

# A G E N D A

## Central Area Planning Sub-Committee

Date: **Wednesday, 8th March, 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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**County of Herefordshire  
District Council**



# AGENDA

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

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

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

	Pages
<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 - 16
To approve and sign the Minutes of the meeting held on 8th February, 2006.	
<b>4. ITEM FOR INFORMATION - APPEALS</b>	17 - 18
To note the Council's current position in respect of planning appeals for the central area.	
<b>APPLICATIONS RECEIVED</b>	
To consider and take any appropriate action in respect of the planning applications received for the central area and to authorise the Head of Planning Services to impose any additional and varied conditions and reasons considered to be necessary.	
Plans relating to planning applications on this agenda will be available for inspection in the Council Chamber 30 minutes before the start of the meeting.	
Agenda item 5 was deferred for a site inspection at the last meeting. The remainder are new applications.	
<b>5. DCCE2005/4167/F - LAND TO REAR OF THE SQUIRRELS, FOWNHOPE, HEREFORD, HR1 4PB</b>	19 - 26
Erection of a detached three bedroom bungalow.	
Ward: <b>Backbury</b>	

<b>6.</b>	<b>DCCE2006/0045/F - ETHOS AT LITTLE TARRINGTON FARM, TARRINGTON, HEREFORD, HR1 4JA</b>	27 - 30
	Change of use of agricultural storage building to fair trade retail outlet.	
	Ward: <b>Backbury</b>	
<b>7.</b>	<b>DCCE2005/4065/F - ENTRANCE TO MEADOW BANK ROAD ON JUNCTION WITH LEDBURY ROAD, HEREFORD, HR1 2ST</b>	31 - 34
	Erection of delivery pouch box (single).	
	Ward: <b>Tupsley</b>	
<b>8.</b>	<b>DCCE2005/4076/F - GRASSED AREA AT THE ENTRANCE TO CLIVE STREET, HEREFORD, HR1 2SB</b>	35 - 38
	Erection of delivery pouch box (single).	
	Ward: <b>Tupsley</b>	
<b>9.</b>	<b>DCCE2006/0221/F - 21 SALISBURY AVENUE, HEREFORD, HR1 1QG</b>	39 - 42
	New bedroom over garage and new pitched roofs to replace flat roofs.	
	Ward: <b>Tupsley</b>	
<b>10.</b>	<b>DATE OF NEXT MEETING</b>	
	The next scheduled meeting is 5th April, 2006.	

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## **COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL**

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

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COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL

**MINUTES of the meeting of Central Area Planning Sub-Committee held at The Council Chamber, Brockington, 35 Hafod Road, Hereford on Wednesday, 8th February, 2006 at 2.00 p.m.**

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

**Councillors:** Mrs. P.A. Andrews, A.C.R. Chappell, J.G.S. Guthrie,  
Mrs. M.D. Lloyd-Hayes, R.I. Matthews, J.C. Mayson, J.W. Newman,  
Mrs. J.E. Pemberton, Ms. G.A. Powell, Mrs. S.J. Robertson,  
Miss F. Short, Mrs E.A. Taylor, W.J.S. Thomas, Ms. A.M. Toon,  
W.J. Walling, D.B. Wilcox and R.M. Wilson

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

**131. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Mrs. W.U. Atfield, Mrs. E.M. Bew, Mrs. S.P.A. Daniels, P.J. Edwards and A.L. Williams.

**132. DECLARATIONS OF INTEREST**

The following declarations of interests were made:

Councillor	Item	Interest
Mrs. S.J. Robertson	Agenda Item 9, Minute 139 DCCE2005/3842/F <b>53 Hampton Park Road, Hereford, Herefordshire, HR1 1TJ</b>	Declared a prejudicial interest and left the meeting for the duration of this item.

Mr. K. Bishop, Principal Planning Officer, declared personal interests in respect of Agenda Items 9 and 12, Minutes 139 and 142 and left the meeting for the duration of these items.

**133. MINUTES**

**RESOLVED:**

**That the Minutes of the meeting held on 11th January, 2006 be approved as a correct record.**

**134. ITEM FOR INFORMATION - APPEALS**

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

135. [A] DCCW2005/4113/F AND [B] DCCW2005/4115/C - LEXTON HOUSE, NO.6  
FRIARS STREET, HEREFORD [AGENDA ITEM 5]

*[A] Demolition of existing building and erection of 13 apartments and  
[B] Demolition of building and construction of 13 apartments.*

The Principal Planning Officer reported that, in response to the identified need for enhanced facilities at Lord Scudamore School, the applicant had agreed to contribute £2,000 for the two, two-bed units. Therefore, the recommendation was amended in order to authorise Officers to issue planning permission subject to a Section 106 Agreement. The Principal Planning Officer reported the receipt of correspondence from the Environment Agency (no objections subject to conditions), Highways and Transportation (no objections subject to conditions), Conservation (no objections) and the Conservation Advisory Panel (no objections).

Councillor Miss. F. Short, a Local Ward Member, questioned the market for the large numbers of flats being built in Hereford but noted that this proposal would have benefits in terms of the setting back of the building and the enhancement of the street scene.

Councillor Mrs. P.A. Andrews noted that Lexton House was in a dilapidated state and the improvements and contributions proposed would have a positive impact. However, she did express concern about the increasing levels of traffic at the junction of Friars Street and Whitecross Road and felt that this should be taken into account for future proposals in the area.

Councillor A.M. Toon expressed concerns about the limited amount of parking proposed. In response, the Principal Planning Officer advised that the issue had been fully assessed by Highways and Transportation and the reduced level of parking was considered acceptable given the location of the site near to the city centre.

Councillor Mrs. M.D. Lloyd-Hayes noted the shortage of appropriate housing for young professionals and key workers.

Some Members felt that improvements should be made to the 'blank' southern elevation of the design. In response, the Principal Planning Officer advised that this elevation would be enhanced through decorative brick treatment.

In response to a number of comments by Members about inadequate parking provision, the Development Control Manager noted the proximity of the city centre and commented that Planning Policy Guidance (PPG3) allowed for reduced levels of parking in such locations. He felt that, given the lack of existing parking provision, it would be difficult to justify a refusal of planning permission on appeal in this instance.

**RESOLVED:**

**In respect of DCCW2005/4113/F:**

- 1 - **The Legal Practice Manager be authorised to complete a Planning Obligation under Section 106 of The Town and Country Planning Act 1990 to enable an education contribution of £2000 and any additional matters and terms as he considers appropriate.**
- 2 - **Upon completion of the aforementioned obligation that the officers named in the Scheme of Delegation to Officers be authorised to issue**

planning permission subject to the following conditions.

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

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

2. A06 (Development in accordance with approved plans).

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

3. D01 (Site investigation – archaeology).

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

4. F16 (Restriction of hours during construction).

Reason: To protect the amenity of local residents.

5. F48 (Details of slab levels).

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

6. F49 (Finished floor levels (area at risk from flooding)).

Reason: To protect the development from flooding.

7. G01 (Details of boundary treatments).

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

8. G04 (Landscaping scheme (general)).

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

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

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

10. F22 (No surface water to public sewer).

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

11. Prior to work commencing on site details of the decorative brick treatment on the southern elevation shall be submitted for approval in writing of the LPA and the southern elevation constructed in accordance with the approved details.

**Informatives:**

**N15 - Reason(s) for the Grant of Planning Permission.  
HN01**

HN04  
HN05  
HN10  
N02

In respect of DCCW2005/4115/C:

That Conservation Area Consent be granted subject to the following conditions:

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

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

2. C14 (Signing of contract before demolition).

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

3. C19 (LPA to be informed of works commencing)

Informative:

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

136. DCCW2005/4047/F - 22-28 FRIARS STREET, HEREFORD, HR4 0AS [AGENDA ITEM 6]

*Proposed 3-storey residential unit comprising of 15 no. flats.*

The Principal Planning Officer reported the receipt of amended plans. He advised that the applicant had agreed to increase the contribution towards identified educational needs to £12,000; representing £1,000 for twelve units (three had not been counted given the three existing dwellings on the site). He also reported the receipt of comments from the Environment Agency (no objections) and a letter of objection from a local resident. It was noted that references in the report to the 'County Secretary and Solicitor' should be changed to 'Legal Practice Manager'.

In accordance with the criteria for public speaking, Mrs. Billingham, Mrs. Brown and Mr. Boden spoke against the application.

In response to comments by the speakers, the Principal Planning Officer advised that moving the building line back would result in reduced parking to the rear.

Councillor Miss F. Short, a Local Ward Member, felt that the limited amount of proposed parking was unacceptable and would result in further congestion problems in the area. She also felt that the scale and design of the proposal was over-intensive.

The Development Control Manager acknowledged that the level of parking provision was less than the previous item but noted that Highways and Transportation had not raised any objections, hence the recommendation of approval.

Councillor D.B. Wilcox felt that the amount of parking was inadequate and felt that a refusal of planning permission on this basis was defensible. He expressed concern

about the amount of weight given to PPG3 given that the public transport situation in Herefordshire was quite different to that found in large urban conurbations.

Councillor Mrs. P.A. Andrews concurred that the parking was inadequate and also felt that the design was monolithic and would have a detrimental impact on the street scene.

A number of Members spoke against the proposal and further comments were made about the need to interpret PPG3 in the context of the specific circumstances found in Herefordshire.

**RESOLVED:**

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

- 1. Lack of parking;**
- 2. Highway/transport problems; and**
- 3. Design is overwhelming and does not sit comfortably in the street scene.**

**(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.]

**137. DCCE2005/4026/F - LAND ADJOINING 61 HAMPTON PARK ROAD, HEREFORD, HR1 1TJ [AGENDA ITEM 7]**

*Proposed detached bungalow.*

The Principal Planning Officer reported the receipt of an amended site plan but advised that, as further consultation was necessary, the recommendation remained the same as detailed in the report.

In accordance with the criteria for public speaking, Mrs. Franzen and Mr. Starling spoke against the application.

The Principal Planning Officer commented that many of the concerns of objectors would be addressed through the conditions. In particular, he drew attention to condition 4 regarding the retention of trees/hedgerows and condition 10 regarding the removal of permitted development rights. He commented that a bungalow with ground floor accommodation only would protect the character of the area. It was noted that the drainage pipe that crossed the application site was a civil matter and was not a valid planning reason for refusal. However, the applicant considered that the dwelling could be constructed without interfering with the drain.

Councillor Mrs. M.D. Lloyd-Hayes, a Local Ward Member, felt that the scale of the dwelling was appropriate and should not have a detrimental impact on the

Conservation Area. Councillor W.J. Walling, also a Local Ward Member, commented that he had concerns about the application initially but concluded that there was adequate room for a bungalow; he felt that no upward extension should be permitted.

**RESOLVED:**

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

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

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

2. **A06 (Development in accordance with approved plans).**

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

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

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

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

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

5. **H05 (Access gates).**

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

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

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

7. **H09 (Driveway gradient).**

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

8. **H03 (Visibility splays).**

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

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

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

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

**Reason: To enable the local planning authority to maintain control of any future developments within the curtilage in the interests of**

residential amenity and the character and appearance of the Conservation Area.

11. Foul water and surface water discharges must be drained separately from the site.

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

12. No surface water shall be allowed to connect (either directly or indirectly) to the public sewerage system.

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

13. No land drainage run-off will be permitted, either directly or indirectly, to discharge into the public sewerage system.

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

**Informatives:**

1. HN05 - Works within the highway.
2. HN10 - No drainage to discharge to highway.
3. The applicant is advised that a foul drainage pipe may cross the application site.
4. N15 - Reason(s) for the Grant of Outline Planning Permission.

138. DCCE2005/3991/F - LAND BETWEEN STONEY YELD AND 22 RIVERVIEW CLOSE, HOLME LACY, HEREFORD [AGENDA ITEM 8]

*Proposed new dwelling.*

Councillor W.J.S. Thomas, a Local Ward Member, felt that this proposal was well thought out and supported the application.

**RESOLVED:**

That planning permission be granted subject to the following conditions:

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

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

2. 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. E08 (Domestic use only of garage).**

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

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

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

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

**Reason: Due to the restrictive nature of the application site and the relationship of the proposed property to the neighbouring dwellings.**

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

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

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

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

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

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

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

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

- 11. G09 (Retention of trees/hedgerows).**

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

- 12. G33 (Details of walls/fences (outline permission)).**

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

- 13. H05 (Access gates).**

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

- 14. H06 (Vehicular access construction).**

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

- 15. H09 (Driveway gradient).**

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

- 16. H13 (Access, turning area and parking).**



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

17. **Foul water and surface water discharges must be drained separately from the site.**

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

18. **No surface water shall be allowed to connect (either directly or indirectly) to the public sewerage 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.**

19. **No land drainage run-off will be permitted, either directly or indirectly, to discharge into the public sewerage system.**

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

**Informatives:**

1. **HN01 - Mud on highway.**
  2. **HN05 - Works within the highway.**
  3. **HN10 - No drainage to discharge to highway.**
  4. **N03 - Adjoining property rights.**
  5. **N11A - Wildlife and Countryside Act 1981 (as amended) – Birds.**
  6. **N11B - Wildlife & Countryside Act 1981 (as amended) and Conservation (Nat. Habitats & C.) Regs 1994 – Bats.**
  7. **N16 - Welsh Water Informative.**
  8. **N15 - Reason(s) for the Grant of Planning Permission.**
139. **DCCE2005/3842/F - 53 HAMPTON PARK ROAD, HEREFORD, HEREFORDSHIRE, HR1 1TJ [AGENDA ITEM 9]**

*Proposed house and detached garage.*

Councillors W.J. Walling and Mrs. M.D. Lloyd-Hayes, Local Ward Members, felt that the scale of the proposal was appropriate and supported the application.

**RESOLVED:**

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

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

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

2. **B01 (Samples of external materials).**  
**Reason: To ensure that the materials harmonise with the surroundings.**
3. **E08 (Domestic use only of garage).**  
**Reason: To ensure that the garage is used only for the purposes ancillary to the dwelling.**
4. **E09 (No conversion of garage to habitable accommodation).**  
**Reason: To ensure adequate off street parking arrangements remain available at all times.**
5. **E18 (No new windows in specified elevation).**  
**Reason: In order to protect the residential amenity of adjacent properties.**
6. **E19 (Obscure glazing to windows).**  
**Reason: In order to protect the residential amenity of adjacent properties.**
7. **E01 (Restriction on hours of working).**  
**Reason: To safeguard the amenities of the locality.**
8. **G01 (Details of boundary treatments).**  
**Reason: In the interests of visual amenity and to ensure dwellings have satisfactory privacy.**
9. **H13 (Access, turning area and parking).**  
**Reason: In the interests of highway safety and to ensure the free flow of traffic using the adjoining highway.**
10. **Notwithstanding the plans hereby approved, prior to the commencement of development plans showing the side and rear elevations of the proposed detached double garage shall be submitted to and approved in writing by the local planning authority. Development shall then be undertaken in accordance with the approved details.**  
**Reason: In the interests of securing an acceptable form of development.**
11. **W01 (Foul/surface water drainage).**  
**Reason: To protect the integrity of the public sewerage system.**
12. **W02 (No surface water to connect to public system).**  
**Reason: To prevent hydraulic overloading of the public sewerage**

system, to protect the health and safety of existing residents and ensure no detriment to the environment.

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

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

**Informatives:**

1. **N03 - Adjoining property rights.**
2. **HN01 - Mud on highway.**
3. **HN05 - Works within the highway.**
4. **N16 - Welsh Water Informative.**
5. **N15 - Reason(s) for the Grant of PP/LBC/CAC.**

140. **DCCE2005/4167/F - LAND TO REAR OF THE SQUIRRELS, FOWNHOPE, HEREFORD, HR1 4PB [AGENDA ITEM 10]**

*Erection of a detached three bedroom bungalow.*

The Principal Planning Officer reported the receipt of correspondence from the Environment Agency (no objections) and Welsh Water (no comment due to the private drainage arrangements).

Councillor Mrs. J.E. Pemberton, the Local Ward Member, commented that she had given the proposal considerable thought and felt that the Sub-Committee would benefit from a site inspection. Other Members supported this suggestion.

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

**RESOLVED:**

**That consideration of planning application DCCE2005/4167/F be deferred for a site inspection for the following reasons:**

- **The character or appearance of the development itself is a fundamental planning consideration;**
- **A judgement is required on visual impact; and**
- **The setting and surroundings are fundamental to the determination or to the conditions being considered.**

141. **DCCE2005/3706/RM - FORMER SAS CAMP, LAND OFF BULLINGHAM LANE, HEREFORD, HR2 7EW [AGENDA ITEM 11]**

*Proposed 2, 3 and 5 bedroom mixed residential development for 21 dwellings with associated accesses and garaging.*

The Principal Planning Officer drew attention to page 59 of the report and advised that the breakdown of the numbers of dwellings should refer to ten three-bed units

and not eleven. He also advised that Lower Bullingham Parish Council's comments on page 61 should refer to 'piecemeal' and not 'peacefull' approach. It was reported that amended plans had been received but, as further consultation was necessary, the recommendation remained that of delegation to officers.

Councillor A.C.R. Chappell, a Local Ward Member, noted the concerns of Hereford City Council and concurred with Lower Bullingham Parish Council that the piecemeal approach was regrettable. He felt that the traffic problems in the vicinity would be exacerbated by this development but it was noted that the principle of development had been established as part of the 'masterplan' for the site.

A number of Members noted that the final number of houses on the Bradbury Lines site would be substantially more than that originally proposed. Some Members felt that later phases of development should have much higher proportions of affordable housing. The Principal Planning Officer advised that some 445 houses had been approved to date out of the 500 envisaged in the masterplan. Some Members commented on other developments where a piecemeal approach to development had resulted in infrastructure problems.

In response to the suggestion that there should be more open space, the Principal Planning Officer drew attention to the fact that there would be some 2.5 hectares of mixed use open space for the whole development and would be no more than 100m from this application site.

In response to a question from Councillor Ms. A.M. Toon, the Principal Lawyer (Planning, Environment and Transport) advised that the restriction of certain types of vehicles from parking in the vicinity could not be addressed through planning conditions. She added that such restrictions were sometimes included as covenants by the developer on new properties but these were an entirely civil matter. The Development Control Manager added that enforcement action would only be an issue if it involved a blatantly commercial use at a residential dwelling, e.g. ice cream vans with functioning refrigeration units.

**RESOLVED:**

**Subject to no further objections raising additional material planning considerations by the end of the consultation period, Officers named in the Scheme of Delegation to Officers be authorised to issue planning permission subject to the following conditions/notes and any additional conditions/notes considered necessary by Officers.**

1. **E17 (No windows in side elevation of extension) (southern elevation of plots 12, 13, 18 and 21).**

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

**Informatives:**

1. **N15 - Reason(s) for the Grant of PP/LBC/CAC.**
2. **The applicant's attention is drawn to the Conditions attached to Outline Planning Permission reference CE2001/2757/O which require further details to be submitted and agreed prior to commencement of the development.**

3. **N02 - Section 106 Obligation.**
4. **The applicant is advised that the Council will be requiring a higher proportion of affordable housing, primarily rented, under phase 3. The affordable housing mix within phase 3 should also include a higher proportion of 3 and 4 bedroom dwellings and 2 bedroom bungalows for rent and shared ownership.**
5. **In light of the higher density development and the likely increase in the total number of units, the Council will be requiring additional contributions for community, transport and environmental benefits on or in the locality of the site.**

**142. DCCE2005/3993/F - BERROWS HOUSE, BATH STREET, HEREFORD, HEREFORDSHIRE, HR1 2HE [AGENDA ITEM 12]**

*Demolition of office extension and erection of 8 no. one-bedroom flats and 5 no. two-bedroom flats.*

The Principal Planning Officer reported that the archaeological evaluation was in hand and that amended plans had been provided which identified cycle storage, although discussions regarding a wall were ongoing. It was also reported that an application for Conservation Area consent had now been submitted and information had been received to confirm that the occupants of the existing building on the site could be relocated within Berrows House. The Principal Planning Officer noted issues with regard to the residents' parking scheme and commented that residents may not be eligible for residents' parking permits.

In accordance with the criteria for public speaking, Mr. Jamieson had registered to speak in support of the application but decided not to do so at the meeting.

Councillor D.B. Wilcox acknowledged the original nature of the design but felt that the lack of parking was not satisfactory. He felt it unrealistic to expect occupiers, and visitors, not to have cars and that the application should be refused unless some element of off-street parking was provided.

Councillor Ms. A.M. Toon questioned whether parking could be provided under the building. In response, the Development Control Manager commented that the design could be seriously compromised if parking was required. Furthermore, underground parking would not be acceptable in archaeological terms. It was noted that officers considered the design to be exceptional, hence the strong recommendation in favour of approval.

The quality of the design was commented on by a number of Members, the majority of whom felt that it was innovative and would fit in well with the historic and modern buildings in the vicinity. On balance, it was felt that the lack of parking was acceptable given the proximity of public transport links and the fact that the proposal represented an imaginative use of a constrained site.

In response to a suggestion by Councillor Mrs. E.A. Taylor, the Principal Lawyer (Planning, Environment and Transport) advised that a recent circular set out the conditions for a Section 106 Agreement.

The Chairman, speaking in his capacity as Local Ward Member, thanked Members for the useful discussion. He noted that the planning system was limited in what it could do regarding access to residents' parking permits but hoped that potential

occupiers took on board the car free nature of the development. He supported the design approach and welcomed the developer contributions that had been identified.

**RESOLVED:**

- 1) **Subject to the applicants providing an appropriate archaeological evaluation and the County Archaeologist raising no objection following receipt and assessment of this evaluation by 1 March 2006;**
- 2) **Subject to receipt of satisfactory amended plans identifying revision to the boundary treatment and the provision of secure cycle storage by 1st March 2006; and**
- 3) **Subject to the applicant providing a suitably completed and signed Unilateral Undertaking under Section 106 of the Town and Country Planning Act 1990 by 1 March 2006 in accordance with the Heads of Terms set out in the Appendix to the report, and any additional matters considered appropriate and necessary by the Local Planning Authority:**

**The officers named in the Scheme of Delegation to Officers be authorised to issue planning permission subject to the following conditions and any further conditions considered necessary by officers.**

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

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

2. **A06 (Development in accordance with approved plans).**

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

3. **B01 (Samples of external materials) (add: ‘... to include details of the glazing and balcony enclosures).**

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

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

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

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

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

6. **E01 (Restriction on hours of working).**

**Reason: To safeguard the amenities of the locality.**

7. **Any conditions deemed necessary by the County Archaeologist.**

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

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

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

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

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

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

**Informative:**

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

143. DCCW2005/3985/F - LAND ADJACENT TO 73 WALKERS GREEN, MARDEN, HEREFORD, HR1 3EA [AGENDA ITEM 13]

*Bungalow and parking spaces.*

Councillor J.G.S. Guthrie, the Local Ward Member, felt that this proposal would fit in well and represented an acceptable form of infill development. He noted that Marden Parish Council had no objection, subject to safe highways access.

**RESOLVED:**

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

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

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

2. A06 (Development in accordance with approved plans).

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

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

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

4. Before any other works hereby approved are commenced, the access into the application site shall be so constructed, which will include clear visibility from a point 0.6 metres above the level of the adjoining carriageway over the length of the site frontage in accordance with a specification to be submitted to and approved in writing by the local planning authority. Nothing shall be planted, erected and/or allowed to grow on the area of land so formed, which would obstruct the visibility described above.

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

**Informative:**

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

**144. DATE OF NEXT MEETING**

It was noted that the next scheduled meeting was Wednesday 8th March, 2006.

The meeting ended at 4.00 p.m.

**CHAIRMAN**



**ITEM FOR INFORMATION - APPEALS****APPEALS RECEIVED****Application No. DCCW2005/2153/F**

- The appeal was received on 27th 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. P. Rosser.
- The site is located at 11 Lewis Smith Avenue, Hereford, Herefordshire, HR2 7BG.
- The development proposed is First floor bedroom extension to rear.
- The appeal is to be heard by Written Representations.

**Case Officer: Dave Dugdale on 01432 261566**

**Application No. DCCW2005/2005/O**

- The appeal was received on 16th February, 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. R.J. Powell.
- The site is located at Part SO5243, Munstone Farm, Shelwick, Hereford, HR1 3AL.
- The development proposed is Proposed agricultural workers dwelling.
- The appeal is to be heard by Hearing.

**Case Officer: Philip Mullineux on 01432 261808**

**APPEALS DETERMINED****Application No. DCCW2005/2037/O**

- The appeal was received on 27th October, 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. Kitchen.
- The site is located at Land adjacent to Holly Brook Cottage, Lyde, Hereford, HR4 8AD.
- The application, dated 17th June, 2005, was refused on 9th August, 2005.
- The development proposed was Site for erection of two dwellings.
- The main issue is upholding policies SH10 and GD1.

**Decision:** The appeal was DISMISSED on 10th February 2006.

**Case Officer: Peter Clasby on 01432 261947**

**Application No. DCCW2005/2176/O**

- The appeal was received on 12th October, 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. C.A. Thomson.
- The site is located at Land Adjacent to Fourth Milestone House, Swainshill, Hereford, HR4 7QE.
- The application, dated 23rd June, 2005, was refused on 21st September, 2005.
- The development proposed was Erection of two dwellings.
- The main issues are the impact and scale of the development on the local area, and the issue of highway safety.

**Decision:** The appeal was UPHeld on 6th February, 2006.

**Case Officer: Kevin Bishop on 01432 261946**

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

**5 DCCE2005/4167/F - ERECTION OF A DETACHED THREE BEDROOM BUNGALOW AT LAND TO REAR OF THE SQUIRRELS, FOWNHOPE, HEREFORD, HR1 4PB**

**For: Mr. & Mrs. J.K. Harrison per Mr. C. Goldsworthy,  
85 St. Owens Street, Hereford, HR1 2JW**

**Date Received: 23rd December, 2005    Ward: Backbury    Grid Ref: 57963, 34690  
Expiry Date: 17th February, 2006**

Local Member: Councillor Mrs. J.E. Pemberton

### **Introduction**

This application was deferred at the Central Area Planning Sub-Committee on 8th February, 2006 for a site visit. The report has also been updated following receipt of additional comments from the Environment Agency in respect of the drainage arrangements.

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

- 1.1 The site is accessed via an unmade track off the C1295 (Woolhope road) in Fownhope. The site is largely set out to lawn and forms part of the garden associated with The Squirrels. The southern and western boundaries are enclosed by a mature hedgerow and shrubs and a newly planted beech hedge exists along the northern boundary. Ground levels falls relatively steeply from east to west both within and surrounding the site.
- 1.2 The site lies within the identified settlement boundary and is also designated as a Conservation Area within the Development Plan. The site and surrounding landscape is also designated as an Area of Great Landscape Value and an Area of Outstanding Natural Beauty with land east of The Squirrels designated a Special Wildlife Site.
- 1.3 Planning permission is sought for the erection of a detached three bedroomed bungalow, new cesspool foul drainage system and provision of a new vehicle parking area to serve both the existing and proposed properties.

### **2. Policies**

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

GD1	-	General Development Criteria
C4	-	AONB Landscape Provision
C5	-	Development within AONB
C6	-	Landscape and AONB
C8	-	Development with AGLV
C22	-	Maintain Character of Conservation Areas
C23	-	New Development Affecting Conservation Areas
C43	-	Foul Drainage
C43	-	Foul Sewerage

SH6	-	Housing Development in Larger Villages
SH8	-	New Housing Development Criteria in Larger Villages
SH14	-	Siting and Design of Buildings
SH15	-	Criteria for New Housing Schemes
T3	-	Highway Safety Requirements

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

S1	-	Sustainable Development
S2	-	Development Requirements
S3	-	Housing
S7	-	Natural and Historic Heritage
DR1	-	Design
DR2	-	Land Use and Activity
DR3	-	Movement
H4	-	Main Villages: Settlement Boundaries
H13	-	Sustainable Residential Design
H16	-	Car Parking
HBA6	-	New Development Within Conservation Areas
LA1	-	Areas of Outstanding Natural Beauty
CF2	-	Foul Drainage

## 3. Planning History

- 3.1 SH931000PO           Erection of single storey dwelling and garage. Planning permission refused 6th October, 1993.
- 3.2 SH941169PO           Single storey dwelling and garage. Planning permission approved 20th March, 1995.
- 3.3 DCCE2005/0030/O   Proposed site for detached 3 bedroom bungalow with detached garage. Application withdrawn 25th February, 2005.

## 4. Consultation Summary

### Statutory Consultations

- 4.1 Welsh Water – As the applicant intends utilizing private drainage facilities we have no comment to make on the application.
- 4.2 Environment Agency – The hierarchy of drainage options that must be considered and discounted are connection to a sewer, treatment plant, septic tank and if none of these are feasible, a cesspool. The cesspool is therefore the least preferred option in line with Circular 3/99.

### Internal Council Advice

- 4.3 Traffic Manager - The unadopted lane serving The Squirrels already serves a total of fifteen properties. Although it is not to adoptable standards, it seems to satisfactorily serve the present number of dwellings and therefore the addition of a further dwelling is not envisaged to give problems. The access has below standard visibility where it joins the C1295 Woolhope road but there is no accident record over the last five years at this location.

- 4.4 Conservation Manager - From the conservation aspect and the proximity to Fownhope Court which is Grade II listed, I am of the opinion that the proposed design will not have any adverse effect on the setting of the listed building nor will it affect the Conservation Area. As such I would not wish to raise any objection to the proposal.
- 4.5 Building Control Manager: The cesspool arrangements, whilst being the least favoured option, would be acceptable based on the information provided and subject to confirmation that the connection to the existing drain is not possible.

## 5. Representations

### 5.1 Fownhope Parish Council make the following comments:

1. The suitability of car parking arrangements is questioned as well as access for emergency services.
2. Cesspool facilities will need careful consideration.
3. It is important to retain the corner boundary hedge so as to protect the privacy of Court Orchard residents.
4. Site visit is suggested.

### 5.2 Five letters of objection have been received from Mr B. Prosser, Lavenda Court Gardens, Fownhope; Ian Quayle, Willow Lodge, Fownhope Court; D. Holmes, 6 Fownhope Court; A.J.G. and D. Hillyer, 5 Fownhope Court and G. Holmes, 4 Fownhope Court. The main points raised are:

1. The private access track serving the development is not capable of sustaining increased traffic associated with this development due to its alignment, width and surface.
2. There is inadequate vehicle turning area, particularly for larger vehicles or lorries such as a sludge tanker.
3. There would also be restricted access for emergency vehicles.
4. The plan identifies a footpath from the parking area to the dwelling. It is inevitable that this could be widened to be vehicular access which would impact upon our amenity and enjoyment of our garden.
5. The proposed cesspool foul drainage system does not appear to fully comply with British Standards Code of Practice for the Design of Small Sewage Treatment Works and accompanying Building Regulations document.
6. The cesspool is unacceptably close to our property, 15 metres being the required minimum distance. Notwithstanding what odour filters are installed we will be subject to offensive odours from time to time, particularly if the filters are not maintained properly.
7. The cesspool is contrary to UDP policy CF2 which states that developments dependent upon cesspool arrangements will not be permitted.
8. An existing foul drain which serves both The Squirrels and Willow Lodge exists within the application site. We query why this is not adequate to serve the proposed development. The proposed bungalow is also to be sited on the line of the existing foul drain.
9. The design is bland
10. Our property and the proposed bungalow would overlook one another.
11. The existing garage defines the boundary between The Squirrels and our property and provides some privacy. The removal of the garage would reduce our privacy within our property unless a permanent and equally adequate screen is provided.

12. We will be unable to plant screening trees and shrubs because of the proximity of the foul drain that runs close to the boundary fence.
  13. Development would seriously diminish the view from our property.
  14. The development will damage the special character and appearance of the Conservation Area, the setting of the listed Fownhope Court and Wye Valley AONB.
  15. No planning notice was placed at the main road to make other residents aware of the proposal.
  16. The site proposed for development was withdrawn by legal agreement with the then Council to obtain an alternative site now built. To even consider this application would make a mockery of the Council's legal and planning system and be an insult to local residents.
  17. The proposed site is overdeveloped and cramped.
- 5.3 The full text of these letters can be inspected at Central Planning Services, Blueschool House, Blueschool Street, Hereford and prior to the Sub-Committee meeting.

## **6. Officers Appraisal**

- 6.1 The site lies within the settlement boundary for Fownhope as identified in the South Herefordshire District Local Plan and Herefordshire Unitary Development Plan (Revised Deposit Draft). As such the principle of residential development is acceptable subject to amenity, highway and conservation considerations in particular.
- 6.2 The existing curtilage associated with The Squirrels is sufficiently large to be subdivided into two separate plots and the size of the existing and proposed curtilages that would be created would not be out of character with the general pattern of development or other plot sizes in the locality.
- 6.3 A modestly sized three bedroom bungalow is proposed which can satisfactorily be accommodated on the proposed site with the appropriate amenity space. The bungalow is also to have ground floor accommodation only and the design reflects the topography of the site and the characteristics and vernacular of other properties in the locality. Materials will be controlled by a condition.
- 6.4 The bungalow is to be sited at the western end of the curtilage and the floor level would be 3.5 metres below the floor level of the applicant's existing bungalow. This is achieved due to the difference in the natural levels and slight excavation of the proposed slab for the bungalow into the rising ground. The difference in levels along with the existing mature boundary hedgerows will mean that the development will have no impact on the landscape and minimal impact on the Conservation Area. This view is supported by the Conservation Manager who raises no objection both to the impact on the Conservation Area and on the setting of Fownhope Court which is Grade II listed.
- 6.5 The difference in levels also ensures that the outlook from the applicant's existing bungalow and objector's property is over the roof of the proposed bungalow. There is also a distance of 25 metres between the existing and proposed properties which is above the general planning standard for window-to-window relationships of 21 metres. Consequently, a satisfactory level of privacy will be maintained for both the existing and proposed properties.

- 6.6 The impact of the development on properties to the west and south can be minimised through requiring the existing boundary hedges to be retained. In terms of the impact on one of the objector's properties, Willow Lodge, there will be no increased overlooking as the garden associated with Willow Lodge is already overlooked by Fownhope Court and The Squirrels. Only pedestrian access is proposed to be provided and therefore there will be no increased disruption as a result of vehicle movements directly to and from the property. Furthermore, appropriate boundary treatments can ensure existing privacy is maintained as a result of the loss of the garage.
- 6.7 The Traffic Manager, whilst acknowledging that the existing access track could not be brought up to an adoptable standard is satisfied that the likely traffic associated with this proposed development can safely be accommodated on the existing access track and access itself without unacceptably compromising highway safety. Also, the proposed parking and manoeuvring space is adequate to serve the existing and proposed properties
- 6.8 Concerns have been expressed regarding the proposed cesspool foul drainage system to serve the development. A supporting letter from Alan Williams Drainage has been provided which identifies that the proposed system will operate satisfactorily on the site. The Building Control Manager confirms that whilst connection to the existing foul drain would be the best option, if this is not possible a cesspool system would satisfy Building Regulations. Similarly, the Environment Agency confirms that whilst a cesspool is the least preferable option, if all other options have been discounted it is acceptable. Nevertheless, it is recognised such systems are not ideal as if they are not maintained or emptied regularly, they can cause environmental, public health or amenity problems. This is confirmed in UDP policy CF2 which suggests that cesspool drainage arrangements should not be permitted. However, the adopted development plan does not impose such a restriction. Notwithstanding this, the applicants are currently seeking consent to utilise the existing foul drain which crosses the site or a deep pit soakaway. Therefore, as there is some uncertainty as to which drainage method is to be used, a condition is recommended requiring drainage details to be submitted and information on the options explored.
- 6.9 The development is considered acceptable in accordance with the relevant Development Plan policies subject to the conditions detailed below.

## **RECOMMENDATION**

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

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

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

- 2. A06 (Development in accordance with approved plans).**

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

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

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

- 4. **E01 (Restriction on hours of working).**

**Reason: To safeguard the amenities of the locality.**

- 5. **H13 (Access, turning area and parking).**

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

- 6. **There shall be no vehicular access from the proposed parking as identified on drawing no. 05/442/01A to serve the bungalow.**

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

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

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

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

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

- 9. **G09 (Retention of trees/hedgerows).**

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

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

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

**Informatives:**

- 1. **N15 - Reason(s) for the Grant of Planning Permission.**
- 2. **The applicant is advised that with regard to Condition 10 above, the local planning authority would only consider a cess pool acceptable subject to being satisfied that a full investigation of the connection to the existing drain has been undertaken and that other private drainage arrangements have been discounted.**

Decision: .....

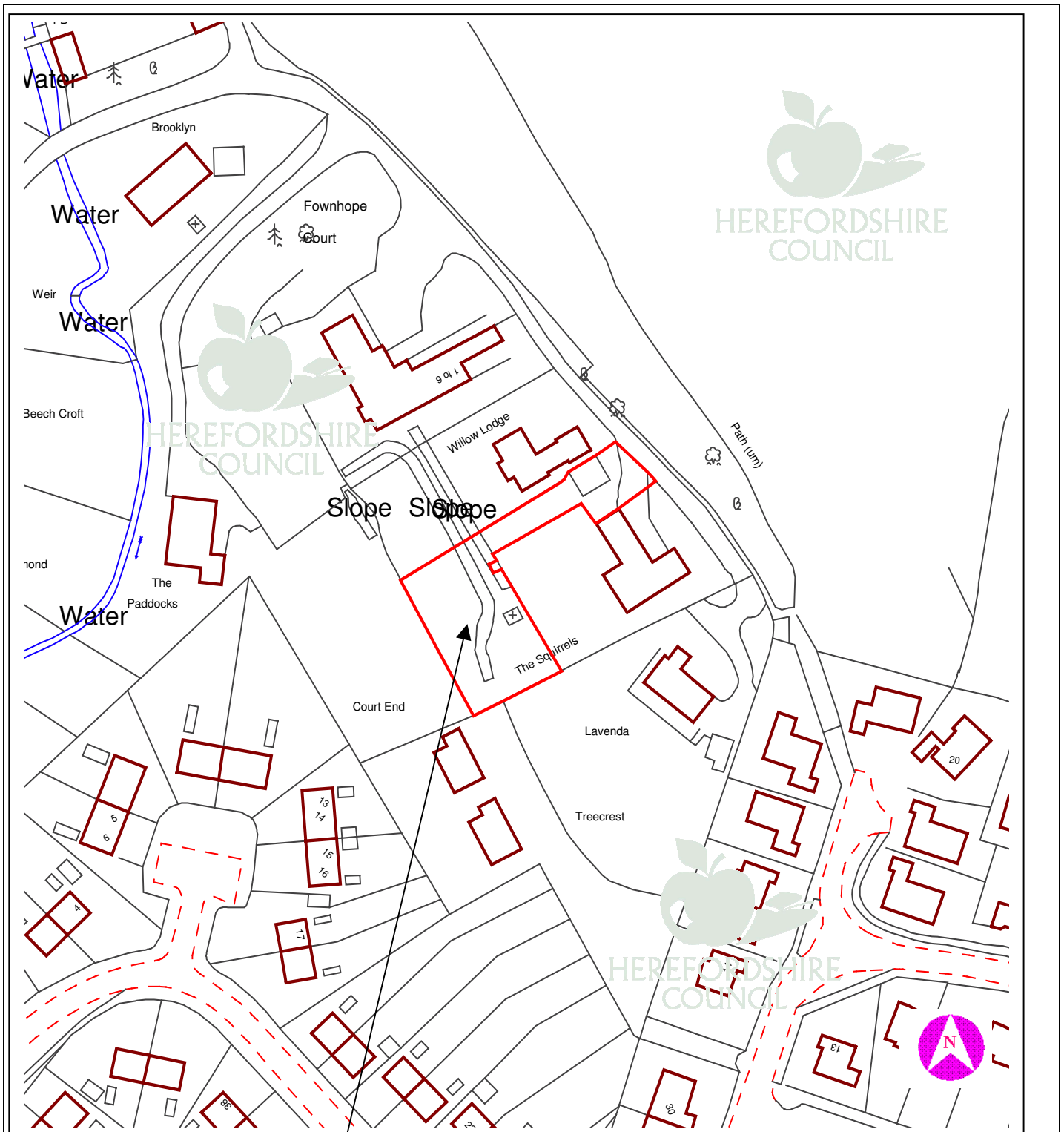
Notes: .....

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**Background Papers**

Internal departmental consultation replies.





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**APPLICATION NO:** DCCE2005/4167/F

**SCALE :** 1 : 1250

**SITE ADDRESS :** Land to rear of The Squirrels, Fownhope, Hereford, HR1 4PB

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**6 DCCE2006/0045/F - CHANGE OF USE OF AGRICULTURAL STORAGE BUILDING TO FAIR TRADE RETAIL OUTLET AT ETHOS AT LITTLE TARRINGTON FARM, TARRINGTON, HEREFORD, HR1 4JA**

**For: J.M. & C.A. Samwells, Little Tarrington Farm, Tarrington, Hereford, HR1 4JA**

**Date Received: 9th January, 2006      Ward: Backbury      Grid Ref: 62360, 41274**

**Expiry Date: 6th March, 2006**

Local Member: Councillor Mrs. J.E. Pemberton

**1. Site Description and Proposal**

- 1.1 The site is located west of unclassified road 66205 in the small hamlet of Little Tarrington approximately half a kilometre north of the A438. The site forms part of a working farm with existing modern agricultural buildings located to the north and the farm house to the west. To the east of the site is a range of traditional Herefordshire barns for which planning permission was approved in 2005 for the conversion to residential.
- 1.2 The application is retrospective and is for the continued use of a small part of one of the barns as a fair trade retail outlet. The site lies within the open countryside.

**2. Policies**

2.1 Malvern Hills District Local Plan:

Shopping Policy 11	-	Farm Shops
Employment Policy 14	-	Home Based Businesses
Employment Policy 6	-	Reuse of Rural Buildings
Landscape Policy 1	-	Development Outside Settlement Boundaries

2.2 Herefordshire Unitary Development Plan (Revised Deposit Draft):

Policy S2	-	Development Requirements
Policy E9	-	Home Based Businesses
Policy E12	-	Farm Diversification
Policy TCR17	-	Farm Shops
Policy HBA12	-	Reuse of Rural Buildings

**3. Planning History**

- 3.1 DCCE2004/3182/F      Conversion of redundant barns to residential use (4 units).  
Approved 22nd March, 2005.

- 3.2 DCCE2005/2406/F Conversion of Barn B into two units of accommodation. Approved 14th September, 2005.

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

##### Internal Council Advice

- 4.1 Traffic Manager: no objection.
- 4.2 Head of Economic Development: no response received.

#### **5. Representations**

- 5.1 Tarrington Parish Council: "The Parish Council has no objection to this small project but any further expansion of the retail facilities would heighten concerns already expressed over the extra traffic on a dangerous bend in the road at the entrance to the site."
- 5.2 One letter of objection has been received from S.E. Fryer, The Gables, Little Tarrington. The main points raised are:
1. There will be a substantial additional volume of traffic entering and exiting the farm entrance.
  2. The additional traffic would pass directly in front of the entrance to our property. Traffic frequently misses the bend and passes directly in front of our entrance at high speed and the proposed development will exacerbate the problem. This represents a major safety hazard.

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

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

- 6.1 The applicants have converted the western end of an existing traditional barn to a small retail outlet. The external floor area being 5 metres in width by 7 metres in length. The business is run by the applicant's wife and all of the products sold are fair trade goods sourced from around the world.
- 6.2 Planning policies both within the Local Plan and Deposit Draft Unitary Development Plan support the reuse of traditional rural buildings for business purposes. In this instance, whilst the use would be more appropriately sited within the shopping area of an existing settlement, the scale and nature of the business is such that it is unlikely to have an impact on the rural character of the area or the residential amenity of properties in the locality. The proposal could also be considered as a home based business as it is operated by the landowner, which Employment Policy 14 of the Malvern Hills District Local Plan and Policy E9 of the Unitary Development Plan support, provided the business is on a small scale.
- 6.3 A neighbour has expressed concerns about increased traffic generation and the safety of the access. The Traffic Manager raises no objection on either of these points and given that the site forms part of a larger commercial farm including a further five independent residential units, it is not considered the traffic generated by the

development would cause any additional risk to highway safety or disruption to amenity. Local amenity can further be safeguarded through restrictions on the opening hours.

- 6.4 Due to the scale of the proposal and the fact that it is a home based business, the development is considered acceptable in accordance with the relevant Development Plan policies.

**RECOMMENDATION**

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

- 1. **A06 (Development in accordance with approved plans).**

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

- 2. **This permission shall enure for the benefit of J.M. and C.A. Samwells only and not for the benefit of the land or any other persons interested in the land.**

**Reason: The nature of the development is such that it is only considered acceptable in this location having regard to the scale and nature of the use.**

- 3. **The use hereby permitted shall not be open to customers outside the hours of Mon – Sat 10am and 5pm and Sun 10am – 1pm.**

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

**Informative:**

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

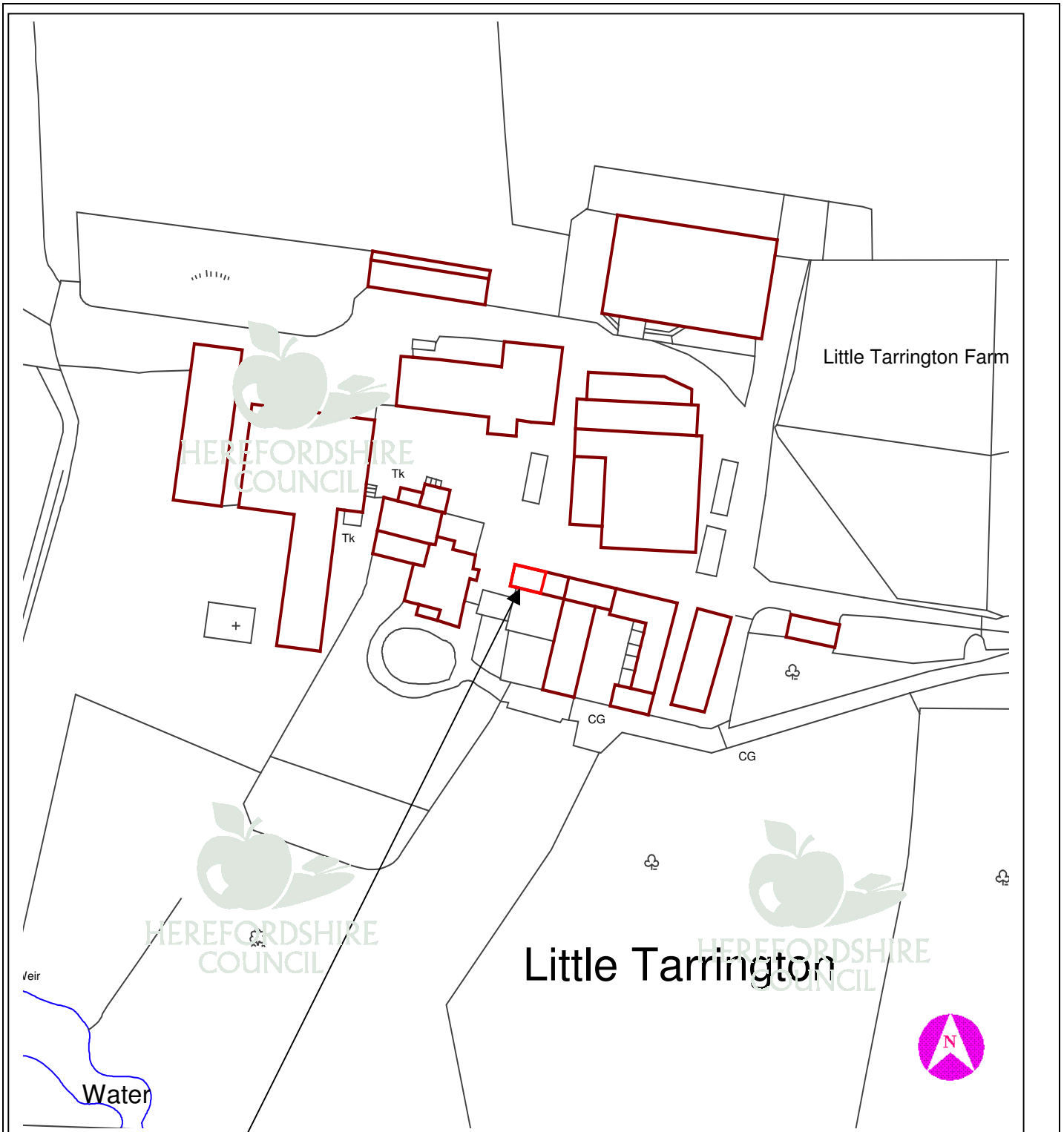
Decision: .....

Notes: .....

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**Background Papers**

Internal departmental consultation replies.



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**APPLICATION NO:** DCCE2006/0045/F

**SCALE :** 1 : 1250

**SITE ADDRESS :** Ethos at Little Tarrington Farm, Tarrington, Hereford, HR1 4JA

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**7 DCCE2005/4065/F - ERECTION OF DELIVERY POUCH BOX (SINGLE) AT GRASSED AREA AT ENTRANCE TO MEADOW BANK ROAD ON JUNCTION WITH LEDBURY ROAD, HEREFORD, HR1 2ST**

**For: Royal Mail, Station Approach, Hereford, HR1 1AA**

**Date Received: 7th December, 2005    Ward: Tupsley    Grid Ref: 52011, 39835**

**Expiry Date: 1st February, 2006**

Local Members: Councillors Mrs. M.D. Lloyd-Hayes, Mrs. E.A. Taylor and W.J. Walling

**1. Site Description and Proposal**

- 1.1 The proposed site is a large triangular grassed area of highway verge situated at the east side of the junction between Meadow Bank Road and Ledbury Road.
- 1.2 This application seeks planning permission to erect a steel pouch box measuring approximately 660mm x 450mm x 400mm. It will be painted grey and mounted on a tubular pedestal (700mm high) to give an overall height of 1360mm.
- 1.3 The pouch box is effectively a small secure and local mail storage drop off point. Mail pouches being transferred from a delivery van to the secure box for later collection and distribution by the local postman in quantities that meet health and safety weight limit requirements. In this case, the Delivery Manager has confirmed that the proposed pouch box will specifically cover the area of Meadow Bank Road, Foley Street and the upper end of Ledbury Road. The application is one of 15 similar proposals recently submitted throughout Hereford.

**2. Policies**

2.1 Hereford Local Plan:

Policy ENV14 - Design  
Policy H12 - Established Residential Areas – Character and Amenity

2.2 Herefordshire Unitary Development Plan (Revised Deposit Draft):

Policy DR1 - Design  
Policy DR2 - Land Use and Activity

**3. Planning History**

- 3.1 None identified.

**4. Consultation Summary**

Statutory Consultations

- 4.1 None.

Internal Council Advice

- 4.2 Traffic Manager: no objections but suggests that the box would be better located approximately 6 metres further down Meadow Bank Road.

**5. Representations**

- 5.1 Hereford City Council: no objection.

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

**6. Officers Appraisal**

- 6.1 The key considerations in the determination of this application are as follows:-

- (a) The impact on visual amenities
- (b) Highway safety issues

Impact on Visual Amenities

- 6.2 The pouch box is of a relatively modest scale and is of simple design. It would be positioned adjacent to an existing lamppost and in this context it is considered that this small scale item of street furniture will blend into the street scene without causing harm to the visual amenity of the locality.

Highway Safety Issues

- 6.3 The pouch box is designed as a drop off point to store mail for later collection by the postman. Van delivery will occur once a day only. It is considered that this low level of activity will not increase the level of hazard to the local residents and other road users and as such the proposal is considered acceptable in relation to highway safety. It should be noted that in light of the concerns raised by the Traffic Manager, the pouch box has been relocated further away from the junction of Meadow Bank Road and Ledbury Road.

**RECOMMENDATION**

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

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

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

2. **A06 (Development in accordance with approved plans).**

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

**Informative:**

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



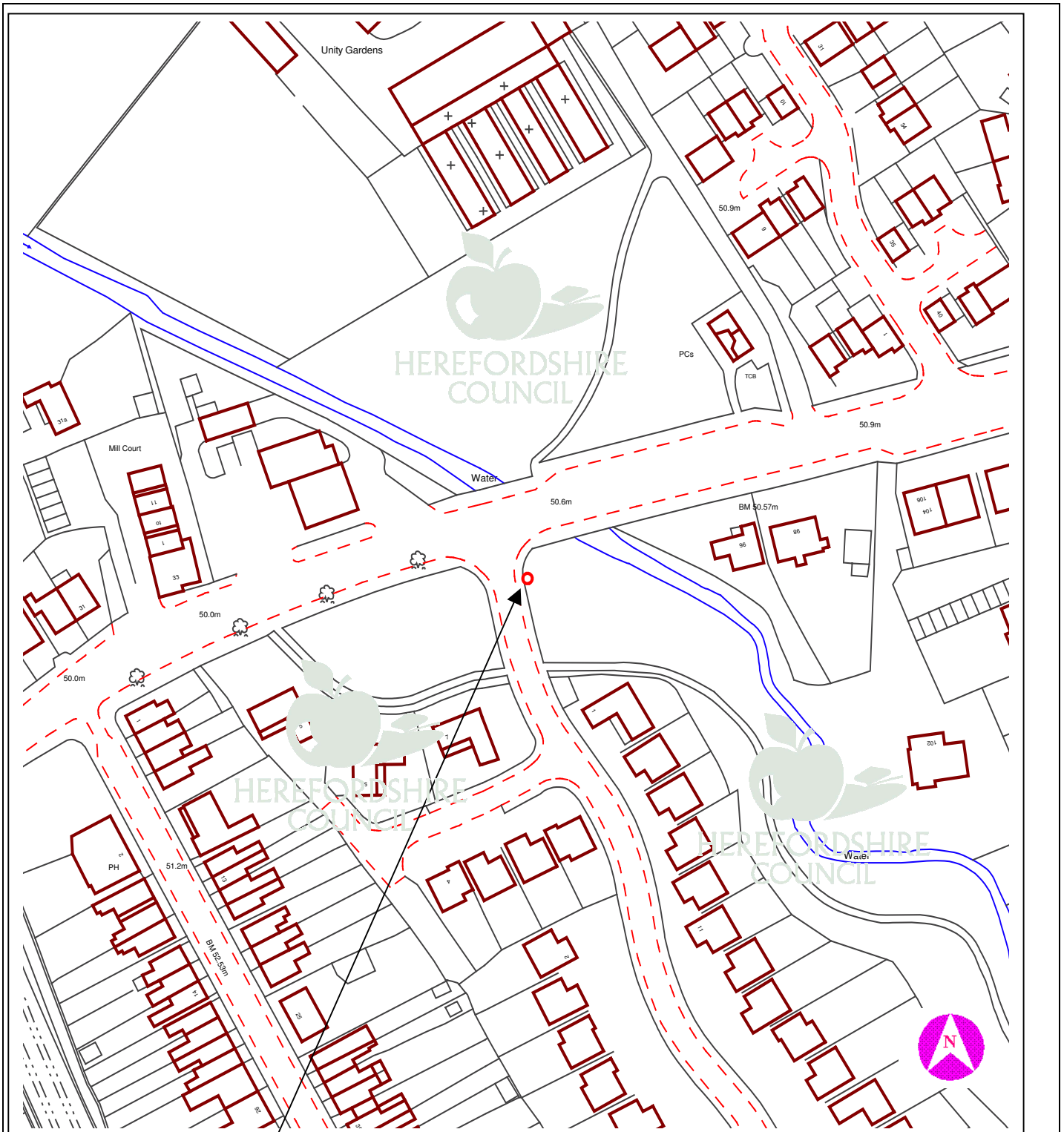
Decision: .....

Notes: .....

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**Background Papers**

Internal departmental consultation replies.



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**APPLICATION NO:** DCCE2005/4065/F

**SCALE :** 1 : 1250

**SITE ADDRESS :** Grassed area at entrance to Meadow Bank Road on junction with Ledbury Road, Hereford HR1 2ST

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Further information on the subject of this report is available from Mr. B. Wai Ching Lin on 01432 261949

## **8 DCCE2005/4076/F - ERECTION OF DELIVERY POUCH BOX (SINGLE) AT GRASSED AREA AT THE ENTRANCE TO CLIVE STREET, HEREFORD, HR1 2SB**

**For: Royal Mail, Station Approach, Hereford, HR1 1AA**

**Date Received: 7th December, 2005    Ward: Tupsley    Grid Ref: 51867, 39646**  
**Expiry Date: 1st February, 2006**

Local Members: Councillors Mrs. M.D. Lloyd-Hayes, Mrs. E.A. Taylor and W.J. Walling

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

- 1.1 The proposed site is a small grassed area of highway verge situated at the north corner of the junction between Clive Street and Portfield Street.
- 1.2 This application seeks planning permission to erect a steel pouch box measuring approximately 660mm x 450mm - 400mm. It will be painted grey and mounted on a tubular pedestal (700mm high) to give an overall height of 1360mm.
- 1.3 The pouch box is effectively a small secure and local mail storage drop off point. Mail pouches being transferred from a delivery van to the secure box for later collection and distribution by the local postman in quantities that meet health and safety weight limit requirements. In this case, the Delivery Manager has confirmed that the proposed pouch box will specifically cover the area of Clive Street, Portfield Street and the lower end of Ledbury Road. The application is one of 15 similar proposals recently submitted throughout Hereford.

### **2. Policies**

#### 2.1 Hereford Local Plan:

Policy ENV14	-	Design
Policy H12	-	Established Residential Areas – Character and Amenity

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

Policy DR1	-	Design
Policy DR2	-	Land Use and Activity

### **3. Planning History**

- 3.1 None identified.

### **4. Consultation Summary**

#### Statutory Consultations

- 4.1 None.

Internal Council Advice

4.2 Traffic Manager: no objections.

**5. Representations**

5.1 Hereford City Council: no objection.

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

**6. Officers Appraisal**

6.1 The key considerations in the determination of this application are as follows:

- (a) The impact on visual amenities
- (b) Highway safety issues

The Impact on Visual Amenities

6.2 The pouch box is of relatively modest scale and is of simple design. It would be positioned adjacent to an existing telegraph pole and in this context it is considered that this small scale item of street furniture will blend into the street scene without causing harm to the visual amenity of the locality.

Highway Safety Issues

6.3 The pouch box is designed as a drop off point to store mail for later collection by the postman. Van delivery will occur once a day only and sufficient on-street parking spaces exist adjacent to the site to facilitate this. Furthermore, the Traffic Manager raises no objection to this proposal. It is considered that this low level of activity will not increase hazard to the local resident and other road users and as such the proposal is considered acceptable in relation to highway safety.

**RECOMMENDATION**

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

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

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

**2. A06 (Development in accordance with approved plans).**

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

**Informative:**

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

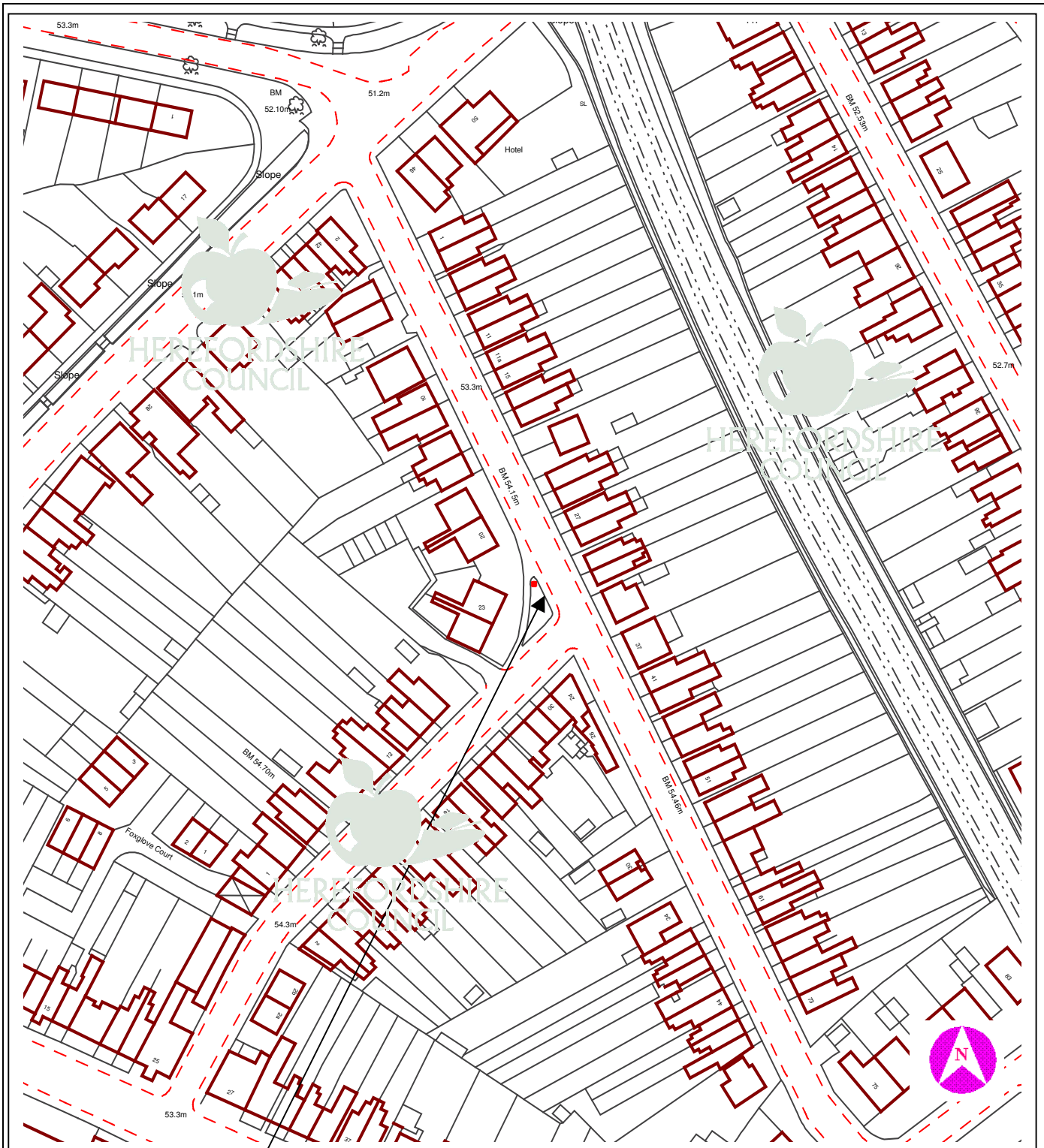
Decision: .....

Notes: .....

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**Background Papers**

Internal departmental consultation replies.



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**APPLICATION NO:** DCCE2005/4076/F

**SCALE :** 1 : 1250

**SITE ADDRESS :** Grassed area at the entrance to Clive Street, Hereford, HR1 2SB

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**9 DCCE2006/0221/F - NEW BEDROOM OVER GARAGE AND NEW PITCHED ROOFS TO REPLACE FLAT ROOFS AT 21 SALISBURY AVENUE, HEREFORD, HR1 1QG**

**For: A.R. Herbert, 21 Salisbury Avenue, Hereford, HR1 1QG**

**Date Received: 19th January, 2006    Ward: Tupsley    Grid Ref: 53016, 40051**  
**Expiry Date: 16th March, 2006**

Local Members: Councillors Mrs. M.D Lloyd-Hayes, Mrs. E.A. Taylor and W.J. Walling

**1. Site Description and Proposal**

1.1 21 Salisbury Avenue is a detached dwelling with an attached garage situated within the Established Residential Area of Hereford. To the rear is a flat roof extension, which runs the whole width of the dwelling. A flat roof addition currently exists to the front which links the garage and front door.

1.2 The application seeks planning permission for the following works:

- Erection of a first floor extension over the existing garage;
- Construction of a mono-pitch roof over the existing addition to the rear and;
- Replacement of the existing flat roof with a mono-pitch roof over the garage and front door

**2. Policies**

2.1 Hereford Local Plan:

Policy ENV14	-	Design
Policy H12	-	Established residential areas – character and amenity
Policy H16	-	Alterations and extensions

2.2 Herefordshire Unitary Development Plan (Revised Deposit Draft):

Policy DR1	-	Design
Policy DR2	-	Land use and activity
Policy H18	-	Alteration and extensions

**3. Planning History**

3.1 None identified.

**4. Consultation Summary**

Statutory Consultations

4.1 None.

Internal Council Advice

4.2 Traffic Manager - no objections.

**5. Representations**

5.1 Hereford City Council: No objections.

5.2 Local Residents: Two letters have been received from K J Edwards of 10 Canterbury Avenue and D H Peden & P Peden of 19 Salisbury Avenue. The concerns raised can be summarised as follows:

- Loss of light
- Overshadowing
- Loss of privacy

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

**6. Officers Appraisal**

6.1 The key considerations in the determination of this application are as follows:

- a) Design and scale; and
- b) Impact on residential amenities

Design and Scale

6.2 The addition is set down along the roofline and set back from the front elevation to provide a subservient appearance, which retains the dominance of the main dwelling. Although the dwelling has been previously extended, it is not considered that this addition is excessive in scale. The loss of the flat roof design and proposed new mono-pitch roof design would represent an enhancement to the dwelling, which accords with development plan policy in this respect.

Impact on Residential Amenities

6.3 The objection from the immediate neighbour is acknowledged. The proposed additions would affect the level of light to 19 Salisbury Avenue where the first floor toilet window and ground floor sitting room window face the side elevation of the applicant's property where the first floor extension is proposed. The proximity to the windows is a cause for some concern but it is recognised that the existing relationship between the two properties is such that the application property already overshadows the neighbour to some extent. The additional first floor element would not significantly change this situation. Furthermore the sitting room window on the ground floor is a secondary window whilst the first floor window serves a WC. In these circumstances it is not considered that the loss of light associated with the proposal would be sufficient to warrant refusal. With regard to overlooking and loss of privacy, it is not considered that the additional windows in the front and rear would have an unacceptable impact on the neighbouring properties.



Conclusion

6.4 The proposed development is in accordance with the relevant planning policies. Having regard to the considerations above, it is considered that with appropriate conditions the proposal will represent an acceptable form of development.

**RECOMMENDATION**

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

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

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

- 2. **A06 (Development in accordance with approved plans).**

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

- 3. **B03 (Matching external materials (general)).**

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

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

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

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

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

**Informatives:**

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

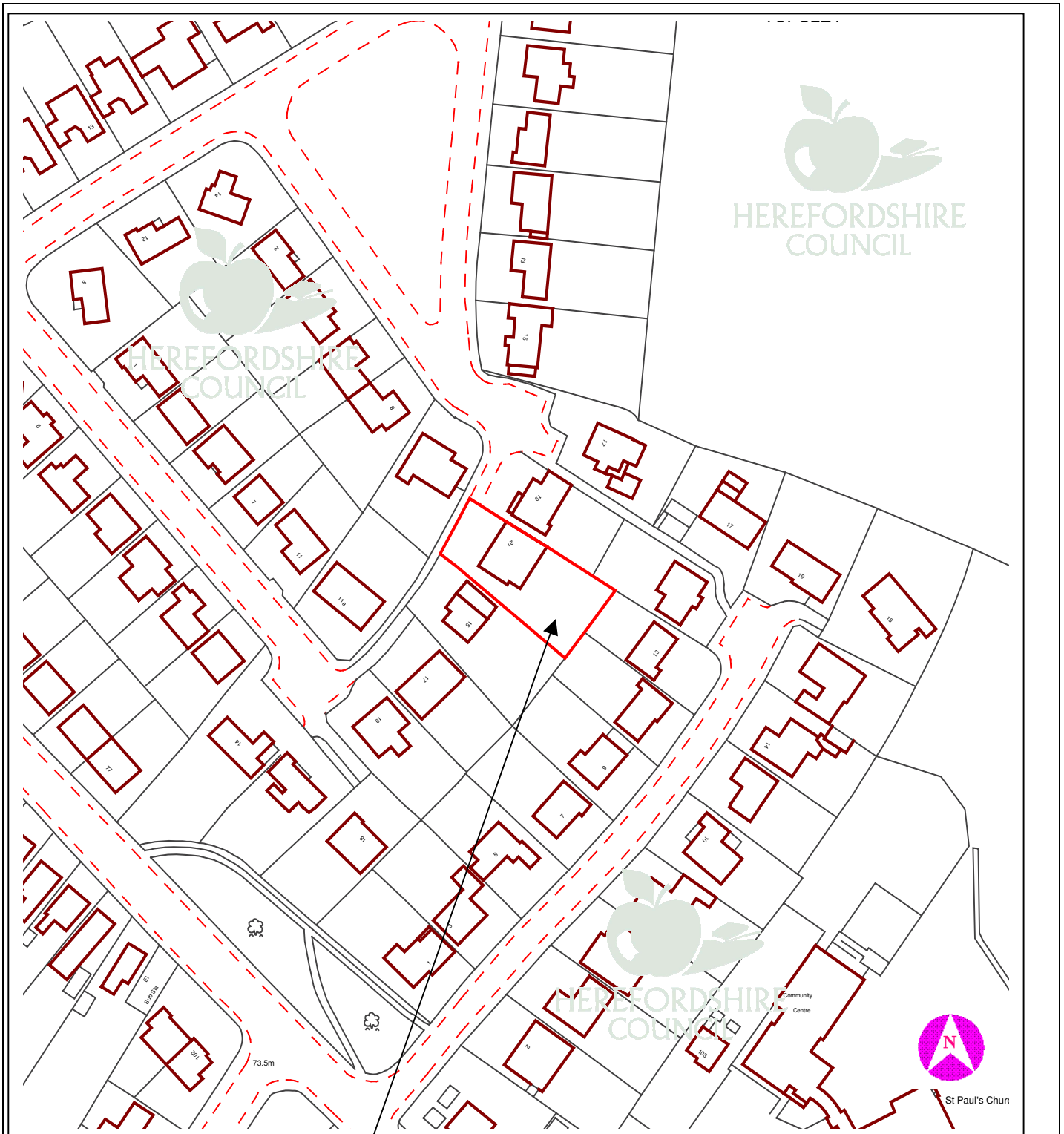
Decision: .....

Notes: .....

.....

**Background Papers**

Internal departmental consultation replies.



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**APPLICATION NO:** DCCE2006/0221/F

**SCALE :** 1 : 1250

**SITE ADDRESS :** 21 Salisbury Avenue, Hereford, HR1 1QG

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Further information on the subject of this report is available from Mr. B. Wai-Ching Lin on 01432 261949