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

78. DCSE2005/2651/F - HARTLETON FARM, BROMSASH, ROSS-ON-WYE, HEREFORDSHIRE, HR9 7SB

Construction of 32 holiday apartments

The Southern Team Leader reported the receipt of further correspondence from the

SOUTHERN AREA PLANNING SUB-COMMITTEE WEDNESDAY, 26TH OCTOBER, 2005

Conservation Manager and the Hartleton Action group.

In accordance with the criteria for public speaking Mrs. Foley, representing Linton and Upton Bishop Parish Council, and Mrs. Rigby, a local resident, both spoke in objection to the application.

RESOLVED

That planning permission be refused for the following reasons:

- 1 The proposed development, because of its size and location, would be very prominent and visually intrusive and thereby harm the character of the countryside. The proposal would conflict therefore with the Council's policies for tourism, in particular TSM1 and TSM6 of Hereford and Worcester County Structure Plan, TM1, TM5, TM6 and C1 of South Herefordshire District Local Plan and RST1, RST12, RST13 and LA2 of Hereford Unitary Development Plan (Revised Deposit Draft).**
- 2 The Council is not satisfied that the Special Wildlife Site has been adequately surveyed and the mitigation proposed may not be adequate to protect the nature conservation interest of the site. The proposal conflicts therefore with Policies C13, C14 and C16 of South Herefordshire District Local Plan and Policies NC1, NC4, NC5, NC7 and NC9 of Hereford Unitary Development Plan (Revised Deposit Draft).**

The meeting ended at 3.39 p.m.

CHAIRMAN

ITEM FOR INFORMATION - APPEALS

APPEALS RECEIVED**Application No. DCSE2004/3927/F**

- The appeal was received on 4th November 2005
- The appeal is made under Section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission
- The appeal is brought by Craig Thorpe Ltd
- The site is located at Land adjoining Upper Weston, Weston under Penyard, Herefordshire
- The development proposed is Proposed dwelling with garage and access drive
- The appeal is to be heard by Written Representations

Case Officer: Steven Holder 01432 260479

Application No. DCSE2005/1011/O

- The appeal was received on 11th October 2005
- The appeal is made under Section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission
- The appeal is brought by Mrs Cameron
- The site is located at Hillingdon, Walford Road, Ross-on-Wye, Herefordshire, HR9
- The development proposed is Site for the erection of one dwelling.
- The appeal is to be heard by Written Representations

Case Officer: Steve Holder on 01432 260479

Application No. DCSW2005/2586/O

- The appeal was received on 26th October 2005
- The appeal is made under Section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission
- The appeal is brought by Mr F Jones
- The site is located at Land at Wrens Nest, St. Owens Cross, Herefordshire, HR2 8LG
- The development proposed is Outline application for the erection of a 2 bed bungalow (Special needs)
- The appeal is to be heard by Hearing

Case Officer: Yvonne Coleman on 01432 383083

Application No. EN2005/0054/ZZ

- The appeal was received on 8th November 2005
- The appeal is made under Section 174 of the Town and Country Planning Act 1990 against the service of an Enforcement Notice
- The appeal is brought by Mr Maguire (APP/W1850/C/05/2004119) and Triangular Land Partnership (APP/W1850/C/05/4120)
- The site is located at Cothars Farm, Gorsley, Ross-on-Wye, Herefordshire

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

- The breach of planning control alleged in this notice is "Without planning permission, change of use of the land for sale of vehicles."
- The requirements of the notice are: To cease the unauthorised use of the land as a vehicle sales center.
- The appeal is to be heard by Written Representations

Case Officer: Yvonne Coleman on 01432 383083

Application No. DCSE2005/0571/F

- The appeal was received on 8th November 2005
- The appeal is made under Section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission
- The appeal is brought by Mr A Sargeantson
- The site is located at Wyevern, Walford Road, Ross-On-Wye, Herefordshire, HR9 5PT
- The development proposed is Extension/alteration to provide additional flat.
- The appeal is to be heard by Written Representations

Case Officer: Duncan Thomas on 01432 261974

APPEALS DETERMINED

Application No. DCSE2004/2957/F

- The appeal was received on 27th June 2005
- The appeal was made under Section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission
- The appeal was brought by Mr & Mrs N Gibbs
- The site is located at Chasedale Hotel, Walford Road, Ross-On-Wye, Herefordshire, HR9 5PQ
- The application, dated 12th August 2004, was refused on 10th February 2005
- The development proposed was Erection of single storey dwelling and double garage, and new access onto highway
- The main issue is whether the proposed single-storey dwelling, double garage and new access would preserve or enhance the character or appearance of the Ross-On-Wye Conservation Area.

Decision: The appeal was DISMISSED on 1st November 2005

Case Officer: Nigel Banning on 01432 261974

Application No. DCSW2004/1670/F

- The appeal was received on 14th October 2004
- The appeal was made under Section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission
- The appeal was brought by Mr & Mrs T Wilson
- The site is located at Old School House Garden, Clifford County Primary School, Clifford, Herefordshire, HR3 5HA
- The application, dated 6th May 2004, was refused on 1st July 2004

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

- The development proposed was Erection of single dwelling and improvement of existing access
- The main issues are the effect of the proposal on the character and appearance of the surrounding countryside, having regard to the policies designed to restrict new residential development; and whether the proposal would conflict with the principles of sustainable development

Decision: The appeal was DISMISSED on 1st November 2005

Case Officer: Andrew Prior on 01432 261932

5 DCSW2005/3155/F - PROPOSED DETACHED DWELLING WITH INTEGRAL GARAGE AND ACCESS, LAND ADJOINING "FALCON," SCHOOL LANE, CLEHONGER, HEREFORDSHIRE, HR2 9RF

For: Mr S Wynn, 48 Crossfields, Whitecross, Hereford, HR4 0HR

Date Received: 29th September, 2005 Ward: Stoney Street Grid Ref: 45168, 37461

Expiry Date: 24th November, 2005

Local Member: Councillor D.C. Taylor

1. Site Description and Proposal

- 1.1 The application site comprises part of the rear garden to Falcon, a two-storey dwelling that fronts onto Birch Hill Road and is adjacent to the village general store. Access for the dwelling proposed will be onto School Lane, which is on the southern boundary of Falcon.
- 1.2 It is proposed to erect a three bedroom, two-storey dwelling with integral garage on the site. It will comprise facing brick and roof tile to the approval of the local planning authority. It is 7 metres to the ridge. The site constitutes part of the garden area for Falcon. It is approximately 500mm lower than that of Falcon. It is proposed to excavate a further 300mm across the site. Falcon is illustrated as being 6.8 metres to the ridge.
- 1.3 This site is the subject of an upheld appeal, a copy of the appointed Inspector's decision letter is reproduced in the appendix to this report.

2. Policies

2.1 Planning Policy Guidance

PPS.1 - Delivering Sustainable Development
PPG.3 - Housing

2.2 Hereford and Worcester County Structure Plan

Policy H.16A - Housing in Rural Areas

2.3 South Herefordshire District Local Plan

Policy GD.1 - General Development Criteria
Policy SH.8 - New Housing Development Criteria in Larger Villages
Policy SH.15 - Criteria for New Housing Schemes
Policy T.3 - Highway Safety Requirements

2.4 Herefordshire Unitary Development Plan (Revised Deposit Draft)

- Policy S.1 - Sustainable Development
 Policy S.2 - Development Requirements

3. Planning History

- 3.1 SW2003/3582/O New dwelling and access - Refused 24.01.04
 Upheld on Appeal
 26.10.04
- SW2005/1716/F Dwelling with integral garage - Refused 22.07.05

4. Consultation Summary

Statutory Consultations

- 4.1 No statutory or non-statutory consultations required.

Internal Council Advice

- 4.2 Traffic Manager recommends that the application is conditioned as per the appeal.

5. Representations

- 5.1 Clehonger Parish Council make the following observations:

1. Plot is considered to be too small for this size dwelling.
2. Windows on first floor overlook bungalow opposite.
3. Access as per plans does not represent site to enable sufficient turning area to be achieved.
4. Suggest a site visit.

- 5.2 Three letters of objection have been received from:

J.L. Holloway, 11 Gosmore Road, Clehonger, HR2 9SW
 Mr. S. & Mrs. M. Jones, 15 School Lane, Clehonger, HR2 9RQ
 Mr. D.W. Darts, 17 School Lane, Clehonger, HR2 9RQ

The main points raised being:

- too high, too dominant in street scene, notwithstanding excavation of 300mm
- impact due to no screening, i.e. trees/hedges
- will not relate well to existing dwellings as Inspector stated
- run-off onto road (School Lane)
- danger to cyclists and pedestrians including school children whom use School Lane. Reversing vehicles
- where will mains connection be?
- impact on Ash tree and hedging.

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

6. Officers Appraisal

- 6.1 It is considered that the main issues relate to the impact of the dwelling in the street scene and issues relating to the highway.
- 6.2 An application was submitted for a dwelling on this site earlier this year that was 7.3 metres to the ridge, was refused as it was considered to fall outside the remit of the dwelling envisaged by the Inspector when allowing the appeal for a dwelling in 2004. The plans submitted with that appeal were illustrative, nevertheless the Inspector stated that a dwelling of such a height would not relate well to the scene and height of nearby dwellings. The site area is wider onto School Lane by one metre and narrower by two metres on the rear or northern boundary.
- 6.3 It is considered that the dwelling, given that it is no nearer to Falcon as referred to by the appointed Inspector, is a width that makes it still satisfactory within the provisions of the appeal decision. The ridge height is 100mm lower than that of the illustrated dwelling in plans that the Inspector refers to in his report. It is also lower in height than the dwelling previously refused earlier this year. The reduction in ground level also helps reduce the impact of the proposed dwelling when viewed against Falcon. The appointed Inspector did not specify what type of dwelling he had in mind when upholding the principle of developing the site for residential development. A single-storey dwelling was not specified by condition nor a type of dwelling. It should also be noted that the Inspector notes a variety of dwelling types in School Lane and on Birch Hill Road, i.e. Falcon. There are single storey bungalows on the southern side of School Lane, however to the north-east of the proposed site is a two-storey dwelling with an asymmetrical roof that is set further back from School Lane from which it gains access. This dwelling known as Westfields is at least 7.5 metres high. Therefore it is considered that the applicant has reduced the height of his dwelling to a height that is consistent with, and when viewed from School Lane and Birch Hill Road, lower than Falcon. It will though be necessary to produce section plans across the site from south-west to north-east and south-east to north-west demonstrating the extent of excavation across the whole of the site.
- 6.4 The other issues raised relating to highway safety on School Lane and the principle of developing domestic gardens are matters that were addressed by the appointed Inspector when determining the appeal on this site. These are not matters that can be re-visited by the local planning authority. It is considered that two parking places can be provided on the site as required by the appointed Inspector. This can be achieved by securing the integral garage for use by motor vehicles by planning condition. The issue raised relating to the impact on Ash tree and hedging and water run-off, and siting of connection to mains are matters that fell within the remit of the appeal decision.
- 6.5 There are considered to be no other matters that would reasonably preclude granting planning permission for the dwelling subject to the submission of details for landscaping, excavation across the site and securing the garage for parking only.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

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

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

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

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

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

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

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

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

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

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

- 6. **F48 (Details of slab levels)**

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

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

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

Informative(s):

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

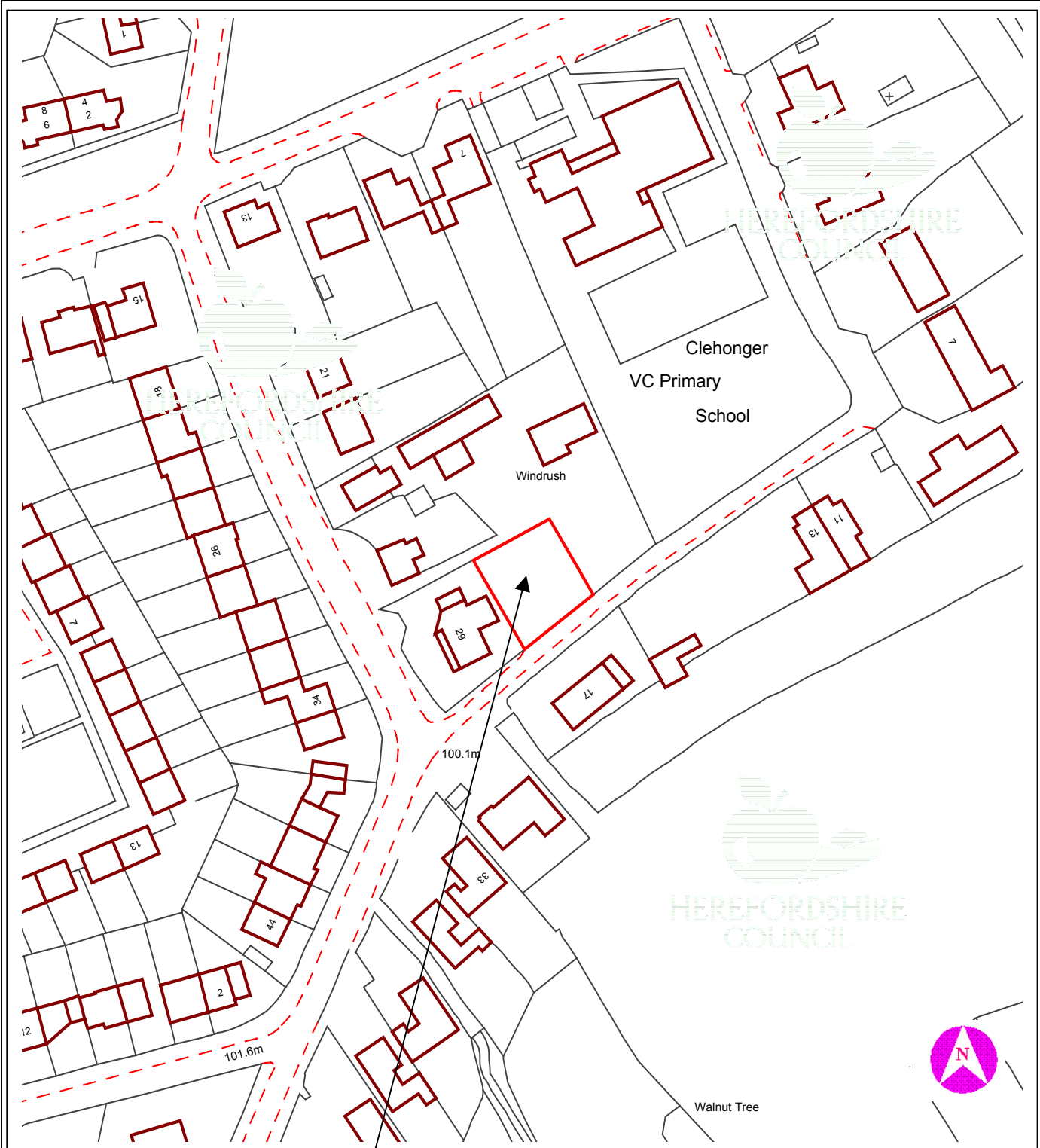
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCSW2005/3155/F

SCALE : 1 : 1250

SITE ADDRESS : Land adjoining "Falcon," School Lane, Clehonger, Herefordshire, HR2 9RF

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Appeal Decision

Site visit made on 12 October 2004

by **David Grace** BSc DipTP MRTPI

an Inspector appointed by the First Secretary of State

The Planning Inspectorate
409 Kite Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN
☎ 0117 372 6372
e-mail: enquiries@planning-
inspectorate.gsi.gov.uk

Date **26 OCT 2004**

Appeal Ref: APP/W1850/A/04/1147793

Land adjoining Falcon, Birch Hill Road, Clehonger, Hereford, HR2 9RF

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
- The appeal is made by Mr and Mrs T Mussell against the decision of Herefordshire Council.
- The application (Ref. DCSW2003/3582/O), dated 30 November 2003, was refused by notice dated 24 January 2004.
- The development proposed is one new dwelling and access.

Summary of Decision:

The appeal is allowed and planning permission granted subject to conditions set out in the Formal Decision below.

Procedural Matters

1. The application is in outline with all matters other than the means of access reserved for future consideration.

Planning Policy

2. The development plan includes the South Herefordshire District Local Plan of 1999. Local Plan Policy SH.8 requires that housing proposals within large villages should be, amongst other things, of a scale to complement the size, scale and character of the location, not be visually intrusive or adversely affect the setting or lead to cramming in the settlement. Local Plan Policy GD.1, as it relates to this appeal, includes requirements that development is in keeping with the character of the area and should have regard and be appropriate to the setting of neighbouring buildings. Local Plan Policy SH.15 indicates, amongst other things, that the relationship between new dwellings and existing dwellings should normally provide and maintain adequate levels of privacy. Local Plan Policy T.3 includes requirements that safe access and adequate arrangements for parking and on-site turning are provided. Local Plan Policy SH.8 requires that traffic resulting from the development can be accommodated on the road system without undue safety consequences.

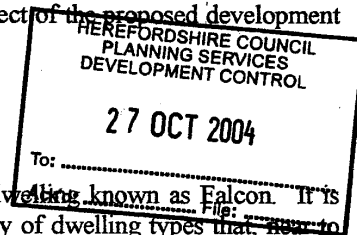
Main Issues

3. I consider there are three main issues in this appeal. The first main issue is the effect of the proposed development on the character and appearance of the surrounding area. The second is the effect of the proposed development on the living conditions of the occupiers of Falcon in terms of privacy and private garden space. The third is the effect of the proposed development on road safety in School Lane.

Reasons

Character and appearance

4. The appeal site forms part of the rear garden of a detached dwelling known as Falcon. It is situated within a residential area within which there is a variety of dwelling types that, ~~near to~~



the appeal site, are mainly relatively low in height. The dwelling in the plot to the east, Windrush, is substantially set back from School Lane and is positioned beyond the northern boundary of the appeal site. As a consequence, there is space to the side of the appeal site and I consider a dwelling on the site would not appear unacceptably cramped in relation to Windrush.

5. The illustrative layout drawing that accompanied the application, shows the proposed dwelling would be set back from the side elevation of Falcon that faces towards School Lane. The part of Falcon that is nearest to the proposed plot is single storey and the higher part of the dwelling is a significant distance from the proposed boundary. For these reasons, I consider, if the dwelling were sited broadly as shown on the illustrative drawing, it would not appear cramped in relation to Falcon and overall would not appear cramped in the street scene.
6. The illustrative elevation drawings show a two-storey house. In my view, a dwelling of such height would not relate well to the scale and height of nearby dwellings and would consequently appear unacceptably dominant in the street scene. However, the design of the dwelling is reserved for future consideration. Provided the design incorporates a roof height more akin to others in the immediate area, I am of the view that the scale would not be to the detriment of the street scene.
7. Subject to the above matters, which can be dealt with in the reserved matters, I conclude that the proposed development would not unacceptably affect the character and appearance of the surrounding area. It would not therefore conflict with Local Plan Policies SH.8 or GD.1 in that respect.

Living conditions

8. If the proposed dwelling were sited broadly as indicated on the illustrative layout drawing and if the garage were sited on its west side, I consider the nearest windows to habitable rooms in Falcon would be at sufficient distance and at a sufficiently oblique angle from the development for them not to be unacceptably overlooked. For the same reasons, the southernmost part of the retained garden area of Falcon would have an acceptable degree of privacy. Privacy for the rear garden area could be further protected by the provision of screen fencing. This could be required as part of the reserved matter in respect of landscaping.
9. The appeal scheme would result in a large part of the existing garden area no longer being available to the occupiers of Falcon. However, I consider the remaining area of garden would provide an acceptable amount of private space, particularly as the southernmost part is screened from School Lane. Furthermore, the wide existing front garden would continue to contribute to the space around the house.
10. Overall, I conclude on the second main issue that the proposed development would not unacceptably affect the living conditions of the occupiers of Falcon in terms of privacy and private garden space. It would not therefore conflict with Local Plan Policy SH.15 in those respects.

Road safety

11. The proposed access for the development would be from School Lane. This is an unclassified road that serves in the order of eleven dwellings. Adjacent to the appeal site it is of single-track width. The proposal is for a splayed entrance that, in my view, would provide satisfactory visibility from and of the access. It would also allow a vehicle to pull off the carriageway to enable a gate to be opened or closed.
12. I consider the access would be sufficiently far from the junction of School Lane with Birch Hill Road for movements into and from it not to result in an unacceptable increase in road safety

hazards. Whilst School Lane is narrow and does not have a separate footway, I consider that provided vehicles enter and leave the site in a forward gear, an unacceptable additional hazard would not be created for users of the lane, including pedestrians. Subject to the position of a garage and parking spaces on the site and notwithstanding the change of level from the road, I consider it would be possible to make provision for two vehicles to be turned on the site to facilitate access and egress in a forward gear. The position of the garage could be determined under the reserved matter in respect of design of the dwelling. Manoeuvring arrangements could be dealt with by means of a condition.

13. The Council says the layout of the access is at variance with its Design Guide and Road Specification. However, I have not been provided with details of this. In my judgement the detailed design of the access layout could be dealt with by condition.
14. Subject to the conditions and design details I refer to above, I conclude on the third main issue that the proposed development would not unacceptably affect road safety on School Lane. It would not therefore conflict with Local Plan Policies T.3 or SH.8 in that respect.

Other Matters

15. The appellants have drawn my attention to a number of other developments that have been undertaken in the area. However, I am not aware of the circumstances relating to those developments and, in my view, they are not directly comparable to the appeal scheme. In any event the appeal proposal falls to be considered on its own planning merits and that is how I have dealt with this appeal.

Conditions

16. In addition to conditions in respect of the submission and approval of the reserved matters and the time limit for commencement of the development, the Council proposes a condition relating to the provision of two car parking spaces. I agree that this is necessary but modify the wording, in the interests of road safety, to include requirements for the submission, approval and implementation of the detailed design of the access and the on-site manoeuvring arrangements.

Conclusions

17. For the reasons given above and having regard to all other matters raised, including those at the application stage, I conclude that the appeal should succeed.

Formal Decision

18. I allow the appeal and grant planning permission for one new dwelling and access at land adjoining Falcon, Birch Hill Road, Clehonger, Hereford, HR2 9RF in accordance with the terms of the application [Ref. DCSW2003/3582/O] dated 30 November 2003, and the plans submitted therewith, subject to the following conditions:

- 1) Approval of the details of the siting, design and external appearance of the dwelling, and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the local planning authority in writing before any development is commenced.
- 2) Plans and particulars of the reserved matters referred to in condition 1 above, relating to the siting, design and external appearance of any buildings to be erected and the landscaping of the site, shall be submitted in writing to the local planning authority and shall be carried out as approved.

HEREFORDSHIRE COUNCIL
PLANNING SERVICES
DEVELOPMENT CONTROL
27 OCT 2004
To:
Ack'd: File:

- 3) Application for approval of the reserved matters shall be made to the local planning authority before the expiration of three years from the date of this permission.
- 4) The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.
- 5) No development shall take place until a scheme for the detailed design of the access, two car parking spaces, the on-site manoeuvring arrangements and for the surfacing and drainage of those areas has been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details before first occupation of the dwelling hereby permitted.

D. A. Wallace

INSPECTOR

6 DCSW2004/0500/F - CONVERSION OF REDUNDANT FARM BUILDING INTO 2 NO. HOLIDAY FLATS AT KERRY'S GATE FARM BUILDINGS, KERRY'S GATE, HEREFORD, HEREFORDSHIRE, HR2 0AH

For: Mr. E. J. Jenkins per Mr. E. Price, Moorcourt, Lyonshall, Kington, Herefordshire, HR5 3JZ

Date Received: 12th February, 2004 Ward: Golden Valley South Grid Ref: 39280, 33386

Expiry Date: 8th April, 2004

Local Member: Councillor. J.B. Williams

1. Site Description and Proposal

- 1.1 The proposal site is on the eastern side of the Class III road (C1233) between Kerry's Gate Farm and McAlpine Cottages, where this road bends. The stone building has eaves height cartway door on the roadside under a corrugated sheeted roof. There is a modern lean-to that wraps itself around the northern end of the building close to the only gate that serves as access to the building. This gateway access is intended to serve the two proposed holiday units.
- 1.2 Ferndale Cottage has a flank gable wall that comprises part of the southern boundary of the site.
- 1.3 The stone building is sub-divided by a 450 mm thick stone wall that provides the natural boundary between the two proposed holiday units. Barn A in the southern portion has two intact trusses. This unit of accommodation will have 3 bedrooms on the first floor accessed via a stair-well adjacent to the roadside cartway opening that will be partly glazed. It is proposed to reduce the ground level inside the building by 225mm.
- 1.4 The second unit (Barn B) is 0.8 metres narrower than Barn A (Barn A is 5.8 metres wide), both barns being about identical in length at 9.3 metres. The overall height of the building is between 6.1 and 6.2 metres to the ridge. The northern unit has two bedrooms on the first floor. Openings are provided in the east elevation between timber framing at first floor level and beneath what is presently open with the exception of a central stone pillar.
- 1.5 The determination of the application has been protracted by discussion relating to the originally submitted scheme and the need to ensure that excavation in the southern-most barn was feasible without undermining the structural integrity of the original building.

2. Policies

2.1 Planning Policy Guidance

PPS.7 - Sustainable Development in Rural Areas

2.2 Hereford and Worcester County Structure Plan

- Policy H20 - Housing in Rural Areas
- Policy CTC2 - Area of Great Landscape Value

2.3 South Herefordshire District Local Plan

- Policy GD1 - General Development Criteria
- Policy C1 - Development Within Open Countryside
- Policy C8 - Development Within Area of Great Landscape Value
- Policy C36 - Re-use and Adaptation of Rural Buildings
- Policy C37 - Conversion of Rural Buildings to Residential Use

3. Planning History

- 3.1 No relevant history identified.

4. Consultation Summary

Statutory Consultations

- 4.1 The Environment Agency recommend that conditions are attached to any grant of planning permission.

Internal Council Advice

- 4.2 Traffic Manager recommends that conditions be imposed if planning permission is granted.
- 4.3 Head of Conservation – originally had concerns relating to the position of a gable end door, extent of fenestration and excavating the ground floor in the southern-most unit. However, following the receipt of revised plans and confirmation that excavation is feasible, supports the application.

5. Representations

- 5.1 The Parish Council's observations are as follows:

"Councillors considered that there was no justification in seeking alternative uses in this residential area and provided that the construction materials used were sympathetic with the existing building then Councillors could see no good reason to object to this application. Councillors therefore recommend that the proposed application be approved."

- 5.2 Two letters of objection have been received from:

A.W. and P.J. Hartland, Ferndale, Kerrys Gate HR2 0AH
Mr. M. Ewins, Macalpine Cottage, Kerrys Gate HR2 0AH

- any development should respect the 400 year old barn
- provision of roadside window in place of doors intrude into our privacy, an unfair burden

- courtyard overlooks my sitting room
- noise from holidaymakers
- not clear if there are one or two accesses overlooking my sitting room as will end gable door
- prefer permanent use, not constant comings and going of people you do not know. A security risk also.
- devalues my property
- birds nesting in barn have disappeared.

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

6. Officers Appraisal

- 6.1 There are considered to be two main issues relating to the proposal, one is the principle of converting the barns and the means of achieving this. The second one relates to the impact it would have on residents in the locality.
- 6.2 There is encouragement for the conversion of suitable buildings for residential use not only in the development plan, the South Herefordshire District Local Plan and Hereford and Worcester County Structure Plan but also in Government advice contained in PPS.7. Normally, proposals for conversion relate to full term occupation, and they need to be marketed as to whether or not they could not be used for cases such as holiday and or a business use that has greater benefits for the local economy. This requirement is set out in Policy C37 contained in the South Herefordshire District Local Plan. In this instance the proposal area is for holiday purposes in a building that appears to be structurally sound, and one that contributes significantly to the landscape of this part of the Area of Great Landscape Value.
- 6.3 The roadside elevation maintains the essential character of the building given that only 4 window slits are proposed, together with the partial glazing of two cartway entrance from ground level up to the eaves. On the east elevation away from the roadside, glazed areas are introduced into gaps in timber framing and again in doorways and into existing open areas. Also, with further negotiations, an internal stone partition wall has been retained in the northern-most barn together with the removal of a proposed doorway in the south elevation gable, and more boarding and less glazing in the smaller unit. This has resulted in the building retaining more of its existing architectural integrity than originally proposed. The excavation of the ground level in the larger unit has been the subject of some discussion. However, further investigation and the involvement of the Building Control Section has established that excavation of 225mm is feasible given that the external ground level has been built up over the years.
- 6.4 The second issue relates to the impact that the use of these buildings together with the introduction of new glazed openings would have on the amenity of residents in the vicinity of the site. Whilst it can be recognised that there would be a change in the occupation to two holiday units, this could not alone be sustainable grounds for refusing the application. The control of how the boundary and grassed area to the east of the boundary are used would be a matter for the landlord/owner of the two holiday units. The distance from the southern unit to the nearest dwelling, i.e. Ferndale, is 13 metres and this is at an angle to secondary windows in the northern gable of Ferndale. Therefore, it is considered that there is no direct overlooking.

- 6.5 The glazed roadside openings providing light to the staircase for the southern most unit. The ground floor glazing does not permit any opportunity for looking west and north-westward from the stairwell, however Macapline Cottage is at least 13/14 metres away and at an oblique angle and across a public highway. Therefore, an invasion of privacy could not be reasonably sustained.
- 6.6 The proposal can be supported as it complies with Policies C36, C37 in South Herefordshire District Local Plan and Policies H16A and CTC14 contained in the Hereford and Worcester County Structure Plan. A safe access can also be provided.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

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

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

2 A07 (Development in accordance with approved plans)

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

3 Details of finish and materials to all weather boarding and joinery shall be the subject of the prior written approval of the local planning authority before any development commences on site.

Reason: In the interest of protecting the amenity of this building of historical and architectural interest.

4 E16 (Removal of permitted development rights)

Reason: In the interest of protecting the amenity of this building of historical and architectural interest.

5 E31 (Use as holiday accommodation)

Reason: In order to define the terms to which the application relates.

6 F17 (Scheme of foul drainage disposal)

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

7 H03 (Visibility splays)

Reason: In the interests of highway safety.

8 H05 (Access gates)

Reason: In the interests of highway safety.

9 H12 (Parking and turning - single house)

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

Informatives:

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

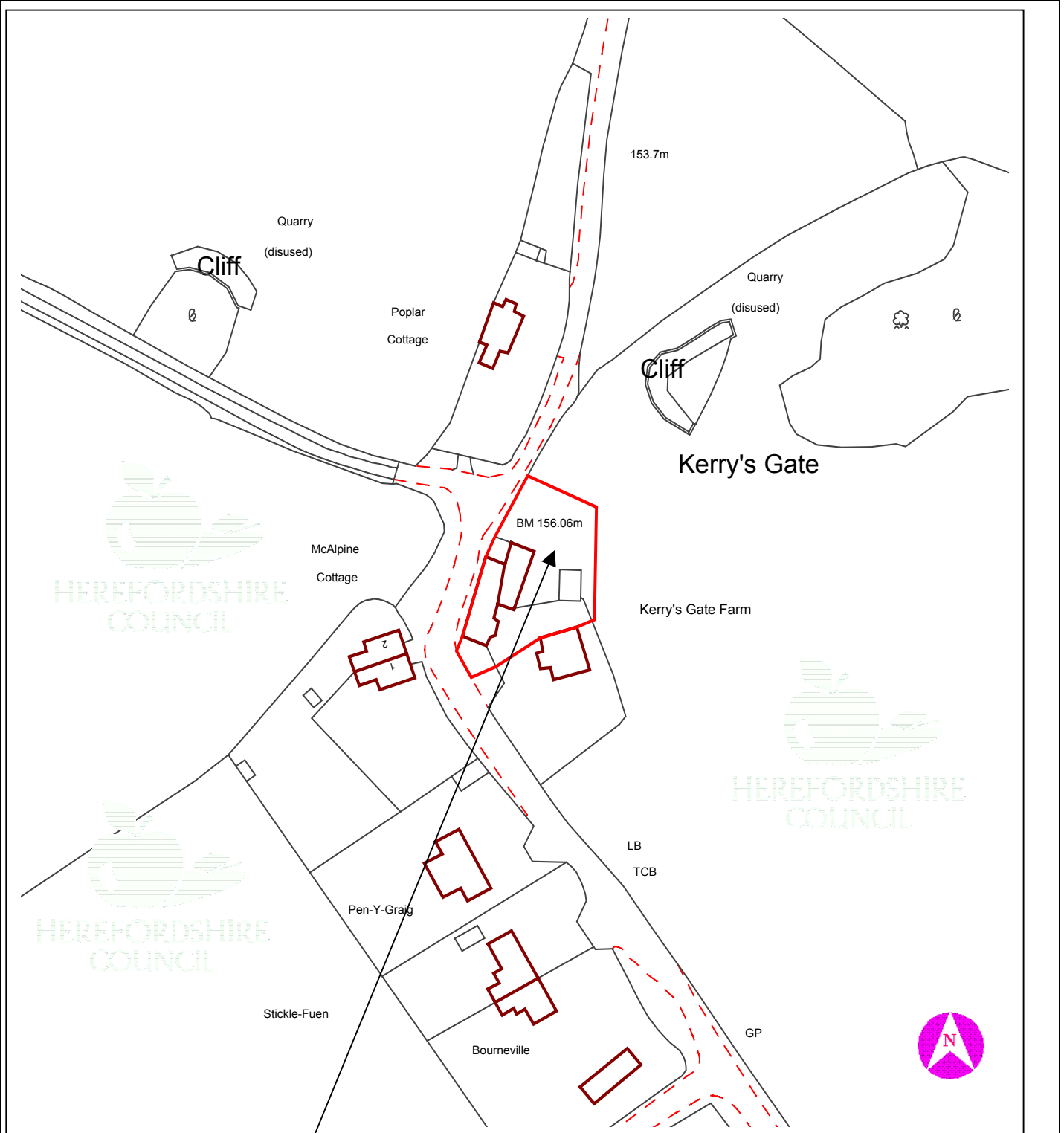
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCSW2004/0500/F

SCALE : 1 : 1250

SITE ADDRESS : Kerry's Gate Farm Buildings, Kerry's Gate, Hereford, Herefordshire, HR2 0AH

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7 DCSW2005/2970/F - UPGRADING OF TRACK, CONVERTING BARN TO STABLES AND CHANGE OF USE ON ANIMAL SHED TO WORKSHOP/STORE/GARAGE, THE CLOSERIE, LYSTON, WORMELOW, HEREFORDSHIRE, HR2 8EL

For: Mr. A. Regan, The Closerie, Lyston, Wormelow, Hereford, HR2 8EL

Date Received: 15th September, 2005 Ward: Pontrilas Grid Ref: 49568, 28834

Expiry Date: 10th November, 2005

Local Member: Councillor G.W. Davis

1. Site Description and Proposal

- 1.1 The Closerie is a modern red-brick dwelling almost due north of Lyston House, a Grade II Listed house, from which it is well screened by existing trees in a parkland setting to the north and north-east of Lyston House. Access is gained onto the A466 road to the north-west of The Closerie.
- 1.2 The proposal has three elements, one is the upgrading of a track which has taken place already, secondly the use of a stone barn for stables, and lastly the use of a single-storey shed for use as a workshop/store/garage. The buildings referred to above are situated in the south-eastern corner of a paddock just to the east of Applegarth, which is in separate ownership/occupation. This dwelling is very well screened from northerly views. It is understood that these buildings and adjoining land were made available to the applicants when they relatively recently purchased The Closerie. The paddock to the north of the stone building proposed to be used for stables and the breeze-block building parallel and immediately to the north of it are outside the residential curtilage of The Closerie. They have been placed intermittently along the northern side of the proposed workshop/store/garage.

2. Policies

2.1 Planning Policy Guidance

- PPS.1 - Delivering Sustainable Development
PPS.7 - Sustainable Rural Development

2.2 Hereford and Worcester County Structure Plan

- Policy CTC.2 - Development in Areas of Great Landscape Value
Policy CTC.9 - Development Criteria

2.3 South Herefordshire District Local Plan

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

Policy C.10	-	Protection of Historic Parkland
Policy C.29	-	Setting of a Listed Building
Policy C.36	-	Re-use and Adaptation of Rural Buildings
Policy T.3	-	Highway Safety Requirements
Policy T.8	-	Public Footpaths and Cycleways

2.4 Unitary Development Plan (Revised Deposit Draft)

Policy S.2	-	Development Requirements
Policy S.7	-	Natural and Historic Heritage
Policy DR.3	-	Movement
Policy DR.14	-	Lighting
Policy HBA.4	-	Setting of Listed Buildings
Policy HBA.12	-	Re-use of Rural Buildings

3. Planning History

3.1 There is no planning history to the application site.

4. Consultation Summary

Statutory Consultations

4.1 Open Spaces Society has no objections.

4.2 The Ramblers Association observes:

“The development does not appear to have any impact upon the adjacent Public Right of Way, Llanwarne LW2, however we would ask you to ensure that the developer is aware that there is a legal requirement to maintain and keep clear a public right of way at all times.”

4.3 Hereford and Worcester Gardens Trust observes:

“Lyston House has some excellent grounds, which were laid out in the late 18th century by Dr. John Cam, an eminent physician and an important figure in the cultural life of late Georgian Herefordshire. Throughout the 19th century the pleasure grounds and small park were much admired by several commentators as an example of the picturesque on a small scale. The development in the late 20th century of a veritable industrial estate close to the northern boundary of the pleasure grounds of Lyston House, where once there was an orchard, is to be deplored. The visual integrity of the grounds needs to be defended. If the workshops are to be retained, consent for the work of conversion should be made dependent upon new landscaping, which creates a cordon sanitaire between the parkland and the industrial buildings.”

Internal Council Advice

4.4 The Traffic Manager observes:

“This proposal is for the track to join the existing private drive to Lyston House, which has poor visibility at its northern end towards the south west at its junction with the A466. I note that another existing track which crosses the site towards Lyston Villa and enters the junction just on the north side would have better visibility in the same direction. Nevertheless, these tracks are existing private drives and it appears that it is

unlikely to be any significant intensification in the use of the access onto the public highway. The proposed development would not appear to affect public footpath LW2.”

- 4.5 Conservation Manager has no objections from an architectural point of view nor to the principle of the track, but in its present form it is a little over-dominant in the landscape. Recommend that only the wheel tracks should be left constructed in stone and that a central strip should be reinstated to grass. This would minimise the visual impact of the track. Concerns have been raised regarding the colour of the roofing materials and the planning authority should seek confirmation that any new materials should be muted in colour.

5. Representations

- 5.1 The Parish Council observes:

“The Parish Council have concerns over new roadway to stables for which no consent appears to have been granted.”

- 5.2 Three letters of objection have been received from:

The Occupier of North Lodge, Lyston Court, Llanwarne, Herefordshire, HR2 8EL
Mr. & Mrs. D.G. Banks, Applegarth, Wormelow, Hereford, HR2 8EL
S.E. Sayce, Lyston Villa, Wormelow, Hereford, HR2 8EL

The main points being:

- The application should be retrospective.
- There has never been a track across the field.
- Work has already been undertaken to create a 2.8 metres wide and approximately 100 metres length, formed diagonally across the field from double gates.
- Works already completed in respect of workshop/store/garage.
- Insertion of double doors and windows to east elevation and double doors and four windows to north elevation.
- Concerned about the oxide red box profile and transparent sheeting, an inappropriate colour in its surroundings.
- Buildings have been in use for several months.
- The west wall of proposed storage conversion is a party wall to the adjacent annexe occupied by an elderly relative.
- Applegarth's septic tank to southern wall of barn, concerned proposed work will adversely affect our ability to maintain tank.
- No provisions for effluent from stables.
- Concerned that new road might be intended for an increased volume of traffic.
- Work and conversion is next to our property, applicants dwelling is over 100 metres away.
- The works remove our privacy and adversely affects our quality of life.
- The plan shows access using Lyston Villa drive, this is a private drive and Closerie does not have a right of access.

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

6. Officers Appraisal

- 6.1 The main issues are considered to be the impact of the development in the landscape, use of the buildings, affect upon neighbouring amenity, setting of the listed building and impact upon public right of way.
- 6.2 The conversion of the barn to stables retains the existing fabric of the building this being breeze block and steel to sides and roof. The only alteration to this building is the internal layout, which divides the area into three individual stables using tanalized stud walling. The existing animal shed measures 12.5m x 7m x 3.6m, which is situated north of the barn, built of breeze block. The alterations to this building include red oxide sheeting to the roof, double doors and four windows to the north elevation as well as the removal of two single doors replaced with a double and windows to each side to the east elevation. Internally the dividing wall is removed to provide the space for the new use of workshop/store and garage.
- 6.3 The track has been formed to gain access to these two buildings, constructed of crushed stone measuring 2.8m wide by approximately 77 metres, which crosses the paddock diagonally as delineated on the submitted drawing.
- 6.4 Policy C.8 of the South Herefordshire District Local Plan seeks to ensure that proposals do not adversely affect the landscape and are sensitively designed. Policy C10 ensures that unregistered parks and gardens of historic interest are also protected for its landscape quality. The Hereford and Worcester Gardens Trust state that further landscaping should be encouraged between the parkland and buildings. The area to the south visually screens the buildings from Lyston House and in consideration of its impact within the surrounding landscape, it would be beneficial to provide further landscaping to the north elevation to help reduce its prominence especially when viewed from the north aspect of the site, across the paddock area.
- 6.5 The Conservation Manager has no objections to the proposal, nonetheless, would encourage that only the wheel tracks should be left constructed of stone and that a central strip of grass be reinstated to reduce its visual impact. The workshop roof is of red oxide sheeting, this is visually intrusive within the surroundings and should be of a colour to minimize its intrusiveness. In the Officer's opinion through the use of appropriate conditions the colour of the roofing material and design of the track could be achieved to reduce their impact within the surrounding landscape.
- 6.6 The concerns of the neighbouring properties are noted having regard to the fact that the development has taken place and its associated use. Due to the distance from the applicant's dwelling, the buildings would be accessed daily by use of the car or by foot. The barn offers three stables and a combined use of workshop/store and garage, this in itself would not be seen as an over intensification of the site. However, the amenity currently enjoyed by neighbouring properties may be disturbed in terms of noise and light pollution. In the Officer's opinion in order to ensure that the amenities of neighbouring properties are protected, the buildings and lighting can be controlled through the use of appropriate conditions.
- 6.7 Lyston House is a Grade II listed building situated south-west of the proposal site, the Conservation Manager considers that the development would not affect the setting of the listed building. Furthermore, LW2 public footpath lies to the north and the Traffic Manager does not object to the proposed development.

- 6.8 It is noted that there are concerns relating to property rights, shared access and maintenance of the septic tank. However, these issues are not a planning matter and the local planning authority can only consider the application upon its own merits.
- 6.9 In assessing the proposed application, it is noted that the development has already taken place, however, in the Officer's opinion, the controlled use of the buildings, further landscaping and appropriate materials would ensure that the neighbouring properties and landscape qualities would not be adversely affected by this proposal.

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. The whole of the roof of the workshop/store and garage shall be finished in accordance with a finish, which shall first have been submitted to and approved by the local planning authority.

Reason: To secure properly planned development.

4. The whole of the track serving the buildings shall provide a central strip of grass which shall first have been submitted to and approved by the local planning authority.

Reason: To secure properly planned development.

5. F32 (Details of floodlighting/external lighting)

Reason: To safeguard local amenities.

6. The workshop/store and garage and access thereto must be reserved for the garaging or parking of private motor vehicles and the garage shall at no time be converted to habitable accommodation.

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

7. The workshop/store and garage hereby permitted shall be used solely for the garaging of private vehicles and for purposes incidental to the enjoyment of the dwelling house as such and not for the carrying out of any trade or business.

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

8. E11 (Private use of stables only)

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

9. The workshop/store/garage and stables and the dwelling known as The Closerie shall not be sold separately from each other.

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

10. G04 (Landscaping scheme (general))

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

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

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

Informative(s):

1. N04 - Rights of way

2. N14 - Party Wall Act 1996

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

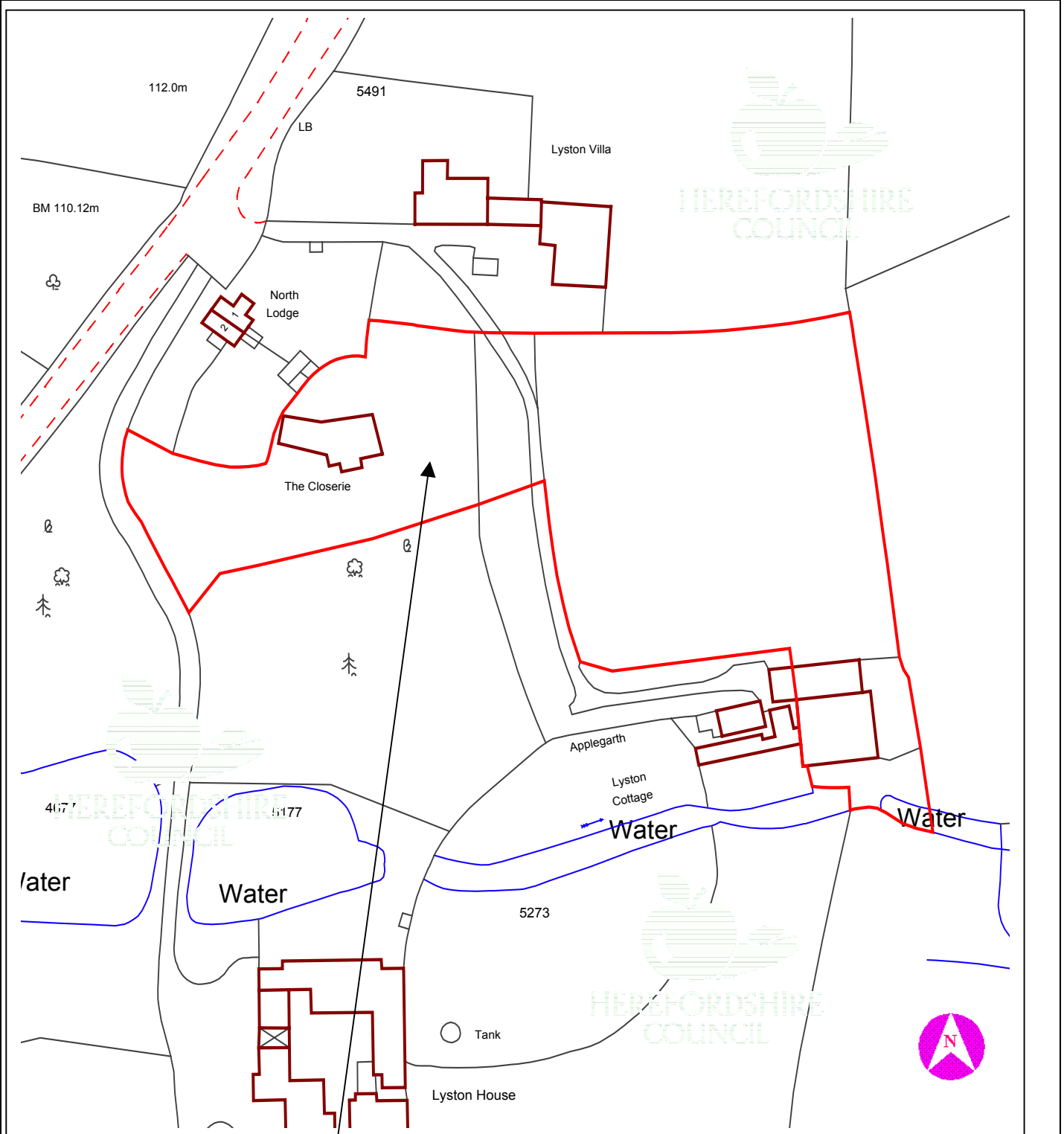
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCSW2005/2970/F

SCALE : 1 : 1250

SITE ADDRESS : The Closerie, Lyston, Wormelow, Herefordshire, HR2 8EL

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8 DCSE2005/3107/F - SINGLE STOREY EXTENSION TO SIDE TO PROVIDE TOILET FACILITIES, ROYAL HOTEL, SYMONDS YAT EAST, ROSS-ON-WYE, HEREFORDSHIRE, HR9 6JL

For: Mr. G. Hogsden per Mr. K. Cooper, Fork House, The Lonk, Joyford, Gloucester, GL16 7AJ

Date Received: 28th September, 2005 Ward: Kerne Bridge Grid Ref: 56168, 15802

Expiry Date: 23rd November, 2005

Local Member: Councillor Mrs. R.F. Lincoln

1. Site Description and Proposal

- 1.1 The Royal Hotel is situated at Symonds Yat East. It is accessed via a narrow road that runs from the C1258 road from Goodrich to Symonds Yat rock. The site and surrounding area are within the Wye Valley Area of Outstanding Natural Beauty and Area of Great Landscape Value. There are public footpaths to the east and west of the site and an ancient woodland adjacent to it.
- 1.2 The site levels rise from the access track and car parking area up into the site. To the rear of the premises the land rises steeply. The premises have been previously extended and altered and are predominantly externally finished in white painted render under a tiled roof.
- 1.3 It is proposed to extend the premises to provide new toilet facilities. The extension, would have a flat roof, and would be to the south-western elevation of the building. The extension would have a floor area of some 25.6 square metres and a height of 2.9 metres.

2. Policies

2.1 Planning Policy Guidance

- | | | |
|-------|---|----------------------------------------|
| PPS.1 | - | Delivering Sustainable Development |
| PPS.7 | - | Sustainable Development in Rural Areas |

2.2 Hereford and Worcester County Structure Plan

- | | | |
|--------------|---|-----------------------------------------------|
| Policy CTC.1 | - | Areas of Outstanding Natural Beauty |
| Policy CTC.2 | - | Development in Areas of Great Landscape Value |
| Policy CTC.9 | - | Development Criteria |
| Policy TSM.1 | - | Tourism Development |

2.3 South Herefordshire District Local Plan

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

Policy C.5	-	Development within Areas of Outstanding Natural Beauty
Policy C.8	-	Development within Areas of Great Landscape Value
Policy C.19	-	Ancient and Ancient Semi-Natural Woodlands
Policy TM.1	-	General Tourism Provision
Policy TM.3	-	Extensions to Hotels and Inns

2.4 Unitary Development Plan (Revised Deposit Draft)

Part 1

Policy S.1	-	Sustainable Development
Policy S.8	-	Recreation, Sport and Tourism

Part 2

Policy LA.1	-	Areas of Outstanding Natural Beauty
Policy LA.2	-	Landscape Character and Areas Least Resilient to Change
Policy RST.1	-	Criteria for Recreation, Sport and Tourism Development
Policy RST.2	-	Recreation, Sport and Tourism Development within Areas of Outstanding Natural Beauty
Policy RST.13	-	Rural and Farm Tourism Development

3. Planning History

3.1	SH820705PF	Installation of septic tank	-	Granted 02.11.82
	SH880144PF	Internal alterations, demolition, rebuilding and extension to form garden/banqueting area and toilets	-	Granted 16.03.88
	SH940731PF	Internal alterations, demolition, rebuilding and extension to form garden/banqueting area and toilets	-	Granted 26.07.94
	SH960934PF	Replacing corrugated iron roof sheets with tile form sheets	-	Granted 07.10.96
	SE2003/3884/F	Construction of deck complete with balustrading and handrails	-	Granted 18.02.04

4. Consultation Summary

Statutory Consultations

- 4.1 Gloucestershire County Council - No highway objection.
- 4.2 Open Spaces Society – “The proposal does not appear to have a physical effect to the interests of the Open Spaces Society”.
- 4.3 Hereford Nature's response is awaited.
- 4.4 The Ramblers' response is awaited.

Internal Council Advice

- 4.5 The Traffic Manager raises no objections.
- 4.6 Head of Environmental Health - No objection.

5. Representations

- 5.1 Goodrich Parish Council - No objections.
- 5.2 Two letters of representation have been received from:

J.S. Porter, Royal Tower Cottage, Symonds Yat East, Ross-on-Wye, HR9 6JL
Ross-on-Wye & District Civic Society, Caple Lee, How Caple, HR1 4TE

The main points raised are:

- Extension would come within 4ft of the joint boundary wall, exceed the height of the wall by some 4 ft and be within some 10-12 ft of my lounge/upstairs bedroom window (Royal Tower Cottage) and would be detrimental to the enjoyment of my property
 - Already experience catering smells from the hotel, now the inevitable odour from the proposed toilet block will be added to this.
 - Assume there will be additional noise from guests using facilities into the early hours - within a few feet from my cottage
 - Is it not possible to find another position for additional toilets elsewhere within the hotel or 4 acre grounds?
 - Disappointed that the extension would spoil the symmetry of this part of the front elevation of the hotel and would be almost flush with it.
 - If another position is not possible the new extension could be better integrated into the existing elevation by providing it with a pitched roof.
- 5.3 A letter has been submitted in support of the proposal by the applicant's agent. The main points raised are:
- Client has owned property for about one year and are improving the existing facilities to provide a high quality hotel, restaurant and bar. There has been a steady increase in trade, including passing trade.
 - There is only one toilet facility at ground floor level within the premises, which is for ladies, and is situated off the hotel reception area and adjacent to the kitchen. The gent's toilets are situated at first floor level. This is inconvenient to bar users as they walk the length of the hotel, sometimes in muddy footwear. It also creates problems for hotel guests as they are interrupted by passing bar customers.
 - There are no existing disabled toilet facilities.
 - The proposed toilets, for ladies, gents and disabled customers is proposed as close to the bar as possible, thus containing the passing trade in one area where they will not disrupt hotel guests.
 - Siting of the proposed extension was carefully considered, bearing in mind the needs of the property as a whole. There is nowhere at ground floor level between the respective uses where the toilets could be accommodated. In addition the foul water outlet is situated to the side of the property.
 - Planning permission was granted previously for a toilet block in the same area.

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

6. Officers Appraisal

- 6.1 The main considerations in the determination of this application are the effect of the proposal on the character and appearance of existing building and surrounding area and the amenity of the neighbouring property.
- 6.2 Policy TM3 of the South Herefordshire District Local Plan states that the extension of hotels for the provision of facilities will be allowed providing that the proposal is visually unobtrusive and in keeping with the scale, design and materials of the original building and complies with the requirements of policies TM1 and GD1. In summary and of relevance to this application, policies TM1 and GD1 state that proposals should not adversely impact the amenity of neighbouring land users and the landscape quality of the area, can be absorbed into the landscape and are small in scale.
- 6.3 In comparison with the premises as a whole the proposed extension would be relatively small in scale. In terms of siting, whilst the site is large due to the steep bank to the rear of the building, possible options are rather limited. In addition, as the facilities are required for customers using the 'Rapids Bar', and not residents of the hotel, the proposed siting next to the bar, conservatory and decked area is the only practicable option. Whilst flat roofed extensions are not generally encouraged, taking into account the existing character and appearance of the building, which includes single and two storey flat roof additions, it is considered that the small scale extension proposed would be in keeping with the character and appearance of the existing building. It is proposed to render and paint the extension white. This would match the majority of the external finish of the existing building and the elevations to which the extensions would be attached.
- 6.4 With regards the impact of the proposal on the quality of the landscape and surrounding area, it is considered that due to its small scale and complementary design and materials it would not be unduly prominent. The extension would be clearly read in conjunction with the building as a whole and against the backdrop of the densely wooded area to the east. On this basis the proposal would not adversely affect the scenic qualities of the Wye Valley Area of Outstanding Natural Beauty or the Area of Great Landscape Value.
- 6.5 The proposed extension would result in the building being closer to the neighbouring property, Royal Tower Cottage. The Royal Tower Cottage occupies higher ground than the hotel and a tall stone wall defines the two sites. The proposed extensions would, at its nearest point be some 1.5 metres from the boundary and 9 metres from the nearest elevation of Royal Tower Cottage. By reason of the siting and shape of the footprint of the extension and the position of the boundary only the corner of the extension would be at this distance with the remainder of the extension being slightly further away. Taking into account the established use of the site and the small scale development proposed it is considered that the extension to provide toilet facilities would not demonstrably cause harm to the amenity of the neighbouring property. Any potential for smell and noise nuisance could be satisfactorily addressed by conditions, i.e. ensuring that any mechanical ventilation systems are not sited on the elevation that faces the neighbouring property.
- 6.6 In conclusion it is considered that the proposal accords with national and local planning policies and none of the material planning considerations outweigh a decision being made in accordance with these policies.

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. **B02 (Matching external materials (extension))**

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

- 4. **F24 (Standard of septic tank/soakaway system)**

Reason: To prevent pollution of the water environment.

- 5. **Prior to the first use of the toilet facilities hereby approved, details of any extractor equipment to be installed shall be submitted to and agreed in writing by the local planning authority. The equipment shall be installed in accordance with the agreed details.**

Reason: To protect the residential amenities of the neighbouring property.

Informative(s):

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

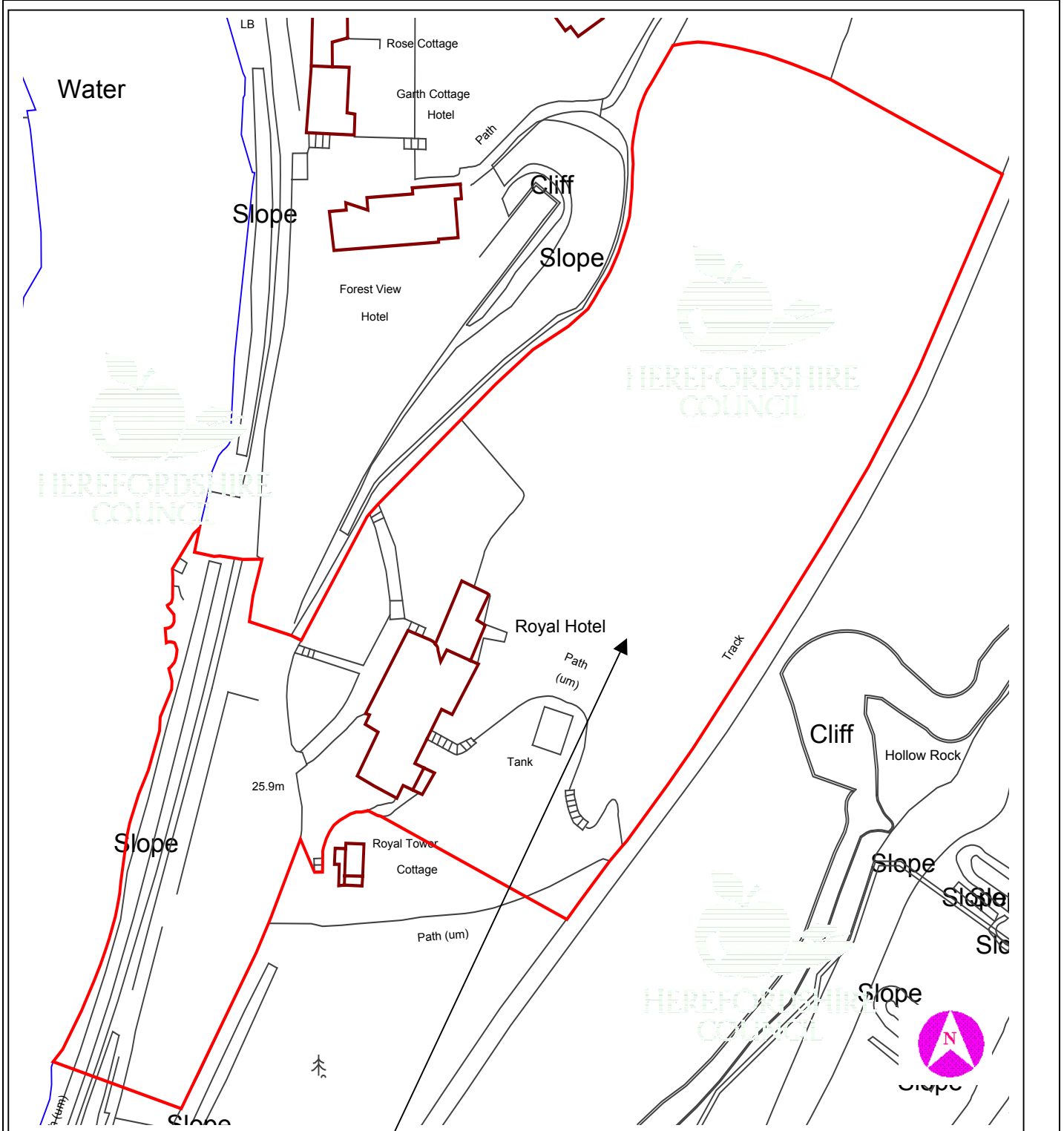
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCSE2005/3107/F

SCALE : 1 : 1250

SITE ADDRESS : Royal Hotel, Symonds Yat East, Ross-on-Wye, Herefordshire, HR9 6JL

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9 DCSE2005/2257/F - DEMOLITION OF SINGLE STOREY COTTAGE, RENOVATION OF PART OF COTTAGE TO RETURN AS GARAGE TO THE GLEBE. ERECTION OF TWO STOREY DWELLING AND GARAGE, GLEBE COTTAGE, ASHFIELD PARK ROAD, ROSS-ON-WYE, HEREFORDSHIRE, HR9 5AS

For: Mr. & Mrs. A. Porter per Geoff Jones Architect, 53 Broad Street, Ross on Wye, Herefordshire, HR9 7DY

Date Received: 8th July, 2005 Ward: Ross-on-Wye West Grid Ref: 59557, 23898

Expiry Date: 2nd September, 2005

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

1. Site Description and Proposal

- 1.1 The Glebe is a large detached house sited atop of the river cliff that rises near vertically from the Wye Valley along the western approach to Ross-on-Wye. To the north-east of the house is a small single-storey cottage. This was originally granted permission in 1972 with a condition restricting the additional accommodation to occupation in connection with the residential use of the original house, but occupation is now unrestricted. It is proposed to erect a new house to replace that cottage.
- 1.2 Part of Glebe Cottage was formed from a garage which would be renovated and returned to its former use. The new house would be detached from The Glebe. It would be two-storeyed with a hipped roof and three prominent gables on the front (south-east) elevation. A single-storey sunroom and terrace would project to the rear. A detached double garage would be sited to the front of the house. The ground floor area would be about 175sq.m. Vehicular access would be via a private road off Ashfield Park Road. The scheme as submitted has been amended in response to concerns raised by the Head of Conservation.
- 1.3 Adjoining the application site to the north-east is Rectory Farm. There are further houses to the south-west but unlike The Glebe and Rectory Farm these are not prominent (if visible) from Wilton Bridge and the walks along this section of the River Wye. To the south-east of The Glebe is Ashfield Park Primary School.

2. Policies

2.1 Planning Policy Guidance

PPG.3 - Housing
PPS.7 - Sustainable Development in Rural Areas

2.2 Hereford and Worcester County Structure Plan

Policy CTC.1 - Areas of Outstanding Natural Beauty
Policy CTC.2 - Development in Areas of Great Landscape Value

Policy CTC.3	-	Sites of National and International Importance
Policy CTC.6	-	Development and Significant Landscape Features
Policy CTC.9	-	Development Criteria
Policy CTC.15	-	Preservation, Enhancement and Extension of Conservation Areas
Policy CTC.18	-	Use of Urban Areas for Development
Policy H.16	-	Ross and Rural Sub-Area

2.3 South Herefordshire District Local Plan

Policy C.4	-	Areas of Outstanding Natural Beauty Landscape Protection
Policy C.5	-	Development within Areas of Outstanding Natural Beauty
Policy C.8	-	Development within Areas of Great Landscape Value
Policy C.9	-	Landscape Features
Policy C.23	-	New Development affecting Conservation Areas
Policy C.25	-	Demolition and Redevelopment
Policy SH.5	-	Housing Land in Ross-on-Wye
Policy SH.14	-	Siting and Design of Buildings
Policy SH.15	-	Criteria for New Housing Schemes
Policy GD.1	-	General Development Criteria
Ross-on-Wye 2 (Part 3)		New Housing Developments
Ross-on-Wye 3		Infill Sites for Housing

2.4 Unitary Development Plan (Revised Deposit Draft)

Policy LA.1	-	Area of Outstanding Natural Beauty
Policy LA.2	-	Landscape Character and Areas Least Resilient to Change
Policy H.1	-	Hereford and the Market Towns: Settlement Boundaries and Established Residential Areas
Policy H.13	-	Sustainable Residential Design

3. Planning History

3.1	33638	Erection of extension to provide additional living accommodation	-	Approved 26.06.72
	SE2004/2228/F	Removing of condition 2 of 33638	-	Approved 31.08.04

4. Consultation Summary

Statutory Consultations

- 4.1 English Nature cannot see any particular impact arising from this development and has no comment to make.
- 4.2 Welsh Water recommends that conditions be imposed regarding drainage of the site.

Internal Council Advice

- 4.3 Traffic Manager has no objection to the grant of permission.
- 4.4 Head of Conservation does not object to the amended scheme. With regard to the visual impact on the town's skyline the Head of Conservation "does not consider that the proposed two-storey dwelling and garage would have a detrimental effect on the

skyline. When the site is viewed from Wilton Road, from a distance, in the vicinity of the road bridge over the River Wye, The Glebe and other buildings on the cliff are not that prominent in the townscape, because they do not appear on the skyline. From this viewpoint, the wooded hills to the south-east of Ross-on-Wye form a backdrop to the site. When the site is viewed from Wilton Road closer to the foot of the cliff, the new two-storey dwelling would appear between two substantial facades, that of The Glebe and Rectory Farm. I conclude therefore that the proposed development would not be unduly prominent in the Conservation Area or in the Area of Outstanding Natural Beauty”.

5. Representations

5.1 Town Council states that “The Committee members are extremely concerned that this proposed development will adversely affect the skyline on this prominent escarpment in an Area of Outstanding Natural Beauty”.

5.2 One letter has been received objecting to the proposal. In summary the concerns are:

- the effect on the skyline when viewed from the riverside or from points further west
- at present only low single-storey buildings occupy the top of the cliff between The Glebe and Rectory Farm providing a varied and broken skyline
- a two-storey building would give the appearance of an almost unbroken line of buildings to detriment of the well know views towards the town from the west.

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

6. Officers Appraisal

6.1 The application site is within the boundary of the town delineated in the current Local Plan. In principle therefore the site is a suitable location for the erection of a new or replacement house and the issue to be considered is its effect on the character and appearance of the Ross-on-Wye Conservation Area and Wye Valley Area of Outstanding Natural Beauty.

6.2 Ross-on-Wye is highly distinctive, being a hill town within lowland England and away from the coast. The historic core of the town is built on top of the cliffs that rise steeply from the River Wye. Views of the town from the north and west with steeped church, Georgian Royal Hotel, mock castle walls and tower are justly famous. This may account for the town being within the Area of Outstanding Natural Beauty and the River Valley being within the Conservation Area: the River Wye turning sharply westwards beneath the tall cliffs and the overlooking town belong together. Views of this part of the town therefore are an essential part of its character and harm to these views would be unacceptable.

6.3 The application site is some 200m or so south-west of the focus of the historic panorama (church and hotel) with the trees of The Prospect providing visual separation. Nevertheless The Glebe and Rectory Farm are clearly visible from the river valley and the proposed house would be significantly taller than, and extend closer to Rectory Farm, than Glebe Cottage. Although the proposal would be set further back from the cliff face than Rectory Farm this would not be so apparent from distant views. The Head of Conservation points out however that these properties are not on the skyline and are seen against a backdrop of trees. The massing of the

building would not compete visually with the taller and more imposing The Glebe, yet would look appropriate in this context. The detailed design concerns to the original submission have been overcome by the revised proposals. For these reasons it is not considered that the character of this area, either as Conservation Area or Area of Outstanding Natural Beauty would be harmed.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

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

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

2. **A09 (Amended plans)**

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

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

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

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

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

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

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

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

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

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

Reason: To safeguard local amenities.

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

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

9. **W01 (Foul/surface water drainage)**

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

10. **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.

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

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

Informative(s):

1. Welsh Water advise that:

- 1. If a connection is required to the public sewerage system, the developer is advised to contact the Dwr Cymru Welsh Water's Network Development Consultants on Tel: 01443 331155.**
- 2. The proposed development is crossed by a trunk/distribution watermain. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times. It may be possible for this watermain to be diverted under Section 185 of the Water Industry Act 1991, the cost of which will be re-charged to the Developer.**

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

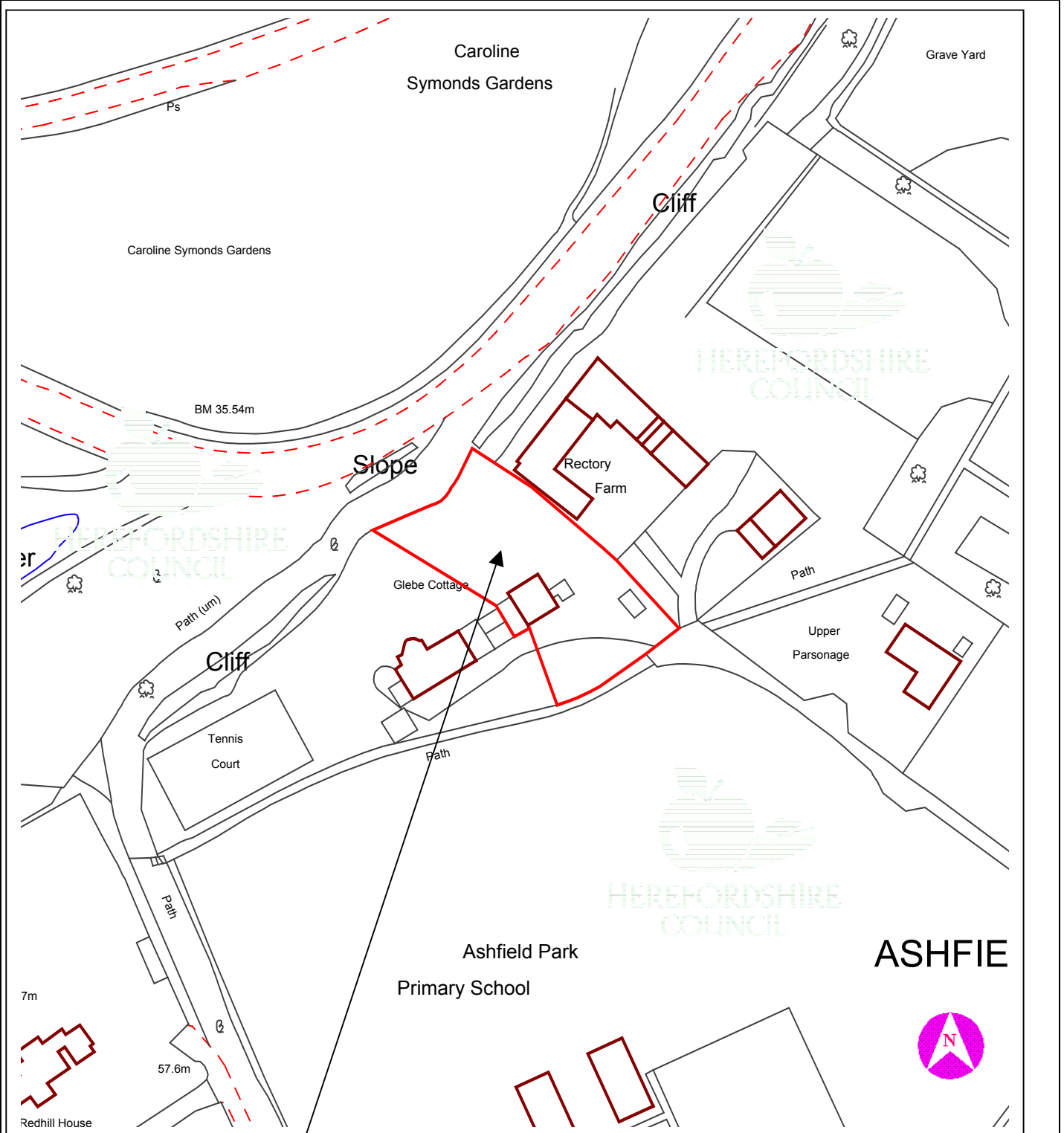
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCSE2005/2257/F

SCALE : 1 : 1250

SITE ADDRESS : Glebe Cottage, Ashfield Park Road, Ross-on-Wye, Herefordshire, HR9 5AS

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10 DCSE2005/3231/F - 20 METRE SLIMLINE TELE-COMMUNICATIONS LATTICE TOWER INCORPORATING 3 NO. ANTENNAE, REVELLS FARM, GORSLEY, ROSS-ON-WYE, HEREFORDSHIRE, HR9 7SE.

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

Date Received: 6th October, 2005

Ward: Penyard

Grid Ref: 66639, 26112

Expiry Date: 1st December, 2005

Local Member: Councillor H. Bramer

1. Site Description and Proposal

- 1.1 The application site is close to the south-eastern side of the M50 motorway and about 250m south-west of Junction 3 at Gorsley. The nearest road on the south side of the motorway is an unclassified road linking the junction with one of the main housing areas in Gorsley and on the north side another unclassified road runs parallel with the motorway. It is proposed to erect a 18.3m lattice mast on top of which would be 3 antennae, making a total height of just over 20m. In addition, 60cm and 30cm transmission dishes would be attached near the top of the mast. A compound of 8.45m x 5m would be constructed around the mast's base with chain link fencing and barbed wire (2.1m high). A meter cabinet and other equipment would be installed within the compound. Vehicular access would be via an existing field gate off the road linking Junction 3 and Linton, about 400m west of the application site.
- 1.2 There are houses and a gypsy caravan site to the north side of the motorway. To the east of the application site there is a cluster of farm buildings, with a bungalow and large detached house within half a kilometre of the site but the main housing area is further away. A 30m telecommunications mast is sited about 120m south-west of the application site.

2. Policies

2.1 Planning Policy Guidance

- PPS.7 - Sustainable Development in Rural Areas
PPG.8 - Telecommunications

2.2 Hereford and Worcester County Structure Plan

- Policy CTC.6 - Development and Significant Landscape Features

2.3 South Herefordshire District Local Plan

- Policy C.1 - Development within Open Countryside
Policy C.41 - Telecommunications Development
Policy C.42 - Criteria to Guide Telecommunication Development
Policy GD.1 - General Development Criteria

2.4 Unitary Development Plan (Revised Deposit Draft)

Policy CF.3 - Telecommunications

3. Planning History

3.1 There have not been any previous applications for development of this site.

4. Consultation Summary

Statutory Consultations

4.1 Highways Agency directs that a condition be attached to any planning permission in order to address their main concern that were the structure to fall this could have a detrimental impact to the safe and free flow of traffic upon the M50 motorway.

Internal Council Advice

4.2 Traffic Manager has no objection to the grant of permission.

4.3 Head of Environmental Health has no comment to make on the proposals.

5. Representations

5.1 The applicant's agent has submitted a detailed explanation of the proposal, including maps showing a gap in coverage and the improved coverage resulting from the current proposal. In summary, the following points are made:

1. The site has been carefully chosen to ensure that the relevant development plan criteria can be met and due regard has been given to the sites local environment and its surroundings.
2. The proposed site is located along the northern boundary of a field adjacent to a line of tall mature trees reaching approximately 17.5 metres in height. The tower therefore extends just above the tree line.
3. A lattice construction has been chosen so that the tower will allow views of the tree line to be seen through the lattice when viewed from the south and will create a lightweight permeable structure behind the branches of the tree when viewed from the north.
4. It is anticipated that the mast will not be visible above the treeline but where limited views are achievable, a slim-line pole is proposed at the top of the mast to ensure that the bulk of the mast above the tree line is minimised.
5. It is also proposed to paint the mast and cabinet equipment dark brown to maximise the effectiveness of the screening in both summer and winter.
6. A thorough search of alternative sites was carried out. Two existing masts were considered (at Revells Farm and Steelworks at M50 Junction) but would either need to be raised to 35m or a new bulkier 25m mast constructed. One new site at the nearby Golf Club was investigated but would require a new 30m mast. In all these cases the adverse visual impact would be greater than for the proposed new mast.
7. A certificate declaring conformity with ICNIRP Exposure Guidelines is submitted.

- 5.2 Parish Council confirms its strong objections to the proposed telecommunications base station and tower. A letter explaining the reasons for objection sent to the applicant's agent is as follows:

"Thank you for your letter 2096-HR0024/JR/jr dated 29th July 2005 about the telecommunications base station and tower which it is proposed to be erected at Revells Farm Gorsley. The parish council regrets its inability to provide this response within the bare 14 days timescale specified in your letter.

This parish council recently published a Parish Plan, prepared under the Government's Vital Villages initiative. This document, accessible through the parish council's website (see below), is the product of an extensive and lengthy public consultation process. It will come as no surprise to you that this process revealed significant public disquiet over unattractive development in this rural environment; in particular, the proliferation of telecommunications masts has caused public concern in the parish and, in 2003 and again this year, real anger at the absence of meaningful consultation over commercial intentions. Hence the comment above about the bare timescale for this response. It is the public view that these masts are a blight on the landscape and public health concerns have not been allayed by bland assurances. Part of this council's Parish Plan consultation included this telling and much-endorsed comment: **"No more masts. New services on existing masts. No excuses"**.

You will understand, therefore, why the parish council found your statement of intent and brief justification unconvincing:

- Your letter offered no evidence of need, in terms of coverage and competing service providers.
- The statement that the existing mast (your Option A) could not accommodate 3's antennae (how many antennae? how big?) without a 5m extension in height lacks credibility on both counts.
- Your concentration on visual intrusion from the M50 misses the point. The parish council and the public are concerned, deeply concerned, about visual intrusion upon and from the surrounding countryside and villages. Your preferred Option is on the hill crest and thus, like the existing mast, would be both prominent and visible for miles.

In short, your letter did not provide nearly adequate evidence of need and the requirement for yet another mast was unsubstantiated. If a further mast were to be needed, the visual intrusion criterion would seem to favour your discounted Option D: the already-spoiled M50 junction. Lastly, the impression of a hasty and superficial pro-forma notification was not helped by the titling of the map extract being at variance with the letter."

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

6. Officers Appraisal

- 6.1 The submitted maps show a gap in coverage for a stretch of about 2km along the M50 to the north-east of Junction 3. In addition, almost all of Gorsley village and parts of Upton Bishop are not currently covered. The proposal would fill in this gap, except for

a section of motorway adjoining Queens Wood and Hay Wood and for a small part of Gorsley.

- 6.2 The issue raised by this proposal therefore is the effect on visual amenity. The single line of trees along this section of the motorway are deciduous and with a sparse canopy, even in summer. They would not wholly screen the tower from the motorway. It would also be visible from the road to the north although further trees on this side of the motorway would minimise the visual impact. The mast would be within an open field but in fact views from the south are restricted by the farm buildings referred to in paragraph 1.1 above and a pattern of hedgerows, groups of trees and individual trees plus the undulating ground. The top of the mast may however be glimpsed in more distant views from public viewpoints.
- 6.3 One other factor is that there are two other masts close by, one to the south-west, the other at Junction 3, plus a police CCTV mast. Driving along the motorway these would be seen in quick succession and can be viewed from the road bridge over the M50 at this junction. Nevertheless from most viewpoints only one or two masts would be seen at a time. It is not considered that the alternatives, which would require taller and more bulky structures, would be significantly less harmful.
- 6.4 It is concluded therefore that a need for additional coverage has been shown and that the proposal would not be unduly prominent in the landscape.
- 6.5 An ICNIRP Certificate has been submitted and the Government's advice is that as the proposal meets internationally accepted guidelines for limiting exposure to electromagnetic fields the local planning authority should not need to consider health effects further.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

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

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

2. G04 (Landscaping scheme (general))

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

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

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

4. No development within the application area shall be undertaken unless technical approval (including foundations) has been applied for and agreed by the local planning authority after consultation with the Highways Agency (required in accordance with HA BD2/05 "Technical Approval of Highway Structures" [section 3.4.2 (i)])

Reason: As directed by the Highways Agency in order to ensure the safe and free flow of traffic on the M50 motorway.

Informative(s):

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

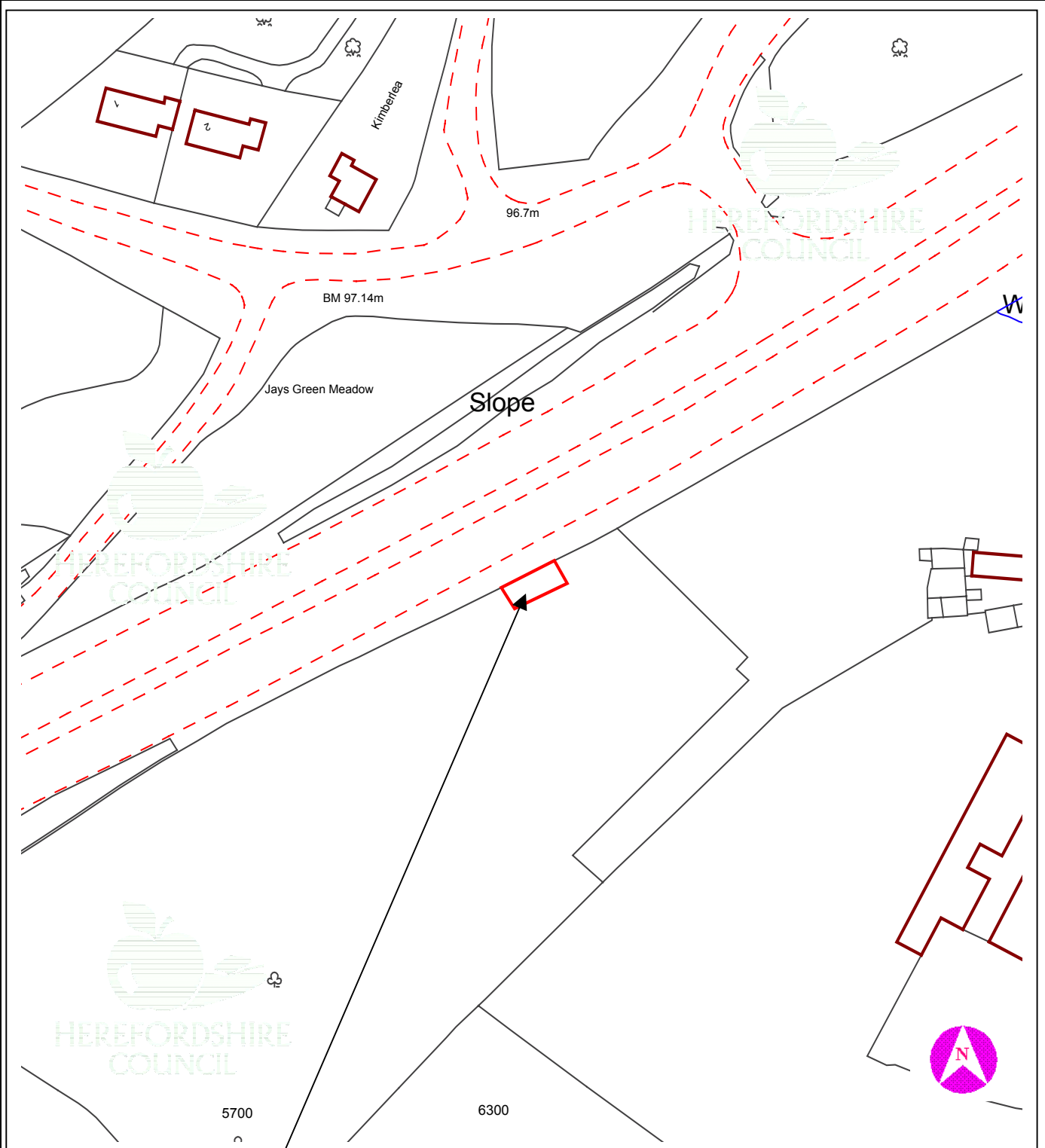
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCSE2005/3231/F

SCALE : 1 : 1250

SITE ADDRESS : Revells Farm, Gorsley, Ross-on-Wye, Herefordshire, HR9 7SE.

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11 DCSW2005/3321/F - DEMOLISH ACORN COTTAGE AND REPLACE WITH A NEW DWELLING, GREAT OAK HOUSE, KILPECK, HEREFORDSHIRE, HR2 9DN.

**For: Mr. & Mrs. A.R. Thomas per Mark Ponting
Consultancy, Caemain, Ewyas Harold, Herefordshire,
HR2 0ES.**

Date Received: 17th October, 2005

Ward: Valletts

Grid Ref: 44597, 30387

Expiry Date: 12th December, 2005

Local Member: Councillor P.G. Turpin

1. Site Description and Proposal

1.1 The site is located at the junction of the unclassified 74002 road and the classified 1230 road within the smaller settlement of Kilpeck. The site comprises a bungalow that was converted in 1991 from the garage to Great Oak House, the property to the north-west of the site. To the north of the site is the village green, to the east the Red Lion Public House and to the south-west a bungalow. There is an existing mature hedgerow to the south-east and south-west of the site.

1.2 The proposal is to demolish the existing bungalow and erect a three bedroom two-storey dwelling set back 6 metres from the unclassified road with a parking area for 2 cars at the front. Vehicular access will be via the existing access to the bungalow although visibility will be improved by the reduction in the height of the garden at the junction of the u/c 74002 and C1230.

2. Policies

2.1 Planning Policy Guidance

PPS.1	-	Delivering Sustainable Development
PPS.7	-	Sustainable Development in Rural Areas
PPG.3	-	Housing

2.2 Hereford and Worcester County Structure Plan

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

2.3 South Herefordshire District Local Plan

Policy GD.1	-	General Development Criteria
Policy SH.10	-	Housing in Smaller Settlements

2.4 Unitary Development Plan (Revised Deposit Draft)

Policy S.2	-	Development Requirements
Policy S.3	-	Housing
Policy DR.1	-	Design
Policy H.7	-	Housing in the Countryside Outside Settlements

3. Planning History

- 3.1 SH911527PF Conversion of garage to dwelling - Approved 18.12.91
- DCSW2005/1928/F Proposed new dwelling - Withdrawn 05.08.05

4. Consultation Summary

Statutory Consultations

- 4.1 No statutory or non-statutory consultations required.

Internal Council Advice

- 4.2 The Traffic Manager has no objection.
- 4.3 The Conservation Manager has no objection to the maple tree being removed as it is not worthy of a Tree Preservation Order. In addition, he considers that as the site is within the medieval core of the village a condition should be imposed on any planning permission granted requiring an archaeological watching brief during development.

5. Representations

- 5.1 Kilpeck Parish Council make the following comments:

“While the Parish Council have no objections in principle, it is still felt that, despite amendments to the application, the type and size of the proposed construction, on a site which in itself is a garage converted into a self-contained bungalow would not be in keeping with this position overlooking the historic village green. The Parish Council therefore resolved that this application should not be approved.”

6. Officers Appraisal

- 6.1 The main considerations in this application are:

The principle of erecting a dwelling on the site
The design and size of the building and its impact on the character of the area

- 6.2 The proposed site is within an approved smaller settlement where the general principle of erecting a dwelling is considered acceptable. This is confirmed by the presence of the existing dwelling that was approved in 1991.
- 6.3 The site is within a prominent position within the settlement, being opposite the village green and in close proximity to the local public house. However, on approaching the site from the north east it is screened by an oak tree on the village green, which is subject to a Tree Preservation Order. It is also screened to the south-east and south-west by a mature hedgerow that would be retained by condition.

- 6.4 The proposed dwelling would be contained within the existing physical boundaries of the site. It will be set back into the site a minimum of 6 metres from the edge of the highway. The house will also be set into the site reducing its prominence in this location.
- 6.5 Development within the immediate area consists of detached properties located adjacent to the road network. The front elevation of the proposed dwelling would be similar to Great Oak House, the adjacent property, although it would be narrower and less tall, providing a subordinate appearance. The new house will be constructed of red brick under grey slate roof reflecting the materials of the neighbouring property. The proposed dwelling is considered to be of a scale and character appropriate to the particular location.
- 6.6 The proposed dwelling is designed so that it will not adversely affect the amenity of neighbouring properties. Windows have been omitted from the north west elevation, there will therefore be no overlooking of Great Oak House. The property to the south west 'Newbery' is set well above the ground level of the site with a mature hedgerow between the two boundaries. There will therefore be no effect on the amenity of the property.
- 6.7 The representation of the Parish Council and planning policies and guidance have been fully taken into account in the evaluation of the proposed dwelling and it is considered that the proposal is acceptable subject to appropriate conditions.

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. A08 (Development in accordance with approved plans and materials)

Reason: To ensure adherence to the approved plans and to protect the general character and amenities of the area.

3. B01 (Samples of external materials)

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

4. D03 (Site observation – archaeology)

Reason: To allow the potential archaeological interest of the site to be investigated and recorded.

5. H10 (Parking - single house)

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

- 6. Before any other works hereby approved are commenced, the access into the application site shall be so constructed that there is clear visibility from a point 0.6m above the level of the adjoining carriageway across the whole frontage of the dwelling parallel to the unclassified 74002 road to the C1230 road. Nothing shall be planted, erected and/or allowed to grow on the area of the land so formed which would affect the visibility described above.

Reason: In the interests of highway safety.

- 7. G09 (Retention of trees/hedgerows)

Reason: To safeguard the amenity of the area.

Informative(s):

- 1. HN01 - Mud on highway
- 2. HN04 - Private apparatus within highway
- 3. HN05 - Works within the highway
- 4. HN22 - Works adjoining highway
- 5. ND03 – Contact address
- 6. N15 - Reason(s) for the Grant of Planning Permission

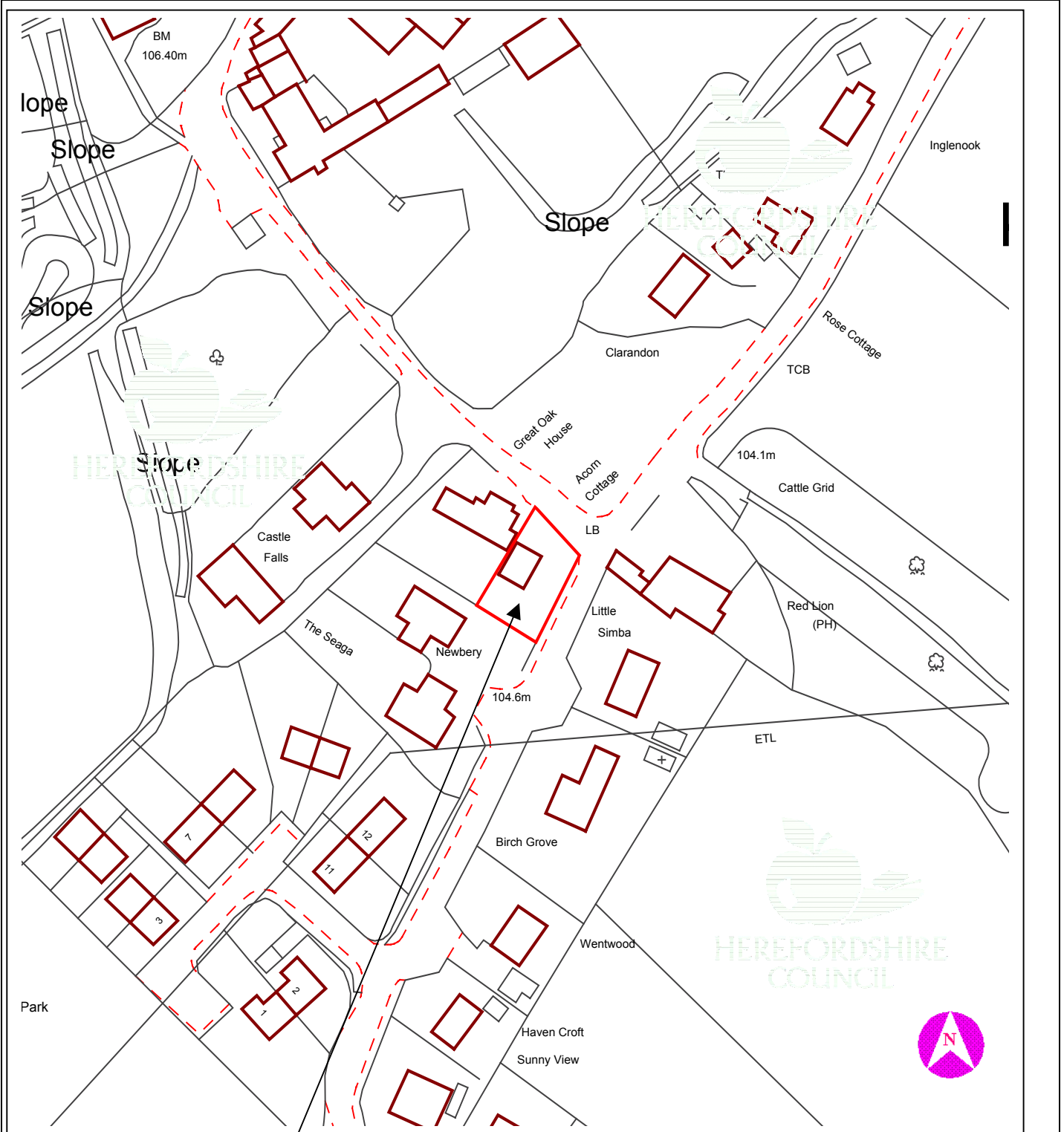
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCSW2005/3321/F

SCALE : 1 : 1250

SITE ADDRESS : Great Oak House, Kilpeck, Herefordshire, HR2 9DN.

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