

# A G E N D A

## Northern Area Planning Sub- Committee

Date: **Wednesday, 16th August, 2006**

---

Time: **2.00 p.m.**

---

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

---

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

*For any further information please contact:*

*Pete Martens, Members' Services, Tel  
01432 260248*

***e-mail [pmartens@herefordshire.gov.uk](mailto:pmartens@herefordshire.gov.uk)***

---

**County of Herefordshire  
District Council**



# AGENDA

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

To: Councillor J.W. Hope MBE (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 CBE, R.M. Manning, R. Mills, R.J. Phillips, D.W. Rule MBE, R.V. Stockton, J. Stone and J.P. Thomas

	Pages
1. <b>APOLOGIES FOR ABSENCE</b> To receive apologies for absence.	
2. <b>DECLARATIONS OF INTEREST</b> To receive any declarations of interest by Members in respect of items on the Agenda.	
3. <b>MINUTES</b> To approve and sign the Minutes of the meeting held on 12th July, 2006.	1 - 14
4. <b>APPEALS</b> To note the contents of the attached report of the Head of Planning Services in respect of appeals for the northern area of Herefordshire.	15 - 20
5. <b>APPLICATIONS RECEIVED</b> To consider and take any appropriate action in respect of the planning applications received for the northern area of Herefordshire, and to authorise the Head of Planning Services to impose any additional and varied conditions and reasons considered to be necessary.  Plans relating to planning applications on this agenda will be available for inspection in the Council Chamber 30 minutes before the start of the meeting.  Agenda items 6 & 7 are applications deferred for site inspections at the last meeting and items 8 onwards are new applications.	
6. <b>DCNW2006/1310/F - CONVERSION TO RESIDENTIAL USE AT THE OLD STATION HOUSE, ALMELEY, HEREFORDSHIRE</b>  For: Mr J Lewis per McCartneys, 7 Broad Street, Leominster, Herefordshire, HR6 8BT  Ward: Castle	21 - 26

- |     |   |         |
|-----|---|---------|
| 7.  | <p><b>DCNW2006/1476/F - GARDEN CAFE AND TEA ROOM AT WALFORD COURT, WALFORD, LEINTWARDINE, CRAVEN ARMS, SHROPSHIRE, SY7 0JT</b></p> <p><b>For: Mrs Fraser at above address.</b></p> <p><b>Ward: Mortimer</b></p>   | 27 - 32 |
| 8.  | <p><b>DCNE2006/2023/F - ERECTION OF TWO DWELLINGS ON LAND TO REAR OF 1 RAILWAY TERRACE, WALWYN ROAD, COLWALL, MALVERN, WORCESTERSHIRE, WR13 6EG</b></p> <p><b>For: Mr I Jones per Paul Smith Associates, 19 St Martins Street, Hereford HR2 7RD</b></p> <p><b>Ward: Hope End</b></p>  | 33 - 40 |
| 9.  | <p><b>DCNC2006/1537/O - OUTLINE APPLICATION FOR THREE BEDROOMED DETACHED HOUSE WITH INTEGRAL DOUBLE GARAGE AT 56 &amp; 58 OLD ROAD, BROMYARD, HEREFORDSHIRE, HR7 4BQ</b></p> <p><b>For: B Konig &amp; Mr T Smith per Linton Design 27 High Street Bromyard Herefordshire HR7 4AA</b></p> <p><b>Ward: Bromyard</b></p>   | 41 - 48 |
| 10. | <p><b>DCNC2006/2096/F - PROPOSED CONSTRUCTION OF A SINGLE STOREY EXTENSION TO REAR AND NEW FRONT PORCH AT 2 YEW TREE COTTAGES, LITTLE HEREFORD, LUDLOW, SHROPSHIRE, SY8 4BA</b></p> <p><b>For: Mr &amp; Mrs M Davies per Nicholas C Brown BArch The Farm, Orleton, Cleobury Mortimer, Worcs DY14 0TA</b></p> <p><b>Ward: Upton</b></p>  | 49 - 52 |
| 11. | <p><b>DCNC2006/2193/F - ERECTION OF 4 NO ONE BEDROOMED DWELLINGS ON AT LAND ADJACENT TO HOP POLE BARN, ROWBERRY STREET, BROMYARD HR7 4DT</b></p> <p><b>For: Rocrest Ltd per Linton Design 27 High Street Bromyard Herefordshire HR7 4AA</b></p> <p><b>Ward: Bromyard</b></p>  | 53 - 58 |
| 12. | <p><b>DCNW2006/1777/F - PROPOSED VARIATION TO PLANNING APPROVAL REF. DCNW2005/1217/F TO PERMIT AMENDMENTS PLOT 1, LAND ADJACENT TO THE OLD CORNER HOUSE, BROAD STREET, WEOBLEY, HEREFORDSHIRE, HR6 8SA</b></p> <p><b>For: Mr &amp; Mrs Kilvert, Border Oak Design &amp; Construction, Kingsland Sawmills, Kingsland, Leominster, Herefordshire, HR6 9SF</b></p> <p><b>Ward: Golden Cross with Weobley</b></p> | 59 - 64 |
| 13. | <p><b>DCNW2006/1785/F - GENERAL PURPOSE GRADING BUILDING, ASSOCIATED HARDSTANDINGS AND LANDSCAPING AT COURT FARM, BYTON, PRESTEIGNE, HEREFORDSHIRE, LD8 2HS</b></p>   | 65 - 72 |

**For: S & M Edwards & Sons per Mr P Dunham, Paul Dunham Associates, 19 Townsend Soham, Cambridgeshire, CB7 5DD**

**Ward: Mortimer**

- 14. DCNW2006/2123/F - REMOVAL OF EXISTING AND CONSTRUCTION OF NEW BOUNDARY FENCE AT MILL COTTAGE, PAYTOE, LEINTWARDINE, CRAVEN ARMS, SHROPSHIRE, SY7 0NB** 73 - 78

**For: D J & M Parry Ltd. per McCartneys 7 Broad Street Leominster Herefordshire HR6 8BT**

**Ward: Mortimer**



# **The Public's Rights to Information and Attendance at Meetings**

## **YOU HAVE A RIGHT TO: -**

- Attend all Council, Cabinet, Committee and Sub-Committee meetings unless the business to be transacted would disclose 'confidential' or 'exempt' information.
- Inspect agenda and public reports at least five clear days before the date of the meeting.
- Inspect minutes of the Council and all Committees and Sub-Committees and written statements of decisions taken by the Cabinet or individual Cabinet Members for up to six years following a meeting.
- Inspect background papers used in the preparation of public reports for a period of up to four years from the date of the meeting. (A list of the background papers to a report is given at the end of each report). A background paper is a document on which the officer has relied in writing the report and which otherwise is not available to the public.
- Access to a public Register stating the names, addresses and wards of all Councillors with details of the membership of Cabinet and of all Committees and Sub-Committees.
- Have a reasonable number of copies of agenda and reports (relating to items to be considered in public) made available to the public attending meetings of the Council, Cabinet, Committees and Sub-Committees.
- Have access to a list specifying those powers on which the Council have delegated decision making to their officers identifying the officers concerned by title.
- Copy any of the documents mentioned above to which you have a right of access, subject to a reasonable charge (20p per sheet subject to a maximum of £5.00 per agenda plus a nominal fee of £1.50 for postage).
- Access to this summary of your rights as members of the public to attend meetings of the Council, Cabinet, Committees and Sub-Committees and to inspect and copy documents.

## **Please Note:**

Agenda and individual reports can be made available in large print. Please contact the officer named on the front cover of this agenda **in advance** of the meeting who will be pleased to deal with your request.

The meeting venue is accessible for visitors in wheelchairs.

A public telephone is available in the reception area.

## **Public Transport Links**

- Public transport access can be gained to Brockington via the service runs approximately every half hour from the 'Hopper' bus station at the Tesco store in Bewell Street (next to the roundabout junction of Blueschool Street / Victoria Street / Edgar Street).
- The nearest bus stop to Brockington is located in Old Eign Hill near to its junction with Hafod Road. The return journey can be made from the same bus stop.

If you have any questions about this agenda, how the Council works or would like more information or wish to exercise your rights to access the information described above, you may do so either by telephoning the officer named on the front cover of this agenda or by visiting in person during office hours (8.45 a.m. - 5.00 p.m. Monday - Thursday and 8.45 a.m. - 4.45 p.m. Friday) at the Council Offices, Brockington, 35 Hafod Road, Hereford.



## **COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL**

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

### **FIRE AND EMERGENCY EVACUATION PROCEDURE**

In the event of a fire or emergency the alarm bell will ring continuously.

You should vacate the building in an orderly manner through the nearest available fire exit.

You should then proceed to Assembly Point J which is located at the southern entrance to the car park. A check will be undertaken to ensure that those recorded as present have vacated the building following which further instructions will be given.

Please do not allow any items of clothing, etc. to obstruct any of the exits.

Do not delay your vacation of the building by stopping or returning to collect coats or other personal belongings.



COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL

**MINUTES of the meeting of Northern Area Planning Sub-Committee held at The Council Chamber, Brockington, 35 Hafod Road, Hereford on Wednesday, 12th July, 2006 at 2.00 p.m.**

**Present:** Councillor J.W. Hope MBE (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, Brig. P. Jones CBE, R.M. Manning, R. Mills, D.W. Rule MBE, J.P. Thomas and J.B. Williams

**In attendance:** Councillors Ms. G.A. Powell

**34. APOLOGIES FOR ABSENCE**

Apologies were received from Councillors T.M. James, R.J. Phillips RV Stockton and J Stone.

**35. DECLARATIONS OF INTEREST**

<b>Councillor</b>	<b>Item</b>	<b>Interest</b>
JW Hope	13 - DCNW2006/1310/F – conversion to residential use at The Old Station House, Almley	prejudicial and left the meeting for the duration of this item.
R Mills	16 – DCNW/2006/1476/F – Garden Café and Tea Room, Walford, Leintwardine	personal and left the meeting for the duration of this item.

**36. MINUTES**

**RESOLVED:** That the Minutes of the meeting held on 14th June, 2006 be approved as a correct record and signed by the Chairman.

**37. ITEM FOR INFORMATION - APPEALS**

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

**38. APPLICATIONS RECEIVED**

The Sub-Committee considered the following planning applications received for the Northern Area of Herefordshire and authorised the Head of Planning Services to impose any additional or varied conditions and reasons which he considered to be necessary.

**39. DCNE2005/0825/F - CONSTRUCTION OF OIL DISTRIBUTION DEPOT AT WATSON PETROLEUM LIMITED, BROMYARD ROAD, LEDBURY, HEREFORDSHIRE, HR8 1LG**

In accordance with the criteria for public speaking, M Sanders spoke against the application and Mr Cowan, the applicant's agent, spoke in favour.

Councillor BF Ashton noted that the objector, who was the operator of Wye Fruits to the north of the site, was concerned that the proposed development posed the danger that their fruit would be tainted. He pointed out that there was no evidence in the report to support this view and felt that the application should be granted. Councillor RM Manning said that there was a danger that the supermarkets which the firm provided fruit for would perceive that the fruit may be tainted to the detriment of their business and therefore considered that the application should be rejected. The Principal Planning Officer said that it would be difficult to sustain a refusal on a perception that there may be a problem. Members discussed details of the application and a proposal was put forward that consideration of the application should be deferred for further professional advice on the issues raised. Voting on this motion was tied and the Chairman used his casting vote against it. A proposal that the application should be refused on the grounds of potential employment loss could not be supported on planning grounds.

**RESOLVED**

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

- 1 - The development hereby permitted shall be begun not later than the expiration of five years beginning with the date of this permission;**

**Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990;**

- 2 - The three tanks hereby permitted shall be painted a Goosewing Grey (10 A 05) colour prior to their erection on-site or within one month of their erection on-site and shall notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification) thereafter be maintained as such;**

**Reason: To ensure a satisfactory appearance to the development;**

- 3 - Prior to commencement of the development hereby permitted written details of the colour that the steel paling security fencing is to be painted shall be submitted to the Local Planning Authority for written approval. No development shall commence until the written approval of the Local Planning Authority has been obtained.**

**Reason: To ensure a satisfactory appearance to the development;**

- 4 - The security fencing hereby permitted shall be painted in accordance with the details approved pursuant to condition 3 within one month of their erection on-site and thereafter maintained as such;**

**Reason: To ensure a satisfactory appearance to the development;**

- 5 - Prior to commencement of the development hereby permitted, full**

details of all external lighting to be installed upon the site (including upon the external elevations of the building) shall be submitted to the Local Planning Authority for their written approval. No external lighting shall be installed upon the site (including upon the external elevations of the building) without the prior written consent of the Local Planning Authority. The approved external lighting (including upon the external elevations of the building) shall be installed in full accordance with the approved details and thereafter maintained in accordance with those details;

Reason: To safeguard the character and appearance of the area;

- 6 - Prior to the first use of the site hereby permitted, the vehicular means of access, turning / manoeuvring areas and vehicle parking areas shall be fully implemented. Thereafter these areas shall be kept available for such use;

Reason: In the interests of highway safety;

- 7 - No development shall take place until there has been submitted to and approved by the Local Planning Authority a scheme of landscaping, using indigenous species which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained together with measures for their protection in the course of development and a programme for the approved scheme's implementation and long term management. The submitted scheme of landscaping must include details as to the location of all planting, the species, their size and the density of planting;

Reason: To ensure that the development is adequately integrated into the landscape;

- 8 - All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the first use of the site or the completion of the development, whichever is the sooner, any trees or plants which within a period of five years from the completion of the development 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 development is satisfactorily integrated into the landscape;

- 9 - No buildings shall erected or trees planted within 2.5 metres of the public sewer which crosses the site;

Reason: To maintain essential access for maintenance, repair, renewal and to protect the structural integrity of the public sewage system;

- 10 - Development approved by this planning permission shall not be commenced until:

a) A scheme for shallow soil sampling has been designed for the site using the information obtained from the Phase 1 Risk Assessment, dated September 2005 and Environmental Statement, dated March 2006. This shall be submitted to, and approved in writing by the Local

Planning Authority prior to that investigation being carried out on the site.

b) The soil sampling has been undertaken in accordance with details approved by the Local Planning Authority.

c) A Method Statement detailing any remediation requirements using the information obtained from the soil sampling has been submitted to the Local Planning Authority. This should be approved in writing by the Local Planning Authority prior to that remediation being carried out on the site.

**Reason:** To ensure that the proposed site investigations and remediation will not cause pollution of the environment.

- 11 - The development of the site should be carried out in accordance with the approved Method Statement;

**Reason:** To ensure that the development complies with approved details in the interests of protection of the environment.

- 12 - If during development, contamination not previously identified, is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority, for an addendum to the Method Statement. This addendum to the Method Statement must detail how this unsuspected contamination shall be dealt with and from the date of approval the addendum(s) shall form part of the Method Statement.

**Reason:** To ensure that the development complies with approved details in the interests of protection of the environment and harm.

- 13 - Upon completion of the remediation detailed in the Method Statement a report shall be submitted to the Local Planning Authority that provides verification that the required works regarding contamination have been carried out in accordance with the approved Method Statement(s). Post remediation sampling and monitoring results shall be included in the report to demonstrate that the required remediation has been fully met. Future monitoring proposals and reporting shall also be detailed in the report.

**Reason:** To protect the environment by ensuring that the remediated site has been reclaimed to an appropriate standard.

- 14 - The development shall be carried out in accordance with the details submitted, including plan JER7016-002e, dated 27.02.06, unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** To prevent pollution of the water environment.

- 15 - Prior to the commencement of operation, details shall be submitted to provide a maintenance plan, for the drainage scheme, including the attenuation pond and swales, for the lifetime of the development. The swales and attenuation pond shall be implemented, maintained and retained in accordance with the approved details.

Reason: To ensure appropriate maintenance of the drainage system and prevent pollution of the water environment.

**Informatives:**

- 1 - N15 - Reason(s) for the Grant of PP/LBC/CAC
- 2 - With regard the details required to be submitted pursuant to condition 5 the Local Planning Authority would advise the applicant to engage the services of a suitably qualified lighting engineer (Institute of Lighting Engineers) and that they would require the following level of detail: -  
  
Details as to the location of each luminaire supporting structure together with the number of lights upon each structure;  
Details of lighting columns (or supporting structures)  
Written details of the colour of each supporting structure  
Details of each luminaire (i.e. lamp)  
The wattage of each luminaire  
The mounting height of each luminaire  
The tilt angle of each luminaire (n.b. the Local planning Authority would recommend 0 degrees - i.e. parallel to the ground)  
The rotational angle of each luminaire  
An appropriately scaled metric scaled block plan detailing the resultant lux levels on the ground.
- 3 - A watching brief should be kept during the works for the presence of slow worms and if found to be present during the work, operations should cease and an ecologist licensed by English Nature for surveys should be engaged to determine the populations and impact of the works together with mitigation and compensation. The presence of nesting birds should also be evaluated throughout the works and if revealed or potentially disturbed by the development then the Herefordshire Council's Ecologist should be notified. Works should avoid disturbance to the nests, young, eggs, adults and nesting area.
- 4 - With regard condition 10 above the soil sampling testing suite must include metals, and speciated poly-aromatic hydrocarbons (PAH) and total petroleum hydrocarbons (TPH).
- 5 - Plan JER7016-002e details an acceptable surface water drainage/pollution prevention system, with an attenuation pond (reedbed), swale and oil interceptors (type 1).  
Overland flows entering the site have been satisfactorily addressed, with a cut-off system proposed at the site entrance, to prevent flow into the operational area. It is understood that the proposed system has been designed to cater for the 1 in 100 year storm event, which is acceptable. It is also noted that the existing site drain (an existing foul water sewer connection, part of the former residential property on the site) is to be removed, prior to construction so it does not act as a conduit for contaminants.  
  
The swales and attenuation pond (wetland) will require maintenance and a statement would be required to give details to ensure this aspect.
- 6 - The attenuation pond and swales have added benefits, to the environment, in terms of its added water quality / biodiversity benefits.

The pond should be planted with vegetation, such as reeds, in order to maximise the treatment of water quality prior to discharge to the watercourse. However, it should be noted that the part of the pond around the inlet should be designed to be kept clear of vegetation, so that it enables the boom to be properly installed and maintained thereafter. The continuous boom is considered an essential part of the design scheme, to trap any oils on the surface of the pond etc.

7 - For the avoidance of any doubt the plans to which this decision relate are: -

- Location Plan (Scale 1:35,000) Figure 1.1 received 15 March 2006
- Application Site Plan / Site Context (Scale 1:5,000) Figure 2.1 received 15 March 2006
- Block Plan - Drawing number WPL/Led (n) - 2004-2 (scales 1:200 and 1:2500) received 15 March 2006
- Indicative Landscape Proposals Figure 3.1 received 15 March 2006
- Drainage design - drawing number JER7016-002e received 15 March 2006.
- Floor plans of office accommodation / drivers reception (drawing number UO698/01 Rev. D) (Scale 1:50) received 14<sup>th</sup> March 2005
- Elevations of office accommodation /drivers reception (Scale 1:100) (drawing number UO698/02 Rev A.) received 22<sup>nd</sup> May 2006.

**40. DCNC2006/1215/F - EXTENSIONS TO EXISTING NURSING HOME TO ADD 16 BEDROOMS AND DAY ROOM LINK (INCLUDES DEMOLITION OF EXISTING SOUTH WING) AT 28 HIGHWELL LANE, BROMYARD, HEREFORDSHIRE, HR7 4DG**

It was reported that the Head of Environmental Services and Trading Standards had no comments to make on the application and that the Director of Children's Services supported it.

In accordance with the criteria for public speaking, Mr Cronin of Bromyard Town Council and Mrs Mitchell, the objectors agent, spoke against the application and Ms Rogers the applicant, spoke in favour.

Councillor B Hunt, a local Ward Member, commented that the speakers had put forward very convincing and sound arguments about the application but felt that the key issue was the very narrow approach road which even with passing bays would prove difficult for visitors, service and emergency vehicles to negotiate. Councillor PJ Dauncey said that the excellent and valuable service provided for the elderly by the applicant was not in doubt but he shared the concerns expressed by Councillor Hunt. It was felt that more work needed to be done by the applicant to arrange passing bays in strategic locations so that blind spots in the approach road could be overcome. Having considered the details of the application, the Sub-Committee decided to defer consideration of the application.

**RESOLVED That consideration of the application be deferred for further work to be done by the applicants on meeting the highway concerns of the Sub-Committee**



**41. DCNC2006/1225/F - DEMOLITION OF STEEL FRAMED BUILDING FOR ERECTION OF 4 NO. FLATS INCLUDING REFURBISHMENT OF ADJACENT BRICK BUILDING WORKSHOPS AT LEOPARD ALLEY, BROMYARD, HEREFORDSHIRE, HR7 4DT**

Councillor PJ Dauncey one of the local Ward Members was concerned about the application because the local area was a considerable eyesore and a scheme with no car parking was likely to cause problems in the vicinity. Councillor BF Ashton concurred with this view and pointed out that there was no suitable car parking nearby and that the public transport was inadequate. He did not feel that such a scheme was appropriate in a small market town. Councillor Mrs JP French enquired whether a Section 106 obligation could be entered into by the applicant to contribute to the provision of car parking elsewhere in the Town. The Development Control Manager felt that on balance the scheme would enhance the area.

**RESOLVED:**

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

**1. Inadequate car parking.**

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

[Note: Following the vote on this application, the Development Control Manager advised that he would not refer the application to the Head of Planning Services.]  
Councillor Mrs JP French voted against the application.

**42. DCNC2006/1266/F - ERECTION OF STEEL FRAMED BUILDING FOR THE STORAGE OF ANIMAL FOOD AND STORAGE OF MACHINERY AT THE PRIORY, STOKE PRIOR, LEOMINSTER, HEREFORDSHIRE**

It was reported that the applicants had submitted a revised plan which relocated the building to a position on the site which was acceptable to the officers on planning grounds.

**RESOLVED**

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

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

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

**2 - A09 (Amended plans) (19<sup>th</sup> May 2006)**

**Reason: To ensure the development is carried out in accordance with**

the amended plans.

- 3 - B09 (Colour of cladding (stables) )

Reason: To protect the visual amenities of the area.

- 4 - G04 (Landscaping scheme (general) )

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

- 5 - G05 (Implementation of landscaping scheme (general) )

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

**Informative:**

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

43. DCNC2006/1637/A - PROPOSED FREE STANDING AND WALL MOUNTED SIGNS AT BISHOPS OF BROMYARD, 1 THE BYPASS, BROMYARD, HEREFORDSHIRE, HR7 4DJ

**RESOLVED**

That subject to no new representations being received raising material planning considerations not previously considered, the Head of Planning Services (following the expiration of the public consultation period) be given authority to approve the application subject to the following conditions:-

- 1 - I01 (Time limit on consent )

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

- 2 - I02 (Removal of existing signs )

Reason: To preclude the build-up of unnecessary advertisements on the application site to the detriment of visual amenity.

- 3 - H24 (Illumination of signs and canopies and floodlighting )

Reason: In the interests of highway safety.

- 4 - The illumination of advertising shall comply with Technical Report No. 5 issued by the Institute of Lighting Engineers.

Reason: In the interests of highway safety.

**Informatives:**

- 1 - The applicant must ensure that the proposed signage does not encroach

onto or over land not in their ownership. If any sign hereby approved is placed/encroaches on land not in the applicants ownership then the applicant is advised to contact the owners of the said land before the signs are erected.

**44. DCNC2006/1717/F - CHANGE OF USE FROM REDUNDANT FARM BUILDINGS TO NON-COMMERCIAL AGRICULTURAL MACHINERY REPAIR AND SERVICE WORKSHOP WITH OFF ROAD PARKING FOR THREE LORRIES AT UPPER HOUSE, EDWYN RALPH, BROMYARD, HEREFORDSHIRE, HR7 4LU**

It was reported that the parish council had no objection to the application, a previous objector had submitted a further objection and that the applicant's agent had said that the proposed agreement was acceptable to his client.

**RESOLVED that**

**1) Subject to no representation raising matters not previously considered by 19 July, 2006, the Head of Legal and Corporate Services be authorised to complete a planning obligation under Section 106 of the Town and Country Planning Act 1990, to set out heads of agreement and deal with any other appropriate and incidental terms or issues;**

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

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

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

**2. E06 - Restriction of Use (non-commercial agricultural machinery repairs and service workshop) (Class B2)**

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

**Informatives:**

**1. This permission is granted pursuant to an agreement under Section 106 of the Town and Country Planning Act 1990.**

**2. N15 (Reasons for planning permission)**

**3) That the officers named in the Scheme of Delegation to Officers be authorised to amend the above conditions as necessary to reflect the terms of the planning obligation and to refuse the agreement if the applicant does not sign it within a timescale considered to be reasonable by the officers.**

**45. DCNW2006/1288/F - FIRST FLOOR EXTENSION AT CHAPEL COTTAGE, WEST STREET, PEMBRIDGE, LEOMINSTER, HEREFORDSHIRE, HR6 9DT**

The receipt of a letter of objection was reported. The Northern Team Leader said that unless the applicant was prepared to install obscure glazing and make the windows overlooking the adjoining property bottom opening, he would change the recommendation to refusal.

In accordance with the criteria for public speaking, Mr Klein from the neighbouring property spoke against the application and Mrs Palmer, the applicant, spoke in favour. She said that she would comply with the requirements of the officers regarding the overlooking windows.

A proposal that the application should be refused was lost.

**RESOLVED**

**That the Officers named in the Scheme of delegation to Officers be authorised to grant planning permission in consultation with the Local Ward Member, subject to the following conditions:**

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

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

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

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

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

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

**4 E18 (No new windows in specified elevation )**

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

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

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

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

**2 Obscure glazing to be installed to the satisfaction of Officers so that overlooking of the adjoining property will be prevented**

**46. DCNW2006/1310/F - CONVERSION TO RESIDENTIAL USE AT THE OLD STATION HOUSE, ALMELEY, HEREFORDSHIRE**

The Vice-Chairman assumed the Chair for the duration of this item because the Chairman had declared a prejudicial interest and had left the meeting.

**RESOLVED:**

**That consideration of the application be deferred pending a site inspection on the following grounds.**

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

In accordance with the criteria for public speaking, Mr Hughes the agent acting on behalf of the applicant deferred the right to speak until the next meeting.

**47. DCNW2006/1470/F - PROPOSED DEMOLITION OF EXISTING HOUSE AND ERECTION OF A REPLACEMENT HOUSE AND NEW VEHICULAR ACCESS AT KNOCK HUNDRED COTTAGE, BEARWOOD, LEOMINSTER, HEREFORDSHIRE, HR6 9EF**

**RESOLVED**

**That the Officers named in the Scheme of delegation to Officers be authorised to grant planning permission in consultation with the Chairman and Local Ward Member, subject to the following conditions:**

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

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

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

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

- 3 B01 (Samples of external materials )**

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

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

- 5 H01 (Single access - not footway )**

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

- 6 H03 (Visibility splays )**

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

- 7 H05 (Access gates )**

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

**8 H08 (Access closure )**

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

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

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

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

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

**INFORMATIVE:**

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

**48. DCNW2006/1473/RM - PROPOSED AGRICULTURAL DWELLING LAND AT STOWE FARM, AT WHITNEY-ON-WYE, HEREFORD, HEREFORDSHIRE, HR3 6EL**

The receipt of an amended plan from the applicant regarding access was reported. It was noted that the dwelling would be for an agricultural workers dwelling.

**RESOLVED**

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

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

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

**2 - No work shall commence in respect of the access to the site until a scheme for landscaping of this feature has been submitted to and approved in writing by the local planning authority.**

**Reason: In the interest of the visual amenity of the surrounding landscape.**

**3 - G06 (Scope of landscaping scheme)**

**The landscaping scheme required by condition no. 2 above shall include the following:**

- (a) Full details of all existing physical and landscape features on the site including the position, species, height, girth, spread and condition of all trees, clearly distinguishing between those features to be retained and those to be removed.**
- (b) Full details of all proposed fencing, screen walls, hedges, floorspace, earth moulding, tree and shrub planting.**
- (c) Full details of all protective measures to prevent damage during the course of development to trees and other features to be retained.**

**Reason: In order that the local planning authority may be satisfied that the deposited scheme will meet their requirements and in order to protect**

the visual amenities of the area.

**Informative:**

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

49. **DCNW2006/1476/F - GARDEN CAFE AND TEA ROOM AT WALFORD COURT, WALFORD, LEINTWARDINE, CRAVEN ARMS, SHROPSHIRE, SY7 0JT**

**RESOLVED:**

That consideration of the application be deferred pending a site inspection on the following grounds.

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

It was reported that the Parish Council had no objection to the application and that Mr Bill Wiggins MP had requested that weight be given to the views of an objector to the application.

In accordance with the criteria for public speaking, Mr MacFarquhar an objector spoke against the application and Mrs Fraser the applicant spoke in favour.

50. **DCNW2006/1523/RM - ERECTION OF SIX NO. DWELLINGS AT BURNSIDE, HIGH STREET, LEINTWARDINE, CRAVEN ARMS, SHROPSHIRE, SY7 0LQ**

In accordance with the criteria for public speaking, Mr Sudworth of Leintwardine Parish Council and Mr Campbell-Kerr, an objector, spoke against the application.

Councillor Mrs LO Barnett had a number of reservations about the application, feeling that the proposal was not complimentary with adjacent or opposing buildings. She noted however that it was an application for the approval of reserved matters. Members discussed the concerns which had been raised about the density of the proposed dwellings and limited car parking and access. Councillor BF Ashton was concerned that although the scheme was in accord with government policy it was wholly inappropriate for the setting of a small rural village. The Sub-Committee debated all the facts for and against the application and felt that four dwellings would be more acceptable. A motion for approval was lost and on balance it was considered that the application should be refused.

**RESOLVED**

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

- 1 **Siting;**
- 2 **Design;**

- 3 Appearance; and
- 4 Access.

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

*(The Development control Manager said that he would refer the application to the Head of Planning Services)*

51. **DCNW2006/1573/F - CONVERSION OF ATTIC TO INCLUDE DORMER WINDOW TO REAR AND VELUX ROOFLIGHTS AT GOOSE COTTAGE, ORLETON COURT, ORLETON, NR. LUDLOW**

**RESOLVED**

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

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

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

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

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

- 3 **C05 (Details of external joinery finishes )**

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

- 4 **C10 (Details of rooflights )**

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

**INFORMATIVES:**

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

The meeting ended at 4.50 p.m.

**CHAIRMAN**



4	<b>ITEM FOR INFORMATION - APPEALS</b>
---	---------------------------------------

**APPEALS RECEIVED****Application No. DCNE2006/0745/F**

- The appeal was received on 20th July 2006
- The appeal is made under Section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission
- The appeal is brought by Mr S R Austen
- The site is located at 16 Oakland Drive, Ledbury, Herefordshire, HR8 2ER
- The development proposed is Proposed loft conversion
- The appeal is to be heard by Written Representations

**Case Officer: Roland Close on 01432 261803**

**Application No. DCNC2006/0890/F**

- The appeal was received on 5th July 2006
- The appeal is made under Section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission
- The appeal is brought by Mr A Judge
- The site is located at 5 Old Forge, Whitbourne, Worcester, Herefordshire, WR6 5SB
- The development proposed is Application under S73 of the town and country planning act 1990 to delete condition 3 of permission DCNC2005/3189/F. Level of conservatory.
- The appeal is to be heard by Written Representations

**Case Officer: Mrs A Jahn on 01432 261560**

**Application No. DCNE2006/0401/O**

- The appeal was received on 18th July 2006
- The appeal is made under Section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission
- The appeal is brought by Mr L A Watkins
- The site is located at Land adjacent to Holmlea, Ashperton, Herefordshire, HR8 2RZ
- The development proposed is Outline planning for two dwellings.
- The appeal is to be heard by Written Representations

**Case Officer: Ed Thomas on 01432 261795**

**APPEALS DETERMINED****Application No. DCNW2004/3416/O**

- The appeal was received on 5th April 2005
- The appeal was made under Section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission
- The appeal was brought by Mr J W Mokler
- The site is located at Land between Oakland and Gipsy Hall, Eardisley, Hereford, Herefordshire, HR3 6PR

---

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

- The application, dated 4<sup>th</sup> October 2004, was refused on 11<sup>th</sup> January 2005
- The development proposed was Site for one bungalow
- The main issues are whether the operational needs of cultivating and maintaining the land are sufficiently compelling to justify the erection of the proposed dwelling on the appeal site and secondly the effect of the proposed dwelling on the character and appearance of the area.

**Decision:** The appeal was DISMISSED on 6<sup>TH</sup> July 2006

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

**Application No. DCNC2005/3734/F**

- The appeal was received on 12th April 2006
- The appeal was made under Section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission
- The appeal was brought by Mr P Davis
- The site is located at Lavender Cottage, Upper Sapey, Worcester, Herefordshire, WR6 6XT
- The application, dated 16<sup>th</sup> November 2005, was refused on 25<sup>th</sup> January 2006
- The development proposed was Retrospective application for two-storey side extension to dwelling.
- The main issue is the effect of the existing building on the character and appearance of the site, its surroundings and the wider landscape having regard to the alterations permitted by the Council.

**Decision:** The appeal was UPHELD on 30<sup>th</sup> June 2006

**Case Officer: Astrid Jahn 01432 261560**

**Application No. DCNC2004/2651/F**

- The appeal was received on 11th April 2005
- The appeal was made under Section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission
- The appeal was brought by Westbury Homes (Holdings) Ltd
- The site is located at Land at St. Botolph's Green/Southern Avenue, Leominster, Herefordshire
- The application, dated 16<sup>th</sup> July 2004, was refused on 23<sup>rd</sup> March 2005
- The development proposed was Residential development of 44 dwellings including affordable housing.
- The main issues are:
  - (i) Whether or not this safeguarded employment land is still needed for that use and whether its development as proposed would lead to oversupply of housing in the area.
  - (ii) Whether or not any noise and disturbance resulting from increased traffic flows would have an unacceptable effect on the living conditions of St Botolphs Green.

**Decision:** The appeal was UPHELD on 11<sup>th</sup> July 2006.

An application for the award of costs against the Council was DISMISSED.

---

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

**Case Officer: Andrew Banks on 01432 383085**

**Application No. DCNC2005/2349/F**

- The appeal was received on 14th March 2006
- The appeal was made under Section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission
- The appeal was brought by Westbury Homes (Holdings)
- The site is located at Land at St.Botolphs Green, Southern Avenue, Leominster, Herefordshire
- The application, dated 27<sup>th</sup> June 2005, was refused on 7<sup>th</sup> September 2005
- The development proposed was Residential development of 44 dwellings including affordable housing.
- The main issues are:
  - (i) Whether or not this safeguarded employment land is still needed for that use and whether its development as proposed would lead to oversupply of housing in the area.
  - (ii) Whether or not any noise and disturbance resulting from increased traffic flows would have an unacceptable effect on the living conditions of St Botolphs Green.

**Decision:** The appeal was UPHELD on 11<sup>th</sup> July 2006.

An application for the award of costs against the Council was DISMISSED.

**Case Officer: Andrew Banks on 01432 383085**

**Enforcement Notice EN2005/0079/ZZ**

- The appeal was received on 1st December 2005
- The appeal is made under Section 174 of the Town and Country Planning Act 1990 against the service of an Enforcement Notice
- The site is located at Holly Hill, Avenbury, Bromyard, Herefordshire
- The breach of planning control alleged in this notice is:

Without planning permission the change of use of the building from storage to a mixed use for the purpose of storage and single dwelling house.
- The requirements of the notice are:
  - (i) To cease the residential use of the building.
  - (ii) To restore the building back to its lawful use as approved under Planning Permission NE2001/2770/F by removal of the following: Kitchen, including kitchen units (ground and wall units), kitchen sink, cooker, fridge/freezer, washing machine/dryer, bath, shower, shower screen and also the wood burner.
- The main issue is the change of use of the building from storage to a mixed use for the purposes of storage and a single dwelling house.

**Decision:** The appeal was UPHELD on 17<sup>th</sup> July 2006

**Case Officer: Russell Pryce on 01432 261957**

**Application No. DCNE2006/0248/F**

---

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

- The appeal was received on 18th April 2006
- The appeal was made under Section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission
- The appeal was brought by Mr Vaughan
- The site is located at Woodend Cottage, Bromyard Road, Cradley, Malvern, Herefordshire, WR13 5JW
- The application, dated 26<sup>th</sup> January 2006, was refused on 27<sup>th</sup> February 2006
- The development proposed was Proposed conservatory to front
- The main issue is the effect of the proposed conservatory on the character and appearance of the building.

**Decision:** The appeal was DISMISSED on 18<sup>th</sup> July 2006

**Case Officer: Ed Thomas on 01432 261795**

**Enforcement Notice EN2005/0097/ZZ**

- The appeal was received on 28th February 2006
- The appeal is made under Section 174 of the Town and Country Planning Act 1990 against the service of an Enforcement Notice
- The appeal is brought by Mr P Williams
- The site is located at Land at Ledwyche Springs, Bleathwood, Ludlow, SY8 4LF
- The breach of planning control alleged in this notice is:  
Without planning permission change of use of the land from the use of agriculture to the mixed use of agriculture and the siting of two mobile homes linked with a covered walkway, together with associated works comprising the construction of a concrete hardstanding, pathway, amenity points and related works
- The requirements of the notice are:  
Permanently remove the said mobile homes together with the covered walkway area between them. Remove all associated site works including the concrete hardstanding and amenity points and restore the land to its condition before the breach took place by reseeding it with grass and such other work as is necessary to return its agricultural land quality to at least that which it formerly had.
- The main issues are:
  - (i) Whether or not the siting of mobile homes on the land were considered to be permitted development whilst the landowner carried out renovation works to a lawfully sited chalet.
  - (ii) Whether there was any justification to allow a deemed application on the basis of there being an agricultural need.

**Decision:** The appeal was DISMISSED on 27<sup>th</sup> July 2006

**Case Officer: Andrew Banks on 01432 383093**

**Application No. DCNW2004/4400/F**

- The appeal was received on 17th August 2005
- The appeal was made under Section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission

---

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

- The appeal was brought by Mr & Mrs J Gwatkin
- The site is located at Tibhall, Pembridge, Hereford, HR6 9JR
- The application, dated 17<sup>th</sup> December 2004, was refused on 16<sup>th</sup> March 2005
- The development proposed was Extension of existing holiday lodge site providing an additional eight holiday units, with access road and landscaping
- The main issues are:
  - (i) Whether the proposal would result in unacceptable harm to the character and appearance of this rural area.
  - (ii) Whether the scheme would result in detriment to highway safety.

**Decision:** The appeal was DISMISSED on 31<sup>st</sup> July 2006

**Case Officer: Andrew Banks on 01432 383085**

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



## **6 DCNW2006/1310/F - CONVERSION TO RESIDENTIAL USE AT THE OLD STATION HOUSE, ALMELEY, HEREFORDSHIRE**

**For: Mr J Lewis per McCartneys, 7 Broad Street,  
Leominster, Herefordshire, HR6 8BT**

**Date Received:**

**27th April 2006**

**Expiry Date:**

**22nd June 2006**

Local Member: Councillor J Hope

**Ward:**

**Castle**

**Grid Ref:**

**32903, 51615**

### **INTRODUCTION**

This application was deferred by Members from the Committee meeting of 12<sup>th</sup> July 2006 to allow members to make a visit to the site which took place on 25<sup>th</sup> July 2006. There are no further updates within regards to the application and therefore the report is as presented to the previous Northern Area Planning Sub-Committee meeting.

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

- 1.1 The structure subject to this application is of stone construction under a slate roof and is located in open countryside surrounded by agricultural livestock grazing land.
- 1.2 The applicant's submission states that the structure formed part of the former Kington - Eardisley Railway Company and was used as the station for the nearby village of Almeley. This railway line closed permanently in 1940.
- 1.3 The structure although undoubtedly of some local historic significance is not a listed building.
- 1.4 The application proposes conversion of the structure to residential use, which entails conversion of the existing single storey structure into a living room and staircase to an underground new build consisting of a kitchen/dining room, bedroom and bathroom/storage. The only visible signs of this proposed new build underground development will be an entrance door to the underground kitchen/dining room by means of double glazed doors and surrounding brickwork. It is proposed that these doors lead out onto the former railway line (not in place) which is on lower ground to that of the former railway station.
- 1.5 The plans submitted for planning consideration indicate a large domestic curtilage with a site allocated to the side for garden sheds and greenhouses etc.

#### **2. Policies**

##### **2.1 Leominster District Local Plan**

A1 – Managing the Districts Assets and Resources

A2 – Settlement Hierarchy

A6 – Sites of Local Importance to Nature Conservation

- A9 – Safeguarding the Rural Landscape
- A16 – Foul Drainage
- A21 – Development within Conservation Areas
- A23 – Creating Identity and an Attractive Built Environment
- A24 – Scale and Character of Development
- A60 – Conversion of Rural Buildings Outside Settlements to Residential Use
- A20 – Accommodating Traffic from Development

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

- S1 – Sustainable Development
- S2 – Development Requirements
- DR1 – Design
- DR2 – Land Use and Activity
- DR3 – Movement
- DR4 – Environment
- DR7 – Floor Risk
- H7 – Housing in the Countryside Outside Settlements
- H13 – Sustainable Residential Design
- H14 – Re-Using Previous Development Land and Buildings
- H16 – Car Parking
- NC1 – Biodiversity and Development
- NC4 – Sites of Local Importance
- HBA6 – New Development within Conservation Areas
- HBA8 – Locally Important Buildings
- HBA12 – Re-Use of Rural Buildings
- HBA13 – Re-Use of Rural Buildings for residential purposes.

## 2.3 National Policy Statement 7: Sustainable Development in Rural Areas

## 2.4 Herefordshire Supplementary Planning Guidance Re-Use and Adaptation of Rural Buildings.

## 3. Planning History

NW04/2370/F - Refurbishment for residential use - Withdrawn 25 August 2004

NW04/1542/F - Refurbishment and extension to the old railway station for residential use - Withdrawn 28 June 2004

## 4. Consultation Summary

### Statutory Consultations

- 4.1 Traffic Manager - Has no objection to the grant of permission.
- 4.2 Conservation Manager - No objections subject to conditions with regards to construction materials.
- 4.3 Building Control Manager stated in his response: "I would not by any means go so far as to say that the proposals are not feasible, but a full assessment along with detailed structural proposals would be required from a suitably qualified specialist before we could be confident in the success of this scheme."



- 4.4 Environmental Health Manager raises concerns about potential land contamination in consideration of the former use of the site as a railway station and line.

## 5. Representations

- 5.1 Almeley Parish Council state: "No objections were raised to this interesting plan."

- 5.2 Two letters of objection have been received from:

P G Beresford, Corner House, Almeley and  
Verlie Battenti, The Hazels, Almeley.

The objections can be summarised as follows:

- A dwelling at this location would be out of character with the surrounding area.
  - Impact of proposal on adjoining public highway.
  - Impact of proposed residential use on historic merits of the building as a former railway station.
  - Impact on local bio-diversity.
  - Concerns about an extension to the existing building being completely contrary to relevant planning policies.
  - Impact of domestication at surrounding land proposed for garden cartilage.
- 5.3 A letter of comment has also been received from Mrs Ellis-Jones of Campaign to Protect Rural England (Herefordshire). The letter comments on the application being rather over complicated in design.
- 5.4 A Structural Engineers letter submitted latterly on behalf of the applicant states the following:  
*'Thank you for the copy of the drawings. We have made a careful appraisal of the proposals on this building. Whilst being very complicated, we can see that by careful needling and underpinning of the gable wall and the returns from here, before undertaking any other works that this can be constructed safely. The remaining areas afterwards can be constructed with the ground battered away from the construction areas. This being necessary as retaining walls will, of necessity, be very slow to construct and without battering the residual faces of the earth would become unsable when dried out. I trust that this is sufficeint for your needs at the moment, but should you have any queries please contact me'.*
- 5.5 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 issues with regards to this proposal are:

- Impact of proposal on historical merit of existing building.
- Planning Policy in relationship to extension to structure of this calibre.
- Impact on the surrounding countryside.
- Sustainability issues.

## 6.2 Impact of proposal on historical merit of existing building

The existing building is a simple stone structure under a slate roof and represents a structure of local significance is that it was the former railway station for the nearby village of Almeley. The structure ceased use in 1940 when the railway line permanently closed. The line is no longer in place. Although undoubtedly the structure does attract local sympathy for its retention it is not a listed building and therefore of no significant architectural merit. The development subject to this application proposes to convert it to residential use with an underground addition, as the existing structure has a very small floor area. As part of the application it is proposed to create a domestic curtilage for use by the proposed dwelling. This is large in area and will have a significant impact on the setting of the building, for the proposed car parking, greenhouses, garden sheds and general domestication of the site.

The structural engineers letter advises that the proposed works can be carried out by careful needling and underpinning of the gable wall. As members can see the letter is minimal in content and lacks sufficient information on the required works to be carried out on site in order to satisfy officers that the works can be successfully completed without detrimental harm to the existing structure on site.

## 6.3 Planning Policy in relationship to extensions to structures of this calibre

Policy A60 on Conversion of rural buildings outside settlements to residential use states buildings should be capable of conversion without extensive alteration, major or complete reconstruction and the creation of any residential curtilage would not harm the character and appearance of the countryside.

Herefordshire Council Supplementary Planning Guidance on Re-Use and Adaptation of Rural Buildings state that: "buildings shall be large enough to be capable of conversion without the need for extensions and any scheme submitted shall be considered in principle as finite. Any scheme using the existing structure as a cornerstone to what will alternatively be a new building will not be supported."

Clearly the proposal subject to this application does not comply with the above-mentioned policies, (The Herefordshire Unitary Development Plan – Revised Deposit Draft also stating similar views).

The existing structure will only create approximately 25.84 square metres of living space to be used as a living room. It is proposed to create the rest of the residential accommodation underground and therefore although not all visible above-ground this is tantamount to the construction of a new dwelling in open countryside and therefore a dangerous precedent created here. It is noted the structure is not of any national significance as it is not a listed building.

## 6.4 Impact on the surrounding countryside

The plans indicate a large proposed domestic curtilage that will have a significant 'domestication' on the structure and therefore detrimental to the building's local significance. The site is particularly prominent when approached from the Almeley direction. Therefore the proposal also does not comply with Policies A9 and A24 of the Leominster District Local Plan and Policies DR1 and LA3 of the Herefordshire Unitary Development Plan, Revised Deposit Draft.

6.5 Sustainability issues

This is an unsustainable location is consideration of services, and access to facilities representing development of a building which is unsuitable for residential use without substantial new build development.

**RECOMMENDATION**

**That planning permission be refused for the following reasons:**

- 1. The proposal represents conversion of a building that is incapable of residential use without significant new build development. Therefore the proposal is contrary to Policies A60 of the Herefordshire Unitary Development Plan, Policies HBA12 and HBA13 of the Herefordshire Unitary Development Plan - Revised Deposit Draft and Herefordshire Council Supplementary Planning Guidance on Re-Use and Adaptation of Rural Buildings.**
- 2. The proposed development by means of its surrounding domestication and paraphernalia will have a detrimental impact on the surrounding landscape or setting of the existing building. Therefore the proposal is contrary to Policy A9 of the Leominster District Local Plan and Policies DR1, LA2 and LA3 of the Herefordshire Unitary Development Plan - Revised Deposit Draft.**
- 3. The proposal represents development of a building structure that in an isolated rural location that is not connected to local services. Therefore the proposal is contrary to Policy A1 of the Leominster District Local Plan, Policies S1, DR2 and DR3 of the Herefordshire Unitary Development Plan - Revised Deposit Draft and National Planning Policy Statement 7: Sustainable Development in Rural Areas.**

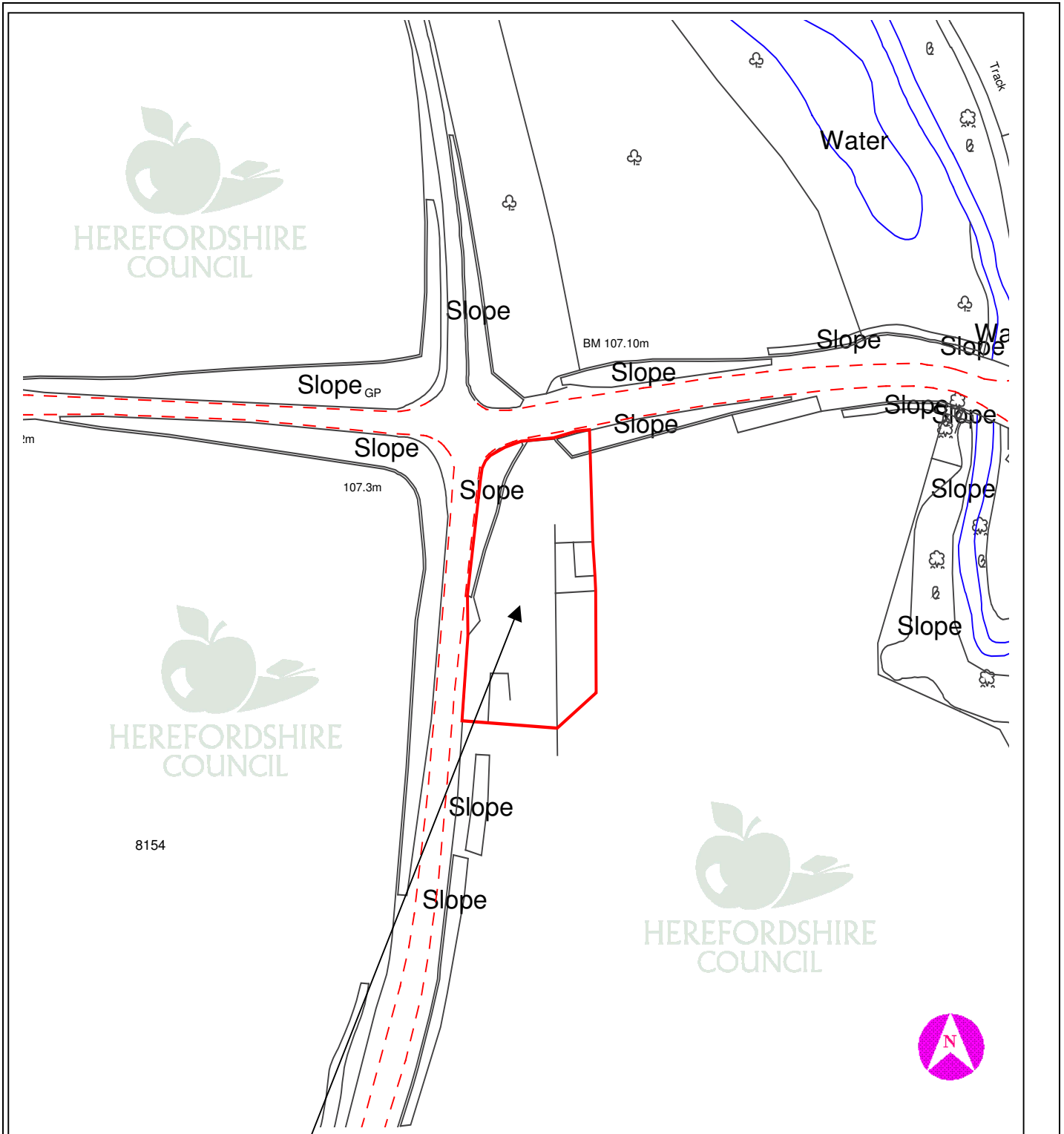
Decision: .....

Notes: .....

.....

**Background Papers**

Internal departmental consultation replies.



This copy has been produced specifically for Planning purposes. No further copies may be made.

**APPLICATION NO:** DCNW2006/1310/F

**SCALE :** 1 : 1250

**SITE ADDRESS :** The Old Station House, Almeley, Herefordshire

Based upon the Ordnance Survey mapping with the permission of the controller of Her Majesty's Stationery Office, © Crown Copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Herefordshire Council. Licence No: 100024168/2005

**7 DCNW2006/1476/F - GARDEN CAFE AND TEA ROOM  
AT WALFORD COURT, WALFORD, LEINTWARDINE,  
CRAVEN ARMS, SHROPSHIRE, SY7 0JT**

**For: Mrs Fraser at above address.**

**Date Received:**  
12th May 2006

**Ward: Mortimer**

**Grid Ref:**  
39062, 72337

**Expiry Date:**  
7th July 2006

Local Member: Councillor Mrs O Barnett

## **INTRODUCTION**

Further to this application being deferred for site inspection, which took place on 25<sup>th</sup> July 2006, the following correspondences have been received in respect of the application:-

- Border Group Parish Council support the application subject to conditions being attached to any approval notice issued with regards to direction signs to the property, limit on opening hours, number of tables available and car parking within the application site.
- A letter has been received from Bill Wiggin MP requesting that members of the public objections be given consideration when determining the application. The letter was accompanied by copies of the letters of objections sent to the local planning authority in respect of the application.
- A letter has also been received from Mrs Jenny Maxwell, Court Cottage, Walford with concerns that are of direct relevance to the Council's Environment Health Section and not a planning issue with regards to this application.

The local Parish Council's response has been given careful consideration and Officers are of the opinion that all planning issues of concern raised have been addressed adequately in conditions attached to this report for inclusion to the approval notice if members are mindful to approve the application.

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

- 1.1 The dwelling subject of this application is a two-storey Grade II listed building and of timber frame and render painted white external construction under a slate roof.
- 1.2 The property has a large domestic curtilage with driveway and parking area. The curtilage is mainly laid down to lawn with informal planting of mature trees and shrubs.

- 1.3 The property is one of a small cluster of dwellings located in open countryside. Access to the site is obtained via the unclassified 92004 public highway, from the A4113 public highway. The unclassified public highway also serves the surrounding neighbouring dwellings four of which have boundaries neighbouring the dwelling subject to this application.
- 1.4 The development subject to this application proposes a garden cafe and tea room.
- 1.5 As part of the application, the applicant has submitted a supporting statement which includes an impact analysis for the proposed garden cafe. This impact analysis concludes that no detrimental impact will be created as a result of the proposal on the amenity and privacy of the surrounding environment.
- 1.6 The site commenced trading in 2005 and has since ceased trading due to concerns raised by members of the public and the need for planning approval for this form of business from the local planning authority.

## **2. Policies**

### **2.1 Leominster District Local Plan**

A1 – Managing the Districts Assets and Resources  
A2 – Settlement Hierarchy  
A9 – Safeguarding the Rural Landscape  
A16 – Foul Drainage  
A18 – Listed Buildings and their Settings  
A24 – Scale and Character of Development  
A38 – Rural Tourism and Recreational  
A34 – Protection of Residential Amenity  
A77 – Traffic Manager

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

S1 – Sustainable Development  
S2 – Development Requirements  
DR1 – Design  
DR2 – Land Use and Activity  
DR3 – Movement  
DR4 – Environment  
DR13 – Noise  
T8 – Road Hierarchy  
T11 – Parking Provision  
NC1 – Biodiversity and Development  
HBA4 – Setting of Listed Buildings  
RST12 – Visitor Accommodation  
RST13 – Rural and Town Tourism Development  
CR2 – Foul Drainage

## **3. Planning History**

NW04/2919/L - Removal of 3 no. ground floor and 3 no. first floor windows - Approved 20th October 2004.

NW04/0721/L - External weatherproofing and external alterations - Withdrawn 7th September 2004.

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

##### Statutory Consultations

4.1 None required.

##### Internal Council Advice

4.2 Traffic Manager - Has no objection to the grant of permission.

4.3 Conservation Manager - No objections subject to details of new window sections.

4.4 Environmental Health Manager – No response received.

#### **5. Representations**

5.1 Walford Parish Council have made no comments on their response to the application.

5.2 Letters of objection have been received from six separate householders to the application. They are as follows:

- Jenny Maxwell, Court Cottage, Walford, Leintwardine.
- Mr G C Macfarquhar, Walford Grange, Walford, Leintwardine.
- Allan Grimley, Maplecroft, Walford, Leintwardine.
- K F & J Davison, Motte House, Walford, Leintwardine.
- Colin Brady, Walford Farm, Leintwardine.
- Lucy Clothier, Fold Cottage, Walford, Leintwardine.

The objections can be summarised as follows:

- Impact on neighbours privacy
- Impact of proposal on public highway leading to the site
- Impact on sewerage system
- Impact on the character of the surrounding environment
- Concerns about accuracy of applicants submission

5.3 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 main issues for planning consideration are:

- a) Impact of proposal on neighbouring dwellings.
- b) Impact of the proposal on the public highway leading to the site.
- c) Sustainability.

6.2 The application proposes a garden café and tea room at a dwelling house used as a family home, that also provides bed and breakfast accommodation. The applicant as

part of her submission has submitted a supporting statement which states that the garden café and tea room was open from 10.30 am until 4.30 pm and that visitor numbers to these facilities during the summer of 2005 did not exceed more than 6 persons per day.

- 6.3 The detached dwelling subject to this application has a large domestic curtilage which consists mainly of lawned areas and plantings of mature shrubs and trees. The application indicates that a section of the lawned area is available for members of the public to use as the proposed 'garden café'. This site is located directly in front of the dwelling and is surrounded by mature shrubs/trees alongside its boundaries.
- 6.4 The proposed 'tea room' is on the ground floor adjacent to the dwellings kitchen on the western side of the house.
- 6.5 The Council's Highways Manager raises no objections to the proposed development.
- 6.6 It is noted that some of the letters of objections received do not object to the proposal in principal on the basis of past numbers of visitors using the premises for the garden café and tea room. However they do raise concerns about future growth of the business if planning approval is granted.
- 6.7 The issue with regards to the sewerage system is not considered directly problematic provided number restrictions are attached to the decision notice if Members are mindful to approve this application.
- 6.8 The development is considered acceptable on sustainability grounds as the business proposal is aimed at tourism and passing motorists within the vicinity of the application site. It is unlikely to become a destination in its own right, with the possible exception of local residents.

## **RECOMMENDATION**

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

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

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

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

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

- 3 - The premises shall provide facilities for no more than 24 table top covers at any one particular time.**

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

- 4 - E03 (Restriction on hours of opening ) 10.30 a.m. – 4.30 p.m.**



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

- 5. The use hereby permitted shall be carried on only by Mrs. Deborah Fraser and shall be for the period during which the premises are occupied by Mrs. Deborah Fraser.

**Reason:** The nature of the development is such that it is only considered acceptable in this location having regard to the applicant's special circumstances.

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

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

**Informatives:**

- 1 - N15 - Reason(s) for the Grant of PP/LBC/CAC
- 2 - The applicant is reminded that Listed Building Consent is required from the Local Planning Authority for new window sections before development commences.

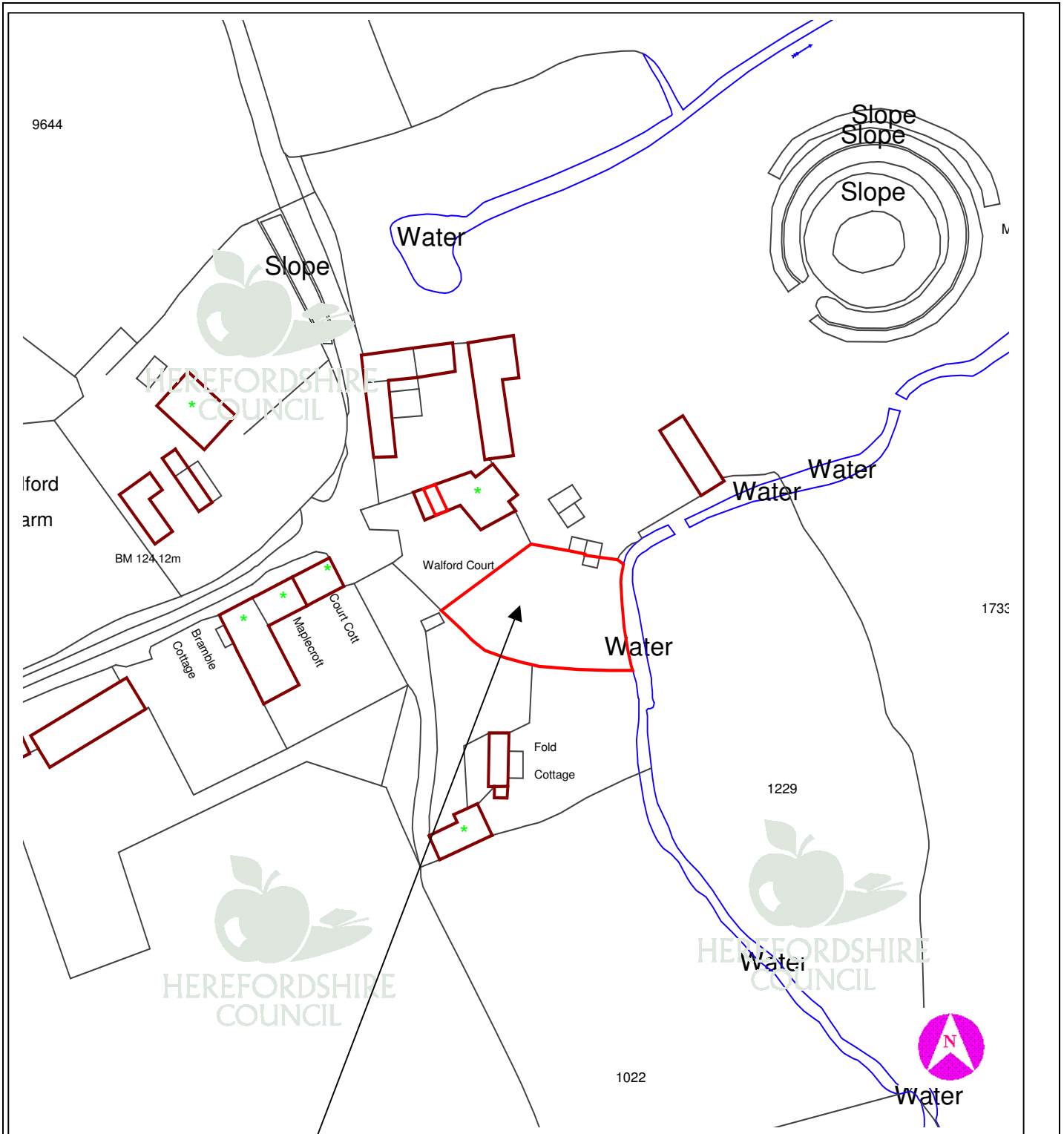
Decision: .....

Notes: .....

.....

**Background Papers**

Internal departmental consultation replies.



This copy has been produced specifically for Planning purposes. No further copies may be made.

**APPLICATION NO:** DCNW2006/1476/F

**SCALE :** 1 : 1250

**SITE ADDRESS :** WALFORD COURT, Walford, Leintwardine, Craven Arms, Herefordshire, SY7 0JT

Based upon the Ordnance Survey mapping with the permission of the controller of Her Majesty's Stationery Office, © Crown Copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Herefordshire Council. Licence No: 100024168/2005

**8 DCNE2006/2023/F - ERECTION OF TWO DWELLINGS ON LAND TO REAR OF 1 RAILWAY TERRACE, WALWYN ROAD, COLWALL, MALVERN, WORCESTERSHIRE, WR13 6EG**

**For: Mr I Jones per Paul Smith Associates, 19 St Martins Street, Hereford. HR2 7RD**

**Date Received:**  
21st June 2006

**Ward:** Hope End

**Grid Ref:**  
75122, 41940

**Expiry Date:**  
16th August 2006

Local Member: Councillor R Stockton & Councillor R Mills

**1. Site Description and Proposal**

- 1.1 The development proposed is the erection of two three-bedroom dwelling. The application site was formerly part of the large domestic curtilage associated with No.1 Railway Terrace, Colwall. It is triangular in shape and measures approximately 0.1ha. The railway line forms the southeast site boundary with dense vegetation to this aspect. The northwest is bound by the rear gardens to the bungalows in Martins Orchard. These single storey dwellings are at a slightly lower level than the application site and are screened by a combination of a mature hedgerow and a large Oak Tree, which is subject to a Tree Preservation Order.
- 1.2 Following the grant of Outline permission for the erection of two dwellings on the site (access and siting approved) under reference NE05/3213/O, this application is a detailed application rather than one for "Reserved Matters" approval. However, the means of access to the site and the broad siting remains the same as agreed under the Outline permission.
- 1.3 The dwellings are to be served by a private drive, which runs parallel with the northwest boundary of the site before skirting around the Oak tree to provide a separate parking area for each of the dwellings. Both dwellings are served by integral garages, with additional available uncovered parking.
- 1.4 The dwellings are two-storey and sited side by side, parallel to the railway line. The irregular shaped plot and presence of the Oak tree dictates the position of the development. The overall height of the development is 8.5m, with each dwelling providing three bedrooms. The southernmost of the two dwellings has a single-storey element projecting from the front housing the kitchen, utility and garage. This wraps around the southern edge of the site 1.2 metres from the boundary with the garden to No.2 Railway Terrace.
- 1.5 The dwellings are sited 38 metres from the rear elevation of No.1 Railway Terrace, the nearest of the dwellings forming Railway Terrace and orientated so that their front elevations look across the rear portion of the gardens in Railway Terrace. The closer of the two dwellings would be 16 metres from No.6 Martins Orchard at its nearest.

## **2. Policies**

### **2.1 Planning Policy Guidance**

PPG3 – Housing  
PPG13 – Transport

### **2.2 Malvern Hills District Local Plan**

Housing Policy 3 – Settlement Boundaries  
Housing Policy 17 – Residential Standards  
Landscape Policy 2 – Areas of Outstanding Natural Beauty  
Landscape Policy 3 – Development in Areas of Great Landscape Value

### **2.3 Herefordshire Unitary Development Plan (Revised Deposit Draft)**

S1 – Sustainable Development  
S2 – Development Requirements  
S3 - Housing  
DR1 – Design  
H4 – Main Villages: Settlement Boundaries  
H15 - Density

## **3. Planning History**

NE05/3213/O - Site for the erection of two dwellings - Approved at Northern Area Planning Sub-Committee 30.11.05

## **4. Consultation Summary**

### Statutory Consultations

- 4.1 Severn Trent - No objection subject to the imposition of a condition dealing with the treatment of foul and surface water drainage.

### Internal Council Advice

- 4.2 Transportation Manager - No objection
- 4.3 Conservation Manager (Ecology) - Recommends a condition requiring the maintenance of the hedgerow along the northwest boundary.

## **5. Representations**

- 5.1 Colwall Parish Council - Objects on the basis that the vehicular access that is shared with No.1 Railway Terrace (as well as providing pedestrian access to No.2) is too narrow to allow vehicles to pass each other. This could result in reversing onto Walwyn Road. The house sizes will have an imposing impact on the local

surroundings and is in conflict with the Colwall Village Design Statement regarding building guidelines. The treatment of foul and surface water drainage is a concern.

The Parish Council request that certain conditions be attached should planning permission be granted. These include a working hours restriction, on site parking and storage for contractors and building materials and measure for the protection of the Oak tree.

5.2 One letter of objection has been received from Mr M Newman, occupier of 5 Martins Orchard, Walwyn Road. A further letter has been received from M E Brace, owner of 5 Martins Orchard. This points to a potential discrepancy over site boundaries.

5.3 The letter of objection can be summarised as follows:

- The houses, although sympathetically designed will overlook the garden, kitchen and living room from their rear aspect. This will lead to loss of privacy, particularly during the winter months, when foliage is sparse.
- There must be alternative brown field sites better suited to development.

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 main issues in the determination of this application are:

- 1) The principle of development having regard to adopted and emerging Local Plan policy and government guidance;
- 2) The impact of the proposed development upon the residential amenity of adjoining dwellings;
- 3) The scale and layout of development having regard to the character and appearance of the wider area.

### 6.2 The Principle of Development

Colwall is defined as a settlement under the adopted Local Plan and a main village under the emerging Unitary Development Plan. The application site falls within the settlement boundary and the principle of residential development at this location is acceptable, subject to the resolution of issues such as vehicular access and impact upon adjoining development. The site already has the benefit of Outline planning permission for the erection of two dwellings. The development of this site is considered to accord with the provisions of Local Plan policy (adopted and emerging) and central government guidance relating to the development of sustainable sites.

### 6.3 The impact of the development upon the amenity of adjoining properties

Following the grant of Outline permission, this application is made in full and deals with the detail of the application, including design, external appearance and landscaping. As noted above, the siting of the dwellings is as per the Outline permission, albeit the footprints are marginally larger. In this position and with the retention of existing planting around the site margins, it is considered that the development will not unduly affect the residential amenity enjoyed by local residents.

The flank elevation to Plot 1 has a small first floor window serving a bathroom. With the existing screening it is unlikely that this would afford direct overlooking although. It is recommended that a condition be imposed requiring that obscure glazing be used. There is a single large opening in the first floor rear facing elevation of each of the proposed dwellings. However, due to the orientation of the dwellings these do not look directly onto the private space associated with nearby dwellings to Martins Orchard.

The dwellings are sufficiently far removed from Railway Terrace to guard against undue loss of privacy. The view from first floor windows on the front elevation will create overlooking of the long rear gardens to Railway Terrace. This effect will be most keenly felt at the bottom of the gardens rather than the more private areas immediately to the rear of the dwellings. The overall effect is not considered unacceptable in a village context.

#### 6.4 Scale and Layout of Development

The dwellings are 8.5 metres tall, which appears similar in height to the dwellings in Railway Terrace. Allied to this, they are set well back from and at an angle to Walwyn Road (the main public vantage point from within the village), which would further reduce the perception of scale. The layout affords parking for a minimum of two vehicles at each property, which is sufficient in this location. Colwall Parish Council objects to the means of access, identifying a lack of driveway width. However, the width dimension is exactly as approved by Committee under the extant Outline application. The Transportation Manager has no objection to the development.

- 6.5 The density of the proposed development would equate to 20 dwellings per hectare, which is below the 30-50 dwellings per hectare recommended by PPG3 – Housing. However, owing to the relatively spacious nature of development in the vicinity and the national landscape designation, a lower density is considered appropriate. Severn Trent recommends the imposition of a condition to deal with foul and surface water drainage, which meets another stated concern of the Parish Council.

### RECOMMENDATION

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

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

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

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

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

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

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

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

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

- 5 - E19 (Obscure glazing to windows )

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

- 6 - F16 (Restriction of hours during construction )

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

- 7 - F18 (Scheme of foul drainage disposal )

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

- 8 - F41 (No burning of materials/substances during construction phase )

**Reason: To safeguard residential amenity and prevent pollution.**

- 9 - H13 (Access, turning area and parking )

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

- 10 - H27 (Parking for site operatives )

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

- 11 - G01 (Details of boundary treatments )

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

- 12 - G04 (Landscaping scheme (general) )

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

- 13 - G05 (Implementation of landscaping scheme (general) )

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

- 14 - G16 (Protection of trees covered by a Tree Preservation Order )

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

**Informatives:**

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

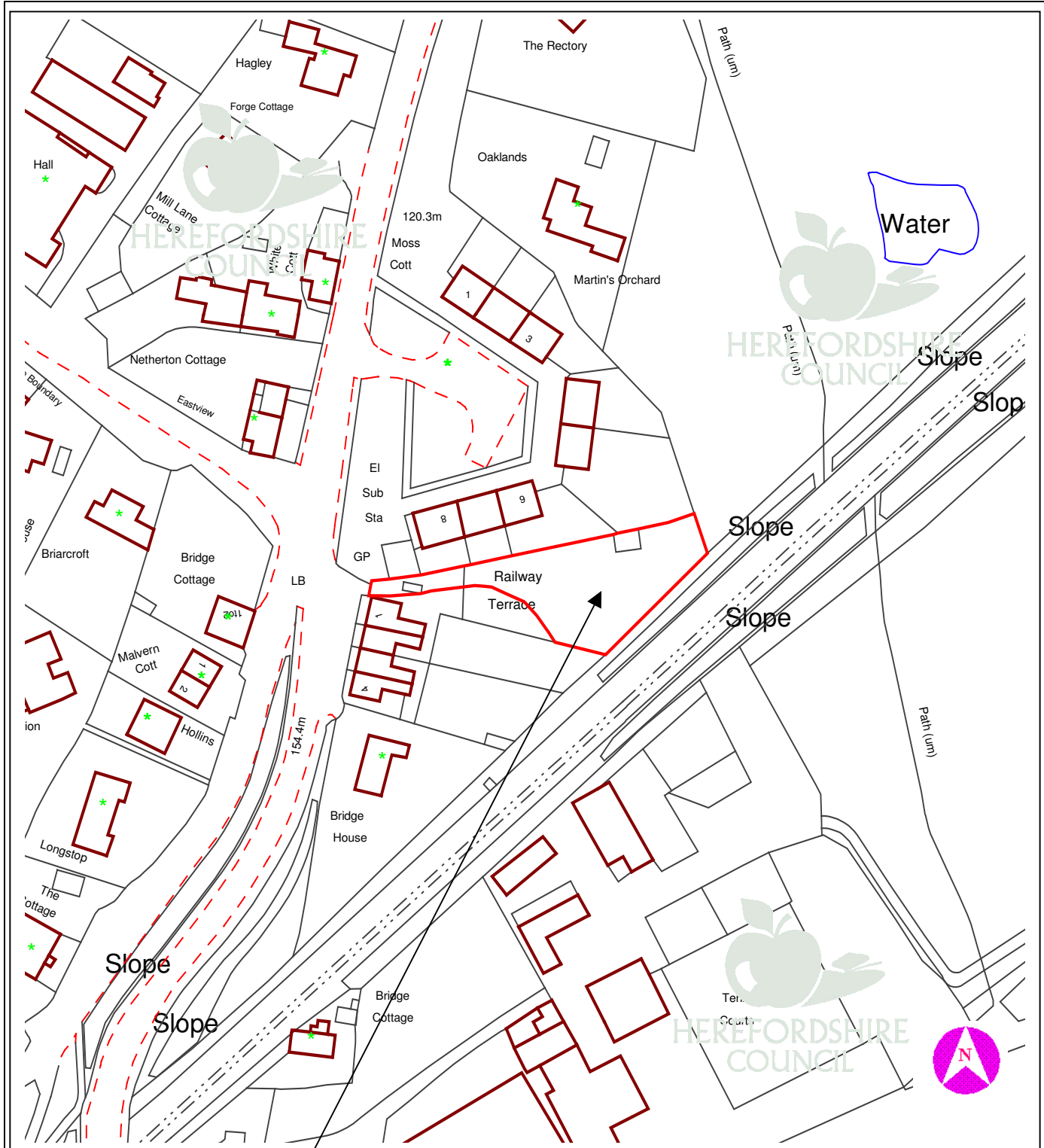
Decision: .....

Notes: .....

**Background Papers**

Internal departmental consultation replies.





This copy has been produced specifically for Planning purposes. No further copies may be made.

**APPLICATION NO:** DCNE2006/2023/F

**SCALE :** 1 : 1250

**SITE ADDRESS :** Land rear of 1 Railway Terrace, Walwyn Road, Colwall, Malvern, Worcestershire, WR13 6EG

Based upon the Ordnance Survey mapping with the permission of the controller of Her Majesty's Stationery Office, © Crown Copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Herefordshire Council. Licence No: 100024168/2005

**AREA SUB-COMMITTEE**

---

Further information on the subject of this report is available from «CONTACT» on «CONTACT\_TELNO»

**9 DCNC2006/1537/O - OUTLINE APPLICATION FOR THREE BEDROOMED DETACHED HOUSE WITH INTEGRAL DOUBLE GARAGE AT 56 & 58 OLD ROAD, BROMYARD, HEREFORDSHIRE, HR7 4BQ**

**For: B Konig & Mr T Smith per Linton Design 27 High Street Bromyard Herefordshire HR7 4AA**

**Date Received:**  
22nd May 2006

**Ward: Bromyard**

**Grid Ref:**  
65149, 54658

**Expiry Date:**  
17th July 2006

Local Member: Councillor P Dauncey

**1. Site Description and Proposal**

- 1.1 This site, within the town of Bromyard, flanks the north eastern side of Old Road (B4214) and currently forms part of the front gardens of nos 56 and 58 Old Road. The gardens are long and narrow and slope steeply down to the road frontage where there is a stone retaining wall and a pedestrian access. The houses are located at the top of the gardens at the north west ends. The site is situated in a residential area surrounded by dwellings although there is a small field on its south western side.
- 1.2 This outline application is for the erection of a three bedroomed detached house with an integral garage with the details relating to means of access and siting submitted at this outline stage. The new access will be onto Old road with an area for car parking within the site. An illustrative drawing was submitted with the application showing what the applicants have in mind with respect to the size and design of the dwelling. This drawing shows a three storey dwelling with an integral garage on the ground floor.

**2. Policies**

**2.1 Planning Policy Guidance**

PPS1 - Delivering Sustainable Development  
PPG3 - Housing

**2.2 Hereford and Worcester County Structure Plan**

Policy H2B - Location of Housing General  
Policy H16A - Development Criteria  
Policy CTC9 - Development Criteria

**2.3 Malvern Hills District Local Plan**

Housing Policy 2 - Development in Main Towns  
Housing Policy 3 - Settlement Boundaries  
Transport Policy 8 - Car Parking and Servicing Requirements  
Bromyard Housing Policy 1

## 2.4 Herefordshire Unitary Development Plan (Revised Deposit Draft)

Policy S2 - Development Requirements

Policy DR1 - Design

Policy H1 - Hereford and the Market Towns: Settlement Boundaries and Established Rural Areas

## 2.5 Supplementary Planning Guidance

SPG - Design and Development Requirements

## 3. Planning History

- 3.1 DCNC1999/1848/F Proposed detached garage at 58 Old Road (not part of application site). Planning permission granted 05/08/99

## 4. Consultation Summary

### Statutory Consultations

- 4.1 Welsh Water objects to the development as it would overload the existing public sewerage system. No improvements are planned within the Welsh Water's Capital Investment Programme and any development prior to improvements being undertaken to be premature.

### Internal Council Advice

- 4.2 The Traffic Manager recommends that any permission includes a condition requiring the low wall to be lower than 600mm.

## 5. Representations

- 5.1 The Town Council states:

"My Town Council's Planning committee resolved not to support this application on the following grounds;

1. Insufficient and potentially dangerous access onto an already congested highway.
2. Overdevelopment of the area; this and any further development will harm the residential amenities of the existing occupants of surrounding properties.
3. Measures regarding drainage of surface storm water are not comprehensive enough to allay the fears of this Council."

- 5.2 A letter of objection has been received from Mr B & Mrs J Harman, Croft cottage, 59/61 Old Road, Bromyard HR7 4BQ. The main points being:

- Proposal would take away pleasant garden view and replace it with yet another ugly housing block. Last piece of attractive garden is this section of Old Road.
- A large house directly opposite our home would detract from our outlook and impact on the value of our property.

5.3 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 main issues relate to:

- i) the principle of erecting a dwelling on this site
- ii) the siting of the dwelling within the site, its effect on the character and appearance of the area and the residential amenities of adjacent buildings.
- iii) Parking and vehicular access
- iv) The effect of the proposal on the existing public sewerage system.

The most relevant policies with respect to these issues are Housing Policies 2 and 3 and Bromyard Housing Policy 1 of the Malvern Hills District Local Plan, and H1 of the Herefordshire Unitary Development Plan (Revised Deposit Draft).

6.2 The principle of erecting a dwelling on this site is considered to be acceptable as the site is located in a designated residential area within the town boundary. The proposed site is large enough to successfully accommodate the intended dwelling and leave enough curtilage to serve the existing dwellings, ie nos 56 and 58 Old Road.

6.3 The applicants intend to erect a single dwelling similar in size and design to the four semi-detached dwellings which were recently built immediately to the east of the application site (planning permission ref No DCNC2003/0589/F granted on 9<sup>th</sup> July 2003). The proposed new dwelling would therefore be in keeping with these existing dwellings and not out of keeping with the character and appearance of the surrounding area. In addition the intended dwelling will not adversely affect the residential amenities of the occupants of the adjacent dwellings. The proposed siting of the dwelling within the plot is considered to be acceptable although a condition showing how the dwelling will be cut into the ground will be required as these details have not been shown in full. It is understood that the dwelling will be cut into the ground in a similar fashion as the adjacent dwellings to the east.

6.4 The details relating to the new vehicular access and parking provision are also considered acceptable and can be conditioned to ensure their acceptability.

6.5 The outstanding issue relates to the existing public sewerage system and the effect the proposal will have on it. Welsh Water requires that there are no further additions to the main foul sewerage system as it will result in hydraulic overloading of the existing system to the detriment of the health and safety of local residents and the environment. The applicants did propose to split the surface water and foul sewage, i.e. foul sewage to the mains sewer and surface water to soakaways. The combination of surface water and foul sewage discharging into the mains does create a significant problem. However the foul sewage only contributes to a small amount of the total discharge and the applicants hoped that splitting the surface and foul water to separate systems would be acceptable. However, Welsh Water maintain that the existing sewerage system cannot cater for any additional discharge into the system no matter how small. As a result the applicants and Welsh Water have discussed the matter and it is understood that the applicants have been advised that if they agree to split the surface water and foul sewage discharge at their existing houses ie nos 56 and 58 Old Road from a current combined system where both surface and foul water is discharged into the mains system to a split system where the surface water is discharged to

soakaways and foul water into the mains sewerage system, then this situation would result in an overall reduction in the discharge of surface and foul waters into the mains system from the proposed and existing dwellings which would then be acceptable to Welsh Water. The applicants have revised the proposal to accommodate this requirement and revised drawings have been received. Welsh water have been formally reconsulted on the revised scheme.

- 6.6 The proposed development is therefore considered to be acceptable and in accordance with planning policies and guidance with respect to new dwellings in the town. This of course will only be fully acceptable subject to the amended scheme being approved by Welsh Water. The application could be delegated to the Planning Officer to determine the application when the sewerage matters have been resolved.

## **RECOMMENDATION**

**That subject to the amended details regarding surface water and foul sewage drainage arrangements (relating to the applicants existing dwellings Nos 56 and 58 and also the proposed dwelling) being acceptable to Welsh Water, the Head of Planning Services be given delegated authority to approve the application subject to the following conditions:**

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

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

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

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

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

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

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

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

- 5 - A07 (Development in accordance with approved plans ) (amended drawing no. 1293/1 A)**

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

- 6 - F48 (Details of slab levels )**

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

**7 - H06 (Vehicular access construction )**

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

**8 - 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.**

**9 - The wall on the site's roadside frontage shall not exceed 0.6m in height at any point along its length.**

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

**10 - F20 (Scheme of surface water drainage )**

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

**11 - W01 (Foul/surface water drainage )**

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

**12 - W02 (No surface water to connect to public system )**

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

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

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

**14 - Conditions 10, 11, 12 and 13 apply to the new dwelling hereby approved and also to the two existing dwellings, Nos. 56 and 58 Old Road.**

**Reason: To define the terms to which this planning permission relates and to ensure that satisfactory drainage arrangements are provided.**

**Informatives:**

- 1 - N03 - Adjoining property rights**
- 2 - HN05 - Works within the highway**
- 3 - HN10 - No drainage to discharge to highway**
- 4 - HN22 - Works adjoining highway**
- 5 - N15 - Reason(s) for the Grant of PP/LBC/CAC**

Decision: .....

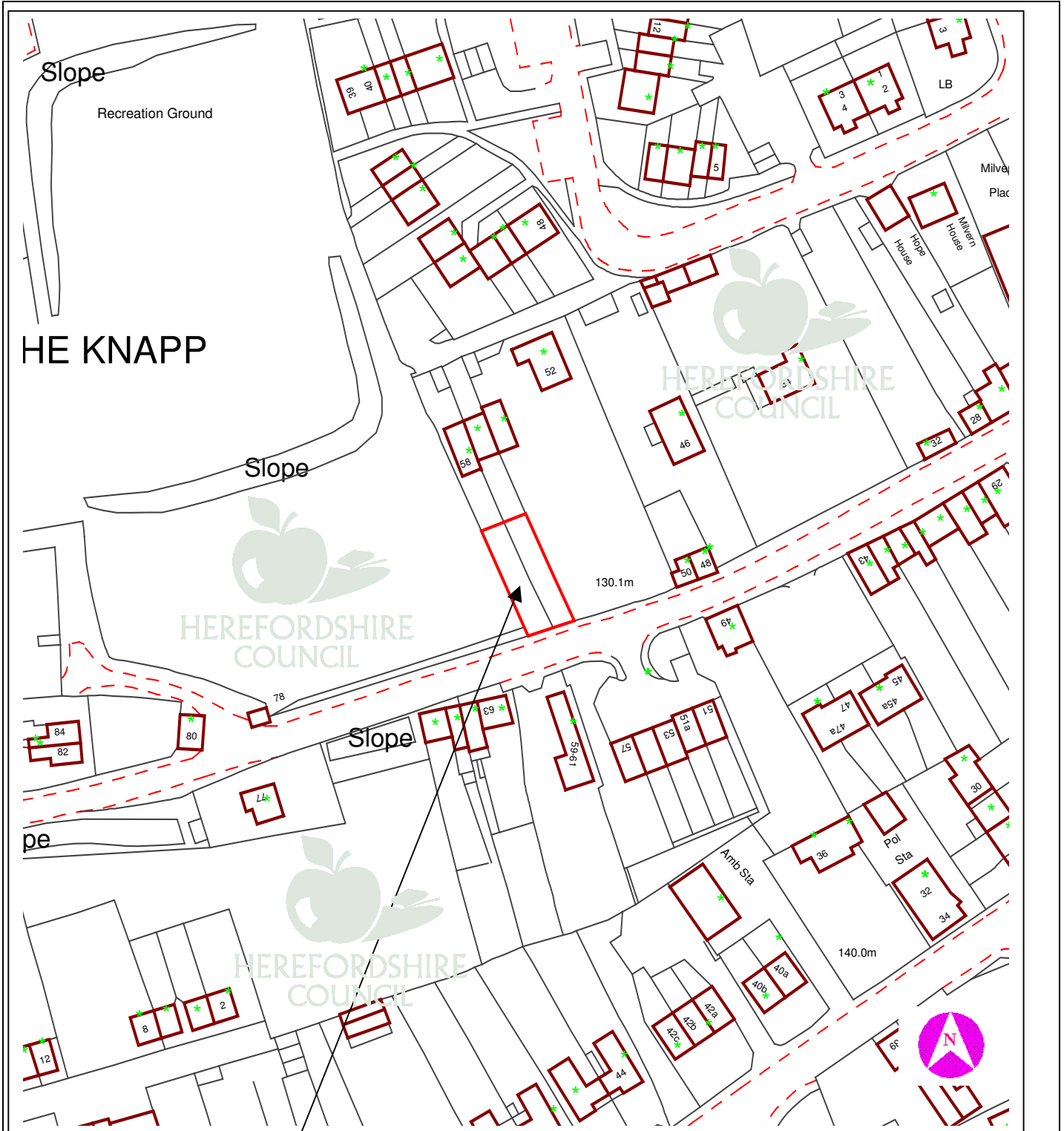
Notes: .....

.....

**Background Papers**

Internal departmental consultation replies.





This copy has been produced specifically for Planning purposes. No further copies may be made.

**APPLICATION NO:** DCNC2006/1537/O

**SCALE :** 1 : 1250

**SITE ADDRESS :** 56 & 58 Old Road, Bromyard, Herefordshire, HR7 4BQ

Based upon the Ordnance Survey mapping with the permission of the controller of Her Majesty's Stationery Office, © Crown Copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Herefordshire Council. Licence No: 100024168/2005



**10 DCNC2006/2096/F - PROPOSED CONSTRUCTION OF A SINGLE STOREY EXTENSION TO REAR AND NEW FRONT PORCH AT 2 YEW TREE COTTAGES, LITTLE HEREFORD, LUDLOW, SHROPSHIRE, SY8 4BA**

**For: Mr & Mrs M Davies per Nicholas C Brown BArch  
The Farm, Orleton, Cleobury Mortimer, Worcs DY14  
0TA**

**Date Received:**

**28th June 2006**

**Expiry Date:**

**23rd August 2006**

**Ward: Upton**

**Grid Ref:**

**54749, 66804**

Local Member: Councillor J Stone

**1. Site Description and Proposal**

- 1.1 2 Yew Tree Cottages lies at the middle of a terrace of three red brick houses, occupying a position adjacent to the road, at a level approximately one metre lower than the carriageway. The site lies in an area of open countryside characterised by sporadic groups of development.
- 1.2 The application is for the erection of a new porch over the front door and a single storey extension to the rear. The porch has an external footprint of 3.4m<sup>2</sup> and a height to its ridge of 3.5 metres, to be constructed in materials to match.
- 1.3 The single storey extension is irregularly shaped due to an addition made to Hazeldene. Predominantly taking the form of a wing extending into the garden, a combination of lean-to roof and valley are necessary to make the best use of the space available. Again, the extension is finished in materials to match.

**2. Policies**

**2.2 Leominster District Local Plan**

A54 - Protection of Residential Amenity

A56 - Alterations, Extensions and Improvement to Dwellings

**2.3 Herefordshire Unitary Development Plan (Revised Deposit Draft)**

H18 - Alterations and Extensions

**3. Planning History**

- 3.1 None relevant to this application.

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

##### Statutory Consultations

4.1 None Required

##### Internal Council Advice

4.2 Transportation Manager - No objection

#### **5. Representations**

5.1 Little Hereford Parish Council - Concerns that the porch will be too close to the highway.

5.2 Two letters of objection have been received from Mr N Whitehouse, Rose Corner, east Grinstead, West Sussex (owner of 1 Yew Tree Cottage) and Mr E Whitehouse, 1 Yew Tree Cottage, Little Hereford (tenant). In summary the points raised are as follows:

- The proposal will adversely affect daylight to the kitchen window of 1 Yew Tree Cottage.
- There is no right of access. Difficult to see how the extension will be built.
- Kitchen window and door will over look 1 Yew Tree Cottage.

5.3 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 considerations of this proposal are the design and scale of the extension, its impact on the amenity of no 1 Yew Tree Cottage and the impact on highway safety of the proposed porch.

6.2 No objections have been raised in relation to the scale or design of the proposals. The footprint of the porch is just above the permitted development allowance and is not considered overly large. The extension to the rear is proportionate to the rest of the dwelling and in the context of the terrace as a whole. The irregular shaped design is influenced by the boundary with Hazeldene and the narrowness of the garden, but does not detract from its overall appearance. The scheme therefore accords with the relevant policy criteria in this respect.

6.3 Turning to the issues of overshadowing and overlooking, the proposed extension is orientated east/west of the kitchen window to no 1. The orientation of the buildings are such that shadowing beyond the middle part of the day will be caused by the dwellings themselves over the rear garden. It is not considered that the proposal will result in such a harmful degree of overshadowing to warrant refusal.

6.4 In terms of overlooking, a single kitchen window will overlook the curtilage of no 1. This is not considered to be so harmful to amenity to warrant refusal, but it is recommended that a condition is imposed preventing the addition of further windows in this elevation.

- 6.5 The porch is not so far from constituting permitted development. It is set at a level significantly lower than the road and not dissimilar to a neighbours porch. No objection is raised by the Transportation Manager.
- 6.6 Concerns raised regarding access during construction are a civil matter and not a material planning consideration.
- 6.7 It is therefore concluded that the scheme accords with the relevant local plan policies and the application is recommended for approval.

**RECOMMENDATION**

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

- 1 - A01 (Time limit for commencement (full permission) )**  
**Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990.**
- 2 - B01 (Samples of external materials )**  
**Reason: To ensure that the materials harmonise with the surroundings.**
- 3 - E17 (No windows in side elevation of extension )**  
**Reason: In order to protect the residential amenity of adjacent properties.**

**Informative:**

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

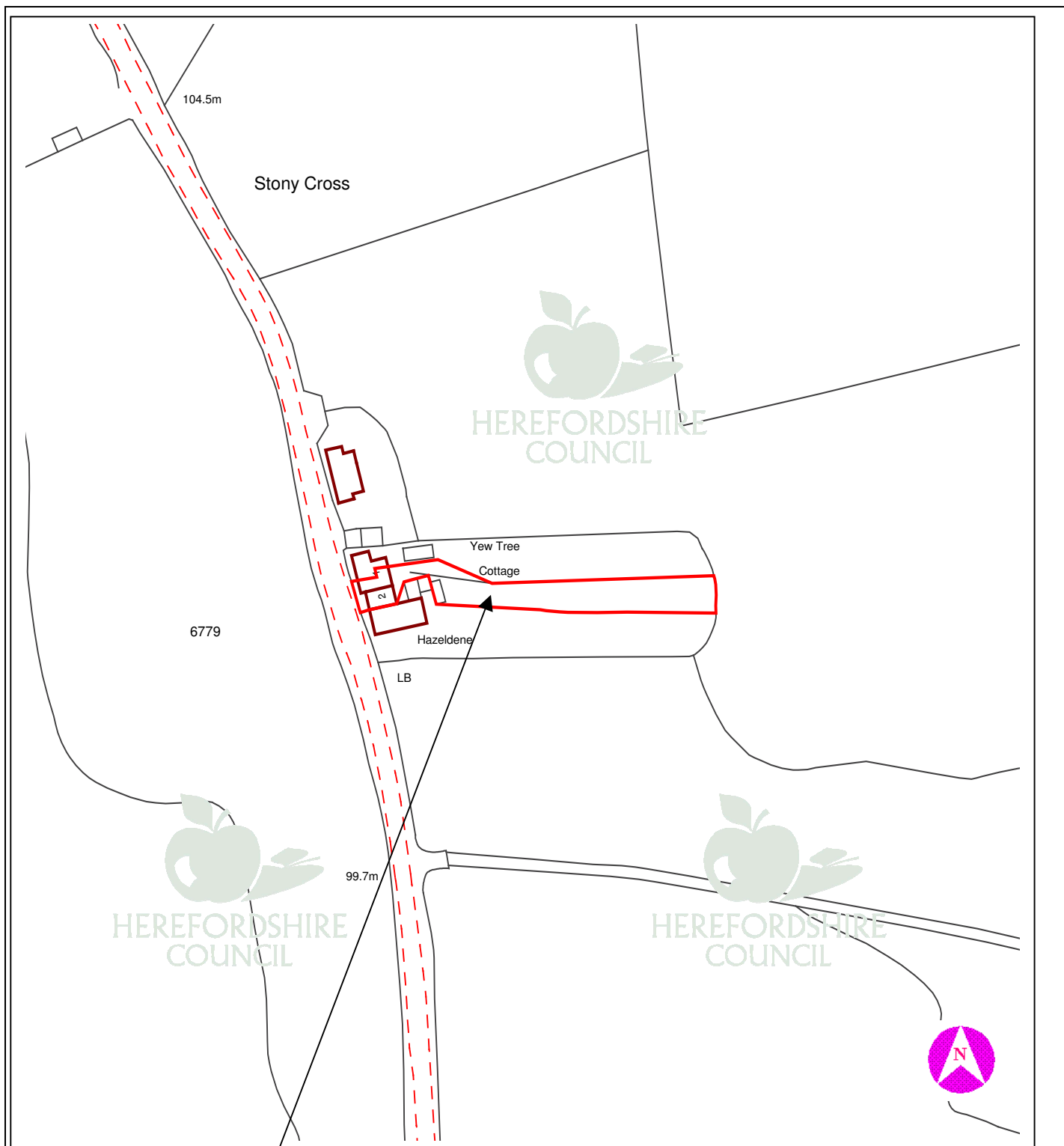
Decision: .....

Notes: .....

.....

**Background Papers**

Internal departmental consultation replies.



This copy has been produced specifically for Planning purposes. No further copies may be made.

**APPLICATION NO:** DCNC2006/2096/F

**SCALE :** 1 : 1250

**SITE ADDRESS :** 2 Yew Tree Cottages, Little Hereford, Ludlow, Herefordshire, SY8 4BA

Based upon the Ordnance Survey mapping with the permission of the controller of Her Majesty's Stationery Office, © Crown Copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Herefordshire Council. Licence No: 100024168/2005

**11 DCNC2006/2193/F - ERECTION OF 4 NO ONE  
BEDROOMED DWELLINGS ON AT LAND ADJACENT  
TO HOP POLE BARN, ROWBERRY STREET,  
BROMYARD HR7 4DT**

**For: Rocrest Ltd per Linton Design 27 High Street  
Bromyard Herefordshire HR7 4AA**

**Date Received:**  
7th July 2006

**Ward: Bromyard**

**Grid Ref:**  
65565, 54695

**Expiry Date:**  
1st September 2006

Local Member: Councillors P J Dauncey and B Hunt

**1. Site Description and Proposal**

- 1.1 This application relates to a site formerly used as a car park and accessed off Rowberry Street in Bromyard. It sits immediately behind a prominent two storey building that is located on the road frontage and has recently been converted to residential use. Vehicular access is positioned at the south-eastern corner of the site and it provides for the conversion scheme.
- 1.2 The site is bounded to the east and west by brick and stone walls respectively, and by a 1.8 metre high fence to the north. Residential dwellings on Schallenge Walk lie beyond the site boundary to the north-west and properties fronting onto Church Street to the north-east.
- 1.3 The building fronting onto Rowberry Street is a Grade II listed building and the whole of the site also falls within Bromyard conservation Area.
- 1.4. The application is for the erection of four one bed dwellings, taking the form of a single U shaped building positioned adjacent to the north, east and west boundaries. The main bulk of the building has a ridge height of 5.8 metres, with the wings projecting along the east and west boundaries measuring 5.2 metres in height. The application indicates that the building will be faced in brick with a tiled roof and that the courtyard between it and the roadside building will be landscaped with a combination of hard and soft materials.

**2. Policies**

**2.1 Malvern Hills District Local Plan**

Housing Policy 2 - Development in Main Towns  
Housing Policy 17 - Residential Standards  
Conservation Policy 2 - New Development in Conservation Areas  
Conservation Policy 11 - The setting of Listed Buildings

## 2.2 Herefordshire Unitary Development Plan

DR1 - Design  
H1 - Hereford and the Market Towns  
H13 - Sustainable Residential Design  
H14 - Re-using Previously Developed Land and Buildings  
HBA4 - Setting of Listed Buildings  
HBA6 - New Development within Conservation Areas

## 3. Planning History

NC06/0980/F - Erection of 4 cottages and 1 flat - withdrawn - 23/05/06

NC04/0294/F & 0297/L - Conversion of redundant barn to 4 dwellings - Approved - 25/03/04

## 4. Consultation Summary

### Statutory Consultations

4.1 Welsh Water - No response.

### Internal Council Advice

4.2 Transportation Manager - No objection subject to secure cycle parking provision condition.

4.3 Conservation Manager - No objection subject to the imposition of conditions relating to materials, joinery details and hard and soft landscaping.

## 5. Representations

5.1 Bromyard Town Council - no response

5.2 Two letters of objection have been received from J R Rayner, 22 Schallenge Walk and Mrs J E Oxenham, 15 Church Street. In summary the points raised are as follows:

- Concerns that the development will cause a loss of daylight
- Proximity will cause a loss of privacy
- Concerns over drainage arrangements

5.3 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 A number of key considerations are relevant to this application and they are identified as follows:

- Impact on residential amenity
- Drainage – capacity of the existing mains system
- Impact on the setting of a listed building and the Conservation Area
- Design



Impact on residential amenity

- 6.2 By its very nature, the historic core of Bromyard is characterised by closely related development, accessed via narrow streets and alleys, often with buildings set behind one another. This proposal is no different from much existing development in this sense.
- 6.3 Two property owners have expressed concerns over amenity issues, particularly loss of privacy and daylight. 15 Church Street is set at a level at least 2 metres lower than the application site and is then bounded by a wall of approximately 1.2 metres. Ground floor windows look into an enclosed courtyard, and the effect is to create a darkened area with limited sunlight. Whilst the proposal is closely located to this boundary, it is not considered that it will so significantly contribute an additional loss of daylight to warrant refusal on this ground alone. Similarly, the gable facing the property has only an external door in its elevation, and no windows. A condition could be imposed to maintain this situation and on this basis the scheme is not considered to cause a demonstrable loss of privacy to 15 Church Street.
- 6.4 In relation to 22 Schallenge Walk, the issue is solely one of loss of daylight. The site level is marginally lower than the ground floor level of this property and the contiguous boundary is a 2 metre high brick wall. The objection letter concerns itself with potential loss of daylight to ground floor rooms, but again with the proximity of a substantial boundary wall that in itself causes a significant degree of overshadowing, your officers are not convinced that the development will cause such an increase in overshadowing to warrant refusal.

Drainage

- 6.5 At the time of writing this report, no comments have been received from Welsh Water. It is known that there is an issue with drainage capacity in the town and that objections have been lodged to other developments on this basis, including the earlier withdrawn application. The applicant's agent was advised of this, and it is understood, has been in discussions in this respect. The result is a proposal to deal with surface water separately, rather than discharging it to the mains sewer. This is an approach that Welsh Water have accepted elsewhere.
- 6.6 It should be noted that objections originally lodged by Welsh Water to the draft Unitary Development Plan were only in relation to specific sites and the perceived problems that an increase in loads on the mains system would cause. These objections were withdrawn once re-wording to reflect their concerns had been agreed.

Impact on listed building and Conservation Area

- 6.7 The original scheme, eventually withdrawn, proposed a two-storey building not dissimilar in proportions to the roadside building. This was not considered to be appropriate due to the dominance and architectural competition that would result between the two. A single storey structure is considered to be subservient and more akin to the form of development that can be expected in rural towns, that being a dominant structure with secondary buildings forming a central yard. The proposal achieves this and is not considered to be harmful to the setting of the listed building or Conservation Area, as reflected in the comments of the Conservation Manager.

Design

- 6.8 The comments made in respect of the listed building and Conservation Area are relevant to this aspect of the scheme and have ultimately driven the design. Subject to precise details of materials, joinery and landscaping, the proposal is considered to be acceptable in this respect.
- 6.9 In conclusion, the scheme will not cause a demonstrable loss of daylight or privacy to adjoining properties, the applicant has taken steps to alleviate any concerns over drainage and the design of the scheme is acceptable in relation to Conservation Area and listed building. It therefore accords with the relevant local plan and unitary development plan policies and is recommended for approval.

**RECOMMENDATION**

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

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

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

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

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

**3 - C05 (Details of external joinery finishes )**

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

**4 - C04 (Details of window sections, eaves, verges and barge boards )**

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

**5 - E16 (Removal of permitted development rights )**

**Reason: To bring any future development under planning control.**

**6 - E18 (No new windows in specified elevation ) (east elevation)**

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

**7 - G13 (Landscape design proposals )**

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

**8 - G14 (Soft landscaping works )**

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

9 - G15 (Landscaping implementation )

Reason: To ensure the site is satisfactorily landscaped.

10 - H29 (Secure cycle parking provision )

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

**Informative:**

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

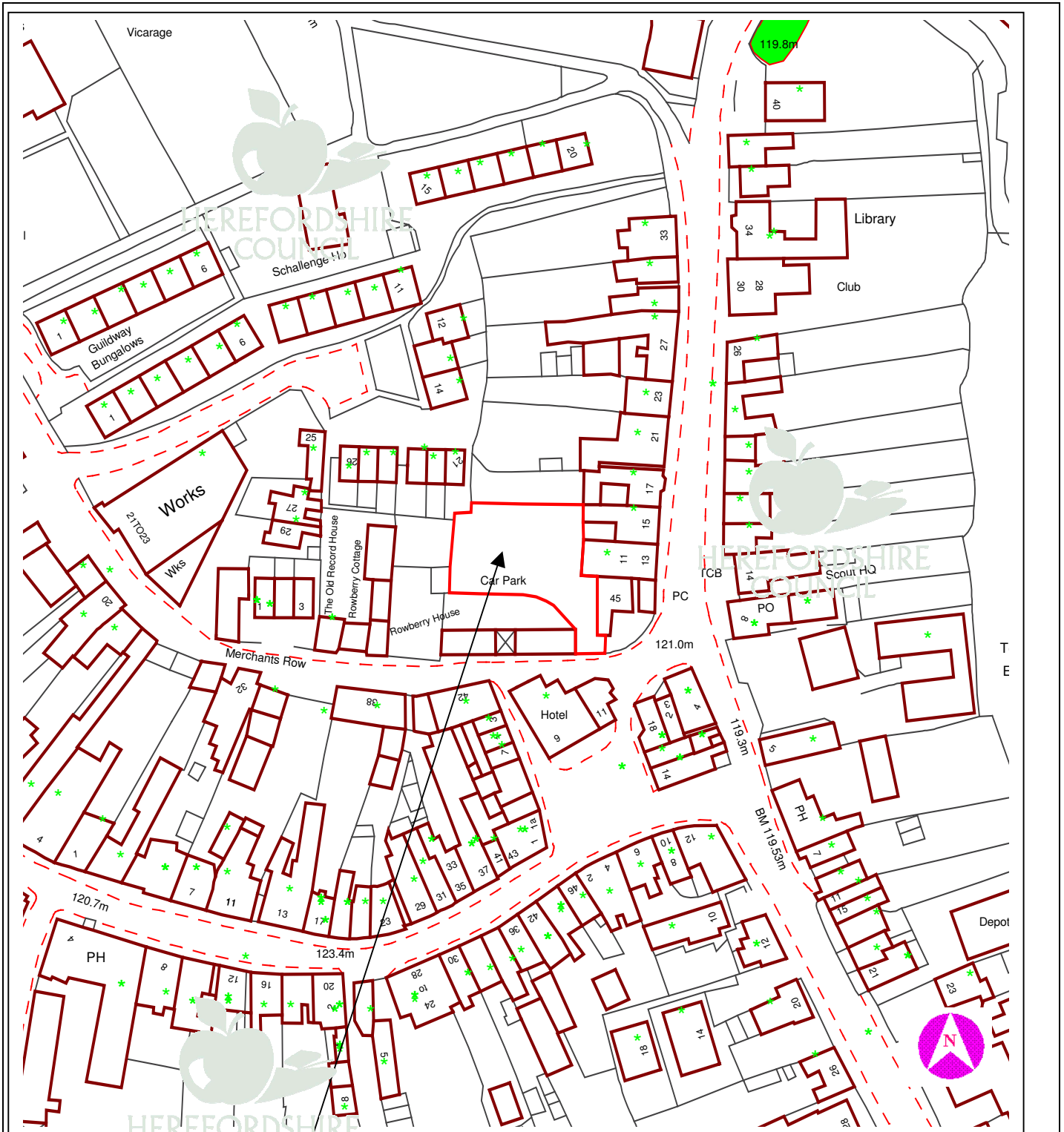
Decision: .....

Notes: .....

.....

**Background Papers**

Internal departmental consultation replies.



This copy has been produced specifically for Planning purposes. No further copies may be made.

**APPLICATION NO:** DCNC2006/2193/F

**SCALE :** 1 : 1250

**SITE ADDRESS :** Land adjacent to Hop Pole Barn, Rowberry Street, Bromyard HR7 4DT

Based upon the Ordnance Survey mapping with the permission of the controller of Her Majesty's Stationery Office, © Crown Copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Herefordshire Council. Licence No: 100024168/2005

**12 DCNW2006/1777/F - PROPOSED VARIATION TO PLANNING APPROVAL REF. DCNW2005/1217/F TO PERMIT AMENDMENTS PLOT 1, LAND ADJACENT TO THE OLD CORNER HOUSE, BROAD STREET, WEOBLEY, HEREFORDSHIRE, HR6 8SA**

**For: Mr & Mrs Kilvert, Border Oak Design & Construction, Kingsland Sawmills, Kingsland, Leominster, Herefordshire, HR6 9SF**

**Date Received:**  
5th June 2006

**Ward:**  
Golden Cross with Weobley

**Grid Ref:**  
40209, 51678

**Expiry Date:**  
31st July 2006

Local Member: Councillor J Goodwin

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

- 1.1 The application site is a 0.14 hectare plot of land that lies within the settlement boundary of the historical village of Weobley. The plot lies to the west of Broad Street and to the north of The Old Corner House which is Grade II\* Listed. The site is currently lawned with some fruit trees, mature hedge boundaries and has an existing vehicular access to the north of the frontage with Broad Street.
- 1.2 The proposal is for a variation to planning approval NW05/1217/F to permit amendments to Plot 1. Planning consent already exists for the erection of two 'border oak' dwellings that would front the highway.
- 1.3 The design would be modified to omit the cross passage which runs internally between the two properties, this would be incorporated into the internal layout of the house. A separate staircase bay has been incorporated and the kitchen/sitting room wing has been moved to the south, with a consequent reduction in the length of the single storey utility bay. To the rear, the studio and link have been revised, simplified and reduced in scale. Access to the site remains to the north of the dwellings with a shared drive leading to a shared detached garage block where one extra bay is proposed.

## **2. Policies**

### **2.1 Leominster District Local Plan (Herefordshire)**

Policy A1 – Managing the District's Assets and Resources  
 Policy A2 – Settlement Hierarchy  
 Policy A18 – Listed Building and their Setting  
 Policy A21 – Development within Conservation Areas  
 Policy A24 – Scale and Character of Development  
 Policy A54 – Protection of Residential Amenity

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

Policy S2 – Development Requirements  
Policy S7 – Natural and Historic Heritage  
Policy HBA6 – New Development within Conservation Areas  
Policy DR1 – Design

## 3. Planning History

- 3.1 NW05/1217/F Proposed alteration to existing vehicular access, erection of two dwellings and garages and ancillary studio building. Approved 10th August 2005
- 3.2 NW2004/4006/F and NW2004/4007/C Alterations to existing vehicular access and erection of three dwelling and ancillary studio building - Applications Withdrawn
- 3.3 89/0915 - Erection of one house on the orchard next to the Old Corner House, Weobley - Approved 15th October 1990

## 4. Consultation Summary

### Statutory Consultations

- 4.1 None

### Internal Council Advice

- 4.2 Traffic Manager - not clear if parking numbers are reduced from previous approval. No reduction required, increase preferred.
- 4.3 The Conservation Manager raises no objection to the amended plans and recommends conditions as per previously approved application.

## 5. Representations

- 5.1 Weobley Parish Council makes the following comments:

No objections to the amendment but feels that it is better to have more car parking. However, the previous comments made by the Parish Council still stand regarding the position of the houses, parking spaces and the siting of the entrance and are summarized as follows:

This is a better scheme than the previous application but there are still concerns as follows:

- 1. There is a lack of parking space at the rear. For these 4 bedroomed houses, there should be 3 parking spaces per house.
- 2. To have the entrance at the end nearest to the corner is dangerous.
- 3. There is concern about the properties being closer to the pavement than in previous application and the height of the properties will make them dominant in this sensitive area of the village.

5.2 Letters of objection have been received from the following:

- Antje and Malcolm Lloyd, Wild Goose Chase, Weobley
- Mr & Mrs R Warbuton, Brook Cottage, Bell Square, Weobley

These letters raise the following issues:

- a) Proximity of building to adjacent beech hedge is unwelcome, plans submitted do not show this accurately
- b) The east-west roof-line will be even closer to Wildgoose Chase.
- c) Changing the hipped roof on the studio to a gable will dominate the rear of Wildgoose Chase casting an unnecessarily wide shadow across the rear.
- d) Further consideration should be given to moving the access to the south side of the dwellings.
- e) Perturbed about the additional garage, which already intrude on out outlook.
- f) The addition of another garage implies more traffic, which would cause chaos to an already dangerous corner.

5.3 Letters of support have been received from the following:

- The Occupiers, Richmond, Weobley
- Katherine Jones, Glebe House, Church Road, Weobley
- Susan Whittaker, Wits End, Hereford Road, Weobley
- J S Pritchard, Rowan House, Bearcroft, Weobley

These letters make the following comments:

- a) The increase in garages is not substantial and in view of its distance from other properties should not appear to cause significant additional distress to neighbours.
- b) The removal of one more car from parking on the street is welcomed.

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 main issues for consideration is the determination of this application are as follows:-

- a) The impact of the proposed building on the character and appearance of the Conservation Area and setting of the Listed Building
  - b) Highway safety and parking
  - c) Impact on amenities of neighbouring properties
- a) The impact of the proposed building on the character and appearance of the Conservation Area and setting of the Listed Building

The application site lies within the Weobley Conservation Area and designated historic core and is clearly visible from both of the adjacent highways and public viewpoints along Broad Street. It is accepted that the traditional, historic views along Broad Street are historically well-known tourist attraction. The proposed dwellings will fill the frontage of the site but have been set back behind the existing wall to preserve the character and appearance of the Conservation Area and this important street scene.

The design of the dwellings is traditional and relatively simple forming a transition between the modern dwelling known as Wild Goose Chase and the Grade II\* Listed Old Corner House. The setting of the Grade II\* Listed Building would not be compromised. It is therefore considered that the proposed development would conform with local plan policies A18 and A21 and national guidance contained within Planning Policy Guidance 15.

b) Highway safety and parking

Consent is currently in place for a two and a half bay garage. This proposal aims to extend the garage block by 1.5 metres in order to provide one further off road parking space. The Transportation Manager has raised no objection stating that parking provision should be increased rather than reduced. Consent has already been granted for the proposed access to the north of the site and the access arrangements do not form part of this application.

c) Impact on amenities of neighbouring properties

A number of concerns have arisen with regards to the impact on the neighbouring property to the south. The first relates to the proximity of the dwelling to the beech hedgerow, which forms the boundary with Wildgoose Chase and the application site. It is accepted that the submitted plans do not show the extent to which the hedgerow has grown and as such the dwellings would be closer to this hedge than shown. However, this concern is not one which substantiates a reason for refusal and it should be noted that the position of the dwellings has already been approved under the previous planning application.. The occupiers of Wildgoose Chase also state that the gable end on the studio would significantly reduce the amount of daylight to the rear of their property. Because of the orientation of the new dwelling, which will be built directly to the north of Wildgoose Chase, and because there is an attached garage between Wildgoose Chase and Plot 1, it is not considered that there would be a loss of light.

6.2 The residents to the rear of the north of the site have also raised concern with regards to the erection of the garages. The height of these garages would be 4.6 metres to the ridge and are located some 8.5 metres away from the boundary of the property in the centre of the site. The addition of one further bay, which equates to the widening of the garage block by 1.5 metres is considered a minimal addition, especially as it means that one further off street parking space is provided.

6.3 Due to the distances the garages would not have an overbearing effect on the residents of this dwelling. Likewise, the siting and distances between the surrounding dwellings prevent overlooking and privacy issues being relevant.

**Conclusion**

6.4 To conclude, the proposed amendments to Plot 1 are considered to comply with policies that allow residential development within village settlements and policies that aim to protect the residential amenity of the occupiers of adjacent properties. The amendments are considered to be acceptable and would preserve the character of the Conservation Area, the street scene and setting of the adjacent listed building. As such the proposal meets the criteria of the Local Plan Policies and is therefore recommended for approval with the relevant conditions.



**RECOMMENDATION**

**That planning permission be granted with 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 - **A10 (Amendment to existing permission ) NW05/1217/F 10<sup>th</sup> August 2005**

**Reason: For the avoidance of doubt.**

**INFORMATIVES:**

- 1 - **HN01 - Mud on highway**
- 2 - **N03 - Adjoining property rights**
- 3 - **N14 - Party Wall Act 1996**
- 4 - **N15 - Reason(s) for the Grant of PP/LBC/CAC**

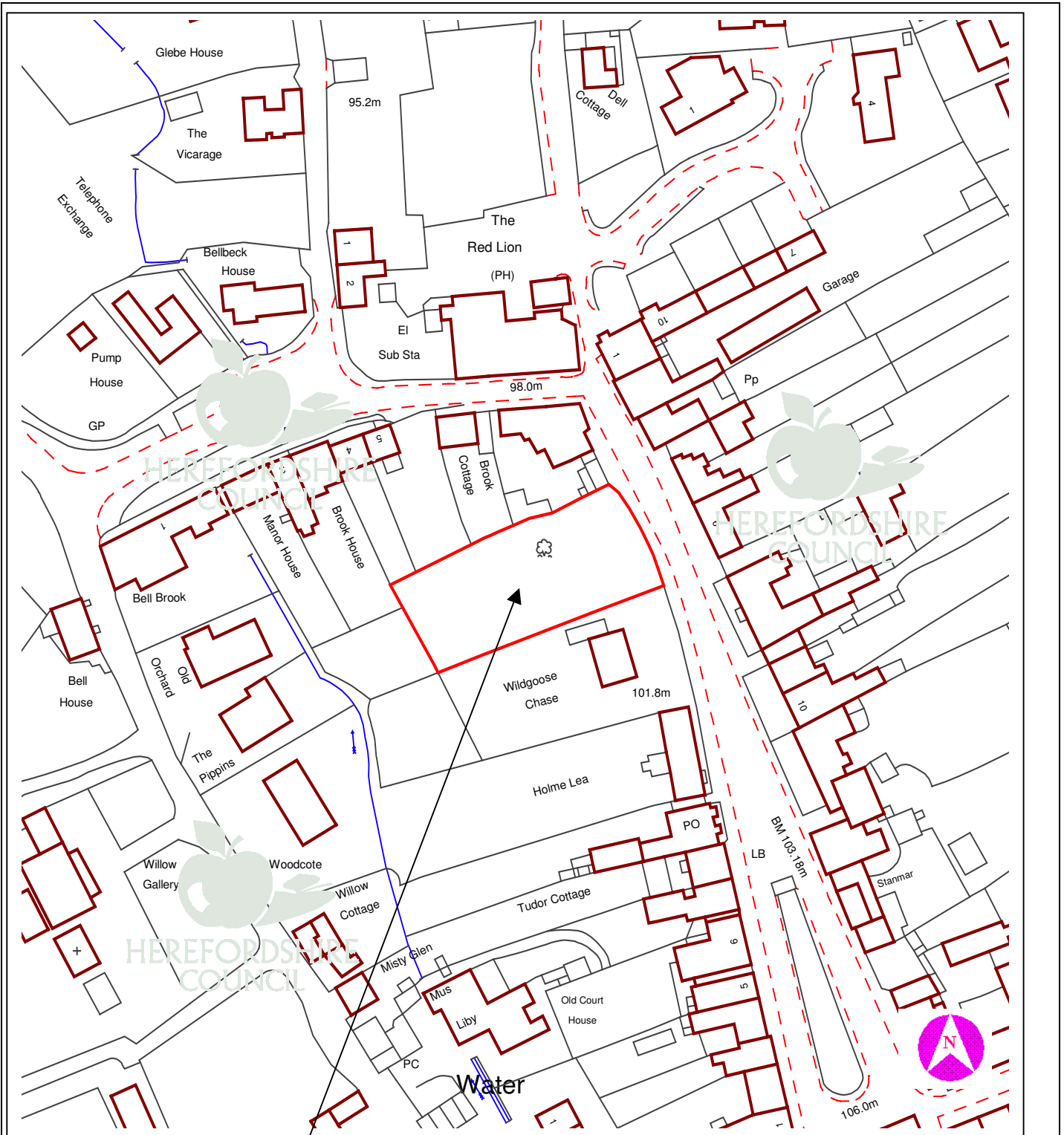
Decision: .....

Notes: .....

.....

**Background Papers**

Internal departmental consultation replies.



This copy has been produced specifically for Planning purposes. No further copies may be made.

**APPLICATION NO:** DCNW2006/1777/F

**SCALE :** 1 : 1250

**SITE ADDRESS :** Plot 1, Land adjacent The Old Corner House, Broad Street, Weobley, HR6 8SA.

Based upon the Ordnance Survey mapping with the permission of the controller of Her Majesty's Stationery Office, © Crown Copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Herefordshire Council. Licence No: 100024168/2005

**13 DCNW2006/1785/F - GENERAL PURPOSE GRADING BUILDING, ASSOCIATED HARDSTANDINGS AND LANDSCAPING AT COURT FARM, BYTON, PRESTEIGNE, HEREFORDSHIRE, LD8 2HS**

**For: S & M Edwards & Sons per Mr P Dunham, Paul Dunham Associates, 19 Townsend Soham, Cambridgeshire, CB7 5DD**

**Date Received:**

**5th June 2006**

**Expiry Date:**

**31st July 2006**

Local Member: Councillor Mrs O Barnett

**Ward:**

**Mortimer**

**Grid Ref:**

**36941, 63871**

**1. Site Description and Proposal**

- 1.1 The site for the proposal development forms part of a farmyard, located on side of a valley floor, from where the land rises in the easterly and westerly directions and therefore there are far ranging views into and out of the farmyard complex.
- 1.2 The farm unit subject to the application is mainly used in connection with potato and livestock production.
- 1.3 The existing farm complex comprises of a range of modern and traditional farm buildings. The more modern structures being used in connection to the potato production which appears to be the farms principal enterprise. These structures have quite a dominant impact on the surrounding landscape and are of fairly recent construction. Additional tree planting has been put in place to help reduce the visual impact of these structures, however, they are presently in their infancy and in the process of getting established. The site is surrounded by other dwellings and farmsteads that are outside the control of the applicant. Many of these dwellings have views into the application site.
- 1.4 The application proposes the construction of a general purpose building, associated hardstanding and landscaping. The structure to be used in connection to the farm's potato business.
- 1.5 The plans submitted for planning determination indicated a steel framed building with a floor space of approx. 543.25 square metres. The proposed external construction is of composite insulated panels for the walls finished in an olive green colour under a roof of the same external construction in a grey external colour.

**2. Policies**

**2.1 Leominster District Local Plan (Herefordshire)**

A1 – Managing the District's Assets and Resources

- A2 – Settlement Hierarchy
- A6 – Sites of Local Importance for Nature Conservation
- A9 – Safeguarding the Rural Landscape
- A18 – Listed Buildings and their Settings
- A23 – Creating Identity and an Attractive Built Environment
- A24 – Scale and Character of Development
- A41 – Protection of Agricultural Land
- A54 – Protection of Residential Amenity
- A70 – Accommodating Traffic from Development
- A78 – Protection of public rights of way

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

- S1 – Sustainable Development
- S2 – Development Requirements
- DR1 - Design
- DR2 – Land Use and Activity
- DR3 – Movement
- DR4 – Environment
- E13 – Agricultural and Forestry Development
- E15 – Protection of Greenfield Land
- T8 – Road Hierarchy
- LA2 – Landscape Character and Areas Least Resilient to change
- LA3 – Setting of Settlements
- HBA4 – Setting of Listed Buildings

## 3. Planning History

- 3.1 NW05/3117/F - Erection of agricultural storage and potato grading building - Withdrawn 31st October 2005
- 3.2 NW05/2082/F - Erection of agricultural storage and potato grading building - Withdrawn 26th August 2005
- 3.3 NW04/1841/F - Potato store extension - Approved 2nd September 2004
- 3.4 NW01/1316/F - Steel portal framed cold potato storage building - Approved 21st August 2001

## 4. Consultation Summary

### Internal Council Advice

- 4.1 Environmental Health Manager raises no objections to the proposed development.
- 4.2 Transportation Manager has no objection to the granting of permission.
- 4.3 Public Rights of Way Manager raises no objections to the proposed development.
- 4.4 Landscape Manager has no objections to the proposed development subject to the inclusion of appropriate conditions to any approval notice issued.

## 5. Representations

5.1 Byton Parish Council have responded to the application stating in principle that they support the application. However, their response does contain the following summarised concerns from surrounding residents:-

- Protection of neighbouring dwelling adjacent to 'potato box storage area' on amenity issues such as noise, dust and foul water seepage.
- Height of land on which it is proposed to store potato boxes is made up and should not rise any higher.
- Waste should be disposed of off site.
- Adequate tree and hedge plantings with adequate maintenance to ensure their survival. Also a mixture of deciduous and evergreen are required to ensure all year round screening.
- Sufficient concrete/macadam surfaces must be provided in order to control dust and mud.
- Working hours should be clearly stated.
- Artificial lighting of the site must be controlled.
- Control over box storage area and the visual amenity.
- Concerns are raised about delivery drivers requesting directions from neighbouring dwellings.
- Concerns about damage to public highway ditch as a result of farm vehicles turning into and out of the site.
- Concerns about rapid expansion of the farm site and that no more farm expansion should be allowed.

5.2 Letters of objection/comment have been received from the following:-

- G A & A M Morgan, The Cottage, Byton
- Mrs V L Delaney, Pipe Trow, Byton
- Mr David Delaney, Pipe Trow, Byton
- Cara Williams, Court Leas, Byton
- J Rogers, Highfield, Byton

Issues raised can be summarised as follows:-

- Concerns about rapid expansion of business conducted from site.
- Definition of application is too loose and should be more clearly defined.
- Concerns about density or traffic from and to the site and other sites outside the control of the applicants, on adjoining public highway.
- Landscaping is considered vital if application is approved and should consist of deciduous and evergreen plantings and be adequately maintained and monitored by the Council.
- Visual impact of the farm as a whole on the surrounding landscape.
- Amount of made up ground surrounding the southern side of the site which is now above the neighbouring dwellings domestic curtilage.
- Hours of operation from site and artificial lighting need addressing adequately.
- Location of proposed storage building should be in-line with existing buildings on site.
- Outside area needs adequate concrete/macadam areas to reduce severity of dust and mud.

5.3 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 This application is the third application submitted to the local planning authority for a grading store on site by the applicants, the previous two applications withdrawn by the applicants due to Officer's concerns about the proposal. This present application is much clearer and detailed, as commented upon by the Local Parish Council and members of the public, many of whom responded, not objecting to the proposal, but raising concerns due to past issues of concern with regards to farming activities conducted on site.

6.2 The main issues for planning consideration are:-

- Impact on the surrounding landscape by means of visual, landscaping, noise and light pollution.
- Public highway impact as a result of business conducted on site.

### Impact on the surrounding landscape

6.3 The plans submitted indicate the proposed general purpose grading store as well as enhancements to existing building facilities. Detail is provided of the future overall layout for the farmyard as well as details on proposed landscaping. Overall the proposal is considered a vast improvement on the existing farm layout as clearly accepted by the local Parish Council and members of the public who have commented on the application.

6.4 However, if Members are mindful to approve the application, the landscaping proposals by means of tree and hedge planting needs to be carried out with careful consideration to the surrounding landscape, in that all planting is of native species to the surrounding area, while also including some coniferous species mixed in to lessen the impact of the proposed development on the surrounding landscape throughout the year. Larger species will also need to be incorporated into the planting than those of the existing plantations on site in order to give a more immediate effect. Conditions can be attached to any approval notice issued addressing plantings and their future management in order to ensure adequate establishment.

6.5 The proposed siting of the grading building is considered acceptable in order to allow the applicants sufficient room to store empty potato boxes adjacent to the site, where they are most needed. Storage of potato boxes (in season) has been a controversial issue and one that the applicants have tried to address. The proposed area designated for box storage is considered the least obtrusive in consideration of the surrounding area as a whole. Officers recommend that subject to Members approval this issue is addressed through conditions. Relevant issues with regards to noise, lighting, and waste disposal can also be addressed through the imposition of conditions. It is noted the Environmental Health Manager raises no objections to the proposal.

### Public highway impact as a result of business conducted from the site

6.6 The Council's Highways Manager raises no objections to the proposal.

- 6.7 It is appreciated that Heavy Goods Vehicles as well as tractors do visit the site regularly, as well as travelling to other farm businesses in the locality and therefore there will be a certain amount of pressure put onto the adjacent C1011 public highway. However the business is already established on site and the development subject to this application with the imposition of suitable conditions with regards to hours of work, artificial lighting and internal permanent access surfacing will help reduce existing pressures on the adjacent public highway.

## **RECOMMENDATION**

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

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

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

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

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

- 3 - E02 (Restriction on hours of delivery )**

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

- 4 - F09 (Sound insulation of plant and machinery )**

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

- 5 - F20 (Scheme of surface water drainage )**

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

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

**Reason: To safeguard local amenities.**

- 7 - All potato boxes stored outside shall be retained within the designated area as indicated on plan ref. 319.401.C2C and shall be stored no more than eight boxes high.**

**Reason: In the interests of the visual amenity of the surrounding area.**

- 8 - F48 (Details of slab levels )**

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

- 9 - Prior to any development on site details will be submitted to the local planning authority and approved in writing of the external colour of the grading building and the building will be retained in this colour.**

**Reason: In the interests of the surrounding amenity.**

- 10 - The grading building as indicated on plan ref. 319.401.C2C shall be used for no other purpose than that of potato grading in relationship to the applicants own potato harvest. If the building is used for any other purpose, the prior written approval from the local planning authority will be obtained by the applicants or their successors in title.

Reason: In order that the local planning authority can control the use of the building in the interests of surrounding residential amenity.

- 11 - G04 (Landscaping scheme (general) ) – and shall include a mixture of native deciduous and evergreen plantings.

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

- 12 - G05 (Implementation of landscaping scheme (general) ) – construction of the buildings main frame.

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

- 13 - G07 (Details of earth works )

Reason: In order to protect the amenity of surrounding dwellings and the visual amenity of the surrounding countryside.

- 14 - All potato waste will be removed from site, and not disposed of on the perimeter of the farmyard. Full details with regards to disposal of potatoe waste will be submitted to and approved in writing by the local planning authority prior to any development on site.

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

- 15 - The grading store shall have provided from its entrance doors to the entrance to the site from the public highway a concrete driveway sufficient for Heavy Goods Vehicles to travel upon. This will be implemented prior to the first use of the building. Details will be submitted to and approved in writing by the local planning authority.

Reason: In the interests of the amenity of surrounding dwellings and to prevent debris being transported onto the adjoining public highway.

- 16 - The entrance door as indicated leading out of the existing workshop/grading area) on plan ref. 319.401.C2C shall be for emergency access only.

Reason: In the interests of public highway safety and residential amenity.

### **INFORMATIVES**

- 1 - HN01 - Mud on highway  
2 - HN02 - Public rights of way affected



- 3 - The Right of Way should remain open at all times throughout the development. If development works are perceived to be likely to endanger members of the public then a temporary closure order should be applied for from the Public Right of Way Department, preferably 6 weeks in advance of work starting.
- 4- The right of way should remain at its historic width and suffer no encroachment or obstruction during the works or any any time after completion.

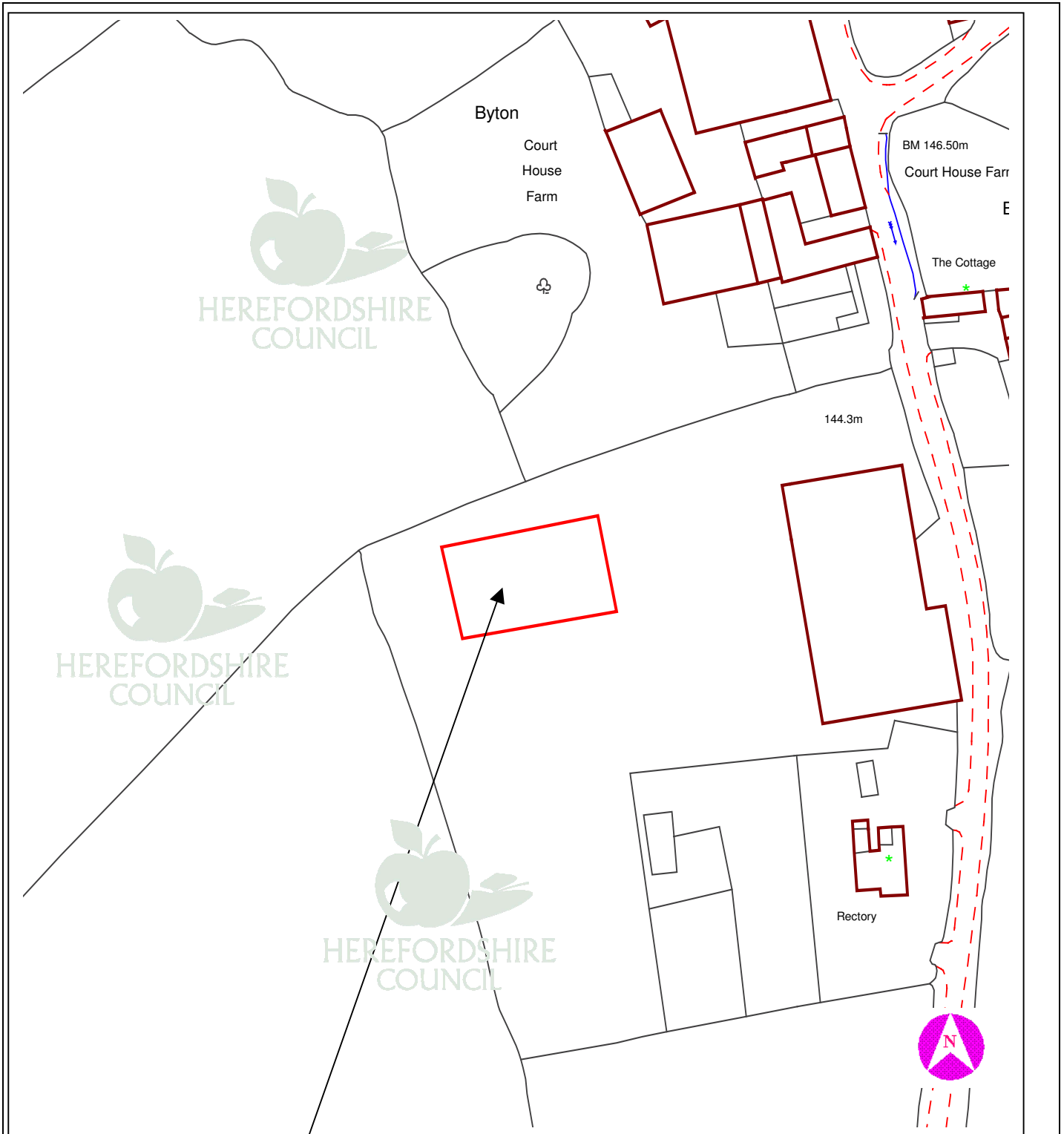
Decision: .....

Notes: .....

.....

**Background Papers**

Internal departmental consultation replies.



This copy has been produced specifically for Planning purposes. No further copies may be made.

**APPLICATION NO:** DCNW2006/1785/F

**SCALE :** 1 : 1250

**SITE ADDRESS :** COURT FARM, Byton, Presteigne, Herefordshire, LD8 2HS

Based upon the Ordnance Survey mapping with the permission of the controller of Her Majesty's Stationery Office, © Crown Copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Herefordshire Council. Licence No: 100024168/2005

**14 DCNW2006/2123/F - REMOVAL OF EXISTING AND CONSTRUCTION OF NEW BOUNDARY FENCE AT MILL COTTAGE, PAYTOE, LEINTWARDINE, CRAVEN ARMS, SHROPSHIRE, SY7 0NB**

**For: D J & M Parry Ltd. per McCartneys 7 Broad Street  
Leominster Herefordshire HR6 8BT**

**Date Received:**

**30th June 2006**

**Ward: Mortimer**

**Grid Ref:**

**40975, 71336**

**Expiry Date:**

**25th August 2006**

Local Member: Councillor Mrs O Barnett

**1. Site Description and Proposal**

- 1.1 The location for the proposed development is a former farmhouse known as 'Mill Cottage', a grade II listed building, situated in open countryside, the property's curtilage is adjacent to the C1017 public highway. The property currently has planning use as a C2 residential institution for the care of four children and accommodation for seven residents carers. This approval was granted by Committee on 5th October 2005.
- 1.2 To the rear on the south easterly side of the site lie the remains of Wigmore Abbey, this is a Schedule Ancient Monument. A property known as 'The Grange' sits between the agricultural buildings and this ancient monument. These are both Grade I Listed.
- 1.3 The development subject to this application is for a new boundary fence and hedge nearer to Mill Cottage than the existing unauthorised fence and hence this will create a smaller amenity and car parking area to the cottage itself.
- 1.4 The application proposes removal of the existing unauthorised boundary fence and construction of a new fence on the southern side of Mill Cottage itself. The proposed fence is of timber construction and the application requests planning approval for removal of existing concrete posts and timber panels and replacement with a vertical boarded fence measuring 1.80 metres high.
- 1.4 Alongside the remainder of the southern section and the western boundary it is proposed to plant a new hedgerow using native species along with a livestock proof fence on the outer side of the hedgerow. It is also proposed to erect a similar timber fence to that on the southern side along a small section of the northern section of the site.

**2. Policies**

**2.1 Leominster District Local Plan**

- A1 – Managing the District's Assets and Resource
- A9 – Safeguarding the Rural Landscape
- A18 – Listed Buildings and their Settings
- A22 – Ancient Monuments and Archaeological sites

A24 – Scale and Character of Development  
A54 – Protection of Residential Amenity  
A61 – Community, Social and Recreational Facilities  
A73 – Parking Standards and Conservation

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

S1 – Sustainable Development  
S2 – Development Requirements  
DR2 – Land Use and Activity  
H16 – Car Parking  
T11 – Parking Provision  
HBA1 – Alterations and Extensions to Listed Buildings  
HBA4 – Setting of Listed Buildings  
ARCH3 – Scheduled Ancient Monuments

## 3. Planning History

- 3.1 NW06/0543/F - Retrospective application for a lower ground floor store - Approved 14th June 2006.
- 3.2 NW06/0546/L - Retrospective application for works carried out both internally and externally - Approved 14th June 2006.
- 3.3 NW05/3408/F- Retrospective application for a boundary fence and lower ground floor store - Refused 12th December 2005.
- 3.4 NW05/2608/F - Retrospective application for change of use to C2 residential institution at Mill Cottage - Approved 5th October 2005.
- 3.5 NW05/1741/L - Retrospective application for works carried out to include replacement windows, partition walls, cladding to rear and mill workings, permitted fence and concrete store - Withdrawn 14th July 2005.
- 3.6 NW05/1736/F - Retrospective application for a boundary fence and lower ground floor store - Withdrawn 14th July 2005.

## 4. Consultation Summary

### Statutory Consultations

- 4.1 English Heritage - State in their response:-  

The impact of the revised proposal is much lower than the existing'. The proposal in drawing no. LSV222/02A may be accepted.
- 4.2 Traffic Manager - Has no objection to the grant of permission in accordance with the revised car parking arrangements as stated on plan no. LSV222/02B.
- 4.3 Conservation Manager - No objections to the proposal as outlined in the application.
- 4.4 Archaeology Manager has no comment to make.

## 5. Representations

5.1 Adforton Parish Council states that they support the application providing that the wooden fence to be not less than 2.0 metres high to protect the visual effect on Wigmore Abbey - that the pedestrian gate to be kept locked at all times and that any vehicles are parked within the compound.

5.2 Three letters of objections/comment to the development have been received from:-

- John and Carol Challis, Wigmore Abbey, Leintwardine, Shropshire
- Julie W Laybourn, Paytoe Hall Cottage, Paytoe, Leintwardine, Shropshire
- John S. Grove, 9, Preston Brook Close, Ledbury.

These comments can be summarised as follows:-

- Concern raised about maintenance of proposed hedgerow.
- Concerns about car parking facilities for Mill Cottage.
- Increased road usage in relationship to the business conducted on site, and size of car parking area on site.
- Proposed fence should be at least 2.10 metres high to protect privacy of Wigmore Abbey.
- Impact of proposal on privacy and security of Wigmore Abbey.
- Concerns that local residents views have not been taken into account in relationship to the planning history of the site.
- Cottage dwellings within the vicinity in the same ownership as that of Mill Cottage being used in connection to the care home.
- Proposed pedestrian access gate not a good idea except for gardener to clip hedge.

5.3 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 main issues with regards to this application are:-

- Height of proposed timber fencing.
- Car parking within the application site.
- Proposed hedgerow maintenance and pedestrian access gate.

### Height of proposed timber fencing

6.2 The plans submitted for planning determination indicated complete removal of the existing unauthorised timber fencing and construction of a new vertical boarded fence on the southern side alongside Mill Cottage itself. This fence is to measure 1.8 metres in height.

6.3 English Heritage have responded to the application stating that the proposed height is much more acceptable than the existing fence height as it is much lower.

- 6.4 In consideration of the historic significance of the application site and the adjoining Wigmore Abbey and its surroundings, Officers are of the opinion that a fence with the least visual impact is the most appropriate and therefore the public objection to the proposed fence height and the Local Parish Councils request for a fence of greater height cannot gain Officer support in this instance, as a fence of the height suggested will have a detrimental impact on the setting of the historic site, similar to the existing unauthorised fence on site.

#### **Car Parking within the application site**

- 6.5 The proposed plans indicate a smaller garden/car parking area to the cottage than that of the existing in order to minimise the detrimental impact on the character of the historic site in the immediate area of Mill Cottage as well as the wider historic area in general.
- 6.6 In order to overcome car parking issues of concern the applicant proposes car parking during staff changes (once a fortnight) on land outside the proposed immediate domestic curtilage of Mill Cottage.
- 6.7 The Transportation Manger raises no objection to these revised plans, as the original plan submitted for planning determination indicated insufficient car parking spaces within the revised domestic curtilage of the site.
- 6.8 It is considered that the proposed car parking arrangements are acceptable, being the least detrimental to the historic significance of the site.

#### **Proposed hedgerow maintenance and pedestrian access gate**

- 6.9 The application proposes a native mixed hedgerow alongside the western boundary of the application site and pedestrian gate in the north-western corner. Details are indicated on the proposed plan of hedgerow planting varieties, as well as details of maintenance over a period of five years in order to ensure adequate establishment.
- 6.10 The proposal is considered acceptable and will form part of the approved plans and therefore if not adequately maintained as indicated, the applicant or successors in title will be liable if Members are mindful to support the application.
- 6.11 The proposed pedestrian access gate is considered necessary and acceptable in relationship to car parking during staff shift changes at the site. If Members are mindful to approve the application a condition can be attached to the decision notice on details of its construction and security issues.

**RECOMMENDATION**

That planning permission be granted subject to the following conditions:

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

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

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

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

- 3 - C02 (Approval of details )

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

- 4 - The pedestrian access gate shall be kept locked so that only members of staff have access through it during times of staff changes at the premises. Details will be submitted and approved in writing to the local planning authority prior to any development on site subject to this approval.

Reason: In there interests of surrounding dwellings, amenity and safety.

- 5 - All vehicles shall be parked within the immediate area surrounding Mill Cottage, as indicated on the approved plan, except when a staff change over at the premises is taking place in relationship to the childrens care home, when vehicles will be allowed to park in the area designated for 'additional car parking space during staff shift changes' on drawing no. LSU222/02B.

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

**INFORMATIVES:**

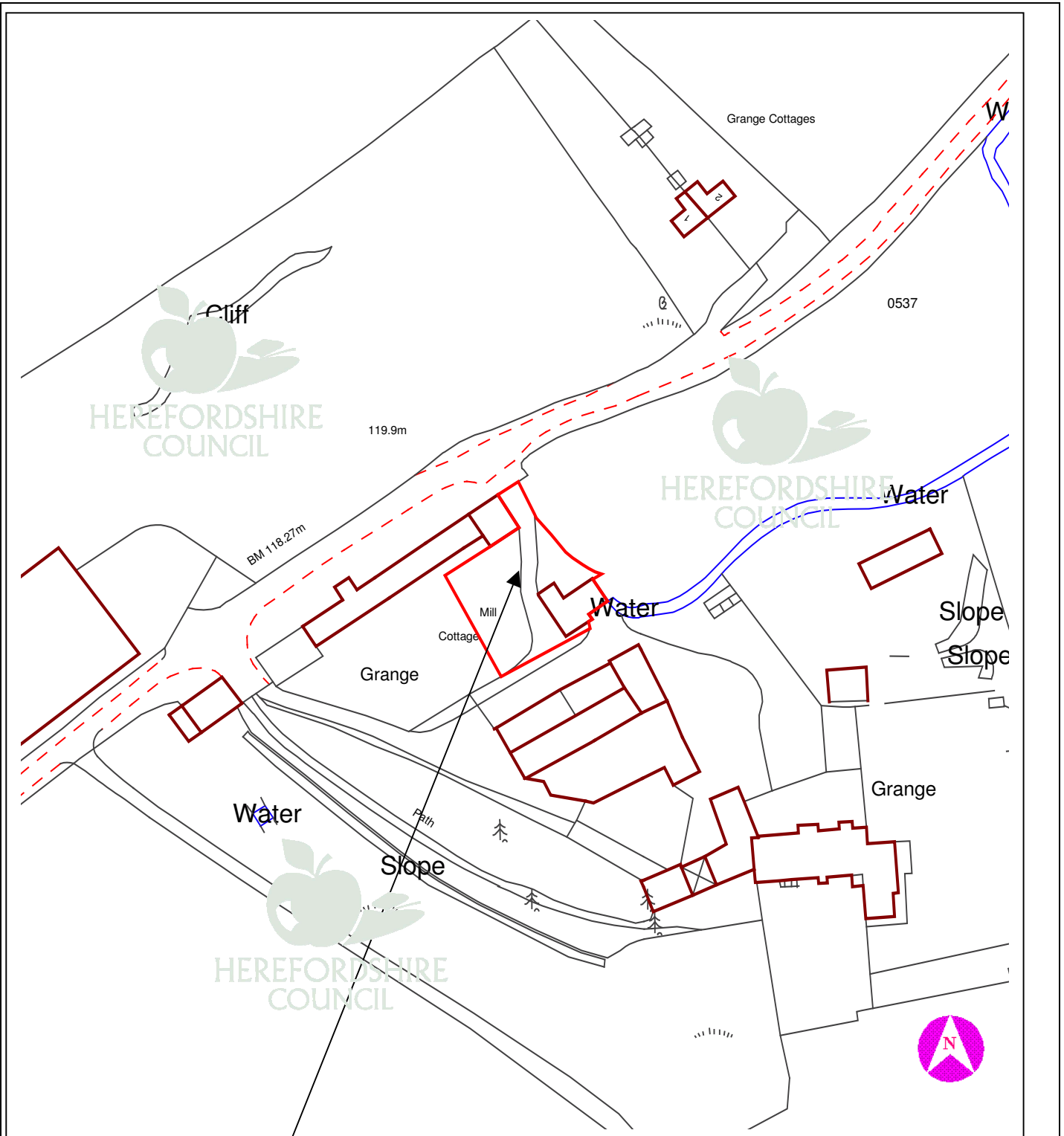
- 1 - N15 - Reason(s) for the Grant of PP/LBC/CAC

Decision: .....

Notes: .....

**Background Papers**

Internal departmental consultation replies.



This copy has been produced specifically for Planning purposes. No further copies may be made.

**APPLICATION NO:** DCNW2006/2123/F

**SCALE :** 1 : 1250

**SITE ADDRESS :** Mill Cottage, Paytoe, Leintwardine, Craven Arms, Herefordshire, SY7 0NB

Based upon the Ordnance Survey mapping with the permission of the controller of Her Majesty's Stationery Office, © Crown Copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Herefordshire Council. Licence No: 100024168/2005