

A G E N D A

Central Area Planning Sub-Committee

Date: **Wednesday, 5th April, 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:

*Ben Baugh, Members' Services,
Tel: 01432 261882*

e-mail: bbaugh@herefordshire.gov.uk

AGENDA

for the Meeting of the Central Area Planning Sub-Committee

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

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

	Pages
1. APOLOGIES FOR ABSENCE To receive apologies for absence.	
2. DECLARATIONS OF INTEREST To receive any declarations of interest by Members in respect of items on the Agenda.	
3. MINUTES To approve and sign the Minutes of the meeting held on 8th March, 2006.	1 - 6
4. ITEM FOR INFORMATION - APPEALS To note the Council's current position in respect of planning appeals for the central area.	7 - 8
APPLICATIONS RECEIVED	
To consider and take any appropriate action in respect of the planning applications received for the central area and to authorise the Head of Planning Services to impose any additional and varied conditions and reasons considered to be necessary.	
Plans relating to planning applications on this agenda will be available for inspection in the Council Chamber 30 minutes before the start of the meeting.	
5. DCCE2006/0099/O - ROYAL NATIONAL COLLEGE FOR THE BLIND, COLLEGE ROAD, HEREFORD, HR1 1EB	9 - 28
Construction of halls of residence, sports and complementary therapy building, creation of floodlit outdoor sports pitch, residential development on 2.3ha and associated open spaces, landscaping, infrastructure, access roads, footpaths and cycle paths.	
Ward: Aylestone	

6.	DCCE2006/0554/F - PLOTS 1 AND 2 ADJACENT TO THE WOODLANDS FARM, WATERY LANE, LOWER BULLINGHAM, HEREFORD, HR2 6JW	29 - 40
	Erection of 2 no. proposed dwellings with adjoining garages.	
	Ward: Hollington	
7.	DCCE2006/0608/F - LEYS FARM, GRAFTON, HEREFORD, HR2 8BL	41 - 46
	Proposed bungalow.	
	Ward: St. Martins & Hinton	
8.	DCCE2006/0649/F - THREE MILLS TRADING ESTATE (FORMERLY THE WIRE MILL), OLD SCHOOL LANE, HEREFORD, HR1 1EX	47 - 52
	Change of use to mixed use of B2 (General Industry) and B8 (Storage or distribution), with up to 10% B1 (Business).	
	Ward: Three Elms	
9.	DCCE2006/0435/F - LAND ADJACENT TO CROFT COTTAGE, LUGWARDINE, HEREFORD	53 - 60
	New two storey house.	
	Ward: Hagley	
10.	[A] DCCE2006/0475/F AND [B] DCCE2006/0487/C - 130 AYLESTONE HILL, HEREFORD, HR1 1JJ	61 - 66
	[A] Demolition of existing bungalow constructed in 1934. Re-build on approximately same footprint a low energy consumption bungalow. [B] Demolition of existing 1934 bungalow.	
	Ward: Aylestone	
11.	DCCW2006/0370/F - 19 INGESTRE STREET, HEREFORD	67 - 70
	Ground and first floor extension to replace existing garage/store.	
	Ward: Three Elms	
12.	DCCE2005/4168/F - CLASTON, DORMINGTON, HEREFORD, HR1 4EA	71 - 76
	Agricultural building.	
	Ward: Backbury	
13.	DCCW2006/0495/F - 285 KINGS ACRE ROAD, HEREFORD, HR4 0SS	77 - 82
	New residential development comprising 2 no. 4 bed houses and one no. 2 bed house plus new highway access.	
	Ward: Credenhill	
14.	DCCW2006/0448/F - MAGNA CASTRA FARM, CREDENHILL, HEREFORD, HR4 7EZ	83 - 88
	Retrospective application for replacement covered cattle yard and straw storage building.	
	Ward: Credenhill	

15. **DCCE2006/0212/RM - NETHWAY, HOLME LACY ROAD, LOWER BULLINGHAM, HEREFORD, HR2 6EE** | 89 - 94

Construction of ten dwellings, garaging, landscaping and access.

Ward: **St. Martins & Hinton**

16. **DATE OF NEXT MEETING**

The next scheduled meeting is Wednesday 3rd May, 2006.

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COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL

BROCKINGTON, 35 HAFOD ROAD, HEREFORD.

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COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL

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

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

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

In attendance: Councillors T.W. Hunt (ex-officio) and J.B. Williams (ex-officio)

145. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Mrs. E.M. Bew, J.C. Mayson, Miss F. Short and A.L. Williams.

146. DECLARATIONS OF INTEREST

The following declaration of interest was made:

Councillor	Item	Interest
Mrs. E.A. Taylor	Agenda Item 7, Minute 151 DCCE2005/4065/F Entrance to Meadow Bank Road on Junction with Ledbury Road, Hereford, HR1 2ST	Declared a prejudicial interest and left the meeting for the duration of this item.

147. MINUTES

RESOLVED:

That the Minutes of the meeting held on 8th February, 2006 be approved as a correct record.

148. ITEM FOR INFORMATION - APPEALS

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

149. DCCE2005/4167/F - LAND TO REAR OF THE SQUIRRELS, FOWNHOPE, HEREFORD, HR1 4PB [AGENDA ITEM 5]

Erection of a detached three bedroom bungalow.

The Principal Planning Officer reported that recommended condition 10 and informative note 2, regarding foul water drainage, should be combined.

In accordance with the criteria for public speaking, Mr. I. Quayle spoke in objection to the application.

Councillor Mrs. J.E. Pemberton, the Local Ward Member, questioned whether advice given in correspondence in February, 2005 that tandem development could result in 'unacceptable loss of amenity' was still relevant. In response, the Principal Planning Officer advised that the issue was still relevant but the scheme withdrawn in 2005 was different in that it was an outline planning application with limited details; whereas this proposal was a full application with detailed plans. The Development Control Manager highlighted the potential drawbacks of tandem development and how these could be mitigated.

In response to a question, the Principal Planning Officer briefly explained the planning history of the site.

Councillor Mrs. Pemberton outlined the difficulties associated with the unmade access track. The Principal Planning Officer noted that the Traffic Manager had not raised any objections and it was felt that there was sufficient parking and turning space.

A number of Members noted the objectors' concerns about the foul drainage system and the potential impact on amenity. In response, the Principal Planning Officer advised that the drainage method to be used had yet to be determined and commented that the applicant intended to use a cesspool system only if all other options had been exhausted.

Concerns were expressed that commercial waste removal tankers, and other vehicles, would have difficulty reaching the site given the condition of the access lane and the limited parking and turning areas available. Furthermore, it was felt that the 'fall-back' position of a cesspool system was undesirable and it was noted that such a system would be contrary to Unitary Development Plan policy CF2. Some Members commented that the development also represented an unacceptable form of backland development.

The Principal Planning Officer advised that the number of parking spaces could be protected through a condition. He emphasised that the cesspool system was the least favoured option. He commented that the consultant's report, commissioned by the applicant, suggested that a larger storage tank could be installed in order to reduce the number of visits made by waste removal tankers.

The Development Control Manager noted that the three options to the Sub-Committee were to accept the application, defer the application to ascertain which method of drainage was feasible, or refuse the application on the grounds of the concerns raised. He noted that there was no objection from the Traffic Manager but the Sub-Committee might consider that there was a judgement to be made on the functional need for a particular form of access.

Given the comments of other Members, Councillor Mrs. Pemberton felt that the application could not be supported on the information provided and, therefore, proposed that the application be refused on the grounds that the drainage and functional access arrangements were unacceptable.

RESOLVED:

That (i) The Central Area Planning Sub-Committee is minded to refuse the application, subject to the reasons for refusal set out below and any further reasons for refusal felt to be necessary by the Head of

Planning Services, provided that the Head of Planning Services does not refer the application to the Planning Committee:

1. Unacceptable proposal for foul water drainage.
2. Insufficient vehicular access for commercial waste removal tankers.

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

[Note: Following the vote on the above resolution, the Development Control Manager advised that the application would not be referred to the Head of Planning Services.]

150. DCCE2006/0045/F - ETHOS AT LITTLE TARRINGTON FARM, TARRINGTON, HEREFORD, HR1 4JA [AGENDA ITEM 6]

Change of use of agricultural storage building to fair trade retail outlet.

Councillor Mrs. J.E. Pemberton, the Local Ward Member, commented on the value of the retail outlet to the local community. She noted concerns about highway safety and advised that Highways and Transportation had agreed to repaint road markings near to the access road junction and to seek the removal of overgrown shrubs around the visibility splay. Therefore, subject to the recommended conditions, she supported the application.

A number of Members spoke in support.

RESOLVED:

That planning permission be granted subject to the following conditions:

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

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

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

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

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

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

Informative:

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

151. DCCE2005/4065/F - ENTRANCE TO MEADOW BANK ROAD ON JUNCTION WITH LEDBURY ROAD, HEREFORD, HR1 2ST [AGENDA ITEM 7]

Erection of delivery pouch box (single).

The Principal Planning Officer reported that the Traffic Manager was no longer concerned about the proposal following the revised siting of the delivery pouch box.

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

Councillor Mrs. M.D. Lloyd-Hayes, a Local Ward Member, felt that the proposed placement of the delivery pouch box was inappropriate as it would be detrimental to the visual amenity of the locality.

Mr. Jones was invited to respond and he explained the health and safety considerations behind the proposal.

A number of Members supported the proposal but felt that the appearance of the delivery pouch box would be improved if painted green. Officers confirmed that this could be stipulated through a condition.

RESOLVED:

That planning permission be granted subject to the following conditions:

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

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

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

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

3. The pouch box hereby approved shall be painted a dark green colour, the details of which shall be approved in writing by the local planning authority prior to installation.

Reason: To protect the visual amenities of the area

Informative:

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

152. DCCE2005/4076/F - GRASSED AREA AT THE ENTRANCE TO CLIVE STREET, HEREFORD, HR1 2SB [AGENDA ITEM 8]

Erection of delivery pouch box (single).

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

Councillor Mrs. M.D. Lloyd-Hayes, a Local Ward Member, felt that the proposal would have a detrimental impact on the amenities of local residents. Some Members concurred with this view.

Other Members felt that the proposal would have minimal impact on the street scene.

Questions were asked about the extent of consultation undertaken by the applicant and it was suggested that local residents should be involved more. Mr. Jones was invited to respond and he explained that the location was driven by the identified needs of postmen.

In response to a suggestion that the application should be deferred to investigate other locations, the Central Team Leader advised that this application had to be considered on its own merits and that relocation some distance away would warrant a fresh application.

In response to a suggestion about screening the delivery pouch box, the Development Control Manager advised that there would be maintenance issues which would be out of proportion with the limited scale of the proposal.

The Chairman noted that the application was one of fifteen similar proposals submitted for locations throughout Hereford.

Councillor Mrs. Lloyd-Hayes felt that the structures were unattractive and that more consideration should be given to the locations in order to mitigate visual impact.

It was proposed that the external finish of the delivery pouch box should be controlled through a condition.

RESOLVED:

That planning permission be granted subject to the following conditions:

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

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

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

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

3. **The pouch box hereby approved shall be painted a dark green colour, the details of which shall be approved in writing by the local planning authority prior to installation.**

Reason: To protect the visual amenities of the area

Informative:

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

153. DCCE2006/0221/F - 21 SALISBURY AVENUE, HEREFORD, HR1 1QG [AGENDA ITEM 9]

New bedroom over garage and new pitched roofs to replace flat roofs.

In accordance with the criteria for public speaking, Mr. D.H. Peden spoke in

objection to the application and Mr. A.R. Herbert spoke in support of the application.

Councillor W.J. Walling, a Local Ward Member, felt that the site was constrained and noted the concerns of the residents of the adjacent property about loss of light and privacy.

Councillor Mrs. M.D. Lloyd-Hayes, a Local Ward Member, noted that there were similar extensions to dwellings in the area and felt that it would be difficult to refuse planning permission as a result.

Councillor Mrs. E.A. Taylor, the other Local Ward Member, felt that the proposal would enhance the dwelling.

RESOLVED:

That planning permission be granted subject to the following conditions:

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

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

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

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

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

Reason: To ensure the satisfactory appearance of the development.

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

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

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

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

Informatives:

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

154. DATE OF NEXT MEETING

It was noted that the next scheduled meeting was 5th April, 2006.

The meeting ended at 3.26 p.m.

CHAIRMAN

ITEM FOR INFORMATION - APPEALS**APPEALS RECEIVED****Enforcement Notice: EN2005/0109/ZZ**

- The appeal was received on 3rd March, 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. J.T.W Lyon.
- The site is located at Fairhaven, 36 Three Elms Road, Hereford.
- The breach of planning control alleged in this notice is: Without planning permission, change of use of the land from the use as a residential dwelling to a house of multiple occupancy.
- The requirements of the notice are: Cease use of the land as a house of Multiple Occupancy.
- The appeal is to be heard by Hearing.

Case Officer: Peter Clasby on 01432 261947

APPEALS DETERMINED**Application No. DCCW2004/2611/F**

- The appeal was received on 12th January, 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 Tesco Stores Ltd.
- The site is located at Tesco Stores Ltd, Abbotsmead Road, Belmont, Hereford, Herefordshire, HR2 7XS.
- The application, dated 13th July, 2004, was refused on 14th December, 2004.
- The development proposed was Variation of condition 10 of planning permission CW2001/1848/F to allow for one tanker delivery to petrol station on Sundays between 10.00 a.m. and 4.00 p.m.
- The main issue is the effect varying condition No10 to allow one fuel tanker delivery to take place on Sundays between 10.00hours and 16.00hours would have on the living conditions of nearby residents in terms of noise.

Decision: The appeal was UPHELD on 9th March, 2006.

Case Officer: Peter Clasby on 01432 261947

Application No. DCCE2005/0260/O

- The appeal was received on 27th September, 2005.
- The appeal was made under Section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal was brought by J.M. & C.A. Samwells.
- The site is located at Little Tarrington Lodge Little Tarrington HR1 4JA.
- The application, dated 24 January 2005, was refused on 24th March, 2005.
- The development proposed was Site for one and half storey dwelling & detached double garage.
- The main issue is that the proposed development is in open countryside and is visually intrusive.

Decision: The appeal was DISMISSED on 8th March, 2006.

Case Officer: Russell Pryce on 01432 261957

Application No. DCCE2005/2356/F

- The appeal was received on 29th 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 I.E. Developments Ltd.
- The site is located at Carfax House site, Aylestone Hill, Hereford, Herefordshire, HR1 1HX.
- The application, dated 11th July 2005, was refused on 21st September, 2005.
- The development proposed was Construction of 16 no. residential units, associated carparking and landscaping.
- The main issue is the effect the proposed development would have on the character and appearance of the site of the former Carfax House and Cottage and its surroundings in the context of the Aylestone Hill Conservation Area.

Decision: The appeal was UPHELD on 8th March, 2006.

Case Officer: Adam Sheppard on 01432 261961

Application No. DCCW2004/0393/F

- The appeal was received on 25th 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 Hussar Minerals.
- The site is located at Moreton Road, Upper Lyde, Hereford.
- The application, dated 22nd January, 2004, was refused on 21st September, 2005.
- The development proposed was Variation of condition 6 on CW2001/1427/F - widening of carriageway and construction of 6 passing bays
- The main issue is whether the proposed planting of a new hedge behind each passing bay is an acceptable alternative course of action to the hedge translocation process already permitted.

Decision: The appeal was DISMISSED on 13th March, 2006.

Case Officer: Debby Klein on 01432 260136

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

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

5 DCCE2006/0099/O - CONSTRUCTION OF HALLS OF RESIDENCE, SPORTS AND COMPLEMENTARY THERAPY BUILDING, CREATION OF FLOODLIT OUTDOOR SPORTS PITCH, RESIDENTIAL DEVELOPMENT ON 2.3HA AND ASSOCIATED OPEN SPACES, LANDSCAPING, INFRASTRUCTURE, ACCESS ROADS, FOOTPATHS AND CYCLE PATHS AT ROYAL NATIONAL COLLEGE FOR THE BLIND, COLLEGE ROAD, HEREFORD, HR1 1EB

For: Royal National College for the Blind per Montagu Evans, 44 Dover Street, London, W15 4AZ

Date Received: 11th January, 2006 Ward: Aylestone Grid Ref: 51794, 41363

Expiry Date: 8th March, 2006

BVPI Expiry Date: 12th April, 2006

Local Members: Councillors D.B. Wilcox and A.L. Williams

1. Site Description and Proposal

- 1.1 The site is located northeast of Venns Lane, approximately 100 metres southeast of the junction with College Road, north of the city centre. The site forms part of the campus associated with the Royal National College for the Blind. Much of the site is designated as a Site of Importance for Nature Conservation within both the Local Plan and Unitary Development Plan with the trees (except the orchard) also being protected by a group Tree Preservation Order No. 138.
- 1.2 Three detached three storey brick buildings front Venns Lane which are occupied as halls of residence for the college students along with a single storey portacabin structure used for teaching. In the southern corner of the site also fronting Venns lane are three detached dwellings owned by the college and occupied residentially by students or staff. To the rear of buildings fronting Venns Lane is an outdoor all weather football pitch and two tennis courts which are now temporarily being used for the siting of five chalets used as further student accommodation. South of the temporary chalets are a range of single storey buildings which are used for ancillary teaching and storage purposes. The remainder of the grounds and application site is set out to woodland, orchard and grassland.
- 1.3 Bordering part of the northwestern site boundary is St. Francis Xaviers Primary School with Field Grove View housing estate occupying the remainder of this boundary. To the north are existing playing fields and much of the eastern boundary borders the Aylestone Park recreational development. Immediately south and southeast is Helensdale Close and Loder Drive housing estates.

1.4 The application is described as a hybrid application which is essentially an outline application incorporating full details of some elements of the proposal. The application encompasses the following:

1. A 56 bed three storey student halls of residence also incorporating a new landscaped area for students - full details of this are provided.
2. A sports and complementary therapy centre incorporating a Paralympic size indoor blind football pitch with seating for around 280 spectators and associated changing facilities, gym, complementary and hydrotherapy facilities, sports teaching facilities, offices, restaurant, viewing terrace and small plaza - full details are provided.
3. Outdoor all weather floodlit football pitch – full details are provided.
4. A new pedestrian entrance to the student accommodation and sports facility off Venns Lane with a new vehicular access, again off Venns Lane to serve the whole development - full details are provided.
5. Private residential development of 2.3 hectares which is in outline form with all matters reserved for future consideration except for means of access.

2. Policies

- | | | | |
|-----|-------|---|------------------------------------------|
| 2.1 | PPS1 | - | Delivering Sustainable Development |
| | PPG3 | - | Housing |
| | PPS9 | - | Biodiversity and Geological Conservation |
| | PPG13 | - | Transport |

2.2 Hereford Local Plan:

- | | | |
|--------------|---|-------------------------------------------------------|
| Policy ENV9 | - | Energy Conservation |
| Policy ENV14 | - | Design |
| Policy ENV15 | - | Access for All |
| Policy ENV16 | - | Landscaping |
| Policy ENV17 | - | Safety and Security |
| Policy ENV18 | - | External Lighting |
| Policy H3 | - | Design of New Residential Development |
| Policy H4 | - | Residential Roads |
| Policy H5 | - | Public Open Space Provision in Larger Schemes |
| Policy H7 | - | Communal Open Space |
| Policy H8 | - | Affordable Housing |
| Policy H12 | - | Established Residential Areas – Character and Amenity |
| Policy H13 | - | Established Residential Areas – Loss of Features |
| Policy H14 | - | Established Residential Areas – Site Factors |
| Policy H21 | - | Compatibility of Non-Residential Uses |
| Policy CON21 | - | Protection of Trees |
| Policy CON22 | - | Urban Forestry Management |
| Policy CON23 | - | Tree Planting |
| Policy CAL19 | - | Countryside Management |
| Policy NC3 | - | Sites of Local Importance |
| Policy NC4 | - | Designation of Local Nature Reserves |
| Policy NC5 | - | Wildlife Network |

Policy NC6	-	Criteria for Development Proposals
Policy NC7	-	Development Proposals, Habitat Creation and Enhancement
Policy NC8	-	Protected Species
Policy NC9	-	Infrastructure Works
Policy NC10	-	Management Agreement
Policy NC11	-	Access to Wildlife Sites
Policy NC12	-	Community Involvements
Policy T2	-	Highway and Junction Improvements
Policy T3	-	Traffic Calming
Policy T11	-	Pedestrian Provision
Policy T12	-	Cyclist Provision
Policy T13	-	Pedestrian and Cycle Routes
Policy R4	-	Outdoor Playing Space Standards
Policy R6	-	Provision of Outdoor Playing Space
Policy R7	-	Improvements to Public Facilities
Policy R8	-	Children's Play Areas
Policy R12	-	Development Proposals for Indoor Sports Facilities
Policy SC3	-	Facilities for the Disabled
Policy SC6	-	Permanent Educational Accommodation

2.3 Herefordshire Unitary Development Plan (Revised Deposit Draft):

Policy S1	-	Sustainable Development
Policy S2	-	Development Requirements
Policy S3	-	Housing
Policy S6	-	Transport
Policy S7	-	Natural and Historic Heritage
Policy S8	-	Recreation, Sport and Tourism
Policy S11	-	Community Facilities and Services
Policy DR1	-	Design
Policy DR2	-	Land Use and Activities
Policy DR3	-	Movement
Policy DR4	-	Environment
Policy DR5	-	Planning Obligations
Policy DR14	-	Lighting
Policy H1	-	Hereford and the Market Towns, Settlement Boundaries and Established Residential Areas
Policy H2	-	Hereford and the Market Towns, Housing Land Allocations
Policy H3	-	Managing the Release of Housing Land
Policy H9	-	Affordable Housing
Policy H13	-	Sustainable Residential Design
Policy H15	-	Density
Policy H16	-	Car Parking
Policy H19	-	Open Space Requirements
Policy T6	-	Walking
Policy T7	-	Cycling
Policy T8	-	Road Hierarchy
Policy T11	-	Parking Provision
Policy T16	-	Access for All
Policy LA5	-	Protection of Trees, Woodlands and Hedgerows
Policy LA6	-	Landscaping Schemes
Policy NC1	-	Biodiversity and Development
Policy NC4	-	Sites of Local Importance

Policy NC6	-	Biodiversity Action Plan Priority Habitats and Species
Policy NC7	-	Compensation of Loss of Biodiversity
Policy NC8	-	Habitat Creation, Restoration and Enhancement
Policy NC9	-	Management Features of the Landscape Important for Fauna and Flora
Policy HBA9	-	Protection of Open Areas and Green Spaces
Policy RST1	-	Criteria for Recreation, Sport and Tourism Development
Policy RST3	-	Standards for Outdoor Playing and Public Open Space
Policy RST7	-	Promoted Recreational Routes
Policy RST10	-	Major Sports Facilities
Policy CF5	-	New Community Facilities

3. Planning History

- 3.1 HC950227PF Refurbishment and extension to existing student halls of residence. Approved 19/7/1995.
- 3.2 HC970307PF Proposed temporary residential accommodation of modular design comprising 21 bedrooms for a period of three years. Approved 11/9/1997.
- 3.3 CE2000/1135/F Proposed temporary residential accommodation of modular design comprising warden accommodation and 40 student bedrooms for a period of three years. Approved 19/7/2000.
- 3.4 CE2003/2294/F Temporary location of five residential caravans. Approved 10/9/2003.
- 3.5 CE2005/1792/F Temporary siting of 6 timber chalet mobile homes to accommodate 20 students and wardens office for three years. Approved 26/7/2005.
- 3.6 Several other applications over the last 10 years or so involving works to the trees protected by the Tree Preservation Order.

4. Consultation Summary

Statutory Consultations

- 4.1 Environment Agency: No objection.
- 4.2 English Nature:
It is difficult to comment until all the survey work has been completed, though the evidence presented points to a site with relatively little ecological value.

The policy point over the orchard as a SINC needs further exploration; the continued lack of adequate benchmarking to assess the real and current ecological value of this SINC series needs to be explored as a background topic. The evidence presented perhaps leads one to question the validity of this designation at this site. I rather disagree with the point made about 40-50 year old orchards not being part of the BAP. A counter argument might be that such trees are just starting to move into an interesting phase within their lifespan, and that they will provide a resource for the future. It would be interesting to explore the idea of actually moving a proportion of the

orchard trees to another site, or within the same site, so that this process of maturity is allowed to continue. Replacement with new stock sets the clock back some 50 years otherwise. There appears to be no fundamental discussion about variation of the layout minimising orchard-take and this debate ought to take place.

The alleged continued assault by the ground staff on the deadwood resource suggests that what little saproxylic vertebrate interest that may exist on this site is compromised. I would not be surprised that bats feed over this site, but its proximity to open country, and its small size, would seem to rule it out as being critical. The reptile issue does need further exploration.

The important winning point for this scheme will be the landscape restoration and after-planting, as the College then has an opportunity of making substantial ecological gain within their holding. Revision of the management strategy, consolidation of the boundary features, more work on enhancing orchard trees and grassland management are some of the topics that should be presented to the Council when the final plans are presented.

In conclusion, at the moment, I can see little objection to the concept but feel that more work ought to be carried out to minimise impact on the orchard. English Nature will respond on the results of the rest of the survey and the detailed plans if consulted.

- 4.3 CAGE: No comment.
- 4.4 Welsh Water: No objection subject to conditions.
- 4.5 Herefordshire Nature Trust: No comments received.

Internal Council Advice

- 4.6 Drainage Engineer:
"The Flood Risk Assessment and Surface Water Drainage Management document refers to surface water from the site being accommodated within an existing 300mm diameter public storm water sewer, flows being attenuated to greenfield run-off rates. These rates and methods of attenuation should be subject to the approval of Welsh Water."
- 4.7 Traffic Manager:
As regards the Transport Assessment, the parking management plan should form part of the application as it will justify how the proposed levels of parking will work. The assessment of the existing signals also needs re-visiting with a shorter cycle time.

As regards the proposed traffic calming on Venns Lane, we would accept traffic calming for the length of Venns Lane as shown on the submitted drawing, but this would need a further feature nearer to the Venns Lane/ College Road junction. The anticipated cost of these works is around 65,000. It would be also necessary to calm the proposed straight access road to the site, to keep traffic speeds down and to give visually impaired people a safe place to cross the access road. The proposed relocation of the signalised crossing is expected to cost a further 25,000. As the existing pelican crossing is to be moved further away from the College Road/Venns Lane junction, and due to the increased traffic from the proposed development, enhancement of the signals will be required, and it is anticipated this will cost in the region of 15,000. Total contribution required is £105,000

There are concerns that the visibility splays shown are substandard even for 20mph and that the traffic calming is stated as designed to calm traffic speeds to 20mph, although drivers could still legally do 30mph and that this length of road should be subject to a 20mph speed limit to reinforce the traffic calming. This would require a traffic order which obviously has timescale implications for the application, and could not be conditioned. A drawing showing what visibility splays for the residential access could be obtained from 3.0m and 2.4m set back is also required.

4.8 Conservation Manager:

At the presentation and site meeting we were lead to believe that part of the reason for this work was because of the aim to attract participants of the Olympics and Paralympics to use the facilities. This had hinted that we would be receiving an interesting contemporary design to showcase both the architects work and Hereford to a wider group of individuals. It is therefore disappointing that the design of what would appear to be one of Hereford's major new buildings has adopted the design approach of most space for least cost resulting in a bland, dreary composition lacking visual interest. We therefore believe that the proposal is a major missed opportunity, which would leave the site with an unrealised potential and that a more interesting design solution should have been reached.

The proposed sport centre would appear to have adopted a functionalist aesthetic approach to the design. This has resulted in a hall, which would not appear out of place in an industrial estate and completely fails to respond to its surroundings. The service area has had some design elements introduced with the vertical banding containing the windows similar to the surrounding post modern accommodation. We would not question the logic of taking the visual cues from the existing housing but we believe that this gives the building a dated appearance. Whilst this part of the proposed building could therefore be stated to blend in with the surrounding 1970's structures we would have hoped that a bolder approach could have been taken which looked forwards rather than backwards.

The housing block would not be out of place in the proposed location, however it would be unlikely to be given support were it to be located within a Conservation Area.

CABE design guidance booklet Better Civic Buildings and Spaces states that "Design is more than just beauty, it is an integral part of the success of any project." We believe that this as a proposal is a major opportunity to take a creative leap which has been missed. However given the scale, mass and location it would have negligible visual impact on the city as a whole and therefore we would not object to the scheme.

4.9 Landscape Officer:

I am supportive of the proposals for the provision of student accommodation, complementary therapy building, sports facilities and the ancillary external works that accompanies them. The applicants have ably demonstrated the anticipated impact of these buildings and the landscape design works proposed to integrate the new development with the retained existing features. I fully support the landscape proposals, although there are a number of details that I wish to clarify and that can be dealt with by condition.

However, I am still unable to support the principle of residential development on the orchard area. I understand the financial reason for this but I cannot support a proposal that is contrary to policy. The emerging UDP Policy NC6 seeks to protect habitats

listed in the Herefordshire BAP, of which traditional orchards such as this are one. The site is also a Site of Importance for Nature Conservation, and therefore subject to protection under emerging UDP Policy NC4 and Policy NC3 of the Hereford Local Plan.

Notwithstanding this objection in principle, if Members are minded to approve the application, you should be aware that the new orchard planting proposed at Aylestone Hill would provide adequate mitigation and habitat compensation, subject to detail that could be conditioned.

4.10 Ecology:

I oppose this application on the principle of its conflict with destructive development of the SINC in accord with my previous comments of 6th May 2005 which state:

".....the loss of any portion of the SINC would significantly fragment the habitats for bats, erode the landscape connectivity and degrade the habitats upon which they rely. If development occurs within the SINC it would be difficult to see how loss of biodiversity could be compensated for under NC7 of the UDP. All species of bat and their roosts are, of course, protected under the Wildlife and Countryside Act 1981, the Conservation (Natural Habitats) Regulations 1994 as well as in policies within the Local Plan and UDP together with requirements of PPG9. This site is also part of a larger green habitat network or wildlife corridor and as such is covered under UDP Policy HBA9 Protection of Open Areas and Green Spaces.

It acts as a 'green lung' to the city, with this green corridor stretching out into the open countryside. The Council recognises that such features such as orchards (termed landscape features in the European Habitats Directive) are important to biodiversity. The protection of landscape features and habitat networks is supported by PPG9 (paragraph 15). This should confirm the site's status as a Site of Importance for Nature Conservation and, as a site of local importance, in conformity with NC4."

This situation is especially reinforced by the publications PPS9 in August 2005 which seeks ecological enhancements which were not forthcoming in the original enquiry last year.

However, the application does contain a supplementary ecological assessment of the site and outlines possible mitigation and compensation which involves retention of "selected trees along the northern edge of the orchard" and proposes a new planting equivalent in area to the lost orchard. There has been an effort to accommodate concerns relating to the site's future management. If Committee Members are inclined to approve this application, I would expect the applicants to provide substantial details of: future management arrangements, selection of apple varieties appropriate to Herefordshire and the locality in compensation for the loss of orchard, commuted costs etc. and the manner in which community/educational opportunities may be exploited through this mitigation and compensation. My expectation would be that the SINC would be significantly enhanced both in its wildlife and societal value through planned and dedicated future management.

4.11 Forward Planning Manager:

The current college site is located within the city settlement boundary as defined by the Hereford Local Plan. The land has no allocated land use designation, but is specified as being a Site of Importance to Nature Conservation. (SINC).

Policy SC6 of the Plan states that "Development proposals for permanent classrooms or other educational provision will be permitted provided that they are in accordance with relevant policies of this plan." All of the facilities except for the private residential development could be considered under educational provision.

The proposed development is located on an area specified as a Site of Importance to Nature Conservation (SINC). Policy NC3 stipulates that such habitats will be protected wherever possible and the potential development of such sites should be considered against the particular scientific importance of the site. The masterplan for the redevelopment provides an assessment of the ecological value of the site. It appears from the information provided that the land proposed for private housing development would involve the loss of a largely unvalued (in the developers terms) orchard area which potentially would not cause any large scale loss of higher category trees.

The proposals contain an element of residential development, incorporating approximately 70 units. This development covers an area of 2.3ha, incorporating the site of the existing complementary therapy and maintenance buildings, existing hardstanding and the existing orchard. Policy H8 of the Hereford Local Plan seeks to secure a mix of housing types, placing particular emphasis on affordable housing. The policy states that the Council should seek to negotiate with private developers for the inclusion of an element of affordable housing provision in suitable schemes. There is no threshold for inclusion set within the policy; however, Circular 6/98, which seeks an inclusion for developments exceeding 15 dwellings, supersedes the Plan. There is no provision of affordable housing included in the proposals. During negotiations with the developers, they stipulated that the financial viability of the scheme (college redevelopment) was driven by the income generated by the private residential development, and any provision of an affordable element in the residential scheme would jeopardise the viability of the rest of the development. No evidence of this has been submitted to Forward Planning.

Policy H5 of the Plan states that new residential developments of over 50 dwellings should incorporate 0.2ha of public open space. The design statement submitted includes the provision of 0.45ha of public open space, it therefore conforms to this policy.

Unitary Development Plan

The College site is located within the city settlement boundary on 'white land'. Policy CF5 of the UDP stipulates that proposals which would result in the provision of new or improved community facilities or the enhanced use of existing facilities will be permitted where they:

1. are appropriate in scale to the needs of the local community and reflect the character of the location;
2. are located within or around the settlement they serve;
3. would not significantly impact upon the amenity of neighbouring residents; and
4. incorporate safe and convenient pedestrian access together with appropriate provision of car and cycle parking and operational space.

The College serves a wide community, attracting students from across the country. The scale of the development to the needs of the local community would therefore appear to be appropriate. Although established residential areas surround the site, it is not considered that the redevelopment of the college would affect residential amenity in any other way than it may at present. The site benefits from excellent pedestrian access together with good public transport links.

The land incorporated into the masterplan for the intention of development is located on white land designated as a SINC. Such sites of local importance are subject to Policy NC4, which stipulates that development that could directly or indirectly adversely affect a SINC will not be permitted unless the reasons for the development clearly outweigh the need to safeguard the nature conservation value of the site. It is worth noting that an objection to the designation of the whole of this area as a SINC was received at UDP consultation stage. The draft version of the Inspector's Report has been submitted to the Council, and the final version may be available before this application is decided. It is however, considered unlikely that the designation of the SINC will be removed.

The masterplan states that the private residential development is intended to assist in the early funding of the principal masterplan elements, and for this reason there is no affordable housing provision included within the scheme. It is unclear if this reason could be considered as justification for such a development. Policy H9 of the UDP seeks an indicative target of 35% affordable dwellings for all housing developments exceeding 15 or more dwellings. For a scheme of 70 dwellings this would equate to approximately 25 affordable units. There are no such units proposed within the scheme.

Policy H15 seeks a density of at least 30 dwellings per hectare. From the design statement provided it states that the total net housing development area for housing and associated open space to be 2.272, equating to a density of 33 units/ha, which conforms to policy.

The design statement outlines the suggested housing layout and mix of housing types. From the illustrations it would appear that there are 60+ dwellings that could be described as family houses (2, 3, 4, 5 bedroomed properties). Policy H19 of the Plan, regarding open space requirements, states that for developments in excess of 60 family dwellings, schemes are required to provide a small children's/infant's play area, properly equipped and fenced; an older children's informal play space; and, outdoor playing space for youth and adult use and a public open space to at least the minimum standard. From the design statement it appears that a fenced area is provided for small children but states that it is non-equipped. There are two informal open spaces provided but they appear to be more token gestures as opposed to well-planned spaces. There is no provision of youth/adult play space, but contributions to the Aylestone Park development are likely to be acceptable.

Summary

The two main issues from a policy stance are the development on land designated as a SINC, and a lack of affordable housing provision in the private residential scheme. Conservation/ecology would need to be consulted regarding the perceived value of this site, and how detrimental the potential development may be to its value. The redevelopment of the college may be considered as a development that clearly outweighs the need to safeguard the nature conservation value of the site, but unless

the residential element can be justified, then this may not. The lack of affordable housing provision is also an issue that requires justification. I believe that a confidential financial appraisal of the scheme has been made available to Development Control, which should help to ascertain this information.”

4.12 Parks Development Manager:

This site is adjacent to Public Open Space and any open space within the site would be a valuable addition to the Aylestone Park visually. The most sensitive area for retention would be the woodland along the northern boundary of the site and I would request that as much of this is retained as possible. As the outline proposal for housing does not allow for a play area to be provided on site we would require a suitable contribution equal to £1000 per house, to be available for a play area to be constructed in Aylestone Park, after consultation with local people.

4.13 Strategic Housing Manager:

If Planning Committee is minded to approve this application, in accordance with the Council's SPG on the provision of affordable housing and the emerging UDP, Strategic Housing would be seeking 35% of the total residential provision to be built as affordable housing.

4.14 Head of Education:

The provided schools for this site are Broadlands Primary, St. Francis Xaviers RC Primary and Aylestone High. Whilst all three schools presently have capacity for further children, all three schools have problems with their basic infrastructure which would be compounded by the increased pupil numbers. The Children's Services Directorate therefore will be looking for a contribution for education going towards rectifying some of the issues at each of the schools of £1000 per dwelling.”

5. Representations

5.1 Hereford City Council:

- a) Notes that an element of affordable dwellings is not incorporated.
- b) Considers that an access from Venns Lane is unsuitable.
- c) Suggests that an agreement under Section 106 might be sought for highway improvements.
- d) Has no objection to sports development at the site.
- e) Has concern at the number of residential units likely to be provided. The proposed development of the ecologically sensitive open land is a matter of major concern and therefore for the above reasons recommends refusal of the application as submitted.

5.2 Hereford Access for All Committee: No objection.

5.3 Seven letters of objection/comment have been received from local residents, one of which has been written on behalf of five residents in Loder Drive adjoining the site and another from Aylestone Park Association. The main points of objection are:

1. Much of the proposed development area is possibly the largest and most important surviving area of woodland, mature trees and orchard within the city boundary. The loss of this scenic green area and valuable wildlife reserve would be tragic.
2. The housing area and roads intrude too far into the unique scenic parkland.
3. Loss of any trees protected by Tree Preservation Order should be resisted.
4. The existing woodland area should be extended rather than removed.
5. The site is not suitable for affordable housing, but if affordable housing is necessary it should be kept far away from Loder Drive and Helensdale Close.
6. There would be increased noise pollution from the development.
7. There will be loss of privacy as many of habitable windows face onto the housing development site.
8. The development will substantially increase traffic levels on Venns Lane which already experiences high levels of traffic congestion.
9. Parking facilities within the site are insufficient.
10. Increased levels of activity, noise and disturbance together with increased levels of pollution from the traffic will adversely affect the flora and fauna of the locality.
11. Insufficient thought has been given to the environment and the loss of bird population in particular within the site.
12. The proposed floodlights for the sporting facilities would totally disrupt the existing residential area and would be totally out of keeping.
13. The development does not accord with the current approved planning policies, the proposed Unitary Development Plan policies or the Government's declared policies on the disposal of educational/open space.

5.4 Other comments.

1. The area known as "the secret garden" is important for tree conservation and protection of the parkland and wildlife within the site. The current proposed layout would create an ecological pinchpoint detrimental to the ethos of the Council's policy of sustainable ecology. Moving the housing development further away from this boundary would enhance the garden and its wildlife and meet local residents concerns by lessening visual intrusion.
2. Any trees protected by Tree Preservation Order which have to be removed should be replaced all trees to be retained should be appropriately fenced and protected prior to commencement of work.
3. The new orchard should contain mature trees (7-10 years old) and maintained by the developer along with the remainder of the woodland.
4. Only pedestrian access should be permitted into the park with new paths completed at the developers expense.
5. The eastern boundary of the housing development with the park should be at least 30 metres wide.
6. The developer of the housing estate should pay a maintenance contribution for the existing and new ecological areas along with the new Aylestone Park sculpture.
7. Soil and waste which has been dumped around protected trees over the years should be removed and any waste as a result of development should be removed off site.
8. Housing densities should be low

5.5 A further letter of support has been received from Herefordshire Sports Council.

1. The College already brings great benefits to Hereford City and the county in both economic and social terms beside its national and worldwide reputation. The current application would improve its facility and enhance its acknowledged position as a leader for specialist education of blind and partially sighted people.
2. If Herefordshire is to benefit from the 2012 Paralympic Games the Royal National College for the Blind will be at the forefront of providing coaching and training arrangements for representative teams from Great Britain and visiting nations.
3. It is evident that Herefordshire's community already enjoys immeasurable benefits from the presence of the college and the further proposals will provide an even greater boost to the economy and community life for the county.
4. The Council should view the application with a true sense of foresight, vision, generosity and partnership as the ambitious and exciting development can only be pursued if maximum economic value of surplus land can be realised and ploughed into the development scheme.
5. It would be in the best interests of Herefordshire if the application were approved with the least possible restrictive terms.

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

6. Officers Appraisal

- 6.1 The application comprises a number of separate developments and for ease of assessment; each will be dealt with separately. The applicant's agents have also provided a number of reports and additional information to support the application as follows:

- Design Statement
- Transport Assessment
- A Landscape and Visual Assessment
- An Ecological Assessment
- Flood Risk Assessment and Drainage Management Plan
- A Statement of Community Involvement
- An Outline Tree Survey
- A Tree Survey Report
- Briefing Paper to justify the lesser provision of affordable housing

These documents will be referred to during the course of the appraisal.

Student Accommodation

- 6.2 A new three storey-detached building located to the rear (east) of the existing student accommodation is proposed comprising of 56 bedrooms and a wardens flat on three floors. The scale is similar to the existing halls of residence with the overall height to the ridge being almost identical. This has the benefit of not only reducing the impact of the halls of residence within the site but also from long distance views, means the building will be almost entirely screened by existing developments. The building takes a "U" shaped form giving the appearance of three separate blocks, which assists in breaking up the overall mass. The accommodation is double fronted facing both eastwards towards the remainder of the woodland and westwards in order to interact with the existing accommodation and provide a private and safe outdoor green area for the students. The overall aim being to create a student village environment. Largely traditional materials are proposed, namely brick, fair-faced block in sections below

aluminium windows with a slate roof. This is to ensure the building harmonises with the existing accommodation block whilst also containing some contemporary detailing in keeping with its architectural era.

- 6.3 The building will result in the loss of a grassed area used as an informal recreational area by students, which is a little unfortunate. However, this area has no formal protection within the Development Plan as open space or for ecological purposes and a new formal landscaped student plaza area will be created in replacement. Existing trees in the north-western corner of the site bordering the primary school are to be retained and supplemented by additional planting in order to further screen the building from the school and residents within Field Grove View housing estate to the north. On the basis of the above, no objection is therefore raised to the new student accommodation block.

Sports and Complementary Therapy Centre

- 6.4 This building is predominantly proposed to be on the site of the existing all weather football pitch and tennis courts, southeast of the site of the new student accommodation. The building will again be detached on three floors comprising a Paralympics sized indoor blind football pitch with seating for around 280 spectators and associated changing facilities, fully equipped gym, complementary and hydrotherapy facilities for teaching and use by the public, sports teaching facilities, offices, restaurant and viewing terrace over the external sports pitch. The facilities within this building will primarily be for the use by the college but some public use will be available particularly for sporting events, conferences and in connection with specific courses taught to assist the students with their social interaction with the public.
- 6.5 Although the building is substantial in scale (5,550 sq. metres floor area and 15 metres to the ridge), the siting has been carefully selected to make use of the different ground levels, which slope from east to west. This enables a cut and fill excavation to be undertaken giving the appearance that the building is only two storeys from Venns Lane. The overall mass of the building is also diluted as a result of its design and angled form. The principal entrance is parallel to, and addresses Venns Lane with the main sports facilities and football pitch being angled in a northerly direction towards the woodland and new outdoor football pitch. The extent of roof has also been broken up through it being stepped at two heights with raised canopy features to add further interest and conceal the air conditioning vents. In setting the building down at a lower level, with the exception of the principal entrance, only limited views from Venns Lane and the wider area will be available of the overall scale of this building.
- 6.6 The pallet of materials will be similar to that proposed for the accommodation block, namely brickwork and fair-faced block work in square module with sections of profile metal cladding for the sports hall, planar glazing to the gym and profile standing seam roof. The mix of materials will give the building a vertical emphasis, which is considered necessary given its scale in footprint terms. Therefore, whilst the building is of a substantial size, for the above reasons it can be accommodated on the site without impacting unacceptably on the immediate and wider environment.
- 6.7 The northern elevation of the sports building will also incorporate a fully glazed gym with a first floor terrace area overlooking the new outdoor sports pitch. This will measure around 45 metres in length by 25 metres in width and will have an all weather surface enclosed with fencing and floodlit. Details are awaited of the fencing and

specification of floodlighting. As with the accommodation block and sports building, this will be largely concealed at a lower level by existing/proposed buildings and mature trees and therefore, subject to there being no unacceptable light pollution from the floodlighting, this is also considered acceptable.

New Vehicular and Pedestrian Access, Parking and Landscaped Areas

- 6.8 An existing single storey building (Northwood teaching block) is to be demolished to create a new principal pedestrian access off Venns Lane to both the sports building and existing/new accommodation blocks. Traffic calming in the form of a 75mm. high raised speed table along with a new pedestrian crossing with traffic lights and speed cushions are proposed on Venns Lane. From this point a 5metre wide path will lead directly to a covered bridge walkway and the fully glazed entrance to the sports centre. This not only creates a focal point to the development when viewed from Venns Lane but also provides a clear and safe pedestrian access and visual link between the proposed development and the remainder of the college campus on the western side of Venns Lane.
- 6.9 Other pedestrian routes link into the main path to provide access to the student village area and parking for the sports centre. The objective being to create small areas, each with a different identity defined through the use of varying materials and soft landscaping. This is particularly important as large open spaces can be particularly disorientating for the visually impaired. Materials such as tactile directional paving, lighting bollards, strategically placed furniture, lighting stacks and planting create an informal but clearly legible pedestrian environment for both students and visitors to the sports centre.
- 6.10 An existing detached garage and portacabin currently used for complementary therapy purposes are to be removed to create a new vehicular access off Venns Lane to serve both the sports centre and proposed housing development. In support of the highway issues, a traffic assessment has been provided. The required visibility standard for the new access cannot be achieved based on the current speed limit of 30mph on Venns Lane. To overcome this problem traffic calming measures are proposed along Venns Lane for the frontage of the application site to reduce traffic speeds down to 20mph. The required highway works are likely to include a raised table pedestrian crossing point, the reworking of the signals at the junction between Venns Lane and College Road along with speed cushions at strategic locations along the site frontage. Although the final details are yet to be agreed, the principle of these measures are supported by the Traffic Manager but further information is awaited on these matters.
- 6.11 Located directly off the new access and south of the sports centre is the proposed parking and bus drop-off points. A total of 78 parking spaces are proposed to serve the sports centre and other college facilities on the eastern side of Venns Lane. Whilst this provision is below the required standard for a development of this size, the sports centre will largely be for private use and therefore will not generate a continual parking requirement. Nevertheless, events and sporting competitions will take place periodically which will lead to a requirement for additional parking particularly with the indoor seating area for 280 spectators. Therefore, rather than providing a large expansive car park leading to the loss of further trees, the college are proposing a Parking Management Plan to make other car parks within the college campus available when special events are taking place. This may also include a private bus service along with clear signage to make visitors aware of the location of the overspill car parks. The final details of the Parking Management Plan are awaited. The site is also

relatively sustainable in terms of its location and the availability of non-car based modes of transport and is within walking distance of the city centre and associated rail and bus stations. Therefore, the lower parking provision is not considered unacceptable providing the appropriate Parking Management Plan is finalised alongside a Travel Plan.

Private Residential Development

- 6.12 This part of the proposal is in outline form with all matters except the means of access reserved for future consideration. However, the Design Statement formulates a number of development principles, which will control the layout of the private residential development. This is proposed to take place along the eastern boundary of the college campus bordering existing residential estates to the southeast and Aylestone Park development to the east. The majority of the site is currently set out to orchard, which is designated as a Site of Importance for Nature Conservation. The planning considerations associated with the loss of the SINC are discussed in 6.15 below.
- 6.13 The principles of the residential layout detailed in the Design Statement have been formulated around the existing site characteristics. These being the topography as ground levels fall by some 20 metres from south to north, the existing wooded environment within and around the housing site and neighbouring land uses. The development proposes clusters of housing built on the pavement edge with private gardens to the rear of the houses. Existing mature trees will be retained where possible around the principal access road, which will lead to a small area of open space incorporating a local area of play. This will create a heart to the development with natural surveillance being provided by surrounding properties overlooking the open space.
- 6.14 Existing mature trees will be retained along the south-eastern and eastern boundary to provide a green buffer zone between existing residences and Aylestone Park. Roads around the fringes of the development will largely be limited to private drives in order to create an informal appearance and a new pedestrian access will be provided from Venns Lane through the development into Aylestone Park. The density of the development is envisaged to be at the lower end of that recommended within Planning Policy Guidance Note 3 at around 35 properties to the hectare, which would equate to around 70 units on the site as a whole. In this context, a lower density is considered more appropriate in order to preserve the green environment. The principles behind the possible residential layout are well thought out and accord with the Development Plan policies and Government guidance.

Loss of part of the SINC (Site of Importance for Nature Conservation)

- 6.15 A detailed Ecological Assessment and Tree Survey Report has been provided to address and justify the loss of part of the SINC that would result if the housing development is permitted. There is a presumption against the loss of such designations within Policy NC3 of the Hereford Local Plan and NC4 of the Unitary Development Plan unless the reasons for development clearly outweigh the need to safeguard the nature conservation value of the site. Policy NC7 of the Unitary Development Plan requires that compensation for the loss of biodiversity, which must be at least proportionate to the scale of the loss or impact on the areas of ecological value. However, Policy NC4 of the UDP has been modified by the Planning Inspector to state that the loss of SINC's will not be permitted unless it can be demonstrated

there would be no harm to the substantive nature conservation value of the site, or that appropriate mitigation and compensatory measures can be taken in accordance with Policy NC7, or the reasons for a development clearly outweigh the needs to safeguard the nature conservation value of the site.

- 6.16 Both the Council's Landscape Officer and Ecologist object in principle to the loss of the orchard area comprising part of the SINC. English Nature do not, however, adopt the same, in principle, objection. To address the concerns of the Council's officers and the policy requirements, the applicants are proposing a compensatory or replacement orchard which is proposed to take place within the Aylestone Park development, bordering the eastern boundary of the application site. This will include, where possible, and as suggested by English Nature, the translocation of the existing orchard trees. Along with the replacement orchard, a short, medium and long-term management regime for the remainder of the SINC is proposed to improve the structural and species diversity across the site. The college would manage all of the SINC including the proposed new orchard with the majority also remaining within the college ownership. The management regime will include the thinning of some existing trees to reduce the tree density and encourage natural regeneration and a shrubbery under storey, thinned trees to be used to create log piles to act as refuges and feeding areas, ring barking selected trees to kill the trees whilst leaving them standing to provide deadwood, to retain large areas of existing grassland along with the planting of new grassland with a wildflower and grass seed mix, existing hedgerows to be retained and sympathetically managed and new supplemental planting of native shrubs and trees to compensate for the loss of existing trees to be removed.
- 6.17 It is clearly regrettable to see the loss of any biodiversity habitat, however, based upon the information provided within the ecological reports the site proposed for the residential development is considered to be the area of least ecological value. Furthermore, the proposed new orchard in replacement of that lost along with the new management regime should ensure that the biodiversity of the SINC as a whole will not be diminished and in the long term, will be enhanced. As such the principle of the loss of part of the SINC is accepted.

Affordable Housing

- 6.18 No affordable housing was originally proposed but following ongoing discussions between the applicants, their agents and the Local Planning Authority, 17.5% of the total number of units within the housing development is now proposed to be affordable housing. The affordable housing would be of a bespoke design focussed on meeting the needs of the blind, partially sighted and disabled people of Herefordshire. However, the affordable housing will still be provided in partnership with a registered social landlord and subject to the usual local occupancy restrictions controlled by Homepoint. Comments are awaited from the Strategic Housing Manager as to whether this form of specialist affordable housing accords with the restrictions within the Council's Supplementary Planning Guidance on affordable housing although it is understood that a local need exists for such accommodation.
- 6.19 Policy H9 of the Unitary Development Plan sets an indicative target of 35% for all windfall sites in excess of 15 units or half a hectare in area. As such the planning policy requirement for this site is for 35% of the total number of units to be affordable housing. However, policy H9 also states that in considering the suitability of sites to provide affordable housing, regard will be given to:

1. The proximity of local services and facilities and access to public transport.
2. Whether there will be particular costs associated with the development of the site.
3. Whether the provision of affordable housing would prejudice the realisation of other planning objectives that need to be given priority in development of the site.

6.20 The site is acceptable in principle for housing in terms of its proximity to local services and facilities and accessibility to non-car based modes of transport. There are also no particular site development costs such as contaminated land or flooding issues associated with developing the site. Therefore, in order to justify a lesser provision of affordable housing, the applicants have provided a report to demonstrate why equal priority in this instance should be given to the realisation of the other elements of the proposal. The benefits of the new college facilities outlined in the report are as follows:

1. The facilities will constitute a substantial and unparalleled inward investment into Hereford.
2. Facilities will form the central development in the bid for Hereford to become an Olympic and Paralympics training venue from 2009 to 2012.
3. The new facilities will raise the profile of Herefordshire by providing excellence in education and sport.
4. Facilities at the new sports and complementary therapy centre will benefit local people.
5. The grant of planning permission will ensure the future of the Royal National College in Hereford.
6. The provision of the new halls of residence should be accepted by the Council as affordable housing as it provides specialist low cost housing provision for the students at the college.
7. While being only a proportion, the sale of the private residential land would provide a fundamental component in the funding strategy and in particular would be one of the earliest sources of funding which is essential to kick-start the whole project.

6.21 In summary, without the residential development the college facilities cannot be provided and the full receipt from the sale of the housing site will be used to assist the funding of the new college facilities. A requirement for further affordable housing would reduce the value of the residential land, reducing the contribution that it makes to the funding of the new facilities and ultimately jeopardising the provision of these facilities. Furthermore, the college have stated that if the college were unable to secure the new facilities, it would need to reconsider its future in Hereford. In financial terms, the provision of the new halls of residence and sports centre will cost £15.2 million plus VAT as appropriate. The sale of the residential land without the provision of any affordable housing would be £5 million. The college therefore still has to obtain at least a further 10 million pounds from other sources such as the lottery, Learning and Skills Councils, Trusts and Foundations, corporate sector and so on as they have no funds of their own.

6.22 The college undoubtedly is an important educational, economic, social and community asset to the city and Herefordshire as a whole and the principle of the development proposed under this application is generally fully supported by the Development Plan policies and Government Guidance. The student accommodation cannot be considered as affordable housing as suggested by the applicant's agent, as this is not available for occupation by anyone in Herefordshire on the priority housing lists. There remains a high demand for further affordable housing within the city and Herefordshire

as a whole with waiting lists growing annually. However, this is a unique proposal and on balance, the realisation of the development and the benefits it will bring to the County is considered of equal importance to the need to provide the full policy target of affordable housing. As such the provision of 17.5% is considered reasonable.

Planning Obligation Requirements

- 6.23 The following has been agreed in principle with the applicants in order to facilitate the development, if approved. Although a financial contribution has been requested by education, it is not considered necessary in this instance as there is capacity in all the local schools to accommodate the children that would emanate from the housing development and there are no short term improvements to the infrastructure triggered by the likely additional pupil numbers.
1. £105,000 towards traffic calming measures on Venns Lane, new pedestrian crossing and relocation of the signals, and enhancement, retiming of the existing signals College Road/Venns Lane junction.
 2. Between £61 and £70,000 towards the maintenance of the on-site open space and local area for play and the provision of off-site recreational facilities within Aylestone Park development due to the deficit in on-site open space.
 3. The provision of public art within the public realm areas associated with the sports centre.
 4. The planting and maintenance of the new area orchard to compensate for the loss of the existing orchard within the SINC to include new appropriately surfaced footpath(s) to provide pedestrian links with Aylestone Park.
 5. The long-term maintenance regime for the maintenance and enhancement of the remainder of the SINC.
 6. 17.5% of the total number of the units to be affordable housing provided in partnership with a registered social landlord. All of the above to form part of a legal agreement under Section 106 of the Town and Country Planning Act 1990.

RECOMMENDATION

1. **That subject to the applicants providing the additional information requested by the Traffic Manager and further details/plans of the outdoor football pitch.**
2. **The Legal Practice Manager be authorised to complete a planning obligation under Section 106 of the Town and Country Planning Act 1990 to incorporate points 1-6 of paragraph 6.15 above and any additional matters he considers appropriate.**
3. **The planning obligation shall be completed by the 10th April, 2006 and upon completion of the aforementioned planning obligation that officers named in the Scheme of Delegation to Officers be authorised to issue planning permission subject to conditions.**

CONDITIONS

As the application is a hybrid application, two different sets of conditions are required. The wording of the conditions is still being discussed and agreed with the applicants. However, conditions will be included to cover the following:

The halls of residence, sports developments and new pedestrian and vehicular access

Conditions regarding commencement of the development, phasing, materials, landscaping and its maintenance, tree protection, slab levels, floodlighting, opening hours, access and road construction, parking provision, foul and surface water drainage, earthworks and waste disposal, restriction on construction times, provision of public art,

Housing Development

Standard outline conditions regarding commencement and submission of the reserved matters details, phasing of the development and phasing of the construction of the affordable housing, access construction and internal road construction including traffic calming, tree and hedgerow protection, new orchard planting, foul and surface water drainage, maintenance of landscaping, footpath construction, restriction on construction times, boundary treatments, specification for the local area of play,

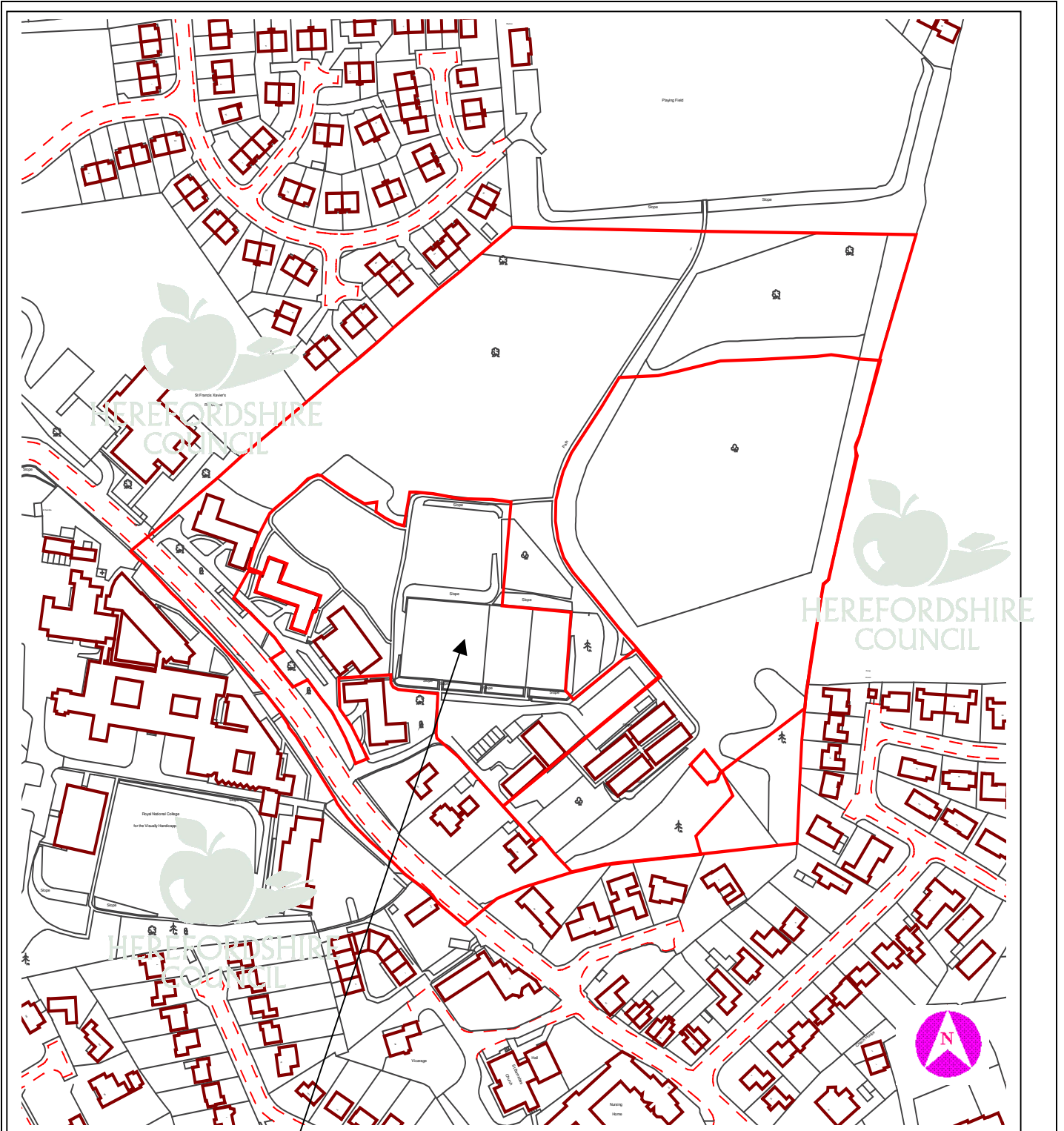
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCCE2006/0099/O

SCALE : 1 : 2500

SITE ADDRESS : Royal National College For The Blind, College Road, Hereford, Herefordshire, HR1 1EB

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6 DCCE2006/0554/F - ERECTION OF 2 NO. PROPOSED DWELLINGS WITH ADJOINING GARAGES ON PLOTS 1 AND 2 ADJACENT TO THE WOODLANDS FARM, WATERY LANE, LOWER BULLINGHAM, HEREFORD, HR2 6JW

For: Mr. F.G. Morris per Mr. J.I. Hall, New Bungalow, Nunnington, Hereford, HR1 3NJ

Date Received: 13th February, 2006 Ward: Hollington Grid Ref: 52934, 37275

Expiry Date: 10th April, 2006

Local Member: Councillor W.J.S. Thomas

1. Site Description and Proposal

- 1.1 Woodlands Farm is situated at the eastern end of the unclassified road known as Watery Lane and on the north facing slope of Dinedor Hill. Immediately to the west of the application site is the farmhouse itself with the surrounding land to the north and south being used for the open storage of scrap cars. To the east of the site is agricultural land.
- 1.2 The site is located in open countryside, which is designated as an Area of Great Landscape Value.
- 1.3 Detailed planning permission is sought for the construction of two detached houses constructed in brick and render under a slate roof.
- 1.4 The application represents a revised submission following the deferral of the consideration of an undetermined application (SH950300PF) which was reported to Members in September 2005. A copy of the original report is attached at Appendix 1 for reference. This revised application principally seeks to overcome the second recommended reason for refusal by resiting the proposed dwellings away from the approved line of the Rotherwas Access Road. It has also been clarified that should this application be approved, the removal of the scrap yard use would be secured and the historic application would be formally withdrawn/rescinded.

2. Policies

2.1 South Herefordshire District Local Plan:

- SH11 - Housing in the countryside
 C1 - Development in the open countryside
 GD1 - General development criteria
 T1 - Safeguarding highway schemes

2.2 Hereford and Worcester County Structure Plan:

- H20 - Housing in rural areas outside the green belt

- T9 - Major road proposals
- T10 - Major road proposals

2.3 Herefordshire Unitary Development Plan (Revised Deposit Draft)

- H7 - Housing in the countryside outside settlements
- T10 - Safeguarding of road schemes

2.4 National Planning Policy Guidance:

- PPS1 - Delivering sustainable development
- PPS7 - Sustainable development in rural areas

3. Planning History

- 3.1 SH890029ZZ - Enforcement action in respect of the storage of scrap vehicles.
- 3.2 SH920282PO - Site for erection of two dwelling houses. Granted 16th June, 1992 (permission not implemented and lapsed in 1995).
- 3.3 SH941265PF - Proposed development of two houses. Withdrawn 28th February, 1995.
- 3.4 SH950300PF - Erection of two proposed dwellings with adjoining garages. Undetermined.
- 3.5 SH960429SZ - Certificate of Lawful Use. Storage and dismantling of vehicles, operation of recovery vehicles and sale of spare parts. Approved 16th October, 1996.

The site is also affected by:

- 3.6 CE2002/2558/F - Proposed Rotherwas Access Road. Approved 21st February 2003.
- 3.7 CE2004/3753/F - Amendments to approved application for New Access Road. Approved 8th December, 2005.

4. Consultation Summary

Statutory Consultations

- 4.1 Welsh Water: No objection.
- 4.2 Environment Agency: Comments awaited.
- 4.3 HSE: No objection.

Internal Council Advice

- 4.4 Traffic Manager: No objection, conditions recommended.
- 4.5 Environmental Health and Trading Standards Manager: No comment.

5. Representations

- 5.1 Lower Bullingham Parish Council: No objections.

6. Officers Appraisal

- 6.1 The key issue for consideration in the determination of this application now focuses on the principle of residential development in open countryside and whether there are material considerations that should override the strong presumption against allowing new housing in isolated rural locations.
- 6.2 Policy SH11 of the South Herefordshire District Local Plan sets out the criteria against which housing proposals in open countryside must be assessed and these are broadly endorsed in the Herefordshire Unitary Development Plan (Revised Deposit Draft) and Government guidance contained in PPS7. The proposal does not seek to justify itself on the basis of being essential for agricultural, forestry or another rural enterprise and it does not satisfy any of the other exceptions criteria. It follows therefore that since it constitutes new housing development in open countryside that it is contrary to well established adopted and emerging policies and guidance.
- 6.3 The case put forward in this instance is whether sufficient weight can be attached to 'other material considerations' to warrant the overriding of adopted policies. The applicant principally relies on the overall improvement of the landscape quality of the site through the controlled removal of the scrap cars, which benefit from a lawful use. It is acknowledged that there will be a significant improvement of the immediate locality but in a broader context the area is characterised by other commercial uses and would also be affected by the construction of the approved access road. In these circumstances it is not considered that the landscape enhancement of the site is sufficiently compelling to enable an exception to be made.
- 6.4 In discussions with the applicant and his representatives since the deferral of the historic application it has been explained that outline permission was granted by the former planning authority and as such the principal of residential development was established. Ultimately however, the detailed planning application that followed (SH950300PF) despite receiving a favourable resolution from the former planning authority could not be approved due to the intervention of the Highways Agency who issued a Direction to refuse planning permission. Rather than refusing the application the former planning authority resolved to record the application undetermined.
- 6.5 In essence the only permission granted for residential development at Woodlands Farm was an outline permission (SH920282PO) which has expired. Despite support from the former planning authority, no subsequent detailed application was approved. The manner in which the consideration of the 1995 application was concluded is recognised as being unsatisfactory but it is not considered that it represents a material consideration enabling support for this revised submission.
- 6.6 By way of conclusion, whilst the applicant has successfully overcome the objection based on the delivery of the Access Road, there are insufficient grounds upon which to override the adopted plan policies so far as development in the open countryside is concerned.

RECOMMENDATION

That planning permission be refused for the following reason:

- 1 The site lies in open countryside outside any recognised settlement boundary and the proposal does not satisfy any of the recognised exceptions for residential development and furthermore there are no other material considerations that would override the strong policy presumption against site development. The proposal would therefore be contrary to Hereford and Worcester County Structure Plan Policy H20, South Herefordshire District Plan Policies GD1, C1 and SH11, Herefordshire Unitary Development Plan (Revised Deposit Draft) Policies S1 and H7 and Planning Policy Statement 7 - Sustainable Development in Rural Areas.

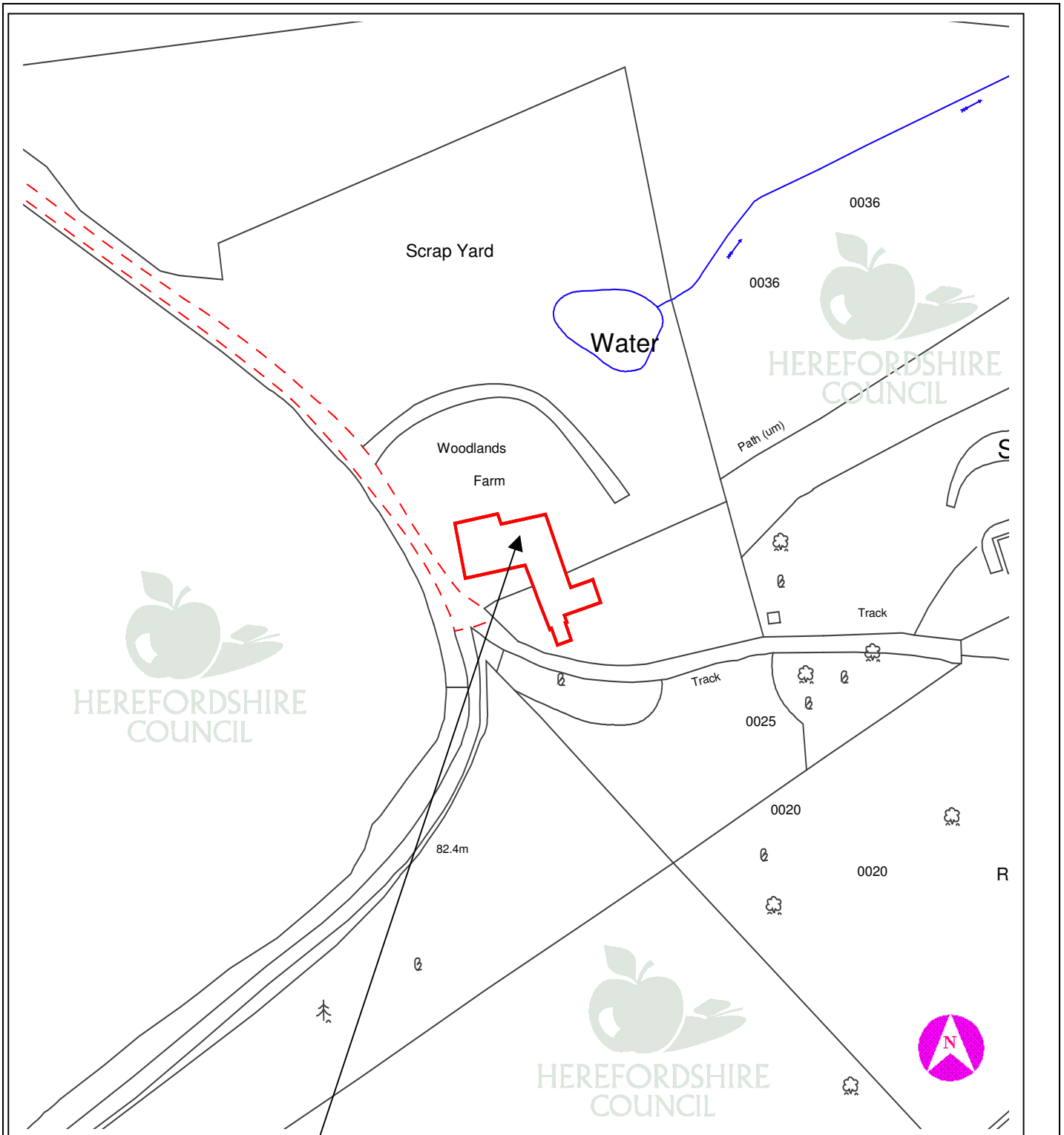
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCCE2006/0554/F

SCALE : 1 : 1250

SITE ADDRESS : Adjacent to The Woodlands Farm, Watery Lane, Lower Bullingham, Hereford, HR2 6JW

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APPENDIX

CENTRAL AREA PLANNING SUB-COMMITTEE

21ST SEPTEMBER, 2005

13 SH950300PF – ERECTION OF TWO PROPOSED DWELLINGS WITH ADJOINING GARAGES AT WOODLANDS FARM, WATERY LANE, DINEDOR, HEREFORD

For: Mr. F.G. Morris, Woodlands Farm, Watery Lane, Dinedor, Hereford

Date Received: 17th March, 1995 Ward: Hollington Grid Ref: 5288 3734

Expiry Date: 11th May, 1995

Local Member: Councillor W.J.S. Thomas

Introduction

This application was previously the subject of a resolution by South Herefordshire District Council in 1995 not to determine it following a direction by the Highways Agency in 1995 to refuse the application. The application has remained undetermined since then. On 2nd September, 2005 the Highways Agency withdrew their direction and the planning application can now be determined by the local planning authority.

1. Site Description and Proposal

- 1.1 Woodlands Farm is situated at the eastern end of Watery Lane (an unclassified road) on the north side of Dinedor Hill. Immediately to the north of the farmhouse is an area used for the open storage of scrap cars. This is bounded by a hedgerow. The application site lies to the north of the hedgerow and stands in open countryside.
- 1.2 It is proposed to construct two new detached two storey houses. The site is outside the settlement boundary for Hereford and there is no supporting agricultural justification or other basis for an exception to policies restricting development in the open countryside.
- 1.3 The agent provided the following statement in support of the application:

“We propose to settle the development some three metres into the hillside where it would nestle well below the disused restaurant and be screened by a tall quickthorne hedge looking from the direction of the City.

A retaining wall built in local sandstone stepped to follow the contour of the ground to be constructed to the rear.

To conclude, the site would be cleared of all dilapidated and rusting vehicles at present occupying the site”.

- 1.4 The line of the proposed Rotherwas Access Road crosses the site.

2. Policies

- 2.1 South Herefordshire District Local Plan:
SH11 - Housing in the Countryside

APPENDIX

CENTRAL AREA PLANNING SUB-COMMITTEE

21ST SEPTEMBER, 2005

- C1 - Development in the Open Countryside
- GD1 - General Development Criteria
- T1 - Safeguarding Highway Schemes

2.2 Hereford & Worcester County Structure Plan:

- H20 - Housing in Rural Areas Outside the Green Belt
- T9 and T10 - Major Road Proposals

2.3 Herefordshire Unitary Development Plan (Revised Deposit Draft):

- H7 - Housing in the Countryside Outside Settlements
- T10 - Safeguarding of Road Schemes

2.4 National Planning Policy Guidance:

- PPS1 - Delivering Sustainable Development
- PPS7 - Planning and the Rural Economy

3. Planning History

- 3.1 SH890029ZZ – Enforcement action in respect of the storage of scrap vehicles.
- 3.2 SH920282PO – Site for erection of two dwelling houses. Granted 16th June, 1992 (permission not implemented and lapsed in 1995).
- 3.3 SH941265PF – Proposed development of two houses. Withdrawn 28th February, 1995.

The site is also affected by:

- 3.4 CE2002/2558/F – Proposed Rotherwas Access Road. Approved 21st February, 2003.
- 3.5 CE2004/3753/F – Amendments to CE2002/2558/F to include drainage, private access provision, landscaping and associated works. Undetermined pending the views of the Highways Agency and Environment Agency.

4. Consultation Summary

Statutory Consultations

- 4.1 The National Rivers Authority (now the Environment Agency): Recommended conditions to be attached to any permission.
- 4.2 The Highways Agency directed refusal of permission in 1995 but, on 2nd September, 2005, then withdrew that direction advising that they had no objection to the grant of permission. The Highways Agency considers that the proposal will have no significant effect on the trunk road network

Internal Council Advice

APPENDIX

CENTRAL AREA PLANNING SUB-COMMITTEE

21ST SEPTEMBER, 2005

4.3 In 1995 the then County Highway Authority recommended conditions in the event that permission was granted.

4.4 With the exception of the Highways Agency none of the other consultees (or their successors bodies as appropriate) has been re-consulted.

5. Representations

5.1 The Parish Council had no objections in 1995 and wished to see the whole site cleared of dilapidated and rusting vehicles.

6. Officers Appraisal

6.1 The site lies partly across the line of the Rotherwas Access Road as shown on both the Proposals Map of the UDP and the approved plans for the road. However the Highways Agency regards the Rotherwas Access Road as a matter for the Herefordshire Council to determine as a County Highway Authority. The erection of two houses in this position will compromise the implementation of the road and be contrary to the policies in both the South Herefordshire District Local Plan and the UDP which seek to protect the line of the road.

6.2 The application also falls to be considered on the basis of open countryside policies. In this regard the proposal is contrary to policy at every level: national, strategic, local and emerging policies. There is no justification put forward to argue for rural exception housing.

6.3 The lapsed permission dating from 1992 is no longer of any significance; the policy framework against which the application must be considered has evolved significantly since then. The application must be considered against the policies as they exist now.

RECOMMENDATION

That planning permission be refused for the reasons that:

1. **The site lies in open countryside outside a settlement boundary and is not supported by any agricultural or other relevant justification for development in such an area. The proposed development would thereby be contrary to the following policies and the interests they seek to protect:**

Planning Policy Guidance PPS7

Hereford & Worcester County Structure Plan Policy H20

South Herefordshire District Local Plan Policies SH11, C1 and GD1

Herefordshire Unitary Development Plan (Revised Deposit Draft) Policies H7 and S1.

2. **The site lies on the line of the Rotherwas Access Road as shown on the proposals maps of the South Herefordshire Local Plan and the emerging Unitary Development Plan. The development of the site for residential purposes would compromise the implementation of the proposed road which is an important part of the highway strategy for Hereford. The proposal would thereby also be contrary to the following policies:**

APPENDIX

CENTRAL AREA PLANNING SUB-COMMITTEE

21ST SEPTEMBER, 2005

**Hereford & Worcester County Structure Plan Policies T9 and T10
Herefordshire Unitary Development Plan (Revised Deposit Draft) Policy T10
South Herefordshire District Local Plan Policy T1**

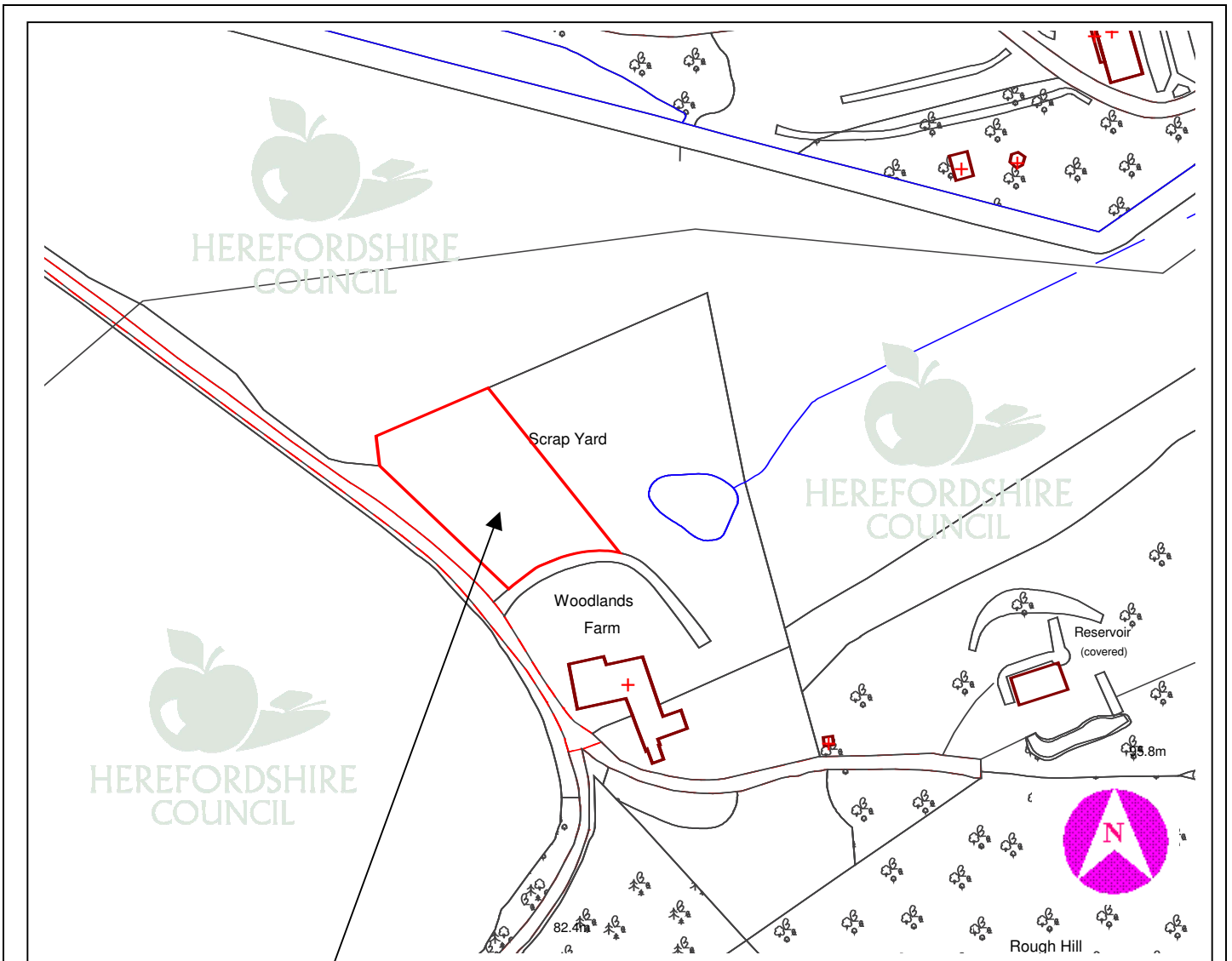
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: SH950300PF

SCALE: 1 : 1250

SITE ADDRESS: Woodlands Farm, Watery Lane, Dinedor, Hereford



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7 DCCE2006/0608/F - PROPOSED BUNGALOW AT LEYS FARM, GRAFTON, HEREFORD, HR2 8BL

For: Mr. & Mrs. C.W. Morgan, per John Phipps, Bank Lodge, Coldwells Road, Holmer, Hereford, HR1 1LH

Date Received: 20th February, 2006 **Ward: St. Martins & Hinton** **Grid Ref: 49895, 37291**

Expiry Date: 17th April, 2006

Local Members: Councillors Mrs. W.U. Atfield, A.C.R. Chappell and R. Preece

1. Site Description and Proposal

1.1 The site is located immediately south of the C1227 in the area known as Grafton, just south of the city. Leys Farm is a working farm and comprises a range of modern and older agricultural buildings to the west of the site and the existing farmhouse to the east with undeveloped agricultural land to the south. The site lies within the open countryside.

1.2 Planning permission is sought for the construction of a detached two bedroom bungalow along the southern boundary of the site with a new detached two car garage along the northern (roadside) boundary. The application has been brought to the Central Area Committee at the request of one of the local Members.

2. Policies

2.1 National:

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

2.2 Hereford Local Plan:

Policy CAL1	-	Residential Development
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2.3 Herefordshire Unitary Development Plan (Revised Deposit Draft):

Policy S1	-	Sustainable Development
Policy S2	-	Development Requirements
Policy DR2	-	Land Use and Activity
Policy H7	-	Housing in the Countryside outside Settlements

3. Planning History

3.1 CE2005/4061/F Proposed bungalow. Application withdrawn 7th February 2006.

4. Consultation Summary

Statutory Consultations

- 4.1 Welsh Water: As the applicant intends using private drainage facilities, Welsh Water have no comment to make on the proposal.

Internal Council Advice

- 4.2 Traffic Manager: No objection subject to conditions.

5. Representations

- 5.1 Hereford City Council: The City Council suggest the hip roof would be more appropriate but has no objection in principle to the proposed development.

- 5.2 The applicant's agent has provided letters of support. The main points raised are:

1. The bungalow is for the father and mother of Mr. I. Morgan who is moving back to the farm after spending many years out of the country.
2. Mr. & Mrs. Morgan are getting older and medical concerns require that they will be better living in a dwelling with facilities at ground floor.
3. The location of the bungalow is chosen for ease of access and would share the same drive as the existing house.
4. Conversion of an existing barn within the farmstead would prejudice the long term plans to redevelop the existing farm buildings for employment purposes.
5. Development is regarded as an annexe to the existing farm house and the applicant is happy to accept restrictions in respect of future sale of the properties.
6. There is no possibility of extending the existing dwelling.
7. A mobile home is unsuitable due to the applicant's medical needs.
8. A mobile home is no different to a two bedroom bungalow
9. A two bedroomed bungalow is required as the applicants require separate bedrooms.
10. The applicants have lived in the countryside all their lives and do not wish to move into the city. There are no other suitable affordable homes in Grafton to meet their local need.
11. The proposal is not contrary to the UDP policies

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

6. Officers Appraisal

- 6.1 The proposal is for the construction of a detached two bedroomed self-contained bungalow to be occupied by Mr. & Mrs. Morgan, which would enable the son, Mr. I. Morgan, to then move into the main farmhouse. The agent has stated that single storey accommodation is required due to Mr. & Mrs. Morgan's medical needs.

- 6.2 The site lies within the open countryside where there is a presumption against any new housing development. There are exceptions detailed in Policy H7 of the Herefordshire Unitary Development Plan to new housing in the open countryside such as conversion of a rural building or a replacement dwelling. However, none of the exceptions detailed in this policy are met in this instance. As such, the proposal is contrary to Development Plan policies which seek to protect the countryside from unnecessary and unsustainable development.
- 6.3 The applicants and their agent have stated that the new accommodation is required for personal (medical) reasons. All applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The personal circumstances of an applicant can be a material planning consideration. However, planning permission runs with the land and personal circumstances of an applicant seldom outweigh the more general planning policy considerations. In this instance, as the proposed development is of a permanent nature, it will remain long after the personal circumstances of the applicant have ceased to be material. A number of other options have been discussed with the applicants including an extension of the existing dwelling, conversion of an existing building within the farm and the provision of a mobile home, but the applicants have ruled all unsatisfactory. The possibility of an extension or mobile home in particular may not fully meet the applicant's wishes but either option could provide the required additional single storey accommodation on the farm, and also would in principle, accord with the development plan policies.
- 6.4 Therefore, whilst recognising the applicant's desire to remain living on their farm where they have lived for many years and their personal needs for single storey accommodation, these issues are not considered sufficient to justify granting a development which is clearly contrary to the Development Plan policies and when there are other options available.

RECOMMENDATION

Subject to no new material planning considerations by the end of the consultation period, the officers named in the Scheme of Delegation to Officers be authorised to refuse the application for the following reason:

- 1. **The development is contrary to Policy CAL1 of the Hereford Local Plan, Policies H7, S1, S2 and DR2 of the Herefordshire Unitary Development Plan (Revised Deposit Draft) and advice contained within Planning Policy Statement 1 - Planning for Sustainable Development and PPS7 entitled Sustainable Development in Rural Areas. This is because the site for the bungalow lies outside of a defined settlement and none of the exceptions to permit housing in the countryside listed in the above policies have been satisfied. Furthermore, the personal circumstances of the applicants do not justify granting planning permission contrary to the adopted and draft Herefordshire Unitary Development Plan policies in this instance.**

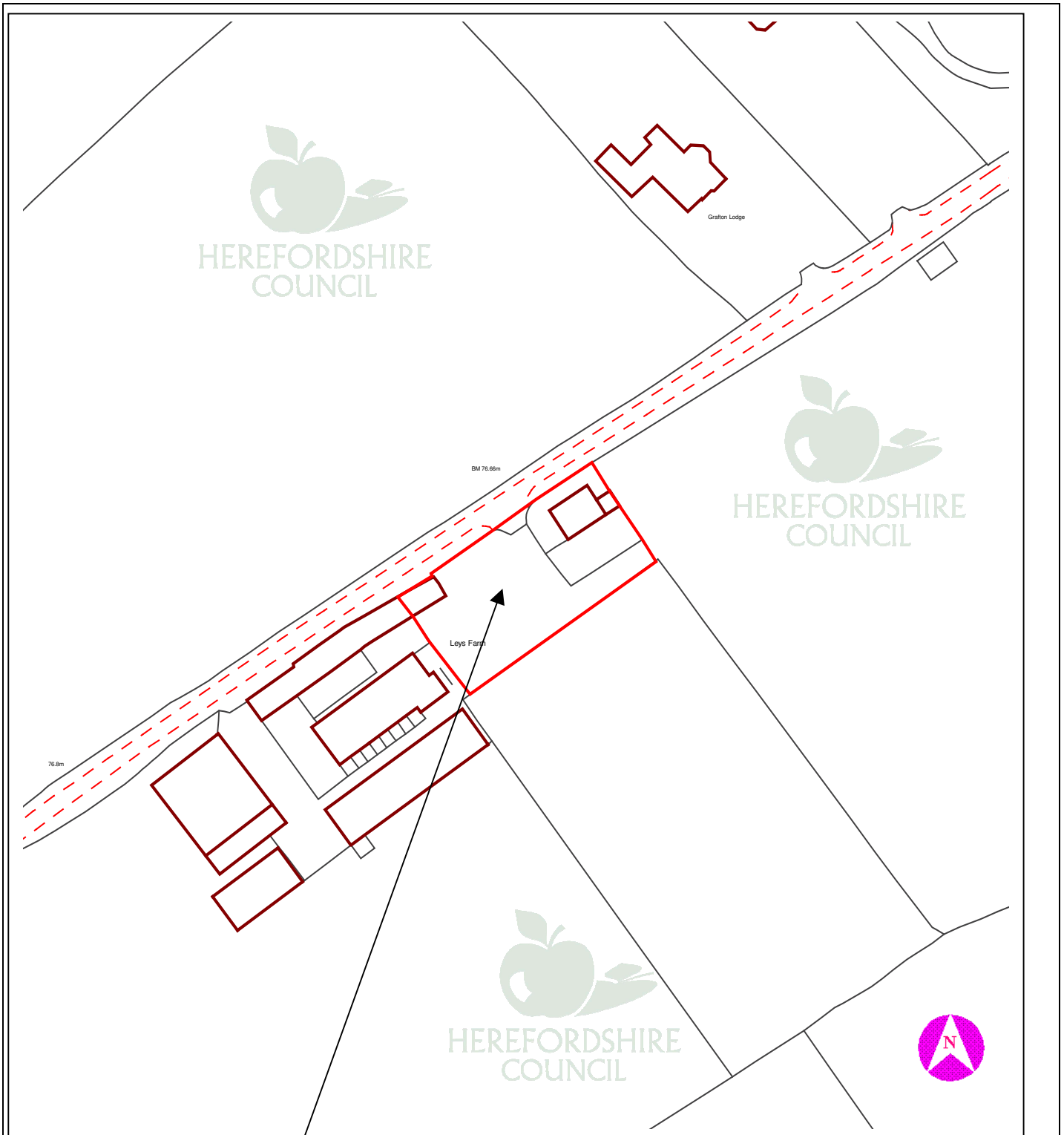
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCCE2006/0608/F

SCALE : 1 : 1250

SITE ADDRESS : Leys Farm, Grafton, Hereford, HR2 8BL

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8 DCCE2006/0649/F - CHANGE OF USE TO MIXED USE OF B2 (GENERAL INDUSTRY) AND B8 (STORAGE OR DISTRIBUTION), WITH UP TO 10% B1 (BUSINESS) AT THREE MILLS TRADING ESTATE (FORMERLY THE WIRE MILL), OLD SCHOOL LANE, HEREFORD, HR1 1EX

For: Mr. K.G. Davies, per Cross & James, 26 King Street, Hereford, HR4 9BX

Date Received: 27th February, 2006 Ward: Three Elms Grid Ref: 51389, 41776

Expiry Date: 24th April, 2006

BVPI Expiry Date: 29th May, 2006

Local Members: Councillors Mrs. P.A. Andrews, Mrs. S.P.A. Daniels and Ms. A.M Toon

1. Site Description and Proposal

1.1 The site is located east of the C1320 known as Old School Lane north of the city centre. Immediately south is the railway line which is designated a Site of Importance for Nature Conservation. Northwest is a row of properties fronting Old School Lane whose rear gardens border the site and the land north and northeast is predominantly occupied by car sales garages. A large brick and steel framed building of around 12,000 square metres in area presently occupies a relatively central position within the site and was built, and until recently used, by Wiggins Special Metals as a wire drawing mill. The site is safeguarded within both the Hereford Local Plan and Herefordshire Unitary Development Plan as protected employment land.

1.2 Planning permission was approved in July 1961 for the erection of the building for wire drawing (wire mill). This use is a B2 general industrial use. Planning permission is now sought to enable the use of the building for a mixture of B2 and B8 (Storage and Distribution) with up to a maximum of 10% B1 (Light Industry).

2. Policies

2.1 Hereford Local Plan:

Policy H22	-	Existing Non-Residential Uses
Policy E2	-	Established Employment Areas
Policy E5	-	Hybrid Uses
Policy E7	-	Criteria for Employment Development

2.2 Herefordshire Unitary Development Plan (Revised Deposit Draft):

Policy S4	-	Employment
Policy DR13	-	Noise
Policy E7	-	Other Employment Proposals Within and Around Hereford and the Market Towns
Policy E8	-	Design Standards for Employment Sites

3. Planning History

- 3.1 BP7235 Erection of building for wire drawing. Approved 27/7/1961.
- 3.2 CE2001/2698/Z Application for Hazardous Substances Consent. Approved 19/2/2002.

4. Consultation Summary

Statutory Consultations

- 4.1 Environment Agency: No comment.
- 4.2 Welsh Water: No comments received.

Internal Council Advice

- 4.3 Traffic Manager: No objection subject to conditions requiring further secure cycle storage and a Green Travel Plan.
- 4.4 Conservation Manager: No objection.
- 4.5 Head of Environmental Health & Trading Standards: Comments awaited.

5. Representations

- 5.1 Hereford City Council; Hereford City Council has considered this application and has no objection but suggest a 50:50 use between B2 and B8.
- 5.2 Two letters of comment/objection have been received from T.P. & M.A. Flanighan, 68 Old School Lane and R.M. Rowberry, 66 Old School Lane. The main points raised are:
1. Additional traffic and particularly lorries on Old School Lane which is narrow, has concealed driveways, a narrow railway bridge and is used as a rat run would be a danger to highway safety.
 2. Additional lorry movements within the site will destrupt amenity.
 3. We are concerned with the operating hours as the factory is adjacent to our houses, particularly if they were to operate between the hours of 10pm and 6am.
 4. Special Metals continue to use the existing car park to the front of the building and if this continues there will be inadequate parking and lead to gridlock on Old School Lane.
 5. We are also concerned with the likely development of the land opposite the application site which will further exacerbate the likely problems on Old School Lane.
 6. Speed limits and signage should be reviewed on Old School Lane.

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

6. Officers Appraisal

- 6.1 The site and much of the land north of the railway line is protected within the Local Plan and the Unitary Development Plan for employment purposes. As such, both the continued use of the site for general industrial purposes along with the principle of other employment uses, namely B1 (Light Industrial) and B8 (Storage and Distribution) is acceptable on the site. The lawful use of the entire site, i.e. the building and its curtilage is for general industrial purposes and the permission granted in 1961 is unrestricted, i.e. there are no conditions restricting operating hours or delivery times.
- 6.2 Concerns have been expressed by residents who live adjacent to the site regarding potential impact of the mixed uses on their amenity and the additional traffic that might be generated. The Traffic Manager raises no objection to the safety of the access, parking provision within the site and also to the potential additional traffic on Old School Lane. As such this issue is considered acceptable.
- 6.3 In terms of residential amenity, the starting point must be the lawful use of the site for unrestricted general industrial purposes. There is therefore nothing to prevent a new occupier operating from the site 24 hours a day, 7 days a week. Nevertheless, the proposal could result in intensification in the use of the site with the potential for increased disruption to the amenity enjoyed by residents in the locality. Comments are still awaited from the Head of Environmental Health & Trading Standards with regards to this matter and the decision as to whether any restriction on operating hours or delivery/collection times is necessary will be dependant upon their comments. However, the applicants do not wish to see any such restriction(s) given the existing lawful situation.
- 6.4 The principle of a mixed B1, B2 and B8 use of the site is acceptable in policy terms and therefore subject to head of Environmental Health & Trading Standards raising no objection to the application, the proposal accords with the relevant Development Plan policies.

RECOMMENDATION

Subject to no further objections raising additional material planning considerations by the end of the consultation period and; subject to there being no objection from the Head of Environmental Health & Trading Standards, the Officers named in the Scheme of Delegation to Officers be authorised to approved the application subject to the following conditions and any further conditions considered necessary by Officers:

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

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

- 2. A11 (Change of use only details required of any alterations).**

Reason: To define the terms under which permission for change of use is granted.

3. 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.

4. Within three months of the date of first occupation of any part of the building in connection with the planning permission hereby permitted, a Travel Plan containing measures to promote alternative modes of transport for employees including a schedule for its implementation shall be submitted to and approved in writing by the local planning authority and implemented as approved. A detailed written record shall be kept of measures undertaken to promote sustainable transport initiatives and shall be made available for inspection by the local planning authority upon reasonable request so as to enable monitoring of the plan to be routinely carried out.

Reason: In the interests of highway safety and to ensure that a range of sustainable transport initiatives are available to employees.

5. Any conditions considered necessary by the Head of EH&TS.

Informative:

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

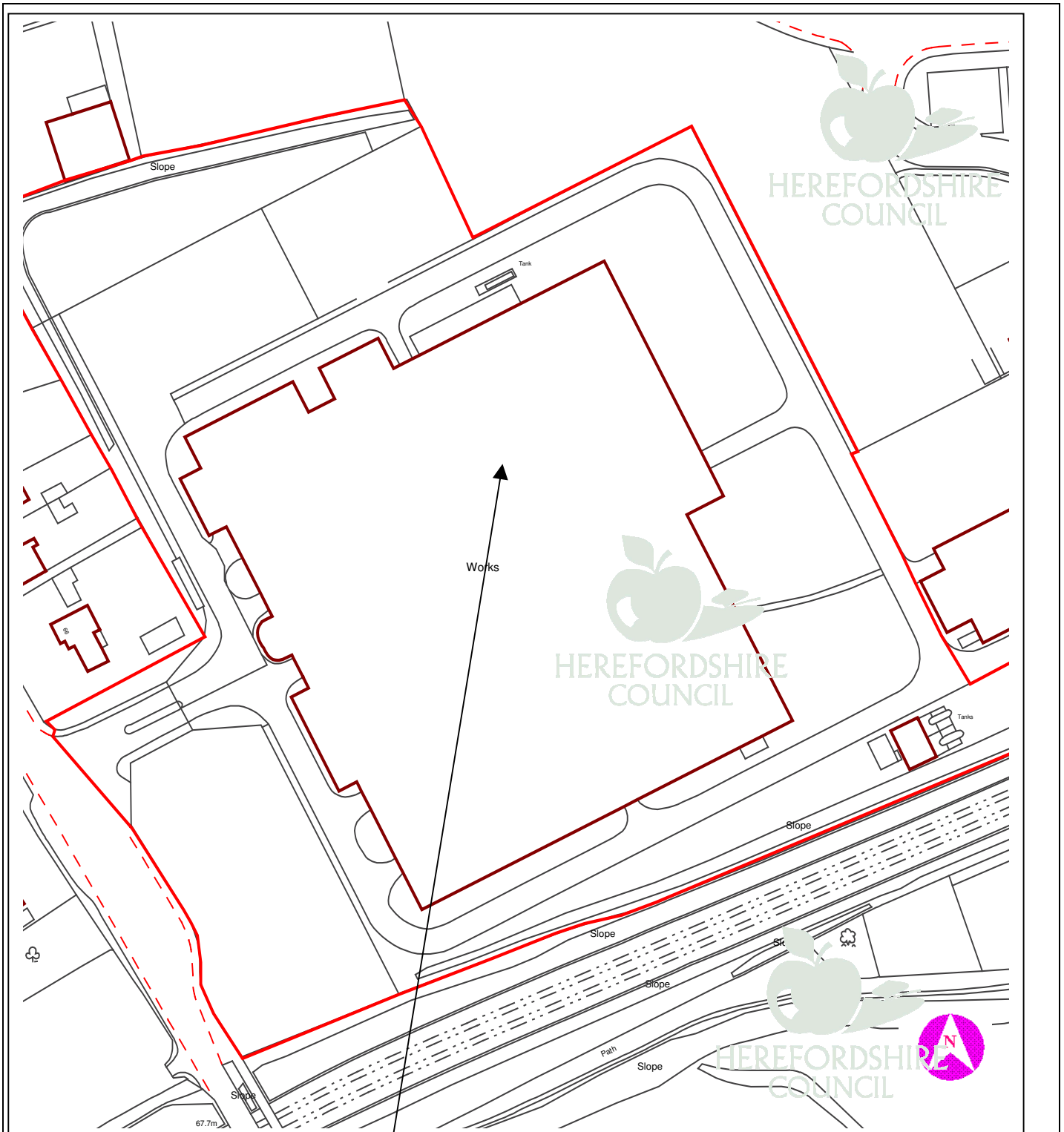
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCCE2006/0649/F

SCALE : 1 : 1250

SITE ADDRESS : Three Mills Trading Estate (formerly The Wire Mill), Old School Lane, Hereford, HR1 1EX

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9 DCCE2006/0435/F - NEW TWO STOREY HOUSE LAND ADJACENT TO CROFT COTTAGE, LUGWARDINE, HEREFORD

For: Ms. S. Hickle per J.E. Smith, Parkwest, Longworth, Lugwardine, Hereford, HR1 4DF

Date Received: 10th February, 2006 Ward: Hagley Grid Ref: 54658, 40916

Expiry Date: 7th April, 2006

Local Member: Councillor R.M. Wilson

1. Site Description and Proposal

- 1.1 This application seeks permission for the erection of a dwelling on land adjacent to Croft Cottage, Lugwardine. The application site is located within the settlement boundary of Lugwardine and is adjacent to a Listed Building (Rose Cottage). Lugwardine is designated as a 'Main Village' in the emerging Herefordshire Unitary Development Plan (Revised Deposit Draft).
- 1.2 This proposal involves the erection of a dwelling on land between Croft Cottage and Rose Cottage. The land is currently garden area associated with Croft Cottage, a two-storey detached dwelling house located to the west of the main A438 through Lugwardine. Croft Cottage currently has a single storey side extension which is to be removed to facilitate the introduction of the access point. The proposed property is a two storey dwelling with a two storey twin gabled rear projection and has a traditional form. The revised access will serve a turning and parking area to the rear of the site which will allow for the parking of vehicles associated with both the new dwelling, and Croft Cottage. This application represents the second submission for this scheme, the first (DCCE2005/3667/F) being withdrawn due to concerns relating to the access arrangements.

2. Policies

2.1 Planning Policy Guidance:

- PPS1 - Delivering sustainable development
- PPG3 - Housing
- PPG15 - Planning and the historic environment

2.2 South Herefordshire District Local Plan:

- GD1 - General development criteria
- C2 - Settlement boundaries
- C20 - Protection of historic heritage
- C29 - Setting of a listed building
- C45 - Drainage
- SH6 - Housing development in larger villages
- SH14 - Siting and design of buildings
- T3 - Highway safety requirements

T4 - Highway and car parking standards

2.3 Herefordshire Unitary Development Plan (Revised Deposit Draft):

S1 - Sustainable development
S2 - Development requirements
S7 - Natural and historic heritage
DR1 - Design
DR2 - Land use and activity
DR4 - Environment
DR6 - Water resources
H4 - Main villages: settlement boundaries
H5 - Main villages: housing land allocations
H16 - Car parking
T11 - Parking provision
HBA4 - Settling of listed Buildings

3. Planning History

3.1 DCCE2005/3667/F - Erection of new dwelling. Withdrawn 29th December, 2005.

4. Consultation Summary

Statutory Consultations

4.1 Welsh Water: Object unless a Grampian condition is attached to prevent the occupation of the dwelling prior to the completion of improvement works.

Internal Council Advice

4.2 Conservation Manager: No objection subject to retention of boundary wall.

4.3 Traffic Manager: Raised no objection, however, specified that clarification was required of the turning area to be provided for both the new and existing property. This detail has been provided but the Traffic Manager has yet to provide final comment

5. Representations

5.1 Lugwardine Parish Council: Objection on the grounds that 'we feel the proposed house is not sympathetic to the existing surrounding buildings which we believe are Listed'.

5.2 Local Residents: Two letters of objection have been received, the comments of which can be summarised as follows:

- Adverse impact upon the setting of the adjacent Listed Building;
- Inappropriate new build;
- Lack of need for a new dwelling;
- Access concerns;
- Structural implications upon adjacent Listed Building.

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

6. Officers Appraisal

6.1 It is considered that the following matters represent the salient areas for consideration in relation to this application:

- Principle of development;
- Design and scale;
- Visual amenities and Setting of Listed Building;
- Residential amenities;
- Highway issues; and
- Drainage.

Principle of Development

6.2 From a planning policy perspective this application seeks permission for a residential development within the settlement boundary of Lugwardine. To this end the proposal is considered acceptable in principle in the context of both the adopted and emerging local development plans.

Design and Scale

6.3 The proposed property is a two storey dwelling with a rendered finish and slate roof. The design concept is traditional and unimposing and this is considered appropriate in the context of the adjacent properties and the wider settlement. The scale is considered appropriate having regard to the role of this property as a link between Rose Cottage, which is on higher ground, and Croft Cottage. The design and scale are considered to be of the standard necessary for a sensitive area such as this.

Visual Amenities and Listed Building Impact

6.4 Rose Cottage is a two storey dwelling dating from the 18th Century but with 20th Century alterations. It is a Grade II Listed Building located to the north of the application site. This property is elevated above the application site and represents a relatively imposing structure within the street scene. To the south of the application site is Croft Cottage itself, a two storey dwelling of no particular architectural merit. The locality contains a wide mix of properties, including a number of Listed Buildings and represents an attractive streetscape. In this context the importance of securing an appropriate design solution on this application site is emphasised. It is considered that the proposed design approach is sensitive and will integrate successfully into the street scene. The ridgeline of the new dwelling is appropriate in respect of the transition between Rose and Croft Cottages and the siting is set back into the site. The proposal will require setting into the ground due to the levels of the ground, however, the set back into the site and the siting of the property will ensure preservation of the street scene. The existing roadside walling is altered to meet access requirements but is principally retained.

6.5 Turning to the specific Listed Building issues, it is considered that, having regard to the siting and design of this proposal, the character and appearance of the adjacent Listed Building will be preserved through this development.

6.6 The proposal is therefore considered acceptable in relation to visual amenities and impact upon the adjacent Listed Building.

Residential Amenities

- 6.7 The proposed new dwelling has no habitable openings in the side elevations. There are no neighbouring properties to the front or rear and as such there are no issues of privacy upon neighbouring dwellings. On this basis the principal issue is the potential overbearing impact associated with this development. To the south, Croft Cottage contains habitable opening in the effected elevation and the proposed elevation is on a similar level. The proposed house is approximately 11 metres from Croft Cottage however, and is set to the rear of the site such that the direct overbearing impact will be minimised. Turning to the north, Rose Cottage does have ground and first floor habitable openings overlooking the application site. The distance between the proposed dwelling and Rose Cottage is only 7.5 metres (approximate), however, the siting and respective site levels provide for a relationship between these dwelling that will be within acceptable limits. Conditions will restrict new openings in the side elevations of the new dwelling, ensuring the privacy of the neighbouring properties. It is therefore considered that this proposal will not impact unacceptably upon the residential amenities of the locality.

Highway Issues

- 6.8 The previous application for this scheme [DCCE2005/3667/F] was withdrawn in a large part due to access concerns. Following negotiations with the Traffic Manager this revised scheme has been submitted. The access alterations and arrangements have now been accepted, however, further details have been necessary in respect of the parking and turning arrangements. These have yet to be formally confirmed as acceptable and the recommendation of this report reflects this.

Drainage

- 6.9 Welsh Water have advised that the capacity of the existing drainage system in this area is limited. On the basis of this Welsh Water objected to the application unless a 'Grampian' style condition is attached to prevent to the occupancy of this new dwelling prior to the completion of the improvement works. The Agent has, however, advised that a non-mains sewerage system is available on site and that this can be utilised until the main service becomes available. On this basis a condition requiring connection to the main when this becomes available is proposed.

Conclusion

- 6.10 It is considered that this proposal represents an effective infill development of an appropriate design and scale. The impact upon residential amenities is within acceptable limits and the drainage and highway issues associated with this application are effectively dealt with through the proposed determination outlined below.

RECOMMENDATION

That, subject to receipt of the confirmation of the acceptability of the access, parking and turning revisions, the Officers named in the Scheme of Delegation be authorised to approve the application subject to the following conditions and any further conditions considered necessary by Officers:

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

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

2 A06 (Development in accordance with approved plans).

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

3 B01 (Samples of external materials).

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

4 E16 (Removal of permitted development rights).

Reason: In the interests of the amenities of the locality.

5 E18 (No new windows in specified elevation).

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

6 Prior to the commencement of the development hereby authorised, the existing extension attached to Croft Cottage identified for demolition in the approved plans shall be removed in its entirety.

Reason: To ensure an acceptable form of development.

7 F18 (Scheme of foul drainage disposal).

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

8 The dwelling hereby approved shall, as soon as is reasonably practicable, be connected to mains sewerage.

Reason: In the interests of land amenity and securing effective long term drainage for this site.

9 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.

10 G01 (Details of boundary treatments).

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

11 F16 (Restriction of hours during construction).

Reason: To protect the amenity of local residents.

Informative:

1 N15 - Reason(s) for the Grant of PP/LBC/CAC.

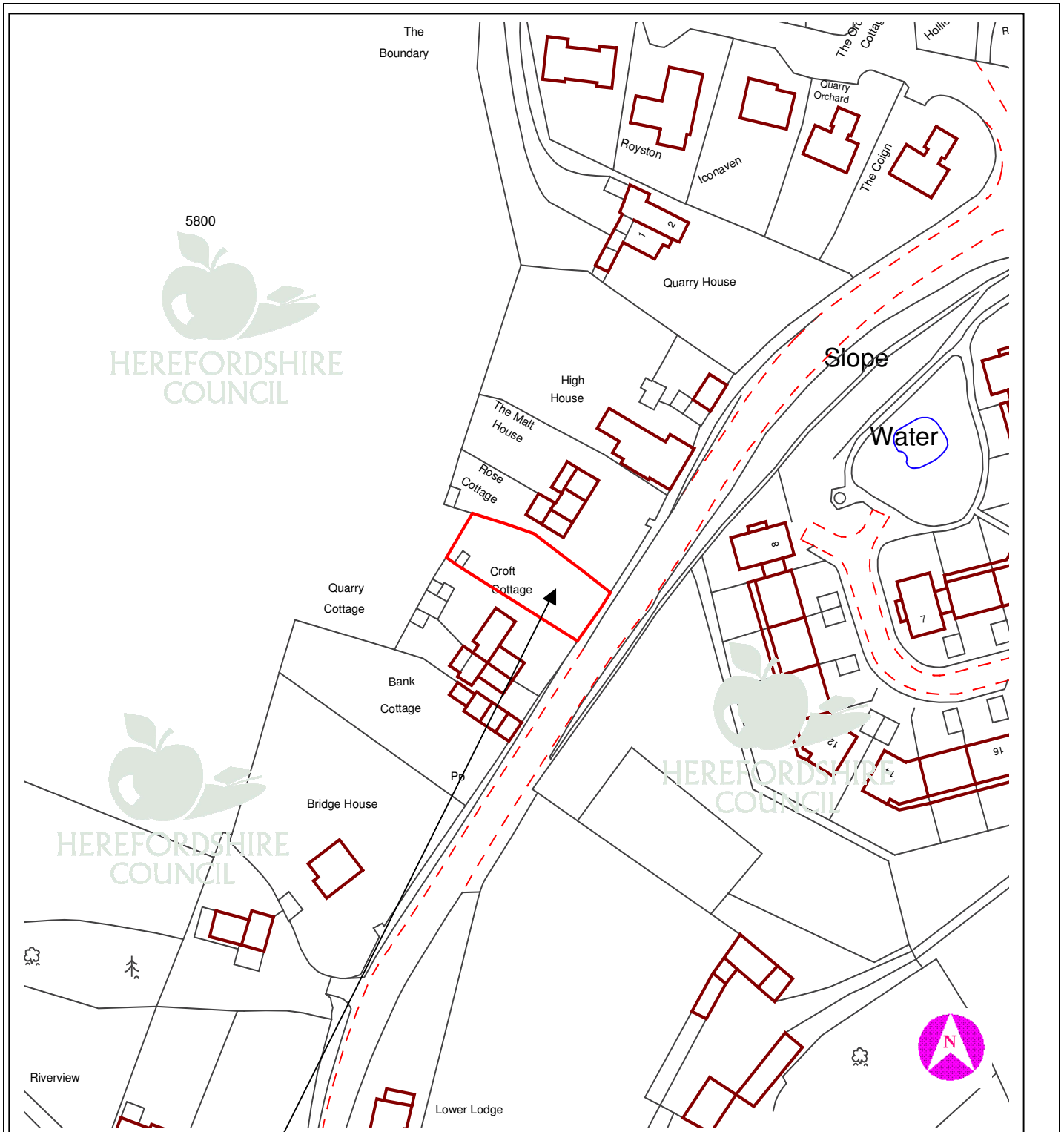
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCCE2006/0435/F

SCALE : 1 : 1250

SITE ADDRESS : Land adjacent to Croft Cottage, Lugwardine, Hereford.

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10A DCCE2006/0475/F - DEMOLITION OF EXISTING BUNGALOW CONSTRUCTED IN 1934. RE-BUILD ON APPROXIMATELY SAME FOOTPRINT A LOW ENERGY CONSUMPTION BUNGALOW. 130 AYLESTONE HILL, HEREFORD, HEREFORDSHIRE, HR1 1JJ

For: Ms. S.M. Munden, 95 Aylestone Hill, Hereford, HR1 1JJ

10B DCCE2006/0487/C – DEMOLITION OF EXISTING 1934 BUNGALOW, 130 AYLESTONE HILL, HEREFORD, HR1 1JJ

For: Ms. S.M. Munden, 95 Aylestone Hill, Hereford, HR1 1JJ

Date Received: 13th February, 2006 Ward: Aylestone Grid Ref: 52362, 41446
Expiry Date: 10th April, 2006

Local Members: Councillors D.B. Wilcox and A.L. Williams

1. Site Description and Proposal

- 1.1 This application seeks permission for the erection of a replacement dwelling house with integral garage at 130 Aylestone Hill, Hereford. The existing property on site is a 1930's detached single storey dwelling house with a single storey rear extension and attached single garage to the side. The site is located on the eastern side of Aylestone Hill and falls within the designated Conservation Area. The site falls within the settlement boundary of Hereford as defined in both the adopted Hereford Local Plan and the emerging Herefordshire Unitary Development Plan (Revised Deposit Draft).
- 1.2 This proposal involves the demolition of the existing dwelling (DCCE2006/0487/C), and the erection of a replacement property. The proposed replacement property is single storey dwelling with dormer windows to provide enhanced first floor accommodation within the roof space of the dwelling.

2. Policies

2.1 Hereford Local Plan:

ENV14	-	Design
H12	-	Established residential areas – character and amenity
H13	-	Established residential areas – loss of features
H14	-	Established residential areas – site factors

CON12	-	Conservation areas
CON13	-	Conservation areas – development proposals
CON14	-	Planning applications in conservation areas
CON16	-	Conservation Area Consent
CON17	-	Conservation Area Consent - Condition
T5	-	Car parking – designated areas

2.2 Herefordshire Unitary Development Plan:

S1	-	Sustainable development
S2	-	Development requirements
S6	-	Transport
DR1	-	Design
DR2	-	Land use and activity
DR3	-	Movement
DR4	-	Environment
H1	-	Hereford and the market towns: settlement boundaries and established residential areas
HBA6	-	New development within conservation areas
HBA7	-	Demolition of unlisted buildings within Conservation Areas

3. Planning History

3.1 None identified.

4. Consultation Summary

Statutory Consultations

4.1 Welsh Water: No response received.

Internal Council Advice

4.2 Traffic Manager: No objections.

4.3 Conservation Manager: No objection.

5. Representations

5.1 Hereford City Council: No response received.

5.2 A single letter of objection has been received from Ms M.C. Biggs, 134 Aylestone Hill, the comments of which can be summarised as follows:

- Inappropriate design and scale;
- Adverse impact upon street scene;
- Adverse impact upon Conservation Area.

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

6. Officers Appraisal

6.1 From a planning policy perspective this application seeks permission for a replacement dwellings within an established residential area. No objections are therefore raised to the principle of development. The key issues are considered to be:

- a) Conservation Area Impact;
- b) Design and scale;
- c) Residential Amenities;
- d) Highways Issues.

Visual Amenities and Conservation Area Impact

6.2 The existing building is not considered to be of merit such that its replacement should be resisted and as such the issues revolve around the visual impact of the replacement. The replacement property reflects the character and appearance of the existing dwelling, which is one of four inter-war bungalows found in a row. The proposed design is larger and more imposing than the existing property, and does contain modern elements not characteristic of the period of the existing dwelling, but the design is sensitive to the location. The proposed replacement dwelling is 1.3 metres higher than the existing property and this is considered to be the main area of concern in relation to Conservation Area and street scene impact. The gradient of Aylestone Hill is such that the existing row of four bungalows currently steps down, one by one, in a line forming an attractive stepped form of development. The proposed replacement will impact upon this series with a ridge height virtually equal to it's higher neighbour to the south. This interruption in the stepped street scene is somewhat unfortunate, however, it is not ultimately considered to be of sufficient harm to warrant refusal. The wider Conservation Area is characterised by a varied street street, dominated by large detached dwellings in spacious plots. The replacement is a single storey property with an appearance sensitive to the location and ultimately it is considered that this property will sit comfortably within the street scene with no adverse impact upon the character and appearance of the Conservation Area, or harmful effect upon the visual amenities of the locality. The Conservation Manager is satisfied with the form of this development, and its impact upon the Conservation Area.

Design and Scale

6.3 The proposed dwelling is more imposing in scale than the existing dwelling on site, however, the size is not considered excessive. The design is not of any outstanding architectural merit but it is nevertheless considered appropriate in its general characteristics in relation to the local area. The design acknowledges the character of the locality and reflects this in the design approach taken, which is essentially traditional. The design and scale are considered acceptable.

Residential Amenities

6.4 This proposed replacement dwelling contains habitable openings in both side-facing elevations. The neighbouring properties on both sides also contain protected openings. In normal circumstances this would be cause for concern. In this instance, however, the existing dwelling has habitable opening in both side elevations. Furthermore, the change in levels reduces slightly the direct inter-visibility issues. On this basis the privacy issues associated with this scheme are considered to be within acceptable limits.

- 6.5 Of greater concern is the overbearing impact and light loss associated with this proposal. The dwelling located to the south of the application site, number 128 Aylestone Hill, contains a habitable opening in the elevation facing the application site. This appears to be the sole opening serving this room and the proposed new dwelling reduces the distance from this opening by 1.6 metres. An increased loss of light and overbearing impact will undoubtedly result. However, against this one must consider that Permitted Development Rights would allow a two-metre boundary treatment to be introduced on this boundary, and in this context the actual increase in harm from the existing to the proposed would be minimised such that it is considered that this issue alone is insufficient to substantiate a refusal. On this basis the impact upon residential amenities is considered acceptable. Notwithstanding this, Permitted Development Rights will be removed to ensure the relationship between this new property and the neighbouring dwellings is preserved, and a condition will prevent further new openings in the interests of maintaining privacy at broadly current levels.

Highway Issues

- 6.6 The proposal involves the use of the existing access and turning facilities with the proposed integral garage sited in a similar location to the existing attached garage. On this basis no concerns exist in relation to highway safety issues.

RECOMMENDATIONS

DCCE2006/0475/F:

That planning permission be granted subject to the following conditions:

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

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

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

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

- 3 E08 (Domestic use only of garage).**

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

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

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

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

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

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

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

7 F16 (Restriction of hours during construction).

Reason: To protect the amenity of local residents.

8 E17 (No windows in side elevation of extension).

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

9 H05 (Access gates).

Reason: In the interests of highway safety.

10 H09 (Driveway gradient).

Reason: In the interests of highway safety.

11 H12 (Parking and turning - single house).

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

Informatives:

1 N03 - Adjoining property rights.

2 HN01 - Mud on highway.

3 HN05 - Works within the highway.

4 N15 - Reason(s) for the Grant of PP/LBC/CAC.

DCCE2006/0487/C:

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

1. C01 - (Time limit for commencement (full permission)).

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

Informatives:

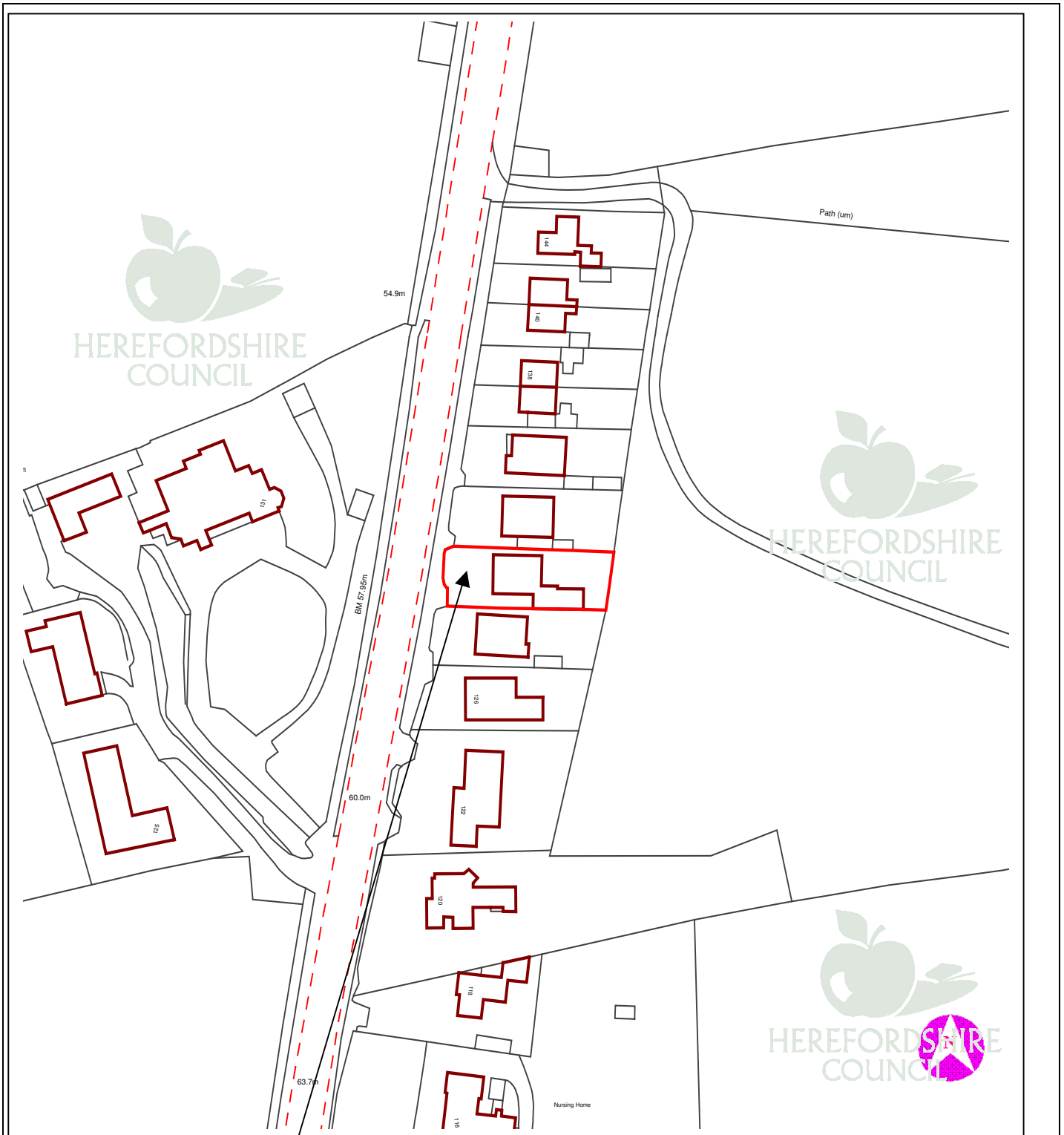
1. N03 – (Adjoining property rights).

2. N15 - Reason(s) for the Grant of PP/LBC/CAC.

Decision:

Notes:

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APPLICATION NO: DCCE2006/0475/F

SCALE : 1 : 1250

SITE ADDRESS : 130 Aylestone Hill, Hereford, Herefordshire, HR1 1JJ

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11 DCCW2006/0370/F - GROUND AND FIRST FLOOR EXTENSION TO REPLACE EXISTING GARAGE/STORE AT 19 INGESTRE STREET, HEREFORD

For: Mr. B. Greensmith, per Mr. A. Griffiths, Bank Lodge, Coldwells Road, Holmer, Hereford, HR1 1LH

Date Received: 1st February, 2006 Ward: Three Elms Grid Ref: 49645, 40599
Expiry Date: 29th March, 2006

Local Members: Councillors Mrs P.A. Andrews, Mrs S.P.A. Daniels and Ms A.M. Toon

1. Site Description and Proposal

1.1 Ingestre Street is located on the northern side of Whitecross Road between Ranelagh Street and Meyrick Street. The proposal is to construct a side extension onto the northern side of No. 19 comprising a new garage and playroom with a master bedroom and en-suite above. A new single storey kitchen is also proposed to the rear of the property. External materials proposed are brick and slate to match. With the exception of a door into the garage and a window in the playroom there are no other openings on the proposed side elevation. An existing second storey window in the side elevation is retained by constructing a double ridge with a valley on the new extension.

2. Policies

2.1 Hereford Local Plan:

H12	-	Established Residential Areas – character and amenity
H16	-	Alterations and extensions
ENV14	-	Design

2.2 Herefordshire Unitary Development Plan (Revised Deposit Draft):

DR1	-	Design
DR2	-	Land use and activity
H18	-	Alterations and extensions

3. Planning History

3.1 None identified.

4. Consultation Summary

Statutory Consultations

4.1 None.

Internal Council Advice

- 4.2 Traffic Manager: Recommends a condition to retain the new garage as a parking space.

5. Representations

- 5.1 Hereford City Council: No objection.

- 5.2 Local Residents: One letter of objection has been received from Mrs. D. Ivy, 21 Ingestre Street, Whitecross, Hereford. The main points raised are:

1. Loss of light that a two storey extension will have on No. 21;
2. No. 21 was built in 1993 and set back from the road to protect a large cedar tree at No. 19. This was subsequently removed in 2005;
3. The windows to No. 21 are small to be in keeping with the area but as a consequence limit the amount of light;
4. In 1994 No. 23 was built forward of my house which blocks light to the front of No. 21;
5. The main source of light comes from the direction of No. 19.

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

6. Officers Appraisal

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

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

Design and Scale

- 6.2 The side, two storey extension is well designed having a ridgeline set well down below the existing ridge and the front and rear wall set within the existing walls to ensure that the extension is subservient to the host building. The fenestration treatment also matches the design of the existing house. The use of the twin gable helps to ensure that the extension is subservient. The single storey rear extension has a mono pitched roof and compliments the main dwelling. The overall scale of the extensions do not dominate the existing property and therefore comply with the policy requirements.

Impact on Residential Amenity

- 6.3 The objections from the occupier of No. 21 Ingestre Street are noted. However the scale of the extensions are such that any additional loss of light will be minimal. The existing property due to its position to the south east of No. 21 already blocks sunlight and due to the reduced roof line of the extension additional light loss will be minimal. It should also be noted that No.21 only has a kitchen window at ground floor which is set well back from the rear of No. 19 and bathroom windows at first and second floors. Accordingly the proposal would not cause sufficient harm to the neighbouring property such that the refusal of permission would be justified.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

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

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

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

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

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

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

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

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

- 5 E17 (No windows in side elevation of extension).

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

Informative:

- 1 N15 - Reason(s) for the Grant of PP/LBC/CAC

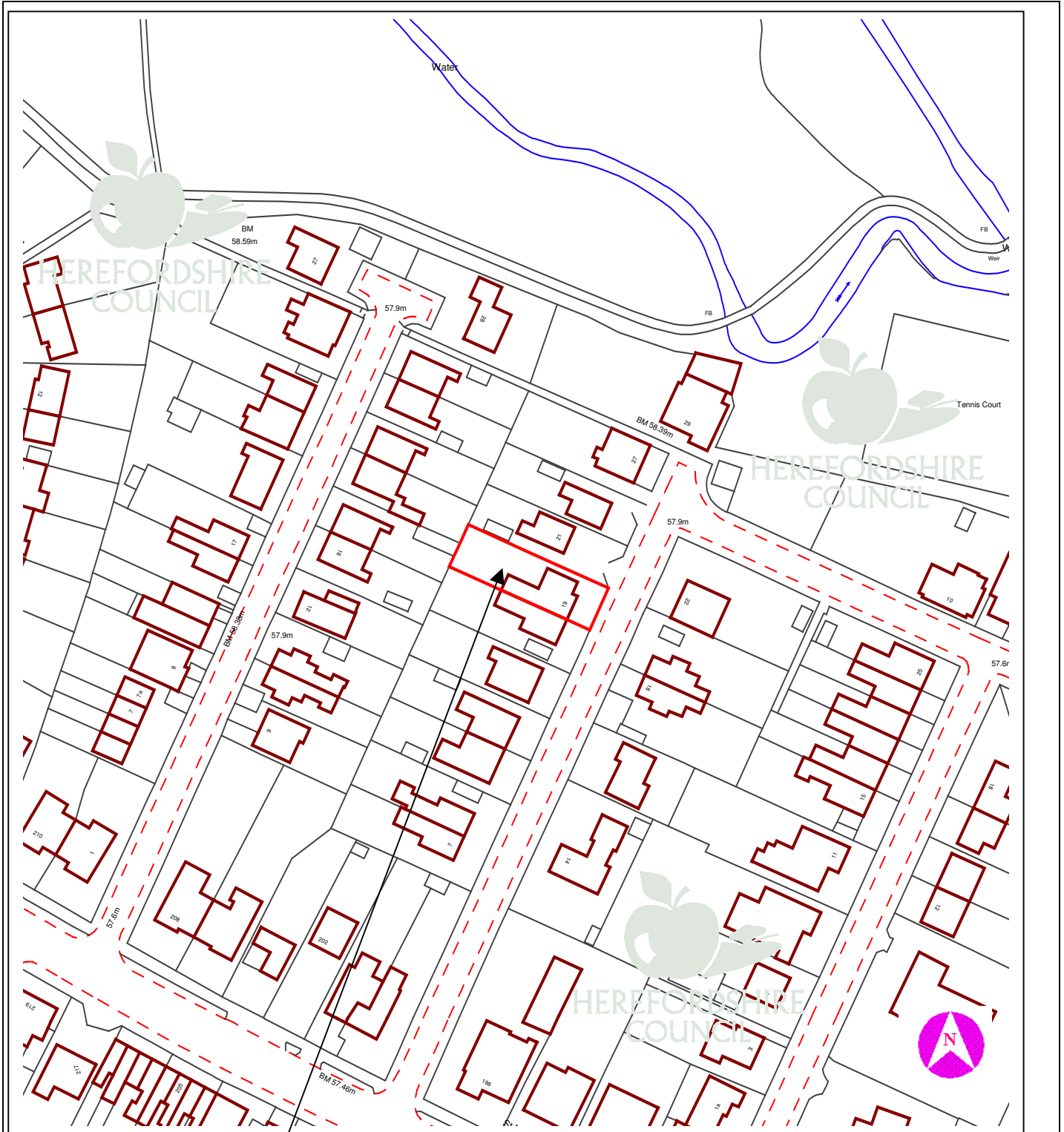
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCCW2006/0370/F

SCALE : 1 : 1250

SITE ADDRESS : 19 Ingestre Street, Hereford

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12 DCCE2005/4168/F - AGRICULTURAL BUILDING AT CLASTON, DORMINGTON, HEREFORD, HR1 4EA

For: Mr. D. Thomas, Perry Hill Farm, Ruckhall Lane, Clehonger, Hereford, HR2 9SB

Date Received: 28th December 2005 Ward: Backbury Grid Ref: 58650, 40600

Expiry Date: 22nd February 2006

Local Member: Councillor Mrs. J.E. Pemberton

1. Site Description and Proposal

1.1 The site forms part of Claston Farm located immediately north of the A438, approximately 500 metres northeast of Dormington. Claston Farm is a working livestock farm comprising a range of modern agricultural buildings and more traditional stone barns. Immediately west and south of the site are existing agricultural buildings, one of which is used for the housing of livestock. To the north is a stone barn now being used by The Marches Brewing Company as a brewery.

1.2 The application is retrospective and is for the retention of steel framed agricultural building to be used for the housing of cattle.

2. Policies

2.1 South Herefordshire District Local Plan:

Policy GD1	-	General Development Criteria
Policy C1	-	Development Within the Open Countryside
Policy C47	-	Pollution
Policy ED9	-	New Agricultural Buildings
Policy ED10	-	Siting and Design of Intensive Livestock Units and Associated Structures/Facilities
Policy ED11	-	The Siting of Intensive Livestock Units from Protected Buildings

2.2 Herefordshire Unitary Development Plan (Revised Deposit Draft):

Policy S2	-	Development Requirements
Policy DR1	-	Design
Policy DR2	-	Land Use and Activity
Policy DR4	-	Environment
Policy DR9	-	Air Quality
Policy E13	-	Agricultural and Forestry Development
Policy E16	-	Intensive Livestock Units

3. Planning History

3.1 No history for the site itself but relevant history exists for the farm.

- 3.2 CE2001/0130/F Regeneration of redundant farm buildings, conversion of farm buildings, construction of workshop and office workshops, living/working units, affordable housing units, provision of auditorium plus training/showcase facilities (amended financial information). Planning permission approved 12.9.2003.

4. Consultation Summary

Statutory Consultations

- 4.1 Environment Agency: No objection.

Internal Council Advice

- 4.2 Traffic Manager: No objection.
- 4.3 Head of Environmental Health & Trading Standards: I confirm that I visited the site with the Principal Environmental Health Officer (Commercial) and am of the opinion that the proposed development will not have a significant detrimental effect on the operation of The Marches Brewery considering the use of the adjoining agricultural buildings.

5. Representations

- 5.1 Dormington Parish Council: No objection but Councillors comment that the north and south views on the plans are the same.
- 5.2 One letter of objection has been received from P.J. Harris, Managing Director, The Marches Brewery Company, The Old Hop Kiln, Claston. The main points raised are:
1. The Marches Brewing Company has been an integral part of the long term plans for Claston Farm since 1999 formalised by the approved plans for the Food and Drink Centre passed by the Secretary of State following a Public Inquiry.
 2. The cattle building has been erected on the allotted brewery parking, loading and access area.
 3. The building would cause a risk of contamination to the food production area from both airborne and associated equipment used to feed the cattle, tractors, cattle lorries etc.
 4. The building would affect our capability of accepting deliveries of raw ingredients and bottles which have to be kept clean from contamination.
 5. The brewery has been held as a showcase and has received support from Advantage West Midlands, Business Link and Herefordshire Council and the facilities have been used by the National Hop Association to test produce beers using new varieties of English Hops grown and developed in Herefordshire.
 6. We have use of the buildings until the year 2014 and undertook a major investment in a bottling facility last year.
- 5.3 A letter from the applicant, Derek J. Thomas, Perry Hill Farm, Ruckhall Lane, Clehonger makes the following points:

1. The building has been erected on the site of a former building dismantled five years ago by the previous owner, Mr. Davies.
2. The occupation of the adjoining barn by Marches Brewing Company is on an informal basis and there is no formal tenancy or lease agreement in existence to enable them to stay at the premises until 2014.

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

6. Officers Appraisal

- 6.1 The building measures 21.33 metres in length by 11.6 metres in width by 5.2 metres in height to the roof. It is of a conventional agricultural design, namely a steel frame partially enclosed by a 1.5 metre high concrete block wall and a corrugated fibre cement sheeted roof. The scale of the building is commensurate with its proposed use for the housing of livestock and the design and materials are acceptable. Overall, the building in itself has minimal visual impact being contained and surrounded by existing farm buildings within the farmstead. As such, the building is considered acceptable and accords with the relevant development plan policies.
- 6.2 The building has been erected within 10 metres of the stone barn now occupied by Marches Brewing Company. The proximity of the agricultural building to this business will clearly have an impact on the operation of the business. However, the site has been inspected by both the Environmental Health Officer responsible for pollution and the Environmental Health Officer responsible for commercial development and both have confirmed that given the proximity of existing agricultural livestock building to the business, this proposal will not materially affect the brewing business any more than is presently the case.
- 6.3 The final issue for consideration is the consequences of permitting the retention of the building for the future implementation of the development approved in 2003 for the redevelopment of the farm for tourism and business purposes. The Marches Brewing Company has invested a considerable amount of time and money in developing the business at the site and the site of the agricultural building is identified on the approved plans as being a parking and vehicle manoeuvring area for the brewery and ancillary shop/visitor centre.
- 6.4 However, it is unfortunate but it appears that the development approved under the 2003 permission is unlikely to be fully implemented. Furthermore, it would appear that the brewing company does not have any legal rights to occupy the building until 2014 as stated and therefore in theory, the business could be required to vacate the premises at any time. Due to these factors, it is not considered that a refusal of the application on the basis that it would prejudice the future implementation and completion of the 2003 development is justified.
- 6.5 The building accords with the relevant development plan policies and the other material considerations set out above are not of sufficient weight to warrant refusal of the application.

RECOMMENDATION

That planning permission is granted.

Informative:

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

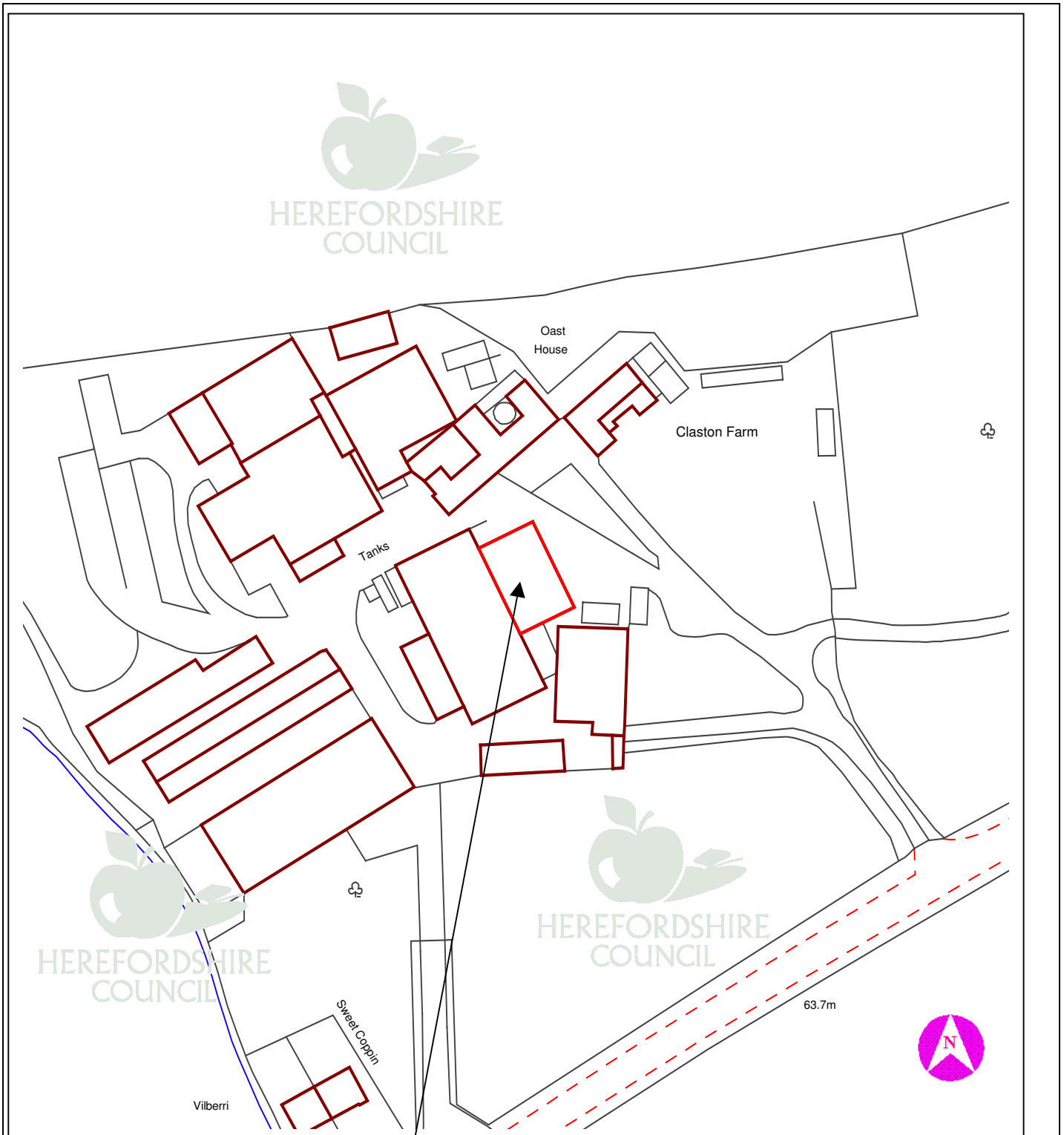
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCCE2005/4168/F

SCALE : 1 : 1250

SITE ADDRESS : Claston, Dormington, Hereford, HR1 4EA

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13 DCCW2006/0495/F - NEW RESIDENTIAL DEVELOPMENT COMPRISING 2 NO. 4 BED HOUSES AND ONE NO. 2 BED HOUSE PLUS NEW HIGHWAY ACCESS AT 285 KINGS ACRE ROAD, HEREFORD, HR4 0SS

For: Caplor Homes Ltd. per Meredith Architectural Design, 34 Montpelier Road, West Malvern, Worcestershire, WR14 4BS

Date Received: 13th February, 2006 Ward: Credenhill Grid Ref: 47557, 41294

Expiry Date: 10th April, 2006

Local Member: Councillor R.I. Matthews

1. Site Description and Proposal

- 1.1 No. 285 Kings Acre Road is a three bedroom bungalow located on the southern side between 283 and 289 Kings Acre Road. The property has an extensive garden that loops around the back of Nos. 289 and 291 Kings Acre Road. The rear, southern boundary of the site is a continuation of the boundaries of other dwellings fronting Kings Acre Road.
- 1.2 The proposal is to close the existing entrance off Kings Acre Road to No. 285 and construct a new driveway on the western side which would provide access to the rear garden where two four bedroom and two bed chalet style dwellings are proposed. The existing bungalow would have an existing living/dining room element removed to accommodate the new driveway and be reduced from a three bed to a two bed bungalow. External materials proposed would be red brick and render under a slate roof.

2. Policies

2.1 Planning Policy Guidance:

PPG3 - Housing

2.2 South Herefordshire District Local Plan:

GD1 - General development criteria
 SH1 - Housing land supply
 SH4 - Housing land adjacent to Hereford City
 SH15 - Criteria for new housing schemes
 T3 - Highway safety

2.3 Herefordshire Unitary Development Plan:

DR1 - Design
 S1 - Sustainable development

S3	-	Housing
H1	-	Hereford and the market towns
H2	-	Hereford and the market towns
H3	-	Managing the release of housing land
T11	-	Parking provision

3. Planning History

- 3.1 SH990079/O Erection of six bungalows. Refused 26th March 1979.

4. Consultation Summary

Statutory Consultations

- 4.1 None.

Internal Council Advice

- 4.2 Traffic Manager: Recommends conditions.

5. Representations

- 5.1 Hereford City Council: "Hereford City Council has considered this application and has no objections but request conditions be imposed to retain or replace all existing trees and hedgerows within the development site. Reason: to maintain the existing environmental quality of the area."
- 5.2 Two letters of objection have been received from R. & Y.H. Powell, Sycamore House, 289 Kings Acre Road, Hereford. The main points raised are:
1. The site is located to the rear of 289 Kings Acre Road in a backland setting in open countryside.
 2. Previous applications on the land have been refused as back building and intrusion in addition sewage and access concerns were raised. An appeal was also dismissed.
 3. Subsequent to the refusal the two bungalows were built that now occupies part of the site.
 4. The site rises to the rear and concerns over water drainage are raised.
 5. This proposal could set an unwelcome precedent for Kings Acre Road.
 6. There has been no planning allowed like this in the area.
 7. The access road will be 12 metres away from a kitchen window with noise and pollution a problem.

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

6. Officers Appraisal

6.1 In considering this proposal the following are considered to be critical:

- (A) The Principle of Development
- (B) Impact on the Amenity of Adjoining Residents
- (C) Highways

The Principle of Development

6.2 The site is located within the development line of properties and gardens that front Kings Acre Road. The site forms part of the garden area to No. 285 and is therefore not an open countryside location. It is situated along a transport route into the city and contained within the development zone as indicated by the existing boundaries of properties along Kings Acre Road. In addition the development is not dissimilar to the building development undertaken opposite at Bramley Court. It should however be noted that the site falls outside of the defined settlement boundary for Hereford City, but it is within the defined linear settlement zone for Kings Acre Road and in accordance with PPG3 is a "Brownfield" location because it is within a clearly defined curtilage of an existing dwelling. The site can, therefore, be categorised as previously developed land.

Impact on the Amenity of Adjoining Residents

6.3 The three new dwellings are sited around the access driveway which runs along the eastern boundary of No. 289 Kings Acre Road. This boundary is a tall mature leylandii hedge. The access road will be 1.8 metres away from the boundary and will be 3.5 metres wide.

6.4 Two dwellings, both four beds, will face towards the rear garden of No. 289 whilst the two-bed dwelling will be gable end onto the adjoining property. However, distance between existing and proposed dwellings will be approximately 20 metres with a mature hedge and trees in between. This distance and with only one bedroom window and a velux to light the stairwell is considered acceptable and not to impact detrimentally on the amenity of adjoining residents. Therefore although the development is quite rightly described as "backland" development it is acceptable backland development as it will provide acceptable standards of amenity.

Highways

6.5 The access proposals have been thoroughly assessed by the Traffic Manager who raises no objection subject to appropriate conditions.

Conclusions

6.6 The redevelopment of this "Brownfield" land within the linear development boundary of Kings Acre Road provides for an efficient use of land for housing without detriment to the amenity of nearby residents or highway safety. In addition, and to protect residents' amenity permitted development rights are recommended to be removed.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

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

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

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

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

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

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

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

Reason: In order to protect the amenity of nearby residents.

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

Reason: To protect the amenity of local residents.

6. **F17 (Scheme of foul drainage disposal).**

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

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

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

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

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

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

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

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

Reason: To safeguard the amenity of the area.

11. **H03 (Visibility splays).**

Reason: In the interests of highway safety.

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

Reason: In the interests of highway safety.

13. H08 (Access closure).

Reason: To ensure the safe and free flow of traffic using the adjoining County highway.

14. H09 (Driveway gradient).

Reason: In the interests of highway safety.

15. 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.

Informatives:

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

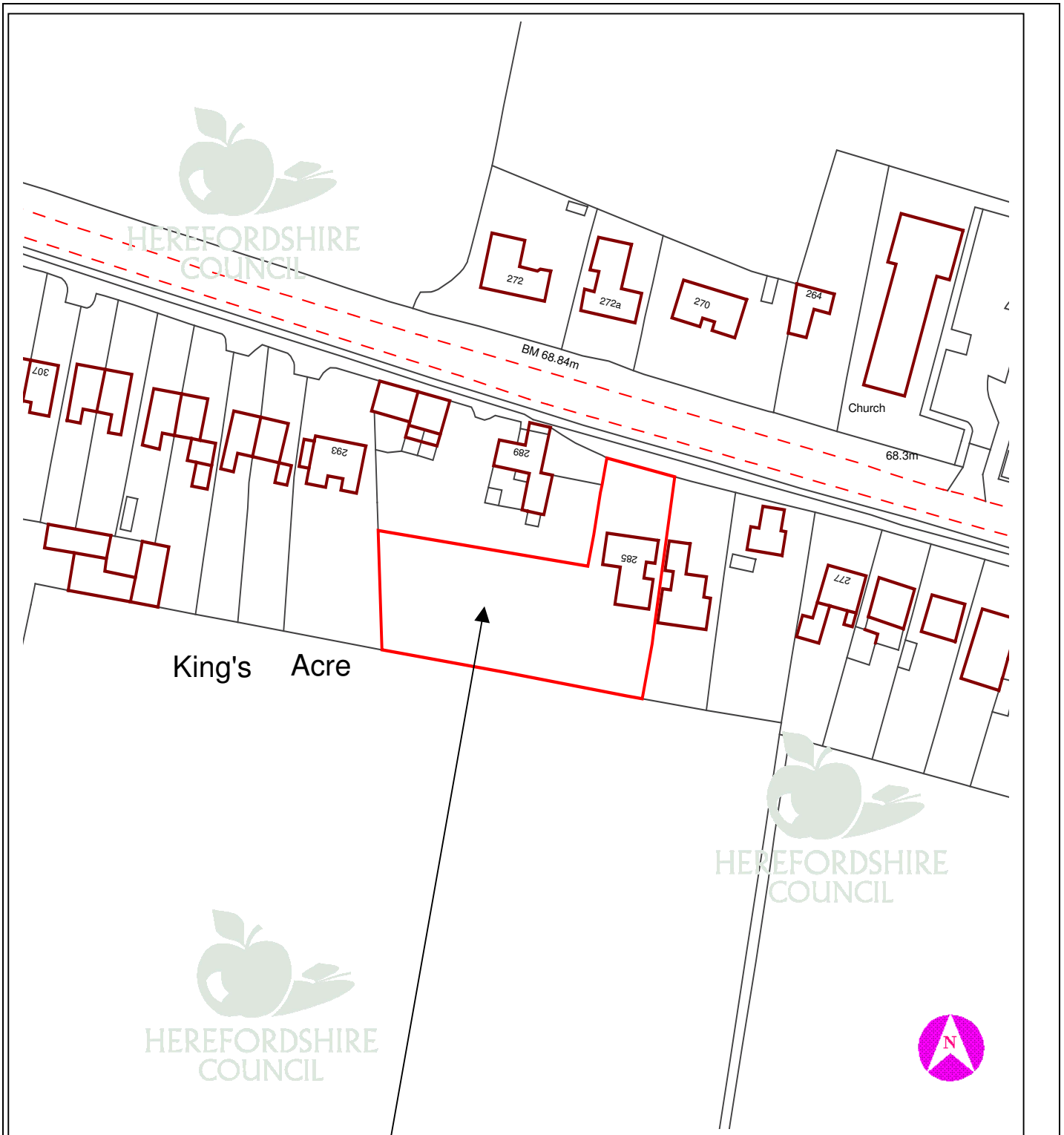
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCCW2006/0495/F

SCALE : 1 : 1250

SITE ADDRESS : 285 Kings Acre Road, Hereford, HR4 0SS

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14 DCCW2006/0448/F - RETROSPECTIVE APPLICATION FOR REPLACEMENT COVERED CATTLE YARD AND STRAW STORAGE BUILDING AT MAGNA CASTRA FARM, CREDENHILL, HEREFORD, HR4 7EZ

For: Messrs. F.C. Price & Sons, Magna Castra Farm, Credenhill, Hereford, HR4 7EZ

Date Received: 13th February, 2006 Ward: Credenhill Grid Ref: 44361, 42802

Expiry Date: 10th April, 2006

BVPI Expiry Date: 15th May, 2006

Local Member: Councillor R.I. Matthews

1. Site Description and Proposal

- 1.1 The application site comprises part of a large agricultural enterprise situated approximately 400 metres to the southwest of the settlement of Credenhill.
- 1.2 The application seeks retrospective consent to retain a substantial portal frame building, which was erected in 2004 as a replacement for a smaller agricultural building which had been destroyed by fire in September 2003.
- 1.3 The replacement building measures approximately 63 metres by 32 metres giving a total floor area extending to 2016m². The overall ridge height is 11.5 metres with a maximum eaves height of 9.5 metres falling to an eaves height of 7.3 metres where the building interconnects along the length of its southwest elevation with an existing agricultural building.

2. Policies

2.1 South Herefordshire District Local Plan:

Policy GD1	-	General Development Criteria
Policy C1	-	Development Within Open Countryside
Policy C32	-	Archaeological Information
Policy C33	-	Scheduled Ancient Monuments
Policy C34	-	Preservation and Excavation of Important Archaeological Sites
Policy ED9	-	New Agricultural Buildings

3. Planning History

- 3.1 DCCW2005/05578/F Retrospective application for covered cattle yard and agricultural storage building.
Application Withdrawn 18th April, 2005.

4. Consultation Summary

Statutory Consultations

- 4.1 English Heritage: No objection.

Internal Council Advice

- 4.2 Traffic Manager: No objection
- 4.3 Conservation Manager: No objection raised having regard to the archaeological evaluation undertaken.
- 4.4 Minerals & Waste Officer: No objection, the proposal does not impact on safeguarded sand and gravel deposits.

5. Representations

- 5.1 Kenchester Parish Council: Objection - design is not a good one. Proportion wide and impact on local views from Credenhill. It not only replaces the original building but has increased in size and height.
- 5.2 Mr. R. Pritchard, The Mill, Kenchester: Objection - building is much larger than the one it replaced, the area is one of archaeological importance, screening/landscaping is required to minimise the impact of the building.

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

6. Officers Appraisal

- 6.1 In this case the agricultural need for the building is accepted having consideration for the size of the agricultural enterprise that it serves, and on the basis that the structure, although bigger does replace a substantial building which previously stood on the site.
- 6.2 Therefore the primary matters for consideration in determining this application are the visual impact of the building within the wider landscape; the impact of the development on the adjoining Scheduled Ancient Monument; and the impact on the residential amenity of Credenhill, particularly those dwellings which are situated along its southern boundary.

Landscape Impact

- 6.3 Footpaths KT1 and KT5 pass roughly in an east west direction, to the northeast of the application site, and users of these footpaths are afforded uninterrupted views of the agricultural building.
- 6.4 Furthermore the northeast elevation of the building, which has a significant visual bulk due to the high eaves level, faces directly towards the southern boundary of Credenhill. Consequently, whilst the general principle of the building is acceptable, visually it is considered that it is discordantly dominant within the landscape.
- 6.5 To overcome this visual harm, it is considered that a well-established and managed landscaping scheme, which is secured by condition, will enable the building to integrate into the wider landscape.

- 6.6 The presence of the existing buildings within the farm complex is also a material consideration in relation to the overall impact of the building subject to this application.

Scheduled Ancient Monument

- 6.7 Immediately to the southwest of the application site lies the remains of Magnis (Kenchester) Roman Town which is a Scheduled Ancient Monument, and a significant number of documented archaeological finds have been made in the local area.
- 6.8 In order to determine the impact of the building upon any archaeology remains within or close to its foundations the applicant commissioned an archaeological evaluation of the site.
- 6.9 This report has been reviewed by the County Archaeologist who is satisfied with both the methodology and it's findings. It is considered that the presence of the agricultural building is not harmful to either the Scheduled Ancient Monument, or the more general archaeological importance of the area, and as such accords with Policies C.32, C.33, C.34 and ED.9 of the South Herefordshire District Local Plan.

Residential amenity

- 6.10 No objections were received indicating that the agricultural activities within the building itself give rise to any loss of residential amenity, and this would not in any event represent reasonable grounds for refusal in view of the existing activity.
- 6.11 The building forms part of an established agricultural enterprise, and although larger, does nevertheless replace a building, which previously occupied effectively the same footprint. In view of these circumstances it is not considered that it gives rise to any additional impact on the amenity of dwellings on the southern edge of Credenhill.
- 6.12 The local concerns raised with respect to the impact upon views from Credenhill would be satisfactorily addressed by the effective landscaping of the area around the building
- 6.13 Overall subject to the imposition of appropriate landscape conditions, the application to retain the agricultural building complies with the relevant policies in the Local Plan, and as such, approval is recommended.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

- 1. Within three months of the date of this permission a comprehensive landscaping scheme shall be submitted for approval by the local planning authority. The submitted landscaping scheme will take the form of a plan(s) at a scale of 1:200, accompanied by a written schedule, which clearly describe the proposed species, size, density and planting numbers.**

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

- 2. The landscaping scheme (required to be submitted by condition 1 above) shall be carried out no later than the first planting season following the receipt of written approval by the local planning authority.**

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

- 3. **The landscaping scheme shall be retained in perpetuity and be actively maintained for a period of 10 years following planting. During this time any trees, shrubs or other plants which are removed, die, or are seriously retarded shall be replaced during the next planting season with others of similar size and species unless the local planning authority gives written consent to any variation. If any trees, shrubs or other plants fail more than once they shall continue to be replaced on an annual basis until the end of the 10 year maintenance period.**

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

Informatives:

- 1. **The applicant or their appointed agent are advised to seek the advice/guidance of the Council's Landscape Officer prior to submitting the landscaping scheme for approval.**
- 2. **The landscaping scheme should include semi-mature trees, planted in a minimum of three coppices to help to alleviate visual impact of the scale and bulk of the building, particularly when viewed from the northeast/west.**
- 3. **N15 - Reason(s) for the Grant of Planning Permission.**

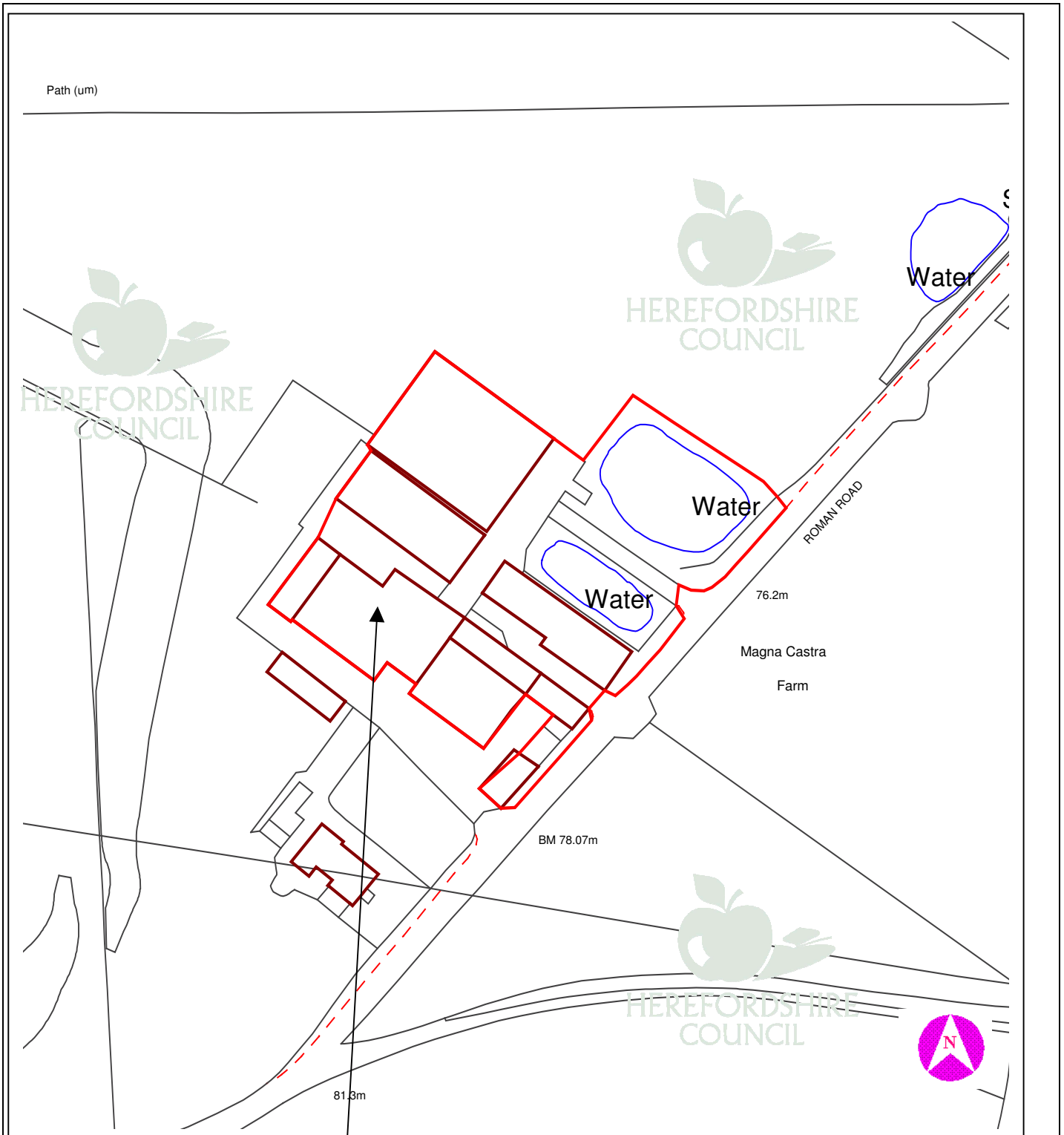
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCCW2006/0448/F

SCALE : 1 : 1250

SITE ADDRESS : Magna Castra Farm, Credenhill, Hereford, HR4 7EZ

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15 DCCE2006/0212/RM - CONSTRUCTION OF TEN DWELLINGS, GARAGING, LANDSCAPING AND ACCESS AT NETHWAY, HOLME LACY ROAD, LOWER BULLINGHAM, HEREFORD, HR2 6EE

For: Matthew Allen Homes, The Design Studios, Drayton Lodge, Lower Drayton, Brimfield, SY8 4NX

Date Received: 18th January, 2006 Ward: St. Martins & Hinton Grid Ref: 51739, 38251

Expiry Date: 15th March, 2006

BVPI Expiry Date: 19th April, 2006

Local Member: Councillors Mrs. W.U. Atfield, A.C.R. Chappell and R. Preece

1. Site Description and Proposal

- 1.1 The site is located south of the B4399 (Holme Lacy Road) approximately half a mile west of Rotherwas Industrial Estate. Running along the western boundary is Withy Brook which is designated as a Site of Importance for Nature Conservation (SINC). The southern and eastern boundaries are enclosed by existing residential development forming part of St Clare's Court and two detached bungalows lie to the west. Ground levels fall from south to north within the site and mature trees, principally leylandii, enclose the western and northern boundaries. On site is a large detached bungalow occupying a relatively central position within the plot with vehicular access via a driveway off Holme Lacy Road along the eastern boundary. The site also lies within the flood plain and is designated within a flood zone 2 category.
- 1.2 Outline planning permission was approved by the Central Area Planning Sub-Committee on 24th August, 2005 for the construction of 10 dwellings. This application is for the matters reserved at the outline stage including details of the siting, design and external appearance of the dwellings, means of access and landscaping of the site. The application proposes the construction of 7 three bedroom and 3 two bedroom detached and semi-detached dwellings.

2. Policies

2.1 PPG3 – Housing

2.2 South Herefordshire District Local Plan:

GD1	–	General Development Criteria
C13	–	Protection of Local Nature Conservation Areas
C44	–	Flooding
C17	–	Trees/Management
C45	–	Drainage
SH14	–	Siting and Design of Buildings
SH15	–	Criteria for New Housing Schemes
T3	–	Highway Safety Requirements
T4	–	Highway and Car Parking Standards

2.3 Herefordshire Unitary Development Plan (Revised Deposit Draft):

S1	–	Sustainable development
S2	–	Development requirements
S3	–	Housing
DR1	–	Design
DR2	–	Land use and activity
DR3	–	Movement
DR4	–	Environment
DR7	–	Flood Risk
H1	–	Hereford and the market towns: settlement boundaries and established residential areas
H3	–	Managing the release of housing land
H13	–	Sustainable residential design
H14	–	Re-using previously developed land and buildings
H15	–	Density
H16	–	Car parking
NC1	–	Biodiversity and developments
NC4	–	Sites of local importance
T6	–	Walking
T7	–	Cycling

3. Planning History

- 3.1 CE2005/2124/O - Site for 10 dwellings. Outline Planning Permission approved 24th August, 2005.
- 3.2 CE2005/1514/O - Site for new residential housing (14 dwellings). Application withdrawn 27th June, 2005.
- 3.3 CE2004/1645/F - New pitch roof and chimney on existing building. Planning Permission refused 28th June, 2004.
- 3.4 SH960689/PO - Construction of 8 dwellings. Outline Planning Permission approved 1st August, 1996.
- 3.5 SH950523PF - Construction of residential development, associated garages, roads, drainage and landscaping. Planning Permission refused 8th November, 1995.

4. Consultation Summary

Statutory Consultations

- 4.1 Environmental Agency: We object to the proposed development as the site lies within the historic footplain of Withy Brook and River Wye and is therefore considered to be a flood risk. No Flood Risk Assessment has been submitted in line with PPG25 and the Environment Agency standing advice. The concerns are that the proposed dwellings are not sustainable in that they may be located in the 1% flood plain. People and property would be put at an unacceptable flood risk and the appropriate minimum standard of defence including dry access and raised floor levels etc has not been demonstrated as part of a Flood Risk Assessment. The proposed raising of the ground levels and retaining wall along the boundary with Withy Brook is also not considered

acceptable as this would unacceptably increase flood risk elsewhere and impact upon flood flows contrary to PPG25.

In terms of surface water run off, we recommend that a sustainable urban drainage system including techniques such as soakaways, infiltration trenches, permeable pavements, grassed swales, ponds and wetlands are used to reduce flood risk by attenuating the rate and quantity of surface water run-off from the site. These details are also required prior to determination of the application.

- 4.2 Welsh Water and Severn Trent have both commented raising no objection to the application subject to restrictions on foul and surface water drainage.

Internal Council Advice

- 4.3 Traffic Manager - The layout should be amended to a 2m wide footway, a 4.5m roadway and 1m service strip in place of the 1m footway. The footway should be at the back of the visibility splays at the junction with Holme Lacy Road. Dropped kerb crossing for pedestrians is also required at the junction. Parking of two spaces per property would be acceptable. The road and pavement surface should be black top rather than block paving.

Amended plans have been submitted addressing the above concerns and comments are awaited from the Traffic Manager on the amended plans.

- 4.4 Conservation Manager - no comments received.
4.5 Forward Planning Manager - no comments received.

5. Representations

- 5.1 In response to the amended plans Hereford City Council raise no objections subject to all the issues relating to the efficient drainage of the site being satisfactorily resolved.
- 5.2 Lower Bullingham Parish Council are concerned about the possibility of flooding particularly as the Environment Agency made a big fuss about the site approximately 150 yards away on higher ground. However, assuming that the levels specified by the Agency are correct they must take responsibility for any flooding that may occur. The only other comment is that the design of the Hatton house type appears to be a three storey structure with dormer windows in the roof space. In order to be in keeping with other dwellings, and to prevent overlooking of other properties in the area the Parish Council question whether this three storey design should be permitted.

Comments awaited on amended plans.

- 5.3 Three letters of comment/objection were received in response to the original submission. The main points raised were that the development would result in a loss of privacy, a loss of light, the three storey houses are not in keeping with the locality, the need for appropriate boundary treatment and the retention of trees.

As a result of the re-consultation exercise and amended plans no objections have been received.

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

6. Officers Appraisal

- 6.1 The principle of constructing ten dwellings on site has been established through the approval of outline planning permission last year. The two issues for consideration are therefore the layout, scale and design of the dwellings, and the impact on the amenity of neighbouring properties and secondly, the flood risk for the site.

Layout and design of the development

- 6.2 The layout has largely been dictated by the position and orientation of existing properties surrounding the site. Along the eastern boundary, new dwellings are positioned parallel to existing properties in order to remove any possible overlooking, overbearing or loss of light issues. Elsewhere, the separation distances between existing and proposed dwellings along with the retention of all the native trees particularly along the Withy Brook boundary will ensure a satisfactory level of amenity is safeguard for existing properties to the south and west.
- 6.3 In response to concerns expressed by neighbours and the Parish Council, the scale of all the properties has been changed so as they are now all two-storey in height. The mix of properties has also been amended to introduce three two bedroom units and a broader range of property sizes in terms of floor area. Even the larger three bedroom properties are of a modest size (around 100 sq. metres) but are commensurate with the size of the site. Nine different house designs are proposed constructed from brick with concrete tiled roof, which will create an architecturally interesting residential environment whilst at the same time complimenting other developments in the locality. The Traffic Manager is generally happy with the parking and access arrangements, although minor changes to the footway width are required on the site frontage. The amended layout, scale, design, materials and mix of housing are now considered acceptable.

Flood Risk

- 6.4 The other principle issue relates to the potential flood risk of the site, as it lies within flood zone 2. Although the Environment Agency did not formally object at the outline stage, negotiations are on-going with the Environment Agency to overcome their current concerns. These measures include the raising of slab levels of each of the dwellings so as they are 600mm higher than the highest predicted flood level for the site, allowing for a further 30% climate change flood risk, the availability of an alternative means of access/escape in the event of flood and the removal of the raised ground levels adjacent to Withy Brook. A formal response is awaited from the Environment Agency on the amended proposals but it is anticipated that the above measures will be sufficient to overcome their objection. Surface water drainage details have also now been provided and are currently being assessed. Therefore, subject the flooding issue being satisfactorily resolved, the development is considered acceptable in accordance with the relevant development plan policies.

RECOMMENDATION

Subject to there being no objection from the Environment Agency by the end of the re-consultation period the Officers named in the Scheme of Delegation to Officers be authorised to approve the application subject to the following conditions and any further conditions considered necessary by Officers:

- 1 A06 (Development in accordance with approved plans)

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

Informatives:

- 1 N09 - Approval of Reserved Matters
- 2 N15 - Reason(s) for the Grant of PP/LBC/CAC

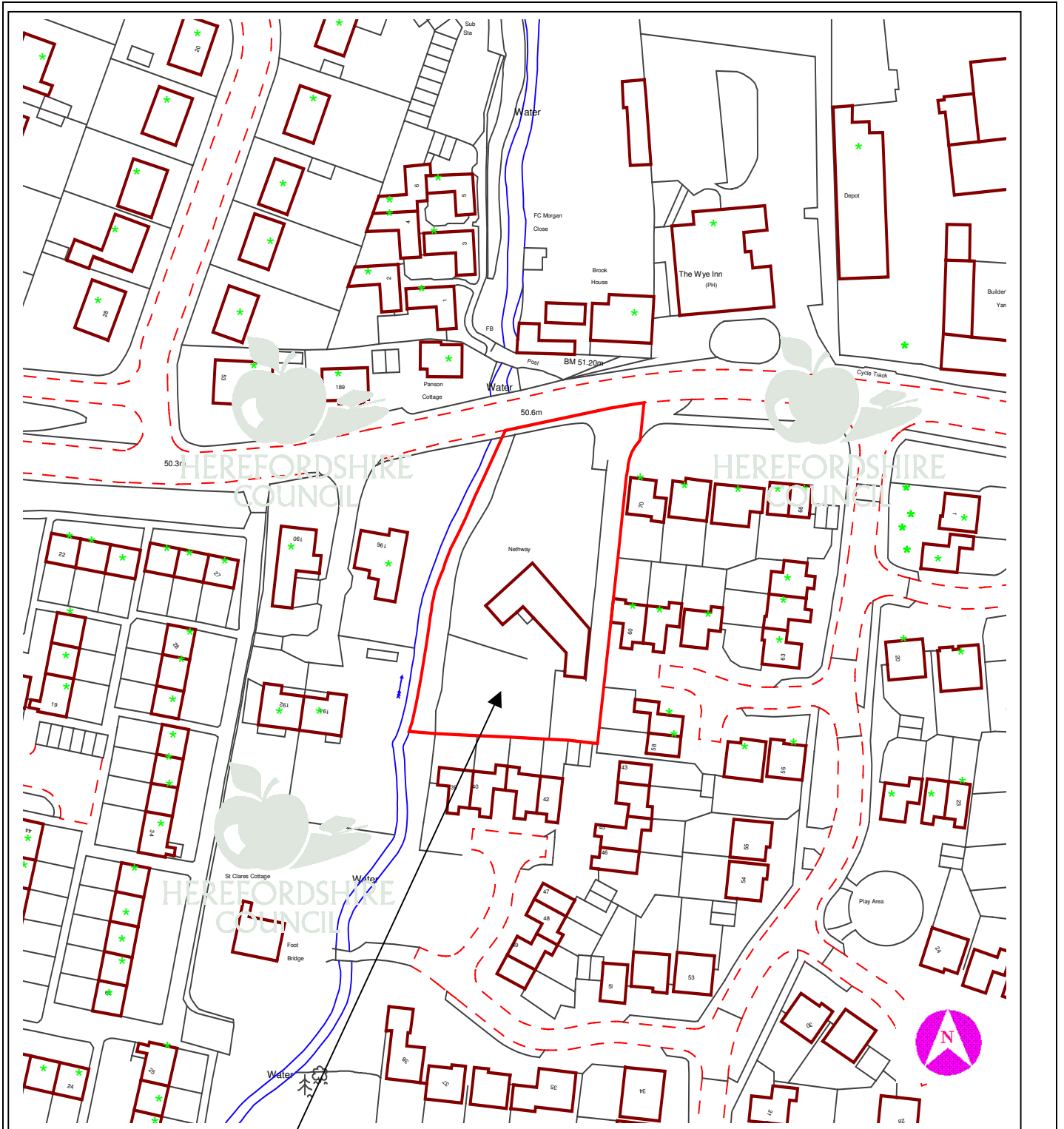
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCCE2006/0212/RM

SCALE : 1 : 1250

SITE ADDRESS : Nethway, Holme Lacy Road, Lower Bullingham, Hereford, HR2 6EE

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