

A G E N D A

Southern Area Planning Sub- Committee

Date: **Wednesday, 27th September, 2006**

Time: **2.00 p.m.**

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

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

For any further information please contact:

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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 - 8
To approve and sign the Minutes of the meeting held on 30th August, 2006.	
4. ITEM FOR INFORMATION - APPEALS	9 - 12
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. (AGENDA ITEM 5)	13 - 18
Proposed residential development.	
6. DCSE2006/2206/F - THE CHASE HOTEL, GLOUCESTER ROAD, ROSS-ON-WYE, HR9 5LH. (AGENDA ITEM 6)	19 - 38
Erection of 9 apartments and associated parking.	

7.	DCSE2006/2745/F - ROWAN COTTAGE, PETERSTOW, ROSS-ON-WYE, HEREFORDSHIRE, HR9 6LF. (AGENDA ITEM 7)	39 - 42
	Erection of summerhouse and shed (retrospective application).	
8.	DCSE2006/2417/F - BRYNFIELD, LYSTON LANE, WORMELOW (NEAR ORCOP), HEREFORDSHIRE. (AGENDA ITEM 8)	43 - 48
	Proposed replacement dwelling including removal of existing unoccupied house with new dwelling, to have re-arranged vehicular access from Lyston Lane.	
9.	DCSW2006/2576/F - HIGHLAND COTTAGE, PARISH LANE, MUCH BIRCH, HEREFORDSHIRE, HR2 8AT. (AGENDA ITEM 9)	49 - 52
	Widen new dwelling by 1m along its length (approved under DCSW2005/2216/F)	
10.	DCSW2006/2673/RM - LAND ADJACENT TO BOWER COTTAGE, WRIGGLEBROOK, KINGSTHORNE, HEREFORD, HEREFORDSHIRE, HR2 8AN. (AGENDA ITEM 10)	53 - 58
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11.	DCSW2006/2411/F - THE GARN FARM, CLODOCK, LONGTOWN, HEREFORDSHIRE, HR2 0PE. (AGENDA ITEM 11)	59 - 64
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12.	DCSE2006/2329/F - HAIGH ENGINEERING CO LTD, ALTON ROAD, ROSS-ON-WYE, HEREFORDSHIRE, HR9 5NG. (AGENDA ITEM 12)	65 - 72
	Erection of three-storey office block, amended car parking and landscaping.	
13.	DCSE2006/2316/F - VINE TREE FARM, WALFORD ROAD, ROSS-ON-WYE, HEREFORDSHIRE, HR9 5PQ. (AGENDA ITEM 13)	73 - 78
	Proposed additional 3 no. residential dwellings (The Vineyard Annex).	
14.	DCSE2006/2609/F - LAND ADJACENT TO MARSH COTTAGE, PONTSHILL, ROSS-ON-WYE, HEREFORDSHIRE, HR9 5SZ. (AGENDA ITEM 14)	79 - 88
	Erection of one dwelling.	
15.	DCSE2006/1133/F - HILL FARM, LLANCLOUDY, HEREFORDSHIRE, HR2 8QP. (AGENDA ITEM 15)	89 - 96
	Variation of condition 1 on planning permission SE2001/1651/F.	
16.	DCSE2006/1726/F - WOODEDGE, ROSS-ON-WYE, HEREFORDSHIRE. (AGENDA ITEM 16)	97 - 108
	Replacement of the existing development of 42 concrete panel houses collectively known as Woodedge, plus a single masonry dwelling (11 Walford Avenue) with 53 new dwellings and associated infrastructure.	

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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, 30th 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, J.G. Jarvis, G. Lucas, D.C. Taylor and J.B. Williams

In attendance: Councillors T.W. Hunt (ex-officio) and R.M. Wilson

37. APOLOGIES FOR ABSENCE

Apologies were received from Councillor Mrs. J.A. Hyde.

38. DECLARATIONS OF INTEREST

The following declarations of interest were made:

Councillor	Item	Interest
G. Lucas	Item 10 – (DCSE2006/2206/F – The Chase Hotel, Gloucester Road, Ross-on-Wye, HR9 5LH) Erection of 9 apartments and associated parking.	Declared a prejudicial interest and left the meeting for the duration of the item.

39. MINUTES

RESOLVED: That the Minutes of the meeting held on 2nd August, 2006 be approved as a correct record and signed by the Chairman.

40. ITEM FOR INFORMATION - APPEALS

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

41. DCSE2006/1907/O - LAND ADJACENT TO WESTHAVEN, SIXTH AVENUE, GREYTREE, ROSS-ON-WYE, HEREFORDSHIRE, HR9 7HJ. (AGENDA ITEM 5)

Proposed residential development.

RESOLVED:

That consideration of planning application DCSE2006/1907/O be deferred for a site inspection for the following reasons:

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

42. DCSE2006/2038/F - BROADFIELDS, ASTON INGHAM, ROSS-ON-WYE, HEREFORDSHIRE, HR9 7LP. (AGENDA ITEM 6)

Erection of timber workshop to replace existing derelict chicken house.

Councillor H. Bramer, the Local Ward Member, felt that the inclusion of a condition to ensure that the building was not used for residential use would help to address the concerns raised by Aston Ingham Parish Council.

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. 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

43. DCSE2004/3026/F - BENNETTS OF ROSS LTD, WILTON GARAGE, ROSS-ON-WYE, HEREFORDSHIRE, HR9 6AE. (AGENDA ITEM 7)

Demolish car wash building. Erect new car wash building. Extend forecourt canopy. Extend store and form new parking areas.

The Principal Planning Officer reported the receipt of two further letters of objection from local residents.

In accordance with the criteria for public speaking, Mr. Williams, representing the residents of the Pippins, spoke in objection to the application.

Councillor G.W. Davis noted that the premises was located on a busy junction. He felt that local businesses should be encouraged but noted the concerns of the local residents and asked for a condition to be put in place to restrict the hours of

operation for the car wash. Councillor G.W. Davis felt that the car wash should not be used before 7 a.m. and not after 9.00 p.m. on any day of the week.

Members discussed the application thoroughly and felt that the car wash should be acoustically insulated to protect the amenity of local residents. They also felt that the car wash should be enclosed, with doors allowing access and egress to vehicles. The Principal Planning Officer confirmed that these conditions could be added to the resolution.

RESOLVED:

That planning permission be granted subject to the following conditions:

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

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

2. A07 (Development in accordance with approved plans)

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

3. 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

44. DCSE2006/0171/F - A40 (T) HIGHWAY BETWEEN THE JUNCTION OF A40 (T) / A449 AND RUDHALL BROOK, ROSS-ON-WYE, HEREFORD. (AGENDA ITEM 8)

Three arm roundabout on the alignment of the existing A40 (T).

The Principal Planning officer reported the receipt of further comments from the Environment Agency.

In accordance with the criteria for public speaking Mrs. Thomas, representing the residents of Court Road, spoke in objection to the application, and Ms. Mann, the applicants' agent, spoke in objection.

Councillor Mrs. C.J. Davis, one of the Local Ward Members, felt that members required further information regarding highway issues, flood alleviation and drainage, she therefore felt that the application should be deferred.

Councillor Mrs. A.E. Gray, the other Local Ward Member, noted the concerns raised

by her fellow Ward Member, she was also concerned that granting of the application could have a detrimental effect on both the Hildersley roundabout and the local Fire Station.

In response to a number of points raised by Members, the Southern Team Leader advised Members that the Tanyard Lane site had been identified as a housing development site in the UDP, he also advised Members that the application was purely for a roundabout to gain access to the site. He noted the concerns raised by the local Ward Members but felt that these issues would be addressed when the Committee determined the outline planning application.

The Development Control Manager confirmed that the outline planning application had been submitted to the Planning Department by the applicant. He confirmed that there were still some issues that needed clarification before the application came before the Sub-Committee.

Members discussed the benefits of approving the application but felt that it should be deferred and considered at the same time as the Outline Planning application was determined.

RESOLVED

That consideration of the application be deferred until an application for outline planning permission for housing on the Tanyard Lane site comes before the Southern Area Planning Sub-Committee.

45. DCSE2006/1748/F - HILLINGTON BARN, WOODREDDING, ROSS-ON-WYE, HEREFORDSHIRE, HR9 7RG. (AGENDA ITEM 9)

Continuation of use as equine stud farm and construction of training area, hay barn, winter barn and stables.

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

RESOLVED:

That planning permission be granted subject to the following conditions:

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

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

2. 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

46. DCSE2006/2206/F - THE CHASE HOTEL, GLOUCESTER ROAD, ROSS-ON-WYE, HR9 5LH. (AGENDA ITEM 10)

Erection of 9 apartments and associated parking.

RESOLVED:

That consideration of planning application DCSE2006/2206/F be deferred for a site inspection for the following reasons:

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

47. DCSE2006/2048/F AND DCSE2006/2049/C - THE GARAGE, ADJACENT TO NO. 15 HENRY STREET, ROSS-ON-WYE, HEREFORDSHIRE, HR9 7AA. (AGENDA ITEM 11)

(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.*

Councillor Mrs. A.E. Gray, the Local Ward Member, voiced concerns over the drainage issues in relation to the application but noted that Welsh Water had raised no objection.

RESOLVED:

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

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

The meeting ended at 3.59 p.m.

CHAIRMAN

ITEM FOR INFORMATION - APPEALS**APPEALS RECEIVED****Application No. DCSW2005/4084/F**

- The appeal was received on 21st August 2006
- The appeal is made under Section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission
- The appeal is brought by Mr & Mrs P Preece
- The site is located at Sunnyside, Wormelow, Herefordshire, HR2 8EW
- The development proposed is two-storey extension.
- The appeal is to be heard by Written Representations

Case Officer: Yvonne Coleman on 01432 383083

Application No. DCSE2006/0886/O

- The appeal was received on 22nd August 2006
- The appeal is made under Section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission
- The appeal is brought by Mr D Phillips
- The site is located at Land at Former British Lion, Fawley, Kings Cople, Hereford, HR1 4UQ.
- The development proposed is Erection of 1 No. new residential unit.
- The appeal is to be heard by Hearing

Case Officer: Charlotte Atkins on 01432 260536

Application No. DCSE2006/0951/O

- The appeal was received on 29th August 2006
- The appeal is made under Section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission
- The appeal is brought by Mr & Mrs M Haile
- The site is located at Land to the rear of The Warren, Bridstow, Herefordshire, HR9 6QH
- The development proposed is Erection of bungalow for local family with special needs child.
- The appeal is to be heard by Hearing

Case Officer: Steven Holder on 01432 260479

Application No. DCSE2005/4133/F

- The appeal was received on 29th August 2006
- The appeal is made under Section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission
- The appeal is brought by Mr & Mrs K Bullock
- The site is located at Linton Rise, Smallbrook Road, Ross-On-Wye, Herefordshire, HR9 7DW

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

- The development proposed is Retrospective permission for a conservatory.
- The appeal is to be heard by Written Representations

Case Officer: Yvonne Coleman on 01432 383083

Application No. DCSE2006/1520/F

- The appeal was received on 5th September 2006
- The appeal is made under Section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission
- The appeal is brought by Mr A Sargeantson
- The site is located at Wyevern, Walford Road, Ross-on-Wye, Herefordshire, HR9 5PT
- The development proposed is Alterations and single storey extension to existing flat.
- The appeal is to be heard by Written Representations

Case Officer: Duncan Thomas on 01432 261974

Application No. DCSE2006/0637/O

- The appeal was received on 5th September 2006
- The appeal is made under Section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission
- The appeal is brought by Mr L Marshall
- The site is located at Ballard Lodge, 39 Eastfield Road, Ross-on-Wye, Herefordshire, HR9 5JZ
- The development proposed is Erection of a dwelling
- The appeal is to be heard by Written Representations

Case Officer: Yvonne Coleman on 01432 383083

Application No. DCSE2006/1677/F

- The appeal was received on 5th September 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 F McGough
- The site is located at Land adjacent to 'Marsh Cottage', Pontshill, Herefordshire, HR9 5SZ.
- The development proposed is Erection of one dwelling
- The appeal is to be heard by Written Representations

Case Officer: Steven Holder on 01432 260479

APPEALS DETERMINED

Application No. DCSE2005/2651/F

- The appeal was received on 23rd 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 Hartleton Village Ltd.
- The site is located at Hartleton Farm, Bromsash, Ross-On-Wye, Herefordshire, HR9 7SB
- The application, dated 15th August 2005, was refused on 28th October 2005
- The development proposed was Construction of 32 holiday apartments
- The main issue is the effect of the proposal on the rural character of the area.

Decision: The appeal was WITHDRAWN on 11th September 2006

Case Officer: Steven Holder on 01432 260479

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

Introduction:

This application was reported to the Southern Area Planning Sub-Committee on 30th August, 2006. Members deferred determination to enable a site visit to be undertaken. Members visited the site on 12th September, 2006.

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

2.1 Department of the Environment

PPS1	-	Delivering Sustainable Development
PPG3	-	Housing
PPG13	-	Transport

2.2 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

2.3 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

2.4 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 SummaryStatutory 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 PC 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 Greytrees 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

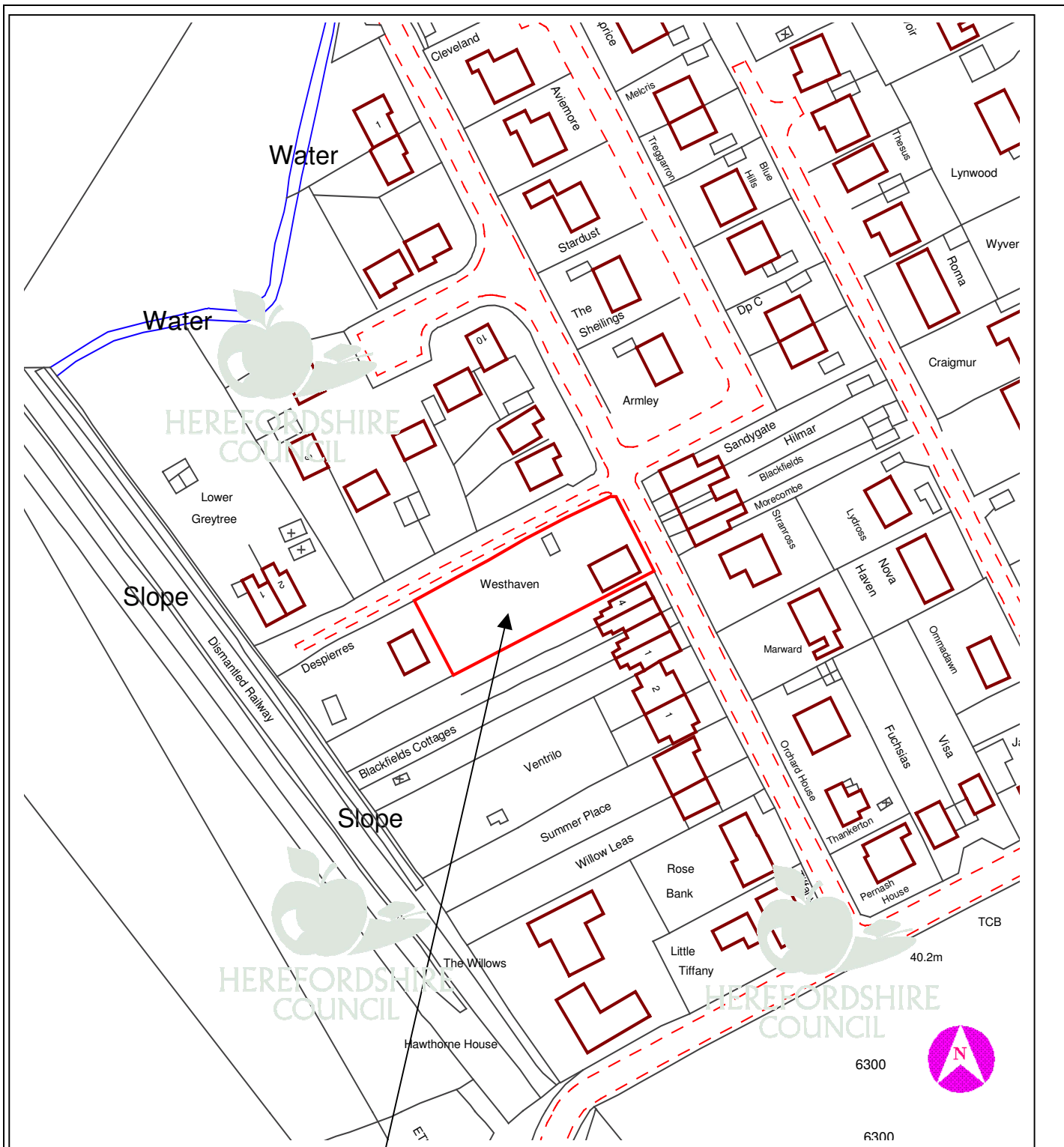
Decision:

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 DCSE2006/2206/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: Councillors Mrs. C.J. Davis and Mrs. A.E. Gray

1. Site Description and Proposal

- 1.1 This proposal was reported to the Sub-Committee on 30th August, 2006 but a decision was deferred so that Members could visit the site. The site was visited on 12th September, 2006.
- 1.2 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 (see Appendix for Inspector's decision letter).. 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.
- 1.4 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.

- 1.5 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 Summary

Statutory 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.' It is recommended that a condition be imposed requiring an archaeological survey.

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 17 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. Full and fresh analysis of relevant planning policies is required, e.g:

- S1 (UDP) mixed uses are favoured “subject to amenity considerations which respect development potential of adjoining land” – proposal would remove potential for further development of hotel for leisure and tourism and associated employment opportunities
 - DR2 (UDP) also seeks to limit development that would harm the amenity or continued use of adjoining land or building or constrain future development of adjoining sites.
 - UDP para 4.5.28 states overall aim to ensure that “noise sensitive developments such as housing....located away from...significant noise sources”.
 - HBA9 (UDP) & C30 protect the whole site
 - GD1 (SHDLP) requires development to be appropriate to setting of neighbouring buildings and open spaces
 - C5 (SHDLP) development favourably considered only if essential to meet local community needs.
3. Once this is allowed a precedent will be set and development will spread to fill the entire grounds (housing or a supermarket!) Policy 3 (Part 3 SHDLP) does not apply to Chase Hotel grounds.
 4. Occupiers extremely likely to object to noise from various functions - serious problem now to local residents living much further away and would soon result in hotel being converted into further apartments. Conflict between hotel is commercial activities and occupants of apartments – totally inappropriate mixed use.
 5. The Conservation Area should not be subject to further development, which appears to be the long term plan.
 6. 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. Also it would destroy an Area of Outstanding Natural Beauty and obliterate views of Chase Woods and Penyard.
 7. Frequent attempts in past to put housing on site have all met with refusal, establishing a non-development policy.
 8. 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. No intention to build leisure building – a ploy to pursue residential development.
 9. 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. Will not contribute to meeting housing needs of town. Housing land supply situation should certainly be a material consideration in determining this application.

10. 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. Impact on wildlife should be properly assessed.
 11. Eyesore to residents living opposite.
 12. Exacerbate traffic chaos in Ross. Increase noise and traffic disturbing hotel guests and local residents.
 13. Health facilities already overstretched.
 14. 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. F20 (Scheme of surface water drainage)

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

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.

17. DO1 (Site investigation – archaeology)

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

18. F41 (no burning of materials/substances during construction phase)

Reason: To safeguard residential amenity and prevent pollution.

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

4. N19 – (For the avoidance of doubt)

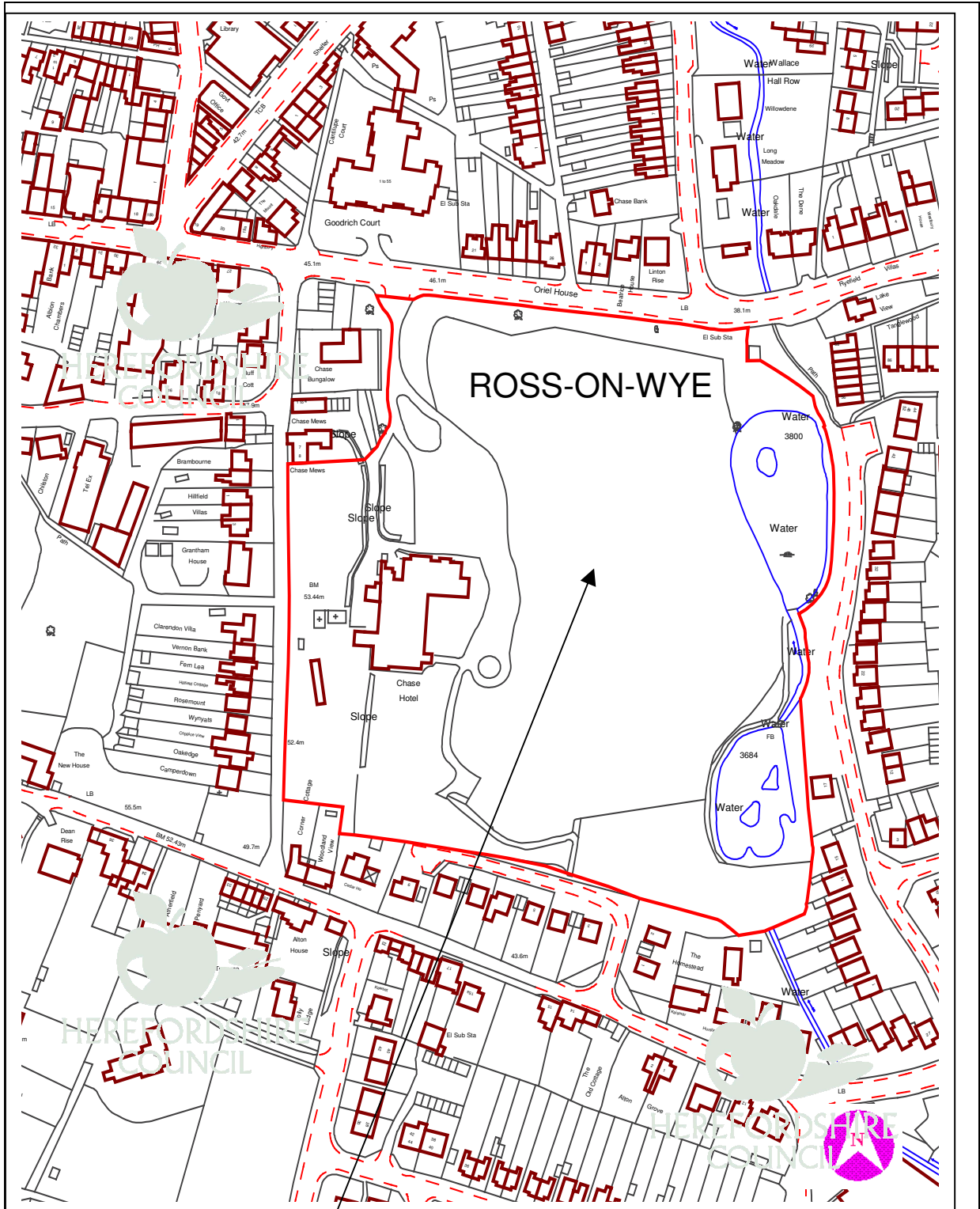
Decision:

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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Appeal Decision

Inquiry opened on 28 February 2006

Site visit made on 1 March 2006

by **Richard Ogier BA MRTPI**

an Inspector appointed by the First Secretary of State

The Planning Inspectorate
4/11 Eagle Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN
☎ 0117 372 6372
e-mail: enquiries@planning-
inspectorate.gsi.gov.uk

Date

4 APR 2006

Appeal Ref: APP/W1850/A/05/1181447

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

- 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 made by Camanoe Estates Ltd against the decision of Herefordshire Council.
- The application Ref DCSE2005/0355/F dated 2 February 2005, was refused by notice dated 13 April 2005.
- The development proposed is the erection of 18 apartments.
- The inquiry sat for 2 days on, 28 February and 1 March 2006.

Summary of Decision: The appeal is dismissed.

Procedural Matters

1. The subject application was submitted for the erection of 24 apartments, but later amended to 18 apartments before the Council determined the application.

Main Issue

2. I have identified the main issue in this appeal as the effect of the proposed development on the character and appearance of the site of The Chase Hotel and its surroundings, having regard to the location of these areas within the Ross-on-Wye Conservation Area.

Planning Policy

3. The development plan includes the Regional Spatial Strategy for the Development of the West Midlands (RSS), Hereford & Worcester County Structure Plan (SP) and South Herefordshire District Local Plan (LP). RSS Policy RR3 describes the rural regeneration role of market towns and sets requirements that development and other plans should fulfil there, including additional housing to maintain viable communities and meet local need. Satisfaction of that need is identified in CF2 as the focus of housing activity outside the main towns beyond the Major Urban Areas of Worcester, Telford, Shrewsbury, Hereford and Rugby, and priority given to reusing previously developed land (PDL).
4. RSS Policy QE1 calls on local authorities and others to support economic and environmental objectives including conserving and enhancing the Region's Areas of Outstanding Natural Beauty (AONBs). Ross-on-Wye is 'washed over' by the Wye Valley AONB. Policy QE4 deals amongst other matters with urban greenspace but as the Policy mainly focuses on publicly accessible space, it is of limited relevance to this appeal. Policy QE5 looks to development plans and other strategies to identify, preserve and enhance the Region's historic environment including conservation areas, and manage change in a way that respects local character and distinctiveness.

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5. The SP plan period expired in 2001, but the Plan is still extant. SP Policy CTC.1 sets out development control policy for AONBs in the Plan area. The Policy allows for small-scale developments essential to meet community needs, sited within or immediately adjacent to existing towns or villages. Under Policy CTC.7 development adversely affecting features of historic or architectural importance including conservation areas, should not normally be permitted. CTC.9 sets general development criteria. CTC.15 reflects a general duty in section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 that in the exercise of planning functions in conservation areas, special attention shall be paid to the desirability of preserving or enhancing the character of appearance of the area. CTC.17 encourages the creation and conservation of green open spaces. CTC.18 seeks to concentrate development in urban areas and reuse and regenerate urban land in preference to 'greenfield sites', and recognises a need to retain valuable amenity open spaces within the urban environment.
6. LP Policy GD.1 sets general development criteria which include that new development should have regard and be appropriate to the setting of neighbouring buildings, landscape features and open spaces in the surrounding areas, and more specifically, should not result in the loss of important open spaces within the built-up areas of Ross-on-Wye or rural settlements. Policy C.4 reflects the national objectives for AONBs of giving priority to the protection and enhancement of the designated areas' natural beauty. C.5 relates to the Wye Valley AONB and its criteria requirements include that development proposals should be small in scale and of a high standard of design. C.17 seeks an increase in the stock of trees, particularly within settlements and where development proposals are promoted. C.20 seeks the protection of the Plan area's historical heritage.
7. LP Policy C.30 offers protection from development that would harm the visual amenity of open land forming an intrinsic part of a settlement, including land shown on the Proposals Map and identified as a result of development proposals. SH.14 relates to the siting and design of buildings and SH.15 provides criteria for new housing schemes. The Local Plan has area-based policies, which in relation to Ross-on-Wye include Nos. 3 and 5. Policy 3 relates to infill sites for housing and provides criteria and Policy 5 to housing in built-up areas. The latter lays down requirements for new housing on small sites in the town which include resisting developments that would adversely affect the visual appearance and character of the town centre/Conservation Area.
8. The Herefordshire Unitary Development Plan (UDP) has reached the revised deposit stage. Draft Policy P1 lays down sustainable development objectives. P7 seeks to protect, restore and enhance environmental assets, including designated areas. P8 promotes sustainable land use and management, including through the recycling of PDL for appropriate new uses. S1 confirms that the UDP promotes development and land use change which contributes to the achievement of sustainable development. S2 lays down objectives to secure that aim. S3 sets out the UDP housing provision with an associated strategy to concentrate 57% of the provision in Hereford and the market towns. S7 seeks to protect, restore and enhance the historic and natural heritage of Herefordshire, including AONBs and areas of historic or architectural importance and natural landscapes. DR1 provides design criteria for new development, including the retention and incorporation of existing site features contributing to the quality of the local environment.

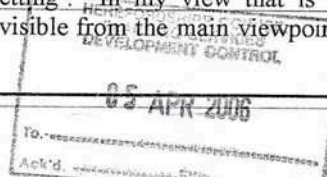
9. UDP Policy H1 restricts housing provision in Hereford and the market towns including Ross-on-Wye to land within the defined settlement boundaries. H13 lays down the objectives for sustainable residential design. LA1 supports the national objectives for AONBs and generally seeks to restrict new development within the designated area to those that are small in scale. HBA6 reflects the section 72 duty already referred to and provides criteria for the assessment of new development proposals in conservation areas. The sixth criterion states that where open spaces, topographical features, trees and other landscape features of importance already exist, they should be retained. HBA9 seeks to protect important open areas or green spaces which contribute to the distinctive spatial character, form or pattern of a settlement or neighbourhood from harmful development. Detailed criteria are specified. The appeal site is identified on the draft Proposals Map as such an area.
10. The Inspector's report into objections to the UDP was awaited at the time of the inquiry. The Council's evidence confirms that Policies P1, P7, S1, S2, S3, S7, DR1, H1, H2, H9, H13, LA1, LA4, HBA6 and HBA9 are subject to outstanding objections. It is pointed out that the objections to HBA9 are to the text of the Policy, not to the designation of the appeal site. Nevertheless the possibility that any of these policies may be subject to modification before the UDP is adopted, limits the weight that I should give to them.
11. My attention has also been drawn to relevant extracts from PPS1 *Delivering Sustainable Development*, PPG3 *Housing*, PPG13 *Transport* and PPG15 *Planning and the Historic Environment*.

Reasons

Main issue – effect on character and appearance of surroundings

The Ross-on-Wye Conservation Area

12. This large conservation area extends over the whole of the town centre, a wide swathe of the setting of the centre on its western side on both sides of the River Wye, a smaller enclave of traditional housing on the south side around Walford Road and a larger area of traditional housing and other buildings to the east of the centre around Gloucester Road and Alton Street, including the appeal site.
13. The development in the town centre demonstrates variety of style and appearance and include buildings, set in a street pattern not uncommon of market towns, which reflect the organic and intricate growth of the town over a number of centuries. Further away from the centre there are residential areas which in some parts are characterised by small terraces and in others by larger semi-detached or detached houses built during the Victorian and Edwardian eras. Gloucester Road is a good example of the latter, with small cottage terraces in Alton Street illustrating the former.
14. I agree with the evidence for the appellant that the appeal site is a distinctive townscape area in its own right. *A Survey of Historic Parks & Gardens in Herefordshire* published by the Hereford and Worcester Gardens Trust in 2001 describes *The Chase* (the name of the neo-classical style house before it became an hotel) as a mansion with a 'swish, low profile', its grounds forming 'an important oasis in modern Ross'. It is observed that 'only the extensive car parks compromise the mature setting'. In my view that is a slight overstatement, because while some parked cars are visible from the main viewpoint at the



north eastern corner of the site on Gloucester Road, they do not materially detract from the largely unspoilt presentation of the main building on a plateau atop open parkland which rises from Gloucester Road and from the ponds and stream which adjoin the eastern edge of the site near Waterside. This limited but nevertheless key vista reveals the essential character of the appeal site which in turn makes a significant contribution to the character of the surrounding area on the Gloucester Road and to a lesser degree the Waterside boundaries of the site. Elsewhere, dense belts of trees near the site boundary disclose little of the site from Alton Street and Chase Side, or from Chase Road.

Impact of proposed development on hotel setting and surroundings

15. The proposed development comprises two separate apartment blocks. Block A would be sited to the south of the main hotel building, in an area presently occupied by terraced lawns. Block B would be sited to the east of Block A, in a position to the south east of the existing hotel towards the southern boundary of the site, partially on land which slopes gradually towards Gloucester Road, and where the existing trees which line the southern boundary of the site adjoining Chaseside would form a unified if not completely continuous backdrop.
16. 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.
17. 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.
18. However, Block B presents different circumstances. After assessing the relationship between the proposed block and its surroundings carefully on site, I am satisfied that the block would visibly extend beyond the hotel and garden area. It would occupy a small but significant part of the sloping ground that forms part of the open parkland setting of the hotel. To my mind this effect would be noticeable in the view from the old drive access point on Gloucester Road.
19. The appellant's assessment of the impact of the proposed development on the appeal site is influenced by the description of the land on which Block B would be erected as a 'transitional area' or 'forgotten corner'. However in my perception, this area has a strong visual affinity when viewed from Gloucester Road with the remainder of the sloping grassed area which falls away from the car park down to the ponds and Gloucester Road boundary.
20. Although I accept that Block B would occupy the upper part of the slope in this part of the site, I do not agree with the appellant's conclusion that it would not intrude upon the rising parkland setting of the hotel. In my view, the setting relies as much on the southern

boundary trees as it does on the slope itself. The new block would be seen as visibly occupying part of the slope, distorting the cohesive and balanced building formation of the present hotel. Whilst set against a backdrop of trees, it would in my perception inappropriately extend that formation to a greater extent than would occur with Block A, and partially intrude in front of the trees on the south side of the site.

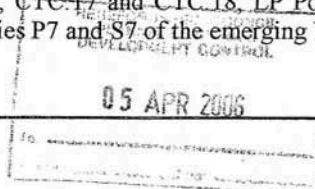
21. I consider that this would be to the detriment of the appearance of the built group and of the parkland character of the open grassed slopes running down from the site. In my perception therefore, Block B would unacceptably erode the important amenity open space character and appearance of the appeal site, which as the sloping ground providing the setting to the hotel runs all the way to the southern boundary, enveloping the hotel on its northern, eastern and south-eastern sides.

Relative impact in comparison with development already permitted

22. This conclusion should be reviewed in the light of planning permission that has been granted and is still extant but unimplemented for other development within the appeal site. That issue can best be understood by reference to the Council's plan at Document 7 Appendix 13 which was accepted by the appellant as an acceptable basis for the consideration of this matter and which shows in outline the development now proposed in comparison with leisure and additional hotel bedroom provision permitted in 2002.
23. The plan shows clearly that proposed Block A would occupy part of the area proposed for the leisure and bedroom accommodation, although it would be higher than the leisure extension and extend further into the tree-bordered south west corner of the appeal site than that extension. However, I have already determined that Block A would be acceptable on its own merits, and the existence of the existing planning permission in this part of the site does not therefore affect that conclusion.
24. As for Block B, the front (northernmost) part of the block would extend over an area shown on the permitted scheme as being laid out as an extension of the existing hotel car park. I accept that the presence of parked cars in the extended area as permitted would be noticeable from Gloucester Road. However, their impact would be nowhere as substantial as that of the mass of the two/three storey Block B, both in visibly creating, with the existing hotel and Block A, the image of a line of substantial buildings reaching across the plateau on the site and beyond its edge onto falling ground, and physically and visually encroaching upon a part of the sloping grassed area near the southern end of the site. In these circumstances the existence of the 2002 permission and the degree to which the permitted car park would extend into the proposed footprint for Block B do not change my view about the impact of Block B.

Conclusion on main issue

25. In all these circumstances I conclude that Block B in the appeal development 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 QE5, SP Policy CTC.7, CTC.15, CTC.17 and CTC.18, LP Policies GD.1, C.20, C.30 and 5 (Ross-on-Wye), and draft Policies P7 and S7 of the emerging UDP.



26. I recognise that this conclusion is not supported by any final representation made by English Heritage, an important statutory consultee involved in discussions with the appellant and Council in the run-up to the latter's decision on the application. I accept that informal comment by individuals from English Heritage can be interpreted to the effect that they were content that no objection was justified on their part, particularly the February 2005 email reference to their being 'happy with the scheme as now presented'.
27. However it remains the case that the final written response from English Heritage dated 21 February 2005 confirms that no formal view would be expressed on the application, the matter being left to the Council to consider in the light of Government guidance, development plan policies and local conservation advice. Even if the Council's Conservation Officer was content with the scheme the Council was still entitled to come to a different view provided that it could adduce substantive evidence to support its position.

Other matters

AONB

28. The whole town of Ross-on-Wye is 'washed over' by the Wye Valley AONB but this fact was not referred to in the Council's formal decision to refuse planning permission and was not by the end of the Inquiry a reason advanced by the Council as to why the appeal should be dismissed. There was a recognition that some of the existing and emerging development plan objectives for Ross-on-Wye in terms of providing for local housing needs (RSS Policies RR3 and CF2 and UDP draft Policy S3) create a tension with the protective policies relating to the AONB such as RSS Policy QE1, SP Policy CTC.1, LP Policy C.5 and draft UDP Policies LA1 and S7.
29. No clear conclusion was reached by any witness as to whether the appeal site was a small site for the purposes of SP Policy CTC.1 or small in scale in the terms of LP Policy C.5 or draft UDP Policy LA1. There was no challenge to the appellant's evidence that long distance views of that part of the appeal site where the development is proposed from Chase Hill would not significantly alter the landscape of the AONB or harm its natural beauty. It was reported that the then Countryside Commission had been asked by the Structure Plan Authority to reconsider the merit of including the whole of the settlement of Ross-on-Wye within the AONB, but that request had not resulted in the exclusion of Ross from the AONB. Nevertheless I find no clear basis for concluding that the appeal proposal would result in any material harm to the landscape or policy objectives of the AONB. However this is not a view that outweighs my conclusion on the main issue.

Previously-developed land

30. I am satisfied that the whole of the appeal site constitutes PDL under the definition of Annex C to PPG3, because the site is occupied by the Chase Hotel which is a permanent structure with associated fixed surface infrastructure, and all the site (including the sloping 'parkland') falls within the curtilage of the Hotel. However, Footnote 2 to the Annex makes it clear that this does not mean that the whole area of the curtilage should therefore be developed. It is a matter of judgement for the decision maker as to how much of the site is suitable for development.
31. The fact that the land proposed for development is PDL is a material consideration, but this does not mean that other important considerations such as impact on the character of a

conservation area should be set aside. So despite the support given to the development of PDL in SP Policy CTC.18 and draft UDP Policies P8, S1 and S3 this is not a matter which in my view is decisive to the outcome of this appeal.

Conservation area appraisal

32. The appellant criticised the Council for not having prepared a general appraisal of the Conservation Area despite the elapsed time since its designation, or a detailed character assessment in relation to this appeal. The availability of a general or area-specific conservation area assessment might have helped the Council in its consideration of the appeal proposal. Yet the absence of such an appraisal is not in my view fatal to the Council's cause, even though PPG15 at paragraph 4.4 strongly commends as good practice the preparation of such schemes. I regard the general methodology of the appellant's assessment as sound; it is only on the exercise of particular judgements within the methodology that I have as already indicated differed from the conclusions reached.

Housing land supply

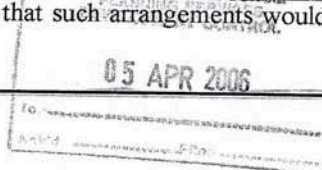
33. The Statement of Common Ground records agreement that there are no in-principle objections to the residential development of a previously developed site located within the confines of the built up area, located close to public transport and local services, circumstances which apply to the appeal site. Although the Council sought to demonstrate that there is no need for the appeal development in terms of UDP housing provision for Ross-on-Wye, the appellants argued, based on underperformance on housing completions so far, that there was no convincing evidence to support a position that a windfall supply in Ross-on-Wye was no longer required.
34. In my view the issue of housing land supply in Ross should be regarded as neutral so far as this appeal is concerned. There is neither a strong argument for resisting the appeal proposal on the grounds that the development is not needed to support the local supply, nor for permitting the development on supply grounds based on a justification which outweighs the harm to the character and appearance of the surroundings that I have already identified.

Drainage

35. Concern was expressed at the time the application was under consideration by the Council that no details of arrangements for the disposal of surface water had been submitted at that time. In the context of the Council's promotion of a flood alleviation scheme in Ross-on-Wye it was important to ensure that additional flows into the local water course arising from the proposed development were kept to a minimum. However there was no dispute at the inquiry that the necessary arrangements could be made on site to balance the surface water run-off in such a way as to control the flow entering local watercourses, and that such arrangements were enforceable by means of an appropriate condition of planning permission.

Parking and access considerations

36. In the light of concern expressed by third parties about congestion arising from the occasional generation of traffic at the Chase Hotel beyond the capacity of the car park, the appellant submitted proposals for creating an increased capacity in the car park without significantly increasing its total area. I am satisfied that such arrangements would enable



~~the parking demand to be reasonably accommodated at all times, and to ensure that dedicated parking space was available for the residents of the proposed apartments.~~

37. Concern was expressed in a letter and petition handed in to the inquiry from some residents of Goodrich Court, an apartment development almost opposite the existing entrance to the Chase Hotel, about the increased traffic which would be generated if the appeal development were to be permitted. I note that the local highway authority has no objections to the proposed access arrangements based on the existing access. I find no convincing evidence to persuade me that the increase in traffic would cause any undue difficulties for traffic entering or leaving the appeal site, or using Gloucester Road. However these two matters do not outweigh my conclusion on the main issue in this appeal.

Conditions

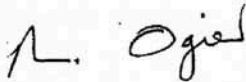
38. As a result of the discussion at the inquiry there was a large measure of agreement on the conditions which might be imposed in the event of the appeal being allowed and planning permission granted. However I am satisfied that the objection to the appeal development I have identified in the main issue could not be overcome by the imposition of reasonable conditions of planning permission.

Conclusions

39. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be dismissed.

Formal Decision

40. I dismiss the appeal.



Inspector

7 DCSE2006/2745/F - ERECTION OF SUMMERHOUSE AND SHED, (RETROSPECTIVE APPLICATION), ROWAN COTTAGE, PETERSTOW, ROSS-ON-WYE, HEREFORDSHIRE, HR9 6LF.

For: Mr. S. Pelham Davis per Mr. R.H. Ball, Ilex, Ashfield Crescent, Ross-on-Wye, Herefordshire, HR9 5PH.

Date Received: 22nd August, 2006

Ward: Llangarron

Grid Ref: 56199, 24726

Expiry Date: 17th October, 2006

Local Member: Councillor Mrs. J.A. Hyde

1. Site Description and Proposal

- 1.1 Rowan Cottage is a large bungalow located at the end of narrow private drive that runs between Lane End and High Field, which exits onto the unclassified 71012. Fernbank is to the rear and Rodandal is to the east. A hawthorn hedge runs along the eastern and northern boundaries, and a wooden post and rail fence runs along the southern boundary. The site is located in the Peterstow Conservation Area and within the Wye Valley Area of Outstanding Natural Beauty.
- 1.2 This is a retrospective application for a summerhouse, 4.8 metres x 3.4 metres, 2.7 metres to eaves and 3.8 metres to ridge that is located adjacent to a double garage, and a garden shed, 3 metres x 4.8 metres that is within the south east corner of the garden, to the rear of the garage.

2. Policies

2.1 Department of the Environment

PPS.1	-	Delivering Sustainable Development
PPS.7	-	Sustainable Development in Rural Areas
PPG.15	-	Planning and the Historic Environment

2.2 Hereford and Worcester County Structure Plan

Policy H.16	-	Ross and Rural Sub-Area
Policy H.16A	-	Housing in Rural Areas Development Criteria
Policy H.18	-	Housing in Rural Areas outside the Green Belt
Policy H.20	-	Housing in the Open Countryside
Policy CTC.1	-	Development within Areas of Outstanding Natural Beauty
Policy CTC.7	-	Development and Features of Historic and Architectural Importance
Policy CTC.9	-	Development Criteria

2.3 South Herefordshire District Local Plan

Policy GD.1	-	General Development Criteria
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Policy C.5	-	Development in Areas of Outstanding Natural Beauty
Policy C.20	-	Protection of Historic Heritage
Policy C.23	-	New Development affecting Conservation Areas
Policy SH.23	-	Extensions to Dwellings

2.4 Herefordshire Unitary Development Plan (Revised Deposit Draft)

Policy S.2	-	Development Requirements
Policy S.7	-	Natural and Historic Interest
Policy DR.1	-	Design
Policy H.18	-	Alterations and Extensions
Policy LA.1	-	Areas of Outstanding Natural Beauty

3. Planning History

- 3.1 DCSE2006/0307/F Single storey extension - Approved 03.03.06

4. Consultation Summary

Statutory Consultations

- 4.1 No statutory or non-statutory consultations required.

Internal Council Advice

- 4.2 Traffic Manager - no objection.
4.3 Conservation Manager - no objection.

5. Representations

- 5.1 Peterstow Parish Council there are no objections to this retrospective application. However, the PC is aware that some neighbouring owners are concerned that the proposed summerhouse has been built very close to the existing garage. Accordingly, the PC would like it made clear to the applicant that there should be no attempt in the future to consolidate this structure with the garage to form some sort of dwelling or for a use other than a summerhouse.

- 5.2 Letters of objection from J. Barnett, Fernbank, Peterstow, Ross-on-Wye, and L.H. Nock, Rodandal, Peterstow, Ross-on-Wye. The main points raised are:

1. Rowan Cottage has already a large extension granted, application number DCSE2006/0307/F;
2. This is a step too far and vastly over develops the property;
3. We strongly object to these ancillary buildings which were put up against all planning requirements and without consultation with neighbours;
4. As the owner of Rowan Cottage is a property developer we are concerned as to why he has put the summer house so close to the double garage and also given its very deep footings and also connections for water and drainage;
5. Our concern is will he apply to join the two together to form a dwelling or for commercial use if this application is granted.
6. How can you call this a summer house when the access doors do not face the garden;

- 7. Why is it so high, and why does it need drainage and water supply facilities inside i.e. for possible toilet;
- 8. The buildings are too large and over develop the property and visually impacts on this conservation area and Area of Outstanding Natural Beauty;
- 9. The buildings have been crowded near our hedge next to the existing garage producing a cluttered effect; and
- 10. The aspect from our property is very disconcerting yielding an untidy allotment effect obscuring our skyline and open countryside view.

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 Rowan cottage is located in a conservation area, and within an Area of Outstanding Beauty. This being so planning permission is required for the garden shed and summerhouse as they exceed 10 cubic metres.
- 6.2 Within conservation areas special attention must be given to the desirability of preserving or enhancing the character or appearance of the area. In this case the shed has been tucked into the southeast corner of the garden and the summerhouse is alongside the double garage. In terms of the impact these buildings have on the conservation area the Conservation Manager comments that Rowan Cottage is well concealed from public view and makes no positive contribution to the character or appearance of the Peterstow Conservation Area, and these additions have no material effect on this contribution.
- 6.3 Also, it is considered the shed and summerhouse are in a position that does not cause harm to the amenity of neighbour with regard to privacy and overshadowing.

RECOMMENDATION

That planning permission be granted

Informative(s):

- 1. N19 - Avoidance of doubt**
- 2. N15 - Reason(s) for the Grant of Planning Permission**

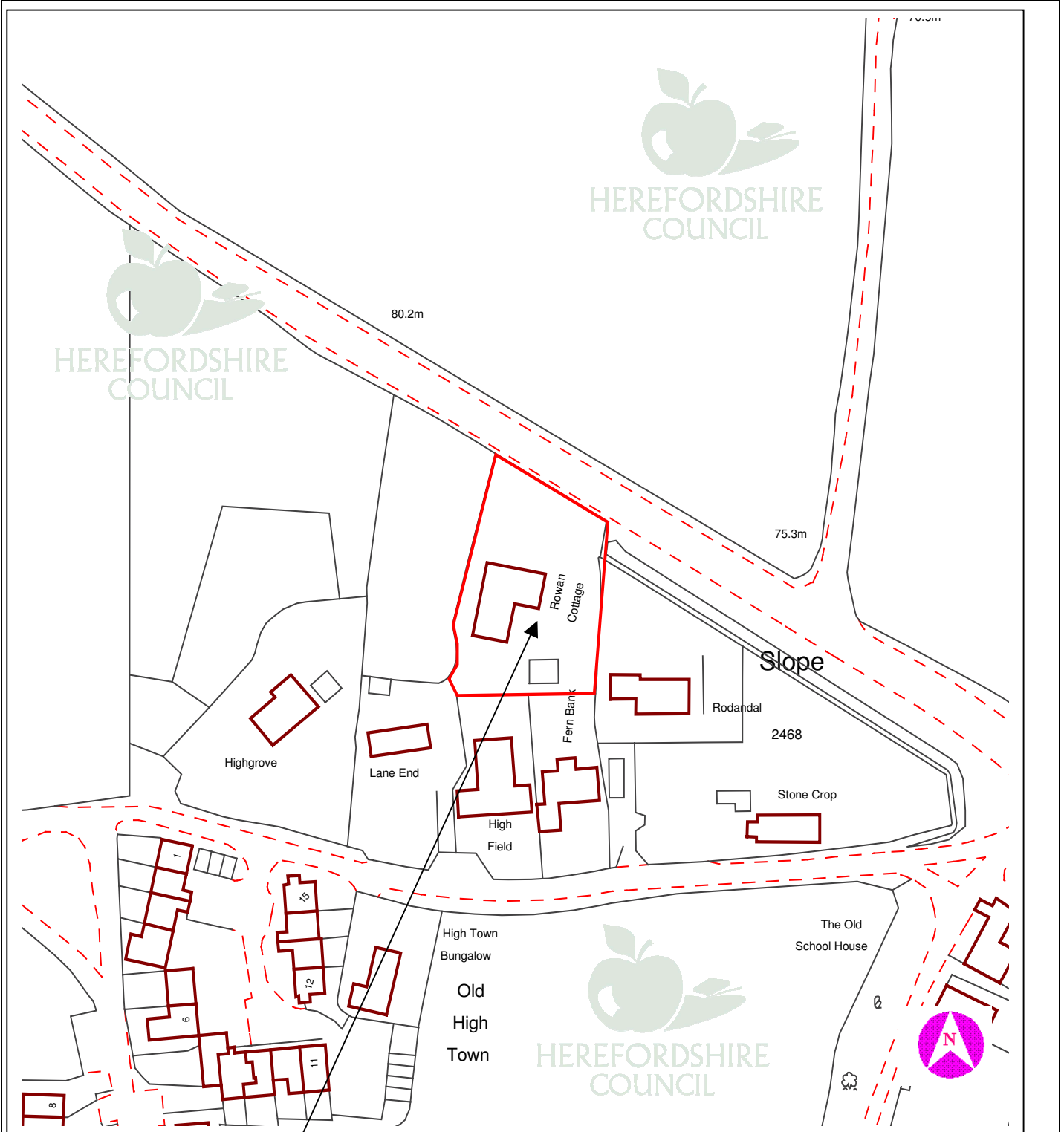
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCSE2006/2745/F

SCALE : 1 : 1250

SITE ADDRESS : Rowan Cottage, Peterstow, Ross-on-Wye, Herefordshire, HR9 6LF

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8 DCSW2006/2417/F - PROPOSED REPLACEMENT DWELLING INCLUDING REMOVAL OF EXISTING UNOCCUPIED HOUSE WITH NEW DWELLING, TO HAVE RE-ARRANGED VEHICULAR ACCESS FROM LYSTON LANE, BRYNFIELD, LYSTON LANE, WORMELOW (NEAR ORCOP), HEREFORDSHIRE, HR2 8EW.

**For: Mr. & Mrs. A. Ing per Derrick Whittaker Architects,
1 Farjeon Close, New Mills, Ledbury, Herefordshire,
HR8 2FU.**

Date Received: 25th July, 2006

Ward: Pontrilas

Grid Ref: 48639, 28526

Expiry Date: 19th September, 2006

Local Member: Councillor G.W. Davis

1. Site Description and Proposal

- 1.1 Brynfield, Lyston Lane is a detached bungalow with single storey detached annexe located to the northwest of the bungalow. It is located in a large garden within the open countryside and Area of Great Landscape Value. The site is flat and slightly elevated above the adjacent Class III road (C1235) to the north. The site is surrounded to the east, west and south by agricultural land.
- 1.2 The application proposes to demolish the existing corrugated iron clad bungalow and annexe and replace it with a 3-bedroom, 1½ storey dwelling. The dwelling will be constructed from stone with timber horizontal boarding to the southern elevation under a reformed slate roof. A new access and turning area will be created from the adjacent classified road to the north-east of the dwelling.

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.21 - Replacement Dwellings

2.4 Herefordshire Unitary Development Plan (Revised Deposit Draft)

- Policy S.1 - Sustainable Development
- Policy S.2 - Development Requirements
- Policy DR.1 - Design
- Policy H.7 - Housing in the Countryside Outside Settlements

3. Planning History

- 3.1 SH891395PF Demolition of existing bungalow and outbuilding and erection of detached chalet bungalow and garage - Approved 07.03.90
- DCSW2006/0728/F Proposed replacement dwelling including removal of existing unoccupied house with oak framed house and garage. New vehicular access - Withdrawn 02.05.06

4. Consultation Summary

Statutory Consultations

- 4.1 No statutory or non-statutory consultations required.

Internal Council Advice

- 4.2 The Traffic Manager recommends that permission be refused as the proposed parking area appears to have insufficient turning and manoeuvring space to ensure that vehicles may enter and leave in a forward gear and would not therefore be in the interests of highway safety.

5. Representations

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

'The existing bungalow was built as an emergency temporary accommodation following the Second World War and is now in a considerable state of disrepair that it is uninhabitable. Given the temporary nature of the build, the inappropriate use of materials employed and the inadequate accommodation contained within the existing dwelling we consider that it is appropriate that the building should be replaced.

Our proposals incorporate a single dwelling comprising the primary accommodation at ground floor level with rooms in the roof space above in order to minimise the visual mass of the new dwelling whilst respecting the topography of the site as well as the general landscape surrounding the plot. We consider the proposal satisfies many of the development criteria set out within the Unitary Development Plan in particular with regard to quality of design and respecting the size and character of the local settlement as well as the character and appearance of the site.

The proposed dwelling will allow for greatly improved site access and visual amenity given the low quality of design and poor condition of the existing dwelling.

The proposed dwelling is designed to offer a single storey facade to the roadside whilst opening to the views to the south where the building is visible only to a small number of properties located at a higher elevation to the site. The envelope materials comprise a mix of fair-faced stone and timber boarding reflecting the rural nature of the site.

The redevelopment of this site to provide a new viable family home will obviously benefit the local community. The expansion of the local population in a sustainable way, by utilising an existing site benefiting from existing infrastructure will also help to increase the social diversity of the village population. Also we believe that this proposal represents a considerable improvement aesthetically over the previously approved application, your Ref: SH891395F'

5.2 Llanwarne Parish Council has no objection to the proposal.

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. Officers Appraisal

- 6.1 The site lies in open countryside, in planning policy terms. With regards to proposals for new residential development policy H.20 of the Structure Plan, policy C.1 of the South Herefordshire District Local Plan and policy H.7 of the Herefordshire Unitary Development Plan (revised deposit draft) are applicable. As an exception to the normal presumption against new residential development in the open countryside, H.20(e) of the Structure Plan, policy SH.21 of the South Hereford Local Plan and policy H.7 of the emerging Unitary Development Plan allow the replacement of an existing building with established residential use rights with a new building of comparable size and scale.
- 6.2 The existing dwelling has established residential use rights and therefore the main issue is whether the replacement is comparable in size and scale to the existing. The submitted drawings indicate that the existing bungalow has a floor area of approximately 67.74m², including the annexe. It is 2.6m to the eaves and 4.6m high to the ridge of the roof. The floor area of the proposed dwelling is approximately 150.63m². The proposed dwelling has an eaves height of 2.9m and 6.8m to the ridge of the roof. The replacement dwelling would be partially on the footprint of the existing bungalow.
- 6.3 In floor area alone the proposal would represent an increase. The policies state that the scale and mass of the replacement dwelling, not just the floor area, should be comparable in size with the existing. The proposed replacement would be significantly taller than the existing and by reason of the scale and mass of the building it would appear more bulky. As such the proposal fails to accord with the relevant policies.
- 6.4 There are and would be views of the dwelling from the proposed access, the adjacent highway and adjacent agricultural land. The proposed replacement dwelling would be taller than the existing and of a larger scale and mass. As such the resulting dwelling would be more prominent in the landscape. Whilst it may be argued that the existing bungalow is not of architectural or historic interest and the replacement provides a better design it is considered that any benefit would be outweighed by the increase in size of the building. Therefore the proposal would have a harmful impact upon the landscape.

6.5 The proposed parking area provides insufficient turning and manoeuvring space to ensure that vehicles may enter and leave in a forward gear and would not therefore be in the interests of highway safety.

RECOMMENDATION

That planning permission be refused for the following reasons:

- 1. The proposed replacement dwelling would not be comparable in size and scale with the existing therefore the proposal is contrary to policy H20(e) of the Hereford and Worcester County Structure Plan, policy GD1, C1 and SH21 of the South Herefordshire District Local Plan and policy DR1 and H7 of the Herefordshire Unitary Development Plan.**
- 2. The site is located in an area of open countryside designated as being of Great Landscape Value. The proposed replacement dwelling by reason of its scale and bulk will appear visually intrusive and unduly prominent in the landscape so as to have a detrimental effect. As such, the proposal conflicts with Policy CTC2 of the Hereford and Worcester County Structure Plan and Policy C.8 of the South Herefordshire District Local Plan.**
- 3. The proposed parking area provides insufficient turning and manoeuvring space to ensure that vehicles may enter and leave in a forward gear and would not therefore be in the interests of highway safety contrary to policy T.3 of the South Herefordshire District Local Plan and policy S.6 of the Herefordshire Unitary Development Plan (revised deposit draft).**

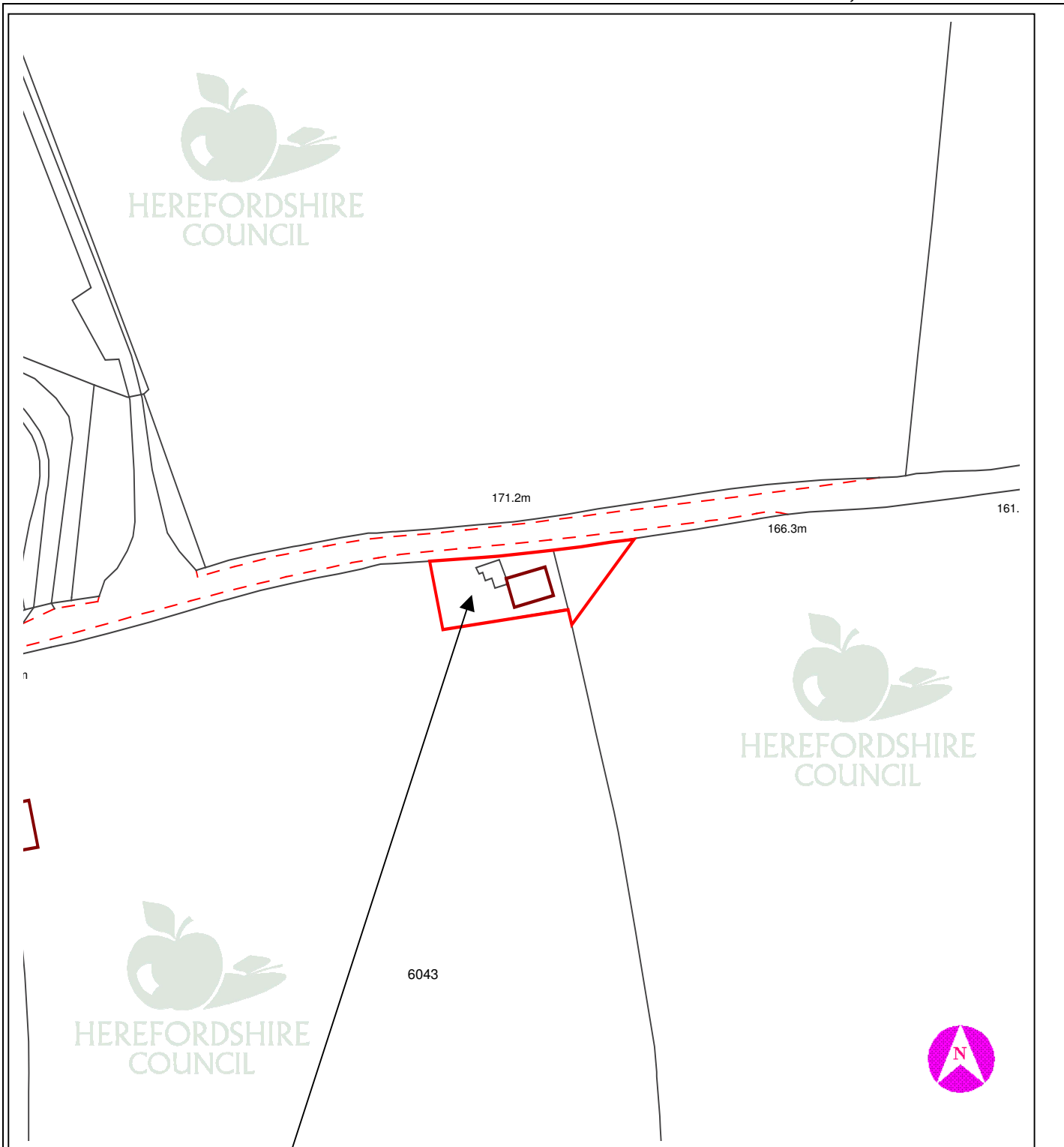
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCSW2006/2417/F

SCALE : 1 : 1250

SITE ADDRESS : Brynfield, Lyston Lane, Wormelow (near Orcop), Herefordshire, HR2 8EW

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9 DCSW2006/2576/F - WIDEN NEW DWELLING BY 1M ALONG ITS LENGTH (APPROVED UNDER SW2005/2216/F), HIGHLAND COTTAGE, PARISH LANE, MUCH BIRCH, HEREFORDSHIRE, HR2 8AT.

For: Mr. & Mrs C.A. Reynolds, Elland Cottage, Barrack Hill, Kingsthorpe, Herefordshire, HR2 8AY.

Date Received: 4th August, 2006

Ward: Pontrilas

Grid Ref: 50472, 32143

Expiry Date: 29th September, 2006

Local Member: Councillor G.W. Davis

1. Site Description and Proposal

- 1.1 The application site is reached off Parish Lane, an unadopted road that links the unclassified 71603 road just off Barrack Hill in the north to the unclassified 71610 in the south. This road way serves a sporadic number of dwellings, one of which was Highland Cottage that fronted onto Parish Lane.
- 1.2 Planning permission has already been granted for a replacement dwelling faced in natural stone under a slate roof. The replacement dwelling approved was turned at 90 degrees to Parish lane. It reflected the relationship of a dwelling further to the south of Highland Cottage. The new dwelling was 6 metres wide and 10.9 metres in length, with a utility area on the western end 5.2 metres wide and 3.1 metres long. Therefore, the new dwelling was 14 metres in length. It was 4.5 metres to the eaves and 7.8 metres to the ridge. The stone faced building it replaced was 4 metres wide and 9 metres in length. It was 7 metres to the ridge. There was a brick shed 11.5 metres to the east of Highland Cottage that has been demolished following the granting of planning permission.
- 1.3 The current proposal, which follows two previous ones seeking to widen the new dwelling by 1 and 1.5 metres both refused. The current proposal is to widen the dwelling from 6 metres to 7 metres and the utility element on the western end from 5.2 to 6.2 metres. The length of the building would remain unaltered. It is still 4.5 metres to the eaves. The ridge height is 8.4 metres, an increase of 600mm from that originally approved. The design and use of materials is consistent with the approved replacement dwelling, as is the siting.

2. Policies

2.1 South Herefordshire District Local Plan

Policy GD.1	-	General Development Criteria
Policy C.1	-	Development within Open Countryside
Policy C.8	-	Development within Area of Great Landscape Value
Policy SH.11	-	Housing in the Countryside
Policy SH.21	-	Replacement Dwellings

2.2 Herefordshire Unitary Development Plan (Revised Deposit Draft)

- Policy H.7 - Housing in the Countryside Outside Settlements
- Policy H.13 - Sustainable Residential Design

3. Planning History

- | | | | | |
|-----|-----------------|--|---|-------------------|
| 3.1 | DCSW2005/2216/F | Demolition of existing cottage and provision of replacement dwelling | - | Approved 22.08.05 |
| | DCSW2005/3860/F | Widen new dwelling by 1.5m. Erect double garage | - | Refused 23.01.06 |
| | DCSW2006/0529/F | Widen new dwelling by 1m along its length | - | Refused 10.04.06 |

4. Consultation Summary

Statutory Consultations

- 4.1 No statutory or non-statutory consultations required.

Internal Council Advice

- 4.2 Traffic manager has no objections

5. Representations

- 5.1 In a letter that accompanied the application, together with photographs of a stone/brick faced building under a corrugated sheeted roof, the applicants make the following main points:

- feel that outbuildings should be included in the decision as they played an important part of the main house, as the toilet, washroom, utilities and store were all in this separate building
- no bathroom in main house
- not included in original planning permission should be included now.

- 5.2 Much Birch Parish Council supports the application.

- 5.3 Little Birch Parish Council has no objections.

- 5.4 The Ramblers Association has no objections.

- 5.5 One letter of representation has been received from Mr. J.R. Dillon, Castle Nibole, Little Birch, HR2 8BD. The following main points are made:

- sensible, reasonable request
- do not understand why not been approved previously on this large site
- stone construction dwelling will be in keeping in surroundings with dwellings that are considerably larger than current proposal.

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 The main issue is considered to be the size and scale of the resultant replacement dwelling from that originally approved and as compared to the original Highland Cottage.

6.2 The proposal has to be compared to the dwelling it seeks to replace. It would be misleading to compare the dwelling proposed to the one that has the benefit of planning permission. The original dwelling was only 4 metres wide and 9 metres in length, and 7 metres to the ridge. The current proposed dwelling is 7 metres wide and 10.9 metres in length for the two storey element, and the single storey utility area is 6.2 metres wide and projects 6.2 metres. This produces a considerable increase in volume from the original dwelling to what is currently proposed. The proposed scheme is approximately 176 per cent larger in volume. It should also be noted that the extant planning permission was negotiated down in size to that which was approved under delegated powers granted to officers. Notwithstanding the loss of the 4.7 metres by 3.7 metres wide outbuilding which provided the w.c. for the property as well as other facilities, the current proposal proposes a very significant increase in volume from the demolished Highland Cottage to that currently proposed.

6.3 It is not considered that the replacement dwelling is of a size and scale similar to that of the original dwelling as required by Policy SH.21 in the South Herefordshire District Local Plan, and as endorsed by Policy H.7 in the emerging Unitary Development Plan that requires that replacement dwellings are comparable in size and scale. The proposed dwelling would also have a bulkier appearance when compared to the original dwelling.

RECOMMENDATION

That planning permission be refused for the following reason:

- 1. The proposed dwelling would, by reason of its scale and size compared to that of the original dwelling, be contrary to the provisions of Policies SH.21, SH.11 and C.1 contained in the South Herefordshire District Local Plan, together with Policy H.7 contained in the emerging Herefordshire Unitary Development Plan.**

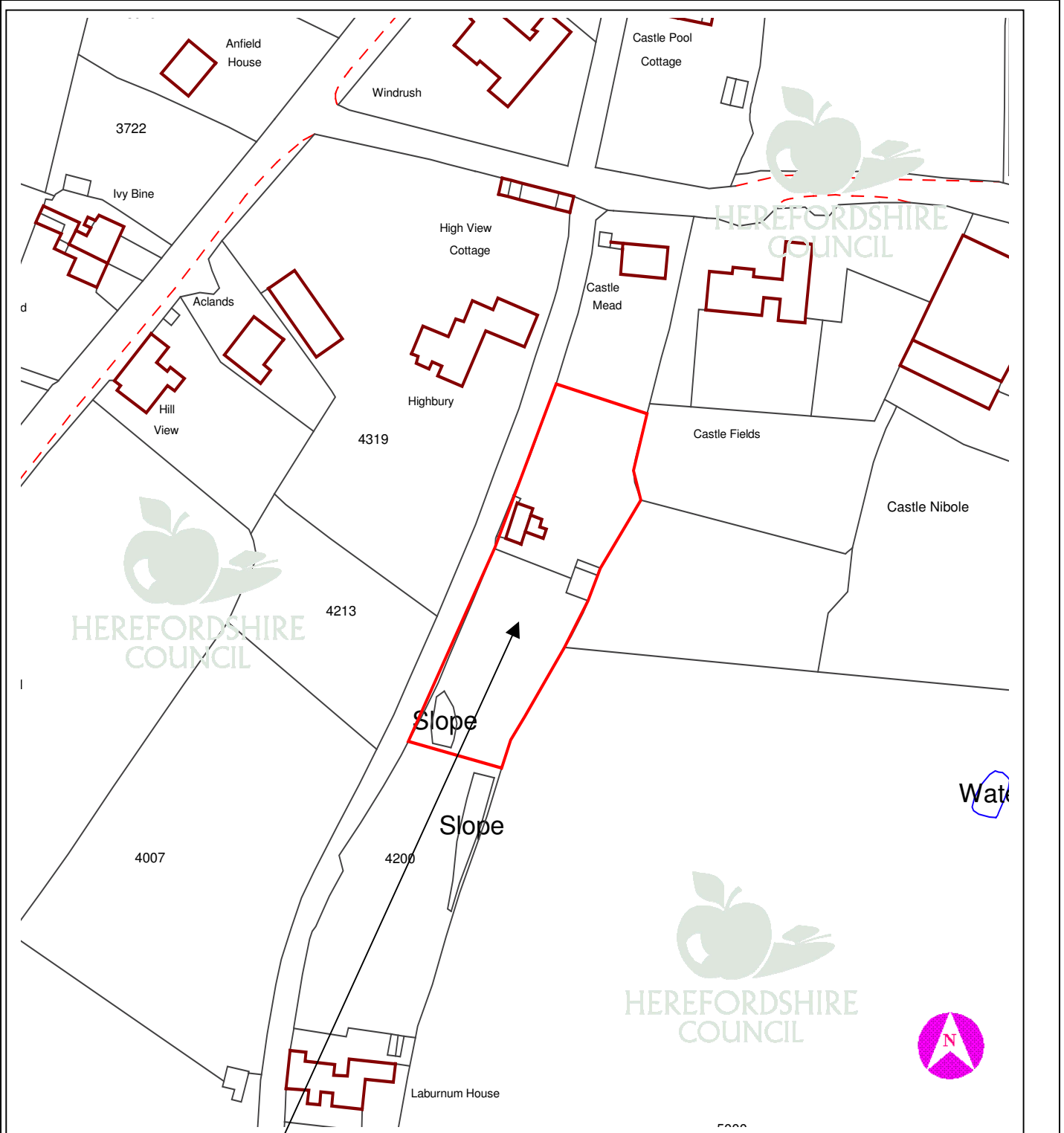
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCSW/2006/2576/F

SCALE : 1 : 1250

SITE ADDRESS : Highland Cottage, Parish Lane, Much Birch, Herefordshire, HR2 8AT

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10 DCSW2006/2673/RM - NEW DWELLING, LAND ADJACENT TO THE BOWER COTTAGE, WRIGGLEBROOK, KINGSTHORNE, HEREFORD, HEREFORDSHIRE, HR2 8AN.

For: Messrs B.J. & C.D Nash per Mr. M. Keyse, Sawpits, Great Doward, Symonds Yat, Ross on Wye, HR9 6BP.

Date Received: 15th August, 2006

Ward: Pontrilas

Grid Ref: 50001, 32095

Expiry Date: 10th October, 2006

Local Member: Councillor G.W. Davis

1. Site Description and Proposal

- 1.1 The proposal site is on the southern side of The Thorn, an unclassified road (u/c 71603), a road that declines east south-east off the C1263 road. The proposal site constitutes an arbitrary area of garden area belonging to Bower Cottage, a stone faced cottage that is nearly square in footprint. This cottage has a south-eastern aspect given that the four principal windows are in this elevation. The proposal site also adjoins Wrigglebrook Lane that leads off The Thorn in a south-eastern direction. A hedgerow fringes the site where it abuts The Thorn and Wrigglebrook Lane. The site declines south-eastward and south-westward.
- 1.2 Planning permission was granted for a dwelling in September last year. The Environment Agency required that the applicant get Consent to Discharge from that body as a pre-requisite to planning permission being granted. The Transportation Manager also recommended that a two metre deep visibility splay be provided across the frontage of the proposed plot. All matters were reserved for future consideration.
- 1.3 The proposal follows an earlier refused application. The current proposal is approximately at right angles to The Thorn, the unclassified road from which access is gained, and entails the provision of two off-road parking spaces for Bower Cottage. The elevation facing Bower Cottage will be faced in natural stone, the remaining elevations having a rendered finish, under a natural slate roof. A single width detached garage is also proposed.

2. Policies

2.1 Planning Policy Statement

PPS.1 - Delivering Sustainable Development

2.2 South Herefordshire District Local Plan

Policy GD.1 - General Development Criteria
 Policy C.8 - Development within Area of Great Landscape Value
 Policy SH.8 - New Housing Development Criteria in Larger Villages
 Policy T.3 - Highway Safety Requirements

Policy C.43 - Foul Sewerage

2.3 Herefordshire Unitary Development Plan (Revised Deposit Draft)

Policy S.2 - Development Requirements
 Policy DR.1 - Design
 Policy H.6 - Housing in Smaller Settlements

3. Planning History

- | | | | | |
|-----|----------------|---------------------------------|---|-------------------|
| 3.1 | SW2003/3051/O | Site for erection of dwelling | - | Refused 03.12.03 |
| | SW2003/3810/O | Site for erection of dwelling | - | Refused 13.02.04 |
| | SW2004/1564/O | Dwelling and shared car parking | - | Approved 28.09.05 |
| | SW2006/1229/RM | New dwelling and double garage | - | Refused 19.06.06 |

4. Consultation Summary

Statutory Consultations

- 4.1 No statutory or non-statutory consultations required.

Internal Council Advice

- 4.2 Traffic Manager recommends conditions be attached as previously attached to the outline permission, including a footway on the southern side of the proposed access point.

5. Representations

- 5.1 Much Birch Parish Council make the following observations:

“Supported, subject to:

1. Pavement to continue to end of Bower Cottage curtilage, rather than finishing at driveway.
2. It appears that the proposed plans have been turned around and the front now overlooks Bower Cottage. Previous position preferred.”

- 5.2 Two letters of objection, one with photographs, from

Mr. J.M. Lee, Swiss Cottage, Kings Thorn, HR2 8AW
 Mrs. A.M. Cook, Jasmine Cottage, Wrigglebrook Lane, Kings Thorn, HR2 8AW

The following main points are made:

- road safety paramount
- space stipulated for each dwelling by former Traffic Manager
- see no difference in current and refusal plans
- claimed to be 3 bedrooms, upstairs study (2.4m x 3.3m) could be fourth bedroom. This flouts Southern Area Planning Sub-Committee's requirement

- minimal reduction from refused dwelling - indeed north-east elevation higher in relation to road level on current scheme (scale and mass reasons for refusal previously)
- on outline no mention of garage. Will have adverse impact upon Swiss Cottage. No tall hedge as stated by applicant (see photographs)
- spaces in settlements important, contributes to its character
- detract from setting of Bower Cottage and Swiss Cottage, will be overshadowed and dwarfed by a modern house. Overdevelopment of site
- will overshadow Swiss Cottage.

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 The main issues are considered to be the scale and massing of the dwelling, the impact on neighbours and on the setting of Bower Cottage, the erection of a garage, highways issues and the installation of the package sewage treatment plant.
- 6.2 The dwelling has been sited such that it is angled to The Thorn and not fronting onto it. This provides more privacy for Swiss Cottage given that the main windows in the dwelling are up hill over 21 metres to Bower Cottage across a turning area and parking area, towards The Thorn, the unclassified road or south-eastwards. It will be possible to control the installation of additional first floor windows in the elevation facing Swiss Cottage. At present only a bathroom window is proposed. Swiss Cottage is at least 20 metres down slope from the proposed dwelling. The proposed elevation and siting for the new dwelling is therefore satisfactory in respecting the amenity of not only current and future occupants of Swiss Cottage but also Bower Cottage.
- 6.3 The footprint of the proposed dwelling has been reduced from that previously refused. The ridge height is 100mm approximately higher than the refused scheme however this is as the roof pitch is a more traditional 40 degrees then originally proposed. A ridge height of 7.2 metres is considered acceptable for a modern dwelling. It is stated that the application is for a modern house which is clearly a tautology. Bower Cottage has a 7 metres frontage which, when compared to the 9.2 metres proposed is considered to be acceptable. The applicants have reduced the footprint area of the recently refused dwelling to that presented here by just twenty per cent, with the inclusion of the double garage, the footprint reduction in site area is twenty seven per cent of that originally proposed.
- 6.4 The planning permission is not restricted to a three bedroom property. It is not considered that whether or not the study provides a fourth bedroom or not, given its size, is a determining factor, it is the scale and massing of the dwelling as a whole for a modern dwelling, built to modern Building Regulation standards. It was stated previously in the report to Southern Area Planning Sub-Committee for the principle of erecting a dwelling on this village settlement site that the footprint indicated on the submitted block plan was optimistic for a three bedroom dwelling, had that footprint been based upon that of Bower Cottage. The dwelling comprises two elements, the main dwelling, stone faced and between 21.6 and 23.2 metres away from Bower Cottage. This element is 6 metres wide and 9.2 metres long. A two-storey element to the rear is 5.8 metres and projects 3.9 metres out from the rear or south-east of the new dwelling. The ridge height is 7.3 metres, the roof pitch being 40 degrees. This produces an approximate 'T' shaped dwelling. Ground levels have been provided,

Bower Cottage has a ground level 1.7 metres higher than for the proposed dwelling. It is also proposed to erect a single width detached garage sited 3.6 metres to the south-west, i.e. towards the boundary with Swiss Cottage. It is 3 metres wide, 5.5 metres long and 3.7 metres of its 40 degree pitch roof. It will be stone faced on the front elevation. Therefore, the garage proposed is considered to be acceptable in terms of massing on this site.

- 6.5 The dwelling refused earlier this year fronted onto The Thorn. It had a frontage of 11.6 metres and was 6.4 metres deep, having a projecting two-storey element on the front elevation 5.7 metres wide and projecting 2 metres out from the main front wall. The ridge height was lower at 7 metres, given that a 35 degree pitch roof was used. A double garage was also proposed 1.3 metres away, it was a double garage 5.75 metres by 5.75 metres and 4.5 metres to the ridge. The slope of the site away from The Thorn and Bower Cottage will also assist in ameliorating the impact of the new dwelling.
- 6.6 The erection of a garage is not unusual for new dwellings, that fact that it was not originally included in the description for the original planning permission is not a matter in itself that could sustain a reason for refusal. The main issue is the footprint of the garage. The garage as proposed is a modest one that reflects the main dwelling by using natural stone in the front gable elevation.
- 6.7 A further issue relates to highway matters. It is not clear what is being stated about parking provision given that Bower Cottage and the new dwelling will even have two parking spaces. The visibility will need to be carried out in accordance with conditions to the first planning permission and a footway provided as stipulated by Members when the original planning permission was granted.
- 6.8 The final issue relates to the possible humming of the sewage treatment plant, this issue was previously raised when the original planning permission was determined last year. It was concluded that following advice from Building Control colleagues there would not be an unacceptable level of noise generated. The development will have an impact, it is a new dwelling with a new access entailing the removal of roadside hedges, parking and turning areas for the new dwelling and Bower Cottage. It is considered that the height of the dwelling, the footprint, the configuration of it to Bower Cottage and Swiss Cottage will not result in either existing properties experiencing intolerable loss of privacy through overlooking or through overshadowing, given the distances involved. The new dwelling is down slope from Bower Cottage and will need to be cut into the slope, this will help reduce the impact of it. The application can be supported subject to the imposition of conditions requiring further details of finishes and materials for joinery, doors, including the garage door, and details for the render finish. Environmental matters have been addressed by the site benefiting from Consent to Discharge from the Environment Agency.

RECOMMENDATION

That planning permission be granted subject to the following condition:

1. B01 (Samples of external materials)

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

2. E.18 (No new windows in specified elevation)

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

Informative(s):

1. **N09 - Approval of Reserved Matters**
2. **N19 - Avoidance of doubt**
3. **N15 - Reason(s) for the Grant of Planning Permission**

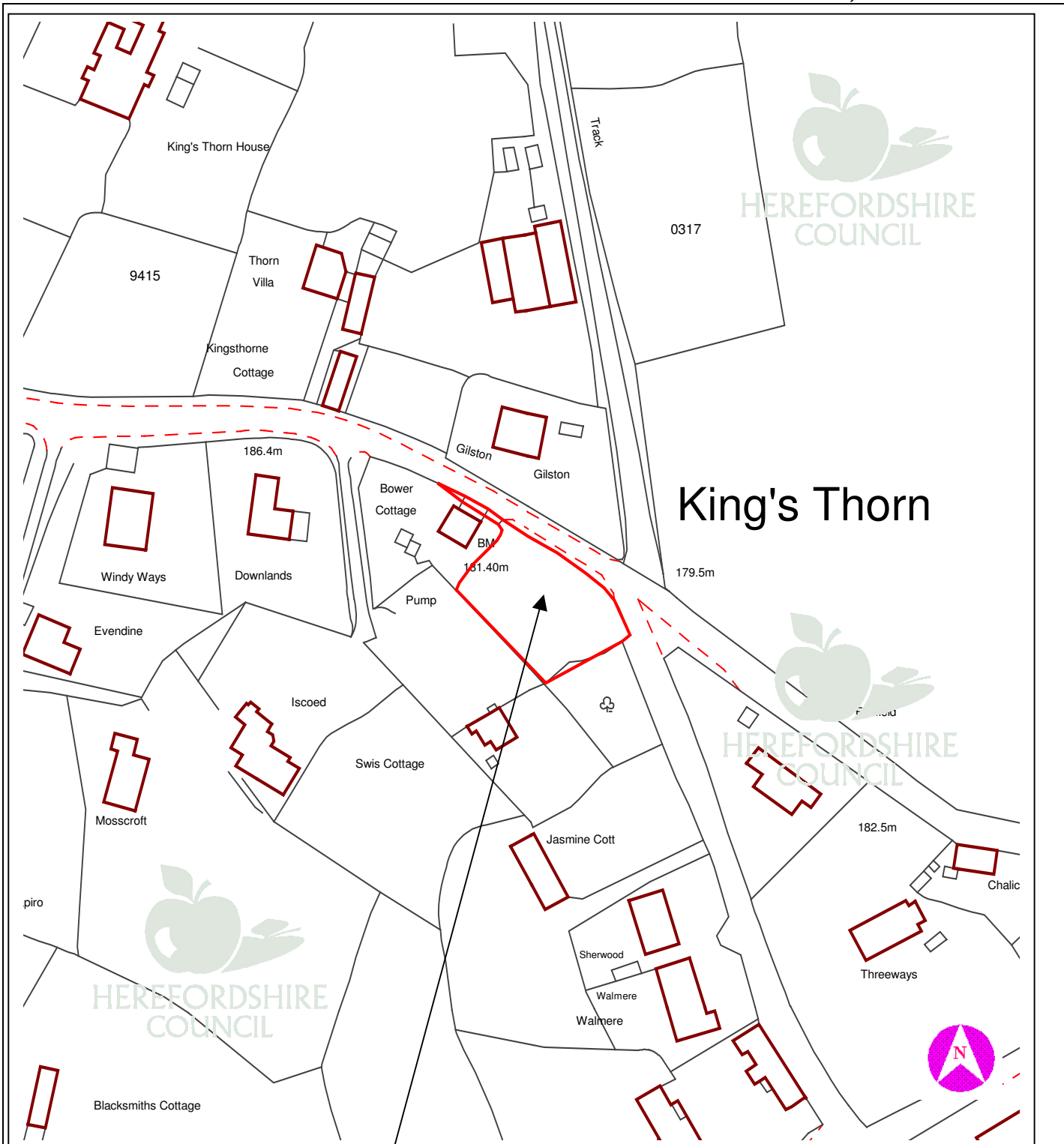
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCSW2006/2673/RM

SCALE : 1 : 1250

SITE ADDRESS : Land Adjacent to The Bower Cottage, Wrigglebrook, Kingsthorne, Hereford, HR2 8AN

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11 DCSW2006/2441/F - CONVERSION OF BARN TO FORM ANCILLARY LIVING ACCOMMODATION TO MAIN DWELLING AND FOR OCCASIONAL LETTING PURPOSES, THE GARN FARM, CLODOCK, LONGTOWN, HEREFORDSHIRE, HR2 0PE.

For: Mr. & Mrs. Biggs per Mr. R.B. Pipe, Pipedream, Bridgend Lane, Bucknell, Shropshire, SY7 0AL.

Date Received: 26th July, 2006

**Ward: Golden Valley
South**

Grid Ref: 33154, 26876

Expiry Date: 20th September, 2006

Local Member: Councillor J.B. Williams

1. Site Description and Proposal

- 1.1 The application site is reached off the eastern side of the classified road (C1218) that leads south-eastwards from Clodock towards Walterstone skirting the eastern valley side of the River Monnow. The access point serving the application site is approximately half way between Lower Hunthouse Farm further to the south and the south-eastern fringe of Clodock. The concrete strip access road inclines steeply past a property on the northern side of the track, before heading south-eastwards towards The Garn which comprises a stone faced farmhouse and parallel to it a single storey building between 10 and 11 metres away. It is proposed to convert approximately three-quarters of the building into ancillary accommodation.
- 1.2 The stone building the subject of this application steps down the valley side, the existing corrugated sheet main element being 5.8 metres at its highest and 4.2 metres at its lowest. The corrugated sheeted roof will be replaced with slates matching those used on the farmhouse.
- 1.3 A smaller element on the top side will provide the kitchen, and in the already concrete floored main barn, 11.3 metres long and 6 metres wide, one bedroom, a bathroom, dining area and lounge will be provided. The down slope element will continue to be used in association with the working of the farm. The wagonway openings will be glazed on both sides of the building and new windows introduced into existing horizontal timber infilling either side of the wagonway doors. Parking will be provided informally as at present to the north-west of the farmhouse.

2. Policies

2.1 South Herefordshire District Local Plan

Policy GD.1	-	General Development Criteria
Policy C.1	-	Development within Open Countryside
Policy C.8	-	Development within Area of Great Landscape Value
Policy SH.11	-	Housing in the Countryside
Policy C.36	-	Re-use and Adaptation of Rural Buildings
Policy C.37	-	Conversion of Rural Buildings to Residential Use

2.2 Herefordshire Unitary Development Plan (Revised Deposit Draft)

- Policy H.7 - Housing in the Countryside outside Settlements
- Policy HBA.12 - Re-use of Rural Buildings
- Policy H.14 - Re-using Previously Developed Land and Buildings

3. Planning History

- 3.1 DCSW2005/4156/F Single storey extension - Approved 02.02.06

4. Consultation Summary

Statutory Consultations

- 4.1 No statutory or non-statutory consultations required.

Internal Council Advice

- 4.2 Traffic Manager recommends that one parking space be dedicated to the residential unit.
- 4.3 Conservation Manager states that further details are required for finishes, type of slates proposed and cills.

5. Representations

- 5.1 Longtown Group Parish Council has no objection.
- 5.2 One letter of representation has been received from:

Mrs. G. Prosser, Lower Garn, Clodock, HR2 0PE

The following main points are:

- site served by narrow farm track crosses our farm land, also used by three other properties
- danger to elderly, children and animals, including horses and riders
- track only approximately 8 feet wide, deep ditches either side.

The full text of this letter 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 The main issues are considered to be the merits of the scheme itself, with regard to policies in the South Herefordshire District Local Plan and emerging Unitary Development Plan, and the impact that the development would have on other users of the right of way serving the site, two mobile homes and a property further to the north-west of The Garn.
- 6.2 The barn retains many of its original features, including trusses in the main barn. The new openings utilise existing openings apart from an additional window serving the

proposed kitchen. This is a sympathetic scheme for a building that is being used for storage purposes presently. Planning permission was granted earlier this year for a single-storey extension providing the ancillary accommodation that the applicants were seeking for their extended family. In the event that planning permission is granted that planning permission would need to be made the subject of a planning condition superseding it on implementation of the current proposal. The farmhouse has not otherwise been extended. Therefore, the proposal satisfies the policies for the conversion of rural buildings contained in the South Herefordshire District Local Plan and the emerging Unitary Development Plan. The proposal not only sympathetically utilises a building that is capable of conversion, it also retains the character and amenity of the original farmhouse.

- 6.3 The second issue relates to the means of access to Garn Farm. The driveway is steep and until recently would have been difficult travelling up, however a third party has provided a good consolidated surface of trackways which serves not only the objector's property but also Garn Farm and two other properties. It is not considered that the additional traffic for a one bedroom ancillary unit would generate such traffic over and above that generated presently, given that the farmhouse has 5 bedrooms and the future occupant of the barn lives in the dwelling with her family, such that planning permission could be reasonably withheld. It is also a working farm which is gated adjoining the objector's property thereby slowing traffic. It would also be ill advised for motorists to negotiate the track incautiously. Therefore it is not considered that there are sufficient grounds for withholding planning permission for reasons of potential conflict of users of this trackway. The application can be supported subject to conditions relating to the use of materials, and superseding the extant planning permission.

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. C02 (Approval of details)**

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

- 4. E29 (Occupation ancillary to existing dwelling only (granny annexes))**

Reason: It would be contrary to the policy of the local planning authority to grant planning permission for a separate dwelling in this location.

- 5. A12 (Implementation of one permission only)**

Reason: To prevent over development of the site.

Informative(s):

1. **N19 - Avoidance of doubt**
2. **N15 - Reason(s) for the Grant of Planning Permission**

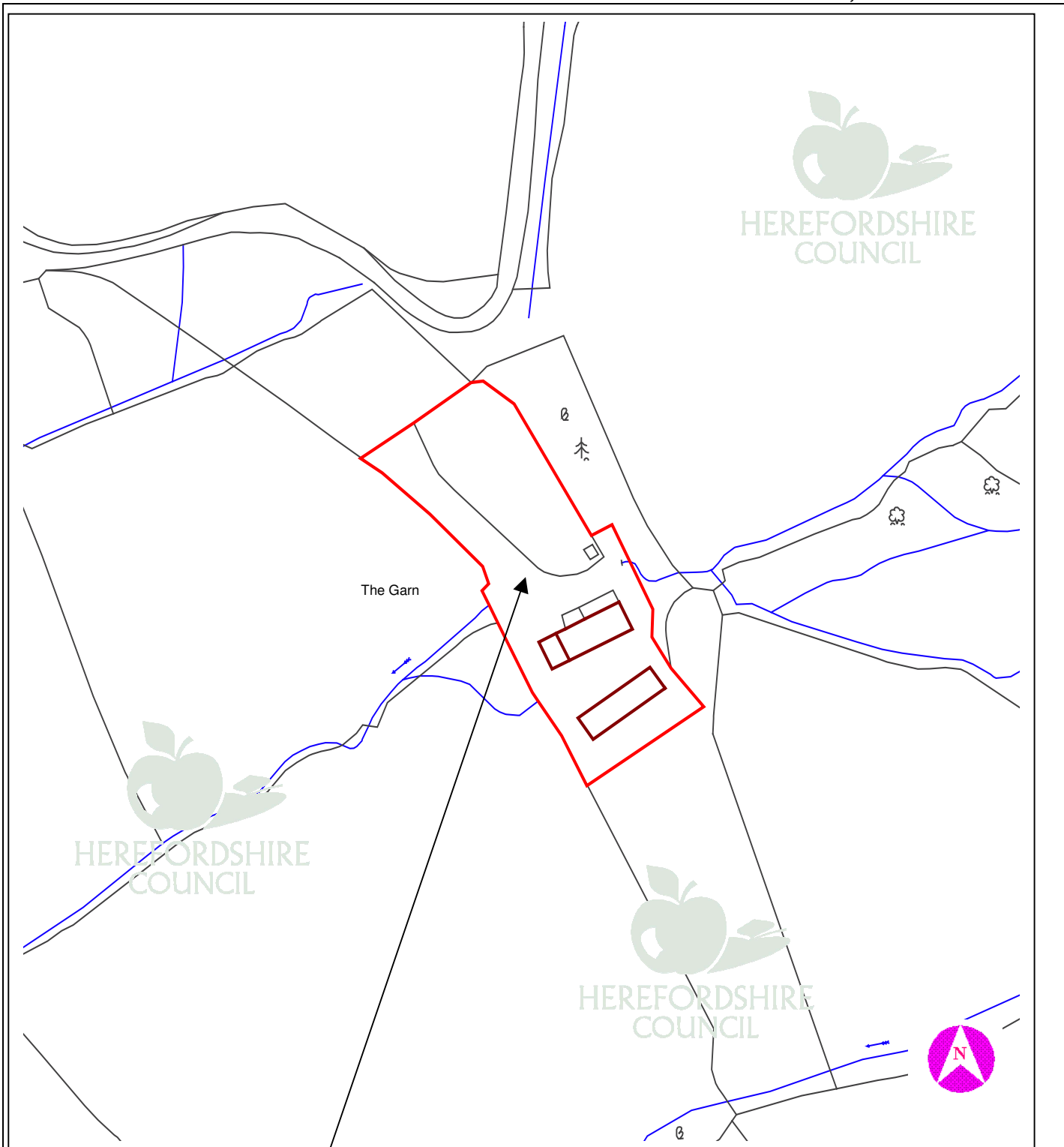
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCSW2006/2441/F

SCALE : 1 : 1250

SITE ADDRESS : The Garn Farm, Clodock, Longtown, Herefordshire, HR2 0PE

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12 DCSE2006/2329/F - ERECTION OF 3 STOREY OFFICE BLOCK, AMENDED CAR PARKING AND LANDSCAPING. HAIGH ENGINEERING CO LTD, ALTON ROAD, ROSS-ON-WYE, HEREFORDSHIRE, HR9 5NG.

For: The Haigh Engineering Co. Ltd. per Geoff Jones Architect, 53 Broad Street, Ross on Wye, Herefordshire, HR9 7DY.

Date Received: 18th July, 2006 Ward: Ross-on-Wye East Grid Ref: 60741, 23997

Expiry Date: 17th October, 2006

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

1. Site Description and Proposal

1.1 It is proposed to erect a three-storey office block in the north-west section of this industrial estate which is currently car parking and an open landscaped area. The rectangular building (about 33m x 19m x 11m high) would be of modern design with the upper floors overhanging the narrow ground floor and supported by square section columns. The recessed ground floor structure would be clad in terracotta tiles with colour coated steel sheet wall and roof for the remainder of the building. The building would be set back about 30 m from Alton Road and would be positioned with the ridge parallel to the northern boundary of the site, with the gable end facing Alton Road.

1.2 The proposal is a revised scheme following refusal of planning permission (SE2002/3919/F) in April 2003 for a proposal which also included a new access. The reasons for refusal were as follows:

1. The proposed development would generate additional vehicle movements which would exacerbate existing traffic problems along Alton Road, and thereby conflict with Policies T.3 and GD.1 of the South Herefordshire District Local Plan.
2. The proposed vehicular access would be opposite residential properties and the movement of vehicles at the access would cause noise and disturbance which would harm the amenities of the occupiers of those properties. The proposal conflicts therefore with Policies ED.3 and GD.1 of the South Herefordshire District Local Plan.
3. The proposed office building by reason of its design, size and height would be visually overpowering in relation to the residential properties on the north-west side of Alton Road and harm the visual amenities of the area. For these reasons the proposed conflicts with Policies ED.3 and GD.1 of the South Herefordshire District Local Plan.

The main change to the scheme is that in the current proposal the building has been turned 90° so that the gable end faces Alton Road rather than the full length of the building. The new access has now been provided following the grant of planning permission (SE2003/2708/F) in December 2003.

2. Policies**2.1 Hereford and Worcester County Structure Plan**

Policy E12	Industrial Development in Urban Areas
Policy E17	Office Development
Policy CTC1	Areas of Outstanding Natural Beauty
Policy CTC9	Development Criteria
Policy CTC18	Development in Urban Areas

2.2 South Herefordshire District Local Plan

Policy ED3	Employment Proposals within Settlements
Policy ED5	Expansion of Existing Businesses
Policy GD1	General Development Criteria
Policy C5	Development within Areas of Outstanding Natural Beauty
Policy T4	Highway and Car Parking Standards

2.3 Herefordshire UDP (Deposit Draft)

Policy E6	Expansion of Existing Businesses
Policy E8	Design Standards for Employment Sites
Policy LA1	Areas of Outstanding Natural Beauty

3. Planning History

3.1	SH810876PF	Erection of light industrial starter units	Approved 04.11.81
	SH830222PF	Erection of 7 industrial units in two blocks	Approved 04.05.83
	SH830630PF	Change of use from drawing office and print room to store	Approved 14.09.83
	SH830631PF	Change of use from canteen to store	Approved 14.09.83
	SH850179PF	Erection of 11 industrial units in two blocks	Approved 27.03.85
	SH871542PO	Erection of warehouse	Approved 13.01.88
	SH880919PM	Erection of warehouse	Approved 20.07.88
	SH890393PF	Erection of factory and offices	Approved 25.04.89
	SH910130PF	Erection of portable building for Canteen	Approved 06.03.91
	SE2001/0284/F	Pitched roof to replace flat roof	Approved 08.03.01
	SE2002/1069/F	Erection of 3-storey office block. New access to site. Amended access to site. Re-alignment of road into site. Car parking and landscaping. Demolition of building.	Withdrawn 03.07.03

SE2002/3919/F	3 storey office block and associated works.	Refused 23.4.03
SE2003/0097/F	Office	
SE2003/0611/F	Ventilated secure storage building.	Approved 24.4.03
SE2003/2708/F	Closing existing access; new access; alterations to existing access and car parking.	Approved 8.12.03

4. Consultation Summary

Statutory Consultations

4.1 West Midland Regional Assembly advises that:

Having considered the application based against the criteria for regionally significant planning applications in the latest version of the Development Planning Conformity Protocol, this is not an application which would require the Regional Planning Body to provide an opinion of conformity with the Regional Spatial Strategy.

4.2 Environment Agency objects to the proposed development, as submitted, on the following grounds:

- proposed surface water soakaway within a Zone 1 of a Source Protection Zone
- no desk study with respect to land contamination completed for the site.

4.3 Welsh Water objects to the proposals which would overload the public sewerage system.

Internal Council Advice

4.4 Social and Economic Regeneration Manager has no objection at all to this application.

4.5 Traffic Manager has requested further information regarding existing and proposed parking provision.

5. Representations

5.1 The applicant's agent points out that this application follows a refusal in April 2002 for similar though larger scheme, which was supported by the planning department, with no objections from Environment Agency and Welsh Water. The present proposal has the building at right angles to Alton Road as opposed to parallel to it.

5.2 Town Council is concerned about the height of the proposed office block. It will affect residents in Alton Road.

5.3 7 letters have been received expressing strong objections to the proposals. In summary the reasons given are:

- (1) overdevelopment, not sympathetic in scale or character to the local area.

- (2) Far too high and large a mass which would be totally out of character with other buildings on this industrial area - all other buildings are one or two-storey high, not 3-storeys; Ross is market town not industrial high rise area - it would be a blot on landscape.
- (3) Outlook from houses on opposite side of Alton Road would be completely spoiled, colour-coated steel cladding would be visually damaging; intrusive in relation to neighbours.
- (4) Currently a green buffer between Alton Road houses and commercial premises (which is necessary as do not seem to be planning conditions to control noise, disturbance and unsightly storage) - this would be replaced by car parking, which would harm streetscape and visual amenity.
- (5) Detrimental to lives, health, safety and comfort of local residents.
- (6) Loss of privacy - windows in office block look into homes.
- (7) Alton Road is one of busiest in town and traffic is increasing daily, including HGVs to frightening levels - proposal would add to congestion and further prejudice safety.
- (8) At peak times queues of traffic make access to Alton Road houses difficult - can take 5 minutes to enter or leave, this problem would be exacerbated.
- (9) Extra traffic would increase noise, air pollution resulting in more discomfort suffered by local residents.
- (10) Insufficient parking which would lead to on-street parking causing chaos.
- (11) Need for extra office space questioned in view of large development at old Woodville site.
- (12) Soakaways unacceptable for such a large building - water gathers near junction with Gloucester Road.
- (13) Reduce value of houses.

5.4 Advantage West Midlands has submitted non-statutory comments:

- (1) scheme is not at variance with local development plan
- (2) within Rural Regeneration Zone which focuses on employment creation and stability but no indication of the number of new jobs perhaps as merely rationalising existing accommodation
- (3) use is appropriate for its location and would enhance activities of parent company as should have positive spin-offs
- (4) architecturally undistinguished.

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 The Council's policies encourage compatible and well-designed Class B1 industrial and commercial buildings within this estate. Offices fall within Class B1 so that the proposed development would be compatible with the primary land use.
- 6.2 It is appreciated however, that there is potential conflict with residential properties on the opposite side of Alton Road. Two main issues are raised: firstly noise and disturbance from additional traffic and car parking and secondly, the visual impact of the new building.
- 6.3 The alterations to vehicular access to this industrial estate which were part of the application (SE2002/3919/F) refused in April 2003 have subsequently been granted permission (SE2003/2708/F). Nevertheless some additional noise and disturbance would result from increased traffic generated by the office block and car parking would be formed closer to Alton Road houses. The extra traffic would be a small proportion of total flows along Alton Road, which as well as serving the industrial estate acts as a link between the south and east of the town. The car parking would be at least 13m from Alton Road and there is scope for additional planting. In these circumstances I do not consider that there would be significant additional noise and disturbance.
- 6.4 The visual impact involves the loss of existing green buffer and of wider views and the appearance of the new building. The building is considered to be of interesting and acceptable design. Whilst at nearly 11m high it may be taller than other buildings on the estate it is well set back (about 30m) from the road and would be less overbearing than lower buildings closer to Alton Road (e.g. Kemps). Turning the building 90° compared to the refused proposal should reduce the visual impact when viewed from the street and nearby properties. There is sufficient space for an attractive area of planting between the road and car parking, in my opinion. Views of the hills beyond the estate from some houses in the opposite side of Alton Road may be lost but this would not be grounds to refuse planning permission, in this instance.
- 6.5 Insufficient information has been provided by the applicant regarding existing car parking provision for this industrial estate and additional parking for the new office block. Further information has been sought and will be reported at the Committee meeting.
- 6.6 There is a storm water drain near the application site and Welsh Water has indicated that if storm water is directed to this sewer there would be no objection to the proposal. This would avoid construction of soakaways to which the Environment Agency objects. A desk study of contamination is being undertaken which should allow the Environment Agency to withdraw its objection.

RECOMMENDATION

That subject to Welsh Water and Environment Agency withdrawing their objections, and to submission of drawings showing adequate parking provision, the officers named in the Scheme of Delegation to Officers be authorised to issue planning permission subject to the following conditions and any additional conditions considered necessary by officers:

- 1 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.

INFORMATIVES:

1 N19 - Avoidance of doubt

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

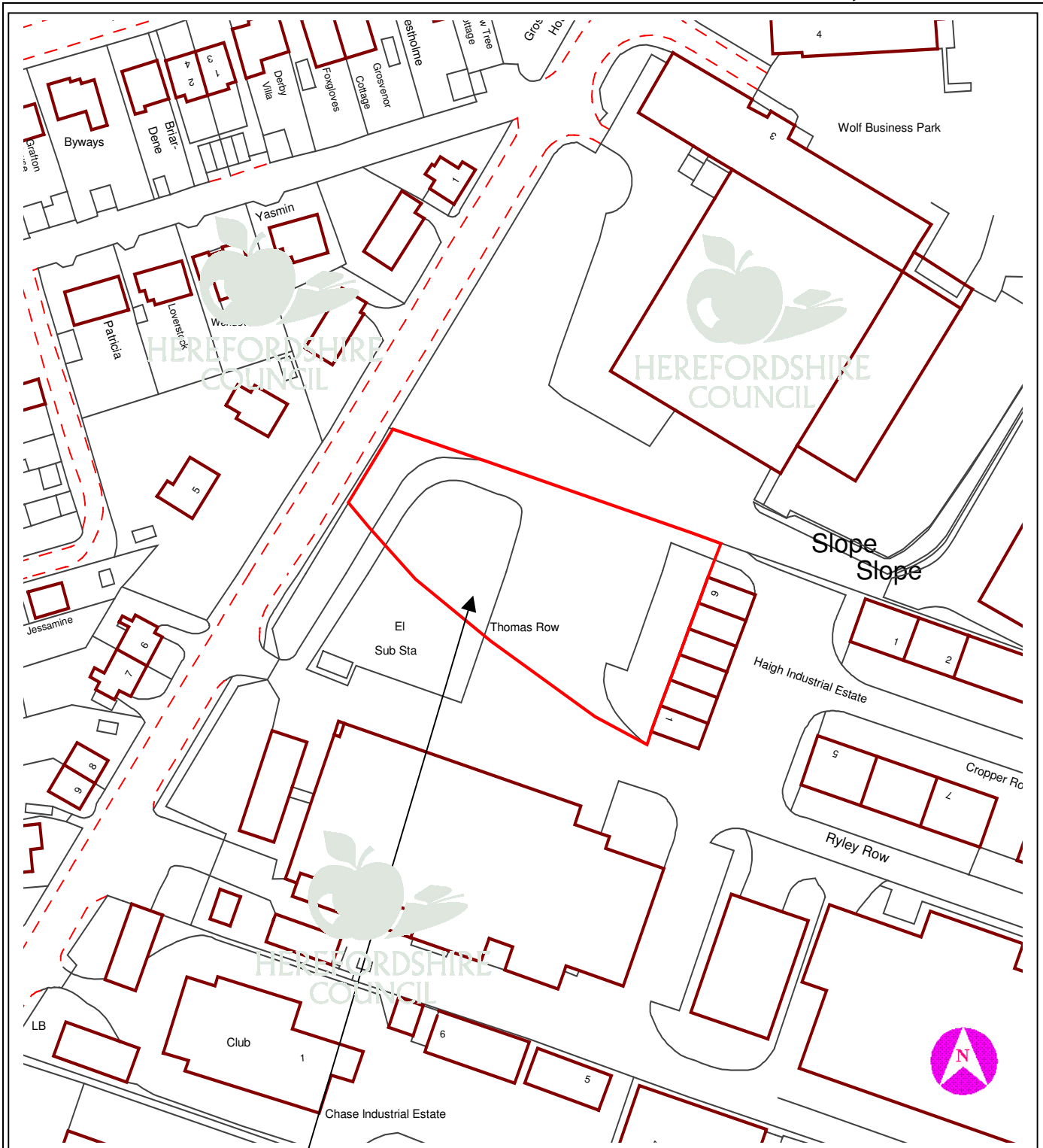
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCSE2006/2329/F

SCALE : 1 : 1250

SITE ADDRESS : Haigh Engineering Co Ltd, Alton Road, Ross-on-Wye, Herefordshire, HR9 5NG

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13 DCSE2006/2316/F - PROPOSED ADDITIONAL 3 NO. RESIDENTIAL DWELLINGS (THE VINEYARD ANNEX) VINE TREE FARM, WALFORD ROAD, ROSS-ON-WYE, HEREFORDSHIRE, HR9 5PQ.

For: Lovell Partnerships Ltd. per A.J. Isherwood Osborne V. Webb Partnership, 19 Castle Street, Cardiff, CF10 1BT.

Date Received: 19th July, 2006 Ward: Ross-on-Wye East Grid Ref: 59503, 22764

Expiry Date: 13th September, 2006

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

1. Site Description and Proposal

- 1.1 The application site is a rectangular area of land (about 20 m x 35 m) formerly the garden to the north of Vine Tree Farmhouse. The site has been used as a parking and storage area during the construction by Lovells of housing to the south and west of the Farmhouse. To the north of the site is housing, with a play area, youth centre and housing on the opposite side of Walford Road.
- 1.2 It is proposed to erect a terrace of 3 houses. As originally submitted this would be a straight terrace set back about 14 m from Walford Road. A revised site layout shows the houses in a staggered row; the eastern house being closest to Walford Road, the next house set back about 1.5 m and the third house a further 1.5 m. The design would be 3 bedroom units of a similar style to the new estate. The front elevation would face westwards, away from Walford Road, with a new private drive being formed off the main estate road serving the new estate. Two parking spaces would be provided to the front of each property. The rear gardens would be about 9m - 12 m in length, with a new hedge along the boundary with Walford Road.

2. Policies

2.1 Hereford and Worcester County Structure Plan

Policy CTC1	Areas of Outstanding Natural Beauty
Policy CTC9	Development Criteria
Policy CTC18	Development in Urban Areas
Policy H16A	Development Criteria
Policy H18	Residential Development in Rural Settlements
Policy H20	Residential Development in Open Countryside

2.2 South Herefordshire District Local Plan

Policy C5	Development within Area of Outstanding Natural Beauty
Policy SH5	Housing Land in Ross and Wye
Policy SH11	Housing in the Countryside
Policy SH13	Affordable Housing in-adjacent to Settlements
Policy SH14	Siting and design of buildings
Policy SH15	Criteria for new housing schemes
GD1	General Development Criteria

2 (Part 3) New Housing Development

2.3 Herefordshire UDP (Deposit Draft)

Policy LA1	Areas of Outstanding Natural Beauty
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 H14	Re-using Previously Developed Land and Buildings
Policy H15	Density
Policy H16	Car Parking

3. Planning History

- 3.1 DCSE20045/0891/F Change of use to temporary construction project office, site compound and new access. - Approved 27.10.04

4. Consultation Summary

Statutory Consultations

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

Internal Council Advice

- 4.2 Traffic Manager recommends that conditions be included regarding access and parking.

5. Representations

- 5.1 Town Council has no objections, but the Committee hopes they are affordable housing.

- 5.2 One letter has been received objecting to the proposal because:

- (1) overbearing impact on their dwelling
- (2) emerging UDP identified capacity of 60 dwellings at Vine Tree Farm this application will bring total to 69
- (3) a garden and orchard giving a rural view have become a full scale housing site within 18 months
- (4) any view from bedroom will disappear, and would face a blank wall
- (5) excessive infilling.

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 The main issues are the principle of residential development and the effect on the amenities of neighbours. In the South Herefordshire District Local Plan the site is outside the defined boundary of Ross on Wye and Policy 2 (Part 3) states that "new housing development will not be permitted outside the town development area boundary". However the new Lovells estate means that the application site is within the built up area of the town. Furthermore the housing policies in the UDP have now been largely endorsed by the Inquiry Inspector and can be given significant weight. This site is allocated for housing development (Policy H2) along with the land already developed. In principle therefore the development of this small area for housing is acceptable.
- 6.2 The terrace would project beyond the rear of the adjoining houses. The latter although facing Walford Road are not parallel to it but are at a slight angle. Consequently the end wall of the new terrace, as originally submitted, would be prominent viewed from the rear of the adjoining property (24 Walford Road). The revised scheme sites the end terrace house about 3.5 m closer to Walford Road so that only half is to the rear of 24 Walford Road. There would be a gap of about 7 m between the two buildings and there is existing planting within 24 Walford Road. This is sufficient to ensure that the amenities of neighbours would not be harmed unacceptably.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

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

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

2 A09 (Amended plans)

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

3 B01 (Samples of external materials)

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

4 G01 (Details of boundary treatments)

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

5 G04 (Landscaping scheme (general))

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

6 G05 (Implementation of landscaping scheme (general))

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

7 E16 (Removal of permitted development rights)

Reason: To protect the amenities of neighbours.

8 H08 (Access closure)

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

9 H13 (Access, turning area and parking)

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

Informatives:

1 N19 - Avoidance of doubt

2 HN01 - Mud on highway

3 HN05 - Works within the highway

4 HN10 - No drainage to discharge to highway

5 HN22 - Works adjoining highway

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

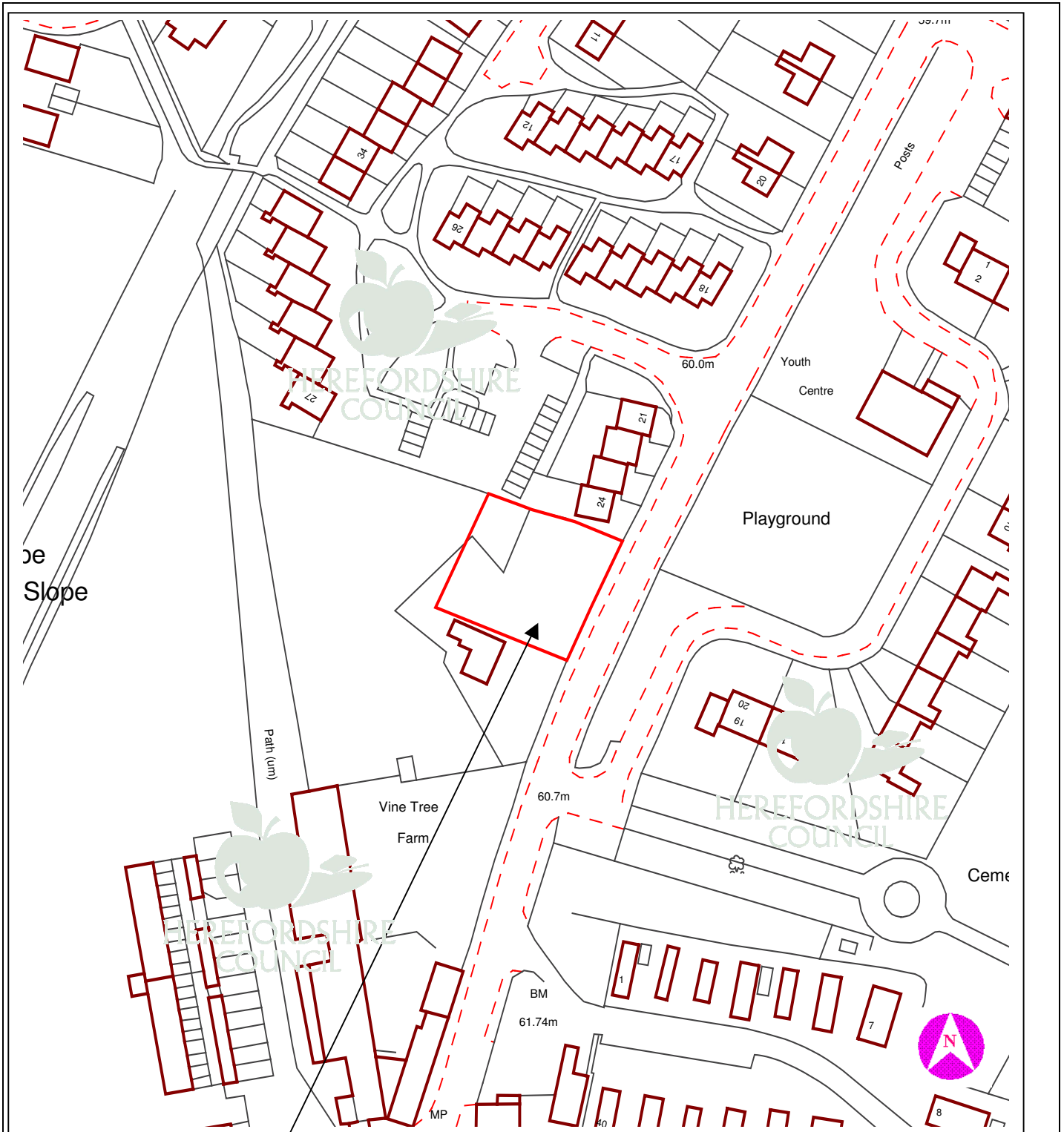
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCSE2006/2316/F

SCALE : 1 : 1250

SITE ADDRESS : Vine Tree Farm, Walford Road, Ross-on-Wye, Herefordshire, HR9 5PQ

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**14 DCSE2006/2609/F - ERECTION OF ONE DWELLING.
LAND ADJACENT TO MARSH COTTAGE, PONTSHILL,
ROSS-ON-WYE, HEREFORDSHIRE, HR9 5SZ.**

**For: Mr F McGough per Paul Smith Associates, 19 St
Martin Street, Hereford, HR2 7RD.**

Date Received: 8th August, 2006 Ward: Penyard

Grid Ref: 63881, 22049

Expiry Date: 3rd October, 2006

Local Member: Councillor H. Bramer

1. Site Description and Proposal

1.1 Planning permission (SE2006/1677/F) for the erection of a house on this site in Pontshill was refused on 20th July, 2006 for the following reasons:

1. The proposed dwelling, because of its size, height and design, would be out of scale with adjoining houses and would detract from the character of the settlement. The proposal would conflict therefore with Policies H16A and H18 of Hereford and Worcester County Structure Plan, Policies SH10, SH14 and GD1 of South Herefordshire District Local Plan and Policy H13 of Herefordshire Unitary Development Plan (Revised Deposit Draft).
2. The proposed dwelling, because of its size, design and position in relation to adjoining dwellings, would be overbearing and result in loss of privacy. As a consequence the proposal would harm the amenities of the occupiers of these dwellings and conflict with Policies H15 and GD1 of South Hereford District Local Plan and Policy H13 of Herefordshire Unitary Development Plan (Revised Deposit Draft).

The current proposal is for a revision to the earlier scheme.

1.2 The design and style of the house would be similar; a rectangular neo-Georgian house with a central gable projecting to rear and at the north-eastern end an attached double garage projecting to the front of the house with a single-storey gabled kitchen and utility room projecting to the rear. The external walls would be rendered blockwork with cast stone lintols, cills and corbelling and a natural slate roof. The main changes would be the omission of the three dormer windows on the front elevation roof, although the same second floor accommodation would be provided (a double bedroom, now to be lit by a rooflight, and bathroom and store with no natural lighting). The footprint and eaves height would be unchanged but the roof pitch would be less steep (about 40° rather than 44°) which would reduce ridge height by about 0.35 m (scaling from drawings) i.e. 8.1 m rather than 8.45 m. Other changes include the omission of a first floor window on the rear elevation.

1.3 The siting of the dwelling would be unchanged from the earlier proposal: set back about 12 m from the highway and between 7.2 m and 11.2 m from the south-eastern boundary with Juniper Cottage.

2.1 Planning Policy Guidance and Statements

PPS7	-	Sustainable Development in Rural Areas
PPG25	-	Development and Flood Risk

2.2 Hereford and Worcester County Structure Plan

Policy H18	-	Housing in Rural Areas
Policy H20	-	Housing in Rural Areas
Policy H16A	-	Housing in Rural Areas
Policy CTC2	-	Area of Great Landscape Value
Policy CTC9	-	Development Criteria

2.3 South Hereford District Local Plan

Policy SH10	-	Housing in smaller settlements
Policy SH14	-	Siting and design of buildings
Policy SH15	-	Criteria for new housing schemes
Policy GD1	-	General development criteria
Policy C43	-	Foul sewerage
Policy C44	-	Flooding
Policy C45	-	Drainage

2.4 Herefordshire UDP (Deposit Draft)

Policy H7	-	Housing in the countryside outside settlements
Policy LA2	-	Landscape Character and Areas Least Resilient to Change
Policy LA3	-	Setting of Settlements
Policy DR4	-	Environment

3. Planning History

3.1	SE2002/3287/O	Erection of a cottage.	-	Approved 26.2.03
	SE2004/2901/RM	Erection of a cottage	-	Approved 16.2.05
	DCSE2006/1677/F	Erection of one dwelling	-	Refused 20.7.06

4. Consultation SummaryStatutory Consultations

- 4.1 Environment Agency advises that part of the site is located within Flood Zone 3 however the dwelling and sewerage treatment plant is located outside of this high risk area, with a 7 m buffer strip from top of bank of watercourse. On basis that no increase in ground levels above existing 1% floodplain and subject to conditions regarding drainage and oil tank no objection to the dwelling.

Internal Council Advice

- 4.1 Traffic Manager recommends conditions be included regarding visibility splays, access, parking and turning.

5. Representations

5.1 The applicant's agent has submitted a detailed Planning Statement which, in summary, is as follows:

- (1) My client wishes to respond constructively to Members' concerns and to obviate the need to go to appeal. The enclosed planning application for a smaller dwelling addresses these concerns.
- (2) In relation to the neighbouring Juniper Cottage, the ridge height is reduced by 1.05 metres by employing a shallower roof pitch of around 40° and ensuring that the level of the proposed dwelling would remain 0.55 metres below that of Juniper Cottage.
- (3) The village of Pontshill comprises the full variety of house types, with full two-storey dwellings predominant in the village and permission for a further eight such dwellings. In particular, Pontshill Cottage to the south-west of the site, upon a village edge site similar to my clients, is of comparable scale and design as the proposed dwelling.
- (4) The scale of the dwelling is appreciably less than those recently erected in Weston under Penyard upon much smaller plots.
- (5) The eventual height of the proposed dwelling would be comparable to that of Juniper Cottage and the majority of dwellings in the village. From public vantage points, many views of the proposed dwelling would be ameliorated by a line of trees along the western site boundary. Its scale would appear in proportion to the size of the application site and appropriate to the character and appearance of its host environment.
- (6) The footprint of the proposed dwelling is marginally less than that of the dwelling approved for this site in 2005 except for the proposed garage. The main body of the proposed building would lie 12.4 m west of the main gable of Juniper Cottage and 22 m south-west of Marsh Cottage at the nearest point so that the loss of direct sunlight to these properties would be very modest.
- (7) The plot ratio (proportion of the site occupied by the dwelling) would be less than most nearest properties with the exception of two. In particular, the plot ratio of Juniper Cottage is comparable to that of the proposed development (approximately 1:7.65 compared to approximately 1:7.34). Therefore the plot ratio of the proposed development marries with the settlement pattern.
- (8) In addition, the footprint is also considerably less than almost all of the dwellings approved and recently built in Weston-under-Penyard.
- (9) All dormer roofs in the new proposed scheme have been omitted simplifying the front elevation.
- (10) The village of Pontshill comprises the full variety of house designs. The design of the proposed dwelling is no less legitimate given the size and characteristics of the application site and existing village properties than another house design.

Paragraph 38 of Planning Policy Statement 1 states:

"Local planning authorities should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms and styles."

- (11) One of the two rear-facing first floor windows of the refused scheme facing toward the rear garden of Juniper has been omitted. The remaining bedroom window facing this garden will remain glazed in obscure glass. There are no windows proposed to overlook Marsh Cottage.
- (12) Occupants of the dwelling approved on this site will have an uninterrupted view of the rear garden to Juniper Cottage with far more loss of privacy than would occur if the proposed dwelling were erected.
- (13) In addition, the applicant proposed to plant 4 metre high trees on the northern and eastern site boundaries to protect the privacy further.
- (14) The Council has raised no objection to the proposed development in highways, environmental, flooding or sustainable grounds. There has been no change in material circumstances to justify a different conclusion being reached on these issues with the current scheme.
- (15) The design, size and plot ratio of the proposed development would be comparable to existing properties in the locality, proportionate to the size and shape of the application site and appropriate to the character and appearance of the host environment.
- (16) It would not have an overbearing impact upon the adjoining properties by virtue of the distance between it and adjoining properties and it would preserve the privacy of neighbours far greater than the house design previously approved on this site.
- (17) It is for these reasons that I submit that the proposed development accords fully with the development plan and national planning policy which seek the efficient use of development land such as the application site.

5.2 Parish Council's comments are awaited.

5.3 One letter has been received expressing objection because:

- (1) cannot see any difference in size of the building
- (2) site flooded on 18 August 2006 and with water table already at ground height the building will have to be built on stilts
- (3) consequently would be very overpowering, more like a mansion
- (4) much bigger than original plan for a cottage that had been passed
- (5) planting 4.2 m high trees would take light from the surrounding properties.

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 The site is within the settlement of Pontshill. This is defined as a smaller settlement in the South Herefordshire District Local Plan and in the Herefordshire Draft Unitary Development Plan but was excluded from the list of smaller settlements in the Revised Deposit Draft. The latter has now been considered by the Inspector and significant weight can be given to the policies noted above (paragraph 2.4). On this basis the proposed dwelling would be in open countryside and a new dwelling would conflict with Policy H7. However the extant planning permission is a material consideration and if the proposal is otherwise acceptable (design, siting effect on neighbours' amenities, access etc.) it would be reasonable to grant permission subject to a condition that the permission expired on the same date as the previously approved permission.
- 6.2 The main issues are considered to be whether the dwelling would be in character with the settlement and the effect on neighbours' amenities. The site is quite large (about 0.1 ha) and on the periphery of the settlement. There is a mix of housing types and styles in Pontshill, ranging from traditional cottages to modern bungalows. Generally the houses are modest in size. The current proposal would be about 1.15 m taller than that approved on this site but similar in ground floor area although the garaging would be attached rather than integral to the dwelling. The difference in size with the nearest houses however would not be so great that the proposed house would appear incongruous. It would be set well away from the road boundary and with a row of tall trees along most of the boundaries with the road and the stream. As it would be next to the stream it would be at the lowest part of the settlement and would not be visually over-dominant. The style echoes a traditional farmhouse and the site, on the periphery of a settlement, would be a typical location for such a property.
- 6.3 The Committee was concerned about the erection of a 3-storey dwelling. This revised proposal keeps the second floor accommodation but without the dormer windows. The subsequent installation of such windows would require a further grant of permission, but as dormers would have only a limited effect on the massing of the building it may be difficult to justify refusing such a proposal. Further extension could be controlled by a condition removing permitted development rights. It may not be practicable to build the house of the finished floor level suggested as the site is subject to flooding. Nevertheless the reduction in ridge height and omission of dormers would contribute to reducing the size and visual prominence of the building.
- 6.4 The relationship with Juniper Cottage was also a matter of concern. As proposed the dwelling will be about 7.2 m from the boundary with Juniper Cottage but the central first floor window would be obscurely glazed and the bedroom window would look directly onto the gable end wall of Juniper Cottage and although the garden would be overlooked the intervening distance would be more than 10 m. This compares favourably with the approved scheme. The living accommodation would be further from Marsh Cottage and The Marsh than as approved as the attached garage would be at the north-eastern end of the new house. This is lower than the house and would not be overbearing. There are no windows facing directly towards these neighbouring properties and the privacy of their occupiers would be maintained.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

- 1 A01 (Time limit for commencement (26 February 2008))**

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 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.

4 The foul drainage from the proposed development shall be discharged to a treatment plant which meets the requirements of British Standard BS 6297: 1983, and which is provided in accordance with the details submitted dated July 2006 (including drawing no 584:01/02A) unless otherwise agreed in writing by the local planning authority.

Reason: To provide a satisfactory method of foul drainage and prevent pollution of the water environment.

5 Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound shall be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound shall be at least equivalent to the capacity of the largest tank, vessel or the combined capacity of interconnected tanks or vessels plus 10%. All filling points, associated pipework, vents, gauges and sight glasses must be located within the bund or have separate secondary containment. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework shall be located above ground and protected from accidental damage. All filling points and tank/vessels overflow pipe outlets shall be detailed to discharge downwards into the bund.

Reason: To prevent pollution of the water environment.

6 D03 (Site observation - archaeology)

Reason: To allow the potential archaeological interest of the site to be investigated and recorded.

7 G04 (Landscaping scheme (general))

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

8 G05 (Implementation of landscaping scheme (general))

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

9 G01 (Details of boundary treatments)

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

- 10 E16 (Removal of permitted development rights)
Reason: To protect the amenities of neighbours.
- 11 F18 (Scheme of foul drainage disposal)
Reason: In order to ensure that satisfactory drainage arrangements are provided.
- 12 H03 (Visibility splays)
Reason: In the interests of highway safety.
- 13 H05 (Access gates)
Reason: In the interests of highway safety.
- 14 H06 (Vehicular access construction)
Reason: In the interests of highway safety.
- 15 H12 (Parking and turning - single house)
Reason: In the interests of highway safety and to ensure the free flow of traffic using the adjoining highway.

INFORMATIVES:

- 1 HN01 - Mud on highway
- 2 HN05 - Works within the highway
- 3 HN10 - No drainage to discharge to highway
- 4 HN22 - Works adjoining highway
- 5 The Environment Agency recommends that run-off should be controlled as near to its source as possible through a sustainable drainage approach to surface water management (SUDS).
- 6 The Environment Agency advises that the proposed dwelling lies at the edge of Flood Zone 3 and recommends that floor levels be set 600 mm above the highest recorded flood level or existing floor level.
- 7 A discharge consent under the Water Resources Act 1991 may be required from the Environment Agency (contact Wye Environment Management Team, 02920 582729).
8. Environment Agency advises that pollution prevention measures should be incorporated to protect ground and surface water.
- 9 N19 - Avoidance of doubt

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

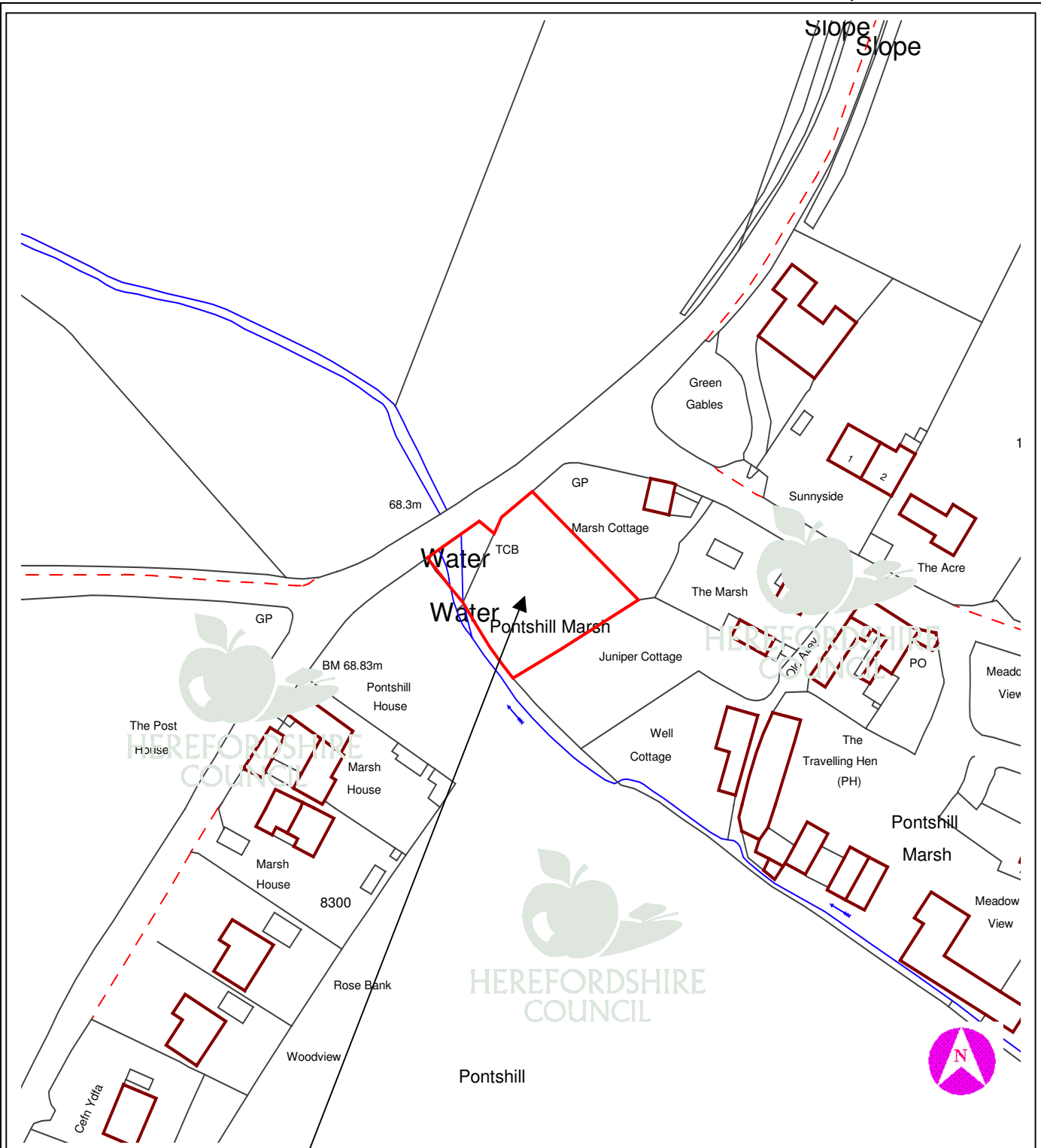
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCSE2006/2609/F

SCALE : 1 : 1250

SITE ADDRESS : Land adjacent to Marsh Cottage, Pontshill, Ross-on-Wye, Herefordshire, HR9 5SZ

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15 DCSE2006/1133/F - VARIATION OF CONDITION 1 ON PLANNING PERMISSION SE2001/1651/F, HILL FARM, LLANCLOUDY, HEREFORDSHIRE, HR2 8QP.

For: K. & G. Feakins, Hill Farm, Llancloudy, Hereford, HR2 8QP.

Date Received: 12th April, 2006

Ward: Llangarron Grid Ref: 49286, 20138

Expiry Date: 7th June, 2006

Local Member: Councillor Mrs. J.A. Hyde

1. Site Description and Proposal

1.1 Planning permission (SE2001/1651/F) for the conversion of barns at Hill Farm, Llancloudy to 3 live/works units plus garaging was granted on 28th September, 2001. The farm was affected by foot and mouth disease and an extensive operation has been necessary to remove buried waste and animal by-products and a lagoon. This process has not yet been completed and according to the applicant has delayed commencement of the development. The current application is to vary condition no. 1 to extend the life of the planning permission.

1.2 The three stone barns are informally arranged to the east of the farmhouse and at the western end of a long farm drive (about 0.6km) off the A466 about 1km south of Llancloudy. The barns would be developed as follows:

Barn 1 - (to the north of the farm complex) would comprise a residential unit with a single-storey section becoming a dedicated office or workshop unit.

Barn 2 - would contain, at the northern end, a self-contained unit for holiday letting purposes, a central residential unit and at the southern end a two-storey office unit - the 3 units would remain in one ownership.

Barn 3 - residential accommodation with office space.

1.3 The scheme as originally submitted (SE2000/2613/F) was amended to meet concerns raised by the Council's Conservation Architect. Curtilages would be formed mainly to the east of the barns with a new block of garages in the courtyard formed to the west of the central (Barn 2) and southern barns (Barn 3). The extensive range of modern agricultural buildings would be demolished.

2. Policies

2.1 Planning Policy Statement

PPS7 - Sustainable Development in Rural Areas

2.2 Hereford and Worcester County Structure Plan

Policy CTC.13 - Buildings of Special Architectural or Historic Interest

Policy CTC.14 - Criteria for the Conversion of Buildings in Rural Areas

- Policy H.20 - Residential Development in Open Countryside
 Policy E.8 - Development of Redundant Rural Buildings

2.3 South Herefordshire District Local Plan

- Policy C.1 - Development within Open Countryside
 Policy C.36 - Re-use and Adaptation of Rural Buildings
 Policy C.37 - Conversion of Rural Buildings to Residential Use
 Policy SH.24 - Conversion of Rural Buildings
 Policy ED.6 - Employment in the Countryside
 Policy ED.7 - Re-use and Adaptation of Rural Buildings for Employment/Tourism Use

2.4 Herefordshire Unitary Development Plan (Revised Deposit Draft)

- Policy LA.2 - Landscape Character and Areas Least Resilient To Change
 Policy HBA.12 - Re-use of Rural Buildings
 Policy HBA.13 - Re-use of Rural Buildings for Residential Purposes
 Policy H.7 - Housing in the Countryside Outside Settlements
 Policy E.11 - Employment in the Countryside

2.5 Supplementary Planning Guidance

Re-use and Adaptation of Traditional Rural Buildings

3. Planning History

- | | | | | |
|-----|---------------|---|---|--------------------|
| 3.1 | SH961048PF | Erection of steel framed agricultural building | - | Approved 13.11.96 |
| | SE2000/2613/F | Conversion of barns to form three dwellings and erection of garaging. | - | Withdrawn 13.07.01 |
| | SE2001/1651/F | Conversion of barns to form 3 live/work units plus garaging | - | Approved 28.09.01 |
| | SE2001/0538/F | Renewal of SH961048PF for erection of steel framed agricultural building. | - | Approved 16.05.01 |

4. Consultation Summary

Statutory Consultations

- 4.1 Environment Agency has no objections provided a package treatment plant is proposed discharging to a soakaway, as shown on drawing no. 04 rev. C, which is sited sufficiently away from any existing or proposed disposal area (foot and mouth).

Internal Council Advice

- 4.2 Traffic Manager comments:

"I refer to my previous response of 24.04.06 indicating no objection to the above proposal. I have re-visited the site and would like to make additional comments concerning the suitability of the existing site access. Visibility from the access at its

junction with the A466 is sub-standard being restricted by boundary hedges/vegetation. However, the access has historical use serving a working farm. It is considered that the level of development proposed (3 live/work units) would not result in a significant intensification of use of the access over the agricultural use. As permission has already been granted for the development it would be unreasonable to object to the current application for an extension of time. It appears that to provide visibility at the junction to full standards would require substantial earthworks and hedge removal. Minor improvements may be achieved by some hedge trimming/removal. It is suggested that the applicant submit a scheme indicating possible improvements to the junction.”

- 4.3 The Conservation Manager does not necessarily object but points his observations on the original proposal recommending improvements to the scheme.

5. Representations

- 5.1 The applicant has written to explain why the application has been submitted. In summary the reasons are:

1. Planning permission on three stone barns was granted in September 2001. At about the same time it came to our attention that DEFRA had buried, and or left material at Hill Farm, from the foot and mouth clean up, that was unlawful to be buried or left, which was causing contamination to the groundwater. It was also within the area that would have to be landscaped.
2. The material consisted of category [1] animal by-products, a pit full of asbestos, agro-chemicals, oils, paints, PCB's and a great deal of other materials.
3. In addition, a lagoon constructed by DEFRA to catch all the dirty water, blood, animal body fluids and cleaning acids was left full to the brim and within 70 metres from the house and buildings.
4. A considerable number of cattle and sheep belonging to other farmers were buried by DEFRA. Some of the older cows were carrying the risk of BSE infection.
5. It therefore became necessary to take action against DEFRA to force them to remove all the material. That process took a considerable time and works are expected to be complete by August 2006.
6. No developer has been interested to commence the development until the lagoon and other materials that were buried had been removed.
7. By their action of failing to carry out the Court Order by the 31st March, 2005 and refusing to agree a route, DEFRA have now placed us in a precarious position with our planning consent.
8. We therefore, respectfully ask the Planning Department for an extension of one year to condition [1] of the planning permission SE2001/1651/F.

- 5.2 Llangarron Parish Council have no objections to this planning application.

- 5.3 Welsh Newton Parish Council (adjoining parish council) support this request.

- 5.4 Two letters have been received expressing concerns regarding this proposal. In summary the following concerns are raised:
1. The units could readily be converted into complete business units (as at Treddunock) and noted that there would be 14 parking spaces plus unallocated areas capable of further temporary parking.
 2. Safety is of concern: amount of traffic joining A466 Monmouth/Hereford road at slight bend on this very fast road.
 3. Photographs submitted showing a car parked in current entrance to Hill Farm would not be seen by traffic approaching from either direction.
 4. The movement of contaminated waste has required special traffic control.
 5. Visibility splay should be checked on site and changes could then be required.
 6. Alternative route via 'back' lane would create intrusion and possible damage to properties.
 7. Elevated position of farm means any powerful security lighting will be intrusive.
 8. In view of contamination of bore hole where will drinking water come from?
 9. In view of disagreements over route for removing contamination it is questioned why extension of time is required.

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 The development accords in principle with the Council's policy to encourage re-use of rural buildings for commercial purposes, which would benefit the local economy. The residential accommodation would be integral to securing employment uses. The concerns of the Conservation Architect were specifically addressed in revised drawings and it was this amended proposal that was granted planning permission.
- 6.2 The main issue raised by this proposal is highway safety. Visibility at the access is sub-standard and as the Traffic Manager points out full visibility would require substantial earthworks and hedge removal. Furthermore, the land to the south of the access is not in the applicants' ownership. The earlier permission was granted on the basis that the traffic generated by the farm involving considerable movement of livestock was considerably greater than that anticipated by 3 live/work units. All the principle farm buildings would be removed, including an existing poultry house and a permission for additional stock building (SE2001/0538/F) would not be implemented. Since then the foot and mouth epidemic and aftermath has prevented the farm from operating at the same intensity. The removal of the farm buildings required by the permission for the barn conversions would limit the scope for agricultural development and new farm buildings would be subject to planning control. In these circumstances it would not be reasonable to refuse permission because the full standard could not be achieved. Nevertheless as recommended by the Traffic Manager a condition requiring improvements to visibility at the access could be imposed.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

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

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. B05 (Alterations made good)

Reason: To maintain the appearance of the building.

4. B07 (Stonework laid on natural bed)

Reason: In the interests of conserving the character of the building.

5. B10 (Details of cladding (agricultural and industrial buildings))

Reason: To minimise the visual impact of the development.

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

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

7. C05 (Details of external joinery finishes)

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

8. C06 (External finish of flues)

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

9. C09 (External repointing)

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

10. 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 architectural or historical interest.

11. C11 (Specification of guttering and downpipes)

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

12. RB1 (No Permitted Development)

Reason: To ensure the character of the original conversion scheme is maintained.

13. The offices and holiday accommodation hereby permitted shall be retained and used for the purpose intended at all times and shall not be converted to or used as living accommodation.

Reason: To define the terms of this planning permission.

14. The offices and holiday accommodation shall be retained as part of the residential use hereby permitted and shall not be sold separately from each other.

Reason: It would be contrary to the policy of the local planning authority to grant consent for separate offices and holiday accommodation in this location.

15. F18 (Scheme of foul drainage disposal)

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

16. F19 (Drainage in accordance with approved plans)

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

17. F32 (Details of floodlighting/external lighting)

Reason: To safeguard local amenities.

18. G01 (Details of boundary treatments)

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

19. G04 (Landscaping scheme (general))

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

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

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

21. This permission shall be implemented only in lieu of, and not in addition to, the planning permission SE2001/0538/F dated 16th May, 2001.

Reason: To prevent over-development of the site and to protect the amenities of the occupants of the dwellings hereby approved.

- 22. Before any other works are commenced the existing agricultural buildings not covered by this planning permission shall be removed and that part of the site restored in accordance with the landscaping scheme required by condition 20 of this planning permission.

Reason: To protect/enhance the amenities of the dwellings hereby permitted and to conserve the character and amenities of the area.

- 23. The existing poultry house located at Grid Ref: SO 4919 2009 shall be permanently removed and the land reinstated in accordance with a scheme to be submitted to and approved in writing by the local planning authority.

Reason: In the interests of the amenities of the future occupiers of the development hereby permitted.

Informative(s):

- 1. N19 - Avoidance of doubt
- 2. N15 - Reason(s) for the Grant of Planning Permission

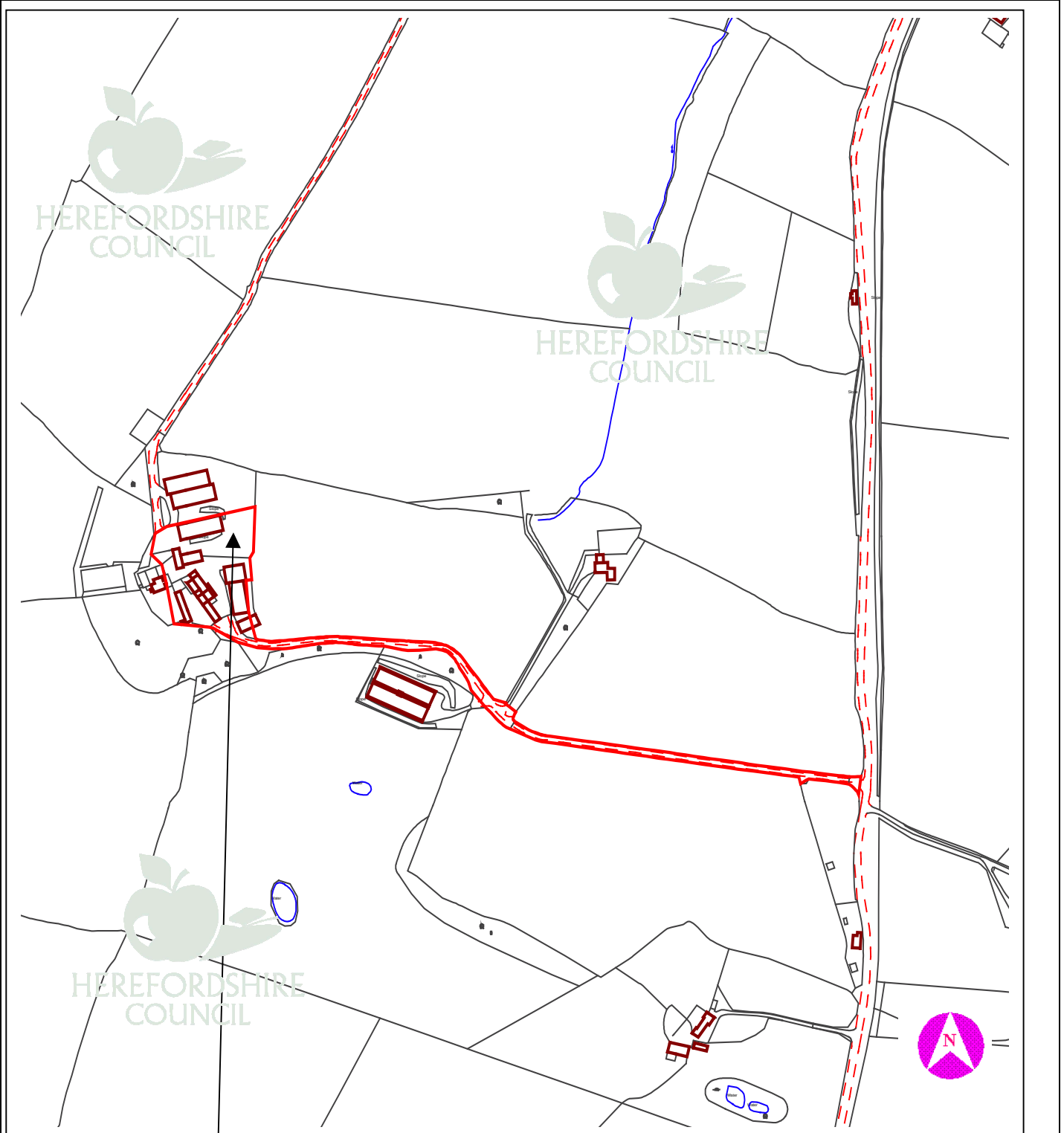
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCSE2006/1133/F

SCALE : 1 : 5001

SITE ADDRESS : Hill Farm, Llancloudy, Hereford, Herefordshire, HR2 8QP

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16 DCSE2006/1726/F - REPLACEMENT OF THE EXISTING DEVELOPMENT OF 42 CONCRETE PANEL HOUSES COLLECTIVELY KNOWN AS WOODEGE, PLUS A SINGLE MASONRY DWELLING (11 WALFORD AVENUE) WITH 53 NEW DWELLINGS AND ASSOCIATED INFRASTRUCTURE AT WOODEGE, ROSS-ON-WYE, HEREFORDSHIRE.

**For: Herefordshire Housing Ltd. per DJD Architects,
2 St Oswalds Road, Worcester, WR1 1HZ.**

Date Received: 1st June, 2006 Ward: Ross-on-Wye East Grid Ref: 59693, 22738

Expiry Date: 31st August, 2006

Local Members: Councillors Mrs. C.J. Davis, Mrs. A.E. Gray and J. Jarvis

1. Site Description and Proposal

- 1.1 The application site comprises a former Council housing estate of 42, 3 & 4 bedroom houses situated on the south-east periphery of the town. It is understood that the houses, which are of prefabricated construction, are no longer capable of repair/refurbishment at an economic cost and money was set aside for redevelopment when the Council's housing stock was transferred to the newly formed Herefordshire Housing in 2002. The current proposal, following consultation with residents, is the outcome of the commitment to provide new housing during 2006/7. In addition to the 42 replacement dwellings an additional house would be demolished (11 Walford Avenue) which would enable access for construction traffic and avoid the narrow, winding Tudor Rise. A replacement house would be constructed plus an additional 10 dwellings. These would be a mix of 2, 3 & 4 bedroom units.
- 1.2 The current layout is a 'U'-shaped road extending from two arms of Tudor Rise around which the houses are formally arranged, except for the southern part where pairs of houses are staggered in relation to each other. In the south-west corner is a large garage court and to the north of this a small area of open space crossed by pedestrian routes.
- 1.3 The proposed scheme replaces the loop with three cul-de-sacs. Vehicular access would be along shared pedestrian surfaces except for the north-western extension of Tudor Rise which would be a normal estate road with footways for the first 50 m. A pedestrian/cycle route would link the north-west apex to south-eastern cul-de-sac. The houses would be in terraces (plus some semi-detached houses) of varying lengths but generally these terraces would include a house or houses of different sizes, some projecting forward, others with higher roofs, rather than of identical units. The topography also means that the terraces rise, allowing for stepped changes in roof levels. The houses are of a similar type: flat front and back walls, with prominent lean-to entrance canopies on the front elevations. They would be of timber frame construction, externally of brick with interlocking concrete tiles; softwood windows with soldier courses above ground floor windows and doors, and with first floor window heads at eaves level. Parking would be mainly within curtilages plus 2 groups of 3

visitor parking spaces. There would be optional spaces for more in-curtilage parking but it is not proposed to provide this at the time of initial development. Front gardens would be open plan with rear gardens enclosed by screen fencing. No public play space would be provided.

2. Policies

2.1 South Herefordshire District Local Plan

Policy CTC1	-	Area of Outstanding Natural Beauty
Policy GD1	-	General Development Criteria
Policy C2	-	Settlement Boundaries
Policy C5	-	Development within AONB
Policy SH1A	-	Overprovision of Housing
Policy SH5	-	Housing Land in Ross on Wye
Policy SH13	-	Affordable Housing in/adjacent to Settlements
Policy SH14	-	Siting and Design of Buildings
Policy SH15	-	Criteria for New Housing Schemes
Policy R3A	-	Development and Open Space Targets, 10 dwellings and over
Policy R3B	-	Development and Open Space Targets, 3 to 10 dwellings
Policy R3C	-	Calculation of Open Space
Policy R3D	-	Commuted Payments
Policy R4	-	Protection of Recreation Land and Public Open Space
Policy R5	-	Improvements to existing Recreation Land and Public Open Space
Policy T1A	-	Environmental sustainability and Transport
Policy T3	-	Highway Safety Requirements
Policy T4	-	Highway and Car Parking Standards
Policy T8	-	Public Footpaths and Cycleways

2.2 Herefordshire Unitary Development Plan (Revised Deposit Draft)

Policy S1	-	Sustainable Development
Policy S2	-	Development Requirements
Policy S3	-	Housing
Policy S8	-	Recreation, Sport and Tourism Development
Policy DR1	-	Design
Policy DR2	-	Land Use and Activity
Policy DR3	-	Movement
Policy DR5	-	Planning Obligations
Policy LA1	-	Areas of Outstanding Natural Beauty
Policy LA3	-	Setting of Settlements
Policy H1	-	Hereford and the Market Towns: Settlement Boundaries and Established Residential Areas
Policy H9	-	Affordable Housing
Policy H13	-	Sustainable Residential Design
Policy H14	-	Re-using Previously Developed Land and Buildings
Policy H15	-	Density
Policy H16	-	Car Parking
Policy H19	-	Open Space Requirements
Policy T6	-	Walking
Policy T7	-	Cycling
Policy T11	-	Parking Provision
Policy RST2	-	Recreation, Sport and Tourism Development within Areas of

Policy RST4 - Outstanding Natural Beauty
Safeguarding Existing Open Space

2.3 Supplementary Planning Guidance

Design and Development Requirements

3. Planning History

3.1 There have not been any recent planning applications relating to this site.

4. Consultation Summary

Statutory Consultations

4.1 Welsh Water recommends that conditions be imposed regarding drainage.

Internal Council Advice

4.2 Traffic Manager comments as follows:

1. The internal road layout is generally satisfactory and complies with the Council's new Design Guide (July 2006). However, the section of 'Minor access road' adjacent housing blocks 1, 7 and 8 should be increased to a minimum width of 4.80m.
2. Pedestrian/cycle path adjacent 'shared surface' to blocks 2 and 3 can be replaced with a standard service strip.
3. Car parking provision indicated falls slightly short of the standard recommended in the Design Guide, based on an 'average maximum rate of 1.50 spaces per unit for the development' (i.e. 79 spaces). The intended provision of curtilage parking (on suitably constructed driveways) will be of benefit and reduce traffic problems currently arising from on street parking.

It is considered that any additional traffic that would be generated by the development would not be excessive, and not significant enough to recommend its refusal.

It is recommended that any permission which this Authority may wish to give include highway conditions.

I note that a temporary access road for construction traffic requested by the applicants agent previously has not been included in this application. The removal (and replacement) of the dwelling in Walford Avenue would suggest that the applicant still intends to provide an access. It is considered that such an access would relieve conflict with site traffic on the existing restrictive estate road network and provide a direct link which site vehicles could negotiate easily. The temporary road would link with Walford Road, crossing Walford Avenue and the field adjacent the play area. Careful consideration would have to be given to the exact location, alignment and construction of such a road if provided. This would include the segregation and protection of the adjacent facilities and properties.

4.3 Head of Strategic Housing Services fully supports this application for demolition and rebuild of 30 affordable dwellings to meet local housing need as identified in Herefordshire Housing Strategy 2005-2008 'to improve housing conditions in Herefordshire across all tenures'.

4.4 Head of Environmental Health has no adverse comments on the proposal.

5. Representations

5.1 The applicant's agent has submitted a detailed planning and design statement, the summary of which is:

"This proposal is a necessary scheme of renewal of time-expired stock, designed to modern standards, and with careful consideration of the needs of the existing setting, and taking close account of the concerns of local people. The residents of the site are a settled community who wish to continue that way. This scheme is prepared to enable that to happen."

5.2 Ross Town Council has no objections but has concerns about the impact of additional 11 dwellings on the current sewerage infrastructure.

5.3 Walford Parish Council (adjoining) had no objections to the proposal.

5.4 3 letters and a petition (with 117 signatures) have been received expressing serious concerns regarding the consequences for highway safety and ease of movement along Tudor Rise. The petition states:

"Although the planned development is considered to be an asset to the local community we do feel that the potential increase in the volume of traffic combined with the planned infrastructure changes could have a detrimental effect on the safety of an already overloaded road system currently servicing Woodedge and Tudor Rise. We therefore urge you to consider the inclusion of a second access route into the planned development."

The following specific concerns are raised:

- (1) Tudor Rise is a narrow access road, already overloaded and potentially dangerous due to high volume and high speed of traffic and vehicles parked the full length of the road due to lack of off-road parking.
- (2) Particular problems arise from parking on footway along certain sections, hedges obscuring visibility and a bend plus parked cars making turning movements at one of crossroads along Tudor Rise dangerous.
- (3) A number of accidents plus lots of near-misses are reported.
- (4) Parking on both sides of Walford Road near junction with Tudor Rise severely restricts vision making movements onto Walford Road hazardous and also causes bottleneck - double yellow lines may be a solution.
- (5) Cars have to back up or squeeze into small spaces as a result of volume of traffic and vehicles parked all the way up the hill, especially at weekends.
- (6) Proposal would increase traffic with 10-20 more cars plus delivery vehicles etc. which will increase risk, in particular to children, and congestion.
- (7) The changes to road layout (forming two cul-de-sacs) will increase access problems especially for service/delivery vehicles.

- (8) Traffic calming is needed at bend where Tudor Rise and Woodedge meet because of poor visibility and high traffic speeds.
- (9) Development requires an extra road access - no other estate suffers from above problems.

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 4 main issues:

1. The principle of redevelopment

The site is within the Primarily Residential Area on South Herefordshire District Local Plan Proposals Map and Established Residential Area on UDP map for Ross and residential development is clearly appropriate. Policy H1 supports development "where compatible with the housing design and other policies of the [UD] Plan". The trigger for affordable housing in market towns in UDP is 15 but my understanding is that 42 would be housing association rented with the remainder either rented and/or shared equity – hence all are likely to be "affordable". In view of the very limited provision in Ross over the past few years (Vine Tree Farm nearby being the only recent provision of affordable housing) this would clearly be welcome.

2. Open Space Provision

No play area or open space would be provided. Policy H19 (UDP) seeks a small children's/infants play area for schemes of 10-30 family dwellings and for over 30 dwellings an additional older children's informal play space. The agent has indicated that the former may be provided on land adjoining the youth centre on Walford Avenue. In addition the proposal would result in the loss of an existing public open space. This is a small sloping grassed area bisected by a pedestrian path. Some alternative provision is required by Policies R4 (SHDLP) and RST4 (UDP). The Head of Economic and Community Services accepts that off-site provision would be appropriate and recommends that a contribution based on the 10 additional houses should be made by the developer. This could be secured by a Section 106 agreement, the Heads of Terms of which are included as an appendix to this report.

3. Design and Layout

The proposed housing scheme is based on a simple design but variety is added by combining different house types and by making use of changing site levels. Open plan front gardens with parking would not be ideal but is perhaps inevitable at this density if reasonable sized gardens are to be provided and given the constraints of site. There are reservations however about the inter-relationship of some houses within scheme, for example, there would be less than 10 m between the main elevations and gable end of adjoining terraces, some rear gardens would be less than 10 m long (although generally wider than a typical terrace house) and overlooking from Block 9 of the garden of 54 Tudor Rise (about 4-5m). The applicant has agreed to look at these distances and there is some scope for alterations to the layout to make it less cramped, although this may require the reduction of at least

one property. A revised scheme has not been submitted at the time of writing this report.

4. Transport

The main concern of objectors is that Tudor Rise, a long, narrow and complex road with only one outlet to main road system, and very limited off-street parking, is already so congested that additional vehicles from 10 more houses would significantly exacerbate both congestion and hazards. The Transport Manager has specifically investigated these concerns and, whilst the problems resulting from narrow estate roads with parked vehicles is appreciated, he does not consider that the relatively small percentage increase in total traffic flows resulting from 10 additional houses would be so serious as to justify refusing planning permission.

RECOMMENDATION

That

- 1) **subject to submission of acceptable revised site layout drawings the Legal Practice Manager be authorised to complete a planning obligation agreement under Section 106 Town and Country Planning Act 1990 to ensure**
 - (a) **provision of affordable housing**
 - (b) **a contribution towards off-site improvements to public open space and play facilities**
- 2) **Upon completion of the aforementioned planning obligation that the officers named in the Scheme of Delegation to Officers be authorised to issue planning permission subject to the following conditions:**
 - 1 **A01 (Time limit for commencement (full permission))**

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990.
 - 2 **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 **F48 (Details of slab levels)**

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

7 W01 (Foul/surface water drainage)

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

8 W02 (No surface water to connect to public system)

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

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

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

10 W04 (Comprehensive & Integrated draining 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.

11 H11 (Parking - estate development (more than one house))

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

12 H18 (On site roads - submission of details)

Reason: To ensure an adequate and acceptable means of access is available before the dwelling or building is occupied.

13 H19 (On site roads - phasing)

Reason: To ensure an adequate and acceptable means of access is available before the dwelling or building is occupied.

14 H21 (Wheel washing)

Reason: To ensure that the wheels of vehicles are cleaned before leaving the site in the interests of highway safety.

15 H27 (Parking for site operatives)

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

16 H29 (Secure cycle parking provision)

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

Informatives:

- 1 **HN01 - Mud on highway**
- 2 **HN04 - Private apparatus within highway**
- 3 **HN05 - Works within the highway**
- 4 **HN08 - Section 38 Agreement details**
- 5 **HN09 - Drainage details for Section 38**
- 6 **HN10 - No drainage to discharge to highway**
- 7 **HN22 - Works adjoining highway**
- 8 **W02 - Welsh Water rights of access**
- 9 **N19 - Avoidance of doubt**
- 10 **N15 - Reason(s) for the Grant of Planning Permission**

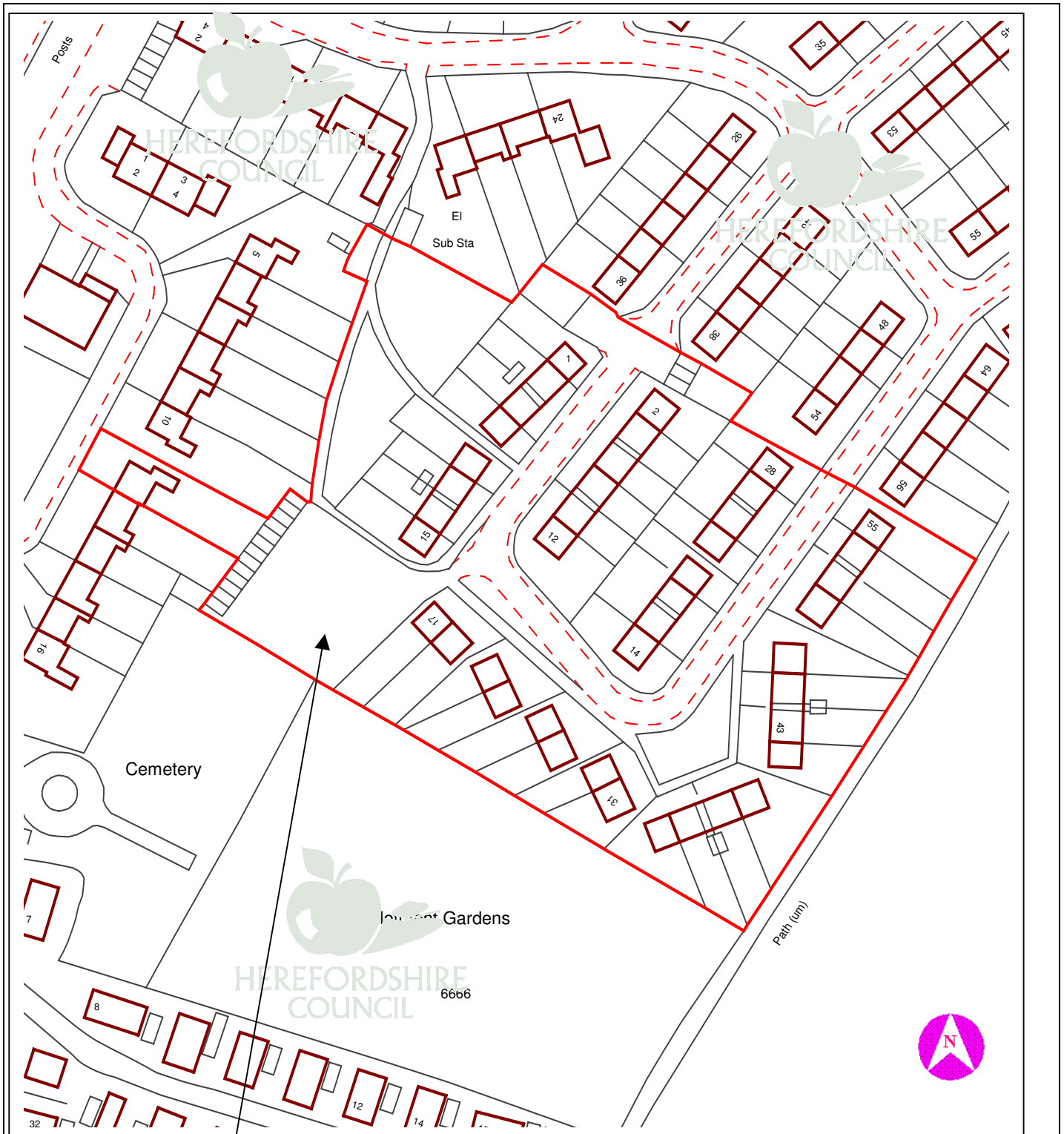
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCSE2006/1726/F

SCALE : 1 : 1250

SITE ADDRESS : Woodedge, Ross-on-Wye, Herefordshire

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

Planning Application – DCSE2006/1726/F
Erection of 53 New Dwellings at Woodedge, Ross-on-Wye, Herefordshire.

1. The developer covenants with Herefordshire Council, in lieu of the provision of open space on the land to serve the development, to pay Herefordshire Council the sum of £12,600 which sum shall be paid on or before the commencement of development.
2. The monies shall be used by Herefordshire Council at its option for any or all of the following purposes:
 - (i) Provision of play area and improved community facilities at Walford Avenue
3. In the event that Herefordshire Council does not for any reason use the said sum of Clause 1 for the purposes specified in the agreement in Clause 2 within 10 years of the date of this agreement, the Council shall repay to the developer the said sum or such part thereof, which has not been used by Herefordshire Council.
4. The approved houses shall all be "Affordable Housing" units which meet the criteria set out in Section 5.5 of the Unitary Development Plan for Herefordshire (Revised Deposit Draft) and related policy H9 or any statutory replacement of those criteria and that policy. None of them shall be occupied unless and until the Herefordshire Council has given its written agreement to the means of securing the status and use of these units as Affordable Housing.
5. The developer shall pay to the Council on or before the completion of the Agreement, the reasonable legal costs incurred by Herefordshire Council in connection with the preparation and completion of the Agreement.
6. The developer shall complete the Agreement by 1st November 2006 otherwise the application will be registered as deemed refused

S.Holder, 4th September 2006

