

A G E N D A

Planning Committee

Date: **Friday, 14th July, 2006**

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*

e-mail: pmartens@herefordshire.gov.uk

**County of Herefordshire
District Council**

AGENDA

for the Meeting of the Planning Committee

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

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

	Pages
1. APOLOGIES FOR ABSENCE To receive apologies for absence.	
2. NAMED SUBSTITUTES (IF ANY) To receive details any details of 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 To approve and sign the Minutes of the meeting held on 9th June, 2006.	1 - 14
5. CHAIRMAN'S ANNOUNCEMENTS To receive any announcements from the Chairman.	
6. NORTHERN AREA PLANNING SUB-COMMITTEE To receive the attached report of the Northern Area Planning Sub-Committee meeting held on 14th June, 2006.	15 - 16
7. CENTRAL AREA PLANNING SUB-COMMITTEE To receive the attached report of the Central Area Planning Sub-Committee meeting held on 28th June, 2006.	17 - 18
8. SOUTHERN AREA PLANNING SUB-COMMITTEE To receive the attached report of the Southern Area Planning Sub-Committee meeting held on 7th June and 5th July, 2006.	19 - 20
9. EDGAR STREET GRID SUPPLEMENTARY PLANNING DOCUMENT To inform members of the Edgar Street Grid Supplementary Planning Document (SPD) which is currently being produced.	21 - 26
Ward Affected: Central	

- | | |
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| 10. REPORTS OF THE HEAD OF PLANNING SERVICES | |
| To consider and take any appropriate action in respect of the following planning applications and to authorise the Head of Planning Services to impose any additional or varied conditions and reasons considered to be necessary. | |
| 11. DCNW2006/1643/F - CONSTRUCTION OF DWELLING HOUSE AND GARAGE AT LAND ADJOINING THE FORGE, LINGEN, BUCKNELL, SHROPSHIRE, SY7 0DY | 27 - 34 |
| For: Mr & Mrs P Barnett, David Taylor Consultants, The Wheelwright's Shop, Pudleston, Leominster, Herefordshire, HR6 0RE | |
| Ward: Mortimer | |
| 12. DCNC2006/0882/F - VARIATION OF CONDITION 14 OF PLANNING PERMISSION DCNC2005/0062/F TO EXTEND OPENING HOURS AT THE H.O.P.E FAMILY CENTRE, HEREFORD ROAD, BROMYARD. | 35 - 40 |
| For: Hope Family Centre per Herefordshire Council Property Services Franklin House 4 Commercial Road Hereford HR1 2BB | |
| Ward: Bromyard | |
| 13. DCCE2006/1711/F - AMENDMENT TO PERMISSION CE2005/0032/F TO AVOID SEWER. PROPOSED 3 STOREY BLOCK OF 15 APARTMENTS IN LIEU OF 17 APARTMENTS AND 3 BUNGALOWS AT THE ROSE GARDENS, INDEPENDENT LIVING SCHEME, LEDBURY ROAD, HEREFORD, HR1 2SX | 41 - 48 |
| For: Elgar Housing Association Ltd. per Hulme Upright Manning, Highpoint Festival Park, Hanley Stoke on Trent, ST1 5SH | |
| Ward: Aylestone | |
| 14. DCCW2006/1728/F - REMOVE EXISTING DEFECTIVE PERIMETER FENCING. ERECT NEW PERIMETER FENCING AND ENTRANCE GATES AT HAYWOOD HIGH SCHOOL, STANBERROW ROAD, HEREFORD, HEREFORDSHIRE, HR2 7NG | 49 - 52 |
| For: Director of Children's Services per Herefordshire Council Property Services, Franklin House, 4 Commercial Road, Hereford, HR1 2BB | |
| Ward: St. Martins & Hinton | |
| 15. DCCW2006/1743/F - NEW PRIMARY SCHOOL AND DEMOLITION OF EXISTING SCHOOLS AT RIVERSIDE PRIMARY SCHOOL (FORMERLY HUNDERTON INFANT AND JUNIOR), BELMONT AVENUE, HEREFORD, HR2 7JF | 53 - 58 |
| For: Herefordshire Council per Property Services Manager, Herefordshire Council Property Services, Franklin House, 4 Commercial Road, Hereford, HR1 2BB | |
| Ward: St. Martins & Hinton | |
| 16. DATE OF NEXT MEETING | |
| Friday 25 th August, 2006 at 10:00 am | |

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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, 9th June, 2006 at 10.00 a.m.

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

Councillors: Mrs. P.A. Andrews, B.F. Ashton, Mrs. W.U. Attfield, W.L.S. Bowen, P.J. Dauncey, D.J. Fleet, P.E. Harling, J.W. Hope MBE, B. Hunt, Mrs. J.A. Hyde, Brig. P. Jones CBE, R.I. Matthews, Mrs. J.E. Pemberton, Mrs. S.J. Robertson, D.C. Taylor and P.G. Turpin

In attendance: Councillors Mrs. L.O. Barnett, J.W. Edwards, Mrs. J.P. French, J.H.R. Goodwin, JG Jarvis, R.J. Phillips, Ms. G.A. Powell and R.M. Wilson

1. MRS RF LINCOLN

The Chairman expressed his great sadness at the recent loss of former Councillor Mrs RF Lincoln, a dear colleague and friend. Those present stood in silent tribute.

2. ELECTION OF CHAIRMAN AND APPOINTMENT OF VICE CHAIRMAN

It was noted that at Annual Council on 12th May the Chairman had been re-elected and the Vice-Chairman had been re-appointed for the ensuing year.

3. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors MR Cunningham, Mrs CJ Davis, RM Manning, R Preece and WJ Walling.

4. NAMED SUBSTITUTES (IF ANY)

The following named substitutes were appointed:-

Councillor Mrs PA Andrews for MR Cunningham;
Councillor Mrs WU Attfield for R Preece; and
Councillor WLS Bowen for Councillor Mrs CJ Davis

5. DECLARATIONS OF INTEREST

Councillor	Item	Interest
Mrs PA Andrews	17 (Minute No 18) DCCW2006/0927/N - retention and re-profiling of earth bund at Hereford City Sports Club, Grandstand Road, Hereford, HR4 9NG	Prejudicial and left the meeting for the duration of this item.
P Jones	14 (Minute 15)	Prejudicial and left the

	DCNC2006/0277/F - proposed construction of skate park at Sydonia Recreation Ground, Conningsby Road, Leominster	meeting for the duration of this item.
Mrs SJ Robertson	18 (Minute 19) DCCE2006/0608/F - proposed bungalow at Leys Farm, Grafton, Hereford, HR2 8BL.	Prejudicial and left the meeting for the duration of this item.
Mrs SJ Robertson	19 (Minute 20) DCCE2006/0765/F - change of use from B1 light industrial to mixed use comprising a retail showroom, storage and offices Unit 4, Whitestone Business Park, Whitestone, HFD HR1 3SE.	Prejudicial and left the meeting for the duration of this item.

6. **MINUTES**

RESOLVED: That the Minutes of the meeting held on 21st April, 2006 be approved as a correct record and signed by the Chairman, subject to the inclusion of the names of Councillors Mrs PA Andrews and PG Turpin in the list of those present, and apologies from Councillor Brig PG Jones.

7. **CHAIRMAN'S ANNOUNCEMENTS**

Mike Willmont, Southern Team Leader

The Chairman said that Mike Willmont, the Southern Team Leader had recently suffered a heart attack but was making a steady recovery.

Herefordshire Unitary Development Plan (UDP)

The Inspectors Report following the Public Inquiry had recently been received and was made public on Monday 5th June. The report had been placed on the Councils website, was available for inspection at all Info Points and County libraries and was also available for purchase. The UDP Working Group had given early consideration to the Report recommendations. Cabinet and Council would be considering the Inspectors recommendations and proposed modifications to the Plan in late June and 28th July respectively.

Statement of Community Involvement (SCI)

Following Cabinet approval the final draft SCI had been submitted to the Secretary of State for approval and placed on further deposit for final comments. Any formal objections received would also be sent to the Secretary of State. This final stage concluded a significant and lengthy process to gain residents involvement in planning matters.

8. NORTHERN AREA PLANNING SUB-COMMITTEE

RESOLVED: That the report of the meeting held on 19th April and 17th May, 2006 be received and noted.

9. CENTRAL AREA PLANNING SUB-COMMITTEE

RESOLVED: That the report of the meetings held on 3rd and 31st May, 2006 be received and noted.

10. SOUTHERN AREA PLANNING SUB-COMMITTEE

RESOLVED: That the report of the meetings held on 12th April and 10th May, 2006 be received and noted.

11. DEVELOPMENT CONTROL: ANNUAL REPORT

The Development Control Manager presented his report about Development Control performance in 2005/06.

RESOLVED THAT:-

The report be noted and that staff be congratulated for achieving their performance during a very busy period

12. CONSERVATION AREA APPRAISALS FOR ALMELEY, WEOBLEY AND HAMPTON PARK

The Conservation Manager presented a report about the issues raised through the Conservation Area appraisals for Almeley, Weobley and Hampton Park. He said that at its meeting on 21st April, 2006 the Committee had recommended a programme for the preparation of appraisals and management proposals for sixteen conservation areas. Drafting of the appraisals documents had been completed for Hampton Park and Almeley, and the one for Weobley was scheduled for completion by the end of June. He outlined all the main issues involved in the appraisals and the forthcoming consultation process. He also explained how locally significant buildings that were not necessarily listed could be included. He advised that if the Committee was agreeable to the proposals, the next stage would be to ask the Cabinet Member (Environment) to confirm the final content of the appraisal documents and the way in which the issues raised through the appraisals should be dealt with. It was then intended that consultations upon the issues raised should be undertaken. These may subsequently influence the management proposals that would form part of the next stage of work in relation to the particular conservation areas.

The Committee endorsed the proposals put forward by the Conservation Manager.

RESOLVED

THAT the Cabinet Member (Environment) be requested to approve the consultation proposals arising upon the appraisals for Hampton Park, Almeley and Weobley Conservation Areas and particularly the issues raised in association with these.

13. DEVELOPMENT BRIEF FOR THE EXISTING WHITECROSS HIGH SCHOOL SITE, HEREFORD

The Team Leader Local Planning presented the report of the Forward Planning Manager regarding proposals for adopting a revised Development Brief for the redundant Whitecross High School site in Hereford as a Supplementary Planning Document. He advised that the Brief had been amended following an extensive consultation exercise including two public meetings and that the site was proposed for redevelopment under Policies H2, RST5 and CF5 of the Revised Deposit Draft Unitary Development Plan (UDP). Statutory bodies and local residents were invited to make comment during the consultation process and their comments and concerns were summarised in the report. There was general support for new housing and an educational establishment at the site but considerable concern from local residents about the impact of additional traffic on Baggallay Street.

The alternative proposals put forward were:-

- 60 dwellings (of which 21 affordable housing)
- 60 dwellings plus 420 pupil primary school
- 60 dwellings plus 630 pupil primary school
- 60 dwellings plus 50 place special school
- 60 dwellings plus a children's centre

Councillor Mrs PA Andrews, one of the Local Ward Members, said that local residents were satisfied with the proposals provided that the number of dwellings did not exceed sixty and that a new or substantially improved vehicular access was provided because Baggallay Street was very narrow. She also felt that it would be advantageous if a primary school could be avoided because the majority of pupils would be arriving by car and would add to the traffic congestion. A school such as that at Barrs Court Road would be preferable because less traffic would be generated. Councillor DJ Fleet said that although the traffic impact study had been carried out on Baggallay Street, the implications for Whitecross Road did not appear to be covered. He asked if planning requirements for highway improvements could be imposed. The Team Leader Local Planning said that requirements could be placed on the junction of Baggallay Street with Whitecross Road but not beyond that. Councillor RI Matthews asked if there was the opportunity to gain access to the site from development land at Yazor Road. The Team Leader Local Planning said that this was possible and that perspective developers of the land adjacent had been made aware of this.

THAT the Cabinet Member (Environment) be recommended to approve the development brief for the former Whitecross High School site, as amended, for adoption as a Supplementary Planning Document (SPD).

14. KINGS CAPLE PARISH PLAN

A report was presented by the Team Leader (Local Planning) about the Kings Caple Parish Plan which had been prepared to provide further planning guidance to the emerging Herefordshire Unitary Development Plan. He said that the aim of the document was to identify measures by which the community aimed to improve and enhance the quality of the built environment and to provide a mechanism to inform and influence the decisions of statutory bodies about community priorities and local needs. Key recommendations were included about transport and traffic, landscape and environment, housing, planning and heritage, youth and leisure and community services. The planning issues centred on affordable housing for young people and a

wish to see any new development designed to reflect the character of the local area.

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 Kings Cople Parish Plan be adopted as further planning guidance to the Herefordshire Unitary Development Plan and as an expression of local distinctiveness and community participation.

15. DCNC2006/0277/F - PROPOSED CONSTRUCTION OF SKATE PARK AT SYDONIA RECREATION GROUND, CONNINGSBY ROAD, LEOMINSTER

A planning application from Leominster Town Council was considered for a skateboard park at the Sydonia Recreation Ground adjoining the Leominster Leisure Centre and swimming pool.

In accordance with the criteria for public speaking, Mrs. Atkinson of Leominster Town Council spoke in support of the application.

The Committee was generally supportive of the application and noted that the site would be supervised by Halo Leisure Trust. There were some concerns about potential noise nuisance and Councillor Mrs JE Pemberton drew attention to the concerns voiced by the Police about the proximity of the site to sheltered accommodation at Eaton Close and new housing at Battlebridge Close and Lammas Close. The Development Control Manager said that the applicants had included details of a sound attenuation system for the ramps to minimize noise impacts in sensitive locations and that conditions would be imposed on the permission regarding this.

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 - F32 (Details of floodlighting/external lighting)**

Reason: To safeguard local amenities.

- 3. Prior to the commencement of development full details of layout of the skate park hereby approved and details of each piece of equipment to be installed on the site shall be submitted to and approved by the local planning authority. The development shall be carried out in accordance with the approved details.**

Reason: To define the terms of this permission.

- 4. Before the development hereby permitted commences a scheme shall be agreed with the local planning authority that specifies the provisions to be made for the control of noise emanating from the site. This shall specifically include the use of acoustic foam in all of the approved ramps. The use of the site shall be carried out in accordance with approved**

details.

Reason: In the interests of nearby residential amenity.

5. **Any equipment with the potential to cause noise nuisance should be located at a minimum distance of 40 metres from residential accommodation, any additional equipment should be approved by the local planning authority prior to its installation.**

Reason: In the interests of nearby residential amenity.

6. **The hours in which the facilities shall be open for use shall be restricted to 8.00am to 9.30pm.**

Reason: In the interests of nearby residential amenity.

7. **No amplified or other music shall be played on the site of this permission at any times.**

Reason: In the interests of nearby residential amenity.

Informatives:

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

16. DCNW2005/1819/F - USE OF LAND AND ERECTION OF WORKSHOP AND OFFICE FOR COACH HIRE BUSINESS AT PAYTOE LANE, LEINTWARDINE, HEREFORDSHIRE

The Development Control Manager said that at its meeting on 25th November, 2005 the Committee had approved the application subject to appropriate conditions about protective earth bunding and petrol/oil interceptors in the drainage, any further conditions felt to be necessary by the Head of Planning Services, and the Environment Agency being satisfied. He advised that since that time officers had held site meetings and negotiations with the applicants and the Environment Agency. These had highlighted the need to balance the flood plain issues against the material planning interests of enabling the local coach hire to continue to operate and contribute to sustainable transport in the locality, without impacting on residential amenities. Despite the negotiations the Environment Agency had not withdrawn its objections.

Members were disappointed that the Environment Agency was still not in favour of the application. Councillor Mrs. L.O. Barnett, the Local Ward Member said that the application was essential for the future of the business and that there was no other suitable site in Leintwardine. She felt that there were negligible risks from flooding, particularly as the proposal would be for coaches and not housing. She questioned the views of the Environment Agency which appeared to relate to extremely infrequent flooding in the area. She did not feel that an adequate case had been made to refuse an application from an important rural transport business.

The Committee agreed with the Local Ward Member and felt that the Environment Agency was taking the worst-case scenario in respect of what was after all a fairly modest rural transport business which was only dealing with its own vehicles and not involved with servicing those of other firms. It was considered that the effects of potential flooding would be minimal given the proposed use and that there was no evidence available that local residents considered themselves to be in peril. Given

the specific nature of the business and the way in which it operated and the fact that no further development would be permitted on the site, the Committee felt that approval should be given.

RESOLVED:

That the application be approved subject to appropriate conditions about protective earth bunding and petrol/oil interceptors in the drainage and any further conditions felt to be necessary by the Head of Planning Services.

17. DCNE2006/0873/F - ERECTION OF SECURITY FENCE AND GATES TO THE BOUNDARY WITH TWO SITE SIGNS AT JOHN MASEFIELD HIGH SCHOOL, MABELS FURLONG, LEDBURY, HEREFORDSHIRE, HR8 2HF

In accordance with the criteria for public speaking, Mr. Thomas, spoke against the application.

The Committee considered details of the application and whilst acknowledging the essential need for the security fence and gates, had some concerns about its appearance and effectiveness. The objectors had raised several issues including the materials used for construction and the security of the fence at its base. The Development Control Manager said that issues relating to colour and suitable landscape screening were covered by the appropriate planning conditions in the recommendation.

RESOLVED

That planning permission be granted subject to the following conditions:

- 1 - Prior to 1st August 2007 a scheme of landscaping using indigenous species which shall include indications of all existing trees on the land, and details of any to be retained, and a programme for the approved scheme's implementation and long term management shall be submitted to the Local Planning Authority for their written approval. The submitted details must include details as to the location of all planting, the species, their size and the density of planting.**

Reason: To ensure that the visual impact of the development is satisfactorily ameliorated in accordance with Policy DR1 of the Herefordshire Unitary Development Plan Revised Deposit Draft May 2004.

- 2 - All planting in the approved details of landscaping shall be carried out in the period 1st October 2006 until 28th February 2007. Any trees or plants which within the period until 1st March 2012 die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.**

Reason: To ensure that the visual impact of the development is satisfactorily ameliorated in accordance with Policy DR1 of the Herefordshire Unitary Development Plan Revised Deposit Draft May 2004.

- 3 - Prior to 1st September 2006 the gates and the section of fencing either side with vertical steel posts, hereby permitted, shall be painted a matt black colour and shall therefore be maintained as such.**

Reason: To ensure that the visual impact of the development is satisfactorily ameliorated in accordance with Policy DR1 of the Herefordshire Unitary Development Plan Revised Deposit Draft May 2004.

Informative:

- 1 - N15 - Reason(s) for the Grant of PP/LBC/CAC
- 2 - Hereford and Worcester County Structure Plan 1993
Policy CTC.9 – Development Requirements
- 3 - Herefordshire Unitary Development Plan Revised Deposit Draft May 2004
DR1 - Design

18. DCCW2006/0927/N - RETENTION AND RE-PROFILING OF EARTH BUND AT HEREFORD CITY SPORTS CLUB, GRANDSTAND ROAD, HEREFORD, HR4 9NG

The receipt of a letter from the applicants' agent regarding remodelling the height of the bund was reported.

In accordance with the criteria for public speaking, Mr. Spreckley the agent acting on behalf of the applicant spoke in support of the application.

Councillor RI Matthews said that the bund had been constructed in a very irresponsible and unsupervised manner but noted that the intention of the bund was to provide a 'soft' boundary to delineate the extent of Hereford City Sports Club playing fields and to deter informal access and random trespass. He felt that the height, profile and finish of the existing bund could be greatly improved and made acceptable by re-profiling and sympathetic planting. If there were the appropriate planning conditions in place, and the requirements of Environment Agency and Head of Environmental Health and Trading Standards were met, he felt that approval could be given.

Councillor BF Ashton said that he was opposed to the application because of the adverse visual impact of the bund in a setting of open sports fields, and because of the materials used to construct it. Councillor DJ Fleet felt that the existing bund created a considerable eyesore in an open landscape and that it was contrary to planning conditions and should therefore be removed. The Development Control Manager said that the applicants had not consulted the Planning Department before erecting the bund and that it was still not known what materials had been used in its construction. The Director of Environment pointed out that they had also not sought landlord's consent for the work on Council owned land.

The Committee noted the reasons put forward by the Sports Club for the re-profiling of the bund and whilst having some sympathy to the problems it faced, was disappointed that it had not sought all of the necessary permissions before proceeding with the erection of the bund. A motion that the application should be approved with the appropriate conditions was lost.

RESOLVED

That planning permission be refused for the following reason:

- 1. The proposed remodelling would still be of a scale, layout and design which does not respect and is inconsistent with the existing open character and quality of the site, which would create an unnatural boundary between similar activities within a public open space, and as such would be contrary to Hereford and Worcester County Structure Plan Policies CTC7 and CTC9, Hereford Local Plan Policies R1, R89 and ENV14 and emerging Herefordshire Unitary Development Plan (Revised Deposit Draft) Policies RST1, RST4 and HBA4; furthermore, insufficient information has been submitted with regard to working methods and contingencies, testing for contamination of the bund material, removal of construction waste debris embedded in it and health and safety issues, to satisfy the Council that there would be no adverse environmental effects in accordance with Hereford and Worcester Structure Plan Policy ED3, Hereford Local Plan Policy ENV14 and Herefordshire Unitary Development Plan (Revised Deposit Draft) Policies S10 and W2.**

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

The Development Control Manager said that the Central Area Planning Sub-Committee was mindful to approve the application and that it had been referred to the Planning Committee because this view was contrary to a number of the Council's Planning policies and Officer advice.

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

Councillor Mrs. W.U. Atfield, a Local Ward Member, noted the location of the site but felt that the specific personal circumstances of the applicants should be given weight and that an exception to permit housing should be allowed. She commented that the proposal would enable the family to remain together and ensure the continued sustainability of the farm, whilst providing an element of diversification in the long term. She felt that the conversion of an existing building was not workable given the distances involved.

A number of Members endorsed the comments of the Local Ward Member. It was suggested that any planning permission granted should closely link the existing farmhouse to the proposed bungalow.

The Development Control Manager advised the Committee that the proposal was directly contrary to the Council's planning policies as it was situated in open countryside, it could not be considered to be previously developed land and none of the exceptions had been satisfied. Councillor BF Ashton said that there was a need for caution in the way that planning policies were interpreted because this application did not appear to fulfil the requirements.

A number of Members felt that there was an element of rural enterprise and diversification in the application which should be supported. Some commented that the proposal would have minimal impact on the area and noted that no letters of objection had been received. It was felt that in view of the family circumstances giving rise to the application, the concerns of officers' could be addressed through

conditions to prevent the sale or independent occupation of the bungalow from the farmhouse.

RESOLVED:

That the application be approved subject to conditions felt to be necessary by the Development Control Manager removing permitted development rights and tying the dwelling to the farm with an agricultural occupancy.

20. DCCE2006/0765/F - CHANGE OF USE FROM B1 LIGHT INDUSTRIAL TO MIXED USE COMPRISING A RETAIL SHOWROOM, STORAGE AND OFFICES UNIT 4, WHITESTONE BUSINESS PARK, WHITESTONE, HFD HR1 3SE

The Development Control Manager said that the Central Area Planning Sub-Committee was mindful to approve the application and that it had been referred to the Planning Committee because this view was contrary to a number of the Council's Planning policies and Officer advice.

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

Councillor R.M. Wilson, the Local Ward Member, felt that the application should be supported. He commented that the Business Park had not been successful in attracting B1 light industrial companies to the site and expressed the view that the design and installation elements of Elite Bathrooms and Tiles could be interpreted as employment uses in accordance with the Council's policies. Comparisons were made between this operation and Browns Furniture, located on the same Business Park, which also incorporated retail sales. He stressed the differences between Elite Bathrooms and Tiles and typical large-scale retail warehousing operations. He felt that the highways network had capacity for the proposed change of use and that there were positive benefits in terms of reducing traffic and parking congestion in Hereford City. He noted that the applicants had stated that the business already employed 17 people and this was expected to increase. He felt because the business was completely different from the retail nature of a large d.i.y store, it did comply with the planning policies contained within the emerging Herefordshire Unitary Development Plan.

A number of Members concurred with the Local Ward Member's views and comments were made about the need to support local businesses. Some noted the difficulties being experienced in the industrial sector and felt that there was a need to react to changing circumstances.

The Development Control Manager explained the planning policy objections and the differences between the use classes. He commented that there was no intrinsic reason why this retail use should be located within this established employment area of goods permitted.

RESOLVED:

That planning permission be granted subject to any conditions considered necessary by the Development Control Manager

21. DCCE2006/1097/F - INSTALLATION OF STONE BENCHING WITH GLAZED SCREEN DCCE2006/1101/L - ADAPTATIONS TO FRONT FORECOURT AND ENTRANCE PORTICO TO PROVIDE DISABLED ACCESS AND STONE BENCH WITH GLAZED SCREEN AT SHIRE HALL, HEREFORD, HR1 2HY

The Development Control Manager said that the applications sought permission and consent for the introduction of a stone bench and screening to be associated with the Shire Hall, Hereford. The Listed Building application also sought consent for a disabled access which already had planning permission by virtue of planning application DCCE2004/4242/F. He advised that the applications were required following the receipt of an objection to the previous Listed Building Consent application from English Heritage. This revised proposals had attempted to address the concerns associated with the original scheme.

RESOLVED THAT:

DCCE2006/1097/F:

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.

Informatives:

- 1. N01 - Access for all.**
- 2. N03 - Adjoining property rights.**
- 3. N06 - Listed Building Consent.**
- 4. N15 - Reason(s) for the Grant of Planning Permission.**

DCCE2006/1101/L:

- i) The application is notified to the Secretary of State.**
- ii) Subject to the Secretary of State confirming that he does not intend to call it in, Listed Building Consent be granted subject to the following conditions and any additional conditions considered necessary by Officers:**

- 1. C01 (Time limit for commencement (Listed Building Consent)).**

Reason: Required to be imposed by Section 18(1) of the Planning (Listed Buildings and Conservation Areas) 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. C02 (Approved of details).

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

Informatives:

- 1. ND2 (Area of Archaeological Importance).**
- 2. ND3 (Contact Address).**
- 3. N15 - Reason(s) for the Grant of Listed Building Consent.**

22. DCCW2006/1247/RM - CONSTRUCTION OF COMMUNITY FACILITY AND REPLACEMENT PRIMARY SCHOOL AT LAND OPPOSITE SUTTON COUNTY PRIMARY SCHOOL, SUTTON ST. NICHOLAS, HEREFORD, HR1 3AZ

In accordance with the criteria for public speaking, Mr. Winnell of Sutton Parish Council spoke in support of the application and Mr. Lewis and Mr Sheath spoke against.

The Committee noted that the concerns raised by the objectors about light pollution could be dealt with by the appropriate conditions.

The Team Leader Local Planning said that during the course of several years a number of sites had been investigated and extensive public consultation undertaken. This site for a new school, housing and community use had been supported by the Parish Council when considered for inclusion in the Herefordshire Unitary Development Plan. A Development Brief for the mixed development was subsequently prepared and approved by the Planning Committee. The Brief had been the subject of local consultation which included public meeting.

The Development Control Manager explained that there was an outstanding highways objection to the scheme and that the need had been identified for the proper provision of pedestrian access to the site and along the site frontage. He suggested that the officers be given delegated power to refuse permission if the highways issues were not resolved to their satisfaction.

RESOLVED THAT:

Subject to the receipt of suitably amended plans and the resolution of the outstanding highway issues to their satisfaction, the officers named in the Scheme of Delegation to Officers be authorised to issue planning permission subject to the following conditions and any additional conditions considered necessary by officers:

1. A07 (Development in accordance with approved plans).

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

2. B01 (Samples of external materials).

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

3. F32 (Details of floodlighting/external lighting).

Reason: To safeguard local amenities.

4. G04 (Landscaping scheme (general)).

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

5. G06 (Scope of landscaping scheme).

Reason: In order that the local planning authority may be satisfied that the deposited scheme will meet their requirements.

Informative:

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

23. DCSE2006/1146/F - CREATION OF A GREEN SPACE FOR RECREATIONAL USE BY WHOLE COMMUNITY. LANDSCAPING TO CREATE TWO FLAT AREAS TO PROVIDE PLAYGROUND AND GENERAL USE AREA FOR CHILDREN AND ADULTS AT LAND BEHIND GOODRICH SCHOOL, GOODRICH, ROSS-ON-WYE, HEREFORDSHIRE, HR9 6HY

The Development Control Manager said that an objection to the application had been received from Central Networks to the scheme because of an overhead power cable. The application had therefore been withdrawn until the next meeting to enable the matter to be resolved.

The meeting ended at 12.40 p.m.

CHAIRMAN

PLANNING COMMITTEE

14TH JULY, 2006

REPORT OF THE NORTHERN AREA PLANNING SUB-COMMITTEE

Meetings held on 14th June, 2006

Membership:

Councillors: Councillor J.W. Hope M.B.E (Chairman)
Councillor K.G. Grumbley (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, 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 dealt with the planning applications referred to it as follows:-
 - (a) applications approved as recommended – 12
 - (b) applications minded to approve or refuse contrary to recommendation – 2 (not referred to Planning Committee)
 - (c) applications withdrawn by applicant – 1
 - (d) site inspections - 2
 - (e) number of public speakers – 10 (objectors – 4, supporters – 6)

PLANNING APPEALS

2. The Sub-Committee received an information report about 3 appeals received and 4 determined (3 dismissed and 1 upheld).

J.W. HOPE M.B.E
CHAIRMAN
NORTHERN AREA PLANNING SUB-COMMITTEE

- **BACKGROUND PAPERS – Agenda for meeting held on 14th June, 2006**

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

Meeting held on 28th June, 2006

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), 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.

PLANNING APPLICATIONS

1. The Sub-Committee has met on one occasion and has dealt with the planning applications referred to it as follows:-
 - (a) applications approved as recommended – 6
 - (b) applications minded to refuse (not referred to Planning Committee) – 2
 - (c) applications minded to approve (not referred to Planning Committee) - 1
 - (d) applications deferred for site inspection - 4
 - (e) number of public speakers – 14 (parish -2, objectors - 6, supporters – 6)

PLANNING APPEALS

2. The Sub-Committee received an information report about 2 appeals that had been received and 3 appeals that had been determined (1 withdrawn and 2 dismissed).

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

- **BACKGROUND PAPERS – Agenda for the meeting held on 28th June, 2006**

PLANNING COMMITTEE

14TH JULY, 2006

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

Meetings held on 7th June, 2006 and 5th July, 2006

Membership:

**Councillors: Councillor P.G. Turpin (Chairman)
Councillors H. Bramer (Vice-Chairman)**

**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, J.G. Jarvis, G. Lucas, D.C. Taylor and J.B. Williams**

PLANNING APPLICATIONS

1. The Sub-Committee has dealt with the planning applications referred to it as follows:-
 - (a) applications approved as recommended – 12
 - (b) applications refused as recommended – 1
 - (c) applications refused contrary to Officers recommendation – 3
 - (d) applications approved contrary to Officers recommendation – 1
 - (e) Site Visits – 2
 - (f) number of public speakers – 8 (3 Supporters, 3 Objectors, 2 Parish Council)

PLANNING APPEALS

2. The Sub-Committee received information reports about 9 appeals received and 6 determined (4 dismissed, 2 allowed).

**P.G. Turpin
CHAIRMAN
SOUTHERN AREA PLANNING SUB-COMMITTEE**

- **BACKGROUND PAPERS – Agenda for the meetings held on 7th June, 2006 and 5th July, 2006.**

9 EDGAR STREET GRID SUPPLEMENTARY PLANNING DOCUMENT

Report By: Forward Planning Manager

1. Ward Affected

Central

2. Purpose

- 2.1 To inform members of the Edgar Street Grid Supplementary Planning Document (SPD) which is currently being produced. This document is included within the Council's Local Development Scheme and needs to be produced in line with the regulations of the new Planning Act.

3. Financial Implications

- 3.1 Costs such as printing and undertaking of consultation exercises will be met from the Planning Delivery Grant.

4. Background

- 4.1 Edgar Street Grid comprises 43 hectares of land to the north of the city centre. The area includes a number of significant uses including the Livestock Market, Hereford United Football Club, the railway station and a number of buildings of architectural and historic importance such as the Blackfriars Friary. The area also accommodates a wide range of industrial, commercial and residential uses.
- 4.2 The Grid represents a unique opportunity to develop an under-utilised area of land, strengthening the role of Hereford as a sub regional shopping centre and ensuring the city plays a full role in the wider rural economy.
- 4.3 The Local Development Scheme identifies the requirement to produce the additional design guidance for the Grid area. The SPD will therefore provide an urban design framework to guide the future development of the area.
- 4.4 Supplementary Planning Documents are produced to expand on plan policy and provide additional information and guidance in support of policies and proposals in Development Plan Documents.
- 4.5 When adopted, the Herefordshire Unitary Development Plan (UDP) will have the status of a Development Plan Document (DPD). It will be operative as part of the Councils Local Development Framework for a minimum three year period from the date of adoption.
- 4.6 The Edgar Street Grid SPD will expand and add further detail to the policies and accompanying text contained in the UDP. This is mainly provided within UDP Chapter 7 Town Centres and Retail, paragraphs 7.7R – 7.7.49R and Policies:

- TCR 20R Eign Gate Regeneration Area
- TCR 21R Canal basin and historic core
- TCR 22R Hereford United Football Club/Merton Meadow
- TCR 23R Civic Quarter

4.7 In addition, a complementary piece of work is to be commissioned by the Edgar Street Grid Company. This work will refine and update the ESG Masterplan which was undertaken in 2004, particularly in terms of urban design and will provide a source of design analysis which will inform the SPD. The Forward Planning team preparing the SPD will work closely with the urban designers commissioned for the Masterplan update and the Edgar Street Grid Co.

5. Aims of the SPD

5.1 The role and purpose of the SPD is to:

- Establish an urban design framework for the Edgar Street Grid area in a positive and enabling manner providing a design concept early on in the process which will be used to guide landowners, developers and the community on the form development proposals should take
- Address and supplement with additional information the policies contained within the UDP
- Provide greater certainty for the market on what is expected from future schemes
- Ensure delivery of a comprehensive, coordinated and sustainable development for Grid area.

6. SPD outline

It is proposed that the SPD will address the following areas:

- General introduction
- Purpose of the brief
- Site description and history
- Vision for the Grid area/Masterplan
- Planning policy context/objectives
- Constraints (and opportunities) – transport infrastructure, historic heritage, flooding, sewerage, contamination
- Urban Design Framework for the area

- Design principles
- Landscape principles
- Sustainability issues and energy saving measures
- Implementation including planning obligations
- Non conforming uses
- Land acquisition
- Separate reports for each quadrant/policy area

7. SPD Process

7.1 The process by which an SPD is prepared is laid down by Government in the Town and Country Planning (Local Development)(England) Regulations 2004. The process for preparing an SPD is similar to that for a DPD, but simplified. There is no requirement to prepare preferred options and SPDs are not subject to independent examination. As with DPDs, their preparation is informed by community involvement and sustainability appraisal.

The following provides a summary of some of the key regulations which govern the process of producing an SPD:

- Preparation of draft SPD: Select a combination of community involvement methods appropriate to the SPD being produced at this informal stage of evidence gathering and preparation.
- Regulation 17/18: Consultation on draft SPD - Statutory 4-6 week consultation period on draft and sustainability appraisal report
- Regulation 18/19: Adoption of SPD - The Council will adopt the SPD having considered all representations received

7.2 A consultation statement will also need to be prepared which will document how consultation was undertaken and managed during preparation of the SPD. More information on the above stages is provided in the Council's emerging Statement of Community Involvement.

8. Timetable for production of ESG SPD

8.1 Consultation forms a key part of the SPD process. As identified above the new Planning Act is accompanied by statutory regulations, which identify the process that needs to be applied. The following information provides an anticipated consultation timetable, which meets the statutory regulations and includes the following stages:

8.2 Initial consultation (July – October 2006)

This initial consultation aims to fulfil two key objectives. Firstly it is necessary to promote the SPD and explain the purpose of the document and secondly to gather information to assist preparation work. The information sought includes any technical work already completed as well as views/thoughts on design issues. This will include identifying those areas/ key buildings/ design details, which should be preserved and incorporated into any new scheme or identification of areas, which would benefit from demolition/redevelopment.

A combination of approaches will be undertaken to gather this initial information:

- The Forward Planning team will undertake a summary of the consultations undertaken as part of the ESG Masterplan work and identify relevant design issues which have emerged from this process,
- Send interested groups a letter setting out the SPD process and seeking their design views for the area. This approach will also be supported by a seminar led by the team. It is anticipated that the seminar will be held in October 2006.
- Meetings will be held with key players (e.g. Edgar Street Grid Co., Hereford City Council, English Heritage, AWM, Hereford Regeneration Group, landowners and with the appropriate officers of the Council (e.g. transportation, leisure, environmental health, all areas of planning, economic development, housing etc).
- To encourage views from the wider public details will be placed on the Council's website and an exhibition is proposed for Maylords Shopping Centre.
- All of the above approaches will be promoted through the press and the Council's website to encourage as many people as possible to have to make their views known.

8.3 Ongoing Consultation (November 2006 – March 2007)

The information gathered from the initial consultation will be documented in a consultation statement and will be used to assist preparation of the SPD.

Between November 2006 – March 2007 further ongoing consultation is identified to assist and guide preparation of the document. Detailed information using the specialist advice of local and national organisations will be sought as well as urban design input from the consultants Masterplan work. This process will be supported by the following approaches:

- Specialist group seminars/ meetings will be held to guide preparation of the SPD which will involve relevant organisations including both local and national bodies
- Meetings with landowners, developers, local groups to gain their aspirations for the site

- Meetings as appropriate with Council officers
- Exhibitions at Council offices and updates on the website to ensure information is made widely available
- Regular press releases/website updates to keep the wider public abreast of progress

8.4 **Formal consultation on the draft SPD and sustainability appraisal (April/June 2007)**

Following these more targeted consultations the timetable provides for final preparation of the draft SPD and its accompanying sustainability appraisal. Council approval of the two documents will then be sought pursuant to a formal consultation process, which will be undertaken in a specified 6 week period, which is currently targeted for May/ June 2007.

8.5 **Adoption (October 2007)**

During July, August and September 2007 the timetable provides for consideration of the comments received during the formal consultation process as well as resulting revisions to the SPD. In addition the Council is required to issue a consultation statement setting out the main issues raised by representations received and how they have been addressed in the SPD. Once adoption of the SPD has been achieved in October 2007 the Council will notify those consultees who were involved throughout the process. All relevant documents will also be included on the website.

RECOMMENDATION

THAT the Cabinet Member (Environment) be recommended to agree that the Edgar Street Grid SPD be prepared as identified in this report in line with the Town & Country Planning (Local Development)(England) Regulations 2004.

Background papers

Statement of Community Involvement – Submission Draft
Herefordshire Unitary Development Plan
Edgar Street Grid Masterplan 2004

11 DCNW2006/1643/F - CONSTRUCTION OF DWELLING HOUSE AND GARAGE AT LAND ADJOINING THE FORGE, LINGEN, BUCKNELL, SHROPSHIRE, SY7 0DY**For: Mr & Mrs P Barnett, David Taylor Consultants,
The Wheelwright's Shop, Pudleston, Leominster,
Herefordshire, HR6 0RE**

Local Member: Councillor O Barnett

1. Site Description and Proposal

- 1.1 The application seeks planning permission for the construction of a three bedrooed two storey detached dwelling and detached garage/store.
- 1.2 The site is located within the defined settlement development boundary of Lingen and is located alongside the applicants existing dwelling known as 'The Forge'. This structure was formally part of one dwelling that has been divided into two separate dwelling units. Grade II listed, it is of sandstone rubble, timber-frame with plaster and brick infill construction under a tile roof.
- 1.3 The site for the proposed development is within an area designated as a Protected Area and adjacent to a Scheduled Ancient Monument, it is also within the Lingen Conservation Area.
- 1.4 The location is semi-rural in nature and other than the applicants dwelling, the scheduled Ancient Monument (Castle Motte and Bailey and the Church, within close proximity to the eastern side of the proposed development site) is surrounded by agricultural land. This land is within an Area of Great Landscape Value as designated in the Leominster District Local Plan. The C.1007 public highway adjoins the southern boundary of the application site.
- 1.5 The proposal is for a detached two-storey house of external lime render and stone/brick under a plain tile roof. The proposed internal layout includes an entrance hall, sitting room, kitchen/dining room and utility on the ground floor and en-suite bedroom and two further bedrooms and a bathroom on the first floor. Alongside the north western elevation, it is proposed to erect a detached single bay garage and attached store using external construction materials to compliment the proposed dwelling.

2. Policies

2.1 Planning Policy Guidance Note 3 – Housing

Planning Policy Guidance No. 16 – Planning and Archaeology

2.2 Leominster District Local Plan

A1 – Managing the District's Assets and Resources

A2 – Settlement Hierarchy

A9 – Safeguarding the Rural Landscape

A10 – Trees and Woodland

A18 – Listed Buildings and their Settings

A21 – Development within Conservation Areas

A22 – Ancient Monuments and Archaeological Sites

A23 – Creating Identity and an Attractive Built Environment.

A24 – Scale and Character of Development.

A25 – Protection of Open Areas or Green Spaces

A54 – Protection of Residential Amenity

2.3 Herefordshire Unitary Development Plan (Revised Deposit Draft)

S1 – Sustainable Development

S2 – Development Requirements

S3 – Housing

S7 – Natural and Historic Heritage

DR1 – Design

DR4 – Environment

H6 – Housing in Smaller Settlements

H13 – Sustainable Residential Design

LA2 – Landscape Character and Areas Least Resilient to Change

LA3 – Setting of Settlements

LA5 – Protection of Trees, Woodlands and Hedgerows

LA6 – Landscaping Schemes

NC4 – Sites of Local Importance

HBA4 – Setting of Listed Buildings

HBA6 – New Development within Conservation Areas

HBA8 – Locally Important Buildings

HBA9 – Protection of Open Areas and Green Spaces

ARCH3 – Schedule Ancient Monuments

3. Planning History

DCNW2005/1029/F – Erection of detached dwelling and garage – refused 15th July 2005.

4. Consultation Summary

Statutory Consultations

- 4.1 English Heritage – State in their response: 'Lingen Castle is a monument of national importance surviving as a set of coherent earthworks to the north of the Parish Church of St. Michael. Together, the Castle and Church form a classic historic group which may be appreciated and enjoyed in an open undeveloped setting. The open setting enables the castle to be understood as part of our history in the English landscape. Indeed as so many ancient places have been encroached upon, the undeveloped setting of Lingen Castle adds to its significance and as such merits being sustained for

the long term. It is possible that remains of the castle extend into the proposed development site and that remains of medieval settlement may survive in this area next to the castle and close to the church. Such remains would be likely to be damaged or destroyed by development activities, at first and over the years. The Desk Based Assessment which accompanied the application documents significant historic remains in the area around the castle tending to reinforce the value of the historic landscape setting. With regard to the settings of monuments of national importance and their remains, Government Policy Guidance No.16 Paragraph 8 of PPG16 states as follows ‘ *Where nationally important archaeological remains, whether scheduled or not and their settings, are affected by proposed development there should be a presumption in favour of their physical preservation*’. The castle with the church beside it form a major heritage asset at the heart of this community, its setting in our view deserves to be sustained as it has survived for hundreds of years, for the people of today and the people of tomorrow.

In our opinion, that this development proposal would be detrimental to the setting of Lingen Castle and that Government Policy on the presumption towards the preservation of ancient monuments and their settings applies in this case. It is our recommendation that the setting of Lingen Castle be preserved from this development proposal’.

Internal Council Advice

- 4.2 Highways Manager has no objection to the grant of permission.
- 4.3 Public Rights of Way Manager states ‘The proposed development would not appear to affect public footpath LN28. However the following points should be noted:
The applicants should ensure that they hold lawful authority to drive over the public footpath LN28 which runs along the front of the proposed development site (as per the attached plan), as the land does not appear to be part of the highway verge. Records suggest that this land may be part of the church property, but the applicants would need to carry out their own investigations.
- 4.4 County Archaeologist response states ‘You will no doubt be aware that a very similar application on this site (DCNW2005/1029/F) was refused last year, with archaeology rightly being fundamental to that refusal. I would suggest you refer to the advice I gave at that time. Given this planning history, and the obvious accordance between the previous application and this new one, it is surprising that the applicants have not had any pre-application discussions with yourselves. You may well consider that as the new proposal is so little different, it is essentially the same, and should therefore be the subject of a straightforward refusal recommendation, as before.

Plainly, the form position and general appearance of the newly proposed structures differs in only minor ways from that previously proposed. The house and garage would still occupy a prominent and damaging position on this sensitive and protected plot of land. The “redesign” claimed in the agent’s letter (2) is minimal, and insufficient for me to regard the new proposal as being any different in terms of its effect on the setting of Lingen Castle site, or indeed the local historic environment generally.

The submitted archaeological desk based assessment (6) is of questionable relevance to the issues before us, and the history and archaeology of Lingen are well known already. Moreover, some of this desk-based work appears to be unduly tendentious, and not as objective and rigorous as such work should be. I’m afraid I would regard the so-called “Visual Impact Assessment”(7) as seriously flawed and not to be relied upon

as any kind of evidence. I should point out in particular that the ASHIDOHL process it invokes is not in fact an appropriate methodology to assess this kind of development nor is it (or other analyses undertaken) correctly carried out. In short, I consider that neither assessment has provided valid support to the application.

In summary, given that the new proposal is so similar to the previous one, and that nothing material has changed in terms of the archaeological issues, I would therefore re-state the advice previously given.

DCNW2006/1643/F should be refused on archaeological grounds, in accordance with Policies A25 and A22 of the adopted Leominster District Local Plan, 1999’.

- 4.5 Conservation Manager response states ‘As for the previous application (NW/2005/1029/F) the construction of a dwelling in this location will not enhance the character or appearance of the Lingen Conservation Area. Its proposed location between a listed building (The Forge) and a Scheduled Ancient Monument is not appropriate and would not contribute positively to this historically significant setting.
- 4.6 Landscape Officer response states ‘The application site consists of part of the garden of The Forge. It is bounded to the north-east by a historic site, a Motte and Bailey and to the south-east by St. Michael’s and all Angels’ Church. The site falls within the settlement boundary for Lingen and within the village Conservation Area.

In terms of tree issues, I have no objections, as all of the significant trees on the site would be retained. However, this development would impinge on the setting of the historic site and the church. I recommend, therefore, that permission should be refused for the development because it would be contrary to Policy A.25: Protection of Open Areas or Green Spaces, of the Leominster District Local Plan (1999).

- 4.7 Forward Planning Manager has responded to the application stating that the proposed development is contrary to Policies A1, A21 and A25 of the Leominster District Local Plan, the site is within a protected area around the church. The proposal is also contrary to Policies H6, HBA6 AND HBA9 in the Herefordshire Unitary Development Plan as the plot area exceeds the recommended 350 square metres and the dwelling size also exceeds the limit of 90 square metres for a three bed roomed house. The response further states that Inspector has now reviewed and considered the relevant UDP policies in his report and has made no recommendations for changes and therefore considerable weight can be given to the relevant UDP Policies with regards to this application. Consideration should also be given to comments to the proposed development from the Council’s Archaeologist and Conservation officers.

5. Representations

- 5.1 Lingen Parish Council states in their response to the application: ‘The Council resolved to support this application as it has been modified from the original earlier request. Also the following are included in the resolution.
- This proposed dwelling is within the village boundary. Please note March 29th 2001 3 properties gained permission even though they were outside the boundary and overlooked another archaeological site. (NW2000/0440/F).
 - The site does not affect the un-marked ancient monument which is now more a grass mound and in recent past other buildings i.e. Village Hall are also in the vicinity have been passed.
 - The new structure is sympathetic to its surroundings.

5.2 Twenty four letters have been received in support of the application from members of the public. Key issues in support of the proposal raised in the letters to the application are:

- That a local family should have such difficulty in obtaining planning permission to build a new house.
- The family support the local community.
- The proposed development will not have a detrimental impact on the setting of the castle mound.
- The proposed new house is of a simple cottage design that will blend into the surrounding environment.
- The development proposal is within the development limits of the settlement.
- Mr & Mrs Barnett wish to remain in the settlement and leave their present home for personal reasons.

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

6. Officer's Appraisal

6.1 This application should be assessed against the development plan policies concerning location and setting of the adjacent site of the Ancient Monument, The Castle Motte and Bailey, the nearby Church, adjacent Grade II listed dwelling known as 'The Forge' and policy designation of the surrounding area.

6.2 The application is accompanied by a Desk Based Assessment and Visual Impact Assessment. The plans subject to this application indicate the dwelling at a slightly different angle in a similar location to that of the previous planning application ref. NW05/1029/F refused planning permission by this Committee at the July 2005 meeting. Also as part of the application there is a proposal for the construction of a garage and store to the rear of the site in the same position as that of the previous proposed garage and store subject to the previous refused application.

6.3 The proposed development represents the construction of a two-storey house with an internal floor space of 167.5 square metres when measured externally, of the same height to its eaves from ground level, as that of the previously refused proposal. This represents a substantial dwelling in a design that is less sympathetic to the adjacent grade two listed building, than that of the previous refused proposal. The previous proposal, although of a similar size, indicated dormer windows to its south elevation.

6.4 The proposal conflicts directly with two particular policies in the Leominster District Local Plan: Policy A22: Ancient Monuments and Archaeological Site and A25: Protection of Open areas and Green Spaces. Policy A1 on Managing the District's Assets and Resources is also relevant.

6.5 Policy A1 states in criterion 2 'Open or undeveloped sites which contribute to the character appearance and amenity of a settlement will be protected from development even when they fall within a settlement boundary in accordance with Policy A25'.

6.6 Policy A25 on Protection of Open Areas or Green Spaces states amongst its criteria

'Proposals which would result in the loss of important open areas or green spaces which contribute to the character, form and pattern of a settlement, will not be permitted where such elements:

- 1) Provide relief within an otherwise built up frontage;
- 2) Create a well defined edge to the settlement;
- 3) Provide a buffer between incompatible uses;
- 4) Provide important views of attractive buildings or their settings, or of attractive landscapes.
- 5) Provide an important amenity of value to the local community.
- 6) Contribute as an important element within an attractive street scene or
- 7) Represent an historic element within the origins or development of the settlement or area.

6.7 Policy A22 on Ancient Monuments and Archaeological Sites states: 'There will be a presumption against development proposals which would fail to preserve the site or setting of a scheduled Ancient Monument or other nationally important monument.'

6.8 The responses received from English Heritage and the Council's Archaeological Adviser set out strong objections to the proposal securely based on the local and national planning policies referred to above.

6.9 Policy H6 of the Herefordshire Unitary Development Plan, Revised Deposit Draft is also relevant. The Inspector's report to the Unitary Development Plan has now been published in which he recommended that this specific Policy be adopted in its current form. This Policy states that Lingen is classed as a smaller settlement where residential development on plots arising from the infilling of small gaps between existing dwellings be permitted where the habitable living space of a four bed roomed house does not exceed 100 square metres, the plot size is limited to a maximum area of 350 square metres and the infill gap is no more than 30 metres frontage. The current proposal does not conform with these criteria and, given the Inspector's support for this policy, the policy now carries considerable weight.

6.10 Although Officers do have sympathy with the applicants personal circumstances, and have taken note of all letters received in support of the application, it is considered that the proposed development is in direct conflict with Policies A1, A21, A22 and A25 of the Leominster District Local Plan and Policies S7, H6, HBA6, HBA9 and ARCH3 of the Herefordshire Unitary Development Plan, Revised Deposit Draft.

RECOMMENDATION

That planning permission be refused for the following reason:

- 1. The site for the proposed development is designated as a protected area and is adjacent to a Scheduled Ancient Monument. It is considered that the proposed development will have a significant detrimental impact on the historic and visual setting of the location and is therefore contrary of Policies A1, A21, A22 and A25 of the Leominster District Local Plan and Policies S7, HBA6, HBA9 and ARCH3 of the Herefordshire Unitary Development Plan, Revised Deposit Draft.**

- 2. The proposal is contrary to Policy H6 of the Herefordshire Unitary Development Plan, Revised Deposit Draft in that the proposal is for a dwelling in excess of 100 square metres habitable living accommodation on a plot in excess of 350 square metres with a frontage in excess of 30 metres.**

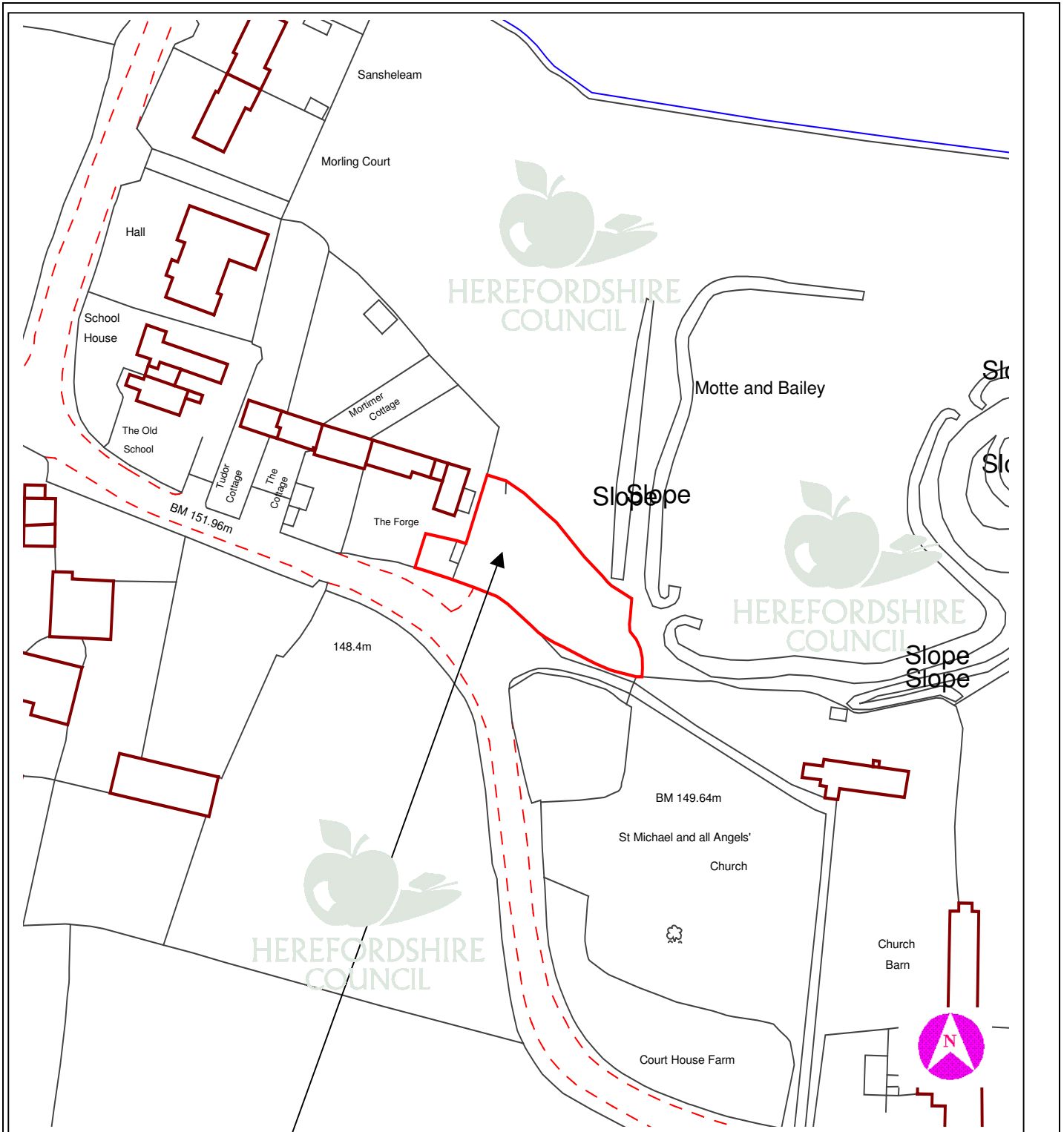
Decision:

Notes:

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Background Papers

Internal departmental consultation



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APPLICATION NO: DCNW2006/1643/F

SCALE : 1 : 1250

SITE ADDRESS : Land adjoining The Forge, Lingen, Bucknell, Shropshire, SY7 0DY

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12 DCNC2006/0882/F - VARIATION OF CONDITION 14 ON PP DCNC2005/0062 - EXTENTION TO OPENING HOURS FROM 6.00PM TO 9.00PM AT REAR OF TOP GARAGE OFF PANNIERS LANE, BROMYARD.

**For: Hope Family Centre per Herefordshire Council
Property Services Franklin House 4 Commercial Road
Hereford HR1 2BB**

Date Received:
22nd March 2006

Ward:
Bromyard

Grid Ref:
64469, 53876

Expiry Date:
17th May 2006

Local Member: Councillors P Dauncey and B Hunt

1. Site Description and Proposal

1.1 This application relates to the recently completed HOPE Family Centre on the Hereford Road in Bromyard. The site is located on the west side of the A465, Hereford Road, and to the north of Top Garage. Further to the north of the site itself lies a property known as Touchwood.

1.2 The application seeks to vary condition 14 of planning permission DCNC2005/0062/F which reads as follows:

The building hereby permitted shall not be open to use between the hours of 6.00pm and 7.00am daily.

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

The request is that the condition is extended to allow the building to be used until 9.00pm.

2. Policies

2.1 Herefordshire Unitary Development Plan (Revised Deposit Draft)

CF5 – New community facilities

3. Planning History

NC2005/1790/F - Variation of condition 14 of planning permission DCNC2005/0062/F to extend opening hours. Refused 14.09.05. for the following reason:

It is considered that the extended opening hours requested would have a detrimental impact upon the residential amenity of the adjoining occupier contrary to Policy CF5 of the Herefordshire Unitary Development Plan (Revised Deposit Draft).

NC2005/0062/F - Proposed new build family centre at rear of Top Garage. Approved 20.4.05.

4. Consultation Summary

Statutory Consultations

4.1 None required.

Internal Council Advice

4.2 Traffic Manager: No objection.

4.3 Head of Environmental Health and Trading Standards: No objection as any increase in activity is not expected to cause significant disturbance to nearby residents.

5. Representations

5.1 Bromyard Town Council: Support the application.

5.2 One letter of objection has been received from Mr and Mrs Morris, Touchwood, Panniers Lane, Bromyard. In summary the points raised are as follows:

- There is no justification for the variation of the condition.
- The proposed variation will be detrimental to residential amenity by virtue of noise and light pollution caused by vehicles entering and leaving the car park.
- There are various other venues available for use in the evening including Bromyard Public Hall, the Leisure Centre, two local schools and seven local village halls.

5.3 Information submitted in support of the application reads as follows:

For the HOPE centre to deliver the core offer of Children's Centre, the operational hours need to encompass the evening hours of 6.00-9.00pm on weekdays.

The time in the evenings is a time when Children's Centre can offer training to parents and carers around such skills as baby sitting courses, supported theory work for passing driving tests and wider skills for life around parenting, IT, healthy eating and family support more broadly.

The evening activities and training are necessary to enable both capacity, flexibility and access around delivering the Government's agenda through Children's Centres, in improving life chances.

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

6. Officers Appraisal

- 6.1 The key consideration of this application is whether the increase in opening hours from 6.00pm to 9.00pm will cause a significant increase in detriment to adjoining residential amenity to warrant the refusal of this application, and whether the justification for the extension of hours allows a different decision from the earlier refusal.
- 6.2 The comments of the Environmental Health Officer make specific reference to the amenity of nearby residents and concludes that an increase in activity is not expected to cause significant disturbance.
- 6.3 Additional information accompanies this application which was lacking from the refusal under reference NC2005/1790/F. The intention is to provide adult evening classes to support the building's primary use as an adult centre.
- 6.4 The objectors question the need to extend opening hours, referring to other buildings that can provide facilities for evening classes. They are also concerned that their amenity will be further eroded.
- 6.5 The concerns raised are not borne out by the Council's Environmental Health Officer in relation to amenity. Whilst other buildings may well be available for evening use, it is not the role of the planning system to limit availability on such a basis.
- 6.6 It is therefore concluded that sufficient additional information has been provided to allow your officers to make a different recommendation to the previous refusal. The proposal accords with Policy CF5 of the Herefordshire Unitary Development Plan (Revised Deposit Draft) and therefore the application is recommended for approval.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

- 1 - The premises shall not be open to use between the hours of 9.00pm and 7.00am daily.**

Reason: In the interests of residentiala amenity.

- 2 - A10 (Amendment to existing permission) (DCNC05/0062/F) (20 May 2005)**

Reason: For the avoidance of doubt.

Informative:

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

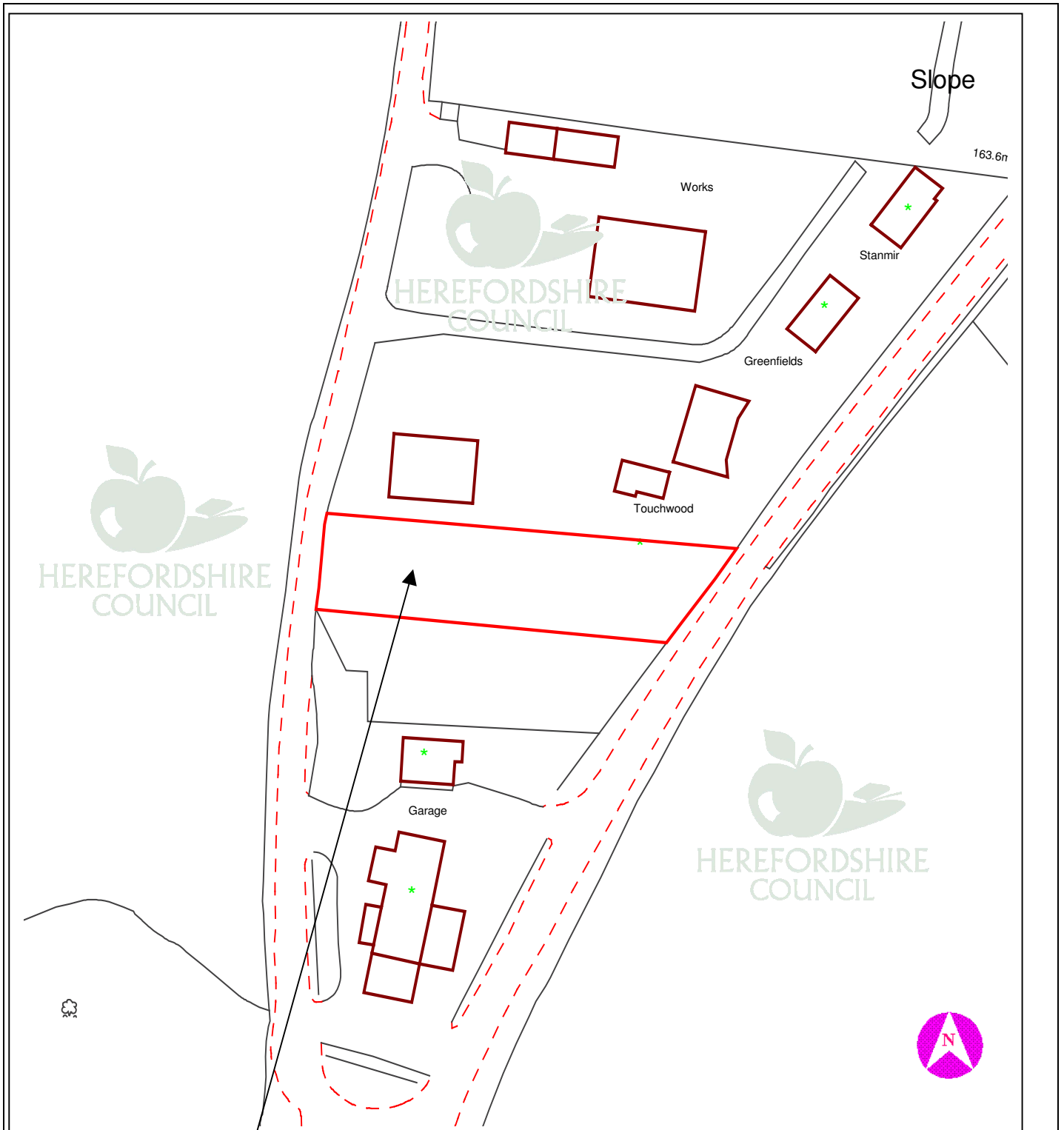
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCNC2006/0882/F

SCALE : 1 : 1250

SITE ADDRESS : Rear of top garage off Panniers Lane, Bromyard.

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Further information on the subject of this report is available from Mr A Banks on 01432 383085

13 DCCE2006/1711/F - AMENDMENT TO PERMISSION CE2005/0032/F TO AVOID SEWER. PROPOSED 3 STOREY BLOCK OF 15 APARTMENTS IN LIEU OF 17 APARTMENTS AND 3 BUNGALOWS AT THE ROSE GARDENS, INDEPENDENT LIVING SCHEME, LEDBURY ROAD, HEREFORD, HR1 2SX

For: Elgar Housing Association Ltd. per Hulme Upright Manning, Highpoint Festival Park, Hanley Stoke on Trent, ST1 5SH

Date Received: 5th June 2006

Ward: Aylestone

Grid Ref: 51940, 39942

Expiry Date: 4th September 2006

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

1. Site Description and Proposal

- 1.1 The application site comprises a roughly triangular section of a larger development site which benefits from planning approval for an independent living scheme incorporating a total of 96 units of self-contained accommodation (DCCE2005/0032/F was approved on 2nd March, 2006). The site known as Unity Gardens was formerly occupied on a temporary basis as a community garden and has now been cleared as part of the approved development with the access road partially constructed to date.
- 1.2 The site lies within an Established Residential Area with its context principally defined by the properties forming Highgrove Bank and Bladon Crescent, which occupy an elevated position to the east and north of the site respectively. To the south of the site is designated Public Open Space (known as The Rose Garden) whilst the western boundary is defined by the Eign Brook which is designated as a Site of Importance for Nature Conservation. The Eign Brook results in a proportion of the whole site being located within an area at risk of flooding.
- 1.3 A scheme for the total redevelopment of the site has been fully considered and granted planning permission but this particular application seeks a variation to the design and layout of part of the development in order to compensate for a large underground combined sewer which runs through the western section of the site. The revised design essentially entails the partial removal of two wings of the approved scheme and the construction of a detached three storey block (Block 9) in the north-west corner of the site. This necessitates minor changes to the road layout and landscaping within the site and results in the overall provision of 91 self-contained units. Blocks 1-8, forming the larger part of the site remain as approved (with the exception of the truncated wings) and as such the relationship of the main building with neighbouring properties remains unchanged.
- 1.4 The proposed three storey block utilises part of the footprint of the approved detached single storey units and would incorporate the same materials and architectural elements of the main building.

- 1.5 Access and parking arrangements remain unchanged with a total of 45 parking spaces provided and as previously the application is accompanied by a Flood Risk Assessment, Ecological Appraisal and a Design Statement.

2. Policies

2.1 Government Guidance:

PPS1	-	Delivering Sustainable Development
PPG3	-	Housing
PPS9	-	Biodiversity and Ecological Conservation
PPG13	-	Transport
PPG25	-	Development and Flood Risk

2.2 Hereford and Worcester County Structure Plan:

Policy CTC9	-	Development Requirements
Policy CTC11	-	Trees and Woodlands
Policy CTC18	-	Development in Urban Areas

2.3 Hereford Local Plan:

Policy ENV 1	-	Land Liable to Flood
Policy ENV2	-	Flood Storage Areas
Policy ENV3	-	Access to Watercourses
Policy ENV8	-	Contaminated Land
Policy ENV14	-	Design
Policy ENV15	-	Access for All
Policy ENV16	-	Landscaping
Policy ENV18	-	External Lighting
Policy H3	-	Design of New Residential Development
Policy H5	-	Public Open Space Provision in Larger Schemes
Policy H7	-	Communal Open Space
Policy H8	-	Affordable Housing
Policy H9	-	Mobility Housing
Policy H10	-	Housing for the Elderly
Policy H12	-	Established Residential Areas - Character and Amenity
Policy H13	-	Established Residential Areas - Loss of Features
Policy H14	-	Established Residential Areas - Site Factors
Policy CON21	-	Protection of Trees
Policy NC3	-	Sites of Local Importance
Policy NC6	-	Criteria for Development Proposals
Policy T1A	-	Commercial Road/Ledbury Road Link
Policy T5	-	Car Parking - Designated Areas
Policy T6	-	Car Parking - Restrictions
Policy T11	-	Pedestrian Provision
Policy R1	-	Public Open Space
Policy R13	-	Public Rights of Way

2.4 Herefordshire Unitary Development Plan (Revised Deposit Draft):

Policy S1	-	Sustainable Development
Policy S2	-	Development Requirements
Policy S3	-	Housing

Policy S11	-	Community Facilities and Services
Policy DR1	-	Design
Policy DR2	-	Land Use and Activity
Policy DR3	-	Movement
Policy DR4	-	Environment
Policy DR7	-	Flood Risk
Policy DR10	-	Contaminated Land
Policy DR14	-	Lighting
Policy H1	-	Hereford and the Market Towns: Settlement Boundaries and Established Residential Areas
Policy H9	-	Affordable Housing
Policy H13	-	Sustainable Residential Design
Policy H14	-	Re-using Previously Developed Land and Buildings
Policy H15	-	Density
Policy H16	-	Car Parking
Policy H19	-	Open Space Requirements
Policy T6	-	Cycling
Policy T11	-	Existing Parking Areas
Policy T16	-	Access for All
Policy NC4	-	Sites of Local Importance
Policy CF7	-	Residential Nursing and Care Homes

3. Planning History

- 3.1 CE2002/2773/F Change of use of former Council nursery to allow public access for community garden, daytime cafe and shop. Temporary permission now expired.
- 3.2 DCCE2005/0032/F Retirement village/independent living scheme with village hall and restaurant, welfare and recreational facilities, administrative and care facilities, self-contained units and car parking. Approved 2nd March 2006.

4. Consultation Summary

Statutory Consultations

- 4.1 Environment Agency: Comments awaited.
- 4.2 Welsh Water: Comments awaited.

Internal Council Advice

- 4.3 Traffic Manger raises no objection.
- 4.4 Conservation Manager (Conservation) raises no objection to the revised design and layout.
- 4.5 Conservation Manager (Landscape): Comments awaited.
- 4.6 Conservation Manager (Ecology): Comments awaited.
- 4.7 Head of Strategic Housing: Comments awaited.

- 4.8 Parks Development Manager raises concerns with regard to the proposed remodelling of The Rose Garden (as part of the flood alleviation measures) with respect to the effect on ground levels related to the Korean War Veterans Memorial Tree.

5. Representations

- 5.1 The neighbour consultation exercise, which has included all individuals who made representations on the approved scheme, has resulted in no further comments at the time of writing. Any comments raising material planning issues will be reported verbally to Members of Planning Committee.
- 5.2 Hereford City Council raise no objection.

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

6. Officers Appraisal

- 6.1 The comprehensive redevelopment of this site has been approved and on the basis that this proposal relates only to an amended scheme involving a lesser number of units, issues such as the principle of the development, the provision of affordable housing/the nature of occupation, implications for public and private open space, highway safety, access and associated highway improvements are not material to the consideration of this particular application but would of course be secured through conditions attached to the original approval.
- 6.2 The main considerations on the determination of this revised application are as follows:
- (a) Design, Scale and Character
 - (b) Impact on Residential Amenity
 - (c) Flood Risk
 - (d) Nature Conservation

Design, Scale and Character

- 6.3 In relation to the proposed detached three storey block, it is considered that its appearance will respect the approved design of the main building. In visual terms, the detached block would not have a significant visual impact since it will only be visible in views from the allotment gardens and at longer distance from the County Hospital and Commercial Road. From these vantage points the three storey scale will represent a natural progression of the approved three storey rear elevation of the main building. The materials and design approach are identical and it is considered that the detached building will sit comfortably in this largely secluded part of the larger site.

Impact on Residential Amenity

- 6.4 The revised Block 9 would be located in the north-west corner of the site, a significant distance from the established residential properties forming Highgrove Bank and Bladon Crescent. Furthermore, the site is well screened by mature planting along the western boundary, which provides a break between the ongoing development of the Mill Court site beyond the Eign Brook.

- 6.5 The concerns of local residents with regard to privacy and overshadowing were acknowledged when the previous scheme was approved but in relation to the effects of this application, it is not considered that it would adversely effect the amenities of any local residents beyond the impact associated with the main building.

Flood Risk

- 6.6 The proposed siting of Block 9 is within the area at risk of flooding and it is proposed to set the slab level of the building at the same height as the approved main building (FFL 100.769). This is in accordance with the applicant's Flood Risk Assessment and slab level details, which have already been approved through the discharge of Condition 16 of Planning Permission DCCE2006/0032/F on 21st March 2006.
- 6.7 The formal comments of the Environment Agency are awaited at the time of writing.

Nature Conservation

- 6.8 The site has been the subject of a detailed Ecological Survey, which has identified the presence of great crested newts and slow worms. The proposed mitigation measures are currently being assessed and a further update on the proposals will be made verbally.

Conclusion

- 6.9 This amended proposal, in its own right, does not raise significant additional issues that have not already been thoroughly assessed and it is clear that the redesign is a function of the need to accommodate a large combined sewer. The resulting development would have no additional environmental impact and will not compromise the comprehensive redevelopment of the site as previously approved.

RECOMMENDATION

Subject to no further objections raising additional material planning considerations by the end of the consultation period, 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. **The permission hereby granted is an amendment to planning permission DCCE2005/0032/F dated 2nd March 2006 and, otherwise than is altered by this permission, the development shall be carried out in accordance with that planning permission and the conditions attached thereto.**

Reason: For the avoidance of doubt.

Informative:

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

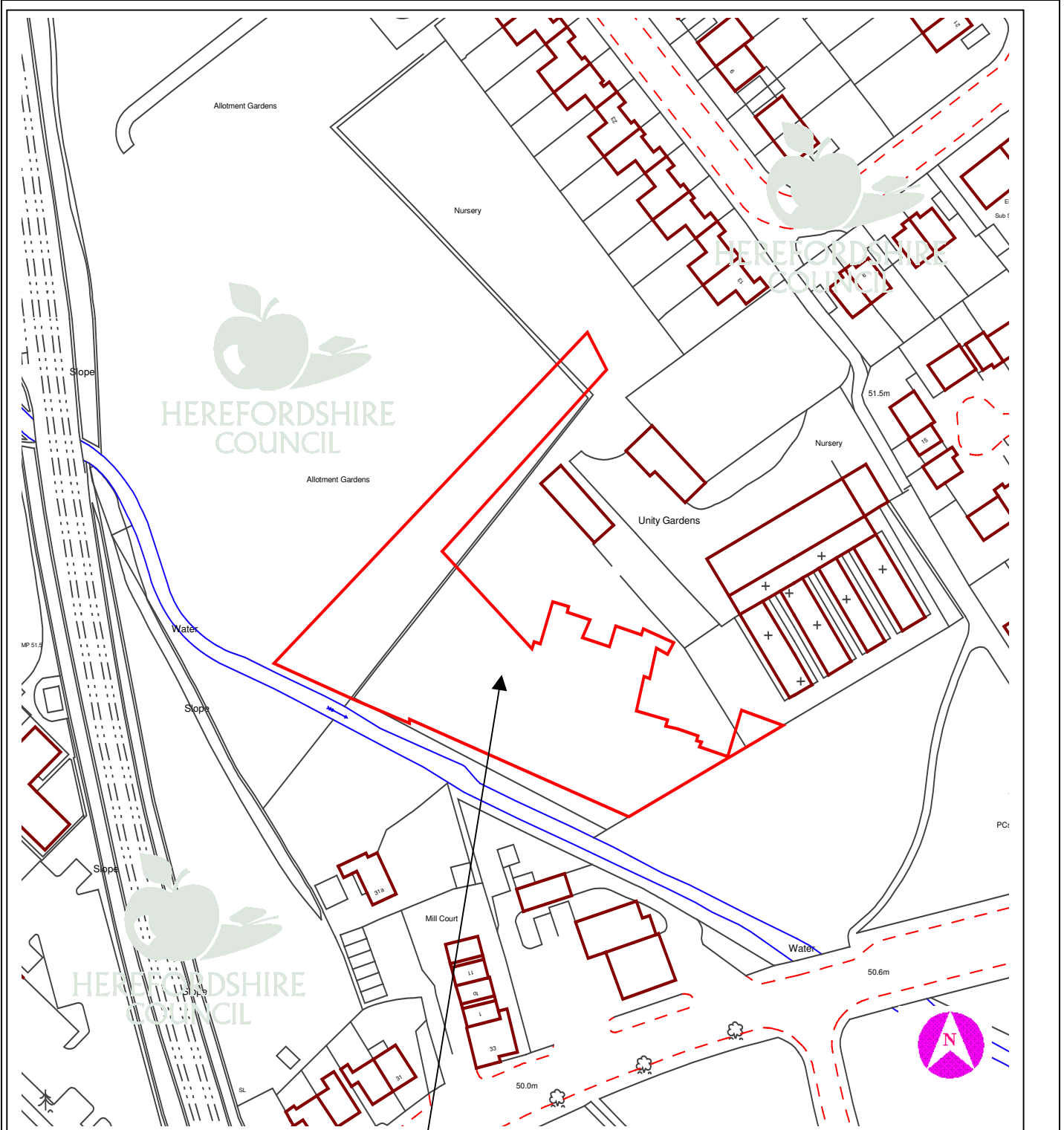
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCCE2006/1711/F

SCALE : 1 : 1250

SITE ADDRESS : The Rose Gardens, Independent Living Scheme, Ledbury Road, Hereford, HR1 2SX

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14 DCCW2006/1728/F - REMOVE EXISTING DEFECTIVE PERIMETER FENCING. ERECT NEW PERIMETER FENCING AND ENTRANCE GATES AT HAYWOOD HIGH SCHOOL, STANBERROW ROAD, HEREFORD, HEREFORDSHIRE, HR2 7NG

**For: Director of Children's Services per Herefordshire Council
Property Services, Franklin House, 4 Commercial Road,
Hereford, HR1 2BB**

Date Received: 25th May 2006 Ward: St. Martins & Hinton Grid Ref: 50135, 37974

Expiry Date: 20th July 2006

Local Members: Councillor Mrs. W.U. Attfield, A.C.R. Chappell and R. Preece

1. Site Description and Proposal

- 1.1 Haywood School is located at the western end of Marlbrook Road, Redhill, Hereford. The proposal is to replace the existing perimeter fencing and gates with new 'Tornado' wire fencing. The fence would be constructed with a height of 2.75 metres above ground and 250mm below supported by metal posts, all coloured green.
- 1.2 The fencing will replace existing chain link fencing varying in height from 1.2 metres to 2.7 metres. All existing access points, authorised and unauthorised, will be closed and all access will now be via the main entrances off Marlbrook Road and Stanberrow Road.

2. Policies

2.1 Hereford Local Plan:

Policy CON21 - Protection of Trees

2.2 Herefordshire Unitary Development Plan (Revised Deposit Draft):

Policy DR1 - Design

Policy LA5 - Protection of Trees, Woodlands and Hedgerows

3. Planning History

- 3.1 The history at this site relates to additions to the school premises.

4. Consultation Summary

Statutory Consultations

- 4.1 None.

Internal Council Advice

4.2 Traffic Manager: No objection.

5. Representations

5.1 Hereford City Council: No objection.

5.2 One letter of objection has been received from Michael Morris, 39 Marlbrook Road, Redhill, Hereford containing a petition signed by 32 people who face onto the southern boundary of the site. They oppose the application on the following grounds.

- 1) This heavy duty industrial fencing is totally inappropriate for use on a mature residential estate.
- 2) Mature trees will be damaged.
- 3) They agree fencing needs replacement but it needs to be more sympathetic.

5.3 The applicants have advised that the new fencing is required to help prevent trespass, anti-social behaviour, vandalism and break-ins at the school.

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 school have identified a need to secure the premises, particularly during out of school hours. It appears that the only contentious boundary is the southeastern section which abuts the cycleway and Southdale Estate.

6.2 Along this boundary the existing fencing is only 1.2 metres high and the residents have historically overlooked the school playing field without hindrance from the fencing.

6.3 The fence line also contains a number of mature trees that may need to be pruned and fence posts positioned to prevent damage to trees. The new fence will therefore be 1.55 metres higher than the existing fence giving a new height above ground level of 2.75 metres. The nearest dwelling fronting the fence on this boundary will be approximately 14 metres away. This fencing will assist in securing the premises. Any substantial reduction in height would not provide the security that the school requires.

6.4 The visual impact is noted together with the impact on trees but both aspects are considered acceptable subject to careful treatment of the trees which can be controlled by condition.

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. G18 (Protection of trees).

Reason: To ensure adequate protection to existing trees which are to be retained, in the interests of the character and amenities of the area.

3. G20 (Remedial work).

Reason: The trees form an integral part of the visual environment and this condition is imposed to preserve the character and amenities of the area.

4. G21 (Excavations beneath tree canopy).

Reason: To prevent the unnecessary damage to or loss of trees.

Informative:

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

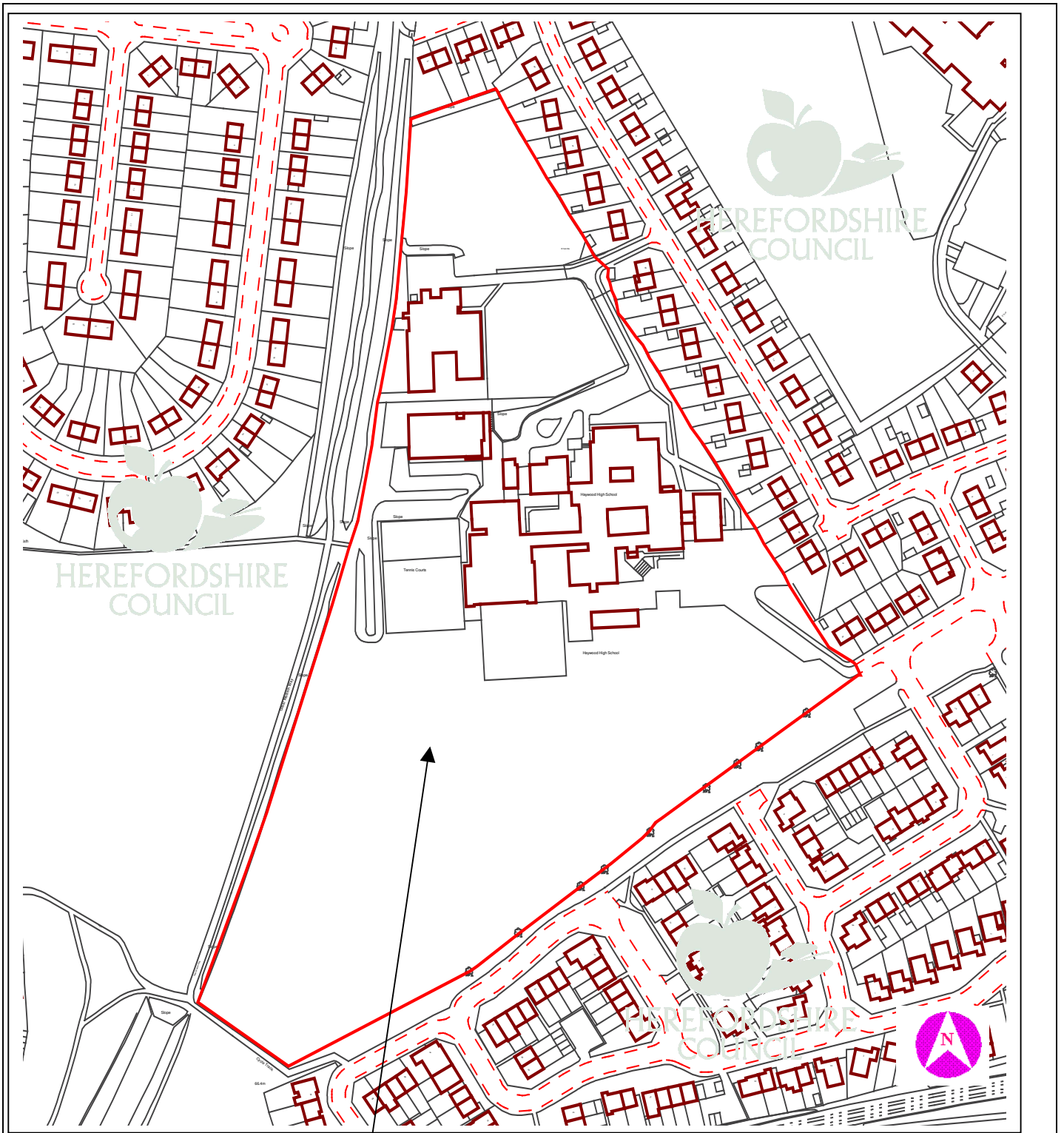
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCCW2006/1728/F

SCALE : 1 : 2500

SITE ADDRESS : Haywood High School, Stanberrow Road, Hereford, Herefordshire, HR2 7NG

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15 DCCW2006/1743/F - NEW PRIMARY SCHOOL AND DEMOLITION OF EXISTING SCHOOLS AT RIVERSIDE PRIMARY SCHOOL (FORMERLY HUNDERTON INFANT AND JUNIOR), BELMONT AVENUE, HEREFORD, HR2 7JF

For: Herefordshire Council per Property Services Manager, Herefordshire Council Property Services, Franklin House, 4 Commercial Road, Hereford, HR1 2BB

Date Received: 24th May 2006

Ward: St. Martins & Hinton

Grid Ref: 50326, 39200

Expiry Date: 23rd August 2006

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

1. Site Description and Proposal

- 1.1 Hunderton Infant and Junior Schools are located at the western end of Belmont Avenue, Hunderton, Hereford. The River Wye forms the boundary to the north, Great Western Way to the west, Belmont Avenue and the Asda site to the east together with Springfield Avenue and Hunderton Avenue to the south.
- 1.2 The proposal is to replace both schools with one new school to be known as 'Riverside Primary School'. The existing community and children's centre at the site will be retained with the remainder of the buildings being demolished. The demolition will be phased to enable the school to remain on site whilst the proposed new school is constructed. This will involve the Junior School de-camping into mobile classrooms. The Infants School will be demolished upon completion of the new school.
- 1.3 The new school would be single storey and constructed of brick, some of which will be re-claimed from the existing schools, timber cladding to the higher levels, underneath a profiled zinc clad roof. Twenty one main classrooms are proposed in three wings that emanate out from the school in a western, northwestern and northerly direction. Each wing has its own toilet facilities and a group teaching area. The main block contains the main hall, small hall, ICT suite, music room, staff room toilets, offices, outdoor changing rooms together with other ancillary rooms.
- 1.4 The school playing fields are not affected by this proposed development. A new outdoor games court area together with staff parking are also proposed.
- 1.5 Due to the site's location near the River Wye, a Flood Risk Assessment has been submitted with the proposal.

2. Policies

- 2.2 National:

PPS1	-	Delivering Sustainable Development
PPS9	-	Biodiversity and Ecological Conservation
PPG25	-	Development and Flood Risk

2.3 Hereford Local Plan:

Policy SC6	-	Permanent Educational Accommodation
Policy SC7	-	Hunderton Infants' School
Policy ENV14	-	Design
Policy ENV15	-	Access for All
Policy NC4	-	Local Nature Reserves

2.4 Herefordshire Unitary Development Plan (Revised Deposit Draft):

Policy S1	-	Sustainable Development
Policy S2	-	Development Requirements
Policy S11	-	Community Facilities and Services
Policy DR1	-	Design
Policy DR2	-	Land Use and Activities
Policy DR3	-	Movement
Policy DR4	-	Environment
Policy DR7	-	Flood Risk
Policy NC4	-	Sites of Local Importance
Policy T14	-	School Travel
Policy T6	-	Walking
Policy T7	-	Cycling
Policy T16	-	Access for All
Policy CF8	-	School Proposals

3. Planning History

- 3.1 DCCW2006/1392/F Provision of 7 double and one single mobile classroom units, hardplay areas and some demolition. Not yet determined.

4. Consultation Summary

Statutory Consultations

- 4.1 Environment Agency: Comments awaited on the FRA.
- 4.2 Welsh Water: Comments awaited.
- 4.3 Sports England: Comments awaited.
- 4.4 CABE: Comments awaited.

Internal Council Advice

- 4.5 Traffic Manager: Comments awaited.
- 4.6 Conservation Manager: Comments awaited.

5. Representations

- 5.1 Hereford City Council: Welcome the proposed development.

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 This proposal provides for the replacement of Hunderton Infants and Junior Schools with one new school, to be called 'Riverside Primary School'.
- 6.2 The new school will be sited essentially on the area of the former Junior School and therefore further away from residential property to the east and south and although it will concentrate the school buildings in the northwest corner of the site this will not impact unacceptably on dwellings located at Charles Witts Avenue to the west, as Great Western Way separates the two sites.
- 6.3 Although 21+ classrooms are proposed, the nature of the design in three wings breaks up the façade and roofscape to provide a well-designed building. The use of a zinc profiled roof is a well established material in Hereford and is appropriate in this context and having regard to the functional design of the building. Ultimately it will weather to give the appearance of a leaded roof. The re-use of bricks from the school meets policies for sustainable development and will also provide an attractive contrast to the new brick and timber cladding.
- 6.4 This report has been prepared at an early stage in the processing of the planning application due to their being no Planning Committee meeting until September. Therefore the majority of consultation responses are still awaited and a verbal update will be given at the meeting.

RECOMMENDATION

Subject to no further objection raising additional material planning considerations by the end of the 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. **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. **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.

- 5. H27 (Parking for site operatives).

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

- 6. 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.

- 7. G01 (Details of boundary treatments).

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

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

Reason: To protect the amenity of local residents.

- 9. F39 (Scheme of refuse storage).

Reason: In the interests of amenity.

- 10. C02 (Approval of details).

Reason: To safeguard the character and appearance of the building.

Informative:

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

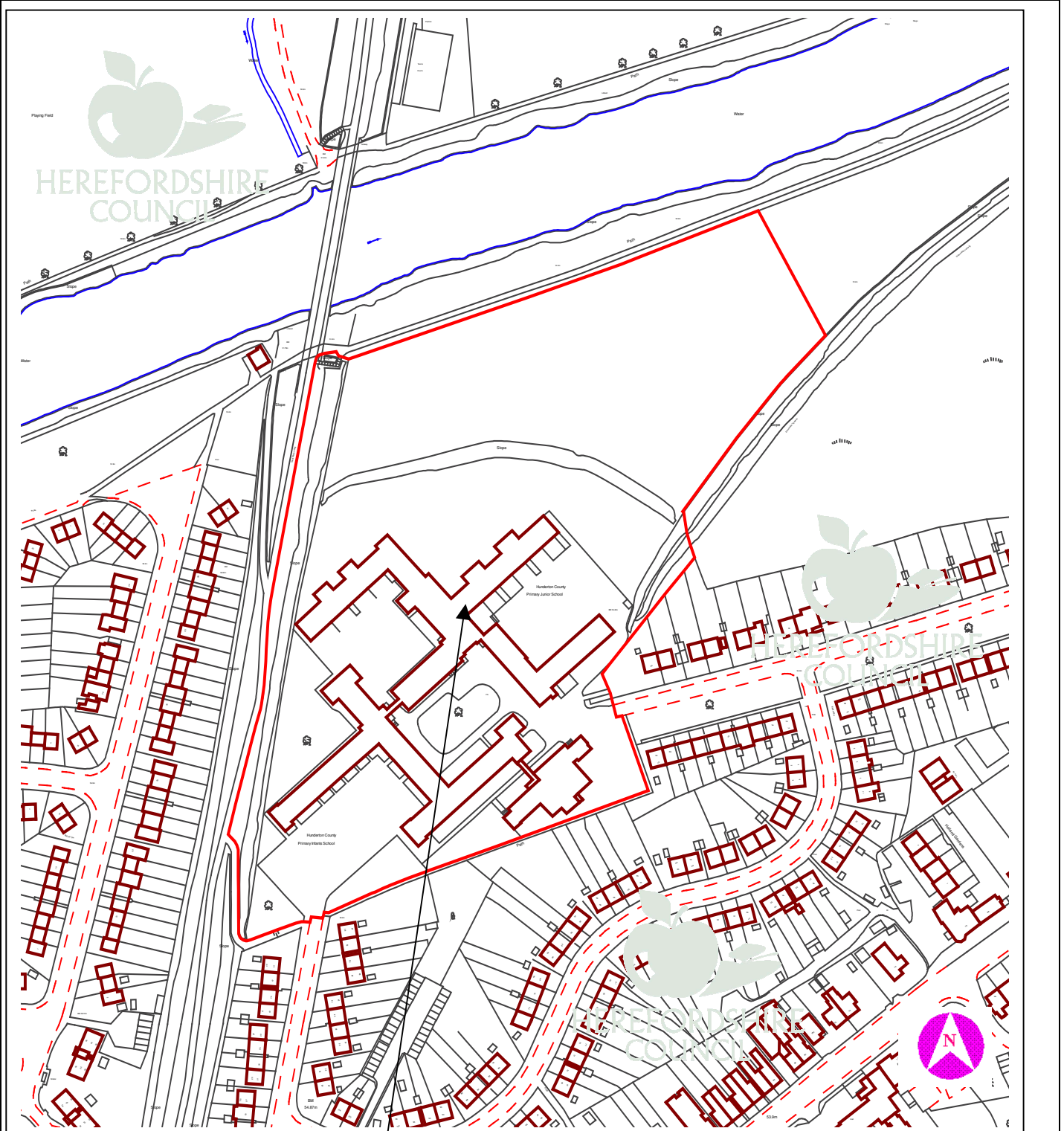
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCCW2006/1743/F

SCALE : 1 : 2500

SITE ADDRESS : Riverside Primary School (formerly Hunderton Infant and Junior), Belmont Avenue, Hereford, HR2 7JF

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