

A G E N D A

Northern Area Planning Sub- Committee

Date: **Wednesday, 11th October, 2006**

Time: **2.00 p.m.**

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

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

For any further information please contact:

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

e-mail pmartens@herefordshire.gov.uk

**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 13th September, 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.	
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. Agenda items 6 and 7 are applications deferred for site inspections at the last meeting and items 8 to 15 are new applications.	

- | | | |
|-----|---|---------|
| 6. | <p>DCNW2006/1466/F - TO DEMOLISH EXISTING DWELLING AND ERECT FIVE NEW DWELLINGS AT YEW TREE, SHOBDON, LEOMINSTER, HEREFORDSHIRE, HR6 9ND</p> <p>For: Mr B Griffiths per Mr C Goldsworthy, 85 St Owens Street, Hereford. HR1 2JW</p> <p>Ward: Pembridge & Lyonshall with Titley</p> | 13 - 20 |
| 7. | <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 per Stansgate Planning Consultants, Conrad House, Birmingham Road, Stratford-upon-Avon, CV37 0AA</p> <p>Ward: Ledbury</p> | 21 - 28 |
| 8. | <p>DCNE2005/3784/RM - ERECTION OF ONE DWELLING ON SITE OF ROSE & COOME COTTAGES, FLOYDS LANE, WELLINGTON HEATH, LEDBURY, HEREFORDSHIRE, HR8 1LR</p> <p>For: Ms H Kent per Mr P H Tufnell, Tufnell Town & Country Planning, Waverley Studio, Gloucester Road, Hartpury, Gloucester, GL19 3BG</p> <p>Ward: Hope End</p> | 29 - 36 |
| 9. | <p>DCNC2006/2367/A - FASCIA SIGNAGE AND POLE SIGN AT MCCOLLS, 2 HATTON PARK, BROMYARD, HEREFORDSHIRE, HR7 4EY</p> <p>For: T M Retail per Wedderburn Shopfitting Ltd, 57-59 Millbrook Road East, Southampton, Hampshire, SO15 IHN</p> <p>Ward: Bromyard</p> | 37 - 40 |
| 10. | <p>DCNC2006/2440/F - PROPOSED VARIATION TO PLANNING APPROVAL REF. DCNC2004/0778/RM TO AMEND DESIGN TO PLOT 2 AT PLOT 2, LAND ADJACENT VILLAGE HALL, STOKE PRIOR, LEOMINSTER</p> <p>For: Mr & Mrs Young per Border Oak Design & Construction Kingsland Sawmills Kingsland Leominster Herefordshire HR6 9SF</p> <p>Ward: Hampton Court</p> | 41 - 46 |
| 11. | <p>DCNC2006/2690/F - PROPOSED NEW DWELLING WITH DETACHED GARAGE AT MARCLE, BRIMFIELD, LUDLOW, SHROPSHIRE, SY8 4NE</p> <p>For: Mr & Mrs G Jones per Mr L F Hulse, 19 Friars Gardens, Ludlow, Shropshire, SY8 1RX</p> <p>Ward: Upton</p> | 47 - 52 |

- | | | |
|-----|--|---------|
| 12. | <p>DCNC2006/2926/F - ERECTION OF TIMBER GARDEN FENCE AT LAND ADJOINING GREYSTONES, WYSON, BRIMFIELD, LUDLOW, HEREFORDSHIRE, SY8 4NL</p> <p>For: Mr R Shears per Mr D F Baume David F Baume Chartered Architect Churchways Jewkes Lane Kington on Teme Worcestershire WR15 8LZ</p> <p>Ward: Upton</p> | 53 - 56 |
| 13. | <p>DCNE2006/2623/F - ERECTION OF A LOG CABIN FOR USE AS HOLIDAY ACCOMMODATION AT LITTLE VERZONS GARDEN CENTRE, HEREFORD ROAD, LEDBURY, HEREFORDSHIRE, HR8 2PZ</p> <p>For: Little Verzons Fruit Farm per Bruton Knowles, Bisley House, Green Farm Business Park, Bristol Road, Gloucester GL2 4LY</p> <p>Ward: Frome</p> | 57 - 64 |
| 14. | <p>DCNE2006/2724/F - TEMPORARY CHANGE OF USE FROM RESIDENTIAL TO B1 USE (MAKING OF HAND SEWN CURTAINS AND BLINDS) AT FLAT-1, 37 NEW STREET, LEDBURY, HEREFORDSHIRE, HR8 2EA</p> <p>For: Mrs Robinson at same address.</p> <p>Ward: Ledbury</p> | 65 - 70 |
| 15. | <p>DCNW2006/2919/F - PROPOSED NEW BUILD OF COLLAPSED BARN INTO TWO HOLIDAY LETS AT CROONES HOUSE, BROXWOOD, LEOMINSTER, HEREFORDSHIRE, HR6 9JR</p> <p>For: G Sills per Mr E Price Moorcourt Lyonshall Kington Herefordshire HR5 3JZ</p> <p>Ward: Pembridge & Lyonshall with Titley</p> | 71 - 74 |

The Public's Rights to Information and Attendance at Meetings

YOU HAVE A RIGHT TO: -

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

Please Note:

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

The meeting venue is accessible for visitors in wheelchairs.

A public telephone is available in the reception area.

Public Transport Links

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

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

COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL

BROCKINGTON, 35 HAFOD ROAD, HEREFORD.

FIRE AND EMERGENCY EVACUATION PROCEDURE

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

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

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

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

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

COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL

MINUTES of the meeting of Northern Area Planning Sub-Committee held at The Council Chamber, Brockington, 35 Hafod Road, Hereford on Wednesday, 13th September, 2006 at 2.00 p.m.

Present: Councillor J.W. Hope MBE (Chairman)
Councillor K.G. Grumbley (Vice Chairman)

Councillors: Mrs. L.O. Barnett, W.L.S. Bowen, Mrs. J.P. French, J.H.R. Goodwin, P.E. Harling, B. Hunt, T.W. Hunt, T.M. James, Brig. P. Jones CBE, R. Mills, R.J. Phillips, D.W. Rule MBE, R.V. Stockton, J. Stone and J.P. Thomas

66. APOLOGIES FOR ABSENCE

Apologies were received from Councillors RBA Burke, PJ Dauncey and RM Manning.

67. DECLARATIONS OF INTEREST

The following declarations of interests were made:-

Councillor/Officer	Item	Interest
Cllr WLS Bowen Cllr JP Thomas	Agenda item 7, Minute 32 DCNW2006/2203/O - site for the erection of two bungalows on land adjoining Marches Housing Association Bungalows, Bar Meadow, Shobdon	Declared a prejudicial interest and left the meeting for the duration of this item.
Cllr J.P. Thomas	Agenda Item 11, Minute 76 DCNC2006/2174/F - conversion of existing house into 3 apartments at 84 Etnam Street, Leominster	Declared a prejudicial interest and left the meeting for the duration of this item.
Mr M Tansley	Agenda Item 11, Minute 76 DCNC2006/2174/F - conversion of existing house into 3 apartments at 84 Etnam Street, Leominster	Declared a personal interest and left the meeting for the duration of this item.

68. MINUTES

RESOLVED: That the Minutes of the meeting held on 16th August, 2006 be approved as a correct record and signed by the Chairman.

69. ITEM FOR INFORMATION - APPEALS

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

70. 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.

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

RESOLVED:

That consideration of the application be deferred for a site inspection for the following reasons:

- i. The character or appearance of the development itself is a fundamental planning consideration;**
- ii. A judgement is required on visual impact; and**
- iii. The setting and surroundings are fundamental to the determination or to the conditions being considered.**

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

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

The Sub-Committee was agreeable to granting the application, subject to the inclusion of the Titley Group Parish area for applicants who are eligible for the scheme

RESOLVED

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 the report of the Head of Planning Services, subject to the addition of 'Titley and District Group Parish Council area' to paragraph 4 of the obligation, 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

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

The receipt of a further letter of objection 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 - 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.

74. 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

RESOLVED:

That consideration of the application be deferred for a site inspection for the following reasons:

- iv. The character or appearance of the development itself is a fundamental planning consideration;
- v. A judgement is required on visual impact; and
- vi. The setting and surroundings are fundamental to the determination or to the conditions being considered.

In accordance with the criteria for public speaking, Ms Davis an objector, reserved her right to speak until the next meeting.

75. 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

RESOLVED

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.

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

The Development Control Manager reported the receipt of further letters of objection reiterating the concerns of local residents and Leominster Town Council as set out in the report.

In accordance with the criteria for public speaking, Mr Dickson an objector spoke against the application.

Councillor Mrs J French asked if it would be better to defer consideration of the application pending further discussions with the applicant about the concerns raised by objectors but the Development Control Manager said that these could be met by the appropriate conditions and he explained what those would be
RESOLVED

That planning permission be granted subject to the following conditions:

- 1 - **A01 (Time limit for commencement (full permission))**
Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990.
- 2 - **A09 (Amended plans)**
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.
5. **Before the development is commenced a scheme for the provision of secure cycle parking on site shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.**
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.
6. **Before the development hereby permitted is commenced details of the proposed railings on the front elevation shall have been submitted to and approved in writing by the local planning authority. Development shall proceed in accordance with the approved details.**
Reason: In the interests of visual amenity.

Informative:

1. The decision to grant planning permission has been taken having regard to the policies and proposals in the Local Plans set out below, and to all relevant material considerations including Supplementary Planning Guidance:

LEOMINSTER DISTRICT LOCAL PLAN

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

Herefordshire Unitary Development Plan (Revised Deposit Draft)

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

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

77. **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**

The Northern Team Leader said that County Archaeologist had no objections to the application.

Councillor JP Thomas, one of the Local Ward Members had concerns about the vehicular access to the site being over an unmade road and felt that the applicants should be required to improve the road in the interests of highway safety. The Northern Team Leader said that there was a requirement within The Section 106 obligation for the applicants to pay the sum of £18,000 towards sustainable transport improvements but that he would also impose a condition in respect of the access road.

RESOLVED

That planning permission be granted subject to the applicants being required to improve the access road to an adoptable standard and subject to the following:-

- 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

78. 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

RESOLVED
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

The meeting ended at 3.40 p.m.

CHAIRMAN

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

Expiry Date:

6th July 2006

Local Member: Councillor R Phillips

Ward: Pembridge & Lyonshall with Titley

Grid Ref:

39885, 61868

This application was deferred at the last meeting for a site inspection by Members of the Northern Area Planning Sub-Committee.

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:

.....

Background Papers

Internal departmental consultation replies.



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

APPLICATION NO: DCNW2006/1466/F

SCALE : 1 : 1250

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

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

7 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 per 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 Members: Councillor PE Harling, Councillor DW Rule, Councillor BF Ashton

This application was deferred at the last meeting for a site inspection by Members of the Northern Area Planning Sub-Committee.

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	69
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 the agent for the applicant claims that 40 caravans have been stored on the site all year round when not required by seasonal agricultural workers for a period in excess of ten years and as such their storage is lawful. However, since the last Northern Area Planning Sub-Committee I have received a telephone call from a local resident disputing this claim and stating that in her opinion the number that have been stored upon the site for a period in excess of ten years may be in the region of 15. The applicant has not legally established this by way of a Certificate of Lawful Development under Section 191 of the Town and Country Planning Act 1990 (as amended). Therefore for the purposes of this report I shall disregard this claim.
- 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
February	66
March	62
April	59
May	54
June	0
July	4
August	6
September	19
October	54
November	59
December	69

- 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: -

February – 3 caravans in
March - 4 caravans in
April – 3 caravans in
May – 5 caravans in
June - 54 caravans in
July – 4 caravans out
August - 2 caravans out
September – 13 caravans out
October – 35 caravans out
November – 5 caravans out
December – 10 caravans out

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 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.
- 6.6 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 22nd 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.

- 4 - There shall be no more than 69 caravans upon the site at any one time.

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

- 5 - No external lighting shall be installed upon the site without the prior written consent of the Local Planning Authority.

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

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.

4 - With regard any details submitted at a later date pursuant to condition 5 above the Local Planning Authority would advise the applicant to engage the services of a suitably qualified engineer (Institute of Lighting Engineers) and they would require the following details:

- Details as to the location of each luminaire supporting structure together with the number of lights upon each structure;
- Details of lighting columns or supporting structures (e.g. height, material, colour);
- Details of each luminaire (i.e. lamp wattage, 'flat-glass design', forward throw projector);
- The mounting height of each luminaire;
- The tilt angle of each luminaire (n.b. the Local Planning Authority would recommend 0 degrees - i.e. parallel to the ground);
- The rotational angle of each luminaire;
- An appropriately scaled metric block plan detailing the resultant lux levels on the ground.

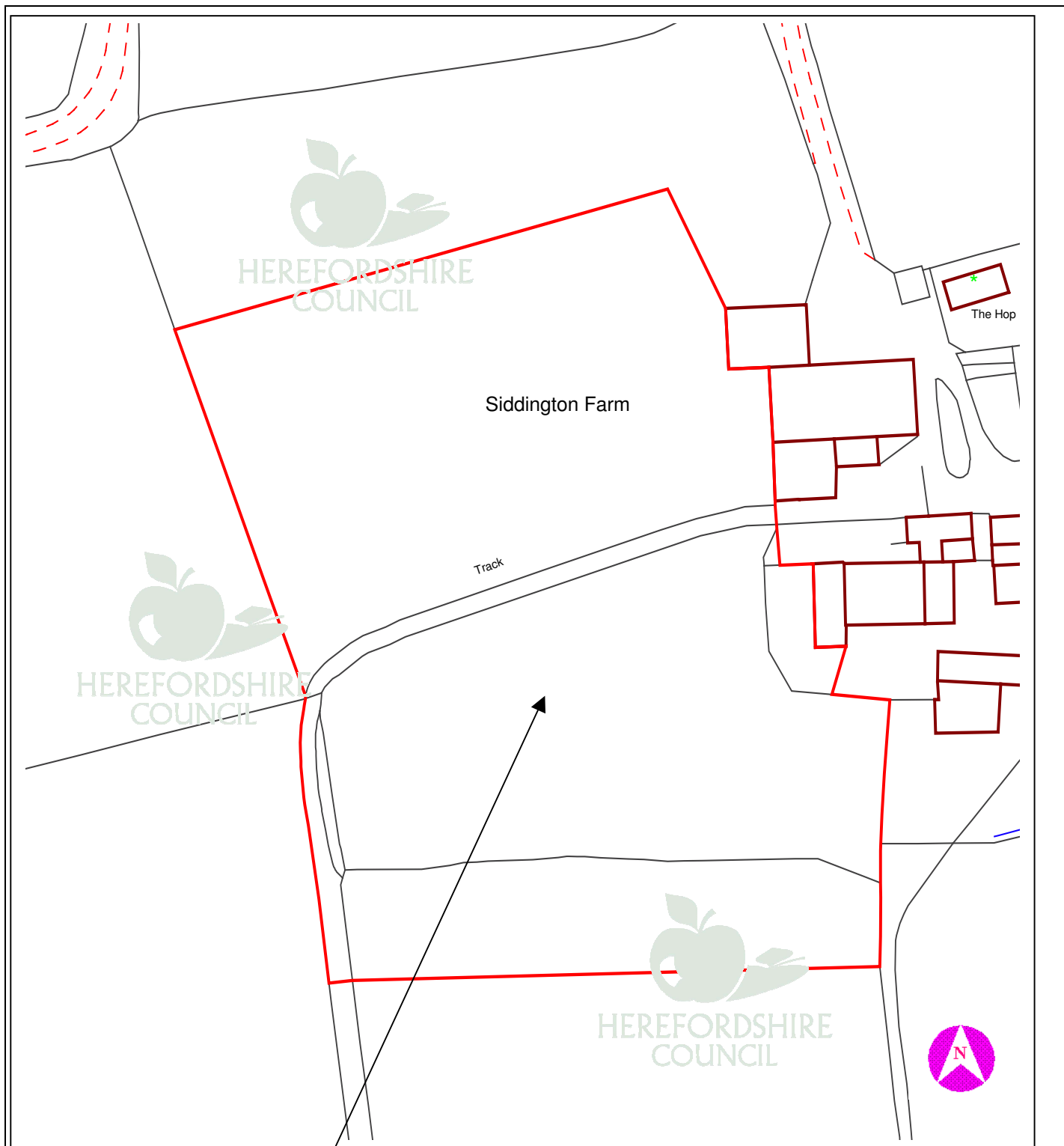
Decision:

Notes:

.....

Background Papers

Internal departmental consultation replies.



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

APPLICATION NO: DCNE2006/2156/F

SCALE : 1 : 1250

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

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

8 DCNE2005/3784/RM - ERECTION OF ONE DWELLING ON SITE OF ROSE & COOME COTTAGES, FLOYDS LANE, WELLINGTON HEATH, LEDBURY, HEREFORDSHIRE, HR8 1LR

For: Ms H Kent per Mr P H Tufnell, Tufnell Town & Country Planning, Waverley Studio, Gloucester Road, Hartpury, Gloucester, GL19 3BG

Date Received:
25th November 2005

Ward: Hope End

Grid Ref:
71128, 40138

Expiry Date:
20th January 2006

Local Member: Councillors R Mills and RV Stockton

1. Site Description and Proposal

- 1.1 The site is located on the eastern side of unclassified road 66401, known as Floyds Lane within the village of Wellington Heath. Until approximately 40 years ago two dwellings occupied the site but both were demolished and the site is currently undeveloped. The northern, eastern and southern boundaries are enclosed by existing mature hedges and the roadside frontage remains open. Ground levels fall relatively steeply eastwards and to a lesser extent southwards within the site. The site is largely enclosed by existing residential development to the north, east and south and the western side of Floyds Lane.
- 1.2 The site lies within the Malvern Hills Area of Outstanding Natural Beauty and Area of Great Landscape Value and is also within the settlement boundary for Wellington Heath as defined in the Malvern Hills District Local Plan.
- 1.3 This is a Reserved Matters application following an outline approval under reference NE02/2904/O. The plans have been amended since their original submission and show a property that appears as a single storey dwelling from the roadside (the west elevation), but as two storey at the rear, eastern elevation. This is facilitated by the considerable change in levels across the site as described above.
- 1.4 The dwelling is orientated in an east/west plane with a gabled projection on both front and rear elevations. It is set back from the road frontage with a vehicle turning area to the fore and parking to the southern side.
- 1.5 The dwelling has a total floor area of approximately 125m². From the front, its height from ground to ridge measures 5.4 metres and 7.7 metres from the rear. Accommodation is effectively reversed with bedrooms at the lower level and living areas and kitchen at the upper level. The rear, eastern elevation includes a significant amount of glazing, but a balcony originally included has been omitted from an amended scheme.
- 1.6 Further details have also been submitted in relation to drainage arrangements with a sustainable drainage scheme proposed to deal with surface water in particular. This

will see 'grey' water being re-used whilst foul water will be discharged to an existing mains sewer.

2. Policies

2.1 Herefordshire Unitary Development Plan (Revised Deposit Draft)

H6 - Housing in Smaller Settlements
H14 - Re-using Previously Developed Land and Buildings
LA1 - Areas of Outstanding Natural Beauty
LA2 - Landscape Character and Areas Least Resilient to Change
LA3 - Setting of Settlements
H13 - Sustainable Residential Design

2.2 Hereford and Worcester County Structure Plan

H16A - Housing in Rural Areas
H18 - Housing in Rural Areas Outside the Green Belt
CTC1 - Areas of Outstanding Natural Beauty
CTC2 - Areas of Great Landscape Value

2.3 Malvern Hills District Local Plan

Housing Policy 3 - Settlement Boundaries
Landscape Policy 2 - Areas of Outstanding Natural Beauty
Landscape Policy 3 - Development in Areas of Great Landscape Value

3. Planning History

- 3.1 NE02/2904/O - Site for the erection of one dwelling - Approved 29th January 2003.
- 3.2 NE03/3437/F - Application for non-compliance with condition 15 of NE02/2904/O (that the development should be a single storey bungalow with ground floor accommodation only) - Approved 28th January 2004

4. Consultation Summary

Statutory Consultations

- 4.1 None required.

Internal Council Advice

- 4.2 Transportation manager - No objections.

5. Representations

- 5.1 Wellington Heath Parish Council - No objections to the application as originally submitted. Reconsultation, following amendments to remove the balcony, resulted in the following comments:

*"Height and size of dwelling is inappropriate for the size of the plot.
Concerns over site traffic and density in Floyds Lane, with no passing places.
'Clay' soil causing drainage problems, particularly on sloping site.*

Strongly object - single storey might not result in quite such opposition."

5.2 Severn Trent Water - No objection to the original submission subject to a condition requiring details of the disposal of surface water and foul sewage. A further consultation in light of details relating to the proposed sustainable drainage scheme has been issued. Any response will be reported verbally to the Committee.

5.3 Objections have been received from the following:

- Mr & Mrs Blundell, Woodfields, Floyds Lane, Wellington Heath
- Mr Smith & Mrs Holden, Hillside, Horse Road, Wellington Heath
- Dr & Mr Maclean, Jay House, Floyds Lane, Wellington Heath
- Mr Moore, Vine Cottage, Floyds Lane, Wellington Heath
- Frances Bradley, Pear Tree Cottage, Floyds Lane, Wellington Heath

5.4 In summary the points raised are as follows:

5.4.1 The proposal will cause overlooking and loss of privacy to adjacent dwellings.

5.4.2 Concerns over the finished floor levels of the proposed dwelling and the accuracy of the figures shown.

5.4.3 Some adjacent properties are not shown and the plans are therefore misleading.

5.4.4 The proposal constitutes over-development.

5.4.5 Concerns over traffic generation and highway safety.

5.4.6 Concerns relating to the drainage arrangements for the site, in particular surface water drainage.

5.4.7 Excavation of the site required to facilitate the development may cause subsidence to adjacent properties.

5.4.8 The scale and design of the proposal is inappropriate in an Area of Natural Beauty.

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 principle of residential development has been accepted on the site by virtue of the outline application, whilst the acceptability of a two-storey development has effectively been considered under the later application to remove condition no 15 of the outline permission. The application was approved and it can be reasonably concluded that the committee considered issues relating to residential amenity and overlooking at that time. The current application does of course, provide detail against which the full extent of this and not just the principle, can be fully assessed.

Residential Amenity

6.2 A combination of restrictions resulting from conditions imposed on the outline permission, and the constraints created by the nature of the site, limit the position of the dwelling. The outline consent requires that vehicles should be able to turn on site, and this can only realistically be achieved by allowing parking at the side of the dwelling with a turning area at the front, as shown on the submitted block plan. The dwelling cannot be moved further from the rear boundary, shared with Hillside, to increase separation between the two as a result. When viewed from Floyds Lane, the

proposal continues the form of development in its immediate locality with dwellings being set back from the road. As a consequence, the proposal may cause some overlooking of the gardens of the dwellings either side, Woodfields and Jay House, but not significantly greater than in any usual residential context. The degree of overlooking of Hillside may be more significant, but in light of the approval to effectively allow two-storey accommodation, it is not considered that this is sufficient to warrant refusal. The scheme is therefore considered to be acceptable in terms of impact on residential amenity.

Design

- 6.3 As has been referred to earlier, the design is also influenced by the conditions originally imposed and the constraints of the site, those being its steep slope and narrowness.
- 6.4 The site does lend itself to a split-level design and this is not dissimilar to the adjacent dwelling known as Woodfields. Land further to the south is much flatter and allows for single storey accommodation without significant degrees of excavation.
- 6.5 In your officer's opinion the design of this proposal is of a character scale and appearance that reflects the modern development, which surrounds it. It is therefore difficult to argue that it has a detrimental impact on the Area of Outstanding Natural beauty.
- 6.6 With a total floor area of 125m² it is not overly large, and the slope of the site dictates its ridge height. It is therefore considered that the scheme accords with policy in terms of its design and its impact on the area of natural beauty.
- 6.7 As stated previously, the size of the dwelling is not considered to be excessive in relation to the plot itself. It is estimated that the dwelling occupies approximately 1/5 of the site's entire area, and this is not considered to be excessive.

Drainage

- 6.8 This has been a major point of contention with the owner of Hillside, who is particularly concerned that the treatment of surface water through a soakaway system will cause problems of seepage onto his property. He considers that the area of land is insufficient to provide adequate soakaways, particularly in light of the poor ground conditions.
- 6.9 A solution has been proposed to use a sustainable drainage scheme where surface water will be recycled and used within the household. This will considerably reduce surface water run-off and alleviate the concerns raised. The applicant is able to connect to the mains sewer to dispose of foul water, but as it is not a combined system an alternative solution for surface water must be found.
- 6.10 Further consultation responses are awaited in respect of the proposed drainage arrangements, but they would appear to address the concerns that have been raised. It is therefore concluded that the proposal is acceptable in this respect.

Highway Safety

- 6.11 The issue of highway safety was debated as part of the outline application and conditions were imposed relating to off street parking and provision of parking for site operatives, and as such this point should not be revisited at this stage.

Other Issues

- 6.12 In light of the fact that the site is in a primarily residential area, it would seem reasonable to impose a condition to limit construction times. Other matters such as site levels and the extent of excavation works are addressed by conditions on the outline permission.
- 6.13 It is therefore concluded that the proposal accords with the relevant policies and the application is recommended for approval.

RECOMMENDATION

That reserved matters be approved subject to the following conditions:

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

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

- 2 - F16 (Restriction of hours during construction)**

Reason: To protect the amenity of local residents.

- 3 - The development shall be carried out in accordance with the details of the sustainable drainage system for the treatment of surface water received by the local planning authority on 22nd September 2006. The scheme shall be completed in accordance with the approved details before the dwelling is first occupied.**

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

- 4 - F40 (No burning of material/substances)**

Reason: To safeguard residential amenity and prevent pollution.

- 5 - A09 (Amended plans)**

Reason: To ensure the development is carried out in accordance with the amended plans.

Informatives:

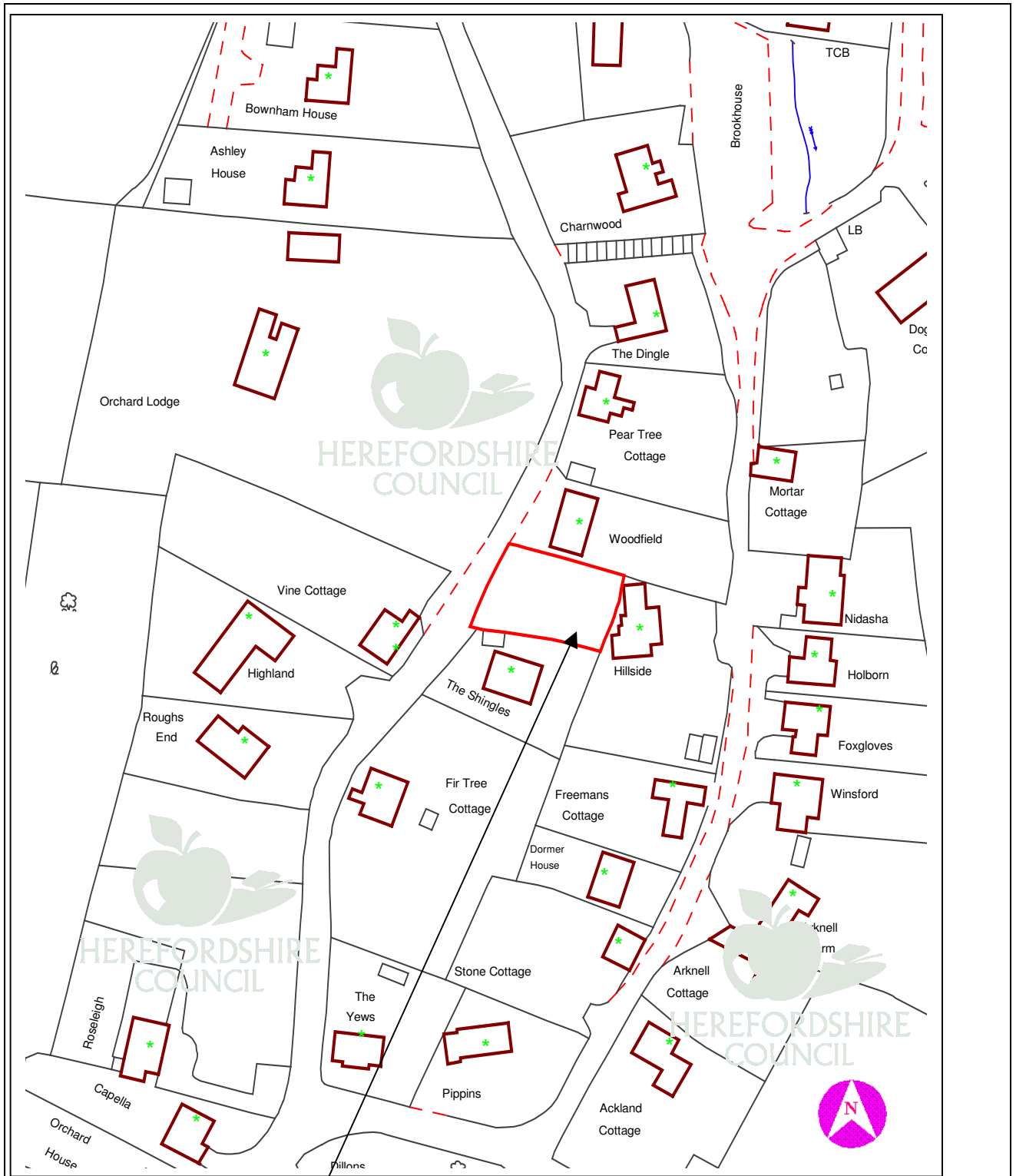
- 1 - N15 - Reason(s) for the Grant of PP/LBC/CAC**
- 2 - N09 - Approval of Reserved Matters**

Decision:

Notes:

Background Papers

Internal departmental consultation replies.



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

APPLICATION NO: DCNE2005/3784/RM

SCALE : 1 : 1250

SITE ADDRESS : Site of Rose & Coome Cottages, Floyds Lane, Wellington Heath, Ledbury, Herefordshire, HR8 1LR

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

9 DCNC2006/2367/A - FASCIA SIGNAGE AND POLE SIGN AT MCCOLLS, 2 HATTON PARK, BROMYARD, HEREFORDSHIRE, HR7 4EY

For: T M Retail per Wedderburn Shopfitting Ltd, 57-59 Millbrook Road East, Southampton, Hampshire, SO15 IHN

Date Received:
19th July 2006

Ward: Bromyard

Grid Ref:
64659, 54336

Expiry Date:
13th September 2006

Local Member: Councillors PJ Dauncey and B Hunt

1. Site Description and Proposal

- 1.1 This site, located within the town of Bromyard, flanks the southern side of the A44 which runs through the town. The site itself is an existing convenience store which has recently been altered/rebuilt. The store is essentially a single storey red brick building with a car park serving the store at the front ie road frontage.
- 1.2 The application is to erect a red and blue fascia sign along with two signs in one of the windows and one sign by the main entrance door all on the shop frontage ie facing the road on the north elevation. Only the 'Booze Buster' and 'McColls' logos on the fascia sign will be illuminated (internally). The proposal also involves the changing of the sign panel on the existing pole sign near to the roadside boundary at the front of the site. This sign will remain non-illuminated.

2. Policies

2.1 Herefordshire Unitary Development Plan (Revised Deposit Draft)

Policy S2 - Development Requirements
Policy DR1 - Design
Policy HBA10 - Shopfronts
Policy HBA11 - Advertising

2.2 Planning Policy Guidance

Planning Policy Guidance 19 - Outdoor Advertisement Control

3. Planning History

- 3.1 DCNC2003/3805/F - Refurbishment and extension to existing convenience store - Planning Permission 24/03/04.
- 3.2 DCNC2006/1775/F - Change of use from A1 to A3 - Withdrawn 28/07/06

4. Consultation Summary

Statutory Consultations

- 4.1 None required.

Internal Council Advice

- 4.2 The Traffic Manager comments that the pole sign is within one metre of the carriageway edge and that normally the requirements are that nothing is placed closer to the carriageway edge than one metre. However as there is an existing street lighting column adjacent to the carriageway edge it would be unreasonable to require the sign to be relocated.

5. Representations

- 5.1 The 'Booze Buster' logo and the 'McColls' logo on the fascia sign will be internally backlit. The graphics on the left hand window will be stuck on the external face of the glass. Keep existing pole on pole sign, only panel will change.
- 5.2 The Town Council Planning Committee resolved not to support this application on the grounds that: the proposed advertisement adversely affects the amenity of the surrounding area as it is not in keeping with the contiguous, long established, residential and educational buildings.
- 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 Advert application are considered against two criteria.

The appearance of the signs and their effect on the visual appearance of the immediate area, and

The effect the signs have on highway safety.

The most relevant policies with respect to these issues are HBA10 and HBA11 of the Herefordshire Unitary Development Plan (Revised Deposit Draft).

- 6.2 The proposed signs will look acceptable and will not be visually intrusive on the visual appearance and character of the area. The shop premises prior to the recent alterations had a fascia sign along its frontage and a sign on the existing pole. Consequently from this point of view the signs are considered to be acceptable and in accordance with planning policies in particular HBA11 of the Herefordshire Unitary Development Plan (Revised Deposit Draft).
- 6.3 As regards highway safety the signs are also considered to be acceptable and not cause any distraction to vehicles using the adjacent roads. The Traffic Manager has no objections to the proposed development in respect to highway safety.

6.4 Since the application has been submitted the proposed signs have been put in place on site in accordance with the submitted details. However the development is considered to be acceptable and in accordance with planning policies.

RECOMMENDATION

That Consent to Display Advertisements be granted subject to the following conditions:

- 1 - I01 (Time limit on consent)

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

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

Reason: In the interests of highway safety.

- 3 - The illumination of advertising shall comply with Technical Report No 5 issued by the Institute of Lighting Engineers unless otherwise first agreed in writing by the Local Planning Authority.

Reason: In the interests of highway safety.

Informatives:

- 1 - N19 - Avoidance of doubt
- 2 - N15 - Reason(s) for the Grant of PP/LBC/CAC

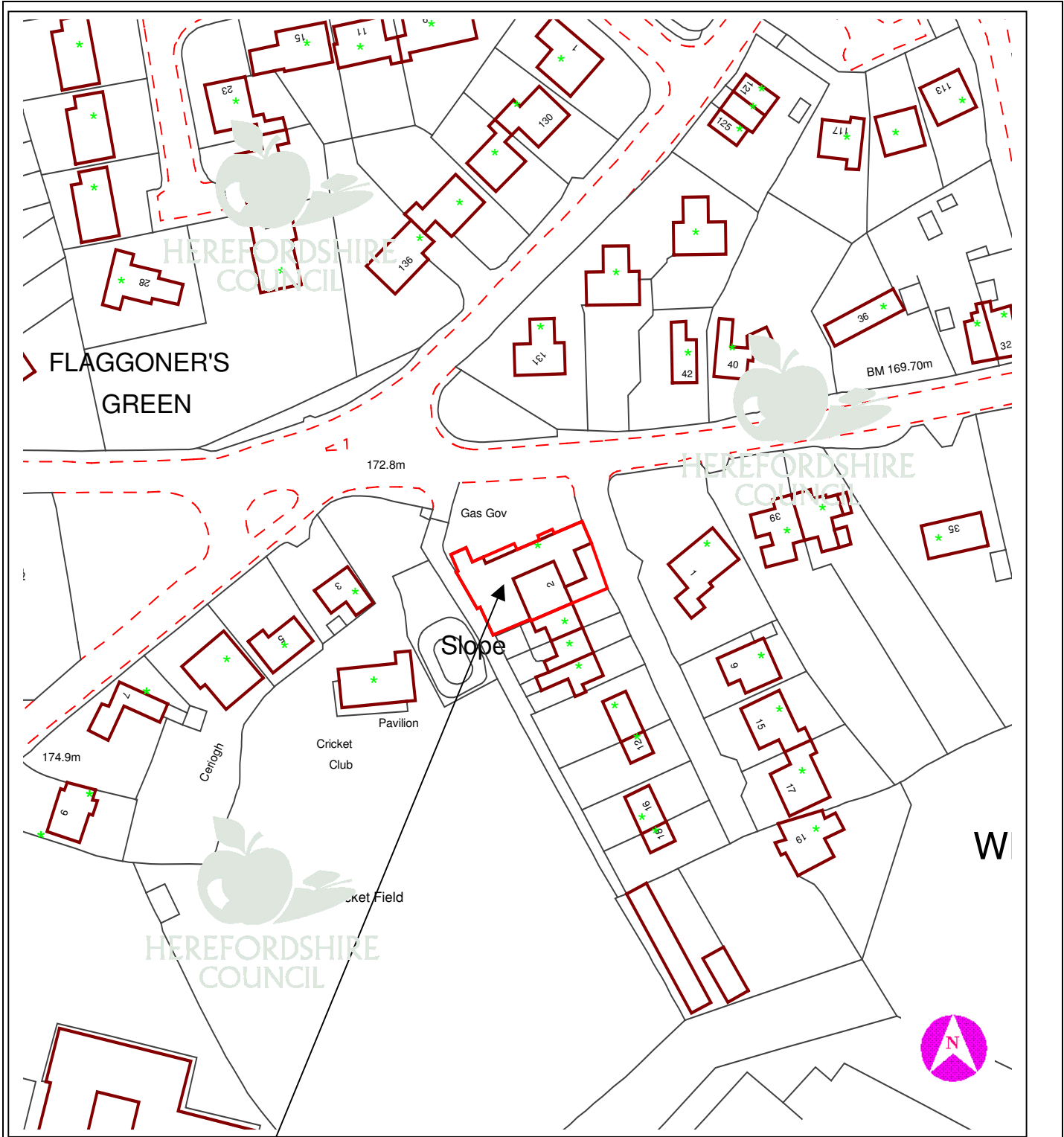
Decision:

Notes:

.....

Background Papers

Internal departmental consultation replies.



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

APPLICATION NO: DCNC2006/2367/A

SCALE : 1 : 1250

SITE ADDRESS : McColls, 2 Hatton Park, Bromyard, Herefordshire, HR7 4EY

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

Further information on the subject of this report is available from Mr N Banning on 01432 383093

10 DCNC2006/2440/F - PROPOSED VARIATION TO PLANNING APPROVAL REF. DCNC2004/0778/RM TO AMEND DESIGN TO PLOT 2 AT PLOT 2, LAND ADJACENT VILLAGE HALL, STOKE PRIOR, LEOMINSTER

For: Mr & Mrs Young per Border Oak Design & Construction Kingsland Sawmills Kingsland Leominster Herefordshire HR6 9SF

Date Received:

28th July 2006

Ward: Hampton Court

Grid Ref:

52191, 56542

Expiry Date:

22nd September 2006

Local Member: Councillor KG Grumbley

1. Site Description and Proposal

- 1.1 The site is located on the south side of the C1110, to the south-east of its junction with the Stoke Prior Road and between the village hall and Belmont, a detached bungalow. Reserved Matters planning approval was granted for residential development at the site on 19 May 2004 under application reference DCNC2004/0778/RM. The permission was for three dwellings, all of similar design and scale.
- 1.2 The design for Plot 2 as approved is a one and a half storey cottage with brickwork to the ground floor and a half storey oak framed to the first floor level, and an attached, timber boarded garage. This is an application for a minor amendment to the external approved design of Plot 2. The application proposes an oak frame on the front and rear elevations and the gable walls to be in the same brick on a stressed skin softwood frame. The length of the cottage has been increased slightly by 0.2 m and is 0.2 m wider. It is also proposed to marginally increase the height of the house by 0.1 m. The access and the position of the house on the plot is the same as that currently approved.

2. Policies

Planning Policy Guidance Note 1 – General Policy and Principles

Planning Policy Guidance Note 3 – Housing

Herefordshire Unitary Development Plan (Deposit Draft)

H6 – Housing in Small Settlements

Leominster District Local Plan

A2 – Settlement Hierarchy

A24 – Scale and Character of Development

A54 – Protection of Residential Amenity

A55 – Design and Layout of Housing Development

Supplementary Planning Guidance – Design and Development Requirements

3. Planning History

NC2006/1660/F - Proposed amendments to design and siting on Plot 2. Withdrawn.

NC2004/0778/RM - Residential development, for approval of Reserved matters. approved 19.5.2004.

NC2003/1503/F - Erection of 4 detached dwellings with garages and private drive. Refused 28.1.2004.

NC2000/3426/O - Residential development - outline planning permission granted 7.3.2001.

4. Consultation Summary

Statutory Consultations

- 4.1 The Ramblers Association: Objects to the application as they believe it will affect the Rights of Way SP9.

Internal Council Advice

- 4.2 Public Rights of Way Officer comments as follows:

'The proposed amendments will have less of an effect on public footpath SP9 than the previous application DCNC2006/1660/F. This footpath was recently diverted to allow the overall development of the site.'

- 4.3 The Conservation Officer comments as follows:

'On the whole, the extra height and the additional footage is fairly insignificant and although the plot is small, these proposed increases are unlikely to impact greatly. A minor comment regarding the changes in elevation treatment. The approved application, with timber framing at ground level only, is fairly traditional and is more authentic than this proposal which, with changes in timbering to accommodate windows and doors, borders on whimsical.'

- 4.4 Traffic Manager: No objection.

5. Representations

- 5.1 Stoke Prior Parish Council comments as follows:

'The Parish Council objects to this application. This small estate was very carefully planned as a whole. No piecemeal alteration to the properties should be permitted. The Council oppose any increase in size of the footprint or other dimensions of the property to be built on Plot 2.'

- 5.2 Stoke Prior Village Hall Committee object to the proposal on the grounds that any increase in the size of the property erected on Plot 2 will, in their opinion, present a major risk if fire occurred at the village hall which relies on the footpath between both Plots 1 and 2 as a vital means of evacuating the hall in case of emergency.

- 5.3 Three letters of objection have been received. The main point raised is that the plot is small and any increase in size is overdevelopment of the site.
- 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. Officer's Appraisal

- 6.1 The application site is clearly locally sensitive. The determining factors of this application are those that relate to the increase in size and appearance of the dwelling at Plot 2, and their impact on the locality together with the impact on the amenities of the adjoining bungalow and the adjoining village hall.
- 6.2 The application has been submitted following the withdrawal of DCNC2006/1660/F, which was for amendments to design and siting of Plot 2.
- 6.3 In terms of scale of the dwelling, the submitted plans show that the footprint of the proposed dwelling will be increased by 0.2 m in length and 0.2 m in width. As far as the impact on the amenities of the adjoining dwelling and village hall are concerned, it was acknowledged by officers in NC04/0778/RM, that the ground level of the site is higher than Belmont, the adjoining dwelling. However, it is considered that given the increase in height is only 0.1 m and the orientation of the dwelling is to remain the same, the proposed amendments will not result in any additional loss of amenity.
- 6.4 There have been concerns over the impact the proposal will have on the public footpath SP9. The footpath runs between plots 1 and plots 2 at the site and is a means of evacuating the hall in case of emergency. SP9 has recently been diverted to allow the overall development on the site. The PROW manager has no objection to the application.
- 6.5 The proposed amendments to Plot 2 are considered to comply with policies that aim to protect residential amenities and community facilities. Although full timber framing is not so common place in Herefordshire, given that the site is not within a conservation area or close to a Listed Building the amendments to the design are considered to be acceptable. As such the proposal meets the criteria of the Leominster District Local Plan and is therefore recommended for approval with the relevant conditions.

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 - A08 (Development in accordance with approved plans and materials)**

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

Informative:

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

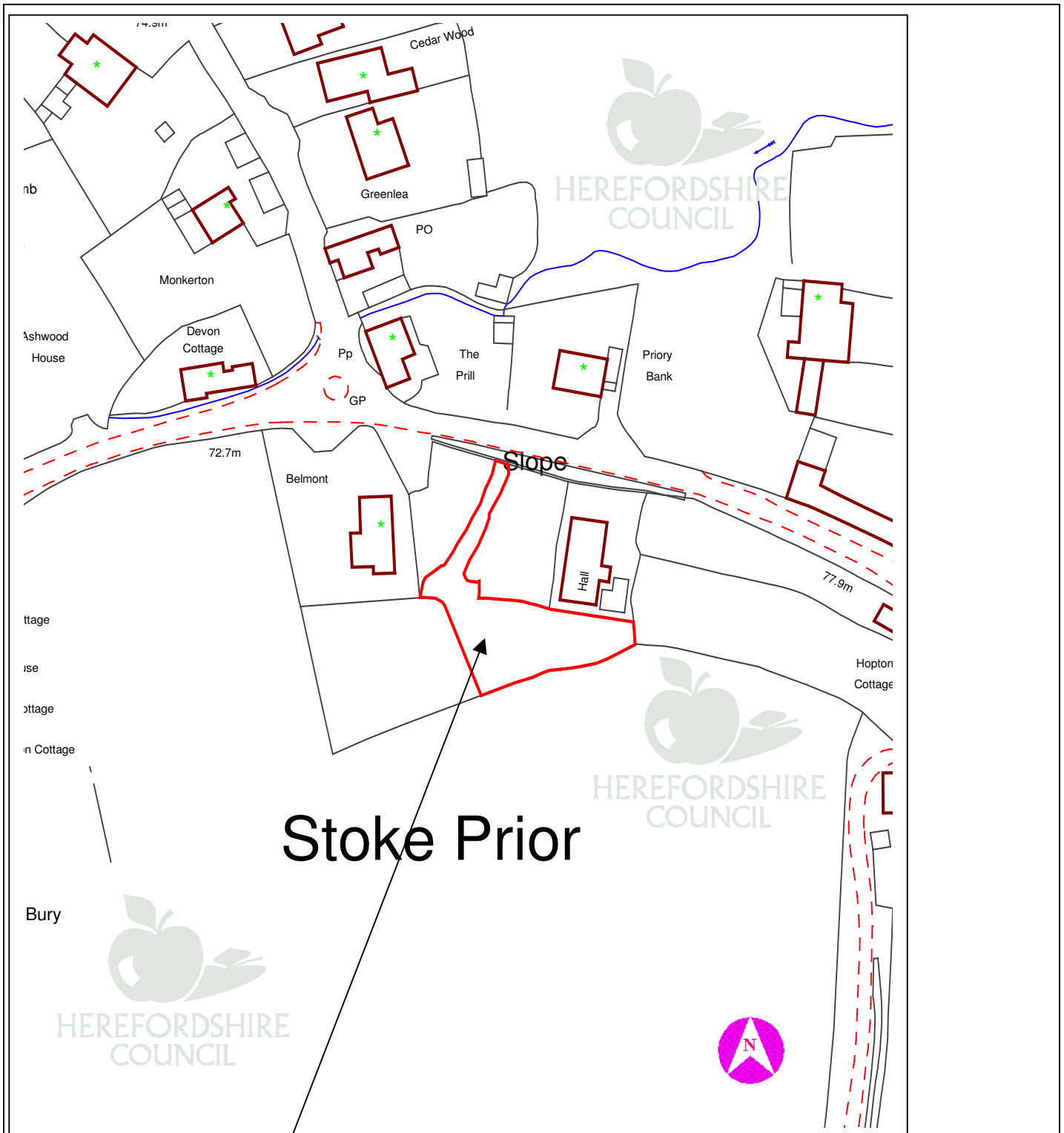
Decision:

Notes:

.....

Background Papers

Internal departmental consultation replies



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

APPLICATION NO: DCNC2006/2440/F

SCALE : 1 : 1250

SITE ADDRESS : Plot 2, Land adjacent Village Hall, Stoke Prior, Leominster

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

11 DCNC2006/2690/F - PROPOSED NEW DWELLING WITH DETACHED GARAGE AT MARCLE, BRIMFIELD, LUDLOW, SHROPSHIRE, SY8 4NE

For: Mr & Mrs G Jones per Mr L F Hulse, 19 Friars Gardens, Ludlow, Shropshire, SY8 1RX

Date Received:
16th August 2006

Ward: Upton

Grid Ref:
52581, 67884

Expiry Date:
11th October 2006

Local Member: Councillor J Stone

1. Site Description and Proposal

- 1.1 The application site forms part of the mature gardens of a property known as Marcle. It is located centrally within Brimfield and is accessed directly from the main road running through the village.
- 1.2 The site is flat but slightly raised, and is bounded to the west by No. 8 Marcle Orchard. Its gable end faces onto the site and contains one window at first floor level. It is understood that this is a secondary bedroom window. A further dwelling known as Brimfield Cottage shares a boundary to the north with the actual dwelling approximately 25 metres further from that boundary.
- 1.3 The application is for the erection of a single dwelling. The plans show a two-storey dwelling faced in red brick with a tiled roof. A timber-framed porch is shown on the front elevation and a conservatory to the rear. A detached garage is also shown in the south-western corner of the site. The dwelling has a footprint, including the conservatory, of 95m² and a height to its ridge of 7.5 metres.

2. Policies

2.1 Herefordshire Unitary Development Plan (Revised Deposit Draft)

H4 – Main villages – settlement boundaries
H13 – Sustainable residential design
DR1 – Design

2.2 Leominster District Local Plan

A24 – Scale and character of development
A2 – Settlement hierarchy
A54 – Protection of residential amenity
A55 – Design and layout of housing development

3. Planning History

- 3.1 None relevant to this particular site. However 93/0212/N granted permission for the erection of a dwelling adjacent to the site. This has been constructed and is of a

similar design and appearance to the current proposal. The property is now known as Sally Walk.

4. Consultation Summary

Statutory Consultations

4.1 None required.

Internal Council Advice

4.2 Traffic Manager: No objections.

5. Representations

5.1 Severn Trent Water: No objection subject to a condition requiring details of drainage arrangements.

5.2 Brimfield Parish Council: No objections.

5.3 One letter of objection has been received from Mr M W Sims, Brimfield Cottage, Brimfield. In summary, the points raised are as follows:

- 1) The proposal will cause overlooking and severely affect privacy.
- 2) Could a bungalow be built on the site?
- 3) Could the ground level be lowered?

A second letter has also been received from Mr and Mrs Schimmel, 8 Marcle Orchard, Brimfield, who query the precise location of the dwelling in relation to their bedroom window in the gable end.

5.4 The applicant's agent has also submitted a design and access statement as part of the application. This generally describes the proposal, its surroundings and the means of access to the site.

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 It would appear that there are two main issues in relation to this application: design and residential amenity. The principle of some infill development is accepted as the site falls within the settlement boundary for Brimfield as defined by Policy H4 of the Unitary Development Plan.

Design

6.2 The design of the dwelling reflects those that surround it, particularly Sally Walk. It is not excessively large and sits comfortably within the application site, allowing a reasonably sized curtilage, garaging and an on-site turning and parking area. Subject to details of materials and finished floor levels the proposal is considered to accord with the relevant policies in terms of its design.

Residential Amenity

- 6.3 The design and access statement suggests that the proposal has been positioned so as not to overlook 8 Marcle Orchard, and officers would concur with this view. It also states that mature planting will be maintained to give a sense of privacy. This could be secured via a landscaping condition.
- 6.4 The impact on the secondary bedroom window of 8 Marcle Orchard is limited and will not cause any demonstrable impact in terms of overshadowing as the room in question is principally served by another window.
- 6.5 The back to back distance between the proposal and Brimfield Cottage is well in excess of 35 metres. The accepted standard in residential design is just 22 metres, and the proposal considerably exceeds this. Therefore a refusal reason based on overlooking of Brimfield Cottage could not be justified, nor could a request to build a bungalow rather than a two-storey property.

Other Issues

- 6.6 In light of the residential context of the site, a condition limiting hours of construction is recommended.
- 6.7 Given that the site is slightly raised, a condition is also recommended requiring details of the slab level of the building.
- 6.8 The comments from Severn Trent do not appear to take account of the fact that mains drainage is available, although there is some justification to request details of a surface water drainage scheme.
- 6.9 It is therefore concluded that the proposal accords with all of the relevant policies as identified and, subject to the conditions suggested, 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 - B01 (Samples of external materials)

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

3 - F16 (Restriction of hours during construction)

Reason: To protect the amenity of local residents.

4 - 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.

5 - 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.

6 - G01 (Details of boundary treatments)

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

7 - G04 (Landscaping scheme (general))

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

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

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

Informatives:

1 - N19 - Avoidance of doubt
Drawing no. 556/1

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

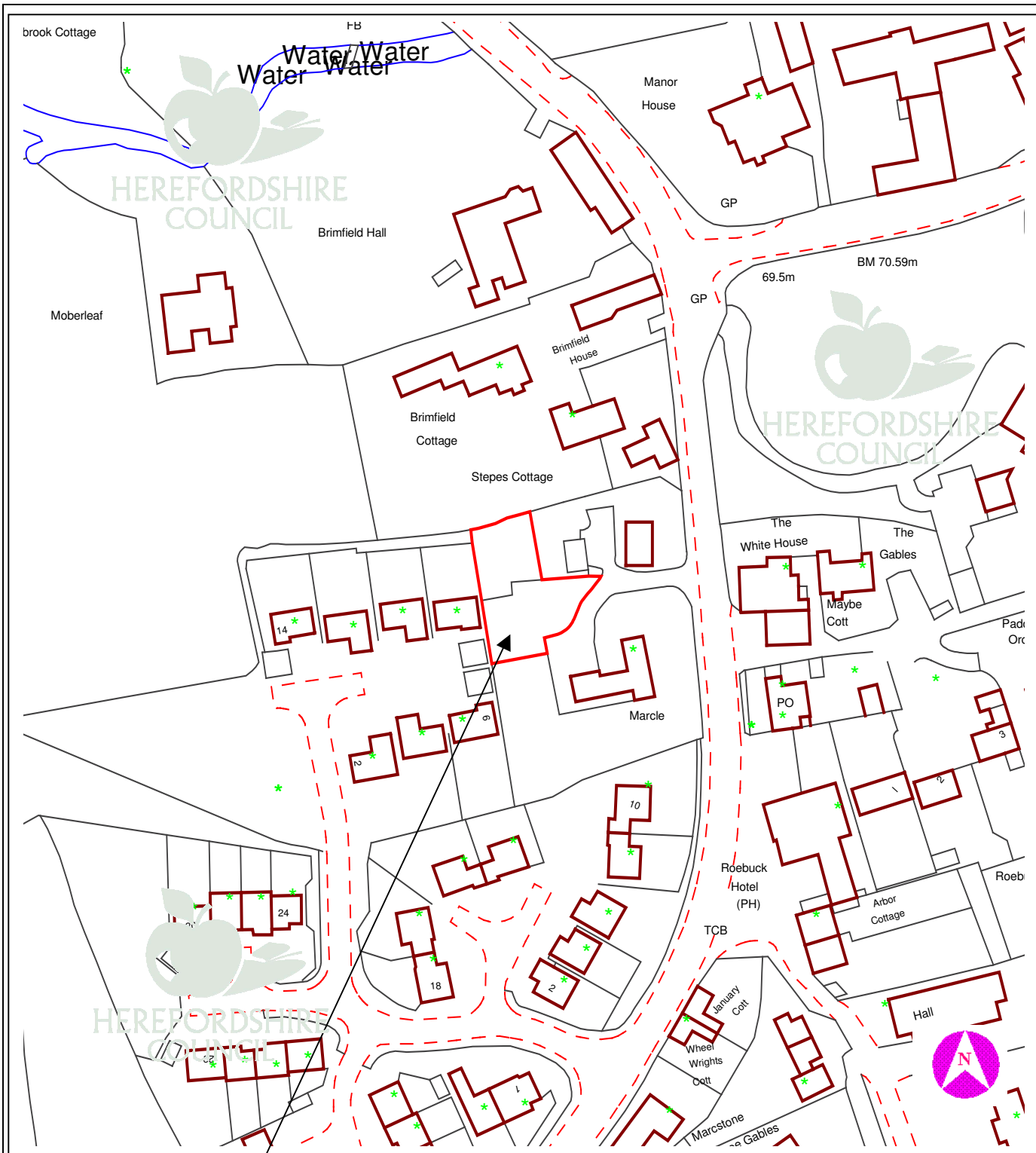
Decision:

Notes:

.....

Background Papers

Internal departmental consultation replies.



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

APPLICATION NO: DCNC2006/2690/F

SCALE : 1 : 1250

SITE ADDRESS : Marcle, Brimfield, Ludlow, Shropshire, SY8 4NE

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

12 DCNC2006/2926/F - ERECTION OF TIMBER GARDEN FENCE AT LAND ADJOINING GREYSTONES, WYSON, BRIMFIELD, LUDLOW, HEREFORDSHIRE, SY8 4NL

**For: Mr R Shears per Mr D F Baume David F Baume
Chartered Architect Churchways Jewkes Lane Kington
on Teme Worcestershire WR15 8LZ**

Date Received:
11th September 2006

Ward: Upton

Grid Ref:
52015, 67930

Expiry Date:
6th November 2006

Local Member: Councillor J Stone

1. Site Description and Proposal

- 1.1 A recently completed bungalow occupies this slightly elevated corner plot on Wyson Lane. The lane is narrow throughout its entire length and development is of a high concentration along its frontage.
- 1.2 The application is retrospective and seeks to retain a close board fence that bounds the site to the south and west and has been erected in breach of condition no.3 of the original permission. The condition reads as follows:

Before any other works hereby approved are commenced, the access point into the application site shall be so constructed that there is clear visibility from a point 0.6 metres above the level of the adjoining carriageway at the centre of the access 2 metres and 33 metres from and parallel to the nearside edge of the adjoining carriageway over the entire length of the site frontage. Nothing shall be planted, erected and/or allowed to grow on the area of land formed which would obstruct the visibility described.

2. Policies

- 2.1 Herefordshire Unitary Development Plan
H13(4) - Sustainable residential design
- 2.2 Leominster District Local Plan
A.70 - Accommodating traffic from development

3. Planning History

NC03/2251/F - Erection of a bungalow - Approved 28/01/04

NC04/3760/F - Erection of a bungalow - Approved 26/11/04

(It is the latter of these two permissions that has been implemented)

NC06/1846/F - Retrospective application for the erection of a timber fence - Withdrawn

4. Consultation Summary

Statutory Consultations

- 4.1 None required

Internal Council Consultations

Transportation Manager

- 4.2 I inspected the remedial works done by the builder at the corner site adjacent to Greystones on Friday, 1st September, 2006. They are in accordance with my recommendations, and visibility at the junction and driveway of the new bungalow, is acceptable at both sites because it is within current guidelines.
- 4.3 Visibility to the right when turning from Wyson Lane and travelling northbound is now acceptable at an "x" distance of 2.4m (from the Highways Design Guide for New Developments) - whilst there is a small section of carriageway adjacent to the Chapel not fully visible, it is unlikely to hide any motorised vehicle, including motorcycles. The vision to the left remains unsatisfactory, but is not related to the application. The visibility at the driveway to the new bungalow is acceptable in both directions at an "x" distance of 2.0m, particularly given the slow speed that vehicles are travelling as they near or exit the "T" junction.
- 4.4 Visibility around the corner for vehicles turning into Wyson Lane is limited, but I consider that it will in fact serve to limit speed, and contrary to common perception, will actually improve safety. This approach is well-recognised and encouraged in current guidance (such as the Inst. of Highway Incorporated Engineers' "Home Zones" guidance) and is very much emphasised in the emerging "Manual for Streets" published by DfT. Good visibility encourages higher speeds than would otherwise be observed, increasing danger for other road users and vehicles/pedestrians emerging onto the highway. As there is no separate provision for motorised vehicular traffic along Wyson Lane, safety for all users is improved if speeds are limited.

5. Representations

- 5.1 Brimfield Parish Council - No response
- 5.2 To date one letter of objection has been received from S Clarke, Elm Lea, Wyson Lane who considers that the fence continues to affect visibility and is not in keeping with the area.
- 5.3 The public consultation period expires on 11th October 2006 and any further correspondence received will be reported verbally to committee.
- 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 In light of the detailed comments of the Transportation Manager it is your officer's opinion that the concerns over visibility are addressed.

6.2 With regard to the appearance of the fence, it is a domestic boundary treatment in a residential situation. The issue has arisen as an enforcement case in specific respect to concerns over visibility. To refuse it on the grounds of its appearance is considered to be unreasonable.

6.3 It is therefore recommended that the application is approved.

RECOMMENDATION

Subject to no further representations raising additional material planning considerations by the end of the consultation period, the officers named in the Scheme of Delegation to Officers be authorised to approve the application.

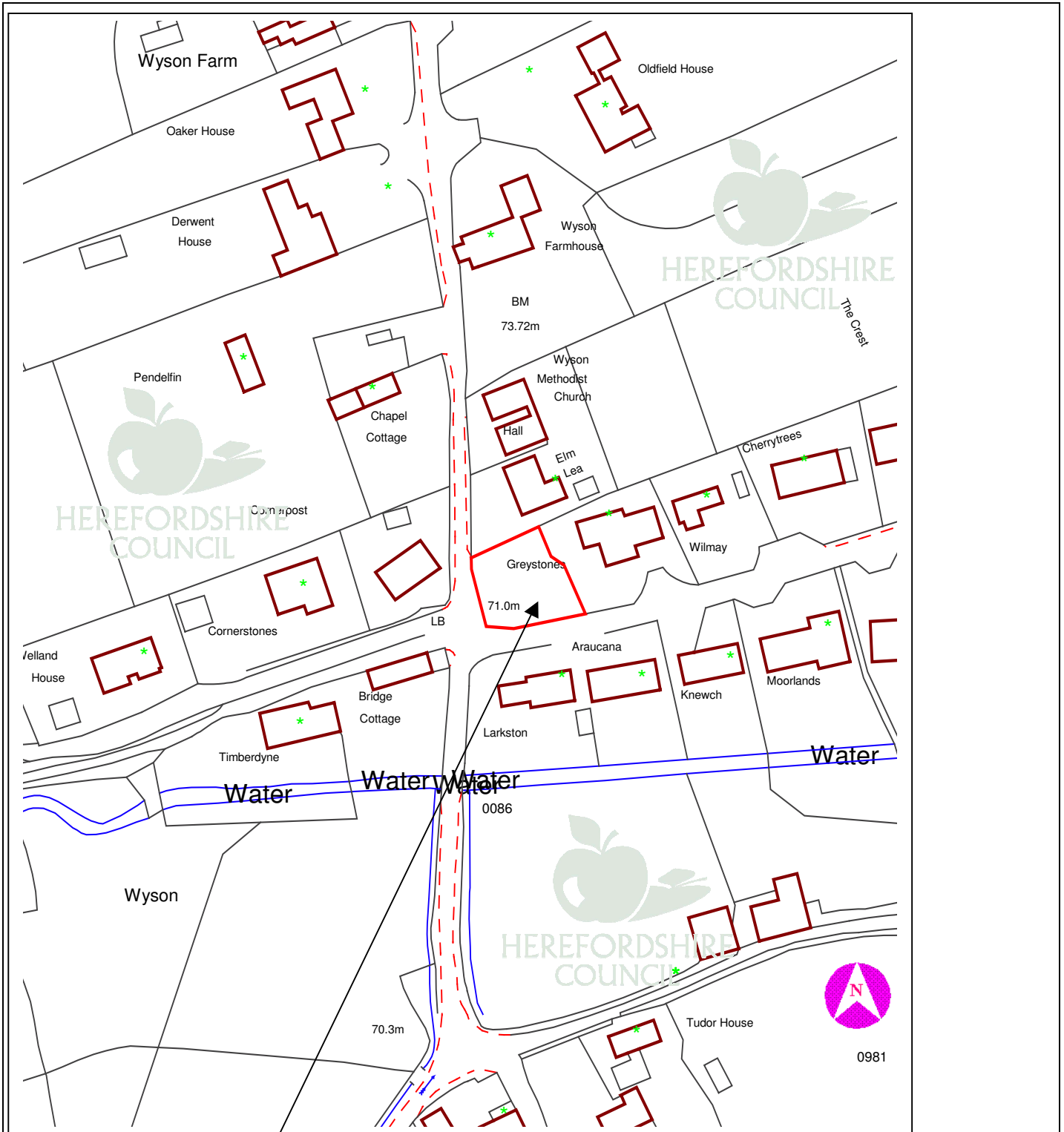
Decision:

Notes:

.....

Background Papers

Internal departmental consultation replies.



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

APPLICATION NO: DCNC2006/2926/F

SCALE : 1 : 1250

SITE ADDRESS : Land adjoining Greystones, Wyson, Brimfield, Ludlow, Herefordshire, SY8 4NL

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

13 DCNE2006/2623/F - ERECTION OF A LOG CABIN FOR USE AS HOLIDAY ACCOMMODATION AT LITTLE VERZONS GARDEN CENTRE, HEREFORD ROAD, LEDBURY, HEREFORDSHIRE, HR8 2PZ

For: Little Verzons Fruit Farm per Bruton Knowles, Bisley House, Green Farm Business Park, Bristol Road, Gloucester GL2 4LY

Date Received:
10th August 2006

Ward: Frome

Grid Ref:
66560, 39337

Expiry Date:
5th October 2006

Local Member: Councillor RM Manning

1. Site Description and Proposal

- 1.1. The application site lies to the southern side of the A438 within the Parish of Munsley. The site forms part of a larger land ownership where the applicant lives, operates a "Farm Shop" and operates an existing self-catering tourist unit. That self-catering tourist unit has been relatively successful achieving a 52.6% occupancy rate for the period March 2005 - March 2006. During the March 2006-March 2007 season 105 days of occupancy had already been booked in March of this year.
- 1.2 The site is not in close proximity to a village with a defined settlement boundary or a Town.
- 1.3 The full planning application under consideration proposes to erect a new build three bedroomed single storey dwelling to be occupied by tourists. The building would have a width of 16.46 metres and a depth of 8.53 metres. It would have a central projection to the front and rear of 6.7 metres x 1.83 metres. Thus the total floorspace would be 164.92 square metres. The eaves height of the building would be 2.1 metres, main ridge height 4.1 metres and the ridge height of the "cross-wing" of 5.7 metres.
- 1.4 The building would be sited some 230 metres south-south-east of the existing complex of farm buildings in the vicinity of the "Farm Shop". It would be sited within an existing plum orchard. Access to the building would be via the existing access to the "Farm Shop", an existing internal agricultural access track and a new access track with a length of approximately 100 metres.
- 1.5 The existing vehicular means of access onto the A438 would be improved by re-aligning an existing close boarded fence to the east thus improving the near-side visibility splay.
- 1.6 It appears that the external walls would be constructed of timber.

2. Policies

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'
Good Practice Guide on Planning for Tourism

Hereford and Worcester County Structure Plan June 1993

Policy CTC.9 'Development Requirements'

Malvern Hills District Local Plan 1998

Tourism Policy 2 - Development of Tourism
Tourism Policy 8 - Holiday Caravan and Chalet Sites
Tourism Policy 10 - Holiday Accommodation - Planning Permission Limitations
Tourism Policy 13 - Farm Tourism
Landscape Policy 1- Development Outside Settlement boundaries

Herefordshire Unitary Development Plan Revised Deposit Draft (May 2004)

S1 - Sustainable Development
DR1 - Design
LA2 - Landscape character and areas of least resilient to change
RST12 - Visitor accommodation
RST13 Rural and Farm Tourism Development
RST14 - Static caravans, chalets, camping and touring caravan sites

3. Planning History

DCNE2003/1841/F - Change of use of land from agricultural to site for log cabin for tourist accommodation - Approved 15/10/03

DCNME2005/3825/F - Erection of log cabin for use as holiday accommodation - Refused 18/01/06

4. Consultation Summary

Statutory Consultations

4.1. None

Internal Council advice

4.2 Landscape Officer - No objections

4.3 Transportation Section - views upon amended plan awaited.

4.4 The Tourism Development Officer objects on the basis that "there is already too much self-catering accommodation in the County and to add a further log cabin could be detrimental to the other self-catering businesses in the area".

5. Representations

- 5.1 Munsley Parish Council recommends approval of the application.
- 5.2 The Council for the Protection of Rural England object to the proposed development on the following summarised grounds: -
- The proposal represents new build permanent development in the open countryside; and
 - the proposed development is of a large scale and would detract from the landscape.
- 5.3 Councillor Manning has requested that the application be reported to Committee on the following summarised grounds: -
- Log cabins in this area are in demand by tourists;
 - The applicant already has one log cabin that achieves high occupancy rates and provides for the needs of disabled persons; and
 - The proposal would attract income into the local economy.
- 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 application raises the following main issues: -
- The principle of the proposed development;
 - The impact of the proposed development upon the landscape; and
 - The adequacy of the proposed vehicular means of access.
- 6.2 Firstly, it must be clarified that this is a proposal for a permanent building and not for a "caravan" (including a static caravan) as defined in Section 13 of the Caravan Sites Act 1968.
- 6.3 The application site lies outside of any defined settlement boundary and as such lies within the open countryside in planning policy terms.
- 6.4 The Central Government advice contained within Planning Policy Statement 7 entitled 'Sustainable Development in Rural Areas' makes it clear that "New development in the open countryside should be strictly controlled;" The policies within the Development Plan basically establish a presumption against new development in the open countryside. However, exceptions are provided for.
- 6.5 The Local Planning Authority's approach to the development of accommodation (as opposed to attractions) for tourists in the open countryside is set out in the Herefordshire Unitary Development Plan Revised Deposit Draft (May 2004).
- 6.6 In March of this year the Inspector's report was received into objections raised to the provisions of the Herefordshire Unitary Development Plan Revised Deposit Draft May 2004. Where objections were lodged to a specific policy but the

Inspector has recommended no change to the policy significant weight should now be attached to the policy.

- 6.7 In terms of new build self-catering accommodation (as opposed to the siting of moveable caravans), policy RST12 specifically states that proposals for such facilities within identified settlements will normally be permitted subject to certain criteria being met. The policy goes on to state: -

“Outside of identified settlements, the provision of permanent serviced or self-catering accommodation for visitors will only be permitted if it consists of the re-use and adaptation of a rural building...”

- 6.8 The site lies outside of any defined settlement and does not involve the re-use and adaptation of a rural building. As such there is a fundamental policy objection to the proposal.

- 6.9 An objection was lodged to this policy on the basis that it should allow for an element of new build in the open countryside (i.e. outside of the defined settlements). However, the Inspector reporting into objections to the emerging Unitary Development Plan considered this matter and concluded that: -

“I consider the policy reflects the advice contained in PPS7, particularly as regards accessibility and new buildings in the countryside away from existing settlements.”

- 6.10 He did not recommend any modification to the policy in response to the objections. The Council has accepted this recommendation.

- 6.11 Therefore it is concluded that the proposal would represent unjustified new build development in the open countryside contrary to the Central Government advice contained within Planning Policy Guidance Note 7 and policy RST12 of the Herefordshire Unitary Development Plan Revised Deposit Draft (May 2004).

- 6.12 In addition, it should be recognised that the Tourism Development Officer now considers there to be an oversupply of such self-catering accommodation within the County. For example “new starts” are struggling to maintain occupancy rates of 25%. In the long-term the over supply of such accommodation is inevitably going to lead to applications to release holiday occupancy conditions, as they are merely dwellings with an occupancy condition attached. In the event of such applications being successful the net result would be new dwellings in the open countryside.

- 6.13 Caravans on the other hand are genuinely capable of being easily moved off-site if the demand no longer exists.

Impact upon the landscape

- 6.14 The proposed building would not be sited in close proximity to the existing group of Farm building and as such it would not appear as part of a group of Farm buildings. In this respect the proposed chalet represents sporadic development in open countryside. Furthermore the floorspace/footprint of the proposed building is substantial. Nevertheless, the plum orchard in which it is proposed to site the building is bounded by high hedges and mature trees. The site is relatively well screened from public vantage points.

- 6.15 As explained above, the access would be via existing tracks with an additional short section of stoned track along the orchard boundary hedge. This is proposed as tyre tracks with grass growing between them.
- 6.16 It is not considered that the proposed development would be visually intrusive in the landscape. Nevertheless this is not a justification for the development as it could be repeated in numerous locations.

Vehicular Means of Access

- 6.17 There are currently two vehicular means of access from the A438 to Little Verzons Fruit Farm. Both are sub-standard in terms of visibility. However, the easternmost point of access is particularly poor from a highway safety point of view. Rather than utilise that access, it is proposed to utilise the existing vehicular means of access that serves the "Farm Shop" and main Farmyard. That vehicular means of access is safer and it is proposed to improve the eastern / nearside visibility splay by realigning the fence. The Transportation Section has raised no objections.

Sustainability / Accessibility

- 6.18 The site is physically remote from tourist attractions, retail and leisure facilities. Furthermore the site is not well served by other modes of transport other than the private car. As such, the tourists who would stay within the accommodation would be highly reliant upon the private motor vehicle. This represents an unsustainable form of development. Whilst it can be argued that any self-catering tourism accommodation in the countryside is unsustainable in terms of location, at least those proposals that re-use an existing building are sustainable to a degree in that they recycle / re-use an existing resource.

Conclusion

- 6.19 In conclusion the proposal represents sporadic new build development in the open countryside in an unsustainable location.

RECOMMENDATION

That planning permission refused for the following reason:

- 1. The proposal represents new built development outside of any settlement boundary in an unsustainable location. As such the proposal is contrary to the Central Government advice contained within Planning Policy Statement 7, Planning Policy Guidance Note 13, 'Good Practice Guide on Planning for Tourism and policies S1 and RST12 of the Herefordshire Unitary Development Plan Revised Deposit Draft (May 2004).**

Informatives

- 1. For the avoidance of any doubt the plans to which this decision relate are:-**

Application Site Plan (Scale 1:2500) received 21 September 2006;

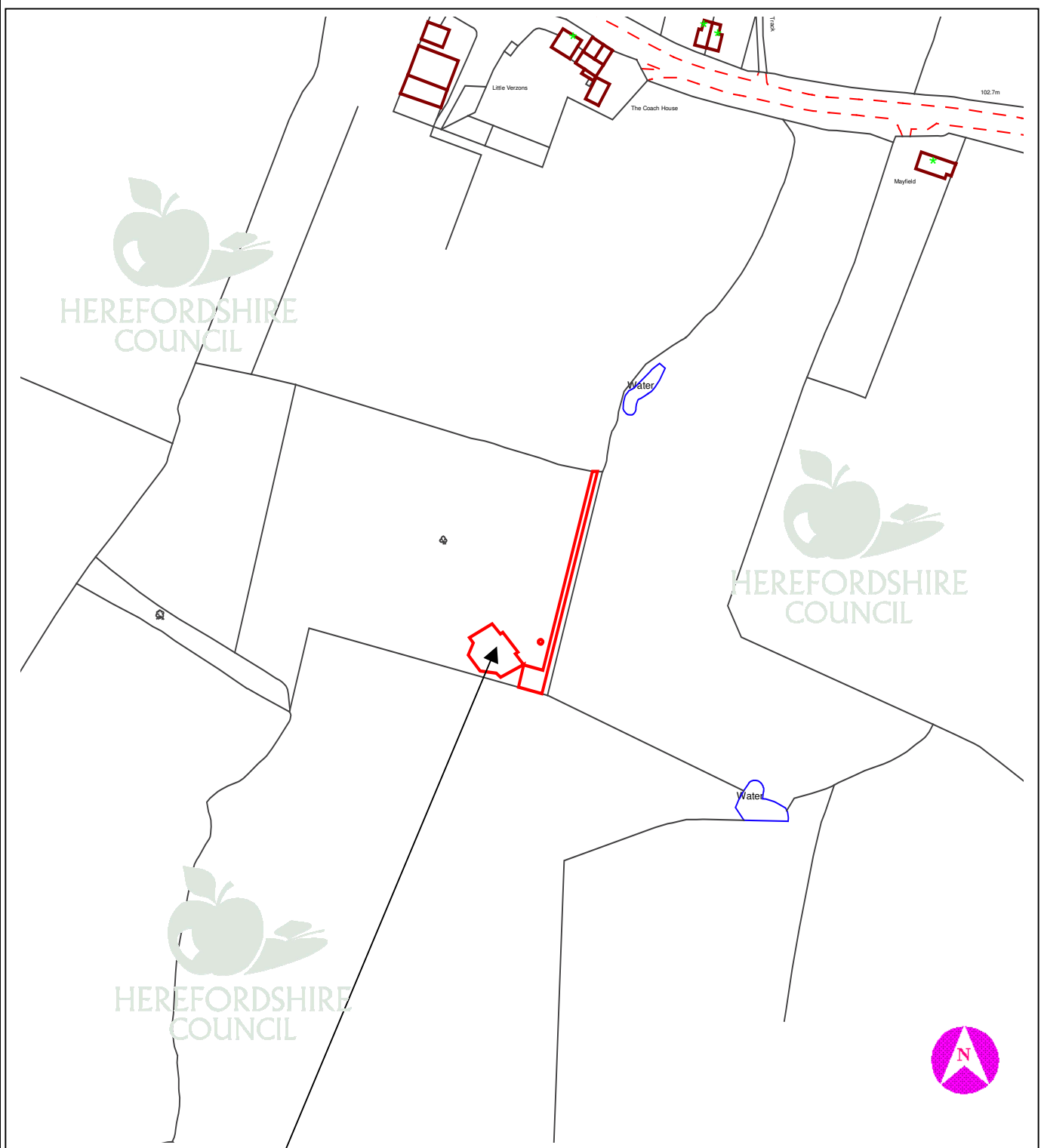
- Plan showing fence re-alignment (Scale 1:200) received 21st September 2006;**
- Proposed Floor Plan (Scale 1:100) received 7th September 2006;**

- Proposed Rear and Left Elevation (Scale 1:100) received 21st September 2006;
- Proposed Front and Right Elevation (Scale 1:100) received 7th September 2006;
- Cross-Section - Drawing number BS/109567-50-02 Rev.A received 10th August 2006.

Decision:

Notes:

.....



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

APPLICATION NO: DCNE2006/2623/F

SCALE : 1 : 2500

SITE ADDRESS : Little Verzons Garden Centre, Hereford Road, Ledbury, Herefordshire, HR8 2PZ

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

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

14 DCNE2006/2724/F - TEMPORARY CHANGE OF USE FROM RESIDENTIAL TO B1 USE (MAKING OF HAND SEWN CURTAINS AND BLINDS) AT FLAT-1, 37 NEW STREET, LEDBURY, HEREFORDSHIRE, HR8 2EA

For: Mrs Robinson at same address.

Date Received:
18th August 2006

Ward: Ledbury

Grid Ref:
70942, 37533

Expiry Date:
13th October 2006

Local Members: Councillor BF Ashton, Councillor PE Harling & Councillor DW Rule MBE

1. Site Description and Proposal

- 1.1 The application site lies on the north-western side of New Street in Ledbury. The building in question is a three storey late eighteenth century / early nineteenth century painted brick building with a slate roof. It is Grade 2 listed. Whilst originally it would have been a single dwelling, in the past it has been divided into three flats, one on each floor. The flats upon the first floor and the second floor are accessed via an external staircase to the rear, whilst the ground floor flat is accessed via the front door. The site lies within a Conservation Area.
- 1.2 This application relates to the ground floor flat. The proposal is to change the use of this flat to a B1 business use. The applicant (and owner of the property) provides a local service making hand-sewn bespoke curtains, blinds and other soft furnishing accessories. Client's largely provide their own fabrics and may visit the premises to discuss their requirements. The finished product(s) can then be collected or delivered by the applicant at close of business. Courier's may on occasions deliver some rolls of fabric direct. Similarly larger deliveries of workroom supplies would probably take place on average once a month. The applicant intends to relocate her existing business from Eastnor. As an indication as to the intensity of the activity, last year the applicant's business attracted 32 clients. The applicant does not employ any other persons.
- 1.3 The applicant has one industrial sewing machine and an overlocker. The proposed hours of use are 8.30am - 5.30pm Mondays to Fridays and 8.30am to 2.30pm on Saturdays.

2. Policies

Central Government Advice

Planning Policy Statement 1 – 'Delivering Sustainable Development'
 Planning Policy Guidance Note 4 – 'Industrial and Commercial Development and Small Firms'
 Planning Policy Guidance Note 15 – 'Planning and the Historic Environment'

Herefordshire Unitary Development Plan Revised Deposit Draft (May 2004)

H1 – 'Established Residential Areas'
E8 – Design Standards for employment sites
HBA3 – Change of use of listed buildings
HBA6 – New development within conservation areas

3. Planning History

3.1 None directly relevant.

4. Consultation SummaryStatutory Consultations

4.1 None

Internal Council advice

4.2 The Environmental Health section state: -

"I have visited 37 New Street as requested, it is impossible to determine the internal floor/ceiling construction without making exploratory holes, or lifting flooring and floorboards to the flat above, this is clearly impracticable. However, this is a listed building converted to flats in relatively recent times...it is likely that a new plasterboard ceiling has been applied over the original lath and plaster to improve fire resistance and sound insulation. Building Control may be able to confirm this for you. I understand that plywood has been applied to the floor above and, presumably, carpet.

Mrs Robinson has an industrial sewing machine, which is relatively quiet in operation, probably quieter than a domestic machine as there is very little motor noise. The machine produces 48.7 dBA at 1 metre (motor running no sewing) and 65.0 dBA at 1 metre (sewing material). The overlocker is quieter, no measurements were taken. Measurements were taken in a small room, not in free field conditions, so the levels measured will be somewhat exaggerated. I carried out a subjective assessment from the bedroom over the applicants current machine room. The construction of the machine room ceiling appeared to be standard plasterboard with exposed floorboards above providing a lower standard of insulation than that which appears to exist at 37 New st, sewing machine noise was not audible in the bedroom. In any case, Mrs Robinson advises that she will be mostly hand sewing and that the machine will be used at most for ten percent of the time.

I have carried out a simple experiment and found that 65 dBA is about the same sound level that you would perceive from a TV played at moderate volume.

The only potential nuisance that I can envisage from this business would be from customers and deliveries at unsocial hours, however, the nature and scale of the business is such that I do not consider that it would be reasonable to place restrictions on hours of operation."

4.3 The Transportation has no objection to the grant of planning permission.

5. Representations

5.1 The occupiers of two neighbouring properties object to the proposed development upon the following summarised grounds: -

There would be a loss in the housing stock;
Concern regarding adequacy of parking / servicing facilities;
There are more appropriate units available in the locality; and
The street from the junction with Market Street is predominantly residential.

5.2 The Ledbury Town Council recommends approval of the application.

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 to be considered in relation to this application are: -

- The loss of an existing dwelling;
- The impact of the proposed use upon the amenities of occupiers of neighbouring dwellings;
- The adequacy of parking / servicing;
- The impact of the proposed use upon the listed building;
- The impact of the proposed use upon the character and appearance of the Conservation Area.

6.2 With regard the first issue this Council does not have a policy in its Development Plan safeguarding the existing housing stock. Whilst the site is in a residential use at present, paragraph 6.5.2 of the Herefordshire unitary Development Plan Revised Deposit Draft (May 2004) states that not all businesses "...need to be located within employment areas, and can offer a viable use for previously developed land and buildings within urban areas. For instance, proposals of an appropriate scale and which do not adversely affect residential amenity can be acceptable in areas which are primarily residential".

6.3 In terms of the impact of the use upon the amenities of the occupiers of neighbouring dwellings (including the first floor flat) it must be recognized that the proposal is for a B1 business use (i.e. office, research and development or light industrial use) that is defined as one that "...can be carried out in any residential area without detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit". Furthermore the aforementioned advice of the Environmental Health Section suggests that the proposed use is unlikely to cause any harm to the amenities of occupiers of neighbouring dwellings.

6.4 The existing flat has no on-site parking provision although there is on-street parking available. The nature of the use is so low in scale and would generate so few vehicle movements that it is not considered that a highway safety problem would arise. In fact, the level of vehicle movements is likely to be less than those likely to be generated by a flat.

6.5 No external or internal changes are proposed to the fabric of the listed building. In terms of the character of the building, whilst the original use as a single-family dwellinghouse

is the optimum use, this has already been compromised in the past by sub-dividing the building into three flats with the changes that involved.

6.6 Without any external changes there would be no change to the appearance of the Conservation Area. It is the Conservation Section's view that the character of the Conservation Area would not be adversely affected. Whilst there are residential properties in the vicinity number 39 to the south-west accommodates a Veterinary Surgery and to the north-east is a Public House. Opposite the site is a Supermarket. In my mind it is only from number 41 that the north-western side of the New Street becomes predominantly residential in character.

6.7 Therefore I am recommending that a temporary planning permission be granted.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

- 1 - The use hereby permitted shall cease on or before 1st November 2009.**

Reason: To enable the full impact of the use to be assessed.

Informatives:

- 1 - N15 - Reason(s) for the Grant of PP/LBC/CAC**
- 2 - For the avoidance of any doubt the plan to which this decision relates is:**
 - Application Site Plan received 18th August 2006.**
- 3 - The applicant is advised to contact Mr Chris Massey (01432-260061) of the Council's Building Control Section to establish whether Building Regulations approval will be required. If any physical works were required as a result of the requirement of the building regulations an application for Listed Building Consent may be required.**

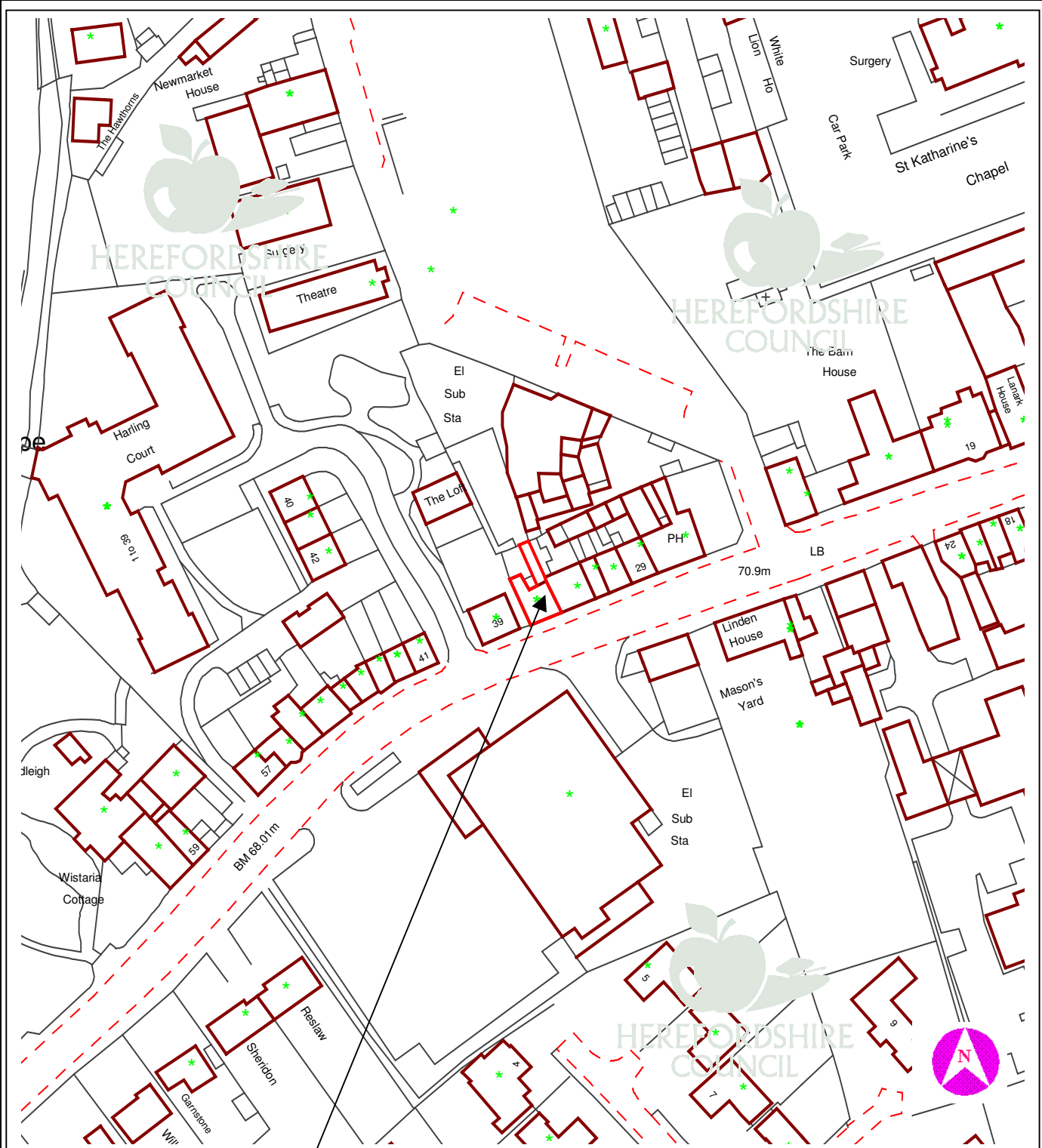
Decision:

Notes:

.....

Background Papers

Internal departmental consultation replies.



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

APPLICATION NO: DCNE2006/2724/F

SCALE : 1 : 1250

SITE ADDRESS : Flat-1, 37 New Street, Ledbury, Herefordshire, HR8 2EA

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

15 DCNW2006/2919/F - PROPOSED NEW BUILD OF COLLAPSED BARN INTO TWO HOLIDAY LETS AT CROONES HOUSE, BROXWOOD, LEOMINSTER, HEREFORDSHIRE, HR6 9JR

**For: G Sills per Mr E Price Moorcourt Lyonshall
Kington Herefordshire HR5 3JZ**

Date Received:

**Ward: Pembridge &
Lyonshall with Titley**

Grid Ref:

8th September 2006

37885, 54432

Expiry Date:

3rd November 2006

Local Member: Councillor RJ Phillips

1. Site Description and Proposal

- 1.1 The site is located in open countryside within close proximity to a two storey detached cottage, (the applicant's dwelling). The site for the proposed development is situated within the curtilage of the property on the site of a former barn in connection to the dwelling house.
- 1.2 The development subject to this application proposes to re-construct the building in exactly the same design and layout as that previously approved using the salvaged materials retrieved from the original building that collapsed during renovation.

2. Policies

- 2.1 Central Government Guidance
Planning Policy Statement 7: Sustainable Development in Rural Areas
- 2.2 Herefordshire Unitary Development Plan (Revised Deposit Draft)
Policy S1 - Sustainable Development
Policy S2 - Development Requirements
Policy DR1 - Design
Policy DR2 - Land Use and Activity
Policy DR3 - Movement
Policy DR4 - Environment
Policy LA2 - Landscape Character and Areas least Resilient to Change
Policy HBA12 - Re-use of Rural Buildings
Policy RST12 - Visitor Accommodation
- 2.3 Leominster District Local Plan
Policy A1 - Managing the District's Assets and Resources
Policy A2 - Settlement Hierarchy
Policy A9 - Safeguarding the Rural Landscape
Policy A36 - New Employment Generating Uses for Rural Buildings
Policy A38 - Rural tourism and recreational Facilities

- 2.4 Supplementary Planning Guidance - Herefordshire - Re-use and Adaptation of Rural Buildings

3. Planning History

- 3.1 NW2002/1248/F - Application for two holiday units - withdrawn.
- 3.2 NW2003/3715/F - Proposed conversion of barn into 2 no holiday lets - Approved 20th July 2004.

4. Consultation Summary

Statutory Consultations

- 4.1 Forestry Commission - wish to make no comment with regards to the proposal.

Internal Council Advice

- 4.2 Transportation Manager raises no objections to the proposed development.

5. Representations

- 5.1 Pembridge Parish Council raise no objections.
- 5.2 A letter submitted in support of the application, indicates works commenced on these structures to convert them to the approved development in July 2005, however a sequence of unfortunate events delayed progress in earnest until Spring of 2006 and what appears to be partly as a result of human error a large section of the timber structure collapsed and the decision was taken on safety grounds to rebuild from new.
- 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 issue of concern with regards to this application is the fact that the proposal is now for new build in the open countryside.
- 6.2 The application proposes new build to replace a previous barn granted planning approval for conversion to two holiday lets that was located between an existing outbuilding and the remains of part of the remaining section of the barn that collapsed during construction work on site.
- 6.3 The application currently under consideration proposes to reinstate the barn to its original approved condition using salvaged construction materials from the collapsed barn.
- 6.4 The site is located adjacent to the applicants dwelling where they currently reside and any unencumbered residential use of the site would be unacceptable due to privacy and amenity issues.

6.5 However the most relevant policy in the Herefordshire Unitary Development Plan (Revised Deposit Draft) is Policy RST12 – Visitor Accommodation – this policy states amongst its criteria:

“Outside of identified settlements, the provision of permanent serviced or self-catering accommodation for visitors will only be permitted if it consists of the re-use and adaptation of a rural building and it is of an appropriate scale and design for its surroundings, it does not harm the character or appearance of the countryside, it is wherever possible accessible by a choice of modes of transport and is designed to incorporate access for the disabled, and the proposal, including any proposed extensions, does not harm the character of the original building.”

6.6 The proposed subject to this application is for substantial re-build of an original building albeit a small section is still standing and the proposal is to re-instate the original construction materials. Therefore as Case Officer I cannot support this application.

RECOMMENDATION

Subject to no further representations raising additional material planning considerations by the end of the consultation period, the officers named in the Scheme of Delegation to Officers be authorised to refuse the application, as set out below:

- 1 The proposal subject to this application is for substantial new build in the open countryside. Therefore the proposal is contrary to policies S1 and RST12 of the Herefordshire Unitary Development Plan (Revised Deposit Draft) and Policies A36 and A38 of the Leominster District Local Plan.**

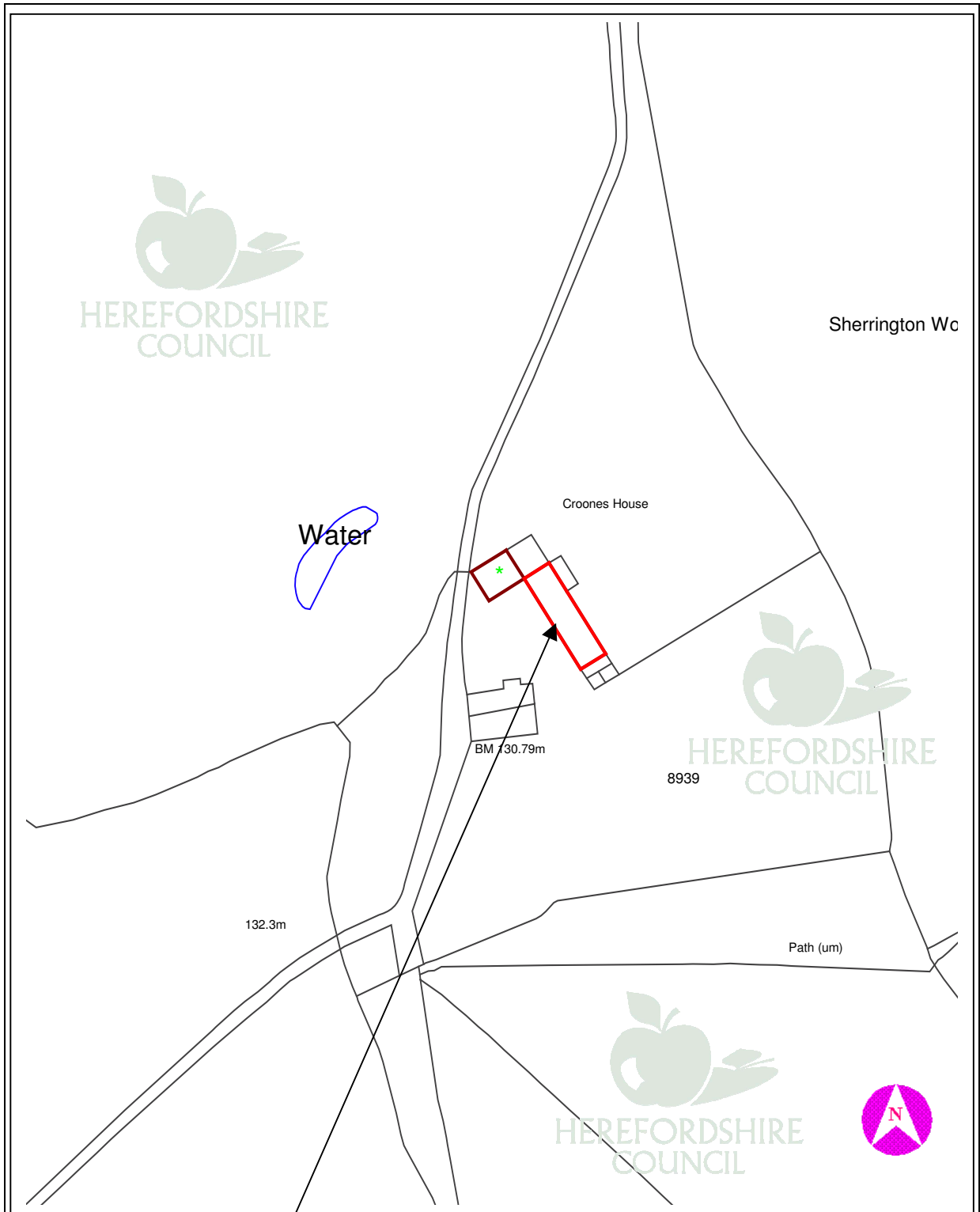
Decision:

Notes:

.....

Background Papers

Internal departmental consultation replies.



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

APPLICATION NO: DCNW2006/2919/F

SCALE : 1 : 1250

SITE ADDRESS : Croones House, Broxwood, Leominster, Herefordshire, HR6 9JR

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