

A G E N D A

Southern Area Planning Sub- Committee

Date: **Wednesday, 29th November, 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 - 4
To approve and sign the Minutes of the meeting held on 25th October, 2006.	
4. ITEM FOR INFORMATION - APPEALS	5 - 8
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. DCSE2006/2826/F - 2 CROCKERS ASH COTTAGES, WHITCHURCH, ROSS-ON-WYE, HEREFORDSHIRE, HR9 6DW.	9 - 14
Proposed alterations and extension (extension part single and two storey) with new vehicular access via existing entrance to No. 1 Crockers Ash.	
6. DCSE2006/2771/G - THE LODGE, PENGETHLEY MANOR HOTEL, PETERSTOW, ROSS-ON-WYE, HEREFORDSHIRE, HR9 6LL.	15 - 18
Discharge planning obligation ref: SH870829PF.	

7.	DCSW2006/3069/F - BURHOPE FARM, ORCOP, HEREFORD, HR2 8EU. Caravan/Camping site.	19 - 24
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11.	DCSE2006/2896/F - BRACKEN HILL, WELSH NEWTON COMMON, MONMOUTH, HEREFORDSHIRE, NP25 5RT. Change of use of existing studio/workshop to holiday let.	43 - 48
12.	DCSE2006/3510/F - 6 OLD GLOUCESTER ROAD, ROSS-ON-WYE, HEREFORDSHIRE, HR9 5BU. Conversion to 2 no. apartments in connection with Rosswyn site redevelopment and car parking and turning facilities.	49 - 54
13.	DCSE2006/3076/F & DCSE2006/3077/L - STONE HOUSE, WOOLHOPE, HEREFORDSHIRE, HR1 4QR. Proposed orangery annex to dwelling, alterations and renovations to dwelling, renovations of gate-house, restoration of boundary walls and structure. New swimming pool.	55 - 60

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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, 25th October, 2006 at 10.00 a.m.

Present: Councillor H. Bramer (Vice Chairman in the Chair)

Councillors: M.R. Cunningham, G.W. Davis, Mrs. A.E. Gray, Mrs. J.A. Hyde, J.G. Jarvis, D.C. Taylor and J.B. Williams

In attendance: Councillors P.J. Edwards, T.W. Hunt (ex-officio), R.I. Matthews, J.C. Mayson, R.J. Phillips and R.M. Wilson

64. APOLOGIES FOR ABSENCE

Apologies were received from Councillors J.W. Edwards, G. Lucas, and P.G. Turpin.

65. DECLARATIONS OF INTEREST

There were no declarations of interest made.

66. MINUTES

RESOLVED: That the Minutes of the meeting held on 27th September, 2006 be approved as a correct record and signed by the Chairman.

67. ITEM FOR INFORMATION - APPEALS

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

68. DCSE2006/3045/F - ALVASTON HOUSE, DANCING GREEN, ROSS-ON-WYE, HEREFORDSHIRE, HR9 5TE (AGENDA ITEM 5)

Extension, new chimney, new double garage and workshop.

The Planning Officer reported the receipt of comments from the parish Council who unanimously supported the application.

In accordance with the criteria for public speaking, Mrs. Herman, the applicant, spoke in support of her application.

Councillor J.G. Jarvis felt that the dwelling looked unbalanced at present and felt that granting the application would improve the appearance. He noted that there were no objections from local residents or the Parish Council and felt that the application should be approved.

Councillors J.B. Williams felt that the Planning Policy should not be disregarded and believed that granting the application could result in an influx of similar applications.

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The Southern Team Leader advised the sub-committee in respect of the UDP policy regarding extensions. He said that the application clearly did not comply with the policy and had therefore been recommended for refusal. He noted that the current proposal was the 4th extension to the dwelling and felt that it could result in a detrimental affect to affordable housing in the area.

RESOLVED

The Southern Area Planning Sub-Committee is minded to approve the application subject to the conditions set out below (and any further conditions felt to be necessary by the Head of Planning Services) provided that the Head of Planning Services does not refer the application to the Planning Committee.

a) No conditions recommended

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

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

69. DCSW2003/3281/N - STONEY STREET INDUSTRIAL ESTATE, MADLEY, HEREFORD (AGENDA ITEM 6)

Waste treatment (using an autoclave) & recycling facility, including construction of a new building.

The Chairman advised the Sub-Committee that the application had been approved by the Southern Area Planning Sub-Committee in March 2004 but the decision had since been quashed by the High Court after a Judicial Review thus resulting in the application being undetermined. The Chairman outlined the arrangements for the meeting and stated that due to the public interest in the application, public speaking had been increased from 3 minutes to 10 minutes for the Parish Council, the objectors, and the applicant.

The Development Control Manager presented his report and said that 3 further letters of objection had been received from local residents. He also reported the receipt of comments from Eaton Bishop Parish Council which had been omitted from the report, and correspondence from Paul Keetch MP and Councillor P.G. Turpin, Chairman of the Southern Area Planning Sub-Committee, objecting to the application.

In accordance with the criteria for Public Speaking, Mrs. Yates, representing Madley Parish Council, spoke against the application. She expressed concerns about the environmental and ecological impact of the proposed scheme, the road safety issues that would arise because of the large number of heavy vehicles travelling to and from the site, the inadequate road network for such vehicles from the Greyfriars Bridge in Hereford to the site, the possible risk to the neighbouring Gelpack site and the unsuitable location for the site. She stated that a report commissioned for Madley Parish Council by TMS had highlighted a number of areas of concern in respect of highways and that the section 106 agreement only addressed one of the many pinch points along the suggested route.

Mr. Berry, Managing Director of Gelpack Ltd, also spoke against the application. He expressed concerns about the unproven technology being proposed by Estech Europe and the impact that approving the application could have on Gelpack as an

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employer in Herefordshire. He confirmed that 60% of Gelpack's product output went to the food and pharmaceutical industry and that up to 200 jobs could be at risk if these major contracts were jeopardised by granting planning permission to Estech.

Mr. Rogers, representing members of the Waste Watchers group, felt that the report was prejudiced and that the Sub-Committee had not been provided with sufficient information to make a judgement on the application. He felt that the application should be deferred until all of the relevant information could be provided. He also had concerns regarding the 'fibre' produced as a result of the autoclave process. He felt that the application should not be granted until a suitable market for the fibre had been identified. He also voiced his concerns regarding the ecological and environmental impact of the proposed scheme as well as road safety issues.

Mr. Fowler-Wright of MPD Ltd, the site owners, and Mr. Craven, Chairman of Estech Europe Ltd, spoke in support of the application. Mr. Fowler-Wright said that he felt that Estech had been open and honest about the application. He had concerns regarding the objections raised by Gelpack and felt that these objections were unsubstantiated. He felt that there should be no concerns in respect of the proven autoclave technology and also noted that Estech had an exit strategy in place for the 'fibre' but that he believed this information to be commercially sensitive at the present moment. Mr. Craven said that the Mobile Demonstration Unit had given local residents the opportunity to view the proven technology involved in the autoclave process. He said that granting the application would reduce the amount of waste transported to Worcestershire for landfill, this waste could be recycled by Estech and would have a major impact upon the waste management requirements of the County for the next 25 years. He felt that the application was in accordance with the Council's policies and noted that the statutory consultees had raised no objections.

The Vice-Chairman adjourned the meeting for 15 minutes and advised the Sub-Committee that the meeting would reconvene at 12:05 prompt.

Councillor D.C. Taylor, the Local Ward Member, noted that Worcestershire County Council granted Estech planning permission in 2004 but that they had included a condition in respect of the removal of 'fibre', he felt that if the application was approved a similar condition should be included in the resolution. He also had concerns in respect of the highways issues and noted that the Highways budget had been reduced over the last 5 years. He noted the concerns raised by the Parish Council in respect of the road width and felt that these concerns, raised in the TMS report, should be addressed. He also addressed his concerns in respect of the environmental impact of the application and the effect that granting the application could have on the two neighbouring businesses, A.W. Trailers and Gelpack.

Councillor J.G. Jarvis was disappointed at the negative comments directed towards the case officer by Mr. Rogers.

In response to a number of questions raised by Councillor J.G. Jarvis, the Development Control Manager advised the Sub-Committee that a condition was in place to limit the waste to 100,000 tonnes but that in the future the applicant could re apply to vary this condition. He also said that the amount of waste which would go to landfill would be reduced by around 60% as a result of the autoclave process and that the Regional Spatial Strategy set out to reduce landfill gradually.

Councillor J.B. Williams thanked the case Officer for a detailed report. He felt that the increase in traffic was not unreasonable and felt inclined to agree with the Officers recommendation.

In response to a question raised by Councillor G.W. Davis, the Development Control

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Manager advised the Sub-Committee that building work would not commence until a waste management licence had been granted.

Councillor M.R. Cunningham noted his disappointment at the omission of a Grampian condition. He expressed concerns regarding the unproven technology, the road safety issues, the inadequate highways infrastructure, disposal of the resulting fibre and the impact on amenity to local residents and businesses. He also had some concerns as to whether the proposed use actually constituted a B2 usage. Due to these reasons he felt that he could not support the application and moved for refusal against the Officers recommendation.

The Development Control manager confirmed that waste processing was classed as a B2 usage. He advised Members that the doors to the unit would only be open for 2 minutes at a time to allow access and egress to vehicles.

RESOLVED:

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

- A) Concerned about the highways infrastructure**
- B) The Current Local Plan does not permit B2 usage on the site**
- C) Impact on the amenity to local residents**
- D) Impact on the amenity to local businesses**

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

[Note: Following the vote on this application, the Southern Team Leader advised that he would refer the decision to the Head of Planning Services.]

The meeting ended at 1.20 p.m.

CHAIRMAN

ITEM FOR INFORMATION - APPEALS**APPEALS RECEIVED****Application No. DCSE2006/0471/F**

- The appeal was received on 12th October, 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. C.J. Winney
- The site is located at Highfield, Brampton Abbots, Ross-on-Wye, Herefordshire, HR9 7JG
- The development proposed is Extensions to existing workshop/stores.
- The appeal is to be heard by Written Representations

Case Officer: Duncan Thomas on 01432 261974**Application No. DCSE2006/1060/F**

- The appeal was received on 12th October, 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. C.J. Winney
- The site is located at Highfield, Brampton Abbots, Ross-On-Wye, Herefordshire, HR9 7JG
- The development proposed is Use of land for storage without complying with Condition 3 on Planning Permission SE2002/2519/F dated 20/11/02.
- The appeal is to be heard by Written Representations

Case Officer: Duncan Thomas on 01432 261974**Application No. DCSE2006/1816/F & DCSE2006/1841/F**

- The appeal was received on 25th October, 2006
- The appeal is made under Section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission
- The appeal is brought by Mr. S. Preece
- The site is located at Land adjoining Monkswalk Cottage, Much Marcle, Ledbury, Herefordshire, HR8 2LY
- The development proposed is Erection of five dwellings and relocation of vehicular access.
- The appeal is to be heard by Written Representations

Case Officer: Charlotte Atkins on 01432 260536**Application No. DCSE2006/1382/F**

- The appeal was received on 8th November, 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. B. Nixon
- The site is located at Green Acres, Howle Hill, Ross-on-Wye, Herefordshire
- The development proposed is First floor extensions and alterations.
- The appeal is to be heard by Written Representations

Case Officer: Duncan Thomas on 01432 261974

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

Application No. DCSW2006/0932/F

- The appeal was received on 7th November 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 A F & D E Beken
- The site is located at Gworlodith, Newton St. Margarets, Herefordshire, HR2 0QT
- The development proposed is General purpose steel frame building for housing livestock, machinery and fodder.
- The appeal is to be heard by Written Representations

Case Officer: Angela Tyler on 01432 260372

Application No. DCSE2006/2322/F

- The appeal was received on 10th November 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 S & A Dean
- The site is located at Doward Park Campsite, Great Doward, Symonds Yat, Ross-On-Wye, Herefordshire, HR9 6BP
- The development proposed is Retention of mobile home for management of the campsite without complying with Condition 1 of Planning Permission Ref: SE2002/1316/F.
- The appeal is to be heard by Written Representations

Case Officer: Steven Holder on 01432 260479

Application No. DCSW2006/0944/O

- The appeal was received on 13th November 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 Lyons
- The site is located at Land at Mistle, St. Owens Cross, Herefordshire, HR2 8LG
- The development proposed is Erection of one residential unit.
- The appeal is to be heard by Hearing

Case Officer: Yvonne Coleman on 01432 383083

Application No. SW2002/1054/O

- The appeal was received on 4th August, 2006
- The appeal was made under Section 78 of the Town and Country Planning Act 1990 against a non-determination of a Planning Condition
- The appeal was brought by J.G. Price and Sons Ltd
- The site is located at Albion Villa, Peterchurch, Herefordshire, HR2 0RT
- The development proposed was Site for dwelling
- The main issue was non-determination of a planning condition

Decision: The appeal was WITHDRAWN on 14th November, 2006

Case Officer: Andrew Prior on 01432 261932

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

APPEALS DETERMINED

Application No. DCSE2006/1677/F

- The appeal was received on 5th September, 2006
- The appeal was made under Section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission
- The appeal was brought by Mr. F. McGough
- The site is located at Land adjacent to 'Marsh Cottage', Pontshill, Herefordshire, HR9 5SZ.
- The application, dated 26th May, 2006, was refused on 20th July, 2006
- The development proposed was Erection of one dwelling

Decision: The appeal was WITHDRAWN on 19th October, 2006

Case Officer: Steven Holder on 01432 260479

Application No. DCSE2005/4154/F

- The appeal was received on 2nd June, 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 F.M. Green
- The site is located at Everstone Farm, Peterstow, Ross-on-Wye, Herefordshire, HR9 6LH
- The application, dated 23rd December, 2005, was refused on 22nd February, 2006
- The development proposed was Conversion of building to three holiday units. Access track, car park, turning area and treatment plant.
- The main issue is the effect of the proposal on the character and appearance of the open countryside.

Decision: The appeal was DISMISSED on 25th October 2006

Case Officer: Steven Holder on 01432 260479

Application No. DCSW2005/3091/O

- The appeal was received on 5th June, 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 Black Mountain Mineral Water
- The site is located at Springvale, Longtown, Herefordshire, HR2 0PB
- The application, dated 21st September, 2005, was refused on 17th November, 2005
- The development proposed was Proposed phased extensions to bottling plant. Managers office + Residence. Security fencing and additional landscaping.
- The main issue is whether the appellant has evidence that demonstrates a functional requirement for a full-time worker to reside on site.

Decision: The appeal was DISMISSED on 3rd November, 2006

Case Officer: Andrew Prior on 01432 261932

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

Application No. DCSW2005/3916/F

- The appeal was received on 28th July, 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 Stephen Hicks & Pamela Smith
- The site is located at Red Lion Inn, Kilpeck, Hereford, Herefordshire, HR2 9DN
- The application, dated 25th November, 2005, was refused on 24th January, 2006
- The development proposed was Change of use from public house to residential.
- The main issue is the perceived loss of community facilities that the proposal would entail.

Decision: The appeal was DISMISSED on 16th November, 2006

Case Officer: Andrew Prior on 01432 291932

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

5 DCSE2006/2826/F - PROPOSED ALTERATIONS AND EXTENSION (EXTENSION PART SINGLE AND TWO STOREY) WITH NEW VEHICULAR ACCESS VIA EXISTING ENTRANCE TO NO. 1 CROCKERS ASH AT 2 CROCKERS ASH COTTAGES, WHITCHURCH, ROSS-ON-WYE, HEREFORDSHIRE, HR9 6DW.

For: Mr. R. Waller per Mr. M. Keyse, Sawpits, Great Doward, Symonds Yat, Ross on Wye, HR9 6BP.

Date Received: 29th August, 2006 Ward: Kerne Bridge Grid Ref: 53838, 16735

Expiry Date: 24th October, 2006

Local Member: Councillor J.G. Jarvis

1. Site Description and Proposal

- 1.1 2 Crockers Ash is a mid terraced dwelling forming part of a row of three properties. The dwelling is located in the open countryside, the Area of Outstanding Natural Beauty and an Area of Great Landscape Value. The dwelling is adjacent to the C1251 and currently has no off road vehicle parking. The site is unusual in that the gardens are staggered so that the garden for number 2 is actually located to the rear of number 1.
- 1.2 The application proposes the erection of a two-storey and single storey extension that will extend over the rear elevation of 1 and 2 Crockers Ash, which are within the same ownership. The extension will provide a kitchen at ground floor and bedroom at first floor. There will be internal alterations to provide an improved accommodation layout. It is also proposed to extend the existing driveway to number 1 Crockers Ash to provide off road parking in the rear garden of 2 Crockers Ash.

2. Policies

2.1 Planning Policy Statements

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

2.2 Herefordshire Unitary Development Plan (Revised deposit Draft)

- Policy S.1 - Sustainable Development
Policy DR.1 - Design
Policy H7 - Housing in the Countryside outside Settlements
Policy H18 - Extensions to Dwellings
Policy LA1 - Areas of Outstanding Natural Beauty

2.3 Hereford and Worcester County Structure Plan

- Policy H.16A - Housing Development in Rural Areas Development Criteria
Policy H.20 - Housing in Open Countryside

- Policy CTC.1 - Development in Areas of Outstanding Natural Beauty
- Policy CTC.2 - Development within Areas of Great Landscape Value
- Policy CTC.9 - Development Criteria

2.4 South Herefordshire District Local Plan

- Policy GD.1 - General Development Criteria
- Policy C.1 - Development within Open Countryside
- Policy C.5 - Development within Areas of Outstanding Natural Beauty
- Policy C.8 - Development within Areas of Great Landscape Value
- Policy SH.23 - Extensions to existing dwellings

3. Planning History

- 3.1 DCSE2006/2081/F Proposed alterations and extension (part - Refused
single and two storey) with new vehicular 08/08/06
access

4. Consultation Summary

Statutory Consultations

- 4.1 No statutory or non-statutory consultations required.

Internal Council Advice

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

5. Representations

- 5.1 Whitchurch Parish Council provide the following comments:

In the absence of original plans from which to ascertain any changes, original concerns are reiterated:-

1. Lack of light for neighbouring property - 3 Crockers Ash
2. Lack of access for maintenance

- 5.2 One letter of objection has been received by Mrs Howard, 3 Crockers Ash, Whitchurch that states:

With regard to the amount of light available to my son's bedroom, I appreciate that the pitch of the roof has been altered, however I still need reassurance that the level of available light will be satisfactory, especially during the winter months when my son's window receives no direct sunlight at all.

My other concern is that of maintenance of both properties, i.e roofs and gutters. With only a 1-metre gap between the two properties, the erection of scaffolding etc. would be extremely difficult, if not dangerous, to say the least.

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 Proposals for the alteration or extension of residential properties can have a significant effect on the character of the original building, the surrounding area and the amenities of adjoining residents. It is important that the scale, siting and design of such development respects these aspects, so as to ensure adequate levels of privacy and environmental quality. In rural areas, traditional smaller dwellings such as farmworkers cottages make an important contribution to the supply of affordable housing in the countryside, and extension proposals should be modest in scale to ensure that this continues.
- 6.2 The main considerations in this application are:
- (1) whether the proposal is in keeping with the character of the existing dwelling and its surroundings in terms of scale, mass, siting, detailed design and materials
 - (2) whether there is an adverse impact on the amenity of neighbouring properties
- 6.3 The application proposes a modest two-storey and single storey lean-to, to the rear elevation. The extension is considered acceptable in terms of scale and design and does not dominate the original dwelling and is therefore in keeping with the character of the existing dwelling.
- 6.4 There is however an issue with the siting of the extension as it will be in close proximity to a first floor bedroom window of 3 Crockers Ash and could have an adverse impact on the amenity of the occupiers of the property.
- 6.5 This application has been submitted following a previous refusal for an extension that restricted light to the first floor bedroom window in the neighbouring property. The proposed roof is now asymmetrical so that the neighbouring bedroom window looks out onto the roof slope of the extension instead of a blank wall as previously proposed. The extension will cause some loss of light to the bedroom but a judgement must be made as to whether there is sufficient adverse impact to warrant refusing the application.
- 6.6 The window is on the northeast elevation of 3 Crockers Ash and was inserted following an extension to the dwelling. The window directly overlooks the garden of 2 Crockers Ash. It is sited on the northeast elevation and therefore does not receive any direct sunlight. In addition, the bedroom is not a principle habitable room in the house. The whole of the extension will be below a line drawn from the back of the window and rising at a pitch of 30°. The strength of daylight is in proportion to this angle of elevation : in essence the brightest part of the sky is directly overhead. The bedroom will still receive unobstructed daylight above this angle of 30°. However, published architectural standards (including those from the Building Research Establishment) generally recommend 25° as the limit of acceptability. In this case, therefore, a balance needs to be struck between allowing an otherwise acceptable rear extension versus a significant loss of daylight to a window that currently directly overlooks the applicant's rear garden. On balance it is concluded that an acceptable compromise has been achieved.
- 6.7 The Parish Council and objector raise concern regarding the difficulty of maintenance of the properties once the extension is built. This is not a material planning consideration but a civil matter that would need to be resolved between the parties.

- 6.8 The provision of off road parking by extending the driveway and creating two car parking spaces is considered acceptable.
- 6.9 The property is on a hillside within the Area of Outstanding Natural Beauty and Area of Great Landscape Value. It is however surrounded to the north, east, south and west by other properties with mature planting within the area. The proposed extension is not considered to have an adverse impact on these designated areas.

RECOMMENDATION

That planning permission be granted subject to the following condition:

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

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

Informatives:

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

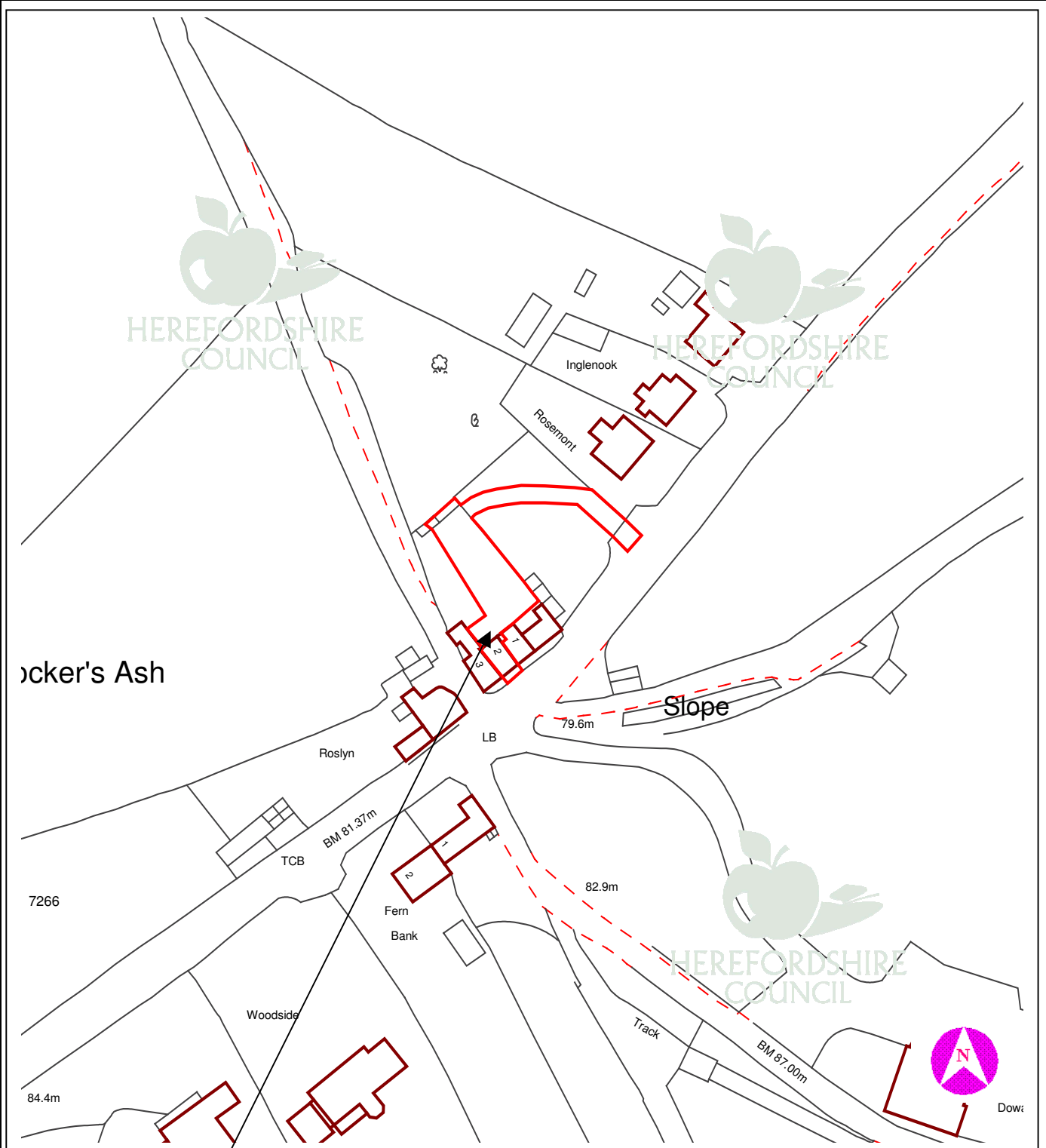
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCSE2006/2826/F

SCALE : 1 : 1250

SITE ADDRESS : 2 Crockers Ash Cottages, Whitchurch, Ross-on-Wye, Herefordshire, HR9 6DW

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6 DCSE2006/2771/G - DISCHARGE PLANNING OBLIGATION REF: SH870829PF AT THE LODGE, PENGETHLEY MANOR HOTEL, PETERSTOW, ROSS-ON-WYE, HEREFORDSHIRE, HR9 6LL.

For: Mr. & Mrs. Wisker per Christie & Co, Embassy House, Queens Avenue, Clifton, Bristol, BS8 1SB.

Date Received: 23rd August, 2006 Ward: Llangarron Grid Ref: 54308, 25624

Expiry Date: 18th October, 2006

Local Member: Councillor Mrs. J.A. Hyde

1. Site Description and Proposal

1.1 The Lodge is located on the west side of the private drive that leads to Pengethley Manor Hotel off the A49. The site is located in open countryside designated as being of Great Landscape Value, and within the Wye Valley Area of Outstanding Natural Beauty.

1.2 This application is for the discharge and transfer of a Section 52 Agreement that formed part of planning permission SH870829PF that was for 2 dwellings. It is proposed to transfer the Agreement to a stable building that has been converted to living accommodation, SE2001/2855/F refers, which is located to the north of the hotel.

2. Policies

2.1 Planning Policy Guidance

PPS1 - Delivering Sustainable Development
PPS7 - Sustainable Development in Rural Areas

2.2 Herefordshire Unitary Development Plan (Revised Deposit Draft)

Policy H7 - Housing in the Open Countryside Outside Settlements

2.3 South Herefordshire District Local Plan

Policy GD1 - General Development Criteria
Policy C1 - Development within Open Countryside
Policy SH11 - Housing in the Countryside

2.4 Hereford and Worcester County Structure Plan

Policy H20 - Housing in the Countryside

3. Planning History

- 3.1 SH870829PF Erection of 2 dwellings - Approved 19.11.1987
SE2001/2855/F Conversion of stable to living accommodation. - Approved 17.12.2001

4. Consultation Summary

Statutory Consultations

- 4.1 Highways Agency - No objection

Internal Council Advice

- 4.2 Traffic Manager - No objection

5. Representations

- 5.1 Sellack Parish Council - No objection

- 5.2 The applicant has said:

- The planning obligation was entered into nearly 20 years ago when there was an urgent need for family accommodation in close proximity to Pengethley Manor
- It is accepted the house is in a location where the local planning authority would normally restrict housing development but officers and members at the time were convinced of the need for the house subject to the applicant entering into a Section 52 Agreement restricting its occupation
- The applicant has not let the local planning authority down
- The accommodation is no longer required by future owners of the hotel as the local planning authority granted consent for additional accommodation within the old stable block, SE2001/2855/F
- Clearly the local planning authority has a need to retain control of development in this area and if they were minded to release the Hurrycalm Ltd from the current obligation in respect of The Lodge there would be no objection to the restriction being transferred to the accommodation granted under reference SE2001/2855/F

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 Pengethley Manor Hotel is located in open countryside where for the proper planning of area there policies in the Herefordshire Unitary Development Plan (Revised Deposit Draft), the South Herefordshire District local and the Hereford and Worcester County Structure Plan restricts house building taking place.
- 6.2 The Section 52 Agreement entered into, as part of the planning permission SH870829PF that was for 2 dwellings was appropriate and necessarily required in the interests of the proper planning of the area. The Agreement required:

“The occupation of the dwelling shall be restricted to the owners of the Hotel their successors in title and their employees whilst engaged in the operation of the Hotel or the widow and dependants of such persons”

6.3 The applicant has said that by transferring the Agreement to the stable building that has been converted to living accommodation will satisfy the need and reasoning of the original Agreement. While it is considered this would meet the requirement of the Agreement, the planning permission SH870829PF was for the erection of 2 dwellings. This permission has been implemented by building The Lodge, the planning permission remains extant, allowing the second dwelling to be built whenever. Unless this part of the planning permission is voluntarily revoked, the transfer of the Agreement to another building will allow an unrestricted dwelling to be built in an area where there is a presumption against housing development. The applicant has agreed to voluntarily revoke the remainder of the planning permission. This will need to form part of the Agreement.

RECOMMENDATION

- 1) **The Legal Practice Manager be authorised to complete a planning obligation under Section 106 of the Town and Country Planning Act 1990 to (set out heads of agreement) and any additional matters and terms he considers appropriate.**
- 2) **Upon completion of the aforementioned planning obligation that the officers named in the Scheme of Delegation to Officers be authorised to issue planning permission.**

Informatives:

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

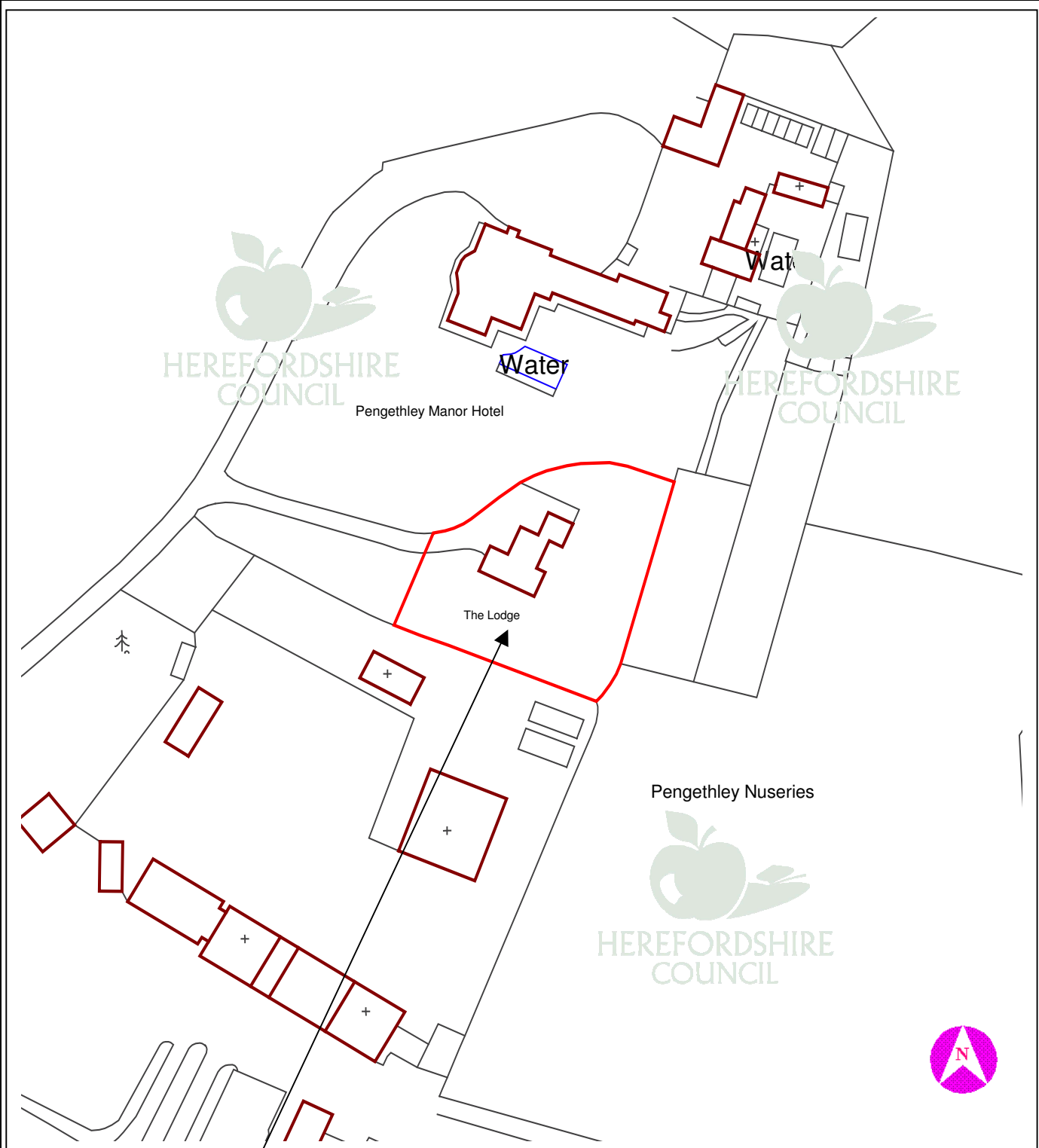
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCSE2006/2771/G

SCALE : 1 : 1250

SITE ADDRESS : The Lodge, Pengethley Manor Hotel, Peterstow, Ross-on-Wye, Herefordshire, HR9 6LL

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**7 DCSW2006/3069/F - CARAVAN/CAMPING SITE
BURHOPE FARM, ORCOP, HEREFORD, HR2 8EU.**

**For: Mr. P.A. Hale, Burhope Farm, Orcop, Hereford,
HR2 8EU.**

Date Received: 22nd September, 2006

Ward: Pontrilas

Grid Ref: 45622, 26661

Expiry Date: 17th November, 2006

Local Member: Councillor G.W. Davis

1. Site Description and Proposal

- 1.1 The application site is reached off the northern side of the Class III road (C1234) that links Pontrilas and Ewyas Harold to the west with the A466 road to the east. Burhope Farm has its own access off the Class III road which serves this working farm.
- 1.2 The proposal is to provide accommodation primarily for visitors to Burhope Farm who visit the site in order to purchase goods from a canoe and kayak store which operates from a modern farm building just to the south-west of the farmhouse. This former farm building has been extended such that w.c. facilities and additional storage facilities in connection with the canoe store are provided.
- 1.3 The application is for accommodation for visitors who often travel some distance to the site in connection with the canoe and kayak store. It is understood that customers who stay overnight will typically arrive by motorhome.

2. Policies

2.1 Herefordshire Unitary Development Plan (Revised Deposit Draft)

- Policy S.2 - Development Requirements
- Policy DR.3 - Movement
- Policy RST.1 - Criteria for Recreation, Sport and Tourism Development
- Policy RST.13 - Rural and Farm Tourism
- Policy RST.14 - Static Caravans, Chalets, Camping & Touring Caravan Sites

2.2 South Herefordshire District Local Plan

- Policy GD.1 - General Development Criteria
- Policy ED.8 - Farm Diversification
- Policy TM.1 - General Tourism Provision
- Policy TM.6 - Holiday Caravan/Chalet/Camp Parks

3. Planning History

- 3.1 SH970044FZ Extension to existing milking parlour - Prior Approval Not Required 21.01.97
- DCSW2004/2913/F Change of use from agricultural building to canoe and kayak retail store - Approved 06.10.04

DCSW2005/3183/F Proposed extension to serve - Approved 25.11.05
existing retail premises for
canoes and kayaks

4. Consultation Summary

Statutory Consultations

4.1 No statutory or non-statutory consultations required.

Internal Council Advice

4.2 Traffic Manager's response is awaited.

4.3 Environmental Health and Trading Standards Manager has no objection.

5. Representations

5.1 Orcop Parish Council's observations are awaited.

5.2 One letter of representation has been received from:

Dr. M. Rigler & Ms. J. Lockhart, Bracken House, Saddlebow, Garway Hill, HR2 8HD

The following main points are raised:

- not possible to screen development from our property
- devalue our property
- noise and light pollution
- identified as few remaining areas of tranquility by CPRE, can assist in well being of many people
- disturb Little Owls
- increase in traffic
- need development that would benefit the health and well being of people in need of NHS mental health services.

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 points are the impact that the development would have in the landscape and the effect on the amenity of residents in the locality.

6.2 The canoe and kayak store is well established and is known to attract visitors from outside Herefordshire many of whom are travelling on to sites in West Wales. Potential customers use the lake which is to the south-east of the canoe and kayak store. There are facilities for visitors to the store and potential campers in a lean-to building recently approved and erected on the canoe and kayak store building.

6.3 The applicant has stated in a covering letter that he intends to accommodate no more than 12 caravans on the site at any one time. This can be limited by condition. A

certified caravan site would allow for up to 5 caravans. The additional caravans or motorhomes could be reasonably absorbed into the landscape provided they were parked in close proximity to the farmhouse and canoe store. This could also be managed through a condition.

- 6.4 The campers would primarily be visiting the site in connection with the established canoe and kayak store, it is not considered that issues of noise and disturbance would be such that the application could be reasonably refused in accordance with Policy RST.1 in the Herefordshire Unitary Development Plan, and Policies GD.1 and TM.1 in the South Herefordshire District Local Plan. The site does not comprise an open area of land, it comprises part of a working farm with the attendant noise and disturbance of a dairy farm. The application is one that also falls within the remit of farm diversification for which there is Government support in PPS.7: Sustainable Development in Rural Areas, and in policies in the Herefordshire Unitary Development Plan and South Herefordshire District Local Plan.
- 6.5 The canoe and kayak store benefits from a personal permission for the benefit of the applicants only. A similar condition should be applied to the current proposal in order that the use of the site as a caravan/camping site is tied in with the retail use adjoining the camp site.

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. E27 (Personal condition)**

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

- 3. E35 (Numbers limitation)**

Reason: To clarify the terms of the permission and minimise visual intrusion.

- 4. F32 (Details of floodlighting/external lighting)**

Reason: To safeguard local amenities.

- 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.

Informative(s):

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

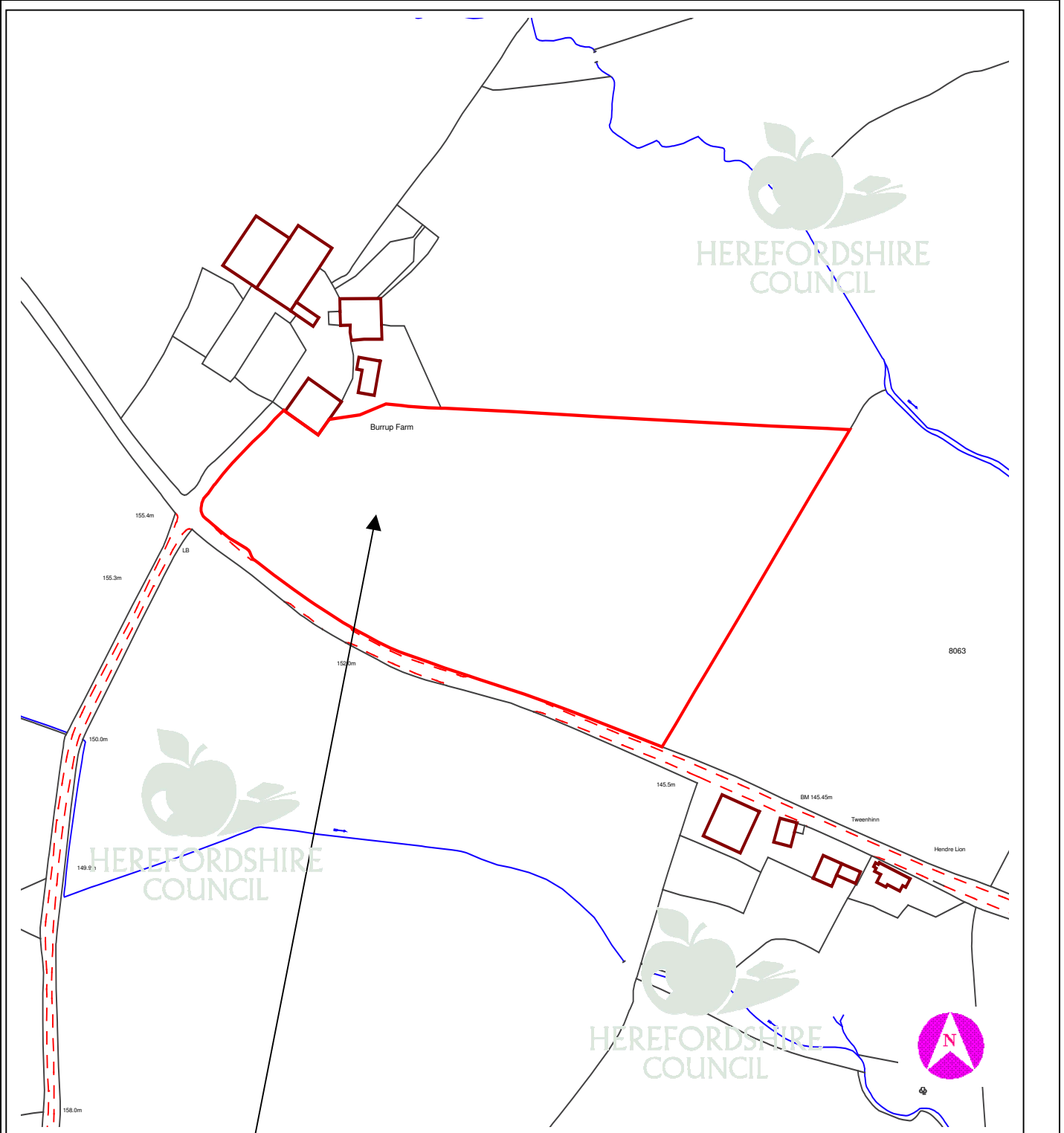
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCSW2006/3069/F

SCALE : 1 : 2500

SITE ADDRESS : Burhope Farm, Orcop, Hereford, Herefordshire, HR2 8EU

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8 DCSW2006/3042/F - ERECTION OF NEW BUILD 3 BEDROOM DWELLING, LAND AT LYNWOOD, KINGSTHORNE, HEREFORDSHIRE, HR2 8AR.

For: Mr. & Mrs. Roberts per RRA Architects, Packers House, 25 West Street, Hereford, HR4 OBX.

Date Received: 20th September, 2006

Ward: Pontrilas Grid Ref: 50417, 31578

Expiry Date: 15th November, 2006

Local Member: Councillor G.W. Davis

1. Site Description and Proposal

- 1.1 The proposal site is on the western side of the unclassified road (u/c 71607) that joins the u/c 71603 road to the north and much further south the A49(T) via the u/c 71606. The site comprises part of the garden area to Lynwood, a modern brick faced house. The site itself is at a lower level than that of Lynwood having been cut into the hillside as has Lynwood and a bungalow to the south of it (Brookhurst). The proposal site has its own gated access which served, it is understood, a builders yard.
- 1.2 The proposal is for a three bedroom house that is orientated north-east to south-west and fronts onto the highway from which access will be gained. It is 8.3 metres in length, 6 metres wide and 7 metres to the ridge. The materials proposed are facing brick and slate.

2. Policies

2.1 Planning Policy Statement

PPS.1 - Delivering Sustainable Development

2.2 Herefordshire Unitary Development Plan (Revised Deposit Draft)

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

2.3 South Herefordshire District Local Plan

Policy GD.1 - General Development Criteria
 Policy C.8 - Development within Areas of Great Landscape Value
 Policy SH.8 - New Housing Development Criteria in Larger Villages

3. Planning History

- 3.1 None identified.

4. Consultation Summary

Statutory Consultations

- 4.1 No statutory or non-statutory consultations required.

Internal Council Advice

- 4.2 Traffic Manager recommends the provision of visibility splays and parking provision for two vehicles on site.

5. Representations

- 5.1 Much Birch Parish Council make the following observations:

“The Parish Council has concerns re:

1. Drainage - existing drainage from Lynwood is already in plot. The application does not state where new soakaways are located or if a bio-disc is to be fed into ditch outside of property.
2. We believe new house should be on lowest level in plot.
3. New house will be intrusive to Brookhurst bungalow, below site.”

- 5.2 Little Birch Parish Council has no objections.

- 5.3 Two letters of objection have been received from:

Mr. & Mrs. M.D. White, Brookhurst, Wrigglebrook Lane, Kingsthorpe, HR2 8AR.
Mr. R.J. Priest, The Birches, Wrigglebrook Lane, Kingsthorpe, HR2 8AW.

The following main points are made:

- reduced light levels, including to a lounge/dining room window
- overshadowing
- aesthetics
- reduction in value of property
- proximity of 12 metres (40 feet) high Tulip tree only 6 metres (20 feet) away from house. Fear of tree collapsing
- drainage.

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 principle of development, the design, means of access, impact on adjoining properties and drainage.
- 6.2 The proposal site was within the settlement boundary for Kingsthorpe, which with regard to Policy SH.8 contained in the South Herefordshire District Local Plan

constituted a larger settlement. The status of the settlement has altered fundamentally with the advent of the Herefordshire Unitary Development Plan, such that residential development now has to satisfy different criteria for an infilling site, i.e. limiting the plot area to 350 sq. metres and the floor area of the dwelling dependent upon whether it is for a 3 or 4 bedroom dwelling. The proposal satisfies the requirements of Policy H.6 in the emerging Unitary Development Plan as regards the principal criteria for new development in smaller settlements. This part of the settlement is characterised by the late twentieth century buildings along Wrigglebrook Lane. The style and form of the proposed development would not detract from this character and would thereby comply with Unitary Development Plan Policies SH.6 and DR.1. The proposed materials, brick and slate, are also appropriate.

- 6.3 The means of access can be improved, particularly when looking southward and downhill from the existing access point. This will entail the removal of hedgerow. A safe access can be provided as required by policies contained in the emerging Unitary Development Plan and South Herefordshire District Local Plan, and as recommended by the Transportation Manager.
- 6.4 The residents of 'Four Winds' and 'Brookhurst' have raised concerns over loss of daylight and sunlight. The proposed house is to the north of Brookhurst and therefore will not overshadow it. The two-storey gable end of the new property will be approximately 14.5m from the rear elevation of Brookhurst and will, therefore, be very noticeable but the impact on daylight levels will be modest at that distance. Any approval, however, should be subject to a condition which removes permitted development rights to install any windows in this gable end in order to preserve the privacy of Brookhurst. The property 'Four Winds' is further away and will be affected much less.
- 6.5 The proximity of the proposed dwelling to the tulip tree is a matter that can be addressed by planning condition in order to ensure in the event that the tree can be kept it is possible to do so, otherwise the tree can be removed in the interests of general public safety.
- 6.6 There is sufficient land available within the site for drainage purposes, therefore a reason for refusal on these grounds could not be substantiated.
- 6.7 The proposal is supported subject to conditions controlling the installation of windows in the south facing gable wall, the extensions/additions to the dwelling as required by Policy SH.6 in the emerging Unitary Development Plan, and a condition controlling works to trees on site.

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. E18 (No new windows in specified elevation)

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

4. E16 (Removal of permitted development rights)

Reason: In order to define the terms to which the application relates in accordance with the provisions of policies in the Unitary Development Plan.

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. 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.

8. H03 (Visibility splays)

Reason: In the interests of highway safety.

9. H05 (Access gates)

Reason: In the interests of highway safety.

10. H12 (Parking and turning - single house)

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

Informative(s):**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. N19 - Avoidance of doubt****6. N15 - Reason(s) for the Grant of Planning Permission**

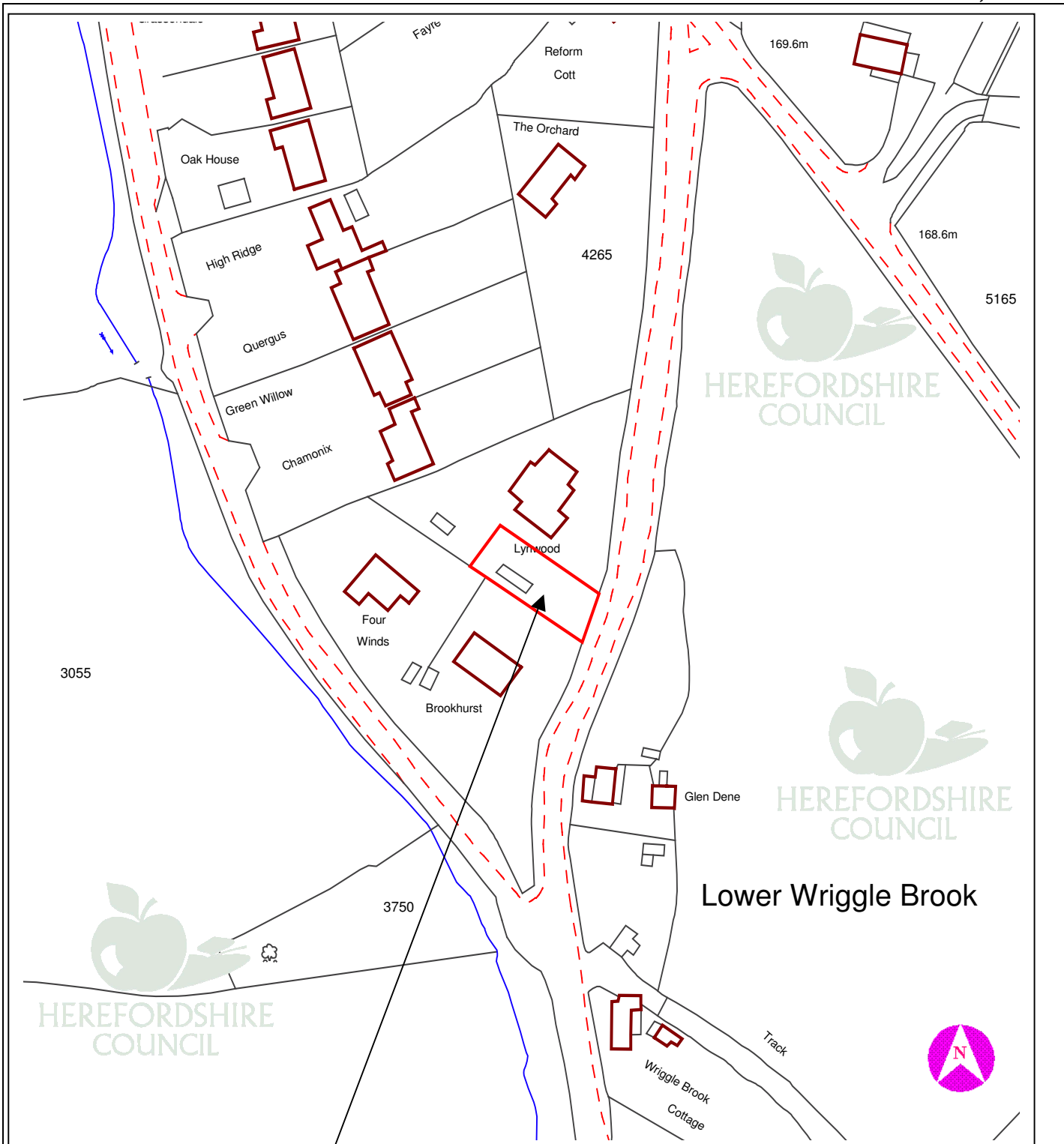
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCSW2006/3042/F

SCALE : 1 : 1250

SITE ADDRESS : Land at Lynwood, Kingsthorne, Herefordshire, HR2 8AR

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9 DCSW2006/3100/F - VARIATION OF CONDITION 7 OF APPROVAL DCSW2006/0255/F TO ALLOW THE USE OF ANY MACHINERY AND EQUIPMENT WITHIN THE BUILDINGS THAT WILL MEET THE ENVIRONMENTAL REQUIREMENTS OF A B1 USE, THE OLD ESTATE YARD, KINGSTHORNE, HEREFORDSHIRE, HR2 8AN.

For: The Duchy of Cornwall per Mr. R.L. Gell, Penderw, Old Radnor, Presteigne, LD8 2RP.

Date Received: 26th September, 2006

Ward: Pontrilas

Grid Ref: 50002, 32147

Expiry Date: 21st November, 2006

Local Member: Councillor G.W. Davis

1. Site Description and Proposal

1.1 The proposal site is reached off the northern side of The Thorn, an unclassified road that leads eastward off the north-south aligned Class III road (C1263), the main thoroughfare at Kingsthorne that in turn joins the A49(T) to the north at the Callow and the same trunk road further south at Much Birch.

1.2 The existing site is served by a loose gravel track that is also a registered public footpath (MB27) and a bridleway. A bungalow (Gilston) is on the western side of the existing access point. This bungalow is in the ownership of the applicant. This ownership has enabled the applicants to widen the access onto The Thorn to enable two vehicles to pass at the access point. The two buildings the subject of the application are 61 metres to the north of the junction. One building is 6.2 metres wide and 18.2 metres long and adjoins the public footpath/bridleway. It has a double Roman clay tiled roof over a horizontally clad single-storey building. Just to the west is the second unit, it is larger in footprint (12.2 x 14.1 metres), it will be re-clad in vertical cladding, red oxide in colour or as agreed. Each unit will be for Class B1 use and has a kitchen, and male/female/disabled wc's and offices of over 4 metres by 3 metres in area. The rest of the space being given over for workshop use. The larger unit, Unit 2, will have its own parking area to the south with its own access onto the unsurfaced track. Unit 1 has an access serving it immediately to the north of it. The northern and western boundaries are proposed to have pig netting fencing together with mixed hedging. A right of way is proposed in the south-western corner of the site to serve the rear of Thorn Cottage.

1.3 The proposal relates to condition no. 7 attached to a planning permission granted by the Southern Area Planning Sub-Committee on 15th March, 2006 which was:

“No machinery shall be used in either industrial unit, only portable hand tools shall be used.

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

2. Policies**2.1 Planning Policy Guidance**

PPS.7 - Sustainable Development in Rural Areas

2.2 Hereford and Worcester County Structure Plan

Policy CTC.2 - Areas of Great Landscape Value
 Policy E.6 - Industrial Development in Rural Areas

2.3 South Herefordshire District Local Plan

Policy GD.1 - General Development Criteria
 Policy C.1 - Development within Open Countryside
 Policy C.8 - Areas of Great Landscape Value
 Policy C.36 - Re-use and Adaptation of Rural Buildings
 Policy ED.3 - Employment Proposals within/adjacent to Settlements
 Policy ED.6 - Employment in the Countryside

2.4 Herefordshire Unitary Development Plan (Revised Deposit Draft)

Policy HBA.12 - Re-use of Rural Buildings
 Policy E.11 - Employment in Smaller Settlements and Open Countryside

3. Planning History

- | | | | | |
|-----|-----------------|--|---|--------------------|
| 3.1 | DCSW2005/2868/F | Conversion of redundant agricultural saw-mill buildings to two B1 workshop units, including junction works | - | Withdrawn 28.10.05 |
| | DCSW2006/0255/F | Conversion of redundant agricultural saw-mill buildings to two B1 workshop units, including junction works | - | Approved 15.03.06 |
| | DCSW2006/2337/F | Variation of condition 7 (DCSW2006/0255/F) to allow use of any machinery and equipment | - | Withdrawn 19.09.06 |

4. Consultation SummaryStatutory Consultations

- 4.1 No statutory or non-statutory consultations required.

Internal Council Advice

- 4.2 The Traffic Manager has no objections.
- 4.3 The Environmental Health and Trading Standards Manager requests a full noise survey, details of machinery and insulation before replying.

4.4 The Public Rights of Way Manager raises no objections.

5. Representations

5.1 The Parish Council supports the application.

5.2 Three letters of representation have been received from:

Mr. G.P. Hotchen, Thorn Villa, Kingsthorpe, HR2 8AN.
Mr. G.B. Philpott, Waterloo House, Kingsthorpe, HR2 8AJ.
Mr. J.M. Lee, Swiss Cottage, Kingsthorpe, HR2 8AW.

in which the following main points are raised:

- concerned about noise and environmental factors
- need noise survey, type of noise and frequency
- very quiet background noise level
- needs sound-proofing
- area was subject to high pitched sound of sawmill, see no reason for concern with B1 use if it eliminates shrill screech of the saw
- traffic issue with widening of access onto The Thorn.

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 relates to noise pollution, and the impact on the amenity of residential properties in the vicinity of the site.

6.2 The proposed use of these two buildings is a Class B1 use, which is a light industrial use. The definition of this use in the Use Classes Order 1987 is a use that can be carried out in a residential area without giving rise to noise, smells, soot, ash and dust. It is a use usually associated with high technology uses, not machinery workshops or mini factories.

6.3 The case advanced by the applicants is that condition 7, attached to planning permission granted on 15th March, 2006 allows for the use of portable hand tools only, but not machinery. It is argued that portable hand tools could be just as noisy as machinery. This is a matter that cannot be resolved as the applicants do not know whom the future tenants will be. The two units will need to be insulated in any case for the benefit of future users and this will provide a means of sound insulation. The background noise level is very low and therefore the onus will be on the applicants to carry out activities that would not give rise to noise pollution and other pollutants such that could be carried out in a residential area. Non-compliant light industrial workshops, i.e. generating excessive noise, have been successfully contested on appeal. It is considered that condition 7 should be removed, given the conditions already in place by the use of the buildings for B1 use only. It is considered that condition 7 is too restrictive, it would not allow, for example, the use of lathes or potter's wheels. The background noise level is very low, noise from traffic is negligible; it will be for the applicants to provide well insulated buildings and operations that do not disturb the amenity of adjoining residents.

6.4 It is considered that given the original condition allows for powered machinery in the form of hand tools, the use of machinery, which together with the use of hand tools, falls into the category of a B1 use can be supported.

RECOMMENDATION

That planning permission be granted subject to the following condition:

- 1. **A10 (Amendment to existing permission)**

Reason: For the avoidance of doubt.

Informative(s):

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

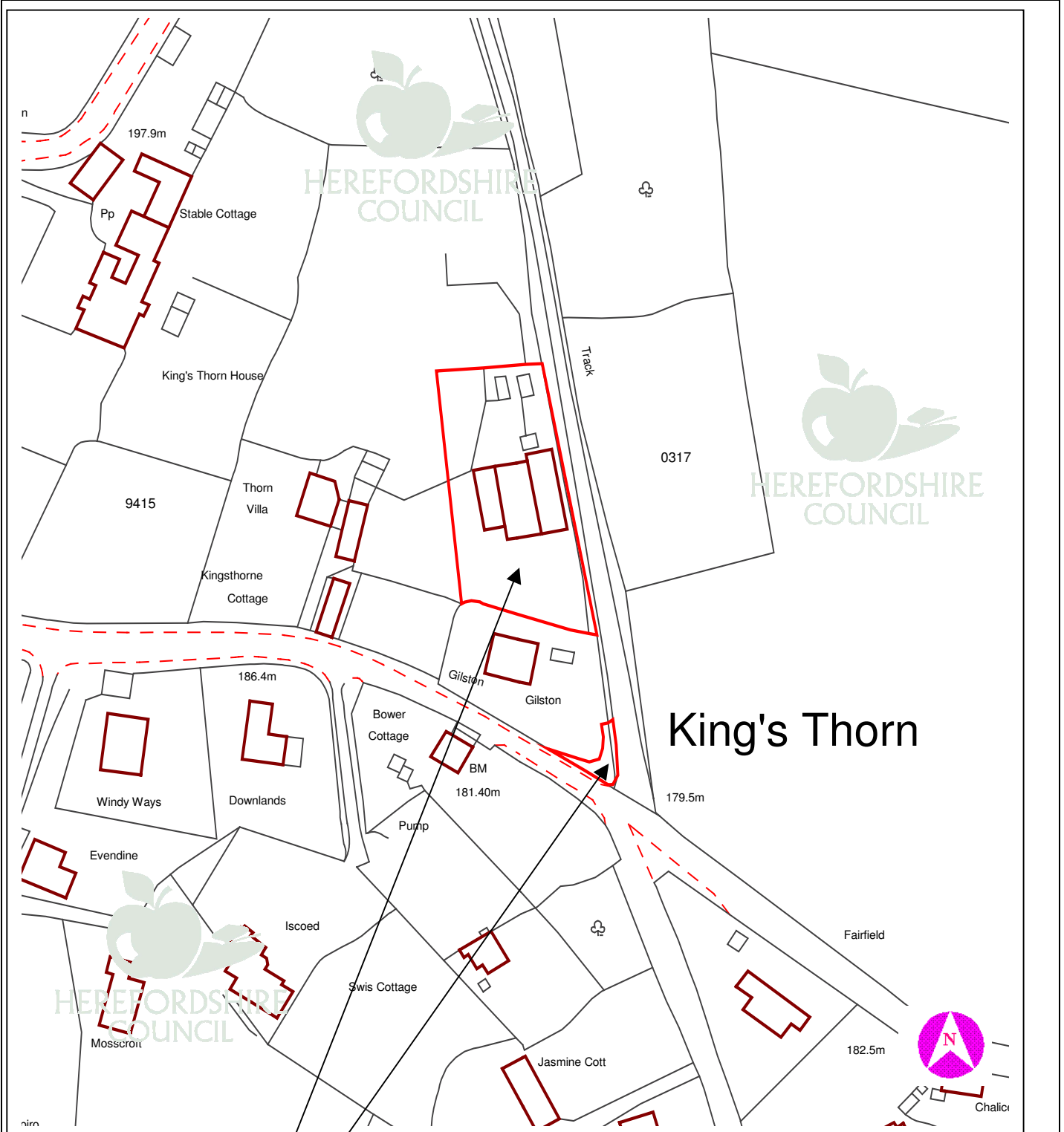
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCSW2006/3100/F

SCALE : 1 : 1250

SITE ADDRESS : The Old Estate Yard, Kingsthorne, Herefordshire, HR2 8AN

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10 DCSE2006/2789/F - PROPOSED TELECOMMUNICATIONS INSTALLATION CONSISTING OF A 22.5M LATTICE TOWER AND ANCILLARY DEVELOPMENT AT QUEENS TUNNEL, SWAGWATER LANE, GORSLEY, ROSS-ON-WYE, HEREFORDSHIRE, HR9 7SL.

For: T Mobile UK per AWA Ltd, Efford Park, Milford Road, Lymington, Hampshire, SO41 0JD.

Date Received: 29th August, 2006 Ward: Old Gore Grid Ref: 67549, 27002
Expiry Date: 24th October, 2006

Local Members: Councillor J.W. Edwards and Councillor H. Bramer

1. Site Description and Proposal

- 1.1 An application for a telecommunications installation on a site in Queens Wood, Gorsley which adjoins the M50 motorway comprising a 22.5 m lattice tower and ancillary development was refused by the Committee in July 2005 and the subsequent appeal was dismissed. Although satisfied that a clear technical need for the installation had been shown and that, with regard to health risks, the proposal would not be likely to cause material harm to people in the neighbourhood, the Inspector concluded that there would be appreciable cumulative harm to the character and appearance of the countryside. The decision letter is included as an appendix to this report.
- 1.2 The current application seeks to address the Inspector's concerns. The mast and compound would be sited within a narrow strip of woodland between the motorway and a clearing in the wood alongside a wide gravel track. The clearing appears to be an area used for turning vehicles. The compound was sited on the edge of the existing vegetation. The current proposal would site the compound further into the woodland and a wider area has been negotiated for landscaping. The fenced compound would be about 5.9 m x 6.4 m and positioned so that the north-western corner was nearest to the clearing. There would be a minimum of 2 m available for planting between fence and clearing.

2. Policies

2.1 Planning Policy Guidance

- | | | |
|------|---|--|
| PPS7 | - | Sustainable Development in Rural Areas |
| PPG8 | - | Telecommunications |

2.2 Herefordshire UDP (Revised Deposit Draft)

- | | | |
|------------|---|--------------------|
| Policy CF3 | - | Telecommunications |
|------------|---|--------------------|

2.3 Hereford and Worcester County Structure Plan

- | | | |
|-------------|---|--|
| Policy CTC1 | - | Area of Outstanding Natural Beauty |
| Policy CTC2 | - | Area of Great Landscape Value |
| Policy CTC6 | - | Development and Significant Landscape Features |

2.4 South Herefordshire District Local Plan

Policy C1	-	Development within Open Countryside
Policy C41	-	Telecommunications Development
Policy C42	-	Criteria to Guide Telecommunication Development

3. Planning History

- 3.1 DCSE2005/0920/F Proposed telecommunications installations - Refused
consisting of a 22.5m lattice tower and ancillary development 6.7.05

4. Consultation Summary

Statutory Consultations

- 4.1 Highways Agency has reviewed the proposal and is content that there is unlikely to be detriment to the safe and free flow of traffic upon the nearby motorway. The Agency does not propose to give a direction restricting the grant of planning permission.

Internal Council Advice

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

The proposed installation would not appear to affect public footpath LTR13 which runs to the north.

5. Representations

- 5.1 The applicant's agent has submitted a detailed planning statement which covers need, visual impact, alternative site search, publicity, policy and health issues. In summary the response to the Inspector's decision and visual impact is as follows:
1. The Planning Inspector's only concern was the view of the cabinets and the base of the tower from the nearby footpaths that cross this woodland.
 2. He considered that alternative sites had been given proper consideration and that the overall visual impact and design of the mast would be acceptable in the context of this landscape.
 3. On the definitive plan, public footpaths still follow a route which is now near impossible to walk, since the construction of the motorway.
 4. The revised application now shows the location of the site marginally moved further east but still between the two defunct footpaths, thus not interfering with their route.
 5. Around the fenced compound there will be extra room for additional planting when matured, which will provide effective screening to the fenced compound and views from the defunct footpaths and the current footpath to the northwest and west, would not be demonstrably affected.

6. The proposed installation will be sited within a group of mature trees of about 16 m to 20 m in height and therefore well screened from view from outside the woodland.
7. These trees will afford some excellent screening of the mast when viewed from all directions including the land to the south. From this direction, any glimpse of the mast will have the backdrop of this woodland behind it.
8. There will be fleeting glimpses by users of M50 motorway as the trees which border close to the motorway will mostly screen it from this perspective. The undulating land around means that the top of the mast will not unduly protrude on the skyline.
9. It is appreciated that the woodland is recognised as a Site of Importance to Nature Conservation. In this instance the location is close to a gravel track which would be used for building and servicing the proposed installation.
10. It is proposed to remove one thin Silver Birch and clear the scrub around it. The development would not affect the taller mature trees on this belt.
11. The Forestry Commission wish to keep the 'turning area' clear to allow their 'logging vehicles' enough space to turn, so re-siting the mast onto the turning area, and further from the trees, is not possible.

5.2 Letters have been received objecting to the proposals for the following reasons:

- (1) there are 5 masts within 5 km. radius of this site; including one at Woodhouse Farm, only 100m or so away,
- (2) there are 4 masts along a 1 mile stretch of M50 in Gorsley plus police CCTV mast at junction 3. This is an area of great natural beauty which is being spoiled by these structures,
- (3) the mast could be much higher than surrounding trees and offensive antennae would show above skyline,
- (4) a wide stretch of land south-east of Queens Tunnel is open and unforested and so the area near the tunnel would be visible from many parts of Gorsley village as far as B4221 at Christchurch - a real blot on very fine landscape and eyesore to local residents and walkers,
- (5) foresters are cutting out mature conifers making it more visible in future, - no guarantee existing tall trees will remain to screen the mast,
- (6) out of character with local area and screening will not stop the mast and compound spoiling the view and harming local residents' amenities,
- (7) potential for individual litigation against any public body involved in approval of this type of application and Lloyds of London has advised its members not to cover risks from mast emissions,
- (8) caselaw is quoted regarding the need to consider alternative sites – this analysis should be carried out by local planning authority,
- (9) can Council guarantee no risks to human health? It is still debatable whether there are risks to people and livestock and in this case 4 masts are already emitting electro-magnetic radiation : would a further mast increase radiation to dangerous levels? Many houses would have a direct view of the mast,
- (10) a second mast (in Forest of Dean) is necessary for this proposal to work and cumulative impact needs to be considered – could be 18 properties with microwaves beamed through them night and day (second mast receives signals from other masts and tower loads them into the BT system). Will make 9 masts in 2.5 m radius of Jays Green motorway junction,

- (11) in US and other European countries there is an exclusion area of minimum 500m - precautionary principle should apply here as well,
- (12) Vodaphone contract expired 2 years ago yet refusing to remove Woodhouse Farm mast despite owners strong wishes,
- (13) 80% coverage is acceptable according to Government advice – surely this has already been met?
- (14) No pre-application consultation with local residents and inadequate planning notices - residents want to be involved in decision making process,
- (15) Why not share existing mast?
- (16) To apply again after appeal dismissed is real affront to original objectors and costly to Council – applicant clearly cares nothing for the beautiful environment

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 appeal Inspector accepted that from the south existing vegetation provided a fairly effective screen, even in November and did not consider the concentration of masts along the line of the motorway to be unusual, with the trees ameliorating any potential cumulative harm to the character of the area. However he found that footpath users would see the whole proposal in full view over a significant length of footpath. "The compound could not be screened efficiently from users of the adjacent footpath system with the current proposal".
- 6.2 The applicant has responded to this decision by reducing the size of the fenced compound, moving it further within the strip of woodland between the gravelled area and motorway and angling it so that the north western corner would be the closest part to the clearing rather than the whole of the north-western side. "Shaving" part of the rectangular compound would ensure that a space of at least 2 m between compound and clearing could be available for planting. In addition there would be a wider area for planting, extending 8 m or more on either side of the compound. A timber feather-boarded fence could be used for the front of the compound rather than chain link fencing. These changes to the scheme would facilitate a significant element of new planting. Whilst this would probably not fully screen the compound at all times of the year it would ensure that it would not be fully open to view but merge into the woodland. The mast itself could not be screened but no significant trees would need to be felled and it would not be unacceptably intrusive viewed from the woodland paths.
- 6.3 The other issues raised in the representations, including effect on health, visual impact from the wider area, alternative sites and need for the installation have been considered by the Inspector. His conclusions that these were not grounds to dismiss the appeal are material consideration relevant to this revised proposal.

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 G04 (Landscaping scheme (general))

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

3 G05 (Implementation of landscaping scheme (general))

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

Informatives:

1 N19 - Avoidance of doubt

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

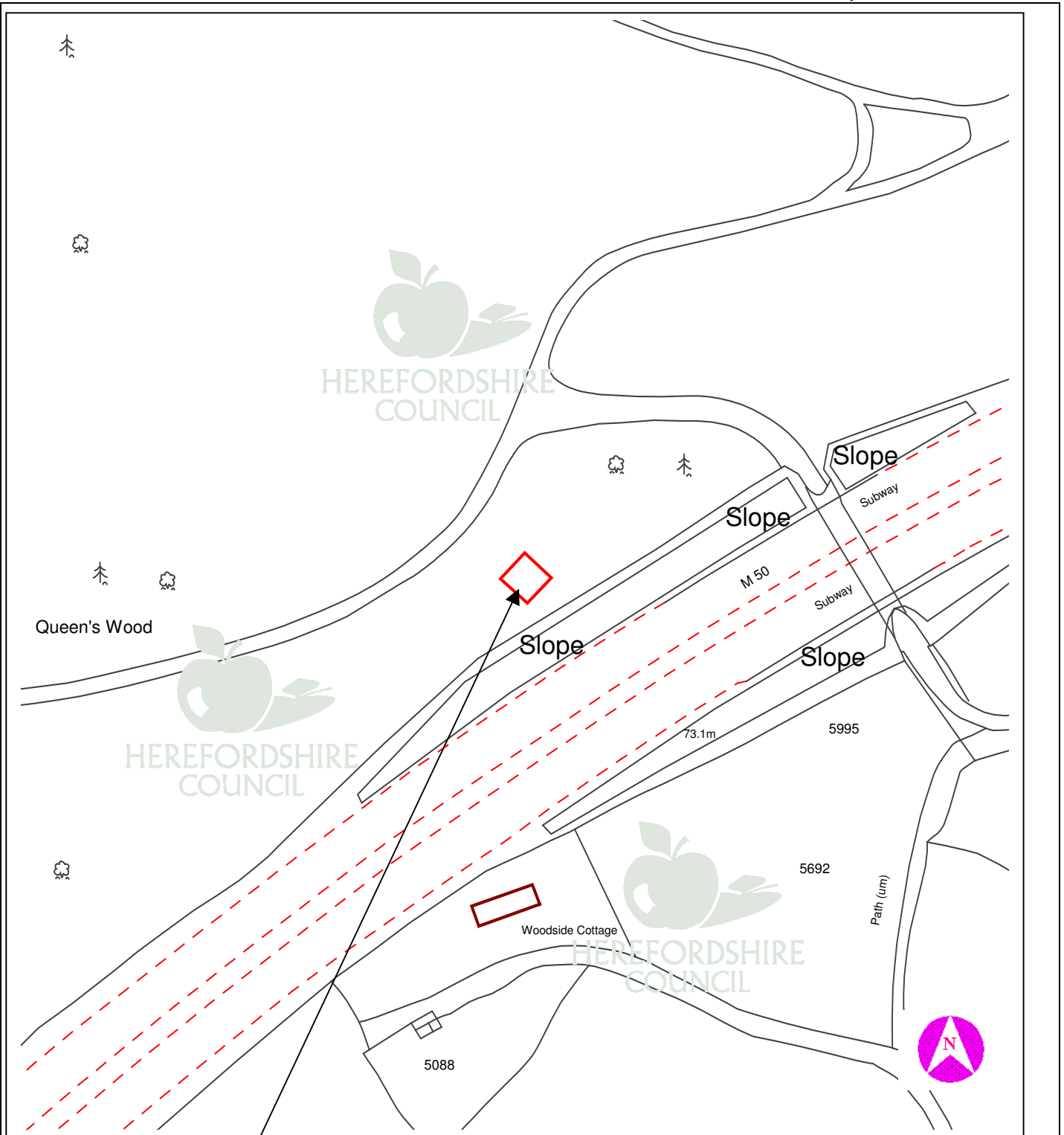
Decision:

Notes:

.....

Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCSE2005/0920/F

SCALE : 1 : 1250

SITE ADDRESS : Queens Tunnel, Swagwater Lane, Gorsley, Ross-on-Wye, Herefordshire, HR9 7SL

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11 DCSE2006/2896/F - CHANGE OF USE OF EXISTING STUDIO/WORKSHOP TO HOLIDAY LET, BRACKEN HILL, WELSH NEWTON COMMON, MONMOUTH, HEREFORDSHIRE, NP25 5RT.

For: Mr. D. Fryer per Mr. B.S. Hapgood, 96 Monnow Street, Monmouth, NP25 3EQ.

Date Received: 6th September, 2006

Ward: Llangarron

Grid Ref: 50975, 17376

Expiry Date: 1st November, 2006

Local Member: Councillor J.A. Hyde

1. Site Description and Proposal

1.1 Bracken Hill is a detached house set in extensive grounds at Welsh Newton Common. To the south of the house there is a single-storey 'U' shaped building which has been used for the past 10 years as a small craft workshop. The building is of blockwork construction, rendered and painted externally with a concrete tile roof. It is now proposed to convert the building into a holiday let.

1.2 The building was originally constructed as stables but the conversion scheme to craft studio included blocking-up the stable doors and insertion of windows. The proposals require therefore very few external changes. Internally a two-bedroom unit would be formed. A small area to the south-east of the building has been landscaped and this would be retained as an amenity space for the holiday let. Vehicular access would be off the existing access to Bracken Hill. An adjoining storage building, used for storing machinery, but also incidental to the residential use, would be reduced in length by about a half. As submitted the proposal included an access across the adjoining field via a stoned track, which would involve crossing a narrow section of common land, and a more extensive amenity area. The proposals have been amended by the deletion of that access and drive from the scheme (the existing access to Bracken Hill will be used) and by a reduction in the site area.

2. Policies

2.1 Planning Policy Statement

PPS.7 - Sustainable Development in Rural Areas

2.2 Herefordshire Unitary Development Plan (Revised Deposit Draft)

Policy HBA.12 - Re-use of Rural Buildings
 Policy RST.1 - Criteria for Recreation, Sport and Tourism Development
 Policy RST.12 - Visitor Accommodation
 Policy S.1 - Sustainable Development
 Policy LA.2 - Landscape Character and Areas Least Resilient to Change

2.3 Hereford and Worcester County Structure Plan

- Policy CTC.2 - Development in Areas of Great Landscape Value
- Policy TSM.1 - Criteria for Tourism Related Development
- Policy TSM.5 - Encouraging the Development of Tourist Accommodation

2.4 South Herefordshire District Local Plan

- Policy C.8 - Development within Area of Great Landscape Value
- Policy C.36 - Re-use and Adaptation of Rural Buildings
- Policy TM.1 - General Tourism Provision
- Policy TM.5 - Proposals for Small Guesthouses, Bed and Breakfast and Self-Catering Accommodation
- Policy GD.1 - General Development Criteria

3. Planning History

- 3.1 SH961153PF Lean-to agricultural building - Approved 19.11.96
- SH971278PF Change of use of stable block to craft studio - Approved 03.12.97
- DCSE2006/1397/F Change of use to residential dwelling unit - Refused 03.07.06

4. Consultation SummaryStatutory Consultations

- 4.1 No statutory or non-statutory consultations required.

Internal Council Advice

- 4.2 Traffic Manager has no objection to the grant of permission.
- 4.3 Conservation Manager notes that the only external alterations involve the insertion of two new casement windows in the south-west elevation. These are not likely to have any demonstrable wider impact. No objection to the grant of permission.
- 4.4 Property Services Manager advises that:

“The proposal itself will, in our opinion, have no impact on the Common, however the access is changing from commercial to domestic access and may cause problems in the future, however it would appear from the plans that I have that there is already a long-standing domestic access to the property as a whole rather than just to the proposed development, in which case that would extend to the barns as well.”

5. Representations

- 5.1 The applicant's agent's design and access statement includes the following:

1. The existing building is a redundant studio/workshop, specialising in top end bone china porcelain figurines. The bone china trade is no longer viable due to cheaper Far Eastern imports.
2. The existing building layout, fittings and appearance will readily allow change of use without significant building works being carried out. It is proposed to remove part of the adjacent redundant steel framed store building, in order to improve both appearance of the site and improve building access.
3. A continued commercial viable use of the building will ensure that the building will be maintained and not fall into a state of disrepair and ultimately become an eyesore.
4. The application site area has been reduced from that of the previous application in order to fall within existing building curtilage and hence avoid change of use of agricultural land.
5. Trafficking to proposed holiday let would be expected to be reduced from that previously experienced as studio use.
6. Proposed re-use of the building will be in compliance with Hereford and Worcester County Structure Plan and Policy HBA.12 of Herefordshire Unitary Development Plan. Re-use of the building is also in compliance with National Planning Policy Statements.

5.2 Parish Council supports this application.

5.3 Two letters have been received objecting to the proposal. They refer to the proposal as originally submitted. Any further representation received in response to the changes to the proposal will be reported at the Committee meeting.

1. object to proposed change of use:

application building is about 2m from boundary with Laurel Cottage and 23m in front of this house which is much closer than any other dwelling (nearest about 55-65m away) - this could not but infringe privacy

2. very little noise used as studio and (it is implied) use as holiday let would be noisier, which would harm bed and breakfast business at Laurel Cottage

3. built about 1990 as stables and not a traditional building, so see no value in it being 'maintained and not being allowed to fall into a state of disrepair'

4. stated in application that last use was January 2005 but it is known that still used for manufacture of porcelain figurines

5. why is new septic tank needed?

6. if permitted, must be ensured that not a stepping stone to domestic dwelling - covenant limits these premises to 'one dwelling place and outbuildings'

7. object to proposed access (i.e. as originally proposed) on grounds of harm to amenity and reduce value of Laurel Cottage, would require a new track (already carried out), would be totally inappropriate as the Common is deeply rutted and no one has given consent for its use

8. object to gradual change of use of field - already accessed off the Common track, a new track dug across it for access and trees planted - effectively a change of use, an encroachment of the countryside. One letter states that no objection if the access to Bracken Hill is used.

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 Government guidance and the Council's adopted and emerging policies encourage the re-use of rural buildings for purposes that benefit the local economy. Such purposes can include self-catering holiday accommodation. Thus Unitary Development Plan Policy RST.12 states that 'outside of identified settlements the provision of permanent serviced or self-catering accommodation for visitors will only be permitted if it consists of the re-use and adaptation of a rural building'. This is subject to a number of criteria including that buildings should be in keeping with their surroundings and capable of conversion without substantial alteration, and that proposals should not have a detrimental impact upon the countryside. In this case the building is not traditional in style but is small and in this location is associated with the domestic curtilage of Bracken Hill. It does not therefore appear out of place. The revised scheme limits the intrusion into the countryside with only a limited curtilage to the south-west, which in part has already been landscaped as a private garden, and with access via the existing drive serving Bracken Hill. The harm to the countryside would not therefore be significant.
- 6.2 The concerns of objectors regarding access over Common land and the disputed status of the track across the adjoining field have been met by the applicant's revisions to the proposal. Planning conditions can be imposed to ensure that the building remains as holiday accommodation. The remaining issue is therefore the effect on the amenities of occupiers of the adjoining house, Laurel Cottage. There are three windows in the north-east elevation facing towards Laurel Cottage. As the application building is single-storey, privacy in the garden of that house could be ensured by a tall hedge or fence. The house itself is about 35m away which is sufficient distance to ensure that there would be no undue loss of privacy or excessive noise and disturbance.

RECOMMENDATION

That subject to no further objections raising additional material planning considerations by the end of the consultation period, the officers named in the Scheme of Delegation to Officers be authorised to approved the application subject to the following conditions and any further 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. E31 (Use as holiday accommodation)

Reason: The local planning authority are not prepared to allow the introduction of a separate unit of residential accommodation.

3. RB1 (No Permitted Development)

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

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. G01 (Details of boundary treatments)

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

7. H14 (Turning and parking: change of use - domestic)

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

Informative(s):

1. N19 - Avoidance of doubt

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

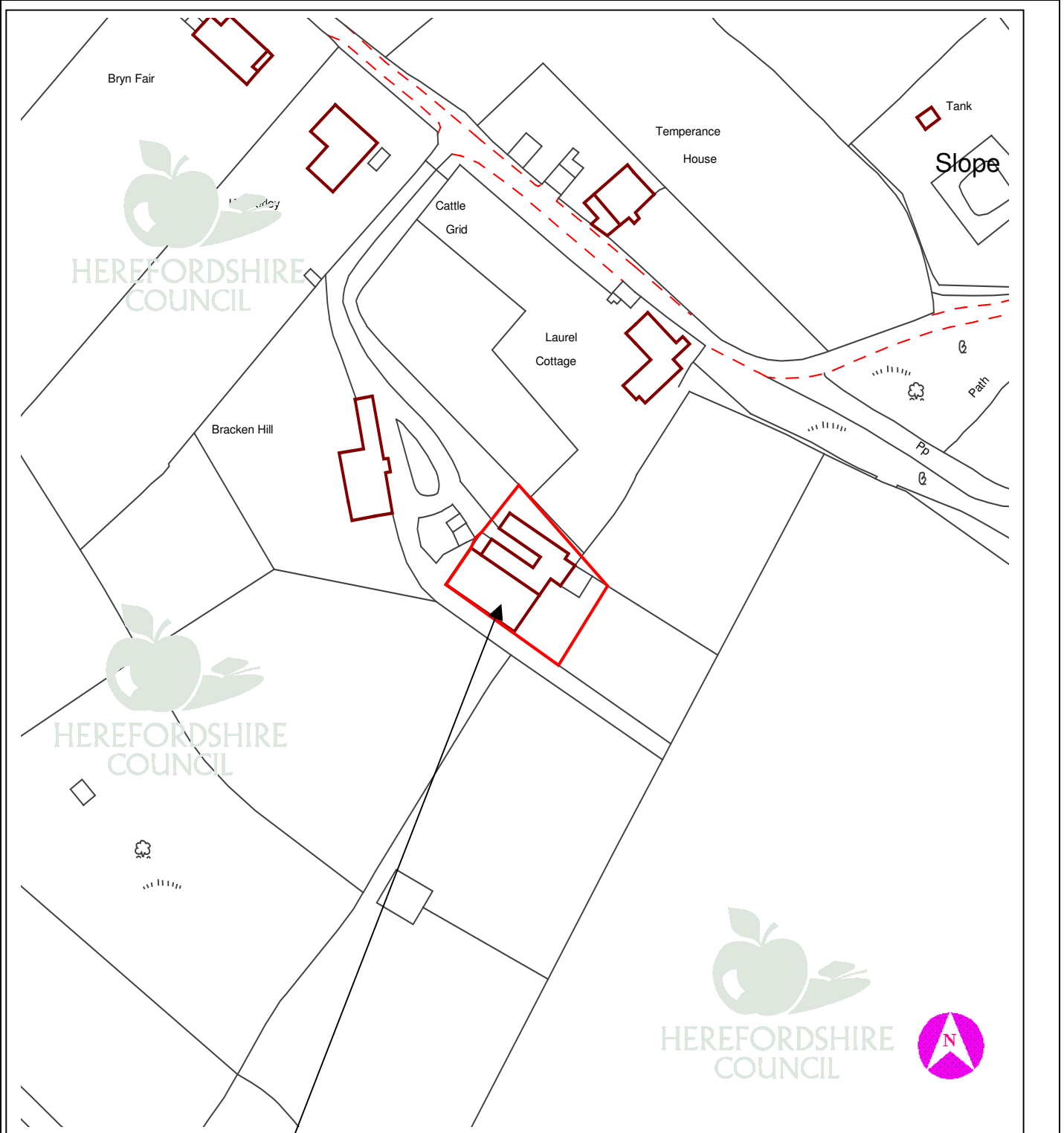
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCSE2006/2896/F

SCALE : 1 : 1250

SITE ADDRESS : Bracken Hill, Welsh Newton Common, Monmouth, Herefordshire, NP25 5RT

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12 DCSE2006/3510/F - CONVERSION TO 2 NO. APARTMENTS IN CONNECTION WITH ROSSWYN SITE REDEVELOPMENT AND CAR PARKING AND TURNING FACILITIES, 6 OLD GLOUCESTER ROAD, ROSS-ON-WYE, HEREFORDSHIRE, HR9 5BU.

For: Mrs. R. Livesey per Kendricks, P.O.Box 69, Ross on Wye, Herefordshire, HR9 7WG.

Date Received: 3rd November, 2006 Ward: Ross-on-Wye East Grid Ref: 59998, 24041

Expiry Date: 29th December, 2006

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

1. Site Description and Proposal

- 1.1 The premises to which this application relates is a 3-storey end of terrace house and rear garden on the north side of Old Gloucester Road. To the east is a vehicle parking area formerly used by Rail Mail in association with the nearby sorting office (now Wetherspoons). The adjoining building comprises two flats, occupied as elderly persons' accommodation.
- 1.2 It is proposed to erect a first floor extension above part of the existing 'L'-shaped single-storey extension. This would be set in from the western boundary by about 1.6 m. It would be about 3.7 m long and extend across the remaining width of the property with a double gabled slate roof. The resulting building would be divided into two flats: the original 3-storey front part forming a 3 bedroom unit; the modern rear extensions a 2 bedroom unit. Three parking spaces would be formed in the rear garden with access from the adjoining parking area which is now owned by the applicant.

2. Policies

2.1 Planning Policy Guidance

PPG15 - Planning and the Historic Environment

2.2 Herefordshire Unitary Development Plan (Deposit Draft)

Policy H1	-	Hereford and the Market Towns: Settlement Boundaries and Established Residential Areas
Policy H13	-	Sustainable Residential Design
Policy H14	-	Re-using Previously Developed Land and Buildings
Policy H16	-	Car Parking
Policy H17	-	Sub-Division of Existing Housing
Policy TCR1	-	Central Shopping and Commercial Areas
Policy HBA6	-	New Development within Conservation Areas
Policy LA1	-	Areas of Outstanding Natural Beauty

2.3 Hereford and Worcester County Structure Plan

- Policy CTC1 - Area of Outstanding Natural Beauty
- Policy CTC9 - Development Criteria
- Policy CTC18 - Use of Urban Areas for Development

2.4 South Herefordshire District Local Plan

- Policy SH5 - Housing Land in Ross on Wye
- Policy SH14 - Siting and Design of Buildings
- Policy C8 - Development Within Area of Great Landscape Value
- Policy C23 - New Development affecting Conservation Areas
- Policy GD1 - General Development Criteria
- Policy T1A - Environmental Sustainability and Transport
- Policy T3 - Highway Safety Requirements

Part 3

- Policy 1 - Housing Land in Ross on Wye
- Policy 5 - Housing in Built-up Areas

3. Planning History

- 3.1 DCSE2006/2740/F Conversion to 2 apartments (revised - Withdrawn 23.10.06 scheme)

4. Consultation Summary

Statutory Consultations

- 4.1 Welsh Water's advice is awaited.

Internal Council Advice

- 4.2 The Traffic Manager's advice is yet to be received.

5. Representations

- 5.1 The agent has submitted a design and access statement which, in summary, is as follows:

- (1) The existing dwelling is to be redeveloped as part of the general proposal for the redevelopment of the former Rosswyn Hotel site which suffered from a disastrous fire two years ago.
- (2) It has been used for a variety of multi-occupational residential uses for a considerable period of time.
- (3) The current scheme has been modified, most importantly from a potential loss of light point of view, to satisfy the observations made by those most affected by the current proposal.
- (4) There is adequate access and car parking arrangements and amenity space in association with the development.

- (5) The proposed conversion is of a traditional design and will be undertaken and coloured in sympathetic materials.
- (6) Planning permission has recently been granted by the Herefordshire Council for the conversion of The Rosswyn Hotel into 6 no. apartments and the owner's accommodation to 2 no. apartments.
- (7) Welsh Water are not opposed to a trade-off as part of the redevelopment scheme, bearing in mind higher previous usages in relation to foul sewage, at the time of the Hotel's functioning.

5.2 Two letters have been received from the adjoining occupiers and the Trustees of these almshouses. Their concerns are:

- (i) will compromise privacy and affect daylight in the two flats
- (ii) traffic using the car park and associated noise will constitute a nuisance
- (iii) the restriction of light would cause great difficulty to one resident who is partially sighted

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 western end of Old Gloucester Road, which includes no. 6, is primarily residential in character. Consequently although within the Central Shopping and Commercial Area identified in the Unitary Development Plan (Revised Deposit Draft), residential development is appropriate. The extension would not be large in relation to the existing building and by replacing most of the existing flat roofed extension with ridge roofs would make a small, positive contribution to enhancing the character of Ross on Wye Conservation Area. The main issue therefore is the effect on the amenities of neighbours and whether the development can be drained acceptably.
- 6.2 The two flats within 2 Old Gloucester Road have windows in the rear elevation the centres of which are about 2 m from the boundary with the application site. That on the first floor is a glazed door lighting the living room; that on the ground floor a bedroom window but an external staircase attached to the rear of the building already restricts light to this room. A section of 2 Old Gloucester Road projects to the rear of these windows and the residents' concern is that a further extension projecting to the east would result in a significant loss of light.
- 6.3 The rear wall of no. 2 projects to the rear of the existing rear wall (at first floor level) of the application building. Consequently the proposed extension would project only about 2 m beyond the former. Together with the proposed extension being set away from the boundary this would ensure that it would not cut across the view of an occupier looking out of the window (normally taken to be an arc of 45° on either side of the centre of the window). Furthermore this would also ensure that the loss of daylight and sunlight (for a short period in the morning) would be minimised. The intention to render and paint the extension white to match the main building would also help. Consequently the proposal would not be overbearing or reduce light to such an extent that would justify refusing planning permission.

6.4 The car parking spaces would be at the far end of the garden and away from the common boundary with no 2. The access and drive would be to the east side of the application property. I do not consider therefore that there would be serious harm resulting from vehicle movements and associated activities.

6.5 In general Welsh Water do not object to extension to dwellings but in this case the extension would facilitate an additional dwelling. Pre-application consultation has indicated that as part of a wider scheme to convert the nearby Rosswyn Hotel to shops and flats the Water Authority would not object. No confirmation of this has been received at the time this report was written.

RECOMMENDATION

That subject to being satisfied that the proposed dwellings can be drained acceptably 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 B02 (Matching external materials (extension))

Reason: To ensure the external materials harmonise with the existing building.

INFORMATIVES:

1 N19 - Avoidance of doubt

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

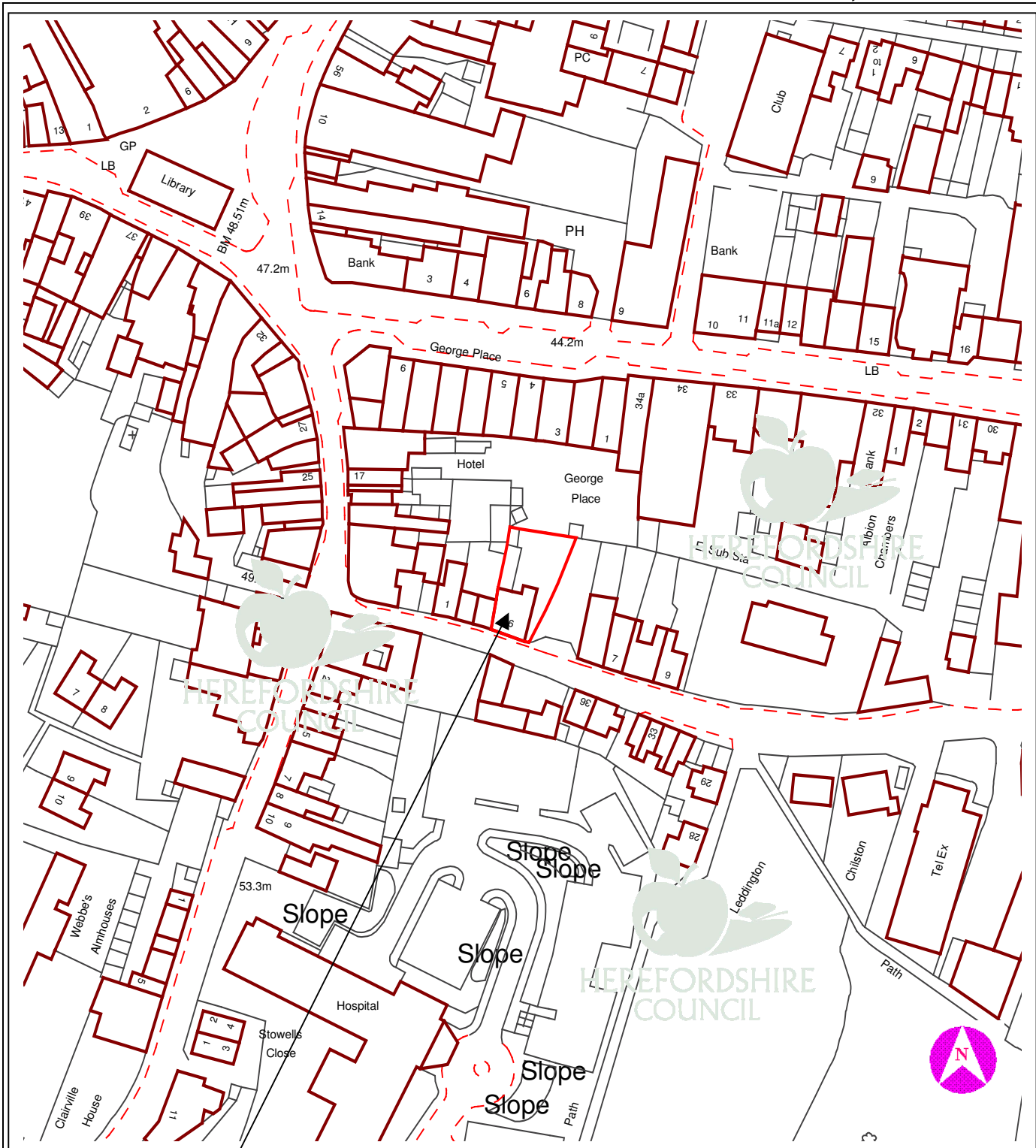
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCSE2006/3510/F

SCALE : 1 : 1250

SITE ADDRESS : 6 Old Gloucester Road, Ross-on-Wye, Herefordshire, HR9 5BU

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13A DCSE2006/3076/F - PROPOSED ORANGERY ANNEX TO DWELLING, ALTERATIONS AND RENOVATIONS TO DWELLING, RENOVATIONS OF GATEHOUSE, RESTORATION OF BOUNDARY WALLS AND STRUCTURE. NEW SWIMMING POOL.

13B DCSE2006/3077/L - PROPOSED ORANGERY ANNEX TO DWELLING, ALTERATIONS AND RENOVATIONS TO DWELLING, RENOVATIONS OF GATEHOUSE, RESTORATION OF BOUNDARY WALLS AND STRUCTURE. NEW SWIMMING POOL.

AT STONE HOUSE, WOOLHOPE, HEREFORDSHIRE, HR1 4QR.

For: Mr. & Mrs. Dixon per RRA Architects, Packers House, 25 West Street, Hereford, HR4 OBX.

Date Received: 22nd September, 2006 Ward: Old Gore 61231, 35604

Expiry Date: 17th November, 2006

Local Member: Councillor J.W. Edwards

1. Site Description and Proposal

1.1 Stone House is an imposing Grade II Listed building on the opposite side of the village green. The Stone Barn, a Grade II Listed building is to the east. The site is located in the Woolhope Conservation Area, and within the Wye Valley Area of Outstanding Natural Beauty.

1.2 This application proposes the following:

- Replacement of a lean-to conservatory which is at rear of Stone House with orangery;
- Flat roofed portico;
- Replacement of lych gate with wrought iron gates;
- Renovation and extension of gate house to provide living accommodation;

2. Policies

2.1 Planning Policy Statements and Guidance

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|-------|---|---|
| PPS1 | - | Delivering Sustainable Development; and |
| PPG15 | - | Planning and the Historic Environment. |

2.1 Herefordshire Unitary Development Plan (Revised Deposit Draft)

Policy S2	-	Development Requirements
Policy S7	-	Natural and Historic Heritage
Policy DR1	-	Design
Policy H18	-	Alterations and Extensions
Policy LA1	-	Area of Outstanding Natural Beauty
Policy LA2	-	Landscape Character and Areas Least Resilient to Change
Policy HBA1	-	Alterations and Extensions to Listed buildings
Policy HBA6	-	New Development within Conservation Areas
Policy HBA12	-	Re-use of Rural Buildings
Policy HBA13	-	Re-use of Rural Buildings for Residential Use

2.2 Malvern Hills District Local Plan

Conservation Policy 2	-	New Development in Conservation Areas
Conservation Policy 9	-	Alterations and Extensions to Listed buildings
Conservation Policy 12	-	Residential Conversion of Agricultural and other Rural Buildings
Landscape Policy 2	-	Development within Areas of Outstanding Natural Beauty
Landscape Policy 3	-	Development within Areas of Great Landscape Value

2.3 Hereford and Worcester County Structure Plan

Policy H16A	-	Housing in Rural Areas Development Criteria
Policy H18	-	Residential Development in Rural Settlements
Policy CTC1	-	Development in Areas of Outstanding Natural Beauty
Policy CTC2	-	Development in Areas of Great Landscape Value
Policy CTC9	-	Development Criteria.

3. Planning History

3.1 None.

4. Consultation SummaryStatutory 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 in principle.

5. Representations

5.1 A Design and Access Statement has been submitted with this application:

- The property has been adapted in the past and has had the classical entrance canopy on the north elevation replaced by a lean-to roof supported by 2 rusticated rubble stone piers;

- The lean-to roof will be replaced with a traditional portico with leaded flat roof;
- The gated entrance has been fashioned to form a lych gate and is alien;
- The lych gate will be replaced by iron gates; and
- The conservatory on the rear of the building will be replaced by an orangery.

5.2 Letter of objection from Mr. and Mrs. A.W. Gunn, The Stone Barn, Woolhope:

- Concerned with the height and depth of the garage; and
- The extension to the gatehouse will look into our garden.

5.3 Woolhope PC were concerned that the height of the proposed building could affect the neighbours as stated in the letter from Mr and Mrs Gunn. Although aware that the lych gate is a later addition to the property it has been there for more than 40 years and concern was expressed regarding its removal. Councillors felt that it would be a great shame to see the feature lost, and several parishioners have also expressed similar concerns. Councillors also felt that it would not be an improvement to see wrought iron gates in place of the lych gate. They also consider that the existing porch over the front door to this Listed property should remain the same.

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 Stone House is an imposing Listed building that is located in the centre of Woolhope, opposite the village green.

6.2 In dealing with applications for alteration and extensions to Listed buildings, it is a statutory requirement to have special regard to the desirability of preserving building its setting or features of special architectural or historic interest that it possesses. The Stone House has been altered and extended with a lean-to conservatory extension to the rear, and lean-to porch on the front. These additions have had a detrimental and damaging affect on the architectural/historic character of this Listed building. The existing front porch is unsympathetic in terms of its size, style and use of materials. The replacement front porch will have a classical Tuscan Order portico supported by stone columns. The scale and detailing of the portico is considered acceptable to the character of the original building. The conservatory addition that is at the rear of the building is also considered harmful to the historic form of this Listed building. The replacement orangery will be bigger than the existing conservatory. Following negotiation the detailing of the orangery is considered acceptable. It is not considered the orangery will harm the character and setting of the Listed building.

6.3 The lych gate, which is at the front of the building, is not an original structure. There is evidence of within the flanking brick piers of stone copings and formal gates, there are hinge locations. The gates and the stone copings are considered more appropriate to the setting of this Listed building, and there is no objection to this aspect of the proposal.

6.4 The gatehouse building is in poor condition and will require substantial work to bring it into alternative use. The application proposes a first floor. The building has been designed so as not cause overlooking of the neighbours garden. There are no windows in the elevation facing Stone Barn. The wall that runs along the boundary

gives protection to the residential amenity of the neighbour from overlooking that may arise.

- 6.5 The site is located in an attractive part of the Woolhope Conservation Area where there is a statutory requirement for development to either enhance or preserve the character and appearance of the area. The removal of the lych gate, which is non-original, and of little intrinsic value to the area will not be detrimental to the character of this part of the conservation area.

RECOMMENDATION

In respect of DCSE2006/3076/F:

That planning permission be granted subject to the following conditions:

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

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

2 B01 (Samples of external materials)

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

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

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

4 C02 (Approval of details)

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

5 E16 (Removal of permitted development rights)

Reason: [Special Reason].

6 E17 (No windows in side elevation of extension)

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

7 H05 (Access gates)

Reason: In the interests of highway safety.

Informatives:

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

2 N19 - Avoidance of doubt

Decision:

Notes:

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In respect of DCSE2006/3077/L:

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

- 1. C.01 (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 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.

- 3 C02 (Approval of details)

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

Informatives

- 1. N15 - Reason(s) for the Grant of Listed Building Consent
- 2. N19 - Avoidance of doubt

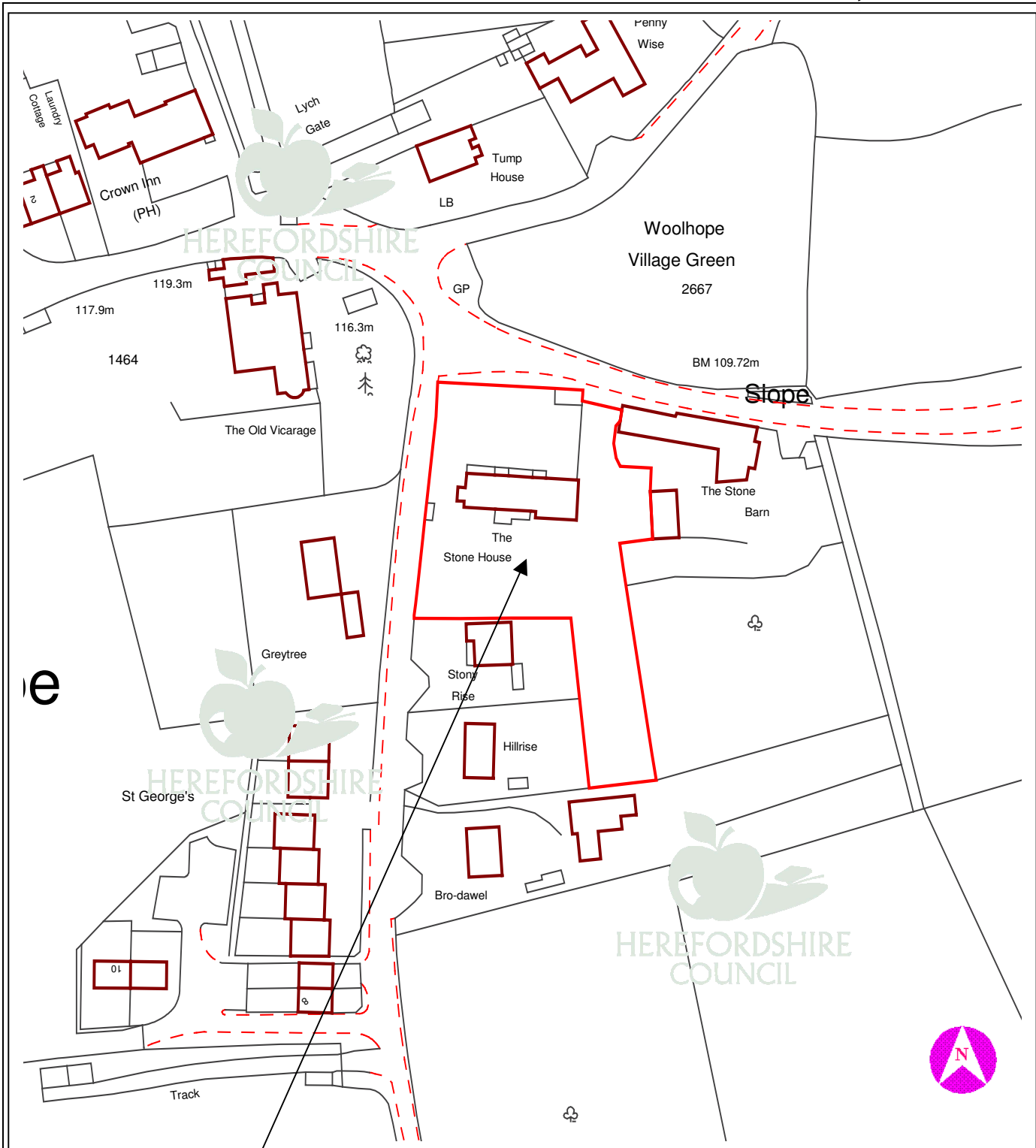
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCSE2006/3077/L

SCALE : 1 : 1250

SITE ADDRESS : Stone House, Woolhope, Herefordshire, HR1 4QR

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