

A G E N D A

Southern Area Planning Sub- Committee

Date: **Wednesday, 21st December, 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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Tel: 01432 261885 Fax: 01432 260286*

e-mail: rclarke@herefordshire.gov.uk

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

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| 1. APOLOGIES FOR ABSENCE | |
| To receive apologies for absence. | |
| 2. DECLARATIONS OF INTEREST | |
| To receive any declarations of interest by Members in respect of items on the Agenda. | |
| 3. MINUTES | 1 - 10 |
| To approve and sign the Minutes of the meeting held on 23rd November, 2005. | |
| 4. ITEM FOR INFORMATION - APPEALS | 11 - 12 |
| To note the contents of the attached report of the Head of Planning Services in respect of the appeals received or determined for the southern area of Herefordshire. | |
| REPORTS BY THE HEAD OF PLANNING SERVICES | |
| To consider and take any appropriate action in respect of the planning applications received for the southern area and to authorise the Head of Planning Services to impose any additional or varied conditions and reasons considered to be necessary. | |
| Plans relating to planning applications on this agenda will be available for inspection in the Council Chamber 30 minutes before the start of the meeting. | |
| 5. DCSE2005/3451/F - FOXBERRY COTTAGE, KILCOT, NEWENT, HEREFORDSHIRE, GL18 1NS | 13 - 16 |
| Two-storey rear extension. | |
| 6. DCSE2005/3624/F - OVERROSS FARM, OVERROSS, ROSS-ON-WYE, HEREFORDSHIRE, HR9 7GX | 17 - 22 |
| Erection of 2 dwellings. | |

| | | |
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| 7. | DCSE2005/3536/F - THE FRUIT YARD, LINTON, ROSS-ON-WYE, HEREFORDSHIRE, HR9 7SD | 23 - 30 |
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| | Change of use of basement to barber shop/hairdresser. Replace courtyard wall with brick, railings and gate for direct access. Replace external doors and windows. Internal modification and renovation to business and residential rooms. | |
| 10. | DCSW2004/3260/F - BARN ADJACENT TO THE PARKS FARM, POOL PARDON, NR. CUSOP, HEREFORDSHIRE, HR3 5HH | 43 - 48 |
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| 11. | DCSE2005/1030/F - DSCE2005/3468/F - DSCE2005/3469/F - UPPER FOXHALL FARM, PHOCLE GREEN, ROSS-ON-WYE, HEREFORDSHIRE, HR9 7TN | 49 - 58 |
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| | Fenced training ring at Equine Centre (60m x 20m). | |

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COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL

BROCKINGTON, 35 HAFOD ROAD, HEREFORD.

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COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL

MINUTES of the meeting of Southern Area Planning Sub-Committee held at The Council Chamber, Brockington, 35 Hafod Road, Hereford on Wednesday, 23rd November, 2005 at 2.00 p.m.

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

Councillors: M.R. Cunningham, Mrs. C.J. Davis, G.W. Davis,
Mrs. J.A. Hyde, G. Lucas, D.C. Taylor and J.B. Williams

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

79. APOLOGIES FOR ABSENCE

Apologies were received from Councillors H. Bramer, N.J.J. Davies, J.W. Edwards and Mrs. A.E. Gray.

80. DECLARATIONS OF INTEREST

There were no declarations of interest made.

81. MINUTES

RESOLVED: That the Minutes of the meeting held on 26th October, 2005 be approved as a correct record and signed by the Chairman.

82. ITEM FOR INFORMATION - APPEALS

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

83. DCSW2005/3155/F - LAND ADJOINING 'FALCON', SCHOOL LANE, CLEHONGER, HEREFORDSHIRE, HR2 9RF

Proposed detached dwelling with integral garage and access.

Councillor D.C. Taylor, the Local Ward Member, felt that parking area at the front of the dwelling was too small and that there was insufficient space for a car to turn, he asked the Principal Planning Officer if the dwelling could be moved further back on the site in order to increase this parking area. He also noted the concerns of the neighbouring residents in respect of the issue of overlooking.

In response to the questions raised by the Local Ward Member, the Principal Planning Officer advised the Sub-Committee that the Traffic Manager had no objections to the application and that he felt that cars had sufficient space to turn at the front of the dwelling. He also said that the inspector had been happy with a two storey building on the site and that due to the 20 metre gap between the two dwellings he could not foresee an issue of overlooking.

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. **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:

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

(Note: Councillor D.C. Taylor, the Local Ward Member, wished it to be recorded that he voted against the resolution detailed above)

84. 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.

In accordance with the criteria for public speaking, Mr. Hartland, a local resident, spoke in objection to the application.

Councillor J.B. Williams, the Local Ward Member, noted the concerns of the local residents but felt that a number of the issues were civil matters and could not be dealt with by the sub-committee.

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. 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.

**85. DCSW2005/2970/F - THE CLOSERIE, LYSTON, WORMELOW,
HEREFORDSHIRE, HR2 8EL**

Upgrading of track, converting barn to stables and change of use on animal shed to workshop/ store/garage

The Principal Planning Officer reported the receipt of a further letter from the applicant. He also amended the wording of condition 4 of the recommendation.

Councillor G.W. Davis noted the concerns of the local residents and said that he was disappointed that the applicant had not sought planning permission prior to commencing work on the site. He advised Members that there were a number of concerns regarding shared access and rights of way but noted that these were not matters to be dealt with by the Sub-Committee.

RESOLVED:

That planning permission be granted subject to the following conditions:

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

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

2. A06 (Development in accordance with approved plans)

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

3. 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 within 6 months from the date of approval or as agreed in writing..

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.

Informatives:

1. N04 - Rights of way

2. N14 - Party Wall Act 1996

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

86. DCSE2005/3107/F - ROYAL HOTEL, SYMONDS YAT EAST, ROSS-ON-WYE, HEREFORDSHIRE, HR9 6JL

Single storey extension to side to provide toilet facilities.

In accordance with the criteria for public speaking, Mr. Wilson had registered to speak but was not present at the meeting.

RESOLVED:

That planning permission be granted subject to the following conditions:

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

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

2. A06 (Development in accordance with approved plans)

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

3. 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:

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

87. DCSE2005/2257/F - GLEBE COTTAGE, ASHFIELD PARK ROAD, ROSS-ON-WYE, HEREFORDSHIRE, HR9 5AS

Demolition of single storey cottage, renovation of part of cottage to return as garage to The Glebe. Erection of two storey dwelling and garage.

The Principal Planning Officer reported the receipt of amended drawings from the applicant. He advised Members that although the drawings had been amended, Ross Town Council still objected to the application.

In accordance with the criteria for public speaking, Mr. Porter, the applicant, spoke in support of the application.

Councillor G. Lucas, one of the Local Ward Members, felt that the application site was suitable for the development and that it would not have an adverse effect on the skyline.

Councillor M.R. Cunningham, the other Local Ward Member, noted that the new dwelling was lower than the existing building. He felt there were no planning grounds to object to the application and felt that it should be approved.

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. 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 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

88. DCSE2005/3231/F - REVELLS FARM, GORSLEY, ROSS-ON-WYE,
HEREFORDSHIRE, HR9 7SE.

20 metre slimline telecommunications lattice tower incorporating 3 no. antennae.

RESOLVED:

That subject to there being no new relevant representations during the consultation period, the Officers named in the Scheme of Delegation to Officers be authorised to approve the application subject to the following conditions and any further conditions considered necessary by Officers:

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

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

2. 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.

5. As soon as it is no longer required for telecommunications purposes, the development approved under the terms of this application shall be removed from the land and the land restored to its condition before the development took place.

Reason: In the interests of visual amenity.

Informative(s):

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

89. DCSW2005/3321/F - GREAT OAK HOUSE, KILPECK, HEREFORDSHIRE, HR2
9DN.

Demolish Acorn Cottage and replace with a new dwelling.

In accordance with the criteria for public speaking, Mr. Thomas, the applicant, had registered to speak but decided not to address the committee.

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. 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

The meeting ended at 2.55 p.m.

CHAIRMAN

| |
|---------------------------------------|
| ITEM FOR INFORMATION - APPEALS |
|---------------------------------------|

APPEALS RECEIVED**Application No. DCSW2005/1158/O**

- The appeal was received on 30th 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 W Price
- The site is located at Danygarth, Cusop, Hay-On-Wye, Hereford, Herefordshire, HR3 5QX
- The development proposed is Site for erection of new dwellings.
- The appeal is to be heard by Written Representations

Case Officer: Andrew Prior on 01432 261932

APPEALS DETERMINED**Application No. DCSE2005/1547/O**

- The appeal was received on 3rd August 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 R E Williams Esq
- The site is located at Land between Lynwood and Tinber, Whitchurch, Ross-On-Wye, Herefordshire, HR9 6EG
- The application, dated 11 May 2005, was refused on 7 July 2005
- The development proposed was Proposed new dwelling
- The main issue is the impact of the development on the scenic qualities of the AONB

Decision: The appeal was **UPHELD** on 22 November 2005

Case Officer: Charlotte Atkins on 01432 260536

Application No. DCSW2004/2948/O

- The appeal was received on 15th November 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 D Headon
- The site is located at Plot adjacent Thisseldo, Harewood End, Hereford, Herefordshire, HR2 8JT
- The application, dated 15th July 2004, was refused on 22nd October 2004
- The development proposed was Site for one dwelling
- The main issues are whether the proposal would represent an appropriate and sustainable development in the open countryside, having regard to the Council's rural settlement policies, and whether satisfactory access arrangements could be provided, bearing in mind the need to ensure highway safety on the adjoining A49 Trunk Road.

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

Decision: The appeal was DISMISSED on 5th December 2006

Case Officer: Andrew Prior on 01432 261932

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

5 DCSE2005/3451/F - TWO STOREY REAR EXTENSION AT FOXBERRY COTTAGE, KILCOT, NEWENT, HEREFORDSHIRE, GL18 1NS

For: Mr. & Mrs. P. Shaw per Mr. V.C. Arnold, Mount Ottawa, Upleadon, Newent, GLOS, GL18 1HN

Date Received: 28th October 2005 Ward: Penyard Grid Ref: 69247, 24458

Expiry Date: 23rd December 2005

Local Member: Councillor H. Bramer

1. Site Description and Proposal

1.1 Foxberry Cottage is a detached two-storey dwellinghouse with detached garage being constructed in red brick and original gorsley stone under grey imitation slates. The dwelling is located within the parish of Aston Ingham within open countryside in an isolated position adjacent to the unclassified 70221 road. The site is on sloping land with mature woodland to the east.

1.2 The proposal is to erect a two-storey extension on the north-east elevation to provide additional living accommodation at ground floor and an additional bedroom with ensuite facilities at first floor. The original proposal measured 4.27m long x 4.27m wide x 5.85m high. However the proposed extension has been reduced in scale and now measures 3.27m long x 4.2m wide x 5.85m high.

2. Policies

2.1 Planning Policy Statements

PPS1 - Delivering Sustainable Development
PPS7 - Sustainable Development in Rural Areas

2.1 Hereford and Worcester County Structure Plan

Policy CTC9 - Development Criteria

2.2 South Herefordshire District Local Plan

Policy GD1 - General Development Criteria
Policy C1 - Development within Open Countryside
Policy SH23 - Extensions to Dwellings

2.3 Herefordshire Unitary Development Plan (Revised Deposit Draft)

Policy S1 - Sustainable Development
Policy S2 - Development Requirements
Policy DR1 - Design
Policy H18 - Alterations and Extensions

3. Planning History

| | | | | |
|-----|-----------------|--|---|---------------------|
| 3.1 | SH19791363PF | Two storey extension, change of use and garage | - | Approved 9.3.98 |
| | SE2001/2728/F | Retrospective external chimney. | - | Approved 7.12.01 |
| | DCSE2003/1363/F | Porch | - | Approved 26.6.03 |
| | DCSE2005/0802/F | First floor extension to garage to provide bedroom and bathroom. | - | Refused 28.04.05 |

4. Consultation SummaryStatutory 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.

5. Representations

- 5.1 Aston Ingham Parish Council make the following comment:

"The Council feels that the extension is excessive in scale in comparison with the existing building".

The Parish Council have been consulted on the revised scheme and their comments are awaited.

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 consideration in this application is the effect of the proposal upon the existing dwellinghouse.
- 6.2 The current application has been submitted in an attempt to address and resolve the concerns of a previous application that sought additional accommodation for the property. The previous application submitted under DCSE2005/0802/F sought to provide additional accommodation at first floor level above the garage but was refused on the grounds that the scale and design of the development were unacceptable in relation to the existing dwelling.
- 6.3 Policy SH23 of the South Herefordshire District Local Plan seeks to ensure that proposals are in keeping with the character of the existing dwelling in terms of mass, scale, design and materials and that the resultant scheme remains subservient.

- 6.4 The proposed extension will be set into the ground by 0.30m to ensure that the eaves of the extension meet the eaves of the existing dwellinghouse. It is considered that the size, scale and design of the revised extension would not appear incongruous within its surroundings nor would the resultant scheme dominate the existing dwellinghouse. The extension is proposed to be constructed from natural stone to match the existing, under imitation slate. There has been difficulty in sourcing natural Gorsley stone and therefore a condition will be attached seeking prior approval of samples of the external materials to ensure that the materials harmonise with the surroundings.
- 6.5 The relevant planning policies and guidance have been fully taken into account in the evaluation of the proposed extension 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.

Informative:

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

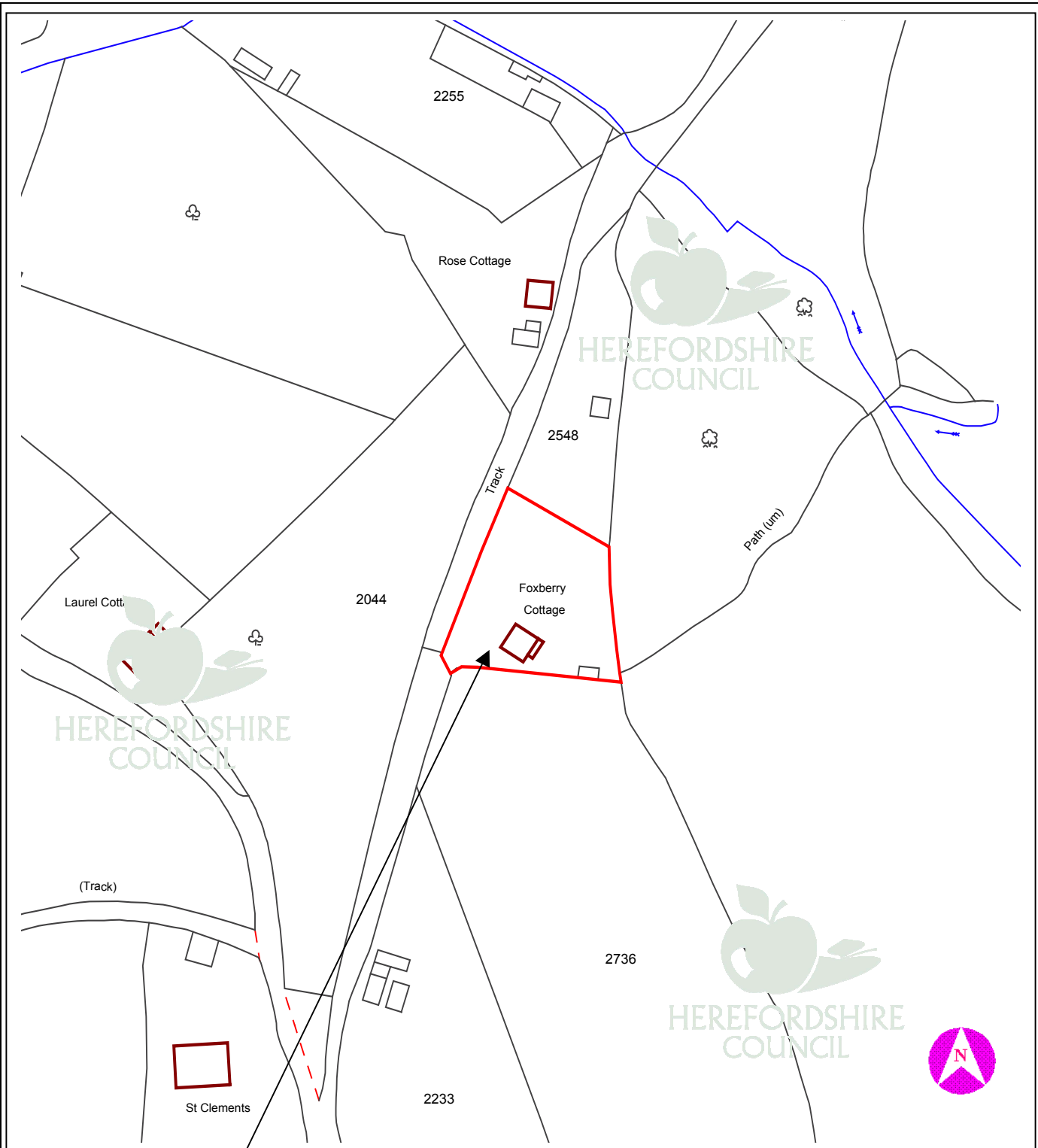
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCSE2005/3451/F

SCALE : 1 : 1250

SITE ADDRESS : Foxberry Cottage, Kilcot, Newent, Herefordshire, GL18 1NS

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6 DCSE2005/3624/F - ERECTION OF TWO DWELLINGS AT LAND AT OVERROSS FARM, OVERROSS, ROSS-ON-WYE, HEREFORDSHIRE, HR9 7GX

For: Casepress Ltd per Neil Vesma Architects Ltd, 43 Brunswick Road, Gloucester, GL1 1JS

**Date Received: 10th November 2005 Ward: Ross-on-Wye East Grid Ref: 60695, 25330
Expiry Date: 5th January 2006**

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

1. Site Description and Proposal

- 1.1 The site is within the settlement of Ross-on-Wye, as defined in the South Herefordshire District Local Plan and is located off a narrow track which adjoins the B4228 Ledbury Road. The track provides rear access to a number of properties along Ledbury Road and Overross Farm and passes along the southwestern boundary of the site, with another track passing adjacent to the northwestern site boundary. The 0.1 hectare site comprises unused, vacant land, which has recently been cleared of the majority of its vegetation. There is existing residential development to three sides of the site, all which back onto the site. The site is separated from the development to the northeast by a tall brick wall.
- 1.2 Planning permission is sought for the erection of two detached, two storey dwellings each with a detached double garage. The dwellings would be of the same design, but Plot 2 would be a handed version of Plot 1. The dwellings would be of a hipped roof, mock Georgian design, with a conservatory to the rear elevation. The dwellings would be 7.3 metres to the roof ridge and would also include a chimney.

2. Policies

2.1 Hereford and Worcester County Structure Plan

| | | |
|-------------|---|------------------------|
| Policy CTC9 | - | Development Criteria |
| Policy H16A | - | Development Criteria |
| Policy H18 | - | Housing in Rural Areas |

2.2 South Herefordshire District Local Plan

| | | |
|--------------------|---|----------------------------------|
| Policy GD1 | - | General Development Criteria |
| Policy SH5 | - | Housing Land in Ross on Wye |
| Policy SH14 | - | Siting and Design of Buildings |
| Policy SH15 | - | Criteria for New Housing Schemes |
| Policy T3 | - | Highway Safety Requirements |
| Part 3, chapter 37 | | |
| Policy 2 | - | New Housing Developments |
| Policy 3 | - | Infill Sites for Housing |
| Policy 4 | - | Primarily Residential Areas |
| Policy 5 | - | Housing in Built-up Areas |

2.3 Herefordshire Unitary Development Plan – (Revised Deposit Draft)

Part 1

Policy S2 - Development Requirements

Policy S3 - Housing

Part 2

Policy H1 - Hereford and the Market Towns: Settlement Boundaries and Established Residential Areas

Policy H16 - Car Parking

3. Planning History

- 3.1 SE2003/3296/O Site for five houses - Refused 22.1.2004
 SE2004/0349/O Site for one dwelling - Granted 14.4.2004

4. Consultation SummaryStatutory Consultations

- 4.1 Welsh Water - No objections, recommend conditions.

Internal Council Advice

- 4.2 The Traffic Manager raises no objections. Although access to the public highway is via a narrow service road, this already serves a number of surrounding dwellings. I note that outline planning permission for a single dwelling already exists at this site and the increase in traffic produced by the addition of one extra dwelling would not justify refusal on highway grounds. The proposed turning area for the garages does appear restricted and this should be considered if any re-siting of the dwellings is proposed.

5. Representations

- 4.1 Ross on Wye Town Council - comments awaited.

- 4.2 Six letters of representation have been received from Stephen Parry and Rhian Griffiths of Rossendale, Ledbury Road, Mr Jones and Mrs Notley-Jones of 6, Overross Farm, N. A Boycott and S.A Maxfield of 'Heaven Sent', 4, The Walled Garden, Tim and Gill Rigden of Croeso, The Walled Garden, Rachel and Lawrence Morgan of 1, The Walled Garden and W Morgan of Cadora Wood, Ledbury Road. The main points raised are:

- Vehicular access would be via small lane that is already used by a great number of houses. Any increase in traffic along this lane would create more danger for our children, increased noise nuisance and chaos - there are too many cars using the lane already
- The site is opposite our garden (Rossendale) and the development would destroy our privacy as the houses would directly overlook our houses and gardens.
- Until recently all you could see from our upstairs windows were woods and fields. Now all you can see are new houses to the horizon. The site is the only bit of green left.
- Would cause too much traffic for the lane and at the junction with Ledbury Road. Currently have to queue to get on and off Ledbury Road, which is dangerous.

- Development will cause more problems for the pumping station to the main sewerage system, which has maintenance problems from time to time resulting in smell problems
- It is our understanding that the site does not have a right of way down the lane. Is the lane wide enough to take lorries collecting and delivering from the site? Who will repair damages that occur to the lane and the hedgerow?
- Building on this site would invade our privacy (6 Overross Farm and Croeso)
- Proposal is too large for site, one dwelling would fit, but not two. Plot 2 would effect the sunlight to our garden ('Heaven Sent') and reduce natural light.
- Concerned at the way the developer has already cleared much of the site, which was a haven for wildlife. Remaining trees should be retained and supplemented to benefit the wildlife community and to offer privacy to new and existing households.
- The garage and house (Plot 2) would be too close to the boundary wall which is listed and we are responsible for its maintenance ('Heaven Sent' and Croeso). The development could severely undermine the foundations of the wall.
- Concerned about storm water drainage - to soakaways, as our garden is at a lower level and already severely waterlogged after period of rain ('Heaven Sent').
- 'bricked-up' style window to northeastern elevation could be opened up as a window in the future and would overlook our garden ('Heaven Sent').
- Hope consultation is not a sop to democracy, but issues will be listened to.

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 principle of development on this site, the impact on the character and appearance of the area, the affect on highway safety and the amenity of neighbouring properties.
- 6.2. The site is within the settlement of Ross-on-Wye where as set out in the Development Plan policies there is a presumption in favour of development. Moreover outline planning permission was granted last year for a dwelling on the site. As such in principle, residential development of the site is acceptable.
- 6.3 Whilst the site is currently open land it does not, in this location, contribute to the character of the area. PPG3 encourages high density development of between 30 and 50 dwellings per hectare net, particularly in sustainable locations. The erection of two dwellings and two detached garages on the site (0.1 hectares) would not appear cramped, there being a satisfactory distance separation to the boundaries and between the properties themselves. The surrounding area comprises a range of house styles and densities. There are relatively minor points relating to the porch design and access design that do cause concern and amended plans are being sought to resolve these issues. Subject to the receipt of amended plans in this regard, it is considered that the proposal would generally be in keeping with character of the area and therefore would accord with the requirements of policies SH14 and 3 and 5 of Parts 1 and 3 of the Local Plan.
- 6.4 The track currently serves a number of properties and has been considered acceptable to serve an additional dwelling. Although it is narrow the traffic increase that would be generated by the proposal would not, it is considered, result in a material change, such that would warrant refusal. The Traffic Manager does not object to the proposal.

- 6.5 It is proposed to site the dwellings so that the first floor windows would face northwest and southeast. This would prevent unacceptable loss of privacy to the properties to the northeast and south-west as the angles would be oblique and some distance away. To ensure windows are not installed in these elevations in the future it is recommended that a condition is imposed removing the normal permitted development rights. With regards the potential for overlooking of the properties to the north-west, namely those that face the Ledbury Road, the distance between these dwelling and those proposed would be some 57 metres. The distance from the front elevation of the proposed dwellings to the rear boundary of the gardens to these properties would be almost 20 metres and would be obscured to some degree by the existing garages at the end of the gardens. On this basis it is considered that the development would not adversely impinge upon the currently enjoyed residential amenities of neighbouring properties. Plot 2 would be sited to the southwest of the properties now built within the walled garden. By virtue of this, the distance separation and the height of the proposed dwelling it is considered that the proposal would not unacceptably reduce daylight or overshadow these neighbouring properties.

RECOMMENDATION

That subject to the receipt of satisfactory amended plans in respect of a) revising the porch design and b) modifying the parking/access areas the officers named in the Scheme of Delegation to Officers be authorised to issue planning permission subject to the following conditions and any additional conditions considered necessary by officers:

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

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

2 A09 (Amended plans)

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

3 B01 (Samples of external materials)

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

4 E17 (No windows in side elevation of dwellings)

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

5 G01 (Details of boundary treatments)

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

6 G02 (Landscaping scheme (housing development))

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

7 G03 (Landscaping scheme (housing development) - implementation)

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

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.

11 H11 (Parking - estate development (more than one house))

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

12 H27 (Parking for site operatives)

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

Informatives:

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

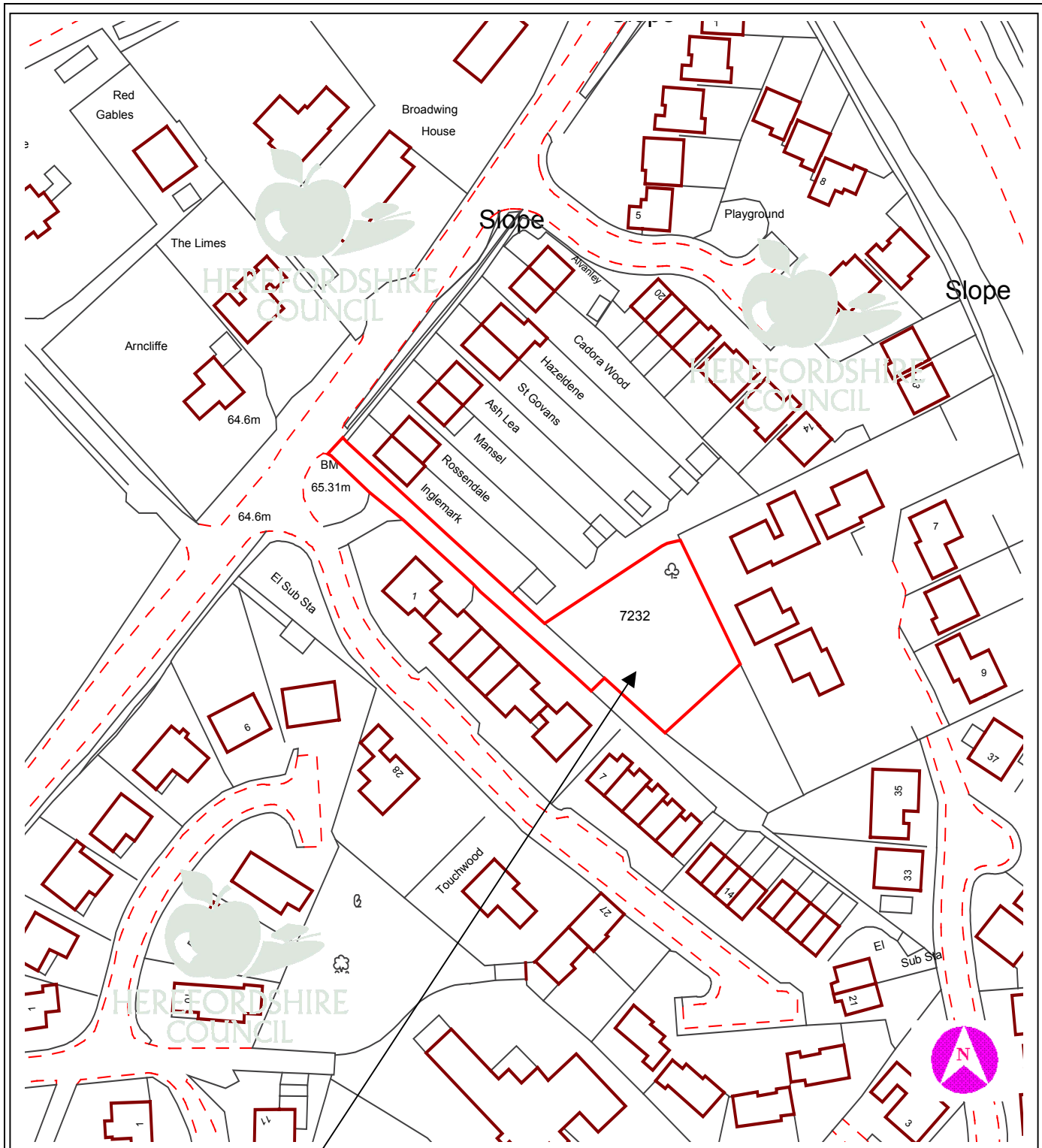
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCSE2005/3624/F

SCALE : 1 : 1250

SITE ADDRESS : Land at Overross Farm, Overross, Ross-on-Wye, Herefordshire, HR9 7GX

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7 DCSE2005/3536/F - AGRICULTURAL DWELLING AT THE FRUIT YARD, LINTON, ROSS-ON-WYE, HEREFORDSHIRE, HR9 7SD

**For: Mr. & Mrs. N. Jones per James Spreckley, MRICS
FAAV, Brinsop House, Brinsop, Herefordshire,
HR4 7AS**

Date Received: 3rd November 2005 Ward: Penyard Grid Ref: 66234, 25622

Expiry Date: 29th December 2005

Local Member: Councillor H. Bramer

1. Site Description and Proposal

- 1.1 The site lies in open countryside to the southeast of the M50 and the east of Linton. The land levels slope down into the site. The applicants' own 85 acres of agricultural land at Linton, which is divided into 55 acres of grassland, 12 acres for strawberry growing and 18 acres of orchards for cider apples. The applicants' also farm other land at Malvern and Castlemorton.
- 1.2 It is proposed to erect a dwelling for an agricultural worker (the applicants). This is a full application, for a detached two storey dwelling and garage. Access would be gained via an existing long agricultural track and farm access. There are a number of buildings at the northern part of the site used for agricultural purposes and a large agricultural building to the west of the proposed dwelling.
- 1.3 The dwelling would have an essentially 'T' shaped footprint, with first floor accommodation being predominantly within the roof void with the addition of dormer windows. The house would be 7.4 metres in height (to the roof ridge) and would incorporate two chimneys. The floor area of the dwelling would be some 204 metres and would provide a sitting room, dining room, kitchen, hall, w.c, study and laundry at ground floor with four double bedrooms (one with ensuite bathroom) and a bathroom over. The detached double garage would be some 5.7 metres in height and have a footprint of 39.06 square metres, with a farm office at first floor accessed via an external staircase.

2. Policies

2.1 Planning Policy Statements

| | | |
|------|---|--|
| PPS1 | - | Delivering Sustainable Development |
| PPS7 | - | Sustainable Development in Rural Areas |

2.2 Hereford and Worcester County Structure Plan

| | | |
|-------------|---|------------------------|
| Policy CTC9 | - | Development Criteria |
| Policy H20 | - | Housing in Rural Areas |
| Policy A4 | - | Agricultural Dwellings |

2.3 South Herefordshire District Local Plan

| | | |
|-------------|---|-------------------------------------|
| Policy GD1 | - | General Development Criteria |
| Policy C1 | - | Development within Open Countryside |
| Policy SH11 | - | Housing in the Open Countryside |
| Policy SH17 | - | Agricultural Workers Dwellings |

2.4 Herefordshire Unitary Development Plan (Revised Deposit Draft)

Part 2

| | | |
|-----------|---|--|
| Policy H7 | - | Housing in the Countryside Outside Settlements |
| Policy H8 | - | Agricultural and Forestry Dwellings and Dwellings Associated with Rural Buildings |

3. Planning History

| | | | | |
|-----|---------------|-----------------------|---|---------------------|
| 3.1 | SH94/0923/PF | Agricultural dwelling | - | Granted 7.12.1994 |
| | SE2005/2652/F | Agricultural dwelling | - | Withdrawn 4.10.2005 |

4. Consultation SummaryStatutory Consultations

4.1 Welsh Water - No objections, recommend conditions.

Internal Council Advice

4.2 The Traffic Manager has no objection subject to conditions being attached.

4.3 The County Land Agent has given a detailed response and concludes that the information does not justify a dwelling for this enterprise.

5. Representations

5.1 The applicants and their agent have submitted a Planning Appraisal and letters in support of the application. The salient points are:

- The enterprise has been established for many years, albeit on other land, but the husbandry and management requirements remain well established.
- The Fruit Yard has been established for many years and provided the justification for the agricultural dwelling previously granted.
- The financial data and audited accounts demonstrate beyond doubt the established nature of the enterprises, the fact that they are profitable, are likely to remain so and are capable of sustaining the cost of a dwelling.
- The dwelling is required for lambing, the strawberry growing and orchards.
- Lambing is intended to take place in three batches of 100, in December, January, February and March. Likely that lambing would extend over 5 months as a percentage of the ewes will lamb 3 or 6 weeks after the rest. Lambing can take place at any time, day or night.
- Some lambs require bottle feeding, on a regular basis, outside of the recognised working day.
- Strawberries will require round clock attention from May to October. At 5am the irrigation and feeding system needs to be turned on and turned off at 11pm. Staff require constant supervision.

- Orchards require constant attention from June, when spraying is carried out before sunrise and after sunset. In June and July it must be carried out before 5am and after 10pm on a daily basis.

5.2 Linton Parish Council make the following comments:

"We have now seen copies of the functional and financial tests supplied by the applicant together with other letters of recommendation. In addition Parish Councillors have looked in detail at the site.

It is unfortunate that approximately 10 years ago, a previous owner was allowed to sell off the farmhouse and ancillary buildings separately from the land; they have now all been converted and sold. We believe this application to be genuine and that the present owner has now demonstrated the need for an agricultural dwelling.

We suggest that if you decide to permit this application the ownership of the house should be strictly tied to the land as suggested by the applicant.

Having taken into account the planning policies in the SHDLP Linton Parish Council wish to support this application."

5.3 Letters of representation have been received from A.L Smith-Maxwell of Welland Lodge Farm, Upton-upon Severn and Peter Plumley (Vet) of The Old Farmhouse, Hill of Eaton, Foy. The main points raised are:

- Essential for applicants to live on site to supervise the flock.
- The flock of Belltex/Texel ewes are a high quality meat producing breed and have an anatomical feature known as 'double muscling'. This necessitates extra care and precaution at parturition to ensure the best survival rate of the lambs and the welfare of the ewes.
- Supervision must be provided at all times during lambing and it would therefore facilitate this if Mr and Mrs Jones could have their home at Revells Farm.

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 whether there is a functional requirement for a dwelling, whether the enterprise meets the financial tests and whether the siting, size and design of the property is acceptable in general planning terms.
- 6.2 The application site is in open countryside where normally planning permission would not be granted for a new dwelling. Policies H20 of the Structure Plan and SH11 of the Local Plan set out the exceptions to the normal strict general presumption against new residential development in the open countryside. One of these exceptions is a dwelling required for an agricultural worker. In this case it is stated that the dwelling is required for the applicants who are employed in agriculture.
- 6.3 In accordance with Development Plan policies and PPS7 – Annex A functional and financial tests must be met for planning permission to be granted for a permanent agricultural dwelling. With regards the functional need to have a permanent dwelling

on the site it is stated that this is required for lambing, irrigation and feeding of the strawberries and spraying of the orchards. Turning to the lambing it is stated that there would be 300 ewes, with lambing taking place between December-March (possibly into early April). As these requirements would be for limited parts of the year it is considered that the lambing and aftercare could reasonably be accommodated through the provision of a temporary caravan for the person caring for the sheep and lambs for this period. Therefore a functional need has not been demonstrated in respect of lambing.

- 6.4 With regards the spraying of cider apples and irrigation and feeding of soft fruit it is considered that this would not necessitate a permanent dwelling being on site. Rather these form part of the normal duties in the management of a farm and can, where necessary and appropriate, be performed by automated systems, with back up alarms. On behalf of the appellants Hortech Solutions Limited have stated that automated and alarmed systems are not practical when someone does not live on site, as it is necessary to react quickly to the alarm. It is considered however that such systems are practicable and would adequately ensure the irrigation and feeding is carried out without someone living on site, but possibly in the local area. PPS7, at Annex A states that it is often as convenient for workers to live in nearby towns, villages and existing dwellings so avoiding new and potentially visually intrusive development in the countryside. On this basis there is not a functional need to be on the site.
- 6.5 Therefore a functional need to be on site has not been demonstrated for lambing, the growing of strawberries or cider apples, either individually or cumulatively.
- 6.6 Turning to the financial position of the enterprise, as set out in Annex A of the PPS7 – Sustainable Development in Rural Areas, in respect of an application for a permanent dwelling it is required, amongst other things, that the unit and agricultural activity has been established for at least three years and profitable for at least one and is currently financially sound with a clear prospect of remaining so. The applicants purchased the Fruit Farm in 2004 and as such the enterprise, for which the dwelling is sought, has not been established for at least three years. It is argued by the applicants' agent that the enterprise includes the farming activities at Malvern and Castlemorton and because they have been established for more than three years the test is satisfied. It is considered that just because the applicants have farmed land elsewhere, in a different county, does not demonstrate that this holding at Linton is financially viable. Therefore the proposal fails the first part of the financial test because the agricultural unit and enterprise concerned have not been established for at least three years. In addition the Fruit Yard was only purchased at the end of 2004 so the submitted audit accounts for the year ending 5th April 2005 can only include the Fruit Yard finances for approximately 3 months. In light of the limited net profit for this year it has not been demonstrated, even in this very short time period, that the agricultural unit and enterprise at Linton is currently financially sound. In conclusion the financial test has clearly not been satisfied.
- 6.7 The proposed dwelling, excluding the garage, would have a floor area of some 204 square metres. As advised in PPS7, Annex A the size of dwelling should be commensurate with the established functional requirement. It has been stated that the build costs would be approximately £150,000, with a mortgage of £125,000 being required. In the letter dated 28th September 2005 from The Farm Consultancy Group it is stated that the annual mortgage payments would be £10,500. This would exceed the net profit for the business for the year ending 5th April 2005 and in addition a wage (wages) would need to be taken out of this profit.

- 6.8 On the basis of the information submitted the requirements of the functional and financial tests have not been met and as such the proposal is contrary to the relevant Development Plan policies and PPS7 – Annex A. Consequently, the unjustified dwelling and garage would be harmful to the open countryside.
- 6.9 The dwelling and garage would be set on the side of sloping ground and as a result there would be a significant amount of cut and fill to accommodate the development. The proposed siting would not relate well to the existing field boundaries or topography of the land. The prominence of the dwelling and garage would be further exacerbated, by their scale, mass and design. It is therefore considered that the proposal would be harmful to the landscape. As such the proposal would be contrary to planning policies H20 and SH17 of the Hereford and Worcester County Structure Plan and the South Herefordshire District Local Plan respectively, and the advice set out in Annex A of PPS7.
- 6.10 Planning permission was granted for a dwelling in close proximity to the application site in 1994. However this was for a different applicant, a different enterprise and was made some years ago. The current advice in PPS7 urges that proposals for agricultural workers are scrutinised thoroughly and therefore the current application should be considered in light of the current circumstances, which meet neither the functional or financial tests.
- 6.11 The Traffic Manager’s comments are noted. With regards visibility splay requirements, the access is existing and serves the agricultural buildings. On this basis the proposal would not materially increase the use of the access and to improve the access would be unreasonable.

RECOMMENDATION

That planning permission be refused for the following reasons:

- 1 On the basis of the submitted information the Local Planning Authority is not satisfied that either a functional need or the financial requirements for a dwelling in this location has been demonstrated to warrant a departure from national and local planning policies to control residential development in the open countryside. As such, the need for an agricultural worker's dwelling has not been established as required by Annex A of Planning Policy Statement 7 (Sustainable Development in Rural Areas), policies H20 and A4 of the Hereford and Worcester County Structure Plan and policies SH11 and SH17 of the South Herefordshire District Local Plan.**
- 2 Notwithstanding reason 1, the erection of a dwelling on the application site would detract from the visual amenity and character of the countryside. As such, the proposal is considered to be contrary to policies H16A and CTC9 of the Hereford and Worcester County Structure Plan and policies GD1 and C1 of the South Herefordshire District Local Plan.**

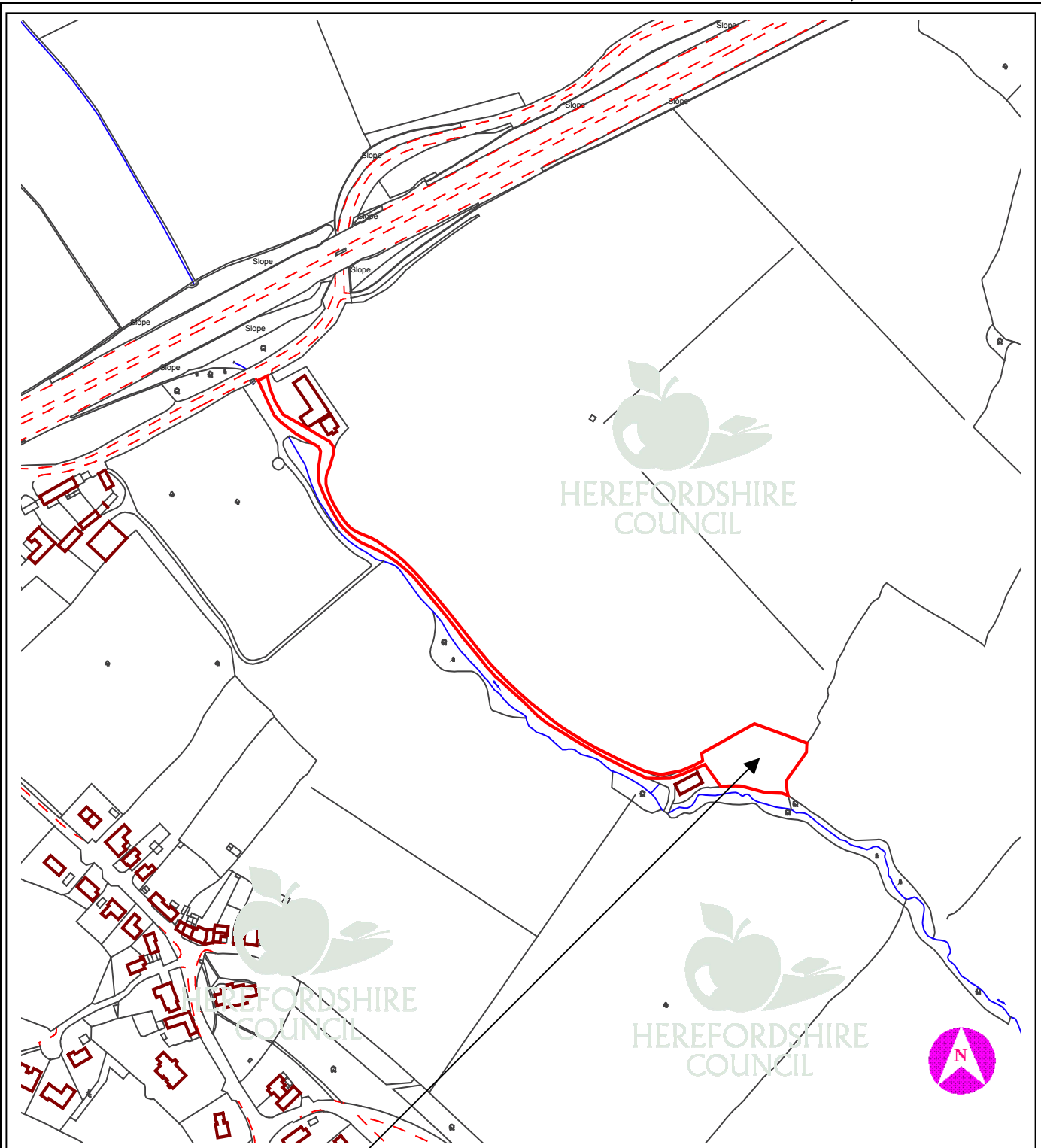
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCSE2005/3536/F

SCALE : 1 : 4000

SITE ADDRESS : The Fruit Yard, Linton, Ross-On-Wye, Herefordshire, HR9 7SD

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8 DCSE2005/1284/F - ERECTION OF FOUR CHALETs AT STERRETTs CARAVAN PARK, SYMONDS YAT, HEREFORDSHIRE

**For: Sterrett's Caravan Park per Boyer Planning Ltd,
33-35 Cathedral Road, Cardiff, CF11 9HB**

Date Received: 21st April 2005 Ward: Kerne Bridge Grid Ref: 55460, 17003

Expiry Date: 16th June 2005

Local Member: Councillor Mrs. R.F. Lincoln

1. Site Description and Proposal

- 1.1 Sterrett's Caravan Park is situated at Symonds Yat West. It is accessed off the C1258 and is adjacent to the Leisure Park. The site has pedestrian access off the B4164, which is to the southwest of the site. The site and surrounding area are within the Wye Valley Area of Outstanding Natural Beauty and Area of Great Landscape Value and within the floodplains of the River Wye.
- 1.2 At present the site, as a whole comprises a caravan park, with areas containing static vans and an area for touring caravans. There is a site office etc and informal area for dog walking and play area. The site is generally flat where the existing static vans are sited, but land levels start to rise to the western part of the site with a steep ascending slope to the western boundary to the B4164.
- 1.3 It is proposed to erect four, detached, single storey holiday chalets to the western part of the site. The chalets would be set into the existing bank and a new access driveway is proposed to the front of the chalets, with a turning head. A line of existing trees would visually separate the proposed chalets from the existing hardstanding and grassed area used for touring vans. Amended plans have been received which have altered the design of the chalets to provide a steeper roof pitch and made modest changes to their external appearance. Each chalet would have a floor area of some 8.4 metres by 7.1 metres (including a terrace to the front elevation) and a height of 5.2 metres to the roof ridge. The roof would have a pitch of 35 degrees and would overhang the footprint of the buildings. The accommodation provided in the chalets would be two double bedrooms, a bathroom and open plan kitchen, dining and living areas.

2. Policies

2.1 Planning Policy Guidance/Statement

| | | |
|-------|---|--|
| PPS1 | - | Delivering Sustainable Development |
| PPS7 | - | Sustainable Development in Rural Areas |
| PPG13 | - | Transport |

2.2 Hereford and Worcester County Structure Plan

| | | |
|-------------|---|------------------------------------|
| Policy CTC1 | - | Area of Outstanding Natural Beauty |
| Policy CTC2 | - | Area of Great Landscape Value |
| Policy CTC9 | - | Development Criteria |

- Policy E20 - Development of the Tourist Industry
- Policy TSM1 - Criteria for Tourism Related Development

2.3 South Herefordshire District Local Plan

- Policy GD1 - General Development Criteria
- Policy C1 - Development within Open Countryside
- Policy C3 - Criteria for Exceptional Development outside Settlement Boundaries
- Policy C5 - Development within Area of Outstanding Natural Beauty
- Policy C8 - Development Within Area of Great Landscape Value
- Policy C44 - Flooding
- Policy C45 - Drainage
- Policy TM1 - General Tourism Provision
- Policy TM5 - Proposals for Small Guesthouses, Bed and Breakfast and Self-Catering Accommodation
- Policy TM6 - Holiday Caravan/Chalet/Camp Parks
- Policy TM7 - Improvements to Existing
- Policy TM10 - Proposals within the Wye Valley Area of Outstanding Natural Beauty

Part 3 – Chapter 22

- Policy SY2 - Re-development of Open Fields
- Policy SY3 - Improvement of Tourism Developments
- Policy SY5 - New Commercial/Tourist Facilities
- Policy SY6 - Further Development of Leisure Facilities

2.4 Herefordshire Unitary Development Plan (Deposit Draft)

Part 1

- Policy S2 - Development Requirements
- Policy S8 - Recreation, Sport and Tourism
- Policy DR1 - Design

Part 2

- Policy LA1 - Areas of Outstanding Natural Beauty
- Policy LA2 - Landscape Character and Areas least Resilient to Change
- Policy LA3 - Setting of Settlements
- Policy RST1 - Criteria for Recreation, Sport and Tourism Development
- Policy RST2 - Recreation, Sport and Tourism Development within Areas of Outstanding Natural Beauty
- Policy RST12 - Visitor Accommodation
- Policy RST14 - Static Caravans, Chalets, Camping and Touring Caravan Sites

3. Planning History

- 3.1 SE2004/0167/F Erection of four chalets - Refused 19.04.04

4. Consultation Summary

Statutory Consultations

- 4.1 Environment Agency - No objection, in principle, to the proposed development.
- 4.2 Welsh Water - No objections, recommend conditions.

Internal Council Advice

- 4.3 The Traffic Manager raises no objections as the parking provision would be adequate. Turning head could be increased to accommodate larger vehicles (i.e. refuse vehicles)
- 4.4 The Conservation Manager advises that:

Opportunities for views to the area of the proposed chalets are limited, due to the topography of the Wye Valley in the locality of the site and the 'presence of boundary and intervening vegetation'. The issue of long distance views into the site is not the key issue. The key issue is the visual impact of the chalets in the context of the north-west facing wooded slopes of Great Doward. The existing static caravans at Sterretts Caravan Park, on the riverside meadows at the foot of these slopes are already a significant visual detractor in the Wye Valley Area of Outstanding Natural Beauty. The wooded slope which runs up from the meadows to the B4164 does act as a visual buffer zone between the caravan park and the quite densely settled slope above the road. I would not support the siting of the cabins on this bank because it would extend built development into this buffer zone, compounding the degradation of this part of the Wye Valley AONB. In my view it would be contrary to Policies C5: Development within AONB and C8: Development within AGLV, of the South Herefordshire District Local Plan (1999) and Policy LA1: Areas of Outstanding Natural Beauty of the Herefordshire Unitary Development Plan (Draft 2002).

It would be preferable for the chalets to be sited on the flat part of the application site, adjacent to the existing static caravans. New woodland could be planted around the chalets to create a more secluded environment and to differentiate the site of the cabins from the remainder of the site. This choice of siting would ensure that new development on the site was as tightly contained as possible, resulting in no adverse visual impact, and there would be an environmental gain – new woodland planting, which would enhance the site.

5. Representations

- 5.1 The applicant's agent has submitted a Planning Statement and an Initial Landscape Assessment in support of the application. The main points raised are:
 - Only limited views to and from the area, largely due to existing development within the caravan park and amusement centre and site boundary vegetation.
 - Modest scale of development, retention of much of existing vegetation, and any vegetation lost would be compensated by new planting.
 - Negligible visual impact, not discordant with character of area or surrounding land uses.
- 5.2 Whitchurch Parish Council - Support.

- 5.3 Two letters of representation have been received from Garth Lamb of The Grove and Stephen Strefford of Wye Valley View (formerly Gwyndine) in respect of the originally submitted plans. The main points raised are:
- No major objection in principle, consider that it would be a positive improvement to the facilities in the area
 - Chalet positioned to the east of the site would be very close to my boundary (The Grove) and there is currently no intact physical boundary. Would like the boundary to be delineated with an appropriate fence or similar barrier to prevent unintended ingress.
 - Our property overlooks the site and amusement park (Wye Valley View) and the lack of a detailed landscaping appraisal does not enable a full assessment of the impact to be made.
 - We want assurance that the conifers would be retained.
 - The developer could take this opportunity to plant trees in and around the caravan and amusement park to reduce their impact upon the scenic qualities of the landscape, ensure the facilities are absorbed into the landscape and would not be visually intrusive.

The full text of these letters can be inspected at Northern 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 principle of development on this site and the impact it would have on the character and appearance of the area and neighbouring properties.
- 6.2 The Local Plan acknowledges that the entire Symonds Yat study area is of national importance, but within it there are tracts of land that are more vulnerable to the threat of development and hence they warrant particular identification and protection. Policy SY2 – Redevelopment of open fields, of Part 3 of the Local Plan states that further development or new building on certain identified fields (as shown on Map 22B) will be resisted. The site subject to this application lies within the area shown on the map between the riverside meadows down to and around The Paddocks Hotel. The policy does not provide any exceptions to this presumption to resist development within the defined areas. The proposal does not include the replacement or removal of any existing buildings and therefore cannot be considered as a planning gain, resulted in an enhancement of the scenic quality of the landscape. As such, in principle, the proposal is contrary to policy SY2 of the Local Plan.
- 6.3 Policy SY3 states the Council's support of redevelopment or improvement of existing tourist sites. The proposal is for new development and is not considered to be an improvement of the existing site, but rather an extension of it and the introduction of a different form of accommodation. Therefore this policy does not override the principle objection as set out in policy SY2.
- 6.4 The proposed development, introducing buildings, decking and an access road, would extend the existing caravan site into the wooded slope. The static caravans already represent a visual intrusion in the landscape and it is considered that the extension of the built form into this 'buffer zone' would further compound the negative visual impact in this part of the Wye Valley AONB. Therefore the proposal is contrary to policies CTC1 and CTC2 of the Structure Plan and C5 and C8 of the Local Plan.

6.5 With regards the impact on residential amenity, the proposed chalets would be some 8 metres from the southern boundary and taking into account the proposed height of the buildings, their design and the existing land levels, the development would not impinge upon amenity. Additional landscaping could be provided to supplement the existing and to define the southern boundary and also in the interests of the visual amenities of the area. It would not be relevant to this proposal to require new planting in the caravan site and the leisure park is in different ownership.

RECOMMENDATION

That planning permission be refused for the following reason:

- 1 Having regard to Policy SY.2 of Part 3, Chapter 22 of the South Herefordshire District Local Plan the proposal is unacceptable in principle as the site is within an area of the Wye Valley Area of Outstanding Natural Beauty recognised as being vulnerable to the threat of development, thus warranting particular identification and protection. Notwithstanding this, as the development would neither complement the existing facilities whilst having no detrimental impact upon the Symonds Yat Study Area nor would it be an improvement to the existing development with some overall gain to the area, it would be contrary to Policies SY.3 and SY.6 of Part 3 of the South Herefordshire District Local Plan. In addition, by virtue of the siting, scale and design the proposal would be harmful to the appearance of the Wye Valley Area of Outstanding Natural Beauty and Area of Great Landscape Value and therefore would be contrary to Policies CTC.1, CTC.2, TSM.1, TSM.5 and TSM.6 of the Hereford and Worcester County Structure Plan, and GD.1, C.5, C.8, TM.1 and TM.6.**

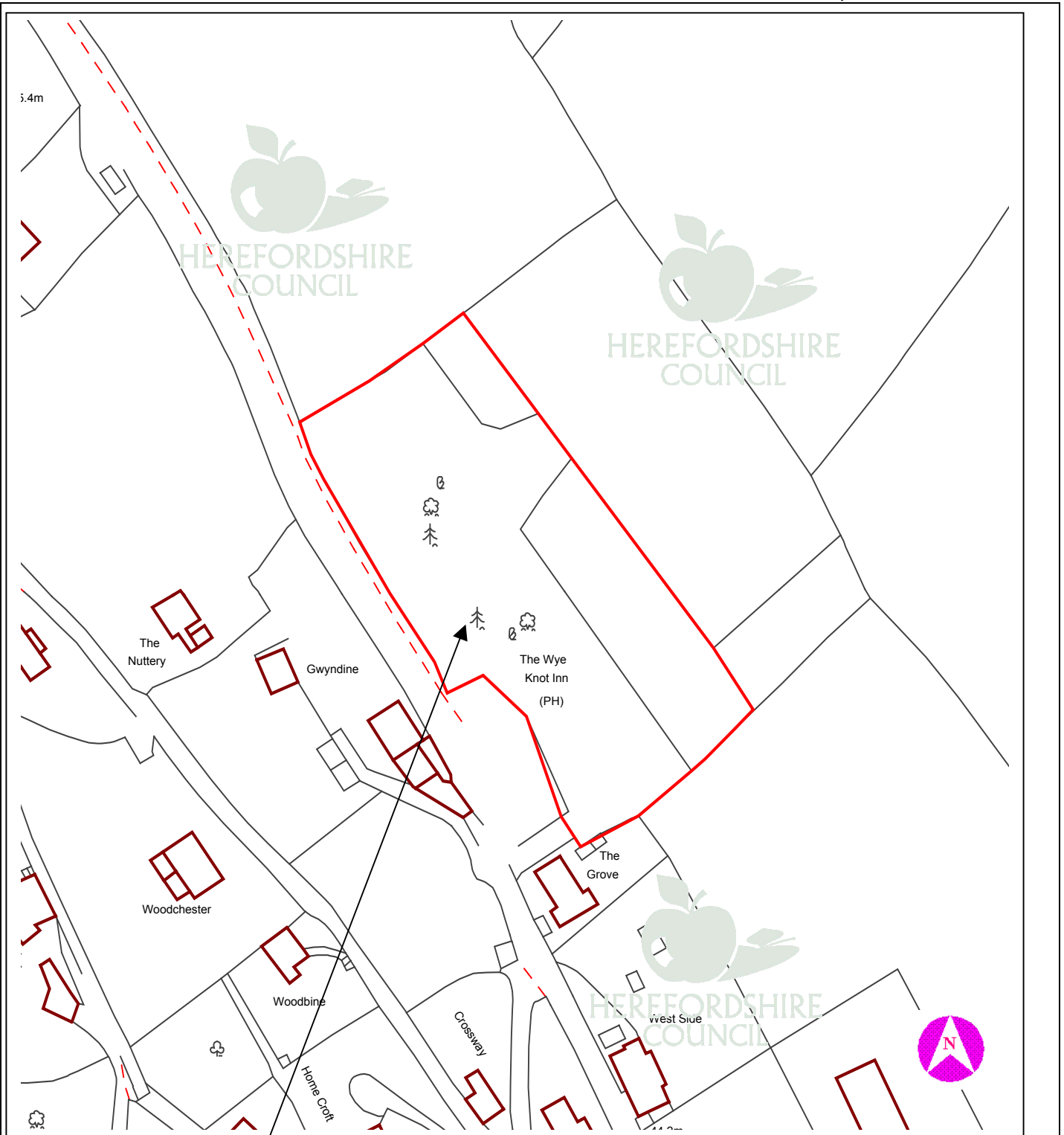
Decision:

Notes:

.....

Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCSE2005/1284/F

SCALE : 1 : 1250

SITE ADDRESS : Sterretts Caravan Park, Symonds Yat, Herefordshire

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9 DCSE2005/3416/F - CHANGE OF USE OF BASEMENT TO BARBER SHOP/HAIRDRESSER. REPLACE COURTYARD WALL WITH BRICK, RAILINGS AND GATE FOR DIRECT ACCESS. REPLACE EXTERNAL DOORS AND WINDOWS. INTERNAL MODIFICATION AND RENOVATION TO BUSINESS AND RESIDENTIAL ROOMS AT 24 THE CROFTS, ROSS-ON-WYE, HEREFORDSHIRE, HR9 7AB

For: A. Pritchard & R. White, Cornerways, Mount Pleasant, Ross on Wye, Herefordshire, HR9 7A2

Date Received: 20th October 2005 Ward: Ross-on-Wye Grid Ref: 60085, 24171 East

Expiry Date: 15th December 2005

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

1. Site Description and Proposal

- 1.1 24 The Crofts is a two-storey red brick dwelling with basement forming the end terrace of 6 properties. The property is located on Crofts Lane which is pedestrianised and bounded by residential properties. The property is located close to the central shopping and commercial area of Ross-on-Wye town centre. It is also located within the Conservation Area and the Area of Outstanding Natural Beauty.
- 1.2 The application proposes to convert the basement of 24 The Crofts into barber shop/hairdressers whilst retaining the upper storeys of the dwelling for residential use. Access to the shop will be to the rear of the property via the Maltings Council car park through a small courtyard area and rear door to the property. The applicant proposes to rebuild the existing stone wall to approximately 0.6 metres in height and erect ornamental railings and matching gate. There will also be various internal alterations.

2. Policies

2.1 Planning Policy Guidance

PPS.1 - Delivering Sustainable Development
PPS6 - Planning for Town Centres

2.2 Hereford and Worcester County Structure Plan

Policy CTC.8 - Development Criteria

2.3 South Herefordshire District Local Plan

Part I

Policy GD.1 - General Development Criteria
Policy C.5 - Development within Area of Outstanding Natural Beauty

- Policy C.22 - Maintain Character of Conservation Areas
- Policy C.23 - New Development affecting Conservation Areas
- Policy RT.1 - Ross on Wye Town Centre

Part III

- Policy 16 - Conservation Area
- Policy 17 - Re-use of Existing Buildings
- Policy 22 - Retail Use Outside the Town Centre

2.4 Herefordshire Unitary Development Plan (Revised Deposit Draft)

- Policy TCR1 - Central Shopping and Commercial Areas
- Policy TCR2 - Vitality and Viability
- Policy TCR8 - Small Scale Retail Development
- Policy LA1 - Areas of Outstanding Natural Beauty
- Policy HBA6 - New Development within Conservation Areas

3. Planning History

- 3.1 There is no relevant planning history.

4. Consultation Summary

Statutory Consultations

- 4.1 No statutory or non-statutory consultations required.

Internal Council Advice

- 4.2 The Traffic Manager has no objection to the proposal and recommends that a condition be attached for the provision of secure cycle parking.
- 4.3 The Forward Planning Manager has no objection to the proposal providing that material considerations such as amenity are satisfied, and that no objections are made by the Conservation Officer to the external works proposed.
- 4.4 The Conservation Manager expressed concerns about the architectural detailing of the alterations as they would not enhance the Conservation Area. The applicant has subsequently submitted a revised scheme on 21st November 2005 which the Conservation Manager has no objection to, providing that conditions be attached requiring prior approval of details of the joinery, sign and railings. The boundary wall should also be conditioned to be constructed in stone.

5. Representations

- 5.1 Ross on Wye Town Council objects to the application as there is concern about a stone wall being replaced by a brick wall. It will change the character of the row of Cottages.
- 5.2 Two letters of objection have been received from Mrs. G. Szollosi, 6 Crofts Lane, Ross-on-Wye, Herefordshire, HR9 7AB and Ms. J. Mellows, 27 Crofts Lane, Ross-on-Wye, Herefordshire, HR9 7AB raising the following concerns:
- Crofts Lane is a residential area and should be kept as such

- Other properties on Croft Lane could also be sold as potential businesses, destroying the residential status of the area and reducing house prices
- The proposals will not only alter the appearance of the house, but will not be in keeping with the overall look
- Plans to remove the rear wall and replace it with railings will compromise both privacy and security for the adjacent houses

5.3 The applicant has provided the following in response to the concerns of the objectors:

Last week I inspected the planning file at your office. Following this I arranged a meeting with Mr. P. Gibbons the Conservations Architect to take advice on the observations and objections. This is a summary of our meeting and the subsequent actions and detail change which I would like to make:

- The installation of UPVC patio style windows has been objected to - and indeed I can see that this would not be in keeping. Therefore the proposal is to replace the existing solid wood door with part glazed wood door - with Georgian style glazing bars. Leave the existing brick arch over the door.
- Remove the existing window and replace with an enlarged wood window also with Georgian style glazing bars. Above this window install a lintel - faced with stone to match existing. This leaves in place the dressed stone between door and window and the brick arch above the door.
- Shop Sign to have some architrave/moulding to add sympathetic effect. The detail to be agreed.
- Part demolish and or rebuild existing stone boundary wall, which is in very poor condition, between courtyard and car park. Replace/rebuild with low stone wall (2ft) - using any of the existing stone which is in good condition. Re-use the existing stone capping if possible.
- Add black metal ornamental railings (3ft) and matching gate. Design of these shown with spiked tops. Alternative rounded tops would also be acceptable. Main concern is that quality product and result is achieved.

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 for consideration are:

- Whether the proposal is acceptable in principal in this location
- The impact of the proposal on the Conservation Area
- The impact of the proposal on the residential amenity of the area

6.2 24 Crofts Lane is located in close proximity to the central shopping zone and in such locations proposals for Use Class A1 facilities are only permitted, as outlined in Part III policy 22 of the South Herefordshire District Local Plan, where the proposal is small in scale and not located as to undermine the vitality and viability of the town centre, and that the facility can be easily reached through public/private transport and that the proposal is acceptable in terms of its impact upon the local highways network. The proposal is small in scale utilising the basement area of an existing residential property. It is in close proximity to the town centre where customers can reach the business on foot or use the immediately adjacent Council car park for parking.

- 6.3 The applicant has addressed the original concerns raised by the Conservation Manager and has submitted revised proposals that are considered to maintain and preserve the Conservation Area. The precise details of the joinery, boundary wall, railings and signage will be conditioned to ensure that the proposed materials harmonise with the surrounding area.
- 6.4 In terms of the impact on the residential amenity of the area, the proposal relates merely to the change of use of the basement of 24 Crofts Lane. There will be no access to the business premises from Crofts Lane itself. The frontage of the building to Crofts Lane will remain as a residential property. There will also be no internal access from the barbers shop to the dwelling above. The applicant has stated that there will be approximately 20 customers per day and one trade delivery every two weeks. Having regard to the close proximity of the premises to the Maltings Council car park and other commercial businesses it is not considered that there will be a detrimental impact on the amenity of the area.
- 6.5 Overall the scheme is considered to satisfy the relevant local plan policies and conditional permission is recommended.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

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

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

2 A09 (Amended plans)

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

3 C05 (Details of external joinery finishes)

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

4 G33 (Details of walls/fences (outline permission))

Reason: In the interests of residential and visual amenity.

5 The use hereby permitted shall be limited to the basement only of 24 Crofts Lane.

Reason: To define the terms under which the permission is granted.

Informative:

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

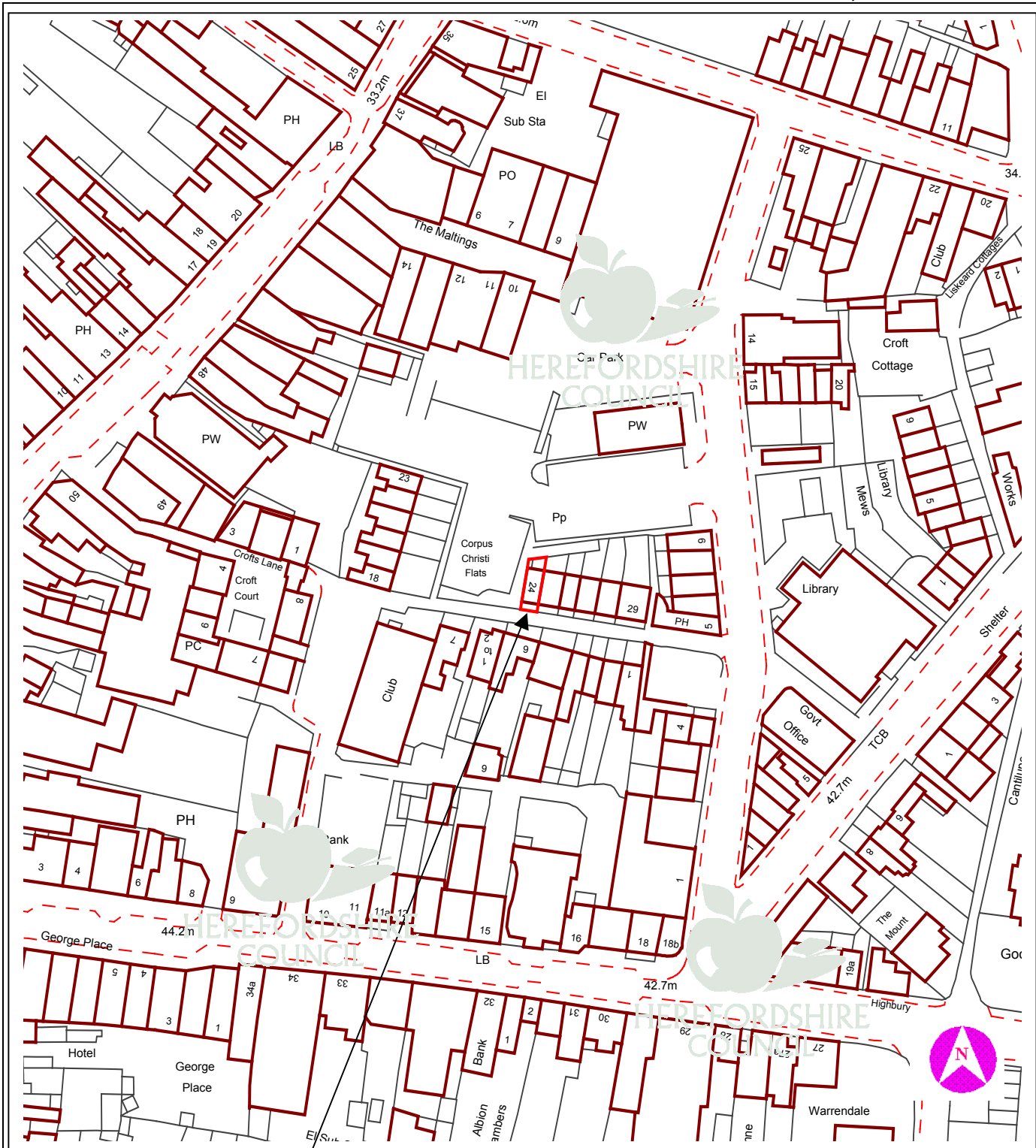
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCSE2005/3416/F

SCALE : 1 : 1250

SITE ADDRESS : 24 The Crofts, Ross-On-Wye, Herefordshire, HR9 7AB

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10 DCSW2004/3260/F - CHANGE OF USE TO FORM THREE BEDROOM PRIVATE DWELLING, BARN ADJACENT TO THE PARKS FARM, POOL PARDON, NR. CUSOP, HEREFORDSHIRE, HR3 5HH

For: Mr. J. Mutimer per Mr. R. Pritchard, The Mill, Kenchester, Hereford, HR4 7QJ

Date Received: 20th September 2004 Ward: Golden Valley Grid Ref: 25986, 45676 (North)

Expiry Date: 15th November 2004

Local Member: Councillor N.J.J. Davies

1. Site Description and Proposal

- 1.1 The proposal site is on the eastern side of an unclassified road (u/c 75201) as this narrow highway declines south-eastward past The Parks Farm. The buildings the subject of this application are aligned north north-east/west south-west. There is a communal courtyard on the south-eastern side of the stone barn and further to the south-east a farmhouse. Access off the unclassified road is between the proposed dwelling and existing farmhouse. There is a registered public footpath (CL7) that runs along the western boundary of the site. Stone walling runs along the western side of the unclassified road.
- 1.2 The buildings the subject of this application comprise the main stone barn. It has a single storey wing. There is a breeze-block lean-to building on the north-western corner of the main barn which it is proposed to render. There are existing openings on the western gable end of the stone barn that will be utilised, as will the existing cartway openings. A covered barn leads off and overlaps the south-western corner of the stone barn. It will provide the communal car parking area for the barn. The existing sheeted roofs will be replaced with slates.
- 1.3 A new garden on the northern side of the barn projects some 40 metres out on the western boundary following the line of the public footpath and then returning along the line of the stone wall fringed unclassified road.
- 1.4 The proposal is described as being in Poolpardon near Cusop, when in fact Poolpardon, a small dispersed group of dwellings is wholly within the parish of Clifford.
- 1.5 The delay in determination has been brought about by the need for an ecological appraisal.

2. Policies

2.1 Planning Policy Guidance

PPS.7 - Sustainable Development in Rural Areas

2.2 Hereford and Worcester County Structure Plan

- Policy H.20 - Housing in Rural Areas
- Policy CTC.2 - Area of Great Landscape Value
- Policy CTC.14 - Criteria for the Conversion of Buildings in Rural Areas

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 Area of Great Landscape Value
- Policy C.36 - Re-use and Adaptation of Rural Buildings
- Policy C.37 - Conversion of Rural Buildings to Residential Use
- Policy SH.24 - Conversion of Rural Buildings

3. Planning History

- 3.1 No relevant history identified.

4. Consultation Summary

Statutory Consultations

- 4.1 The Environment Agency recommend that a condition is attached to any grant of planning permission.

Internal Council Advice

- 4.2 Traffic Manager recommends that conditions be imposed if planning permission is granted. It is also noted that public footpath CL7 is not affected by the proposed development but should not be encroached or obstructed.
- 4.3 Head of Conservation does not object, notes a discrepancy in the submitted plans and recommends that conditions be imposed on detailed matters. The Head of Conservation also requires that conditions be attached in line with the submitted Ecological appraisal in relation to bats.

5. Representations

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

“Councillors commented that plans are unclear.

9 parish councillors have no objections, however roofs should be in slate tiles as shown on the plans and redundant barns removed.”

- 5.2 Four letters of representation have been received from:

Mr. A. Munro, Pool Pardon Cottage, Parks Road, Clifford, HR3 5HH
Mr. A. F. & Mrs C. Keil, Wye View, Clifford, HR3 5HQ
Mr. C. Eveleigh, Walkers Cottage, Pool Pardon, Clifford, HR3 5HQ
P. & M. Sarbicki, Courtapella, Clifford, HR3 5HH

in which the following main points are raised:

- fully support development, at present an eyesore
- encroachment into field, lead to further development
- field important archaeologically, not ploughed, also linked to Priory nearby at Priory Wood
- landmark building, looked down upon in valley
- breeze-block element not traditional. Do not use brick or UPVC
- retain curved roof
- problems with drainage at farmhouse, not sure if residual or not
- bats seen around buildings. Need to inform Council's Ecologist
- loss of privacy and amenity from first floor window and proposed garden 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 There are considered to be issues relating to the conversion of this building into one dwelling and these include the principle, ecological matters, privacy issues, and creation of the garden area.
- 6.2 There is encouragement for the conversion of suitable rural 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. This application has been marketed, as required by the provisions of Policy C.37 contained in the South Herefordshire District Local Plan and Government advice contained in PPS.7. This building is an important one that contributes to the landscape and undulating topography at Pool Pardon. The north elevation is the one most visible to other dwellings further up hill from the site. The courtyard elevation is the south facing one that faces the farmhouse nearby that will utilise the existing access point as at present to the south of the barn. Existing garaging are utilised, and a new slate roof provided. An existing lean-to building on the north elevation is proposed to be rendered. This would be better covered in boarding as recommended by the Conservation Manager. The elevational treatment is generally sympathetic and subject to the further use of boarding and conditions relating to details for finishes and materials for joinery, together with details of rooflights, and any flues and vents proposed.
- 6.3 The ecological matter raised relating to the presence of bats has been addressed by the production of an ecological appraisal. This report is one required by the provisions of the Wildlife and Countryside Act 1981, and is one that recognises the presence of two species of bat and recommends measures for mitigation. The Conservation Manager has no objection subject to the mitigation necessary being followed by the imposition of planning conditions.
- 6.4 The north elevation of the barn will have windows for bedrooms that face north-westward towards Court-a-Pella, a dwelling from which representations have been received relating to overlooking and therefore a loss of privacy. It is generally accepted that a distance of between 20/21 metres between dwellings that are back to back is acceptable. The distance here is 40 metres between the proposed bedroom windows for the stone barn and Court-a-Pella. This is further mitigated by the fact that the barn is down hill from Court-a-Pella and that the existing dwelling and proposed

dwelling do not line up as envisaged by the 20/21 metres guideline. Therefore it is not considered that adverse overlooking nor a resultant loss of privacy would occur.

- 6.5 The issue of encroachment into the field has been raised in representations received, albeit with the loss of what is deemed an historic tract of land is again the issue of encroachment on Court-a-Pella. It is considered that the arbitrary area of garden formed by the boundaries of the stone wall fringed unclassified road and public footpath does not entail a means for overlooking the nearest dwelling across the highway from it. However, it is considered that the garden area should be pulled closer to the barn as proposed in order to reduce the impact of the development on this attractive undulating area of the designated Area of Great Landscape Value. The boundary treatment for the residential curtilage created will need to be the subject of a planning condition in the event that the application is supported
- 6.6 It is considered that subject to revised plans being received in relation to the roof pitch alignment and treatment of the external finish to the lean-to extension on the northern side of the barn and the delineation of the new garden area, the application can be supported given that it is structurally sound, retains the intrinsic character of a building that contributes to the amenity of this part of the Area of Great Landscape Value. The new dwelling will also not result in the loss of amenity to residents in the locality. The wildlife interest is also addressed in this application, particularly the use of the buildings by bats.

RECOMMENDATION

That subject to the receipt of revised plans relating to the lean-to extension on the north elevation and the reduction in the garden area, the officers named in the Scheme of Delegation to Officers be authorised to issue planning permission subject to the following conditions and any conditions considered necessary by officers:

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

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

2. A07 (Development in accordance with approved plans)

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

3. B01 (Samples of external materials)

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

4. C02 (Approval of details)

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

5. E16 (Removal of permitted development rights)

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

6. G01 (Details of boundary treatments)

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

7. No development approved by this permission shall be commenced until a scheme for the provision of foul drainage works has been approved by the local planning authority. The scheme shall be implemented in accordance with the approved details.

Reason: To prevent pollution of the water environment.

8. The recommendations for bats and birds outlined in the Mitigation and Compensation section of the ecologist's report for mitigation should be followed. The details of these are contained in the tables under the following headings:

- planning and during development
- post-development
- habitat creation, restoration and enhancement
- timber treatment
- other provisions for bats

Reason: To ensure that wildlife including bats and birds are protected under the Wildlife and Countryside Act 1981 and to ensure that the laws relating to nesting birds in the same Act are protected.

9. Time of the development together with post-development site safeguards and monitoring mentioned in the report should be adhered to.

Reason: To ensure that wildlife including bats and birds are protected under the Wildlife and Countryside Act 1981 and to ensure that the laws relating to nesting birds in the same Act are protected.

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

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

Informative(s):

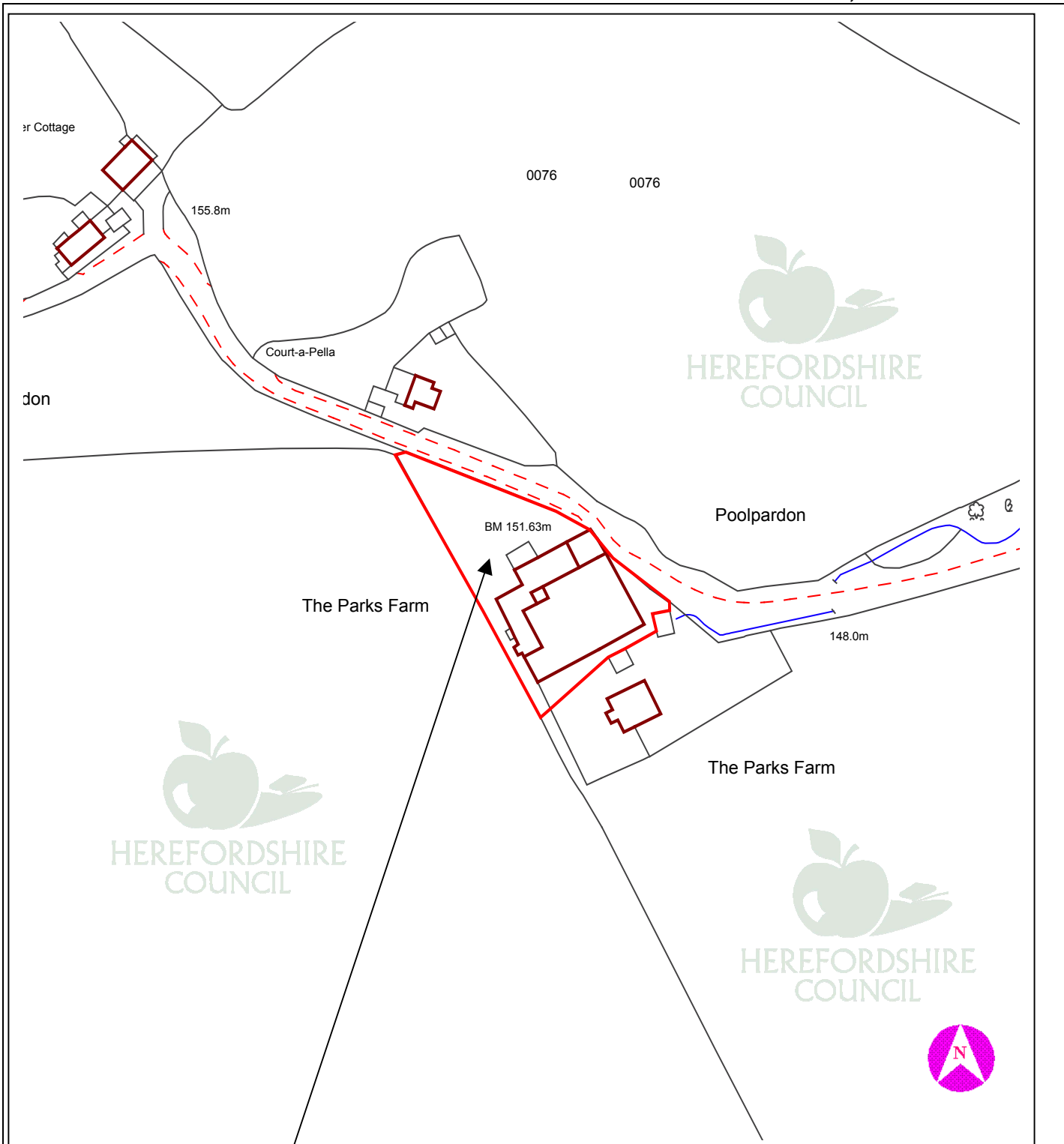
1. N15 - Reason(s) for the Grant of Planning Permission

Decision:

Notes:

Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCSW2004/3260/F

SCALE : 1 : 1250

SITE ADDRESS : Barn adjacent to The Parks Farm, Pool Pardon, Nr. Cusop, Herefordshire, HR3 5HH

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11A DCSE2005/1030/F - BARN CONVERSION TO RESIDENTIAL USE AT THE OLD STABLES, UPPER FOXHALL FARM, PHOCLE GREEN, ROSS-ON-WYE, HEREFORDSHIRE, HR9 7TN

11B DCSE2005/3468/F - BARN CONVERSION TO RESIDENTIAL USE AT STONE BARN, UPPER FOXHALL FARM, PHOCLE GREEN, NR. ROSS ON WYE, HEREFORDSHIRE

11C DCSE2005/3469/F - BARN CONVERSION TO RESIDENTIAL USE AT BRICK BARN, UPPER FOXHALL FARM, PHOCLE GREEN, NR. ROSS ON WYE, HEREFORDSHIRE

**For: REP & ARF Vines per B S Technical Services,
The Granary Studio, Lower House, Bryngwyn, Raglan
NP15 2BL**

Date Received: 31st March 2005 Ward: Old Gore

Grid Ref: 63118, 25890

Expiry Date: 26th May 2005

Local Member: Councillor J W Edwards

1. Site Description and Proposal

- 1.1 Upper Foxhall comprises a farmhouse and associated farm buildings, one of which has been converted into a residential unit. The various buildings are well separated and form an extensive (in area) farm complex. The main farm building is about 40 m to the east of the farmhouse, which occupies the north-western corner of the site. The building is in two distinct sections: The northern part is a typical stone barn; the southern part is partially of brick construction with 4 large arched openings with brick infilling leaving gaps for ventilation. Because of the fall in ground level the brick barn is at a lower level than the stone barn. The stables are nearer to the farmhouse and of stone construction with an extension to the north with a catslide roof. The whole complex is situated about 400 m from the unclassified road leading from Phocle Green to Rudhall. The long access track meets this road just to the south of the M50 which bridges over the minor road. The M50 is about 80 m to the south of Upper Foxhall.
- 1.2 It is proposed to convert these buildings into residential units. The stables would form a 3-bedroom house on 2 floors. Existing openings would be re-used but some windows would need to be enlarged and one new window formed in the east and west elevations plus 4 small rooflights.

- 1.3 The two schemes for the stone and brick barn takes advantage of the height of these buildings for a second floor within the roof spaces. These would provide 2 additional bedrooms and bathroom in the stone barn and extra bathrooms plus attic storage in the brick barn. These would be lit by rooflights. In addition to existing openings additional windows would need to be formed to provide sufficient light and ventilation. The existing roof structures would be retained without the need to cut trusses.

2. Policies

2.1 Planning Policy Guidance

PPS7 - Sustainable Development in Rural Areas

2.2 Hereford and Worcester County Structure Plan

Policy CTC13 - Buildings of Special Architectural or Historic Interest
 Policy CTC14 - Criteria for the Conversion of Buildings in Rural Areas
 Policy H20 - Residential Development in Open Countryside

2.3 South Herefordshire District Local Plan

Policy C1 - Development Within Open Countryside
 Policy C36 - Re-Use and Adaptation of Rural Buildings
 Policy C37 - Conversion of Rural Buildings to Residential Use
 Policy SH11 - Housing in the Open Countryside
 Policy SH24 - Demolition in Conservation Areas
 Policy GD1 - General Development Criteria
 Policy T3 - Highway Safety Requirements

2.4 Herefordshire Unitary Development Plan (Revised Deposit Draft)

Policy H7 - Housing in the Countryside outside Settlements
 Policy HBA12 - Re-Use of Traditional Rural Buildings
 Policy HBA13 - Re-Use of Traditional Rural Buildings for Residential Purposes

2.5 Supplementary Planning Guidance

Re-Use and Adaptation of Traditional Rural Buildings

3. Planning History

- | | | | | |
|-----|-----------------|----------------------------------|---|-----------------------|
| 3.1 | DCSE2005/1006/F | Barn conversion (Implement Shed) | - | Not determined |
| | DCSE2005/1031/F | Barn conversion (Paddock Barn) | - | Not determined |
| | DCSE2005/1735/F | Barn conversion | - | Withdrawn 28.07.05 |
| | DCSE2005/1737/F | Barn conversion | - | Withdrawn 28.07.05 |

4. Consultation Summary

Statutory Consultations

- 4.1 Environment Agency has no objections in principle to the proposed development but recommends that a condition regarding foul drainage be imposed.

Internal Council Advice

- 4.2 The Traffic Manager has no objection providing no more than 5 dwellings on the site. Any further increase would require highway improvements such as passing bays.
- 4.3 The Conservation Manager has not found evidence of bats although the stable barn in particular is considered to be of value to bats as a roost site.

5. Representations

- 5.1 The applicants' agent has submitted a structural appraisal for each building and details of marketing by an estate agent.
- 5.2 The Parish Council requests in depth report from Highways as Parish Council has serious concerns about road safety of access at both access points on to 'rat run' single track lane used by commuters and farm traffic.
- 5.3 Four letters have been received objecting to the Old Stables. In summary the reasons given are:
- (i) Increased traffic on this section of single track land between motorway bridge and Phocle Green (already very dangerous) would increase risk of accidents - road is too narrow and does not have capacity for volume of traffic resulting from this development. Alternative access routes are practicable.
 - (ii) Phocle Green is a rural hamlet of outstanding natural beauty which already has excessive traffic - any additional traffic would have severe adverse impact.
 - (iii) Phocle Green has a lot of wildlife - any construction and further damage to woodland would result in these birds of prey (buzzards, owls, even a pair of red kites) dying out.

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 two main issues: whether the proposals comply with policies for barn conversions and the effect on highway safety and congestion on the local highway network. The three buildings which are the subject of these applications are traditional in both design and materials and with the farmhouse and other buildings form an attractive group, worthy of retention. Some marketing has been undertaken and initial interest was shown by a potential industrial user. However in this instance the proximity of the barns to existing residential properties (the farmhouse and previously converted far buildings) would be likely to result in conflict between these uses and residential conversion is considered to be the appropriate use.
- 6.2 The design of the conversion schemes, which have been amended since first submitted, retain the character and appearance of these traditional farm buildings as far as is practicable. The new garages would be sited inappropriately towards the centre of the farmyard and alternative provision for cars could be made available within an existing open fronted shed, although currently the latter building is subject of an

application for residential conversion (SE2005/1006/F). The applicants have agreed to omit the garages from the scheme. The proposed conversion schemes are therefore in accordance with the Council's policies and guidance.

- 6.3 The proposals would result in two large and one modest dwellinghouses. In this rural location, with no public transport links most journeys would be by car and several cars per household would be expected. The long access track accesses an unclassified road linking Phocle Green and Rudhall. As noted in the representations this is a narrow rural lane which has seen an increase in traffic. Nevertheless the traffic generated by the proposed houses is unlikely to be significant in proportion to current flows. It is noted that the Traffic Manager has no objections to the proposals.
- 6.4 Two earlier applications (SE2005/1006/F and SE2005/1031/F have not been determined. As noted above the open fronted shed could be used as garaging, in accordance with advice in the Supplementary Planning Guidance and is not acceptable as a separate dwelling. The paddock barn is in poor condition and I am not satisfied that it is capable of being converted. Advice is awaited from the applicant on whether these applications are to be withdrawn.

RECOMMENDATION

In respect of DCSE2005/1030/F

That planning permission be granted subject to the following conditions:

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

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

2 A09 (Amended plans)

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

3 C02 (Approval of details)

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

4 Notwithstanding the provisions of paragraph 3(1) and Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995, (or any order revoking or re-enacting that Order with or without modification), no development which would otherwise be permitted under Classes A, B, C, D, E and H of Part 1 and of Schedule 2, shall be carried out without the prior written consent of the local planning authority.

Reason: To ensure the character of the original conversion scheme is maintained.

5 F18 (Scheme of foul drainage disposal)

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

6 G04 (Landscaping scheme (general))

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

7 G05 (Implementation of landscaping scheme (general))

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

8 G01 (Details of boundary treatments)

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

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

2 The Environment Agency recommends that surface water run-off should be controlled as near to its source as possible through a sustainable drainage approach to surface water management (SUDS).

3 The Traffic Manager advises that the public right of way (UB23) should remain open at all times throughout the development. If development works are perceived to be likely to endanger members of the public then a temporary closure order should be applied for from the Public Rights of Way Department, preferably 6 weeks in advance of work starting. The applicants should ensure that the residents of any new dwelling will have lawful authority to drive over the public footpath.

4 The developer is advised that all species of bat and their roosts are protected under the Wildlife and Countryside Act 1981, the Conservation (Natural Habitats) Regulations 1994 and if during construction works evidence of bats or bat roosts are found all works must stop. English Nature should be contacted with regard to the need for a DEFRA licence before work is resumed.

Decision:

Notes:

.....

In respect of DCSE2005/3468/F:

That planning permission be granted subject to the following conditions:

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

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

2 C02 (Approval of details)

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

3 Notwithstanding the submitted Structural Appraisal the existing rafter of the building shall be retained unless approval in writing has been granted by the local planning authority.

Reason: To protect the character of this traditional rural building.

4 Notwithstanding the provisions of paragraph 3(1) and Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995, (or any order revoking or re-enacting that Order with or without modification), no development which would otherwise be permitted under Classes A, B, C, D, E and H of Part 1 and of Schedule 2, shall be carried out without the prior written consent of the local planning authority.

Reason: To ensure the character of the original conversion scheme is maintained.

5 F18 (Scheme of foul drainage disposal)

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

6 G04 (Landscaping scheme (general))

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

7 G05 (Implementation of landscaping scheme (general))

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

8 G01 (Details of boundary treatments)

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

Informatives:

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

2 The Environment Agency recommends that surface water run-off should be controlled as near to its source as possible through a sustainable drainage approach to surface water management (SUDS).

3 The Traffic Manager advises that the public right of way (UB23) should remain open at all times throughout the development. If development works are perceived to be likely to endanger members of the public then a temporary

closure order should be applied for from the Public Rights of Way Department, preferably 6 weeks in advance of work starting. The applicants should ensure that the residents of any new dwelling will have lawful authority to drive over the public footpath.

- 4 The developer is advised that all species of bat and their roosts are protected under the Wildlife and Countryside Act 1981, the Conservation (Natural Habitats) Regulations 1994 and if during construction works evidence of bats or bat roosts are found all works must stop. English Nature should be contacted with regard to the need for a DEFRA licence before work is resumed.

Decision:

Notes:

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In respect of DCSE2005/3469/F

That planning permission be granted subject to the following conditions:

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

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

- 2 C02 (Approval of details)

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

- 3 Notwithstanding the submitted Structural Appraisal the existing rafter of the building shall be retained unless approval in writing has been granted by the local planning authority.

Reason: To protect the character of this traditional rural building.

- 4 Notwithstanding the provisions of paragraph 3(1) and Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995, (or any order revoking or re-enacting that Order with or without modification), no development which would otherwise be permitted under Classes A, B, C, D, E and H of Part 1 and of Schedule 2, shall be carried out without the prior written consent of the local planning authority.

Reason: To ensure the character of the original conversion scheme is maintained.

- 5 F18 (Scheme of foul drainage disposal)

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

6 G04 (Landscaping scheme (general))

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

7 G05 (Implementation of landscaping scheme (general))

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

8 G01 (Details of boundary treatments)

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

Informatives:

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

2 The Environment Agency recommends that surface water run-off should be controlled as near to its source as possible through a sustainable drainage approach to surface water management (SUDS).

3 The Traffic Manager advises that the public right of way (UB23) should remain open at all times throughout the development. If development works are perceived to be likely to endanger members of the public then a temporary closure order should be applied for from the Public Rights of Way Department, preferably 6 weeks in advance of work starting. The applicants should ensure that the residents of any new dwelling will have lawful authority to drive over the public footpath.

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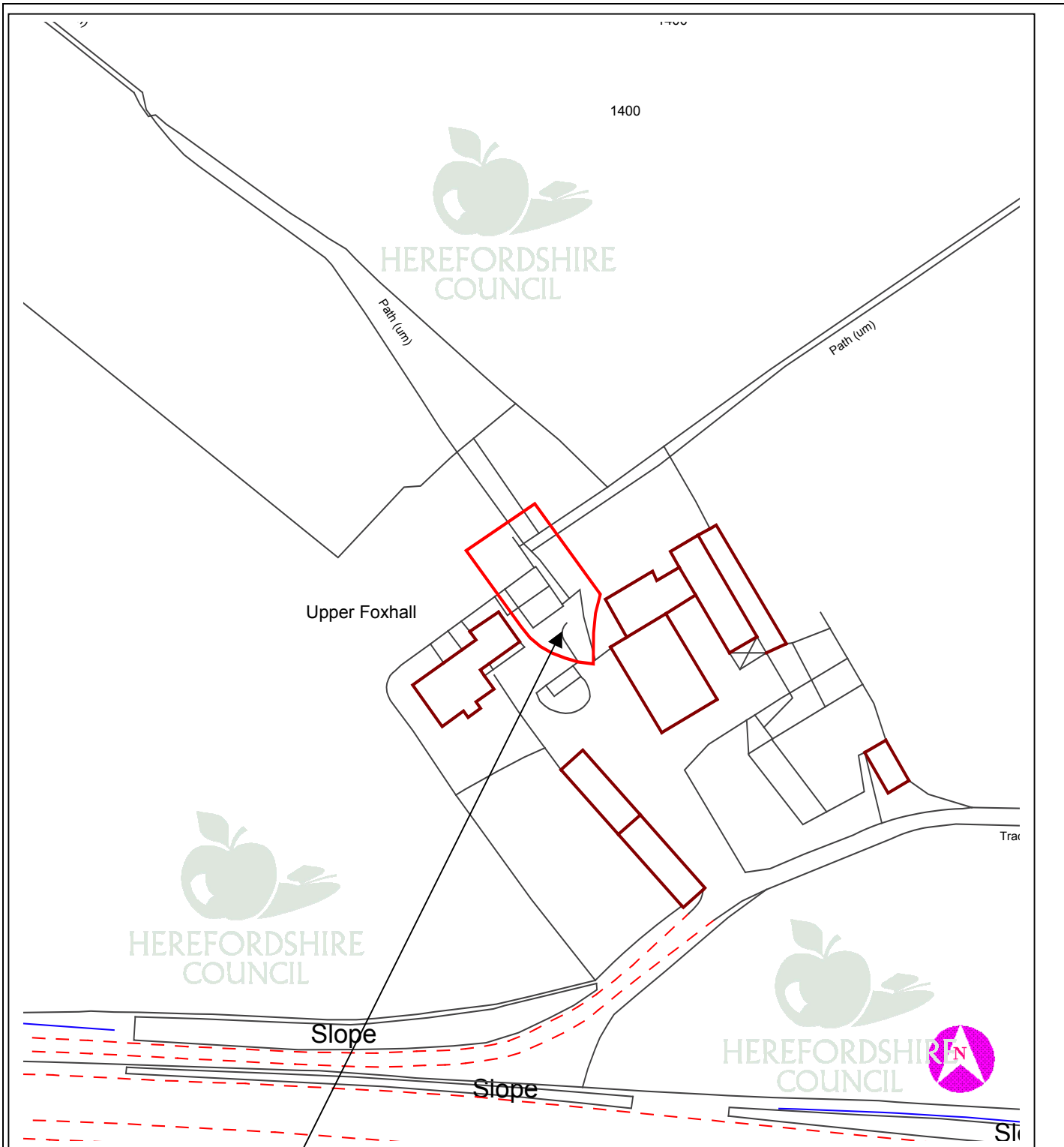
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCSE2005/1030/F

SCALE : 1 : 1250

SITE ADDRESS : The Old Stables, Upper Foxhall Farm, Phocle Green, Ross-on-Wye, Herefordshire, HR9 7TN

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2.4 Herefordshire Unitary Development Plan (Revised Deposit Draft)

Policy E.11 - Employment in Open Countryside

3. Planning History

- | | | | | |
|-----|-----------------|--|---|-------------------|
| 3.1 | MH97/1112 | 6 loose boxes and field shelter | - | Approved |
| | DCSE2004/4039/F | Fenced training ring at equine centre (60 x 20m) | - | Not determined |
| | DCSE2004/4086/O | Dwelling for stud farm worker at equine centre | - | Withdrawn |
| | DCSE2005/0325/F | Erection of barn | | Withdrawn |
| | DCSE2005/0795/F | Continuation of use as equine stud farm | - | Approved 29.06.05 |
| | DCSE2005/3806/O | Dwelling for stud farm worker at equine centre | - | Not determined |

4. Consultation SummaryStatutory Consultations

- 4.1 No statutory or non-statutory consultations required.

Internal Council Advice

- 4.2 Traffic Manager requests "additional information as to whether there will be any increase in vehicle trips over and above the existing operation (of vehicles transporting horses to site). The roads accessing the site are narrow with no formal passing places and potential for vehicle conflict exists. As such we would not wish to support any intensification which would increase vehicle movement of horses to/from the site. At first inspection of the application this would appear not to be an issue, however it is noted that applicant has another operation south west of this site which may possibly use this facility."
- 4.3 Conservation Manager's response is awaited.

5. Representations

- 5.1 Parish Council's comments are awaited.
- 5.2 At the time of writing no representations have been received. In response to the earlier application (DCSE2004/3049/F) concerns were raised regarding further development of the stud farm as access is off a very narrow, twisting country road fronted by many residential properties, with no passing places and which is unsuitable and dangerous for increased traffic such as horse-boxes, trailers and lorries.

- 5.3 Prior to the application letters of support were received from various equine enterprises pointing to the necessity of a manege and the high quality of the stock being raised.

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 Planning permission was granted earlier this year for continuation of use of this stud farm. It is accepted that a manege or training ring is an important facility for further development of the stud farm. The issues raised however are whether this can be achieved without unacceptable harm to the character of the countryside and highway safety.
- 6.2 The copse and planting along the private access drive combined with topography (the land rises steeply from the A449) would screen the proposed training ring from most public viewpoints. The country road to the west is elevated above the site however and the ring would be seen from here. Nevertheless there is a pronounced rise in ground level and the ring would be cut into the ground behind this. Consequently only the rear, eastern section, over 100m from the road would be visible. Planting a thick hedge within the field that borders this road would help significantly to limit even those views.
- 6.3 The listed garden of Homme House is mainly to the east of the A449. The private drive was once one of the drives to the House and a shrubbery was planted along it. This seems to have survived although it may have changed considerably in character. I do not think that the training ring would detract to any degree from this landscape feature.
- 6.4 This proposal has been submitted after consideration of alternative locations for a training ring. The stud farm has limited land at this site near Bodenham Farm. The land is undulating and there are no level areas sufficient for a manege. The chosen site probably involves less change to ground level than the alternatives, certainly less than the earlier proposal (DCSE2004/3049/F) and would limit therefore changes to existing land contours. These would still be significant but on the basis of current adopted policies I do not consider justify refusing permission.
- 6.5 In his advice on the continuation of use application (DCSE2005/0795/F) the Traffic Manager expressed concerns regarding development that would result in increased traffic flows. The intention is to train and exercise horses that have been bred at the stud and on this basis should not result in increased traffic. However the main area of grazing used by the stud farm is at Hillington, about 4km to the south-west along the A449. Some movement of horses takes place between the two sites but it is not at all clear that this traffic would change significantly and without such a facility horses may have to be taken elsewhere for training purposes. Further information is being sought from the developer and will be reported at the Committee meeting.

RECOMMENDATION

That subject to being satisfied regarding traffic generation, 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. Notwithstanding the submitted drawings no development shall take place until drawings have been submitted showing cross sections of the existing site profiles and cross sections of the proposed site have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved drawings.

Reason: To ensure that the development is satisfactorily assimilated into the site.

3. No development shall take place until details of the construction of the training ring, associated structures and fencing and of the surface material have been submitted to and approved in writing by the local planning authority.

Reason: To protect the visual amenities of the area.

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. The training ring shall only be used for purposes incidental to The Singing Stud Limited stud farm.

Reason: To define the terms of the permission and in the interests of safe and free flow of traffic on the local road network.

Informative(s):

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

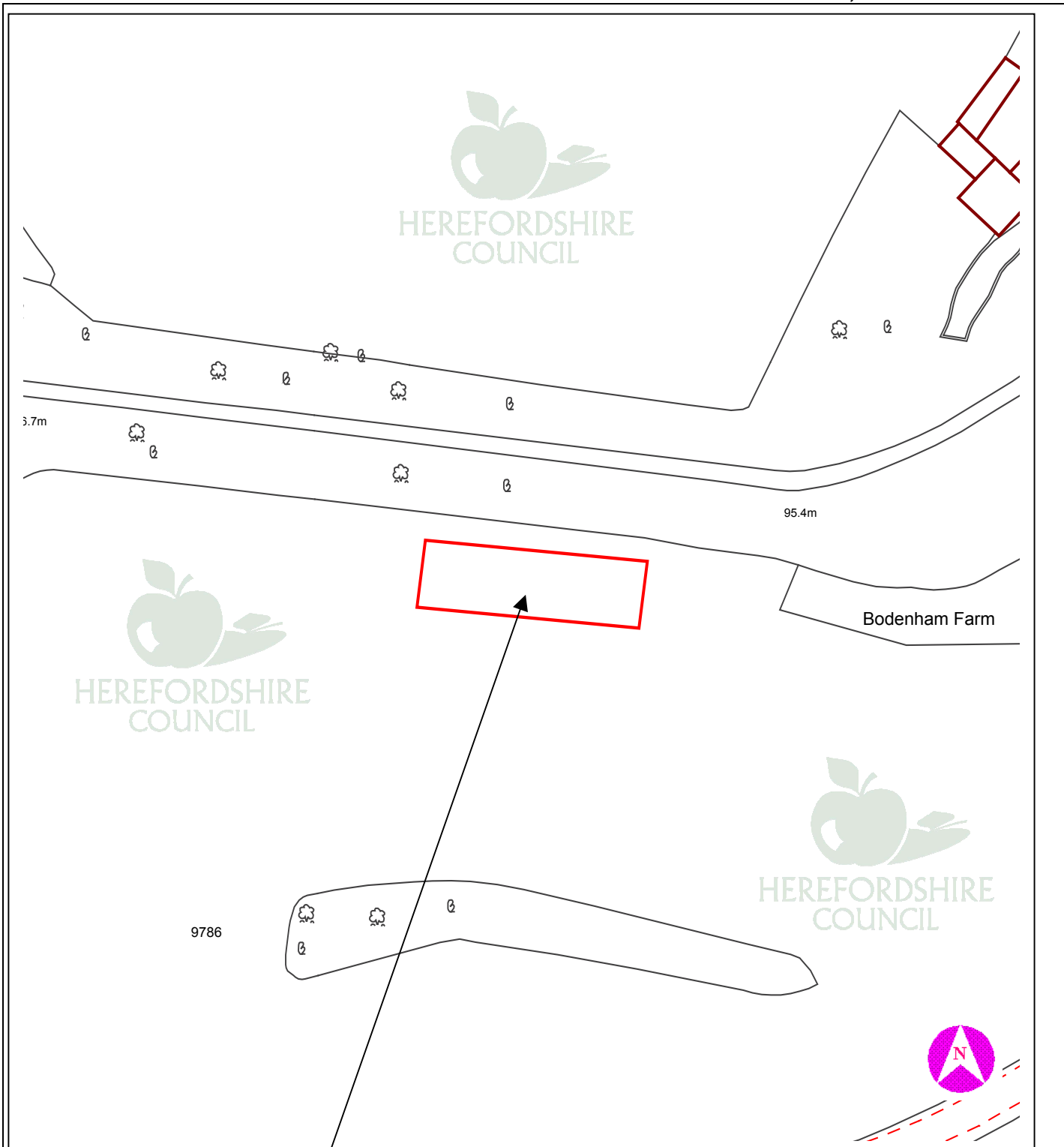
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCSE2005/3770/F

SCALE : 1 : 1250

SITE ADDRESS : Site Nr. Bodenham Farm, Much Marcle, Herefordshire, SO 652319.

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