

# A G E N D A

## Southern Area Planning Sub- Committee

Date: **Wednesday, 18th January, 2006**

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Time: **2.00 p.m.**

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

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

*For any further information please contact:*

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# AGENDA

## for the Meeting of the 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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<b>1. APOLOGIES FOR ABSENCE</b>	
To receive apologies for absence.	
<b>2. DECLARATIONS OF INTEREST</b>	
To receive any declarations of interest by Members in respect of items on the Agenda.	
<b>3. MINUTES</b>	1 - 12
To approve and sign the Minutes of the meeting held on 21st December, 2005.	
<b>4. ITEM FOR INFORMATION - APPEALS</b>	13 - 14
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.	
<b>REPORTS BY THE HEAD OF PLANNING SERVICES</b>	
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.	
<b>5. DCSE2005/1284/F - STERRETTS CARAVAN PARK, SYMONDS YAT, HEREFORDSHIRE</b>	15 - 20
Erection of four chalets.	
<b>6. DCSW2005/3913/M - LLANDREW FARM, CRASWALL, HEREFORD, HEREFORDSHIRE, HR2 0PW</b>	21 - 30
Re-opening of disused delve for the extraction of sandstone for stone roof tiles, flagstones and building stone.	
<b>7. DCSE2005/3799/F &amp; DCSE2005/3801/F - BARN AT RUDGE FARM,</b>	31 - 38

**PONTSHILL, NR. ROSS-ON-WYE, HEREFORDSHIRE**

Conversion of barn to one dwelling. Construction of vehicular access and access road.

8. **DCSE2005/3821/O - GARDEN OF BALLARD LODGE, EASTFIELD ROAD, ROSS-ON-WYE, HEREFORDSHIRE, HR9 5JZ** 39 - 44

Site for erection of dwelling.

9. **DCSE20054025F - 5 MALMO PLACE, GLEWSTONE, ROSS-ON-WYE, HEREFORDSHIRE, HR9 6RW** 45 - 50

Retrospective application for garage.

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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, 21st December, 2005 at 2.00 p.m.**

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

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

**In attendance:** Councillors P.J. Edwards (ex-officio) and T.W. Hunt (ex-officio)

**90. APOLOGIES FOR ABSENCE**

No apologies for absence were received.

**91. DECLARATIONS OF INTEREST**

There were no declarations of interest made.

**92. MINUTES**

**RESOLVED:** That the Minutes of the meeting held on 23rd November, 2005 be approved as a correct record and signed by the Chairman.

**93. ITEM FOR INFORMATION - APPEALS**

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

**94. DCSE2005/3451/F - FOXBERRY COTTAGE, KILCOT, NEWENT, HEREFORDSHIRE, GL18 1NS**

*Two-storey rear extension.*

The Principal Planning Officer reported the receipt of a further letter, and amended plans from the applicant. She also confirmed that Aston Ingham Parish Council still objected to the application.

**RESOLVED:**

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

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

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

**2 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**

**95. DCSE2005/3624/F - OVERROSS FARM, OVERROSS, ROSS-ON-WYE, HEREFORDSHIRE, HR9 7GX**

*Erection of 2 dwellings.*

The Southern Team Leader reported the receipt of comments from Ross on Wye Town Council who objected to the application. He also reported the receipt of two letters of objection from Mr. Farraday and Mr. and Mrs. Morgan. He also confirmed that the amended plans had been received and modified the recommendation accordingly.

Councillor Mrs. A.E. Gray, one of the Local Ward Members, felt that the application site was large enough for two dwellings and felt that the application should be approved.

Councillor Mrs. C.J. Davis, the other Local Ward Member, voiced her concerns regarding water and sewerage issues on the site, she noted that Welsh Water had not objected to the application and therefore felt that she could not oppose the application.

**RESOLVED:**

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

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

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

**2 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**

**96. DCSE2005/3536/F - THE FRUIT YARD, LINTON, ROSS-ON-WYE,  
HEREFORDSHIRE, HR9 7SD**

*Agricultural dwelling.*

The Southern Team Leader reported the receipt of a letter from the applicant's agent.

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

Councillor H. Bramer, the Local Ward Member, felt that the application should be approved. He noted that the applicant was willing to have the dwelling linked to the farm land through an agricultural tie.

Members discussed the application and were minded to approve it, as they felt that the applicant needed a dwelling on the farm land. They felt that the applicant needed to be on site during the lambing season and a number of members felt that the application should be approved contrary to the Planning Officer's recommendation.

In response to a number of points raised by Members, the Southern Team Leader advised that they had judged the application using Government guidance and that the Planning Officer felt that there was not a necessity for a permanent dwelling on the site.

**RESOLVED:**

- That (i) The Southern Area Planning Sub-Committee is minded to approve the application, subject to any conditions felt to be necessary by the Head of Planning Services, provided that the Head of Planning Services does not refer the application to the Planning Committee:**
- (ii) If the Head of Planning Services does not refer the application to the Planning Committee, Officers named in the Scheme of Delegation to Officers be instructed to approve the application.**

[Note: Following the vote on this application, the Development Control Manager advised that he would refer the decision to the Head of Planning Services.]

**97. DCSE2005/1284/F - STERRETT'S CARAVAN PARK, SYMONDS YAT, HEREFORDSHIRE**

*Erection of four chalets.*

The Chairman, speaking in her capacity as Local Ward Member, proposed that a site inspection be undertaken as the setting and surroundings were fundamental to the determination or to the conditions being considered.

**RESOLVED:**

**That consideration of the application be deferred for a site inspection to be undertaken on the grounds that setting and surroundings are fundamental to the determination or to the conditions being considered.**

**98. DCSE2005/3416/F - 24 THE CROFTS, ROSS-ON-WYE, HEREFORDSHIRE, HR9 7AB**

*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.*

The Principal Planning Officer reported the receipt of further correspondence from Ross on Wye Town Council, who still objected to the application as the site was located in a residential area.

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

Councillor Mrs. C.J. Davis, one of the Local Ward Members, felt that the site was not located in a completely residential area and that there were other business premises in the locality. She felt that the applicant should be encouraged to extend her business and asked the Southern Area Planning Sub-Committee to approve the application.

**RESOLVED:**

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

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

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

**2 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.**

**99. DCSW2004/3260/F - BARN ADJACENT TO THE PARKS FARM, POOL PARDON, NR. CUSOP, HEREFORDSHIRE, HR3 5HH**

*Change of use to form three bedroom private dwelling.*

**RESOLVED:**

**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**

**100. DCSE2005/1030/F - DSCE2005/3468/F - DSCE2005/3469/F - UPPER FOXHALL FARM, PHOCLE GREEN, ROSS-ON-WYE, HEREFORDSHIRE, HR9 7TN**

*Barn conversions to residential use at the Old Stables, Stone Barn and Brick Barn.*

The Principal Planning Officer reported the receipt of comments from the Traffic Manager who felt that 5 dwellings would be appropriate for the site.

Councillor J.W. Edwards, the Local Ward Member, noted the objections raised by local residents but felt that the application should be approved.

**RESOLVED:**

**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

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).

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.

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.

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:**

**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.

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:**

**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.

**101. DSCE2005/3770/F - SITE NEAR BODENHAM FARM, MUCH MARCLE, HEREFORDSHIRE, SO 652319**

*Fenced training ring at Equine Centre (60m x 20m).*

The Principal Planning Officer reported the receipt of comments from the Conservation Manager who recommended conditions. He also reported the receipt of a letter from the applicant and 6 letters of objection from local residents.

In accordance with the criteria for public speaking, Mr. Morgan, representing Much Marcle Parish Council, and Mr. Pope, a local resident, both spoke in objection to the application. Mrs. Mitchell, the Applicant's Agent, spoke in support.

Councillor J.W. Edwards, the Local Ward Member, noted the concerns of the local residents regarding poor access to the site and the size of the enterprise and felt that he could not support the application.

Councillor J.B. Williams noted that the applicants currently had to transport the horses away from the site for grazing, he felt that there would not be a significant increase in traffic if the application was approved.

In response to a question from Councillor H. Bramer, the Principal Planning Officer confirmed that a planning application was required due to the amount of excavation required on the site.

**RESOLVED:**

**That: (i) The Southern Area Planning Sub-Committee is minded to refuse the application subject to the reason for refusal set out below (and any further reasons for refusal felt to be necessary by the head of planning services) provided that the Head of Planning Services does not refer the application to the Planning Committee:**

- a) Detrimental effect on landscape
- b) Not satisfied that there would be no highways danger

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

[Note: Following the vote on this application, the Development Control Manager advised that he would not refer the decision to the Head of Planning Services.]

The meeting ended at 3.34 p.m.

**CHAIRMAN**

<b>ITEM FOR INFORMATION - APPEALS</b>
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**APPEALS RECEIVED****Application No. DCSW2005/1300/F**

- The appeal was received on 19th December, 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. & Mrs. G. Mussell
- The site is located at Lilac Cottage, Clehonger, Herefordshire, HR2 9SR
- The development proposed is Alterations & Extension to form 2 dwellings
- The appeal is to be heard by Written Representations

**Case Officer: Andrew Prior on 01432 261932**

**Application No. DCSE2005/2052/F**

- The appeal was received on 4th January, 2006
- The appeal is made under Section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission
- The appeal is brought by Mr. & Mrs. Gilmour
- The site is located at Land to the rear of Chase Villa, 21 Gloucester Road, Ross-on-Wye, Herefordshire
- The development proposed is Erection of a two storey dwelling
- The appeal is to be heard by Written Representations

**Case Officer: Steven Holder on 01432 260479**

**APPEALS DETERMINED****Application No. DCSE2005/0920/F**

- The appeal was received on 11th 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 T-Mobile UK Ltd
- The site is located at Queens Tunnel, Swagwater Lane, Gorsley, Ross-on-Wye, Herefordshire, HR9 7SL
- The application, dated 22nd March, 2005, was refused on 6th July, 2005
- The development proposed was Proposed telecommunications installations consisting of a 22.5m lattice tower and ancillary development.
- The main issue is the effect of the proposal on the character and appearance of the countryside.

**Decision:** The appeal was **DISMISSED** on 12th December ,2005

**Case Officer: Steven Holder on 01432 260479**

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

**Application No. DCSW2005/1943/O**

- The appeal was received on 26th September, 2005
- The appeal was made under Section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission
- The appeal was brought by Mr. & Mrs. M. Philips
- The site is located at Land at Treherne Cottage, Little Hill, Orcop, Herefordshire, HR2 8SE
- The application, dated 11th May, 2005, was refused on 3rd August, 2005
- The development proposed was Proposed dwelling in connection with Treherne Cottage.
- The main issues are whether a dwelling is acceptable in this location having regard to development plan policy which seeks to resist development in open countryside. The second is the effect of the proposal on the character and appearance of the countryside which is within an Area of Great Landscape Value. The third is whether the proposal would comply with development plan policy which seeks to promote sustainable forms of development.

**Decision:** The appeal was **DISMISSED** on 14th December, 2005

**Case Officer: Angela Tyler on 01432 260372**

**Application No. DCSW2005/0177/O**

- The appeal was received on 12th September 2005
- The appeal was made under Section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission
- The appeal was brought by Mr & Mrs Davies
- The site is located at Land at Upper Wrigglesbrook, Kings Thorn, Hereford HR2 2AN
- The application, dated 19<sup>th</sup> January 2005, was refused on 18<sup>th</sup> March 2005
- The development proposed was Outline application for detached single storey dwelling.
- The main issue is the effect of the proposal on privacy, both in relation to the future occupiers of the proposed dwelling and nearby occupiers.

**Decision:** The appeal was **UPHELD** on 21<sup>st</sup> December 2005

**Case Officer: Andrew Prior on 01432 261932**

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

**DEFERRED****5 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

Determination of this application was deferred by the Sub-Committee at its meeting on 21st December, 2005 in order for a site visit to be undertaken. This took place on 9th January, 2006.

**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

**DEFERRED****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



## DEFERRED

### 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.

## DEFERRED

- 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

**DEFERRED**

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.**

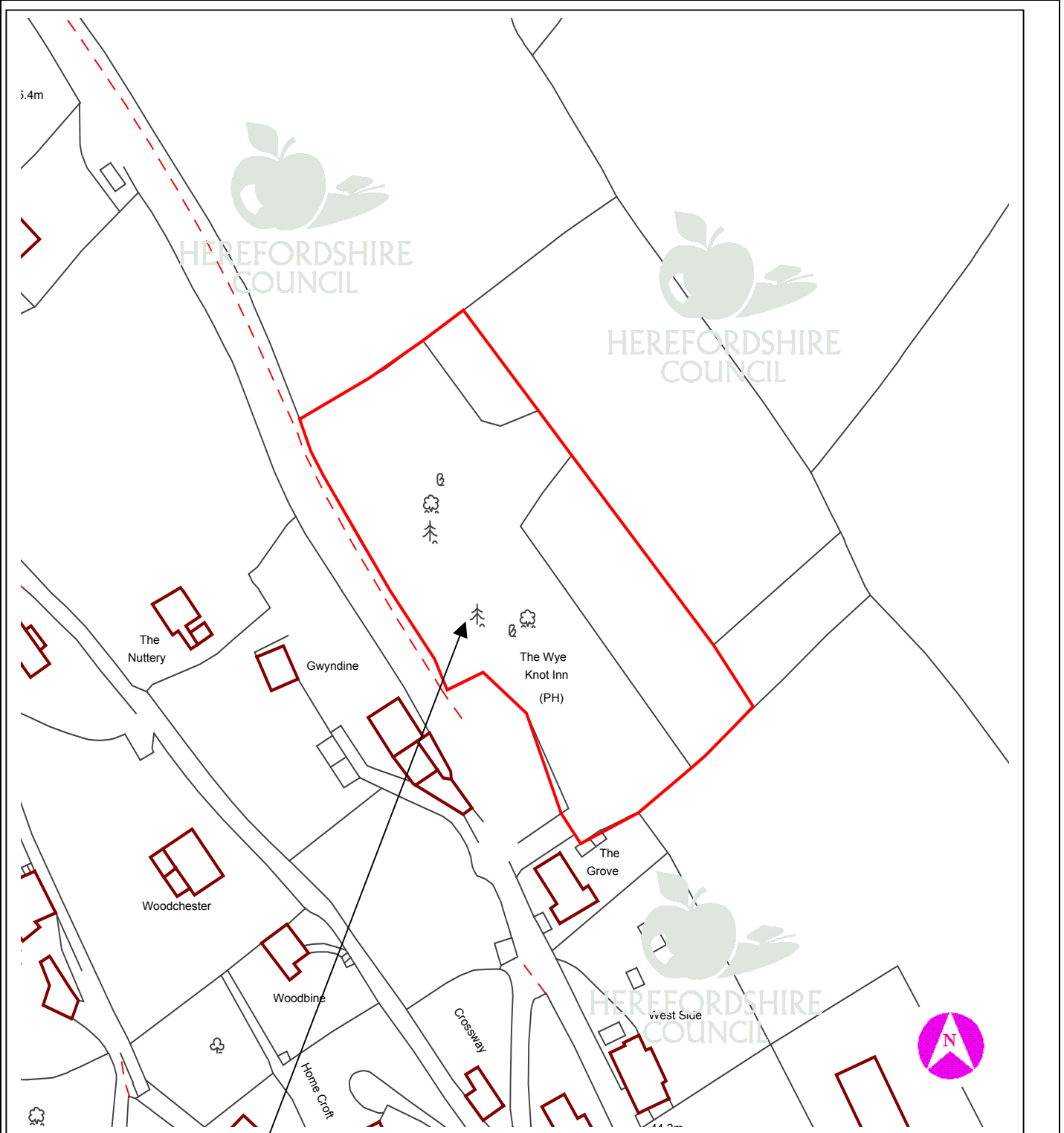
Decision: .....

Notes: .....

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**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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**6 DCSW2005/3913/M – RE-OPENING OF DISUSED DELVE FOR THE EXTRACTION OF SANDSTONE FOR STONE ROOF TILES, FLAGSTONES AND BUILDING STONE, LLANDRAW FARM, CRASWALL, HEREFORD, HEREFORDSHIRE, HR2 0PW**

**For: K. Saunders per Sidney Phillips, Shepherds Meadow, Eaton Bishop, Hereford, HR2 9UA**

**Date Received: 8th December, 2005    Ward: Golden Valley    Grid Ref: 29901, 34109  
South**

**Expiry Date: 2nd February, 2006**

Local Member:    Councillor J.B. Williams

**1. Site Description and Proposal**

- 1.1 The site lies on a south-west facing slope approximately 2.5 km south east of Craswall village and some 10 km south of Hay-on-Wye. The countryside is rugged and looks out over the valley of the River Monnow towards the Welsh border on the top of Black Hill to the west. A small disused quarry or delve lies about 150 metres from the C1206 Michaelchurch Escley to Craswall road.
- 1.2 The proposal is to reopen this delve for a period of five years, for the small-scale production of stone roof tiles, flagstones and building stone. Suitable material would be extracted manually using a single agricultural-sized digger and the resulting loose stone worked and shaped by hand.

**2. Policies**

**2.1 Planning Policy Guidance**

MPG1 – General Considerations and the Development Plan System  
PPS7 – Sustainable Development in Rural Areas

**2.2 Hereford and Worcester County Structure Plan**

Policy E6 – Economic Development in Rural Areas  
Policy CTC2 – Areas of Great Landscape Value  
Policy CTC6 – Landscape Features  
Policy CTC7A – Mineral Extraction  
Policy CTC9 – Development Requirements  
Policy CTC12 – Improving wildlife value  
Policy A1 – Development on Agricultural Land  
Policy M1 – The Need for Minerals  
Policy M3 & M4 – Mineral Extraction  
Policy M7 – Hard Rock Extraction

### 2.3 South Herefordshire District Local Plan

Policy GD1 – General Development Criteria  
Policy C1 – Development within Open Countryside  
Policy C8 – Development within AGLV  
Policy C9 – Landscape Features  
Policy C15 – Creation of New Sites for Nature Conservation  
Policy C47 – Pollution

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

Policy S1 – Sustainable Development  
Policy S2 – Development Requirements  
Policy S9 – Minerals  
Policy DR11 – Soil Quality  
Policy DR13 – Noise  
Policy E11 – Employment in Smaller Settlements and Open Countryside  
Policy LA2 – Landscape Character and Areas Least Resilient to Change  
Policy LA5 – Protection of Trees, Woodlands and Hedgerows  
Policy NC8 – Habitat Creation, Restoration and Enhancement  
Policy M4 – Non-aggregate Building Stone and Small Scale Clay Production

## 3. Planning History

- 3.1 There is no planning history held in the Council's records for this site, but physical evidence of the historic existence of the quarry is clear. Recent exploratory work has been undertaken under Permitted Development rights to ascertain the quality and likely quantity of stone available and viability of the project. There are several similar small delves in the wider neighbourhood, opened or re-opened in connection with the Herefordshire Stone Tile Project initiative to promote traditional rural industry and encourage rural employment by co-ordinating links between stone cutters and markets for their produce.

## 4. Consultation Summary

### Statutory Consultations

- 4.1 The Campaign to Protect Rural England (CPRE) supports the proposal.
- 4.2 The Environment Agency has no objection in principle and offers conditions to ensure environmental protection with regard to groundwater and pollution.

### Internal Council Advice

- 4.3 Traffic Manager - has attended pre-application site meetings with the applicant to discuss the most appropriate location for an access to the C1206 road. The submitted proposal is in accordance with advice given. Conditions and advisory notes would ensure compliance with Highways Authority requirements.
- 4.4 Conservation Manager - has visited the site twice, observing that it is visually sensitive due to its isolated and elevated position, but that views into the site would be distant, from the south and west only, it not being visible from the immediate neighbours. The choice of access is supported because it not only provides the best visibility from a highways point of view but it also minimises the amount of hedgerow to be removed. Overall no objections have been raised on landscape grounds.

## 5. Representations

- 5.1 Craswall Parish Council comment as follows: "Request no blasting on site", with no other concerns expressed.
- 5.2 One letter of objection has been received from a local resident. Mrs G D Watkins of School House, Craswall states that the site is "opposite my house" and that when the exploratory work was being done "the noise was horrendous. I would not be able to work or sit in my garden. It would completely spoil my property".

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

## 6. Officers Appraisal

- 6.1 The site is one of several small-scale delves in the hilly country between Longtown and Hay producing traditional hand-made stone roof tiles, flagstones and building stone. The applicant has made every effort to engage in pre-application discussions and to observe the advice that has been offered.

### 6.2 Need

The work is physically hard, the climate and terrain are difficult, and the skills of the few remaining experienced stone workers are in danger of becoming lost. The need for high quality matching stone for the restoration of historic buildings usually outweighs supply, resulting in the use of imported sandstone. In the interests of sustainability and the proximity principle, the development of a viable network of traditionally worked local delves is arguably more desirable. But such small delves are generally short-lived and supplies of stone of the required quality and quantity are unpredictable. Therefore a series of operational and new delves is necessary to optimise potential sources, thus constituting the "special justification" requirement outlined in Local Plan policy C1 and the requirements of Structure Plan policy CTC7A, taking into account the traditional rural nature of the work and the fact that stone can only be obtained where it exists and in accessible locations.

Policy M1 of the County Structure Plan acknowledges the need to maintain supplies of worked minerals, and Policy M4 of the forthcoming UDP supports small-scale stone extraction projects.

### 6.3 Visual Impact

The site falls within the Area of Great Landscape Value and is described in the Landscape Character Assessment as Ancient Border Farmlands. Small quarries have been extensively used in the past for local production of building, flooring, roofing and road stone. Although in principle the site and access track would be visible from properties across the valley and from the Offa's Dyke Path on Black Hill some 3 km to the west, in practice the distances are great enough and the site is so small as to be visually dwarfed by the larger landscape around it. It is considered that the proposal would not therefore be contrary to Structure Plan policy CTC2 or Local Plan policies GD1 and C8.

#### 6.4 Transport and access

A green lane lined with an old grown-out hawthorn hedge runs alongside the field containing the site, but this could not be used as a haul road without damaging the trees, and its existing junction with the C1206 would not be ideal. Accordingly the applicant has proposed a new haul road and access at the shortest distance and optimum visibility point with minimal hedgerow removal, thus observing the principles of Structure Plan policy CTC11 and Local Plan policy C17. The C1206 is narrow, hilly and twisting but this prevents vehicles from travelling at speed, and traffic levels are in any case exceedingly low. The applicant has stated that a maximum of one load of between 5 and 10 tonnes of stone would be removed, by pick-up truck, on any one day, but in practice this would be intermittent. With appropriate conditions imposed there is no reason to suppose that activity at this level could not be accommodated within the road network.

#### 6.5 Biodiversity

Small scale stone extraction of this type is likely to be less disruptive to wildlife than agriculture, and has the potential to create important additional habitats for the future, stone piles and worked rock faces providing shelter for small animals, plants and birds. It also creates variety in the landscape and a physical record of heritage. Structure Plan policy CTC12 and Local Plan policy C15 would support this.

#### 6.6 Noise

The extraction process uses a 360° farm-size digger to remove and store topsoil, subsoil and overburden, and to knock out a quantity of raw stone from the working face. This may take a few hours or days depending on the quality of material found and the amount of overburden to be removed. Once a pile of workable stone is achieved the digger is put aside and the work is continued by hand, where necessary using a powered hand saw (with water to suppress dust) to cut slabs for flagstones. Roof tiles are cut and chipped by hand and stockpiled on pallets ready for removal when a load is ready. No blasting is used for this type of quarrying as it would destroy useable slabs.

It is acknowledged that some machinery noise would be unavoidable, considering the low background noise of the locality. In mitigation, the quarry is in a hollow and soil bunds and stockpiles would soften noise from the vehicle and hand saw work, which would anyway be intermittent, and should not be more obtrusive than any other agricultural activity.

The objector's house is approximately 500 metres away in a direct line on the map and there are undulations and trees in between. In practice the amount of time when noisy machinery would be used is likely to be small and conditions could be imposed to control this within reason. No other residents have objected. Should a serious noise nuisance arise, Environmental Health and Trading Standards have independent powers to intervene.

#### 6.7 Conclusion

Although the potential for some disturbance is acknowledged, this needs to be considered in the context of need and other issues. It would not be possible to extract minerals anywhere without someone being able to hear it. The site is very small and is relatively easy to access without excessive works being necessary, being conveniently close to a serviceable road on terrain that is not too steep. The quarry working would be temporary, the applicant having requested five years, but it may be more appropriate to allow for a more flexible seven years to include restoration of the site



after extraction has ceased. The sandstone deposit is already exposed and appears to be of good quality, therefore the project would not be speculative and there would be no need for extensive preliminary soil removal. The proposal would help to maintain:

- the continuity of an adequate supply of useable local materials, and
- the rural tradition, skills, employment and industry of the local stone tiling industry.

The potential for wildlife after extraction has ceased would also be beneficial, and supported by biodiversity policies. On balance the benefit and need would appear to outweigh the possibility of harm.

## **RECOMMENDATION**

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

- 1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission. Written notification of the date of commencement shall be sent to the local planning authority within 7 days of the commencement.**

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

- 2. The development, including restoration of the site for which permission is hereby granted, shall cease not later than 7 years from the date of the commencement of development as notified to the local planning authority under Condition 1, unless otherwise agreed in writing by the local planning authority.**

**Reason: Required to be imposed by Section 72(5), and paragraph 1 of Part 1 of Schedule 5 of the Town and Country Planning Act 1990.**

- 3. The development shall be carried out in all respects in accordance with the approved plans (drawing nos. 2, 2.1, 3, 3.1 and 4 and the operational detail in the submitted application form and Annex 1: Mineral Extraction and Processing), except where agreed in advance in writing by the local planning authority, or where otherwise stipulated by conditions attached to this permission.**

**Reason: To ensure adherence to the approved plans in the interests of a satisfactory form of development and in accordance with Structure Plan Policy CTC.9 and Local Plan Policies GD.1 and C.1.**

- 4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, or any Order revoking and re-enacting that Order with or without modification, no development within Schedule 2 Part 19 shall be undertaken other than with the prior written agreement of the local planning authority.**

**Reason: To control the development of the site and in accordance with Structure Plan Policies M4 and CTC9 and Local Plan Policies GD1 and C1.**

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

**Reason: In the interests of highway safety and to comply with Local Plan Policy GD.1.**

**6. H03 (Visibility splays)**

**Reason: In the interests of highway safety, and to comply with Local Plan Policy GD.1.**

**7. H05 (Access gates)**

**Reason: In the interests of highway safety, and to comply with Local Plan Policy GD.1.**

**8. Before any other works hereby approved are commenced, the highway verge crossing to be constructed to Highways Authority specifications shall be carried out in accordance with a specification to be submitted to and approved in writing by the local planning authority, at a gradient not steeper than 1 in 12.**

**Reason: In the interests of highway safety, and to comply with Local Plan Policy GD.1.**

**9. Prior to the occupation of the development hereby approved the driveway and/or vehicular turning area shall be consolidated, surfaced and drained in accordance with details to be submitted to, in advance, and approved in writing by the local planning authority.**

**Reason: In the interests of highway safety, and to comply with Local Plan Policy GD.1.**

**10. There shall be no more than 3 vehicle movements outbound from the site on any day for transporting stone, and not more than 12 in any week, unless otherwise agreed in advance in writing by the local planning authority.**

**Reason: To minimise any additional traffic impact in accordance with Local Plan Policy GD1 (xviii).**

**11. No soil moving or stone extraction shall take place until the boundaries of the delve hereby permitted have been permanently marked out on the ground by means of posts and the marker positions have been agreed in writing by the local planning authority. The agreed boundary markers shall be retained throughout the life of the development of the site.**

**Reason: To identify the area permitted for extraction and to comply with Structure Plan Policy CTC2 and Local Plan Policy C8.**

**12. No machinery shall be operated, no process carried out and no deliveries taken at or despatched from the site outside the following times: 0800 hours to 1700 hours Monday to Friday, 0800 hours to 1300 hours on Saturday, nor at any time on Sundays, Bank or Public Holidays, unless otherwise agreed in advance in writing by the local planning authority.**

**Reason: In order to protect the amenity of nearby properties in accordance with Local Plan Policy GD1 (vi).**

13. All stripped soils and overburden shall be saved on site and stored in accordance with the submitted plans and used for re-spreading to complete the restoration of the site

Reason: In the interests of nature conservation and agriculture and to ensure successful restoration of the site in the spirit of Local Plan Policy C8.

14. No excavation shall take place below the depth of the water table. Even if the water table is not encountered within 5m of ground level, then no further excavation shall take place below this depth, unless otherwise agreed in writing by the local planning authority in consultation with the Environment Agency.

Reason: To prevent derogation of the groundwater resource at this site.

15. Not less than 12 months before the expiry of this permission a scheme for the final reclamation and restoration of the excavations formed as a result of the development hereby permitted shall be submitted for approval in writing to the local planning authority. The submitted scheme shall include:

- a) the date by which the restoration will be completed;
- b) that the site shall be cleared and all plant or machinery removed;
- c) the re-spreading of all stores of soils overburden and delve waste within the excavation site;
- d) the extent of exposed rock faces to be retained;
- e) proposals for the final landform and treatment of the restored surfaces and delve faces in the interests of nature conservation, scientific study or agriculture;
- f) details of the grading of any exposed rock faces to be retained, to remove any significant vertical drop.

On cessation of the winning and working of minerals the scheme shall be implemented without delay in accordance with the approved details.

Reason: In the interests of landscape quality, nature conservation and public safety and to comply with Structure Plan Policies M3, M4, CTC6 and CTC12 and Local Plan Policies C8 and C15.

16. Backfill material intended for the resulting void shall be inert and of similar permeability to the excavated rock.

Reason: To protect the quality of controlled waters in the area and to ensure that recharge of groundwater resources is not significantly altered.

17. Only uncontaminated soil and rock spoil arising from on site shall be used for restoration, with no importation or deposit of other materials.

Reason: To prevent pollution of the environment in accordance with Local Plan Policy C47.

18. Prior to the cessation of the winning and working of minerals, a scheme for the aftercare of the restored site shall be submitted to and approved in writing by the local planning authority. The submitted scheme shall include:
- a) proposals to ensure the reclamation of the site to nature conservation, scientific study or agriculture;
  - b) details of any planting, cultivation, maintenance or otherwise treatment of the land for 5 years after the site has been reclaimed;
  - c) proposals for 5 annual inspections during this period to review and if necessary amend the agreed proposals.

The reclamation shall be carried out in accordance with the approved scheme.

Reason: To ensure the site is successfully reclaimed for the purposes intended and to comply with Structure Plan Policies M3, CTC6 and CTC12 and Local Plan Policies C8 and C15 .

19. Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound shall be at least equivalent to the capacity of any tank plus 10%. If there is multiple tankage, the compound shall be at least equivalent to the capacity of the largest tank, vessel or the combined capacity of interconnected tanks or vessels plus 10%. All filling points, associated pipework, vents, gauges and sight glasses must be located within the bund or have separate secondary containment. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework shall be located above ground and protected from accidental damage. All filling points and tank/vessel overflow pipe outlets shall be detailed to discharge downwards into the bund.

Reason: To prevent pollution of the environment in accordance with Local Plan Policy C47.

20. No blasting or burning shall be undertaken at the site

Reason: In the interests of the amenity of the locality to comply with Local Plan Policy GD1.

**Informative(s):**

1. HN01 - Mud on highway
2. HN04 - Private apparatus within highway
3. HN05 - Works within the highway
4. HN10 - No drainage to discharge to highway
5. If excavation below the water table is to be conducted, further information would be required to demonstrate, to the satisfaction of the local planning authority, that groundwater would not be effected. This may involve intrusive investigation, monitoring and water balance calculations, to allow better characterisation of the hydrogeological regime in the area around the planned works.

- 6. The developers should adopt all appropriate pollution control measures, both underground and on the surface, to ensure that the integrity of the aquatic environment, both groundwater and surface water, is assured.
- 7. The proposed excavation area is bounded by surface watercourses and as such pollution prevention measures should be put in place to prevent any impact on the watercourse. From the application it is noted that top soil is to be stored on the site, this stockpile must be at least 10m away from the watercourses to prevent any run-off entering the stream.
- 8. The proposal includes a plan to backfill the quarry. If any waste material is to be utilised then the following should be noted:
  - \* Carriers transporting waste from, or to, the site must be registered waste carriers.
  - \* The activity of importing waste into the site would require some form of Waste Management Licence. The applicant should contact the Environment Agency for further information. Please telephone: 02920 582739.
- 9. N15 - Reason(s) for the Grant of Planning Permission

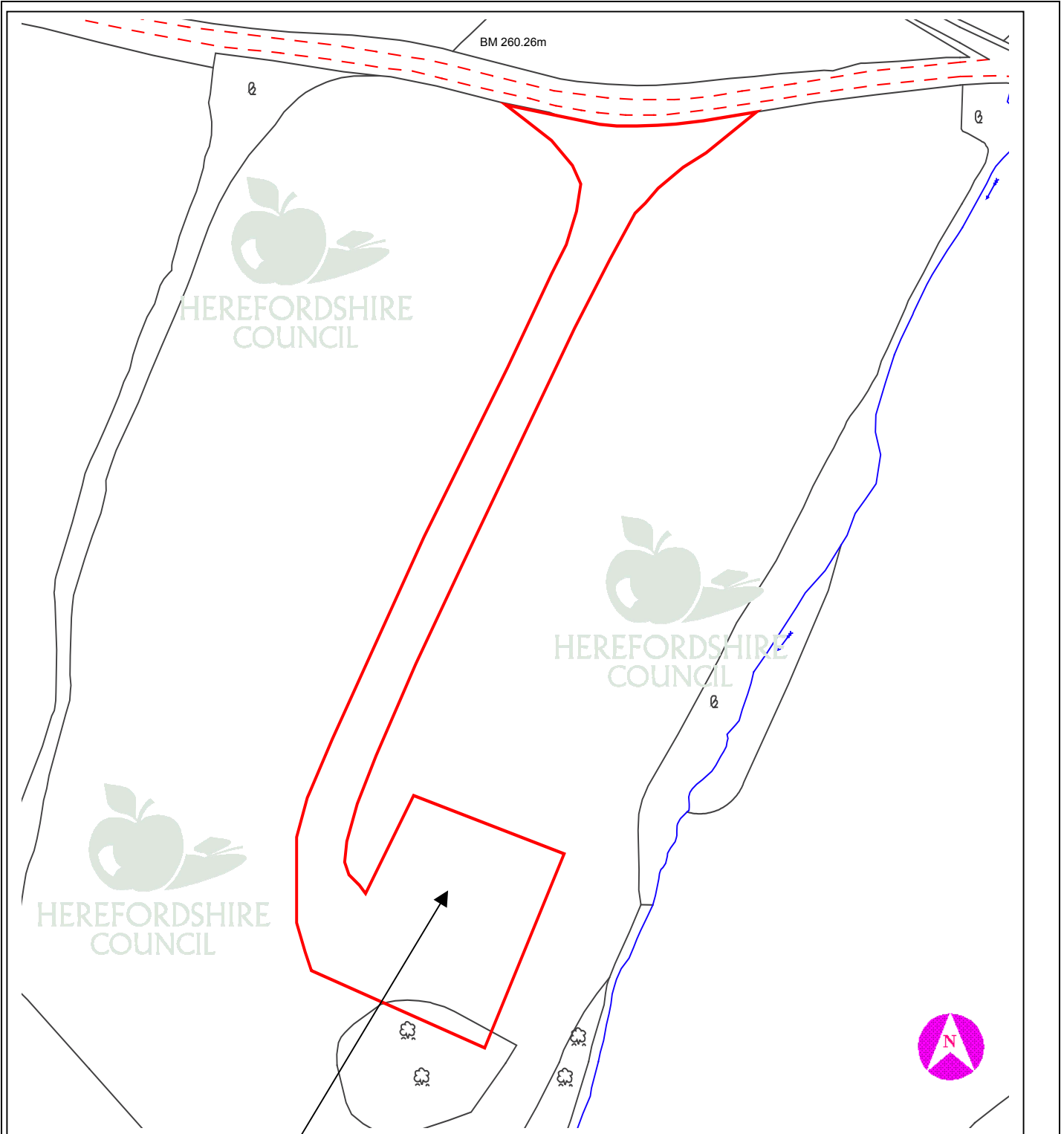
Decision: .....

Notes: .....

.....

**Background Papers**

Internal departmental consultation replies.



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**APPLICATION NO:** DCSW2005/3913/M

**SCALE :** 1 : 1250

**SITE ADDRESS :** Llandraw Farm, Craswall, Hereford, Herefordshire, HR2 0PW

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**7A DCSE2005/3799/F - CONVERSION OF BARN TO ONE DWELLING. CONSTRUCTION OF VEHICULAR ACCESS AND ACCESS ROAD AT BARN AT RUDGE FARM, PONTSHILL, NR. ROSS-ON-WYE, HEREFORDSHIRE.**

**7B DCSE2005/3801/F - CONVERSION OF BUILDINGS TO THREE DWELLINGS. CONSTRUCTION OF VEHICULAR ACCESS AND ACCESS ROAD AT BARN AT RUDGE FARM, NR. PONTSHILL, NR. ROSS-ON-WYE, HEREFORDSHIRE**

**For: Mr. & Mrs. C. Lodge per Paul Smith Associates, 19 St Martin Street, Hereford HR2 7RD**

**Date Received: 24th November, 2005    Ward: Penyard    Grid Ref: 64286, 20828**

**Expiry Date: 19th January, 2006**

Local Member:    Councillor H. Bramer

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

- 1.1 Rudge Farm is on the west side of the C1277 road about 1 km to the south of Pontshill. The farm comprises a large farmhouse and a range of traditional farm buildings. The two largest barns (barns 3 & 4) are to the rear of the farmhouse, with parallel ridges and about 8m apart. Two smaller buildings (barns 1 & 2) are sited to the south of the complex: barn 1 adjoining the highway and barn 2 about 20m to the rear (west) of barn 1. Adjoining barn 2 are modern farm structures and (to the east) a swimming pool.
- 1.2 Barns 1-3 are part of application SE2005/3801/F and the remaining barn (barn 4) is part of application SE2005/3799/F. Both proposals include a new access and access drive which extends southwards from the rear of barn 2 parallel to the highway before turning to follow the field hedge and meeting the highway about 100m south of the current access. The latter would be closed, having very poor visibility by the main access, situated about 80m north of the farmhouse would remain but provide access to the farmhouse only.
- 1.3 Each barn would be converted into one dwelling. The larger barns (3 & 4) would require most change to facilitate residential use. The lean-to extensions of barn 3 would be reduced in size and an open section filled by a new stone wall, with a slate roof replacing corrugated sheeting. One new window and 3 rooflights would be required in each of the main elevations, plus new double doors in the eastern elevation. Barn 4 is partly open on the east elevation and this would be boarded between timber posts and above a low rendered plinth. The lean-to wall facing west would have 2 pairs of wide, full height windows plus rooflights, with 3 windows (enlarged ventilation slits) at first floor level and two pairs of rooflights in the main roof. Part of the lean-to would be used for garaging. Apart from a number of new windows

and rooflights barn 2 would be altered by the removal of the modern structures. The swimming pool would be filled in. The main change to barn 1 would be a re-built lean-to conservatory at the southern end of the building. This would be slightly wider and with higher eaves than the existing dilapidated structure.

## 2. Policies

### 2.1 Planning Policy Guidance

PPS7 - Sustainable Development in Rural Areas

### 2.2 Hereford and Worcester County Structure Plan

Policy CTC2 - Area of Great Landscape Value  
 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 C16 - Protection of Species  
 Policy C36 - Re-use and Adaptation of Rural Buildings  
 Policy C37 - Conversion of Rural Buildings to Residential Use  
 Policy SH24 - Conversion of Rural Buildings  
 Policy T1A - Environmental Sustainability and Transport  
 Policy T3 - Highway Safety Requirements

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

Policy HBA12 - Re-Use of Traditional Rural Buildings  
 Policy HBA13 - Re-Use of Traditional Rural Buildings for Residential Purposes  
 Policy NC5 - European and Nationally protected Species  
 Policy NC8 - Habitat Creation, Restoration and Enhancement  
 Policy T11 - Parking Provision

### 2.5 Supplementary Planning Guidance

Re-Use and Adaptation of Traditional Rural Buildings

## 3. Planning History

- |     |               |   |   |                       |
|-----|---------------|---|---|-----------------------|
| 3.1 | SE005/0501/F  | Conversion of barn to 3 dwellings, construction of vehicular access road and road.  | - | Withdrawn<br>24.11.05 |
|     | SE2005/2872/F | Conversion of barn to one dwelling, construction of vehicular access road and road. | - | Withdrawn<br>24.11.05 |

## 4. Consultation Summary

### Statutory Consultations



4.1 No statutory or non-statutory consultations required.

Internal Council Advice

4.2 The Traffic Manager points out that it was agreed at site meeting that access should be 15m north of existing boundary hedge rather than about 13m as submitted. Conditions are recommended. The development would not appear to affect public footpath WP3.

4.3 The Conservation Manager does not object from an architectural point of view and recommends conditions.

## **5. Representations**

5.1 The applicants' agent has made the following submission:

1. The resubmitted schemes entail conversion of 4 buildings to single dwellings and the replacement of existing 'blind' vehicular access with one much safer.
2. The proposed designs respect the character and appearance of these buildings and would ensure the mutual privacy of occupiers of this and the proposed neighbouring dwelling.
3. The alignment of the access road has been chosen to minimise its visual impact upon the landscape.
4. I attach a letter from Williams Parry explaining the unsuccessful campaign to advertise this building as commercial floor space. The buildings do not lend themselves to commercial use because access is restricted and dangerous, the expense of rendering suitable for commercial use would be prohibitive and because of their close proximity of these buildings to the applicants' home.
5. The proposed development would accord fully therefore with relevant operative national and local planning policies.
6. My clients have no need to erect a replacement agricultural barn.
7. The only objection raised by local residents to the earlier applications was that the proposed new vehicular access would interfere with their informal car parking area. The current application promotes a different access point which provides good visibility splayed unimpeded by the neighbours' parked cars.
8. In addition an Ecological Survey has been submitted.

5.2 The Parish Council has no objections to these proposals.

5.3 One letter has been received objecting to each application. In summary the following reasons are given:

- (1) intended entrance is very close, in fact directly opposite, my property and can only increase the dangers of an accident
- (2) a minor road but heavily used by both commercial and private vehicles, many travelling at excessive speeds - it would become dangerous entering and leaving my property

(3) pets have been lost due to speeding vehicles - if permission granted next death could well be human

(4) two other farm entrances and no reason for a third

5.4 The Ramblers Association and Open Spaces Society raise no objections to the proposals.

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 barns have been marketed for over 6 months but no interest was expressed for commercial use. The barns are attractive traditional farm buildings and worthy of retention. In principle therefore conversion to residential use would comply with the Council's policies. The issues in this case are therefore firstly whether the schemes would retain the character of the buildings and secondly, whether the proposed access would prejudice highway safety.

6.2 As noted above the two larger barns (3 & 4) would require significant alteration to external appearance. In the case of barn 3 this is primarily the change to the existing lean-to, including a re-built wall. These would enhance the appearance of the building and offset the new windows, doors and rooflights. Barn 4 is unusual for a large stone barn in that the east elevation is open, with the roof supported by posts. Boarding, as proposed, is the favoured design solution in these circumstances. The extensive glazing in the west elevation is the main concern. This has proved to be necessary as only a limited number of windows are proposed in the east elevation in order to protect the privacy of occupiers of barn 3 (only 8 or 9m away). However all the barns have been designed following discussions with officers and the Conservation Manager does not object to the proposals. Barns 1 and 2 require less intervention to be suitable for residential use and the design of the new conservatory is acceptable. I consider therefore that the conversion schemes retain the existing character of the barns as far as this is consonant with residential use.

6.3 Turning to the second issue the existing access close to the farmhouse has extremely limited visibility and closure would be of benefit to highway safety. The northern access is better in this respect but in view of traffic speeds and bends in the road visibility is still not sufficient in the Traffic Manager's opinion. The position of the proposed access would enable visibility splays of about 2 m x 90 m and is considered acceptable by the Traffic Manager. There is one caveat to this: just to the south of the proposed access the highway is somewhat wider and is used for car parking by visitors to the cottages opposite. The vehicular access to the latter is narrow and with restricted visibility. Ideally moving the access a few metres would ensure that vehicles parked in the unofficial lay-by would not block visibility at the proposed access and would be further from the access to the cottages. This is being discussed with the applicants' agent. Nevertheless a new access well to the south of the farm complex would be significantly safer than any alternative and would not, in the Traffic Manager's view, compromise highway safety.

6.4 The long access drive would be conspicuous as its alignment is over a distinct rise in ground level. However as the access in this position has distinct benefits for highway safety this impact is acceptable and can be mitigated by careful landscaping.

## RECOMMENDATION

In respect of DCSE2005/3799/F:

Subject to submission of acceptable drawings of the proposed access and access drive the officers named in the Scheme of Delegation to Officers be authorised to issue planning permission subject to the following conditions and any additional conditions considered necessary by officers:

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

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

**2 C02 (Approval of details)**

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

**3 G13 (Landscape design proposals)**

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

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

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

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

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

**6 RB1 (No Permitted Development)**

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

**7 H01 (Single access - not footway)**

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

**8 H05 (Access gates)**

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

**9 H06 (Vehicular access construction)**

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

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

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

**Informatives:**

- 1 HN05 - Works within the highway**
- 2 HN10 - No drainage to discharge to highway**
- 3 HN01 - Mud on highway**
- 4 HN04 - Private apparatus within highway**
- 5 N15 - Reason(s) for the Grant of Planning Permission**

Decision: .....

Notes: .....

**In respect of DCSE2005/3801/F:**

**Subject to submission of acceptable drawings of the proposed access and access drive the officers named in the Scheme of Delegation to Officers be authorised to issue planning permission subject to the following conditions and any additional conditions considered necessary by officers:**

- 1 A01 (Time limit for commencement (full permission))**  
**Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990.**
- 2 C02 (Approval of details)**  
**Reason: To safeguard the character and appearance of this building of [special] architectural or historical interest.**
- 3 G13 (Landscape design proposals)**  
**Reason: In the interests of visual amenity.**
- 4 G05 (Implementation of landscaping scheme (general))**  
**Reason: In order to protect the visual amenities of the area.**
- 5 G01 (Details of boundary treatments)**  
**Reason: In the interests of visual amenity and to ensure dwellings have satisfactory privacy.**

**6 RB1 (No Permitted Development)**

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

**7 H01 (Single access - not footway)**

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

**8 H05 (Access gates)**

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

**9 H06 (Vehicular access construction)**

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

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

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

**Informatives:**

**1 HN05 - Works within the highway**

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

**3 HN01 - Mud on highway**

**4 HN04 - Private apparatus within highway**

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

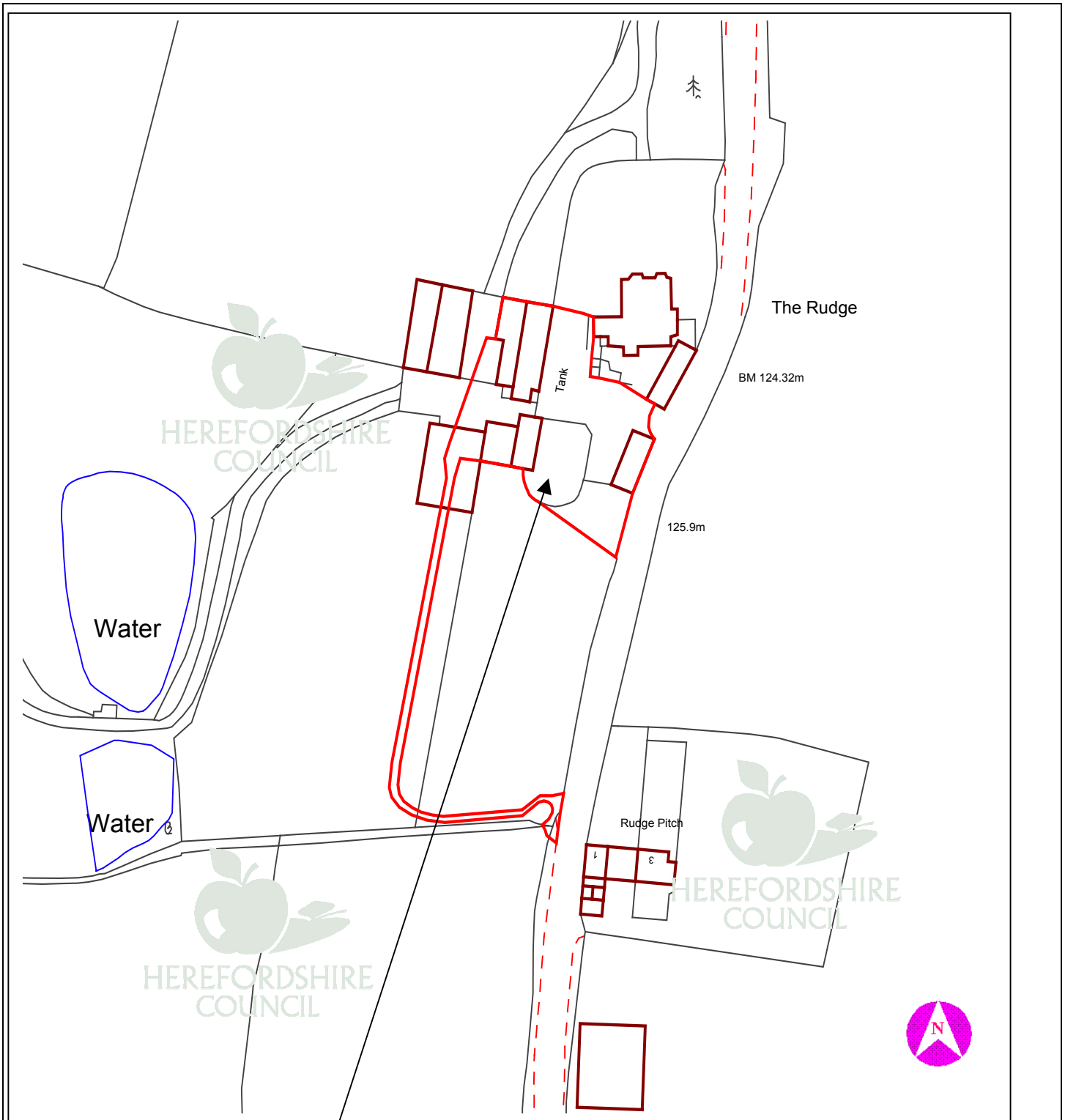
Decision: .....

Notes: .....

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**Background Papers**

Internal departmental consultation replies.



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**APPLICATION NO:** DCSE2005/3801/F

**SCALE :** 1 : 1250

**SITE ADDRESS :** Barns at Rudge Farm, Nr. Pontshill, Nr. Ross-on-Wye, Herefordshire

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**8 DCSE2005/3821/O - SITE FOR ERECTION OF DWELLING AT GARDEN OF BALLARD LODGE, EASTFIELD ROAD, ROSS-ON-WYE, HEREFORDSHIRE, HR9 5JZ**

**For: Mr. L. Marshall per Mr. C. Goldsworthy, 85 St Owen Street, Hereford, HR1 2JW**

**Date Received: 25th November, 2005 Ward: Ross-on-Wye East Grid Ref: 59780, 23200**

**Expiry Date: 20th January, 2006**

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

**1. Site Description and Proposal**

- 1.1 The site is located on the east side of Walford Road (Class II B4234) some 800 metres south of Ross-on-Wye town centre. It comprises part of the curtilage of Ballard Lodge, which is a detached modern bungalow.
- 1.2 The 0.1 hectare site is rectangular in shape with a frontage onto the Walford Road and Eastfield Road. It is primarily lawned and is currently screened from Walford Road by a stone wall, panelled fence and a significant number of mature trees to the western and southern boundaries of the site. The land levels within the site are higher than those on the adjacent roadside.
- 1.3 The site is within the settlement boundary of Ross-on-Wye in the Wye Valley Area of Outstanding Natural Beauty and immediately adjacent to the Conservation Area.
- 1.4 Outline planning permission is sought for the erection of a single dwelling in the western side of the garden of Ballard Lodge. All matters are reserved for future consideration.

**2. Policies**

**2.1 Planning Policy Guidance and Statements**

PPS1	-	Delivering Sustainable Development
PPG3	-	Housing
PPG13	-	Transport
PPG15	-	Planning and the Historic Environment

**2.2 Hereford and Worcester County Structure Plan**

Policy CTC1	-	Areas of Outstanding Natural Beauty
Policy CTC9	-	Development Criteria
Policy H.16A	-	Housing in Rural Areas
Policy H.18	-	Housing in Rural Areas Outside the Green Belt

**2.3 South Herefordshire District Local Plan**

Policy GD.1	-	General Development Criteria
Policy C.23	-	New Development affecting Conservation Areas
Policy C40	-	Essential Services
Policy C43	-	Foul Sewerage
Policy SH.5	-	Housing Land in Ross-on-Wye
Policy 3	-	Infill sites for Housing
Policy 16	-	Conservation Areas

**2.4 Herefordshire Unitary Development Plan (Revised Deposit Draft)**

Policy S1	-	Sustainable Development
Policy S2	-	Development Requirements

**3. Planning History**

3.1	SH891453PO	Erection of a dwelling at Ballard Lodge, Eastfield Road, Ross-on-Wye, Herefordshire	-	Approved 04.10.89
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**4. Consultation Summary**Statutory Consultations

## 4.1 Welsh Water has provided the following comments on the application:

The proposed development would overload the existing public sewerage system. Improvements are planned for completion by 1st April 2010. We consider any development prior to this date to be premature and therefore object to the proposals unless appropriate conditions can be attached to prevent occupation prior to the completion of these essential works. We offer the following Condition:-

None of the buildings hereby approved shall be occupied until essential improvements to the public sewerage system have been completed by Dwr Cymru Welsh Water, and the Local Planning Authority have been informed in writing of its completion. The work is scheduled for completion by 1st April 2010.

Reason: To mitigate the existing hydraulic overloading of the public sewerage system and ensure the local community and environment are not duly compromised.

Further conditions are suggested with regard to drainage.

Internal Council Advice

4.2 The Traffic Manager recommends that any access be onto the Walford Road and recommends conditions.

4.3 The Conservation Manager objects to the proposal in that it will have a detrimental impact on the setting of the conservation area and in particular the approach to the conservation area.



## 5. Representations

- 5.1 Ross-on-Wye Town Council have concerns about aspects of the development and make the following comment:

The proposed development extends beyond the building line and alters the line of Walford Road. Access is close to an extremely busy junction and it is also considered to be over development of the site.

A letter of representation has been received from Mr Howard Rosenbrock of Linden, Walford Road, Ross-on-Wye, HR9 5PQ. The main points raised are:

- The proposed site is too small to allow space for a garden and hedges and other amenities expected in a conservation area.
- In view of the steep slope of land on the West of the site it will not be possible to erect a building without encroaching on the screen of trees and bushes between the road and the site, which has already been reduced by the removal of several trees.

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. Officer's Appraisal

- 6.1 In assessing the proposal it is appropriate to consider the character and pattern of existing development in the locality and of the site itself. This section of Walford Road is a well-established and mature residential suburb, which is interspersed with some commercial uses. The built form consists of primarily detached dwellings that are large in scale and set within spacious and well-landscaped grounds. The presence of trees, shrubs and hedgerows along Walford Road are an important and attractive feature of the area and the approach into the town centre.

- 6.2 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 residential amenity

- 6.3 The site is located within the identified settlement boundary of Ross-on-Wye in an established residential area, where new residential development is acceptable in principle, subject to meeting the requirements set out in Policy GD.1 and Policy 3 of the South Herefordshire District Local Plan. These policies aims to protect the character of the area, the amenities of neighbouring residents, and ensure adequate parking and access arrangements can be achieved.

- 6.4 The application site is the enclosed garden to Ballard Lodge where it is proposed to erect a dwelling to the west of the property. The dwelling would inevitably be sited forward of other dwellings on Walford Road such that it would appear prominent and intrusive in the street scene which would be detrimental to the character of the surrounding area. The proposal would also lead to a reduction in amenity space to Ballard Lodge making it uncharacteristic of the area.

- 6.5 The site is currently screened from Walford Road by a stone wall, panelled fence, hedge and a significant number of mature trees within the grounds of Ballard Lodge. The garden is elevated above the Walford Road. The creation of an access onto the Walford Road would require significant excavation of the bank. The significant excavation and removal of the existing boundary treatment would introduce a gap in this established feature and would result in harm to the appearance of the street scene in this location and would adversely affect the setting and character of the Conservation Area.
- 6.6 The restricted width of the proposed site means that it may not be possible to afford a satisfactory margin between a new dwelling and the existing dwelling 'Ballard Lodge' and the adjacent property 'Lyndon' resulting in the potential overlooking of the properties or private amenity space.
- 6.7 It is noted that outline planning permission for the erection of a dwelling on the site was approved on 4<sup>th</sup> October 1989. This permission expired in 1994. The current local plan was adopted in 1999 and therefore the current proposal should be considered in the light of current policy and practice.

**RECOMMENDATION**

**That planning permission be refused for the following reasons:**

- 1 Having regard to Policies GD.1, C.22 and C.23 within Part 1 of the South Herefordshire District Local Plan and Policy 3 within Part 3 of the South Herefordshire District Local Plan a proposed dwelling on this site is considered to be an unacceptable form of development.**

**The erection of a dwelling, due to its likely position and the creation of a vehicular access, would appear both prominent and intrusive in the street scene of Walford Road and would adversely affect the character of the adjacent Conservation Area. In addition, it is likely that the erection of a dwelling would have an adverse impact on the amenities of the existing adjoining dwellings.**

- 2 The proposal would result in the public sewerage system being overloaded and would be likely to increase the risk of flooding and environmental pollution. The proposal therefore conflicts with Policies C40 and C43 of the South Herefordshire District Local Plan.**

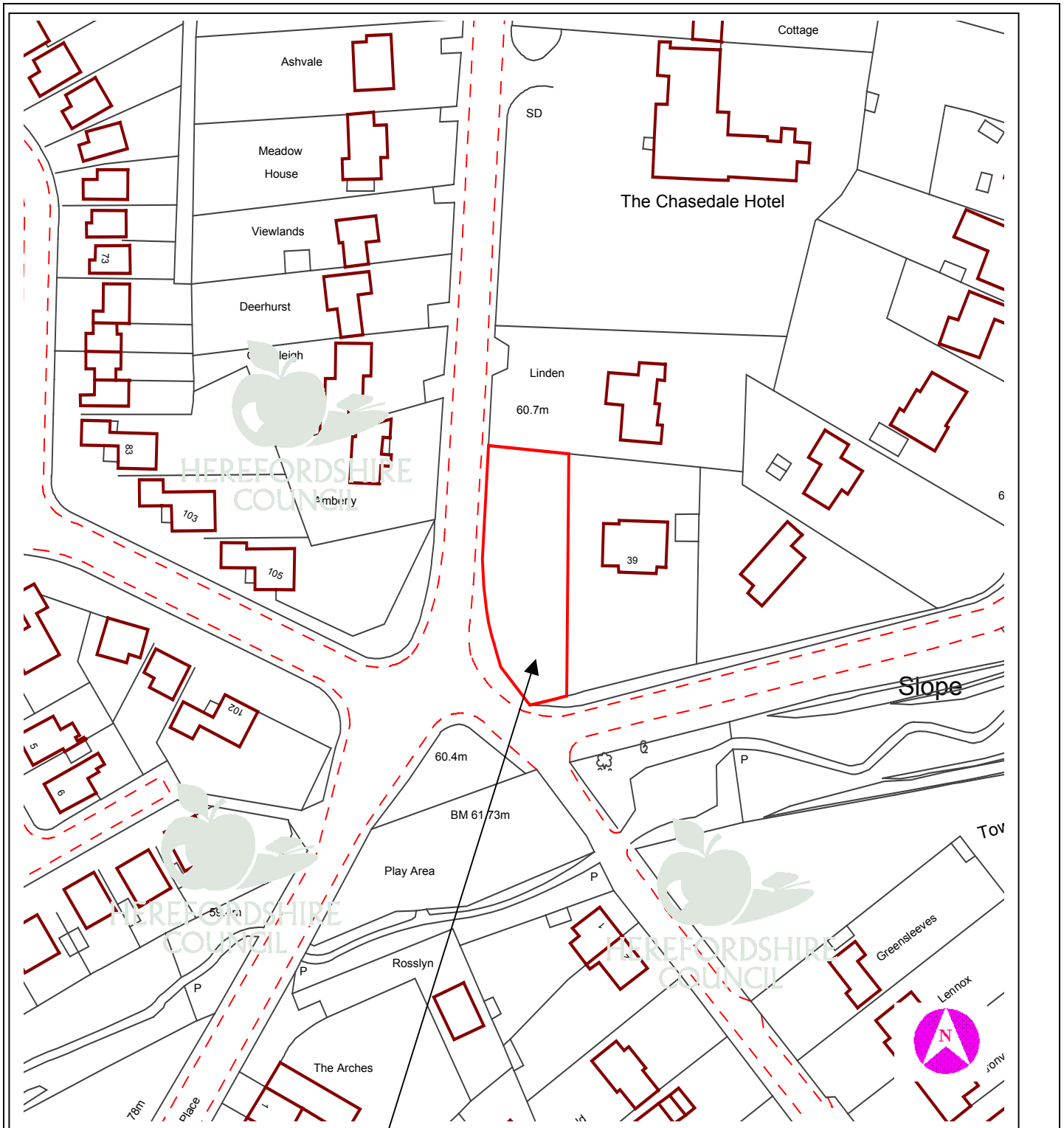
Decision: .....

Notes: .....

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**Background Papers**

Internal departmental consultation replies.



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**APPLICATION NO:** DCSE2005/3821/O

**SCALE :** 1 : 1250

**SITE ADDRESS :** Garden of Ballard Lodge, Eastfield Road, Ross-on-Wye, Herefordshire, HR9 5JZ

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**9 DCSE2005/4025/F - RETROSPECTIVE APPLICATION FOR GARAGE AT 5 MALMO PLACE, GLEWSTONE, ROSS-ON-WYE, HEREFORDSHIRE, HR9 6RW**

**For: Mr. & Mrs. D. Paskell per Mr. G. Jones, 53 Broad Street, Ross-on-Wye, Herefordshire, HR9 7DY**

**Date Received: 15th December, 2005 Ward: Llangarron Grid Ref: 55976, 22097**

**Expiry Date: 9th February, 2006**

Local Member: Councillor Mrs. J.A. Hyde

**1. Site Description and Proposal**

1.1 5 Malmo Place is a semi detached two-storey dwelling located within a cul-de-sac of 12 properties. The dwelling is within the open countryside and Wye Valley area of Outstanding Natural Beauty. Malmo Place has a single access point to the class III road. It is at a higher level and to either side of the junction are grassed embankments.

1.2 The application proposes the retention of a timber garage located at the front of the property adjacent to the highway. The garage measures 6 metres long x 4.9 metres wide x 3.2 metres high. The garage has been stained matt dark brown. There is one full width door to the front of the garage.

**2. Policies**

**2.1 Planning Policy Guidance and Statements**

PPS1 – Delivering Sustainable Development

**2.2 Hereford and Worcester County Structure Plan**

Policy CTC1 – Areas of Outstanding Natural Beauty  
Policy CTC9 – Development Criteria

**2.3 South Herefordshire District Local Plan**

Policy GD.1 – General Development Criteria  
Policy SH.23 – Extensions to Dwellings  
Policy C.5 – Development within Areas of Outstanding Natural Beauty

**2.4 Herefordshire Unitary Development Plan (Revised Deposit Draft)**

Policy S1 – Sustainable Development  
Policy S2 – Development Requirements  
Policy H18 – Alterations and Extensions

**3. Planning History**

3.1 There is no planning history to the application site.

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

##### Statutory Consultations

4.1 No statutory or non-statutory consultations required.

##### Internal Council Advice

4.2 The Traffic Manager's comments are awaited.

#### **5. Representations**

5.1 Marstow Parish Council has objected to the application and make the following comments:

- Most unsuitable position causing ugly views for all nearby residents and all other people living in or passing through this otherwise pretty village.
- The garage is used as a workshop at all times of the day and night causing noise and also carry out paint spraying of vehicles, which are considered to belong to other people. The odour of the paint is very penetrating around the area of this property and into the homes of nearby residents.
- This garage is not just for the private benefit of the homeowner, but also as a business purpose involving other vehicles.

5.2 2 letters of objection have been received from:

Linda Lewis, 2 Malmo Place and;  
Denise Woodley, 4 Malmo Place

5.3 In addition a petition with 19 signatures has been submitted. The main points raised are:

- The building has lowered the beauty and standard of Malmo Place
- The building is a potential fire hazard
- The building has devalued property in the area
- The building is close to my hedge and my home
- Vehicles are repaired, welded and paint sprayed on a daily recurrence since the erection of the garage
- Grossly oversized to be a garage, looks obtrusive and is unsightly to those passing Malmo Place

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 South Herefordshire District Local Plan Policy SH23 relates to residential development. This policy states that development should be of an appropriate design and scale in the context of the existing situation, and be acceptable in relation to the visual amenities of the locality and highway issues. Policy C.5 of the South Herefordshire District Local Plan permits development where it does not adversely affect the landscape.

- 6.2 The garage is located to the front of the dwellinghouse on an existing parking bay adjacent to the vehicle entrance to the property. The garage is partially screened by the adjacent hedgerow boundary. A condition would be attached to the permission preventing the lopping or felling of this hedgerow.
- 6.3 This is a retrospective application. When the garage was constructed it was particularly prominent, however since then the timber has been stained and this mitigates its appearance and impact. The garage is considered to be of an appropriate scale to be subordinate to the existing dwellinghouse. The rear elevation of the garage is visible from 4 Malmo Place but is not considered to have an overbearing impact.
- 6.4 The Parish Council and objectors comments are noted however, the applicant has confirmed that there is no commercial business operating from the garage. The garage currently houses a grass track race car that is used for hobby purposes. A condition would be attached to the permission preventing the commercial use of the garage and ensuring that it remains ancillary to the dwellinghouse.
- 6.5 There is alternative legislation available to deal with potential nuisance that may arise from the use of the garage.
- 6.6 It is considered that there will be no adverse impact on the Area of Outstanding Natural Beauty.
- 6.7 It is considered that the development is in accordance with the relevant planning policies and represents an acceptable form of development.

## RECOMMENDATION

**That following the expiry of the consultation period 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 E08 (Domestic use only of garage)**

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

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

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

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

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

### Informative:

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

Decision: .....

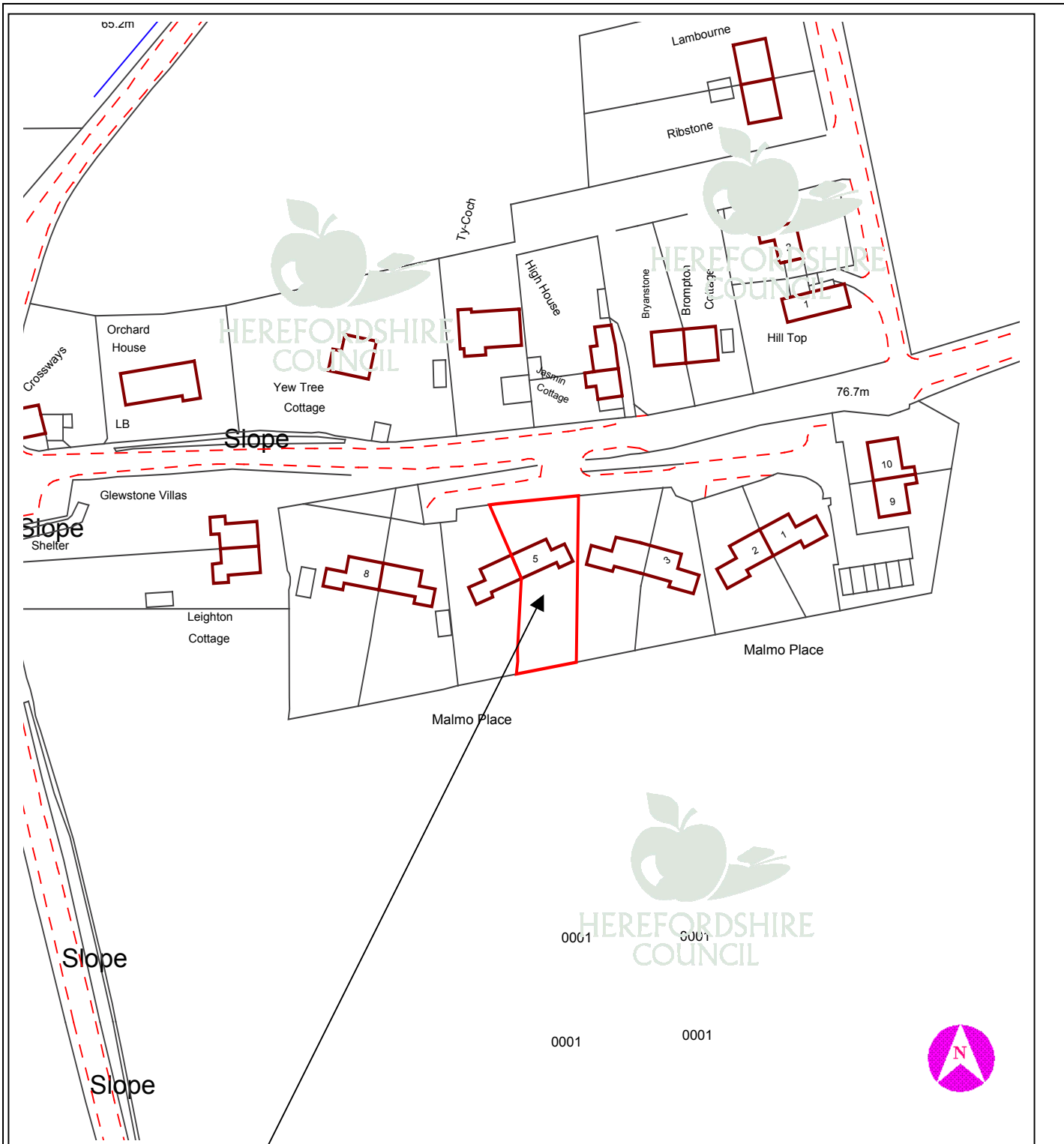
Notes: .....

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**Background Papers**

Internal departmental consultation replies.





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**APPLICATION NO:** DCSE2005/4025/F

**SCALE :** 1 : 1250

**SITE ADDRESS :** 5 Malmö Place, Glewstone, Ross-on-Wye, Herefordshire, HR9 6RW

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