

A G E N D A

Northern Area Planning Sub- Committee

Date: **Wednesday, 13th September, 2006**

Time: **2.00 p.m.**

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

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

For any further information please contact:

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**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. APOLOGIES FOR ABSENCE To receive apologies for absence.	
2. DECLARATIONS OF INTEREST To receive any declarations of interest by Members in respect of items on the Agenda.	
3. MINUTES To approve and sign the Minutes of the meeting held on 16th August, 2006.	1 - 12
4. ITEM FOR INFORMATION - APPEALS To note the contents of the attached report of the Head of Planning Services in respect of appeals for the northern area of Herefordshire.	13 - 14
5. APPLICATIONS RECEIVED 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.	
6. DCNW2006/1466/F - TO DEMOLISH EXISTING DWELLING AND ERECT FIVE NEW DWELLINGS AT YEW TREE, SHOBDON, LEOMINSTER, HEREFORDSHIRE, HR6 9ND For: Mr B Griffiths per Mr C Goldsworthy, 85 St Owens Street, Hereford. HR1 2JW Ward: Pembridge & Lyonshall with Titley	15 - 22

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|-----|---|---------|
| 7. | <p>DCNW2006/2203/O - SITE FOR THE ERECTION OF TWO BUNGALOWS ON LAND ADJOINING MARCHES HOUSING ASSOCIATION BUNGALOWS, BAR MEADOW, SHOBDON, LEOMINSTER, HEREFORDSHIRE, HR6 9BZ</p> <p>For: Corbett Farms Ltd, Shobdon, Leominster, Herefordshire, HR6 9LT.</p> <p>Ward: Pembridge & Lyonshall with Titley</p> | 23 - 28 |
| 8. | <p>DCNW2006/2582/F - PROPOSED NEW DWELLING ON LAND ADJOINING THE HOLME, CHURCH ROAD, EARDISLEY, HEREFORD, HR3 6NJ.</p> <p>For: Mr R & Mrs E Smith at above address.</p> <p>Ward: Castle</p> | 29 - 34 |
| 9. | <p>DCNE2006/2156/F - CHANGE OF USE OF ORCHARD TO PRIVATE WINTER CARAVAN STORAGE (TEMPORARY), ANCILLARY TO SIDDINGTON FARM AT SIDDINGTON FARM, LEDDINGTON, LEDBURY, HEREFORDSHIRE, HR8 2LN</p> <p>For: G & B B Houlbrooke & Son, Stansgate Planning Consultants, Conrad House, Birmingham Road, Stratford-upon-Avon, CV37 0AA</p> <p>Ward: Ledbury</p> | 35 - 42 |
| 10. | <p>DCNE2006/2302/F - ERECTION OF A FIRST FLOOR EXTENSION AND INSERTION OF TWO ROOFLIGHTS AT BURYSGATE COTTAGE, BEARSWOOD, STORRIDGE, MALVERN, WORCESTERSHIRE, WR13 5EP AND DCNE2006/2303/L - ERECTION OF A FIRST FLOOR EXTENSION TO SIDE AND NEW ROOFLIGHT TO EAST ELEVATION AND INTERNAL ALTERATIONS AT ABOVE ADDRESS</p> <p>For: Mr & Mrs G Best per Stainburn Taylor & Michael Reardon Architects, Bideford House, Church Lane, Ledbury, Herefordshire, HR8 1DW</p> <p>Ward: Hope End</p> | 43 - 50 |
| 11. | <p>DCNC2006/2174/F - CONVERSION OF EXISTING HOUSE INTO 3 APARTMENTS AT 84 ETNAM STREET, LEOMINSTER, HEREFORDSHIRE, HR6 8AN</p> <p>For: Mr D Palmer at above address</p> <p>Ward: Leominster South</p> | 51 - 54 |

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|--|----------------|
| <p>12. DCNC2006/2202/F - DEMOLITION OF POLICE STATION AND CONSTRUCTION OF 12 APARTMENTS WITH ASSOCIATED PARKING AND FACILITIES AT LEOMINSTER POLICE STATION, RYELANDS ROAD, LEOMINSTER, HEREFORDSHIRE, HR6 8NZ</p> <p>For: West Mercia Constabulary, Buttress Fuller Alsop Williams, 31 - 33 Princess Street, Manchester, M2 4BF</p> <p>Ward: Leominster South</p> | <p>55 - 62</p> |
| <p>13. DCNC2006/2454/F - PROPOSED TWO STOREY EXTENSION AND ALTERATIONS AT 114 THE BARGATES, LEOMINSTER, HEREFORDSHIRE, HR6 8QU AND DCNC2006/2455/C - DEMOLITION OF EXISTING GARAGE AND REAR EXTENSION AND ERECTION OF TWO STOREY EXTENSION AND ALTERATIONS AT ABOVE ADDRESS</p> <p>For: Mr & Mrs S Littleworth per Mr D F Baume, David F Baume Chartered Architect, Churchways, Jewkes Lane, Kington on Teme, Worcestershire WR15 8LZ</p> <p>Ward: Leominster North</p> | <p>63 - 68</p> |

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COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL

BROCKINGTON, 35 HAFOD ROAD, HEREFORD.

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COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL

MINUTES of the meeting of Northern Area Planning Sub-Committee held at The Council Chamber, Brockington, 35 Hafod Road, Hereford on Wednesday, 16th August, 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, B. Hunt, T.W. Hunt, R.M. Manning, R. Mills, R.J. Phillips, D.W. Rule MBE, J.P. Thomas and J.B. Williams

52. APOLOGIES FOR ABSENCE

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

53. DECLARATIONS OF INTEREST

Councillor JW Hope declared a prejudicial interest in Agenda item 6 - DCNW2006/1310/F – conversion to residential use at The Old Station House, Almeley and left the meeting for the duration of this item.

54. MINUTES

RESOLVED: That the Minutes of the meeting held on 12th July, 2006 be approved as a correct record and signed by the Chairman.

55. APPEALS

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

56. 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.

57. 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.

In accordance with the criteria for public speaking Mr Hughes the applicant's agent spoke in favour of the application.

Councillor RJ Phillips felt that the building was of considerable local historic and architectural importance and if the application was not approved there was a danger that another part of Herefordshire's railway heritage could be lost. He did not feel that the proposals would result in any significant change to the building above ground and that it would therefore retain its existing character and blend in with nearby dwellings. He suggested that the proposals satisfied planning policies A9 of the Leominster Local Plan and H7, HVA 8 & 13 of the Herefordshire Unitary Development Plan. The Sub Committee concurred with these views.

RESOLVED:

That (i) The Northern Area Planning Sub-Committee is minded to approve the application subject to the following conditions and any further conditions felt to be necessary by the Development Control Manager in consultation with the Vice Chairman, provided that the Head of Planning Services does not refer the application to the Planning Committee.

1. Removal of Permitted development Rights

2. Landscaping

(iii) If the Head of Planning Services does not refer the application to the Planning Committee, Officers named in the Scheme of Delegation to Officers be instructed to approve the application subject to such conditions referred to above.

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

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

It was reported that the Transportation Manager had no objection to the application.

Councillor Mrs LO Barnett had some concerns about the danger of traffic congestion arising from patrons of the premises and asked if investigation could be made into the erection of signage requesting that they use the second entrance to it.

RESOLVED

That the Officers named in the Scheme of delegation to Officers investigate with the Transportation Manager the provision of acceptable signage by the applicant for vehicular access to the premises and that planning permission be granted subject to this and also 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.

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

The receipt of a letter of support from the Agent acting on behalf of the applicants was reported.

RESOLVED

That planning permission be granted subject to the following conditions:

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

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

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

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

- 3 - 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

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

RESOLVED

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 and any other appropriate conditions considered to be necessary:

- 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

61. 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

RESOLVED

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

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

It was reported that a letter of objection had been received from Bromyard and Winslow Town Council raising concerns about overdevelopment, loss of car parking for the nearby hotel, narrow vehicular access and potential drainage problems. Welsh Water had no objection to the application subject to the inclusion of acceptable conditions regarding the disposal of foul and surface water drainage. It was advised that trial pits were to be dug and submitted for the prior approval of the Local Planning Authority before development takes place.

RESOLVED

That planning permission be granted subject to the requirements of Welsh Water, trial pits being dug for the prior approval of the Local Planning Authority before development takes place and also 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

63. 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

In accordance with the criteria for public speaking, Mr Kilvert spoke in favour of his application. The Development Control Manager said that additional conditions would be included in the permission to ensure that the garage was used for car parking only.

RESOLVED

That planning permission be granted subject to the garage being used for the parking of vehicles only, and subject to the following condition:

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 10th 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

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

In accordance with the criteria for public speaking, Mr Edwards spoke in favour of his application.

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 - 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 and suitable trees.

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 potato 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 time after completion.

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

The Senior Planning Officer reported on the following issues:- no objection from the Transportation Manager to the amended plans; a letter from Mr & Mrs Challis complaining that they had not been notified about the amendments; a letter from Mr & Mrs Challis about another property in the ownership of the applicants which they considered to be in an unsafe condition; a letter raising concerns about the car parking in an historic setting. The Head of Environmental Health and Trading Standards had no objections and felt that the proposed fence height was much more preferable to the existing unauthorised one.

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

Councillor Mrs LO Barnett, the Local Ward Member, was concerned that the applicants had caused difficulties by undertaking the work without the necessary permissions rather than following the required procedure. This had led to considerable local concerns and much work being necessitated by the Officers in conjunction with English Heritage. She felt that following extensive negotiations the stage had been reached where it was difficult to refuse the application but that there should be additional conditions regarding the parking of vehicles when staff changed over, to avoid any loss of amenity to adjoining properties. The Senior Planning Officer said that he would seek the advice of the Transportation Manager on this issue. The Development Control Manager said that investigation could be made into the applicant being required to submit a car parking management scheme for the prior approval of the Officers in consultation with the Chairman and the Local Ward Member.

RESOLVED

That planning permission be granted subject to the submission of an acceptable car parking management scheme for the prior approval of the Officers in consultation with the Chairman and the Local Ward Member and 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 the interests of surrounding dwellings, amenity and safety.

- 5 - Prior to the erection of the new boundary fence the subject of the planning application a car park management scheme shall be submitted to and approved in writing by the local planning authority. The scheme shall be based on submitted drawing no. LSV222/02B dated June 2006 and shall provide for all cars parked at the site and within the control of staff or visitors to the children's home to be parked within the curtilage of Mill Cottage in the area bounded by the new hedge and fence. In addition, limited staff parking may also take place during staff shift changes in the 'additional car parking space' identified on the plan for such purposes. The use of the 'additional car parking space' shall be limited to the minimum necessary for the safe operation of the children's home. All areas identified for car parking shall be maintained available for such use at all times.

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

INFORMATIVES:

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

The meeting ended at 3.40 p.m.

CHAIRMAN

ITEM FOR INFORMATION - APPEALS

APPEALS RECEIVED**Application No. EN2006/0040/ZZ**

- The appeal was received on 3rd August 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 R Wells
- The site is located at Ash Farm, Barnet Lane, Wigmore, Hereford.
- The breach of planning control alleged in this notice is "Without planning permission, change of use or agricultural land for the stationing of a mobile home for residential use together with the siting of three associated container units and a tin shed structure. "
- The requirements of the notice are:
 - 1) *Cease the residential use of the land.*
 - 2) *Permanently remove the mobile residential motorhome, stationed in the approximate location marked "X" from the land.*
 - 3) *Remove the three container units, marked "A", "B" and "C" on the attached plan land..*
 - 4) *Remove all commercial vehicles from the land.*
 - 5) *Remove all materials that have arisen from the removal of the mobile residential motorhome, the three container units and tin shed structure from the land..*
 - 6) *Restore the land to its condition before the breach took place by seeding of the grass and other such work as is necessary to return its agricultural land quality to at least that which it formally had.*
- The appeal is to be heard by Hearing

Case Officer: Philip Mullineux 01432 261808

Application No. DCNC2006/0140/F

- The appeal was received on 14th August 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 B.P. Legge
- The site is located at Ideal Bungalow, Thornbury, Bromyard, Herefordshire, HR7 4NJ
- The development proposed is Conversion of and addition to redundant agricultural building to form a holiday bungalow.
- The appeal is to be heard by Inquiry

Case Officer: Nigel Banning on 01432 383093

Application No. DCNW2006/0982/F

- The appeal was received on 30th August 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 Downton Estate Ltd
- The site is located at Pryce's Barn, Downton Estate Nr Leintwardine, Herefordshire
- The development proposed is Conversion of redundant agricultural building to residential use.
- The appeal is to be heard by Written Representations

Case Officer: Philip Mullineux on 01432 261808

APPEALS DETERMINED

Application No. DCNC2004/3914/O

- The appeal was received on 14th September 2005
- The appeal was made under Section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission
- The appeal was brought by JP Farms Ltd
- The site is located at Shirlheath Buildings Shirlheath, Kingsland, Leominster, Herefordshire, HR6 9RJ
- The application, dated 27th October 2004, was refused on 8th September 2005
- The development proposed was Site for a farm workers dwelling
- The main issue is whether the agricultural arguments in this case are sufficient to justify making an exception to policies aimed at restricting residential development in the countryside

Decision: The appeal was DISMISSED on 30th August 2006

Case Officer: Philip Mullineux on 01432 261808

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

6 DCNW2006/1466/F - TO DEMOLISH EXISTING DWELLING AND ERECT FIVE NEW DWELLINGS AT YEW TREE, SHOBDON, LEOMINSTER, HEREFORDSHIRE, HR6 9ND

For: Mr B Griffiths per Mr C Goldsworthy, 85 St Owens Street, Hereford. HR1 2JW

Date Received:
11th May 2006

Ward:
Pembridge &
Lyonshall with Titley

Grid Ref:
39885, 61868

Expiry Date:
6th July 2006

Local Member: Councillor R Phillips

1. Site Description and Proposal

- 1.1 The application site lies on the north side of the B4362 road through Shobdon, almost exactly opposite the school. The application site measures approximately 0.28 of a hectare with a frontage to that road of approximately 55 metres and a depth of just over 50 metres.
- 1.2 Part of the site is currently occupied by a dwelling which is to be demolished as part of the scheme, the remainder being a paddock area from which a stable building has recently been removed. The remaining 3 boundaries of the site are adjacent to other residential properties. There is a difference in levels across the site from the road frontage approximately 3.4 metres.
- 1.3 Plot 1 indicates a two-bedroom property with the bedrooms provided in the roof space. It has a single garage attached to the double garage of Plot 2, a four-bedroomed dwelling. The remaining 3 houses are also 2-storey four-bedroomed houses with double garage attached. The design of Plots 3 and 4 are identical, with Plots 2 and 5 being very similar to one another.
- 1.4 A new access is proposed just to the west of the site of the existing dwelling to be demolished. A new single driveway will then serve all the 5 properties.
- 1.5 The ridge height of the 2-storey dwellings is approximately 8.4 metres.
- 1.6 The site lies within the settlement boundary, as indicated in the Inset Map for Shobdon within the Leominster District Local Plan and within the Revised Deposit Draft Unitary Development Plan.

2. Policies

- 2.1 Leominster District Local Plan**
A2(C) - Settlement hierarchy
A54 - Protection of residential amenity

A55 - Design and layout of housing development
A70 - Accommodating traffic from development

2.2 Hereford & Worcester County Structure Plan

H16A - Housing in rural areas
H18 - Housing in rural areas outside the Green Belt

2.3 Herefordshire Unitary Development Plan (Revised Deposit Draft)

H4 - Main villages settlement boundaries
H9 - Affordable housing
H13 - Sustainable residential design
H15 - Density
H16 - Car parking

2.4 National Policies

PPG3 - Housing
PPS1 - Sustainable development

3. Planning History

3.1 None.

4. Consultation Summary

Statutory Consultations

4.1 Welsh Water comments awaited.

Internal Council Advice

4.2 Conservation Manager: No objection in principle, but concern about formal entrance, with curved walls and pillars.

4.3 Traffic Manager: No objection.

4.4 Enabling Manager, Strategic Housing:

'Housing Needs Study for Shobdon November 2004 is showing a housing need of 7 and this is highlighted in the Herefordshire Housing Needs Assessment 2005. However the Housing Needs Study for Shobdon is a local housing needs study and is carried out on residents currently living in Shobdon, which is necessary in the case of an exception site in identifying local housing need.

I understand the site you are currently looking at is infill along with the UDP site. Therefore I have looked at Homepoint data and the bidding information which shows that for each house advertised there has been an average of 15 bids per property and based on this needs information Strategic Housing would be looking to seek 35% affordable housing on the current application opposite the school as well as the UDP site when it comes up.'

5. Representations

5.1 Shobdon Parish Council:

'We do not agree with the present application for 4 houses and one bungalow. Surrounding the property are bungalows and four large houses on elevated ground are going to look out of place, as well as causing a possible overlooking problem for the adjacent bungalow properties. We might look favourably on a suitably modified application.

Sewerage. In 1995 the Welsh Water Authority wrote to the Parish Council and stated until adequate work was carried out on the sewerage pipes no more properties should be connected to the mains sewerage. Since this date some 15 properties (including small developments) have been allowed to connect. Shobdon village experiences disgusting overspill of raw sewerage from the manholes during any heavy rainstorm. This especially affects Canterbury Road residents. WWA have made no effort to remedy the pipe situation during these years and we are very concerned about adding more properties.

Foul drainage. Although the application states soakaway we doubt whether a soakaway will cope with drainage from a sloping area during heavy rain which means the grids will overflow onto the road where it will eventually enter the main sewerage system adding to the above problems.

Stone walls are a feature of Shobdon Village and we would appreciate the stone wall fronting the property to be retained, even if it is moved back by a metre.

Traffic. The application allows for at least 10 vehicles to enter the busy main road at one of its narrowest points opposite to the school grounds. There is already great concern about the danger to children, especially at delivering and collection times of the children, when this section of the road is full of vehicles. The Parish Council and school are trying to remedy this situation by a proposal to construct a new turning area, collection/delivery adjacent to the village stores. This will cost several thousand pounds to construct and if planning consent is sought on the present application we would be looking for some planning gain to help towards the construction of this new area to alleviate the problem.'

5.2 Letters of objection have been received from:

Longreach, Blessings, Summer Lea, Pendle and Spring, Shobdon.

The objections are summarised as follows:

1. Overlooking kitchen of Longreach.
2. Suggest bungalows would blend better with the bungalows on adjoining sites.
3. Overlooking of Blessings by two of the houses.
4. Two storey dwellings would be incongruous.
5. Drainage/sewage facilities overstretched.
6. Highway safety.

5.3 In support of the application, and in relation to questions of overlooking, the agent has submitted additional cross-sectional details and a letter, summarised as follows:

- 5.3.1 "Yew Tree Cottage and the remainder of the land were owned by Mr Gwyn Dyke and he is having a replacement dwelling built as part of his settlement for releasing the remaining development land. He has lived in yew Tree Cottage all his life and has no desire to move from Shobdon.
- 5.3.2 Two applications could have been submitted, one for a replacement dwelling and one for the remaining four dwellings. Both of which I believe are covered by the current and emerging policies without the need to provide affordable housing.
- 5.3.3 It was necessary to demolish Yew Tree cottage because the existing vehicular access was so poor. The dwelling itself is of poor construction and it was also considered to be better value to build new.
- 5.3.4 Mr Dyke will be retaining the freehold of not only dwelling land but also the access land. The land that is left for development would be a lot less than 0.2 hectares.
- 5.3.5 Had it been appreciated that the emerging UDP document would have been the dominant policy and not the current planning policy we would have split the applications. Our first consultation with your authority was August 2005 and affordable housing provisions of the current planning policy did not apply to this site and for this reason we dealt with the site as a single application."
- 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 here are considered to be:

1. Overlooking
2. Scale of development
3. Highway safety
4. Affordable housing
5. Drainage

6.2 Overlooking

- 6.2.1 Concern regarding overlooking has been particularly expressed by the occupiers of Longreach, and Blessings. Longreach, a bungalow, lies 23m from the common boundary with plot 4. This plot lies approximately 1.8m lower than the garden of Longreach. There is an existing hedge which further protects the privacy of Longreach, to the extent that overlooking of the garden is confined to 2 bedroom windows and a staircase. Given the distance of the proposed dwelling of approximately 2.7m to the common boundary, the distance from the boundary of Longreach, the difference in levels and its extensive garden, it is not considered that the loss of privacy due to overlooking is so harmful as to warrant refusal.
- 6.2.2 In respect of Blessings, this has a common boundary with plots 1-3 inclusive. There is no overlooking from plot 1. The property on plot 2 lies approximately 8.4m from the boundary, with Blessings approximately 2m away and on plot 3

just 10m. There is a difference of levels between the sites of between 0.5-1m, Blessings being higher. There is also a hedge with small trees on this common boundary. It is considered that the distance of the proposed dwellings from that boundary, is, given current density requirements such that privacy and amenity is not so compromised as to sustain a reason for refusal.

6.3 Scale of Development

6.3.1 Whilst there are bungalows on adjoining sites, Shobdon exhibits a varied scale of development. The relative positions of the existing and proposed dwellings is such that the scale and development would not look out of place.

6.4 Highway safety

6.4.1 The existing access to the site has limited visibility. The highways manager has no objection to the proposed new arrangement.

6.5 Affordable housing

6.5.1 Under the current adopted Leominster District Local Plan there is no requirement for affordable housing on a site of this size. The relevant section of the deposit draft UDP however requires 35% on sites over 0.2 hectares. This is not yet the adopted plan and whilst some weight can be given to the policy, it is considered that given the local circumstances, including the availability of affordable housing elsewhere in Shobdon, it would be unreasonable to insist on an affordable element on this occasion.

6.6 Drainage

6.6.1 The comments of Welsh Water are awaited, however on a proposal elsewhere in Shobdon, for 2 bungalows, no objection was raised on sewage disposal grounds. Consequently it is not considered to constitute a reason for refusal.

6.7 Whilst the density of development proposed, at approximately 20 per hec, is below the government guideline of 30-50 per hec it is considered to be an appropriate density for the location. Additional dwellings would stretch the ability of the site to keep levels of privacy and amenity to acceptable proportions. Consequently, given the findings of the preceding paragraphs the proposal is considered to be acceptable.

RECOMMENDATION

That planning permission be granted subject to no objections from Welsh Water, which cannot be overcome by the imposition of suitable 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 - 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.

5 - E16 (Removal of permitted development rights)

Reason: In order that the local planning authority can have control over the form of development in this sensitive location.

6 - E18 (No new windows in specified elevation)

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

7 - G01 (Details of boundary treatments)

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

8 - G04 (Landscaping scheme (general))

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

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

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

10 – G09 (Retention of trees/hedgerows)

Reason: To safeguard the amenity of the area.

11 – 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.

12 – H27 (Parking for site operatives)

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

13 – F16 (Restriction of hours during construction)

Reason: To protect the amenity of local residents.

14 - F18 (Scheme of foul drainage disposal)

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

Informatives:

- 1 - N15 - Reason(s) for the Grant of PP/LBC/CAC**
- 2 - HN01 - Mud on highway**
- 3 - HN05 - Works within the highway**
- 4 - HN10 - No drainage to discharge to highway**

Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCNW2006/1466/F

SCALE : 1 : 1250

SITE ADDRESS : Yew Tree, Shobdon, Leominster, Herefordshire, HR6 9ND

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7 DCNW2006/2203/O - SITE FOR THE ERECTION OF TWO BUNGALOWS ON LAND ADJOINING MARCHES HOUSING ASSOCIATION BUNGALOWS, BAR MEADOW, SHOBDON, LEOMINSTER, HEREFORDSHIRE, HR6 9BZ

For: Corbett Farms Ltd, Shobdon, Leominster, Herefordshire, HR6 9LT.

Date Received:
7th July 2006

Ward:
Pembridge &
Lyonshall with Titley

Grid Ref:
39762, 61742

Expiry Date:
1st September 2006

Local Member: Councillor R Phillips

1. Site Description and Proposal

- 1.1 The site is located to the east of Bar Meadow, a Housing Association development of 8 bungalows, in Shobdon. It is part of a field used for agricultural purposes but is currently overgrown. The proposed site for the car park to Shobdon School (NW06/2177/F) adjoins the site to the east. To the north is a small play area and amenity space.
- 1.2 The proposal involves the construction of two semi detached bungalows for rental to local people. If planning permission is granted Marches Housing Association are interested in developing the site to extend their existing development. Access would be via Bar Meadow, which is a private road.
- 1.3 This is an outline application with external appearance, design and landscaping reserved for future consideration.

2. Policies

2.1 Central Government Guidance

PPS1 Delivering Sustainable Development
PPG 3 Housing
PPG Note 3 Housing Update Planning for Sustainable Communities in Rural Areas

2.2 Leominster Local Plan

A1 - Managing the Districts Assets and Resources
A2 - Settlement Hierarchy
A48 - Affordable Housing for Local Needs in Rural Areas

2.3 Unitary Development Plan – Revised Deposit Draft

H4 – Main Villages: Settlement Boundaries

H7 – Housing in the Countryside Outside Settlements
H9 – Affordable Housing
H10 – Rural Exception Housing
H15 - Density

2.4 Supplementary Planning Guidance

SPG – Design and Development Requirements

3. Planning History

3.1 NW1999/1556/O - Outline Planning Permission for 2 Bungalows - Refused 5th August 1999.

4. Consultation Summary

Statutory Consultations

4.1 Welsh Water - No objection subject to conditions.

Internal Council Advice

4.2 Traffic Manager - Notes that access is via a private road and has no objection subject to standard condition H12.

5. Representations

5.1 Shobdon Parish Council -

- We have no objection to the plans.
- We question who will be responsible for the path connecting Bar Meadow Estate to the playing field.
- The Parish Council still has reservations re the addition of new properties to the main sewerage system whilst its existing problems are not being resolved by Welsh Water Authority.

5.2 Local residents have been notified of the application and it has been advertised on site and in the local press. No representations received.

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 considerations in determining this application are:

- a) The principle of developing land outside the settlement boundary and the need for additional affordable housing in Shobdon
- b) Impact of the proposal on the landscape and adjoining residential properties

6.2 The site is located outside the settlement boundary identified for Shobdon in both the Leominster Local Plan and the emerging Unitary Development Plan. It is not a location where new residential development would normally be allowed. However, Policy H10 of the UDP looks favourably on affordable housing proposals adjoining rural

settlements provided they meet the criteria set out in the policy. Of particular relevance to this application is whether there is a local need for additional affordable bungalows in the village and whether the applicant is offering an agreement to ensure the benefits of affordable housing will be enjoyed in perpetuity.

- 6.3 The Council undertook an assessment of affordable housing need in Shobdon Parish in November 2004. Home Point's records have further clarified this study. Figures clearly demonstrate a significant demand exists for bungalows, especially for elderly persons who require single storey living accommodation with the number of 'bids' per bungalow far exceeding supply. The applicant is offering a Section 106 Agreement with Marches Housing Association to ensure the bungalows provide affordable homes in perpetuity.
- 6.4 The proposal is of a modest scale and will have very limited visual impact on the character of the village. The site is well located in relation to local facilities such as the village shop. The proposal is considered to meet the requirements of development plan policies subject to the applicant entering into a planning agreement.

RECOMMENDATION

- 1. The Head of legal and Democratic Services be authorized to complete a planning obligation under Section 106 of the Town and Country Planning Act 1990 in accordance with the Heads of terms set out as an annex to this report and any additional matters and terms as he considers appropriate.**
- 2. Upon completion of the aforementioned planning obligation that the Officers named in the Scheme of Delegation be authorized to issue outline planning permission subject to the following conditions:-**
 - 1 - A02 (Time limit for submission of reserved matters (outline permission))**
Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990.
 - 2 - A03 (Time limit for commencement (outline permission))**
Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990.
 - 3 - A04 (Approval of reserved matters)**
Reason: To enable the local planning authority to exercise proper control over these aspects of the development.
 - 4 - A05 (Plans and particulars of reserved matters)**
Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990.
 - 5 - G01 (Details of boundary treatments)**
Reason: In the interests of visual amenity and to ensure dwellings have satisfactory privacy.

6 - W01 (Foul/surface water drainage)

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

7 - 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.

8 - W03 (No drainage run-off to public system)

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

9 - F48 (Details of slab levels)

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

10 - H12 (Parking and turning - single house)

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

Informatives:

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

2 - N02 - Section 106 Obligation

This planning permission is pursuant to a planning obligation under Section 106 of the Town and Country Planning Act 1990.

3 - N19 - Avoidance of doubt

Decision:

Notes:

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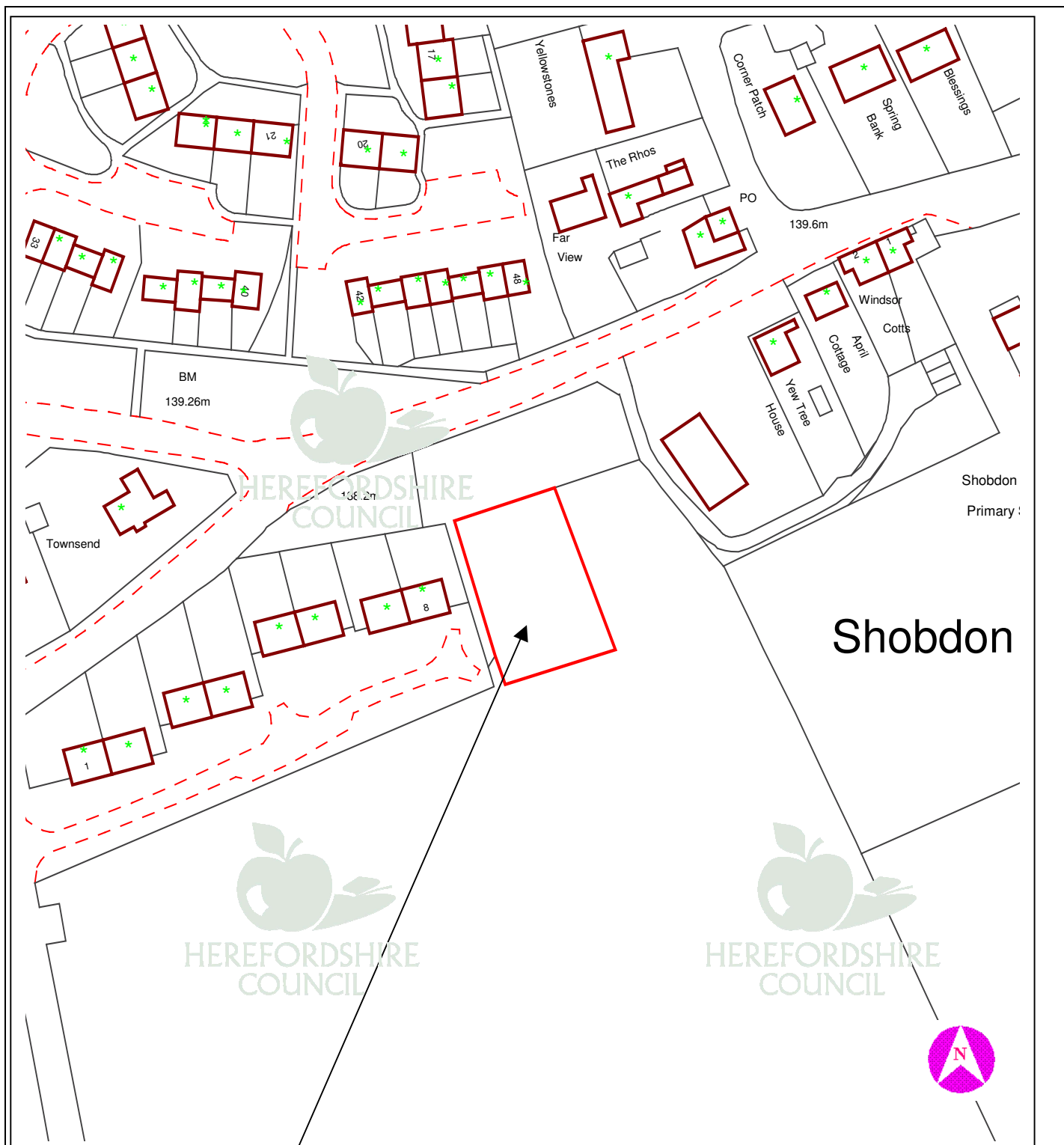
Background Papers

Internal departmental consultation replies.

DRAFT HEADS OF TERMS
Proposed Planning Obligation Agreement
Section 106 Town and Country Planning Act 1990

Planning Application – NW06/2203/O – Site for the erection of two bungalows at land adjoining Marches Housing Association Bungalows, Bar Meadow, Shobdon, Leominster, Herefordshire, HR6 9BZ

- 1 That no dwelling to be erected on the Land will from the date hereof be occupied by anyone otherwise than strictly in accordance with the provisions set out below.
- 2 All dwellings erected or to be erected on the Land shall at all times be let and managed by a registered Housing Association in accordance with its objects normal duties and responsibilities which shall include (whether formally or not) the provision of dwellings which are affordable by local people on low incomes.
- 3 The amount of rent to be charged in respect of each dwelling must be consistent with rents charged by registered Housing Associations for assured tenancies in the administrative area of the Council.
4. Each dwelling shall be allocated to a person who is considered by the registered Housing Association to be in need of such accommodation and has strong local connection with:-
 - Firstly:* Shobdon
 - Secondly:* The surrounding Parishes of Kingsland, Lucton, Aymestrey, Pembridge, Byton and Eardisland
 - Thirdly:* Anywhere else in Herefordshire
5. References in this schedule to a person having a strong local connection with the said Parishes and areas are to his having a connection with the parish –
 - 5.1 because he is, or in the past was, normally resident in that parish and that residence is or was of his own choice, or
 - 5.2 because he is employed in that parish, or
 - 5.3 because of family association, or
 - 5.4 because of special circumstances
6. The developer shall pay to the Council on or before the completion of the Agreement, the reasonable legal costs incurred by Herefordshire Council in connection with the preparation and completion of the Agreement.
7. The Agreement shall be completed by 7th January 2007 otherwise the application will be registered as deemed refused.



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APPLICATION NO: DCNW2006/2203/O

SCALE : 1 : 1250

SITE ADDRESS : Land adjoining Marches Housing Association, Bar Meadow, Shobdon, Leominster, Herefordshire, HR6 9BZ

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8 DCNW2006/2582/F - PROPOSED NEW DWELLING ON LAND ADJOINING THE HOLME, CHURCH ROAD, EARDISLEY, HEREFORD, HR3 6NJ.

For: Mr R & Mrs E Smith at above address.

Date Received:
8th August 2006

Ward: Castle

Grid Ref:
31123, 49597

Expiry Date:
3rd October 2006

Local Member: Councillor J Hope

1. Site Description and Proposal

- 1.1 The site for the proposed development is reasonably level and located between two existing residential properties, one of which, is the applicants that is located on the western side of the application site, in whose curtilage the application site is located within. Alongside the eastern elevation of the application site is a recently constructed two-storey dwelling. The unclassified 90418 public highway abuts the northern side of the application site, on opposite side of this highway are other residential properties. To the south of the proposed development site is the residential curtilage of another dwelling. Surrounding properties are of a mixed design and historic and architectural character.
- 1.2 The application proposes the construction of one detached two-storey dwelling consisting of three bedrooms and a bathroom on the first floor and a living room, kitchen, utility and dining room on the ground floor. The proposed external construction is of a brick base, rendered walls under an externally constructed cambrian slate roof. The application site measure 300 square metres and the proposed property has a ground floor space of approximately 70 square metres.

2. Policies

2.1 Leominster District Local Plan

A1 – Managing the District’s Assets and Resources
 A2(C) – Settlement Hierarchy
 A18 – Listed Buildings and their Settings
 A21 – Development within Conservation Areas
 A23 – Creating Identity and an Attractive Built Environment
 A24 – Scale and Character of Development
 A54 – Protection of Residential Amenity
 A55 – Design and Layout of Housing Development
 A70 – Accommodating Traffic from Development
 A71 – Vehicle Parking Standards for Development away from Central Shopping and Commercial Areas and Conservation Areas

2.2 Herefordshire Unitary Development Plan (Revised Deposit Draft)

S1 – Sustainable Development

S2 – Development Requirements
DR1 – Design
DR2 – Land Use and Activity
DR3 – Movement
H4 – Main Villages – Settlement Boundaries
LA2 – Landscape Character and Areas Least Resilient to Change
HBA4 – Setting of Listed Buildings
HBA6 – New Development within Conservation Areas
CF2 – Foul Drainage

3. Planning History

- 3.1 NW06/0421/F - Proposed new dwelling on land adjoining The Holme, Eardisley - Withdrawn 6th April 2006
- 3.2 NW05/3300/F - Change of use from Granny Annexe to Child Day Care facility at The Holme, Church Road, Eardisley - Approved 28th November 2005.
- 3.3 94L/0763 - Demolition of outbuildings and extension to provide accommodation for elderly relative - Approved 2nd March 1995.

4. Consultation Summary

Statutory Consultations

- 4.1 Welsh Water raises no objections subject to conditions being attached to any approval notice issued with regards to foul and surface water drainage from the site.

Internal Council Advice

- 4.2 Transportation Manager raises no objections.
- 4.3 Conservation Manager raises no objections stating that the proposal compliments the setting of the listed building and will have minimal impact on the surrounding Conservation Area.
- 4.4 Archaeology Manager raises no objections subject to the inclusion of standard condition 'DO1' with regards to site investigation.

5. Representations

- 5.1 Eardisley Parish Council has responded to the application stating:-

"No objections as such, but do we really need to crowd in another house on this site?"

- 5.2 Six letters of objection have been received to this application from:-

- Nigel Bachman, Bank House, Church Road, Eardisley.
- Mrs Sally Henshall, via email.
- Rita Bachman, 4 Eastfields, Almeley Road, Eardisley.
- Mrs. R. M. T. Beadle, 10 Eastfield, Eardisley.
- Mrs. Julia Clements, 20 Eastfileds, Eardisley.
- Mr. S. P. Wolstencroft, Sallins, Almeley Road, Eardisley.

The key issues raised in the objections are:-

- Traffic - impact of additional traffic on the busy stretch of public highway adjacent to the application site, as well as additional traffic from the site itself.
- Impact of proposed development on amenity and privacy of surrounding dwellings.
- Impact of additional development on the Conservation Area and biodiversity.
- Impact on existing utility infrastructure serving the settlement.

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 issues for consideration are:

- Impact on the adjoining public highway
- Impact on amenity and privacy of surrounding area
- Impact on the surrounding Conservation Area

Impact on the adjoining public highway

6.2 Presently there is a children's day care facility conducted from the adjacent dwelling to the application site known as The Holme, Church Road, Eardisley (the applicants dwelling within whose curtilage the application site is located within). This business was granted planning approval by the local planning authority on 28th November 2005 (see section 3.2 of this report). It is considered that this business venture generates as much if not more traffic movements on the adjacent public highway than that of a single three bedroom dwelling. The applicants have stated their willingness to cease the children's day care facilities at the premises should planning approval be granted for the proposal prior to any development on site. The Council's Transportation Manager raises no objections to the proposal. Officers are of the opinion that this scenario is acceptable and a condition attached to the approval notice if members are mindful to approve the application, will further strengthen the agreement with the applicants with regards to vehicle movements within the immediate locality.

Impact on amenity and privacy of surrounding area

6.3 The immediate area to the application site is one of residential development representing different time eras in architectural design and historic value. The proposal subject to this application is for a modest three bedroomed detached, two-storey dwelling measuring approximately 70 square metres ground floor space of similar layout and front design to the neighbouring dwelling alongside the eastern elevation of the application site. The nearest dwelling to the application site known as The Holme, is the dwelling lived in by the applicants. Other dwellings are located in excess of 10 metres from the application site and it is considered with adequate screening there will be no detrimental impact on the amenity and privacy of surrounding dwellings.

Impact on the surrounding Conservation Area

- 6.4 The proposal subject to this application is for a modest two-storey detached dwelling of similar architectural design to an existing dwelling currently under construction alongside the eastern elevation of the application site. The dwelling adjacent to the western side of the application site is a Grade II Listed Building to which the proposal will have no significant detrimental harm upon its setting, or on the setting of the surrounding Conservation Area. The site subject to this application has a roadside frontage measuring approximately 27 metres wall to wall between the existing dwellings located on either side and therefore this proposal can be considered as acceptable 'Infill' alongside the roadside frontage. The Council's Conservation Manager raises no objections to the proposed development.
- 6.5 In response to concerns raised by a member of the public with regards to water and foul water infrastructure, Welsh Water raises no objections subject to the inclusion of appropriate conditions to any approval notice subsequently issued.

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

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

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

Reason: In order that the local planning authority can control the form of development in this sensitive location.

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

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

- 8 - Foul water and surface water discharges must be drained separately from the site.

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

- 9 - No surface water shall be allowed to connect (either directly or indirectly) to the public sewerage 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.

- 10 - No land drainage run-off will be permitted, either directly or in-directly, to discharge into the public sewerage system.

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

- 11 - Prior to any development on site the Child Day Care Facility, (subject to planning application ref. NW05/3300/F – approved 28th November 2005), conducted from the dwelling currently known as The Holme, Church Road, in whose curtilage the application site subject to this application is located within, shall cease functioning and confirmation of its cessation will be submitted to the Local Planning Authority in writing by the applicants or their successors in title.

Reason: In the interests of vehicle movements in relationship to the adjoining public highway and residential amenity of surrounding dwellings as well as the dwelling subject to this planning approval.

- 12 - D01 (Site investigation – Archaeology)

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

Informative:

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

Advisory Note:

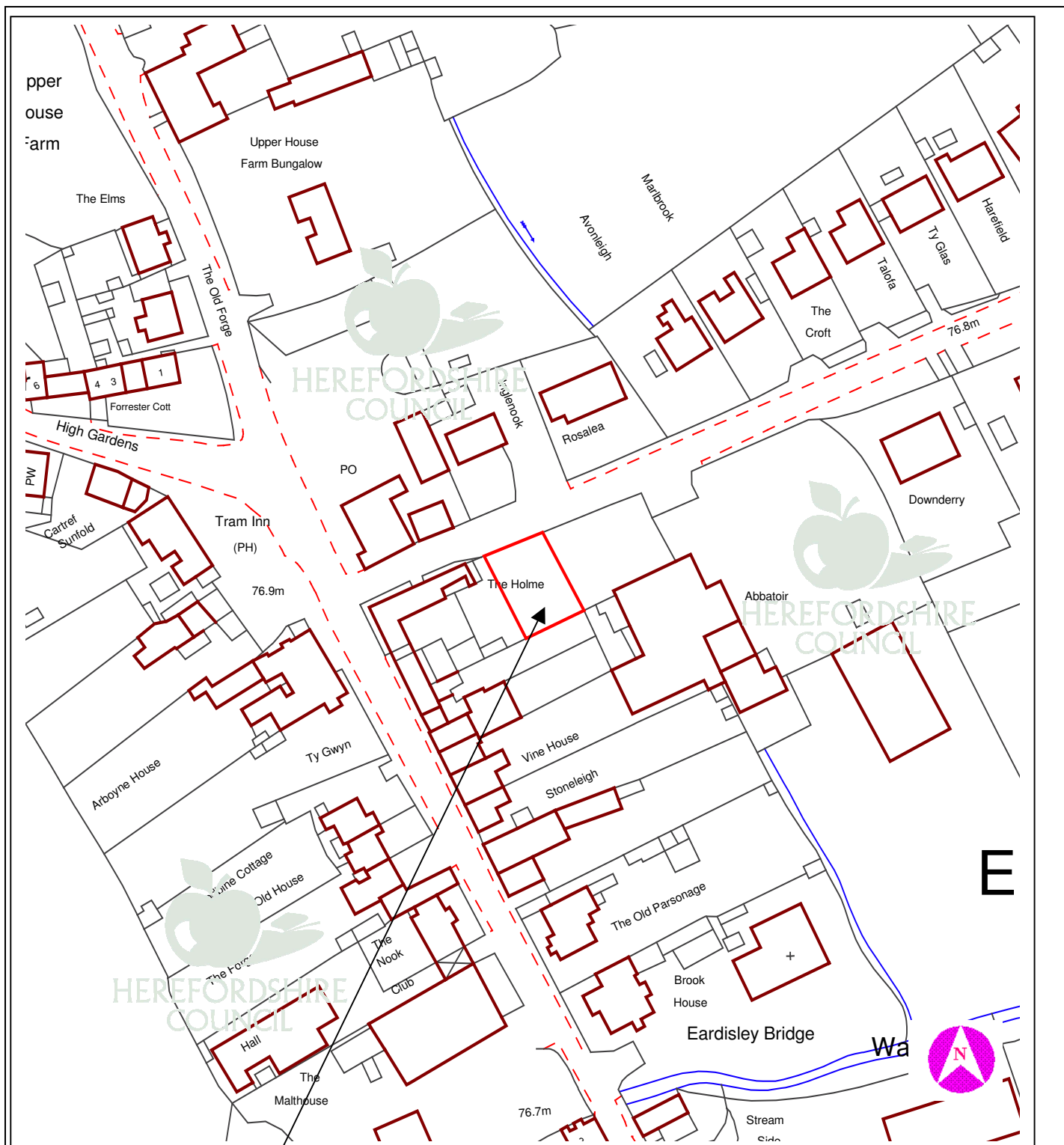
If a connection is required to the public sewerage system, the developer is advised to contact Dwr Cymru Welsh Water's Network Development Consultants on Tel No. 01443 331155.

Decision:

Notes:

Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCNW2006/2582/F

SCALE : 1 : 1250

SITE ADDRESS : Land adjoining The Holme, Church Road, Eardisley, Hereford, Herefordshire, HR3 6NJ

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9 DCNE2006/2156/F - CHANGE OF USE OF ORCHARD TO PRIVATE WINTER CARAVAN STORAGE (TEMPORARY), ANCILLARY TO SIDDINGTON FARM AT SIDDINGTON FARM, LEDDINGTON, LEDBURY, HEREFORDSHIRE, HR8 2LN

For: G & B B Houlbrooke & Son, Stansgate Planning Consultants, Conrad House, Birmingham Road, Stratford-upon-Avon, CV37 0AA

Date Received:

4th July 2006

Ward: Ledbury

Grid Ref:

69833, 35649

Expiry Date:

3rd October 2006

Local Member: Councillor P Harling, Councillor D Rule

1. Site Description and Proposal

- 1.1 The application site lies to the south of Orham Road within the Ledbury Parish. The site of approximately 2.08 hectares is sited to the west of the long-standing group of Farm buildings including the main Farmhouse. Vehicular access to the site is achieved from Orham Road to the north.
- 1.2 The applicant's operate an agricultural holding at Siddington Farm with an area of some 101 hectares of which 40 hectares are devoted to growing strawberries. A further 32 hectares are rented at Lintridge Farm and 8 hectares at Toney's Farm, Bromsberrow.
- 1.3 The growing of strawberries is a highly labour intensive operation and amounts to a significant proportion of the 270 workers upon the Farm. The growing season runs from February to November and the picking season runs from May to November. The fruit pickers originate from abroad, mostly Eastern Europe.
- 1.4 There are 69 caravans upon the site.
- 1.5 The pattern of worker numbers and the number of caravans occupied is detailed in the table below: -

MONTH	NUMBER OF MIGRANT WORKERS	NUMBER OF CARAVANS OCCUPIED
January	0	0
February	9	3
March	23	7
April	35	10
May	49	15
June	280	70
July	260	65
August	249	63
September	200	50
October	51	15
November	30	10
December	0	0

1.6 It must be recognised that the residential occupation of caravans by seasonal workers is a lawful use of land not requiring the benefit of planning permission. In addition, it appears that 40 caravans have been stored on the site all year round for a period in excess of ten years.

1.7 Therefore in essence the proposal is to store the following number of caravans in each month when agricultural workers do not occupy them: -

January	69 minus 40 = 29
February	69 minus 40 minus 3 = 26
March	69 minus 40 minus 7 = 22
April	69 minus 40 minus 10 = 19
May	69 minus 40 minus 15 = 14
June	None
July	None
August	None
September	None
October	69 minus 40 minus 15 = 14
November	69 minus 40 minus 10 = 19
December	69 minus 40 = 29

1.8 The applicant is willing to accept a temporary planning permission.

2. Policies

2.1 Central Government Advice

Planning Policy Statement 1 – ‘Delivering Sustainable Development’
 Planning Policy Statement 7 – ‘Sustainable Development in Rural Areas’
 Planning Policy Guidance Note 13 – Transport’

2.2 Hereford and Worcester County Structure Plan – June 1993

Policy CTC.9 – Development Requirements

2.3 Malvern Hills District Local Plan 1998

Landscape Policy 1
Landscape Policy 7
Landscape Policy 8

2.4 Herefordshire Unitary Development Plan May 2004

S1 – Sustainable Development
LA2 – Landscape Character and Areas Least Resilient to Change
LA6 – Landscaping Schemes

3. Planning History

3.1 None directly relevant.

4. Consultation SummaryStatutory Consultations

4.1 None

Internal Council Advice

4.2 The County Land Agent is of the view that the caravans upon the site are reasonably necessary to accommodate seasonal agricultural workers for the majority of the year.

4.3 The Transportation Manager has no objections to the proposed development.

5. Representations

5.1 Ledbury Town Council "recommend refusal". They have not stated the reason(s) why they wish to see the application refused.

5.2 The occupier of 'Park Barn Farm', Near Parkway, Ledbury objects to the proposed development on the basis of its visual impact. She is of the view that if permission is to be granted the site should be the subject of an extensive landscaping scheme.

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 site lies outside of any defined settlement and as such lies within the open countryside in planning policy terms. The majority of the caravans are reasonably required to accommodate agricultural workers the majority of the year. This does not require the benefit of planning permission. The issue then arises as to where to store the caravans when they are not required to accommodate the agricultural workers. It is

my view that it is reasonable in principle to continue to store them upon this same site for the following reasons: -

- Evidence suggests that the site may already have a lawful use for the storage of 40 caravans;
- I am not aware of any other site in the wider Ledbury area that has the benefit of planning permission for the storage of up to 29 caravans;
- If one were to require the storage of these caravans off-site it would necessitate the following movements of caravans around the surrounding rural highway network: -
 1. October – 14 caravans out
 2. November – 5 caravans out
 3. December – 10 caravans out
 4. February – 3 caravans in
 5. March – 4 caravans in
 6. April – 3 caravans in
 7. May – 5 caravans in
 8. June – 14 caravans in

It should be noted that these caravans are not ordinary touring caravans but the larger static caravans.

- The storage of these caravans in another location would represent an unsustainable pattern of development. It would require the use of a heavy transporter vehicle with the resultant CO2 emissions. Clearly such trips could be avoided if the caravans are stored upon the site.
- 6.2 The issue that then needs to be addressed is the visual impact of these stored caravans. The siting of the caravans upon the site in close proximity to the Farmhouse and the long-established range of agricultural buildings is both logical from a functional viewpoint and from a visual view. It is both traditional and appropriate to group Farm buildings and other associated development together. Furthermore the caravans stored upon this site do not project above any skyline.
- 6.3 Nevertheless whilst these caravans are not too visible from short distant public vantage points they are readily visible from long-distant vantage points. For example they are readily visible from the A417 to the east and south-east. The impact of these caravans upon the Leadon Valley requires mitigation. I consider that this could be achieved by way of appropriate indigenous planting.
- 6.4 Whilst the applicant has stated a willingness to accept a three year temporary planning I still consider that a landscaping condition is fully justified. It is evident that there have been a considerable number of caravans stored upon this site over a number of years and I find it unlikely that on the balance of probabilities the agricultural activities on the holding are likely to materially change in the short-term.
- 6.5 I would envisage the landscaping to comprise of indigenous species and to include strategic structural planting, hedgerow planting and tree planting within the site itself.
- 6.5 I therefore recommend that a conditional temporary planning permission be granted.

RECOMMENDATION

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

- 1 - The use hereby permitted shall cease and the caravans removed from the land prior to 1st March 2012.

Reason: In order that the agricultural need for the caravans upon the site can be reviewed.

- 2 - Prior to 1st December 2006 the applicant or any other person(s) carrying out the development hereby permitted shall submit and obtain the written approval of the Local Planning Authority in respect of a scheme of landscaping using indigenous species. This landscaping scheme shall include indications of all existing trees and hedgerows on the land, and details of any to be retained. 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 visual impact of the development upon the wider landscape is satisfactorily mitigated.

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

Reason: To ensure that the visual impact of the development upon the wider landscape is satisfactorily mitigated.

INFORMATIVES:

- 1 - N15 - Reason(s) for the Grant of PP/LBC/CAC
- 2 - In respect of the landscaping scheme required to be submitted pursuant to condition 2 the applicant is advised to engage the services of a suitably qualified landscape architect. The person appointed to prepare the landscaping scheme is advised to view the site from both short distances and long distances (including the A417 to the east and south-east). They are also advised to liaise closely with the Council's Landscape Officer (Juliet Wheatley - 01432-260157 - jwheatley@herefordshire.gov.uk).
- 3 - For the avoidance of any doubt the plans to which this decision relate are:-

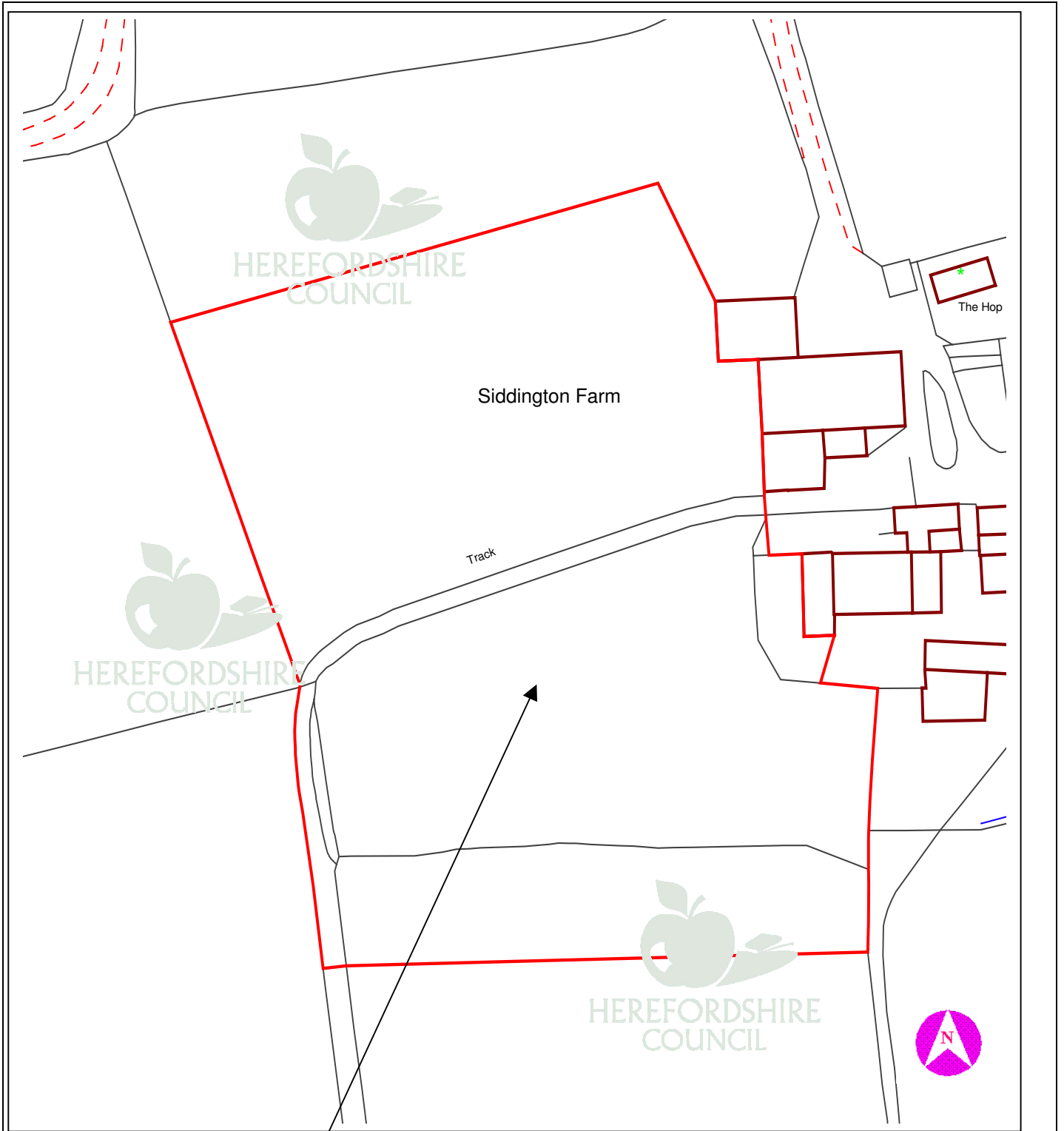
Application Site Plan Dwg No 4787/1 received 21 June 2006;
Drawing No 9146/1 received 21 June 2006;
Drawing No 91456/2 received 21 June 2006.

Decision:

Notes:

Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCNE2006/2156/F

SCALE : 1 : 1250

SITE ADDRESS : Siddington Farm, Leddington, Ledbury, Herefordshire, HR8 2LN

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10A DCNE2006/2302/F - ERECTION OF A FIRST FLOOR EXTENSION AND THE INSERTION OF TWO ROOFLIGHTS IN THE NORTH-WESTERN ELEVATION AT BURYSGATE COTTAGE, BEARSWOOD, STORRIDGE, MALVERN, WORCESTERSHIRE, WR13 5EP.

10B DCNE2006/2303/L – ERECTION OF A FIRST FLOOR EXTENSION TO SIDE AND NEW ROOFLIGHT TO EAST ELEVATION AND INTERNAL ALTERATIONS AT ABOVE ADDRESS.

For: Mr & Mrs G Best per Stainburn Taylor & Michael Reardon Architects, Bideford House, Church Lane, Ledbury, Herefordshire, HR8 1DW

Date Received:

12th July 2006

Expiry Date:

6th September 2006

Local Member: Councillor Roy Stockton

Ward: Hope End

Grid Ref:

73461, 49165

1. Site Description and Proposal

- 1.1 This report relates to both an application for full planning permission and an application for listed building consent.
- 1.2 The application site lies on the western side of a narrow country lane within the Malvern Hills Area of Outstanding Natural Beauty. The site lies within the Parish of Cradley.
- 1.3 Currently upon the site is a modest two storey country cottage that has a modern single storey side extension attached to its south-western side/flank elevation. The dwelling is Grade 2 listed being an early eighteenth century timber framed cottage with a "cat-slide" roof to its rear (north-western) elevation.
- 1.4 The proposal is to erect a first floor side extension over the existing ground floor side extension upon the south-western side elevation. This is designed such that the eaves line upon the south-eastern elevation (front) of the proposed extension is marginally lower than that of the original building and the ridge level is 25 cm lower than the ridge line of the original dwelling.
- 1.5 The proposed extension would have the effect of creating a third bedroom to the property. This bedroom would have an en-suite bathroom. The existing first floor shower room would become a smaller WC with handbasin. This room would be devoid

of any natural ventilation. Ventilation would be provided mechanically with an in line tile vent being provided. Such an in-line vent would also be provided to the new en-suite.

- 1.6 Two rooflights are also proposed to be inserted in the north-western rear elevation. These modestly proportioned rooflights would serve both the landing and the new en-suite. These rooflights would provide both natural light and natural ventilation.

2. Policies

2.1 Central Government Advice

Planning Policy Statement 1 – Delivering Sustainable Development
Planning Policy Statement 7 – Sustainable Development in Rural Areas
Planning Policy Guidance Note 15 – Planning and the Historic Environment

2.2 Hereford and Worcester County Structure Plan 1993

Policy CTC.1 - Areas of Outstanding Natural Beauty
Policy CTC.9 – Development Requirements

2.3 Malvern Hills District Local Plan 1993

Conservation Policy 9 – Alterations and extensions to listed buildings
Landscape Policy 2 – Areas of Outstanding Natural Beauty
Housing Policy 16 – Extensions

2.4 Herefordshire Unitary Development Plan Revised Deposit Draft May 2004

Policy DR1 – Design
Policy H18 – Alterations and extensions
Policy LA1 – Areas of Outstanding Natural Beauty
Policy HBA1 – Alterations and extensions to listed buildings

3. Planning History

NE2002/1028/F - Demolition of existing kitchen lean-to & erection of new replacement.
Internal alterations - Permitted 31/05/06

NE2002/1029/L - Demolition of existing lean-to & erection of new replacement. Internal alterations - Permitted 31/5/06

4. Consultation Summary

Statutory Consultations

- 4.1 None

Internal Council advice

- 4.2 The Conservation Section do not object to the proposed development

5. Representations

- 5.1 Cradley Parish Council has no objections to the proposed development.
- 5.2 The occupiers of 'Pogles', Bearswood Common and 'Upper Refields', Bearswood object to the proposed development upon the following summarised grounds: -
- The insertion of two rooflights in the north-western rear elevation would harm the character and appearance of the listed building and its surroundings.
 - The potential provision of ventilation ducting from the first floor WC through the roof of the building would be harmful to the character and appearance of the listed building.
 - The adequacy of the existing foul sewage disposal arrangements to cater with the addition of a further bedroom with en-suite.
- 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 property the subject of this application lies outside of any defined settlement. As such the site lies within the open countryside in planning policy terms. Furthermore the site lies within an Area of Outstanding Natural Beauty. As stated above the building is Grade 2 listed.
- 6.2 Development Plan policies do provide for modest extensions to original dwellings within the countryside. The width of the proposed extension (over the existing ground floor extension) is limited to 3.2 metres. This equates to approximately one-third of the width of the original dwelling. It is considered that the extension is modest in scale.
- 6.3 With regard the design of the extension itself, one would normally expect such an extension to appear subservient to the original building. One can achieve this affect through a variety of architectural techniques including: -
- Setting the extension back from the original front building line (by say 1 metre);
 - The aforementioned "set-back" design would normally create an articulation in the ridge line by creating a ridge line of the extension approximately 0.6 metre lower than the ridge line of the original building;
 - Utilising differing materials upon the external surfaces of the extension, thus creating a visual distinction.
- 6.4 In this particular case the Architect's parameters have been somewhat limited by the fact that there is an existing ground floor extension and the applicant naturally wishes to construct a first floor extension upon the existing structure rather than remove the existing ground floor extension and erect a fresh two storey extension.
- 6.5 The design, that was the subject of pre-application discussions with the Conservation Section, breaks the physical mass and creates a visual distinction between the original building and the proposed extension by; -
- Utilising feather edged boarding upon the first floor elevation of the extension.
 - Setting the ridge line of the extension below that of the original dwelling by 25cm

- 6.6 It is considered that this design approach ensures that the proposed extension would appear subservient and creates a visual distinction between the original and the new without compromising the integrity of the building.
- 6.7 With regard the ventilation to the first floor WC within the original building, it is proposed to provide this via an in-line tile vent. The detail of this is such that it would barely be noticeable.
- 6.8 The proposed two rooflights are to be inserted in the rear elevation. Whilst they would be visible from public vantage points, their scale are modest. Furthermore it is considered that a condition be attached controlling the precise design / type of these rooflights.
- 6.9 The foul sewage disposal arrangements would be dealt with under the requisite building regulations application.
- 6.10 It is therefore recommended that both full conditional planning permission and listed building consent be granted: -

RECOMMENDATION

DCNE2006/2302/F

That planning permission be granted subject to the following conditions:

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

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

- 2 - Prior to commencement of the development hereby permitted, samples of the materials to be used in the construction of the external surfaces of the building hereby permitted shall be submitted to the Local Planning Authority for their written approval. The development hereby permitted shall not commence until the Local Planning Authority has given such written approval. The development shall be carried out in strict accordance with the approved materials and thereafter maintained as such.**

Reason: To safeguard the character and appearance of the Grade 2 Listed Building and the surrounding countryside that hereabouts is designated as an Area of Outstanding Natural Beauty.

- 3 - Prior to the commencement of the development hereby permitted large scale drawings of all fenestration (including of the rooflights) shall be submitted to the Local Planning Authority for their written approval. The development hereby permitted shall be carried out in strict accordance with the approved plans and thereafter maintained as such.**

Reason: To safeguard the character and appearance of the Grade 2 Listed Building and the surrounding countryside that hereabouts is designated as an Area of Outstanding Natural Beauty.

Informatives:

- 1 - N15 - Reason(s) for the Grant of PP/LBC/CAC
- 2 - For the avoidance of any doubt the plans to which this decision relates are:
 - Application Site Plan (Scale 1:1250) - Drawing Number 2371/001 received 12 July 2006;
 - Existing Floor Plan (Scale 1:50) - Drawing Number 2371/01 received 12 July 2006;
 - Existing Elevations (Scale 1:100) - Drawing Number 2371/02 received 12 July 2006;
 - Proposed Floor Plans (Scale 1:50) - Drawing Number 2371/10 received 12 July 2006;
 - Proposed Elevations (Scale 1:100) - Drawing Number 2371/11 received 18 August 2006; and
 - In-line roof vent detail received 18 August 2006.

DCNE2006/2303/L

That Listed Building Consent be granted subject to the following conditions:

- 1 - CO1 – Time Limit for Commencement (Listed Building Consent)

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

- 2 - Prior to commencement of the development hereby permitted, samples of the materials to be used in the construction of the external surfaces of the building hereby permitted shall be submitted to the Local Planning Authority for their written approval. The development hereby permitted shall not commence until the Local Planning Authority has given such written approval. The development shall be carried out in strict accordance with the approved materials and thereafter maintained as such.

Reason: To safeguard the character and appearance of the Grade 2 Listed Building and the surrounding countryside that hereabouts its designated as an Area of Outstanding Natural Beauty.

- 3 - Prior to the commencement of the development hereby permitted large scale drawings of all fenestration (including of the rooflights shall be submitted to the Local Planning Authority for their written approval. The development hereby permitted shall be carried out in strict accordance with the approved plans and thereafter maintained as such.

Reason: To safeguard the character and appearance of the Grade 2 Listed Building and the surrounding countryside that hereabouts is designated as an Area of Outstanding Natural Beauty.

Informatives:

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

2 - For the avoidance of any doubt the plans to which this decision relates are:

- **Application Site Plan (Scale 1:1250) - Drawing Number 2371/001 received 12 July 2006;**
- **Existing Floor Plan (Scale 1:50) - Drawing Number 2371/01 received 12 July 2006;**
- **Existing Elevations (Scale 1:100) - Drawing Number 2371/02 received 12 July 2006;**
- **Proposed Floor Plans (Scale 1:50) - Drawing Number 2371/10 received 12 July 2006;**
- **Proposed Elevations (Scale 1:100) - Drawing Number 2371/11 received 18 August 2006; and**
- **In-line roof vent detail received 18 August 2006.**

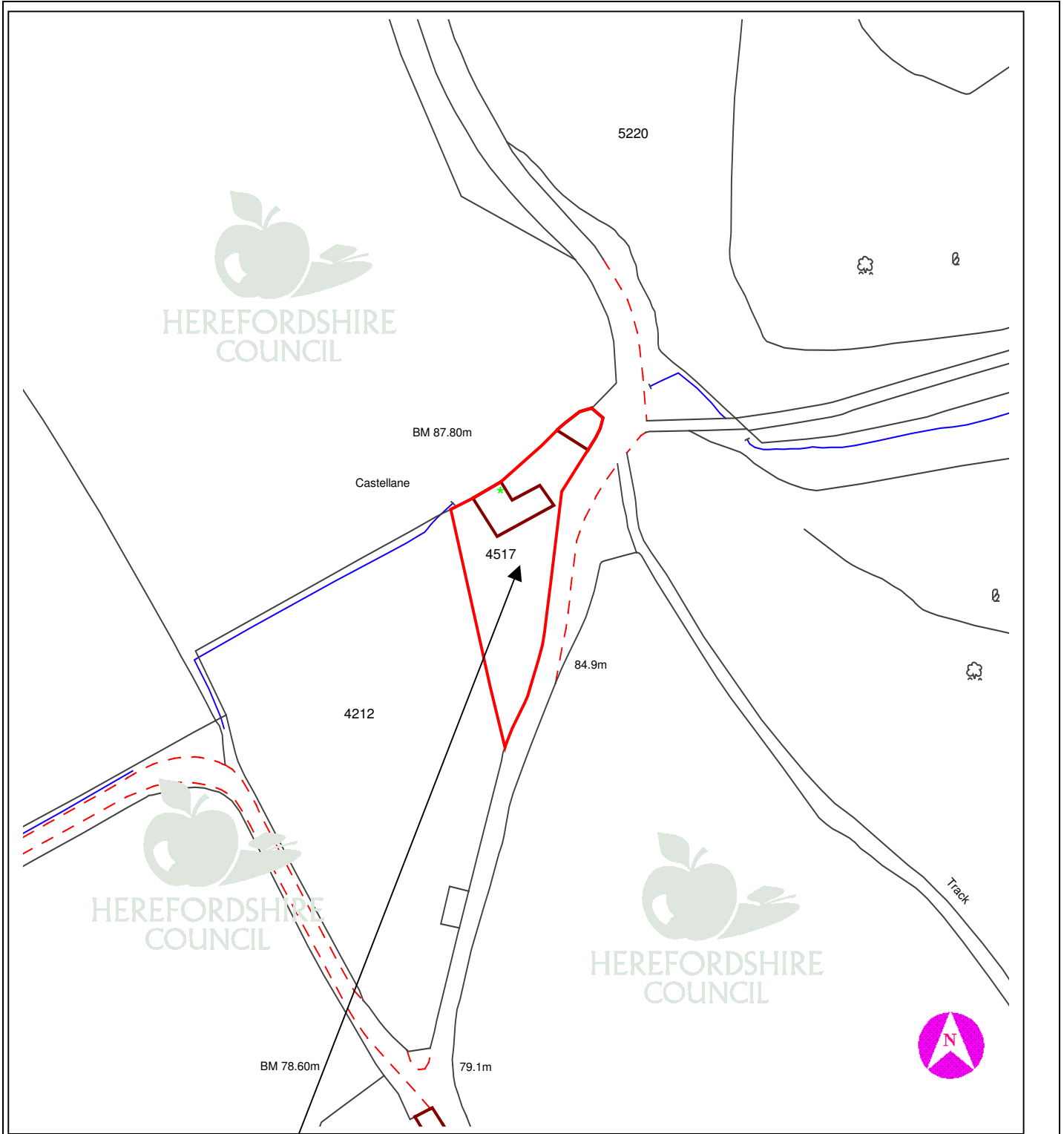
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCNE2006/2302/F

SCALE : 1 : 1250

SITE ADDRESS : Burysgate Cottage, Bearswood, Storridge, Malvern, Worcestershire, WR13 5EP

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11 DCNC2006/2174/F - CONVERSION OF EXISTING HOUSE INTO 3 APARTMENTS AT 84 ETNAM STREET, LEOMINSTER, HEREFORDSHIRE, HR6 8AN.

For: Mr D Palmer at above address.

Date Received:
5th July 2006

Ward:
Leominster South

Grid Ref:
50029, 58924

Expiry Date:
30th August 2006

Local Members: Councillors R Burke and J Thomas

1. Site Description and Proposal

- 1.1 84 Etnam Street lies on its northern side and is part of a terrace of 2 1/2 storey dwellings located hard onto the road frontage. It is brick built under a slate roof. A large lean-to extension has been added to the rear elevation. It is rendered with a tiled roof and is a large, unsightly addition, disproportionate to the terrace as a whole.
- 1.2 The application has been amended since its original submission and is now simply for the sub-division of the property into three apartments. A proposal to create a pitched roof over the existing extension has been withdrawn from the scheme following concerns being raised by neighbours regarding loss of daylight.

2. Policies

2.1 Leominster District Local Plan

- A54 - Protection of Residential Amenity
- A57 - Sub-division of Houses
- A70 - Accommodating Traffic from Development

2.2 Herefordshire Unitary Development Plan (Revised Deposit Draft)

- H16 - Car Parking
- H17 - Sub-Division of Existing Housing

3. Planning History

- 3.1 None identified.

4. Consultation Summary

Statutory Consultations

- 4.1 None required.

Internal Council Consultations

- 4.2 Transportation Manager – Considers that there will be no net increase in parking demand. This is based on the fact that there are similar number of bedrooms proposed to those already existing. Note also that one-bedroom flats have significantly lower car ownership rates than other dwelling types. It is also worth noting that in the 2001 Census, the percentage of households without access to a car or van was 26.4%

in Leominster South and 22.4% in Leominster north. Demand for dwellings without car parking clearly exists. I consider that because of the town centre location, and easy access to transport and local services, the proposal easily meets the standards of PPG 3, and we have no reasonable grounds to recommend refusal because of lack of car parking that would be successful at an appeal. In conclusion there is no objection subject to the inclusion of a condition requiring provision to be made for cycle storage.

5. Representations

5.1 Leominster Town Council - Recommends refusal due to overcrowding, noise, car parking problems and general loss of amenity to neighbouring properties.

5.2 Seven letters of objection have been received from local residents. In summary the points raised are as follows:

- Concerns about parking.
- Increased pressure on infrastructure of high density living.
- Loss of amenity caused by 'Juliet' balcony.
- Loss of amenity caused by sub-division.
- No consideration of refuse storage.

5.3 A letter has also been received from Lloyds & Cooper Solicitors on behalf of their client at No 3 Caswell Terrace. It highlights a discrepancy over the position of a footpath on the plans.

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 There are two main issues in relation to this application and they are car parking and residential amenity.

6.2 With respect to car parking, the comments of the Transportation Manager are most relevant. They highlight trends in car use in respect of one bedroom flats and demonstrate that there is generally less dependency on the car. It is also noted that the property is close to the town centre and therefore has the potential for reduced car usage.

6.3 The proposal seeks the creation of three one bed apartments whilst the property currently exists as a five bedroomed dwelling. In your officer's opinion, it is reasonable to expect that its uses as a single dwelling could generate a need for at least three parking spaces, if not more. The proposal is therefore unlikely to result in a net increase in on-street parking and does not justify the refusal of the application.

6.4 The issue of amenity would appear to be founded principally on a perception that high density living will result in anti-social behaviour, a point raised in a number of the objection letters. This is not something that can be substantiated on planning grounds.

6.5 Letters also refer to noise nuisance likely to be caused through a more intensive use of the building and the fact that it is not appropriately insulated. A condition requiring the submission of sound attenuation measures prior to the commencement of development would address these concerns.

- 6.6 Finally reference is made to the inclusion of a 'Juliet' balcony on the rear elevation. Its design is such that it does not provide a functional space to allow its user to sit outside, but simply allows a full height door to be used at a first floor level. Whilst balconies are not encouraged in residential areas due to the amount of overlooking that they are likely to cause, the design of this is unlikely to create any significant increase over and above that of a window.
- 6.7 The concern about the right of access has been addressed through the submission of an amended detail. Provision of adequate refuse storage facilities can be addressed by condition.
- 6.8 It is therefore concluded that the proposal accords with the relevant policies in respect of parking and amenity and the application 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 - **A09 (Amended plans)**
Reason: To ensure the development is carried out in accordance with the amended plans.
- 3 - **F01 (Scheme of noise attenuating measures)**
Reason: To safeguard the amenity of the area.
- 4 - **F39 (Scheme of refuse storage)**
Reason: In the interests of amenity.

Informative:

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

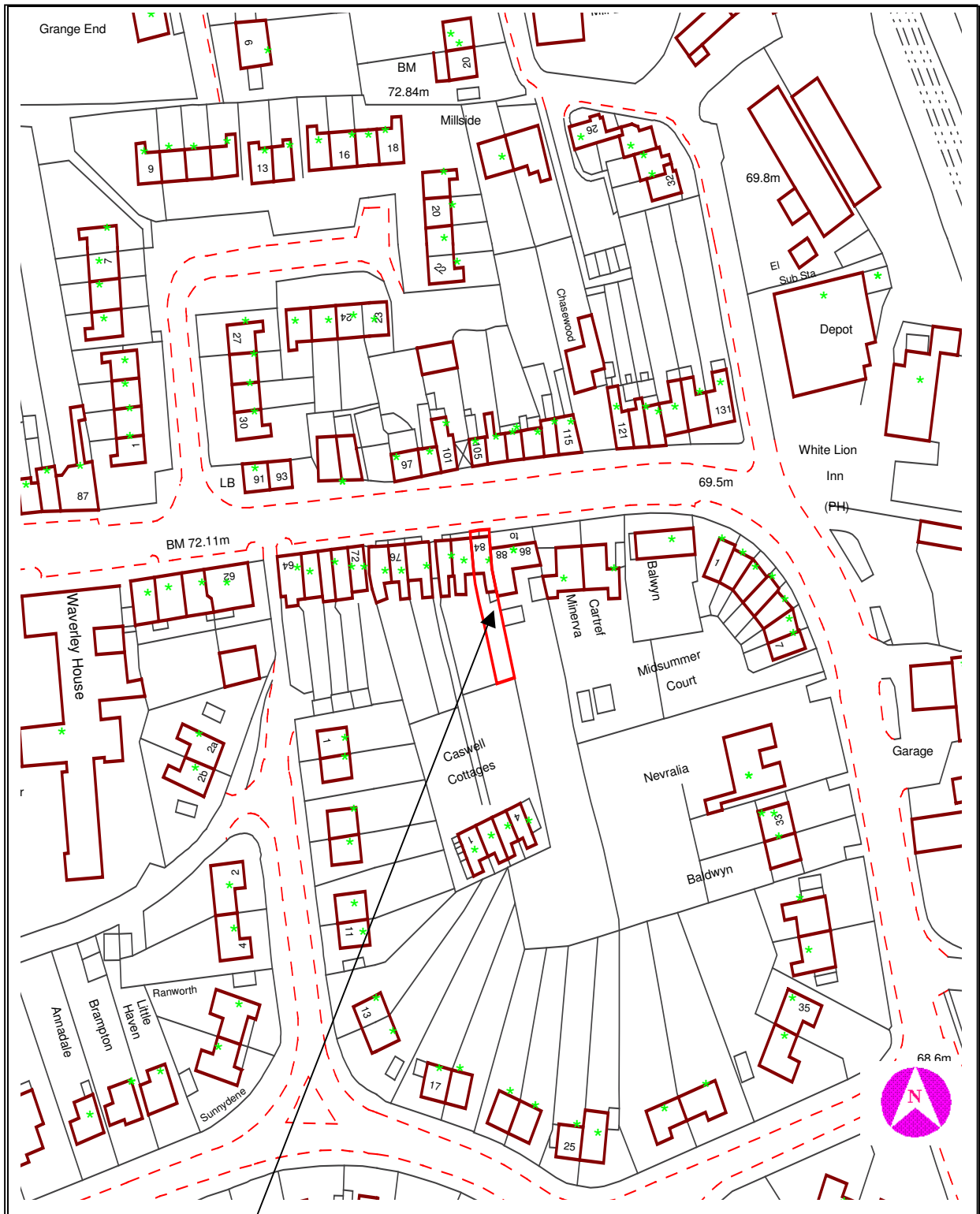
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCNC2006/2174/F

SCALE : 1 : 1250

SITE ADDRESS : 84 Etnam Street, Leominster, Herefordshire, HR6 8AN

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12 DCNC2006/2202/F - DEMOLITION OF POLICE STATION AND CONSTRUCTION OF 12 APARTMENTS WITH ASSOCIATED PARKING AND FACILITIES AT LEOMINSTER POLICE STATION, RYELANDS ROAD, LEOMINSTER, HEREFORDSHIRE, HR6 8NZ

For: West Mercia Constabulary, Buttress Fuller Alsop Williams, 31 - 33 Princess Street, Manchester, M2 4BF

Date Received:

7th July 2006

Expiry Date:

6th October 2006

Local Member: Councillor D Burke, Councillor J Thomas

Ward:

Leominster South

Grid Ref:

49364, 58833

1. Site Description and Proposal

- 1.1 This site the current police station, is located near to the town centre of Leominster and flanks the north western side of Ryelands Road. The site is within a designated residential area with houses to the south and west. There are two storey non-residential buildings to the north and east. The existing police station is a two storey building with a flat roof, and a garage building at the rear. There are parking areas to the front and rear of the building and existing vehicular accesses, one directly onto Ryelands Road and one onto the access drive on the eastern side.
- 1.2 The proposal is to demolish the existing police station and redevelop the site by erecting a three storey residential apartment building containing 12 apartments (11 two bedroom and 1 one bedroom). There will be four apartments on each floor. There will also be parking facilities at the rear of the proposed building with vehicular access onto the adjacent driveway. The proposed building will be externally clad in brickwork and render with a slate roof.

2. Policies

- 2.1 PPS1 – Delivering Sustainable Development
PPG3 – Housing

2.2 Hereford and Worcester County Structure Plan

Policy H2B – Location of Housing (General)
Policy CTC9 – Development Criteria

2.2 Leominster District Local Plan

Policy A1 – Managing the District's Assets and Resources
Policy A2 – Settlement Hierarchy
Policy A24 – Scale and Character of Development
Policy A54 – Protection of Residential Amenity

2.3 Herefordshire Unitary Development Plan (Revised Deposit Draft)

Policy S2 – Development Requirements
Policy S3 – Housing
Policy DR1 – Design
Policy H1 – Hereford and the Market Towns – Settlement Boundaries
Policy H14 – Re-using Previously Developed Land and Buildings
Policy H16 – Car Parking
Policy H19 – Open Space Requirements
Policy DR5 – Planning Obligations
Policy CF2 – Foul Drainage
Policy T11 – Parking
Policy CF6 – Retention of Existing Facilities

2.4 Supplementary Planning Guidance

Design and Development Requirements

3. Planning History

3.1 No relevant history.

4. Consultation Summary

Statutory Consultations

4.1 Welsh Water advises that the proposed development would overload the existing public sewerage system. Improvements are planned for completion by 1st April 2008. Any new development is premature and Welsh Water objects to the development unless conditions can be imposed on any permission preventing occupation of the new development prior to the completion of these essential works.

Internal Council Advice

4.2 The Traffic Manager recommends that any permission includes a condition requiring the provision of secure cycle parking and also financial contributions towards sustainable transport measures.

4.3 The County Archaeologist comments that the site is within a designated Area of Archaeological Importance and also adjacent to former city defences, a Schedule Ancient Monument and recommends that a condition is imposed requiring the submission of a scheme of archaeological investigation.

4.4 The Head of Planning Services (Forward Planning Section) advises that the principle of housing on this site is supported in policy terms.

5. Representations

5.1 In support of the proposal the agent advises that the site is close to the town centre and its amenities. The current police station will be relocated to a new location and the proposal will enable redevelopment of what will be a brownfield site and will reduce the need to travel. Mixture of design and variety of materials in the area. The proposed three storey building has been designed to be in keeping with the streetscape. The roof will be stepped down to engage adjacent buildings. Use of external materials and

design to reflect scale and design of adjacent buildings. Use of materials to be in keeping with buildings in the area. The building will enhance the existing streetscape.

5.2 The Town Council recommends approval but has reservations about the scheme and design as set out. Council would wish to see something more in keeping with the local vernacular and local materials.

5.3 There have been two letters of support from:-

- Valerie Hands, Westbury House, Ryelands Road, Leominster, HR6 8NZ
- Leominster Civic Trust, Westbury House, Ryelands Road, Leominster, HR6 8NZ

The main points being:-

- New building should be considerably more in harmony with existing houses than the present building.
- There are trees shown on drawings which would have a softening effect on the building.
- No objection to the building but the existing road from Ryelands Road to Leominster Building Supplies is in an appalling condition and should be upgraded to full adoption standards by the developer.

5.4 There has been one letter of objection from Steven Bosworth, Timaeus, Ryelands Road, Leominster, Herefordshire, HR6 8NZ

The main points being:-

- Proposed development unsympathetic with existing street architecture. A similar development to the existing Westbury Cottages would be more appropriate and have less of an impact on Ryelands Road.
- The development could have been spread over two storeys.
- A previous proposal by the objector to raise the roof line of his existing dwelling by one foot was considered informally by the Planning Department and he was advised that this would not be acceptable. The same thinking should apply to this current proposal.
- The vehicular access situation at present is very dangerous. Perhaps double yellow lines could be placed by the entrance to afford a clear view along Ryelands Road.
- Three bedroomed dwelling units would be more appropriate for families.

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 main issues relate to:-

- i. The principle of erecting dwellings on this site.
- ii. The size and design of the proposed building and its effect on the character and appearance of the area.
- iii. The effect of the development on adjacent land uses and the residential amenities of neighbouring dwellings.
- iv. Parking and highway safety.

- v. Financial contributions required under Section 106 Agreement.
- 6.2 The size and design of the proposed new building is considered to be acceptable and will not over dominate the street scene. The applicant has successfully attempted to reduce the height of the building and incorporate features e.g. a low and stepped roofline to lessen its visual impact. The proposed building will not be any higher than the existing three storey building on the opposite side of the road. The proposed building will look far better than the existing Police Station building, which is to be demolished.
- 6.3 The siting of this residential building in this area designated for residential use in the local plan is considered to be acceptable. The proposed development will not adversely affect the residential amenities of any of the neighbouring dwellings nor the use of any of the other nearby buildings.
- 6.4 The objector has raised concerns regarding the highway safety aspects of the proposed development. However the Council's Traffic Manager has raised no concerns from this point of view and it considered that visibility onto Ryelands Road is acceptable. The objector also refers to the Council objecting to him proposing to raise the roof of his dwelling as a result of informal advice from the Council's Planning Department. However planning policies relating to enlarging or extending existing dwellings are not the same as the policies for the erection of new dwellings.
- 6.5 A Section 106 Agreement will be required to facilitate various financial contributions required for education, highway improvements and play/open space areas. A Draft Heads of Terms is attached to this report, which provides an outline of the requirements of the Section 106 Agreement.
- 6.6 In conclusion it is considered that the proposed development is acceptable and in accordance with the relevant planning policies and guidance for the area. In particular Policies A1, A2, A24 and A54 of the Leominster District Local Plan.

RECOMMENDATION

That planning permission be granted subject to:-

- 1 - The Head of Legal and Democratic Services be authorised to complete a planning obligation under Section 106 of the Town and Country Planning Act 1990 to (as set out in Heads of Agreement) and any additional matters and terms as he considers appropriate.**
- 2 - Upon completion of the aforementioned planning obligation that 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 - A07 (Development in accordance with approved plans)**

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

3 - B01 (Samples of external materials)

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

4 - G02 (Landscaping scheme (housing development))

Reason: To ensure a satisfactory and well planned development and to preserve and enhance the quality of the environment.

5 - G03 (Landscaping scheme (housing development) - implementation)

Reason: To ensure a satisfactory and well planned development and to preserve and enhance the quality of the environment.

6 - Unless otherwise first agreed in writing by the local planning authority, none of the buildings hereby approved shall be occupied until essential improvements to the public sewerage system have been completed by Dwr Cymru Welsh Water, and the local planning authority have been informed in writing of its completion. This work is scheduled for completion by 1st April 2008.

Reason: To mitigate the existing hydraulic overloading of the public sewerage system and ensure the local community and environment are not unduly compromised.

7 - W01 (Foul/surface water drainage)

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

8 - 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.

9 - W03 (No drainage run-off to public system)

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

10 - D01 (Site investigation - archaeology)

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

11 - 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.

12 - 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.

INFORMATIVES:

- 1 - N03 - Adjoining property rights
- 2 - The applicants should be aware that this planning permission does not over-ride any civil/legal rights enjoyed by adjacent property owners. If in doubt the applicant is advised to seek legal advice on the matter.
- 3 - N16 - Welsh Water Informative
- 4 - ND01 - Scheduled Monument Consent
- 5 - ND02 - Area of Archaeological Importance
- 6 - ND03 - Contact Address
- 7 - N15 - Reason(s) for the Grant of PP/LBC/CAC

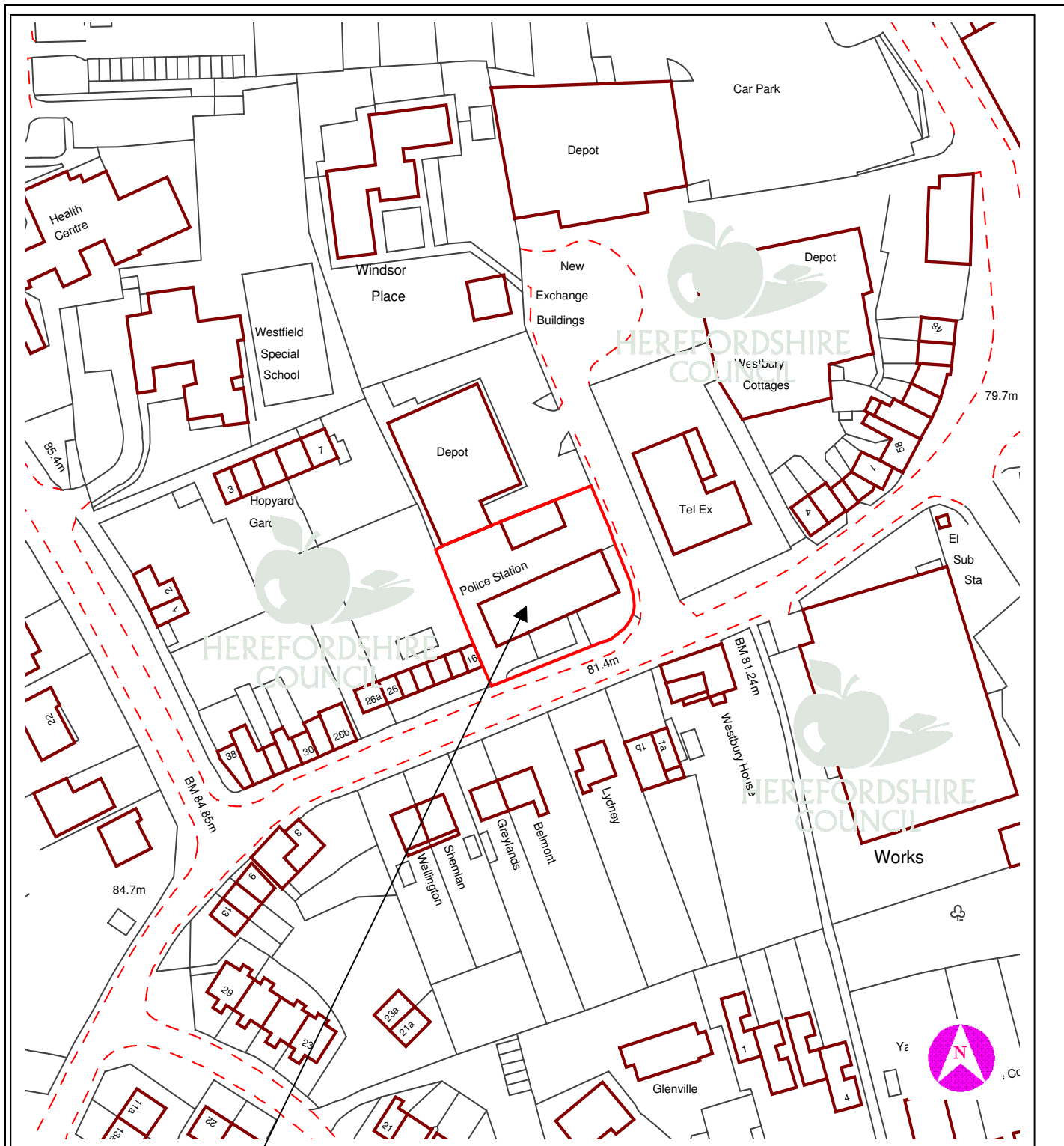
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCNC2006/2202/F

SCALE : 1 : 1250

SITE ADDRESS : Leominster Police Station, Ryelands Road, Leominster, Herefordshire, HR6 8NZ

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DRAFT HEADS OF TERMS
Proposed Planning Obligation Agreement
Section 106 of the Town and Country Planning Act 1990

Planning Application – DCNC2006/2202/F

Demolition of Police Station and Construction of 12 Apartments with Associated Parking and facilities at Leominster
Police Station, Ryelands Road, Leominster, Herefordshire, HR6 8NZ

1. The developer covenants with Herefordshire Council, in lieu of the provision of a children's play area on the land to serve the development to pay Herefordshire Council the sum of £7560 which sum shall be paid on or before the commencement of the development.
2. The monies shall be used by Herefordshire Council at its option for any or all of the following purposes:-
 - (i) Enhancement of infrastructure (e.g. footpaths to swimming pool and new entrance to play area) for Sydonia Open Space
3. In the event that Herefordshire Council does not for any reason use the said sum, within 10 years of the date of this agreement, the Council shall repay the developer the said sum or such part thereof which has not been used by Herefordshire Council.
4. The developer covenants with Herefordshire Council to pay Herefordshire Council the sum of £24,000 to provide education improvements to schools in Leominster which sum shall be paid on or before the commencement of the development.
5. In the event that Herefordshire Council does not for any reason use the said sum in clause 4 for the purposes specified in the Agreement within 10 years of the date of this Agreement, the Council shall repay to the developer the said sum or such part thereof which has not been used by Herefordshire Council.
6. The developer covenants with Herefordshire Council, to pay Herefordshire Council the sum of £18,000 to provide sustainable transport improvements in the Leominster area. The sum shall be paid on or before the commencement of development.
7. The monies shall be used by Herefordshire Council for contributions to schemes such as, but not limited to:-
 - (i) Improvements to footways in Leominster for disabled pedestrians
 - (ii) Traffic calming measures in Holland Road area
 - (iii) Contributions to Safe Routes to School in the Central Leominster area
 - (iv) Contribution to Sustrans route development through Leominster
8. In the event that Herefordshire Council does not for any reason use the said sum of clause 6 for the purposes specified in the agreement within 10 years of the date of this agreement, the Council shall repay to the developer the said sum or such part thereof, which has not been used by Herefordshire Council.
9. The sums referred to in paragraphs 1, 4 and 6 above shall be linked to an appropriate index or indices selected by the Council with the intention that such sums will be adjusted according to any percentage increase in prices occurring between the date of the Section 106 Agreement and the date the sums are paid to the Council.
10. The developer shall pay to the Council on or before the completion of the Agreement, the reasonable legal costs incurred by Herefordshire Council in connection with the preparation and completion of the Agreement.
11. The developer shall complete the Agreement by 5th October 2006 otherwise the application will be registered as deemed refusal.

N Banning

31st August 2006

13A DCNC2006/2454/F - PROPOSED TWO STOREY EXTENSION AND ALTERATIONS AT 114 THE BARGATES, LEOMINSTER, HEREFORDSHIRE, HR6 8QU

13B DCNC2006/2455/C - DEMOLITION OF EXISTING GARAGE AND REAR EXTENSION AND ERECTION OF TWO STOREY EXTENSION AND ALTERATIONS AT ABOVE ADDRESS.

For: Mr & Mrs S Littleworth per Mr D F Baume, David F Baume Chartered Architect, Churchways, Jewkes Lane, Kington on Teme, Worcestershire WR15 8LZ

Date Received:
28th July 2006

Ward:
Leominster North

Grid Ref:
48801, 59005

Expiry Date:
22nd September 2006

Local Members: Councillors J French and Brig P Jones CBE

1. Site Description and Proposal

- 1.1 114 The Bargates is one of a pair of symmetrically designed, semi detached houses lying within Leominster Conservation Area. They are inter-war dwellings dating from the 1930s characterised by their hipped roof and full height bay windows. The property is part brick, part render with a tiled roof. A single garage has been added to the side.
- 1.2 The application proposes to demolish a single storey element to the rear of the dwelling and replace it with a two storey extension on the same footprint. The scheme also includes a single storey addition with a hipped roof between the new two storey extension and the boundary with 112 The Bargates, and a small open sided addition to the side over the kitchen door. The scheme is detailed to match the existing dwelling with part brick and render.
- 1.3 A separate application for Conservation Area Consent is also to be considered at this time.

2. Policies

2.1 Leominster District Local Plan

A21 - Development within Conservation Areas

A54 - Protection of Residential Amenity

A56 - Alterations, Extensions and Improvements on Dwellings

2.2 Herefordshire Unitary Development Plan (Revised Deposit Draft)

H18 - Alterations and Extensions

HBA6 - New Development within Conservation Areas

HBA7 - Demolition of Unlisted Buildings within Conservation Areas

3. Planning History

3.1 None relevant to this application.

4. Consultation SummaryStatutory Consultations

4.1 None required.

Internal Council Advice

4.2 Transportation Manager - No objection.

4.3 Conservation Manager - The proposal accords with discussions held on site and is the result of compromise. I am content that the proposal maintains the symmetry and balance of the roadside elevation. Therefore no objection subject to materials and joinery conditions.

5. Representations

5.1 Leominster Town Council - recommends approval.

5.2 One letter of objection has been received from Mr & Mrs Cottingham, 112 The Bargates. In summary the points raised are as follows:

5.2.1 Concerns over noise during construction if permission is granted.

5.2.2 The proposal will cause an imbalance to the symmetrical appearance of the properties.

5.2.3 The development will cause a loss of daylight to the rear of 112, and in particular a conservatory.

5.2.4 The development is overbearing. "According to the plans, the build is to replace the boundary fence. I will not permit our fence to be taken down as it is a joint fence. The single storey extension has a sloping roof on our side, which will need guttering and maintenance, and if permitted, will need to be a distance from the joint fence to allow for this. This needs to be looked at, and should have been discussed by now."

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 arising from this application relate to design and residential amenity.

6.2 As highlighted in the comments of the Conservation Manager, the design of the proposal has been the subject of discussion prior to submission. It has been

influenced by the particular appearance of the dwelling, taking its lead from the hipped roof and materials in particular. Its scale is considered to be subservient to the main dwelling and it will remain as the dominant architectural feature.

- 6.3 The front elevation of the dwelling will effectively remain unaltered and will therefore maintain its characteristic symmetry and balance. In terms of the Conservation Area, this is the public view of the property and the one that contributes to its particular character and appearance. As the work is almost exclusively to the rear, the proposal will not be detrimental to the Conservation Area and is acceptable in terms of policy criteria.
- 6.4 In isolation, the single storey part of the proposal closest to 112 The Bargates would be permitted development. By implication, this means it is of such a small scale so as not to be detrimental to the amenity of any adjoining properties, and it was under the same permitted development allowances that the conservatory at 112 The Bargates was erected. A suggestion that a similarly proportioned extension would be overbearing would be unreasonable and would not justify the refusal of the application. The two storey extension is a further 4 metres from the boundary with no 112. The orientation of the properties means that it may cause a degree of overshadowing of the conservatory in the late afternoon, but this is not considered to be sufficient to warrant the refusal of the application.
- 6.5 The concerns regarding noise issues appear to have arisen from other projects that the applicants have undertaken in recent months. Whilst there may be an issue of neighbourliness, it is not considered reasonable to restrict working hours on a small scale development that the applicants may wish to undertake themselves. Environmental Health legislation deals with issues of noise nuisance and in this instance is considered to be the appropriate channel for any complaint.
- 6.6 It is therefore concluded that the proposal accords with the relevant policies and recommended that these applications are approved.

RECOMMENDATION

NC2006/2454/F

That planning permission be granted subject to the following conditions:

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

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

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

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

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

Reason: To safeguard the character and appearance of the Conservation Area.

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

Reason: To safeguard the character and appearance of the Conservation Area.

Informative:

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

NC2006/2455/C

That Conservation Area Consent 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.

Informative:

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

Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCNC2006/2454/F

SCALE : 1 : 1250

SITE ADDRESS : 114 The Bargates, Leominster, Herefordshire, HR6 8QU

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