

A G E N D A

Southern Area Planning Sub- Committee

Date: **Wednesday, 24th January, 2007**

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:

*Ricky Clarke, Members' Services,
Tel: 01432 261885 Fax: 01432 260286*

e-mail: rclarke@herefordshire.gov.uk

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 - 10
To approve and sign the Minutes of the meeting held on 20th December, 2006.	
4. ITEM FOR INFORMATION - APPEALS	11 - 16
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.	
Application 5 is an application that was deferred at the previous meeting and applications 6 to 12 are new applications.	
5. DCSE2006/3487/F & DCSE2006/3489/L - WARRYFIELD FARM, WALFORD, ROSS-ON-WYE, HEREFORDSHIRE, HR9 5QW.	17 - 22
Refurbishment of farmhouse, granary and barns to make 4 dwellings and new access and new sewage treatment plant.	

6.	DCSE2006/3637/F - 1 BROAD STREET & 43 NEW STREET, ROSS-ON-WYE, HEREFORDSHIRE, HR9 7DZ.	23 - 28
	Eight dwelling units, land and buildings.	
7.	DCSE2006/3883/F - WEST RIDGE, ASHFIELD PARK ROAD, ROSS-ON-WYE, HEREFORDSHIRE.	29 - 34
	Single storey extension to the rear of existing flats to create an additional 2 no. 2 bedroomed flats with 4 no. car parking spaces.	
8.	DCSW2006/3829/F - HAREWOOD PARK, HAREWOOD END, HEREFORDSHIRE, HR2 8JS.	35 - 42
	Erection of replacement dwelling, garaging and associated landscaping.	
9.	DCSW2006/3430/O - HEREFORD WALDORF SCHOOL, MUCH DEWCHURCH, HEREFORDSHIRE, HR2 8DL.	43 - 60
	Site for new school buildings and new access to extend school facilities.	
10.	DCSE2006/3912/F - CATS NURSERY SCHOOL, LEYS HILL, WALFORD, ROSS-ON-WYE, HEREFORDSHIRE.	61 - 82
	Nine timber lodges, tourist reception building and covered extension to fitness suite.	
11.	DCSE2006/3956/F - BARNs AT LIMEGROVE, PENGETHLEY, HEREFORDSHIRE, HR9 6LL.	83 - 90
	Conversion of redundant barns into two residential units, barns.	
12.	DCSE2006/3633/F - A3 / A5, BP NORTHBOUND ROSS SPUR, ROSS-ON-WYE, HEREFORDSHIRE, HR9 7QQ.	91 - 104
	Erection of retail warehousing and a replacement roadside restaurant.	

The Public's Rights to Information and Attendance at Meetings

YOU HAVE A RIGHT TO: -

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

Please Note:

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

The meeting venue is accessible for visitors in wheelchairs.

A public telephone is available in the reception area.

Public Transport Links

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

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



Where possible this agenda is printed on paper made from 100% Post-Consumer waste. De-inked without bleaching and free from optical brightening agents (OBA). Awarded the Nordic Swan for low emissions during production and the Blue Angel environmental label.

COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL

BROCKINGTON, 35 HAFOD ROAD, HEREFORD.

FIRE AND EMERGENCY EVACUATION PROCEDURE

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

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

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

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

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

COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL

MINUTES of the meeting of Southern Area Planning Sub-Committee held at : The Council Chamber, Brockington, 35 Hafod Road, Hereford on Wednesday, 20th December, 2006 at 2.00 p.m.

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

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

In attendance: Councillors P.J. Edwards and T.W. Hunt

83. APOLOGIES FOR ABSENCE

Apologies were received from Councillors M.R. Cunningham, N.J. Davis, and P.G. Turpin.

84. DECLARATIONS OF INTEREST

The following declarations of interest were made:

Councillor	Item	Interest
Councillors H. Bramer and J.B. Williams	DCSW2006/3486/F – Archenfield, Madley, Herefordshire, HR2 9NS Housing redevelopment to replace 26 post war concrete frame public sector houses with 27 new houses constructed from timber frames clad in brick, with associated new roadworks and modifications to existing pedestrian paths.	Both members declared a personal interest in the item.

85. MINUTES

RESOLVED: That the Minutes of the meeting held on 29th November 2006 be approved as a correct record and signed by the Chairman.

86. ITEM FOR INFORMATION - APPEALS

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

87. DCSE2006/2789/F - QUEENS TUNNEL, SWAGWATER LANE, GORSLEY, ROSS-ON-WYE, HEREFORDSHIRE

Proposed telecommunications installation consisting of a 22.5m lattice tower and ancillary development.

The Principal Planning Officer advised members that a response from the applicant regarding the use of a tree mast instead of a lattice mast was included as an appendix to the report.

Councillor J.W. Edwards, the Local Ward Member, felt that a tree mast would still be more suitable than a lattice mast.

In response to a number of points raised by members, the Southern Team Leader advised the Sub-Committee that the only concerns raised by the inspector were in respect of the compound, the Inspector had no objections to a mast being sited at the location. He confirmed that the tree mast would resemble a Cyprus tree and would be two metres higher than a standard lattice mast and would also require a larger compound.

Members discussed the merits of a tree mast but on balance felt that the smaller lattice mast would be more suitable.

RESOLVED

That planning permission be granted subject to the following conditions:

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

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

2 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

88. DCSE2006/3267/F - PENNOXSTONE COURT, KINGS CAPLE, HEREFORDSHIRE,

Erection of (Spanish) polytunnels to be rotated around fields as required by crops under cultivation.

The Southern Team Leader advised members that the application had been withdrawn at the applicant's request.

89. DCSE2006/3181/F - PRIMROSE COTTAGE, UPTON BISHOP, NR. ROSS-ON-WYE, HEREFORDSHIRE, HR9 7QP.

Proposed two-storey extension.

The Senior Planning Officer reported the receipt of further correspondence from Mr. Rogers, a neighbouring resident, who felt that he could not object to the application on planning grounds.

Councillor J.W. Edwards, the Local Ward Member, noted that the Parish Council had

not objected to the application and felt that it should be approved.

RESOLVED

That planning permission be granted subject to the following conditions:

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

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

2 A09 (Amended plans)

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

Informatives:

1 N19 - Avoidance of doubt

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

90. DCSE2006/3551/O - GREENWAY COTTAGE, GLEWSTONE, ROSS-ON-WYE, HEREFORDSHIRE, HR9 6AT.

Two-storey extension and single-storey extension at first floor level to existing cottage. Amendments of previously approved application DCSE2006/0269/F (retrospective application)

The Senior Planning Officer reported the receipt of comments from Marstow Parish Council.

RESOLVED

That planning permission be granted subject to the following conditions:

1 Within 2 months of the date of this permission the windows in the north elevation to the bathroom, en-suite bathroom and utility room shall be obscure glazed and non-opening and thereafter maintained.

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

informatives:

1 N19 - Avoidance of doubt

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

91. DCSW2006/3297/F - HAREWOOD COTTAGE, HAREWOOD END, HEREFORD, HEREFORDSHIRE, HR2 8JT.

First floor extension.

In accordance with the criteria for Public Speaking, Mr. Meek, a neighbouring

resident, spoke in objection to the application.

Councillor G.W. Davis, the Local Ward Member, sympathised with Mr. Meek, but felt that his concerns regarding drainage should be referred to the Environmental Health department and could not be resolved through a planning condition.

The Southern Team Leader advised Members that although drainage was a building control issue, granting the application would not add significantly to the existing problem.

Members discussed the application and felt that an informative note should be added to the recommendation in order to highlight the drainage issues raised by the objector. Members also felt that the Environmental Health department should be contacted regarding the issue.

RESOLVED

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.

Informative(s):

1 N19 - Avoidance of doubt

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

92. DCSW2006/3486/F - ARCHENFIELD, MADLEY, HEREFORDSHIRE, HR2 9NS.

Housing redevelopment to replace 26 post war concrete frame public sector houses with 27 new houses constructed from timber frames clad in brick, with associated new roadworks and modifications to existing private pedestrian paths.

The Principal Planning Officer reported the receipt of further comments from Madley Parish Council, he also reported the receipt of further correspondence from a local resident regarding security lighting. He advised the sub-committee that the traffic managers concerns had been addressed in the revised plan and that the recommendation could be amended accordingly.

Councillor D.C. Taylor, the Local Ward Member, noted that the application had been reduced from 30 to 27 dwellings. He felt that a condition regarding security lighting would be beneficial and also requested that the applicant be required to resurface Clay Pits Lane as part of the Section 106 agreement.

The Development Control Manager advised Members that Clay Pits Lane fell outside the application site and would therefore not be resurfaced as part of the application. He also confirmed that lighting had been addressed under informative 1.

RESOLVED

That: 1. The Legal Practice Manager be authorised to complete a planning obligation agreement under Section 106 of the Town and Country Planning Act to ensure:

(a) provision of affordable housing.

2. Upon completion of the aforementioned planning obligation, the officers names in the Scheme of Delegation to Officers be authorised to issue planning permission subject to the following conditions:

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

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

2. B01 (Samples of external materials)

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

3. G01 (Details of boundary treatments)

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

4. G04 (Landscaping scheme (general))

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

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

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

6. H11 (Parking - estate development (more than one house))

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

7. H18 (On site roads - submission of details)

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

8. H19 (On site roads - phasing)

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

9. G31 (Details of play equipment)

Reason: To ensure the play area is suitably equipped.

Informative(s):

1. HN08 - Section 38 Agreement details

2. N19 - Avoidance of doubt

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

**93. DCSE2006/3315/O - BRYANTS COURT, GOODRICH, ROSS-ON-WYE,
HEREFORD, HR9 6JA.**

Agricultural worker's dwelling and single garage.

The Principal Planning Officer reported the receipt of comments from the Conservation Manager who was satisfied that the application would not have an adverse effect on the area.

In accordance with the criteria for Public Speaking, Mr. Harbord, the applicant, spoke in support of the application.

Councillor J.G. Jarvis, the Local Ward Member, felt that a two-storey house would be more suitable than a bungalow as the overall footprint would be reduced considerably.

RESOLVED

That planning permission be granted subject to the following conditions:

- 1 A02 (Time limit for submission of reserved matters (outline permission))**
Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990.
- 2 A03 (Time limit for commencement (outline permission))**
Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990.
- 3 A04 (Approval of reserved matters)**
Reason: To enable the local planning authority to exercise proper control over these aspects of the development.
- 4 A05 (Plans and particulars of reserved matters)**
Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990.
- 5 E28 (Agricultural occupancy)**
Reason: It would be contrary to Development Plan policies to grant planning permission for a dwelling in this location except to meet the expressed case of agricultural need.
- 6 H12 (Parking and turning - single house)**
Reason: In the interests of highway safety and to ensure the free flow of traffic using the adjoining highway.

Informatives:

- 1 N19 - Avoidance of doubt**

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

94. DCSE2006/3238/O - STEPPE HOUSE FARM, PENCRAIG, ROSS-ON-WYE,
HEREFORDSHIRE, HR9 6HR.

Proposed agricultural dwelling with garden.

In accordance with the criteria for Public Speaking, Mr. Goldsworthy, the Applicant's Agent, spoke in support of the application.

Councillor Mrs. J.A. Hyde, the Local Ward Member, felt that the application had a number of similarities to the previous agenda item, also an application for an agricultural worker's dwelling. She noted that there had been a farm on the site for 100 years and felt that it was a well-established agricultural unit.

In response to a number of points raised by Members, the Southern Team Leader advised the Sub-Committee that the application was contrary to Planning Policy, he confirmed that the farm had failed to make a profit in the previous 3 years and could not therefore be classed as financially viable.

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 refer the decision to the Head of Planning Services.]

95. DCSE2006/3847/F & DCSE2006/3489/L - WARRYFIELD FARM, WALFORD,
ROSS-ON-WYE HEREFORDSHIRE, HR9 5QW.

Refurbishment of farmhouse, granary and barns to make 4 dwellings and new access and new sewage treatment plant.

The Principal Planning Officer reported the receipt of a further letter from the Applicant and comments from the Conservation Manager.

Councillor J.G. Jarvis, the Local Ward Member, noted the concerns raised by Walford Parish Council.

In response to a question from Councillor H. Bramer, the Principal Planning Officer confirmed that if the rental requested for the farm buildings was deemed unreasonable the application would be recommended for refusal.

Members felt that the application should be deferred pending the receipt of further information in respect of rental prices.

RESOLVED:

That consideration of the item be deferred.

96. DCSW2006/3573/O - CYPRUS COTTAGE, WRIGGLEBROOKE, KINGSTHORNE, HEREFORD, HR2 8AW.

Construction of dwelling served by sewage treatment plant.

The Southern Team Leader reported the receipt of letters of objection from two local residents.

In accordance with the criteria for Public Speaking, Mrs. Scarisbrick, had registered to speak but was not present at the meeting.

Councillor G.W. Davis, the Local Ward Member, noted that planning permission had already been granted to the left of Cyprus Cottage and felt that permitting a further dwelling could result in overdevelopment of the site. He also felt that any drainage issues should be resolved prior to the application being approved.

RESOLVED

That planning permission be granted subject to the following conditions:

- 1 A02 (Time limit for submission of reserved matters (outline permission))**
Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990.
- 2 A03 (Time limit for commencement (outline permission))**
Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990.
- 3 A04 (Approval of reserved matters)**
Reason: To enable the local planning authority to exercise proper control over these aspects of the development.
- 4 A05 (Plans and particulars of reserved matters)**
Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990.
- 5 H03 (Visibility splays)**
Reason: In the interests of highway safety.
- 6 H06 (Vehicular access construction)**
Reason: In the interests of highway safety.
- 7 H09 (Driveway gradient)**

Reason: In the interests of highway safety.

8 H07 (Single access - outline consent)

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

9 F48 (Details of slab levels)

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

10 F18 (Scheme of foul drainage disposal)

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

11. E16 (Removal of permitted development rights)

Reason: In order for the development to comply with the requirements of Herefordshire Unitary Development Plan (Revised Deposit Draft) Policy H.6.

Informatives:

1 N19 - Avoidance of doubt

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

The meeting ended at 4.05 p.m.

CHAIRMAN

ITEM FOR INFORMATION - APPEALS

APPEALS RECEIVED**Application No. DCSE2006/0171/F**

- The appeal was received on 6th December 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 Persimmon Homes Ltd
- The site is located at On A40 (T) highway between the junction of A40 (T)/A449 and Rudhall Brook, Ross-on-Wye, Herefordshire
- The development proposed is Three arm roundabout on the alignment of the existing A40 (T)
- The appeal is to be heard by Written Representations

Case Officer: Steven Holder on 01432 260479

Enforcement Appeal Application No. EN2006/0136/ZZ

- The appeal was received on 18th December 2006
- The appeal is made under Section 174 of the Town and Country Planning Act 1990 against the service of an Enforcement Notice
- The appeal is brought by Mr L Edwards
- The site is located at Two Parks Farm, Upton Bishop, Ross-on-Wye, HR9 7UH
- The breach of planning control alleged in this notice is "Without planning permission, the unauthorized change of use of the land for the siting of two mobile homes for residential purposes."
- The requirements of the notice are:
 1. Cease the residential use of the land.
 2. Remove the mobile homes from the land and all associated works and equipment.
 3. Remove all materials that arise from the removal of the mobile homes and all associated infrastructure from the land.
- The appeal is to be heard by Hearing

Case Officer: Yvonne Coleman on 01432 383803

Enforcement Notice EN2006/0043/ZZ

- The appeal was received on 29th December 2006
- The appeal is made under Section 174 of the Town and Country Planning Act 1990 against the service of an Enforcement Notice
- The appeal is brought by Mr J Edwards
- The site is located at Jays Park, Two Parks Farm, Linton, Ross-On-Wye, Herefordshire
- The breach of planning control alleged in this notice is:

Without planning permission, the construction of unauthorised walls, gate-piers, fencing and gates on the land.
- The requirements of the notice are:
 - (i) *Demolish and remove the walls, gate-piers, fencing and gates.*
 - (ii) *Remove all materials that arise from the removal of the walls, gate-piers, fencing and gates.*

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

- (iii) *Restore the land to its condition before the breach took place by planting a hedgerow in place of the wall. The hedgerow should consist of 40% Crataegus Monogyna (Hawthorn), 30% Corylus Avellana (Hazel), 10% Ilex Aquifolium (Holly). The hedging plants are to be 60-80cm in height and are to be planted in a staggered row, 450mm apart, allowing 7 plants per linear metre.*
- (iv) *A 400mm high plastic spital rabbit guard should be erected to protect the plants. These guards should be supported by a 750mm stake or cane.*
- (v) *The hedgerow should be maintained for a period of five years following planting, ensuring adequate watering and fertilising. Any dead, diseased or damaged plants are to be replaced annually.*

- The appeal is to be heard by Inquiry

Case Officer: Steven Holder on 01432 260479

Application No. DCSW2006/2907/O

- The appeal was received on 9th January 2007
- 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 E Maddy
- The site is located at Land at Upper Llanrosser Farm, Michaelchurch Escley, Herefordshire, HR2 0PU
- The development proposed is Outline application for an agricultural workers dwelling with ancillary works.
- The appeal is to be heard by Hearing

Case Officer: Angela Tyler on 01432 260372

APPEALS DETERMINED

Application No. DCSE2006/0387/F

- The appeal was received on 20th 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 Mr & Mrs M Traynor
- The site is located at Sunny Bank, Marstow, Ross-On-Wye, Herefordshire, HR9 6HD
- The application, dated 6TH February 2006, was refused on 3rd April 2006
- The development proposed was Proposed conversion of redundant former agricultural building to form dwelling
- The main issues are Development Plan policies and those of the emerging Unitary Development Plan allow for residential conversion of rural buildings outside towns and villages in limited circumstances. The extent and impact of the work needed to turn this modest stone and tile farm building into residential use and the implications of its quite remote location.

Decision: The appeal was DISMISSED on 29th December 2006

Case Officer: Steven Holder on 01432 260479

Application No. DCSE2006/2102/F

- The appeal was received on 9th October 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 A & P Developments Ltd.
- The site is located at Perriflex, (Rear of 29-31), Brampton Street, Ross-on-Wye, Herefordshire, HR9 7EQ
- The application, dated 3RD July 2006, was refused on 25th August 2006
- The development proposed was Demolish office building and erect pair semi-detached dwelling.

Decision: The appeal was WITHDRAWN on 28th December 2006

Case Officer: Steve Holder on 01432 260479

Application No. DCSE2006/0385/F

- The appeal was received on 19th 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 & Mrs M Yeates
- The site is located at Rose Cottage, Ivy House Lane, Gorsley, Herefordshire, HR9 7SL
- The application, dated 6th February 2006, was refused on 3rd April 2006
- The development proposed was Construction of a new four bedroom house in large garden area to west of Rose Cottage.
- The main issue is open countryside, character and appearance

Decision: The appeal was DISMISSED on 18TH December 2006

Case Officer: Yvonne Coleman on 01432 383083

Application No. DCSW2005/3309/O

- The appeal was received on 2nd February 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 Miss J.M. Hughes
- The site is located at Adjacent to Hill Dene, Abbeydore, Herefordshire, HR2 0AG
- The application, dated 12th October 2005, was refused on 28th November 2005
- The development proposed was Proposed bungalow with garage.
- The main issues are whether there is an essential need for the proposed dwelling for the efficient running of the agricultural enterprise and the effect of the proposed development on the character and appearance of the countryside.

Decision: The appeal was DISMISSED on 18th December 2006

Case Officer: Andrew Prior on 01432 261932

Application No. DCSW2005/3080/O

- The appeal was received on 6th April 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 Scott & Newman Pension Scheme
- The site is located at Land to rear of Doctors Surgery at Kingstone, Herefordshire, HR2 9HN.
- The application, dated 9th September 2005, was refused on 11th November 2005
- The development proposed was Outline application for social and affordable housing and/or low cost market.
- The main issues are:
 - (i) Whether the proposal would comply with policy for the control of new housing in rural locations
 - (ii) The effect of the proposal on the character and appearance of the rural setting of Kingstone.
 - (iii) The effect of the proposal on the living conditions of nearby residents, with particular reference to noise and disturbance, visual intrusion and privacy.

Decision: The appeal was DISMISSED on 19th December 2006

Case Officer: Andrew Prior on 01432 261932

Application No. DCSW2005/2970/F

- The appeal was received on 8th June 2006
- The appeal was made under Section 78 of the Town and Country Planning Act 1990 against a grant of planning permission subject to conditions
- The appeal was brought by Mr A Regan
- The site is located at The Closerie, Lyston, Wormelow, Herefordshire, HR2 8EL
- The application, dated 12th September 2005, was approved subject to conditions
- The development proposed was Upgrading of track. Converting barn to stables and change of use on animal shed to workshop/store/garage.
- The main issues are the effect that removing or varying the disputed conditions would have on the character and appearance of the area, and the effect that removing or varying the disputed conditions would have on the living conditions of nearby residents.

Decision: The appeal was ALLOWED on 29th December 2006

Case Officer: Andrew Prior on 01432 261932

Application No. DCSW2005/2231/RM

- The appeal was received on 21st April 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 Voyage Limited
- The site is located at Hunters Lodge, Wormelow, Hereford, Herefordshire, HR2 8EQ
- The application, dated 5th July 2005, was refused on 5th October 2005
- The development proposed was Approval of reserved matters for erection of low dependency accommodation.

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

- The main issue is the effect of the proposal on the character and appearance of the surrounding area, including the setting of Hunters Lodge and Bryngwyn Manor.

Decision: The appeal was ALLOWED on 11th January 2007

Case Officer: Andrew Prior on 01432 261932

Application No. DCSW2006/0594/F

- The appeal was received on 7th August 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 Voyage Limited
- The site is located at Hunters Lodge, Wormelow, Herefordshire, HR2 8EQ
- The application, dated 15th February 2006, was refused on 25th May 2006
- The development proposed was Erection of 4 detached buildings within the grounds of Hunters Lodge to provide 3 small care homes and communal leisure facility.
- The main issue is the effect of the proposal on the character and appearance of the surrounding area, including the setting of Hunters Lodge and Bryngwyn Manor.

Decision: The appeal was ALLOWED on 11th January 2007

Case Officer: Andrew Prior on 01432 261932

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

5A DCSE2006/3487/F - REFURBISHMENT OF FARM-HOUSE, GRANARY AND BARNs TO MAKE 4 DWELLINGS AND NEW ACCESS AND NEW SEWAGE TREATMENT PLANT

5B DCSE2006/3489/L - REFURBISHMENT OF FARM-HOUSE, GRANARY AND BARNs TO MAKE 4 DWELLINGS AND NEW ACCESS AND NEW SEWAGE TREATMENT PLANT

**AT WARRYFIELD FARM, WALFORD, ROSS-ON-WYE
HEREFORDSHIRE, HR9 5QW.**

**For: Mrs. D. Moore per Architas, 25 Castle Street,
Hereford, HR1 2NW.**

Date Received: 1st November, 2006

Ward: Kerne Bridge

Grid Ref: 58216, 20956

Expiry Date: 27th December, 2006

Local Member: Councillor J.G. Jarvis

INTRODUCTION

The Committee decided to defer determination of these applications so that further advice on marketing could be obtained. This advice is reported in paragraph 4.4 below.

1. Site Description and Proposal

1.1 Warryfield Farm is on the south side of the Class C road connecting the Archenfield area of Ross-on-Wye with Walford and is about 0.7km to the north-west of Walford Parish Church. The farm and associated traditional farm buildings are arranged around 3 sides of the farmyard. Along the road frontage is a substantial stone barn, equivalent to two-storeys in height; along the western side is a lower stone building, from which a smaller open sided building which has no roof, extends to the west; the southern section comprises a two-storey building, the main part of which is the farmhouse but at the western end there is a small granary. The farmhouse is listed (Grade II).

1.2 The conversion scheme would create 3 additional dwelling units: a 2 bedroom unit within the eastern half of the large barn; a 4 bedroom unit within the western half plus a section of the adjoining single-storey building; the third (a 3 bedroom unit) would be formed from the granary adjoining the farmhouse, plus the adjoining single-storey building and re-roofed open-fronted building. In addition, the farmhouse would be refurbished to form a 4 bedroom dwelling which would include some internal and external alterations.

1.3 The existing garden at the rear (south) of the farmhouse would be retained and further amenity garden areas formed from the courtyard and to the west of the complex. Car

parking spaces (2 per dwelling plus 2 visitor spaces and 2 for Warryfield Farm Cottage) would be provided. Two of the spaces would be within an adapted cartshed.

- 1.4 Two of the buildings have been used as workshops and a showroom for double glazing products. These activities have now ceased.

2. Policies

2.1 Planning Policy Statements

PPS.7 - Sustainable Development in Rural Areas

2.2 Herefordshire Unitary Development Plan (Revised Deposit Draft)

Policy H.7 - Housing in the Countryside Outside Settlements
 Policy HBA.1 - Alterations and Extensions to Listed Buildings
 Policy HBA.3 - Change of Use of Listed Buildings
 Policy HBA.4 - Setting of Listed Buildings
 Policy HBA.12 - Re-use of Rural Buildings
 Policy HBA.13 - Re-use of Rural Buildings for Residential Purposes
 Policy LA.1 - Areas of Outstanding Natural Beauty
 Policy NC.1 - Nature Conservation and Development
 Policy NC.5 - European and Nationally Protected Species
 Policy NC.6 - Biodiversity Action Plan Priority Habitats and Species
 Policy NC.7 - Compensation for Loss of Biodiversity
 Policy NC.8 - Habitat Creation, Restoration and Enhancement

2.3 Hereford and Worcester County Structure Plan

Policy CTC.1 - Development in Areas of Outstanding Natural Beauty
 Policy CTC.2 - Development in Areas of Great Landscape Value
 Policy CTC.13 - Buildings of Special Architectural or Historic Interest
 Policy CTC.14 - Criteria for the Conversion of Buildings in Rural Areas
 Policy H.20 - Residential Development in Open Countryside

2.4 South Herefordshire District Local Plan

Policy SH.24 - Conversion of Rural Buildings
 Policy C.5 - Development within Area of Outstanding Natural Beauty
 Policy C.8 - Development within Area of Great Landscape Value
 Policy C.16 - Protection of Species
 Policy C.36 - Re-use and Adaptation of Rural Buildings
 Policy C.37 - Conversion of Rural Buildings to Residential Use
 Policy GD.1 - General Development Criteria

2.5 Supplementary Planning Guidance

Re-use and Adaptation of Traditional Rural Buildings

3. Planning History

- 3.1 SH861446PF Change of use of barn to part - Approved 21.01.87
 craft workshop
 SH881364PF Change of use of barns to craft - Approved 11.11.88
 workshops with ancillary retail
 use

SE2000/0818/F	Change of use of additional outbuilding to form showroom/office/workshop for manufacture of double glazing	-	Approved 14.06.00
SE2000/0819/L	Enclosure of open cart bays and insertion of rooflights and internal insulation	-	Approved 14.06.00

4. Consultation Summary

Statutory Consultations

4.1 No statutory or non-statutory consultations required.

Internal Council Advice

4.2 Traffic Manager recommends that conditions be included regarding accesses and parking areas.

4.3 Conservation Manager advises that notwithstanding the additional openings required, the scheme is considered acceptable in conservation terms. Conditions will be required for roofing slate samples, external joinery and rooflight details, as these are of non-standard proportions and with regard to mitigation, habitat enhancement and monitoring of bats and birds.

4.4 The Property Services Manager has reviewed the marketing details for these buildings. Taking into account location, type of building and terms of the lease it is advised that the rent appears very high compared to other properties advertised at the same time. It is considered that the level of rent would deter most prospective occupiers.

5. Representations

5.1 The applicant's agent has submitted a design and access statement, a survey of protected species and an estate agent's report on marketing. The former describes the proposals as follows:

1. The proposals include converting the barns on the north and west and the granary to the south for residential use, and refurbish the cottage, making a total of 4 dwelling units and providing suitable parking space.
2. The existing site access from the north is to be maintained. A new gate is proposed to provide for better access and parking facilities to Units 1 and 4. Parking for Units 2 and 3 is provided on the west and approached by current gate. Access to the fields on the south is to be maintained.
3. Post and wire fencing is proposed to the east of the new access to maintain the rural character. The other boundaries are to be maintained as existing.
4. Units 1 and 2: the proposed works include providing new doors and windows in oak to follow the character of the barn. The metal wagon way doors to be replaced with glazed internal doors and ledged and braced internal door. Existing blocked up windows are to be reinstated and some windows enlarged to provide better light.

5. Unit 3: proposals include reinstating the barn building to the west in stone and oak boarding with new roof structure and Welsh slates. New internal staircase is to be provided in the granary. Existing blocked up windows are to be reinstated and some windows enlarged to provide better light.
 6. Unit 4: existing farmhouse is to be refurbished and new toilets provided. Entrance to the south of the farmhouse reinstated as main entrance. New conservation rooflights are proposed on the south.
 7. All repair works are to be carried out on like for like basis. New Cast Aluminium rainwater goods are proposed where missing.
 8. The survey found that the farmhouse is used by common and soprano pipistrelle bats as a roost and breeding house sparrows and swallows were present at the complex. Mitigation measures are proposed.
 9. The barns have been advertised for rent (£15,000 per annum) since December 2005, but only one viewing has taken place and the company concerned considered the shape of the buildings and the lanes providing access inadequate for their purposes.
- 5.2 Walford Parish Council objects to this application. If the rateable value of £2,900 is the 2004 figure, the rent being asked, £15,000, would seem incredibly high and would maybe explain why there had been no interest in renting the barns even though there were two firms in very recent occupation. In comparison to modern, fully serviced industrial units available in Ross the rental appears higher than would be expected for an older, rural space. Walford needs work places not more houses.
- 5.3 One e-mail communication has been received from a local resident indicating no objections to the proposal.

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

6. Officer's Appraisal

- 6.1 A key aim of the Council's barn conversion policy is to ensure that the existing character of traditional farm buildings is retained. Some change is inevitable but should be minimised. In this case the Conservation Manager considers the scheme has been sensitively designed and would not result in significant harm to this listed building or its curtilage buildings. The small number of additional doors and windows would be located mainly within the inner farmyard elevations so that their impact would not be discernable from normal public vantage points. An additional benefit of the scheme would be the refurbishment of the farmhouse which has been unoccupied for about 3 years and would ensure that it is brought back into use and hence secure its long-term future.
- 6.2 The barns have been used as craft workshops and for manufacture and display of double glazing units. I understand that occupation has been on a temporary basis during the occupation of the farmhouse, on a grace and favour basis, by an elderly lady. The occupant did not wish to use the barns and these were let at a discounted rent for workshops and showroom. The intention of the owner was to develop the barns for either commercial or residential purposes to realise their full value on the cessation of occupation of the farmhouse. The two businesses did not wish to

continue on this basis and have found alternative premises. The applicant has written to confirm these details. The Parish Council has queried whether the rent being asked is excessive. The Council’s policy is only to allow conversion to residential use if ‘every reasonable attempt has been made to secure an alternative business, recreational or community use and that such development uses are not acceptable, practical or beneficial’. (Policy HBA.13 Herefordshire Unitary Development Plan (Revised Deposit Draft)). In view of the advice from the Property Services Manager I am not satisfied that the requirements of the Council’s policies regarding marketing have been met.

RECOMMENDATION

In respect of DCSE2006/3487/F:

That planning permission be refused for the following reason:

The Council is not satisfied that every reasonable attempt has been made to secure an alternative business, recreational or community use and that such uses are not acceptable, practical or beneficial. Consequently the proposal conflicts with Policy HBA13 of the Herefordshire Unitary Development Plan (Revised Deposit Draft), Policies C37, SH1A and SH24 of the South Herefordshire District Local Plan and Supplementary Planning Guidance: Re-Use and Adaptation of Traditional Rural Buildings.

In respect of DCSE2006/3489/L:

That planning permission be refused for the following reason:

The Council is not satisfied that every reasonable attempt has been made to secure an alternative business, recreational or community use and that such uses are not acceptable, practical or beneficial. Consequently the proposal conflicts with Policy HBA13 of the Herefordshire Unitary Development Plan (Revised Deposit Draft), Policies C37, SH1A and SH24 of the South Herefordshire District Local Plan and Supplementary Planning Guidance: Re-Use and Adaptation of Traditional Rural Buildings and the harm to the character of these buildings of special historic or architectural interest is not therefore justified.

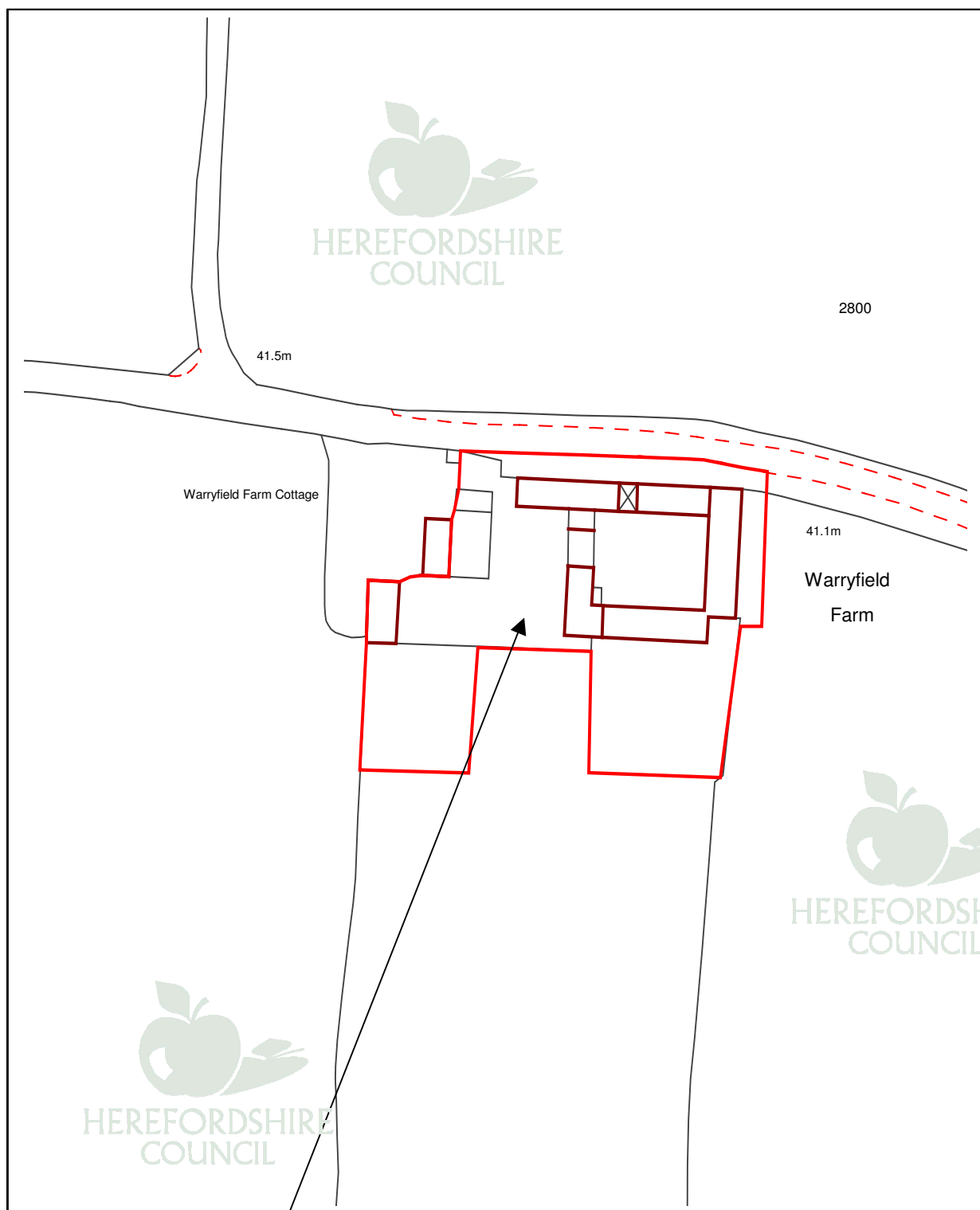
Decision:

Notes:

.....

Background Papers

Internal departmental consultation replies.



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

APPLICATION NO: DCSE2006/3487/F

SCALE : 1 : 1250

SITE ADDRESS : Warryfield Farm, Walford, Ross-on-Wye Hereford, Herefordshire, HR9 5QW

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

6 DCSE2006/3637/F - EIGHT DWELLING UNITS LAND AND BUILDINGS AT, 1 BROAD STREET & 43 NEW STREET, ROSS-ON-WYE, HEREFORDSHIRE, HR9 7DZ.

For: H. M. Chan per Ian Murray Associates, The Granary, Wormington Farm Barns, Nr. Broadway, Worcester, WR12 7NL.

**Date Received: 14th November, 2006 Ward: Ross-on-Wye Grid Ref: 59917, 24201
West**

Expiry Date: 9th January, 2007

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

1. Site Description and Proposal

1.1 Site is an "L"-shaped plot that extends from the rear of 1 Broad Street, a vacant shop unit previously occupied by Going Places, to the Chiropractic Clinic a single storey building that is between 43 New Street and Clytha House, 44 New Street, together with outbuildings and yard areas. 1 Broad Street and Clytha House are Grade II Listed buildings. The site is located in the Ross-on-Wye Conservation Area and the Wye Valley Area of Outstanding Natural Beauty. It is also within a central shopping and commercial area as shown on Inset Map ROSS2 in the Herefordshire Unitary Development Plan (Revised Deposit Draft).

1.2 This application proposes the conversion of a range of 2-storey outbuildings to form 7 residential units, and the demolition of the Chiropractic Clinic that will be replaced by a 2-storey dwelling. No car parking is proposed. Foul drainage will be by way of a new separate drainage system, which will drain into the public sewer system.

2. Policies

2.1 Planning Policy Statement

PPS1	-	Delivering Sustainable Development
PPS3	-	Housing
PPG13	-	Transport
PPG15	-	Planning and the Historic Environment
PPG16	-	Archaeology and Planning

2.2 Herefordshire Unitary Development Plan (Revised Deposit Draft)

S1	-	Sustainable development
S2	-	Development requirements
S3	-	Housing
S6	-	Transport
S7	-	Natural and historic heritage
DR1	-	Design
DR2	-	Land use and activity
DR3	-	Movement

DR4	-	Environment
H1	-	Hereford and the market towns: Settlement boundaries and Established residential areas
H13	-	Sustainable residential design
H14	-	Re-using previously developed land and buildings
H16	-	Car parking
T6	-	Walking
T7	-	Cycling
T11	-	Parking provision
LA1	-	Areas of Outstanding Natural Beauty
LA2	-	Landscape character and areas least resilient to change
HBA4	-	Setting of Listed buildings
HBA6	-	New development within conservation areas
HBA7	-	Demolition of unlisted buildings within conservation areas
ARCH1	-	Archaeological assessments and field evaluations
CF2	-	Foul drainage

2.3 South Herefordshire District Local Plan

GD.1	-	General development criteria
C.5	-	Development within Areas of Outstanding Natural Beauty
C.8	-	Development with Areas of Great Landscape Value
C.20	-	Protection of historic heritage
C.23	-	New development affecting conservation areas
C.24	-	Demolition in conservation areas
C.25	-	Demolition and redevelopment
C.29	-	Setting of Listed buildings
C.43	-	Foul sewerage
Part 3		
Policy 5	-	Policy 3

2.4 Hereford and Worcester County Structure Plan

H16	-	Ross and rural sub-area
H16A	-	Housing in rural areas development criteria
CTC1	-	Development within Areas of Outstanding Natural Beauty
CTC2	-	Development within Areas of Great Landscape Value
CTC7	-	Development and features of historic and architectural importance
CTC9	-	Development criteria

3. Planning History

3.1	SH910309PF	Housing and retail units	-	Approved 10.07.91
	DCSE2005/0128/F	8 dwellings	-	Withdrawn
	DCSE2006/2045/F	8 dwellings	-	Refused 18.08.06

4. Consultation Summary

Statutory Consultations

4.1 Welsh Water recommends conditions.

Internal Council Advice

- 4.2 Traffic Manager recommends that any permission should be subject to condition.
- 4.3 Conservation Manager:
- (a) Building Conservation Officer: No objection in principle.
 - (b) Archaeological Advisor: There is no in principle objection to the development, I am concerned by the ground disturbance - in a sensitive location - that is likely to occur. This application site is within the recorded medieval core of Ross, as defined in the Central Marches Historic Towns Survey of 1996. Accordingly I consider the development as proposed is likely to damage significant archaeological deposits and features. This damage needs to be mitigated by a firm archaeological condition (PPG16, Section30), ensuring that the site is archaeologically recorded prior to/during development. With the proposal it is recommended that condition D01 (site investigation) is attached to any forthcoming planning permission.

5. Representations

- 5.1 The applicant's agent has submitted a Design and Access Statement as follows:
- a) The proposal seeks to convert existing outbuildings to residential accommodation using the existing openings, rooflines and doorways;
 - b) While a small number of openings are proposed together with a single storey extension to one of the outbuildings it is proposed that these new features will not detract from the existing character of the buildings;
 - c) The buildings are to be restored using natural materials sympathetic to the original building fabric;
 - d) To improve the setting of the adjacent Listed buildings fronting New Street it is proposed to demolish a single storey shop unit and redevelop with a traditionally proportioned 2-storey cottage that will be subservient to the scale of the adjacent building; and
 - e) No car parking is proposed. The site is in the centre of a busy town with many local amenities within short walking distance. Public transport serves the site.
- 5.2 Ross Town Council: More residential development would exacerbate an already overloaded public sewage system. There is no provision for parking in a congested area with insufficient parking. Reliance on public car parks reduces the availability of parking for visitors/shoppers. Recommend refusal.

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

6. Officer's Appraisal

- 6.1 The site is located in the Ross-on-Wye Conservation Area where special attention must be given to the desirability of preserving or enhancing the character and appearance of the area. This part of the conservation area is derived from a variety of architectural styles including the height and scale of buildings, use of materials and detailing. This is a sensitive site within the conservation with adjoining Listed buildings where the 2006 revised Ross conservation area character appraisal states, "in the

north-western part (particularly New Street and Kyrle Street), the area is more obviously residential in character. Here, closely packed early 19th Century terraced cottages, town houses and commercial premises, many rendered in stucco under slate roofs, are interspaced with open car parks and courtyards.” Although the site is located within a central shopping and commercial area the proposal does not affect the primary shopping or secondary shopping frontages. Accordingly, there are no, in principle, objections to the residential development of the site, which would revitalise existing vacant buildings in the town centre.

- 6.2 The application also proposes the demolition of an unprepossessing single storey flat roofed building, which in the opinion of your Officers makes no positive contribution to this part of the conservation area or to this part of New Street, with a 2-storey dwelling. The replacement building will be prominent in this part of New Street. Nevertheless the scale and form of the replacement building is considered acceptable.
- 6.3 The site is at the heart of Ross-on-Wye. This makes the site ideally suited to a car free development. Advice contained in within both Planning Policy Statement 3 and Planning Policy Guidance 13 fully advocates such a proposal in the appropriate location. PPS3 advocates the cutting of carbon emissions by focusing new development in locations with good public transport accessibility and to ensure housing is developed in suitable locations, which offer a range of community facilities, and with good access to jobs and key services. Furthermore, PPG13 states that the availability of car parking has a major influence on the means of transport people choose for their journeys. Studies suggest that even in areas well served by public transport, if parking is provided people will choose to travel by car. Therefore, if this option is removed, people are less likely to travel by car thereby creating a more sustainable environment. A car free development is unlikely to be appropriate with most sites but I consider that this site is ideally suited to such a proposal; there is public car parking within walking distance of the site further along New Street, which would meet the parking needs of this development.
- 6.4 Welsh Water has raised no objection to this application. In doing so they consider the method of disposing foul waste and surface water from the site into the public sewer will not result in an increase in flows to the public sewer as the surface water will be disposed of via soakaways.

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. **H29 (Secure cycle parking provision)**

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

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

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

5. C07 (Painted finish to windows/doors)

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

6. C14 (Signing of contract before demolition)

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

7. D01 (Site investigation - archaeology)

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

8. W01 (Foul/surface water drainage)

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

9. W02 (No surface water to connect to public system)

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

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

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

Informative(s):

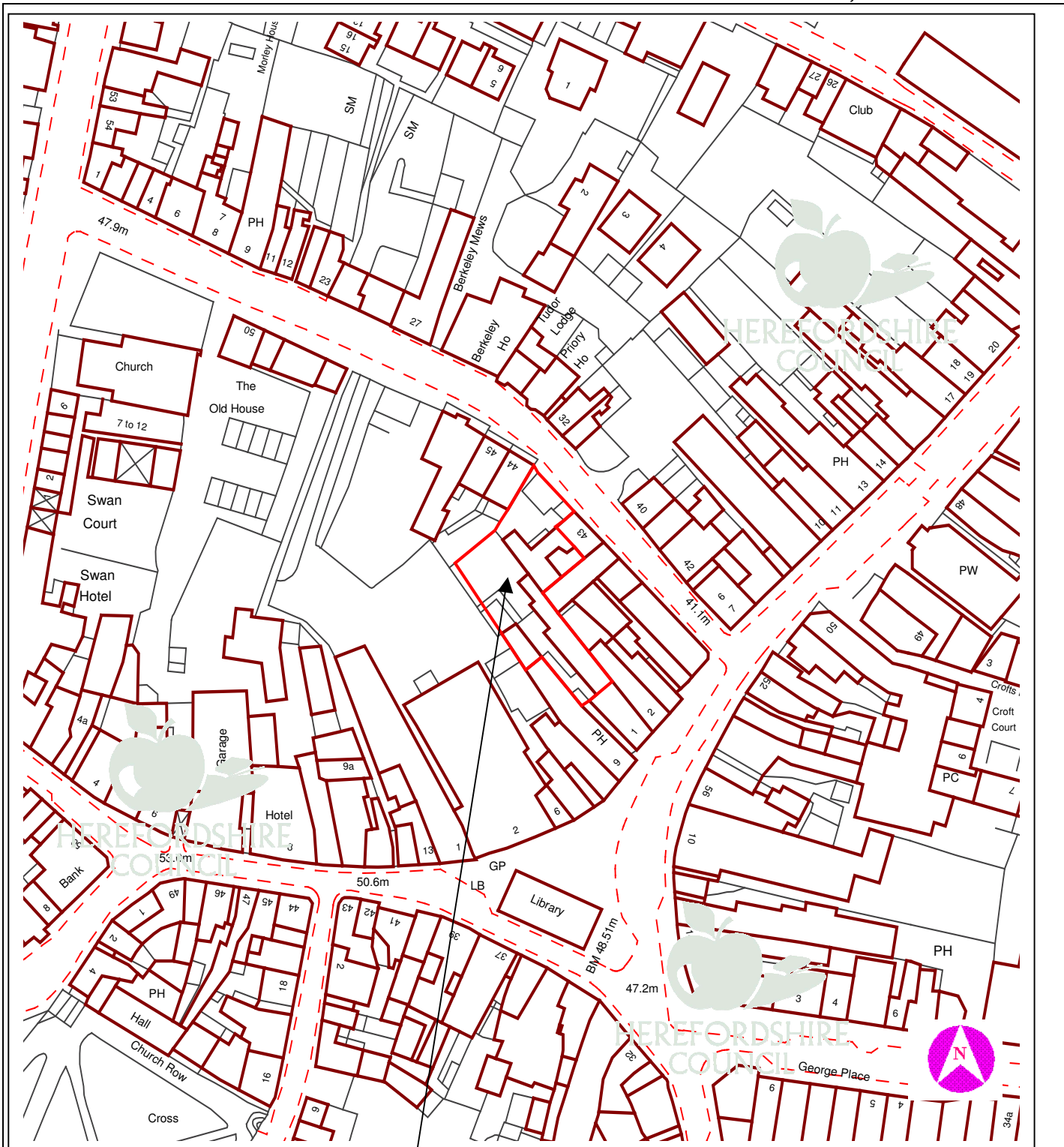
- 1. W01 - Welsh Water Connection to PSS
- 2. N06 – Listed Building Consent
- 3. N19 - Avoidance of doubt
- 4. N15 - Reason(s) for the Grant of Planning Permission

Decision:

Notes:

Background Papers

Internal departmental consultation replies.



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

APPLICATION NO: DCSE2006/3637/F

SCALE : 1 : 1250

SITE ADDRESS : Land and buildings at, 1 Broad Street & 43 New Street, Ross-on-Wye, Herefordshire, HR9 7DZ

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

7 DCSE2006/3883/F - SINGLE STOREY EXTENSION TO THE REAR OF EXISTING FLATS TO CREATE AN ADDITIONAL 2 NO. 2 BEDROOMED FLATS WITH 4 NO. CAR PARKING SPACES AT WEST RIDGE, ASHFIELD PARK ROAD, ROSS-ON-WYE, HEREFORDSHIRE, HR9 5AS.

For: Mr. & Mrs. C. Edwards per Linton Design, 27 High Street, Bromyard, Herefordshire, HR7 4AA.

**Date Received: 8th December 2006 Ward: Ross-on-Wye West Grid Ref: 59742, 23731
Expiry Date: 2nd February 2007**

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

1. Site Description and Proposal

- 1.1 West Ridge is a large Victorian semi-detached house on the southwest side of Ashfield Park Road that has been converted to 2 flats. There is access off Ashfield Park Road. There is also access off an unsurfaced road that runs along the rear of the site. Erging, a bungalow, adjoins the site on its southeast side, and Laycombe is to the southwest. Ross Tennis Club is opposite. The site is located in established residential area.
- 1.2 This application proposes a single storey "L-shaped" extension that will project 17.7 metres from the rear of West Ridge, which will accommodate 2 flats. Each flat will accommodate a living area, kitchen, bathroom and 2 bedrooms. A communal parking area for 9 vehicles, 4 spaces are to be provided for the proposed flats with the remaining spaces for the existing flats, is also proposed along the boundary with Erding and Laycombe. The access onto the unsurfaced road at the rear of the site is to be closed.

2. Policies

2.1 Planning Policy Statements

PPS1	-	Delivering Sustainable Development
PPS3	-	Housing

2.2 Herefordshire Unitary Development Plan (Deposit Draft)

Policy S2	-	Development Requirements
Policy S7	-	Natural and Historic Heritage
Policy DR1	-	Design
Policy H1	-	Hereford and the Market Towns: Settlement Boundaries and Established Residential Areas
Policy H14	-	Re-using Previously Developed Land and Buildings
Policy H16	-	Car Parking
Policy T11	-	Parking Provision
Policy LA1	-	Areas of Outstanding Natural Beauty

2.3 South Herefordshire District Local Plan

- Policy GD1 - General Development Criteria
- Policy C5 - Development within Areas of Outstanding Natural Beauty
- Policy SH9 - Balance of Housing Types
- Policy SH14 - Siting and Design of Buildings
- Policy SH.15 - Criteria for New Housing Schemes

2.4 Hereford and Worcester County Structure Plan

- Policy H16 - Ross and Rural Sub-Area
- Policy H16A - Housing in Rural Areas Development Criteria
- Policy H18 - Residential development in rural settlements
- Policy CTC1 - Development within Areas of Outstanding Natural Beauty
- Policy CTC9 - Development criteria

3. Planning History

- | | | | | |
|-----|-----------------|---------------------------------------|---|-------------------|
| 3.1 | DCSE2005/1663/O | Bungalow | - | Refused 19.07.05 |
| | DCSE2006/2936/F | Conversion of maisonette into 2 flats | - | Refused 27.10.06 |
| | DCSE2006/2939/O | Bungalow | - | Refused 27.10.06 |
| | DCSE2006/3668/F | Conversion of maisonette into 2 flats | | Approved 18.12.06 |

4. Consultation Summary

Statutory Consultations

- 4.1 Welsh Water: Recommends conditions.

Internal Council Advice

- 4.2 Traffic Manager: Has concerns with regards to parking and turning arrangements which appear to be unsatisfactory in particular parking space number 3 would be difficult to access and exit from, parking spaces should be a minimum 6metres in length and the turning head and manoeuvring area appear to be unsuitable to ensure that vehicles can enter and leave in a forward gear.

5. Representations

- 5.1 The applicant's agent has submitted a Design and Access Statement:

- a) This property is a substantial 3-storey dwelling that has been converted to flats
- b) The rear garden is no longer used as a family garden
- c) The proposed wing is aligned north to south with a short return element to the south. This will establish a courtyard feel
- d) The scale of the building is low key and will not intrude on the privacy or amenity of neighbours
- e) The extension will be constructed in matching materials

5.2 Objections have been received from:

DA Hemsley, Kinnersley, Archenfield Road, Ross-on-Wye
AM Morgan, Erging, Ashfield Park Road, Ross-on-Wye
DG Izon, Laycombe, Archenfield Road, Ross-on-Wye
JCK Walters, Yaverland, Ashfield Park Road, Ross-on-Wye

- a) The flats will infringe on our privacy
- b) It will create a precedent for other similar proposals which would be out of character with the area
- c) This is not an area where anyone should pack in more houses

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

6. Officer's Appraisal

- 6.1 The site is located in an established residential area as shown on Inset map Ross 1 in the Herefordshire Unitary Development Plan (Revised Deposit Draft). Within this area policy H1 states that residential development will be permitted.
- 6.2 This application has been submitted in response to the refusal of planning permission for a bungalow in the rear garden of West Ridge, when it was considered a bungalow here would be a cramped form of development. Also, it was considered the amenity of the occupants of the bungalow would be adversely affected by overlooking from West Ridge.
- 6.3 This application is for a single storey extension that will accommodate 2 flats. The proposed extension is of a scale and form so as to be visually subordinate to the size of the original building. The extension has been designed so as not to cause harm to the amenity of neighbour of with regard to privacy, there is a separation distance of some 21metres between the proposed rear wall of the extension and Kinnersley, and overshadowing. The extension will leave ample space for the rear garden to provide a communal space for the occupants of the flats.
- 6.4 Following receipt of the comments of the Traffic Manager the applicant has submitted amended plans. The further comments of the Traffic Manager are awaited. An update will be given at the Sub-Committee meeting.

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 W01 (Foul/surface water drainage)

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

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

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

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

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

6 G09 (Retention of trees/hedgerows)

Reason: To safeguard the amenity of the area.

7 H08 (Access closure)

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

8 H13 (Access, turning area and parking)

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

INFORMATIVES:

1 N19 - Avoidance of doubt

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

3 W01 - Welsh Water Connection to PSS

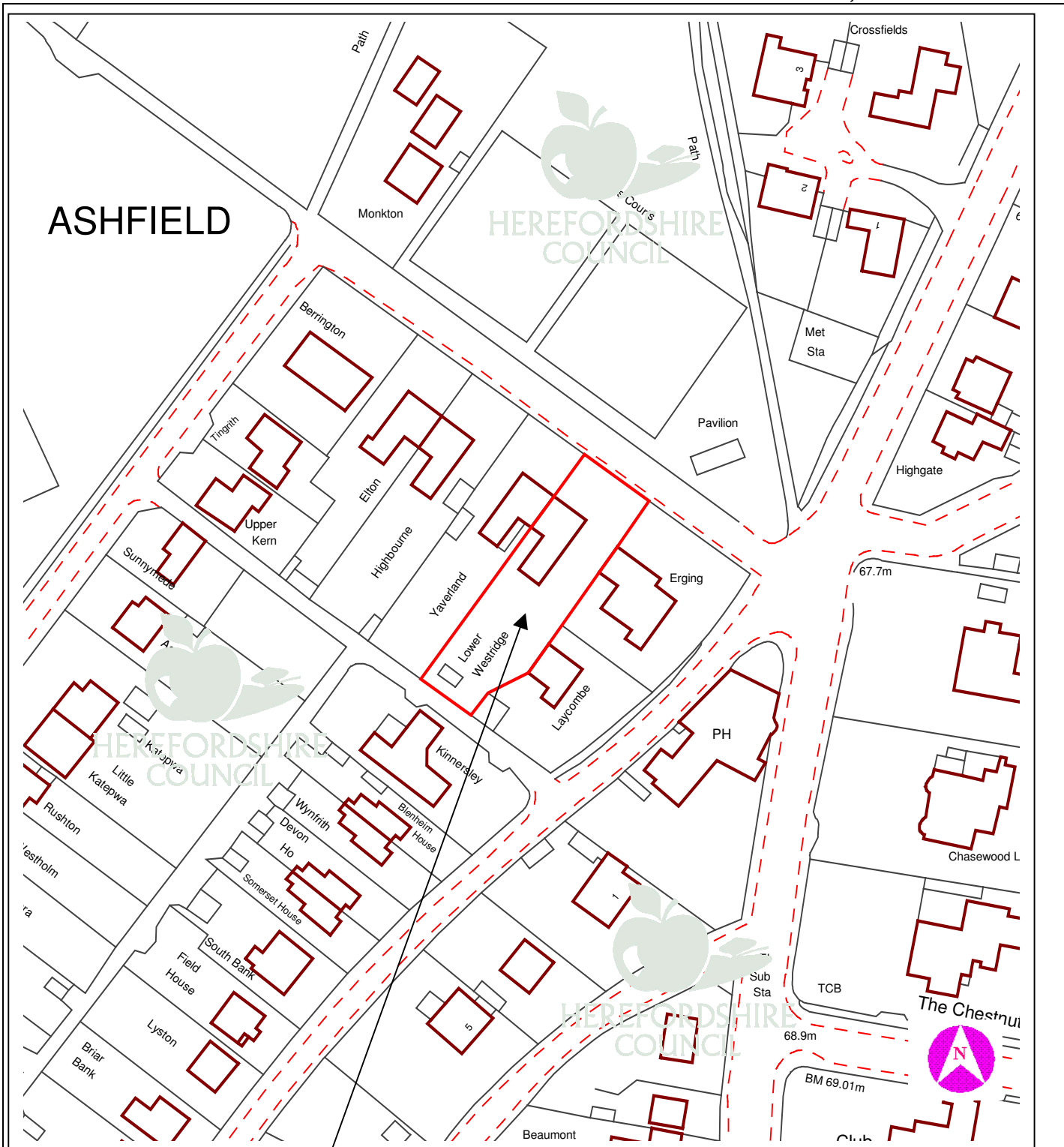
Decision:

Notes:

.....

Background Papers

Internal departmental consultation replies.



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

APPLICATION NO: DCSE2006/3883/F

SCALE : 1 : 1250

SITE ADDRESS : West Ridge, Ashfield Park Road, Ross-on-Wye, Herefordshire, HR9 5AS

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

8 DCSW2006/3829/F - ERECTION OF REPLACEMENT DWELLING, GARAGING AND ASSOCIATED LANDSCAPING, HAREWOOD PARK, HAREWOOD END, HEREFORDSHIRE, HR2 8JS.

For: The Duchy of Cornwall per Craig Hamilton Architects, Coed Mawr Farm, Hundred House, Powys, LD1 5RP.

Date Received: 5th December, 2006

Ward: Pontrilas

Grid Ref: 52968, 28025

Expiry Date: 30th January, 2007

Local Member: Councillor G.W. Davis

1. Site Description and Proposal

- 1.1 Harewood Park is located some 8 miles to the south of Hereford on the east side of the A49 Trunk Road. The Estate extends to some 360 ha. and comprises a number of farmsteads and the site of the former Harewood Park House. The site is set back some 600m from the A49 and has an area of about 1 ha. It contains the site of the former house (demolished in 1959), the site of a bungalow (recently demolished), a stable building, and the former Church of St Denis. The original drive to the site adjacent to the Lodge is no longer in use. The access from the A49 into the estate is some 120 m to the south of the Lodge and from this a new drive across the farmland has been constructed to the site.
- 1.2 The proposal is for the erection a house. This is to be two storeys and sited adjacent to the stable building and on the site of the demolished house. The ground floor plan indicates the principal rooms to be entrance hall, dining room, drawing room, sitting room, kitchen, library/study and orangery. At first floor level there would be six bedrooms. The total floor area is some 789 sq m. The materials would be brick or stucco with stone dressings under a slate roof. Externally there would be gravel driveways, service courtyard and paths together with lawned areas. Between the house and the stables there would be a terrace beneath which garaging would be provided.
- 1.3 The site is within the Wye Valley AONB. Both the stables and the former church are Listed Buildings.

2. Policies

2.1 Planning Policy Statements

PPS1	-	Delivering Sustainable Development
PPS7	-	Sustainable Development in Rural Areas
PPG15	-	Planning and the Historic Environment

2.2 Unitary Development Plan (Revised Deposit Draft)

Policy S1	-	Sustainable Development
Policy S2	-	Development Requirements
Policy S7	-	Natural and Historic Heritage
Policy DR1	-	Design
Policy H7	-	Housing in the Countryside Outside Settlements
Policy LA1	-	Areas of Outstanding Natural Beauty
Policy LA4	-	Protection of Historic Parks and Gardens
Policy HBA4	-	Setting of Listed Buildings

2.3 South Herefordshire District Local Plan

Policy GD1	-	General Development Criteria
Policy C5	-	Development within AONB
Policy C1	-	Development within Open Countryside
Policy C10	-	Protection of Historic Parkland
Policy C29	-	Setting of a Listed Building
Policy SH11	-	Housing in the Countryside
Policy SH21	-	Replacement Dwellings
Policy T1A	-	Environmental Sustainability and Transport

2.4 Hereford and Worcester County Structure Plan

Policy H16A	-	Development Criteria
Policy H20	-	Housing in Open Countryside
Policy CTC1	-	Development in AONB

3. Planning History

- 3.1 DCSW2003/2999/Q Demolition of modern bungalow and site for construction of replacement house - No objection 02.12.03
- DCSW2004/3406/Q Erection of replacement dwelling and associated landscaping - No objection 12.11.04

4. Consultation SummaryStatutory Consultations

- 4.1 Highways Agency - no objection.
- 4.2 Environment Agency - this is a case where standing advice is offered with regard to surface water disposal.

Internal Council Advice

- 4.3 Conservation Manager -
- (a) Building Conservation Officer - This is a thoroughly considered application which addresses the siting issues in a systematic manner and presents a coherent

rationale for the design decisions made. The presentation in particular is exemplary.

Whilst there will always be architectural debates about the ethics of reviving particular historic styles, the architect has pursued his chosen approach to its logical conclusion and the design is informed by a detailed knowledge of precedent. This may compromise the scheme's environmental performance to some extent, but it will be interesting to see how C21 eco-technology can be reconciled with C18 formalism. This scheme has the potential to be a significant addition to Herefordshire's architectural canon and is likely to attract national attention.

(b) Archaeologist - No objection subject to conditions

(c) Landscape Officer - no response

5. Representations

5.1 The application is supported by a design and access statement. This considers the history of the original house, the context of the site and the estate masterplan. It describes the design process for the house, the sustainability aspects of the design, landscaping and materials. It concludes:-

"This design statement hopefully demonstrates the considerable care taken in the preparation of this new design for the principal dwelling at Harewood Park.

The Duchy of Cornwall have demonstrated their continuing commitment to the regeneration of the whole Estate with the completion by the Spring of 2007 of the restoration and conversion works at Home and Grange farm. Furthermore, the essential structural and weatherproofing repairs to St. Denis's Chapel are nearing completion and work is to commence on the restoration and conversion of the Stables early next year. A significant part of the Park restoration plan has been implemented with further works being carried out this winter.

In view of their demonstrable commitment to the regeneration of Harewood Park, the Duchy of Cornwall are determined to complete the project with the reinstatement of an appropriate and sustainable principal dwelling on the site. The house is the symbolic heart of the Estate and its construction will give meaning to the whole project.

The principle of gaining planning consent for an architecturally appropriate replacement dwelling on the site has already been established by the consent given in November 2004. This new proposal not only addresses the important architectural issues demanded by the location and context but it has also been designed from the outset as a sustainable building which extends the tradition of the English Country House by incorporating a significant range of energy saving design measures.

The proposed house, though significantly smaller than the design approved in 2004, will nevertheless command sufficient architectural presence on site as a result of the bold simplicity of the design based on the classical motif of the triumphal arch. The deployment of this idea not only links to the design of the existing stable block but it also provides a building of the appropriate scale for the designed landscape.

The complete restoration of the devastated Harewood Park by the Duchy of Cornwall is possibly the first total restoration of an entire Estate in Herefordshire. The construction of the house will form the final phase of the project and it will be a triumph if this can be achieved; hence the 'triumphal arch' theme of the proposed house is not only important architecturally, but also symbolically."

- 5.2 Harewood Parish Council have no objections
- 5.3 Pencoyd Parish Council have no objections
- 5.4 A letter of support has been received from Professor D. Watkin, Department of History of Art, University of Cambridge.

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 applicant's acquired the Harewood estate in 2000 and since then has embarked on a phased programme of restoration of both the farmland and the buildings.
- 6.2 This has involved the restoration of Home Farm and Grange Farm into cottages and workshops, which is nearing completion, with many buildings already occupied. Work has commenced on the restoration of the former St Denis Church, which will provide a studio, and permission has been granted for the restoration of the stable block to its original use. In addition a local quarry has been opened to provide stone for some of this work. A programme for the restoration of the parkland has also been implemented. During this process the applicants proposed that as part of this overall scheme a new house should be erected so as to restore a visual focus to the estate.
- 6.3 All of these developments were dealt with by applications under the provision of Crown Exemption. At that time this provided that the Crown did not require planning permission but were required to consult the Council. The Scheme of Delegation to Officers covered responses to these consultations. A change in the law has meant that from June 2006 the Crown is required to obtain planning permission.
- 6.4 The applicant has permission to construct a new house on this site and this can be implemented at any time up to November 2009. The permission allows the construction of a substantial two storey house, having a floor area of some 1380 sq m. This proposal is for a significantly smaller two storey house, of some 790 sq m. The applicant states that the reason for the reduction in size is to pursue a more sustainable structure but which will still be appropriate is scale and design to the landscape. In addition the applicant had concerns with regard to the commercial return on the original scheme.
- 6.5 The site is in the open countryside. The development plan policies provide that certain limited exceptions can be made to the general restriction on new housing.
- 6.6 When the previous consultations were assessed it was concluded that for a variety of reasons an exception could be made to the normal policies. These were that there was evidence that a substantial house previously existed on the site, there were elements of the former parkland in existence, there was an existing dwelling (the

modern bungalow) which would be removed, work was commencing on the stated restoration of the whole estate and such a house would give more relevance to the stables, church and walled garden.

- 6.7 At that time PPG7 had just been replaced by PPS7. PPG7 had contained a provision that allowed for the grant of planning permission for an isolated house where it was clearly of the highest quality, is truly outstanding in terms of its architecture and landscape design, and would significantly enhance its immediate setting and wider surroundings. However PPS7 whilst retaining the provision for exceptions redefined the terms under which they should be permitted. This states that a design that is of an exceptional quality and innovative nature may justify an exception. The design should be truly outstanding and ground breaking, reflecting the highest standards in contemporary architecture, the significant enhancement of its immediate setting and its sensitivity to the defining characteristics of the local area.
- 6.8 This principle issue with this proposal is whether the design meets the policy tests and criteria for an exception that applied previously. The proposal remains contrary to development plan housing policy. The main differences in circumstances are that the work on the restoration of the estate have proceeded with Home Farm completed, Grange Farm nearing completion, work in progress on the church and substantial restoration of the parkland landscape. The other difference is in the size and design of the proposed house. The scheme shows a substantial reduction in size from that previously agreed, which was for a large country house. However the design although not ground breaking, as such, is of a high quality and will incorporate up to date sustainable techniques. The design does reflect the highest standards and it will significantly enhance the local setting and is sensitive to the area. The scheme will not harm the setting of the Listed Buildings.
- 6.9 The site is within the Wye Valley AONB where UDP Policy LA1 should be applied with the principal aim being the protection of the natural beauty of the area. In this case although the house is not particularly small in scale it will enhance rather than adversely affect the natural beauty of the area and, although not necessary to facilitate the economic and social regeneration of the area, it will give a focus to the restoration of the Harewood Park estate and it will enhance the landscape.

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. Prior to the commencement of the development a detailed programme and method statement, to include a timetable for the implementation and completion of the development shall be submitted to and be approved in writing by the local planning authority. The development shall be progressed in accordance with the approved details.**

Reason: In order to ensure that the development is progressed to completion.

3. B01 (Samples of external materials)

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

4. D01 (Site investigation - archaeology)

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

5. D04 (Submission of foundation design)

Reason: The development affects a site on which archaeologically significant remains survive. A design solution is sought to minimise archaeological disturbance through a sympathetic foundation design.

6. G03 (Landscaping scheme (housing development) - implementation)

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

7. Notwithstanding the approved drawings, details of the following shall be submitted to and approved by the local planning authority prior to the commencement of any works. The development shall be carried out in accordance with the approved details:-

- (a) external materials and finishes (to include a sample panel of the stonework, mortar and pointing)**
- (b) detailed design of all internal and external joinery**
- (c) detailed design of all internal details including decorative ceilings, panelling and chimney pieces**
- (d) detailed design and materials of all boundary walls, gates, steps and terracing.**

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

Informative(s):

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

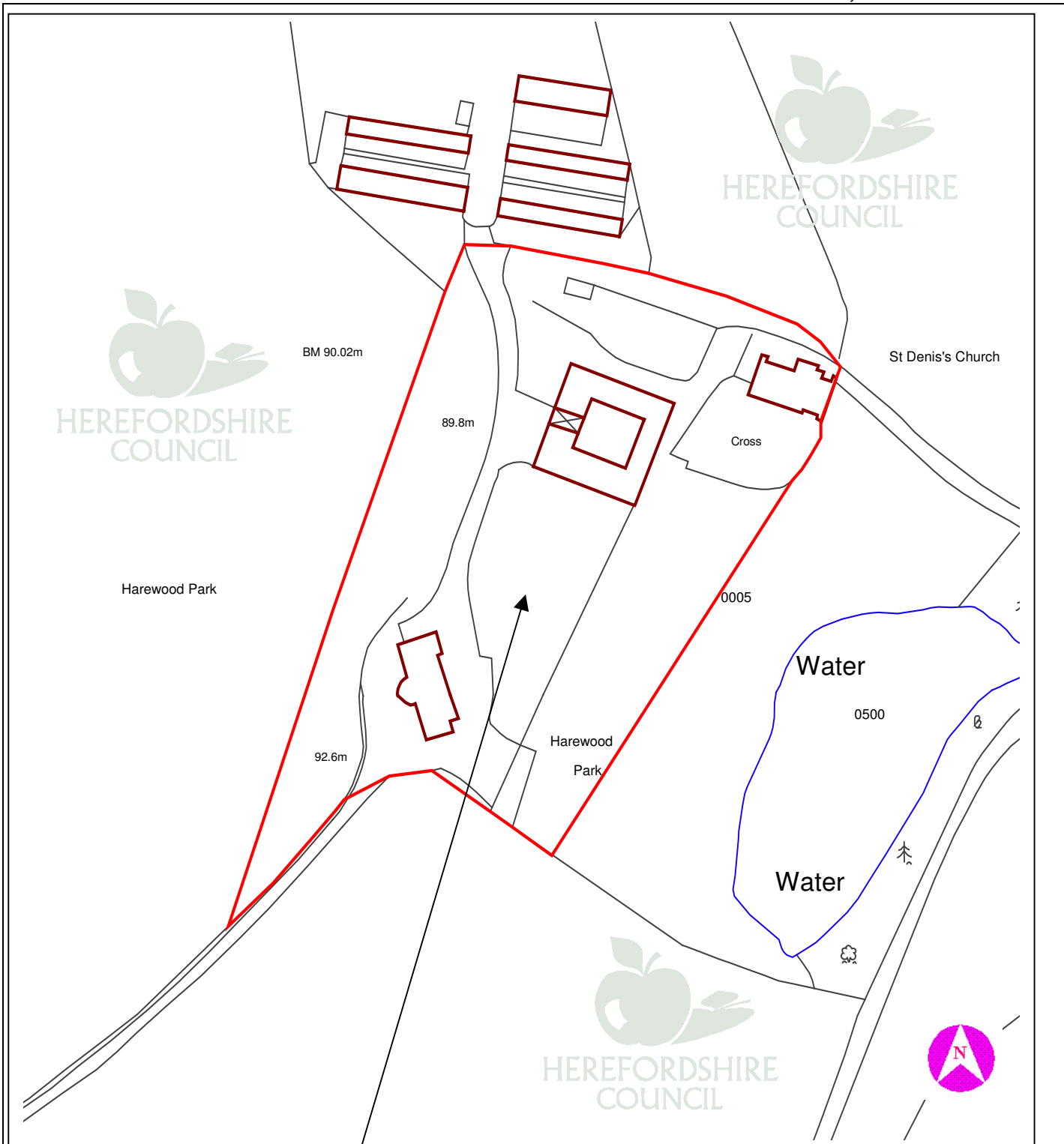
Decision:

Notes:

.....

Background Papers

Internal departmental consultation replies.



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

APPLICATION NO: DCSW2006/3829/F

SCALE : 1 : 1250

SITE ADDRESS : Harewood Park, Harewood End, Herefordshire, HR2 8JS

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

9 DCSW2006/3430/O - SITE FOR NEW SCHOOL BUILDINGS AND NEW ACCESS TO EXTEND SCHOOL FACILITIES, HEREFORD WALDORF SCHOOL, MUCH DEWCHURCH, HEREFORDSHIRE, HR2 8DL.

For: DfES Academies per Feilden Clegg Bradley Architects LLP, Bath Brewery, Toll Bridge Road, Bath, BA1 7DE.

Date Received: 27th October, 2006

Ward: Valletts

Grid Ref: 48215, 31008

Expiry Date: 26th January, 2007

Local Member: Councillor P.G. Turpin

1. Site Description and Proposal

- 1.1 Much Dewchurch is located some 7 miles south of Hereford and lies astride the Class II road that connects Wormelow and Allensmore. The site is on the southern side of the village and relates to the existing Waldorf School. However the application relates to a substantial area of land which encompasses the school, pastureland to its south, the existing school outdoor play areas to the south of St David's Church and an area of pastureland to the east of the village. In total the area is some 4.5 hectares.
- 1.2 This is an outline application and includes details of the proposed access. The matters of layout, appearance, scale and landscaping are reserved for subsequent approval. The proposal is to provide a new school. This will involve the erection of a new school building on the land to the south of the existing school and to incorporate this and the existing permanent buildings to provide a Steiner Academy. The land to the east of the village is proposed to be used to form a car park for the school, incorporating a new access to the Class II road, and with a pedestrian link formed to the school through the land to the south of the Church. The application is supported by a number of reports which will be referred to later in this report.
- 1.3 The site is within the current Area of Great Landscape Value. St David's Church, a number of the monuments in the graveyard and The Old Vicarage are Listed Buildings.

2. Policies

2.1 Planning Policy Statements

PPS1	-	Delivering Sustainable Development
PPS7	-	Sustainable Development in Rural Areas
PPG13	-	Transport
PPG15	-	Planning and the Historic Environment

2.2 Regional Spatial Strategy for the West Midlands

Policy RR1	-	Rural Renaissance
Policy RR2	-	The Rural Regeneration Zone
Policy RR4	-	Rural Services
Policy QE5	-	Protection and Enhancement of the historic Environment
Policy T2	-	Reducing the Need to Travel

2.3 Herefordshire Unitary Development Plan (Revised Deposit Draft)

Policy S1	-	Sustainable Development
Policy S2	-	Development Requirements
Policy S7	-	Natural and Historic Heritage
Policy S11	-	Community Facilities and Services
Policy DR1	-	Design
Policy DR2	-	Land Use and Activity
Policy DR3	-	Movement
Policy DR4	-	Environment
Policy DR6	-	Water Resources
Policy T11	-	Parking Provision
Policy T14	-	School Travel
Policy LA2	-	Landscape Character
Policy LA3	-	Setting of Settlements
Policy LA6	-	Landscaping Schemes
Policy NC1	-	Biodiversity and Development
Policy HBA4	-	Setting of Listed Buildings
Policy CF2	-	Foul Drainage
Policy CF5	-	New community facilities

2.4 South Herefordshire District Local Plan

Policy GD1	-	General Development Criteria
Policy C1	-	Development within Open Countryside
Policy C2	-	Settlement Boundaries
Policy C3	-	Criteria for Exceptional Development Outside Settlement Boundaries
Policy C8	-	Development within Area of Great Landscape Value
Policy C29	-	Setting of a Listed Building
Policy C30	-	Open Land Within Settlements
Policy C40	-	Provision of Essential Services
Policy C43	-	Foul Sewerage
Policy CF1	-	Retention and Provision of New Community Facilities
Policy CF5	-	Provision of Community Buildings
Policy T3	-	Highway Safety Requirements

2.5 Hereford and Worcester County Structure Plan

Policy CTC2	-	Area of Great Landscape Value
Policy CTC7	-	Development and Features of Historic Importance
Policy CTC9	-	Development Requirements

3. Planning History

3.1	SH871704PF	Change of use of barn into a 2-storey classroom block and construction of playground parking and turning area	-	Approved 10/02/88
	SH940094PF	Erection of new complex to provide theatre and hall space, art/craft facilities and alterations to link block	-	Refused 20/04/94
	SH940095PF	Erection of a timber framed kindergarten building	-	Refused 20/04/94. Appeal dismissed 15/12/94
	SH950448PF	Kindergarten block, workshops and hall complex, altered and extended toilet block and hard play area	-	Refused 20/09/95. Appeal dismissed 04/10/96
	SW2000/2970/F	Change of use to educational premises with extension and alteration and erection of garage workshop (Church Farm)	-	Approved 18/04/01
	DCSW2003/3461/F	New assembly hall, new classroom block and ancillary buildings	-	Approved 09/01/04
	DCSW2005/3136/F	Change of use from agricultural use, to overspill car parking in part of field on temporary basis	-	Not determined

There have also been a number of permissions for temporary buildings and other minor work.

4. Consultation Summary

Statutory Consultations

- 4.1 Environment Agency - This is a case where the Agency offers standing advice with regard to surface water run-off and drainage.
- 4.2 West Midlands Regional Assembly - have no objection
- 4.3 Advantage West Midlands - have no objection

4.4 Welsh Water comment:

“Sewerage

The proposed development would overload the existing public sewerage system. No improvements are planned within Dwr Cymru Welsh Water's Capital Investment Programme. We consider any development prior to improvements being undertaken to be premature, and therefore object to the development. It may be possible for the Developer to fund the accelerated provision of replacement infrastructure or to requisition a new sewer under Sections 98-101 of the Water Industry Act 1991.

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

In order for this objection to be overcome, it will be necessary to undertake a feasibility study on the receiving Waste Water Treatment Works to determine whether adequate capacity exists to accommodate the additional foul flows from the proposed development. On completion of the study we will be in a position to revise our comments.

Sewage Treatment

The proposed development would overload the Waste Water Treatment Works. No improvements are planned within DCWW Capital Investment Programme. We consider any development prior to improvements being made to be premature and therefore object to the development.”

The applicants have commissioned the necessary feasibility study. Welsh Water advise that on its satisfactory completion their objection would be removed and replaced by a planning condition which would reflect its results.

- 4.5 English Heritage - do not wish to comment in detail but suggest conditions are imposed to require prior approval of architectural details, materials, finishes and landscaping.
- 4.6 Ramblers' Association - Comment that the public footpath must be protected and the bridge must be suitable in width for its use
- 4.7 Open Spaces Society - Comment with regard to the ensuring that the bridge over the public footpath is suitable for all users

Internal Council Advice

4.8 Director of Children's Services comments:

“The proposal to create an academy funded by Central Government at Much Dewchurch reflects a national policy to create diverse provision in the public sector and give more choice to parents. The way in which the admissions over-subscription criteria are worded for the academy does ensure that residents of Herefordshire will benefit from the additional provision. These admission policies are written to potentially benefit pupils wherever they live in the County. In this respect, the school would operate in a similar fashion to St. Mary's RC High School, Lugwardine and Bishop of Hereford Bluecoat High School in their role for the Roman Catholic and

adherents to The Trinity respectively. The Steiner Academy would join the wider community of maintained provision in Herefordshire.

The Education and Inspection Act places a responsibility on local authorities to maximise diversity and parental choice. On this issue, the local authority recognises the greater choice the Steiner School will bring to parents in the County.

The need for the academy at Much Dewchurch should be judged in this context. It should not be judged in terms of pupil numbers in Much Dewchurch itself. Those under the age of 5 living in the parish in each year group vary between 5 and 11. The provided schools for this parish are Much Birch Primary School and Kingstone High School and they both have sufficient capacity to meet the needs of those children living within their catchment area who do not seek a Steiner education.”

4.9 Environmental Health Officer - no comments

4.10 Traffic Manager -

(a) Traffic/Highways - recommends refusal for the following reason:

“The proposed junction layout indicated on the deposited plan accompanying this application is at variance with Department of Transport standards. Stopping sight distance (forward visibility) for southbound vehicles on the B4348 approaching the proposed access appears to be sub-standard. This may result in queuing traffic on the main road waiting to turn right being ‘shunted’ by vehicles travelling uphill (from blind bend) at school ‘peak’ hours. In order to provide the required ‘Desirable Minimum’ stopping sight distance of 90 metres (based on existing vehicles speeds identified) will require the possible realignment and reprofiling of carriageway and highway verge/footway to the north of the proposed access, and relocation of the adjacent residents parking lay-by. It should be noted Department of Transport document TD 9/93 para 1.26 (contained in the ‘Design Manual for Roads and Bridges’) states that relaxations below Desirable Minimum in stopping site distance will not be permitted on the immediate approaches to junctions, because the majority of accidents occur in the vicinity of junctions. It also defines the immediate approaches to a junction as being those lengths of carriageway on the mainline (in this case on the B4348) between a point 1.5 times the Desirable Minimum Stopping Sight Distance from the centre line minor road and the centre line itself (in this case 135 metres).”

(b) Public Rights of Way:

“The only area of concern is the narrow section of land joining the proposed new car park and main site. At this point the proposal is for the installation of a new bridge to replace the existing one on the legal line of footpath MD 12. There are no details of the proposed design or specifications at this stage. There is currently an old stone clapper bridge on site which is too low and liable to flooding and is in need of some repair. It is also totally unsuited for disabled access. The applicants should be aware that there is likely to be some local sensitivity when considering the replacement of this bridge and this should be taken into account when considering designs. The proposed bridge design also needs to be approved by ourselves as it will be a dual public/private bridge. It is likely that we would require either commuted 106 sums for ten years to maintain the bridge or require the School to undertake future maintenance of it at their own expense with a contribution from ourselves.

The legal line of the footpath is slightly different from the arrangement on site which although will not affect the bridge, will need to be taken into account when the new private footpath is constructed.”

(c) Land Drainage Engineer

“The Flood Risk Assessment as presented is acceptable, however, as the application progresses it would be advisable to involve the drainage section with regard to the storm water drainage, and in particular, the layout of the storage/attenuation pond for Area 1.”

4.11 Conservation Manager: -

(a) Archaeologist

“Although having no, in principle, objection to the development, I am concerned by the appreciable ground disturbance – in a sensitive location – that will occur. The application site lies in close association with the historic core of the village, which may have pre-conquest origins.

Accordingly I consider that the development as proposed is likely to damage significant archaeological deposits and features. This damage needs to be mitigated by a firm archaeological condition (PPG.16 Section 30), ensuring that the site is archaeologically recorded prior to/during development.

With regard to the proposal above, I would advise that the standard archaeological ‘site investigation’ condition be attached to any forthcoming planning permission.”

(b) Building Conservation Officer

“Although at outline stage, this is a thoroughly considered application which addresses the main siting issues in a systematic manner and presents a coherent framework for the detailed design decisions which will be made. This scheme has the potential to be a significant addition to Herefordshire’s C.21 architectural canon and is likely to attract national attention.”

(c) Landscape Officer

“I understand that this scheme has been extensively discussed with officers prior to the application being made and I would support the development in principle. There are a number of issues that I would like to raise at this stage, which I hope will inform your decision and help the applicant in formulating a detailed proposal for full permission.

Firstly, the site is located within the Principal Settled Farmlands landscape type as identified in the Herefordshire Landscape Character Assessment. As the name of the landscape type implies, this is a settled landscape where hamlets and villages are common as are dispersed farmsteads and dwellings. Many villages in this landscape originated as nucleated settlements but have expanded through linear extensions along principal roads. Much Dewchurch is typical of a village in this landscape. As such, the historic origins of the village have been suppressed by layers of development resulting in an eclectic mix of buildings and styles; new buildings could reasonably be accommodated in this landscape particularly where enhancements to the character of the village can be made and strong settlement boundaries reinforced or made.

The siting of the proposed car park is possibly the weakest element of the scheme, but one that will not easily be resolved as no other area is available for car parking. Integrating the car park into the landscape will therefore require considerable attention. In short, making full use of the existing 'lumps and bumps' and vegetation to the east of the area should be considered. This would require the car parking to be located to the west side of the field, ideally wrapping around the existing contours of the hill. Although this would present parked cars to open countryside, there are few receptors to the west and the impact could be more easily mitigated by boundary tree and hedge planting. Additionally, bunding to the roadside could be avoided and the general landform could remain materially unaltered. Roadside signage to the car parking area will also need to be kept to a minimum.

The Design and Access Statement accompanying the application identifies the importance of "interlinking of new and existing landscapes". This would apparently reflect the importance of the field linking the car park with the school site. This also highlights the importance of the change in topography from the hilltop settlement to the north and the flat, wet meadows and associated streams to the south. Details of how this linking field is to be landscaped will be essential to ensure the successful connection of the two principle elements of the scheme.

Similar to the above, the detailed landscaping of the 'MUGA' and 'lookout point' to the extreme southwest of the site will also be required. It should be noted that the 'MUGA' and the car park are the two built/hard elements that extend beyond the natural topographical boundary of the village. Boundary treatment and the relationship with the open countryside will be critical at these points.

Do we know how the existing public right of way to the west of the car park, where it passes through the application site, is to be treated and how site security maintained?

Naturally, general landscaping details, schedules and specification of planting will be required for the whole site and a suitable, standard condition requiring the submission of details attached to any consent granted, but the above are the critical areas that will need greatest attention and the car parking area gives me particular concern. Samples of materials for hard landscaping will be required in addition to samples for the built elements of the scheme and again a suitable condition should be attached."

(d) Ecologist

"I have received the accompanying ecological reports (there are two reports contained within the attached document) by Wildways. I have also spoken with Hilary Smith (the consultant ecologist) with reference to appropriate levels of survey, and am satisfied that this has been covered within the report. I note that the possibility of the presence of great crested newts has not been ruled out, and that a further survey at an appropriate time of year will be required. The results of this should accompany a full planning application, so that the necessity for a newt proof fence can be ascertained.

I would like to see more detailed proposals and drawings for mitigating for the loss of hedgerows along the road adjacent to the new car park. This should include location, length and species to be planted (these should be native) as well as protective measures to ensure their survival.

This outline application does not appear to include the proposed works to the existing buildings, and the effect that this might have upon bats that is outlined in the ecological report. However, I am satisfied that the bat mitigation proposals in the report are

appropriate. My recommendation is to approve this application with the inclusion of the following non-standard conditions based on the proposals outlined in the Mitigation and Compensation sections of both reports:

"The recommendations for bats, birds, great crested newts and habitat enhancement outlined in the Mitigation and Compensation sections of the ecologist's reports should be followed.

Timing of the development together with post-development site safeguards and monitoring mentioned in the report should be adhered to."

Reasons:

All species of bat and their roosts are protected under the Wildlife and Countryside Act 1981, the Conservation (Natural Habitats) Regulations 1994 and policies within the Local Plan and UDP NC1, NC5, NC6 and NC7.

Nesting birds are protected under the Wildlife and Countryside Act 1981, the Conservation (Natural Habitats) Regulations 1994 and policies within the Local Plan and UDP NC1, NC5, NC6 and NC7

To comply with Herefordshire Council's Policy NC1, NC5, NC6, NC7, NC8 and NC9 and HBA9.8 in relation to Nature Conservation and Biodiversity."

4.12 Forward Planning Manager comments:

"The site is located at Much Dewchurch, a named Main Village in the Unitary Development Plan (Revised Deposit Draft) (Policy H.4). Part of the site is within the settlement boundary, with the remainder of the application site adjacent to the village boundary. The principle of the application is acceptable in principle, with Policy CF.5 New Community Facilities, expressly stating that proposals which would result in the provision of new or improved community facilities or the enhanced use of existing facilities will be permitted where they 'are located within or around the settlement or the area they serve'. Material consideration needs to be made in regards to the following:

Further requirements of Policy CF.5 include that the development is:

- appropriate in scale to the needs of the local community and reflect the character of the location
- would not significantly impact upon the amenity of neighbouring residents
- incorporate safe and convenient pedestrian access together with appropriate provision of car and cycle parking and operational space

The supporting text also states that the provision of accessible new facilities and services are supported as long as they do not impact upon the area in which they are proposed.

The main issues are centred on highways, access and safety, and the impact of the proposal on the Scheduled Ancient Monument and the setting of the village overall. The relevant comments of those departments can inform a detailed opinion on those matters, nevertheless Unitary Development Plan policies do cover these issues.

Policy ARCH.3 states that proposals and works which adversely affect the integrity, character or setting of a Scheduled Ancient Monument are not permitted.

Policy LA.3 seeks to protect the setting of settlements, and it is essential that the criteria of this policy are satisfied, even if all other relevant policies make the proposal acceptable. Important visual approaches into settlements, views of key buildings, open areas into developments, green corridors and surrounding valued open countryside will be particularly protected and where appropriate, enhanced. The creation of green wedges, open spaces and tree lines will be promoted where they compliment and enhance the landscape character and townscape.

Summary - In policy terms, the proposal is acceptable in principle, with the main issues as outlined above, and subject to the comments of the relevant departments."

5. Representations

5.1 The application is supported by a number of documents: -

Planning Statement - This states that the Waldorf School opened in the 1980 and is currently undergoing the process of becoming an academy, part of the state provision of education, funded by the DfES and the Steiner Fellowship. The intention is to open in 2008 with space for 330 pupils (ages 3 - 16), an increase of some 22% on existing. The scheme involves new building and improvement to the existing buildings plus outdoor sporting facilities. The Statement considers the proposal against policy and concludes that it is in accordance.

Design and Access Statement - This states that the new buildings will be some 3050 sq. m. and will provide classroom for the upper and lower school, specialist teaching rooms, hall, gym and eurythmy space. Additionally the existing kindergarten facility will be extended. The remainder of the south field would be used for sport with hard play areas along its western edge. It is intended that the development will be sustainable achieving 40% renewable energy at the outset. The Statement includes a series of indicative drawings of the design and layout. The intention is to create two landscaped courtyards linking the existing with the new buildings. The new buildings will be cut into the slope, are to be barn like structures, to echo those existing, and would be mono pitched clad in larch and glazing and with sedum roofs. A new access and car park are proposed which will be safer, reduce traffic in the village and reduce parking at the school. The Statement includes a series of drawings indicating the concept and intended design and layout, the landscaping and the car parking and access.

Transportation Statement and Framework Travel Plan - It points out that the school has a wide catchment area and the proposal is to increase its size. There is public transport access and a high car occupancy level (2.6 children). The access onto the Class II road is substandard, the activity impacts on the amenity of adjacent residents and is not suitable for increased use. The new access and car park will provide space for 63 cars and room for coaches and it will not impact on the safe operation of the Class II road. A Travel Plan is to be implemented by the school.

Education Statement - This explains the educational background, as follows: -

The National Academies Programme

Academies are a new type of school. They bring a distinctive approach to school leadership drawing on the skills of sponsors and other supporters. They give schools new opportunities to develop educational strategies to raise standards and contribute

to diversity. Academies are publicly funded independent schools. Their independent status allows them the flexibility to be innovative and creative in their curriculum, staffing and governance. Academies, therefore, work in different ways to traditional Local Authority (LA) schools.

Academies are all ability schools established by sponsors from business, faith or voluntary groups working in highly innovative partnerships with central Government and local education partners. Sponsors and the Department for Education and Skills (DfES) provide the capital costs for the Academy. Running costs are met in full by the DfES.

Each Academy provides an excellent environment for teaching and learning that is comparable with the best available in the maintained sector. The Steiner Academy will offer a broad and balanced curriculum to pupils of all abilities with a specialism in the Natural Environment. As the Academy becomes successfully established it will share its expertise and facilities with other schools and the wider community.

As well as providing the best opportunities for their pupils, Academies have a key part to play in communities. A new Academy will be a significant focus for learning for its pupils, their families and other local people. The Academy will be innovative in design and built to high environmental and sustainable standards. It is to be a national centre for Steiner Education. It will be a high profile establishment and is supported by the DfES wholeheartedly.

The DfES provide the capital costs for the Academy from the Academies Division funding with a contribution from the Sponsor. Running costs are met in full by the DfES.

Pupil Places & Diversity

The new Academy will offer places for 260 pupils aged 6 - 16 years, plus 70 Early Years places. As the current school is independent and fee paying, the new state funded Academy will offer more diversity to local children in Herefordshire at no cost.

The Hereford Steiner Academy has been included in the Academies Programme because of the special approach to education that it offers. The Academy will offer real diversity and choice to parents and the admissions policy is based on the following criteria (in order of importance):

- Looked after children;
- Children with statements of SEN that name the Hereford Steiner Academy in the statement;
- Children who have a sibling already in the school. To qualify under this category a child must have a brother or sister at the school both at the time of application and when the younger sibling is due to start. Siblings include not only natural brothers and sisters but also step-brothers/sisters, or brothers/sisters who have been legally adopted, so long as they are living at the same address as the family unit. However, cousins or other relatives at the same address will not be given priority;
- Proximity to the school, as measured by the shortest practical and safe walking route to the school.

Local College Support

Colleges local to the current Hereford Waldorf School have expressed great and continued support for the school and the students who attend the school. A good relationship has been developed and pupils are accepted without the typical set of qualifications that other mainstream schools insist upon. Steiner pupils achieve excellent academic standards at the Colleges and also when they go on to University.

In addition it reports on the pre-application consultation that took place with the local community.

Ecological and protected species survey - This concludes that the majority of the land appears to have little ecological value with the best habitat areas being the field boundaries and brook. The existing school buildings would also appear to have a small use by protected species. Recommendations are made with regard to further survey work and mitigation during development and construction.

Flood Risk Assessment - This concludes that there is little or no risk from fluvial flooding, building levels will be set above the flood level in a worst case scenario, in order to control surface water run off a surface water strategy will be incorporated including the provision of an attenuation pond to store water.

- 5.2 Much Dewchurch Parish Council "strongly object to the proposed Steiner Academy being established in the village. The development would be far too big in such a small village, taking up an area of land equal to a third of what the village properties stand on at present.

The proposed buildings are also extremely large in comparison to any other buildings in the surrounding area, therefore not within keeping. The Academy would have significant affect on residents and properties, especially those in The Pippins complex and adjacent to the present access. Residents living opposite the proposed car park entrance would experience the traffic movements and inconvenience; there are two vehicle entrances virtually opposite the car park entrance. The access road to the Church View Estate is only 40m south of the proposed new car park entrance. The applicants anticipate an extra 100 pupils attending the Academy resulting in over 60 additional vehicles.

The traffic census on the B4348 highway through Much Dewchurch was carried out at the end of January 2006, which is when traffic at at a low level. There are virtually no agricultural vehicles and machinery on the move, Allensmore Nurseries are also quiet, far fewer lorries are hauling grain to Sun Valley Feed Mill and there are no holiday coaches, caravans, motor homes, etc.

Drivers from south of Hereford use the road to get to the M50, avoiding the congestion of the city, to get to Worcester, Shrewsbury and beyond. An increase in traffic movement on this stretch of the B4348 will exacerbate traffic problems experienced for many years between the A465 and A466 junctions. It has been suggested that an independent traffic survey be taken at a more appropriate time of year.

The Parish Council question the term 'local' with reference to UDP Policy CF.5, 'Provision of Facilities for Local Needs'. The application states that present pupils travel an average 10 miles to the Waldorf School, with only 38 pupils travelling less than five miles, with some travelling much further than 10 miles, whereby the Council do not regard the Academy as a local need.

The bus shelter on the southern side of the proposed access was funded by village residents and built on a plot of land, which was donated by Mrs. Peel. The Parish Council owns, maintains and pays insurance premiums for it, but they have not been approached regarding it being moved. Residents want it to stay as a memorial to Mrs. Peel and her late husband who supported and helped the village in their time.

The proposed buildings would be quite close to the St. David's Church, which is a listed building and overlooks land regarded as being of natural beauty and outstanding views.

In 1977, Planners refused permission for Waldorf School to build a large unit to contain a hall and classrooms, the Parish Council objected to that development and contested the Waldorf School appeal, which was dismissed by a Government Inspector. That decision must surely have some influence on this application, which is for a much larger development and will have a bigger effect on the village as a whole and road users.

Past enquiries into the possibility of building residential properties on land adjacent to the proposed site received a reply stating that no development would be allowed in this area west of the B4348 road.

It is considered inappropriate and out of order for the Government to grant millions of pounds to fund this project, which would only accommodate an additional 100 pupils when many rural schools have closed through a lack of funds and pupils. This appears to be a scheme to build a new school on the existing.

If this Academy received Government funding, much of the schooling would have to comply with State rulings, whereby some parents would not be in favour of changes and move their children elsewhere, this combined with the known fact that children numbers are decreasing could result in an expensive Academy being under subscribed."

5.3 Councillor P Turpin comments:

"I feel I have to write to protect against this huge development in our small village. It used to be a small school with the most on role years ago totalling 60. They now want to increase their capacity to 330 plus. I wonder how many schools have a separate car park for the dropping off of their children and the parking of their cars? Although the applicant has presumably purchased the land for the car park and it eventually links up with their own land; I cannot and will not accept that when it is raining and snowing the children will be made to walk up to the car and walk back to the school.

Have they got Academy status yet? That's the key to all of this. The amount of traffic in the village am and pm is horrendous. How vulnerable are the small schools going to be, i.e. Kings Caple, Much Birch, Garway and St. Weonards? It's advertised in the local press as (a) not in accordance with the provisions of the development plan, (b) it's affecting the setting of the listed building (the church) and (c) it affects a public right of way.

Only a few local children use the school, the amount of traffic using the village for the school is vast. I would urge you local members to turn this application down, the village does not need or require this, it was a peaceful little village before they arrived and took our village over."

5.4 19 letters of objection have been received with the reasons for these as follows: -

- Additional traffic causing hazards on road
- Difficulty of access to Church View
- Disturbance to the countryside
- New car park will be a potential threat and risk to road safety
- Already causes traffic problems - can only be made worse
- Jeopardise peace and quiet of village
- School already too large for surroundings
- Car park will have significant impact on visual amenity of residents and setting of historical and listed buildings
- Concern over safety of access to car park
- Parents will continue to use current school access particularly in poor weather
- Lighting will be intrusive
- Concern as to use of larch cladding and sedum roof on buildings which will not blend into village
- Extension of village into open countryside which is in AGLV
- If permitted full affordable use of the facilities by the village should be assured/working hours should be restricted
- Contrary to planning policy
- Danger to public safety
- Increase in noise and disturbance
- Loss of views
- Overall will not benefit the village but will overwhelm it
- Concern as to access for construction vehicles
- Damage to a drainage system
- Does not serve the local community
- Will cause difficulties for bus users
- Money could be better used on other schools in County
- Concern as to standards of education
- Car park run off will increase flooding
- Will harm other schools in area
- Out of scale with village

5.5 A petition against the proposal containing 66 signatures. The reasons are dangerous access, out of keeping with village, harm to other schools in the area and strain on the roads and environment

5.6 93 letters of support has been received with the reasons for this that the development will: -

- Provide a new and exciting era for the village
- Reduce traffic in the village
- Enhance education facilities
- Architecture in harmony with its environment
- Exciting and innovative project
- New facilities will benefit community

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

6. Officer's Appraisal

- 6.1 The Waldorf School has been in existence at this site for many years. It is currently accommodated in the original village school building, a converted barn a former farmhouse and some temporary buildings. Planning permission exists for the construction of a new assembly hall, classroom block and ancillary buildings.
- 6.2 This proposal essentially is to redevelop the school to provide a Steiner Academy, which will be funded by the government. This however is an outline application with only illustrative details of the proposed development. Only details of the access are submitted at this time. The school would provide 330 places. The existing buildings will continue to be used. New buildings are proposed to the south of those existing in the form of two storey structures to provide classrooms and hall. These will use the ground contours to mitigate their impact. In addition an extension will be added to the farmhouse. The indicative details are that the new buildings will echo the existing barn structures and will be mono-pitched structures with the materials to be timber cladding with glazing and sedum roofs. The buildings will extend into the existing field with its remainder to be used for outdoor activities.
- 6.3 The access and parking for the present school does cause significant local difficulties. To endeavour to resolve this a new car park is proposed on land to the east of the village with a pedestrian link formed from this to the school through the land to the south of the churchyard. To manage the future use of this and the existing access and parking a Travel Plan will be developed.
- 6.4 In both the Local Plan and the Unitary Development Plan Much Dewchurch is identified as a main village, which is a settlement of a certain size with existing local facilities, employment opportunities and public transport. In terms of the "settlement boundary" the existing school buildings are largely within the boundary but the external activity areas are not. In terms of this proposal there would be substantial development outside the settlement boundary. Land outside this boundary is considered to be countryside where there are restrictions on new development. Exceptions can be made where the development is adjacent to the settlement boundary and is for "community use" (Local Plan Policies C2 and CF1), or "appropriate in scale to the needs of the local community (UDP Policy CF5). I consider that the policies in the UDP can be given considerable weight in the determination of the proposal
- 6.5 Policy CF5 that deals with new community facilities and this does include the provision of educational accommodation. It states: -

Proposals which would result in the provision of new or improved community facilities or the enhanced use of existing facilities will be permitted where they:

1. are appropriate in scale to the needs of the local community and reflect the character of the location;
2. are located within or around the settlement or the area they serve;
3. would not significantly impact upon the amenity of neighbouring residents; and
4. incorporate safe and convenient pedestrian access together with appropriate provision of car and cycle parking and operational space.

- 6.6 The first issue is the principle of the development. The proposal is to provide a new school that will serve a much wider area than Much Dewchurch, as does the current Waldorf School. The overall thrust of planning policy is to promote sustainable development with new development ideally directed to those locations that it is to serve. There is no reason why the academy should necessarily be located on the site of the Waldorf School and it could be argued that it be located in Hereford or one of the market towns where there is better access to transport and services. However other schools, such as St Mary's High School Lugwardine, are located in rural villages and serve the wider County. There is no policy requirement for the applicants to consider alternative locations neither was there a request during the UDP process for the allocation of a site. The proposal seeks to improve and enhance an existing community facility. In terms of the overall provision of education in Herefordshire the Director of Education does not object. On balance I consider that so long as the development does not result in unacceptable impacts in the locality there is no overriding reason why this location is unacceptable.
- 6.7 With regard to the scale of the development currently there are no planning controls on the pupil capacity of the school. At present it is understood that there are some 250 pupils. Therefore this proposal with some 330 pupils will represent a significant increase. The academy is not necessarily intended to meet the needs of the local community but will serve the wider area. In terms of the built form the illustrative details indicate that the buildings will seek to reflect the traditional styles on the area rather than a single large building.
- 6.8 A major issue with the operation of the school would be access and parking. The existing access to the school is by way of a difficult access with the Class II road and along a narrow drive. Parking facilities are also limited. The present operation of the school does result in difficulties. Clearly the proposed development would exacerbate these problems. The applicants are proposing a car and coach park on land to the east of the village for both pupils and staff. From this there would be a pedestrian link to the school by way of the land to the south of the Church. In addition a Travel Plan will be developed aimed at ensuring that this new arrangement is used. It is not possible to close the existing access or guarantee that it would not be used. The intention is that parking at the school will only be for the disabled and visitors. The car park will require a new access opposite the Church View estate, and the detail of this is included. There has been ongoing discussion on the highway safety requirements for this particularly with regard to forward visibility along the Class II road due to the changes in its alignment. At present these concerns have not been resolved and the Traffic Manager recommends refusal.
- 6.9 The site is within the Area of Great landscape Value, although this designation will cease with the adoption of the UDP. However the proposal in extending the built form of the village into the countryside will have an impact on the landscape. The village is overlooked by higher ground particularly to the south. However having regard to the illustrative details I consider that the development at and adjacent to the school site can be assimilated into the landscape. A detailed landscaping scheme can be negotiated at the detailed stage. As to the car park this will extend the village more significantly into the countryside. The land is uneven and there is a significant slope to its west side. However the parking of vehicles will be transitory and with careful landscaping I consider that there would not be unacceptable harm to the landscape.
- 6.10 With regard to drainage the additional development will increase the potential for surface water run off. The applicant's have submitted a flood risk assessment and this

is considered to be acceptable in principle. There is a potential flooding issue from the brook particularly with regard to the footpath link from the car park to the school (this is also partly a PROW). However the design of the new bridge and the level and form of the footpath can be dealt with at the detailed stage.

- 6.11 The present the operation of the school does impact on the amenities of local residents, primarily from the operation of its access and parking but also from its general activity. The relocation of the car parking will improve this although it will be offset by an increase in activity at the school. There are dwellings almost adjacent to the school site in The Pippins. However I do not consider that any increase in noise and disturbance above existing levels will be at an unacceptable level.
- 6.12 The school is adjacent to St David's Church, a Grade I Listed Building. Previous proposals for substantial new buildings for the school have been refused and dismissed on appeal due to their harm to the setting of this building. The setting includes the surrounding countryside and there are fine views of the surrounding countryside from its porch and churchyard. It is noted that following the refusals permission was granted for new buildings in 2004. The proposed design principles have carefully considered this relationship and although the new buildings will impose partially on the panoramic views from the Church I do not consider, in the light of the advice from English Heritage and the Conservation Manager, that the setting of the Church will be harmed.
- 6.13 Welsh Water has objected on the basis that the development would overload the public sewerage system. Further investigatory work is being undertaken to ascertain the extent and cost of the necessary improvement work but at present this has not been concluded.

RECOMMENDATION

That planning permission be refused for the following reasons:

- 1. Having regard to Herefordshire Unitary Development Plan (Revised Deposit Draft) Policies DR3 and CF5 the Local Planning Authority are not satisfied that the proposed development would not result in danger on the Class II road and is therefore considered to be unacceptable. The proposed junction layout indicated on the deposited plan accompanying this application is at variance with Department of Transport standards. Stopping sight distance (forward visibility) for southbound vehicles on the B4348 approaching the proposed access appears to be sub-standard. This may result in queuing traffic on the main road waiting to turn right being 'shunted' by vehicles traveling uphill (from blind bend) at school 'peak' hours. In order to provide the required 'Desirable Minimum' stopping sight distance of 90 metres (based on existing vehicles speeds identified) will require the possible realignment and reprofiling of carriageway and highway verge/ footway to the north of the proposed access, and relocation of the adjacent residents parking lay-by. It should be noted DfT document TD 9/93 Para 1.26 (contained in the 'Design Manual for Roads and Bridges') states that relaxations below Desirable Minimum in stopping site distance will not be permitted on the immediate approaches to junctions, because the majority of accidents occur in the vicinity of junctions. It also defines the immediate approaches to a junction as being those lengths of carriageway on the mainline (in this case on the B4348) between a point 1.5 times the Desirable Minimum Stopping Sight Distance from the centre line minor road and the centre line itself. (In this case 135 metres).**

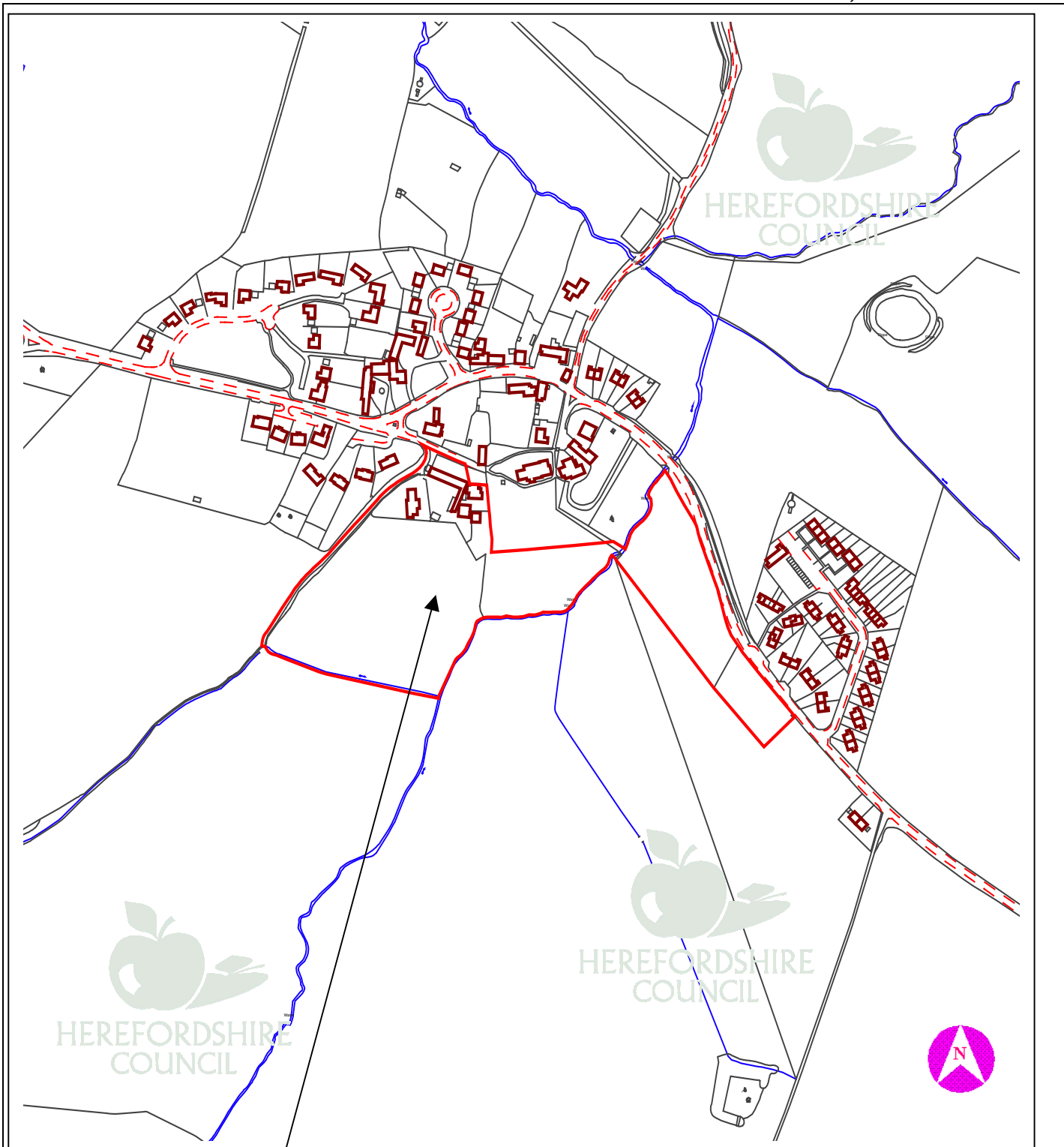
2. **Having regard to Herefordshire Unitary Development Plan (Revised Deposit Draft) Policies S2 and DR4, the Local Planning Authority are not satisfied that the proposed development would not overload the public sewerage system and waste water treatment works.**

Decision:

Notes:

Background Papers

Internal departmental consultation replies.



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

APPLICATION NO: DCSW2006/3430/O

SCALE : 1 : 5000

SITE ADDRESS : Hereford Waldorf School, Much Dewchurch, Herefordshire, HR2 8DL

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

10 DCSE2006/3912/F - NINE TIMBER LODGES, TOURIST RECEPTION BUILDING AND COVERED EXTENSION TO FITNESS SUITE, CATS NURSERY SCHOOL, LEYS HILL, WALFORD, ROSS-ON-WYE, HEREFORDSHIRE, HR9 5QU.

For: Graham & Stella Mitchell per Mr. G. Frecknall, Graham Frecknall Architecture & Design, 9 Agincourt Street, Monmouth, Monmouthshire, NP25 3DZ.

Date Received: 13th December, 2006 Ward: Kerne Bridge Grid Ref: 58664, 18814

Expiry Date: 7th February, 2007

Local Member: Councillor J.G. Jarvis

1. Site Description and Proposal

- 1.1 The site is located in an elevated position on the steep south west-facing slope of Leys Hill, Ross-on-Wye. It is accessed from the U70408 road that climbs from Kerne Bridge onto Leys Hill. The site falls within the open countryside, the Wye Valley Area of Outstanding Natural Beauty and Area of Great Landscape Value.
- 1.2 The site comprises a broad strip of land that follows the contours around Leys Hill, to the south east of the U70408 road. The main driveway runs along the lower edge of the site, serving an existing children's nursery, gym and swimming pool building, which are grouped with the applicant's house towards the rear of the site. There is a tarmac parking area to the front of the buildings and a hard surface tennis court lies on terraced ground in the central part of the site. The remainder of the site comprises open grassed areas, which contain scattered, predominantly semi-mature trees. The site is fairly well screened by surrounding woodland and trees but there are long distance views into the site from the hills to the south-east.
- 1.3 The proposal is to site 8 timber lodges plus 1 socially inclusive unit with private parking together with a tourist reception building/dining room and covered extension to the existing fitness suite. The timber lodges will measure 7m wide x 6.25m long x 5.8m high. Each lodge will contain an open plan living/kitchenette, 1 bedroom and a shower/WC room. The lodges will be sited to the west of the site. The tourist reception building will measure 18m long x 6.1m wide x 5.2m high. Although it does not appear in the description of the application, the applicant has clarified that this building will also be used as a catering facility and dining room for guests staying at the lodges or visitors using the other facilities on the site. It will be sited in close proximity to the existing buildings on the site.
- 1.4 It is the applicant's intention to continue to operate the existing nursery, kids club and recreational facilities in addition to the proposed use.

2. Policies

2.1 Planning Policy Statement

PPS.1	-	Delivering Sustainable Development
PPS.7	-	Sustainable Development in Rural Areas
PPG.21	-	Tourism

2.2 Herefordshire Unitary Development Plan (Revised Deposit Draft)

Policy S.1	-	Sustainable Development
Policy S.7	-	Natural and Historic Heritage
Policy S.8	-	Recreation, Sport and Tourism
Policy DR.1	-	Design
Policy DR.3	-	Movement
Policy DR.4	-	Environment
Policy E.6	-	Expansion of Existing Businesses
Policy E.8	-	Design Standards for Employment Sites
Policy LA.1	-	Areas of Outstanding Natural Beauty
Policy RST.1	-	Criteria for Recreation, Sport and Tourism Development Policy
Policy RST.2	-	Criteria for Recreation, Sport and Tourism Development within Areas of Outstanding Natural Beauty
Policy RST 12	-	Visitor Accommodation
Policy RST 14	-	Chalet Sites

2.3 Hereford and Worcester County Structure Plan

Policy E.20	-	Tourism Development
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
Policy TSM.1	-	Tourism Development
Policy TSM.2	-	Scale of Tourism Projects
Policy TSM.5	-	Encouraging the Development of Tourist Accommodation
Policy TSM.6	-	New Holiday Chalets

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 ED.4	-	Safeguarding Existing Employment Premises
Policy ED.5	-	Expansion of Existing Businesses
Policy TM.1	-	General Tourism Provision
Policy TM.5	-	Proposals for Small Guesthouses, Bed and Breakfast and Self-Catering Accommodation
Policy TM.6	-	Chalet Parks
Policy TM.10	-	Proposals within the Wye Valley Area of Outstanding Natural Beauty

2.5 Other Material Considerations

Wye Valley Area of Outstanding Natural Beauty Management Plan

3. Planning History

3.1	SH871537PF	Change of use into children's nursery school and extension to form playroom	-	Permitted 16.12.87
	SH871687PF	Extension to provide additional living accommodation	-	Permitted 25.01.88
	SH881381PF	Extension to form leisure and recreation room for pre-school age children	-	Permitted 05.10.88
	SH940484PF	Relaxation of conditions to allow for use of premises for recreational and cultural purposes	-	Permitted 07.09.94
		Appeal against Condition No. 3	-	Dismissed 14.07.95
	SH960425PF	Extension to provide additional space for recreational and cultural activities	-	Permitted 01.11.96
	SH960841PF	Permanent provision of kids club	-	Permitted 11.12.96
	SE1999/3239/F	To apply for permanent kids club use and to consolidate all extant planning consents for educational, leisure, recreational and cultural facilities for children and adults	-	Permitted 17.08.00

4. Consultation Summary

Statutory Consultations

4.1 No statutory or non-statutory consultations required.

Internal Council Advice

4.2 The Traffic Manager provides the following comments:

"Given that the supporting statement suggests that the existing use as a nursery school, kids club and holiday club will be ceased, it is anticipated that traffic generated by the proposals will be at lower levels than current, therefore no objections - but can this be conditioned i.e. that existing use is ceased before proposal is in use?"

4.3 The Conservation Manager provides the following comments:

“The site is in an elevated position on the steep south-west facing slope of Leys Hill. It is accessed from the minor road that climbs from Kerne Bridge onto Leys Hill. The site falls within an Area of Outstanding Natural Beauty and an Area of Great Landscape Value. This area is described as Principal Wooded Hills in the Landscape Character Assessment.

The site comprises a broad strip of land that follows the contours around Leys Hill, to the south-east of the minor road. The main driveway runs along the lower edge of the site, serving the existing children's nursery, gym and swimming pool buildings, which are grouped with the applicants' house towards the rear of the site. There is a large tarmac parking area to the front of the public buildings and a hard surfaced tennis court lies on terraced ground in the central part of the site. The remainder of the site comprises open grassed areas, which contain scattered, predominantly semi-mature trees. The site is fairly well-screened by surrounding woodland and trees but there are long-distance views into the site from the hills to the south-east.

Given that the site is already used as a leisure facility and the existing landscape character is that of amenity land associated with the leisure facilities, I consider that some chalet development may be acceptable in principle, because there would be no significant change to the landscape character of the site and there would be opportunity to enhance the landscape character of the site.

However, I do have some concerns regarding the overall scale of the proposed development. The tourist reception building is large in scale - 18 metres by 6 metres. The decision to house this facility in a new, separate building would mean that new development would spread over a greater part of the site, than if the existing CATS building was extended. I think that an extension to the CATS building, rather than a separate new building for the tourist facility, should be considered, as this would reduce the visual impact of this aspect of the development.

With regard to the lodges, I am concerned about the cumulative effect of the proposed lodges, the hardsurfaced tennis court and existing tarmac parking area, on the character of the site. The tennis court is quite a visually dominant element in the central part of the site and the parking area, while it is functional, is rather urban in character and unsympathetic, in terms of appearance, to the rural landscape. If nine lodges were constructed to the north-west of the tennis court and parking area, I feel that the proportion of the overall site, which would be occupied by built development, would be too high, in relation to the area that would be retained as grass and trees. Although not shown on the plan, there would also be other built elements associated with the chalet development, such as earthworks and paths, which would intensify development on the site. I feel that nine chalets would amount to over-intensive development, at too great a density, in this open countryside location. In my view the number of chalets would need to be reduced, in order to maintain the rural character.

It is evident from the contours on the site plan that some earthworks would be required in order to construct lodges on sloping ground. Profiling the earth and using earth stabilisation techniques that are sympathetic to the rural landscape will be key to minimising adverse visual impact. However, it is not possible to assess the scale or sensitivity of the design of the earthworks without sections and notes regarding proposed techniques and materials. It is essential that sections and supporting

information be provided as part of the planning application, particularly given the fact that the site falls within the Wye Valley Area of Outstanding Natural Beauty.

Likewise, although there are general proposals in the Design and Access statement to reinforce the predominantly woodland character of the site with further planting of hedgerows and trees, no planting details are shown on the proposed plan. A comprehensive planting scheme will be required as part of the planning submission. I recommend that the aim of any landscape scheme should be to create a predominantly woodland character, with chalets being sited in open areas within the woodland. This would meet one of the conservation aims for Principal Wooded Hills, which is to restore the ancient broadleaved character of the woodland. This could be achieved by planting a hedgerow of mixed native species along the road frontage and along the drive, (there are currently fences along these frontages), by planting an area of woodland trees in the grassed area adjacent to the road and by reinforcing the existing trees with additional native species trees over the remainder of the site.

As stated in my pre-application comments, I would encourage the applicants to consider softening the appearance of the existing car parking area, to give it a more appropriate rural character. This could be achieved, for example, by applying a new wearing course that incorporates a local stone, of a muted colour.

I regret that I could not support the application as it stands, as I consider that the proposed development is too large in scale and too intensive for a site in open countryside that is designated as an AONB. In addition, insufficient information has been provided concerning earthworks and new planting. I recommend therefore that permission should be refused for the proposed development on the grounds that it would be contrary to policies LA1, RST1, RST2 and RST14 of the emerging Unitary Development Plan.”

- 4.4 The Forward Planning Manager objects to the proposal and provides the following comments:

“The proposed scale of development is considered inappropriate for an AONB and its location in open countryside, removed from the main villages and smaller settlements. In addition, the scale of development would also have an impact upon the highways network. Users of the facility are almost totally dependent on the car for accessing facilities and also the site itself. The fact that the site is for use 52 weeks a year further exasperates the impact upon the AONB. The development is considered to have an undue impact upon the enjoyment, conservation, protection and enhancement of the AONB and would be contrary to policy. It is not considered that the scheme protects or enhances the AONB.”

- 4.5 The Environmental Health Manager has no objection to the proposal.

5. Representations

- 5.1 The applicant has submitted a Design and Access Statement in support of the proposal. This is appended to this report. The applicants conclude that due to the present government legislation that all schools must provide before and after school care from 8am to 6pm and holiday care, coupled with the falling birth rate nationally and falling roles locally, they are obliged to diversify. They therefore propose to espouse tourism by providing timber lodge accommodation and encourage a healthy lifestyle.

This diversification application to erect 9 lodges, renovate the barn, erect a separate eating lodge and cover over the terrace on the gym to replace the gym area needed for changing room facilities is essential.

Sympathetically placed exclusively designed energy saving timber lodges will attract tourists (Policy RST.2). Assisting CATS to diversify incrementally from integral child care, to embrace visitor accommodation (Policy RST.12). There are already numerous recreational, sport and leisure facilities on the site (Policy RST.1) and it is proposed to maintain external and improve existing internal facilities for the comfort and convenience of visitors, but in such a way as it complements the character and appearance of the countryside.

As a business they have provided a service for the community covering all age groups for 20 years and with the inclusion of all, be it in education, fitness or leisure. The business will naturally evolve from providing for the immediate community to embracing the general public by offering tourist accommodation for visitors to enjoy the hospitality of Herefordshire and will create new jobs at CATS and support other local businesses and, improve local employment.

5.2 Walford Parish Council provide the following comments:

“There was a very strong opinion in the Council and the local community that this application should not be allowed.

The unanimous opinion was that the local road could not take any increase in traffic whatsoever and that even a reduction in activity in the current business would not offset the traffic likely to be generated from the holiday lodges. In fact, it was felt that holiday lets on the site would exacerbate an already bad situation by lengthening the periods of heavy traffic down a very narrow lane, making use of a poor junction onto the B4234. It was also felt that as the holiday traffic would not be local, inexperience in dealing with the junction and lane would dramatically increase the likelihood and frequency of accidents. It was noted that there have been a number of accidents in the area already. Complete closure of the school activities would go some way to addressing some of these points, but not all.

The vast majority of opinion agreed with the following comments:

1. That the development in the open countryside would be inappropriate, especially as the site is outside a recognised settlement (RST. 12).
2. That there would be a strong probability of noise affecting the surprisingly large number of neighbouring properties. Given the target of holiday lets, this impact would likely to be of much longer duration and much closer to the neighbouring properties than that generated by the school.
3. There was no provision for the mitigation of light pollution.
4. There would be a marked impact on the visual amenity of the AONB - the site being visible from a broad section of the countryside from the Pludds viewpoint all the way round to Coppett Hill - as well as in the direct local area. We were unable to fully reconcile the plans and written statements regarding the size of the lodges, as the lodges shown on the plans appeared to be significantly smaller than the sizes mentioned in the text.
5. The design of the lodges was not appropriate to the local vernacular style.
6. The density of the lodges was too high.

7. Given the location of the site, it was felt that there was limited opportunity for direct use of walking and cycling and that all activities would result in car movements.

It was also suggested that, should Herefordshire Council feel there was any value in the application, a broader consultation would be beneficial, as the traffic impacts would affect all properties alongside Leys Hill, rather than just the direct neighbours.”

5.3 19 letters have been received objecting to the development on the following grounds:

- The proposal is contrary to Government Guidance and policies of the Development Plan.
- The site is within an Area of Outstanding Natural Beauty (AONB) and Area of Great Landscape Value.
- The proposal would be an intrusion in the landscape and have severe visual impact in a valley noted for its beauty, serenity and tranquillity.
- Cats already has an adverse impact on the surrounding area, any further development will continue to spoil the AONB.
- Local highway network is not capable of safely accommodating traffic generated by the proposal.
- Hazardous exit from Leys Hill onto the B4234 Ross/Coleford Road.
- Traffic generated from the proposal makes it dangerous to walk and cycle on the road.
- Visitors to the development will not be aware of the narrow road and access onto the B4234 increasing the risk of road accidents.
- There is no safe pedestrian access to the development.
- Severe impact on wildlife in the area.
- Risk to cattle as gates may be left open as visitors will be unfamiliar with country ways
- Will set a precedent for further landowners in the area to put forward similar development proposals.
- Noise nuisance will be created from users of the proposed development.
- Earth moving and the civil work undertaken to support the lodges, makes for an unstable location for this development
- Inevitable risk of fire on the site and the emergency services always find it difficult to access properties on Leys Hill.

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 considerations in this application are the provision of tourist accommodation in the open countryside, the impact of the development on the landscape, the impact of the development on the highway network.
- 6.2 Although there is a number of dwellings within the vicinity of Leys Hill the site cannot, in policy terms, be considered as a settlement. The site is within the open countryside. In this location the planning policies are particularly restrictive and special justification is usually required for development. However, planning policies do encourage tourism development in the open countryside subject to certain criteria. Policy RST12 of the Herefordshire Unitary Development Plan (Revised Deposit Draft) and Policy TM5 of

the South Herefordshire District Local Plan states that tourist accommodation in open countryside should only be permitted through the conversion of existing buildings.

- 6.3 However, Policy RST14 of the Herefordshire Unitary Development Plan (Revised Deposit Draft) and Policy TM6 of the South Herefordshire District Local Plan permit the provision of chalet parks. By virtue of the number of chalets proposed and the proposed services, this application is considered to be a chalet park.
- 6.4 Policy RST14 of the Herefordshire Unitary Development Plan (Revised Deposit Draft) and Policy TM6 of the South Herefordshire District Local Plan permits the provision of chalet parks providing that they do not cause harm to the character and appearance of the countryside. With regards to this proposal, precedence must be given to the protection of the Wye Valley Area of Outstanding Natural Beauty.
- 6.5 The site is located within an Area of Outstanding Natural Beauty. The primary purpose of designation of these areas is to conserve and enhance their natural beauty.
- 6.6 The most relevant policies with regard to the AONB are Structure Plan Policy CTC1, Local Plan Policy C5 and Unitary Development Plan Policy LA1. The UDP Policy was subject to a proposed amendment following acceptance of the Inspector's recommendation but there has been subsequently no further objection. The Policy can be given considerable weight.
- 6.7 In addition, the pressure for recreation and tourism related development within the AONB merits a specific policy within the Herefordshire Unitary Development Plan (Revised Deposit Draft) – Policy RST2. While AONB designation allows recreation and tourism proposals to be accommodated where such developments do not compromise the landscape quality, it is important that precedence is given to the principal aim of conserving and enhancing the natural beauty of the area.

Policy RST2 reads as follows:

'Within the Malvern Hills and Wye Valley Areas of Outstanding Natural Beauty (AONBs), the conservation of the unique character and qualities of the landscape and of biodiversity and geological interests will have precedence over the development of facilities for recreation, sport and tourism. In particular such developments must:

1. respect and be in keeping with the inherent distinctiveness of the local landscape;
 2. be small-scale and constructed from appropriate materials; and
 3. make a positive contribution to the understanding and quiet enjoyment of the natural beauty of the AONB.
- 6.8 Council policy therefore places a paramount importance on the protection of the natural beauty of the AONB, which is of national importance. For this reason the policy is particularly restrictive and development should only be permitted when it meets the specific requirements of the policy. I will examine the proposal against Policy RST2.
- 6.9 The first policy issue is whether the development respects and is in keeping with the inherent distinctiveness of the local landscape. Given that the site is already used as a leisure facility and the existing landscape character is that of amenity land associated with the leisure facilities, development, of a moderate scale, may be acceptable, because there would be limited change to the landscape character of the site and there would be the opportunity to enhance the landscape character of the site. However, the proposed development is considered to be over-intensive development in this open

countryside location. The density of the proposal is considered to have an undue effect on the rural quality and character of the AONB. In addition, the design of the buildings do not really reflect local distinctiveness of the area.

- 6.10 The second policy issue is whether the development is small scale and constructed from appropriate materials. In terms of the settlement hierarchy within the Herefordshire Unitary Development Plan (Revised Deposit Draft) the site is in Open Countryside and not in or adjoining either a Main Village or Smaller Settlement. It is therefore considered that 9 lodges, located in the open countryside, would not be small scale development.
- 6.11 The third issue is whether the development makes a positive contribution to the understanding and quiet enjoyment of the natural beauty of the AONB. Whilst it is appreciated that there is an existing commercial use on the site, the proposed chalet development would further intensify the built development on the site and not provide a positive contribution to the understanding and quiet enjoyment of the AONB.
- 6.12 Policy LA1 of the Herefordshire Unitary Development Plan (Revised Deposit Draft) does additionally allow for exceptions to be made to the general restriction on development within an AONB but only in certain limited circumstances. With regard to the proposed development I do not consider that it is a national interest greater than the AONB, that there are no alternative sites outside of the AONB or that the suggested mitigation (landscaping and planting) will compensate for the harm to the AONB.
- 6.13 My conclusion is that the proposal is contrary to Policy LA1, RST2 and RST14 of the Herefordshire Unitary Development Plan (Revised Deposit Draft), South Herefordshire District Local Plan Policies C5 and TM6, and Hereford and Worcester County Structure Plan Policies CTC1, TSM2, TSM5 and TSM6.
- 6.14 Representations have been received in respect of the suitability of the highway network to accommodate the proposed use. The Traffic Manager has no objection to the proposal providing the existing use ceases before the proposed use commences. This is not the intention of the applicant. Therefore further comments are being sought from the Traffic Manager on the suitability of the highway network to accommodate the operation of the existing and proposed use. In addition, comments are being sought on the acceptability of the proposed development on the junction of Leys Hill with the B4342.
- 6.15 Policy GD.1 of the South Herefordshire District Local Plan and Policy S1 of the Herefordshire Unitary Development Plan (Revised Deposit Draft) seeks to ensure that new development is permitted where the need to travel especially by car can be reduced to ensure that the development is sustainable. The proposal would not satisfy the requirements of being sustainable in reducing the need to make car journeys. The nearest facility is at The Inn on the Wye Public House; there are no other facilities. i.e. Post Office or shop.
- 6.16 The need for the applicant to diversify due to Government legislation directing after school care within schools and the falling birth rate is recognised however diversification, in this instance, would not be sufficient in its own right to mitigate against national and local policy aims of protecting the countryside and AONB from inappropriate development.

RECOMMENDATION

That planning permission be refused for the following reason:

1. The site is located within the Wye Valley Area of Outstanding Natural Beauty. Having regard to Herefordshire Unitary Development Plan (Revised Deposit Draft) Policies LA1, RST2, RST.12 and RST14, South Herefordshire District Local Plan Policies C5, TM5 and TM6, and Hereford and Worcester County Structure Plan Policies CTC1, TSM2, TSM5 and TSM6 the Local Planning Authority considers the proposal to be unacceptable. The scale of the proposal would result in harm to the landscape character of the area.

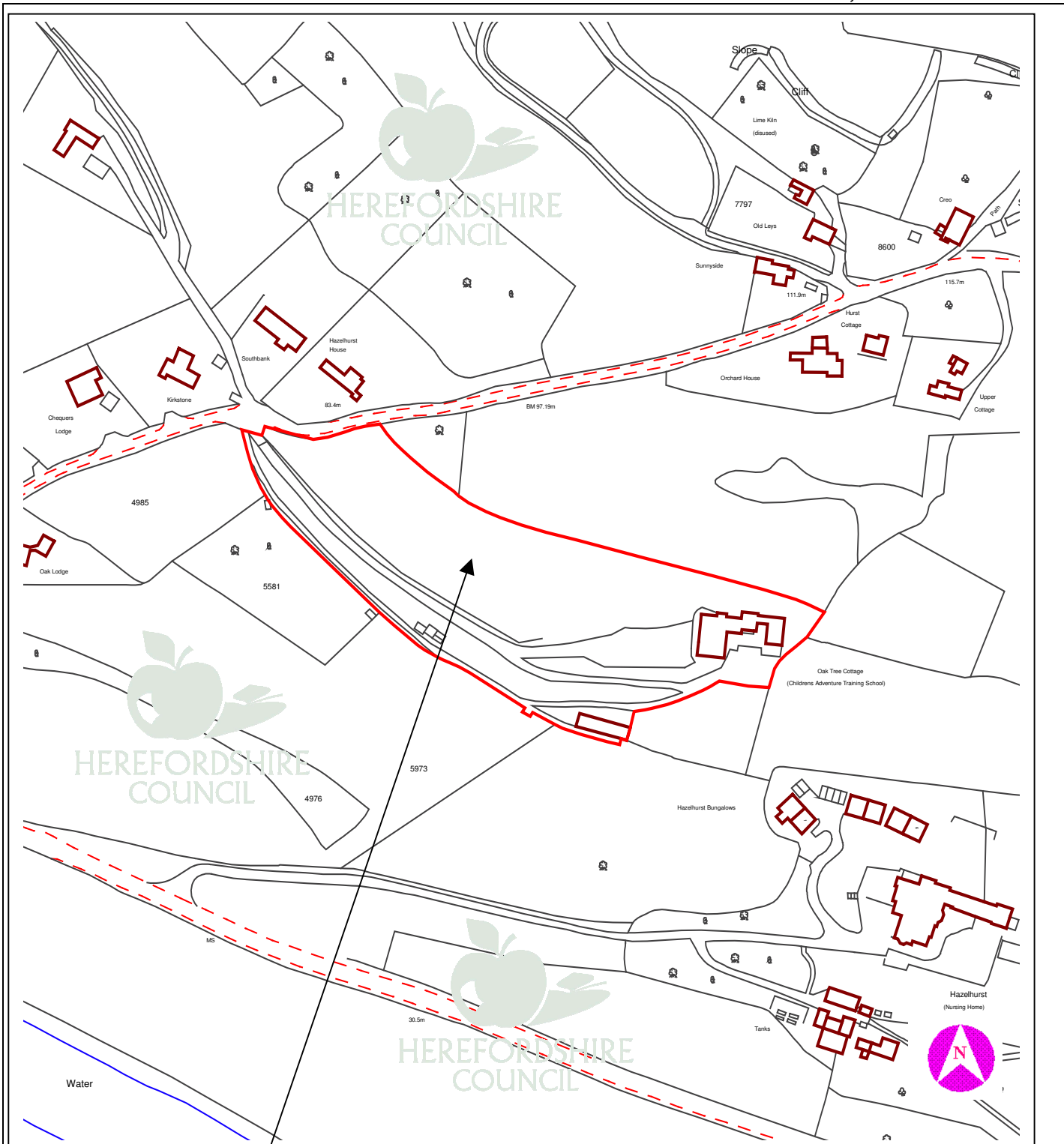
Decision:

Notes:

.....

Background Papers

Internal departmental consultation replies.



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

APPLICATION NO: DCSE/2006/3912/F

SCALE : 1 : 2500

SITE ADDRESS : CATS Nursery School, Leys Hill, Walford, Ross-on-Wye, Herefordshire, HR9 5QU

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

SE06/3912/F

Reference	1191.06/GF/JF	December 2006
Project Title	CATS NURSERY SCHOOL, Leys Hill Timber Lodges	
Document	Design and Access Statement	
Client	Mr and Mrs Graham Mitchell CATS Nursery School Leys Hill Walford Ross on Wye HR9 5QU	
Architect	Graham Frecknall Architecture & Design 9 Agincourt Street Monmouth Monmouthshire NP25 3DZ	



SE06/3912/F

INTRODUCTION

CATS was conceived in 1986 following numerous meetings and consultations with the Chief Planning Officer for Herefordshire Mr. John Stanniland, and Alan Curless Chief Executive of the Chamber of Commerce, Local Councillors, the Chairman of the Parish Council and Mr. Joe Sadu, Chief Highways Engineer. It was subsequently agreed that CATS, "The Family Centre" buildings did not affect the intrinsic natural beauty of the landscape and was necessary to facilitate the economical social well being (Policy LA1) of this area of outstanding natural beauty at Leys Hill, Walford, Ross On Wye because:

- a. The facilities are of a social and economic benefit to the community (Policy LA1) because they permit parents to work safe in the knowledge that their children from 3 months to 13 years of age are safe and secure 52 weeks of the year under the professional care of the proprietors Graham and Stella Mitchell.
- b. Recreational, leisure and sports facilities are also provided for the parents and local community (Policy LA1) and the quality of the landscape was considerably enhanced by the planting of over 350 trees and shrubs on this elevated South West slope of Leys Hill with the assistance and advice of Graham Frecknall an architect with a good reputation for conservation and design for sensitive sites. and contributions from Mr. Steven Mitchell, a Landscape Architect.

CATS celebrates 20 years of trading and valuable economic and social contributions to the local and wider community and is proud that in the past twenty years they have not just educated and nurtured children and their families but have also provided educational training and employment to dozens of young people several of whom started life with us as pupils and progressed to qualified staff members and parents themselves. (Policy LA1)

CATS is a Nursery School, Kids Club and Holiday Club, open 52 weeks of the year, since 1987 and is registered for 50 children in the Nursery School, plus 50 children in the Kids Club. CATS was first awarded the accolade of Model School by the Oxford University Press in 1989 and also lauded by EYDCP for putting Herefordshire in the vanguard of Children's Centres at their National Conference.

Diversification is necessary for the survival of this valuable community enterprise which no longer employs 12 staff full time and 3 to 5 part-time, because of :-



SE06/3912/F

1. Falling birth rate nationally
2. Falling roles locally
3. Government initiatives espoused by EYDCP and Sure start which is promoting "wrap around care" in local schools and reducing our shuttle bus service to local schools drastically from 40-50 children per day to 10-18 instead. Furthermore the government proposes that by 2007 all schools must provide access to "wrap around care" from 8am to 6pm.

This combined with children starting school at 3 years instead of 5 demands diversification as our market diminishes. (Policy LA1)

DESIGN AND ACCESS STATEMENT FOR CATS, LEYS HILL, WALFORD, ROSS ON WYE, HEREFORDSHIRE HR9 5QU. PROPOSED TIMBER LODGES.

CATS THE SITE

Is in an elevated position, beautifully landscaped with over 350 trees and shrubs which provide tranquil areas for relaxation on the South West facing slope of Leys Hill and is easily accessed from the main road which by passes Ross and links to the dual carriageway to Monmouth via Kerne Bridge. (See aerial photo 1).

The complex is reached from Leys Hill by a short safe stretch of public highway with numerous passing places both in the bell mouths of large domestic driveways and specifically constructed passing places. The site is well screened from the roads, viewpoints and other public places and is well laid out and landscaped with particular regard to screening and access. CATS is at the end of a 300 yard long tarmac driveway. There are beautifully positioned mature and semi-mature trees along either side. There is also a small orchard and wild area to encourage more than to accommodate the bio-diversity and ecological needs of this area. Car parking is adequate and safe with well defined spaces including provision for the disabled. The site is very well screened all round by surrounding woodland and trees and recent planting of semi mature trees on the South East Boundary, will soon obscure long distance views into the site from the Pludds, Ruardean and a few scattered domestic dwellings in Gloucestershire. The continued process of tree planting is also combating climate change.

The site excluding existing buildings comprises 3.5 acres of superbly landscaped land sympathetically planted with over 350 trees and shrubs, which lends itself naturally to the secluded setting of architecturally designed (see attached) timber lodges, well screened and exclusively situated around the leisure facilities.



S E 0 6 / 3 9 1 2 / F

Further planting is currently taking pace to consolidate the existing broad leaf hedge with variegated holly, traditional holly, acuba and copper beech upon the south west boundary of the site adjacent to Leys Hill Road, plus the additional planting of indigenous trees and shrubs as indicated on the aerial photograph and site plans (see enclosed).

EXISTING AMENITIES

The buildings and facilities are laid out in a well planned architect designed traditional courtyard style, with a covered, heated, salt water swimming pool centred in the courtyard. The disabled, children and adults have been able to enjoy education, recreation, culture and leisure for the past 20 years responsibly utilising the swimming pool, sauna, spa pool, fitness classes in the Leisure Suite, tennis, table tennis and training in the gymnasium. There are 4 large classrooms, toilets, shower facilities with toilets, a large reception area and a TV and play station/computer room. The domestic accommodation comprises 1 bedroom, 2 reception rooms, kitchen and dining room all on the ground floor. The larger kitchen diner and bathroom areas are currently used as a canteen for the nursery, as a breakfast club and for the after school children or during all school holidays. CATS has always, for the past 20 years been open 52 weeks of the year for the economic and social convenience of working parents enabling them to work, secure in the knowledge that their children are safely and professionally cared for.

USE

The application for 9 single storey lodges 5 metres x 6 metres, to boost tourism, together with the existing amenities on site and locally will work well together and will help to create a most appropriate mix of Education, Care, Recreation, Culture and Leisure in this area and will also assist the social activities in the nearby village hall.

The topography of the site is not a significant constraint because of the secluded existing flat areas which abound the three and a half acre site and the aesthetics of the 9 architecturally designed chalets which will be purpose built, hopefully by local craftsmen, and designed specifically for the site. But, anyway, will not be visually intrusive or cause unacceptable annoyance (RST2) (see submitted drawing/construction details.

AMOUNT

The proposed site adjoins the community of Leys Hill and Bishopswood Village Hall and having regard to Policy RST14 the scheme is of an appropriate scale. Bishopswood Village Hall was constructed several years ago and provides a community venue where local people hold celebrations, weddings and social gatherings.



The scale of CATS building is in keeping with regular public transport. These public services to Ross On Wye, Monmouth and Coleford are also used by our staff and parents. Mini-buses and CATS people carriers supplement public transport.

The nearest bus stop is only 300 yards away. Ross also operates a very good taxi service.

CATS is three and a half miles from Ross town centre. Within a mile we have a post office, garage with shop, Goodrich Village General Stores, Bishopswood Village Hall (300 yards away), public houses and restaurants The Inn on the Wye, The Hostelry and The Mill Race Theme bar. There are numerous other tourist attractions very close by, including Goodrich Castle, The Hedge Puzzle, Butterfly Attraction, Symonds Yat Rock, and canoeing and abseiling instruction from Kerne Bridge 300 yards away, adjacent to Bishopswood Village Hall.

LAYOUT.

The proposal is to site 8 timber lodges on the site (see plan) plus 1 socially inclusive unit with private parking, together with a sympathetic renovation of the storm damaged barn and the addition of a purpose built dining lodge (see plan). Also a removable cover over the existing terrace (see enclosed) for visitors comfort and healthy exercise. The tennis court will not be demolished because it can provide a sheltered focus for sport and recreation for all.

Public spaces will be convenient for everyone using the amenities and as flexible as possible to allow adaptability. Enclosed areas will be clearly labelled and facilities around the grounds will be conveniently signposted. The whole of our premises, including the grounds are accommodating and risk assessed. Taking into account what people say they need and want. This is a continual on-going procedure which is backed up by the professionals. A realistic Citation Health and Safety system is in operation.

A location map will be provided and each lodge will have an inclusive understandable folder containing comprehensive details of ground layout, facilities and other welcoming literature on the local area.

Each lodge will have its own clearly defined private area for its occupants and keys will be returned after each stay is complete. The lodges will be continually maintained, cleaned, bedding changed and risk assessed after each occupancy. Visitors will be encouraged to make suggestions and comments to improve our services and facilities as an ongoing method of continual assessment.

The proprietors live on site which will be a great advantage to all visitors staying in the tourism lodges.

SE06/3912/F!

SCALE

The site, excluding existing buildings comprises 3.5 acres of landscaped grounds, sympathetically planted with over 350 trees and shrubs over the past 20 years. This lends itself naturally to the secluded setting of 9 architecturally designed timber lodges, which will be well screened and exclusively situated around the leisure facilities.

The leisure facilities, swimming pool, illuminated tennis court, gymnasium, spa pool, sauna, have been gradually added to the leisure facilities of CATS over the past 10 years plus, due to popular demand and to the delight of many of the local community.

Fixtures and fittings, will comply with our usual high standard that has been maintained throughout CATS and in consultation with the relevant professionals. Doors and windows will all be double glazed for energy conservation comply with building regulations and be of the appropriate size for social inclusion in accordance with the relevant policies locally and nationally.

LANDSCAPING

CATS development proposal is to reinforce the ecology/biodiversity (Policy LA1) of the three and a half acre predominantly woodland site with further planting of historic and ancient hedgerows and trees and to also enhance their landscaped site by sympathetically placing 9 exclusively designed energy saving timber lodges to boost tourism (Policy RST2) and to diversify incrementally from integral child care, to embrace visitor accommodation (Policy RST12). There are already numerous recreational, sport and leisure facilities on the site (Policy RST1) and it is proposed to maintain external and improve existing internal facilities for the comfort and convenience of visitors, but in such a way as it does not cause harm to the character and appearance of the countryside, screened from roads, view points and other public places and, legitimately, because of its design and landscaping relate sympathetically to the wider location too. The properly proportioned attractive timber lodges will relate visually to the surroundings, and will work well with all the other amenities on site and locally. Pedestrian and vehicular access to the lodges will have the minimum impact on the landscape. Pedestrian access will be via the existing footpath and there is already ease of access for all emergency services.

APPEARANCE

No significant earthworks will be required but any foundation or retaining structure will be sympathetic in appearance and designed by the architect in consultation with his landscape architect/consultant and of course the building inspectors.



S E 0 6 / 3 9 1 2 / F

The aim of this landscaped scheme is to continue creating a predominantly woodland character for tourists to enjoy the privacy and sanctuary that the lodges proposed in this beautiful area offers. This moderate development of 9 tourist lodges are pleasing to the eye because of their natural construction, blending in with the existing facilities and woodland surroundings to enhance the quality of the public realm.

We have carefully listened to the needs of the public, past, present and future and are responding accordingly by applying for this permission to diversify our current business and offer what many visitors have requested which is, holiday accommodation on our beautiful three and a half acre site and the opportunity to immerse themselves in a healthy living and eating plan.

The proposed facilities will meet the conservation aims for wooded hills and will further enhance the ancient broad leaved character of the woodland already planted over the past 20 years that the applicants have been operating their business. Further planting is proposed with additional screening of the lodges to retain the character and enhance the visual impact.

ACCESS

CATS is reached from Leys Hill by a short safe stretch of public highway with numerous passing places both in the bell mouths of large domestic driveways and specifically constructed passing places. CATS has been on this site for 20 years with no highway problems, even under adverse weather conditions and to our knowledge there has never been any road accidents. The site is well screened from the roads, viewpoints and other public areas and is well laid out and landscaped with particular regard to screening and access which is along a 350 yard long tarmac driveway, with the same coloured surface as Leys Hill Road. The drive is 5 metres wide and lined on each side with mature and semi-mature trees. The existing one bedroom bungalow occupied by the proprietors has its own private driveway and additional large parking area. There is also a private tarmac driveway with gated pedestrian or vehicular access to a single track leading onto Leys Hill. There is a small orchard and wild area to encourage more than to accommodate the bio-diversity and ecological needs of this area.

Car parking is adequate and safe with well defined spaces including provision for the disabled.

Traffic will no longer be concentrated in peak periods and will considerably reduce because of the drastic reduction in nursery use and the demise of the before and after school club as the government and EYDCP progresses with its



S E 0 6 / 3 9 1 2 / F

policy for "wrap around care" for all schools from 8am to 6pm. It is not our intention to immediately abrogate our responsibilities to loyal working parents who need our facilities but to co-operate with all others to ensure a smooth transition from the core of CATS nursery towards visitors satisfaction and tourism development (RST1/2).

We have an Anti-discriminatory Policy and Statement of Intent and are committed to providing every safe, social and economic characteristic possible for the ease of access for visitors and the emergency services. Sleeping policemen are strategically placed on the driveway and wheelchair ramps are provided at present.

CONCLUSION

CATS has evolved over 20 years by the proprietors listening to their clientele and consulting with professionals to provide the facilities we now have.

Due to the present government legislation that all schools must provide before and after school care from 8am to 6pm and holiday care, coupled with the falling birth rate nationally and falling roles locally , we are obliged to diversify. We therefore propose to espouse tourism by providing timber lodge accommodation and encourage a healthy lifestyle.

This diversification application to erect 9 lodges, renovate the barn, erect a separate eating lodge and cover over the terrace on the gym to replace the gym area needed for changing room facilities is essential.

Sympathetically placed exclusively designed energy saving timber lodges will attract tourists (Policy RST2). Assisting CATS to diversify incrementally from integral child care, to embrace visitor accommodation (Policy RST12). There are already numerous recreational, sport and leisure facilities on the site (Policy RST1) and it is proposed to maintain external and improve existing internal facilities for the comfort and convenience of visitors, but in such a way as it complements the character and appearance of the countryside.

As a business we have provided a service for the community covering all age groups for 20 years and with the inclusion of all, be it in education, fitness or leisure. Our business will naturally evolve from providing for the immediate community to embracing the general public by offering tourist accommodation for visitors to enjoy the hospitality of Herefordshire and will create new jobs at CATS and support other local businesses and, improve local employment.



S E 0 6 / 3 9 1 2 / F ,

We are grateful to the officers for their professional pre-application advice (01/2006) and co-operation and respectfully request that you accept that the reasoned objectives based upon relevant policies (LA1, RST1, RST2, RST12, RST14) referred to in this design and access statement qualify for approval because all criteria have been met and that the economic and social sustainability of this valuable community asset will be secured for another 20 years with the added benefit of timber lodges for visitor accommodation for 52 weeks of the year. We emphasise that these lodges are for holiday use and will **not** be used for residential accommodation and we are certainly **not** making a formal application for residential use for them.

Appendices

Aerial Photograph 1

Site Plan 1:500

Topographical Survey 1:500 site as existing

Lodge Design plans and elevations at 1:100

Design and Access Statement



11 DCSE2006/3956/F - CONVERSION OF REDUNDANT BARNs INTO TWO RESIDENTIAL UNITS. BARNs AT LIMEGROVE, PENGETHLEY, HEREFORDSHIRE, HR9 6LL.

For: Mr. M. Coleman per Mr. A. Clive, 8A High Street, Ledbury, Herefordshire, HR8 1DS.

Date Received: 18th December, 2006 Ward: Llangarron Grid Ref: 54462, 25635

Expiry Date: 12th February, 2007

Local Member: Councillor Mrs. J.A. Hyde

1. Site Description and Proposal

1.1 The site is located within the open countryside, an Area of Outstanding Natural Beauty and Area of Great Landscape Value. It is accessed from a private drive off the A49. The drive provides access to a number of other properties including 2 modern bungalows and a recently completed set of barn conversions. The site comprises a set of sandstone under slate roof, partially replaced with corrugated sheeting, barns. The site is surrounded by agricultural land.

1.2 The proposal seeks to convert the barns to provide two 5-bedroom dwellings. An existing concrete block work building which fronts the private drive will be demolished. In addition, two open fronted pole barns will be demolished and replaced with new to provide parking.

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 S.7 - Natural and Historic Heritage
Policy DR.1 - Design
Policy DR.3 - Movement
Policy LA.1 - Areas of Outstanding Natural Beauty
Policy H.7 - Housing in the Countryside Outside Settlements
Policy HBA.12 - Re-use of Rural Buildings
Policy HBA.13 - Re-use of Rural Buildings for Residential Purposes
Policy NC.1 - Biodiversity and Development
Policy NC.5 - European and Nationally Protected Species
Policy NC.8 - Habitat Creation, Restoration and Enhancement

2.3 Hereford and Worcester County Structure Plan

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
Policy CTC.13	-	Buildings of Special Architectural or Historic Interest
Policy CTC.14	-	Criteria for the Conversion of Buildings in Rural Areas

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 C.36	-	Reuse and Adaptation of Rural Buildings
Policy C.37	-	Conversion of Rural Buildings to Residential Use
Policy SH.24	-	Conversion of Rural Buildings
Policy T.1A	-	Environmental Sustainability and Transport

3. Planning History

- 3.1 SH911024PF Conversion to form one house - Permitted 11.09.1991

4. Consultation Summary

Statutory Consultations

- 4.1 The Highways Agency have not responded.

Internal Council Advice

- 4.2 The Traffic Manager has no objection to the grant of planning permission.
- 4.3 The Conservation Manager has no objection to the grant of planning permission subject to conditions.

5. Representations

- 5.1 The applicant has submitted a design and access statement, ecological survey and structural survey in support of the application. The design and access statement states:

Importance has been placed on the desire to retain as much as possible the qualities of the existing barns. Both the stone walled and corrugated metal clad single storey buildings have been retained for the scheme. Locating bedrooms in the single storey buildings, allows the main spaces of the two storey buildings to be much more open plan on the ground floor, with considerable areas open to the rafters. Utilising the single storey buildings also allows the orientation of the units and their external layouts to work better, with separate accesses to the properties.

- 5.2 Sellack Parish Council have not replied.

5.3 1 letter of objection has been received from R. Partridge, Pastourelle, Upper Pengethly Farm, Ross-on-Wye, HR9 6LL objecting to the development on the following grounds:

- 1) I assume that the proposed access to the barn from the A49 is along the lane to Upper Pengethly. This lane is private property, part of Upper Pengethly Farm owned by J.M. Partridge and R.M. Partridge and Wives. As a right of way it is only a footpath and bridleway. Permission is required for any other use. An agreement was made in 1951 between the then farm owner and barn owner allowing access to the barn for 'agricultural purposes only'. No request has been made by the present barn owner for a change of use, public access or any agreement on lane maintenance. For these reasons I shall oppose the application.
- 2) My wife and I live at Pastourelle, just 70 metres from the barn and within sight and sound. We consider the creation of two residential units would seriously erode the lifestyle we have built over many decades and could lower the value of our own property. We therefore object to the development.

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 key issues in the determination of the application are:-

- Principle of development within open countryside
- Buildings capable of proposed conversion
- Habitat protection
- Impact upon landscape
- Impact on amenity of neighbouring dwellings

6.2 The stone barns lie within open countryside. The Council Supplementary Planning Guidance 'Re-use and adaptation of rural buildings' outlines that conversions of outbuildings for an alternative use should undertake a market testing exercise to ensure that all options are exhausted before considering the conversion of the building for residential purposes. Following an examination of the planning history of the site it would appear that no marketing was undertaken in connection with the conversion of the neighbouring barns. In addition, it was considered that a commercial use might cause nuisance to the neighbouring dwellings, 'Pastourelle' and 'Lime Grove'. Therefore, the principle of development within open countryside to residential purposes is considered acceptable, provided that the barns are capable of conversion and satisfies policies HBA12 and HBA13 of the Herefordshire Unitary Development Plan (Revised Deposit Draft) and policies C36 and C37 of the South Herefordshire District Local Plan.

6.3 Policies HBA12 and HBA13 of the Herefordshire Unitary Development Plan (Revised Deposit Draft) and policies C36 and C37 of the South Herefordshire District Local Plan ensures that proposals for residential use are structurally sound, capable of conversion, suitable for new use without extensive reconstruction and without the need for new extensions.

- 6.4 All of the barns proposed for conversion are considered to be structurally sound and thus capable of conversion for the proposed use. All existing openings are utilised to provide light and glazed openings to the wagonways. One new door opening is proposed to the south elevation of unit one to link the two storey and single storey elements of the building. The proposal includes the provision of two new open fronted carports to replace existing open fronted buildings. Whilst this is not strictly in accordance with the Council Supplementary Planning Guidance and relevant development plan policies it will prevent sporadic applications for garaging at a later date.
- 6.5 Provided that the building is capable of conversion, further measures to protect habitats are also a material consideration for the reuse of rural buildings. As such applications should submit an ecological survey to ensure that protective measures are undertaken should evidence of habitats be present within rural buildings.
- 6.6 The Council's Ecologist has no objection to the proposed conversion having considered the ecological report. There is evidence of nesting birds roosting within the barn and therefore recommends that proposals outlined within the report regarding mitigation, habitat enhancement and monitoring is followed whilst the conversion works of the barn is undertaken.
- 6.7 The farm holding lies in the Wye Valley Area of Outstanding Natural Beauty and within the Area of Great Landscape Value. It is considered that the conversion of the stone barns, which retains the existing fabric and qualities, would not adversely affect the landscape qualities within which it sits.
- 6.8 The occupiers of 'Pastourelle' have raised concern regarding erosion of the lifestyle that they have established and devaluation of their property. The barn is located some 56 metres to the east of 'Pastorelle'. There are no openings in the gable end closest to 'Pastorelle' and therefore no issues of overlooking. There is also sufficient distance between the buildings for there to be no overbearing. It is also considered that there is also adequate landscaping that screens the buildings from each other.
- 6.9 The letter also raises concern about the right of access across the private drive to the barn. This is not a material planning consideration but a civil matter that would need to be resolved between the parties involved, independently of the planning system.
- 6.10 In assessing the overall scheme of the barn conversions to residential purposes the application satisfies the relevant planning policies and Supplementary Planning Guidance requirements and conditional planning permission is recommended subject to the expiry of the statutory consultation period.

RECOMMENDATION

That subject to the expiry of the statutory consultation period, 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 C02 (Approval of details)

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

3 C10 (Details of rooflights)

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

4 C11 (Specification of guttering and downpipes)

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

5 C12 (Repairs to match existing)

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

6 C13 (Repairs in situ)

Reason: In order to preserve the integrity of the structure of the buildings, the conservation of which constitutes the reason for allowing the development where a new building would be contrary to policy.

7 Notwithstanding the provisions of the Town and Country (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order, with or without modification), no fences, gates, walls, garages, buildings, extensions, doors, windows, rooflights or dormer windows shall be erected or constructed other than those expressly authorised by this permission.

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

8 G01 (Details of boundary treatments)

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

9 G04 (Landscaping scheme (general))

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

10 G05 (Implementation of landscaping scheme (general))

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

11 E09 (No conversion of garage to habitable accommodation)

Reason: To ensure adequate off street parking arrangements remain available at all times.

- 12 **No works or development shall take place until detailed plans and specifications for creation and implementation of bat roosting and bird nesting opportunities has been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.**

Reason: To conserve and enhance protected species and their habitats and to adhere to the Wildlife and Countryside Act 1981.

- 1 **N19 - Avoidance of doubt**

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

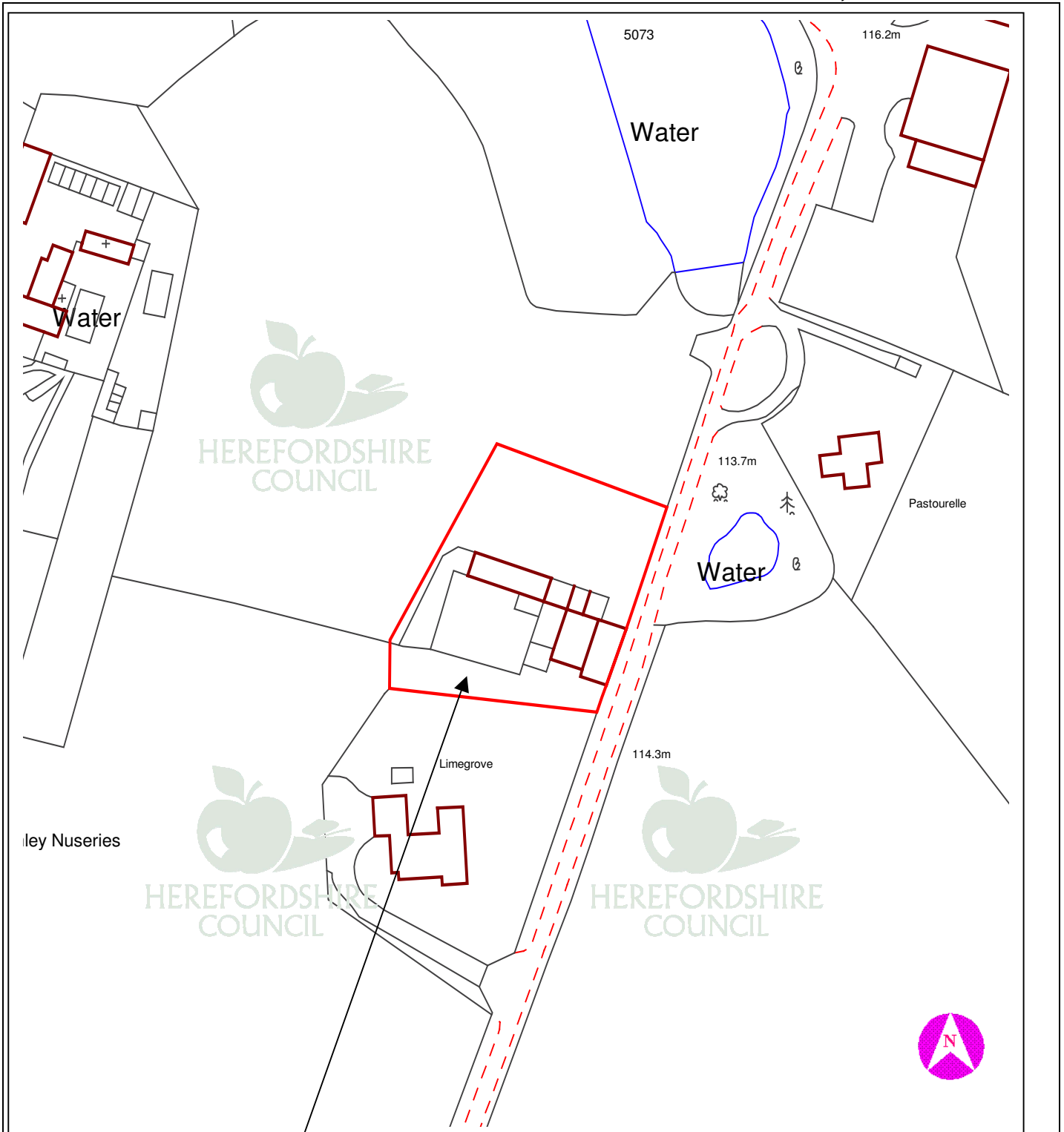
Decision:

Notes:

.....

Background Papers

Internal departmental consultation replies.



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

APPLICATION NO: DCSE2006/3956/F

SCALE : 1 : 1250

SITE ADDRESS : Barns at Limegrove, Pengethley, Herefordshire, HR9 6LL

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

12 DCSE2006/3633/F - ERECTION OF RETAIL WAREHOUSING AND A REPLACEMENT ROADSIDE RESTAURANT A3/A5, BP NORTHBOUND ROSS SPUR, ROSS-ON-WYE, HEREFORDSHIRE, HR9 7QQ.

For: RL (UK) Ltd per Blencowe Associates, Old Parish Barn, Sandford St. Martin, Oxfordshire, OX7 7AG.

Date Received: 17th November, 2006 Ward: Ross-on-Wye Grid Ref: 60978, 25695 East

Expiry Date: 16th February, 2007

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

1. Site Description and Proposal

- 1.1 The application site comprises the land formerly occupied by a petrol filling station and restaurant (Red Hen) on the north side of the A449(T) at Overross and adjoining land to north-east and east. The latter is allocated in the South Herefordshire District Local Plan and Herefordshire Unitary Development Plan (Revised Deposit Draft) for employment purposes but has not been developed. This part of the site is bounded to the north by a stream and, particularly at the western end, is at a much lower level than the site of the petrol filling station which is presumably on made up ground. The main part of the roadside services site has been laid out as additional car parking for Ross Labels which adjoins it to the rear (north-west).
- 1.2 The proposed redevelopment scheme, as submitted, included 3 separate elements
- (i) A 3-storey office building would be sited to the east of the former petrol filling station on the lower ground. This part of the proposal has now been withdrawn.
 - (ii) 3 retail units in a staggered row built mainly on the former petrol filling station site (with a lower floor level) but extending to the rear. The design and external materials would echo the adjoining Labels store. Each unit would have a floor area of 480m². Customers' parking (71 spaces) would be at the front, accessed off the A449(T). Servicing would be at the rear accessed via the service road at the rear of Labels store. The retail units would be operated by Carpetright, Pets at Home and probably Halfords.
 - (iii) A MacDonalds restaurant to replace the existing restaurant. This would be sited towards the western end of the site within a small copse of birch trees. As the site drops steeply to the west the ground level would have to be raised and a retaining wall constructed. This flat roofed building would be constructed to the corporate design and external materials (light grey render and horizontal stained timber). A delivery road would be formed from the car park along the southern side of the building.
- 1.3 Additional proposals include a covered walkway linking Ross Labels front entrance and the three new retail units, and additional landscaping, with extensive planting on the eastern end of the site.

2. Policies

2.1 Planning Policy Statement

PPS.1	-	Delivering Sustainable Development
PPS.7	-	Sustainable Development in Rural Areas
PPS.6	-	Planning for Town Centres

2.2 Herefordshire Unitary Development Plan (Revised Deposit Draft)

Policy LA.1	-	Areas of Outstanding Natural Beauty
Policy LA.3	-	Setting of Settlements
Policy LA.6	-	Landscaping Schemes
Policy S.4	-	Employment
Policy S.5	-	Town Centres and Retail
Policy E.3	-	Confirmed Local Plan Employment Land Allocations
Policy E.5	-	Safeguarding Employment Land and Buildings
Policy E.8	-	Design Standards for Employment Sites
Policy TCR.1	-	Central Shopping and Commercial Areas
Policy TCR.2	-	Vitality and Viability
Policy TCR.9	-	Large Scale Retail Development Outside Central Shopping and Commercial Areas
Policy T.6	-	Walking
Policy T.7	-	Cycling
Policy T.11	-	Parking Provision

2.3 South Herefordshire District Local Plan

Policy C.4	-	Area of Outstanding Natural Beauty Landscape Protection
Policy C.5	-	Development within Area of Outstanding Natural Beauty
Policy C.6	-	Landscape and Area of Outstanding Natural Beauty
Policy ED.2	-	Employment Land
Policy GD.1	-	General Development Criteria
Policy RT.1	-	Ross-on-Wye Town Centre
Policy T.1A	-	Environmental Sustainability and Transport
Policy T.3	-	Highway Safety Requirements
Policy T.4	-	Highway and Car Parking Standards

Part 3

Policy 8	-	Class B1 Employment Land
Policy 10	-	Alternative Uses of Employment Land
Policy 22	-	Retail Use Outside Ross-on-Wye Town Centre

2.4 Hereford and Worcester County Structure Plan

Policy CTC.1	-	Development in Areas of Outstanding Natural Beauty
Policy CTC.9	-	Development Criteria
Policy CTC.18	-	Use of Urban Areas for Development
Policy E.12	-	Industrial Development in Urban Areas
Policy E.17	-	Office Development

3. Planning History

3.1	DCSE2004/0821/F	Demolition of petrol filling station.	-	Approved 30.04.04
-----	-----------------	---------------------------------------	---	-------------------

New entrance to factory outlet centre. Independent office suite and laying out of existing car park.

DCSE2006/2631/F Erection of offices (B1), retail warehousing and replacement roadside restaurant (A3/A5). - Withdrawn 09.11.06

4. Consultation Summary

Statutory Consultations

- 4.1 Highways Agency has directed that the planning authority shall not grant planning permission until the Agency's concerns have been addressed or overcome. These concerns relate to the traffic impact on the trunk road network and safety considerations. The Agency has confirmed that further information has been requested from the applicant's agents but it may not be possible to resolve the issues by 24th January, 2007.
- 4.2 Welsh Water recommends that conditions be imposed regarding drainage of the site.

Internal Council Advice

- 4.3 Conservation Manager has "no objection to the proposals for the retail warehousing and the replacement roadside restaurant. With regard to the previous scheme, a comprehensive landscape scheme had been drawn up (Drawing no. 2006./71 Rev. A), which incorporated a reasonable amount of new tree and shrub planting, in particular, to break up the large areas of car parking. It does not appear that a comparable amount of new tree and shrub planting has been proposed for this revised scheme. I consider that more new planting will be required within the three car parking areas (restaurant, retail units and office parking), in order for the scheme to be acceptable. I will require a landscape plan and full details of the proposed planting."
- 4.4 Environmental Health Manager recommends that conditions be imposed (no incineration and ventilation scheme).

5. Representations

- 5.1 The applicant's agent has submitted a planning statement, a design and access statement, a retail impact assessment and a transport assessment.
- The Planning Statement supports this application for a mixed use development. The proposal stems from Ross Labels acquisition of the BP filling station and roadside restaurant in order to ensure greater road prominence, control over its immediate environment and to consolidate the development land. The restaurant run by Ross Labels at the former Red Hen has not proved a success and needs a branded alternative. The current proposal seeks to meet those requirements. The site as a whole is within the settlement boundary. The retail warehouses do extend on to the employment land, however, the level of job creation is likely to be higher than if the land were to be used for B2 or B8 purposes - assuming such development came forward at all. The effect of the development on the Wye Valley Area of Outstanding Natural Beauty is considered in relation to the criteria in Policy LA.1 and it is pointed out that there is no indication in the either adopted

or emerging plans that development would be constrained in scale by landscape considerations.

- The development represents a package of proposals which completes the development of the land which has remained undeveloped for many years. The development would provide a major stimulus to the economy of Ross on Wye.
Visual Impact and the AONB: The area is clearly commercial in character and dominated by the trunk road and the development would be in keeping with this character. Part of the site was formerly the Ross Spur Services and had a generally untidy appearance with poorly maintained buildings and structures and large areas of hard standing with no significant landscaping. This development completes the visual improvements to the area started in 2004 by Ross Labels. The planning policy for AONBs, both nationally and in Herefordshire, acknowledges the need for social and economic development for local communities within AONBs. The proposal meets the criteria for economic development in the AONBs set out in Policy LA1.
Retail Planning Policy: The Retail Impact Assessment concludes that there is need for the development, that the development is of an appropriate scale for Ross on Wye and that the development would not have an adverse impact on the town centre. We considered the number of shop vacancies: this showed that the level of vacancy is neither a problem nor an indicator of a weak town centre (the vacancy rate is well below the national average in terms of units as well as floorspace). A survey also showed that there is considerable interest in shop units and good units are difficult to come by. Yields are low for a town the size of Ross which indicates a strong interest in the acquisition of freehold retail properties in the town and confidence in its future. We conclude that the development therefore complies with the retail planning policies.
The Employment Policies: The package involves the use of some land, which is allocated for employment, for retail use and consequently there is some conflict with policy E6. The retail warehouses would provide approximately another 60 jobs and the roadside restaurant about 40. The site has been marketed for a number of years without any interest and there is unlikely to be any alternative job creation on the site. However, for reasons of ensuring a suitable environment for the offices, the office development will not go ahead unless the future of the remainder of the site is determined at the same time. Moreover, the package will be developed and jobs created only if planning permission is granted. We conclude the proposed development overall complies with the applicable employment policies.
- The summary and conclusions of the Retail Impact Study are included as an Appendix to this report.
- The Transport Assessment investigated the additional trips likely to be generated by the development and concluded that there would be no material impact at the A449/A40 roundabout. The number of extra vehicle movement at the roundabout (including the office development) would be less than 50, an increase of only 1/5%. These increases are not considered to be significant. Road accident statistics have also been assessed and no accident problems have been identified that would be made worse by the proposed development. There is good accessibility by car but given the inherent constraints on the potential for walking and cycling trips it is proposed to contact local operators and the Public Transport Officer to determine if the site could be served on a more regular basis, principally through the diversion of existing routes (nos. 32 and 45). In addition, a Travel Plan will be developed for employees and visitors.

5.2 Three letters have been received objecting to the development, in summary, for the following reasons:

1. contrary to all current development plans and involves development partly on Greenfield land
2. completely unnecessary: there is a large number of existing premises (both shops and offices) available, including several pet shops and food establishments plus new car and home furnishing outlet all in the town centre
3. very detrimental to all Ross traders; the town centre does not have a 'buoyant mood' although may be slowly improving
4. out of town retail development destroy towns – comparison is made with Malvern where a retail park has resulted in closure of many businesses and had devastating effect on Malvern town centre and Malvern Link. Similar disastrous effect foreseen at Ross with as many jobs lost as created
5. lots of empty offices in Ross town centre, on industrial estates and the old school in Gloucester Road which would all be better located offices
6. potential for traffic problems: could be dangerous with high school nearby and cause congestion, as at roundabout near ASDA in Hereford
7. a McDonalds, or any fast-food outlet on this site would constitute huge health and safety risks in relation to the school. It is possible to reach the proposed site from school on foot although this means crossing two very busy roads with no pedestrian access. The outlet would undoubtedly act as a magnet for students and cannot man the school gate all day and even if we could there are numerous ways into and out of the school.

5.3 Advantage West Midlands points out that the application site is within the Rural Regeneration Zone that covers most of Herefordshire and that Ross is designated as a Group 3 Market Town. As the site's current use is predominantly retail and employment, and the redevelopment of derelict areas of the site will generate further jobs and economic growth, the Agency supports this proposal in principle. The initiative of the applicant to provide three retail warehouse units and create further career opportunities for local people, is considered to have favourable implications in the context of the aims and objectives of the WMES.

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 application site is within the defined settlement boundary of Ross-on-Wye. As noted above the northern and eastern section are allocated for employment purposes, the remainder of the site is not allocated but has lawful existing use as a restaurant and car parking for a retail store (Ross Labels). The site is located on the north-eastern periphery of Ross-on-Wye and forms a narrow tongue of land that projects

along the A449 into the surrounding countryside. Along with much of the town this land is within the Wye Valley Area of Outstanding Natural Beauty. Both the adopted local plan and the emerging Unitary Development Plan promote development of part of the application site and the remainder has already been developed. Whilst this must be taken into account the Council's policies regarding development in the Wye Valley Area of Outstanding Natural Beauty are specific that 'priority will be given to the protection and enhancement of the natural beauty and amenity of the area in the national interest' (LA.1, UDP). Development would be acceptable however provided 'it is small scale, does not adversely affect the intrinsic natural beauty of the landscape and can be demonstratedto meeteconomic needs' (LA.1).

- 6.2 The current proposal is not for small-scale development. This term is not defined but 3 retail warehouses, albeit smaller than is typical, would be sizeable buildings. They have been designed taking into account the lower ground to the rear of the application site to keep the development as low as possible. The retail units would occupy the site of the former petrol filling station (except for the rear section of each unit) the canopy of which was at a similar height to the roofs of the proposed development. The design and materials (matt black wall cladding with a grey roof) echo the Ross Labels store and the sub fusc colouring would help reduce the visual impact of these buildings. There is scope for further planting along the A449. In these circumstances, although the development would have a limited adverse impact on the Wye Valley Area of Outstanding Natural Beauty it is not sufficient to justify refusal of planning permission.
- 6.3 The applicant's agent claims that there would be benefits to the town from the retail development. Residents would not have to travel to Hereford or Gloucester and the new stores would 'reduce the propensity to regard the centre as the main shopping centre' (paragraph 9.13 of Retail Assessment. Furthermore there would be no significant harm to the vitality and viability of Ross-on-Wye town centre (paragraph 9.11). The Council have sought independent advice on the retail issues and these conclusions are called into question. The latter accepts that there is a quantitative need in that there is sufficient expenditure capacity in the area to support the proposed additional retail shops but points out that the range of shops selling bulky goods is reasonable for a town the size of Ross, with the key sectors represented and with recent investment in new carpet and furniture stores. Consequently although the proposal would attract multiple retailers not currently represented, the extent of these qualitative benefits would not in themselves justify development out-of-centre. Sites on the edge of the town centre may be available for retail development. The main site is in Brookend Street. Planning permission for development of a large food store was granted in 1999 and renewed in 2004 but it is understood that no operators are interested in this development. Various alternative proposals have been suggested, including a smaller food store, but to date no applications have been submitted. The Council's consultant considers this site has significant potential for a retail led mixed use development that would benefit the town centre as a whole. Given these opportunities there is a risk that the proposed out of centre retail units would divert some retail investment. The critique also considers that the proposed retail stores would conflict with the Council's retail strategy as an exception to focusing development in this market town's centre has not been shown to be warranted. The number of spin-off trips (shoppers visit the town centre after a specific trip to the shops at Overross) is questioned. It is also pointed out that with the existing factory outlet store (Ross Labels) and Focus Do-It-All DIY store, the proposal would result in an out of town centre with a floor space which would be comparable with the entire comparison goods floor space of the town centre. It is concluded that there would be a small but nevertheless significant negative impact on the town centre.

- 6.4 The critique therefore calls into question the benefits to the town from the retail development and confirm that it would conflict with the Council's retail development strategy. The applicant's agent makes the case that the proposals form a package. Thus the benefits of additional employment opportunities from the offices and MacDonalds (about 40 part-time jobs) and retail benefits referred to in paragraph 6.3 above would off-set the loss of employment land (the rear sections of the units and servicing/parking area at the rear). With the office building being withdrawn and the potential harm to the town centre identified in paragraph 6.3, these benefits would be limited and I do not consider that they would outweigh the harm arising from the loss of employment land.
- 6.5 One other consideration is whether the development would be accessible other than by private car. The Transport Assessment accepts that the location discourages cycling and walking from the town. There is a bus service with one trip each way per day. Although the Assessment states that a more regular service will be investigated there is no assurance that this would be secured. Predominantly therefore access to the development would be by private car. In relation to the retail units in particular this would conflict with the Council's policies for sustainable development.
- 6.6 The McDonalds building would be further forward on the site than the Red Hen and would involve the loss of part of a sizeable planting of birch trees. Nevertheless as this is a replacement of an existing building of comparable floor area there is unlikely to be significantly greater adverse visual impact. The concerns of the local secondary school are appreciated. The Red Hen is a restaurant whereas the proposal would include take-away facilities. However the new McDonalds would not be readily accessible by foot from the school and I do not consider that this concern is sufficient grounds to refuse planning permission.

RECOMMENDATION

That planning permission be refused for the following reasons:

- 1. The Council consider that the proposed retail warehouses would have an adverse impact on the vitality and viability of Ross-on-Wye town centre and that the tests for acceptable out-of-centre retail development have not been met. The proposal would conflict therefore with the Council's retail strategy as expressed in Policies S.5, TCR.1 and TCR.9 of the Herefordshire Unitary Development Plan (Revised Deposit Draft) and RT.1, C.1 and 22 (Part 3) of South Herefordshire District Local Plan.**
- 2. The retail warehouse development would not be located in a sustainable location, being not readily accessible from the town by cycle or on foot and with a limited bus service. The proposal would conflict therefore with Policies SR.6 and DR.3 of Herefordshire Unitary Development Plan (Revised Deposit Draft) and T.1A and GD.1 of the South Herefordshire District Local Plan.**
- 3. The proposal would involve the loss of proposed employment land to retail development and would conflict therefore with Policies E.3, E.5 and S.4 of the Herefordshire Unitary Development Plan (Revised Deposit Draft) and ED.2 and ED.4 of the South Herefordshire District Local Plan.**

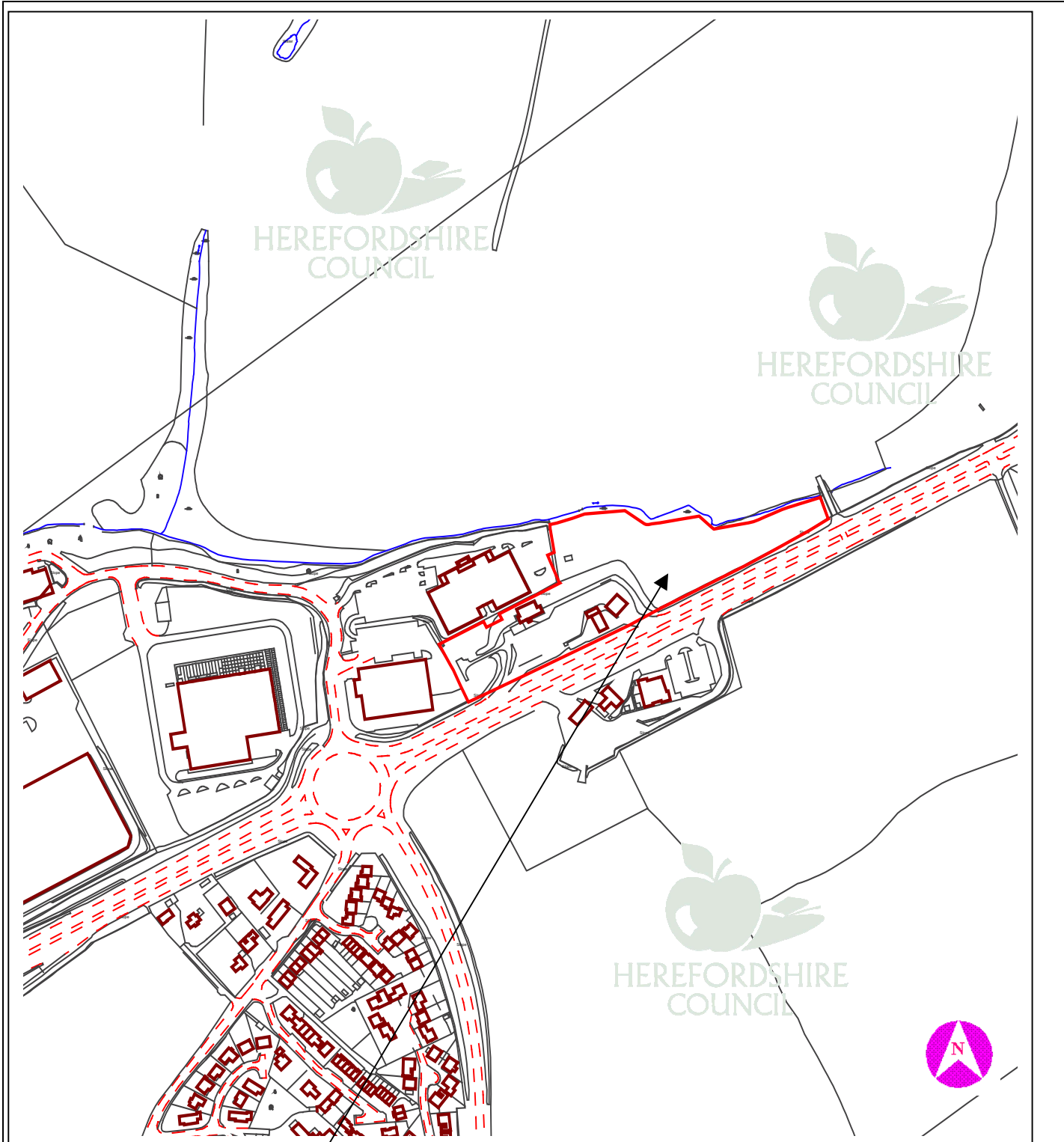
Decision:

Notes:

.....

Background Papers

Internal departmental consultation replies.



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

APPLICATION NO: DCSE2006/3633/F

SCALE : 1 : 5000

SITE ADDRESS : BP Northbound Ross Spur, Ross-on-Wye, Herefordshire, HR9 7QQ

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

9.0 SUMMARY AND CONCLUSIONS

9.1 The retail impact study is based on a project specification agreed with the Local Planning Authority. The specification recognised that the proposal is for retail development in an out-of-centre location but of limited scale and significantly below the threshold for a full retail impact study set out in PPS6. Nevertheless, because Ross-on-Wye is a market town in a rural area, it is vulnerable to competition from larger centres nearby and a cautious approach should be adopted.

9.2 The report addresses the retail tests set out in PPS6 and the Herefordshire UDP, viz:-

- i) Need;
- ii) The appropriateness of the scale;
- iii) The sequential approach to site selection; and
- iv) The likely impact on the town centre.

It also examines the vitality and viability of Ross-on-Wye town centre. In relation to these tests we conclude as follows.

9.3 There is a need for further comparison goods retail floorspace in Ross-on-Wye if it is to maintain its current market share. Expenditure on comparison goods in the towns catchment area is likely to increase from £61m in 2003 to £72m in 2007 and £82m by 2011. This is an increase of 34% in 8 years

9.4 On a similar basis there is a need for further floorspace suitable for retailing bulky goods. Expenditure on such goods is increasing faster than on comparison goods as a whole and the amount of expenditure available in the catchment area is likely to increase by £8m between 2003 and 2011.

9.5 It is important that Ross-on-Wye should maintain its market share. Otherwise it will tend to decline as the pattern of more frequent shopping trips to larger centres becomes established and the familiarity of what is available in the town declines.

SE06 / 3633 / F



- 9.6 There is a shortage of retail facilities for bulky goods in Ross-on-Wye both in terms of the expenditure within the catchment area and what is available in other towns. There is therefore a qualitative, as well as quantitative need for the larger retail units suitable for selling bulky goods.
- 9.7 The turnover of the proposal is likely to be between £2.67m and £3.90m, depending on the mix of retailers on the site. The higher level is only likely if one of the units operates as an electrical goods shop. The first retailers are known and the best estimate of the turnover is £2.67m but a general bulky goods condition is sought and the implications of retailers in the units are therefore assessed.
- 9.8 This turnover demonstrates that the proposal is appropriate in scale to the available expenditure in the catchment area and the role and function of Ross-on-Wye. At 480 sq m each, the units are at the bottom end of the size range for retail warehousing, which are more commonly 930 sq m each, and again this indicates that the units are of appropriate size for Ross-on-Wye.
- 9.9 There are no sites available within or on the edge of the town centre to accommodate retail development. The only possible site for development is the KyrleSt/Brookend St site. This not available for any development because of a combination of landownership and physical constraints. If it were available it would be suitable for development as a foodstore or a mixed-use development including unit shops. These uses would contribute more to the vitality and viability of the town centre than bulky goods sales.
- 9.10 Ross-on-Wye town centre is relatively prosperous for a town of its size and has maintained this position since our earlier report in 2000. However, market towns such as Ross-on-Wye are generally vulnerable to competition from their larger neighbours as a result of the increasing concentration of retailing in the largest national multiples which only operate from the larger towns. In these circumstances, it is right to be cautious and therefore, although the proposal is well below the threshold for retail impact assessments, we have examined the likely impact.

SE06/3633/F



- 9.11 We have identified those shops in the town centre that would suffer competition from the proposed units because they sell the same category of goods. Competition is not always that direct, because although the goods are in the same category, they are often very different in quality and price. We have identified a maximum of 6 shops which sell the same category of goods in the town centre and might be affected by the proposal and estimate that at most, 2 or 3 shops could close, although it is extremely difficult to assess the likely closure of shops which are not run by public companies. The decision to close such shops is rarely the result of a single cause. However, the purpose of planning policy is to protect the vitality and viability of the town centre and not existing commercial interests. We conclude that even if all six shops affected by the proposal were to close, this would not affect the vitality and viability of the town centre.
- 9.12 In the first place the shops potentially affected are not destination shops which attract shoppers to the town centre on their individual trading attractions. Secondly, they would be a very small proportion of the 218 units in the town. Thirdly, the units vacated would be re-occupied within a reasonable time. Growing expenditure on comparison goods in the catchment area (an extra £21m - +34% - between 2003 and 2008) and the very limited opportunities for extensive redevelopment in the centre is likely to maintain or increase demand for retail floorspace in the centre. A turnover of retailers within town centres is a normal part of life which is essential for the adaptation of town centres to wider economic and social changes, without which town centres will cease to meet the needs of residents.
- 9.13 We have concluded that there would be some benefits to the town centre in that the proposal would reduce journeys to larger centres and reduce the propensity to regard the centre as the main shopping centre. However, these benefits are rather intangible and we have made no attempt to quantify them.
- 9.14 For these reasons we conclude that the proposal would not have any significant effect on the economic health of the town. We have gone on to consider the impact in relation to the items for consideration of impact listed in

SE06/3633/F



PPS6 and conclude that there would be no adverse impact on the vitality and viability of the town centre.

- 9.15 We therefore conclude that the proposal meets the planning policy tests and complies with the relevant retail policies (TCR2 and TCR9) of the Herefordshire UDP.