

A G E N D A

Planning Committee

Date: **Friday, 22nd April, 2005**

Time: **10.00 a.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:

*Pete Martens, Members Services,
Tel 01432 260248*

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AGENDA

for the Meeting of the Planning Committee

To: Councillor T.W. Hunt (Chairman)
Councillor J.B. Williams (Vice-Chairman)

Councillors B.F. Ashton, M.R. Cunningham, P.J. Dauncey, Mrs. C.J. Davis, D.J. Fleet, J.G.S. Guthrie, J.W. Hope MBE, B. Hunt, Mrs. J.A. Hyde, Brig. P. Jones CBE, Mrs. R.F. Lincoln, R.M. Manning, R.I. Matthews, Mrs. J.E. Pemberton, R. Preece, Mrs. S.J. Robertson, D.C. Taylor and W.J. Walling

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|---|---------|
| 1. APOLOGIES FOR ABSENCE | |
| To receive apologies for absence. | |
| 2. NAMED SUBSTITUTES (IF ANY) | |
| To receive details of any Members nominated to attend the meeting in place of a Member of the Committee. | |
| 3. DECLARATIONS OF INTEREST | |
| To receive any declarations of interest by Members in respect of items on the Agenda. | |
| 4. MINUTES | 1 - 6 |
| To approve and sign the Minutes of the meeting held on 21st January, 2005. | |
| 5. CHAIRMAN'S ANNOUNCEMENTS | |
| To receive any announcements from the Chairman. | |
| 6. NORTHERN AREA PLANNING SUB-COMMITTEE | 7 - 8 |
| To receive the attached report of the Northern Area Planning Sub-Committee meetings held on 26th January, 2005, 23rd February, 2005 and 23rd March, 2005. | |
| 7. CENTRAL AREA PLANNING SUB-COMMITTEE | 9 - 10 |
| To receive the attached report of the Central Area Planning Sub-Committee meetings held on 9th February, 2005, 9th March, 2005 and 6th April, 2005. | |
| 8. SOUTHERN AREA PLANNING SUB-COMMITTEE | 11 - 12 |
| To receive the attached report of the Southern Area Planning Sub-Committee meetings held on 19th January, 2005, 16th February, 2005, 16th March, 2005 and 13th April, 2005. | |

- 9. DCSW2005/0282/F - SAFETY FENCE, DORSTONE PLAYING FIELDS, DORSTONE, HEREFORDSHIRE** | 13 - 18

To consider an application referred to the Planning Committee by the Head of Planning Services.

- 10. DATE OF NEXT MEETING**

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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 Planning Committee held at The Council Chamber, Brockington, 35 Hafod Road, Hereford on Friday, 21st January, 2005 at 10.00 a.m.

Present: Councillor T.W. Hunt (Chairman)
Councillor J.B. Williams (Vice-Chairman)

Councillors: B.F. Ashton, P.J. Dauncey, Mrs. C.J. Davis, D.J. Fleet, J.G.S. Guthrie, J.W. Hope MBE, B. Hunt, Mrs. J.A. Hyde, Mrs. R.F. Lincoln, R.M. Manning, Mrs. J.E. Pemberton, R. Preece, Mrs. S.J. Robertson, D.C. Taylor and W.J. Walling

In attendance: Councillors G.W. Davis, P.J. Edwards, P.E. Harling and R.M. Wilson

51. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors M.R. Cunningham, Brig. P. Jones CBE and R.I. Matthews.

52. NAMED SUBSTITUTES (IF ANY)

The following substitutions were made:

| Substitute | Member |
|-----------------|--------------------|
| G. Lucas | M.R. Cunningham |
| J. Stone | Brig. P. Jones CBE |
| Ms. G.A. Powell | R.I. Matthews |

53. DECLARATIONS OF INTEREST

There were no declarations of interest made.

54. MINUTES

RESOLVED: That the Minutes of the meeting held on 26th November, 2004 be approved as a correct record and signed by the Chairman.

55. CHAIRMAN'S ANNOUNCEMENTS

The Chairman reported on the following matters:

(a) Herefordshire Unitary Development Plan Public Inquiry

The Inquiry was due to open on Tuesday 8th February, 2005 at the Hereford Group Training Association, Holmer Road Hereford. There had been a change of Inspector since the pre-Inquiry meeting in November, the new Inspector was Mr. Andrew Freeman who would be assisted by Mr David Richards, appointed as Assistant Inspector for a period of six weeks. The Inquiry was programmed to end on Friday 24th June, 2005 and details had been placed on the Council's website, including:

- map of the Inquiry venue
- Inquiry programme (the programme was subject to regular change, and updates would be posted on the website at regular intervals)

(b) Staffing Changes

The following appointments had been made in the Development Control Department:
 Team Leader Central
 Senior Planning Officer Southern Team
 Information Support Officer

Interviews would shortly be held for Planning Officer Central and recruitment authorisation was being sought for a Principal Planning Officer and a Development Supervisor/Enforcement Officer.

56. NORTHERN AREA PLANNING SUB-COMMITTEE

RESOLVED: That the report of the meetings held on 1st December, 2004 and 5th January, 2005 be received and noted.

57. CENTRAL AREA PLANNING SUB-COMMITTEE

RESOLVED: That the report of the meetings held on 15th December, 2004 and 12th January, 2005 be received and noted.

58. SOUTHERN AREA PLANNING SUB-COMMITTEE

RESOLVED: That the report of the meetings held on 24th November, 2004 and 22nd December, 2004 be received and noted.

59. DCSW2004/0047/O - SITE FOR SIX DWELLINGS (AFFORDABLE/MARKET HOUSING), BIO-DISC TREATMENT SYSTEM, REMOVAL OF POULTRY BUILDINGS, ORCOP POULTRY, ORCOP HILL, MUCH DEWCHURCH, HR2 8EN FOR MR. K. JONES PER MR. GRIFFIN, ADAS, THE PATCH, ELTON NEWNHAM, GLOS, GL14 1JN

In accordance with the criteria for public speaking Mrs. Morris of Orcop Parish Council and Mr. Griffin the agent acting on behalf of the applicant both spoke in favour of the application.

The Development Control Manager said that the Southern Area Planning Sub-Committee was mindful to approve the application and that it had been referred to the Committee by the Head of Planning Services because approval would be contrary to the Council's planning policies. He advised that the likely outcome would be that the cost of the proposed housing would be beyond the reach of local people. The Head of Strategic Housing Services said that the Council's Housing Needs Survey had revealed there to be a demand for affordable housing at Orcop at a price of up to £90,000. The Development Control Manager said that although the Sub-Committee intended that the planning permission should make proviso for the dwellings to be sold at a discount of 25% of market value, the price was still likely to be in the region of £130,000 and did not constitute affordable housing.

The Committee discussed details of the application, the improvements that could be carried out on the site to provide housing and enable unsightly poultry houses to be removed. The Committee felt that there were considerable advantages to be derived if the application was to be approved because of the favourable impact on the environment together with provision of housing. A motion that the application should

be refused was lost and the Committee decided that the application should be approved with the proviso that the housing would be permitted at a 30% discount of market value in perpetuity.

RESOLVED:

That: (a) The County Secretary and Solicitor be authorised to complete a planning obligation under Section 106 of the Town and Country Planning Act 1990 to ensure that the affordable/market housing will be available at a discount of 30% below the current open market value and that this discount will be available in perpetuity to purchasers to contribute to meeting local housing requirements, and any additional matters and terms as she considers appropriate.

(b) Upon completion of the aforementioned planning obligation, the officers named in the Scheme of Delegation to Officers be authorised to issue planning permission subject to the following conditions:

- 1. A02 (Time limit for submission of reserved matters (outline permission))**

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

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

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

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

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

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

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

- 5. F17 (Scheme of foul drainage disposal)**

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

- 6. F20 (Scheme of surface water drainage)**

Reason: To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal.

- 7. F44 (Investigation of contaminated land)**

Reason: To ensure that potential contamination of the site is satisfactorily assessed.

- 8. F45 (Contents of scheme to deal with contaminated land)**

Reason: To ensure that potential contamination is removed or contained to the satisfaction of the local planning authority.

9. F46 (Implementation of measures to deal with contaminated land)

Reason: To ensure contamination of the site is removed or contained.

10. Before development commences on site all poultry units and ancillary buildings and structures shall be demolished and cleared from the site to the satisfaction of the local planning authority in accordance with conditions 7, 8 and 9 above.

Reason: In order to define the terms to which the application relates and in the interests of the residential amenity of future residents.

11. H03 (Visibility splays)

Reason: In the interests of highway safety.

12. H05 (Access gates)

Reason: In the interests of highway safety.

13. H06 (Vehicular access construction)

Reason: In the interests of highway safety.

Informative(s)

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

60. ODPM CONSULTATION PAPER ON MINERALS POLICY STATEMENT 1 "PLANNING AND MINERALS" (MPS1) AND ASSOCIATED GOOD PRACTICE GUIDE

The Team Leader (Minerals and Waste) reported on an announcement from the Office of the Deputy Prime Minister (ODPM) that it intended to review all its mineral planning and policy guidance and to separate its guidance on practical implementation from its policy statements. MPS 1 would set out the Government's key policies and principles for minerals planning and would replace the existing MPG 1. The policy elements of other MPGs concerned with planning for the supply of significant minerals would be revised and be published as annexes to MPS 1. Later annexes would deal with other significant minerals, such as oil and gas, brick clay and building stone. He outlined the proposals for consultation about Draft MPS 1, Draft Good Practice Guidance and a Partial Regulatory Impact Assessment. He said that that the fundamentals of modern minerals policy were to meet the national need for construction materials, meet the environmental cost, cut waste, promote reuse/recycling and safeguard the most sensitive habitat and heritage areas.

He felt that these aims were reflected in the new policy and he provided the Committee with details of a proposed response to the ODPM.

RESOLVED: That the Committee endorse the proposed response and recommend to the Cabinet Member (Environment) that the ODPM be informed accordingly.

61. TANYARD LANE DEVELOPMENT BRIEF

The Team Leader Local Planning presented the report of the Forward Planning Manager about a consultation process undertaken on the Tanyard Lane Development Brief and proposed amendments to be made as a result of the feedback that had been received. He said that the site was located in Ross on Wye and formed a housing allocation for 150 units within the emerging Herefordshire Unitary Development Plan (UDP). He advised the Brief had been prepared jointly between the Council and developers of the site. It provided additional information to supplement the policies of the UDP and would eventually be adopted as Supplementary Planning Guidance. He provided details of the consultation process and the comments received. He drew particular attention to the fact that in order to protect the residential amenity of residents living in bungalows adjoining the northern boundary of the site, the Brief had been amended to include an amenity protection zone within which only single storey development could be built. He suggested that this should be the minimum that should be provided. The brief also included a cross reference to the related text in the UDP and he anticipated that all objections relating to Tanyard Lane would be debated at the UDP Public Inquiry which commenced in February. He advised that objections centred around access/traffic, flooding, affordable housing, landscape, design, greenfield/brownfield issues, and the capacity of the local infrastructure. The Brief aimed to progress and develop proposals in the Plan in relation to these and other issues relating to the development of the site.

RESOLVED: That the changes proposed to the Brief set out in the report of the Forward Planning Manager be approved and that the Tanyard Lane Development Brief be adopted as supplementary information to the emerging Unitary Development Plan.

62. UPDATE REPORT ON HEREFORDSHIRE COUNCIL BUILDING CONTROL AND THE L.A.B.C. PARTNER AUTHORITY SCHEME

The Head of Planning Services presented his report about the progress of implementation of the Local Authority Building Control Partner Authority Scheme by the Council's Building Control service. He said that the Council had participated in the Scheme for the past four years. The scheme had provision for the Council to act as a Building Control Inspecting Authority on behalf of partner clients who included Border Oak, Leominster Construction, Collins Engineering and Kingspan and that discussions were underway with a potential fifth partner. He outlined the benefits of the scheme which provided for regular provision of advice and consultation with partners and clients who could be kept up to date with building regulation issues. The Council had the benefit of pre-submission meetings to explain and educate the client or agent about the requirements of the regulations prior to a formal building regulation submission being made. It was agreed that it should be when the resources become available the scheme should be fully implemented.

RESOLVED: That the Committee endorse the report and recommended to the Cabinet Member (Environment) that when resources permit the scheme be fully implemented.

63. EARDISLEY GROUP PARISH PLAN

The Eardisley Group Parish Plan had been prepared as Interim Supplementary Planning Guidance to the emerging Herefordshire Unitary Development Plan.

The Committee expressed its appreciation for the hard work undertaken by the local community in helping to prepare the document.

RESOLVED: That it be recommended to the Cabinet Member (Environment) that the planning elements of the Eardisley Group Parish Plan be adopted as Interim Supplementary Planning Guidance as an expression of local distinctiveness and community participation.

64. DATE OF NEXT MEETING

It was noted that the next meeting would be held on Friday 22nd April, 2005.

The meeting ended at 11.20 a.m.

CHAIRMAN

REPORT OF THE NORTHERN AREA PLANNING SUB-COMMITTEE

Meetings held on 26th January, 2005, 23rd February, 2005, and 23rd March, 2005

Membership:

Councillors: Councillor J.W. Hope M.B.E (Chairman)

Councillor J. Stone (Vice-Chairman)

Councillors B.F. Ashton, Mrs. L.O. Barnett, W.L.S. Bowen, R.B.A. Burke, P.J. Dauncey, Mrs. J.P. French, J.H.R. Goodwin, K.G. Grumbley, P.E. Harling, B. Hunt, T.W. Hunt, T.M. James, Brig. P. Jones C.B.E., R.M. Manning, R. Mills, R.J. Phillips, D.W. Rule M.B.E., R. V. Stockton, J.P. Thomas and J.B. Williams (Ex-officio).

PLANNING APPLICATIONS

1. The Sub-Committee has met on 3 occasions and has dealt with the planning applications referred to it as follows:-
 - (a) applications approved as recommended - 27
 - (b) applications refused as recommended - 12
 - (c) applications refused contrary to recommendation - 9 (not referred to Planning Committee by the Head of Planning services)
 - (d) applications approved contrary to recommendation – 4 (not referred to Planning Committee by Head of Planning Services).
 - (e) deferred - 5
 - (f) site inspections - 9
 - (g) number of public speakers - 43 (17 supporters, 20 objectors, 6 parish councils)

PLANNING APPEALS

2. The Sub-Committee received information reports about 11 appeals received and 11 determined (1 withdrawn, 3 upheld and 7 dismissed).

J.W. HOPE M.B.E

CHAIRMAN

NORTHERN AREA PLANNING SUB-COMMITTEE

- **BACKGROUND PAPERS – Agenda for meetings held on 26th January, 23rd February and 23rd March 2005**

REPORT OF THE CENTRAL AREA PLANNING SUB-COMMITTEE

Meetings held on 9th February, 2005, 9th March, 2005 and 6th April, 2005

Membership:

Councillors: 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), G.V. Hyde, 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, 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.

PLANNING APPLICATIONS

1. The Sub-Committee has met on 3 occasions and has dealt with the planning applications referred to it as follows:-
 - (a) applications approved as recommended - 22
 - (b) applications refused contrary to recommendation - 2 (not referred to the Head of Planning services)
 - (c) applications approved contrary to recommendation - 2 (not referred to the Head of Planning Services).
 - (d) deferred - 3
 - (e) site inspections - 7
 - (f) number of public speakers - 36 (23 supporters, 10 objectors, 3 parish councils)

PLANNING APPEALS

2. The Sub-Committee received information reports about 6 appeals received and 10 determined (3 upheld and 7 dismissed).

**D.J. FLEET
CHAIRMAN
CENTRAL AREA PLANNING SUB-COMMITTEE**

- **BACKGROUND PAPERS – Agenda for the meetings held on 9th February, 2005, 9th March, 2005 and 6th April, 2005**

**REPORT OF THE SOUTHERN AREA PLANNING
SUB-COMMITTEE**

Meetings held on 19th January, 2005, 16th February, 2005, 16th March, 2005 and
13th April, 2005

Membership:

Councillors: Councillor Mrs. R.F. Lincoln (Chairman)
Councillor P.G. Turpin (Vice-Chairman)
Councillors H. Bramer, M.R. Cunningham, N.J.J. Davies, Mrs. C.J. Davis,
G.W. Davis, J.W. Edwards, Mrs. A.E. Gray, T.W. Hunt (Ex-officio),
Mrs. J.A. Hyde, G. Lucas, D.C. Taylor and J.B. Williams.

PLANNING APPLICATIONS

1. The Sub-Committee has met on 4 occasions and has dealt with the planning applications referred to it as follows:-
 - (a) applications approved as recommended – 34
 - (b) applications refused as recommended – 1
 - (c) applications refused contrary to recommendation – 1 (referred to the Head of Planning services but subsequently withdrawn)
 - (d) applications approved contrary to recommendation - 1 (not referred to the Head of Planning Services).
 - (e) deferred - 1
 - (f) site inspections - 2
 - (g) number of public speakers - 10 (supporters - 4, objectors - 4, parish councils - 2)

PLANNING APPEALS

2. The Sub-Committee received information reports about 11 appeals received and 14 determined (5 upheld, 1 partially upheld, 6 dismissed, and 2 withdrawn).

**MRS. R.F. LINCOLN
CHAIRMAN
SOUTHERN AREA PLANNING SUB-COMMITTEE**

- **BACKGROUND PAPERS – Agenda for the meetings held on 19th January, 2005, 16th February, 2005, 16th March, 2005 and 13th April, 2005**

9 DCSW2005/0282/F - SAFETY FENCE, DORSTONE PLAYING FIELDS, DORSTONE, HEREFORDSHIRE.

For: Mr R. J. Garrard, Upper Crossway, Dorstone, Hereford, HR3 6AU

**Date Received: 28th January 2005 Ward: Golden Valley Grid Ref: 31407, 41989
North**

Expiry Date: 25th March 2005

Local Member: Councillor N.J.J. Davies

1. Site Description and Proposal

- 1.1 Dorstone playing fields lies within an Area of Great Landscape Value and Conservation Area of Dorstone. The field lies to the north of the B4348 Dorstone to Hay-on-Wye road. It is 2.8 hectares in area and provides screening to its boundaries in the form of hedging and trees. Part of the eastern boundary visually screens the neighbouring property known as Dorstone House and the Public Right of Way, D02 also lies to the east. The southern boundary to the roadside provides low hedging. Church of St. Faiths Grade II* listed building is to the south on the opposite side of the B4348. The field lies outside the settlement boundary of Dorstone and is considered to be within open countryside.
- 1.2 The proposal is to provide a safety fence measuring 80 metres in length to the eastern boundary of the cricket pitch, which lies to the north of the bowling green. The design of the safety fence will form 4 recycled telegraph poles measuring 7 metres in height and the netting to be of 1 inch square polypropylene. The netting will be temporary during the cricket season.

2. Policies

- 2.1 Planning Policy Guidance
 PPS1 Delivering Sustainable Development
 PPS7 Sustainable Development in Rural Areas
- 2.2 Hereford and Worcester County Structure Plan
 Policy LR1 Enjoyment of the Countryside
 Policy CTC2 Development in Areas of Great Landscape Value
 Policy CTC9 Development Criteria
- 2.3 South Herefordshire District Local Plan
 Policy GD1 General Development Criteria
 Policy C1 Development within open countryside
 Policy C8 Development within Areas of Great Landscape Value
 Policy C22 Maintain character of Conservation Areas
 Policy C23 New development affecting Conservation Areas

- 2.4 Unitary Development Plan
 Policy S2 Development Requirements
 Policy S7 Natural and historic heritage
 PolicyLA2 Landscape character and areas least resilient to change

3. Planning History

- | | | | |
|-----|---------------|---|-------------------|
| 3.1 | SH931321PF | Construction of club room | Approved 29.11.93 |
| | SH941493PF | Proposed new changing rooms, retention of meeting room and relocation of tool shed | Approved 18.01.95 |
| | SH970016PF | Renewal of SH931321PF | Approved 05.03.97 |
| | SW2003/3801/F | Extension of protective safety netting between the cricket square and the bowling green | Approved 31.03.04 |

4. Consultation Summary

Statutory Consultations

- 4.1 Ramblers Association observe: No objections provided that the Public Right of Way DO2 is maintained and kept clear at all times.
- 4.2 Open Spaces Society: Awaiting comments.
- 4.3 English Heritage does not wish to make any representations on this occasion.

Internal Council Advice

- 4.4 The Traffic Manager has no objections and states that the development would not appear to affect public footpath DO2, however the footpath does pass close to the development and information is provided to ensure that the footpath remains open during development.
- 4.5 The Head of Conservation has no objection, subject to colour of netting being agreed.

5. Representations

- 5.1 The applicant makes the following submission:-
- Dr. Hession approached Committee regarding lack of protection to his property with cricket balls clearing the fence.
 - Proposed several safety measures - most effective protective fence along boundary.
 - Successfully applied for a similar protective fence for the bowling green.
 - This scheme has reduced number of posts due to the weight of the fence being only 6kg.
 - Contacted Public Rights of Way - the fence will not interfere with footpath.
 - Shown plans to Dr. Hession, although cannot guarantee 100% safety.

5.2 The applicant has submitted a further letter responding to the objector's letter and comments as follows:-

- Materials of fence chosen to blend within the surrounding area.
- Visual impact of temporary fence less than overgrown hedge.
- Fence is 2.5 metres higher than hedge, a significant increase to stop all freak shots.
- Hedge trimmed before cricket season and if necessary during season.
- Eastern wicket is 39.3 yards to proposed fence - an acceptable distance within the Guidelines of Sportsmarks 'Groundsman's Field Handbook'.
- At present reviewing position of wicket.
- The proposed safety netting and additional rules and measures will be highly effective.

5.3 The Parish Council: Supports the application.

5.4 One letter of objection was received to the from:-

Dr. M. Hession, FRCPsych, Dorstone House, Dorstone, Hereford. HR3 6AW

The main points being:-

- Appreciate Committee making application in response to my concern of cricket balls passing through or over hedge.
- The proposal would amount to yet another semi-industrial structure within the Conservation Area of Dorstone.
- Visual impact upon the DO2 public footpath.
- Safety netting would stop balls through the hedge but not over.
- A higher net would be unsightly.
- Difficult to trim hedge during cricket season if netting in place.
- Wrong solution to the problem of concerns.
- The wicket is approximately half the minimum recommended distance from wicket to boundary.
- Position of the wicket should be reviewed and moved to a safer position.
- Reluctant to accept a temporary safety netting to the present wicket.

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

6. Officers Appraisal

6.1 It is considered that the principal issues for consideration in relation to this proposal are as follows:-

- Impact upon Area of Great Landscape Value
- Conservation Area Issues
- Impact upon Public Right of Way
- Residential Amenity

Each of these will be considered individually.

Impact Upon Area of Great Landscape Value

- 6.2 The Head of Conservation has no objection to the proposal. The cricket field lies within the Area of Great Landscape Value and Conservation Area. It is a flat area of land that has existing structures to the western boundary with high tree line screening to the east of the bowling green and lower hedging further east which adjoins the rear garden of the neighbouring property. The area of the cricket pitch lies beyond the bowling green, which can be seen in the wider landscape when viewed on the approach from the western direction of Dorstone.
- 6.3 The proposed safety netting is to be positioned 1 metre from the existing hedge line once the overgrown hedging is trimmed back vertically. The materials of the black netting of polypropylene will replicate the netting currently used for the bowling green. It will be used in a similar manner where it will be hoisted up and pulled across the four telegraph poles covering the span of 80 metres. The netting will remain during the cricket season and removed at the end of the season. It is considered that the proposal would not have a detrimental impact upon landscape quality.

Conservation Area Issues

- 6.4 The Head of Conservation has raised no objections to the proposed development. The proposal of the netting and limited number of telegraph poles have been carefully considered having regard to the issues raised with the previous application submitted for the bowling green. As such the proposed application will preserve the character and appearance of the Dorstone Conservation Area.

Impact Upon Public Rights of Way

- 6.5 The Traffic Manager has no objection to the erection of the safety fence along the public footpath DO2, provided that the right of way remains open at all times throughout the development. Therefore proposal acceptable in terms of its impact.

Residential Amenity

- 6.6 The application is submitted to provide protection of the adjoining neighbour at Dorstone House, having raised concerns regarding the number of cricket balls entering his property through the existing hedge. While the concerns of the owner is recognized and appreciated, it must be stressed that the safety fence has been provided for protective measures. It would be unreasonable to refuse the application on the grounds of the objector.
- 6.7 In assessing the proposed scheme, it is considered that the proposal complies with Policies GD.1, C.8 and C.23 contained in the South Herefordshire District Local Plan in respect of the permanence of the structure within the designated Area of Great Landscape Value and Conservation Area.

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. Notwithstanding the approved drawings, details of the netting shall be submitted to and approved by the local planning authority prior to the commencement of any works.

Reason: To ensure adherence to the approved plans and to protect the general character and appearance of the area.

Informative(s):

1. The right of way should remain open at all times throughout the development. If development works are perceived to endanger members of the public then a temporary closure order should be applied for from this department, preferably 6 weeks in advance of works starting. The right of way should remain the historic width and suffer no encroachment or obstruction during the works or at any time after completion.

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

Decision:

Notes:

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Background Papers

Internal departmental consultation replies.

