

A G E N D A

Southern Area Planning Sub- Committee

Date: **Wednesday, 15th March, 2006**

Time: **2.00 p.m.**

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

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

For any further information please contact:

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AGENDA

for the Meeting of the Southern Area Planning Sub-Committee

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

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

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|---|---------|
| 1. APOLOGIES FOR ABSENCE | |
| To receive apologies for absence. | |
| 2. DECLARATIONS OF INTEREST | |
| To receive any declarations of interest by Members in respect of items on the Agenda. | |
| 3. MINUTES | 1 - 10 |
| To approve and sign the Minutes of the meeting held on 15th February, 2006. | |
| 4. ITEM FOR INFORMATION - APPEALS | 11 - 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. | |
| REPORTS BY THE HEAD OF PLANNING SERVICES | |
| To consider and take any appropriate action in respect of the planning applications received for the southern area and to authorise the Head of Planning Services to impose any additional or varied conditions and reasons considered to be necessary. | |
| Plans relating to planning applications on this agenda will be available for inspection in the Council Chamber 30 minutes before the start of the meeting. | |
| 5. DCSW2004/3397/F - LAND AT JUNCTION OF A465 AND B4348, WINNAL COURT, ALLENSMORE, HEREFORDSHIRE, HR2 9AR | 15 - 20 |
| Conversion of redundant farm buildings to farm shop, plant centre and landscape design centre, including erection of polytunnels, display gardens and associated car parking. | |
| 6. DCSW2006/0263/F - DISUSED AIRFIELD, MADLEY, HEREFORDSHIRE, HR2 9NH | 21 - 28 |
| Temporary offices, welfare facilities and storage yard for plant, equipment and materials for the construction of the Brecon to Corse pipeline on behalf of the National Grid. | |

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| 7. | DCSW2006/0255/F - THE ESTATE YARD, KINGSTHORNE, HEREFORDSHIRE, HR2 8AN | 29 - 36 |
| | Conversion of redundant agricultural saw-mill buildings to two B1 workshop units, including improving junction of access track with highway. | |
| 8. | DCSE2006/0104/F - CHAPEL MILL COTTAGE, BROMSASH, ROSS-ON-WYE, HEREFORDSHIRE, HR9 7PL | 37 - 44 |
| | Two storey extension and alterations. | |
| 9. | DCSW2006/0227/F - LOWER MONKTON FARM, ST. WEONARDS, HEREFORDSHIRE, HR2 8PF | 45 - 52 |
| | Conversion of and alterations to a range of period barns to create six residential dwellings. | |

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COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL

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COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL

MINUTES of the meeting of Southern Area Planning Sub-Committee held at The Council Chamber, Brockington, 35 Hafod Road, Hereford on Wednesday, 15th February, 2006 at 2.00 p.m.

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

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

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

111. APOLOGIES FOR ABSENCE

Apologies were received from Councillors H. Bramer, J.W. Edwards, and D.C. Taylor.

112. DECLARATIONS OF INTEREST

The following declaration of interest was made:

| Councillor | Item | Interest |
|-------------------|--|---|
| G. Lucas | DCSE2005/4150/F – Conversion of vacant building to two-bed residential dwelling at: 31 Brookend Street, Ross-on-Wye, Herefordshire, HR9 7EE. | Declared a Prejudicial interest and left the meeting for the duration of the meeting. |

113. MINUTES

RESOLVED: That the Minutes of the meeting held on 18th January, 2006 be approved as a correct record and signed by the Chairman.

114. ITEM FOR INFORMATION - APPEALS

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

115. DCSE2005/4139/F - GREAT WOODEND FARM, LINTON, ROSS-ON-WYE, HEREFORDSHIRE, HR9 7SR (AGENDA ITEM 5)

Use part of agricultural barn for timber from temporary to permanent use.

The Senior Planning Officer advised Members that the applicant had confirmed that the application site would not be used for retail use.

The Chairman confirmed that she had received no objections to the application from the Local Ward Member, Councillor H. Bramer.

RESOLVED

That planning permission be granted subject to the following conditions:

- 1. The area of land outside the building and outlined in red on the approved plans shall be used for parking and turning of vehicles only.**

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

- 2. F42 (Restriction of open storage)**

Reason: To protect the appearance of the locality.

- 3. There shall be no retail use of the site subject to this permission.**

Reason: In the interests of the amenities of the area and highway safety.

Informative(s):

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

116. DCSE2005/3936/F - LAWFORDS HOUSE, WALFORD ROAD, ROSS-ON-WYE, HEREFORDSHIRE, HR9 5PQ (AGENDA ITEM 6)

Alterations and two-storey and single-storey extensions to residential care home.

The Senior Planning Officer reported the receipt of amended plans from the applicant, which detailed a revised parking layout. She also advised Members that she had received, in writing, confirmation that the applicant was happy to relocate or redesign the fire escape.

In accordance with the criteria for public speaking, Mr. Warwick, a local resident, spoke against the application.

Councillor Mrs. A.E. Gray, one of the Local Ward Members, felt that the application was contrary to policy C43 regarding foul sewerage. She also felt that granting the application would have a detrimental effect in respect of increased traffic along Walford Road.

Councillor Mrs. C.J. Davis, the other Local Ward Member, felt that the extension was too large and felt granting the application would be detrimental to the adjoining conservation area. She also noted the concerns raised by Ross Town Council, regarding parking issues.

The Southern Team Leader advised Members that a similar planning permission had been granted in 1999 but had now lapsed. He noted that there had been no major changes to the planning policy since then and therefore felt that the application should be granted.

Councillor Mrs. A.E. Gray felt that although there had been no major changes to the Planning Policy since 1999, the completion of the Lovell's site on Walford Road had led to increased traffic in the area. She also noted Welsh Waters comments on previous applications that there should be no new occupancy in the area prior to

2010.

The Southern Team Leader confirmed that the application did not fall within one of the categories that required consultation with Welsh Water. He advised Members that the Planning Officer could liaise with Welsh Water in order to resolve the matter.

Members felt that the application should be deferred pending further discussions with Welsh Water. Members also requested that further discussions take place with the applicant regarding traffic concerns and the location of the fire escape.

RESOLVED

THAT the application be deferred pending further discussions with the applicant regarding traffic concerns, and with Welsh Water regarding foul sewerage.

117. DCSE2006/0052/F - TRE-ESSEY BARNES, LLANGARRON, ST WEONARDS, HEREFORDSHIRE (AGENDA ITEM 7)

Conversion and alterations to existing period barns to B1 catering use and one residential dwelling.

The Senior Planning Officer reported the receipt of comments from the Ecology Officer who had no objection to the application but recommended two conditions. He also reported the receipt of a letter of support from Mr. and Mrs. Townsend.

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

Councillor Mrs. J.A. Hyde, the Local Ward Member, felt that young people should be encouraged to stay within the area and that the development of the agricultural buildings would result in a family home for a young, local family. She noted the concerns of the Planning Officer but felt that planning permission should be granted.

Members discussed the application thoroughly and felt that granting the application would result in an improvement to the site. They also felt that it was important to support local businesses and noted that the local Parish Council had not objected to the application.

The Southern Team Leader advised Members that the existing agricultural buildings were derelict and granting the application would result in a new dwelling in the open countryside and would be contrary to Planning Policy. He advised them that Herefordshire Council's Supplementary Planning Guidance "Re-use and Adaptation of Traditional Rural Buildings", required the agricultural buildings to be structurally sound prior to adaptation.

RESOLVED:

That: (i) The Southern Area Planning Sub-Committee is minded to approve the application subject to the conditions set out below (and any further 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:

(a) No conditions were recommended.

- (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 subject to such conditions referred to above.

[Note: The Development Control Manager said that he would refer the application to the Head of Planning Services]

118. DCSW2005/4060/F - TELEPHONE REPEATER STATION, ST WEONARDS, HEREFORDSHIRE, HR2 8QA. (AGENDA ITEM 8)

Conversion of former telephone repeater station to dwelling.

In accordance with the criteria for public speaking, Mr. Williams, representing St. Weonards Parish Council, and Mr. Evans, the applicant, both spoke in support of the application.

Councillor G.W. Davis, the Local Ward Member, felt that the existing dwelling was a well constructed, redundant building which would be suitable for conversion to a residential dwelling. He noted that the building benefited from existing water, electric and drainage supplies and felt that granting the application would result in an affordable home in the village of St. Weonards.

RESOLVED:

That: (i) The Southern Area Planning Sub-Committee is minded to approve the application subject to the conditions set out below (and any further 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:

(a) No conditions were recommended.

- (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 subject to such conditions referred to above.

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

119. DCSE2005/4150/F - BUILDING TO THE REAR OF 31 BROOKEND STREET, ROSS-ON-WYE, HEREFORDSHIRE, HR9 7EE (AGENDA ITEM 9)

Conversion of vacant building to two-bed residential dwelling.

The Principal Planning Officer reported the receipt of revised plans from the applicant.

In accordance with the criteria for public speaking, Mr. Field, a neighbouring resident, spoke in objection to the application, and Mr. Pritchard, the Applicant's Agent, spoke in support.

Councillor Mrs. A.E. Gray, and Councillor Mrs. C.J. Davies, the two Local Ward

Members, supported the application.

Councillor M.R. Cunningham noted the concerns of the objector and therefore felt that he could not support the application. He felt that the application site was too small for a dwelling and would be oppressive to the neighbouring property.

RESOLVED

That subject to receipt of amended drawing which ensure privacy of neighbours is protected adequately the officers named in the Scheme of Delegation to Officers be authorised to issue planning permission subject to the following conditions and any additional conditions considered necessary by officers:

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

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

2. Notwithstanding the approved drawings the dwelling shall not be occupied until the rear garden has been enclosed in accordance with details which have been submitted to and approved in writing by the local planning authority.

Reason: To enhance the character and appearance of this listed building.

3. Notwithstanding the approved drawings the dwelling shall not be occupied until details of the treatment of the gable wall marked "Y" on the plan attached to this permission have been submitted to and approved in writing by the local planning authority and the approved details have been carried out.

Reason: To enhance the character and appearance of this listed building.

4. E19 (Obscure glazing to windows)

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

5. H29 (Secure Cycle Parking Provision)

Reason: To ensure that there is adequate provision for secure cycle accommodation within the application site, encouraging alternative modes of transport in accordance with both local and national planning policy.

Informative:

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

120. DCSE2005/2343/F - CASTLE LODGE HOTEL, WILTON, ROSS-ON-WYE, HEREFORDSHIRE, HR9 6AD (AGENDA ITEM 10)

Refurbishment and conversion of existing derelict barn to restaurant and creation of

new car parking facilities serving existing hotel and new restaurant, together with associated junction improvement works.

The Principal Planning Officer confirmed that the Conservation Manger and the Traffic Manger had not objected to the application. He also reported the receipt of two further letters of objection.

Councillor Mrs. J.A. Hyde, the Local Ward Member, noted the concerns of the Parish Council regarding traffic and highway safety. She also requested clarification regarding the number of covers permitted for the restaurant and asked the Principal Planning Officer if any representation had been received from English Heritage.

In response to the questions raised by the Local Ward Member, the Principal Planning Officer confirmed that although the Parish Council had concerns regarding the application, the Council's Highways department had not objected. He confirmed that the proposed number of covers was 60 and that no representation had been received from English Heritage.

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. A06 (Development in accordance with approved plans)

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

4. B01 (Samples of external materials)

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

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

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

6. C05 (Details of external joinery finishes)

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

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

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

8. C09 (External repointing)

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

9. C10 (Details of rooflights)

Reason: To ensure the rooflights do not break the plane of the roof slope in the interests of safeguarding the character and appearance of this building of architectural or historical interest.

10. C11 (Specification of guttering and downpipes)

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

11. C18 (Details of roofing)

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

12. D01 (Site investigation - archaeology)

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

13. The use hereby permitted shall not be open to customers outside the hours of 7.00 am and 11.00 pm on any day.

Reason: To safeguard the amenities of the locality.

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

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

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

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

16. The number of seats for dining shall be limited to a maximum of 60.

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

17. The restaurant and car park hereby permitted and the Castle Lodge

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

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

18. F18 (Scheme of foul drainage disposal)

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

19. F22 (No surface water to public sewer)

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

20. F32 (Details of floodlighting/external lighting)

Reason: To safeguard local amenities.

21. F40 (No burning of material/substances)

Reason: To safeguard residential amenity and prevent pollution.

22. G13 (Landscape design proposals)

Reason: In the interests of visual amenity.

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

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

24. G15 (Landscaping implementation)

Reason: To ensure the site is satisfactorily landscaped.

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

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

26. G37 (Access for disabled people)

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

27. G40 (Barn Conversion - owl box)

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

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

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

29. H03 (Visibility splays)

Reason: In the interests of highway safety.

- 30. H05 (Access gates)**

Reason: In the interests of highway safety.

- 31. 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.

- 32. H21 (Wheel washing)**

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

- 33. H27 (Parking for site operatives)**

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

- 34. H29 (Secure cycle parking provision)**

Reason: To ensure that there is adequate provision for secure cycle accommodation within the application site, encouraging alternative modes of transport in accordance with both local and national planning policy.

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

- 36. F37 (Scheme of odour and fume control)**

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

Informative(s):

- 1. NC01 - Alterations to submitted/approved plans**
- 2. NC02 - Warning against demolition**
- 3. ND03 - Contact Address**
- 4. HN01 - Mud on highway**
- 5. HN04 - Private apparatus within highway**
- 6. HN05 - Works within the highway**
- 7. HN07 - Section 278 Agreement**
- 8. HN10 - No drainage to discharge to highway**

9. HN13 - Protection of visibility splays on private land
 10. HN17 - Design of street lighting for Section 278
 11. HN22 - Works adjoining highway
 12. N15 - Reason(s) for the Grant of Planning Permission
121. DCSW2005/3890/O - LAND ADJACENT TO NO 7, CHERRY ORCHARD, WRIGGLEBROOK, KINGSTHORNE, HEREFORDSHIRE, HR2 8AW (AGENDA ITEM 11)

Detached dwelling.

The Principal Planning Officer reported the receipt of revised plans from the applicant.

RESOLVED

That subject to the receipt of further plans detailing a splayed entrance and including land across the frontage of No. 7 Cherry Orchard, 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. **A02 (Time limit for submission of reserved matters (outline permission))**

Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990.

2. **A03 (Time limit for commencement (outline permission))**

Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990.

3. **A04 (Approval of reserved matters)**

Reason: To enable the local planning authority to exercise proper control over these aspects of the development.

4. **A05 (Plans and particulars of reserved matters)**

Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990.

5. **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.

Informative(s):

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

The meeting ended at 3.19 p.m.

CHAIRMAN

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| ITEM FOR INFORMATION - APPEALS |
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APPEALS RECEIVED**Application No. DCSE2005/0949/F**

- The appeal was received on 6th 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 Woodfield Developments Ltd
- The site is located at St Josephs Convent, Walford Road, Ross-on-Wye, HR9 5PQ
- The development proposed is Demolition of existing 1970's hall and living accommodation, construction of new block of 8 No. flats.
- The appeal is to be heard by Inquiry

Case Officer: Steven Holder on 01432 260479

Application No. DCSE2005/0951/C

- The appeal was received on 6th 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 Woodfield Developments Ltd
- The site is located at St Josephs Convent, Walford Road, Ross-on-Wye, Herefordshire, HR9 5PQ
- The development proposed is Demolition of existing 1970's hall and living accommodation. Construction of new block of 8 no. flats.
- The appeal is to be heard by Inquiry

Case Officer: Steven Holder on 01432 260479

Enforcement Notice EN2005/0090/ZZ.

- The appeal was received on 7th February, 2006
- The appeal is made under Section 174 of the Town and Country Planning Act 1990 against the service of an Enforcement Notice
- The appeal is brought by Mr N.J. Cockburn
- The site is located on land at Pennoxstone Court, Kings Caple, Herefordshire, HR1 4TX
- The breach of planning control alleged in this notice is:
Without planning permission, the erection of polytunnels for the protection of soft fruit on the land.
- The requirements of the notice are:
 - (i) Demolish the polytunnels.
 - (ii) Remove any materials that arise from the demolition of the polytunnels from the land
- The appeal is to be heard by Inquiry

Case Officer: Mike Willmont on 01432 260612

Application No. DCSE2005/3170/F

- The appeal was received on 7th 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 N Peggs
- The site is located at Rosedew, Symonds Yat, Ross-on-Wye, Herefordshire, HR9 6DY
- The development proposed is Two storey extension to existing dwelling.
- The appeal is to be heard by Written Representations

Case Officer: Duncan Thomas on 01432 261974

Application No. DCSE2005/3832/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 Mrs Swan-Liddell
- The site is located at Land at High Willows, Greytrees, Ross-on-Wye, Herefordshire, HR9 7HU
- The development proposed is Outline application for the erection of a detached dwelling, construction of new access and ancillary works
- The appeal is to be heard by Written Representations

Case Officer: Duncan Thomas on 01432 261974

Application No. DCSE2005/3770/F

- The appeal was received on 20th 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 The Singing Stud Ltd.
- The site is located at Site Nr. Bodenham Farm, Much Marcle, Herefordshire, SO 652319.
- The development proposed is Fenced training ring at equine centre (60m x 20m).
- The appeal is to be heard by Written Representations

Case Officer: Steven Holder on 01432 260479

Application No. DCSE2005/3272/F

- The appeal was received on 23rd 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 & Mrs Atherton
- The site is located at Vine Tree Inn, Tudorville, Ross-on-Wye, Herefordshire, HR9 5RS
- The development proposed is proposed new bungalow.
- The appeal is to be heard by Written Representations

Case Officer: Steven Holder on 01432 260479

APPEALS DETERMINED

Application No. DCSW2005/1158/O

- The appeal was received on 30th November 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 W Price
- The site is located at Danygarth, Cusop, Hay-On-Wye, Hereford, Herefordshire, HR3 5QX
- The application, dated 28th March 2005, was refused on 1st June 2005
- The development proposed was Site for erection of new dwellings.
- The main issue is the effect the proposal would have on highway safety on the B4348 Hardwick Road.

Decision: The appeal was DISMISSED on 8th February 2006

Case Officer: Andrew Prior on 01432 261932

Application No. DCSW2005/0661/F

- The appeal was received on 6th 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 N P Howarth
- The site is located at Blenheim Farm, Madley, Hereford, Herefordshire, HR2 9LU
- The application, dated 28th February 2005, was refused on 18th April 2005
- The development proposed was Erection of replacement dwelling and demolition of ex-mobile home
- The main issue is the effect of the proposal on the character and appearance of the countryside.

Decision: The appeal was DISMISSED on 7th February 2006

Case Officer: Andrew Prior on 01432 261932

Application No. DCSE2005/0571/F

- The appeal was received on 8th November 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 A Sargeantson
- The site is located at Wyevern, Walford Road, Ross-On-Wye, Herefordshire, HR9 5PT
- The application, dated 28th January 2005, was refused on 11th May 2005
- The development proposed was Extension/alteration to provide additional flat.
- The main issue is whether the proposal would result in hazards harmful to the existing conditions of highway safety on the adjoining roads.

Decision: The appeal was DISMISSED on 23rd February 2006

Case Officer: Duncan Thomas on 01432 261974

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

5 DCSW2004/3397/F - CONVERSION OF REDUNDANT FARM BUILDINGS TO FARM SHOP, PLANT CENTRE AND LANDSCAPE DESIGN CENTRE, INCLUDING ERECTION OF POLYTUNNELS, DISPLAY GARDENS AND ASSOCIATED CAR PARKING, LAND AT JUNCTION OF A465 AND B4348, WINNAL COURT, ALLENSMORE, HEREFORDSHIRE, HR2 9AR

For: Allensmore Nurseries Ltd per Malcolm Scott Consultants Ltd, Grove House, 1 Loves Grove, Worcester, WR1 3BU

Date Received: 1st October 2004

Ward: Valletts

Grid Ref: 45755, 33755

Expiry Date: 26th November 2004

Local Member: Councillor P. G. Turpin

1. Site Description and Proposal

1.1 This site is some 4 miles south of Hereford. It is on the east side of the A466 road at its junction with the Class II B4348. The site is generally rectangular in shape, some 0.84 ha. in area and it forms part of a larger agricultural field. Towards its west end are a group of three linked agricultural buildings, two of which are modern with the other an older timber structure. There is a hedgerow to the roadside boundary and a field gate entrance onto the Class II road.

1.2 This application seeks to introduce a commercial use in the form of a farm shop, plant centre and landscape design centre. This would involve the alteration and conversion of the existing building into a plant centre, farm shop, tea rooms and gift shop. In addition a polytunnel type structure would be added to the north and west side of the building to provide a covered display area. Elsewhere there would be a plant display area and display gardens. A car park for 50 cars is intended with the existing access relocated.

2. Policies

2.1 Planning Policy Guidance

| | | |
|--------|---|--|
| PPS.1 | - | Delivering Sustainable Development |
| PPS.7 | - | Sustainable Development in Rural Areas |
| PPG.13 | - | Transport |

2.2 Hereford and Worcester County Structure Plan

| | | |
|---------------|---|--|
| Policy ED.8 | - | Development of Redundant Rural Buildings |
| Policy CTC.9 | - | Development Requirements |
| Policy CTC.14 | - | Conversion of Buildings in Rural Areas |
| Policy A.2 | - | Diversification of Agricultural Units |
| Policy TSM.1 | - | Tourism Related Development |

2.3 South Herefordshire District Local Plan

| | | |
|-------------|---|--|
| Policy GD.1 | - | General Development Criteria |
| Policy C.1 | - | Development within Open Countryside |
| Policy C.36 | - | Re-use and Adaptation of Rural Buildings |
| Policy C.40 | - | Provision of Essential Services |
| Policy ED.5 | - | Expansion of Existing Businesses |
| Policy ED.6 | - | Employment in the Countryside |
| Policy ED.7 | - | Re-use and Adaptation of Rural Buildings for Employment/Tourism Use |
| Policy ED.8 | - | Farm Diversification |
| Policy TM.1 | - | General Tourism Provision |
| Policy RT.6 | - | Roadside Sales |
| Policy RT.8 | - | Provision of Garden Centres |
| Policy T.1A | - | Environmental Sustainability and Transport |
| Policy T.3 | - | Highway Safety Requirements |

2.4 Unitary Development Plan

| | | |
|---------------|---|--|
| Policy S.1 | - | Sustainable Development |
| Policy S.2 | - | Development Requirements |
| Policy DR.1 | - | Design |
| Policy DR.2 | - | Land Use and Activity |
| Policy DR.3 | - | Movement |
| Policy E.11 | - | Employment in Smaller Settlements and Open Countryside |
| Policy E.12 | - | Farm Diversification |
| Policy TCR.16 | - | Garden Centres |
| Policy TCR.17 | - | Farm Shops |
| Policy T.11 | - | Parking Provision |
| Policy HBA.12 | - | Re-use of Rural Buildings |
| Policy RST.1 | - | Criteria for Recreation, Sport and Tourism Development |
| Policy RST.13 | - | Rural and Farm Tourism Development |

3. Planning History

- 3.1 DCSW2004/1297/F Conversion of redundant farm buildings to farm shop, plant centre and landscape design centre including erection of polytunnels, display gardens and associated car parking - Withdrawn 28.05.04

4. Consultation Summary

Statutory Consultations

- 4.1 Highways Agency - content that the development is unlikely to result in a detrimental impact to the safe and free flow of traffic on the trunk road and raise no objections.
- 4.2 Environment Agency - have no objections subject to conditions.

Internal Council Advice

- 4.3 Traffic Manager - recommends refusal due to the visibility from the proposed access being restricted and not in accordance with standard visibility requirements.
- 4.4 Environmental Health and Trading Standards Manager - no adverse comments.

5. Representations

- 5.1 Much Dewchurch Parish Council – “comments are as previously submitted. However, because this application falls in Much Dewchurch and not Allensmore, we feel that the Highways Agency Traffic Survey should have been supplied to us.”

Much Dewchurch Parish Council's previous comments:

“The Parish Council feel that the proposed access is very near a bad bend. This enterprise would obviously attract a lot more traffic and we consider it would help if a slip road were formed for traffic from Hereford to turn left on the B4348. We understand the need for the farming community to diversify and although there is a very busy Garage/Farm Shop on the crossroads we feel this enterprise would not unduly affect that business. Allensmore Nurseries is a family business and offers employment to local people. We feel that they should be supported to expand if it is practical to do so.”

- 5.2 Kilpeck Group Parish Council (adjoining) – “is extremely concerned about the additional traffic which will have to negotiate the hazardous junction of the B4348 and the A465. The Parish Council have resolved that unless substantial improvements are made to this junction that permission should NOT BE GRANTED.”
- 5.3 A representation has been received from P. Powell, Locks Garage/ Willox Bridge Farm. This raises concerns with regard to possible pollution of surface water through discharges from the development. He has not been approached with regard to the use of his property for such discharges. It is also pointed out that the land in the vicinity does flood. It is questioned as to whether the use will be 'small' bearing in mind the size of Allensmore Nurseries. In addition, the writer has sought to rent the buildings to accommodate livestock. Finally, concern is raised as to the impact on Locks Garage, which has always incorporated a farm shop.
- 5.4 The applicants' agent has submitted a number of letters which consider the policy issues and the drainage. In addition a traffic Assessment has been submitted.

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 determining issues are considered to be the principle of the proposal in this location, the suitability of the buildings for the uses, the design/form and layout of the proposal, the traffic implications, the impact on the landscape, the impact on adjoining/nearby uses and the availability of services.

- 6.2 Firstly it is necessary to consider the exact nature of the proposal. It is for a mix of uses – plant centre for Allensmore Nurseries, farm shop for Winnal Court, tea room and gift shop, garden display/design centre. Generally planning permission is not required to sell produce grown at a farm/nursery. The need for planning permission will arise when such retail sales expand into goods produced and brought in from elsewhere and where such goods are more than a very minor part of the retail activity. Therefore, for example, planning permission will not be required where a plant nursery or farm retails products grown on its site but will be required where (other than at a very minor level) products are brought in and adapted for sale (plants) or are sold directly (e.g. pots/fertiliser). In this case the intention is to retail products and services other than those produced by the applicants.
- 6.3 The site is located in the open countryside. On the opposite side of the A465 is Locks Garage, The Three Horseshoes Public House and a group of dwellings, but these are not recognised as a settlement in planning policy terms. In addition, to the east are significant commercial uses – Sun Valley Foods feed mill and Allensmore Nurseries. Planning policy seeks to concentrate development within the main settlements in order to reduce the need to travel and where a range of travel options are available. This is in essence an application to develop a facility to retail produce from Allensmore Nurseries and Winnal Court but to expand this to retail products from elsewhere and to include a tea room, gift shop and display gardens.
- 6.4 With regard to the principle of the development in this location a fundamental issue is whether the proposal should be considered either under the policies relating to a garden centre or a farm shop, or both. With regard to farm shops both the Local Plan and Unitary Development Plan provide that they can be permitted in the countryside and provide that they can include the retail of ‘produce which is not mainly produced on that farm’. With regard to garden centres, policy states that they should be located within or adjacent to a settlement. In terms of distinguishing between a plant centre (agricultural use) and a garden centre (retail use) the essential issue is the level of imported produce. Clearly if this is at a very low level then it can be considered ancillary. In one regularly quoted court case from 1989 the judge agreed with a conclusion that 10% took a use outside the ancillary category. In this case the applicants have stated that in terms of quantity some 99% of plants will be grown at Allensmore although it is difficult to judge the extent to which plants are brought in and grown on. In addition, it would be expected that non-plant goods, such as compost, pots, bulbs, etc, will be offered for sale. The applicants suggest that these sales could be no more than 15% of the floor area. In addition to the farm shop and plant centre it is proposed to operate a tea room and gift shop and have display gardens. Overall I consider that the extent of the retailing associated with the plant centre element indicates that the use will tend to be more of a retail rather than agricultural/horticultural use, and would effectively be a garden centre. Planning policy clearly states that such uses should only be located within or adjacent to an existing settlement. This location is open countryside.
- 6.5 With regard to traffic, although the access would be from the Class II road, it would be close to the junction with the A466 Trunk Road. The application was supported by a transport assessment and the Highways Agency raised no objection. However clarification is being sought with regard to a slight discrepancy in details between the transport assessment and details of the current application. The Traffic Manager considers that for the proposed new access visibility splays of 2.4 metres by 90 metres would be the minimum requirements. These can be achieved but would entail the removal of a significant length of roadside hedge. The area for car parking is acceptable.

- 6.6 There are currently three linked buildings, an older timber framed structure with more modern buildings attached to both of its sides. In terms of the re-use of these buildings for a commercial use there is no objection in principle. The proposal is to re-clad the buildings with a mixture of glazing and timber cladding with profiled steel on the roofs. These works will significantly change the appearance of the buildings but subject to agreement on colour of the cladding, which should be dark especially on the roofs. I do not consider this to be unacceptable. In addition, the construction of fairly substantial polytunnel type structures to provide a covered external area (a steel frame with a polythene roof).
- 6.7 With regard to the landscape impact the general character of the area is of flat and low lying agricultural land, fringed by hedgerows and trees. This scheme does however involve the re-use of existing buildings and in the vicinity there are already significant structures, namely Locks Garage, the feed mill and the nurseries. In these circumstances I do not consider that unacceptable harm to the landscape would result.
- 6.8 With regard to the impact on the adjoining uses there should be no adverse impact on amenity of any dwellings. There may be some impact on Locks Garage but having regard to the likely range of goods I do not consider that this would be to an unacceptable degree.
- 6.9 With regard to services, the Environment Agency has no objection on foul drainage, surface water drainage or flooding issues, although conditions and advice are suggested.

RECOMMENDATION

That planning permission be refused for the following reason:

- 1. **The local planning authority consider that in effect the proposal constitutes the provision of a garden centre. Having regard to South Herefordshire District Local Plan Policies GD.1, C.1, RT.8 and T.1A and Herefordshire Unitary Development Plan Policies S.1 and TCR.16 the proposal is considered to be unacceptable. The establishment of a garden centre in the countryside and divorced from any established settlement is considered to be inappropriate and would not be sustainable.**

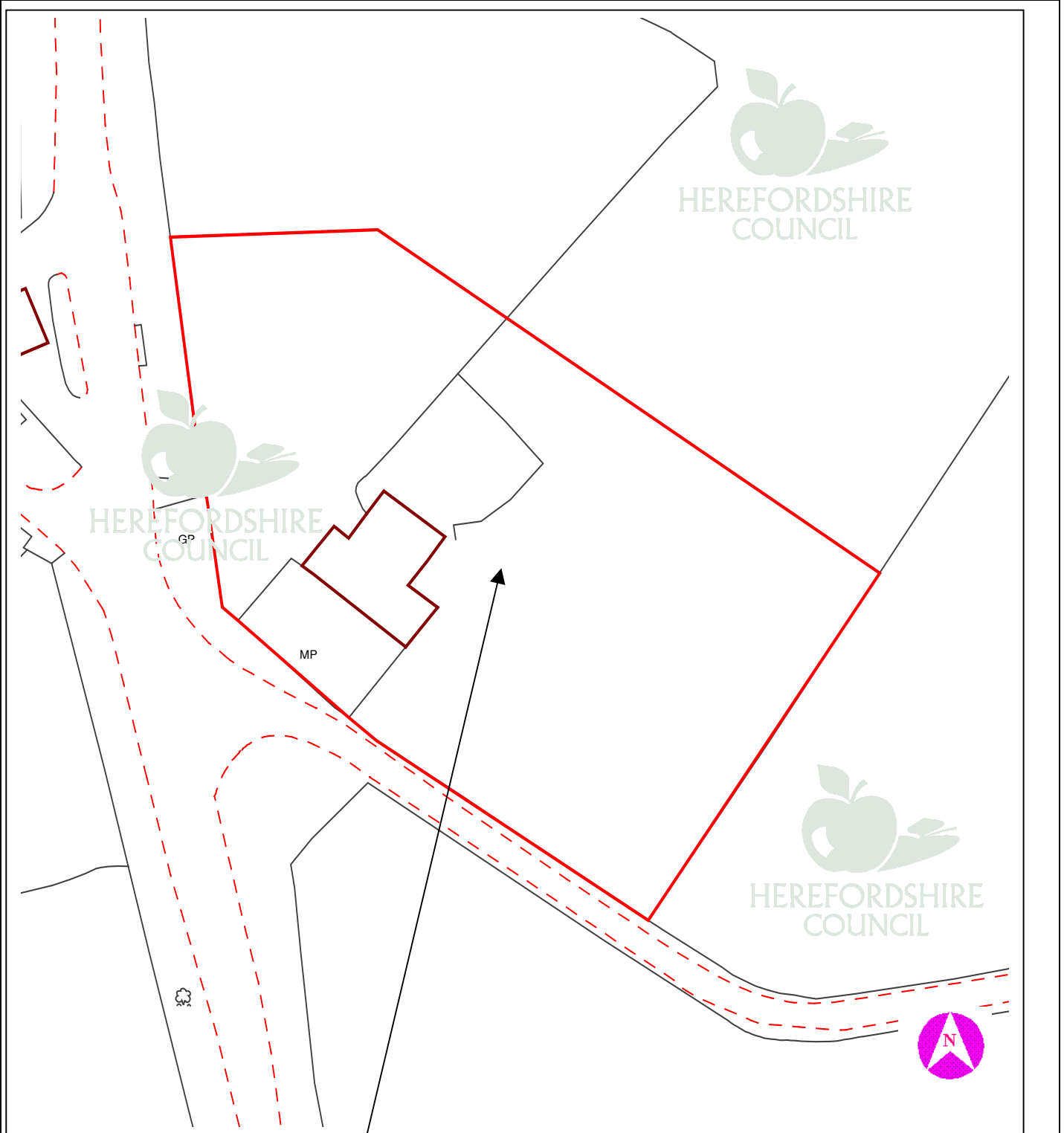
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCSW2004/3397/F

SCALE : 1 : 1250

SITE ADDRESS : Land at junction of A465 and B4348, Winal Court, Allensmore, Herefordshire, HR2 9AR

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6 DCSW2006/0263/F - TEMPORARY OFFICES, WELFARE FACILITIES AND STORAGE YARD FOR PLANT, EQUIPMENT AND MATERIALS FOR THE CONSTRUCTION OF THE BRECON TO CORSE PIPELINE ON BEHALF OF THE NATIONAL GRID, DISUSED AIRFIELD, MADLEY, HEREFORDSHIRE, HR2 9NH.

**For: J. Murphy & Sons Ltd, Unit 3, Wolf Business Park,
Alton Road, Ross-on-Wye**

Date Received: 25th January 2006 Ward: Stoney Street Grid Ref: 41976, 37207

Expiry Date: 22nd March 2006

Local Member: Councillor D. C. Taylor
 Councillor P. G. Turpin

1. Site Description and Proposal

- 1.1 The site is located on the eastern side of the unclassified road which runs to the south-west from The Comet Inn. It is approximately mid-way between the entrance to the earth satellite station and the industrial estate, adjacent to the poultry units.
- 1.2 The site is irregular in shape with an area of some 4.4 hectares and is predominantly hard surfaced, being one of the runways for the former airfield. The land is flat and unused. On the frontage, which is some 220 metres in length, there are two existing access points. At approximately mid-way along the frontage is a line of mature conifers that runs to the south east.
- 1.3 This proposal is for a temporary use of the land in connection with the intended construction of the national grid gas pipeline between Felindre (Swansea) and Tirley (Gloucester). The majority of the site would be used for the open storage of materials and equipment. Closer to the road, to the north side of the line of conifers, there would be a row of ten storage containers together with a bunded fuel store. To the south of the conifers would be a row of 12 portakabins together with a car park. Both access points would be used. For foul drainage a sealed cesspool would be installed. The site would be bounded with security fencing.

2. Policies

2.1 National Planning Policy

| | | |
|--------|---|--|
| PPS.1 | - | Delivering Sustainable Development |
| PPS7 | - | Sustainable Development in Rural Areas |
| PPG.13 | - | Transport |

2.2 Hereford and Worcester County Structure Plan

| | | |
|--------------|---|--------------------------|
| Policy CTC.9 | - | Development Requirements |
|--------------|---|--------------------------|

2.3 South Herefordshire District Local Plan

| | | |
|-----------------|---|-------------------------------------|
| Policy GD.1 | - | General Development Criteria |
| Policy C.1 | - | Development within Open Countryside |
| Policy C.40 | - | Provision of Essential Services |
| Policy T.3 | - | Highway Safety Requirements |
| Madley Airfield | | |
| Policy 1 | - | Development Limit of Estate |
| Policy 2 | - | Drainage and Foul Sewerage |

2.4 Unitary Development Plan

| | | |
|-------------|---|-------------------------------------|
| Policy S.1 | - | Sustainable Development |
| Policy DR.4 | - | Environment |
| Policy LA.2 | - | Landscape Least Resilient to Change |

3. Planning History

- 3.1 DCSW2004/2674/O Site for new study centre building with additional buildings and development of land for environmental education and community purposes - Approved 22.09.05

4. Consultation SummaryStatutory Consultations

- 4.1 Environment Agency - do not make formal comments for such lower risk developments but offer standing advice with regard to surface water disposal and foul drainage.

Internal Council Advice

- 4.2 The Traffic Manager's formal response is awaited.
- 4.3 The Head of Environmental Health and Trading Standards has made no response.
- 4.4 The Conservation Manager has no landscape or ecological concerns.

5. Representations

- 5.1 The applicants make the following points:
- this brownfield site is more preferable to a greenfield site
 - services are available except for foul drainage for which a cesspool is proposed. Waste will be disposed of appropriately
 - the storage will be fencing material, timber supports, timber matting and any strategic materials
 - the gas pipes will be stored at other locations on the pipeline route
 - heavy engineering on site is not anticipated
 - there will be 24 hour security
 - the occupation is proposed from May 2006 until September 2008.

Further information has been provided with regard to traffic - this is attached as an Appendix (except the plan).

5.2 Madley Parish Council comment:

“The Parish maps show that this is fully in Madley Parish. On the assumed amount of traffic and vehicles passing each other the road from the proposed site to the B4348 would need to be upgraded to the standard 7 metre size. We object to this application.”

5.3 Kingstone Parish Council has no objection.

5.4 A letter of objection has been received from J & A Harrison, Ashford House, Stoney Street. This questions whether Stoney Street without improvement is suitable for the additional traffic, the application lacks details on traffic movements, hours and days of work and sort of vehicles. Concern is expressed on road safety and vehicle routes. Concern is also raised as to the adequacy of the water supply and issues of ground water pollution, light, dust and noise pollution nor harm to wildlife. Reference is made to the Estech application and that this application would further exacerbate the environmental hazards and traffic problems.

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 determining issues are the principle of the use in this location, impact of traffic, impact on the landscape and environmental/amenity impact.

6.2 The proposal is directly related to the proposed construction in 2007 of a gas pipeline from Felindre (Swansea) to Tirley (Gloucester). In connection with this the applicants, who are the contractors for the work, have a requirement to provide a working base/compound.

6.3 In the majority of cases uses such as that proposed are located on the actual site of the development to be carried out or on adjoining land. In those circumstances they are ‘permitted development’ and a planning application is not required. In this case, as the site is distant from the location of the work, planning permission is necessary.

6.4 The applicants have sought to identify a suitable site on previously used land and in relative proximity to the route of the pipeline rather than on agricultural land. The site is almost entirely hard surfaced, although it has degraded in parts, being a former runway.

6.5 The site is within the countryside and is not a part of the former Madley Airfield which has been identified for further development. There are no specific policies in the development plan with regard to its future use or with regard to this specific proposal. In 2005 when permission was granted for further development of the Madley Environmental Study Centre at the adjacent satellite station, this land was shown to be used for access and overflow parking. Policy does seek to prevent unnecessary development in the countryside. However, given the reasonable prospect that the gas pipeline is to be constructed there will be a requirement for such compounds and

certainly for one in Herefordshire. The use will only be required for a relatively short period, until late 2008, and given that the site is hard surfaced I consider that it is acceptable in principle.

- 6.6 With regard to traffic, the applicants have provided a more detailed breakdown of vehicle movements and the suggested routes (see Appendix). It is not intended that large excavation or pipeline machinery or the pipes themselves will be stored at the site. There are ongoing discussions with the applicants on this issue as the Traffic Manager has expressed some concerns.
- 6.7 The site is within an area that is relatively flat and low lying, and in the vicinity there are groups of trees and areas of woodland. In addition, immediately adjacent are intensive poultry units. Such a use as proposed is inherently unattractive due to its temporary nature and the structures and uses entailed. The line of conifers and other established woodland will mitigate this impact. I consider that the impact on the landscape would not be unacceptable particularly for the short term nature of the proposal.
- 6.8 With regard to the environmental effect the Head of Environmental Health and Trading Standards has not raised objections. With regard to drainage, a sealed cesspit is to be used which is appropriate for a temporary use. The extreme south east end of the site is within an Environment Agency Flood Zone but this is a low risk development and there should be little change in surface water run-off. Clarification is being sought on the water supply issue. On balance I do not consider the development to be likely to give rise to any unacceptable permanent environmental impact.

RECOMMENDATION

That subject to the resolution of the traffic/highway issues, 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. E21 (Temporary permission and reinstatement of land)

Reason: This planning permission is only granted so as to meet the special and temporary needs of the applicants as the site is considered unsuitable for such a use on a permanent basis.

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. F25 (Bunding facilities for oils/fuels/chemicals)

Reason: To prevent pollution of the water environment.

4. F32 (Details of floodlighting/external lighting)

Reason: To safeguard local amenities.

5. F39 (Scheme of refuse storage)

Reason: In the interests of amenity.

6. F40 (No burning of material/substances)

Reason: To safeguard residential amenity and prevent pollution.

Informative(s):

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

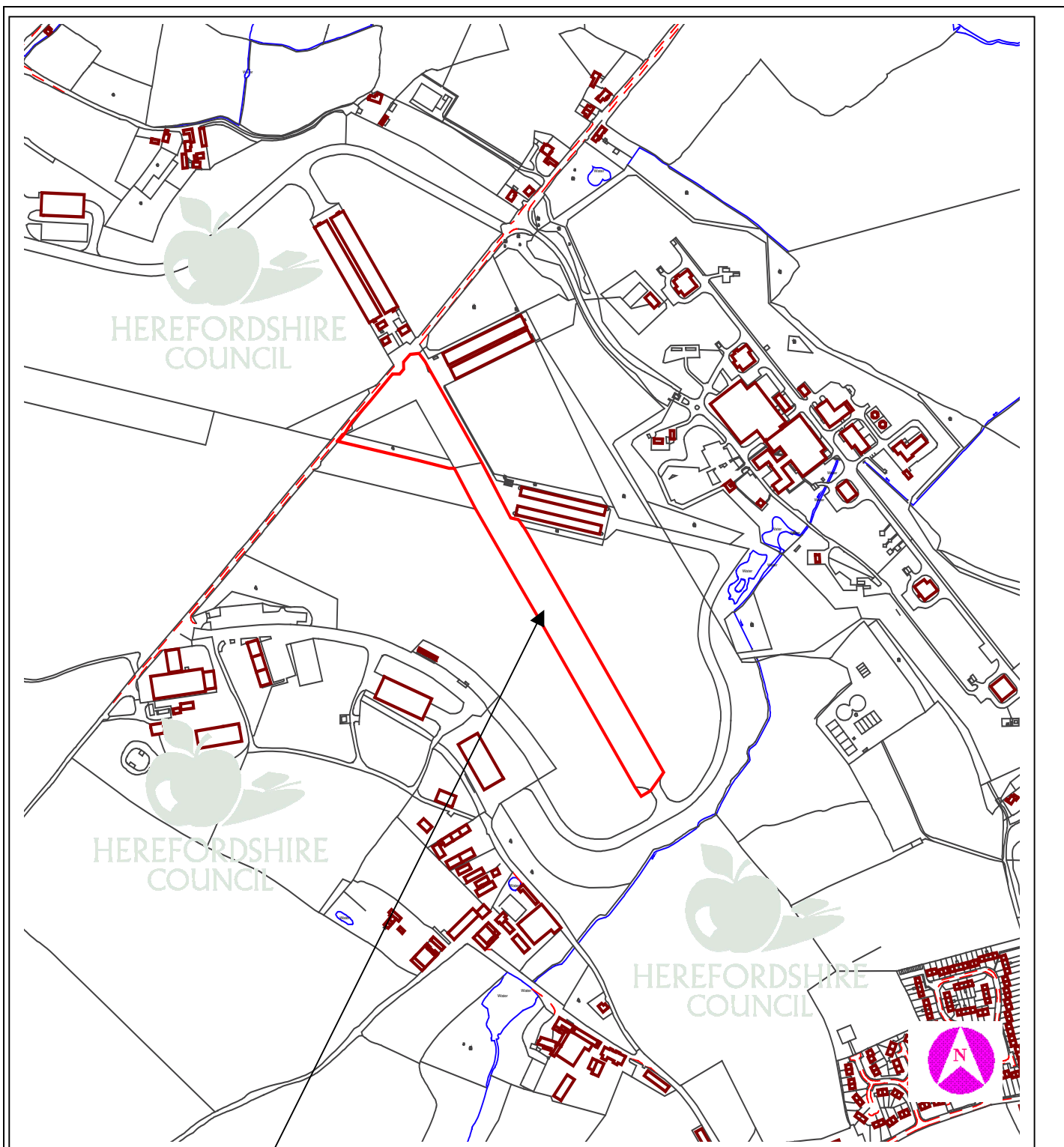
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCSW2006/0263/F

SCALE : 1 : 7846

SITE ADDRESS : Disused airfield, Madley, Herefordshire, HR2 9NH.

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Appendix



Excel

Herefordshire Council Planning Dept.
PO Box 230
Blueschool House
Blueschool Street
Hereford
HR1 2ZB

Murphy Pipelines Limited
Project Offices
First Floor, Unit 3
Wolf Business Park
Alton Road
Ross-on-Wye
Herefordshire
HR9 5NB

Tel: 01989 764660
Fax: 01989 764295

For the Attention of:
Mike Wilmont, Team Leader South

Our ref: 310021/LOS/00123
Date: 16th February 2006

Dear Sir

Brecon to Tirley 1200mm Pipeline Project
Re: Temporary Site Establishment, Madley Airfield

Thank you for your fax dated 15th February regarding our planning application. Please find herewith a more detailed explanation of our traffic management for the site at Madley.

1. During the planning phase, May 2006 to February 2007, we anticipate there will only be a low level use of the site with perhaps 12 cars or 4x4s entering and leaving Madley Disused Airfield on a daily basis using the Red route to travel west or the Blue route to travel east. There may also be the occasional material delivery lorry LDV1 or LDV2 to and from the site, we would anticipate an average of 2 per day during this phase.
2. During the construction phase, March 2007 to October 2007, it is anticipated that the majority of our site traffic will exit Madley Disused Airfield and head west to the east side of Hay-on-Wye using the route marked Red at the start of work each day and the site traffic going east to Ross-on-Wye will use the route marked Blue. The reverse being the case in the evening at the end of the days work, any traffic coming back from the Hay-on-Wye direction will use the Red route and traffic returning from Ross-on-Wye direction will use the Blue route. We anticipate having around 15 transit vans, 10 x LDV2 lorries and around 5 x LDV1 lorries based at the site. Access to the working strip to the west will be taken from the B4348 at an off-easement access near road crossing 85 and from the east from the A465 at road crossing 90.
3. During the maintenance phase, we would anticipate a similar number of vehicles to the planning phase i.e. 12 no. cars / 4x4s and the occasional delivery / collection by LDV1 / LDV2, on average 2 per day.



In summary; Anticipated Average Vehicle Movements:

1. Planning Phase May 2006 to February 2007
 - 12 x cars / 4x4s
 - 2 x LDV1 / LDV2 lorries
2. Construction Phase March 2007 to October 2007
 - 12 x cars / 4x4s
 - 15 x transit vans
 - 10 x LDV2 lorries
 - 5 x LDV1 lorries
3. Maintenance Phase November 2007 to September 2008
 - 12 x cars / 4x4s
 - 2 x LDV1 / LDV2 lorries

The above vehicles will be based at or delivering to the Madley Temporary Site Establishment and therefore will enter and exit each day.

Any exceptional loads if required will be escorted to and from the site using the A465 from Hereford, the B4349 and B4352, turning left at the Public House before Madley village along the Roman Road to the site. This route is marked black.

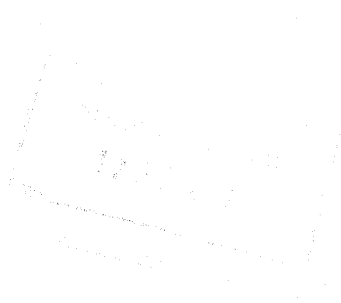
In addition to the foregoing and to further support our application, it may be helpful to know that the location of the temporary site establishment will trigger the requirement for the employment of local labour and have associated benefits to local businesses and retail outlets.

If you require any further information with regards to the contents of this letter, please do not hesitate to contact us at our project office.

Yours faithfully
MURPHY PIPELINES LIMITED

A handwritten signature in black ink, appearing to read "Tony O'Sullivan".

Tony O'Sullivan
PROJECT MANAGER



7 DCSW2006/0255/F - CONVERSION OF REDUNDANT AGRICULTURAL SAWMILL BUILDINGS TO TWO B1 WORKSHOP UNITS, INCLUDING IMPROVING JUNCTION OF ACCESS TRACK WITH HIGHWAY, THE ESTATE YARD, KINGSTHORNE, HEREFORDSHIRE, HR2 8AN

For: The Duchy of Cornwall per Mr. R.L. Gell, Penderw, Yardo, Old Radnor, Presteigne, LD8 2RP

Date Received: 25th January 2006

Ward: Pontrilas

Grid Ref: 50002, 32147

Expiry Date: 22nd March 2006

Local Member: Councillor G.W. Davis

1. Site Description and Proposal

1.1 The proposal site is reached off the northern side of The Thorn, an unclassified road that leads eastward off the north-south aligned Class III road (C1263), the main thoroughfare at Kingsthorne that in turn joins the A49(T) to the north at the Callow and the same trunk road further south at Much Birch.

1.2 The existing site is served by a loose gravel track that is also a registered public footpath (MB27) and a bridleway. A bungalow (Gilston) is on the western side of the existing access point. This bungalow is in the ownership of the applicant. This ownership has enabled the applicants to widen the access onto The Thorn to enable two vehicles to pass at the access point. The two buildings the subject of the application are 61/62 metres to the north of the junction. One building is 6.2 metres wide and 18.2 metres long and adjoins the public footpath/bridleway. It has a double roman clay tiled roof over a horizontally clad single-storey building. Just to the west is the second unit, it is larger in footprint (12.2 x 14.1 metres), it will be re-clad in vertical cladding, red oxide in colour or as agreed. Each unit will be for Class B1 use and has a kitchen, and male/female/disabled wcs and offices of over 4 metres by 3 metres in area. The rest of the space being given over for workshop use. The larger unit, Unit 2, will have its own parking area to the south with its own access onto the unsurfaced track. Unit 1 has an access serving it immediately to the north of it. The northern and western boundaries are proposed to have pig netting fencing together with mixed hedging. A right of way is proposed in the south-western corner of the site to serve the rear of Thorn Cottage.

2. Policies

2.1 Planning Policy Guidance

PPS.7 - Sustainable Development in Rural Areas

2.2 Hereford and Worcester County Structure Plan

Policy CTC.2 - Areas of Great Landscape Value

Policy E.6 - Industrial Development in Rural Areas

2.3 South Herefordshire District Local Plan

| | | |
|-------------|---|---|
| Policy GD.1 | - | General Development Criteria |
| Policy C.1 | - | Development within Open Countryside |
| Policy C.8 | - | Areas of Great Landscape Value |
| Policy C.36 | - | Re-use and Adaptation of Rural Buildings |
| Policy ED.3 | - | Employment Proposals within/adjacent to Settlements |
| Policy ED.6 | - | Employment in the Countryside |

2.4 Herefordshire Unitary Development Plan (Revised Deposit Draft)

| | | |
|---------------|---|--|
| Policy HBA.12 | - | Re-use of Rural Buildings |
| Policy E.11 | - | Employment in Smaller Settlements and Open Countryside |

3. Planning History

| | | | | |
|-----|-----------------|--|---|--------------------|
| 3.1 | DCSW2005/2868/F | Conversion of redundant agricultural saw-mill buildings to two B1 workshop units, including junction works | - | Withdrawn 28.10.05 |
|-----|-----------------|--|---|--------------------|

4. Consultation SummaryStatutory Consultations

4.1 No statutory or non-statutory consultations required.

Internal Council Advice

4.2 The Traffic Manager recommends improvements to the existing access point, including necessary piping/culverting of ditches and consolidation of part of existing track. The Public Rights of Way Manager's formal reply is awaited.

5. Representations

5.1 The Parish Council's observations are as follows:

"Application supported, subject to access to site being large enough for all delivery vehicles to turn around so as to ensure that the lane is not blocked. It is also hoped that the surface of the lane will be improved, as part of planning consent. It is understood that B1 category workshop units would not incur undue noise or other such nuisance to the detriment of surrounding properties."

5.2 Four letters of representation have been received from:

Mr. G. P Hotchen, Thorn Villa, Kingsthorpe, HR2 8AN
 Mr. J. Holloway, Kingsthorpe House, Kingsthorpe, HR2 8AJ
 Mr. G. B. Philpott, Waterloo House, Kingsthorpe, HR2 8AJ
 Mr. N. Tweddell, Kingsthorpe Cottage, Kingsthorpe, HR2 8AN

in which the following main points are raised:

- drainage poor
- 'thin edge of wedge' more development on this undeveloped side of Thorn

- Thorn used as rat-run to Holme Lacy
- only feasible means of access to Waterloo House
- major improvement to access from that previously submitted
- poor visibility on unlit country roads
- disturbance, and activity from new uses
- smells
- machinery
- restrict lighting
- restrict hours of operation, will reduce traffic movements also
- existing use extinguished (saw-mill) at least 25 years ago, possibly 40 years ago
- restrictions on lessees problematical
- condition parking spaces to 9, not 17 as proposed
- provide passing point
- dark green better colour than that proposed
- need better turning ability into site or existing ditch on eastern side of lane will be damaged
- fencing on west side to preserve security and privacy
- please condition existing gate position to allow for separate access to my property in future
- separate two sites possible to drive through.

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 It is considered that the main issues are the proposed use of the building, the means of access to it, the treatment of the buildings and the general impact on residential amenities in the area.
- 6.2 The proposed use of these two buildings is a Class B1 use, which is a light industrial use. The definition of this use in the Use Classes Order 1987 is a use that can be carried out in a residential area without giving rise to noise, smells, soot, ash and dust. It is a use usually associated with high technology uses, not machinery workshops or mini factories. The fact that the local planning authority do not know what the future uses/users will be is not sufficient reason to withhold granting planning permission. The imposition of appropriate planning conditions, i.e. restricting the use to uses that fall within the remit of Class B1, is concise and effective, two of the tests for planning conditions. Breaches of such conditions have been the subject of dismissed appeals to the Secretary of State, on a site adjacent to existing residential properties as is the case here. Hours of operation can be controlled by the use of conditions, as well as storage areas and any lighting proposed, on the outside of either of the two buildings or around the site. It is stated in the representations received that the saw-mill use has all but been extinguished. However, it is understood that the buildings have been used for workshop purposes in the 1990s and possibly a general industrial use could recommence on the site without the need for planning permission.
- 6.3 The Traffic Manager was concerned with the visibility achievable onto The Thorn particularly in the south-eastern direction, with the previously submitted scheme. Following further discussion, the Traffic Manager now has no objection to the current proposal subject to the extent of improved roadway from the unclassified road (The Thorn) being halved from 20 metres to 10 metres and for ditches to be protected where necessary and appropriate. The Public Rights of Way Manager would prefer to see

little improvement to the bridleway used by walkers and horse riders in order that it would not encourage heavy goods vehicles to use the track. The Public Right of Way Manager's formal comments have not yet been received, however, he wants his initial concerns to be known at this time. This bridleway is used as an access road by residents to the north of the site. It is not considered that the use of the site and therefore the need for improvements to it is sufficient reason to resist development on this site. The junction improvements onto The Thorn will improve visibility up The Thorn, and make vehicles joining it more visible to other road users than at present. The requirement to culvert/pipe ditches is a matter that could be addressed within the remit of improving the surface of the bridleway. There is considered not to be an issue relating to car parking given that the relatively small areas of the buildings and the need for on-site turning facilities. There is considered to be insufficient distance between the widened mouth of the access onto The Thorn to the southern-most access point to justify a passing place.

- 6.4 The amenity of residents can be protected by the imposition of conditions relating to hours of working, the control of any external lighting and the presence of screening of the site from residents. The use of signage as suggested by the Traffic Manager is one that could be the subject of a planning condition. These signs would warn visitors to the industrial site that horse riders and walkers use the bridleway.
- 6.5 The use of the site can be controlled and the access onto The Thorn improved. The type of user of the site is limited by the type and size of building. There should be little or no traffic at weekends, public holidays nor on summer evenings. There are considered to be insufficient grounds for withholding planning permission for the conversion of rural buildings that could be put to use in accordance with the provisions of Government advice in PPS.7: Sustainable Development in Rural Areas and economic policies in the South Herefordshire District Local Plan. The requirement of Policy C.36 contained in the South Herefordshire District Local Plan is that the proposed use does not conflict with nearby uses, in this instance residential uses. It is considered that subject to appropriate conditions this policy requirement can be satisfied.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

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

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

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

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

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

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

- 4. E01 (Restriction on hours of working) (8.00am – 6.00pm Mondays to Fridays, 8.00am – 1.00pm on Saturdays. There shall be no such working on Sundays, Bank or Public Holidays).**

Reason: To safeguard the amenities of the locality.

5. **E02 (Restriction on hours of delivery) (8.00am – 6.00pm Mondays to Fridays, 8.00am – 1.00pm on Saturdays. There shall be no such working on Sundays, Bank or Public Holidays).**

Reason: To safeguard the amenities of the locality.

6. **E06 (Restriction on Use) (Class B1)**

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

7. **F08 (No power tools or machinery)**

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

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

Reason: To protect the amenity of local residents.

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

Reason: To safeguard local amenities.

10. **F41 (No burning of materials/substances during construction phase)**

Reason: To safeguard residential amenity and prevent pollution.

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

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

12. **Prior to the first use of the development hereby permitted the access road to the site from the unclassified road 71603 shall be improved. This improvement shall include its widening to 4.5m for the first 10 metres from the junction and its re-surfacing. Details of these works, to include a specification, shall be submitted and approved in writing by the local planning authority prior to commencement of work.**

Reason: In the interests of highway safety.

13. **The existing ditchway adjoining the roadway from the northern most access, i.e. to Unit 1 and the unclassified road 71603, shall be properly piped with a suitable headwell to the satisfaction of the local planning authority.**

Reason: In the interests of controlling surface water run-off onto the unclassified 71603 and to reduce flooding in the locality.

- 14. **Specifications and position for a warning sign, warning visitors/users of the industrial site of horse riders and walkers, shall be agreed in writing with the local planning authority and erected and thereafter maintained to the satisfaction of the local planning authority before either unit is first brought into use.**

Reason: In the interests of highway safety.

Informative(s):

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

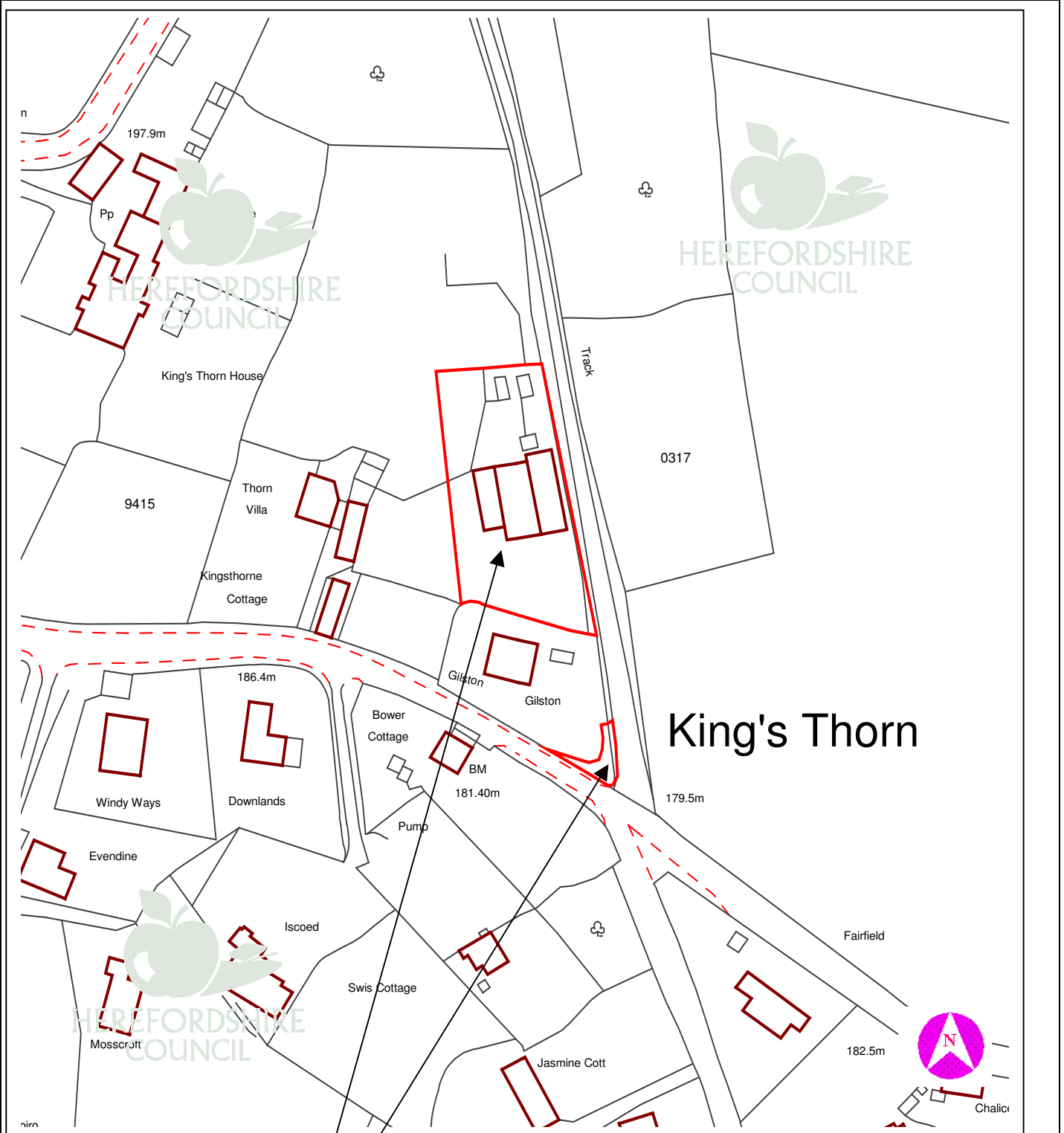
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCSW2006/0255/F

SCALE: 1 : 1250

SITE ADDRESS: The Estate Yard, Kingsthorne, Herefordshire, HR2 8AN

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8 DCSE2006/0104/F - TWO STOREY EXTENSION AND ALTERATIONS AT CHAPEL MILL COTTAGE, BROMSASH, ROSS-ON-WYE, HEREFORDSHIRE, HR9 7PL

For: Mrs. K. Brook per M.R. James, Clyde House, Viney Hill, Lydney, Gloucester GL15 4NY

Date Received: 13th January 2006 Ward: Penyard Grid Ref: 64870, 24222

Expiry Date: 10th March 2006

Local Member: Councillor H. Bramer

1. Site Description and Proposal

1.1 The application property is a former granary which was converted into a two-storey dwelling in the early 1980s. It is attached to High House, a much taller dwellinghouse. More recently a barn to the north of Chapel Mill Cottage has also been converted into a house (Morcroft) and two new detached houses have been built to the north-east, separated from the cottage by a high stone wall. On the other side of the highway are further dwellinghouses. The property is within the smaller settlement of Bromsash.

1.2 Planning permission (DCSE2005/2311/F) for a two-storey side extension and a single-storey rear extension was refused on 26th October 2005. The reason for refusal was as follows:

"The Local Planning Authority consider that the proposed development would result in an overdevelopment of the site which would cause harm to the character and appearance of the site and the area. Consequently the proposal is contrary to South Herefordshire District Local Plan Policies GD1 and SH23."

1.3 An earlier application (DCSE2004/4301/F) proposed two-storey side and rear extensions and raising the height of the main house by about 1m to allow a second floor to be installed which would have been lit by dormer windows. This was refused planning permission for the following reason:

"The proposed extensions, by reason of their size and position, would result in loss of privacy and be overbearing in relation to adjoining residential properties which would harm the amenities of the occupiers of those properties. As a consequence the proposal would conflict with Policy SH.23 of the South Herefordshire District Local Plan."

1.4 It is now proposed to erect a two-storey extension to the rear of Chapel Mill Cottage. This would be about 4m wide, 4.1 m deep and with eaves the same height as the main house. The ridge would be about 6.4 m high, about 1 m below the height of the ridge of the house.

2. Policies

2.1 Hereford and Worcester County Structure Plan

- Policy H.20 - Residential Development in Open Countryside
- Policy CTC.13 - Buildings of Special Architectural or Historic Interest
- Policy CTC.14 - Criteria for the conversion of Buildings in Rural Areas

2.2 South Herefordshire District Local Plan

- Policy SH.23 - Extensions to Dwellings
- Policy GD.1 - General Development Criteria
- Policy C.36 - Re-use and Adaptation of Rural Buildings
- Policy C.37 - Conversion of Rural Buildings to Residential Use

2.3 Supplementary Planning Guidance

Re-use and Adaptation of Traditional Rural Buildings

2.4 Unitary Development Plan (Revised Deposit Draft)

- Policy H.18 - Alterations and Extensions
- Policy HBA.12 - Re-use of Traditional Rural Buildings

3. Planning History

- 3.1 DCSE2004/4301/F Two-storey extensions, alterations and two dormer windows - Refused 10.02.05
- DCSE2005/2311/F Two-storey extensions and alterations - Refused 26.10.05

4. Consultation Summary

Statutory Consultations

- 4.1 No statutory or non-statutory consultations required.

Internal Council Advice

- 4.2 Traffic Manager has no objection to the grant of permission; as the level of parking provision is to Herefordshire Council's standards.
- 4.3 Conservation Manager advises that no evidence of bats entering the eaves was seen but access by bat species is a possibility. It is recommended that an informative note be added if permission is granted.

5. Representations

- 5.1 The Brock Planning Consultancy, on behalf of the applicant, has submitted a supporting statement which, in summary, is as follows:

- 1) Although supported by Officers, the Committee refused permission for an earlier scheme (SE2005/2311/F) and the applicant is seriously concerned by the way in

which those proposals were determined against the professional officer's recommendation.

- 2) Nevertheless the enclosed revised proposals address the previous concerns.
- 3) My client now proposes a two-storey rear extension to the existing dwelling. Chapel Mill Cottage is situated within a relatively central location within the village of Bromsash and provides limited two-bedroomed accommodation. Other properties have been significantly extended and it is not unreasonable bearing in mind family requirements for the applicants to seek to improve the scale of residential accommodation.
- 4) These proposals will provide a third bedroom and enhance ground floor accommodation (ground floor cloakroom is provided and a kitchen/breakfast room).
- 5) The extension has been designed as a subservient feature to the main dwelling and as such meets with Development Plan policies and advice in connection with alterations and extensions to existing properties (Note Policies BE.7 and H.20 of the Hereford and Worcester County Structure Plan together with Policies GD.1 and SH.23 of the adopted South Herefordshire District Local Plan as well as Policy H.18 of the emerging Herefordshire Unitary Development Plan).
- 6) The applicant has had careful regard to the nature and scale of existing buildings in the locality and also has sought to ensure that in terms of privacy/overlooking these proposals will have no adverse effect upon adjoining residential amenities. The character and appearance of the area will in no way be harmed by these proposals.

5.2 Linton Parish Council's observations are as follows:

"The Council would have preferred this small cottage to remain in the form allowed when it was converted from an agricultural building. However we are prepared to support a small extension at the back of the property as shown on the plans. That is the roof-line of the extension to be considerably lower than the main roof, so that it is subordinate to the main dwelling two windows on one side only, to preserve the privacy and amenity of surrounding properties as far as possible. This will also ensure that the character of the cottage is preserved from the front view.

Also, the owner of the land on which the septic tank and drainage system for Chapel Mill is placed, is concerned that the applicant should be required to ensure that the system is fully functioning and adequate for its purpose.

Any deviation from the plans would be an unacceptable over-development of the site. Care should be taken to ensure that the applicant is fully aware of his obligations to adhere to the plans should you decide to give planning permission."

5.3 Two letters have been received objecting to or raising concerns regarding the proposals for, in summary, the following reasons:

- (i) Light/overbearing - Lodoroc faces directly the rear elevation of Chapel Mill and therefore would be looking at a 6 m tall vertical wall, only 10 m from front windows (less than between terraced housing) creating a fortress/castle like situation. Lodoroc is at a lower level so the impression would be of a 3-storey building.

- (ii) Not in keeping with existing properties and conflicts with current Development Plan. The original building and size of plot were not originally for habitation.
- (iii) Property is protected from development as it has a colony of bats.
- (iv) Extra bedroom would result in additional load to existing small septic tank that currently runs at close to maximum capacity - calculations indicate that septic tank is not adequate to take additional loads. Deeds only allow for existing use of septic tank, which is located on adjoining residential property (Morcroft); drainage situation has not been surveyed.

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 The issues raised by this proposal are firstly the effect on the architectural appearance of Chapel Mill Cottage and secondly the effect on neighbours' amenities.
- 6.2 Extensions to converted traditional farm buildings are discouraged in the Development Plan and Supplementary Planning Guidance and permitted development rights to alter and extend are normally taken away by planning condition. The latter is not the case for this older scheme. Furthermore the property is within a village, much of the character of the granary was destroyed by the conversion (loss of external staircase and new large windows, etc). For these reasons it is not considered that it would be reasonable to restrict development as a matter of principle.
- 6.3 The rear extension is well proportioned in relation to the existing building and would not dominate it. The external materials, rendered blockwork and tiles would match or complement the building. For these reasons the proposals are considered to be acceptable in relation to the first issue.
- 6.4 The neighbours most likely to be affected are occupants of Lodoroc, High House and Morcroft. Lodoroc would be about 13 m from the rear wall of the extension. This would be about 4 m wide, and 4.5 m high to eaves, 6.3 m to ridge. At this separation I do not consider a wall of this size to be overbearing and as there are no windows there would be no loss of privacy. A condition could be imposed to ensure that no additional windows are inserted into the extension.
- 6.5 Windows in the side (north) facing elevation of the extension would face the main windows of Morcroft (a small, converted barn). However the distance between these sets of windows would be over 30 m and this is adequate to protect privacy. The relationship with High House would not be ideal. A rear facing ground floor window in the latter is only about 2 m from the boundary, with a large porch and then a two-storey extension immediately to the south. The proposed extension would therefore result in buildings on either side of this ground floor window. This could result in loss of light and be overbearing. However in this case the extension would be to the north and hence the loss of sunlight would be limited. The porch is only single-storeyed with a lean-to roof and only has a limited effect on daylight/sunlight. Consequently although there would be a blank wall close to this window I do not consider that this would loom over the adjoining property to such an extent that this is sufficient harm to justify refusing planning permission. No objections have been received from the occupier of High House.

- 6.6 The concerns raised regarding drainage require further details to fully assess. A condition requiring details of foul drainage prior to development commencing would adequately address this problem.

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 B01 (Samples of external materials)

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

3 Notwithstanding the approved drawings, no development shall take place until details of the boundaries of the site and the design, materials and alignment of the fence have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity and highway safety.

4 E17 (No windows in side elevation of extension) (south and east elevations)

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

5 H10 (Parking - single house)

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

6 F18 (Scheme of foul drainage disposal)

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

Informatives:

1 A watching brief should be kept during the works for the presence of bats as well as nesting birds and if found to be present during the work should cease and an ecologist licensed by English Nature for bat surveys should be engaged to determine the species, populations and impact of the works together with mitigation and compensation. The presence of nesting birds should also be evaluated throughout the works and if revealed or potentially disturbed by the development then the Herefordshire Council's Ecologist should be notified. Works should avoid disturbance to the nests, young, eggs, adults and nesting area.

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

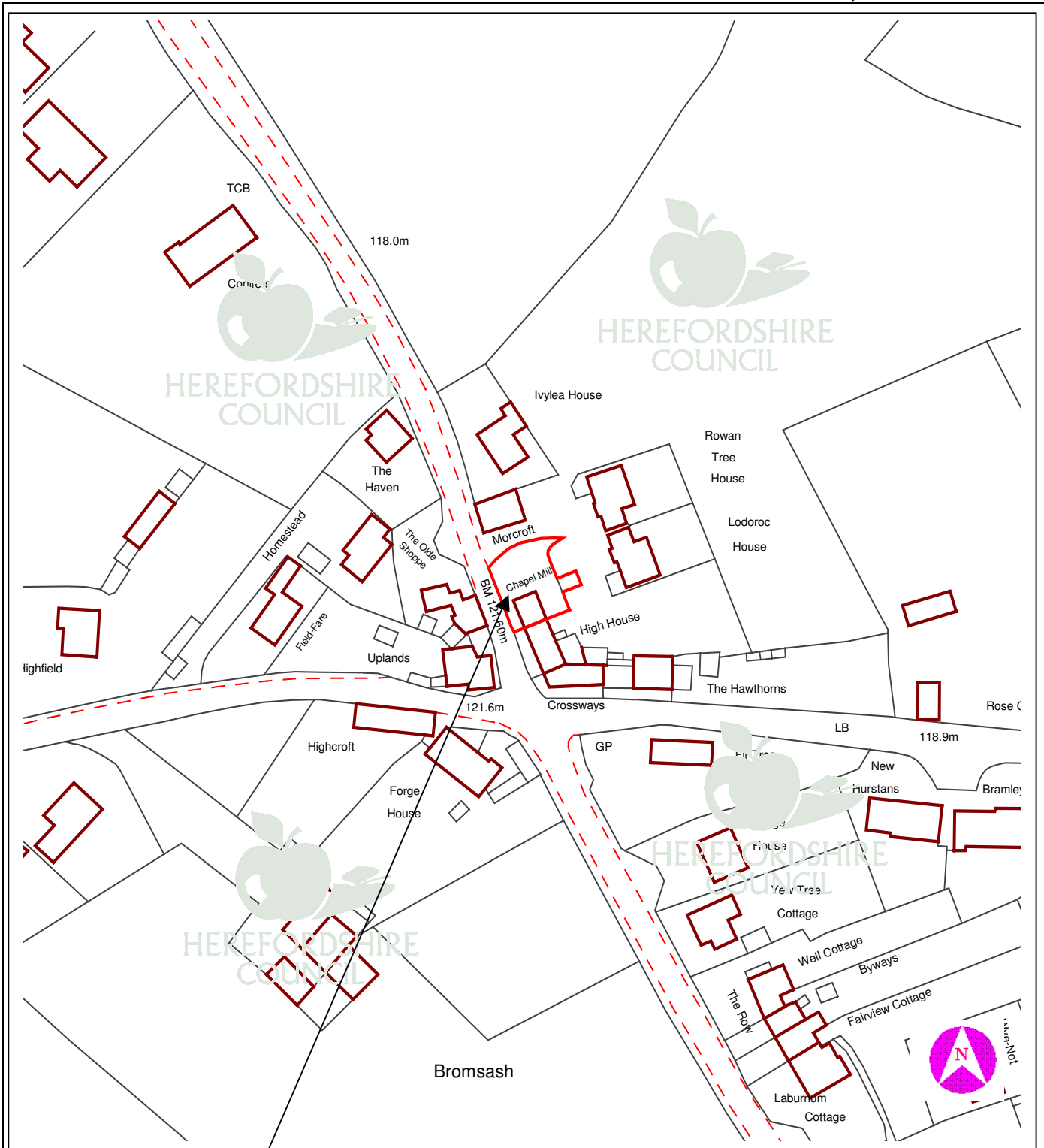
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCSE2006/0104/F

SCALE : 1 : 1250

SITE ADDRESS : Chapel Mill Cottage, Bromsash, Ross-on-Wye, Herefordshire, HR9 7PL

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9 DCSW2006/0227/F - CONVERSION OF AND ALTERATIONS TO A RANGE OF PERIOD BARNES TO CREATE SIX RESIDENTIAL DWELLINGS, LOWER MONKTON FARM, ST. WEONARDS, HEREFORDSHIRE, HR2 8PF

For: A.J. & I.E. Williams & Sons per James Spreckley, Brinsop House, Brinsop, Herefordshire, HR4 7AS

Date Received: 25th January 2006

Ward: Pontrilas

Grid Ref: 48987, 26739

Expiry Date: 22nd March 2006

Local Member: Councillor G. W. Davis

1. Site Description and Proposal

- 1.1 The proposal site is reached off the western side of the A466 road, at the junction of this Class I road and the unclassified road (u/c 71600) immediately south of Monkton Place. The unclassified road passes two dwellings on the southern side of this narrow road. The access road leading to the range of traditional farm buildings and farmhouse at Lower Monkton is reached after travelling some 750 metres from the A466 road. The track leading northwards to Lower Monkton is uphill from the unclassified road. Roman remains are indicated on Ordnance Survey maps between the unclassified road from which access is gained and the farm complex.
- 1.2 Lower Monkton is a Grade II listed building as is a granary some 35 metres to the north-west of it. These buildings do not form part of the application. The buildings that make up the proposed scheme are immediately to the north-east from the farmhouse and further north and north-west. Unit 5 is the nearest building, it is a narrow rubble stone building aligned north to south and it is single-storey. It will have 3 bedrooms. The former pig styes on the southern end will be used for storage purposes only, given the limited headroom available. It has a chimney on it, and has a slate roof. Parking for Unit 5 is in the courtyard between this building and Unit 4, 16 metres to the west of it.
- 1.3 Unit 4 is a Grade II listed granary building, it has a rubble stone walling under a Welsh slate roof. It will have two bedrooms. It has two floors. The upper floor is reached via an external staircase. A range of buildings some 15/16 metres to the north/north-east of Unit 4 provide three further units. The central barn is an imposing stone rubble walled building that has seven bays. It is a Grade II listed building. The adjoining barn to the west has a mixture of stone, brick and timber framing and like the central unit (Unit 2) will have four bedrooms. The other unit is on the eastern end, it will provide single-storey accommodation of two bedrooms. The remaining unit of accommodation is to the north-west of the main range of barns, it will provide three units of accommodation. This is the third listed building, again Grade II listed. It is a former cart shed. It has five bays under what is currently a corrugated iron roof that will be replaced by a slate one. The building is open on the west elevation of the north/south aligned building. The open bays will be infilled with a mixture of vertical timbers and vertical glazing. A projecting cat-slide canopy over what was the open front or west elevation will be retained. This building will provide two bedrooms. This Unit 6 will

gain access off the courtyard to the north of the listed farmhouse and then by leading northward to the west of Units 4 and 1 which are linked by an existing stone boundary wall. The parking for Units 1, 2 and 3 are reached again off this circulatory route. The existing courtyard area to the south of the three units will provide amenity areas for each of the three units.

- 1.4 No listed building consent application was submitted with the application. This would need to be submitted in the event that planning permission was granted.
- 1.5 An ecological appraisal accompanied a previously submitted and withdrawn application, as well as evidence of a marketing exercise for alternative uses, i.e. commercial use, as required by the provisions of Government advice contained in PPS.7: Sustainable Development in Rural Areas and in Policy C.37 contained in the South Herefordshire District Local Plan.

2. Policies

2.1 Planning Policy Guidance

PPS.7 - Sustainable Development in Rural Areas

2.2 Hereford and Worcester County Structure Plan

Policy H.20 - Housing in Rural Areas outside the Green Belt

Policy CTC.2 - Areas of Great Landscape Value

Policy CTC.13 - Conversion of Buildings

Policy CTC.14 - Conversion of Buildings

2.3 South Herefordshire District Local Plan

Policy GD.1 - General Development Criteria

Policy SH.11 - Housing in the Countryside

Policy SH.24 - Conversion of Rural Buildings

Policy C.8 - Development within Area of Great Landscape Value

Policy C.27A - Change of Use of a Listed Building

Policy C.27B - Alterations or Additions to Listed Buildings

Policy C.29 - Setting of Listed Building

Policy C.36 - Re-use and Adaptation of Rural Buildings

Policy C.37 - Conversion of Rural Buildings

2.4 Herefordshire Unitary Development Plan (Revised Deposit Draft)

Policy H.7 - Housing in the Countryside outside Settlements

Policy HBA.12 - Re-use of Rural Buildings

Policy HBA.13 - Re-use of Rural Buildings for Residential Purposes

3. Planning History

- 3.1 DCSW2005/2731/F Conversion of a range of period barns to create six dwellings - Withdrawn 14.10.05

4. Consultation Summary

Statutory Consultations

- 4.1 No statutory or non-statutory consultations required.

Internal Council Advice

- 4.2 The Traffic Manager recommends improvements to junction of access road to farm from unclassified road (u/c 71600), increase in parking spaces for Unit 2, and passing places along the unclassified road.
- 4.3 Head of Conservation has no objections to the revised scheme. Notes a slight discrepancy in one detail for a chimney and requests that conditions be attached to any grant of planning permission. Also, as regards mitigation for the presence of bats, conditions should be attached to any grant of planning permission.

5. Representations

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

The Parish Council have concerns on the following points:

“The access from Monkton Place is a single track road with no passing places. Flooding has occurred at Monkton Place in the past because vehicles have damaged the verges and ditches causing water to travel down the road. The T-junction on the other route to the site is a 'blind' junction. The proposal is for 18 spaces for vehicles. Those vehicles coupled with trade and visitors would be far too much for the routes in from either direction.

The sewerage plant would be insufficient for the number of people that could live in these properties.”

- 5.2 Five letters of representation have been received from:

Miss J. E. Andrews, 9 Monkton Place, St. Weonards, HR2 8PE
Mr. & Mrs. V. E. Samuel, Upper Monkton, St. Weonards
Mr. & Mrs. B. S. Yates, 12 Monkton Place, St. Weonards, HR2 8PE
M. A. Bishop, 7 Monkton Place, St. Weonards, HR2 8PE
Mrs. W. E. Amies, 6 Monkton Place, St. Weonards, HR2 8PE

The points raised being:

- congestion on track, no passing places, residents traffic, visitors and deliveries
- flooding, ditches breaking
- three blind bends
- disturbance to owls and bats
- no amenities
- soakaways higher than for the existing house.

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 The main issues are considered to be the principle of converting this range of buildings, the means of access and increase in traffic using the unclassified 71600 road, drainage issues and ecological matters.
- 6.2 There is encouragement for the conversion of suitable rural buildings for residential use not only in the development plan, the South Herefordshire District Local Plan and Hereford and Worcester County Structure Plan, but also in Government advice contained in PPS.7 and PPG.15. The latter is concerned with the productive use for listed buildings which is pertinent given that three units are Grade II listed buildings. This range of buildings are prominent in the landscape. The buildings are structurally sound, nearly all have slate roofs and perpendicular stone rubble walls. The removal of modern farm buildings on the western and eastern sides of the application will open up the site to distant views. Further details will be required for joinery, windows and doors, as well as for surfacing and boundary treatment between the proposed dwellings.
- 6.3 The Traffic Manager has raised no objections to the use of the existing unclassified road that provides the shortest route between the site and the A466 road to the east. This is with the proviso that improvements are made to the junction with the unclassified road, and that passing places are provided along the unclassified road. The passing places are feasible given that the applicant is understood to own/control land up to Monkton Place. The improvements required will address the representations received from local residents and the Parish Council. There is an agricultural access further north of Monkton Place onto the A466 road, it is though almost on a blind summit on the Class I road and has limited visibility when compared to the access immediately south of Monkton Place. It is considered that there are no highway issues relating to what is an adopted road that would preclude supporting the application.
- 6.4 Drainage has been raised as a matter of concern in representations received. There is considered to be sufficient land for drainage purposes. This is endorsed by the Environment Agency who raised no objections to the previously submitted scheme, the drainage particulars for which still obtain for the current proposal. Therefore there are considered to be no material or substantive grounds for withholding planning permission on drainage grounds.
- 6.5 The presence of bats and owls has been cited in representations received in connection with the application site. This aspect has been addressed by the submission of an ecological report with the application. The essence of such an appraisal is one of mitigation. These mitigation measures should be put in place before and during occupation of the barns. Conditions will be attached to any grant of planning permission in accordance with the advice of the Head of Conservation.
- 6.6 Therefore the proposal can be supported subject to the attachment of conditions relating to highway improvements, mitigation for bats and nesting birds, and the submission of further details in the treatment of these historically and architecturally important buildings.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

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

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

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

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

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

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

4. **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. **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. **The recommendation outlined in the ecological appraisal/report that accompanied planning application DCSW2005/2731/F outlined in 4.5 to 4.19 of the Discussions and Conclusions of said report regarding mitigation, habitat enhancement and monitoring for birds and bats shall be followed to the satisfaction of the local planning authority.**

Reason: To ensure that all species of bat and their roosts, together with nesting birds are protected under the Wildlife and Countryside Act 1981.

10. **An ecological clerk of works should be appointed (or consultant engaged in that capacity) to oversee demolition and ecological mitigation work in accordance with condition 9.**

Reason: To ensure that all species of bat and their roosts, together with nesting birds are protected under the Wildlife and Countryside Act 1981.

11. H03 (Visibility splays)

Reason: In the interests of highway safety.

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

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

13. Before the development is first brought into use, i.e. any dwelling is first occupied, at least three passing places shall be provided along the unclassified 71600 road in positions and specifications, i.e. width and length and surfacing that all shall be the subject of the prior written approval of the local planning authority.

Reason: In the interests of general highway safety.

Informative(s):

- 1. Listed building consent will also be required for this proposal.**
- 2. N15 - Reason(s) for the Grant of Planning Permission**

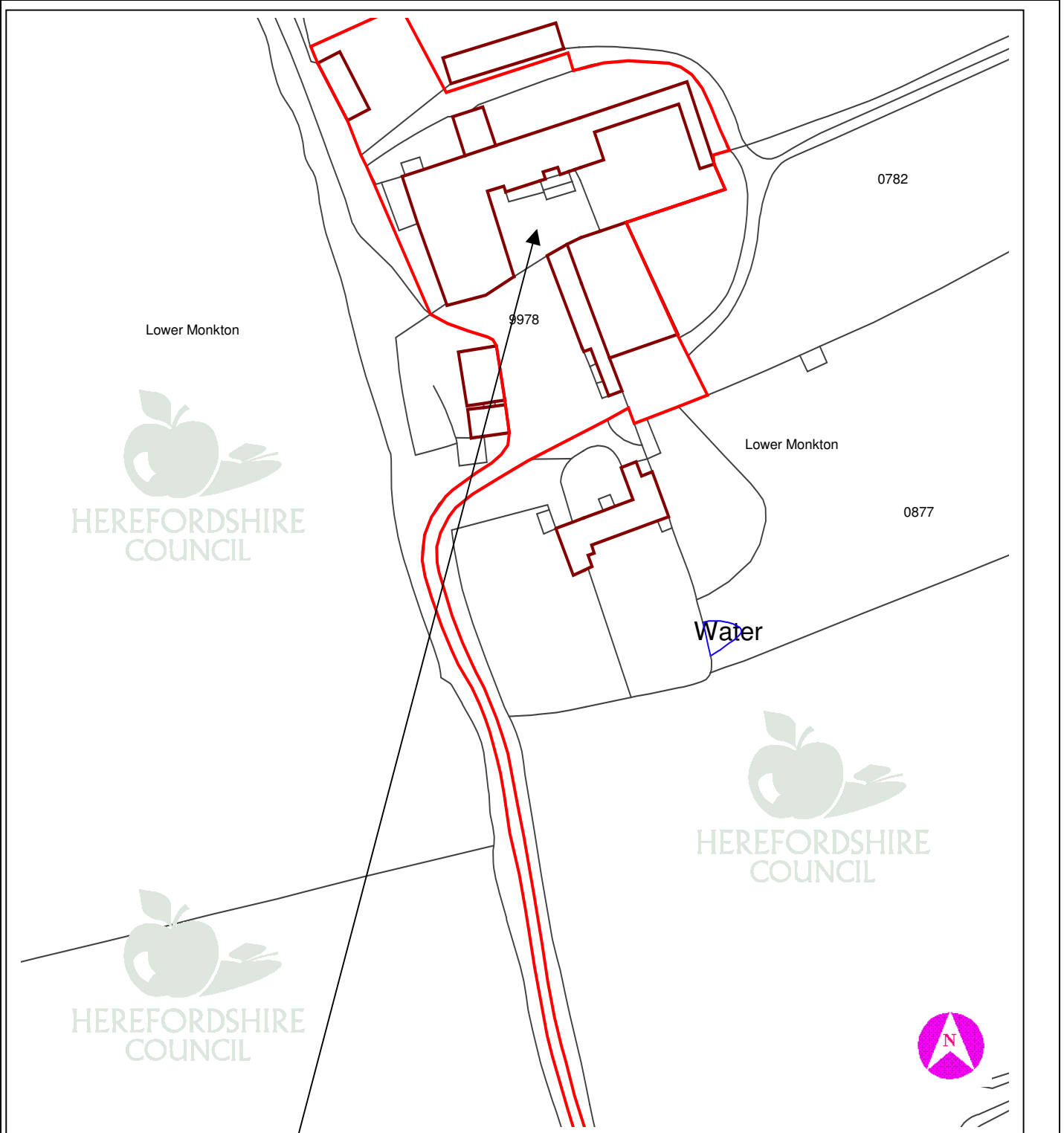
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCSW2006/0227/F

SCALE : 1 : 1250

SITE ADDRESS : Lower Monkton Farm, St. Weonards, Herefordshire, HR2 8PF

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