

A G E N D A

Southern Area Planning Sub- Committee

Date: **Wednesday, 30th August, 2006**

Time: **2.00 p.m.**

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

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

For any further information please contact:

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Tel: 01432 261885 Fax: 01432 260286*

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**County of Herefordshire
District Council**

AGENDA

for the Meeting of the Southern Area Planning Sub-Committee

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

Councillors M.R. Cunningham, N.J.J. Davies, Mrs. C.J. Davis, G.W. Davis, J.W. Edwards, Mrs. A.E. Gray, T.W. Hunt, Mrs. J.A. Hyde, J.G. Jarvis, G. Lucas, D.C. Taylor and J.B. Williams

	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	1 - 6
To approve and sign the Minutes of the meeting held on 2nd August, 2006.	
4. ITEM FOR INFORMATION - APPEALS	7 - 10
To note the contents of the attached report of the Head of Planning Services in respect of the appeals received or determined for the southern area of Herefordshire.	
REPORTS BY THE HEAD OF PLANNING SERVICES	
To consider and take any appropriate action in respect of the planning applications received for the southern area and to authorise the Head of Planning Services to impose any additional or 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.	
5. DCSE2006/1907/O - LAND ADJACENT TO WESTHAVEN, SIXTH AVENUE, GREYTREE, ROSS-ON-WYE, HEREFORDSHIRE, HR9 7HJ.	11 - 16
Proposed residential development.	
6. DCSE2006/2038/F - BROADFIELDS, ASTON INGHAM, ROSS-ON-WYE, HEREFORDSHIRE, HR9 7LP.	17 - 20
Erection of timber workshop to replace existing derelict chicken house.	

7.	DCSE2004/3026/F - BENNETTS OF ROSS LTD, WILTON GARAGE, ROSS-ON-WYE, HEREFORDSHIRE, HR9 6AE.	21 - 28
	Demolish car wash building. Erect new car wash building. Extend forecourt canopy. Extend store and form new parking areas.	
8.	DCSE2006/0171/F - A40 (T) HIGHWAY BETWEEN THE JUNCTION OF A40 (T) / A449 AND RUDHALL BROOK, ROSS-ON-WYE, HEREFORD.	29 - 36
	Three arm roundabout on the alignment of the existing A40 (T).	
9.	DCSE2006/1748/F - HILLINGTON BARN, WOODREDDING, ROSS-ON-WYE, HEREFORDSHIRE, HR9 7RG.	37 - 44
	Continuation of use as equine stud farm and construction of training area, hay barn, winter barn and stables.	
10.	DCSE2006/2206/F - THE CHASE HOTEL, GLOUCESTER ROAD, ROSS-ON-WYE, HR9 5LH	45 - 56
	Erection of 9 apartments and associated parking.	
11.	DCSE2006/2048/F AND DCSE2006/2049/C - THE GARAGE, ADJACENT TO NO. 15 HENRY STREET, ROSS-ON-WYE, HEREFORDSHIRE, HR9 7AA.	57 - 64
	(a) Demolition of existing garage/store to be replaced with ground floor shop and 2 bedroom first floor flat. Renewal of permission SE2001/0940/F.	
	(b) Demolition of existing flat roof garage/store. Renewal of permission SE2001/0927/C.	

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COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL

BROCKINGTON, 35 HAFOD ROAD, HEREFORD.

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COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL

MINUTES of the meeting of Southern Area Planning Sub-Committee held at The Council Chamber, Brockington, 35 Hafod Road, Hereford on Wednesday, 2nd August, 2006 at 2.00 p.m.

Present: Councillor P.G. Turpin (Chairman)
Councillor H. Bramer (Vice Chairman)

Councillors: M.R. Cunningham, N.J.J. Davies, Mrs. C.J. Davis,
G.W. Davis, J.W. Edwards, Mrs. A.E. Gray, Mrs. J.A. Hyde, J.G. Jarvis,
G. Lucas and J.B. Williams

In attendance: Councillors T.W. Hunt (ex-officio)

29. APOLOGIES FOR ABSENCE

Apologies were received from Councillor D.C. Taylor.

30. DECLARATIONS OF INTEREST

There were no declarations of interest made.

31. MINUTES

RESOLVED: That the Minutes of the meeting held on 5th July, 2006 be approved as a correct record and signed by the Chairman.

32. ITEM FOR INFORMATION - APPEALS

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

33. DCSE2006/1450/F - THE SHRUBBERY, CAMP ROAD, ROSS-ON-WYE, HEREFORDSHIRE, HR9 5NA. (AGENDA ITEM 5)

Erection of new dwelling in garden.

The Senior Planning Officer reported the receipt of a further letter of objection from a local resident.

Councillor Mrs. C.J. Davis, one of the Local Ward Members, asked for clarification regarding the access. The Senior Planning Officer confirmed that the access to the site would be from Camp Road and not Alton Avenue.

Members supported the application but felt that access from Alton Avenue would have been preferable.

RESOLVED:

That planning permission be granted subject to the following conditions:

1. **A01 (Time limit for commencement (full permission))**
Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990.
2. **B01 (Samples of external materials)**
Reason: To ensure that the materials harmonise with the surroundings.
3. **E18 (No new windows in specified elevation)**
Reason: In order to protect the residential amenity of adjacent properties.
4. **E19 (Obscure glazing to windows)**
Reason: In order to protect the residential amenity of adjacent properties.
5. **H10 (Parking - single house)**
Reason: In the interests of highway safety and to ensure the free flow of traffic using the adjoining highway.
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. **W04 (Comprehensive & Integrated drainage of site)**
Reason: To ensure that effective drainage facilities are provided for the proposed development, and that no adverse impact occurs to the environment or the existing public sewerage system.

Informative:

1. **N15 - Reason(s) for the Grant of Planning Permission**
34. **DCSE2006/1979/F - LAND TO THE REAR OF ROYAL ARMS PUBLIC HOUSE, LLANGROVE, ROSS-ON-WYE, HR9 6EZ (AGENDA ITEM 6)**

New highway access as constructed to technical approval and variation of condition 5 of SE2004/2155/O.

The Southern Team Leader reported the receipt of a further letter from the Applicant's Agent.

In accordance with the criteria for public speaking, Mr. Spreckley, the Applicant's Agent, spoke in support of the application.

Councillor Mrs. J.A. Hyde, the Local Ward Member, noted the concerns raised by the Parish Council.

RESOLVED:

That planning permission be granted subject to the following conditions:

1. **Within 2 months of the date of this decision a 2m verge shall be provided at the rear of the carriageway and between the new access and the boundary with Hazelnut Cottage. Nothing shall be planted, erected and/or allowed to grow on the verge which obstruct visibility over the adjoining highway.**

Reason: In the interests of highway safety.

2. **G04 (Landscaping scheme (general))**

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

3. **G05 (Implementation of landscaping scheme (general))**

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

Informative(s):

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

(Note – In accordance with SO 5.10.2 Councillors G.W. Davis and G. Lucas wished it to be recorded that they abstained from voting on the above resolution)

35. DCSE2006/1871/F - HAZELNUT COTTAGE AND ADJOINING LAND, LLANGROVE, NR. ROSS-ON-WYE, HEREFORDSHIRE. (AGENDA ITEM 7)

Non-compliance with Condition 5 of planning permission SE2005/1118/O: Relaxation of highway splays.

The Southern Team Leader reported the receipt of a further letter from the Applicant's Agent. He also advised the Sub-Committee of an error in the report and asked them to note that condition 5 should refer to 'east' not 'west'.

In accordance with the criteria for public speaking Mr. Smith, the Applicant's Agent, spoke in support of the application.

RESOLVED:

That planning permission be granted 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. Before any other works hereby approved are commenced, a visibility splay shall be provided from a point 0.6 metres above ground level at the centre of the access to the application site and 2 metres back from the nearside edge of the adjoining carriageway (measured perpendicularly) for a distance of 33 metres to the east along the nearside edge of the adjoining carriageway and a 2-metre verge shall be provided at the rear of the carriageway between the new access and the western boundary of the application site. Nothing shall be planted, erected and/or allowed to grow on the triangular area of land or the verge so formed which would obstruct the visibility described above.

Reason: In the interests of highway safety.

6. H06 (Vehicular access construction)

Reason: In the interests of highway safety.

7. 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.

8. W01 (Foul/surface water drainage)

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

9. 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.

10. W03 (No drainage run-off to public system)

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

11. H27 (Parking for site operatives)

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

Informatives:

1. **If a connection is required to the public sewerage system, the developer is advised to contact the Dwr Cymru Welsh Water's Network Development Consultants**
 2. **HN04 - Private apparatus within highway**
 3. **HN05 - Works within the highway**
 4. **N15 - Reason(s) for the Grant of PP/LBC/CAC**
36. **DCSW2006/0585/O - CYPRUS COTTAGE, KINGSTHORN, NR. HEREFORD, HR2 8AW. (AGENDA ITEM 8)**

Demolition of house and site for construction of two dwellings served by sewage treatment plant.

The Southern Team Leader reported the receipt of an email from the Applicant requesting that the application be deferred.

In accordance with the criteria for public speaking, Mr. Russell, a local resident, spoke in objection to the application, and Mr. Glasson, the Applicant, spoke in support.

Councillor G.W. Davis, the Local Ward Member, felt that one dwelling on the site would be sufficient. He noted the drainage problems on the site and felt that the application should be refused.

Councillor J.B. Williams felt that the application should be deferred as the UDP was still at draft stage.

The Head of Planning Services advised the Sub-Committee that following the meeting of Council on 28th July, 2006, the Unitary Development Plan was now at an advanced stage. He felt that Members should give more consideration to policy contained within the UDP than the outgoing South Herefordshire Plan.

Members considered deferring the application for a Site Inspection but after considerable discussion resolved that it be refused.

RESOLVED:

That planning permission be refused for the following reasons:

1. **The development proposed is an Infill Development in a Smaller Settlement which falls to be considered against Policy H.7 in the Herefordshire Unitary Development Plan (Revised Deposit Draft). It does not comply with that policy particularly by reason of the length of the site frontage and the size of the proposed dwelling plots. The development will thereby conflict with the interests which the policy is intended to protect.**
2. **The development proposals have failed to demonstrate how they have taken account of the special landscape qualities of the site which is in an Area of Great Landscape Value as defined in the South Herefordshire District Local Plan. The development thereby conflicts with both policies GD.1 and C.8 of the South Herefordshire District Local Plan and Policy**

LA.2 of the Herefordshire Unitary Development Plan (Revised Deposit Draft).

3. In order to meet the requirements to create a level and adequate access, turning and parking area at the front of the site a raised area will need to be created and supported by a substantial retaining structure, no details of which have been provided. Such a structure is likely to have a significantly adverse effect on the residential amenities of the new dwellings and the character of the site. The development proposals have therefore failed to demonstrate how the reasonable highway safety requirements can be met whilst at the same time providing as satisfactory design of development in all other respects. The proposal thereby conflicts with the following policies: SH.8 and GD.1 contained in the South Herefordshire District Local Plan and Policies DR.1 and H.14 contained in the Unitary Development Plan (Revised Deposit Draft).

The meeting ended at 2.54 p.m.

CHAIRMAN

ITEM FOR INFORMATION - APPEALS**APPEALS RECEIVED****Application No. DCSW2006/0405/F**

- The appeal was received on 26th July, 2006
- The appeal is made under Section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission
- The appeal is brought by Mr. N.H. Williams
- The site is located at Tonteg, Pool Pardon, Clifford, Herefordshire, HR3 5HQ
- The development proposed is Erection of detached single storey dwelling.
- The appeal is to be heard by Hearing

Case Officer: Angela Tyler 01432 260372

Application No. DCSW2005/3916/F

- The appeal was received on 28th July, 2006
- The appeal is made under Section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission
- The appeal is brought by Stephen Hicks & Pamela Smith
- The site is located at Red Lion Inn, Kilpeck, Hereford, Herefordshire, HR2 9DN
- The development proposed is Change of use from public house to residential.
- The appeal is to be heard by Written Representations

Case Officer: Andrew Prior on 01432 291932

Application No. DCSE2005/3636/L

- The appeal was received on 28th July, 2006
- The appeal is made under Section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission
- The appeal is brought by Miss C.J. Byfleet
- The site is located at Bridge Cottage, Kynaston, Ledbury, Herefordshire, HR8 2PD
- The development proposed is Two storey extension to rear.
- The appeal is to be heard by Written Representations

Case Officer: Steven Holder on 01432 260479

Application No. DCSE2005/3632/F

- The appeal was received on 28th July, 2006
- The appeal is made under Section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission
- The appeal is brought by Miss C.J. Byfleet
- The site is located at Bridge Cottage, Kynaston, Ledbury, Herefordshire, HR8 2PD
- The development proposed is Two storey extension to rear.
- The appeal is to be heard by Written Representations

Case Officer: Steven Holder on 01432 260479

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

Application No. SW2002/1054/O

- The appeal was received on 4th August, 2006
- The appeal is made under Section 78 of the Town and Country Planning Act 1990 against a refusal to approve any matter required by a condition on a previous planning permission
- The appeal is brought by J.G. Price and Sons Ltd
- The site is located at Albion Villa, Peterchurch, Herefordshire, HR2 0RT
- The development proposed is Site for dwelling
- The appeal is to be heard by Written Representations

Case Officer: Andrew Prior on 01432 261932

Application No. DCSW2006/0594/F

- The appeal was received on 7th August, 2006
- The appeal is made under Section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission
- The appeal is brought by Voyage Limited
- The site is located at Hunters Lodge, Wormelow, Herefordshire, HR2 8EQ
- The development proposed is Erection of 4 detached buildings within the grounds of Hunters Lodge to provide 3 small care homes and communal leisure facility.
- The appeal is to be heard by Hearing

Case Officer: Andrew Prior on 01432 261932

Application No. DCSE2006/0006/F

- The appeal was received on 11th August, 2006
- The appeal is made under Section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission
- The appeal is brought by Ms. D.M. Williamson
- The site is located at Robinswood, Goodrich, Ross-on-Wye, Herefordshire, HR9 6HT
- The development proposed is Continuation of provision of Delta lodge mobile home for a further 5 years (as per pp SE2004/2959/F).
- The appeal is to be heard by Hearing

Case Officer: Duncan Thomas on 01432 261795

APPEALS DETERMINED

Application No. DCSE2005/3735/F

- The appeal was received on 24th May, 2006
- The appeal was made under Section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission
- The appeal was brought by Mr. M. Cole
- The site is located at Land opposite High Rising, Linton, Ross-on-Wye, Herefordshire, HR9 7RS
- The application, dated 1st July, 2005, was refused on 19th December, 2005
- The development proposed was Building of bungalow on vacant land for invalid.
- The main issues are:
 - (i) Whether the proposal complies with the development plan housing policies.
 - (ii) The effect of the proposal on the character and appearance of the site and the surrounding area.
 - (iii) Highway safety.

Decision: The appeal was **DISMISSED** on 15th August, 2006

Case Officer: Duncan Thomas on 01432 261974

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

5 DCSE2006/1907/O - PROPOSED RESIDENTIAL DEVELOPMENT AT LAND ADJACENT TO WESTHAVEN, SIXTH AVENUE, GREYTREE, ROSS-ON-WYE, HEREFORDSHIRE, HR9 7HJ.

For: Executors of Hazel Reece Essex deceased per Mr T Margrett, Green Cottage, Hope Mansel, Ross-on-Wye, Herefordshire, HR9 5TJ.

**Date Received: 19th June, 2006 Ward: Ross-on-Wye West Grid Ref: 59556, 25117
Expiry Date: 14th August, 2006**

Local Members: Councillor M.R. Cunningham and Councillor G. Lucas

1. Site Description and Proposal

1.1 Westhaven is a vacant dwelling with long rear garden located on the south west of Sixth Avenue, Greytree. A narrow private drive runs along the northern boundary of the site. 1-4 Blackfields Cottages are adjacent. The site is located in a primarily residential area as shown on Map 37: Ross-on-Wye in the South Herefordshire District Local Plan and Inset Map Ross1 in the Herefordshire Unitary Development Plan (Revised Deposit Draft). It is also in an Area of Outstanding Natural Beauty.

1.2 This is an outline application to establish the principle of residential development. The application reserves all matters for future consideration. An illustrative layout plan has been provided which shows the siting of 6 dwellings; a terrace of 4 dwellings fronting Sixth Avenue and 2 detached houses fronting onto the private drive. This plan does not form part of the application.

2. Policies

1.1 Department of the Environment

PPS1	-	Delivering Sustainable Development
PPG3	-	Housing
PPG13	-	Transport

1.2 Hereford and Worcester County Structure Plan

Policy H16	-	Ross and Rural Sub Area
Policy H16A	-	Housing in Rural Areas Development Criteria
Policy H18	-	Housing in Rural Areas outside The Green Belt
Policy CTC1	-	Development in Areas of Outstanding Natural Beauty
Policy CTC9	-	Development Criteria

1.3 South Herefordshire District Local Plan

Policy GD.1	-	General Development Criteria
Policy C.5	-	Development within Areas of Outstanding Natural Beauty
Policy C.43	-	Foul Sewerage
Policy SH.14	-	Siting and Design of Buildings

1.4 Herefordshire Unitary Development Plan (Revised Deposit Draft)

Policy S1	-	Sustainable Development
Policy S2	-	Development requirements
Policy S3	-	Housing
Policy S7	-	Natural and Historic Heritage
Policy DR2	-	Land Use and Activity
Policy H1	-	Hereford and the Market Towns: Settlement Boundaries and Established Residential Areas
Policy H14	-	Re-using Previously Developed Land and Buildings
Policy H15	-	Density
Policy LA1	-	Area of Outstanding Natural Beauty

3. Planning History

- 3.1 SH78/0648/O Detached dwelling - Refused 4.10.78

4. Consultation Summary

Statutory Consultations

- 4.1 Welsh Water - Would request that if you are minded to grant planning permission that conditions and advisory notes are included to ensure no detriment to existing residents or the environment and to Welsh Water's assets.

Internal Council Advice

- 4.2 Traffic Manager - Recommends that any permission, which this Authority may wish to give, include conditions.

5. Representations

- 5.1 Ross Rural Parish Council objects on the grounds of restricted access to the site and highway safety. Also insufficient parking.

- 5.2 12 letters of objection have been received. The main points raised are:

- (1) Sixth Avenue is narrow and often congested by parked vehicles
- (2) It would appear that insufficient parking will be provided in an already congested area
- (3) This application will make situation worse
- (4) Indiscriminate parking makes it very difficult to manoeuvre
- (5) Increase in traffic
- (6) The exit from Sixth Avenue onto Greytree has poor visibility
- (7) Invasion of privacy
- (8) Obstruction of views
- (9) It is not acceptable to build 6 more houses where previously there was only 1
- (10) The track that runs down along the side of the site is a private road
- (11) There just isn't room for anymore dwellings

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

6. Officer's Appraisal

- 6.1 This is an outline application to establish the principle of residential development. The application reserves all matters, external appearance, siting, design, landscaping and means of access, for future consideration. These matters will be dealt with later at the time of approval of reserved matters. The reserved matters will seek to ensure the development is well designed and of a suitable scale so that it can be assimilated into the area avoiding problems of overlooking. Although this is an outline application, the applicant has submitted an indicative layout plan, which shows the siting of 6 dwellings; a terrace of 4 dwellings that will front onto Sixth Avenue and 2 pairs of semi-detached house fronting onto the private drive. This plan though does not form part of the application.
- 6.2 In terms of principle of land use the proposal is considered acceptable. The application proposes the redevelopment of previously developed land located within an established residential area, which is within the overall housing provision policies of the Unitary Development Plan (Revised Deposit Draft).
- 6.3 Objection has been raised to the proposed development accessing the site off the track that runs along the northern side of the site, its sub-standard width and its poor visibility at the junction with Sixth Avenue especially to the southwest, as well as traffic congestion. The Traffic Manager considers the proposed development would only be acceptable subject to a scheme of improvements to the track including its widening to a minimum of 3.5metres along the length of the site, improvements to the visibility at the junction of track with Sixth Avenue in a south easterly direction of 2.4metres x 33metres, and adequate parking to meet Council standards. The applicant has demonstrated these requirements can be achieved with the limits of the site; accordingly the Traffic manager has no objection to the proposal.

RECOMMENDATION

That planning permission be granted 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. **A scheme of improvements to the track along the northern boundary of the site including its widening to a minimum of 3.5 metres along the full length of the site shall be submitted to and approved in writing by the local planning authority.**

Reason: In the interests of highway safety.

- 6. **H03 (Visibility splays)**

Reason: In the interests of highway safety.

- 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.

Informative:

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

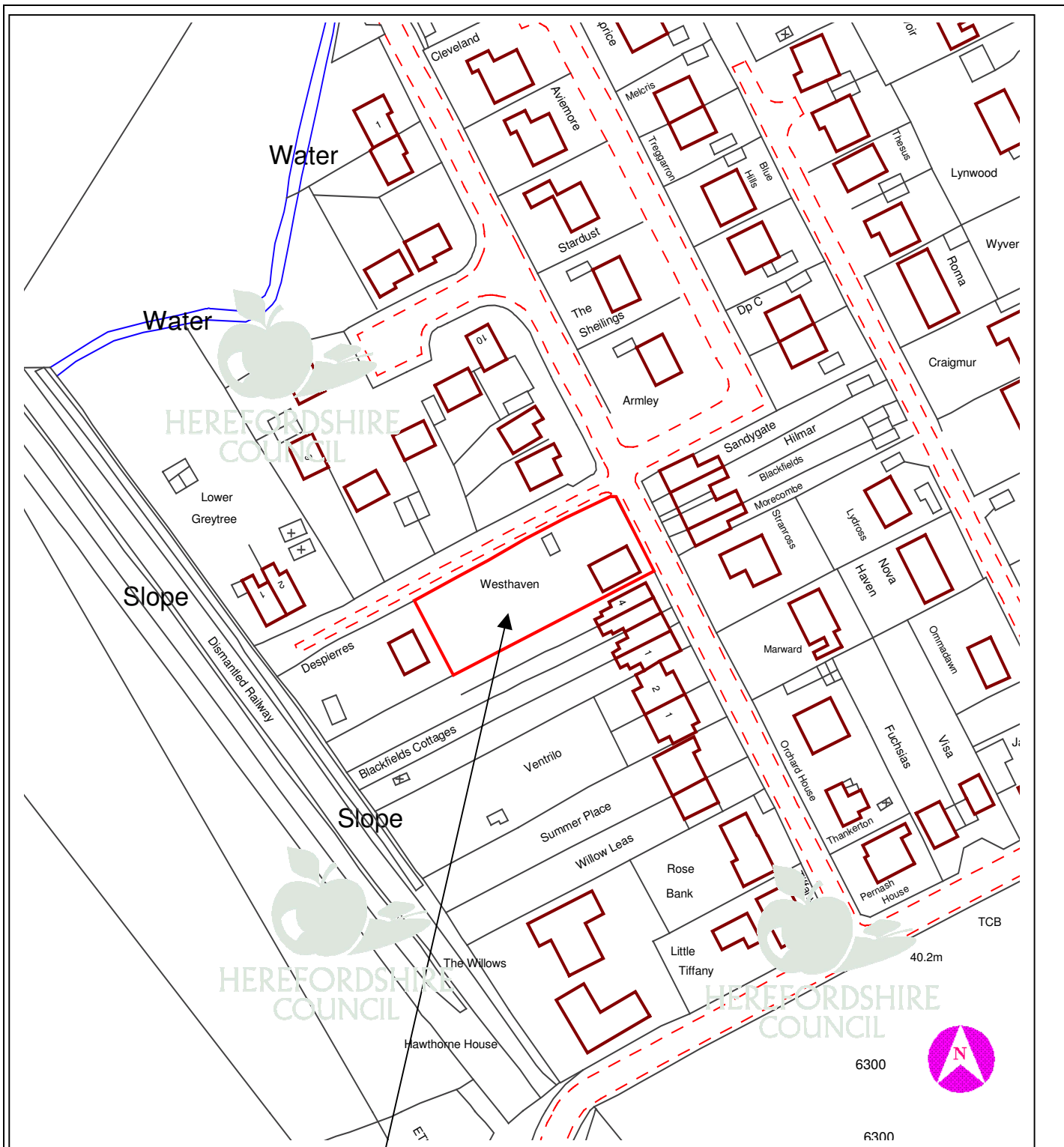
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCSE2006/1907/O

SCALE : 1 : 1250

SITE ADDRESS : Land adjacent to Westhaven, Sixth Avenue, Greytrees, Ross-on-Wye, Herefordshire, HR9 7HJ

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6 DCSE2006/2038/F - ERECTION OF TIMBER WORKSHOP TO REPLACE EXISTING DERELICT CHICKEN HOUSE, BROADFIELDS, ASTON INGHAM, ROSS-ON-WYE, HEREFORDSHIRE, HR9 7LP.

For: L. Tucker, Broadfields, Aston Ingham, Near Ross-on-Wye, HR9 7LP.

Date Received: 14th June, 2006

Ward: Penyard

Grid Ref: 68018, 23380

Expiry Date: 9th August, 2006

Local Member: Councillor H. Bramer

1. Site Description and Proposal

1.1 Broadfields is located on the north side and set well back from the B4222, to the west of Aston Ingham. On the south-east side of the drive is a large barn and chicken house. It is located in open countryside designated as being of Great Landscape Value. The site is well screened from the B4222.

1.2 This application proposes single storey timber clad building to be used as a workshop/gym for personal use under a bitumen shingle roof that will replace the chicken house.

2. Policies

2.1 Planning Policy Statement

PPS.1 - Delivering Sustainable Development
PPS.7 - Sustainable Development in Rural Areas

2.2 Hereford and Worcester County Structure Plan

Policy H.16A - Housing Development in Rural Areas Development Criteria
Policy H.20 - Housing in the Open Countryside
Policy CTC.2 - Development within Areas of Great Landscape Value
Policy CTC.9 - Development Criteria

2.3 South Herefordshire District Local Plan

Policy GD.1 - General Development Criteria
Policy C.1 - Development within Open Countryside
Policy C.8 - Development within Areas of Great Landscape Value
Policy SH.23 - Extensions to Dwellings

2.4 Herefordshire Unitary Development Plan (Revised Deposit Draft)

Policy DR.1 - Design
Policy H.7 - Housing in the Countryside Outside Settlements
Policy H.18 - Alterations and Extensions
Policy LA.2 - Landscape Character and Areas Least Resilient to Change

3. Planning History

- | | | | | |
|-----|-----------------|---------------------------------------|---|-------------------|
| 3.1 | 36171 | Agricultural dwelling | - | Approved 15.05.73 |
| | SH892017PF | Removal of agricultural condition | - | Approved 07.02.90 |
| | DCSE2006/0057/F | Extension and alterations to bungalow | - | Approved 16.02.06 |

4. Consultation Summary

Statutory Consultations

- 4.1 No statutory or non-statutory consultations required.

Internal Council Advice

- 4.2 Traffic Manager - no objection.

5. Representations

- 5.1 Aston Ingham Parish Council comment:

- “1. The application states that the proposed new building is a replacement for the derelict chicken house. However, it appears to be larger than the existing building, on a different site, and is for a markedly different use. The Parish Council's view is that this should be regarded as a new building/development, and that the demolition of the chicken house is incidental to the application.
2. It is proposed that the building will be used as a workshop and gym. However, application DCSE2006/0057/F, which was recently granted planning permission, included a substantial area designated as a gymnasium.
3. With regard to the proposed use as a workshop, there is no indication as to what activity will be carried on there, other than for 'personal use'. The Parish Council feels that this should be investigated to establish the exact nature of the proposed use, and in particular whether this would involve any commercial activity, which, in our view, should not be permitted.
4. The appearance of the building tends to suggest that some form of residential use may be envisaged, particularly as it is proposed to connect mains water and foul drainage. As the Parish Council observed in our comments in response to application DCSE2006/0057/F, the property has already been extended far beyond the original footprint, and the last application included an additional and substantial semi-self-contained bedroom/bathroom annexe. If the Council is minded to give permission for this structure, then it is the Parish Council's view that strict conditions as regards use should be applied, and residential use specifically excluded.

In general terms, the Parish Council is not in favour of this proposal as the site has already undergone substantial redevelopment.”

6. Officer’s Appraisal

- 6.1 This application is for a timber clad workshop building that will be in place of a derelict chicken house that is located close to the entrance drive to Broadfields. The building will be used for purposes incidental to the enjoyment of Broadfields, as a workshop/gym.
- 6.2 While, the site is located outside the residential curtilage of Broadfields the building will be adjacent to a large agricultural building, in a position that it is well screened from the adjoining B4222 by dense hedgerow planting. The site cannot be seen from a public viewpoint. As such it is not considered a free-standing building in this position will harm the rural character of the area or cause harm to acknowledged visual qualities of the area.
- 6.3 When planning permission was granted for extension under reference DCSE2006/0057/F a bedroom and study in the existing bungalow was to be altered to a gym. Regardless of the comments from the PC this did not form part of the planning permission and there is no requirement for the applicant to accommodate the gym within the existing bungalow.

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. **The workshop building hereby permitted shall be used solely for purposes incidental to the enjoyment of the dwelling known as Broadfields and not for the carrying out of any trade or business.**

Reason: To ensure that the workshop is used only for purposes ancillary to the dwelling.

Informative(s):

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

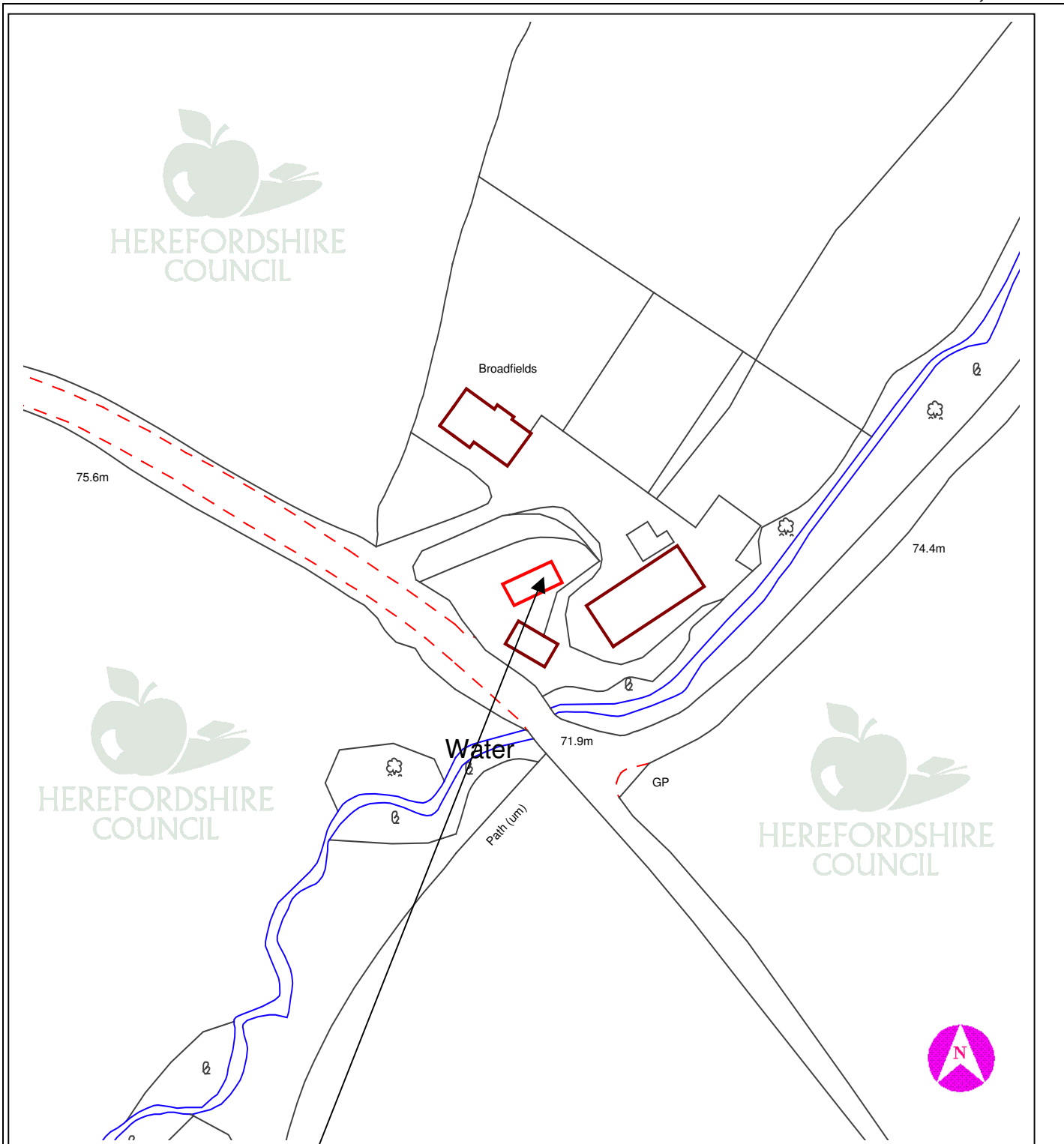
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCSE2006/2038/F

SCALE: 1 : 1250

SITE ADDRESS: Broadfields, Aston Ingham, Ross-on-Wye, Herefordshire, HR9 7LP

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7 DCSE2004/3026/F - DEMOLISH CAR WASH BUILDING. ERECT NEW CAR WASH BUILDING. EXTEND FORECOURT CANOPY. EXTEND STORE AND FORM NEW PARKING AREAS AT BENNETTS OF ROSS LTD, WILTON GARAGE, ROSS-ON-WYE, HEREFORDSHIRE, HR9 6AE.

For: Bennetts of Ross Ltd per ACT Design, 23 The Avenue, Charlton Kings, Cheltenham, GL53 9BL.

Date Received: 26th August, 2004 Ward: Llangarron Grid Ref: 58816, 24281

Expiry Date: 21st October, 2004

Local Member: Councillor Mrs. J.A. Hyde

1. Site Description and Proposal

- 1.1 This site is located on the southern side of Wilton roundabout and relates to Wilton Garage Filling Station. The site is within the village settlement boundary and designated Conservation Area. The site is a petrol filling station with an associated shop selling mostly general food items. To the rear of the existing car wash is a grassed area currently used as a tennis court. There is an LPG compound and a building in a yard area in the south eastern corner of the site. There is an existing dwelling to the west of the site and a large building plus car park to the east all in the applicant's ownership. There is a housing estate to the rear south west of the site.
- 1.2 This application is to demolish the existing car wash building and wall and rebuild them approximately 12 metres to the south towards the rear of the site i.e. encompassing part of the tennis court area. A flat roofed single storey extension to the store room, a small extension to the petrol pump canopy and additional parking areas are also proposed.

2. Policies

2.1 Planning Policy Guidance

PPS1 - Delivering Sustainable Development

2.2 Hereford and Worcester County Structure Plan

Policy CTC1 - Area of Outstanding Natural Beauty

Policy CTC2 - Area of Great Landscape Value

Policy CTC9 - Development Criteria

2.3 South Herefordshire District Local Plan

Policy GD1 - General Development Criteria

Policy C5 - Development within AONB

Policy C8 - Development Within AGLV

Policy C23 - New Development affecting Conservation Areas

Policy C24	-	Demolition in Conservation Areas
Policy C25	-	Demolition and Redevelopment
Policy ED3	-	Employment Proposals within/adjacent to Settlements
Policy ED5	-	Expansion of Existing Businesses
Policy RT7	-	Petrol Filling Stations
Policy T3	-	Highway Safety Requirements

2.4 Herefordshire Unitary Development Plan (Revised Deposit Draft)

Policy S2	-	Development Requirements
Policy DR1	-	Design
Policy LA1	-	Areas of Outstanding Natural Beauty
Policy HBA6	-	New Development within Conservation Areas
Policy HBA7	-	Demolition of Unlisted Buildings within Conservation Areas
Policy E6	-	Expansion of Existing Businesses
Policy TRC18	-	Petrol Filling Stations

2.5 Supplementary Planning Guidance

SPG	-	Design and Development Requirements
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3. Planning History

3.1	SH97/0827/PF	Change of use to form hot food/preparation area for A3 use including take-away and install flue pipe.	-	Approved 24.9.97
	SH98/0868/RM	Erection of two 4-bedroomed houses with integral single garages, and two 3-bedroomed bungalows with integral single garages with vehicular access thereto.	-	Approved 16.3.99
	SE2001/0302/A	Internally illuminated pole sign.	-	Refused 4.5.01
	SE2001/1441/A	Internally illuminated pole sign.	-	Refused 30.8.01
	SE2001/2748/A	Internally illuminated pole sign.	-	Approved 9.1.02
	SE2001/2967/F	Installation of LPG tanks and dispenser. Demolish buildings. Floodlight on 4 metre pole.	-	Approved 6.3.02
	SE2004/4229/A	Internally illuminated pole sign.	-	Approved 7.2.05

4. Consultation Summary

Statutory Consultations

- 4.1 Welsh Water recommends that certain conditions and advisory notes are included within any approval.
- 4.2 The Highways Agency are now content that the proposed works may proceed and directs that any planning permission shall include a condition regarding completion of certain mitigation measures.

Internal Council Advice

4.3 The Conservation Manager has no objection.

5. Representations

5.1 The applicant's agent observes:

A meeting was held with the Highways Agency to try and resolve their concerns/objections with respect to the proposal. As a result an access and egress study and traffic flow survey was undertaken and compiled in the form of a report with various recommendations proposed. The applicant is in agreement with these recommendations being imposed and a copy of the report is enclosed.

5.2 The Parish Council has no objections but consideration should be given to restricting or making 'NO ENTRY' to Bennetts directly from the roundabout. We would like more information on how this extension of the garage will affect the houses to be built at the bottom of the site. Bridstow Parish Council has received a letter, rather a copy of a letter put to the Planning Officer by a resident of Bridstow strongly opposing this planning application. Copies of the letter were also put to the Highways Agency, Birmingham and to Paul Keetch MP.

5.3 Two letters of support for the application have been received from Mr. J.C. Felices, Castle Lodge Hotel, Wilton, Ross on Wye, Herefordshire HR9 6AD
Mr. P. Keetch MP, House of Commons, London SW1A 0AA. The main points being:

- At this time, providing the Highways Department are satisfied with the proposals then no objection
- business must move forward and modernise all the time
- the garage has been on the site for 75 years. Some of the houses in the area have been built on land previously owned by the garage and therefore the new house owners bought them in the knowledge of the garage already being there
- the alterations will provide better facilities for customers.

5.4 Eight letters of objection have been received from:

Mr. P. Hughes, 3 The Pippins, Wilton, Ross on Wye HR9 6BQ
Mr. M.P. Williams, 19 The Pippins, Wilton, Ross on Wye HR9 6BQ
Mrs. P. Casa, 11 The Pippins, Wilton, Ross on Wye HR9 6BQ
Mrs. G. Brett, 10 The Pippins, Wilton, Ross on Wye HR9 6BQ
Mr. and Mrs. P.J. Jordan, 16 The Pippins, Wilton, Ross on Wye HR9 6BQ
Mrs. E. Gower, 18 The Pippins, Wilton, Ross on Wye HR9 6BQ
Mr. D.J. Weller, The Rowans, 15 The Pippins, Wilton, Ross on Wye HR9 6BQ
Mrs. P.J. Whalley, 17 The Pippins, Wilton, Ross on Wye HR9 6BQ.

The main points being:

- existing noise and light nuisance will be exacerbated by proposals,
- concern over illuminated sign blocking visibility and width of exit crossover,
- need for 'no entry' into garage from island,
- entry and exit should be on Wilton Road,
- existing garage very busy,
- three trees felled within site with no consent from Council,

- the expansion of the site will affect highway safety and affect residential amenities of neighbours. Previous applications in area have been refused on these grounds,
- the proposed development will have a detrimental affect on character and appearance of Conservation Area,
- proposed height of boundary wall should be raised and a hedgerow planted along rear of site to absorb noise pollution,
- crossing the forecourt entrance is dangerous for pedestrians as it is, and proposal will make this worse,
- moving the car wash will affect neighbouring dwellings,
- the proposal will encourage more traffic to the site on an already busy roundabout,
- extra tree screening required,
- some of traffic enters site from roundabout, which is a hazzard to road safety,
- need to remove access from the garage to the roundabout,
- the application does not provide for change of use of tennis court to residential
- no reason given for extra parking provision,
- overdevelopment of already crowded site.

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 main issues relate to the size and design of the proposed development, its effect on the character and appearance of the Conservation Area and the residential amenities of neighbouring dwellings. The effect of the proposal on highway safety and the adjacent Trunk Road is also an important issue. The most relevant policies with respect to these issues are GD1, C25, ED3, ED5 and T3 of the South Herefordshire District Local Plan.
- 6.2 The main purpose of the proposed development is simply to make better use of the space within the existing site in order to attain more 'elbow room' for the garage customers to make it easier for them to manoeuvre about the premises. The site itself will not be enlarged. The size and design of the development will be in keeping with the existing buildings/structures, will be in matching materials and will not adversely affect the character and appearance of the immediate area which forms part of the Ross on Wye Conservation area. Nor will these structures/buildings affect the residential amenities of any of the neighbouring dwellings. The relocated car wash building will be far enough away from the rear (southern) boundary of the site so as not to adversely affect the neighbouring dwellings. In any case the existing trees along this boundary already screen the site from these dwellings.
- 6.3 The most important issue relates to the highway safety aspect of the proposal and the use of the vehicle access in particular the one directly onto the roundabout. The Highways Agency originally objected to the proposed development and requested that the application be held in abeyance to give the applicant an opportunity to undertake a review of the proposal in consultation with themselves. One of their main concerns was that vehicles were entering the site directly off the roundabout and often were stopping on the roundabout waiting to enter the site which in turn was blocking the roundabout causing a dangerous hazard to highway safety.
- 6.4 Consequently the applicants had a traffic survey undertaken which analysed the traffic flow and also the access and egress of vehicles to and from site. This survey was undertaken, in consultation with the Highways Agency, and a report produced.

The Highways Agency have been re-consulted on this report and are now happy with the proposal provided the works are carried out in accordance with drawing no. 3.1 contained in the report. The main thrust of the recommendation is that the existing vehicular access onto the roundabout is reduced in width to make it difficult for vehicles to access the site at this point. Also 'no entry' signs are to be erected on either side of the reduced access point. As a result this will become exit only. Access to the site will only be via the access onto the B4260 road to Ross on Wye. Road markings producing a hatched area will encourage vehicles to access the site in a safer manner and reduce traffic backing up to the roundabout.

- 6.5 The proposed development is therefore considered to be acceptable and in accordance with planning policies and guidance. The implementation of the revised access arrangements and layout as shown in drawing 3.1 in the submitted report will improve highway safety.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

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

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

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

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

3. **The materials and finish intended for the new section of canopy shall match that on the existing canopy unless otherwise first agreed in writing by the local planning authority.**

Reason: In the interests of visual amenity.

4. **Before any work commences on site details of all new surfaces shall first be submitted to and be subject to the prior written approval of the local planning authority.**

Reason: In the interest of visual amenity.

5. **G09 (Retention of trees/hedgerows)**

Reason: To safeguard the amenity of the area.

6. **Before any work commences on site details of the size, materials and finish intended for the extended wall along the eastern boundary of the site shall first be submitted to and be subject to the written approval of the local planning authority.**

Reason: In the interests of visual amenity.

7. **No development shall commence upon the application site unless or until the mitigation measures as shown on drawing reference no. 3.1 (contained in Atkins**

report received on 27th March 2006) have been completed to the satisfaction of the local planning authority after consultation with the Highways Agency.

Reason: To ensure that the A40 and A49 trunk roads continue to serve their purpose as part of a national system of routes for through traffic in accordance with Section 10(2) of the Highways Act 1980 by minimising disruption on the trunk road resulting from traffic entering and emerging from the application site and in the interests of road safety.

8. W01 (Foul/surface water drainage)

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

9. 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.

10. W03 (No drainage run-off to public system)

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

11. The proposed development site is crossed by a public sewer with the approximate position being marked on the attached Statutory Public Sewer Record. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times. No part of the building will be permitted within 3 metres either side of the centreline of the public sewer.

Reason: To protect the integrity of the public sewer and avoid damage thereto.

Informatives:

- 1. The developer is advised to contact the Network Development Consultants to discuss this matter prior to the commencement of any site work, the appropriate contact number being tel: 01443 331155.**
- 2. N16 - Welsh Water Informative**
- 3. A copy of the Welsh Water Statutory Public Sewer Record is attached to this planning permission notice.**
- 4. N15 - Reason(s) for the Grant of Planning Permission**

Decision:

Notes:

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Background Papers

Internal departmental consultation replies.

8 DCSE2006/0171/F - THREE ARM ROUNDABOUT ON THE ALIGNMENT OF THE EXISTING A40 (T) ON A40 (T) HIGHWAY BETWEEN THE JUNCTION OF A40 (T)/A449 AND RUDHALL BROOK, ROSS-ON-WYE, HEREFORDSHIRE.

For: Persimmon Homes (South Midlands Ltd) per WSP Development, 54 Hagley Road, Edgbaston, Birmingham, B16 8PE.

Date Received: 20th January, 2006 Ward: Ross-on-Wye East Grid Ref: 60851, 24833

Expiry Date: 17th March, 2006

Local Member: Councillor Mrs. C.J. Davis and Councillor Mrs. A.E. Gray

1. Site Description and Proposal

- 1.1 The Deposit Draft Unitary Development Plan (UDP) identified land off Tanyard Lane as a potential site for development of about 150 houses. This large area of land of about 8 ha. is bounded by the A40(T) road to the east; modern housing (Collier and Brain housing development) off Blenheim Close, Chatsworth Close and Arundel Close plus further housing off Tanyard Lane to the north; Rudhall Brook and a caravan site to the south, and housing in Rudhall Meadow along the south-western boundary. The site is in 3 sections: open, grassed areas either side of a central section with a number of businesses including dog boarding kennels. The only access to the site is from Tanyard Lane.
- 1.2 Objections to this allocation in the UDP have been made, and these were considered at the UDP Inquiry during 2005 and the Inspector's report has now been published. A development brief for the site has been prepared with developers and agents and has been subject to widespread local consultation. The Council adopted the brief in 2005 as a basis to guide preparation of a detailed application for the site. In the UDP the proposed phasing of development required the first 50 houses to be built by 2006.
- 1.3 Two applications have now been submitted by a developer (Persimmon Homes). An outline application (SE2005/3208/O) for the whole of the site and this detailed application (SE2006/0171/F) for a new roundabout off the A40(T). These have not been reported to Committee as there has been a holding direction issued by the Highways Agency and ongoing discussions regarding a planning agreement.
- 1.4 The roundabout would be constructed about halfway between the roundabouts at Overross and Hildersley and about 100m to the north of Rudhall Brook. A new access would be formed off the roundabout to the south-west which would serve the proposed residential development and a farm access with field gate to the east. The submitted drawing shows the route of the new access road into the housing estate and a possible access to the adjoining caravan park. These are not within the current application site however. The roundabout would require the re-alignment of sections of the A40(T) carriageway and new hedgerows would be planted. This section of the A40(T) rises to the north and is generally at a higher level (by up to 2m) than the adjoining land.

2. Policies**2.1 Planning Policy Guidance**

PPG3	-	Housing
PPG23	-	Planning and Pollution Control
PPG24	-	Planning and Noise

2.2 Hereford and Worcester County Structure Plan

Policy H18	-	Housing in Rural Areas
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2.3 South Herefordshire District Local Plan

Part 1

Policy SH5	-	Housing Land in Ross on Wye
Policy ED4	-	Safeguarding existing Employment Premises
Policy SH14	-	Siting and Design of Buildings
Policy SH15	-	Criteria for New Housing Schemes
Policy C30	-	Open Land in Settlements
GC1	-	General Development Criteria

Part 3

Chapter 37, Policy 2	-	New Housing Developments
Policy 10	-	Alternative Uses of Employment Land
Policy 20	-	Open Spaces

2.4 Herefordshire Unitary Development Plan (Deposit Draft)

Policy S2	-	Development Requirements
Policy S3	-	Housing
Policy DR1	-	Design
Policy DR2	-	Land Use and Activity
Policy DR4	-	Environment
Policy DR5	-	Planning Obligations
Policy DR7	-	Flood Risk
Policy DR9	-	Air Quality
Policy DR10	-	Contaminated Land
Policy H1	-	Hereford and the Market Towns: Settlement Boundaries and Established Residential Areas
Policy H2	-	Hereford and the Market Towns: Housing Land Allocations
Policy H3	-	Managing the Release of Housing Land
Policy H9	-	Affordable Housing
Policy H13	-	Sustainable Residential Design
Policy H15	-	Density
Policy H16	-	Car Parking
Policy H19	-	Open space requirements
Policy ED5	-	Safeguarding Employment Land and Buildings
Policy T6	-	Walking
Policy T7	-	Cycling
Policy T8	-	Road Hierarchy
Policy T11	-	Parking Provision
Policy RST3	-	Standards for Outdoor Playing and Public Open Space

Policy NC1	-	Biodiversity and Development
Policy NC8	-	Habitat Creation, Restoration and Enhancement

3. Planning History

- 3.1 DCSE2005/3207/F Residential and associated development, including 60 dwellings, linear park and site access at land off Tanyard Lane, Ross-on-Wye - Withdrawn 05.01.06
- DCSE2005/3208/O Site for residential and associated development, including linear park and site access at land off Tanyard Lane, Ross-on-Wye - Not determined

4. Consultation Summary

Statutory Consultations

- 4.1 Highways Agency does not propose to give a direction restricting the grant of planning permission but offers advice to the developer.

Internal Council Advice

- 4.2 Traffic Manager notes that the Highways Agency has concerns over the proposed layout of the A40(T) roundabout.

5. Representations

- 5.1 The applicant's agent has made the following submission:

1. This application is made in connection to the residential development allocation for Tanyard Lane as set out under Policy H.2 of the emerging Herefordshire Unitary Development Plan.
2. This Policy seeks 50 dwellings phased for completion in 2006.
3. The reason for this submission is based on the need to bring forward required site infrastructure which has a long lead in period due to required highway consents.
4. I understand that the Council are still considering the Outline application for the whole site including access details; the access details now proposed differ slightly from ones submitted previously under the Outline application, in view of suggestions from the Highways Agency and the Council and now benefit from comments of a safety audit.

- 5.2 Ross Rural Parish Council has no objections to the proposal.

- 5.3 Ross-on-Wye Town Council felt "that the application was pre-emptive and should not even be considered prior to the public inquiry on the proposed development at Tanyard Lane.

Once the results of the public inquiry are published only then should consideration be given to altering the highway and then the two applications could be considered in conjunction."

5.4 16 letters have been received expressing objections and points of concern. In summary these are as follows:

1. object in principle as whole point is to provide access to proposed residential development but concerned that drainage problems have not been resolved and insufficient infrastructure in Ross to support large influx of people and traffic
2. should wait for planning inspector's report otherwise devalues public inquiry regarding the UDP
3. roundabout would be on steep incline and car and hgv drivers would be forced to change to low gear, vastly increasing noise as traffic accelerates/decelerates - at present flat ground allows acceleration before incline so that vehicles cruise up hill comparatively quietly.
4. do not accept that by slowing down traffic a roundabout would reduce noise
5. residents adjacent to A40(T) already suffer from traffic noise day and night which has increased by 15% in last 5 years or so - noticeably since Severn Bridge toll charges altered; projected figures show further 60% increase
6. significant increase in noise levels and air pollution would be unacceptable - will be applying for compensation
7. not reasonable to grant permission until noise tests carried out
8. absolute safety is main concern of Highways Agency and any housing which would have access to the trunk road should be individually assessed - could be 300 extra cars plus caravans, trailers, etc.
9. traffic impact assessment to include mitigation proposal is necessary
10. roundabouts at Overross and Hildersley are inadequate and need improvement
11. appeal in 1997 for access to caravan park dismissed as Inspector concluded it 'would be harmful to the interests of highway safety and the free flow of traffic on the A40 trunk road' - only change since then is 15% increase in traffic
12. two roundabouts already and this would be one too many and A40(T) would no longer be a relief road
13. would result in serious back-up on A40(T) to and from Ross and Gloucester and would obstruct emergency vehicles which regularly use this section of the highway
14. should not be carried out until road de-trunked
15. could result in undue pressure to approve future developments on both sides of the A40
16. a condition should ensure not built until needed
17. accuracy of Certificate is queried as part of application site is clearly part of agricultural enterprise.

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

6. Officer's Appraisal

- 6.1 There are three main issues arising from the proposal and representations, firstly the principle of constructing a roundabout to facilitate residential development at Tanyard Lane, bearing in mind the emerging Herefordshire Unitary Development Plan, secondly the effect on the amenities of local residents, and thirdly the effect on road safety.
- 6.2 As noted above the development of a 8 ha. site off Tanyard Lane for housing, predicated on gaining vehicular access via a new roundabout on the A40(T), is proposed in the Deposit Draft UDP. An inquiry into objections to the Plan was held during 2005 and the Inspector's report has now been published. The Inspector

concluded that this site is 'eminently suited' for housing development, 'it is a well located urban extension site that, in landscape terms, is not unduly sensitive. It would accommodate a significant number of dwellings on a site contained by the bypass.' (paragraph 5.23.271). With regard to the roundabout he noted that the Highways Agency does not object to the principle of the proposed development. A traffic assessment would need to be submitted with the planning application and this could deal with matters of concern to residents, including noise (paragraph 5.23.10 and 11). He did not consider that current overloading of the public sewerage system was an overriding constraint on achieving the number of housing completions that are estimated for the plan period (paragraph 5.23.17). In view of this support for the UDP allocation, which takes account of the concerns raised by local residents, the emerging plan can be given significant weight in relation to this proposal. There are no significant matters of principle therefore to justify refusing planning permission.

- 6.3 The applicants have undertaken traffic and noise studies to assess the impact of the roundabout and additional traffic. With regard to noise this would be most critical for the projected housing which would be close to the roundabout. These buildings would act as a noise barrier protecting the existing housing in the Collier & Brain estate. The developers have indicated that this would be the first part of the scheme to be built. (An application (DCSE2005/3207/F) for this phase has been submitted but was subsequently withdrawn pending revised proposals). Nevertheless until these houses are built it is likely that there would be some increase in traffic noise experienced by residents of the existing housing to the north and some dwellings within that estate closest to the A40(T) may continue to be affected after the Tanyard Lane site is developed. The submitted noise study suggests that housing can be constructed close to the A40(T) and noise levels would fall within the limits of acceptability, as defined in PPG.24. The housing in the Collier and Brain estate is about 100m to the north and it seems unlikely that occupants would suffer an unacceptable increase in noise levels. However, further consideration is being given to this matter by the Environmental Health and Trading Standards Manager and his advice will be reported at the Committee meeting.
- 6.4 On the third issue the Highways Agency have carefully considered the proposals, which are amended proposals taking into account the concerns of both the Agency and the Council's Traffic Manager, and do not object on highway safety grounds. The earlier appeal to which reference is made in paragraph 5.4(11) related to a different proposal, not a roundabout. This would have involved traffic turning straight on and off the trunk road which the appeal Inspector considered to be hazardous. He was dealing with the proposal before him rather than offering an opinion on the principle of a new access onto this stretch of the A40(T). The UDP Inquiry Inspector fully considered the proposed access to the Tanyard Lane development and noted that the Highways Agency did not object in principle, following re-appraisal of the route's status and the intention to de-trunk the A40. He stated that he was satisfied that this was the most appropriate means of access for this development. On this basis I do not consider that the proposal raises significant road safety issues.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

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

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

2. G01 (Details of boundary treatments)

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

3. G04 (Landscaping scheme (general))

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

4. G05 (Implementation of landscaping scheme (general))

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

Informative(s):

1. The Highways Agency advise:

The highway proposals associated with this consent involve works within the public highway, which is land over which you have no control. The Highways Agency therefore requires you to enter into a suitable legal agreement to cover the detailed design and construction of the works. Please contact Mr. Jon McCarthy of the Highways Agency's Area 9 team; at an early stage to discuss the details of the highways agreement, his contact details are as follows: Area 9, Highways Agency, C4/5 Broadway, Broad Street, Birmingham, B15 1BL – Tel: 0121 678 8742.

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

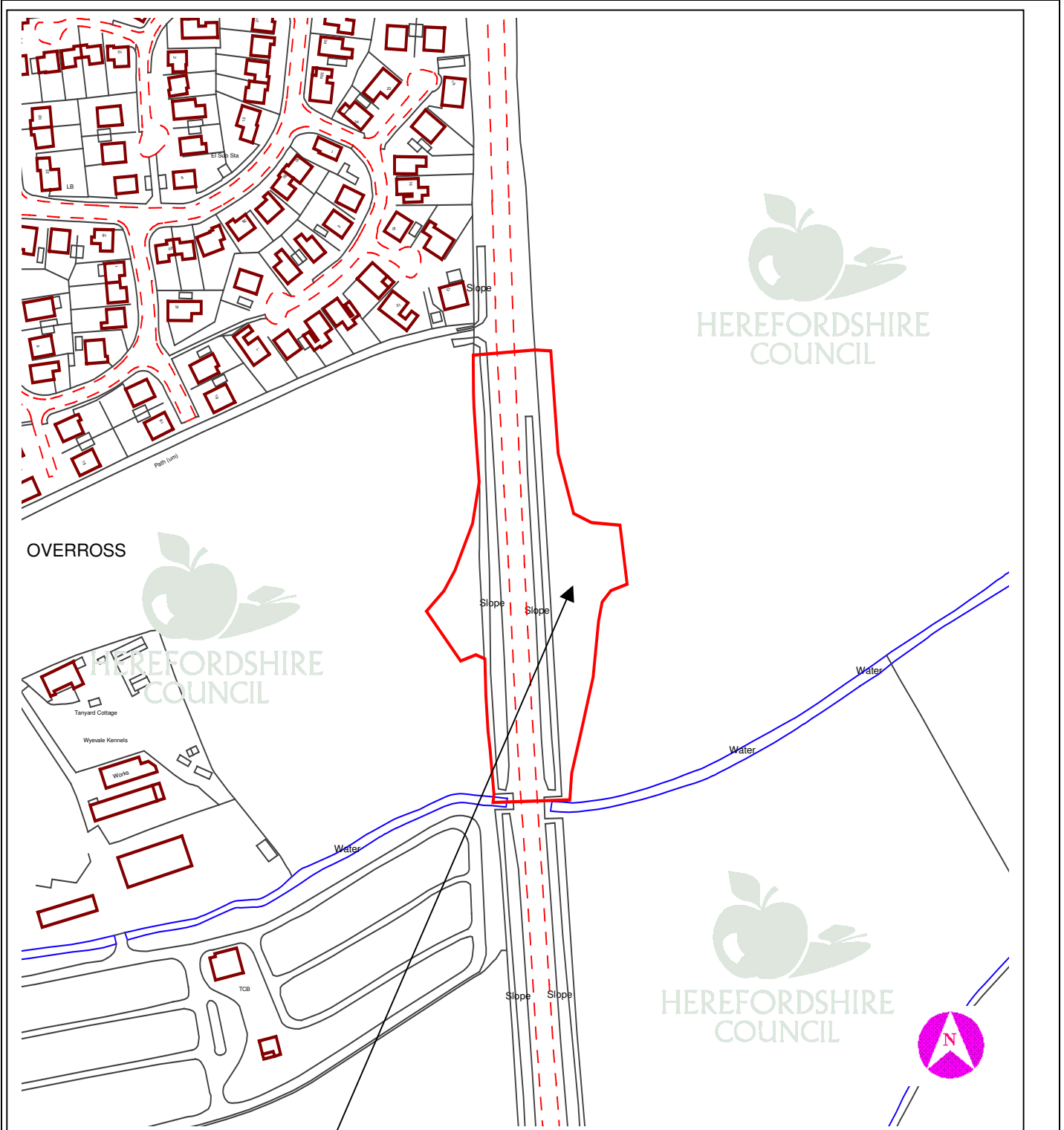
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCSE2006/0171/F

SCALE : 1 : 2500

SITE ADDRESS : On A40 (T) highway between the junction of A40 (T)/A449 and Rudhall Brook, Ross-on-Wye, Herefordshire

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9 DCSE2006/1748/F - CONTINUATION OF USE AS EQUINE STUD FARM AND CONSTRUCTION OF TRAINING AREA, HAY BARN, WINTER BARN AND STABLES AT HILLINGTON BARN, WOODREDDING, ROSS-ON-WYE, HEREFORDSHIRE, HR9 7RG.

**For: The Singing Stud Ltd per Wall, James & Davies,
15-23 Hagley Road, Stourbridge, West Midlands, DY8
1QW.**

Date Received: 2nd June, 2006 Ward: Old Gore Grid Ref: 64188, 28385

Expiry Date: 1st September, 2006

Local Member: Councillor J.W. Edwards

1. Site Description and Proposal

- 1.1 Hillington Barn occupies an elevated site off the A449 Ross on Wye - Ledbury Road about 1 km east of the junction of that road with the B4224 (How Caple - Crow Hill). The barn is a large, stone agricultural building that has been converted to residential use. The surrounding land amounting to about 46 ha has been used as grazing, in connexion with a stud farm operated from premises (The Singing Stud) near Bodenham Farm, Much Marcle, about 4 km to the north. There are no equine-related buildings at Hillington Barn.
- 1.2 The current application is for the erection of a stable complex, hay/straw barn, winter barn and outdoor arena at Hillington barn. The barn is about 300 m to the east of the A449. Between the barn and highway the land falls steeply to a stream, lined by trees. The new complex would be sited immediately to the east of the stream. The hay barn, and American stabling barn and winter barn would occupy the area to the north of the public footpath (UB1) which bisects the site, with the training arena to the south. The hay barn would be 24.5 m x 18.3 m, the stabling barn 33.4 m x 22 m (maximum dimensions) and the winter barn 36.5 m x 18.3 m. They would be constructed with Yorkshire boarding above concrete blockwork with corrugated fibre-cement roofing sheets. The training area would be 60 m x 20 m. As the site is not level the buildings would be partly cut into the slope and partly erected on raised ground. Access would be off the drive to Hillington Barn, using an existing track.
- 1.3 An earlier application (SE2005/1015/F) for a similar range of buildings and facilities was refused permission in June 2005 for the following reasons:
1. The proposal would involve development on a significant scale on an isolated site in open countryside and would be visually intrusive in the landscape, which is identified as of Great Landscape Value in the Hereford and Worcester County Structure Plan. The proposal would conflict therefore with the Council's policies for the development of enterprises in the open countryside and for the protection of the natural beauty and amenity of the countryside. The policies referred to are CTC2 of Hereford and Worcester County Structure Plan, C1 and C8 of South Herefordshire District Local Plan and LA2 of the emerging Unitary Development Plan.

2. The Council has taken account of the advice in paragraph 32 of PPS7 but considers that the harm to the character of the countryside is compelling grounds to refuse planning permission.
3. The Council is not satisfied that the need for a dwelling in addition to Hillington has been established. The proposal would conflict therefore with the advice in Annex A of PPS7, Policies H20 of Hereford and Worcester County Structure Plan, SH11 of South Herefordshire District Local Plan and H8 of the emerging Unitary Development Plan.

2. Policies

2.1 Planning Policy Statement

PPS7 - Sustainable Development in Rural Areas

2.2 Hereford and Worcester County Structure Plan

Policy CTC2 - Area of Great Landscape Value
 Policy CTC6 - Development and Significant Landscape Features
 Policy CTC9 - Development Criteria
 Policy A3 - Construction of Agricultural Buildings
 Policy E6 - Development in Rural Areas outside the Green Belt

2.3 South Herefordshire District Local Plan

Policy C1 - Development Within Open Countryside
 Policy C8 - Development Within Area of Great Landscape Value
 Policy ED6 - Employment in the Countryside
 Policy ED9 - New Agricultural Buildings
 Policy T3 - Highway Safety Requirements
 Policy GD1 - General Development Criteria

2.4 Herefordshire Unitary Development Plan (Deposit Draft)

Policy LA2 - Landscape Character and Areas least Resilient to Change
 Policy LA5 - Protection of Trees, Woodlands and Hedgerows
 Policy E6 - Expansion of Existing Businesses
 Policy E11 - Employment in the Countryside
 Policy E13 - Agricultural and Forestry Development

3. Planning History

- | | | | | |
|-----|-----------------|--|---|-----------------------|
| 3.1 | SE1999/2036/F | Change of use from redundant barn to dwelling, incorporating outbuilding. | - | Refused
17.9.99 |
| | SE1999/3004/F | Change of use from redundant barn to dwelling and outbuilding. | - | Approved
13.1.2000 |
| | SE2002/1614/F | Proposed single storey garage | - | Approved
23.7.2002 |
| | DCSE2005/1015/F | Continuation of use as equine stud farm and erection of training area, hay barn, Winter barn, stables (including groom's flat) | - | Refused
30.6.05 |

4. Consultation Summary

Statutory Consultations

- 4.1 Health and Safety Executive does not advise, on safety grounds, against the granting of planning permission in this case.
- 4.2 Environment Agency has no objection to the proposal in principle but recommends conditions regarding drainage. The site has a low risk of flooding and the Agency does not wish to make formal comments.
- 4.3 Forestry Commission advises that there is no woodland affected and consequently do not have any comment to make on this occasion.

Internal Council Advice

- 4.4. Traffic Manager recommends that conditions be included with regard to improvements to visibility at the access to the A449 and provision of parking and turning areas.

5. Representations

- 5.1 The applicant's agent has drawn attention to the following:

- (1) The current application has addressed the reasons for refusal previously stated, and amendments have been made to the proposal. The significant amendments are:
 - a) the deletion of the groom's flat from the proposal, and
 - b) the grouping of buildings at the lower part of the field, close to and behind the significant tree belt, which both reduces the proposed change to the physical landscape and the impact of the buildings on the wider landscape.
- (2) Further, a supporting statement from Kernon Countryside Consultants provides evidence relating to the scale and need for the proposed buildings. The materials proposed are considered to be appropriate to the function of the buildings and in the wider landscape. The existing footpath across the site will remain unaffected by the proposal.
- (3) These amendments result in a scheme which is appropriate in the countryside and paragraph 32 of PPS7 should also be borne in mind.
- (4) It is also held that the scheme is in compliance with Policy LA2 of the Emerging Unitary Development Plan, in that the siting of the proposed buildings and training area has been located at the lower part of the site, but behind a landscaped screen, to result in the least change to the landscape.

- 5.2 Upton Bishop Parish Council's observations are as follows:

- a) The comments made on the original application DCSE2005/1015/F dated 31st March, 2005 still stand.

- b) The reason for the refusal of planning permission dated 30th June 2005, the Parish Council agree with completely, including PPS7 paragraph 32.
- c) The Parish Council would also like to draw to attention on the Planning Policy Statement 7:

The Government's Objectives

item (i) 4th point 'continued protection of the open countryside for the benefit of all, with the highest level of protection for our most valued landscapes and environmental resources'.

item (ii) 1st and 3rd point 'focussing most development in, or next to, existing towns and villages.' 'Discouraging the development of greenfield land, and, where such land must be used, ensuring it is not used wastefully.'

The Countryside

item 15 'Planning policies should provide a positive framework for facilitating sustainable development that supports traditional land-based activities and makes the most of new leisure and recreational opportunities that require a countryside location. Planning authorities should continue to ensure that the quality and character of the wider countryside is protected and, where possible, enhanced. They should have particular regard to any areas that have been statutorily designated for their landscape, wildlife or historic qualities where greater priority should be given to restraint of potentially damaging development.'

- d) Part of the land belonging to this property has public footpaths across it, the Parish Council has been led to believe that the horses along this footpath have caused a problem for walkers.

5.3 The earlier comments to which reference is made are:

- 1) It is considered that the development is in open country and will ruin what is currently an attractive unspoilt rural location;
- 2) The proposed development is extensive. It will cover a large area and it is out of all proportion to the location;
- 3) Much of the development will be elevated ground and will not easily lend itself to screening;
- 4) The development will be visible to users of the main Ross - Ledbury road and to those using the public footpath which runs through the development;
- 5) The development is contrary to the Parish Plan adopted by the Parish Council;
- 6) The Council has concerns that if the proposed venture fails then the Planning Authority will be faced with applications for alternative uses which may well be unacceptable and for which planning consent would not have been granted initially as has already happened in two other large developments in the Parish in recent years.

5.4 3 letters have been received objecting to or expressing concerns regarding this proposal. In summary these objections are:

- (1) the main issue in the earlier application was the policy with regard to rural areas that equine enterprises should maintain environmental quality and countryside character - this has not been addressed in the Supporting Statement;
- (2) in general the Supporting Statement does not address any of the issues that led to the previous refusal : no evidence;
- (3) no evidence adduced to support claim that one of the top Trakehener studs in the country;
- (4) Hillington Barn only used for grazing in summer months in last 3 years or so and if this has allowed increase in herd size this is not in itself a justification for creating further facilities here;
- (5) shall seek a site outside an area of Great Landscape Value (which was main grounds for earlier refusal) - assimilation into the landscape is problematic as site plainly visible from road as are barns and its outbuildings;
- (6) the staff rooms and office complete with bathroom and kitchen could easily be converted to a flat for a groom - only a matter of time before a resident groom found to be necessary;
- (7) progressively at Hillington Barn a dwelling has been created, followed by outbuildings, now a second application - very concerned where this will stop;
- (8) concern that a herd of horses in adjoining fields could intimidate walkers on public footpath - recently one walker was kicked and injured by them. Suggested that a post and rail fence to enclose whole length of footpath and that horses should not be able to reach over fences/hedges and intimidate walkers;
- (9) if permission granted suitable landscaping and screening should be required as development will potentially have an impact on landscape when viewed from the east.

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

6. Officer's Appraisal

- 6.1 There are two main issues, namely the principle of developing a stud farm at Hillington Barn and the effect on landscape. On the first issue there are no specific policies relating to the development of equine enterprises in the countryside in the Development Plan or the emerging Herefordshire Unitary Development Plan (Revised Deposit Draft) (UDP). In these documents the proposal would be considered under policies ED6 (South Herefordshire District Local Plan) and E11 (UDP) which relate to employment proposals. Unlike agricultural development such proposals are not encouraged in isolated rural locations. However Government guidance in PPS7 gives specific support for 'equine enterprises that maintain environmental quality and countryside character'. Equine enterprises, especially horse training, are a significant part of the District's rural economy and the advice in PPS7 would apply to Herefordshire. In principle therefore the development of a stud farm, both extending existing facilities and new complexes would be in accord with national policies. In this case the enterprise is now becoming an established and viable business. The

intention to undertake very significant investment at Hillington Barn is a further indication of long term intentions. Evidence submitted in connexion with other applications by The Singing Stud indicates that the foals are of high quality and this is supported by the Council's Land Agent.

- 6.2 Advice on appropriate locations for agricultural buildings are considered to be relevant to this proposal. Ideally new buildings should be clustered near to existing buildings. In this case however the converted barn and its outbuildings are on or near a hill top and visible over a wide area. Development here would be obtrusive in the landscape, which is part of the area defined as of Great Landscape Value in the County Structure Plan, and would not be acceptable. The least conspicuous part of the applicant's land is the application site. The line of trees along the stream, which thickens to the north west section of the site, would provide screening during the Summer months and limit views at other times from the A449. However as a public footpath bisects the site it would be impossible to screen from all public viewpoints. The application site forms a natural bowl with the stream at the lowest point and forms an appropriate location for a new complex of buildings.
- 6.3 The application site is well away from other dwellings and would not be visible from them. No objections have been made by the Environment Agency and provided published guidelines, incumbent on agricultural and other rural enterprises, are followed there is no reason to consider that environmental quality would be harmed significantly. The buildings would be akin to agricultural buildings and training rings have been allowed on sites throughout the District. Although there would be an impact on the landscape I do not consider that this would be so serious as in itself to warrant refusal of permission. The re-arrangement of the buildings, bringing them closer together with the evidence referred to above of an established and viable enterprise, are not dramatic changes compared to the earlier proposal but are sufficient to allow a positive recommendation.

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. G01 (Details of boundary treatments)

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

4. G04 (Landscaping scheme (general))

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

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

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

6. G07 (Details of earth works)

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

7. E10 (Use restricted to that specified in application)

Reason: To control the specific use of the land/premises in the interests of the visual amenities of the area.

8. H03 (Visibility Splays)

Reason: In the interests of highway safety.

9. H13 (Access, turning area and parking)

Reason: In the interests of highway safety.

Informative:

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

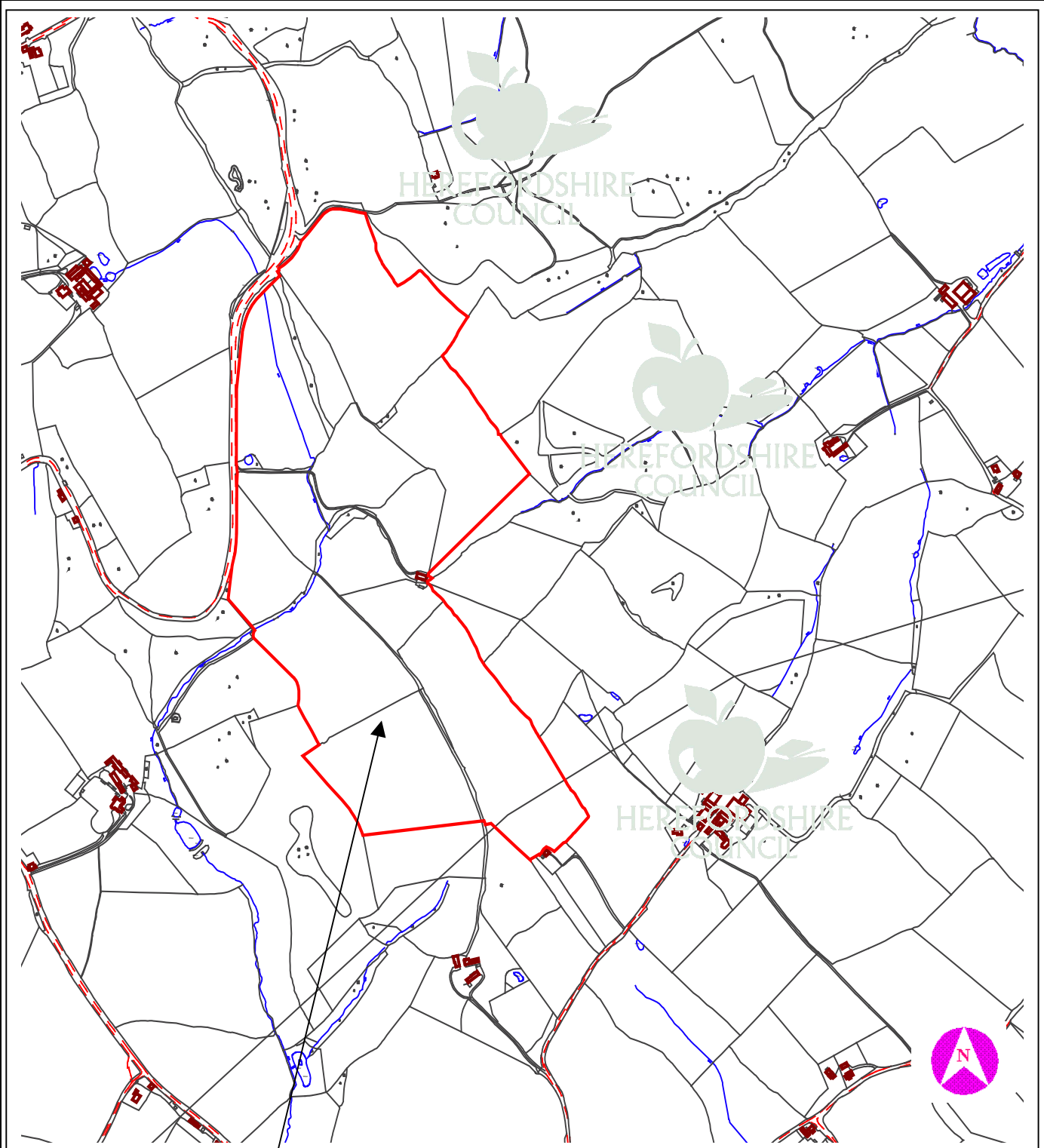
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCSE2006/1748/F

SCALE : 1 : 10000

SITE ADDRESS : Hillington Barn, Woodredding, Ross-on-Wye, Herefordshire, HR9 7RG

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10 DCSE2006/2206/F - ERECTION OF 9 APARTMENTS AND ASSOCIATED PARKING, THE CHASE HOTEL, GLOUCESTER ROAD, ROSS-ON-WYE, HR9 5LH.

For: Camanoe Estates Limited per Pegasus Planning Group, 5 The Priory, Old London Road, Canwell, Sutton Coldfield, B75 5SH.

Date Received: 10th July, 2006 Ward: Ross-on-Wye East Grid Ref: 60286, 23921

Expiry Date: 4th September, 2006

Local Member: Councillor Mrs. C.J. Davis and Councillor Mrs. A.E. Gray

1. Site Description and Proposal

- 1.1 Planning permission for the erection of two apartment blocks in the grounds of The Chase Hotel was refused in April 2005 for the following reason:

The proposed development would intrude into this small landscaped park and thereby erode its open character and the parkland setting of The Chase Hotel. The private open space is an important visual component of the Ross on Wye Conservation Area and the development would consequently harm the character and appearance of the Conservation Area. The proposal conflicts therefore with Policies C23, C30, SH14, SH15, 3, 5, and 20 (Part III) of the South Herefordshire District Local Plan.

The subsequent appeal was dismissed. The current application is for the erection of one of the two apartment blocks (Block A of the dismissed proposal).

- 1.2 The Hotel occupies a large site of about 6 ha situated close to the town centre. The main hotel building is located towards the west side of the site, with the access drive and parking area to the north and east and a formal garden immediately to the south. The main part of the site, east of the parking area, is parkland with scattered trees, a wider belt of trees along the southern and eastern boundaries of the site and a line of trees along the northern boundary. Two ponds and a stream lie close to the eastern boundary. Most of the trees are covered by a Tree Preservation Order. The hotel grounds are surrounded by residential properties and are within Ross-on-Wye Conservation Area.
- 1.3 The three-storey block now proposed would be sited about 18m to the south of the three-storey modern extension to the hotel. It would be of irregular shape and in a style intended to complement the original building that now forms the northern section of the hotel, with rendered walls, hipped slate roofs and white sliding sash-type windows. Each of the 9 apartments would have 3 bedrooms.
- 1.4 The apartment block would occupy an area currently terraced lawns. New car parking would be provided (12 spaces) by extending the hotel drive southwards and forming a hard surfaced area to the east of the new apartment block. The remainder of the hotel grounds would not be changed, maintaining the hotel's parkland setting.

2. Policies**2.1 Planning Policy Guidance**

PPS.1	-	Planning Policy and Principles
PPG.3	-	Housing
PPG.15	-	Planning and the Historic Environment
RSS	-	Regional Spatial Strategy for the West Midlands

2.2 Hereford and Worcester County Structure Plan

Policy CTC.1	-	Area of Outstanding Natural Beauty
Policy CTC.7	-	Development and Features of Historic and Architectural Importance
Policy CTC.9	-	Development Criteria
Policy CTC.15	-	Conservation Areas
Policy CTC.17	-	Creation and Conservation of Green Open Spaces
Policy CTC.18	-	Use of Urban Areas for Development

2.3 South Herefordshire District Local Plan

Part 1

Policy C.4	-	AONB Landscape Protection
Policy C.5	-	Development within Areas of Outstanding Natural Beauty
Policy C.17	-	Trees/Management
Policy C.20	-	Protection of Historic Heritage
Policy C.23	-	New Development affecting Conservation Areas
Policy C.30	-	Open Land in Settlements
Policy GD.1	-	General Development Criteria
Policy TM.1	-	General Tourism Provision
Policy SH.14	-	Siting and Design of Buildings
Policy SH.15	-	Criteria for New Housing Schemes

Part 3

Policy 2	-	New Housing Developments
Policy 3	-	Infill Sites for Housing
Policy 5	-	Housing in Built-up Areas
Policy 16	-	Conservation Area
Policy 20	-	Open Space

2.4 Herefordshire Unitary Development Plan (Revised Deposit Draft)

Policy P.1	-	Sustainable Development
Policy P.7	-	Environment Protection and Enhancement
Policy P.8	-	Sustainable Land Use and Management
Policy S.1	-	Sustainable Development
Policy S.2	-	Development Requirements
Policy S.3	-	Housing
Policy S.7	-	Natural and Historic Heritage
Policy DR.1	-	Design
Policy LA.1	-	Areas of Outstanding Natural Beauty
Policy HBA.6	-	New Development within Conservation Areas
Policy HBA.9	-	Protection of Open Areas and Green Spaces
Policy H.1	-	Hereford and the Market Towns: Settlement Boundaries and Established Residential Areas
Policy H.13	-	Sustainable Residential Design

3. Planning History

3.1	SH861345PO	Erection of 13 houses	-	Refused 18.02.87
	SH861355PO	Erection of sheltered housing (62 flats) and wardens house	-	Refused 18.02.87
	SH861356PO	New conservatory link, ballroom, conference facilities, 24 suites, dining room and entrance	-	Permitted 18.02.87
	SH911084PF	Addition to restaurant	-	Permitted 01.08.91
	SH950403PF	Change of use to staff accommodation	-	Refused 23.07.92
	SH980237PF	14 bedroom extension and retail store	-	Refused 09.09.98
	SE2001/2070/F	New offices	-	Withdrawn
	SE2001/2145/F	Residential dwelling and garage	-	Withdrawn
	SE2002/0008/F	Bedroom extension and leisure complex	-	Permitted 06.03.02
	SE2002/0522/F	Residential dwelling	-	Permitted 31.07.02
	SE2002/0527/F	New offices	-	Permitted 31.07.02
	SE2002/3511/F	3 apartment buildings (24 apartments)	-	Withdrawn
	SE2003/3240/F	2 apartment buildings (18 apartments)	-	Refused 16.12.03
	SE2005/0355/F	Erection of 18 apartments	-	Appeal dismissed 04.04.06
	SE2005/3142/F	Erection of 6 apartments	-	Withdrawn

4. Consultation SummaryStatutory Consultations

- 4.1 English Heritage do not wish to offer any comments on this occasion and recommend that the application be determined in accordance with national and local policy guidance and on the basis of the Council's specialist conservation advice.
- 4.2 Welsh Water recommend that conditions be included regarding drainage of the site.
- 4.3 Environment Agency has no objections in principle but recommends conditions to protect the groundwater from pollution.

Internal Council Advice

- 4.4 The Traffic Manager recommends that parking provision be increased to 14 no. spaces (in line with current design guide for 9 no. three-bed dwellings), i.e. average maximum rate of 1.50 spaces per unit for the development.
- 4.5 Conservation Manager 'appreciates that this is a re-submission of part of the previous application that was subject to appeal. In view of the elevations showing this development in relationship to the existing buildings, which were part of the appeal documents, and being mindful of the Inspector's report and findings in relationship to this particular block, I have no objections to the submitted scheme.'

5. Representations

5.1 The applicant points out that:

- (1) the building of an hotel extension and leisure centre has been shown by market research not to be viable at the present time
- (2) the apartment will offer the hotel greater viability and fulfil a much needed facility in Ross where large apartments are extremely scarce.

5.2 Both Planning and Design Statements have been submitted with the application. The Conclusion of the Planning Statement is as follows:

- National and local planning guidance seeks to promote the efficient use of land and encourages development on previously developed land as defined in Annex C of PPG.3
- the proposed apartment building would provide residential development, which is within close proximity to the town centre providing access to services and public transport facilities. As such the proposal will minimise the need to travel by car and is therefore in line within the objectives of sustainable development
- discussions with the authority and English Heritage having taken place. English Heritage have confirmed that the proposed building at this location would be appropriate and therefore would not impact on the openness of the site, or cause harm to the character of visual amenity of the Conservation Area
- the proposed development would not adversely affect the visual amenity of the open land within the site and as such would not conflict with Policy C.30 which seeks to protect open land within settlements
- the proposal would comprise of a windfall site and is therefore in accordance with Policy SH.5 of the plan. The site is situated in a wholly sustainable location and represents the sort of site which the Government would wish to see maximised for residential purposes
- the proposal for the site will deliver a high quality residential environment which would preserve the character and appearance of the Conservation Area, thus complying with the criteria set out in Policy C.23
- the consent for a building located in the same position as this application, establishes the principle of new development at this site
- the retention of the mature trees along the boundaries would continue to screen the site and would limit visibility from outside
- the siting of the proposed apartment building within close proximity to the existing built form is considered appropriate given that a previous application at this location has been approved. This would therefore suggest that development at

this particular location would not impinge on the openness of the site and would retain and enhance the setting of the hotel building

- this application is identical in part to a recent appeal scheme which was considered by a Planning Inspector at Inquiry. He concluded that this block would be appropriate in terms of its relationship with the existing hotel buildings. The siting was also deemed acceptable and will not have an adverse impact on the Conservation Area and the open parkland setting of the hotel.

5.3 The design is described in the following terms:

1. The existing hotel as already described consists of the original two-storey dwelling with a large full three-storey element added at a later time which includes most of the hotel bedrooms. The proposed apartment block has been designed to sit at the southern end of the hotel beyond the existing hotel bedroom block.
2. The block is three storeys and is intended to be read with the three-storey hotel section of building but separated from it by a shared garden area.
3. The block is designed to give where possible good views over the adjoining parkland and both have been sited to preserve the views across the open parkland to the hills in the distance from the public domain.
4. The block has been sited on the approximate location for the large leisure centre which has already gained a planning consent. Clearly when the apartments are built it would not be possible to build the leisure centre and the one would replace the other.
5. The car parking for the block is provided at 150% giving 12 spaces, which are located in front of the block within the boundary of the car park that was approved for the leisure complex.
6. The existing parking and landscape would be largely retained and the new buildings are intended to sit well with the hotel complex and for all intents and purposes look like additional hotel accommodation.
7. There are only limited views in from outside the site especially from the adjoining streets. The building has been designed to sit within the site so that it does not influence the views into the site and as such do not detract in any way from the feeling of openness currently enjoyed by the passer by.
8. The open space around the building is fully preserved and it will have no adverse effect on the open space or the conservation area.

5.4 Twelve letters have been received objecting to the proposal. In summary the stated reasons are:

1. Contrary to current policies (C.23, C.30, SH.15 and no. 3 and 5 (Part 3) of Local Plan and HBA.9 of emerging UDP) which protect The Chase Hotel from development; UDP Inquiry Inspector supported this: 'I do not consider use as a housing site would be acceptable' and 'There is inadequate justification for allocation of the site within the UDP' - his decision overrides the appeal inspector.

2. Once this is allowed a precedent will be set and development will spread to fill the entire grounds.
 3. Occupiers extremely likely to object to noise from various functions - serious problem now to local residents living much further away and would result in hotel being converted into further apartments.
 4. The Conservation Area should not be subject to further development, which appears to be the long term plan.
 5. Intrude into this small landscaped park and thereby erode its open character and the parkland setting of The Chase Hotel. This private open space is an important component of the Conservation Area and development would consequently harm the character and appearance of the Conservation Area.
 6. Frequent attempts in past to put housing on site have all met with refusal, establishing a non-development policy.
 7. Extension to hotel and leisure complex has quite reasonably been approved but not built - do not agree with applicant that this means that development permission has been established nor that appeal inspector's view should mean that current proposal be allowed.
 8. Many apartment blocks now being built (Station Street and Texaco Garage, Gloucester Road) plus large mixed development at Vine Tree Farm, so no urgent need for more apartments.
 9. Harmful effect on abundant wildlife and loss of trees - a unique green space that Government guidelines encourage us to maintain; last piece of greenery within the town.
 10. Eyesore to residents living opposite.
 11. Exacerbate traffic chaos in Ross.
 12. Health facilities already overstretched.
 13. Sewerage problems.
- 5.5 Five letters have been received in support of the scheme, citing the following:
1. Much needed as sizeable population of retired and elderly who would appreciate or need smaller, more centrally located and secure accommodation, in particular would suit retired professionals for which there appears to be no provision, and ensure such residents could remain in Ross.
 2. Design is elegant and sympathetic and will blend in with its surroundings.
 3. Minimal effect on local environment as no trees will be felled, none of the wildlife would be threatened and position of apartments will not affect the views from Gloucester Road.
 4. Local shops and businesses should benefit from increased trade.

5. On-site parking would be provided so will not add to congested state of Ross' streets.
6. Previous application refused on somewhat spurious grounds and hope common sense will now prevail - permission already granted on the site and merely a change of use.
7. Can only enhance the town, bringing more visitors which benefits the whole community.

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

6. Officer's Appraisal

- 6.1 This proposal is a resubmission of Block A of the appeal proposal and in siting, massing and design is identical. A specific car parking area has been added to the scheme. Taking into account the Council's reasons for refusal (see paragraph above) the appellant's case and third party representations, the appeal Inspector considered that the main issue was the effect on the character and appearance of The Chase Hotel and its surroundings, having regard to the location of these areas within the Ross-on-Wye Conservation Area. The representations received in relation to the current proposal do not raise significantly different matters to those fully considered by the appeal Inspector and this issue is therefore equally relevant.
- 6.2 The Inspector's conclusions are a material planning consideration. In relation to Block A he found the following:

'I accept, and there is no dispute between the main parties, that the proposed blocks would be of a scale and appearance compatible with the same attributes of the existing hotel and its rear extension. Block A whilst at the same general elevation as the hotel would also appear relatively inconspicuous in its location in the top corner of the site diagonally opposite the point on Gloucester Road from which clear views would be possible. Block A would be built at generally the same level as the hotel, to a height compatible with the existing building, and would be seen from Gloucester Road as a visible but well-integrated extension to the built development on the plateau on which the hotel stands.

Accordingly I am satisfied that Block A would be acceptable in its relationship with the hotel and in the view from Gloucester Road, would not materially change the relationship between the built environment on the plateau and the open parkland which slopes away from it, and would thus serve to preserve the character and appearance of the Ross-on-Wye Conservation Area.'

His conclusions regarding the other Block (B) which would be sited to the south-east of the hotel building were:

'With regard to Block B, a 2/3 storey apartment block that would be sited to the south-east of the hotel, he concluded that it 'would unacceptably harm the appearance and open character of the appeal site, and given the degree to which the site is an important influence on the general character of and views within the wider area, would serve neither to preserve nor enhance the character and appearance of the Conservation Area. It follows that the appeal proposal would be

contrary to RSS Policy QE.5, Structure Plan Policies CTC.7, CTC.15, CTC.17 and CTC.18, Local Plan Policies GD.1, C.20, C.30 and 5 (Ross-on-Wye), and draft Policies P.7 and S.7 of the emerging UDP.'

On the basis of his conclusions regarding Block B he dismissed the appeal.

- 6.3 It is clear that to the Inspector Block A was acceptable in design, siting, relationship to The Chase Hotel and with regard to its effect on the open character of the appeal site and consequently on the character and appearance of the Conservation Area. In comparing Block A with an earlier planning permission for an hotel extension/leisure complex he notes that the block would occupy part of the same area, although it would be higher and extend further into the tree-bordered south-west corner of the appeal site. He continues: 'However, I have already determined that Block A would be acceptable on its own merits' (paragraph 23).
- 6.4 In addition to the main issue the Inspector also reviewed the effect on the Wye Valley Area of Outstanding Natural Beauty, drainage, parking, access and highway considerations but did not consider that there would be material harm and that appropriate conditions would resolve any residual issues.
- 6.5 At the time of the appeal many of the relevant UDP policies were subject to objections and the appeal Inspector could give them only limited weight. Since then the report into objections has been published and greater significance can be attached to these policies. Most relevant to the current case are the Inquiry Inspector's conclusions regarding objections that The Chase Hotel should be allocated for housing and Policy HBA.9 (Protection of Open Areas and Green Spaces). In response to the suggestion that The Chase Hotel should be allocated for housing he concludes that there is inadequate justification in view of the area's importance to the setting of the hotel and the character and appearance of the Conservation Area. He finds that 'any significant redevelopment ... is likely to have a material effect upon the protected open area and green space and character and appearance of the Conservation Area.' However, this does not rule out minor development which does not have those adverse consequences.
- 6.6 The Inquiry Inspector recommends that Policy HBA.9 not be modified and that the designation of The Chase Hotel under that policy be retained. This policy 'seeks to protect open land valued locally for its open nature and its contribution to the character of settlements and neighbourhoods' (paragraph 9.6.29 of Revised Deposit Draft UDP). However, neither Inspector appears to construe the open areas protection policies as placing a total embargo on all development. In the current case the apartment block would occupy a small percentage of the open space, close to existing buildings and would not intrude into views of that open space or adversely affect the sense of openness and greenery that The Chase Hotel grounds provide. As a consequence I consider that the proposal would preserve the character and appearance of Ross-on-Wye Conservation Area.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

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

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

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

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

3. **G04 (Landscaping scheme (general))**

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

4. **G05 (Implementation of landscaping scheme (general))**

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

5. **F16 (Restriction of hours during construction)**

Reason: To protect the amenity of local residents.

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

Reason: To protect the parkland character of The Chase Hotel grounds.

7. **F32 (Details of floodlighting/external lighting)**

Reason: To safeguard local amenities.

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

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

9. **Prior to any foul connection being undertaken from the proposed development to the public sewerage system, the surface water flows from The Chase Hotel must first be redirected to the ponds within the Hotel grounds and the same confirmed in writing by the applicant.**

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

10. **W01 (Foul/surface water drainage)**

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

11. **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.

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

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

13. If during development, contamination (visual or olfactory) not previously identified, is found to be present at the site then no further development, unless otherwise agreed in writing with the local planning authority, shall be carried out until the developer has submitted, and obtained written approval from the local planning authority, a Method Statement. The Method Statement must detail how this unsuspected contamination shall be dealt with. Thereafter development of the site shall be carried out in accordance with the approved Method Statement.

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

14. Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas and hardstandings shall be passed through an oil interceptor designed and constructed to have a capacity and details compatible with the site being drained. Roof water shall not pass through the interceptor.

Reason: To prevent pollution of the water environment.

15. Notwithstanding the approved drawings, 14 car parking spaces shall be provided in accordance with details which have been submitted to and approved in writing by the local planning authority.

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

16. The development hereby permitted shall not be brought into use until the access, turning area and parking facilities, as approved pursuant to condition no. 15 above, have been properly consolidated, surfaced, drained and otherwise constructed in accordance with details to be submitted to and approved in writing by the local planning authority and these areas shall thereafter be retained and kept available for those uses at all times.

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

Informative(s):

1. Environment Agency advises that:
 - 1) In terms of surface water, roof water drainpipes should be connected to the drainage system either directly or by means of back inlet gullies provided with sealing plates instead of open gratings. Soakaways should only be used in areas on site where they would not present a risk to groundwater.
 - 2) The developers should adopt all appropriate pollution control measures, to ensure that the integrity of the aquatic environment, both groundwater and surface water, is assured. We have produced a range of guidance notes giving advice on statutory responsibilities and good environmental practice which include Pollution Prevention Guidance Notes (PPG's) targeted at the specific activities. Pollution prevention guidance can be viewed at: <http://www.environment-agency.gov.uk/business/444251/444731/ppg/>

- 2. **Welsh Water advises that two public sewers cross the proposed development site. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times. No part of the building will be permitted within 3 metres either side of the centreline of the 305mm public combined sewer and 3.5 metres either side of the centreline of the 687mm public combined sewer.**

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

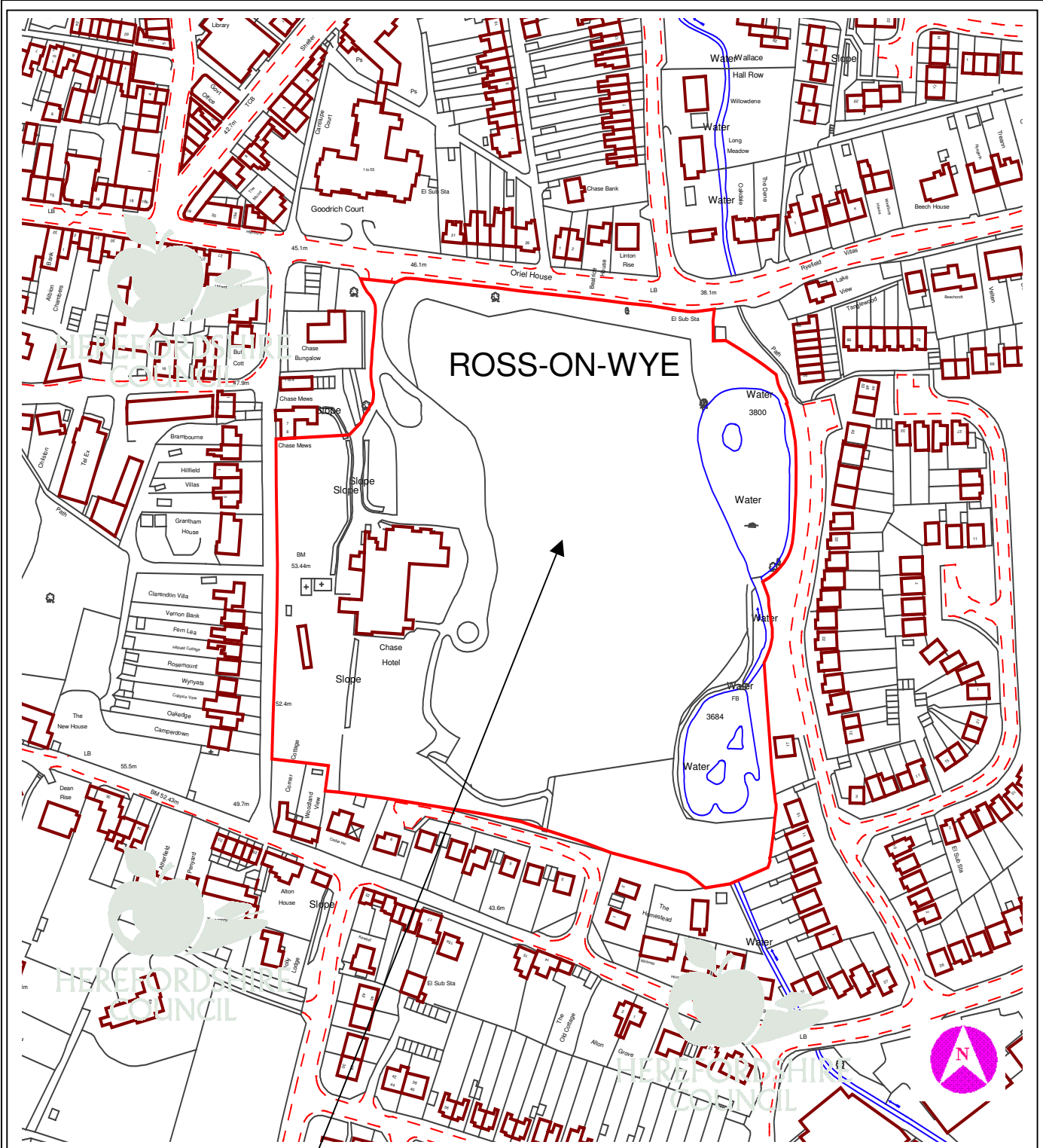
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCSE2006/2206/F

SCALE : 1 : 2500

SITE ADDRESS : The Chase Hotel, Gloucester Road, Ross-on-Wye, Herefordshire, HR9 5LH

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11A DCSE2006/2048/F - DEMOLITION OF EXISTING GARAGE/STORE TO BE REPLACED WITH GROUND FLOOR SHOP AND 2 BEDROOM FIRST FLOOR FLAT. RENEWAL OF PERMISSION SE2001/0940/F AT THE GARAGE, ADJACENT TO NO. 15 HENRY STREET, ROSS-ON-WYE, HEREFORDSHIRE, HR9 7AA.

11B DCSE2006/2049/C - DEMOLITION OF EXISTING FLAT ROOF GARAGE/STORE. RENEWAL OF PERMISSION SE2001/0927/C AT THE GARAGE, ADJACENT TO NO. 15 HENRY STREET, ROSS-ON-WYE, HEREFORDSHIRE, HR9 7AA.

For: Mr. & Mrs. K. Lane per Mr. A. Powell, Yew Tree Cottage, Brockhampton, Herefordshire, HR1 4SJ.

**Date Received: 28th June 2006 Ward: Ross-on-Wye West Grid Ref: 60143, 24198
Expiry Date: 23rd August 2006**

Local Members: Councillor Mrs. A.E. Gray and Councillor Mrs. C.J. Davis

1. Site Description and Proposal

1.1 The site comprises a garage/workshop building which fronts onto Henry Street. It is about 4 m wide and 13 m deep with a flat roof. The eastern section of the site is currently enclosed within the garden to the front of 19 Henry Street, although the garden is not cultivated. This property is part of a terrace of 6 dwellings to the north of the site which is orientated at right angles to Henry Street. There is modern housing to the east and to the south there is Ross on Wye Library.

1.2 Planning permission and conservation area consent to demolish the existing garage/workshop and erect a retail unit with a one-bedroom flat above were granted in October 2001. The proposed building would occupy the bulk of this small site with only a narrow passage along the north and east sides of the building. The building would be in a Victorian style with a shopfront and first floor window in the front elevation. The side elevation facing towards the terraced houses would have a high level window in a small roof gable and a rooflight with two doors at ground floor level. The southern elevation would have 4 rooflights.

1.3 The current proposal is for renewal of planning permission and conservation area consent.

2. Policies

2.1 Planning Policy Guidance and Statements

PPS6 - Planning for Town Centres
PPG15 - Planning and the Historic Environment

2.1 Hereford and Worcester County Structure Plan

Policy CTC1	-	Areas of Outstanding Natural Beauty
Policy CTC9	-	Development Requirements
Policy CTC15	-	Conservation Areas
Policy CTC18	-	Development in Urban Areas
Policy S1	-	Retail Development in Town Centres

2.2 South Herefordshire District Local Plan**Part 1:**

Policy GD1	-	General Development Criteria
Policy C5	-	Development within Area of Outstanding Natural Beauty
Policy C20	-	Protection of Historic Heritage
Policy C22	-	Maintain Character of Conservation Areas
Policy C23	-	New Development Affecting Conservation Areas
Policy C24	-	Demolition in Conservation Areas
Policy C25	-	Demolition and Redevelopment
Policy RT1	-	Ross-on-Wye Town Centre

Part 3:

Policy H16	-	Conservation Area
Policy H23	-	Re-development of Sites

2.4 Herefordshire Unitary Development Plan (Deposit Draft)

Policy TCR2	-	Vitality and Viability
Policy TCR8	-	Small Scale Retail Development
Policy H1	-	Hereford and the Market Towns: Settlement Boundaries and Established Residential Areas
Policy H13	-	Sustainable Residential Design
Policy H14	-	Re-using Previously Developed Land and Buildings
Policy H16	-	Car Parking

3. Planning History

3.1	SH940672PF	Change of use to travel agents office/electrical contractors store/office.	-	Permitted 19.7.94
	SE2001/0927/C	Demolition of garage/store	-	Consent 17.11.01
	SE2001/0940	Proposed demolition of existing garage/store to be replaced with ground floor shop and 2 bedroom first floor flat.	-	Approved 17.11.01

4. Consultation SummaryStatutory Consultations

- 4.1 Welsh Water recommends that conditions be imposed regarding drainage of the site.

Internal Council Advice

- 4.2 The Traffic Manager has no objection to the grant of permission. It is noted that there is no parking provision but the site is in a sustainable location i.e. town centre. In line with Government Policy Guidelines to encourage the reduction in car use it is considered acceptable (n.b. there is a public car park opposite).
- 4.3 The Conservation Manager has no objections to the proposal from an architectural point of view.

5. Representations

5.1 The applicants' agent points out that:

- (1) the garage/store has not been used for several years and has become dilapidated; the forecourt area has become unkempt and overgrown where rubbish accumulates;
- (2) building would be constructed out of Birtley Old English red facing bricks under natural slate roof; shopfront would be purpose-made timber;
- (3) site has the benefit of being opposite a large car park and close to The Maltings;
- (4) proposals will greatly improve the street scene and enhance an existing dilapidated site.

5.2 Town Council considers that this development would overload the current sewerage system and would exacerbate the flooding and pollution of parts of Ross on Wye. In addition, there is no inclusion of any parking facilities in an area already heavily congested.

5.3 6 letters of objection have been received which raise the following concerns:

- there is already a high density of residential properties within a very small area and we feel it is inappropriate to increase this by a flat;
- there is already a number of vacant shops and commercial premises nearby, what need is there of yet another?
- vehicular parking. There are already problems of residential parking on and off street, and there is little room for commercial vehicles, delivering and collecting on a daily basis. This is the only garage left in Henry Street;
- the proposed building of two storeys will restrict views and reduce natural light for the terrace of houses behind 15 Henry Street and for numbers 8-9 Library Mews;
- light levels in Henry Street terrace is already low with only 2 front windows providing main source of natural light. Rear windows look onto brick wall only 5 ft away;
- only 15ft from front window and already overshadowed by 20ft retaining wall and new houses off School Lane;

- seriously affect well being of occupants of nearby houses;
- may encroach onto boundary of adjoining properties;
- the bakery will emit lingering odours that will waft round the houses bordering on the proposed building; and
- all bakeries require early morning working, deliveries and collections with consequent disturbance to residents nearby.

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

6. Officer's Appraisal

- 6.1 Since the original grant of permission/consent for this development the Revised Deposit Draft of Herefordshire Unitary Development Plan (UDP) has been published and objections have been considered at a public inquiry. Policies TCR2 and TCR8 of UDP are relevant to this case. The latter states that small scale retail development within the central shopping and commercial areas of market towns will be permitted provided that they are in accordance with other relevant policies of the Plan. The application site is within the commercial area of Ross on Wye and one shop of about 75m² gross floorspace is certainly small-scale development. Policy TCR2 seeks to protect the vitality and viability of town centres by directing new shopping proposals to the central shopping and commercial areas and encouraging the use of upper floors, particularly for residential purposes. The proposal complies in principle therefore with both these policies.
- 6.2 The main issue is therefore the effect on the amenities of neighbours. The 6 terraced houses (nos 15-20 Henry Street) face towards the side wall of the proposed shop/flat. Lighting to these houses is limited: nos 13 & 15 have no rear windows, just two front windows; other houses have their rear outlook/lighting limited by the adjoining shop building and there is a high retaining wall (about 5 or 6 metres) along the eastern boundary of these properties. New houses have been built adjoining School Lane at a much higher level than the terrace. The distance between the terraced houses and the proposed shop/flat would be about 10 m and the application site is at a higher level as the front garden rise to the south. The concerns of local residents are appreciated, nevertheless the separation distance is considered adequate as the height of the new building has been kept as low as practicable and most of the increase in height would be the roof which slopes away from the adjoining houses. The terrace rises to the east which helps to mitigate the impact as the houses at this end of the terrace would be closest to the shop/flat. Privacy can be protected by conditions requiring obscure glazing and no additional windows in the north elevation. There may be some additional overshadowing of gardens but not so serious as to justify refusal of permission.
- 6.3 In relation to the new housing in Library Mews the new building would be at a much lower level, below the level of the old stone retaining wall that forms the boundary of the Mews, although the ridge may appear above the lower retaining wall along the boundary with the Library. The proposed shop/flat would not have an undue adverse impact upon residents' amenities.

- 6.4 The existing garage is not an attractive building and the erection of the shop/flat would enhance the character and appearance of this part of the Ross on Wye Conservation Area.
- 6.5 Welsh Water does not object as it is proposed to divert surface water from the combined sewerage system so that there would be no additional effluent. With regard to car parking, off site provision is not required in town centre locations under current Government guidelines. The Traffic Manager does not object to the proposal.

RECOMMENDATION

In respect of DCSE2006/2048/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. E06 (Restriction on Use)

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

4. No windows/dormer windows other than those expressly authorised by this permission shall be constructed in the north elevation of the property.

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

5. E19 (Obscure glazing to windows)

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

6. F16 (Restriction of hours during construction)

Reason: To protect the amenity of local residents.

7. G01 (Details of boundary treatments)

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

8. 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.

9. C10 (Details of rooflights)

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

10. C11 (Specification of guttering and downpipes)

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

11. 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.

12. W01 (Foul/surface water drainage)

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

13. 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.

14. W03 (No drainage run-off to public system)

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

Informative:

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

Decision:

Notes:

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In respect of DCSE2006/2049/C

That Conservation Area Consent be granted subject to the following conditions:

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

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

2. C14 (Signing of contract before demolition)

Reason: Pursuant to the provisions of Section 17(3) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Informative:

1 N15 - Reason(s) for the Grant of Conservation Area Consent

Background Papers

Internal departmental consultation replies.

