

A G E N D A

Southern Area Planning Sub- Committee

Date: **Wednesday, 21st February, 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:

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AGENDA

for the Meeting of the Southern Area Planning Sub-Committee

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

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

	Pages
1. APOLOGIES FOR ABSENCE	
To receive apologies for absence.	
2. DECLARATIONS OF INTEREST	
To receive any declarations of interest by Members in respect of items on the Agenda.	
3. MINUTES	1 - 12
To approve and sign the Minutes of the meeting held on 24th January, 2007.	
4. ITEM FOR INFORMATION - APPEALS	13 - 18
To note the contents of the attached report of the Head of Planning Services in respect of the appeals received or determined for the southern area of Herefordshire.	
REPORTS BY THE HEAD OF PLANNING SERVICES	
To consider and take any appropriate action in respect of the planning applications received for the southern area and to authorise the Head of Planning Services to impose any additional or varied conditions and reasons considered to be necessary.	
Plans relating to planning applications on this agenda will be available for inspection in the Council Chamber 30 minutes before the start of the meeting.	
5. DCSW2007/0226/F - FIELD OPPOSITE STOCK FARM, DIDLEY, HEREFORDSHIRE	19 - 24
New temporary access to temporary pipe storage area for the construction of the proposed Brecon to Tirley gas pipeline.	
6. DCSE2007/0094/F - EASTCLIFFE, LINTON, ROSS-ON-WYE, HEREFORDSHIRE, HR9 7RS.	25 - 28
Proposed extension to rear to form conservatory.	

7.	DCSW2007/0104/F - THE VIEW, LITTLE BIRCH, HEREFORDSHIRE, HR2 8BA.	29 - 34
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8.	DCSW2006/3763/F - BYECROSS FARM, MOCCAS, HEREFORD, HEREFORDSHIRE, HR2 9LJ.	35 - 40
	Retrospective planning for toilet and shower block built in existing steel frame building.	
9.	DCSE2007/0052/F - WYE LEA COUNTRY MANOR, BRIDSTOW, ROSS-ON-WYE, HEREFORDSHIRE, HR9 6PZ.	41 - 48
	Conversion of leisure buildings to a retirement dwelling with garaging and staff accommodation with new accesses to the highway.	
10.	DCSE2007/0089/F & DCSE2007/0090/L - LLANROTHAL COURT FARM, LLANROTHAL, MONMOUTH, NP25 5QJ	49 - 60
	Conversion of farm buildings to 4 residential dwellings and ancillary accommodation. Proposed garages.	
11.	DCSE2006/3918/F - BURMELL, BRIDSTOW, ROSS-ON-WYE, HEREFORDSHIRE, HR9 6AJ.	61 - 66
	Proposed bungalow.	

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COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL

BROCKINGTON, 35 HAFOD ROAD, HEREFORD.

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COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL

MINUTES of the meeting of Southern Area Planning Sub-Committee held at : The Council Chamber, Brockington, 35 Hafod Road, Hereford on Wednesday, 24th January, 2007 at 2.00 p.m.

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

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

In attendance: Councillors P.J. Edwards, T.W. Hunt and R.M. Wilson

97. APOLOGIES FOR ABSENCE

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

98. DECLARATIONS OF INTEREST

The following declaration of interest was made:

Councillor	Item	Interest
H. Bramer	DCSE2006/3633/F – BP Northbound Ross Spur, Ross-on-Wye, Herefordshire, HR9 7QQ Erection of retail warehousing and a replacement roadside restaurant A3/A5	Declared a prejudicial interest and left the meeting for the duration of the item.

99. MINUTES

RESOLVED: That the Minutes of the meeting held on 20th December, 2007 be approved as a correct record and signed by the Chairman.

100. ITEM FOR INFORMATION - APPEALS

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

101. DCSE2006/3487/F & DCSE2006/3489/L - WARRYFIELD FARM, WALFORD, ROSS-ON-WYE, HEREFORDSHIRE, HR9 5QW. (AGENDA ITEM 5)

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

Councillor J.G. Jarvis, the Local Ward Member, felt that the applicant had not made a reasonable attempt to secure an alternative use for the buildings and was therefore

in breach of Policy HBA13 of the UDP.

RESOLVED

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.

102. DCSE2006/3637/F - 1 BROAD STREET & 43 NEW STREET, ROSS-ON-WYE, HEREFORDSHIRE, HR9 7DZ. (AGENDA ITEM 6)

Eight dwelling units, land and buildings.

Councillor M.R. Cunningham, one of the Local Ward Members, felt that granting the application would result in an unacceptable reduction to the retail space in the area. He also noted that there was no provision for car parking within the application and felt that it should be refused.

Some Members expressed concerns in respect of the lack of car parking provision within the development. They felt that residents would need to park their vehicles in the vicinity and that this could have a detrimental effect on the New Street Car Park.

However, other Members felt that planning policy encouraged a reduction in car parking provision within town centre developments and that approving the application would significantly improve the area.

In response to a question from Councillor Mrs. J.A. Hyde, the Southern Team Leader confirmed that the dwellings were a mixture of one and two bedroom units ranging from 60-90 sqm.

A motion to refuse the application was lost and the recommendation was then 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. 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

103. DCSE2006/3883/F - WEST RIDGE, ASHFIELD PARK ROAD, ROSS-ON-WYE, HEREFORDSHIRE. (AGENDA ITEM 7)

Single storey extension to the rear of existing flats to create an additional 2 no. 2 bedroomed flats with 4 no. car parking spaces.

The Principal Planning Officer advised Members that the concerns raised by the Traffic Manager had been subsequently addressed and that he had therefore withdrawn his objection.

Councillor M.R. Cunningham, one of the Local Ward Members, felt that granting the application would be detrimental to the setting of the existing dwelling. He felt that the application should be refused on grounds of plot coverage and that the application could be oppressive to neighbouring dwellings.

Members discussed the application and felt that approving the application could result in over development. The Development Control Manager explained why, in his view, the application did not constitute 'backyard development'.

RESOLVED

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

- A) Oppressive to neighbouring dwellings
- B) Over development of the site

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

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

104. DCSW2006/3829/F - HAREWOOD PARK, HAREWOOD END, HEREFORDSHIRE, HR2 8JS. (AGENDA ITEM 8)

Erection of replacement dwelling, garaging and associated landscaping.

The Southern Team Leader confirmed that the Landscape Officer had not objected to the application.

Councillor G.W. Davis, the Local Ward Member, noted that the original house had been demolished in 1958, he felt that approving the application would help to restore the area to its former beauty.

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. **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**

105. DCSW2006/3430/O - HEREFORD WALDORF SCHOOL, MUCH DEWCHURCH, HEREFORDSHIRE, HR2 8DL. (AGENDA ITEM 9)

Site for new school buildings and new access to extend school facilities.

The Southern Team Leader reported two typographical errors in the report. He confirmed that the word 'protest' should read 'protect' (Page 54, Para 5.3) and that 'Director of Education' should be replaced with 'Director of Children's Services' (Page 57, Para 6.6).

He advised Members that the recommendation had been changed as a result of further discussions with the Traffic Manager and Welsh Water and that the two reasons for refusal in the report had now been resolved.

The Team Leader (Transportation Planning) confirmed that his concerns regarding forward visibility had been resolved in the independent safety audit provided by the applicant. He said that the required visibility could be provided with some excavation work to the roadside bank. He also noted that the increase in traffic would only result in an extra 120 movements per day.

The Southern Team Leader advised Members that the applicant had also agreed to provide on site sewerage treatment works if required by Welsh Water.

In accordance with the criteria for public speaking, Mr. Evans, the applicant, spoke in support of the application.

Councillor G.W. Davis, the neighbouring Ward Member, noted the concerns raised by Councillor P.G. Turpin. He had strong reservations regarding the proposed access and the general condition of the road network in the area.

Councillor J.A. Hyde had concerns in respect of the new access to the site. She also felt that Members should have been notified of the change to the recommendation sooner.

In response to a question from Councillor J.G. Jarvis, the Southern Team Leader confirmed that although part of the application site fell outside of the village settlement boundary, it would not need to be referred to the Secretary of State.

The Development Control Manager advised Members that the applicant had reached agreement with the Highways Manager in respect of the access. He felt that it would be unwise to refuse the application on Highways grounds following the receipt of the independent safety audit. He confirmed that the travel plan had not yet been received and that Members could defer consideration of the application if they felt that they needed to be in receipt of this prior to determination.

Councillor J.G. Jarvis felt that the application should be refused as it was contrary to points 1 and 2 of policy CF5 of the Herefordshire UDP in that the application did not meet the needs of the local community.

RESOLVED

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

C) The application is contrary to policy CF5 of the Herefordshire UDP.

D) The application is not accompanied with a full Travel Plan.

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

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

106. **DCSE2006/3912/F - CATS NURSERY SCHOOL, LEYS HILL, WALFORD, ROSS-ON-WYE, HEREFORDSHIRE. (AGENDA ITEM 10)**

Nine timber lodges, tourist reception building and covered extension to fitness suite.

The Planning Officer advised Members that a number of additional representations had been received. She reported the receipt of the following representations:

- Comments from the Traffic Manager who recommended refusal on highway grounds.
- Comments from the Children's and Young People's Directorate who supported the application.
- Comments from the Conservation Manager and the Planning Ecologist who had not objections subject to ecological conditions.
- A further letter from the applicant's agent confirming that the plans were correct.
- Two further letters of support from the applicants in response to objections raised by the local residents.
- 12 further letters of objection from local residents.
- 43 letters of support.
- A letter from Paul Keetch MP supporting the application.

In accordance with the criteria for public speaking, Mr. Daniels, representing Walford Parish Council, and Mr. Macrostie, representing the Leys Hill residents, spoke against the application and Mrs. Mitchell, the applicant, spoke in support.

Councillor J.G. Jarvis, the Local Ward Member, noted the concerns raised by Walford Parish Council. He felt that the application was finely balanced, with a number of representations received both in support and against the proposal. He felt that if the application was approved it was important to include a condition restricting the dwellings to short term holiday accommodation. He also noted that the proposed materials selected for the development had been used in areas of outstanding natural beauty successfully in the past. He concluded that if the application was unsuccessful he would be willing to chair a meeting between the applicants and the objectors in order to progress matters.

Councillor Mrs. C.J. Davis supported the Local Ward Member and endorsed his decision to chair a meeting between the parties involved.

The Chairman felt that the applicants had delivered a high quality service for 20 years and had been let down by changes in government policy. He noted that this was an established site and felt that the application should be approved.

Members discussed the application and noted the concerns raised by the Highways Agency. Concerns were raised in respect of the positioning of the log cabins on the site, it was felt that the application would be more acceptable if these cabins were located closer to the main buildings.

A vote to approve the application was lost and the substantive motion, to refuse the application, was then voted on and won.

RESOLVED

That planning permission be refused for the following reasons:

- 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.**
- 2. The site located in the open countryside taking access from the unclassified U70408 road whose junction with the Class II B4324 has poor visibility. The proposed development would generate additional vehicle movements at this junction that would be likely to result in additional danger on the highway and not therefore be in the interests of highway safety. The proposed development is therefore contrary to the South Herefordshire District Local Plan policy T.3 and Herefordshire Unitary Development Plan (Revised Deposit Draft) policy DR.3.**

107. DCSE2006/3956/F - BARNES AT LIMEGROVE, PENGETHLEY, HEREFORDSHIRE, HR9 6LL. (AGENDA ITEM 11)

Conversion of redundant barns into two residential units, barns.

In response to a question from the Local Ward Member, the Planning Officer confirmed that an agreement had been reached between the applicant and the neighbouring resident in respect of access to the site, and the objection had therefore been withdrawn.

In response to a question from the Chairman, the Southern Team Leader confirmed that the application would have been approved under delegated powers if the letter of objection had not been received.

RESOLVED

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.

Informatives

1 N19 - Avoidance of doubt

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

108. DCSE2006/3633/F - A3 / A5, BP NORTHBOUND ROSS SPUR, ROSS-ON-WYE, HEREFORDSHIRE, HR9 7QQ. (AGENDA ITEM 12)

Erection of retail warehousing and a replacement roadside restaurant.

Due to the prejudicial interest declared by the Chairman in respect of the application, Members were required to elect a Chairman. Councillor J.G. Jarvis was elected Chairman for the following item.

The Principal Planning Officer advised Members that a number of representations had been omitted from the report. He reported the receipt of the following representations:

- Ross Rural Parish Council supported the application.
- Ross Town Council expressed concerns in respect of increased traffic, the impact on an AONB and the lack of a pedestrian crossing.
- Brampton Abbots Parish Council expressed concerns in respect of the impact on Ross town centre, increased traffic, the impact on an AONB and adequate office accommodation already present in Ross.
- West Midland Regional Assembly felt that the application was in general conformity to RSS.
- Welsh Water recommended conditions regarding drainage.
- Ross Chamber of Commerce supported the application and felt that this was a prestige site in Ross-on-Wye and that the new development could bring 1,500,000 people to the site in the first year alone. They also felt that the development would improve the appearance of the area and that other businesses in Ross-on-Wye would benefit from the increased traffic brought to the site.
- Three letters of support.
- Two letters of objection.
- A letter from the applicant's agent in response to the Officer's report. The Principal Planning Officer confirmed that all Members had received a copy of this letter prior to the meeting.

The Principal Planning Officer confirmed that the bus service stopped twice daily at Overross and not once as stated in the report. He also requested that a further reason for refusal be added to the recommendation to address concerns raised by the Highways Agency. Prior to Members discussing the application the Principal Planning Officer confirmed that a separate outline application had been received for the office buildings on the site.

In accordance with the criteria for public speaking, Mr. Buckley spoke against the application and Mrs. Ellis, the applicant, spoke in support.

In response to a question from Councillor J.G. Jarvis, the Principal Planning Officer confirmed the location of the fast food restaurant on the site plan.

Councillor Mrs. C.J. Davis, one of the Local Ward Members, noted that the application had received support from Advantage West Midlands. She felt that the transport impact at the Overross roundabout would be minimal and that the application would be of benefit to the residents of Ross. She added that she had seen no evidence to suggest that the application would be detrimental to local businesses.

Councillor Mrs. A.E. Gray, the other Local Ward Member, noted the concerns raised by Ross Town and Brampton Abbot Parish Councils. She had reservations in respect of the possible effect on the town centre and felt that she could not support the application.

Members discussed the application and felt that Ross Labels was a well run business and of great benefit to the people of Ross-on-Wye. However they had grave concerns regarding the possibility of accidents resulting from children crossing the busy A449 to visit the fast food restaurant. They also felt that the application could have an adverse effect on Ross town centre.

Councillor C.J. Davis discussed the merits of deferring further consideration of the application pending a site inspection but on balance Members felt that this would not be necessary.

RESOLVED

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.**
- 4. Impact on proposals on the A449 trunk road have not been fully assessed and the Council is not satisfied therefore that the proposed development would not adversely affect highway safety**

The meeting ended at 5.00 p.m.

CHAIRMAN

ITEM FOR INFORMATION - APPEALS**APPEALS RECEIVED****Application No. DCSE2006/3566/F**

- The appeal was received on 19th 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. & Mrs. S & A Dean
- The site is located at Doward Park Campsite, Great Doward, Symonds Yat, Ross-on-Wye, Herefordshire, HR9 6BP
- The development proposed is Temporary retention of mobile home for management of the camp site.
- The appeal is to be heard by Written Representations

Case Officer: Steven Holder on 01432 260479

Application No. DCSW2006/1699/F

- The appeal was received on 17th 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. A Preece
- The site is located at Little Edwards, Newton St. Margarets, Herefordshire, HR2 0QG
- The development proposed is Siting of residential mobile home for 5 years.
- The appeal is to be heard by Written Representations

Case Officer: Angela Tyler on 01432 260372

Application No. DCSW2006/1689/O

- The appeal was received on 24th 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 Pencoyd Court Farm
- The site is located at Land adjacent Pencoyd Rise, Harewood End, Herefordshire
- The development proposed is Site for construction of new agricultural workers dwelling.
- The appeal is to be heard by Hearing

Case Officer: Andrew Prior on 01432 261932

APPEALS DETERMINED

Application No. DCSE2005/3632/F

- The appeal was received on 28th July, 2006
- The appeal was made under Section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission
- The appeal was brought by Miss CJ Byfleet
- The site is located at Bridge Cottage, Kynaston, Ledbury, Herefordshire, HR8 2PD
- The application, dated 11th November 2005, was refused on 5th January 2006
- The development proposed was a two-storey extension to rear.
- The main issue is whether the proposal would satisfactorily preserve the architectural and historic interest of the grade II listed building.

Decision: The appeal was DISMISSED on 12th January 2007

Case Officer: Steven Holder on 01432 260479

Application No. DCSE2005/3636/L

- The appeal was received on 28th July 2006
- The appeal was made under Section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission
- The appeal was brought by Miss CJ Byfleet
- The site is located at Bridge Cottage, Kynaston, Ledbury, Herefordshire, HR8 2PD
- The application, dated 11th November 2005, was refused on 5th January 2006
- The development proposed was a two-storey extension to rear.
- The main issue is whether the proposal would satisfactorily preserve the architectural and historic interest of the grade II listed building.

Decision: The appeal was DISMISSED on 12th January 2007

Case Officer: Steven Holder on 01432 260479

Application No. DCSW2005/3111/O

- The appeal was received on 5th January 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 Mrs J Lees
- The site is located at Land at The Mill, Preston-on-Wye, Herefordshire, HR2 9JU
- The application, dated 22 September 2005, was refused on 21 November 2005
- The development proposed was Site for equestrian workers dwelling
- The main issues are whether there is an equestrian need for the proposed dwelling (which would be in open countryside), whether the equestrian business is viable, and whether there is existing accommodation which could meet any need which might be found.

Decision: The appeal was DISMISSED on 25th January 2007

Case Officer: Andrew Prior on 01432 261932

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

Enforcement Notice EN2005/0090/ZZ.

- The appeal was received on 7th February 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 N.J. Cockburn
- The site is located on land at Pennoxstone Court, Kings Caple, Herefordshire, HR1 4TX
- The breach of planning control alleged in this notice is:
Without planning permission, the erection of polytunnels for the protection of soft fruit on the land.
- The requirements of the notice are:
 - (i) *Demolish the polytunnels.*
 - (ii) *Remove any materials that arise from the demolition of the polytunnels from the land*
- The main issue is the effect of the polytunnels on the landscape and appearance of the area.

Decision: The appeal was WITHDRAWN on 25th January 2007

Case Officer: Mike Willmont on 01432 260612

Application No. DCSW2006/1737/F

- The appeal was received on 6th 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 Mr G Price
- The site is located at Brampton Hill Farm, Wormbridge, Hereford, Herefordshire, HR2 9HX
- The application, dated 31st May
- The development proposed was erection of a detached holiday chalet.
- The main issue is the effect of the proposed holiday chalet on the character and appearance of the rural area.

Decision: The appeal was DISMISSED on 25th January 2007

Case Officer: Andrew Prior on 01432 261932

Application No. DCSW2005/2843/O

- The appeal was received on 17th May 2006
- The appeal was made under Section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission
- The appeal was brought by Messrs G & R Thorne
- The site is located at Mushroom Farm, Much Birch, Herefordshire, HR2 8HY
- The application, dated 16TH August 2005, was refused on 25th October 2005
- The development proposed was Outline residential application for four dwellings (Previously approved SH911020PO).
- The main issues are the effect of the proposed development on the character and appearance of the surrounding area and whether the proposal would provide a suitable site for housing having regard to the principles of sustainable development

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

Decision: The appeal was DISMISSED on 26th January 2007

Case Officer: Andrew Prior on 01432 261932

Application No. DCSE2005/0949/F

- The appeal was received on 6th 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 Woodfield Developments Ltd
- The site is located at St Josephs Convent, Walford Road, Ross-on-Wye, HR9 5PQ
- The application, dated 23rd March 2005, was refused on 3rd August 2005
- The development proposed was Demolition of existing 1970's hall and living accommodation, construction of new block of 8 No. flats.
- The main issues are:
 - i) *Whether the proposed development would preserve or enhance the character or appearance of the Ross-On-Wye Conservation Area.*
 - ii) *The effect of the proposal on the living conditions of nearby residents in terms of visual impact and privacy.*

Decision: The appeal was DISMISSED on 26th January 2007

Case Officer: Steve Holder on 01432 260479

Application No. DCSE2005/0951/C

- The appeal was received on 6th 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 Woodfield Developments Ltd
- The site is located at St Josephs Convent, Walford Road, Ross-on-Wye, Herefordshire, HR9 5PQ
- The application, dated 23rd March 2005, was refused on 3rd August 2005
- The development proposed was Demolition of existing 1970's hall and living accommodation. Construction of new block of 8 no. flats.
- The main issue is whether the proposed demolition works would conflict with national and local policies for the control of demolition in conservation areas and, if so, whether there are material considerations that would outweigh this.

Decision: The appeal was UPHELD on 26th January 2007

Case Officer: Steve Holder on 01432 260479

Application No. DCSW2006/1265/F

- The appeal was received on 15th 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 R Swain

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

- The site is located at Monkton View, Hillgate, Herefordshire, HR2 8JG
- The application, dated 26th April 2006 , was refused on 9th June 2006
- The development proposed was Replace residential caravan and outbuildings with detached dwelling and garage.
- The main issues are the effect of the proposal on the character of the open countryside and the effect of the proposal on the living conditions of the residents of adjacent dwellings.

Decision: The appeal was DISMISSED on 2ND February 2007

Case Officer: Andrew Prior on 01432 261932

Application No. DCSE2006/1385/O

- The appeal was received on 18th 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 Mrs J.L. MacMillan
- The site is located at The Macmillans, Stone Eves, Whitchurch, Ross-on-Wye, Herefordshire, HR9 6DD
- The application, dated 1st May 2006, was refused on 22nd June 2006
- The development proposed was 3 bedroom detached bungalow.
- The main issue is the effect of the proposal on the character of the surrounding area, and the effect of the proposal on the living conditions of the occupants of the existing dwelling.

Decision: The appeal was DISMISSED on 7th February 2007

Case Officer: Charlotte Atkins on 01432 260536

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

5 DCSW2007/0226/F - NEW TEMPORARY ACCESS TO TEMPORARY PIPE STORAGE AREA FOR USE FOR THE CONSTRUCTION OF THE PROPOSED BRECON TO TIRLEY GAS PIPELINE, FIELD OPPOSITE STOCK FARM, DIDLEY, HEREFORDSHIRE (OS REF: 4564/3257)

For: Murphy Pipelines Limited, Project Office, Madley Airfield, Madley, Hereford, HR2 9NH.

Date Received: 26th January, 2007

Ward: Valletts

Grid Ref: 45646, 32577

Expiry Date: 23rd March, 2007

Local Member: Councillor P.G. Turpin

1. Site Description and Proposal

- 1.1 The site is located on the west side of the A465 Trunk Road approximately 1.2kms south of the Tram Inn crossroads. The site comprises an area of roadside verge together with the adjacent hedgerow adjacent to an area of land that is being prepared for a pipe storage area and site compound. This use is in connection to the proposal by the National Grid to construct a natural gas pipeline across Herefordshire.
- 1.2 The proposal is to create a vehicular access to serve the site. The application is retrospective. A length of hedgerow has been removed, an area of highway verge has been hard surfaced and a dropped kerb installed.

2. Policies

2.1 Planning Policy Statements

PPS1	-	Delivering Sustainable Development
PPS7	-	Sustainable Development in Rural Areas
PPG13	-	Transport

2.2 Herefordshire Unitary Development Plan (Revised Deposit Draft)

Policy S1	-	Sustainable Development
Policy S6	-	Transport
Policy DR3	-	Movement
Policy LA2	-	Landscape Character
Policy T8	-	Road Hierarchy

2.3 South Herefordshire District Local Plan

Policy GD1	-	General Development Criteria
Policy C1	-	Development within Open Countryside
Policy T3	-	Highway Safety Requirements

3. Planning History

3.1 None.

4. Consultation Summary

Statutory Consultations

4.1 Highways Agency have no objection subject to conditions.

Internal Council Advice

4.2 None.

5. Representations

5.1 The applicant's Design and Access Statement states that the access is to serve a temporary pipe dump with the pipes to be removed by June 2007. The site and access will be restored to its original condition on completion of the use. Traffic measures will be used so as to eliminate traffic build up on the trunk road. The pipes will leave the site along the route of the gas pipeline. The traffic management plan for the whole project has been discussed with the Council and the Police. It is expected that the use of the site will cease in November 2007 following which the verge will be reinstated.

5.2 Treville Parish Council 's response is awaited.

5.3 St Devereux Parish Council's response is awaited.

5.4 The public consultation process ends on 20th February 2007

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

6. Officer's Appraisal

6.1 This proposal is for works associated with the intended construction, during 2007, of the natural gas pipeline from Brecon to Tirley. At locations along the route working compounds and storage areas for the pipes are to be provided. There will be three of these in Herefordshire, at Hardwicke, Didley and Crow Hill, together with a main base at Madley. Work on the establishment of these sites is well advanced.

6.2 The use of the land for the compounds and storage is Permitted Development. However in this case a new vehicular access to the Trunk Road has been constructed, which does require planning permission.

6.3 The main issue is highway safety. It is understood that the applicant has had discussions with the Highways Agency. A temporary speed limit (of 40 mph) has been introduced onto this section of the Trunk Road. I consider that subject to the Highways Agency being satisfied with regard to the road safety issue then the proposal is acceptable. The access will be required for only a temporary period. The Highways Agency has confirmed that they do not object but direct that conditions be imposed.

- 6.4 The access has involved the removal of a length of hedgerow that can be replaced.
- 6.5 There will be little impact on any residential property in the vicinity.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

1. **E21 (Temporary permission and reinstatement of land) (30th November, 2007)**

Reason: In order to secure the permanent reinstatement of the site in the interests of the amenities of the area and to comply with Policy LA.6 of the Herefordshire Unitary Development Plan (Revised Deposit Draft).

2. **No development within the application area shall be undertaken until the proposed temporary access shown on drawing number 31002/DWG/SK513 has been completed to the satisfaction of the local planning authority after consultation with the Highways Agency.**

Reason: As directed by the Highways Agency and in the interests of highway safety.

3. **The visibility requirements for the temporary speed limit of 40mph are met by cutting vegetation and tree branches as appropriate. This to be completed to the satisfaction of the local planning authority after consultation with the Highways Agency.**

Reason: As directed by the Highways Agency and in the interests of highway safety.

4. **After the works, the verge should be reinstated to its original condition by excavation and removal of all the temporary access works and top soiling and seeding by November 2007. this to be completed to the satisfaction of the local planning authority after consultation with the Highways Agency.**

Reason: As directed by the Highways Agency and in the interests of highway safety.

Informative(s):

1. **The highway proposals associated with this consent involve works within the public highway, which is land over which you have no control. The Highways Agency therefore requires you to enter into a suitable legal agreement to cover the design and construction of the works. Please contact Mr. Jon McCarthy of the Highways Agency's Area 9 S278 team, at an early stage to discuss the details of the highways agreement, his contact details are as follows, telephone number 0121 678 8742 or C4/5 Broadway, Broad Street, Birmingham, B15 1BL.**
2. **N19 - Avoidance of doubt**
3. **N15 - Reason(s) for the Grant of Planning Permission**

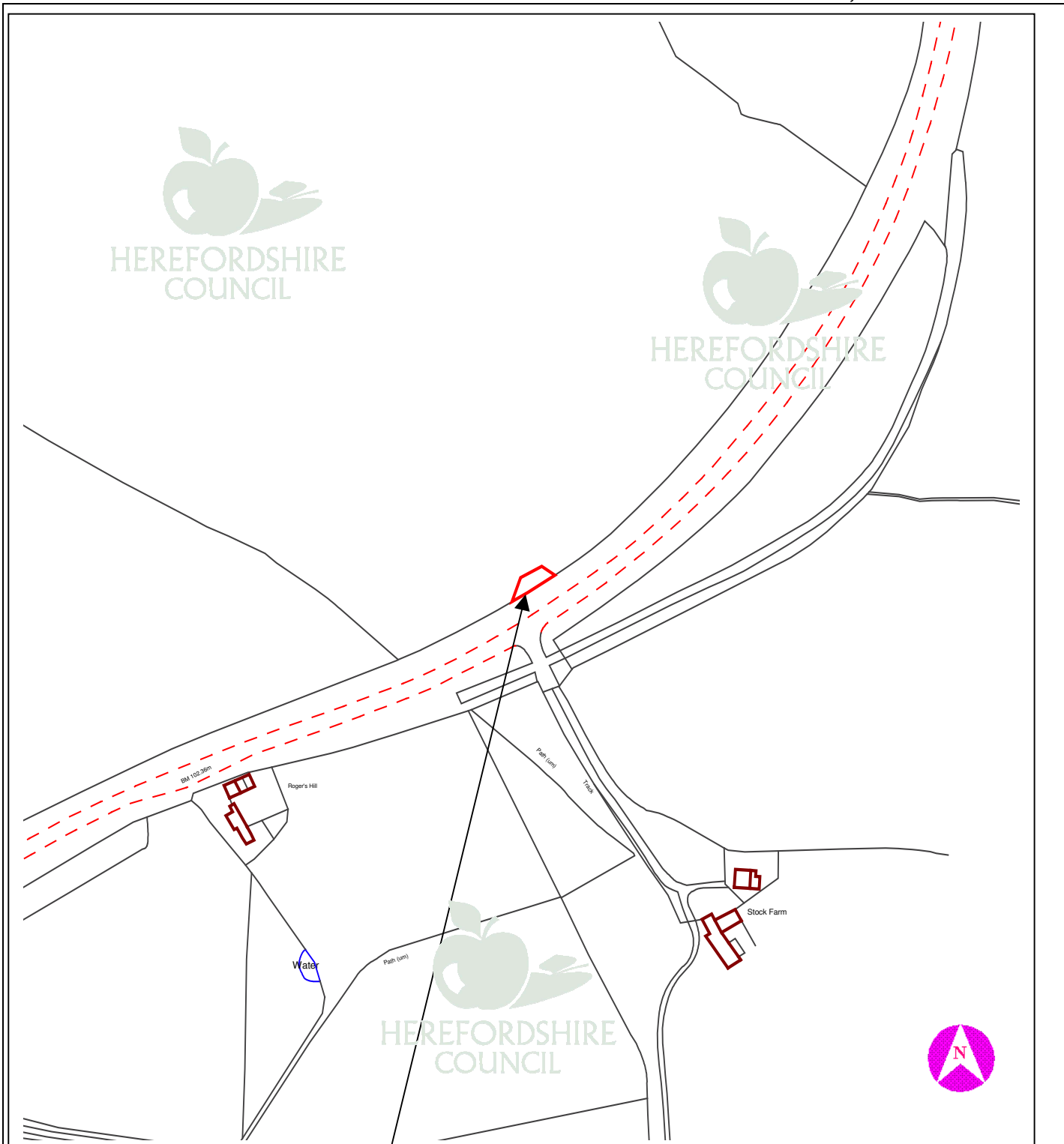
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCSW2007/0226/F

SCALE : 1 : 2500

SITE ADDRESS : Field opposite Stock Farm, Didley, Herefordshire (OS Ref: 4564/3257)

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6 DCSE2007/0094/F - PROPOSED EXTENSION TO REAR TO FORM CONSERVATORY, EASTCLIFFE, LINTON, ROSS-ON-WYE, HEREFORDSHIRE, HR9 7RS.

For: Mr I Hobson per Jamieson Associates, 30 Eign Gate, Hereford, HR4 OAB.

Date Received: 12th January, 2007

Ward: Penyard

Grid Ref: 66491, 24774

Expiry Date: 9th March, 2007

Local Member: Councillor H. Bramer

1. Site Description and Proposal

- 1.1 This site is on the east side of the unclassified road that runs north to south across Linton Ridge. Eastcliffe is a detached cottage that is two storey, with single storey additions, and faced in render and stone with a tile roof. It is at a right angle to the road and is positioned at the northern end of the plot with the land to the south level garden and with a garage at its southern end. The land falls steeply to the east.
- 1.2 This proposal is for the addition of an extension to the north east corner to provide a conservatory and a decking area also to the eastern side. The conservatory will be some 5.5 sq. m. but will be of two storey height as it includes the creation of a mezzanine area at first floor level and a raising of the roof of part of the existing single storey section. The extension would be partly solid but primarily glazed. The decking would extend from the north boundary across the gable end of the cottage.
- 1.3 Adjacent to the northern boundary is a public right of way, beyond which and at a lower level is a detached bungalow (Keytop). Until recently there was a conifer screen between the two properties on land in the garden of Keytop.

2. Policies

2.1 Planning Policy Statements

PPS.7 - Sustainable Development in Rural Areas

2.2 Herefordshire Unitary Development Plan (Revised Deposit Draft)

Policy DR.1 - Design
 Policy LA.2 - Landscape Character
 Policy H.18 - Alterations and Extensions

2.3 South Herefordshire District Local Plan

Policy GD.1 - General Development Criteria
 Policy SH.23 - Extensions to Dwellings

3. Planning History

- | | | | | |
|-----|-----------------|--|---|-------------------|
| 3.1 | SS980775PF | Conversion and extension of double garage to games room, double garage and overhead balcony | - | Refused 12.11.98 |
| | SS990308PF | Conversion and extension of double garage to games room, double garage and storage loft over | | Approved 07.05.99 |
| | DCSE2005/2331/F | Proposed two storey extension and conservatory | | Refused 09.09.05 |

4. Consultation Summary

Statutory Consultations

- 4.1 No statutory or non-statutory consultations required.

Internal Council Advice

- 4.2 Traffic Manager - No objection but comments are made with regard to maintenance and protection of the Public Right of Way.

5. Representations

- 5.1 In support the agent describes the position and form of the cottage and points out that the roof height in the existing mezzanine makes its use unsuitable. In addition the north end of the cottage has structural problems that will be addressed as part of this proposed work. The extension will be small but will enable a useable mezzanine and on both floors will benefit from the outstanding views. A new opening will provide access to a deck that will also take advantage of the views.

- 5.2 Linton Parish Council's response is awaited

- 5.3 A letter has been received from Keytop. This raises concerns with regard to overlooking from window which will take away the only area of privacy in the garden.

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

6. Officer's Appraisal

- 6.1 This proposal is for a small extension to this detached cottage by adding a conservatory and partly raising the roof to provide a more useable first floor area. In addition an area of decking is proposed

- 6.2 The additions in terms of their size are considered appropriate in terms of size in relation to the existing cottage that will remain the dominant feature. With regard to design a modern approach is proposed with the addition effectively taking the form of a glazed box. I do not consider that such an approach is inappropriate and will not appear out of keeping or incongruous with the existing cottage.

6.3 I do however have concerns with regard to the potential impact on the adjoining property to the north (Keytop). The proposal will involve areas of glazing together with the decking that will be likely to result in overlooking of the private garden of the adjoining bungalow. The bungalow is at a lower level. I note that the previous conifer screen has been removed and that there are unobstructed views from the public footpath into this garden. Additionally a degree of the overlooking particularly from the conservatory will be at an acute angle. Nevertheless I do consider that this impact will be to an unacceptable level.

6.4 This issue has been discussed in detail with the agent and is being considered further by the applicant and a response which may include revisions to the submitted scheme is anticipated which may overcome these concerns. However, at the time of drafting this report the proposals are unacceptable. Consequently the application is recommended for refusal. In the light of continuing negotiations, an alternative, acceptable scheme might be submitted before the Area Sub-Committee meeting and a verbal update will be made to confirm the latest position.

RECOMMENDATION

That planning permission be refused for the reason that:

- 1. Having regard to Policy H.18 of the Herefordshire Unitary Development Plan (Revised Deposit Draft) the proposal is considered to be unacceptable. The development would have an adverse impact, through overlooking, on the amenity and privacy of the adjoining dwelling (Keytop).**

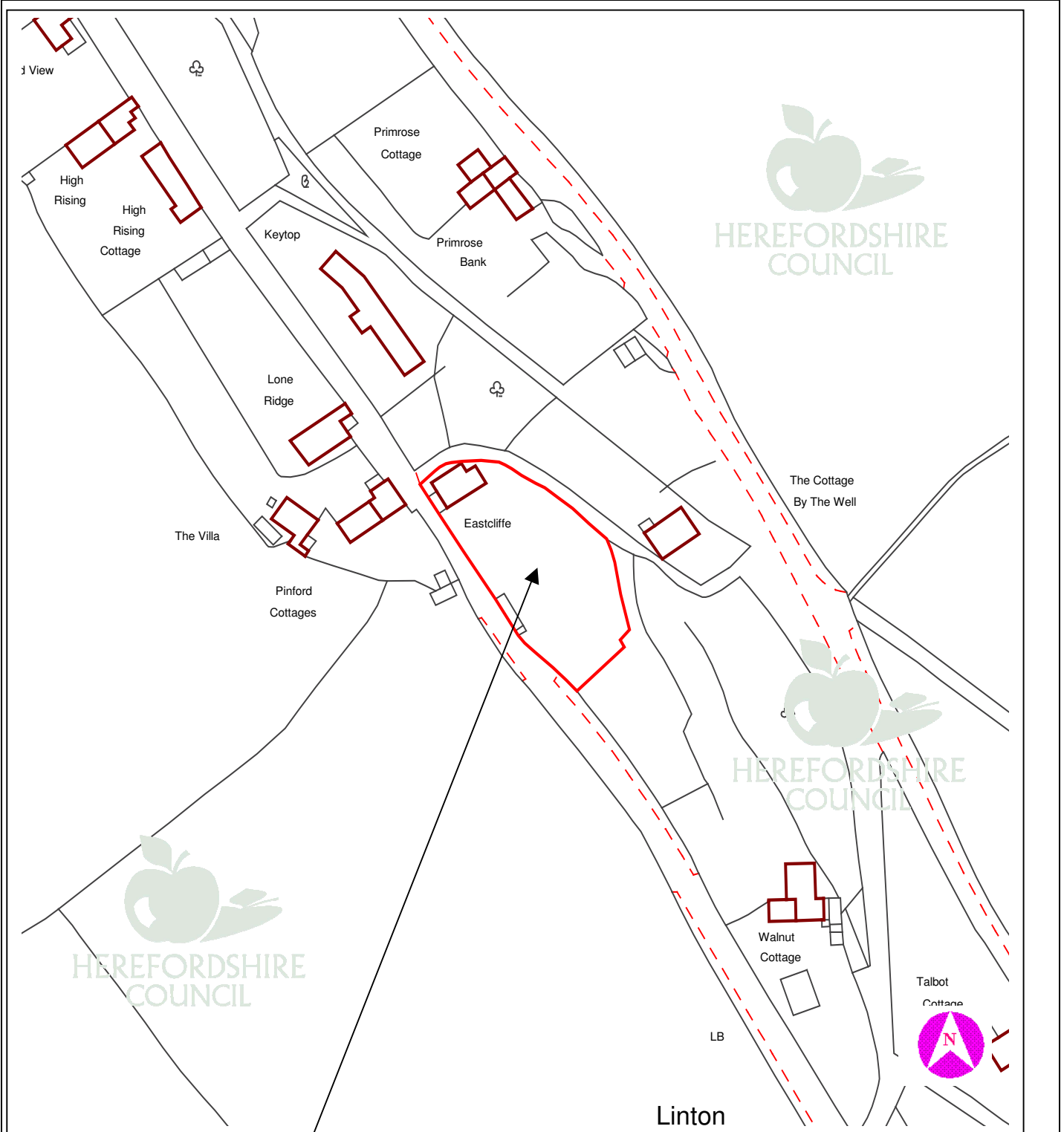
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCSE2007/0094/F

SCALE : 1 : 1250

SITE ADDRESS : Eastcliffe, Linton, Ross-on-Wye, Herefordshire, HR9 7RS

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7 DCSW2007/0104/F - REPLACEMENT DWELLING, THE VIEW, LITTLE BIRCH, HEREFORDSHIRE, HR2 8BA.

For: Mr. & Mrs. T. Holt per Simon Angell, 15 Waggoners Way, Bullingham Lane, Hereford, HR2 6RJ.

Date Received: 15th January, 2007 **Ward: Pontrilas** **Grid Ref: 50987, 32570**

Expiry Date: 12th March, 2007

Local Member: Councillor G.W. Davis

1. Site Description and Proposal

- 1.1 The proposal site is reached off the southern side of the unclassified (u/c 71609), this road links the C1261 road to the east and Kings Thorn to the west and the Class III road (C1263). This site is well screened from view from the aforementioned unclassified road, and from the north-west across an open field that adjoins the property.
- 1.2 It is proposed to demolish an existing shallow pitched two-bedroom bungalow that is aligned approximately north to south. The predominant views are to the south. There is mature hedging and trees on the western boundary of the site and a mixture of panel fencing and trees on the eastern boundary shared with Netherwood, a more recently built split-level brick faced dwelling. The existing bungalow is 8.6 metres wide, 11.4 metres in length, 2.5 metres to the eaves and 4.0 metres to the ridge of roof.
- 1.3 The proposed dwelling will be constructed on the same site, it will be faced in brick and on the front elevation the central bay of three elements comprising the two-storey element, will comprise oak framing with rendered infill panels; this is on the west elevation. Dormer windows are proposed in the roof on both east and west elevations. The proposed replacement dwelling is just wider, 14 metres in length. The three elements being 7.7 metres by 3.7 metres wide, 7.1 metres by 4.4 metres and 6.2 metres by 3.7 metres. There is also a utility room on the northern end of the dwelling, 2.3 metres wide by 5.1 metres. The utility element is faced with boarding. There is also a balcony on the rear elevation.
- 1.4 A previously submitted scheme identical in siting, footprint, height and massing was refused under delegated powers on 12th October, 2006. The dwelling refused was a half-timbered one with a horizontal boarded utility extension and en-suite above. The current scheme is mostly finished in facing brick with only some half timbers on the central gable element on the front or west elevation.

2. Policies

2.1 Planning Policy Statement

PPS.1 - Delivering Sustainable Development

2.2 Herefordshire Unitary Development Plan (Revised Deposit Draft)

Policy S.1 - Sustainable Development

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

2.3 South Herefordshire District Local Plan

- Policy GD.1 - General Development Criteria
- Policy C.1 - Development within Open Countryside
- Policy SH.21 - Replacement Dwellings

3. Planning History

- 3.1 DCSW2006/2987/F Replacement Dwelling - Refused 12.10.06

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 attached. These require improvements to visibility and parking provision for two vehicles.

5. Representations

- 5.1 In a letter that accompanied the application the applicants' agent makes the following main points:

- following refusal, clients have changed facing materials to brick, from timber frame, more in keeping in locality
- dwelling in poor state of repair, obvious replacement one is required
- clients adamant that replacement bungalow would not provide type of dwelling required, given likely that an elderly parent will be living with them in the future
- plot some distance from road and plot drops considerably from it
- dwelling not particularly large, it is an average sized property
- plot deserves a dwelling that is in scale in its area
- a good quality design is a welcome replacement
- approved dwelling at Mount Pleasant, across the road, is a two-storey dwelling with considerably increased floor area to original floor area
- not pushing planning policies too far, want a modest one and a half storey dwelling.

- 5.2 Little Birch Parish Council make the following observations:

"No objections to this application. Little Birch Parish council wish to apply the endorsement letter sent to Herefordshire Council on 6th October, 2006 for application no. DCSW2006/2987/F, to this application."

5.3 Aconbury Parish Council make the following observations:

“This parish supports the principle of replacing this one storey dwelling by a two storey dwelling. We feel the size of the site and the situation is entirely able to carry a two storey house and cause no distress to anybody.”

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

6. Officer's Appraisal

6.1 The main issues in the determination of the application are:

- principle of replacement dwelling in the open countryside – established residential use rights
- comparable in size and scale and same site
- in keeping with the character and appearance of the area
- highway issues

6.2 Having regard to the Herefordshire Unitary Development Plan housing settlements, Little Birch is not listed as a settlement for further housing and as such the site is within open countryside and Policy H.7 applies. Proposals for housing development outside settlements will not be permitted unless the application satisfies one of the identified criteria. The application is to replace an existing dwelling with residential use rights and therefore the application can be considered under Clause (iv) of this policy. In principle the replacement of the existing dwelling is acceptable.

6.3 The application was not accompanied by a structural report supporting the fact that the bungalow is in poor condition, however, part of the roof structure is causing problems because it is a flat roof and causing damp problems within the dwelling. The fact that the dwelling is in need of substantial repair, the agent has submitted the application on this basis to replace the dwelling. The local planning authority needs to assess the replacement dwelling having regard to criteria in Policy H.7, the replacement dwelling must be comparable in size and scale and on the same site as the existing building.

6.4 The total floor area of the existing building equates to approximately 89 sq. metres, there are two flat roof elements to the south and north element. The roof over the main bungalow is hipped and measures 4m to the ridge. The cubic volume of the main building is 175m³, the conservatory and flat roof to south elevation is 43m³, and the flat roof element to the north elevation is 29m³. This produces a total of 247m³.

6.5 The proposed dwelling is a one and a half storey dwelling, the total floor area is approximately 193 sq. metres. The overall height of the building is 7m to the ridge with a single storey section to the north elevation. The length of the building measures approximately 14.4m and an overall width of 8.6m, however the design, which provides two gable sections are forward or behind the main building line, however, it is no wider than 8.6m.

6.6 Breaking down elements of the build to assess whether the building is of a comparable size and scale, the existing is a bungalow and the proposed is a two storey dwellinghouse. The existing floor area being 89 sq. metres now increases to 193 sq. metres over two floors, even though dormers are proposed, the internal

useable space is significantly larger than the original dwelling. The existing length is 11m, including the flat roof elements, and overall width is 8.6m, however, taking into consideration the volume of the bungalow given the height is 4m to the half-hipped roof, this would be approximately 247m³, whereas the new dwelling proposes 14.4m x 8.6m and 7m to the ridge and its volume would be approximately 491.8m³. In conclusion this would be at least 99% bigger than the existing dwelling. This calculation excludes dormer windows and the space created by the balcony which would take the volume increase over 100%. Therefore, it is not considered to be comparable in size and scale.

- 6.7 Whilst it is stated that the site can accommodate the dwelling in terms of its size, Policy H.7 does not take account of the land surrounding the proposal, the local planning authority has to judge what the building looks like now and how it is compared to the new building and surroundings. It is clear that the new dwelling as submitted is double the size of the existing and is clearly not comparable as required by Policy H.7 in the Herefordshire Unitary Development Plan.
- 6.8 The Highway Engineer has no objection to the proposal in terms of highway safety.
- 6.9 The scheme has to be considered with regard to current policy. The proposed dwelling is over a 100 per cent larger in volume, it cannot be considered as one that results in a dwelling of comparable size and massing.

RECOMMENDATION

That planning permission be refused for the following reason:

- 1. **Having regard to Policy H.7 of the Herefordshire Unitary Development Plan and Policy SH.21 of the South Herefordshire District Local Plan the local planning authority considers that the proposal is unacceptable. The proposed replacement of the bungalow for the dwelling would lead to a substantial increase in its size and scale and as such the resultant scheme could not be considered to be comparable to the original dwelling.**

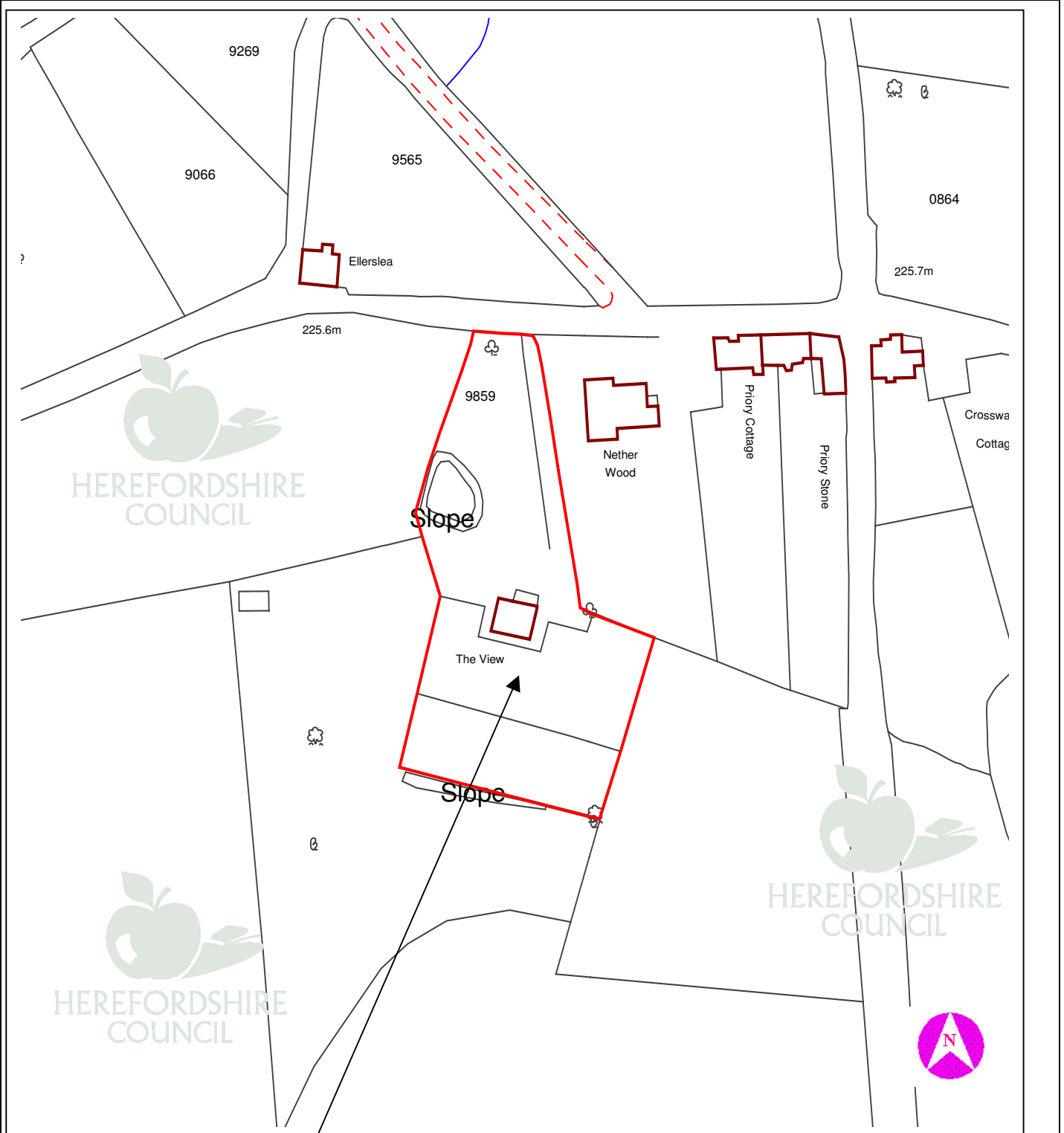
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCSW2007/0104/F

SCALE : 1 : 1250

SITE ADDRESS : The View, Little Birch, Herefordshire, HR2 8BA

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8 DCSW2006/3763/F - RETROSPECTIVE PLANNING FOR TOILET AND SHOWER BLOCK BUILT IN EXISTING STEEL FRAME BUILDING, BYECROSS FARM, MOCCAS, HEREFORD, HEREFORDSHIRE, HR2 9LJ.

For: Mr. A. Fenn, Byecross Farm, Moccas, Hereford, HR2 9LJ.

**Date Received: 29th November, 2006 Ward: Golden Valley Grid Ref: 37674, 42554
North**

Expiry Date: 24th January, 2007

Local Member: Councillor N.J.J. Davies

1. Site Description and Proposal

1.1 Byecross Farm is located on the northern side of the Class III road (C1191) that links Moccas to the west and the northern fringes of Preston-on-Wye, to the east. Byecross constitutes a small group of dwellings either side of the C1191 road. Byecross Farm is in close proximity to the River Wye.

1.2 The proposal is for the retention of a toilet and shower block building erected within a modern steel framed building. The building within a building is 1.8 metres deep and has a 3.6 metres frontage. There is one shower tiled floor cubicle between one toilet either side of it. The shower/toilet block is on the western side of the modern farm building. The building has been provided for the needs of campers whom visit Byecross Farm via the River Wye, using canoes, or by motor vehicle.

2. Policies

2.1 Planning Policy Statement

PPS.7 - Sustainable Development in Rural Areas

2.2 Herefordshire Unitary Development Plan (Revised Deposit Draft)

Policy S.8 - Recreation, Sport and Tourism
Policy DR.2 - Land Use and Activity
Policy LA.2 - Landscape Character and Areas Least Resilient to Change
Policy RST.8 - Waterway Corridors and Open Water Areas
Policy RST.13 - Rural and Farm Tourism Development

3. Planning History

3.1	NW2001/2137/F	Erection of polytunnel	-	Approved 02.10.01
	DCSW2005/2867/S	Secure agricultural building for trailers	-	Determined 20.09.05
	DCSW2006/3750/U	Use of field as a camp site	-	Certificate of Lawfulness granted 25.01.06

4. Consultation Summary

Statutory Consultations

4.1 The Environment Agency has no comments.

Internal Council Advice

4.2 Transportation Manager has no observations.

4.3 The Environmental Health & Trading Standards Manager has no observations.

5. Representations

5.1 In a letter that accompanied the application, the applicant states:

- been a camp site at the farm since the 1970s
- popular with canoeists, as roughly half way between hiring point at Hay and the final destination of Hereford
- in a way the canoeists created the camp site not vice versa
- evident needed facilities, particularly toilets, often had queue at our back door. If not in, needed to clear up orchard
- toilet and shower block built from concrete blocks with tiled floors and rendered walls. Extraction fans and lights also. Waste water connected to existing septic tank and has worked fine.

5.2 In a subsequent letter received from the applicant in response to objections received to this application, it is stated that:

“Environment Agency for Wales keen to improve access on and off the river. Toilet soakaway worked great last year. Percolation test carried out with excellent results.”

5.3 The Parish Council make the following observations:

“Please see supporting comments attached from Councillor Rawstone on behalf of Wyese Group PC. Original planning passed for agricultural building for housing machinery - no mention of toilet block/shower units:

Application applied for after work carried out. Need to be satisfied drainage facilities work, i.e. no pollution of river, fields and or riverbank.

Complaints about canoeists and campers returning from local pub resulting in litter and removal of things from gardens.

Support camp site in principle if controls are in place.”

5.4 14 letters of representation have been received, 9 letters were in support of the application, the following main points are made:

- opposed to any extension of facilities
- toilet block built before agricultural building, an abuse of benefits given to agricultural businesses

- totally insufficient for numbers, can be as many as 200 per night
- do not want to see a more commercial camp site
- concerns soakaways closer to the river
- toilets good idea, stops our riverbank, farm buildings, neighbouring land being used otherwise
- need hygienic facilities, makes site better for campers and local residents alike
- supports local businesses, including The Yew Tree public house, probably would have closed otherwise given small population.

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

6. Officer's Appraisal

- 6.1 The main issues relate to the principle of erecting a toilet/shower block on this farm, including the pollution of the environment.
- 6.2 The camp site, which this toilet and shower block serves, was one that did not have the benefit of planning permission. This has been recently remedied by approval of a Certificate of Lawfulness for the camp site at Byecross Farm. It is evident from the number of letters received in connection with the application, including those received from correspondents not supporting the application, that facilities were lacking and that previously campers had used farm buildings and parts of the riverbank. The proposal will allow for the proper management of campers at Byecross Farm than previously.
- 6.3 Neither the Environment Agency or the Environmental Health and Trading Standards Manager object to the proposal, notwithstanding the relative proximity of the camp site and toilet and shower facilities to the River Wye. Therefore, it is considered that the proposal could not be reasonably refused for reasons of pollution.
- 6.4 The proposal is one that satisfies the requirements of providing facilities for tourists such as this well established camp site. This policy aspect is set out in Government advice in PPS.7: Sustainable Development in Rural Areas and is endorsed in Policies RST.8 and RST.13 in the Herefordshire Unitary Development Plan (Revised Deposit Draft). The building is within the footprint of a modern farm building, it is not a conspicuous stand alone building in what is a sensitive location on the fringes of the River Wye.
- 6.5 The proposal can be supported as it provides a needed tourist facility that will not detract from the amenity of the landscape, and it will more effectively result in the management of the site than previously as regards toilet facilities.

RECOMMENDATION

That planning permission be granted.

Informative(s):

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

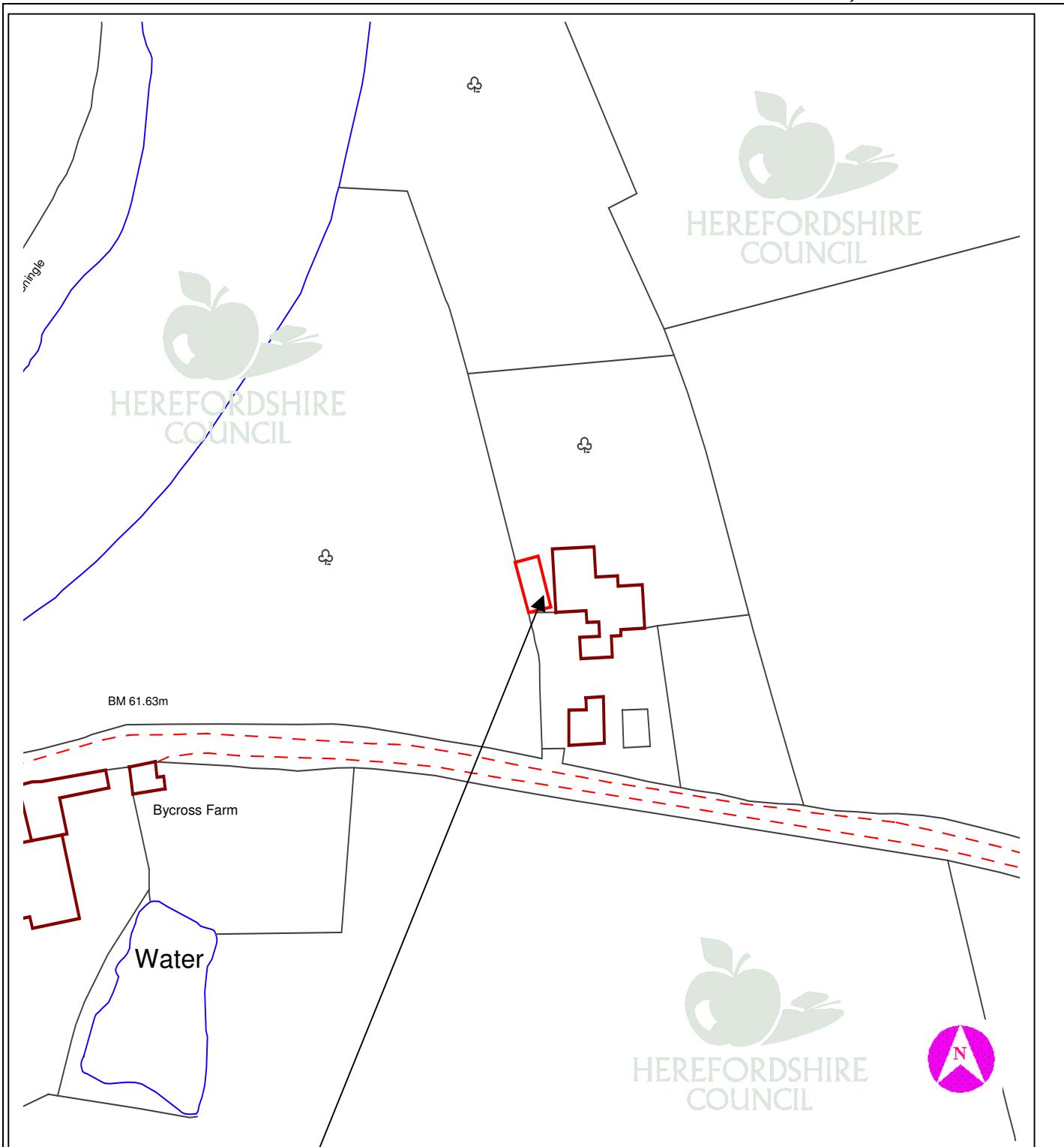
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCSW2006/3763/F

SCALE : 1 : 1250

SITE ADDRESS : Bycross Farm, Moccas, Hereford, Herefordshire, HR2 9LJ

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9 DCSE2007/0052/F - CONVERSION OF LEISURE BUILDINGS TO A RETIREMENT DWELLING WITH GARAGING AND STAFF ACCOMMODATION WITH NEW ACCESSES TO THE HIGHWAY AT WYE LEA COUNTRY MANOR, BRIDSTOW, ROSS-ON-WYE, HEREFORDSHIRE, HR9 6PZ.

For: Mr. C. Bateman per M.E. Thorne & Co, The Ridge, Buckcastle Hill, Bridstow, Ross on Wye, Herefordshire.

Date Received: 9th January, 2007 Ward: Llangarron Grid Ref: 58170, 25729

Expiry Date: 6th March, 2007

Local Member: Councillor Mrs. J.A. Hyde

1. Site Description and Proposal

1.1 The application premises comprise a swimming pool and restaurant and a separate leisure building built during the 1980s as part of the Wye Lea holiday complex. These buildings are located between the main residential accommodation and the house at Wye Lea. In addition to serving the holiday centre the leisure complex is a private members' club.

1.2 Planning permission (SE2005/1374/F) for a conversion of the holiday centre (other than Wye Lea) to a retirement centre was granted in June 2006. A subsequent application (SE2006/2284/F) to convert the swimming pool/restaurant and leisure buildings into a private dwelling and staff accommodation. Permission was refused (September 2006) for the following reasons:

“1. The Council is not satisfied that these modern buildings are worthy of retention or that there are acknowledged benefits of retaining the building or that they would meet local housing or rural business needs. In view of the isolated location of these buildings it is considered that the new dwellings would not be sustainable. As a consequence the proposal would not comply with the following Council Policies: CTC1, CTC14 and H20 of Hereford and Worcester County Structure Plan, C1, C5, SH24, T1A and GD1 of South Herefordshire District Local Plan and HBA12, HBA13, LA1 and S1, S6 and DR2 of Herefordshire Unitary Development Plan (Revised Deposit Draft).

2. The buildings have not been marketed for commercial use other than as part of the former holiday centre and the Council is not satisfied that every reasonable attempt has been made to secure an alternative business, recreational and community use or that such development uses are not acceptable, practical or beneficial. The proposal conflicts therefore with Policies C37, SH1A and SH24 of South Herefordshire District Local Plan and HBA13 of Herefordshire Unitary Development Plan (Revised Deposit Draft).”

1.3 The current proposal is a re-application with an identical scheme. The swimming pool restaurant would be converted into a substantial house (about 430 m² internal floor area) mainly at ground level but with some accommodation in the roof space lit by new

rooflights and French windows opening onto a balcony formed at the south-east end of the building. An extension would be constructed along the north-west section of the building to form a music/games room and a new link would connect to garaging to be formed in the adjoining leisure building. The remaining half of the leisure building would be converted into a two bedroom dwelling (staff accommodation). Elevational changes are proposed including new hipped roofs over the garage and an extension to the main bedroom.

- 1.4 A new vehicular entrance and drive would be formed to serve the new dwellings and the existing property to the north (The Lodge) and a further access and drive to serve Wye Lea. The existing access would be closed and some of the existing driveways and parking areas removed.

2. Policies

2.1 Planning Policy Guidance

PPS3	-	Housing
PPS.7	-	Sustainable Development in Rural Areas

2.2 Unitary Development Plan (Revised Deposit Draft)

Policy HBA.12	-	Re-use of Traditional Rural Buildings
Policy HBA.13	-	Re-use of Traditional Rural Buildings for Residential Purposes
Policy LA.1	-	Areas of Outstanding Natural Beauty
Policy S1	-	Sustainable Development
Policy S6	-	Transport
Policy DR2	-	Land Use and Activity

3. Planning History

3.1	SH850877PF	Conversion to form 3 holiday cottages, erection of covered swimming pool	-	Approved 25.10.86
	SH871407PF	Family leisure building including swimming pool, Jacuzzi, solarium, table tennis and snooker room.	-	Approved 25.11.87
	SH880057PF	Alterations & extensions to cottage	-	Approved 08.02.88
	SH910236PF	Removal of Condition 2 (SH871407PF)	-	Approved 01.05.91
	SH910958PF	Squash court and tennis court	-	Approved 11.10.91
	SH921435PF	Removal of Condition 2 (SH910236PF)	-	Approved 13.01.93
	SH941107PF	New entrance, drive and car parking for 57 cars	-	Approved 19.10.94
	SH941108PF	Leisure building	-	Approved 19.10.94
	SH950662PF	Conservatory extension to restaurant	-	Approved 27.07.95

SE2005/1374/F	Change of Use of 9 holiday cottages to retirement centre.	-	Approved 12.06.06
SE2006/2284/F	Conversion of leisure buildings to private dwelling with garage and staff accommodation with new accesses.	-	Refused 11.09.06

4. Consultation Summary

Statutory Consultations

- 4.1 No statutory or non-statutory consultations required.

Internal Council Advice

- 4.2 The Traffic Manager points out that the new accesses would not achieve the recommended standards with regards to visibility splays; nevertheless they do represent a considerable improvement in visibility over the existing access. Recommend conditions regarding access and parking.

- 4.3 The Conservation Manager comments:

“The new access arrangements would conflict with the group of mature trees growing in the lawn area to the south of The Lodge. The new sections of driveway impinge significantly on the root areas for these trees. Should the root protection areas be plotted for these trees, they would extend beyond the canopy spread of these trees. Siting a new driveway within the root protection area of trees is not in accordance with best practice. Given the amount of root destruction and ground compaction that would occur, I do not consider that the trees could be successfully retained.

In my view, there is insufficient space between The Lodge and the property Squirrels to site a new access, without causing significant damage to the existing mature trees. A better alternative would be to have only one main access (the proposed new access in the northern part of the site) and to access The Lodge and the leisure buildings off this access. The western part of the existing driveway could be used to serve The Lodge.

It should be noted that the construction works associated with the proposed removal of the existing western part of the driveway could be damaging to the mature trees, unless techniques are used, such as hand digging, which would limit the damage to the tree roots.

The leisure buildings are of calculatedly inoffensive design in grounds of an unlisted nineteenth century villa.”

5. Representations

- 5.1 The applicant's agent has submitted a letter in support of the proposal which in summary makes the following points:

1. These buildings are existing and the only issues, we submit, are (i) are they 'worthy of retention' and (ii) if so, for what purpose should they be retained.

2. Worthy of retention: the buildings are 'worthy of retention'. The preamble to HBA12 gives weight to the positive effects of re-using a rural building in order to "make use of an existing resource and to avoid leaving existing buildings vacant and prone to dereliction and vandalism" and Policy LA1 requires that development in an AONB should be small in scale and should not adversely affect the intrinsic natural beauty of the landscape, as is clearly the case. The worst case scenario is to leave these buildings without valid use and prone to dereliction and vandalism.
3. Proposed use as a retirement dwelling: In the present application the proposed main dwelling is specifically defined as a retirement dwelling.
4. Consistency of planning decisions: Wye Lea Country Manor comprised both leisure buildings and holiday letting units as a single entity. If latter 'worthy of retention', then so also surely are the former leisure buildings.
5. Non-sustainability of existing recreational use: Full details were provided why recreational use was unsustainable and those facts, remain as before.
6. Alternative uses:
 - (a) Commercial use - would be incompatible with retirement use of holiday units.
 - (b) Community use - insufficient numbers of residents on site at Wye Lea to be viable and if extended to the wider community, would generate more traffic and require extra parking harming the amenity of the residents threatening the viability of the existing village hall.
 - (c) Use as Nursing or Residential Home: The existing buildings are limited in size (accommodation for perhaps 12 residents) far less than the 35+ required to make any such venture financially viable.
 - (d) Other Recreational Use: Requires substantial capital investment which would be unsustainable if small and incompatible with retirement homes if more substantial.
7. Advertising: estate agent has received no enquiries for the existing leisure buildings in the 12 months that he has been acting for the applicant and clear 'that every reasonable attempt has been made to secure an alternative business, recreational or community use' (UDP Policy HBA13) save more aggressive advertising campaign, especially as only feasible use is residential.
8. Sustainability: UDP Policy S1, clause 2, emphasises the importance of 'safeguarding landscape quality and visual amenity', and clause 4, emphasises the importance of 'recycling previously used resources - including previously developed ... buildings and infrastructure'. Both support this proposal. The only part of Policy S1 with which the current proposal might be at variance is clause 13 which deals with traffic movements.
9. Traffic movements: UDP Policy S6, clause 13 of S1, properly seeks to locate new developments within existing urban areas where car journeys can be minimised. Its application to re-use of buildings outside such areas would appear to be an assessment of whether or not any alternative use would be less demanding on the use of private cars. It is self-evident (i) that this proposal will

greatly reduce the number of traffic movements to and from these buildings compared with the former use and (ii) that only residential use is likely to result in a significantly reduced number of car journeys.

10. Local Opinion and Consistency: All local response to the proposal to use Wye Lea for retirement purposes appears to be entirely favourable.

In addition a Design and Access Statement has been submitted, which is summarised:

- (1) The leisure buildings are set in a landscaped park together with former holiday units and are in effect an extension of the adjoining Wye Lea House.
- (2) The access to the latter has very poor visibility and traffic tends therefore to use the former holiday centre access.
- (3) The smaller unit would be for a staff flat for a gardener.
- (4) Main entrances into both dwellings would be designed for mobility use.
- (5) Existing external materials would be retained (part rendered, part stone with plain tiled roofs) except to improve appearance (replacement of flat roofs with ridge roofs in plain tiles and removal of glass conservatory).
- (6) Smaller ground floor plan than existing; some compensating adjustments following removal of conservatory, flat-roofed porches and covered way.

5.2 Bridstow PC support this application.

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 policies relating to conversion of rural buildings are HBA12 and HBA13. The former seeks to ensure that only permanent and substantial buildings, capable of accommodating the new use without substantial alteration or extension are converted and that the new activities are of appropriate scale and compatible with neighbouring uses. These buildings and the proposed use would meet these criteria. Policy HBA13 relates specifically to conversion for residential use. This states that "in open countryside and beyond reasonable access of urban areas, main villages and smaller settlements, residential proposals will only be supported" where at least one of 4 criteria would be met. In this case the relevant criterion is no. 1: that "there are acknowledged historical, architectural, local landscape or amenity benefits of retaining the building". The nearest such settlement to Wye Lea is about 2 km. Away. Wye Lea is not on a bus route. I consider therefore that the proposal must fall within this criterion in order to comply with Policy HBA13.
- 6.2 The criterion is equivalent to and replaces a criterion (d) of County Structure Plan Policy H20 which allows, as an exception to the proscription of new housing in the open countryside, an "environmentally- acceptable conversion of a redundant rural building which is worthy of retention" [emphasis added]. The rationale of this criterion appears to have been to preserve traditional farm buildings which no longer met the needs of agricultural enterprises. The loss of such buildings which were often of great

historical and architectural interest was harmful to the character of the countryside. The only way to secure the long term future of such buildings is to secure alternative uses and in Herefordshire the demand is predominantly for residential re-use. The benefits of retaining these buildings was held to outweigh the disbenefits of allowing new dwellings or commercial enterprises in the open countryside. Following a change in Government guidance on this issue there was encouragement for conversion of rural buildings in general for uses that benefited the rural economy. This is reflected in South Herefordshire District Local Plan policies (eg SH1A, C36, C37, ED6 and ED7). The presumption in favour of conversion did not however apply to re-use for residential purposes. The core principle underpinning current Government planning is "sustainable development" (paragraph 2 of PPS1). This adds emphasis to the Government's aim that new housing in the countryside away from established settlements should be strictly controlled (paragraph 9 (ii) of PPS7). The preamble to Policy HBA13 (Paragraph 9.6.43) stresses that the Plan is not seeking to encourage new residential development in the open countryside. Residential re-use is however encouraged in defined settlements with the benefits of reducing the demand for new building, making use of an existing resource and avoid leaving existing buildings vacant and prone to dereliction and vandalism (Paragraph 9.6.39). The latter benefits are not mentioned however in connexion with building in the open countryside. In my opinion the criterion requires that there be some positive benefits from the proposed residential conversion. However the application buildings are not of architectural or historical interest that make their retention visually important. The main thrust of the applicant's case is that there would be negative consequences from not allowing conversion. I do not think that this would constitute an acknowledged local landscape or amenity benefit. The proposal would not therefore comply with Policy HBA13.

- 6.3 The appellant's agent considers that the strongest argument in favour of granting planning permission is that refusal would be inconsistent with the approvals already given for the same use of the former holiday letting units (paragraphs 4 and 14 of his letter of application). The former holiday units are either purpose-built residential units or were converted for this purpose. Their occupation was controlled by planning conditions to use for holiday purposes. The grant of permission referred to by the agent was therefore primarily for variation of these conditions. Furthermore Annex A of PPS7 points out that dwellings "in the countryside with an occupancy condition attached should not be kept vacant...by virtue of planning conditions restricting occupancy which have outlived their usefulness". No comparable advice is given regarding non-residential rural buildings. An analogous case to Wye Lea would be a redundant farm complex comprising a farmhouse with an agricultural occupancy condition and range of farm buildings. Removing the occupancy condition would not prejudice the Council's decision on conversion of the farm buildings to dwellings. The refusal of permission for conversion of leisure buildings is not therefore inconsistent with permission for the retirement dwellings.
- 6.4 In a sustainable location (such as one of the larger settlements) it may be preferable to re-use an existing building rather than build a new one and this is acknowledged in paragraph 9.6.39 (preamble to Policy HBA13). In other locations where new house building is strongly resisted, residential conversion would not outweigh the disbenefits arising from limited public transport and the likelihood that the private car would be used for almost all journeys. The site is "brownfield land" according to the Government's definition in Annex B of PPG3. Nevertheless "there is no presumption that land that is previously developed is necessarily suitable for housing development". UDP Policy H14 encourages the re-use of previously developed land and buildings for

residential purposes but this will be strictly controlled in the open countryside under the terms of Policy H7 (and hence of HBA13) (paragraph 5.6.9).

- 6.5 The smaller unit would be used for staff accommodation. An earlier proposal for a new house for a manager (SE2002/0327/F), with extra holiday units, was dismissed on appeal. If there was a case for maintenance staff living on site this could be accommodated in one of the existing units. Indeed the existing manager’s house is not restricted by occupancy condition.
- 6.6 The Council’s current policy (HBA13 and Supplementary Planning Guidance : Re-use and Adaptation of Rural Buildings (July 2004) paragraphs 4.22-4.25) requires market testing for all potential residential conversions. The advice of the applicant’s estate agents is appreciated nevertheless these buildings have not been marketed in their own right, only as part of a much larger package (a retirement centre)

RECOMMENDATION

That planning permission be refused for the following reasons:

- 1 The Council is not satisfied that these modern buildings are worthy of retention or that there are acknowledged benefits of retaining the building or that they would meet local housing or rural business needs. In view of the isolated location of these buildings it is considered that the new dwellings would not be sustainable. As a consequence the proposal would not comply with Policies HBA12, HBA13, LA1 and S1, S6 and DR2 of Herefordshire Unitary Development Plan (Revised Deposit Draft).**
- 2 The buildings have not been marketed for commercial use other than as part of the former holiday centre and the Council is not satisfied that every reasonable attempt has been made to secure an alternative business, recreational and community use or that such development uses are not acceptable, practical or beneficial. The proposal conflicts therefore with Policy HBA13 of Herefordshire Unitary Development Plan (Revised Deposit Draft).**
- 3. The proposed access drives and associated engineering works would be likely to cause significant damage requiring the removal of a number of mature trees within Wye Lea which would detract from the visual amenity of the area which is within the Wye Valley Area of Outstanding Natural Beauty and conflict with Policies LA1 and LA5 of the Herefordshire Unitary Development Plan (Revised Deposit Draft).**

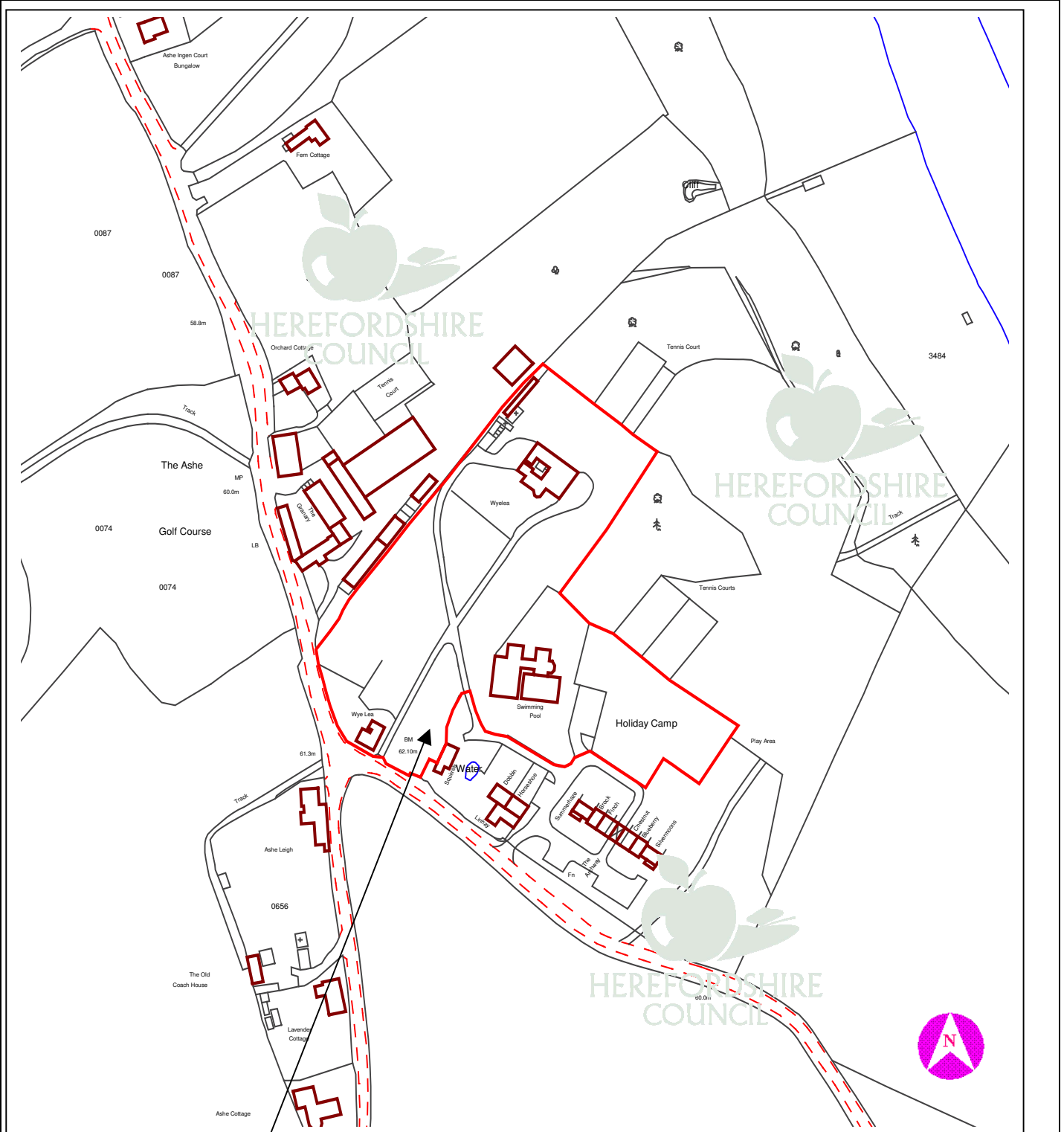
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCSE2007/0052/F

SCALE : 1 : 2500

SITE ADDRESS : Wye Lea Country Manor, Bridstow, Ross-on-Wye, Herefordshire, HR9 6PZ

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10A DCSE2007/0089/F - CONVERSION OF FARM BUILDINGS TO 4 RESIDENTIAL DWELLINGS AND ANCILLARY ACCOMMODATION. PROPOSED GARAGES. LLANROTHAL COURT FARM, LLANROTHAL, MONMOUTH, NP25 5QJ.

10B DCSE2007/0090/L - CONVERSION OF FARM BUILDINGS TO 4 RESIDENTIAL DWELLINGS AND ANCILLARY ACCOMMODATION. PROPOSED GARAGES. LLANROTHAL COURT FARM, LLANROTHAL, MONMOUTH, NP25 5QJ.

**For: Guild Homes Ltd per A.P. Architecture Limited,
E-Innovation Centre Suite SE 107 University of
Wolverhampton Telford Campus, Priorslee TF2 9FT**

Date Received: 10th January 2007 Ward: Llangarron Grid Ref: 46804, 19034

Expiry Date: 7th March 2007

Local Member: Councillor Mrs. J.A. Hyde

1. Site Description and Proposal

1.1 Lanrothal Court Farm is at the north-western end of the unclassified road leading off the Welsh Newton - Tregate Bridge road (C1247) and is close to the County boundary. The farm complex, which is no longer used for agricultural purposes comprises: (i) an 'L'-shaped building, the south-western section of which is a substantial timber-framed barn, the remainder are stone threshing barns; (ii) a smaller granary building to the south-east of the main barn; (iii) an 'L'-shaped monopitch cow houses with attractive stone columns and stone tiles. Together these enclose a rectangular farmyard, with the gap between cow houses and timber-frame building closed by a stone wall, on the west side of which there is a small partly derelict agricultural building. The land falls to west and north of the complex to the River Monnow. Llanrothal Court (a listed building) lies to the south of the farm.

1.2 Planning permission (SE2003/2298/F) was granted in October 2004 for the conversion of the barns to residential use (5 dwellings). A subsequent application (DCSE2006/2060/F) to convert the 'L'-shaped barns into 5 dwellings (i.e. 7 dwellings in total) was refused permission for the following reasons:

1. "The proposals would adversely affect the character and appearance of these attractive traditional rural buildings and the character of this rural area and settlement; which is defined as within an area of Great Landscape Value in the Hereford and Worcester County Structure Plan. The proposed development conflicts therefore with Policies CTC2, CTC13 and CTC14 of Hereford and Worcester County Structure Plan, Policies C8, C36, C37 of South Herefordshire District Local Plan and Policies LA2 and HBA12 of emerging Herefordshire

Unitary Development Plan (Revised Deposit Draft) and Supplementary Planning Guidance: Re-Use and Adaptation of Traditional Rural Buildings.”

2. There is clear evidence that bats are using these buildings and the submitted scheme does not include measures which have been shown through a site survey are necessary to mitigate the harm that would be caused to these protected species. The proposals conflict therefore with Policy C16 of South Herefordshire District Local Plan and Policies NC5, NC6, NC7, NC8 and NC9 of emerging Herefordshire Unitary Development Plan (Revised Deposit Draft).
3. Notwithstanding the permission granted previously for conversion of the barns for residential use (five dwellings), it is considered that any further intensification of use of the narrow sub-standard lanes arising from further development of site (three additional dwellings) may increase the risk of vehicle conflict, which is not in the interests of highway safety.”

More recently (November 2006) the barns have been added to the list of buildings of architectural and historic interest (grade II).

- 1.3 The current application is for conversion of the main 'L'-shaped building into 4 rather than 3 dwellings as currently approved plus the erection of garages, a new access drive and larger gardens. The cow shelters would be used as ancillary accommodation (home office and sun lounge) and the small agricultural building reconstructed as a triple garage for the adjoining unit. The two blocks of garages (one double, one triple) would be built into the bank. The application site does not include the granary which has been converted into 2 dwellings under the earlier approval (SE2003/2298/F). The scheme as a whole would therefore result in 6 dwellings.
- 1.4 As in the approved scheme the timber-framed barn would form one large dwelling (6 bedroom). The main change compared to the approved scheme is the sub-division and treatment of the stone barns. These would now form 3, 4-bed dwellings. Some alterations to external elevations are proposed to provide access and lighting, in particular a line of rooflights along the south-east facing roof slope.

2. Policies

2.1 Planning Policy Guidance

PPS.7 - Sustainable Development in Rural Areas

2.2 Unitary Development Plan (Revised Deposit Draft)

Policy HBA1	-	Alterations and Extensions to Listed Buildings
Policy HBA3	-	Change of Use of Listed Buildings
Policy HBA4	-	Setting of Listed Buildings
Policy HBA9	-	Protection of Open Areas and Green Spaces
Policy HBA.12	-	Re-use of Traditional Rural Buildings
Policy HBA13	-	Re-use of Traditional Rural Buildings for Residential Purposes
Policy LA.2	-	Landscape Character and Areas Least Resilient to Change
Policy S1	-	Sustainable Development
Policy S2	-	Development Requirements
Policy S3	-	Housing
Policy S7	-	Natural and Historic Heritage
Policy DR1	-	Design

Policy DR4	-	Environment
Policy H7	-	Housing in the Countryside outside Settlements
Policy H13	-	Sustainable Residential Design

2.3 Supplementary Planning Guidance

Re-Use and Adaptation of Rural Buildings

3. Planning History

3.1	SE2003/2298/F	Conversion of barns to residential use.	-	Approved 27.10.04
	DCSE2006/3380/F	Proposed conversion of farm buildings to 5 residential dwellings, home office and ancillary accommodation. Proposed garages.	-	Withdrawn 12.1.07
	DCSE2006/3378/L	Conversion of farm buildings to 5 residential dwellings, home office and ancillary accommodation. Proposed garages.	-	Withdrawn 12.1.07
	DCSE2006/2060/F	Conversion of farm buildings to six residential dwellings.	-	Refused 24.8.06

4. Consultation Summary

Statutory Consultations

4.1 No statutory or non-statutory consultations required.

Internal Council Advice

4.2 The Traffic Manager points out that the site lies approximately 4 km from the main A466 road at Welsh Newton and is accessed via the C1247 and U71218. These lanes are narrow (typically 2.5 metres wide), hilly in places and with poor forward visibility generally. There are few formal passing places, apart from a limited number of property entrances and field gateways. Hedges are close to the carriageway with restricted highway verges and there appears to be little scope for improvements along most of the route without involving third party land.

Although the current proposal is now for only 1 additional dwelling (over the 5 residential units originally approved), I do still have concerns about the suitability of these lanes to serve residential development; however it is considered that the intensification caused by 1 additional unit would not along justify a recommendation for refusal in this case.

The 1:2500 scale drawing (received 13th December 2006) showing 5 possible passing places only relates to the last 900 metres from the site (of the 4 km route to the main road). Nevertheless these should be investigated. Although the Design and Access Statement refers to these passing bays as "within the highway", most of the bays do not appear to be within the historical highway boundary and we have no record of the land involved.

In addition the proposals would affect public footpath L05 which runs through the site. The position for the LPG tank is unacceptable. The wicket gate should be relocated to

its correct position with an acceptable surface. The new gate annotated "emergency access only" is across line of public footpath and gate must therefore remain unlocked at all times and should be capable of being opened easily. The route of the footpath should be clearly marked. The developer should ensure that parked vehicles do not obstruct access along the footpath.

4.3 The Conservation Manager's comments are as follows:

"The recent spot listing has forced the applicants to adopt a less intensive scheme and this is broadly welcome, as it reduces the impact on the character of the buildings. However I would still note the following points:

- Unit 6, ground floor window to breakfast room - the wide window which replaces the double doorway would be better proportioned if it were divided into four lights rather than three.
- Unit 6, staircase - a transverse section (minimum 1:50 scale) is required to clarify the relationship of the staircase to the internal structure, and to indicate the extent of historic fabric removal. In this respect it is somewhat perverse that the existing void is to be floored over whilst another is opened up but there may be compelling functional reasons for this.
- Units 5 & 6, rooflights - standard Velux rooflights are not acceptable, and details should be controlled by condition.
- Shelter sheds - although it is not entirely clear at 1:500 scale, the site plan (dwg no LP1/D) suggests that the open shelter sheds are to be re-built, as per earlier schemes. It has been emphasised several times that these structures must be retained in their present form and dimensions, and if this is a draughting error, it should be rectified before any approval is granted.

Conclusion/Recommendation:

Recommendation: no objection subject to the provision of the additional information and amendments set out above. Standard conditions will also be required."

5. Representations

5.1 The following Design and Access Statement has been submitted by the applicant's agent:

- 1.0 The design is informed by the existing Council approvals for conversion of the buildings into five dwellings, Development Plan Policies and the listing of the barns on 16.11.06.
- 3.0 The principle of conversion is not at issue, given the valid permissions, upon which a substantive start has been made where there is no change proposed.
- 4.0 The Council rely upon the County Structure Plan and Local Plan Policies for the most part in respect of the character. These are unchanged, and they and the approved scheme have informed the design.
- 4.1 With regard to "Area of Great Landscape Value" designation the proposal would make no difference because this is a conversion scheme, with landscaping as

per the approved proposal and as indicated on the site plan. Hence the screen planting of native trees and hedges, including around the garages that are to be set into the existing bank. The overall impression is to retain the farm group and take advantage of the rising land to enclose where cars would be parked, and soften the necessary hard surfacing, that has long been associated with the buildings.

This enhancement planting will also help to improve the local landscape, which has a "detractor" in the form of overhead electricity lines just to the north.

A management (five year) plan for the landscaping could be incorporated into the planning permission. This measure would also help to ensure compliance with Policy NC8 of the emerging UDP in respect of habitat creation and enhancement.

- 5.0 The amount of development, its layout and scale are all determined by the fact that this is a building conversion scheme; and its ongoing character can be safeguarded by removal of permitted development rights. You may wish to include control of satellite dishes and aerials too.
- 5.1 The revised scheme respects the listing, and follows discussions with Conservation Officer. Accordingly, the large corn barn is not now to be divided into two dwellings, and the accommodation is changed to avoid roof lights in the north western elevation.
- 5.2 The internal divisions and use of existing openings is maximised to the full, commensurate with what has already been permitted.
- 7.0 Drainage is not an issue, the proposal being for a septic tank and soakaway (Condition 7 of approval 2003/2298 could be attached).
- 9.0 Vehicular access is acceptable to the Authority for the approved five barn conversions. For an additional dwelling only, there would not be a material increase in traffic flow along the lane.
- 9.1 A plan showing passing bays as a road improvement along the access lane has been submitted. These are sufficient "highway gain" to justify the marginal increase in traffic that the extra dwelling would make.
- 9.2 The proposal removes the possibility of farm re-use or business use of the buildings with all the attendant large vehicle movements they did and could still generate.
- 9.3 At the junction with the major road, visibility is good in both directions towards Tregate and Welsh Newton, and the bell mouth of the minor road is about 9m wide.
- 5.2 Llanrothal Parish Council unanimously object to both proposals and ask that the following comments be taken into consideration:
1. No significant or indeed relevant improvements to the Refused Application no. DCSE2006/3380/F have been offered.
 2. The Parish Council wish to reiterate their previous comments that these proposals would inauspiciously affect the character and appearance of these

traditional rural buildings and consequently conflict with Policies LA2 and HBA12 of the emerging herefordshire Unitary Development Plan.

3. The new site plan is considerably larger than the approved 2004 plan and includes agricultural land which is to be used for domestic purposes such as parking.
4. Numerous points contravene SPG 2002:
 - a) 4.28
 - b) 4.36
 - c) 4.37
 - d) 6.3
 - e) 6.4
 - f) 6.8
 - g) 6.19
 - h) 6.37

also PPG15 3.15

- 5) If approved, this application would allow for SIX dwellings and garages on this site.

5.3 Five letters have been received expressing objections and matters of concern:

- (1) No notice taken of previous representations regarding development on the ancient road (for which Modification Order application has been made) currently footpath L05.
- (2) Now propose tree planting, walls, septic and LPG tanks on line of this road - is LPG tank a Health and Safety issue?
- (3) Emergency access is on route of footpath and gate should remain unlocked and accessible at all times.
- (4) No drainage assessment or porosity tests - of concern for 3 reasons:
 - (a) at another site developed by applicant, sewerage system was inadequate and residents were left with considerable costs;
 - (b) objector house replaced a smaller dwelling but old septic tank remained - increased occupancy and poor soil porosity led to backing up and need to replace whole system; and
 - (c) current proposal is for more dwellings and higher occupancy rates than approved scheme.
- (5) Unacceptable due mainly to many contraventions of Council's own guidelines (SPG).
- (6) Conflict with guidelines for listed buildings and conversions with regard to
 - (a) rooflights should be used sparingly on least conspicuous elevation
 - (b) garaging – should be provided without need for new buildings

- (c) full details of proposal (eg window from details, sections etcx) should be submitted plus schedule of works
 - (d) ventilation holes should be retained not knocked out and widened by 50% more than on original plan
 - (e) submission of full list of materials, colours, wood types, etc.
 - (f) inserted floors should be kept to a minimum – large barn shows plans for a fourth floor
- (7) Inaccuracies in submission:
- C1247 is not a major road
 - 7 not 3 homes served by the road
 - number of garages is incorrect
 - elevations and plans for units 3-8 do not match with regard to rooflights
- (8) Stated that only marginal increase in traffic but with no buses and 7 miles from nearest shopping centre and school it is unlikely that 18 extra bedrooms plus 7 for the smaller granary will create only a minimal increase. Car access has only been accepted for fewer dwellings.
- (9) Regarding removing possibility of re-use as a farm the farmhouse and buildings have already been relocated and land is rented out (part for potato crops which will mean movement of large machinery).
- (10) Cow barns shown with an increase in depth. How is this to be achieved?
- (11) Would ask that proposals fulfil spirit of Council's guidelines that schemes should respect the original structure and features (1.15); retain qualities and characteristics that led to decision to list with exceptionally high standards and minimal alteration (4.7). (New guidelines suggest conversion of listed buildings to residential should be resisted): large expanses of tarmac, fencing and gates avoided (6.9).

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 principle of conversion of this attractive group of buildings has been accepted by the Council in granting permission for 5 units. The issues in relation to the current proposal are whether, bearing in mind the recent listing, the more intense scheme, retains the character and appearance this group of buildings and protects their setting; the effect on the landscape/rural character of the area; and the adequacy of the local road network.
- 6.2 Compared to the approved scheme (SE2003/2298/F) there would be one extra dwelling; compared to the refused scheme (SE2006/2060/F) there would be 2 less dwellings. A major advantage of the current proposal over the latter is that the timber-frame barn would be one dwelling and not sub-divided. This building has ample existing window openings and with the addition of rooflights would not require major changes externally. The threshing barns would have more sub-divisions internally to form additional units and rooms but externally would not require any significant changes. Subject to some minor changes, to which the applicant has agreed, the

Conservation Manager considers that the character and appearance of these listed buildings would be adequately protected.

- 6.3 Further information is being sought regarding the proposed treatment of the cow shelters and small stone building and the sub-division and surfacing of the farmyard. In principle however, the proposals should not harm the setting of this attractive group of traditional farm buildings. The new drives extending to the east and looping around the northern end of the complex and open parking areas are not ideal but with appropriate surfacing and careful landscaping would not be unduly obtrusive. The existing fence that currently defines the northern and eastern boundaries of the site is aligned along the edge of the relatively level, higher ground and beyond the fence the land falls to the River Monnow. The new access and turning area should not intrude on the latter and its use as garden area would also be detrimental to this attractive landscape. The alignment of the drive and extent of the proposed gardens are being clarified by the applicant's agent. A more acceptable area for an extended garden would be to the south-west of the cow shelters as this is already defined by hedges and adjoins the garden of Llanrothal Court. Subject to these concerns being met I consider that the setting of these listed buildings and the character of the landscape would not be harmed significantly. The new garages would be set into the rising ground and would be much less assertive in the landscape than the now demolished agricultural buildings they would replace.
- 6.4 The farm is at the end of a long (about 1.5 km) narrow and winding dead-end highway. There are few opportunities for vehicles to pass and it is not clear whether the proposed passing places would be on highway land. If not they may not be achievable. Nevertheless although of concern, the Traffic Manager does not consider that this is sufficient reason to refuse permission, taking into account the small number of dwellings served by this unclassified road.

RECOMMENDATION

In respect of DCSE2007/0089/F:

That subject to submission of acceptable drawings showing design and appearance of the barns, treatment of cow shelters, small store, alignment, treatment of drives and definition of garden areas, 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 G04 (Landscaping scheme (general))

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

4 G05 (Implementation of landscaping scheme (general))

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

5 G01 (Details of boundary treatments)

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

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

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

7 RB1 (No Permitted Development)

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

INFORMATIVES:

1 N19 - Avoidance of doubt

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

Decision:

Notes:

Background Papers

Internal departmental consultation replies.

In respect of DCSE2007/0090/L:

RECOMMENDATION

That subject to submission of acceptable drawings showing design and appearance of the barns, treatment of cow shelters, small store, alignment, treatment of drives and definition of garden areas, the officers named in the Scheme of Delegation to Officers be authorised to issue listed building consent 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 G04 (Landscaping scheme (general))

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

4 G05 (Implementation of landscaping scheme (general))

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

5 G01 (Details of boundary treatments)

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

INFORMATIVES:

1 N19 - Avoidance of doubt

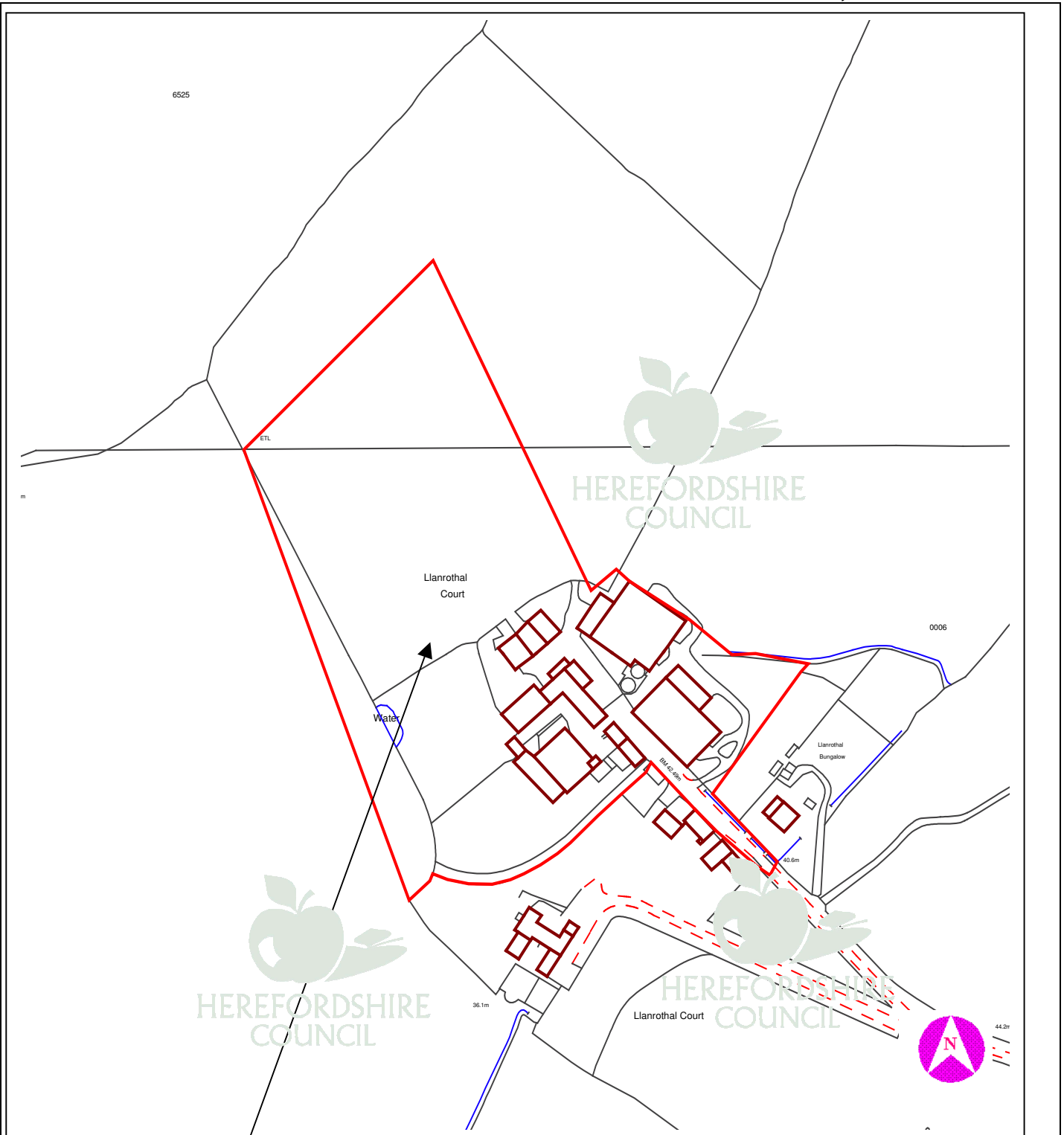
2 N15 - Reason(s) for the Grant of Listed Building Consent

Decision:

Notes:

Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCSE2007/0089/F

SCALE : 1 : 2500

SITE ADDRESS : Llanrothal Court Farm, Llanrothal, Monmouth, Herefordshire, NP25 5QJ

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**11 DCSE2006/3918/F - PROPOSED BUNGALOW
BURMELL, BRIDSTOW, ROSS-ON-WYE,
HEREFORDSHIRE, HR9 6AJ.**

**For: Mr. H. Phillips per Mr. I.R. Phillips, Bannutree
Cottage, Llangrove, Ross-on-Wye, Herefordshire,
HR9 6EZ.**

Date Received: 14th December, 2006 Ward: Llangarron Grid Ref: 58401, 24472

Expiry Date: 8th February, 2007

Local Member: Councillor Mrs. J.A. Hyde

1. Site Description and Proposal

1.1 The application site comprises an irregularly shaped area about 19 m wide x 29 m deep situated to the rear of Burmell, a detached house fronting the A40(T) at Bridstow. Vehicular access to the property is via a narrow, winding private road leading off Bannutree Lane giving access to the rear of 6 residential properties, 5 of these front either the A40(T) or Bannutree Lane, the sixth (Orchard House) has only a narrow frontage to the private road. In addition a further dwelling has been granted planning permission adjoining Orchard House in the garden of Appledore, with access only on to the private road but has not yet been constructed.

1.2 The current application is for detailed planning permission. A small, rectangular bungalow is proposed (about 11.6 m wide x 7 m deep), with a small gable projecting forward at the northern end. It would be sited centrally within the plot with the ridge orientated north-south. It would be of brick construction with a tile roof. Access would be off the private drive referred to above but this is not part of the application site and is not identified as being in the applicant's ownership. A turning head would be formed partly using the existing drive to Burmell.

2. Policies

2.1 Planning Policy Statements

PPS.3 - Housing
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 H.13 - Sustainable Residential Design
Policy H.15 - Density
Policy DR.1 - Design
Policy DR.2 - Land Use and Activity
Policy S.3 - Housing
Policy LA.1 - Areas of Outstanding Natural Beauty

2.3 Hereford and Worcester County Structure Plan

- Policy H.16A - Housing in Rural Areas
- Policy H.18 - Housing in Rural Areas
- Policy CTC.1 - Development in Areas of Outstanding Natural Beauty

2.4 South Herefordshire District Local Plan

- Policy SH.10 - Housing in Smaller Settlements
- Policy SH.14 - Siting and Design of Buildings
- Policy SH.15 - Criteria for New Housing Schemes
- Policy GD.1 - General Development Criteria
- Policy C.5 - Development within Area of Outstanding Natural Beauty

3. Planning History

- | | | | |
|-----|-----------------|-------------------|---------------------|
| 3.1 | SE2000/0854/O | Site for bungalow | - Refused 12.06.00 |
| | DCSE2003/1633/O | Site for bungalow | - Approved 10.09.03 |
| | DCSE2004/2713/F | Dormer bungalow | - Refused 16.09.04 |
| | DCSE2006/0938/F | Dwelling | - Refused 17.05.06 |

4. Consultation SummaryStatutory Consultations

- 4.1 No statutory or non-statutory consultations required.

Internal Council Advice

- 4.2 The Traffic Manager recommends that conditions be included with regard to parking spaces (2) and turning area and improvements to the access drive.

5. Representations

- 5.1 The applicant's agent makes the following submission (Design and Access Statement):

- (1) The site is currently part of the garden land of Burmell. This garden is excessively large and not easy to maintain.
- (2) The proposed bungalow sits comfortably on the site, not looking too small and at the same time, not overcrowding.
- (3) The proposed bungalow will be 'infilling' between Orchard House, Bearwood and Burmell. It is positioned on the site so as not to effect neighbouring properties. It is positioned away from the relevant boundaries.
- (4) The bungalow is of suitable size, with moderate size rooms. The site is level so the ground levels have no impact on the property. The bungalow does not

overshadow any of the neighbouring properties and the design is in keeping with them.

- (5) High mature hedges to 2 of the sides enclose the site, with a boarded fence along the boundary of Burmell. The site will also include various trees.
- (6) The design of the bungalow resembles that of Orchard House with matching bricks and tiles and similar roof pitch. The bungalow will blend well into the surroundings and with the other properties in the area.
- (7) Access to the site exists. There will be suitable parking and turning areas provided. There is no further opportunity for new property developments along the lane that accesses the site; therefore the traffic movement along this lane is suitable. Being a bungalow, this property will be suitable for the elderly or any disabled persons.

5.2 Parish Council has no objection to the proposal.

5.3 One letter has been received expressing reservations on the grounds that:

- (a) the bungalow seems to be squeezed into a relatively small plot, at least by the standards of the locality;
- (b) general concerns regarding the apparently inexorable and widespread process of "in-filling", resulting in loss of wildlife habitats and with real danger of totally compromising rural character of certain areas.

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 are considered to be the principle of residential development, whether the proposed bungalow would fit acceptably on the site and highway safety.

6.2 At the time that outline planning permission was granted the statutory Development Plan included the County Structure Plan and the South Herefordshire District Local Plan. The latter identified this part of Bridstow as a smaller settlement and, subject to meeting a number of criteria, small scale housing development was permissible. Outline permission was granted on 10 September 2003 and condition no. 2 required submission of reserved matters within 3 years of that date. No reserved matters have been submitted, as both subsequent applications were for 2-storey dwellings, not bungalows, and both were refused permission. The current application can therefore be treated as an application to (i) vary that condition, and (ii) submission of the outstanding matters. However in determining such an application regard should be had to any changes in policy since the original grant of permission. The Herefordshire Unitary Development Plan is now only a few weeks from formal adoption and can be given full weight. The UDP does not include Bridstow in the list of smaller settlements and the relevant policy is therefore H7 (Housing in the Countryside outside Settlements). This policy states that housing development will not be permitted unless it falls within a number of exceptions, including dwellings in association with single affordable dwellings under Policy H10. The proposed bungalow does not come within the scope of these exceptions and therefore would be contrary to UDP policies.

- 6.3 The proposed bungalow is similar in size and design to that illustrated as part of the outline permission. As noted above, other dwellings have been allowed on small plots off this private drive and in rear gardens. This proposal is comparable with those dwellings and plots. The careful design and siting of the bungalow together with the high boundary hedges would protect the privacy of occupiers of the adjoining houses and ensure that the building would not be overbearing. I consider therefore that this bungalow would not appear cramped on its plot and would respect residential amenities.
- 6.4 The third issue relates to the narrow access road with poor visibility at its junction with Bannuttree Lane. In the appeal referred to the Inspector found that with the proposed improvements the private road would “allow the occupiers of the existing and proposed dwellings to use the track with the minimum of inconvenience”. Visibility at the junction with Bannuttree Lane would be well below standard but in view of the low number of vehicle movements at the junction he concluded that the harm to highway safety from one extra dwelling was not sufficient to dismiss the appeal. Similar consideration would apply in this case and it should be noted that the Traffic Manager does not recommend refusal of permission. There would be space within the application site for 2 cars to park and for vehicles to turn.

RECOMMENDATION

That planning permission be refused for the following reason:

- 1. **The proposed bungalow does not fall within one of the exceptions specified in Policy H7 of the Herefordshire Unitary Development Plan (Revised Deposit Draft) and the development would conflict therefore with this Policy and the Council’s housing strategy as set out in Policy S3 of the Plan.**

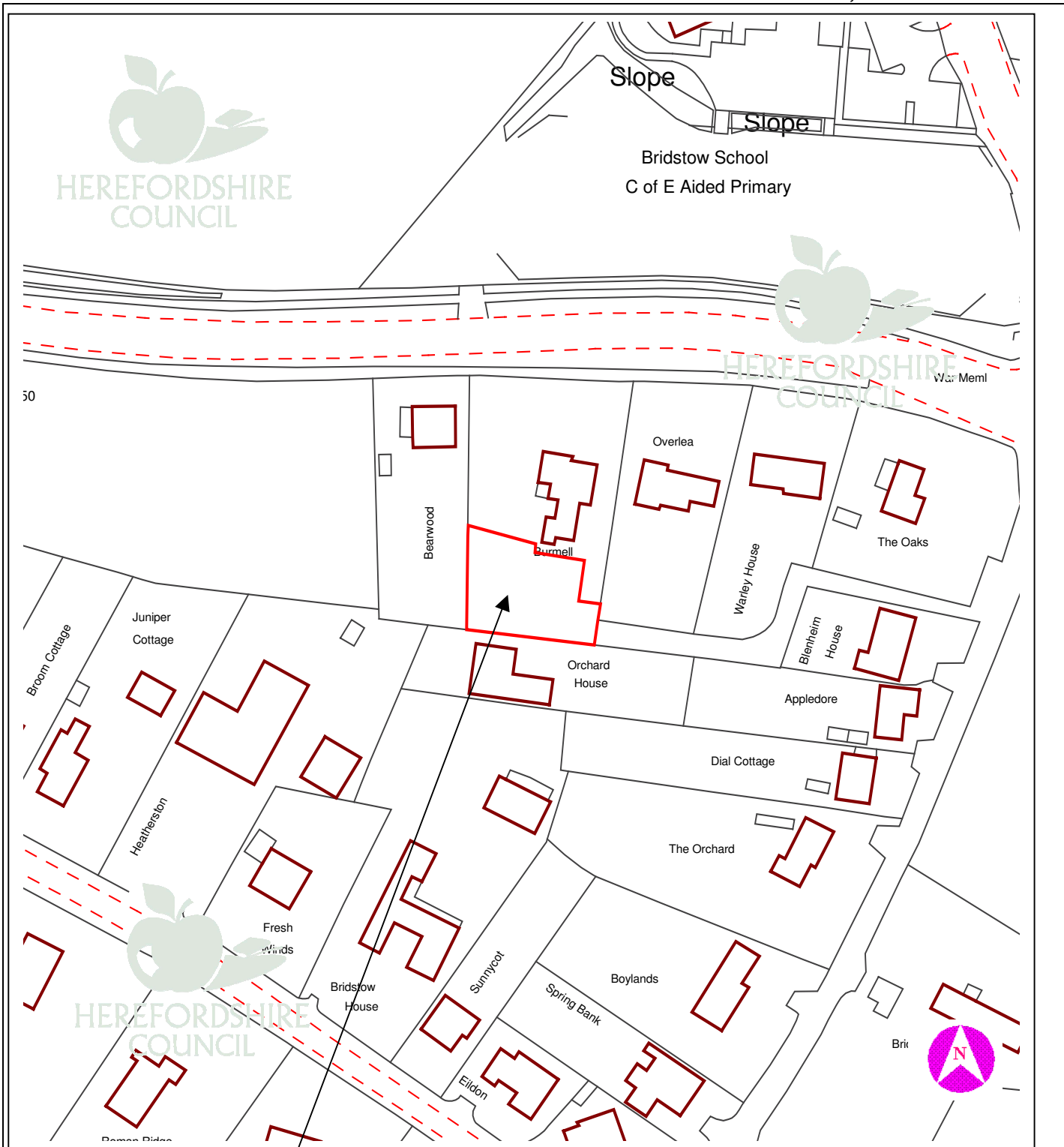
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCSE2006/3918/F

SCALE : 1 : 1250

SITE ADDRESS : Burmell, Bridstow, Ross-on-Wye, Herefordshire, HR9 6AJ

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