

A G E N D A

Central Area Planning Sub-Committee

Date: **Wednesday, 31st May, 2006**

Time: **2.00 p.m.**

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

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

For any further information please contact:

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AGENDA

for the Meeting of the Central Area Planning Sub-Committee

To: Councillor D.J. Fleet (Chairman)
Councillor R. Preece (Vice-Chairman)

Councillors Mrs. P.A. Andrews, Mrs. W.U. Attfield, Mrs. E.M. Bew, A.C.R. Chappell, Mrs. S.P.A. Daniels, P.J. Edwards, J.G.S. Guthrie, T.W. Hunt (ex-officio), Mrs. M.D. Lloyd-Hayes, R.I. Matthews, J.C. Mayson, J.W. Newman, Mrs. J.E. Pemberton, Ms. G.A. Powell, Mrs. S.J. Robertson, Miss F. Short, Mrs E.A. Taylor, W.J.S. Thomas, Ms. A.M. Toon, W.J. Walling, D.B. Wilcox, A.L. Williams, J.B. Williams (ex-officio) and R.M. Wilson.

	Pages
<p>1. ELECTION OF CHAIRMAN AND APPOINTMENT OF VICE-CHAIRMAN</p> <p>To note that Councillor D.J. Fleet was re-elected as Chairman and Councillor R. Preece was re-appointed as Vice-Chairman at Annual Council.</p>	
<p>2. APOLOGIES FOR ABSENCE</p> <p>To receive apologies for absence.</p>	
<p>3. DECLARATIONS OF INTEREST</p> <p>To receive any declarations of interest by Members in respect of items on the Agenda.</p>	
<p>4. MINUTES</p> <p>To approve and sign the Minutes of the meeting held on 3rd May, 2006.</p>	1 - 18
<p>5. ITEM FOR INFORMATION - APPEALS</p> <p>To note the Council's current position in respect of planning appeals for the central area.</p>	19 - 20
<p>6. APPLICATIONS RECEIVED</p> <p>To consider and take any appropriate action in respect of the planning applications received for the central area of Herefordshire and to authorise the Head of Planning Services to impose any additional and 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.</p>	
<p>7. DCCE2006/0351/F - LUCKSALL CARAVAN PARK, MORDIFORD, HEREFORD, HR1 4LP</p> <p>Additional 14 static caravans, including change of use of part of the land.</p> <p>Ward: Backbury</p>	21 - 28

8.	DCCE2006/0989/F - LAND ADJACENT TO CO-OP STORE, HOLME LACY ROAD, HEREFORD, HR2 6DF	29 - 34
	Erection of two storey block of 4 flats.	
	Ward: St. Martins & Hinton	
9.	[A] DCCE2006/0723/F AND [B] DCCE2006/0722/L - 14/15 HIGH TOWN, HEREFORD, HR1 2AA	35 - 44
	Proposed alterations and extension to 14/15 High Town to form retail unit at ground and first floor level with residential units above.	
	Ward: Central	
10.	DCCE2006/1016/F - THE FORGE, LITTLE DEWCHURCH, HEREFORD, HR2 6PN	45 - 50
	Replace old shed/store with new.	
	Ward: Hollington	
11.	DCCE2006/1219/F - 23 VENNS LANE, HEREFORD, HR1 1DE	51 - 56
	Proposed two storey extension.	
	Ward: Aylestone	
12.	DCCE2006/1231/RM - LAND AT LUGWARDINE COURT, LUGWARDINE, HEREFORD, HR1 4AE	57 - 62
	Proposed erection of three detached houses and ancillary garages, formation of new vehicular access and driveway.	
	Ward: Hagley	
13.	DCCW2006/0798/G - THE LAKES, SWAINSHILL, HEREFORD, HR4 7PU	63 - 68
	Discharge of a planning obligation.	
	Ward: Credenhill	
14.	DCCW2006/1057/F - ST. MARTINS BOWLING CLUB, ASDA SITE, ST. MARTINS, HEREFORD, HR2 7JF	69 - 72
	4 no. spot lights to bowling green.	
	Ward: St. Martins & Hinton	
15.	DCCE2006/1212/F - 77-79 HOLME LACY ROAD, HEREFORD, HEREFORDSHIRE, HR2 6DF	73 - 78
	Alteration of existing car parking area to form additional spaces.	
	Ward: St. Martins & Hinton	
16.	DCCW2006/0914/F - THE BAY HORSE, 236 KINGS ACRE ROAD, HEREFORD, HR4 0SD	79 - 84
	Extend existing dining room and construct eight letting bedrooms.	
	Ward: Three Elms	

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| 17. DCCW2006/1071/O - LAND TO REAR OF STONEY CROFT, MARDEN, HEREFORD, HR1 3DX | 85 - 90 |
| Proposed dwelling and garage. | |
| Ward: Sutton Walls | |
| 18. DCCW2006/1227/F - LAND TO THE REAR OF MARSTON HOUSE, 64 BELMONT ROAD, HEREFORD, HR2 7JW | 91 - 96 |
| Proposed new detached dwelling. | |
| Ward: St. Martins & Hinton | |
| 19. DCCE2006/1254/F - 122-124 WIDEMARSH STREET, HEREFORD, HR4 9HN | 97 - 102 |
| Change of use from existing vacant tyre fitting depot to indoor soft play based family entertainment centre with proposed extension. | |
| Ward: Central | |
| 20. DATE OF NEXT MEETING | |
| The next scheduled meeting is Wednesday 28th June, 2006. | |

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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 Central Area Planning Sub-Committee held at The Council Chamber, Brockington, 35 Hafod Road, Hereford on Wednesday, 3rd May, 2006 at 2.00 p.m.

Present: Councillor D.J. Fleet (Chairman)
Councillor R. Preece (Vice-Chairman)

Councillors: Mrs. P.A. Andrews, Mrs. W.U. Attfield, Mrs. E.M. Bew, A.C.R. Chappell, P.J. Edwards, R.I. Matthews, J.C. Mayson, J.W. Newman, Mrs. J.E. Pemberton, Mrs. S.J. Robertson, Miss F. Short, Mrs E.A. Taylor, Ms. A.M. Toon, D.B. Wilcox, A.L. Williams and R.M. Wilson

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

171. APOLOGIES FOR ABSENCE

Apologies for absence had been received from Councillors Mrs. S.P.A. Daniels, J.G.S. Guthrie, Mrs. M.D. Lloyd-Hayes, Ms. G.A. Powell and W.J.S. Thomas.

172. DECLARATIONS OF INTEREST

The following declarations of interests were made:-

Councillor	Item	Interest
P.J. Edwards	Agenda Item 6, Minute 176 DCCW2006/0960/F Development at Pomona Place, Hereford, HR4 0LW	Declared a personal interest.
J.C. Mayson	Agenda Item 7, Minute 177 DCCE2005/4168/F Claston, Dormington, Hereford, HR1 4EA	Declared a prejudicial interest and left the meeting for the duration of this item.
Mrs. S.J. Robertson	Agenda Item 8, Minute 178 DCCE2006/0608/F Leys Farm, Grafton, Hereford, HR2 8BL	Declared a prejudicial interest and left the meeting for the duration of this item.
P.A. Andrews	Agenda Item 11, Minute 181 DCCW2006/0869/F Tesco Stores Ltd, Abbotsmead Road, Belmont, Hereford, HR2 7XS	Declared a prejudicial interest and left the meeting for the duration of this item.
D.J. Fleet	Agenda Item 12, Minute 182 DCCE2006/0351/F Lucksall Caravan Park, Mordiford, Hereford, HR1 4LP	Declared a personal interest.

J.C. Mayson	Agenda Item 14, Minute 184 DCCE2006/0765/F Unit 4, Whitestone Business Park, Whitestone, Hereford, HR1 3SE	Declared a personal interest but had left the meeting before this item was considered.
J.C. Mayson	Agenda Item 15, Minute 185 DCCE2006/0625/F Manor Farm, Watery Lane, Lower Bullingham, Hereford, Herefordshire, HR2 6EP	Declared a prejudicial interest but had left the meeting before this item was considered.
R. Preece	Agenda Item 16, Minute 186 DCCE2006/0663/F Field Farm House Residential Home, Hampton Bishop, Herefordshire, HR1 4JP	Declared a prejudicial interest and left the meeting for the duration of this item.

173. MINUTES

Councillor D.B. Wilcox requested that the resolution in respect of Minute 159, planning application DCCE2006/0099/O – Royal National College for the Blind, College Road, Hereford, HR1 1EB, be amended to make reference to the £105,000 contribution being for Traffic Management issues rather than those highway issues specified in the report.

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

174. ITEM FOR INFORMATION - APPEALS

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

175. DCCW2006/0495/F - 285 KINGS ACRE ROAD, HEREFORD, HR4 0SS [AGENDA ITEM 5]

New residential development comprising 2 no. 4 bed houses and one no. 2 bed house plus new highway access.

The Principal Planning Officer reported that, following the Sub-Committee's site visit, the applicant's agent had suggested reductions to the height of the proposed houses.

In accordance with the criteria for public speaking, Mr. Powell spoke against the application.

Councillor R.I. Matthews, the Local Ward Member, acknowledged that local residents had genuine concerns about the proposal and noted that the site fell outside the defined settlement boundary for Hereford City. He commented that the driveway was too narrow and would be detrimental to highway safety, particularly given that the adjacent pedestrian footway which was heavily used. He felt that the application should be refused on the grounds that the proposal would have a detrimental impact on the amenities of adjoining residents and would represent an overdevelopment of the site which would have a damaging effect on the rural

character of the area.

The Principal Planning Officer clarified that, whilst the site fell outside the defined settlement boundary for Hereford City and could be considered technically as open countryside, it was within the defined linear settlement zone for Kings Acre Road. He also indicated the distances between the proposed and existing properties.

Councillor Mrs. P.A. Andrews felt unable to support the development as it represented an unacceptable form of backland development that could potentially set a precedent for other undesirable developments in the area.

Councillor P.J. Edwards noted problems with surface water drainage from fields in the area and commented that any development would need to mitigate the associated risks.

A number of Members concurred with the Local Ward Member that the access arrangements could be hazardous to other road users and pedestrians, particularly as there would not be room for vehicles to pass on the driveway.

In response to a question about the recommendation of approval by officers, the Development Control Manager noted that there were policy tensions in that the site fell outside of the settlement boundary but could be considered previously developed land and, therefore, redevelopment would be in accordance with PPG3.

RESOLVED:

That (i) The Central 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 Development Control Manager) provided that the Development Control Manager does not refer the application to the Planning Committee:

- 1. The proposal would have a detrimental impact on the amenities of adjoining residents.**
- 2. The proposal would represent an overdevelopment of the site and would have a damaging effect on the rural character of the area.**
- 3. The access arrangements would be detrimental to highway safety.**

(ii) If the Development Control Manager 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 application to the Planning Committee.]

176. DCCW2006/0960/F - DEVELOPMENT AT POMONA PLACE, HEREFORD, HR4 0LW [AGENDA ITEM 6]

Proposed hotel, A4 public house outlet and residential development.

The Principal Planning Officer reported the following:-

- The Traffic Manager had no objections, subject to conditions and the inclusion of a contribution of £51,000 in the Heads of Terms.
- Welsh Water had no objection subject to conditions.
- The Conservation Advisory Panel had expressed concerns and requested further details about the landscaping scheme.
- The Cider Museum had made a number of observations, particularly in relation to the proposed public house.
- The St. Nicholas Community Association had raised objections to the application, particularly with regard to the scale of the proposed development and whether there was a need for the hotel and public house.
- Two letters of objection had been received, concerns included the impact on the Cider Museum, inadequate parking and the potential for disturbance.
- Page 31, paragraph 6.10, should refer to £35,000 and not £35,999 for two CCTV cameras.
- Page 32, condition 8, should read 'F32 (Details of floodlighting)', i.e. the words 'sports grounds' should be removed.
- Page 35, Head of Terms, paragraph 1, should refer to 'the sum of £7,000' and not £8,000 to provide enhanced educational infrastructure, representing £1,000 per residential unit.
- Page 35, Head of Terms, paragraph 2, should refer to 'the sum of £51,000' for highway works and improved transportation infrastructure.

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

Councillor Miss F. Short welcomed the redevelopment of the site but was concerned about the scale and design of the proposal. She felt that a review of the architectural approach was needed, particularly in respect of the curved roof. In response, the Principal Planning Officer advised that one storey had been removed from the original submission and explained that a traditional roof design would have increased the height of the development further. He added that similar architectural features in the area had influenced the curved roof design.

Councillor Mrs. P.A. Andrews commented that the current design was a significant improvement on the original design and would blend in with the other buildings in the vicinity.

In response to a question from Ms. A.M. Toon, the Principal Planning Officer confirmed that the hotel and residential parking would be separated.

Councillor D.B. Wilcox commented on concerns with the Licensing Act and, given that the development would include residential units, suggested a condition to restrict the hours of opening of the public house element between 12 midnight and 9.00am. The Legal Practice Manager explained the relationship between the regulatory and planning functions of the Council. The Development Control Manager advised that PPG24 (Planning and Noise) would allow such a condition where there would be an impact on residential amenity. He suggested that a restriction whereby the A4 public house would not be open to the public during the hours of 12 midnight to 7.00am would be reasonable.

Councillor R.I. Matthews commented on the success of the Council's Regulatory Sub-Committee; it was noted that there had only been two successful appeals against the Sub-Committee's licensing decisions. Councillor Wilcox stressed that

there was no mistrust regarding the Council's regulatory function and his comments referred to cases elsewhere.

Councillor P.J. Edwards welcomed the contribution towards CCTV cameras but noted the need for continued monitoring. He expressed concerns about accessibility and highway safety issues, particularly given the lack of parking and turning space for service vehicles.

In response to a question from Councillor Mrs. S.J. Robertson, the Principal Planning Officer advised that the residential development was below the requirement where the authority could insist upon play facilities.

Councillor Mrs. Andrews commented on the need to improve the junction arrangements in the area, including filter lanes. The Chairman advised that the Traffic Assessment had not revealed the need for extensive highway works and there were no major schemes in preparation to which developer contributions could be directed towards.

In response to a question from Councillor A.L. Williams, the Principal Planning Officer advised that the authority could not control the pricing model used by the hotel.

Councillor Mrs. E.M. Bew, a Local Ward Member, commented that she had mixed feelings about the scheme in that it appeared to be over-intensive but an increase in hotel provision should be supported. She concurred with other Members about the need to resolve traffic problems in the area.

In response to comments by Members, the Principal Planning Officer suggested that further discussions be held regarding the upgrading of an adjacent alleyway.

RESOLVED:

RESOLVED:

- 1) **Subject to there being no objection by the end of the consultation period, the Legal Practice Manager be authorised to complete a planning obligation under Section 106 of The Town and Country Planning Act 1990 to (set out in the Heads of Agreement) and any additional matters and terms as he considers appropriate.**
- 2) **Upon completion of the aforementioned obligation that the Officers named in the Scheme of Delegation to Officers be authorised to issue planning permission subject to the following conditions:**
 1. **A01 (Time limit for commencement (full permission)).**
Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990.
 2. **A06 (Development in accordance with approved plans).**
Reason: To ensure adherence to the approved plans in the interests of a satisfactory form of development.
 3. **B01 (Samples of external materials).**
Reason: To ensure that the materials harmonise with the surroundings.

4. F12 (Sound insulation of plant/machinery/equipment).
Reason: To safeguard the amenity of the area.
5. F16 (Restriction of hours during construction).
Reason: To protect the amenity of local residents.
6. F18 (Scheme of foul drainage disposal).
Reason: In order to ensure that satisfactory drainage arrangements are provided.
7. F22 (No surface water to public sewer).
Reason: To safeguard the public sewerage system and reduce the risk of surcharge flooding.
8. F32 (Details of external lighting).
Reason: To safeguard local amenities.
9. F37 (Scheme of odour and fume control).
Reason: In order to ensure that fumes and odours are properly discharged and in the interests of the amenities of residential property in the locality.
10. F38 (Details of flues or extractors).
Reason: In the interests of the amenity of the area.
11. F39 (Scheme of refuse storage).
Reason: In the interests of amenity.
12. F47 (Measures to deal with soil contamination).
Reason: To ensure potential soil contamination is satisfactorily dealt with before the development is occupied.
13. F48 (Details of slab levels).
Reason: In order to define the permission and ensure that the development is of a scale and height appropriate to the site.
14. G01 (Details of boundary treatments).
Reason: In the interests of visual amenity and to ensure dwellings have satisfactory privacy.
15. G04 (Landscaping scheme (general)).
Reason: In order to protect the visual amenities of the area.
16. G05 (Implementation of landscaping scheme (general)).

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

17. H13 (Access, turning area and parking).

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

18. H21 (Wheel washing).

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

19. H27 (Parking for site operatives).

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

20. 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.

21. Prior to the first occupation of the development hereby approved full details of the enhanced surface treatment and lighting of adjacent public footpaths including the alleyway providing a link to Ryelands Street to the north of the site have been submitted to, approved in writing by the local planning authority and implemented in accordance with the approved details.

Reason: In order to facilitate improved pedestrian access to and from the site

22. The use of the public house (Use Class A4), the extent of which is identified on the approved floor plans shall not be open to customers (other than those patronising the hotel accommodation) outside the hours of 1200 hours (midnight) and 0700 daily.

Reason: In order to protect the amenity of occupiers of nearby properties

Informatives:

1. HN1 – Mud on highway.
2. HN02 – Public rights of way.
3. HN05 – Works within the highway.
4. N02 – Section 106.

177. DCCE2005/4168/F - CLASTON, DORMINGTON, HEREFORD, HR1 4EA
[AGENDA ITEM 7]

Agricultural building.

Councillor Mrs. J.E. Pemberton, the Local Ward Member, noted that the erection of an agricultural building on a farm should be relatively straightforward but noted that the planning history and civil matters relating to this site were more complicated than usual. Councillor Mrs. Pemberton expressed concern that this was a retrospective application and hoped that the applicant and the Marches Brewing Company could resolve the legal dispute that had arisen regarding the use of the site. The Chairman drew attention to second informative note regarding civil/legal rights.

RESOLVED:

That planning permission is granted.

Informatives:

- 1. N15 - Reason(s) for the Grant of Planning Permission.**
- 2. The applicant is advised that this planning permission does not over-ride any civil/legal rights that may be enjoyed by the objector (P J Harris of The Marches Brewing Company).**

178. DCCE2006/0608/F - LEYS FARM, GRAFTON, HEREFORD, HR2 8BL [AGENDA ITEM 8]

Proposed bungalow.

The Principal Planning Officer confirmed that the application site was situated outside of a defined settlement.

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

Councillor Mrs. W.U. Attfield, a Local Ward Member, noted the location of the site but felt that the specific personal circumstances of the applicants should be given weight and that an exception to permit housing should be allowed. She commented that the proposal would enable the family to remain together and ensure the continued sustainability of the farm, whilst providing an element of diversification in the long term. She felt that the conversion of an existing building was not workable given the distances involved.

Councillor A.C.R. Chappell, also a Local Ward Member, supported the application and commented that there was no viable alternative given the personal circumstances of the applicants.

A number of Members endorsed the comments of the Local Ward Members. It was suggested that any planning permission granted should closely link the existing farmhouse to the proposed bungalow.

The Development Control Manager advised the Sub-Committee that the proposal was directly contrary to the Council's planning policies as it was situated in open countryside, it could not be considered to be previously developed land and none of the exceptions had been satisfied.

A number of Members felt that there was an element of rural enterprise and diversification which should be supported. Some commented that the proposal would have minimal impact on the area and noted that no letters of objection had been received.

Councillor Chappell commented on other residential developments near to the application site and suggested that officers' concerns could be addressed through a condition to prevent the sale or independent occupation of the bungalow from the farmhouse.

Councillor Mrs. Attfield stressed the social needs of the applicants and felt that the existing planning policies did not adequately provide for such needs.

RESOLVED:

- That (i) The Central Area Planning Sub-Committee is minded to approve the application subject to conditions felt to be necessary by the Development Control Manager provided that the Development Control Manager does not refer the application to the Planning Committee.**
- (ii) If the Development Control Manager does not refer the application to the Planning Committee, Officers named in the Scheme of Delegation to Officers be instructed to approve the application subject to such conditions referred to above.**

[Note: Following the vote on this application, the Development Control Manager advised that he was minded to refer the application to the Planning Committee subject to further discussions with the Director of Environment and the Forward Planning Manager.]

179. DCCE2006/0806/F - 14 LODER DRIVE, HEREFORD, HR1 1DS [AGENDA ITEM 9]

Extensions at ground and first floor levels to rear and sides.

The Senior Planning Officer reported the receipt of a further letter of objection. He also reported the receipt of amended plans. It was reported that the occupants of 16 Loder Drive maintained their objection to the amended plans.

Councillor D.B. Wilcox, a Local Ward Member, sympathised with the concerns of the adjacent residents but felt that, given recent appeal decisions, there were no sustainable reasons to justify refusal of the planning permission in this instance.

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 A06 (Development in accordance with approved plans).**

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

- 3 B02 (Matching external materials (extension)).**

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

4 E08 (Domestic use only of garage).

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

5 E17 (No windows in side elevation of extension).

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

6 E19 (Obscure glazing to windows).

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

7 F16 (Restriction of hours during construction).

Reason: To protect the amenity of local residents.

Informatives:**1 N03 - Adjoining property rights.****2 N15 - Reason(s) for the Grant of PP/LBC/CAC.****180. DCCW2006/0900/F - 22-28 FRIARS STREET, HEREFORD, HR4 0AS [AGENDA ITEM 10]**

New three storey residential unit comprising of 15 flats.

The Principal Planning Officer reported the following:-

- Welsh Water had no objections.
- The Conservation Manager had identified nesting birds in the eaves of the existing building and that an informative note about the matter would be added to any planning permission granted.
- The Conservation Advisory Panel had no objections.
- Hereford City Council had no objections.
- Two further letters of objection had been received and the comments were summarised.
- St. Nicholas Community Association had raised objections and the comments were summarised.

In accordance with the criteria for public speaking, Mr. Billingham spoke against the application and Mr. Johnson spoke in support of the application.

Councillor Ms. F. Short, a Local Ward Member, felt that the proposal had not changed significantly and that the refusal reasons given in respect of planning application DCCW2005/4047/F had not been overcome.

Councillor Mrs. P.A. Andrews commented that the scale and design of the proposal was too dominant and that, even with two additional parking spaces, the parking provision was inadequate. A number of Members supported these comments. Other concerns were expressed about the design of the frontage, the density of development and access for service and emergency vehicles.

Councillor Mrs. Andrews proposed that the application be refused on the same

grounds as the previous application. The Development Control Manager noted that the refusal reasons would need to be amended to incorporate reference to the additional parking spaces.

Councillor Mrs. E.M. Bew, a Local Ward Member, commented on traffic congestion problems in the vicinity of the site and this development would exacerbate the situation. She felt that the proposal would have a detrimental impact on the street scene and should be refused.

RESOLVED:

That (i) The Central 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 Development Control Manager) provided that the Development Control Manager does not refer the application to the Planning Committee:

- 1. It is considered that the redevelopment of this site as proposed would by reason of its dominant scale, design and prominent siting be detrimental to the character and appearance of Friars Street. Accordingly the proposal conflicts with Policies ENV14, H3, H12 and H14 of the Hereford Local Plan and Policies H1, H14 and DR1 of the emerging Herefordshire Unitary Development Plan.**
- 2. The provision of only ten parking spaces for 15 two bed apartments represents an unacceptable underprovision in the context of the site's location and limited access to public transport and other services and amenities and would result in additional parking on the surrounding road network. This would not be in the interests of highway safety and would be contrary to Policy T5 of the Hereford Local Plan and Policies H16 and T11 of the emerging Herefordshire Unitary Development Plan.**

(ii) If the Development Control Manager 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 application to the Planning Committee. The Chairman suggested that a review of the traffic situation in the area should be undertaken as a matter of urgency.]

181. DCCW2006/0869/F - TESCO STORES LTD, ABBOTSMEAD ROAD, BELMONT, HEREFORD, HR2 7XS [AGENDA ITEM 11]

Variation of condition 8 of planning permission DCCW2004/1679/F to allow for dot.com operations on Sundays between 9.00am and 4.30pm.

The Principal Planning Officer reported the receipt of a further letter of objection and summarised the concerns raised. He proposed an amendment to the recommendation in order to clarify the operating hours.

In accordance with the criteria for public speaking, Mr. Robinson spoke on behalf of

Belmont Rural Parish Council.

Councillor J.W. Newman, a Local Ward Member, noted concerns about alleged breaches of planning conditions by the applicant. He felt that the amenities of local residents should be protected and the proposal to increase activity should be resisted.

Councillor P.J. Edwards, also a Local Ward Member, commented on problems with noise emanating from the dot.com area and stressed the need for the applicant to properly manage the site and comply with the conditions imposed. He felt that emphasis should be given to conditions 3 and 4 in order to protect residential amenities. The Principal Planning Officer reported that a letter had been received from the applicant which outlined the measures being undertaken to mitigate the impact of the operation.

Noting the concerns of the Local Ward Members, Councillor D.B. Wilcox proposed that a twelve-month temporary permission be granted to enable the impact of the proposal to be fully assessed. A number of Members spoke in support of this suggestion.

Councillor Edwards suggested that the gate should be constructed of a solid, complete material in order to assist with noise attenuation and be finished in a paint that would be proof against graffiti.

RESOLVED:

That planning permission be granted subject to the following conditions:

- 1. This consent shall expire on 3 May 2007. Unless further consent is granted in writing by the local planning authority prior to the end of that period, the use hereby approved shall permanently cease.**

Reason: To enable the local planning authority to give further consideration of the acceptability of the proposed use after the temporary period has expired.

- 2. No machinery shall be operated or delivery vehicles loaded in association with the dot.com deliveries before 7am or after 11pm on weekdays and Saturdays or outside the hours of 9am - 4.30pm on a Sunday or at any times on Bank or Public Holidays.**

Reason: In order to protect the residential amenity of the area.

- 3. On a Sunday, no dot.com delivery vehicles shall enter or leave the premises outside the hours of 11am-4pm.**

Reason: In order to protect the residential amenity of the area.

- 4. No Sunday operation of the dot.com delivery service shall be carried out until full details of the gate proposed in the Environmental Noise Assessment received on 14th March, 2006 have been submitted to and approved in writing by the local planning authority and subsequently installed. The approved gate shall thereafter be permanently maintained.**

Reason: In order to protect the residential amenity of the area.

- 5. All access to the dot.com service area on Sundays shall be via the**

Abbotsmead Road access which shall not be open until 11am and thereafter shall be kept closed at all times other than to allow the immediate entry and exit of delivery vehicles and unless otherwise agreed in writing by the local planning authority.

Reason: In order to protect the residential amenity of the area.

Informatives:

1. For the avoidance of doubt the term dot.com delivery service refers to the internet home shopping and delivery service operated by the applicant.
2. N15 – Reason(s) for the Grant of Planning Permission.

182. DCCE2006/0351/F - LUCKSALL CARAVAN PARK, MORDIFORD, HEREFORD, HR1 4LP [AGENDA ITEM 12]

Repositioning of existing static caravans (part retrospective) and additional 15 static caravans, including change of use of part of the land.

The Senior Planning Officer reported the following:-

- An additional condition, A09 – Amended Plans, was recommended.
- English Nature was satisfied with the drainage arrangements.
- Further correspondence had been received from the Ramblers' Association.
- A further letter of objection had been received from the occupiers of property opposite the site.
- The Senior Planning Officer confirmed that a lower row of caravans had been removed from the proposal.

In accordance with the criteria for public speaking, Ms. Harris spoke against the application and Mr. Jolly spoke in support of the application.

Councillor Mrs. J.E. Pemberton, the Local Ward Member, drew attention to the planning history of the site and the concerns of local residents. She sought clarification on matters relating to the drainage system, flooding, boundary issues, and measures to mitigate the impact of the caravans. In response, the Senior Planning Officer reported that English Nature was satisfied that the drainage system would meet capacity needs, that the new structures would be appropriately sited above the flood plain, and that boundary and landscaping conditions could be included as part of any planning permission granted. He added that the external finish of the caravans could be controlled through a condition but not the type of caravans used.

In response to a question, the Development Control Manager explained the enforcement options available to the Authority.

A number of Members expressed concerns about the application. The Senior Planning Officer advised the Sub-Committee that the Traffic Manager and English Nature considered the proposal acceptable subject to conditions.

Given the issues raised by Members, Councillor R.I. Matthews proposed that a site inspection be undertaken.

RESOLVED:

That consideration of planning application DCCE2006/0351/F be deferred for a site inspection for the following reason:

- The setting and surroundings are fundamental to the determination or to the conditions being considered.

183. DCCE2006/0834/F - 11 COURTNAY RISE, HEREFORD, HEREFORDSHIRE, HR1 1BP [AGENDA ITEM 13]

Proposed two storey extension.

Councillor D.B. Wilcox, a Local Ward Member, noted the objections of the adjacent resident but felt there were no sustainable material planning reasons to refuse the application.

RESOLVED:

That planning permission be granted subject to the following conditions:

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

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

2 A06 (Development in accordance with approved plans).

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

3 B03 (Matching external materials (general)).

Reason: To ensure the satisfactory appearance of the development.

4 E17 (No windows in side elevation of extension).

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

5 E19 (Obscure glazing to windows).

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

6 H13 (Access, turning area and parking).

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

Informatives:

1 N03 - Adjoining property rights.

2 N15 - Reason(s) for the Grant of PP/LBC/CAC.

184. DCCE2006/0765/F - UNIT 4, WHITESTONE BUSINESS PARK, WHITESTONE, HEREFORD, HR1 3SE [AGENDA ITEM 14]

Change of use from B1 light industrial to mixed use comprising a retail showroom, storage and offices.

The Principal Planning Officer reported that the Head of Economic Development had raised objections to the application due to the potential loss of industrial use.

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

Councillor R.M. Wilson, the Local Ward Member, felt that the application should be supported. He commented that the Business Park had not been successful in attracting B1 light industrial companies to the site and expressed the view that the design and installation elements of Elite Bathrooms and Tiles could be interpreted as employment uses in accordance with the Council's policies. Comparisons were made between this operation and Browns Furniture, located on the same Business Park, which also incorporated retail sales. He stressed the differences between Elite Bathrooms and Tiles and typical large-scale retail warehousing operations. He felt that the highways network had capacity for the proposed change of use and that there were positive benefits in terms of reducing traffic and parking congestion in Hereford City. He noted that the applicants had stated that the business already employed 17 people and this was expected to increase. He questioned whether the applicant's suggestion regarding a personal permission would be viable.

A number of Members concurred with the Local Ward Member's views and comments were made about the need to support local businesses. Some noted the difficulties being experienced in the industrial sector and felt that there was a need to react to changing circumstances. However, as an additional measure of control, it was proposed that a restriction be imposed on the types of goods to be sold.

The Development Control Manager explained the planning policy objections and the differences between the use classes. He commented that there was no intrinsic reason why this retail use should be located within this established employment area. The Sub-Committee was advised that the question was whether this use was acceptable in this location and, therefore, a personal permission would not necessarily provide any additional safeguards.

In response to comments by Members, the Principal Planning Officer advised that: the suggestion of a personal permission had come from the applicant; ancillary retail usage was normally defined as 10% of the gross floor area; many retail outlets offered design and fitting functions but this was an ancillary service; and the showroom area at Browns Antiques was ancillary to the primary use of the building which was for general and light industrial purposes.

It was suggested that the Local Ward Member be consulted on discussions to define the types of goods permitted.

RESOLVED:

- That (i) The Central Area Planning Sub-Committee is minded to approve the application subject to conditions felt to be necessary by the Development Control Manager, in consultation with the Local Ward Member, provided that the Development Control Manager does not refer the application to the Planning Committee.**
- (iii) If the Development Control Manager does not refer the application to the Planning Committee, Officers named in the Scheme of Delegation to Officers be instructed to approve the application subject to such conditions referred to above.**

[Note: Following the vote on this application, the Development Control Manager advised that he was minded to refer the application to the Planning Committee.]

185. DCCE2006/0625/F - MANOR FARM, WATERY LANE, LOWER BULLINGHAM, HEREFORD, HEREFORDSHIRE, HR2 6EP [AGENDA 15]

Retrospective application for lambing shed.

Councillor R. Preece, a Local Ward Member, felt that the shed was acceptable but commented on the need for the applicant to address a number of issues to mitigate the impact on local residents. Councillor Mrs. W.U. Attfield, also a Local Ward Member, supported this view.

RESOLVED:

That planning permission be granted subject to the following condition:

- 1. Within two months of the date of this planning permission, the roof and side cladding of the building hereby granted shall be coloured a dark blue grey (BS18B29) or a similar dark colour to be agreed in writing with the local planning authority.**

Reason: In the interests of visual amenity.

Informative:

- 1. N15 - Reason(s) for the Grant of PP/LBC/CAC.**

186. DCCE2006/0663/F - FIELD FARM HOUSE RESIDENTIAL HOME, HAMPTON BISHOP, HEREFORDSHIRE, HR1 4JP [AGENDA ITEM 16]

Side extension to care home.

The Principal Planning Officer advised that any planning permission granted would be subject to further consultation with the Environment Agency

In accordance with the criteria for public speaking, Jane Barrington spoke in support of the application.

Councillor Mrs. J.E. Pemberton, the Local Ward Member, noted the history of flooding in the area and, as no assurances could be given about the integrity of the Stank flood bank, expressed concern that any development in the area was recommended for approval given the objections of the Environment Agency. Councillor Mrs. Pemberton added that advice had been given to another residential home in the area that no new build would be permitted due to the flood risk.

The Principal Planning Officer confirmed that the Environment Agency maintained their objections. However, it was noted that an extant planning permission (CE2001/1815/F refers) would enable the applicant to construct an extension on a larger footprint than this proposal. He advised that the recommendation was one of approval given the extant planning permission and the architectural improvements and functional benefits of the new scheme.

Councillor Mrs. Pemberton commented on the difficulties of evacuating residents during times of flooding and felt unable to support the proposal.

A number of Members expressed concerns about the flood risk but noted that the

approved scheme was a strong material consideration. The Development Control Manager advised that the applicant could lawfully develop the approved scheme and commented that the new proposal provided an opportunity to improve the situation.

RESOLVED:

That following the referral of the resolution to approve the application to the Environment Agency in line with the guidance of PPG25 Planning and Flood Risk, planning permission be granted subject to the following conditions and any others deemed appropriate by the Environment Agency:

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. **A06 (Development in accordance with approved plans).**

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

3. **A12 (Implementation of one permission only).**

Reason: To prevent over development of the site.

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

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

5. **H13 (Access, turning area and parking).**

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

6. **F18 (Scheme of foul drainage disposal).**

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

7. **E06 (Restriction on Use).**

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

8. **Prior to the commencement of the development hereby permitted, details shall be provided of the measures to address the flood risk to the building and its occupants. The details shall include flood proofing construction features/techniques in the design of the building and a flood evacuation procedure to the Environment Agency's approval. The building shall be constructed in accordance with the approved details and the evacuation plan completed and clearly displayed prior to occupation of the building hereby permitted.**

Reason: To safeguard the safety of the occupants in the event that the site floods.

Informative:

1. N15 - Reason(s) for the Grant of PP/LBC/CAC.

187. DATE OF NEXT MEETING

It was noted that the next scheduled meeting was Wednesday 31st May, 2006.

The meeting ended at 5.47 p.m.

CHAIRMAN

ITEM FOR INFORMATION - APPEALS

APPEALS RECEIVED**Application No. DCCW2005/1602/F**

- The appeal was received on 8th May, 2006.
- The appeal is made under Section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is brought by Mr. V.R. Barrell.
- The site is located at 99 Dorchester Way, Belmont, Hereford, Herefordshire, HR2 7ZW.
- The development proposed is New boundary fence.
- The appeal is to be heard by Written Representations.

Case Officer: Dave Dugdale on 01432 261566

Enforcement Notice EN2005/0036/ZZ

- The appeal was received on 3rd May, 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 S.K. Williams.
- The site is located at Outfall Works Road, Bartonsham, Hereford.
- The breach of planning control alleged in this notice is "Without planning permission, unauthorised change of use of the land for general industrial and storage purposes falling within Use Classes B2 and B8 of the Town and Country Planning (Use Classes) Order 1987".
- The requirements of the notice are: Cease the unauthorised business use and permanently remove all storage containers and other associated materials, plant and machinery from the land.
- The appeal is to be heard by Inquiry and a site visit by an Inspector.

Case Officer: Adam Sheppard on 01432 261961

APPEALS DETERMINED**Application No. DCCW2004/3835/O**

- The appeal was received on 14th March, 2005.
- 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 Stroudwater Redevelopment Ptnrship.
- The site is located at Land to the South of A480, Credenhill Hereford.
- The application, dated 3rd November, 2004, was refused on 2nd February, 2005.
- The development proposed was Residential development incorporating new primary school, care home, extra care housing and village store.

Decision: The appeal was WITHDRAWN on 21st April, 2006.

Case Officer: Kevin Bishop 01432 2261946

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

7 DCCE2006/0351/F - ADDITIONAL 14 STATIC CARAVANS, INCLUDING CHANGE OF USE OF PART OF THE LAND LUCKSALL CARAVAN PARK, MORDIFORD, HEREFORD, HR1 4LP

**For: Mr. & Mrs. G. Williams, per Wall, James & Davies,
15-23 Hagley Road, Stourbridge, West Midlands, DY8
1QW**

Date Received: 31st January, 2006 Ward: Backbury Grid Ref: 56857, 36171

Expiry Date: 28th March, 2006

Local Member: Councillor Mrs J.E. Pemberton

Introduction

This application was deferred at the meeting of the Central Area Planning Sub-Committee on 3rd May, 2006 in order to carry out a site visit. The visit took place on the 15th May, 2006.

1. Site Description and Proposal

- 1.1 This application seeks permission for the introduction of 14 static caravans at Lucksall Caravan and Camping Park, Moridford. The application site is located in the open countryside and is within a designated Area of Great Landscape Value and an Area of Outstanding Natural Beauty. The site is found to the west of the B4224, north of Fiddlers Green, and south of the river crossing and the junction with the B4399.
- 1.2 The application site is a strip of land immediately to the west of the main road, to the rear of the line of existing static caravans. This area was excluded from the original permission for the use of this area for camping and caravanning, though it has recently been used in an unauthorised manner for the storage of touring vans. The land has a relatively steep west to east gradient. The existing access is to the north of the site, a secondary access from which leads directly to the application site. This secondary access point is to be permanently closed in the interests of highway safety.
- 1.3 As originally submitted, this application included the re-siting of the existing static caravans but following an objection from the Environment Agency this element of the application was removed. This application therefore now relates only to the new line of static caravans to the rear of the existing. The land confirmed as being in the ownership of the applicant has also been revised following the original inclusion of an area of land under separate ownership.

2. Policies

2.1 Planning Policy Guidance:

PPS1	-	Delivering sustainable development
PPS7	-	Sustainable development in rural areas

- PPG21 - Tourism
- PPS25 (Draft) - Development and flood risk

2.2 South Herefordshire District Local Plan:

- GD1 - General development criteria
- C1 - Development within open countryside
- C4 - AONB landscape protection
- C5 - Development within AONB
- C6 - Landscape and AONB
- C7 - AONB enhancement measures
- C8 - Development within AGLV
- C9 - Landscape features
- C44 - Flooding
- TM6 - Holiday caravan/chalet/camp sites
- TM7 - Improvements to existing holiday caravan and chalet sites
- TM10 - Proposals within the Wye Valley AONB
- T3 - Highway safety requirements
- T5 - Traffic management

2.3 Herefordshire Unitary Development Plan (Revised Deposit Draft):

- S1 - Sustainable development
- S2 - Development requirements
- S6 - Transport
- S7 - Natural and historic heritage
- S8 - Recreation, sport and tourism
- DR1 - Design
- DR2 - Land use and activity
- DR7 - Flood risk
- T11 - Parking provision
- LA1 - Areas of Outstanding Natural Beauty
- LA2 - Landscape character and areas least resilient to change
- RST1 - Criteria for recreation, sport and tourism development
- RST2 - Recreation, sport and tourism development within Areas of Outstanding Natural Beauty
- RST14 - Static caravans, chalets, camping and touring caravan sites

3. Planning History

- 3.1 DCCE2005/2119/F - Repositioning of existing caravans and addition of 13 static caravans to include change of use of part of land. Withdrawn 24th August, 2005.
- 3.2 DCCE2004/2207/F - Low level lighting. Approved 26th August, 2004.
- 3.3 DCCE2004/2208/A - Fascia sign. Approved 27th August, 2004.
- 3.4 SH931333PF - Change of use of part of barn to form reception area. Approved 5th January, 1994.
- 3.5 SH930192PF - Septic tank. Approved 6th December, 1993.

- 3.6 SH911310PF - Change of use to extend park and erect a toilet block. Approved 9th June, 1992.
- 3.7 SH780187PF - Use of land as a holiday camping and caravan site. Approved 10th May, 1978.

4. Consultation Summary

Statutory Consultations

- 4.1 Environment Agency: No objection to amended proposal subject to conditions relating to floor levels and securing dry pedestrian access. No specific concerns are raised relating to surface water and foul drainage arrangements.
- 4.2 English Nature: No objection.

Internal Council Advice

- 4.3 Traffic Manager: No objection.
- 4.4 PROW Manager: No objection.
- 4.5 Conservation Manager: No response received (DCCE2005/2119/F - no objection).
- 4.6 Environmental Health and Trading Standards Manager: Has confirmed that the site benefits from a Site Licence which restricts the number of units (towing caravans or tents) to a maximum not exceeding 80. This excludes the existing and proposed static caravans and the exempted area of the site used for caravan rallies. Further comments in respect of layout control and drainage are awaited at the time of writing.
- 4.7 Building Control Manager: Based upon the information provided the treatment plant capacity would accommodate the addition of 14 static caravans.

5. Representations

- 5.1 Open Spaces Society: No objection subject to maintenance of PROW.
- 5.2 The Ramblers Association: No objection subject to maintenance of PROW.
- 5.3 Fownhope Parish Council: Support the application subject to satisfaction in relation to:
- Adequacy of sewerage facilities;
 - Flooding;
 - Boundary details;
 - Landscaping.
- 5.4 Holme Lacy Parish Council: Expressed concerns over the access and ability of the site to accommodate additional caravans.
- 5.5 Local Residents: Three letters of objection have been received from the following sources:
- J.A. Newman, River View, Fiddlers Green, Fownhope

- R.J. Hill, Fiddlers Green Cottage, Fownhope
- A. Harris & R. Ensor, Evendene, Mordiford

The comments raised can be summarised as follows:

1. Unacceptable access arrangements
2. Highway safety issues due to intensification of use
3. Adverse impact upon the visual amenities of the locality
4. Adverse impact upon AGLV/AONB
5. Inadequate drainage facilities
- 6 Loss of privacy caused by park related activities
7. Impact upon residential amenities caused by park related activities.

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

6. Officers Appraisal

6.1 It is considered that the principal issues for consideration in this application are as follows:

- Principle of development;
- Visual amenities;
- Flooding;
- Highway issues.

Principle of Development

6.2 South Herefordshire District Local Plan Policy TM6 specifically considers improvements to caravan and camping sites. This policy advises that extensions to sites will only be permitted where the scale is appropriate and the design and layout are of the highest standard, it will not adversely impact upon the landscape nor appear visually intrusive, and subject to ensuring the safe movement for cars and caravans to and from the highway. Particular emphasis is placed on the landscape implications of proposals in the Wye Valley AONB and AGLV. Policies TM7 and TM10 further stress design and scale, landscape impact, and highway requirements. This policy stance is echoed on the emerging Herefordshire Unitary Development Plan (Revised Deposit Draft).

6.3 On the basis of the above it is considered that the principle of this development can be accepted, with the acceptability or otherwise of the proposal resting upon the details of the application.

Visual Amenities

6.4 It is suggested that the most fundamentally important issue with this application is the impact of this proposal upon the landscape. It is of note that this site falls within both AONB and AGLV landscape designations and the application site is effectively on the hillside running up from the riverbank to the main road. The sensitive landscape in which the proposed site is found is of concern and the proposed structures will undoubtedly be more prominent within the landscape than the existing buildings and caravans associated with this park. Notwithstanding this, the number of new caravans is relatively limited and the siting is sensitive in that the permanent built form on site,

represented by the static caravans, are concentrated in one area. This park is well screened and on a low part of the valley side, the site is therefore not prominent within the wider landscape. Landscaping will reduce the intrusive nature of this proposal and ensure the attractive appearance of this well kept tourist facility. It is considered that the scale and nature of this proposal is such that the impact upon the visual amenities of the locality remain within acceptable limits. It is assessed that the proposal will not adversely impact upon this sensitive landscape. Although no response has thus far been received from the Conservation Manager, the previous application (DCCE2005/2119/F) received no objection.

Flooding

- 6.5 The application as originally submitted raised an objection from the Environment Agency having regard to the location of the existing static caravans within the floodplain. The application has now been amended so as to relate only to the introduction of the new row of 14 caravans. The submitted details confirm that these new structures are to be appropriately sited above the floodplain and that safe dry pedestrian access is available. The Environment Agency have confirmed the removal of their original objection subject to conditions.

Highway Issues

- 6.6 The Traffic Manager sought revisions to the previous application for this proposal (DCCE2005/2119/F) and these have been included in this current application. The existing access is considered acceptable to serve the site, subject to the closure of the secondary access gate for vehicles. It is recognised that the visibility to the north is below the appropriate standards for a road of this type, however, the curvature of the road prevents the required improvements and the location is not considered a 'blackspot'. The potential intensification of the use of this access as a result of this proposal is not considered sufficient to substantiate a refusal.

Other Issues

- 6.7 In relation to the drainage facilities available to serve the application site, following a query on this matter by English Nature further detail was requested and received relating to the drainage facilities on site. It was confirmed that the drainage provision is adequate and was confirmed as acceptable by English Nature. However for the avoidance of any doubt a condition regarding the detailed drainage design is proposed.
- 6.8 In relation to residential amenities, and specifically privacy, it is considered that the proposed units themselves have no specific residential amenity implications. The issue therefore revolves around the intensification of the use of this site resulting from these additional units. On balance it is assessed that though this site will be increased in size and capacity as a result of these new units, the overall increase in activities will remain within acceptable limits having regard to the location of the site, its relationship to neighbouring properties, and the actual increase in activities that could be directly related to these new units.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

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

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

- 2. Prior to the introduction of the static caravans hereby approved, the existing field gate serving the application site shall be permanently closed to vehicular traffic.**

Reason: In the interests of highway safety.

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

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

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

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

- 5. Threshold floor levels of the caravans shall not be set less than 46.45m AOD, unless otherwise agreed in writing by the local planning authority.**

Reason: To protect the development from flood risk.

- 6. Dry pedestrian access shall be provided, in accordance with the submitted 1:2500 plan, entitled 'Proposed Layout Alterations', on land no lower than 45.85m AOD and thereafter maintained, to ensure access to the public highway.**

Reason: To provide a safe dry pedestrian access in a 1% flood event, plus climate change.

- 7. F18 (Scheme of foul drainage disposal)**

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

Informatives:

- 1. N01 – Access for all.**
- 2. N03 – Adjoining property rights.**
- 3. N04 – Rights of way.**
- 4. HN1 – Mud on highway.**
- 5. HN2 – Public rights of way affected.**
- 6. N11A - Wildlife and Countryside Act 1981 (as amended) – Birds.**
- 7. N11B - Wildlife and Countryside Act 1981 (as amended) and Conservation (Nat. Habitats & C) Regs 1994 – Bats.**
- 8. N15 – Reason(s) for the Grant of PP/LBC/CAC.**

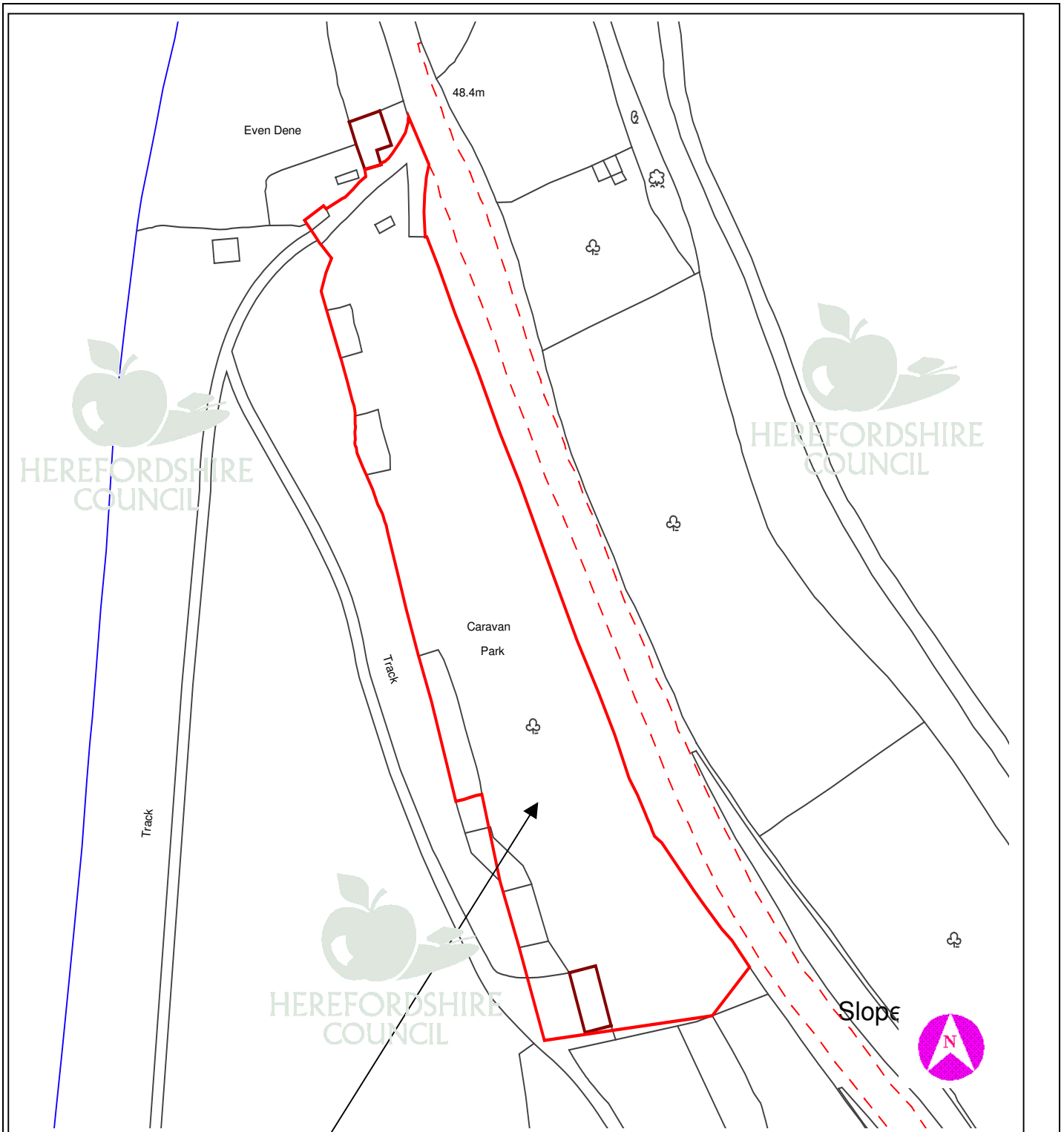
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCCE2006/0351/F

SCALE : 1 : 1250

SITE ADDRESS : Lucksall Caravan Park, Mordiford, Hereford, HR1 4LP

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8 DCCE2006/0989/F - ERECTION OF TWO STOREY BLOCK OF 4 FLATS AT LAND ADJACENT TO CO-OP STORE, HOLME LACY ROAD, HEREFORD, HR2 6DF

For: PEP Developments Ltd. per John Phipps, Bank Lodge, Coldwells Road, Holmer, Hereford, HR1 1LH

Date Received: 23rd March, 2006

Ward: St. Martins & Hinton

Grid Ref: 51167, 38474

Expiry Date: 18th May, 2006

Local Members: Councillors Mrs. W.U. Attfield, A.C.R. Chappell and R. Preece

1. Site Description and Proposal

1.1 This application seeks permission for the erection of a new residential development to form four flats with associated off-street parking. The application site is within the Established Residential Area of Hereford and is found on the northern side of Holme Lacy Road. The application site is adjacent to the Co-Op store and is currently vacant. The application site has an extant permission for a detached dwelling associated with it, having been approved as part of the redevelopment of the site by the Co-Op (CE2001/2182/F).

2. Policies

2.1 National:

PPS1 - Delivering Sustainable Development
PPG3 - Housing

2.2 Hereford Local Plan:

Policy ENV14 - Design
Policy H3 - Design of New Residential Development
Policy H6 - Amenity Open Space Provision in Smaller Schemes
Policy H7 - Communal Open Space
Policy H12 - Established Residential Areas – Character and Amenity
Policy H13 - Established Residential Areas – Loss of Features
Policy H14 - Established Residential Areas – Site Factors
Policy T5 - Car Parking – Designated Areas
Policy T6 - Car Parking – Restrictions

2.3 Herefordshire Unitary Development Plan (Revised Deposit Draft):

Policy S1 - Sustainable Development
Policy S2 - Development Requirements
Policy S3 - Housing
Policy S6 - Transport
Policy DR1 - Design
Policy DR2 - Land Use and Activity

Policy H1	-	Hereford and the Market Towns: Settlement Boundaries and Established Residential Areas
Policy H15	-	Density
Policy H16	-	Car Parking
Policy T1	-	Public Transport Facilities

3. Planning History

- 3.1 CE2001/2182/F Demolition of existing Co-Op store and 2 no. dwellings. Construction of single storey supermarket and 1 no. 2 storey detached dwelling house. Approved 7th November, 2001.

4. Consultation Summary

Statutory Consultations

- 4.1 Welsh Water: No response received.

Internal Council Advice

- 4.2 Transportation Manager: No objection subject to provision of secure cycle parking.

5. Representations

- 5.1 Hereford City Council: No objection.
- 5.2 Local residents - 14 letters of objection have been received. The comments made can be summarised as follows:
- Loss of privacy.
 - Approved detached dwelling is the preferred option.
 - Inadequate parking.
 - Noise and disturbance.
 - Loss of light and overbearing impact.
 - Impact upon boundary treatment.
 - Development will prevent lorry movements on site.

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

6. Officers Appraisal

- 6.1 In relation to the principle of development, the application site falls within the Established Residential Area as identified in the adopted Hereford Local Plan. It is of further note that an extant permission exists on this site for residential development. On this basis it is assessed that the principle of this scheme can be supported with the acceptability of this proposal resting upon the details of the development. It is considered that the following matters are the key issues for consideration in the assessment of this proposal:
- Residential Amenities
 - Transportation Issues
 - Design and Visual Amenities

6.2 Residential Amenities

The revised proposal has a larger footprint to that of the approved single dwelling but is nevertheless a two storey building. The Co-Op store is a single storey unit but the wider area is generally characterised by two storey dwellings. The scale of the proposal is therefore considered acceptable in this location.

- 6.3 Turning to the physical impact of the proposal, the siting of this proposal, and the relative distances to neighbouring properties is such that the only property likely to be affected is the neighbouring dwelling to the west, No. 71 Holme Lacy Road. The closest property on Mountbatten Court will be in the region of 23 metres away from the rear of the proposal, with properties on Walton Close being in excess of 30 metres away at the closest point. Having regard to the front elevation of this proposal, and in consideration of the extant permission on this site, it is considered that the properties opposite the site on Holme Lacy Road will not be adversely affected by this scheme. Returning now to No. 71 Holme Lacy Road, it is of note that the only habitable window in the side facing elevation of this property is a secondary opening, a larger primary opening being found in the rear. The proposal will be in the region of 4.5 metres away at the closest point and the maximum projection is approximately 5.5 metres beyond the rear elevation of the original dwelling house. Having regard to the relationship of these properties and the extant permission on this site, it is assessed that the impact upon residential amenities for this neighbouring property will be within acceptable limits. A restrictive condition will prevent the introduction of new window openings, together with a further restrictive condition requiring obscure glazing in the relevant window opening, in the interests of preserving the amenities of the neighbouring properties. It is considered that no undue noise disturbance will result from this proposal, however, conditions to restrict the construction times will be attached in the interests of the amenities of the locality.

Transportation Issue

- 6.4 The proposal will be served by four spaces, one per unit. This falls below the 1.5 per unit required by the adopted Hereford Local Plan, but is in accordance with the requirements of the emerging Herefordshire Unitary Development Plan (Revised Deposit Draft). The Transportation Manager has raised no objection subject to the provision of secure cycle parking (one per unit). The good pedestrian and cycle links to the City Centre are of note and having regard to this, it is considered that the parking provision is acceptable.
- 6.5 In other respects the parking problems for this site revolve around the adjacent Co-Op store, and therefore are not for consideration as part of this application. However, in relation to the movement of delivery vehicles around the Co-Op store it is advised that this proposal falls entirely within the site boundary for the approved dwelling. It is of further note that the aforementioned approved scheme had a 2 metre high boundary wall. This proposal has a plinth wall only. Vehicle movements will therefore not be restricted by this proposal. The remaining Co-Op boundary treatment falling outside of this application site, which was raised as a point of concern by local residents, is not affected by this application.

Design and Visual Amenities

- 6.6 The proposal is designed with a front elevation intended to reflect the character and appearance of the locality. The front elevation attempts to create the appearance of a

detached dwelling, picking up the bay projection commonplace in this area. The design having regard to the site context, is considered acceptable in this instance. It is assessed that this proposal will preserve the character and visual amenities of the locality.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

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

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

- 2. A09 (Development in accordance with amended plans).**

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

- 3. B01 (Samples of external materials).**

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

- 4. E18 (No new windows in specified elevation).**

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

- 5. E19 (Obscure glazing)**

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

- 6. F16 (Restriction of hours during construction).**

Reason: To protect the amenity of local residents.

- 7. F39 (Scheme of refuse storage).**

Reason: In the interests of amenity.

- 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. H13 (Access, turning area and parking).**

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

12. H27 (Parking for site operatives).

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

13. H29 (Secure cycle parking provision).

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

Informatives:

- 1. N01 - Access for all.**
- 2. N03 - Adjoining property rights.**
- 3. HN01 - Mud on highway.**
- 4. HN04 - Private apparatus within highway.**
- 5. HN05 - Works within the highway.**
- 6. HN10 - No drainage to discharge to highway.**
- 7. N15 - Reason(s) for the Grant of Planning Permission.**

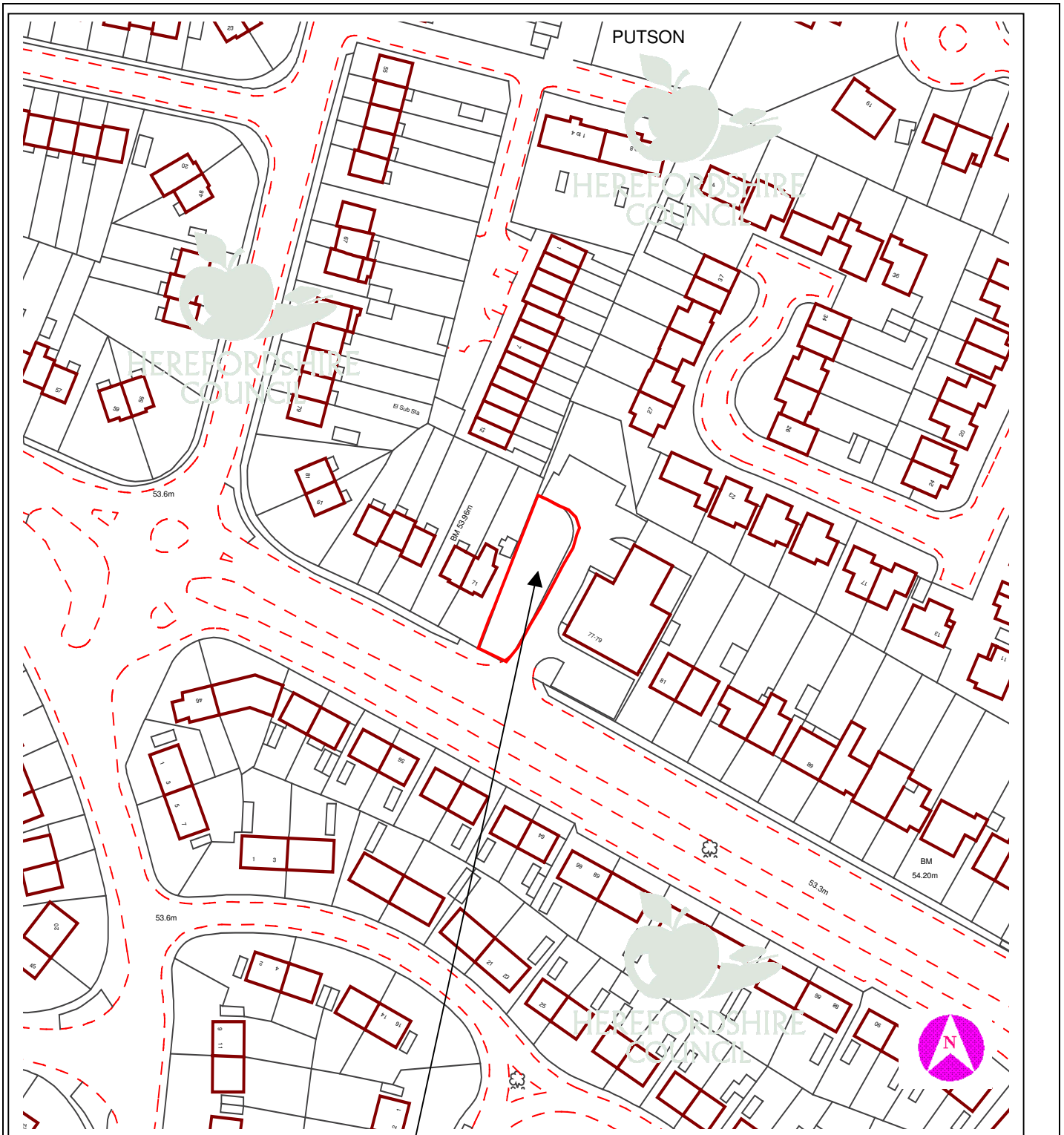
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCCE2006/0989/F

SCALE : 1 : 1250

SITE ADDRESS : Land adjacent to Co-Op Store, Holme Lacy Road, Hereford, HR2 6DF

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9A DCCE2006/0723/F - PROPOSED ALTERATIONS AND EXTENSION TO 14/15 HIGH TOWN TO FORM RETAIL UNIT AT GROUND AND FIRST FLOOR LEVEL WITH RESIDENTIAL UNITS ABOVE AT 14/15 HIGH TOWN, HEREFORD, HR1 2AA

For: Linden Stourport Ltd. per Jamieson Associates 30 Eign Gate, Hereford, HR4 OAB

9B DCCE2006/0722/L - PROPOSED ALTERATIONS AND EXTENSION TO 14/15 HIGH TOWN TO FORM RETAIL UNIT AT GROUND AND FIRST FLOOR LEVEL WITH RESIDENTIAL UNITS ABOVE AT 14/15 HIGH TOWN, HEREFORD, HR1 2AA

For: Linden Stourport Ltd. per Jamieson Associates 30 Eign Gate, Hereford, HR4 OAB

Date Received: 3rd March, 2006 **Ward: Central**

Grid Ref: 51056, 40074

Expiry Date: 28th April, 2006

Local Member: Councillor D.J. Fleet

1. Site Description and Proposal

- 1.1 This application seeks permission for an extension and internal alterations to 14/15 High Town, Hereford. The application site is located within the Central Shopping Area as defined within the Hereford Local Plan with the two existing ground floor retail units falling within a designated Primary Shopping Frontage. The site also falls within the Central Conservation Area and an Area of Archaeological Importance.
- 1.2 The existing property is a complex of timber framed buildings dating from the early 18th century with 17th century elements. The two units form a 'semi-detached' pair within the terraced row of properties which form the northern side of High Town. At ground floor level the building is split into two distinct shop units. Above this, the building has a single form, the division between the units being visible only through the fenestration detailing. The front of the property is four storey, to the rear this steps down through various timber framed structures. A modern single storey flat roof addition of poor architectural appearance is found to the rear of the building, together with a link-detached historic outbuilding. The proposal backs onto the service yard of Maylord Orchards. Above ground floor level the units were historically dwellings, now, however, they are principally underused ancillary accommodation associated with the retail units below.

- 1.3 The proposal involves the erection of a two storey extension to the rear with a contemporary architectural approach. Internally it is intended to link the units 14 and 15 to provide a single retail space occupying the ground and first floors. This will create additional retail space of 158 square metres and provide a single retail unit. The second and third floors are intended to be redeveloped to form three residential units, 2 no. 2 bedroomed and 1 no. 1 bedroomed.
- 1.4 These applications are a resubmission, the previous proposal for these works (DCCE2005/4032/F and DCCE2005/4033L) being withdrawn following the advice of the Conservation Manager. These applications represent a resubmission following negotiations with the Historic Buildings Officer for this area.

2. Policies

2.1 Planning Policy Guidance:

PPS1	-	Delivering Sustainable Development
PPG3	-	Housing
PPS6	-	Planning for Town Centres
PPG15	-	Planning and the Historic Environment

2.2 Hereford Local Plan:

Policy ENV14	-	Design
Policy ENV15	-	Access for All
Policy ENV17	-	Safety and Security
Policy ENV18	-	External Lighting
Policy H3	-	Design of New Residential Developments
Policy H21	-	Compatibility of Non-Residential Uses
Policy H23	-	City Centre Residential Accommodation
Policy S1	-	Role of the Central Shopping Area
Policy S2	-	Retail Development Within the Central Shopping Area
Policy S5	-	Primary Shopping Frontages
Policy S8	-	Window Displays
Policy CON1	-	Preservation of Buildings of Architectural and Historic Interest
Policy CON2	-	Listed Buildings - Development Proposals
Policy CON3	-	Listed Buildings - Criteria for Proposals
Policy CON6	-	Listed Buildings - Demolition
Policy CON7	-	Listed Buildings - Condition on Demolition
Policy CON10	-	Under Use of Historic Buildings
Policy CON12	-	Conservation Areas
Policy CON13	-	Conservation Areas - Development Proposals
Policy CON14	-	Planning Applications in Conservation Areas
Policy CON16	-	Conservation Area Consent
Policy CON18	-	Historic Street Pattern
Policy CON19	-	Townscape
Policy CON20	-	Skyline
Policy CON24	-	Shopfronts
Policy CON27	-	Shopfronts - Design
Policy CON28	-	Shopfronts - Materials
Policy CON29	-	Advertising
Policy CON35	-	Archaeological Evaluation
Policy T11	-	Pedestrian Provision

Policy T12 - Cyclist Provision

2.3 Herefordshire Unitary Development Plan (Revised Deposit Draft):

Policy S1 - Sustainable Development
 Policy S2 - Development Requirements
 Policy S3 - Housing
 Policy S5 - Town Centres and Retail
 Policy S6 - Transport
 Policy S7 - Natural and Historic Heritage
 Policy DR1 - Design
 Policy DR2 - Land Use and Activity
 Policy DR3 - Movement
 Policy DR4 - Environment
 Policy DR14 - Lighting
 Policy H1 - Hereford and the Market Towns: Settlement Boundaries and Established Residential Areas
 Policy H13 - Sustainable Residential Design
 Policy TCR1 - Central Shopping and Commercial Areas
 Policy TCR2 - Vitality and Viability
 Policy TCR3 - Primary Shopping Frontages
 Policy TCR6 - Non-Retail Uses
 Policy TCR8 - Small Scale Retail Development
 Policy T6 - Walking
 Policy T7 - Cycling
 Policy T16 - Access for All
 Policy HBA1 - Alterations and Extensions to Listed Buildings
 Policy HBA2 - Demolition of Listed Buildings
 Policy HBA4 - Setting of Listed Buildings
 Policy HBA6 - New Development within Conservation Areas
 Policy HBA7 - Demolition of Unlisted Buildings within Conservation Areas
 Policy HBA10 - Shopfronts
 Policy ARCH1 - Archaeological Assessments and Field Evaluations
 Policy ARCH2 - Foundation Design and Mitigation for Urban Sites
 Policy ARCH7 - Hereford AAAI

3. Planning History

- 3.1 Various minor alterations and signage applications are associated with these units, plus:
- 3.2 DCCE2005/4032/F Alterations and extension to form retail unit on ground and first floor with residential space above. Withdrawn 1st February, 2006.
- 3.3 DCCE2005/4033/L Alterations and extension to 14/15 High Town to form retail unit at ground level and first floor level with residential units above. Withdrawn 1st February, 2006.

4. Consultation Summary

Statutory Consultations

4.1 None.

Internal Council Advice

4.2 Traffic Manager: Raised no objection. A request was made for secure cycle parking if possible and a financial contribution.

4.2 Conservation Manager: Raises no objection subject to appropriate conservation and archaeological conditions.

5. Representations

5.1 Hereford City Council: Raise no objection and 'welcome the proposed development'.

5.2 A number of Conservation Bodies were consulted, of which The Georgian Group provide a response.

- Georgian Group - object on the following grounds:

1. The proposal will have a detrimental impact upon the special historic character of this building;
2. The majority of the important internal features will be lost through this proposal;
3. The buildings retain significant historic character and a number of prominent historic features which should be preserved;
4. No inventory or detailed schedule has been submitted to show what features will be lost and whether they are of interest;
5. There is no adequate justification for the creation of a single retail unit;
6. There is no evidence to suggest that these buildings were historically a single unit.

5.3 Conservation Advisory Panel: Support this application to bring the whole building into use.

5.4 Local residents: No responses received.

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

6. Officers Appraisal

6.1 It is considered that the principal issues for consideration in the assessment of this application are as follows:

- Principle of Development
- Conservation Issues
- Design and Visual Amenities

Principle of Development

6.2 The application site is located within the Central Shopping Area as defined in the Hereford Local Plan. Policy S2 of this Plan advises that small-scale retail development proposals within the Central Shopping Area, including change of use proposals, will be supported. The application retains the Class A1 retail use fronting Commercial Street

and therefore also satisfies Hereford Local Plan Policy S5, which requires the continuation of the domination of retail units within the Primary Shopping Frontage. In relation to the emerging Herefordshire Unitary Development Plan (Revised Deposit Draft), the application site is located within the Central Shopping and Commercial Area under Policy TCR1. Policy TCR3 requires Primary Shopping Frontage to be dominated by Class A1 retail units, which this scheme retains.

- 6.3 In relation to the residential elements contained within this proposal, Policy H23 of the Hereford Local Plan encourages the provision of dwellings above retail units in the Central Shopping Area and this position is echoed in Policies S5 and TCR2 of the emerging Herefordshire Unitary Development Plan (Revised Deposit Draft).
- 6.4 Turning to the proposed additional retail floor space at first floor level, Chapter 7.7R of the Revised Deposit Draft UDP identifies a retail requirement of an additional 14-16,000 square metres net of city centre comparison retail floor space in the plan period, with a qualitative need for larger and suitably configured units to attract modern multiple retailers within the Central Shopping and Commercial Area. The proposed development would provide approximately 158 sq.m. (net) of additional floor space.

Listed Building Issues

- 6.5 This is an interesting complex of timber framed buildings which date from the 17th and 18th centuries. There are reasonable amounts of high quality timber framing and some interesting internal features. This proposal has improved upon the previous scheme and the Conservation Manager is of the opinion that this scheme will allow the main features of significant interest to be retained internally. The proposed new extension design creates an interesting juxtaposition between the old and the new and it is considered that this is the correct approach in this case. The proposed extension is clearly subservient to the building and its contemporary nature can be easily dated and distinguished in comparison to the important timber framed elements. A component of the architectural importance of the rear elevation is the views of the timber framing at higher levels from the service area and this proposal would allow this to be retained. The proposed extension will also form an interesting architectural feature in the existing service yard to the rear. The extension is therefore considered to be an appropriate response in this instance. Appropriate conditions will allow for the control of materials, finishes and elements of the building to be retained. Furthermore, conditioning will ensure that the Conservation Manager is consulted should any discoveries be made during demolition, for example fire places etc. so that any objects of interest can be salvaged and reused where possible. A photographic recording of the whole building will also be conditioned to take place following the initial strip of the ground floor. Overall, notwithstanding the concerns raised by the Georgian Group, the scheme is considered acceptable.

Design, Visual Amenities and Conservation Area Impact

- 6.6 In the broader design context it is considered that this proposal is acceptable. To the front, the existing shop front arrangement is retained and as such, although the unit is to be combined, the external appearance of the building will be preserved in its current subdivided form. To the rear, the extension has a contemporary appearance. This is considered advantageous on the basis that the increased flexibility in design options allows for the proposal to have the minimum necessary height, thereby allowing for the views of the important elements of the rear elevation to be retained. The design, which includes coloured glazing elements, is considered appropriate in the context of its

setting and it is assessed that the building will provide a point of interest within the service yard. On the basis of this it is considered that the design of this proposal is acceptable and that the visual amenities of the area will be preserved. It is considered that the character and appearance of the Conservation Area will be preserved through this development.

Other Issues

- 6.7 A car free residential development is considered appropriate and acceptable in this city centre location and the addition of residential units in the very heart of the city is to be welcomed. The provision of cycle parking within the application site will be problematic, however, a flexibly worded condition will allow this option to be explored. There are no issues of concern relating to residential amenities.

RECOMMENDATION

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

DCCE2006/0723/F:

- 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. A06 (Development in accordance with approved plans).**
Reason: To ensure adherence to the approved plans in the interests of a satisfactory form of development.
- 3. D01 (Site investigation – archaeology).**
Reason: To ensure the archaeological interest of the site is recorded.
- 4. F16 (Restriction of hours during construction).**
Reason: To protect the amenity of local residents.
- 5. H29 (Secure cycle parking provision).**
Reason: To ensure that there is adequate provision for secure cycle accommodation within the application site, encouraging alternative modes of transport in accordance with both local and national planning policy.

Informatives:

- 1. NC01 - Alterations to submitted/approved plans.**
- 2. ND02 - Area of Archaeological Importance.**
- 3. ND03 - Contact Address.**
- 4. N01 - Access for all.**

5. N03 - Adjoining property rights.
6. N06 - Listed Building Consent.
7. N07 - Housing Standards.
8. N08 – Advertisements.
9. N12 - Shopfront security.
10. N15 - Reason(s) for the Grant of Planning Permission.

DCCE2006/0722/L:

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

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

2. B01 (Samples of external materials).

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

3. Following the initial strip of the ground floor subsequent to the commencement of development, a photographic recording of 14/15 High Town, Hereford shall be deposited with the Council in accordance with details to be agreed prior to the conducting of said recording.

Reason: In the interests of maintaining a record of the history and development of this site.

4. Prior to the commencement of development a schedule of reclamation of items of architectural and/or historical interest shall be submitted to and agreed in writing with the local planning authority. The identified items shall then be reclaimed in accordance with the agreed details.

Reason: In the interests of preserving items of architectural or historic interest associated with this application site.

5. If, during development, items of historical and/or architectural interest not identified under condition 3 are found, a schedule of reclamation shall be submitted to and agreed in writing with the local planning authority. The identified items shall then be reclaimed in accordance with the agreed details.

Reason: In the interests of preserving items of architectural or historic interest associated with this application site.

6. The lath and plaster roof at second floor level to the rear of the timber framed building shall be preserved and left unaltered unless otherwise agreed in writing with the local planning authority. Furthermore, prior to the commencement of development any additional insulation required for this element shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the agreed details.

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

- 7. Prior to the commencement of development the proposed finish to the timbers in the panelled room found to the rear of the first floor shall be submitted to and agreed in writing by the local planning authority. Development shall then be carried out in accordance with the agreed details.**

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

Informatives:

- 1. NC01 - Alterations to submitted/approved plans.**
- 1. N15 - Reason(s) for the Grant of Listed Building Consent.**

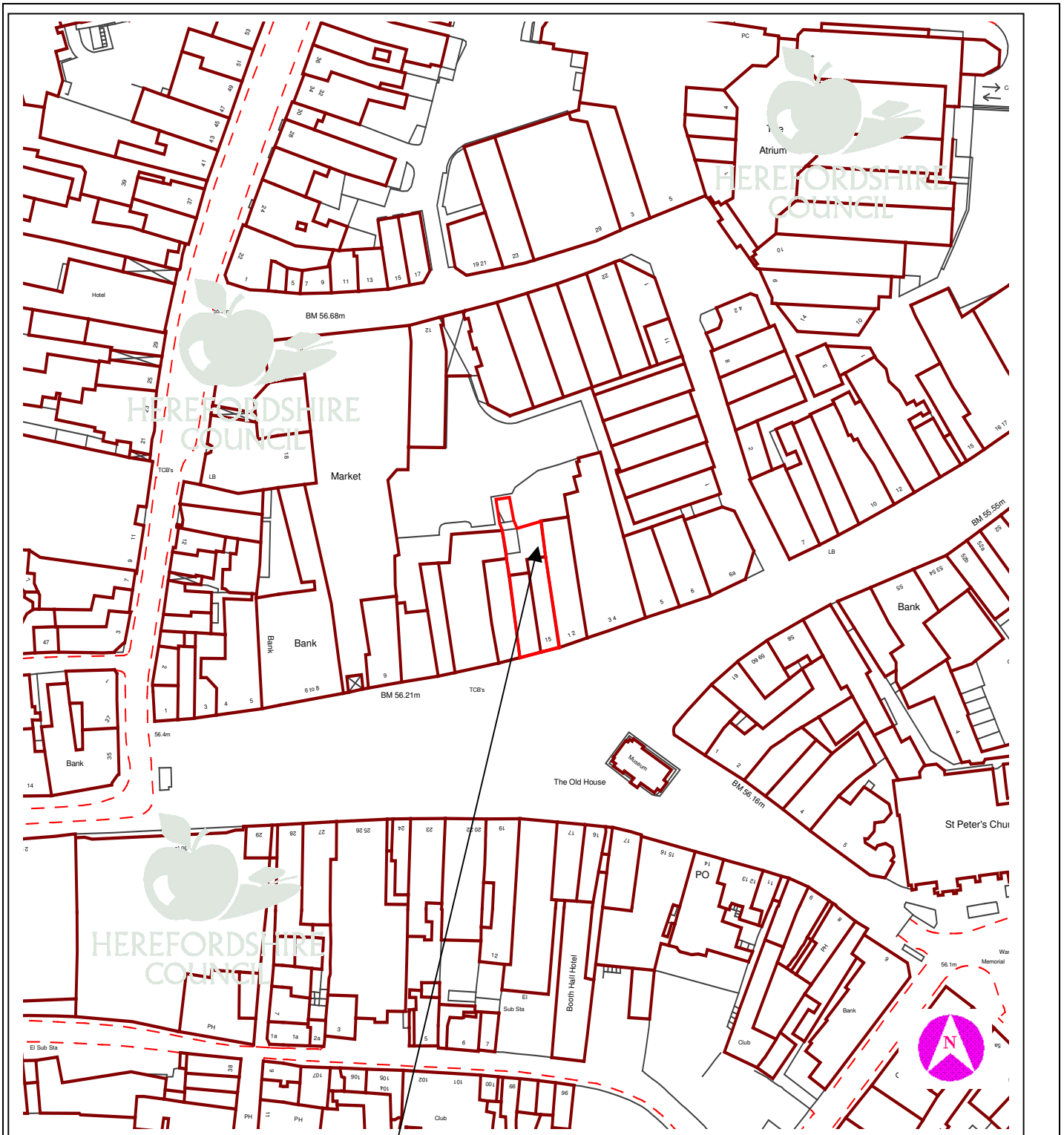
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NOS: DCCE2006/0723/F & DCCE2006/0722/L

SCALE : 1 : 1250

SITE ADDRESS : 14/15 High Town, Hereford, HR1 2AA

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10 DCCE2006/1016/F - REPLACE OLD SHED/STORE WITH NEW AT THE FORGE, LITTLE DEWCHURCH, HEREFORD, HR2 6PN

For: Mr. M. Bowen, The Forge, Little Dewchurch, Hereford, HR2 6PN

Date Received: 23rd March, 2006

Ward: Hollington

Grid Ref: 53338, 31833

Expiry Date: 18th May, 2006

Local Member: Councillor W.J.S. Thomas

1. Site Description and Proposal

- 1.1 This application seeks permission for the retention of a replacement shed/store at The Forge, Little Dewchurch. The application site is triangular in shape and is adjacent to the junction between the C1261 and the U71602 which form the two principal site boundaries. The site is to the south of the village green and an associated modern residential development. Dwellings are located to the west of the application site which has an access off the U71602 on the southern site boundary. The site falls within the settlement boundary of Little Dewchurch and also falls within an area designated as an Area of Great Landscape Value. The store/shed is sited immediately to the north/north east of the dwelling, adjacent to the boundary with the C1261. The building is of timber construction with a render finish to the south and east and a 'reed' covering to the north and west.

2. Policies

2.1 South Herefordshire District Local Plan:

Policy GD1	-	General Development Criteria
Policy C8	-	Development within Area of Great Landscape Value
Policy SH23	-	Extensions to Dwellings

2.2 Herefordshire Unitary Development Plan (Revised Deposit Draft):

Policy S1	-	Sustainable Development
Policy S2	-	Housing Requirements
Policy S7	-	Natural and Historic Heritage
Policy DR1	-	Design
Policy DR2	-	Land Use and Activity
Policy H18	-	Alterations and Extensions
Policy LA2	-	Landscape Character and Areas Least Resilient to Change

3. Planning History

- 3.1 DCCE2005/0099/F First floor extension. Approved 4th March, 2005.
- 3.2 DCCE2005/3610/F Replacement shed/store. Refused 13th December, 2005.

4. Consultation Summary

Statutory Consultations

4.1 None.

Internal Council Advice

4.2 Traffic Manager: No objection.

5. Representations

5.1 Little Dewchurch Parish Council: No response received.

5.2 Local residents - a single letter of objection has been received from the following source:

- Mr. and Mrs. Beswick, 1 Field Fare, Little Dewchurch.

The comments made can be summarised as follows:

- Visually intrusive and overbearing impact.
- Inadequate design for the area.
- Too close to the road, possible visual distraction to drivers.
- Inappropriate siting, more sensitive locations on site should be considered.
- Precedent could lead to more inappropriate structures such as this.
- Building could be used as residential accommodation.
- Impact upon residential amenities from the use of this building.

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

6. Officers Appraisal

6.1 It is considered that the following issues represent the key points for consideration in the assessment of this proposal:

- Principle
- Design and Scale
- AGLV, Landscape Impact and Visual Amenities

Principle

6.2 South Herefordshire District Local Plan Policy GD1 considers general development criteria. This policy specifies that development should be of a high standard of design and build, contributing to the quality of the built environment of the surrounding area. The importance of the design and impact upon the setting of a development is stressed, together with landscape and highway implications. Policy C8 relates specifically to Areas of Great Landscape Value. This policy stresses that development will only be permitted within such areas where it does not adversely impact upon the landscape and is small in scale and sensitively designed. Policy SH23 relates to extensions to dwellings, however, as this proposal falls within 5 metres of the main dwelling house, consideration of this policy is considered reasonable. This Policy

emphasises that proposals should be acceptable having regard to the scale, mass, design and materials.

- 6.3 Turning to the emerging Herefordshire Unitary Development Plan (Revised Deposit Draft), Policies S1, S2, S7, DR1, DR2, H18 and LA2 reflect the policy stance taken in the adopted South Herefordshire District Local Plan Policies GD1, C8 and SH23.

Design and Scale

- 6.4 The shed/store now found on site replaces a previous shed of more modest proportions sited adjacent to the C1261. The current structure occupies the same site but extends closer to the dwelling than the previous structure, occupying a footprint approximately twice that of the previous shed. The size of the shed/store under construction is not excessive in the general context of domestic outbuildings, however, the siting of this structure is relatively prominent within the landscape and as such the scale of this building was of concern in the previous application in the context of its visual prominence. The building has, however, been revised in the interim and the prominent east and north facing elevations have been clad with a 'reed' layer. The effect of this upon the visual impact of the building is significant with the outbuilding now blending far more easily into the existing boundary treatment. The appearance of the building is also enhanced through this revision with the outbuilding now siting more comfortably within the site and wider area. It is of further note that once the existing hedgerow boundary treatment re-grows the impact of this building will be further reduced. The prominence of the building is reduced considerably through this revision and on this basis, and having regard to the previous shed in this location, it is considered that the design and scale are now acceptable.

AGLV, Landscape Impact, and Visual Amenities

- 6.5 The application site is particularly prominent within the village of Little Dewchurch and is opposite an attractive village green area. The area is generally attractive with a good quality landscape and built environment. The new shed/store is built adjacent to the main through road and the reduction in boundary screening has made the site particularly prominent.
- 6.6 Having regard to the comments relating to the design revisions and scale of this building, and noting the fact that this is a replacement structure with the previous building being equally close to the site boundary, it is considered that this building now preserves the visual amenities of the locality and to the Area of Great Landscape Value/Landscape Least Resilient to Change. Appropriate landscaping conditions will ensure the retention of effective boundary screening.

Other Issues

- 6.7 It is considered that no issues of detrimental impact upon the residential amenities of the locality are associated with this development and no objection has been raised by the Traffic Manager.

Conclusion

- 6.8 On balance, and in recognition of the revisions made to this building, it is now considered that this building represents an acceptable form of development.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

- 1. The 'reed' cladding introduced on the east and north facing elevations of the outbuilding approved by virtue of this permission shall be maintained and retained in perpetuity in its current condition unless otherwise approved in writing by the local planning authority.

Reason: In the interests of the visual amenity of the locality.

- 2. Within one month of the date of this permission a scheme of landscaping, including proposals for the management of the roadside hedgerow, shall be submitted to and approved by the local planning authority. All proposed planting shall be clearly described with species, sizes and planting numbers. The landscaping on site shall then be managed in accordance with the approved management plan.

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

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

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

Informatives:

- 1. N03 - Adjoining property rights.
- 2. N15 - Reason(s) for the Grant of Planning Permission.

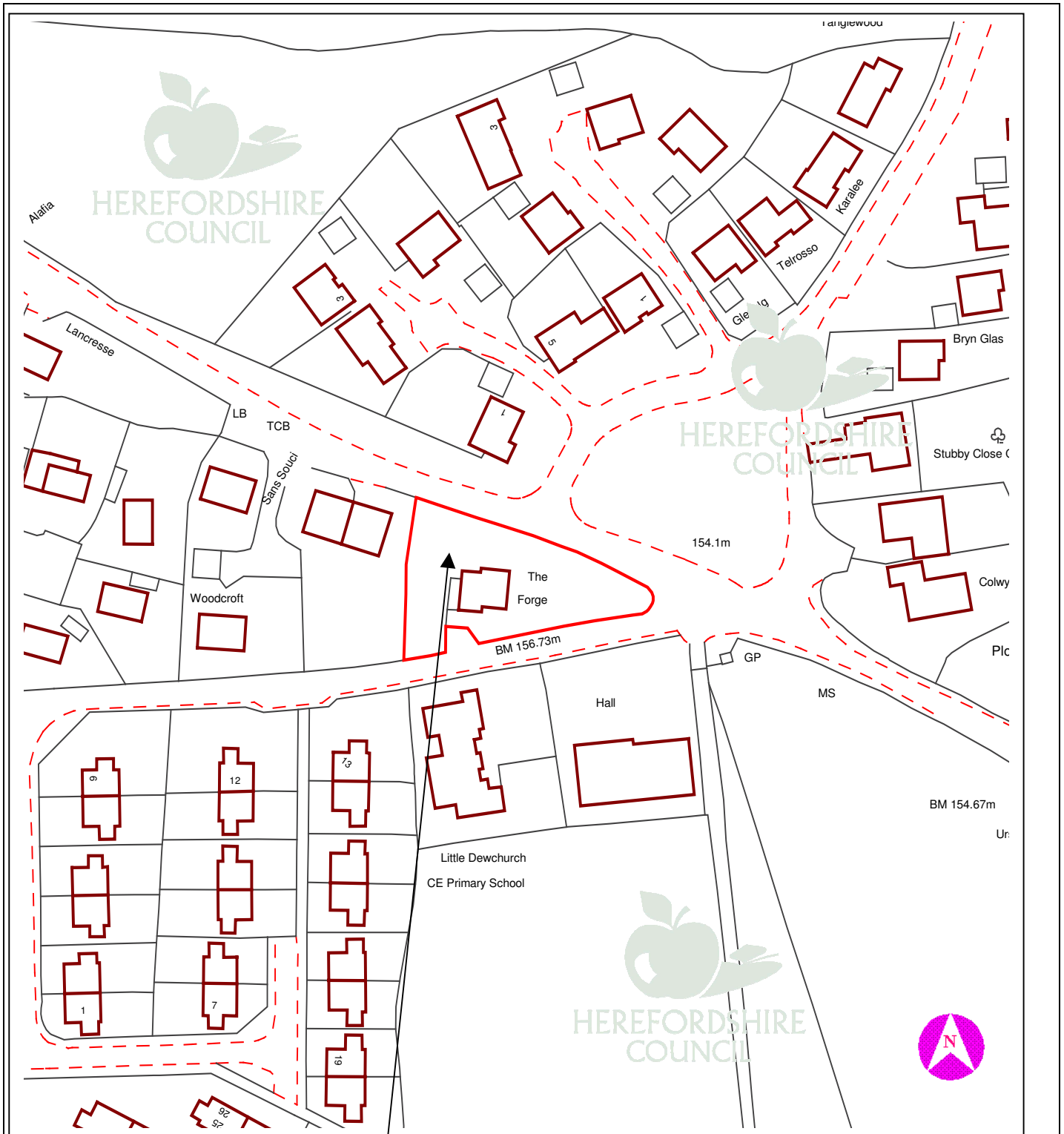
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCCE2006/1016/F

SCALE : 1 : 1250

SITE ADDRESS : The Forge, Little Dewchurch, Hereford, HR2 6PN

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11 DCCE2006/1219/F - PROPOSED TWO STOREY EXTENSION AT 23 VENNS LANE, HEREFORD, HR1 1DE

For: Mr. M. Mohan, per Mrs. Sibley, Brendon Gate, Ellwood, Coleford, Glos., GL16 7LZ

Date Received: 5th April, 2006

Ward: Aylestone

Grid Ref: 52001, 40920

Expiry Date: 31st May, 2006

Local Members: Councillors D.B. Wilcox and A.L. Williams

1. Site Description and Proposal

- 1.1 This application seeks permission for the erection of two storey side and rear extensions to 23 Venns Lane, Hereford. The existing property is a two storey detached dwelling with an existing single storey extension to the rear and an attached double garage to the side. The site is located within the Established Residential Area of Hereford.
- 1.2 This proposal represents the third application on this site for these works, the first two being withdrawn on the advice of Officers due to concerns relating to the impact of the proposals upon the residential amenities of the neighbouring properties. This scheme has been revised following discussions with Officers seeking to secure an acceptable form of development.
- 1.3 This revised proposal involves the erection of a two storey side extension with a 3.3 metre width to replace the existing single storey garage extension which has a 5.3 metre maximum width. The addition is to be of a standard design being set down and back from the front elevation of the main dwelling house to create a subservient appearance. To the rear, a two storey addition in a centralised location is proposed. This addition has single storey 'wings' on each side and has a hipped roof design. Materials are proposed to match the existing property.

2. Policies

2.1 Hereford Local Plan:

Policy ENV14	-	Design
Policy H16	-	Alterations and Extensions
Policy T5	-	Car Parking – Designated Areas

2.2 Herefordshire Unitary Development Plan (Revised Deposit Draft):

Policy S1	-	Sustainable Development
Policy S2	-	Development Requirements
Policy DR1	-	Design
Policy H16	-	Car Parking
Policy H18	-	Alterations and Extensions
Policy T11	-	Parking Provision

3. Planning History

- 3.1 DCCE2004/0247/F Proposed two storey side and rear extensions. Withdrawn 8th March, 2004.
- 3.2 DCCE2005/2232/F Proposed two storey side and rear extensions. Withdrawn 12th August, 2005.

4. Consultation Summary

Statutory Consultations

- 4.1 None.

Internal Council Advice

- 4.2 Traffic Manager: No response received.
- 4.3 Conservation Manager: No response received.

5. Representations

- 5.1 Hereford City Council: No response received.
- 5.2 At the time of writing one letter had been received from Mr & Mrs R.H.L. Peter advising that a local consultant would be objecting to the proposal on their behalf.
- 5.3 The full text of these letters can be inspected at Central Planning Services, Blueschool House, Blueschool Street, Hereford and prior to the Sub-Committee meeting.

6. Officers Appraisal

- 6.1 It is considered that the main issues for consideration in this instance are:

1. Principle of Development.
2. Residential Amenities.
3. Design, Scale and Visual Amenities

Principle of Development

- 6.2 Hereford Local Plan Policy H16 states that development should be of an appropriate design and scale in the context of the existing situation, and be acceptable in relation to the visual amenities of the locality and highway issues. Herefordshire Unitary Development Plan (Revised Deposit Draft) Policy H18 reflects this position. Hereford Local Plan Policy ENV14 and Herefordshire Unitary Development Plan (Revised Deposit Draft) Policy DR1 require a high standard of design in new development.
- 6.3 On the basis of the above the principle of this proposal is accepted with the acceptability or otherwise of this scheme therefore resting in the details of the development.

Residential Amenities

- 6.4 The main issue of concern in this instance is the impact of these proposals upon the two neighbouring properties. To the northeast is No. 25, a detached two storey property. This property has side facing window openings in the affected elevation and clearly the addition of a two storey extension could potentially impact upon these openings. It is the case, however, there is significant existing boundary landscaping and this provides extensive screening. Furthermore, at ground floor level the scheme is moved further away from the boundary through the demolition of the double garage and the erection of an addition 2 metres narrower in width. Finally, the orientation of these properties is of note and it is suggested that the loss of direct sunlight, having regard to the existing boundary treatment, will not be significant.
- 6.5 To the southwest is No. 21. This is a single storey dwelling with a side facing habitable opening looking directly onto the side of the application property. The existing rear extension to the application property has a window facing the boundary in question allowing for a degree of overlooking. The proposal involves a two storey rear addition and the proximity of this to the boundary with No. 21 was the principal reason for Officer concern in the previous two applications. In this revision the two storey element is centralised and this, together with the in-setting of the proposed rear addition and the hipped roof design, is such that the overbearing impact and light loss for the window in the side of No. 21 will not be significantly increased above the existing level. The removal of the side facing opening in this proposal also removes the privacy issue currently found on site and is considered to be a gain.
- 6.6 Overall, though the relationship of this property to the neighbouring dwellings is somewhat problematic, it is considered that the impact of this revised proposal upon residential amenities will be within acceptable limits. Effective conditioning will ensure the privacy of the neighbouring properties is protected.

Design, Scale and Visual Amenities

- 6.7 The two storey side extension has an acceptable subservient design. Having regard to the appearance of the existing dwelling, it is considered that the removal of the attached flat roof double garage and the erection of an appropriately designed two storey side extension represents an enhancement of the existing dwelling's appearance. To the rear, the proposed extension also ensures a subservient appearance through the use of a low ridgeline. The single storey wings and the hipped roof design give a balanced appearance and the size is considered appropriate for the associated dwelling. As with the proposed side extension, the replacement of the existing flat roof rear extension with the proposed addition is considered a visual enhancement. Overall it is considered that these additions will improve the overall design and appearance of the existing dwelling house and are considered acceptable.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

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

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

2. A06 (Development in accordance with approved plans).

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

3. B02 (Matching external materials (extension)).

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

4. E17 (No windows in side elevation of extension).

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

5. E19 (Obscure glazing to windows).

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

6. F16 (Restriction of hours during construction).

Reason: To protect the amenity of local residents.

Informatives:

1. N03 - Adjoining property rights.

2. N11A - Wildlife and Countryside Act 1981 (as amended) – Birds.

3. N11B - Wildlife & Countryside Act 1981 (as amended) and Conservation (Nat. Habitats & C.) Regs 1994 – Bats.

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

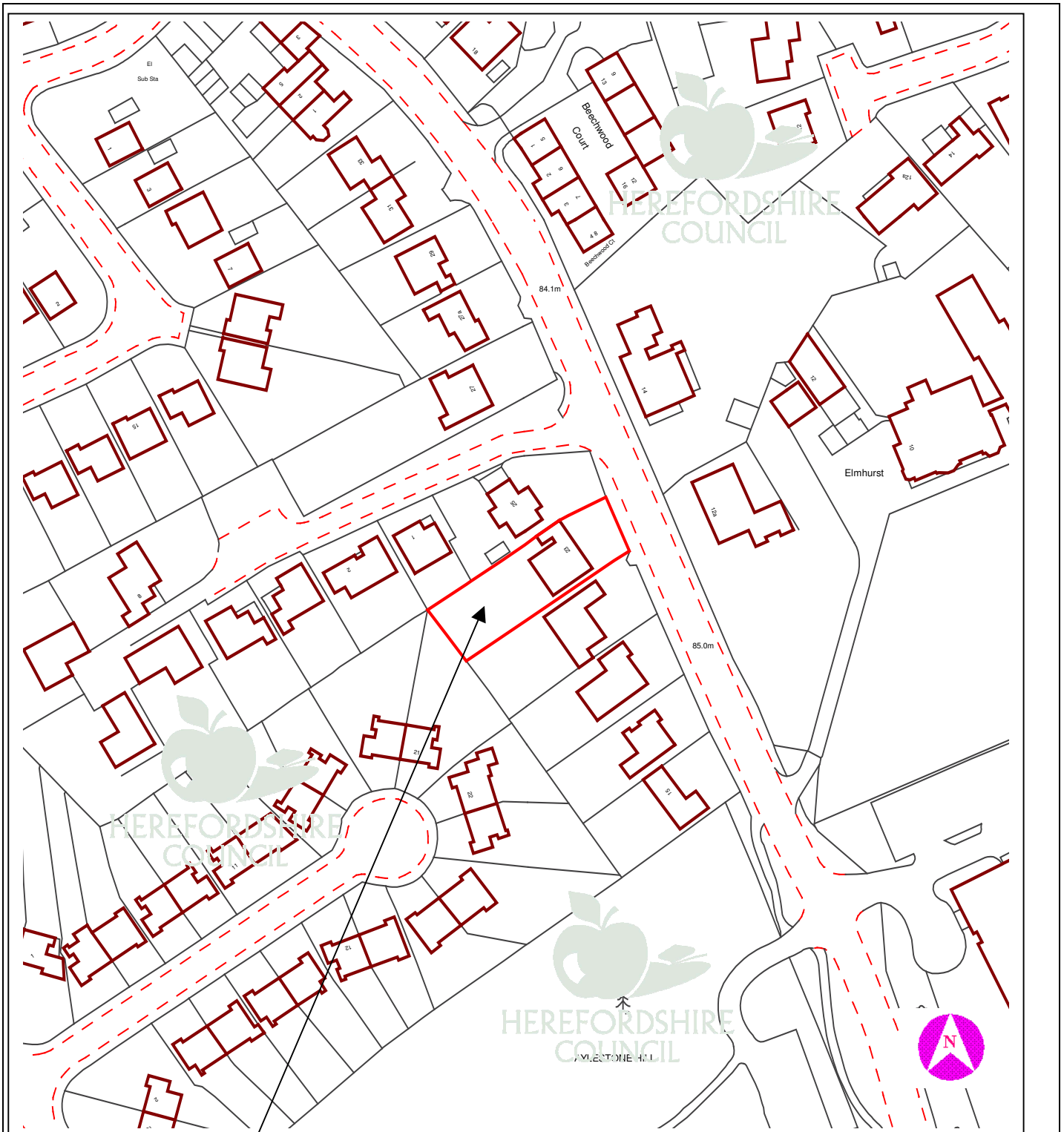
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCCE2006/1219/F

SCALE : 1 : 1250

SITE ADDRESS : 23 Venns Lane, Hereford, HR1 1DE

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12 DCCE2006/1231/RM - PROPOSED ERECTION OF THREE DETACHED HOUSES AND ANCILLARY GARAGES, FORMATION OF NEW VEHICULAR ACCESS AND DRIVEWAY AT LAND AT LUGWARDINE COURT, LUGWARDINE, HEREFORD, HR1 4AE

For: Amco Services Ltd. per Border Oak Design & Construction, Kingsland Sawmills, Kingsland, Leominster, Herefordshire, HR6 9SF

Date Received: 7th April, 2006

Ward: Hagley

Grid Ref: 54694, 40845

Expiry Date: 2nd June, 2006

Local Member: Councillor R.M. Wilson

1. Site Description and Proposal

- 1.1 This application seeks Reserved Matters permission for the erection of three dwellings on land at Lugwardine Court, Lugwardine. The application site has an extant outline permission (DCCE2006/3749/O) for three detached dwellings with garages. The matters for consideration in this application are the siting, design, landscaping and external appearance of the proposed development. The means of access was approved by virtue of the aforementioned outline permission.
- 1.2 The application site itself comprises a 0.2 hectare paddock situated on raised land to the southeast of the A438 at Lugwardine. To its northeast side is Lugwardine Court Orchard, a development of 15 sheltered houses. To the east and southeast is Lugwardine Court, a private educational facility associated, at least in part, with St. Mary's School. To the south is a small courtyard of traditional agricultural buildings and a walled garden. Residential properties are found to the west on the opposite side of the A438. Ground level falls away generally from Lugwardine Court Orchard towards the walled garden and barns and also steeply at the edge of the site with the A438.
- 1.3 The application proposes the erection of three detached dwellings with associated garaging. The dwellings would be served by the approved access from the south.
- 1.4 This application represents a resubmission of a previously refused scheme (DCCE2005/3510/RM).

2. Policies

2.1 National:

- | | | |
|------|---|------------------------------------|
| PPS1 | - | Delivering Sustainable Development |
| PPG3 | - | Housing |

2.2 South Herefordshire District Local Plan:

Policy GD1	-	General Development Criteria
Policy C29	-	Setting of a Listed Buildings
Policy SH6	-	Housing Development in Larger Villages
Policy SH8	-	New Housing Development Criteria in Larger Villages
Policy T3	-	Highway Safety Requirements
Policy T4	-	highway and Car Parking Standards

2.3 Herefordshire Unitary Development Plan (Revised Deposit Draft):

Policy S1	-	Sustainable Development
Policy S2	-	Development Requirements
Policy S6	-	Transport
Policy S7	-	Natural and Historic Heritage
Policy DR1	-	Design
Policy DR2	-	Land Use and Activity
Policy H4	-	Main Villages: Settlement Boundaries
Policy H16	-	Car Parking
Policy T11	-	Parking Provision
Policy HBA4	-	Setting of Listed Buildings

3. Planning History

- 3.1 SH891493PO Sheltered housing development. Refused 20th September, 1989.
- 3.2 SH901109O Sheltered housing development. Refused 24th October, 1990. Appeal allowed 9th July, 1991.
- 3.3 SH920267PM Sheltered housing development. Approved 22nd April, 1993.
- 3.4 SH960270PF Erection of 8 single storey dwellings (second phase of development of 15 dwellings originally approved). Approved 10th October, 1996.
- 3.5 CE2002/0323/F Change of use from residential home to educational, with ancillary residential accommodation, office and kitchen facilities, together with meeting rooms and offices for community use. Approved 29th May, 2002.
- 3.6 CE2002/3749/O Erection of 3 detached dwellings with garages. Approved 11th June, 2003.
- 3.7 DCCE2003/3285/F Removal of Section 106 Agreement (not to cause or permit any other than an elderly person or chronically sick or disabled person to reside within any part of the property or any extension thereto). Approved 30th January, 2004.
- 3.8 DCCE2005/3510/RM Three detached houses and ancillary garaging and formation of access and driveway. Refused 14th December, 2005.

4. Consultation Summary

Statutory Consultations

- 4.1 River Lugg Internal Drainage Board: Council will need to be satisfied that drainage arrangements are satisfactory otherwise no comment.

Internal Council Advice

- 4.2 Traffic Manager: Conditions attached to original outline permission need to be satisfied. The parking layout is a little restricted but in view of the distance from the public highway it would be unlikely that there would be any impact on highway safety.
- 4.3 Conservation Manager: No response received.

5. Representations

- 5.1 Lugwardine Parish Council: We still have concerns about the size of the proposed houses particularly in relation to the adjacent bungalows.
- 5.2 At the time of writing one letter had been received from D.J. & B.S. Bloom of Quarry Cottage, Lugwardine. The main points raised can be summarised as follows:
- dwellings will be elevated above Croft Cottage, Quarry Cottage and Bank Cottage opposite meaning ground floor windows will affect privacy into bedroom windows;
 - proposed access onto Ledbury Road via Tidnor Lane is hazardous for the number of cars likely to use it;
 - proposed development will lead to more development in the area which will affect the character of Lugwardine.

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

6. Officers Appraisal

- 6.1 It is considered that the main areas for consideration in the context of this application are:
- Principle of Development.
 - Design and Scale.
 - Residential Amenities
 - Visual Amenities

Principle

- 6.2 The extant outline permission on this site for three dwellings (CE2002/3749/O) establishes and confirms the principles of residential development on this site. It is therefore advised that the acceptability or otherwise of this application rests with the details of the scheme (the "reserved matters").

Design and Scale

- 6.3 The proposal consists of three detached properties. Two have detached garaging and the third unit an attached garage. Subsequent to the refusal of the previous application the design, scale and layout of the dwellings have been revised. The scale of the properties has been reduced and the layout revised to reduce the impact of these properties into this prominent location. As with the previous scheme, the proposed dwellings are timber framed with a mix of brick and rendered elevations, with clay tiles for the roof. The design of the properties remains traditional and though some concern was expressed in relation to the design and appearance of these properties in the previous application, it is considered that the reduced scale of this development is such that the appearance of the proposed dwellings is now appropriate in this location. The wider area includes a wide range of dwelling types which include timber-framed buildings. In this context it is considered that the design and scale of these buildings will not detract from the character and appearance of the site and surrounding area.

Residential Amenities

- 6.4 The impact of the proposed dwellings upon the adjacent residential development to the east known as Lugwardine Court Orchard is of some concern. This is a development of modest single storey properties on ground approximately 4 metres higher than the application site. The rear gardens of the properties run, in part, along the eastern boundary of the application site. In the previous proposal the orientation of the properties was such that the loss of privacy was a problem. The revised scheme has addressed this issue through the revisions to the site layout, the design of the proposed dwellings and their orientation. The two units on the eastern boundary, 1 and 3, are both orientated so that only side elevations face Lugwardine Court Orchard. These side elevations have no window openings at first floor level. On this basis it is considered that the privacy concerns associated with the previous application have been addressed through these revisions and no unacceptable impact upon the privacy of the properties to the east will result. Adequate distance between these properties and the site boundary exists to ensure that no unacceptable overbearing impact or light loss result from this proposal.
- 6.5 To the northwest of the application site is Bank Cottage, Croft Cottage and Rose Cottage. It is also of note that a new dwelling recently secured permission between Croft and Rose Cottage (DCCE2006/0435/F). The relationship of these properties with the proposed dwellings is such that a degree of overlooking will result, however, having regard to the differences in site levels, the orientation of the properties and the resulting relationships and the existing boundary treatment, it is considered that the relationship between these properties will be acceptable. There are no issues of concern in relation to residential amenities to the south.

Visual Amenities and Listed Building Issues

- 6.6 Having regard to the design, scale and layout revisions secured through this revised application, it is now assessed that this proposal will integrate effectively into the street scene and the wider settlement pattern. It is considered that the visual amenities of the locality will be maintained through this development. Furthermore, in consideration of the alterations secured in this revised proposal, it is considered that the setting of the Listed Building (Rose Cottage) located to the north of the application site will be preserved through this development.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

- 1. **A01 (Time limit for commencement (full permission)).**
Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990.
- 2. **E18 (No new windows in specified elevation).**
Reason: In order to protect the residential amenity of adjacent properties.

Informatives:

- 1. **N01 - Access for all.**
- 2. **N03 - Adjoining property rights.**
- 3. **N09 - Approval of Reserved Matters.**
- 4. **N15 - Reason(s) for the Grant of PP/LBC/CAC.**

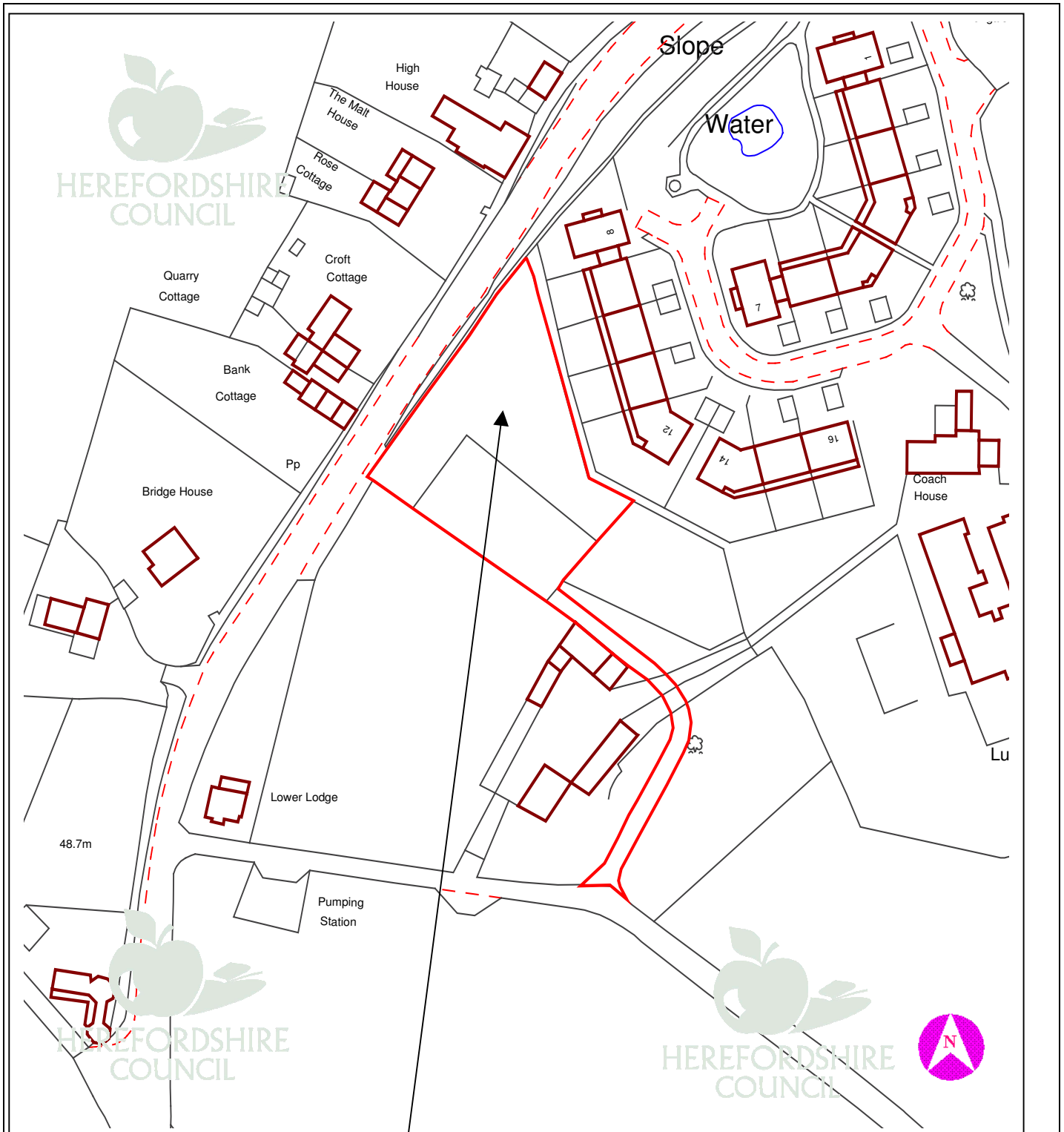
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCCE2006/1231/RM

SCALE : 1 : 1250

SITE ADDRESS : Land at Lugwardine Court, Lugwardine, Hereford, HR1 4AE

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13 DCCW2006/0798/G - DISCHARGE OF A PLANNING OBLIGATION AT THE LAKES, SWAINSHILL, HEREFORD, HR4 7PU

For: T.J. Crump Oakwrights Ltd. per White Young Green, Ropemaker Court, 12 Lower Park Row, Bristol, BS1 5BN

Date Received: 8th March, 2006 Ward: Credenhill Grid Ref: 45992, 41943
Expiry Date: 3rd May, 2006

Local Member: Councillor R.I. Matthews

1. Site Description and Proposal

- 1.1 This site is located on the northern side of the A438 Hereford to Brecon road at Swainshill and comprises a converted residential dwelling, The Lakes, now used as offices, workshop and extraction plant building together with parking, services and storage yard associated with the manufacturing of timber framing for construction.
- 1.2 Planning permission has recently been granted for the erection of a new workshop building together with the expansion of the service/storage yard (DCCW2005/3733/F) on land to the north of the established site and subject to a restrictive covenant attached to a permission granted in 1998 (SH970687PO). This application relates to the same area of land considered pursuant to the recently approved planning application and is to remove the restrictive covenant (SH970687PO) which effectively prevented the land being developed.
- 1.3 The application is to discharge the Section 106 Planning Obligation has been submitted following the planning permission granted to develop the land.

2. Policies

2.1 Planning Policy Guidance:

- | | | |
|-------|---|--|
| PPS7 | - | Sustainable Development in Rural Areas |
| PPG24 | - | Planning and Noise |

2.2 Hereford and Worcester County Structure Plan:

- | | | |
|-------------|---|----------------------------|
| Policy E6 | - | Development in Rural Areas |
| Policy ECT9 | - | Development Criteria |

2.3 South Herefordshire District Local Plan:

- | | | |
|------------|---|----------------------------------|
| Policy GD1 | - | General Development Criteria |
| Policy ED3 | - | Employment Proposals |
| Policy ED5 | - | Expansion of Existing Businesses |
| Policy T3 | - | Highway Safety Requirements |
| Policy C29 | - | Setting of Listed Buildings |

2.3 Herefordshire Unitary Development Plan (Revised Deposit Draft):

Policy S1	-	Sustainable Development
Policy S2	-	Development Requirement
Policy S4	-	Employment
Policy DR2	-	Land Use and Activity
Policy E6	-	Expansion of Existing Businesses
Policy E8	-	Design Standards for Employment Sites
Policy E11	-	Employment in the Smaller Settlements and Open Countryside
Policy T9	-	Road Freight
Policy T11	-	Parking Provision
Policy HBA4	-	Setting of Listed Buildings

3. Planning History

- 3.1 SH970687/PO New steel framed workshop, 3 bay garage, restriction of existing buildings, new entrance to property and site road. Approved 31st March, 1998. Section 106 Agreement not to develop areas of the site.
- 3.2 SC980709/PF Change of use from private house to office. New steel framed workshop and one 3 bay open garage with ancillary works. Approved 21st July, 1999.
- 3.3 CW2000/0056/F Amendment to existing planning permission (SC980709PF) and position of proposed workshop. Approved 4th May, 2000.
- 3.4 CW2001/1528/F Retention of 1) Additional 40 sq.m. yard space added to side of existing yard. 2) 10 steel stacking racks to side of workshop for storage of oak. Undetermined.
- 3.5 CW2002/1228/F Extension of existing workshop - gate posts and gateway brought closer to main road to give clearer access to delivery lorries. Tarmacked parking area. Approved 17th June, 2002.
- 3.6 DCCW2005/3733/F Erection of new workshop building and expansion of service/storage yard. Approved 11th January, 2006.

4. Consultation SummaryStatutory Consultations

- 4.1 None.

Internal Council Advice

- 4.2 Traffic Manager: No objection.
- 4.3 Conservation Manager: No conservation implications.

5. Representations

5.1 Stretton Sugwas Parish Council: "Items which Stretton Sugwas Parish Council wish to see included in a new Section 106 Agreement in respect of the site:

1. Operating times. The operation of the premises for which planning permission has been granted should be limited to 7.30 am - 6.00 pm Monday-Friday and 7.30 am - 1.00 pm on Saturdays. No use on Sundays or Bank Holidays due to close proximity of significant numbers of pre established dwellings.
2. The development proposals must be constructed in accordance with the planning permission for which this 106 Agreement has been produced, giving particular reference to the fact that the FFL of both the proposed new workshop and surrounding yard and storage areas shall not exceed the FFL of the existing workshop.
3. The proposed new workshop shall not be operated from commercially, until the following conditions are met:
 - i. The building is built in accordance with the design submitted and subsequent building control approval granted.
 - ii. A noise impact assessment has been executed, the results analysed and subsequently confirmed that the proposed machinery and activity do not constitute a deleterious effect on the acknowledged interests of neighbouring dwellings upon reasonable request from the neighbouring dwellings the local authority shall revisit and check on noise levels and take such enforcement action as may be required to prevent further pollution.
 - iii. All yard areas and roadways shall be fully metalled with concrete on macadam to prevent both noise pollution and dust pollution affecting neighbouring dwellings and bring mud on the carriageway.
 - iv. The completion of the proposed landscaping scheme as set out in the application and that the applicant will use mature tree specimen wherever possible and that on a continuing basis the applicant will maintain the scheme replacing any dead trees with new mature planting.

The applicant will be limited to operating any approved site lighting scheme to the operating hours on the site only. Any scheme must be designed, approved and installed in accordance with the appropriate current standards in order to minimise pollution and disturbance to adjoining ownership.

The planning permission covered by this 106 Agreement shall limit the consent to the use of the site by the applicant and their successors for the operation of a business pursuant to the manufacture and off site construction of oak framed timber buildings and for the avoidance of doubt no other use shall be permitted."

5.2 Three letters of objection have been received from:

Mrs. G. Hume, Stonelea, Stretton Sugwas, Herefordshire, HR4 7PT.
A.E. Marshall, Thrupton, Brecon Road, Swainshill.
Mr. R. Pritchard, The Mill, Kenchester, Hereford.

The main points raised are:-

1. The covenant was imposed for good reason to protect the adjacent listed building.
2. The original approval was against policy and the land has been used in breach for the last three years.
3. Planning Agreements should be adhered to by the owners.
4. The removal of the Section 106 and its subsequent development takes it from being a minor development to a major development by bits and pieces.
5. The applicants are not abiding by conditions attached to their existing permissions.

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

6. Officers Appraisal

- 6.1 Members will recall that planning permission was granted earlier this year to enable this company to expand their operations at The Lakes, Swainshill. Members were informed at the time that the land subject of the planning application was covered by a Section 106 Planning Obligation placing a covenant which restricted development. This application seeks the formal discharge of that agreement to reflect the approved expansion of the business operation.
- 6.2 The agreement was placed on the land when planning permission was granted for the change of use of the dwelling to offices together with the erection of the workshop. At that time this land was shown to remain undeveloped. Subsequently, the planning application determined by the Central Area Planning Sub-Committee in January confirmed the acceptability of developing the site subject to appropriate conditions. In determining that application and following a Committee site visit Members fully considered the impact of extending the premises.
- 6.3 The concerns raised by the Parish Council and local residents are acknowledged but in this instance the merits of the development of the site have been fully considered and in particular the conditions requested by the Parish Council in their consultation response largely relate to conditions in place on the recently approved expansion proposals.
- 6.4 In conclusion, the reasons for securing the restrictive covenant have been superseded by the grant of planning permission to develop the "protected" land and it is no longer considered reasonable or necessary that it remains in place.

RECOMMENDATION

That the Section 106 Planning Obligation be discharged.

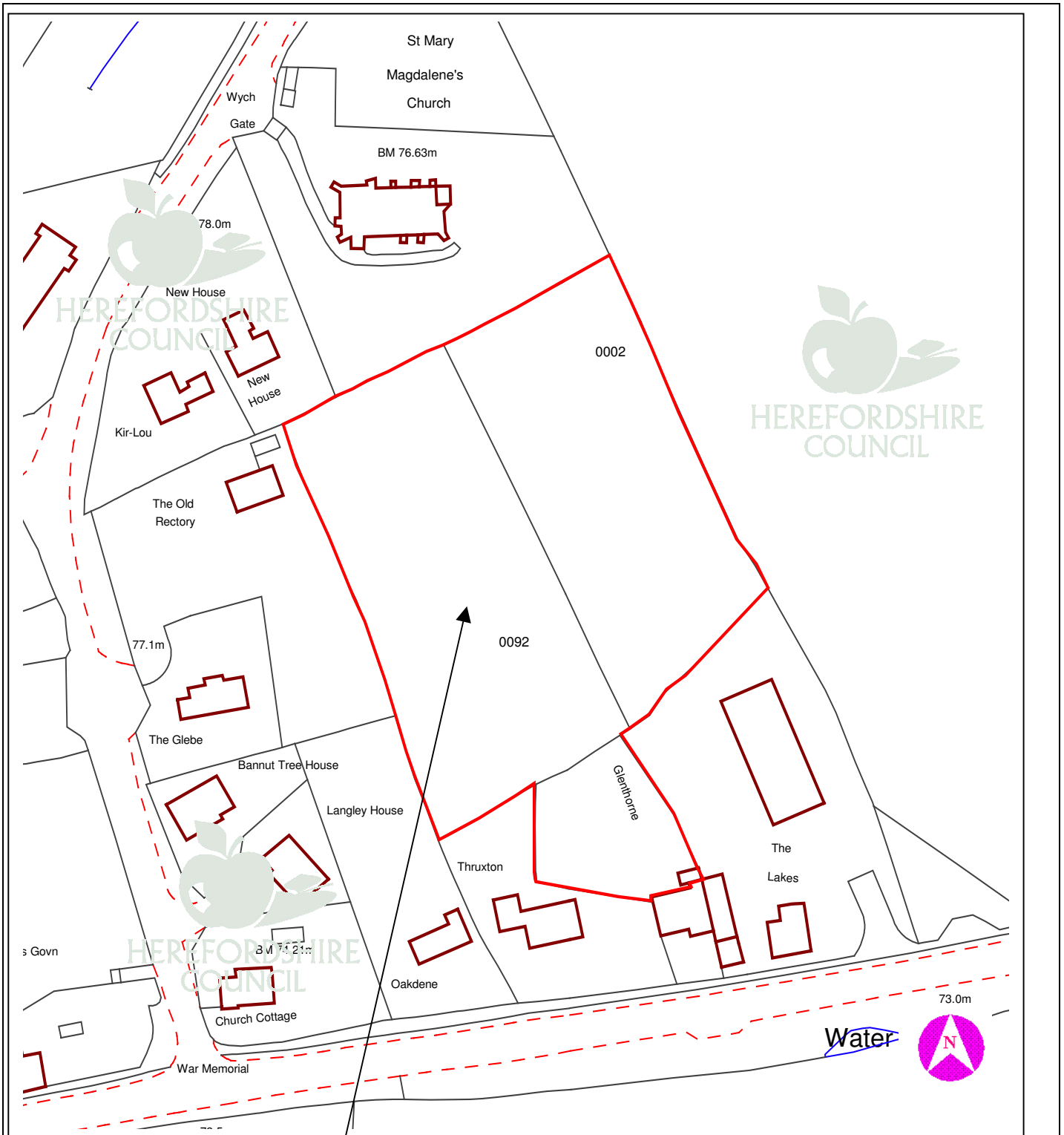
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCCW2006/0798/G

SCALE : 1 : 1250

SITE ADDRESS : The Lakes, Swainshill, Hereford, HR4 7PU

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14 DCCW2006/1057/F - 4 NO. SPOT LIGHTS TO BOWLING GREEN AT ST. MARTINS BOWLING CLUB, ASDA SITE, ST. MARTINS, HEREFORD, HR2 7JF

For: The Club Secretary per Mr. R. Pritchard, The Mill, Kenchester, Hereford, HR4 7QJ

Date Received: 24th March, 2006 Ward: St. Martins & Hinton Grid Ref: 50456, 39227

Expiry Date: 19th May, 2006

Local Members: Councillors Mrs. W.U. Attfield, A.C.R. Chappell and R. Preece

1. Site Description and Proposal

1.1 St. Martins Bowling Club has been relocated on the Asda development site and is located behind the dwellings fronting the northern side of Belmont Avenue (nos. 34-40).

1.2 The proposal is to erect four a total of floodlight columns in the corners of the bowling green. The columns are 8 metres high and would each carry a 400 watt lamp. The purpose of the lighting is to supplement the natural lighting at the end of a game. A cut-off time limit of 10pm is requested by the applicant.

2. Policies

2.1 Hereford Local Plan:

Policy CON12	-	Conservation Areas
Policy CON13	-	Conservation Areas – Development Proposals
Policy CON14	-	Planning Applications in Conservation Areas
Policy ENV18	-	External Lighting

2.2 Herefordshire Unitary Development Plan (Revised Deposit Draft):

Policy S8	-	Recreation, Sport and Tourism
Policy DR14	-	Lighting

3. Planning History

3.1 CW2002/3441/F Demolition of existing buildings and development of mixed-use scheme comprising Asda food store, community uses, residential development, replacement bowling green/club house, retained tramway and flood defence wall, parking, servicing, landscaping, new accesses and other highways infrastructure improvements. Approved 1st March, 2005.

3.2 DCCW2005/4050/F Four floodlights. Refused 6th February, 2006.

4. Consultation Summary

Statutory Consultations

4.1 None.

Internal Council Advice

4.2 Traffic Manager: No objection.

4.3 Conservation Manager: Observations awaited. Previous application - no objection.

5. Representations

5.1 Hereford City Council: "Hereford City Council requests that this planning application be determined strictly in accordance with the approved development plan applicable to the area of the parish of the City of Hereford. The City Council also makes the following additional representations: recommends refusal on grounds that siting of proposed lighting columns on drawing submitted cannot be identified."

5.2 Two letters of objection have been received from:

Mr. R. Walsh, 34 Belmont Avenue, Hereford.
J. Wales & Family, 40 Belmont Avenue, Hereford.

The main points points raised are:-

1. Noise pollution due to longer hours of play.
2. Light pollution into residential property.
3. Noise of cars starting up and doors being slammed late at night.
4. Proposal would be acceptable provided
 - (a) Lights not used after 10pm.
 - (b) No additional lights used to augment the 4 x 400 watt output.
 - (c) Not used more than 12 times in any one playing season.

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

6. Officers Appraisal

6.1 The bowling green lies to the north of the rear boundaries of nos. 34-40 Belmont Avenue, Hereford and the main issues for consideration are the impact on the residential amenity of neighbouring residents and the wider visual impact on the character of the surrounding area.

6.2 With regard to residential amenity the lighting is required to enable matches to finish at a time no later than 10pm and the applicant's lighting consultant has confirmed that any light reaching the nearby housing would be less than 1 lux. This is considered

acceptable having regard to the relationship of the lighting to the neighbouring dwellings and can be controlled by means of a condition.

- 6.3 The lighting will enable games to be finished/played in the twilight period. However having regard to the relatively quiet nature of the sport, the request to enable play to continue until 10pm is considered acceptable and unlikely to cause any serious amenity issues.
- 6.5 Finally, the visual impact of 8 metre floodlight columns is not considered to be detrimental to the amenity of the Conservation Area given the redevelopment that is occurring at this site.
- 6.6 Details of the extent of the playing season have been requested and will be reported verbally.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

- 1. **A01 (Time limit for commencement (full permission)).**
Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990.
- 2. **A06 (Development in accordance with approved plans).**
Reason: To ensure adherence to the approved plans in the interests of a satisfactory form of development.
- 3. **The floodlights shall be turned off no later than 10.00 pm.**
Reason: To minimise the impact of the floodlights and to protect the residential amenity of nearby dwellings.
- 4. **F34 (Restriction on level of illuminance of floodlighting (sports grounds)).**
Reason: To minimise the impact of the floodlights and to protect the residential amenity of nearby dwellings.

Informative:

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

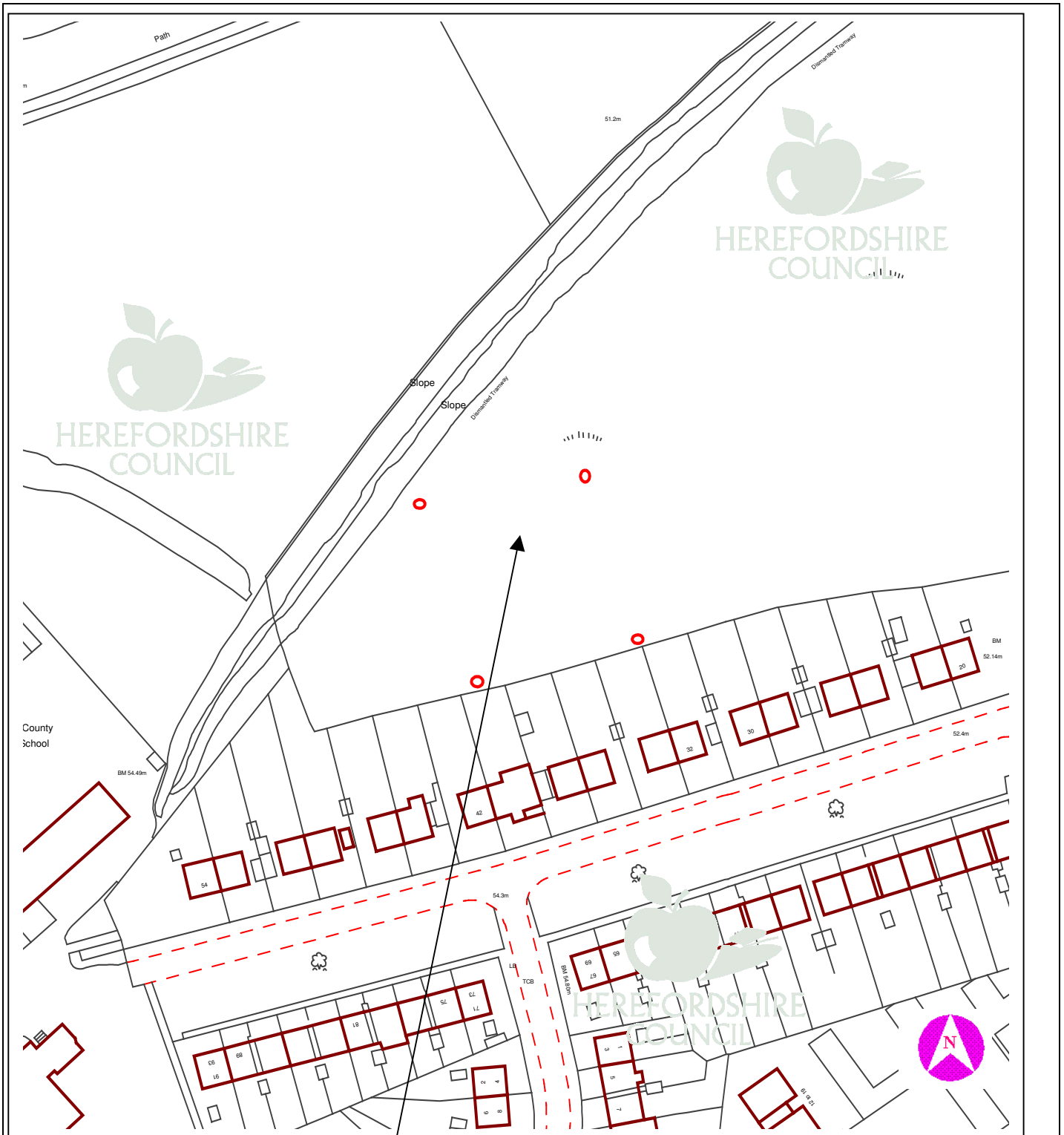
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCCW2006/1057/F

SCALE : 1 : 1250

SITE ADDRESS : St. Martins Bowling Club, Asda Site, St. Martins, Hereford, HR2 7JF

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15 DCCE2006/1212/F - ALTERATION OF EXISTING CAR PARKING AREA TO FORM ADDITIONAL SPACES. 77 - 79 HOLME LACY ROAD, HEREFORD, HEREFORDSHIRE, HR2 6DF

For: CG Property per Glazzard Architects, Building C2, Perdiswell Park, Droitwich Road, Worcester, WR3 7NW

Date Received: 5th April, 2006 Ward: St. Martins & Hinton Grid Ref: 51181, 38478

Expiry Date: 31st May, 2006

Local Members: Councillors Mrs. W.U. Attfield, A.C.R. Chappell and R. Preece

1. Site Description and Proposal

- 1.1 The site forms part of the curtilage of the small Co-Op Supermarket on the northern side of Holme Lacy Road, approximately 100 metres east of the junction with Hoarwithy Road. The site is largely enclosed to the north, east and west by existing residential properties and their gardens. To the south lies the existing Co-Op Store and a strip of land which is proposed to be developed for residential purposes. The site itself is currently bare earth and is enclosed to the west by a 2 metre high brick wall and to north and east by a 1.8m high timber close boarded fence. Ground levels fall slightly from south to north towards the boundaries of the site.
- 1.2 Planning permission was approved in 2001 for the construction of a new single storey supermarket on the site. The area subject of this application was identified on the plans as being landscaped but the landscaping has never been undertaken. The applicants now seek planning permission to extend the existing hardstanding up to the boundaries of the site to create additional car parking for use by customers and employees of the store.

2. Policies

6.1 Hereford Local Plan:

ENV14	-	Design
ENV16	-	Landscaping
ENV17	-	Safety and security
H21	-	Compatibility of non-residential uses
H22	-	Existing non-residential uses

6.2 Herefordshire Unitary Development Plan (Revised Deposit Draft):

S2	-	Development requirements
DR1	-	Design
DR2	-	Land use and activity
DR13	-	Noise
T11	-	Parking provision

3. Planning History

- 3.1 CE2002/3773/F - Proposed extension. Approved 17th February, 2003.
- 3.2 CE2001/2182/F - Demolition of existing Co-Op Store and 2 no. dwellings. Construction of single storey supermarket and 1 no. 2 storey detached house (amended drawings/revised treatment of boundary with Mountbatten Court). Approved 7th November, 2001.

4. Consultation Summary

Statutory Consultations

- 4.1 None required.

Internal Council Advice

- 4.2 Traffic Manager: No objection subject to provision of appropriate secure cycle parking.

5. Representations

- 5.1 Hereford City Council: The City Council has no objection to this application.
- 5.2 Two letters have been received from 25 and 27 Walton Close, Hereford. The main points raised are:
- the additional parking is not necessary as the existing car park is rarely more than half full from the Co-Op point it is easier to maintain tarmac than trees;
 - the Council should take Enforcement Action against the Co-Op to ensure compliance with the condition;
 - when clients purchased the property it was on the understanding that the tree planting would be implemented to act as a barrier to his property.
 - We already suffer from noise and fumes from revving engines, litter, foul language, noise from music, people peering over the existing boundary and damage to the fence. This application will exacerbate these problems increasing the annoyance.
- 5.3 The full text of these letters can be inspected at Central Planning Services, Blueschool House, Blueschool Street, Hereford and prior to the Sub-Committee meeting.

6. Officers Appraisal

- 6.1 The approved site plan associated with the original planning permission for the store identified the site the subject of this application as being native woodland copse planting. This planting has never been undertaken and the applicants now wish to use the area as additional car parking.
- 6.2 No reasoning has been given for the additional parking but there is no highway requirement for further parking on site. Notwithstanding the reasoning behind wishing to extend the car park, given that the existing car park already encroaches very close to the boundaries with neighbouring properties and their gardens, it is not considered that the additional five spaces provided will lead to any unacceptable additional impact on the amenity presently enjoyed by neighbouring properties. This assessment is made on the basis that a more robust boundary in the form of a 1.8 metre high brick

wall to link in with the existing brick walls to the east and west of the site is constructed. This would have the advantage of providing a safer barrier to vehicles damaging the existing boundary enclosure and provide greater privacy to the objectors property to the north. Allied with this a small area of additional landscaping beyond that already proposed would be beneficial. The other matters raised by the objectors relate to the general use of the site and the approval of this application will not significantly change this situation.

- 6.3 Therefore, subject to the receipt of amended plans identifying the above suggestions and no further objections raising new material planning issues been received by the end of the consultation period, the proposal is considered acceptable if the required improvements are not forthcoming it is likely that the application would not be supported and the recommendation below reflects this situation.

RECOMMENDATION

Subject to the receipt of suitably amended plans and subject to no further objections raising additional material planning considerations by the end of the consultation period, the officers named in the Scheme of Delegation to Officers be authorised to 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 A09 (Amended plans).**

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

- 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.

Informative:

- 1 N15 - Reason(s) for the Grant of PP/LBC/CAC.**

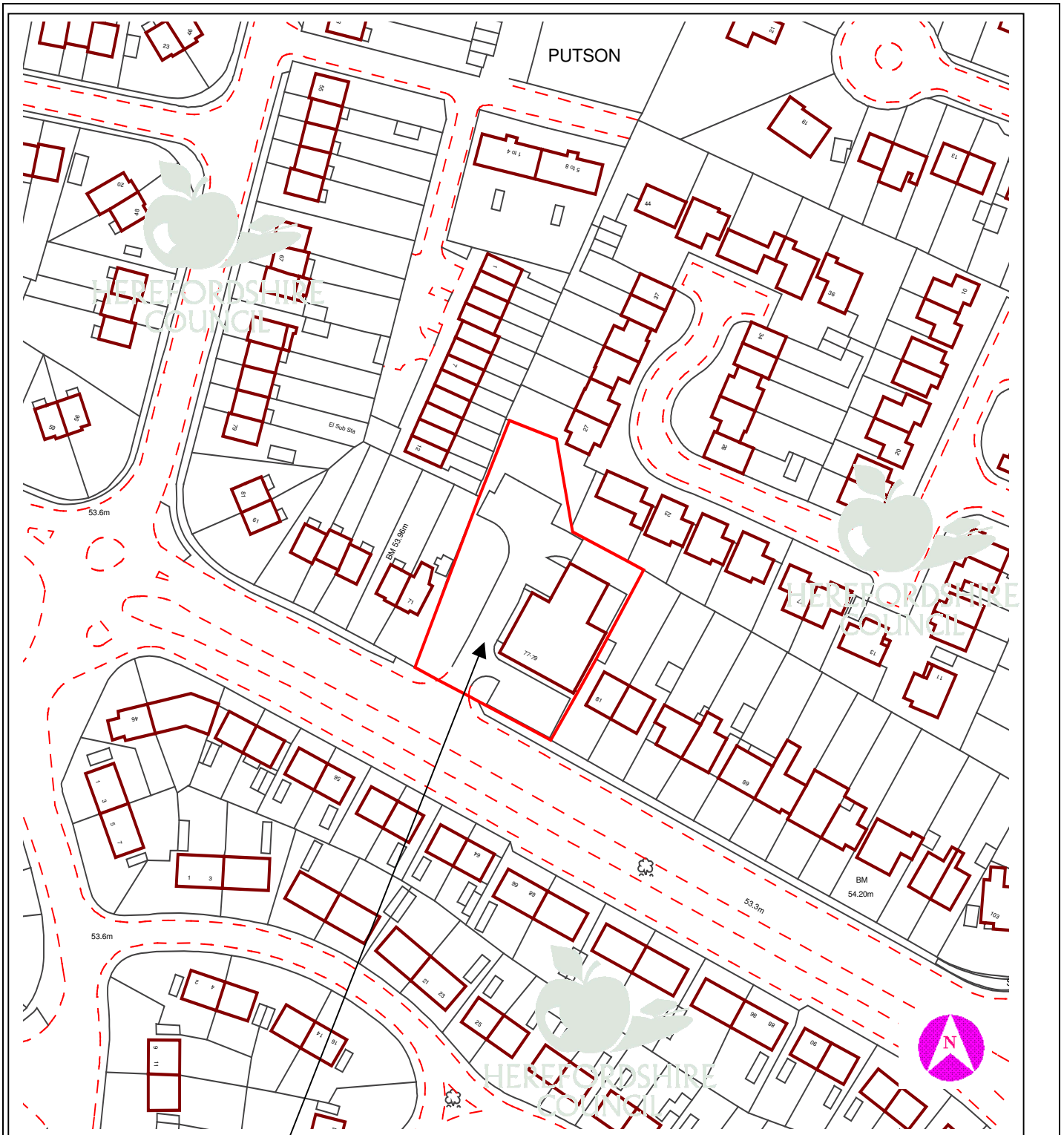
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCCE2006/1212/F

SCALE : 1 : 1250

SITE ADDRESS : 77 - 79 Holme Lacy Road, Hereford, Herefordshire, HR2 6DF

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16 DCCW2006/0914/F - EXTEND EXISTING DINING ROOM AND CONSTRUCT EIGHT LETTING BEDROOMS AT THE BAY HORSE, 236 KINGS ACRE ROAD, HEREFORD, HR4 0SD

For: Enterprise Inns per Keith Lander Designs, 17 Bassaleg Road, Newport, South Wales, NP20 3EB

Date Received: 20th March, 2006

Ward: Three Elms

Grid Ref: 47883, 41270

Expiry Date: 15th May, 2006

Local Members: Councillors Mrs. P.A. Andrews, Mrs. S.P.A. Daniels and Ms. A.M. Toon

1. Site Description and Proposal

- 1.1 The Bay Horse Inn is located on the northern side of Kings Acre Road opposite Nos. 229-235 and immediately to the east of the Bay Horse Garage.
- 1.2 Planning permission is sought to erect a two storey extension to the rear (north west) corner comprising eight letting bedrooms together with a single storey link to the public house which will also incorporate an extended dining area. Seven additional car parking spaces are proposed in addition to the thirty spaces already provided at the establishment. The new letting block will be 18.7 metres long, 8 metres wide and 6.975 metres tall. External materials proposed are render under a slate roof to match the existing property.

2. Policies

2.1 National:

- | | | |
|-------|---|--|
| PPS7 | - | Sustainable Development in Rural Areas |
| PPG21 | - | Tourism |

2.2 Hereford Local Plan:

- | | | |
|--------------|---|---|
| Policy R16 | - | Hotel Accommodation |
| Policy ENV14 | - | Design |
| Policy ENV15 | - | Access for All |
| Policy CAL4 | - | Commercial, Industrial and Retail Development |

2.3 Herefordshire Unitary Development Plan (Revised Deposit Draft):

- | | | |
|--------------|---|----------------------------------|
| Policy S2 | - | Development Requirements |
| Policy S8 | - | Recreation, Sport and Tourism |
| Policy DR1 | - | Design |
| Policy DR2 | - | Land Use and Activity |
| Policy DR3 | - | Movement |
| Policy E6 | - | Expansion of Existing Businesses |
| Policy RST12 | - | Visitor Accommodation |

3. Planning History

3.1 None relevant.

4. Consultation Summary

Statutory Consultations

4.1 Welsh Water raise no objection subject to conditions.

Internal Council Advice

4.2 Traffic Manager recommends conditions.

4.3 Tourism Development Officer: "I would support this application as we desperately need more serviced tourist accommodation in Hereford. Whilst I appreciate that this is not in the city centre, it would assist in the development of an accommodation strategy within Hereford."

5. Representations

5.1 Hereford City Council: No objection.

5.2 Breinton Parish Council: No objection.

5.3 One letter of objection has been received from A. Henshaw, 221 Kings Acre Road, Hereford.

The main points raised are:

1. This is an area where Rural Planning Policies for the control of development should apply.
2. There is already an established B&B in the area that copes with the needs of visiting traffic.
3. The establishment will stay open longer into the early hours.
4. Traffic will increase especially at night and therefore increase noise level.

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

6. Officers Appraisal

6.1 The Bay Horse Public House is located on a main route into Hereford near to the city boundary but in open countryside.

6.2 The proposal to extend the premises within the existing grounds accords with the general principle of Tourism Policy RST12 contained within the Herefordshire Unitary Development Plan (Revised Deposit Draft) provided the extension does not harm the character of the original building. In this respect it is set well back from the main building and is linked with a single storey addition, therefore maintaining the integrity of

the host building or unacceptably impact on the visual and residential amenity of the wider area. The principal impact of the building would be on the garage adjoining to the rear and is not considered to be a cause for concern in this instance.

- 6.3 The objector's concerns are noted, however given that the extension is within the grounds of the existing premises, is subservient and additional parking is proposed, the proposal is considered to comply with the main thrust of tourism policies to provide additional visitor accommodation. The extended hours of the premises are controlled by other legislation and any additional traffic would be minimal on an already well-utilised main road into Hereford.
- 6.4 Members will note that the Traffic Manager raises no objection and that the Tourism Officer supports the proposal.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

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

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

2. **A06 (Development in accordance with approved plans).**

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

3. **B02 (Matching external materials (extension)).**

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

4. **G01 (Details of boundary treatments).**

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

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

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

6. **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.

Informative:

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

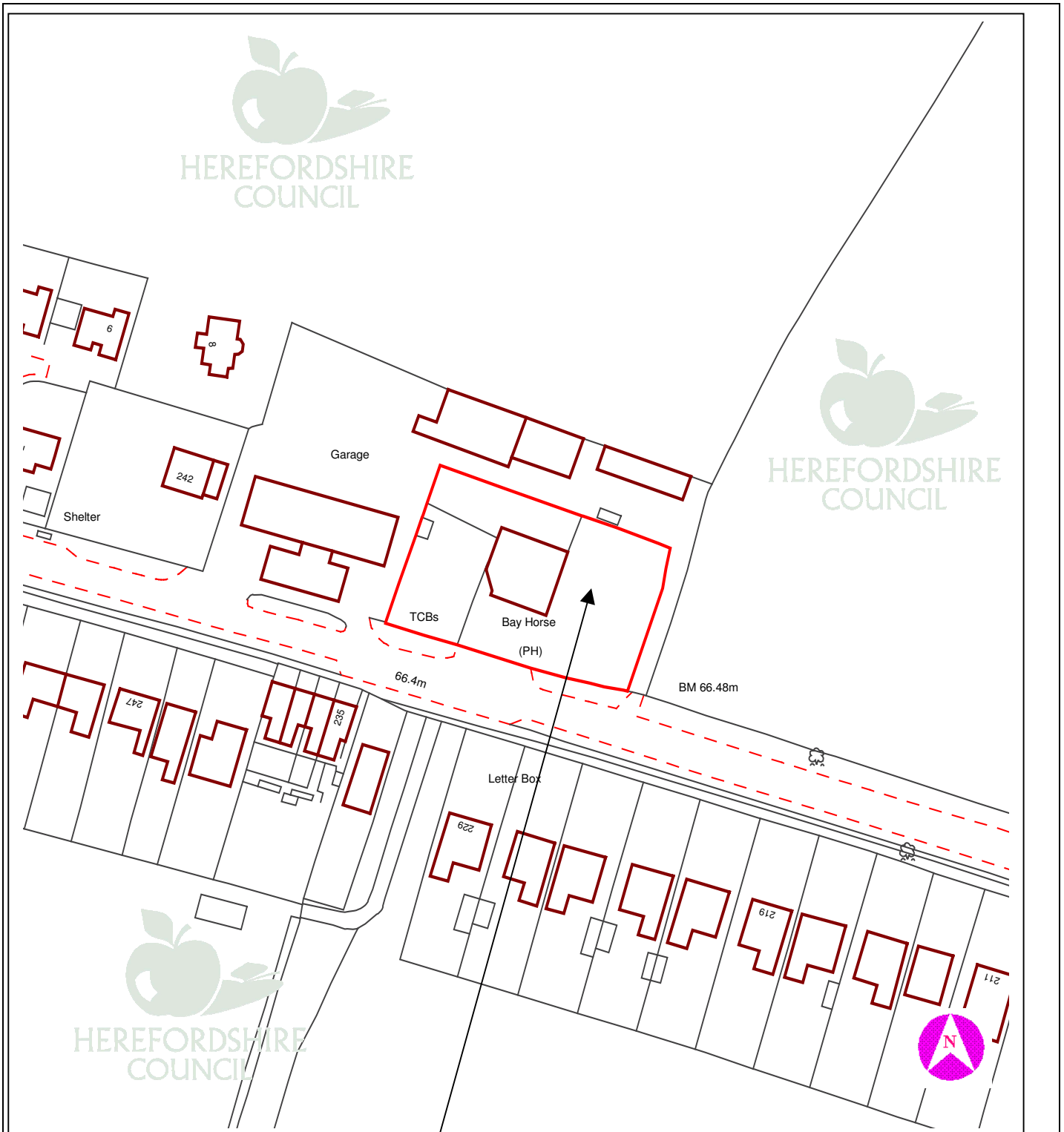
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCCW2006/0914/F

SCALE : 1 : 1250

SITE ADDRESS : The Bay Horse, 236 Kings Acre Road, Hereford, HR4 0SD

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17 DCCW2006/1071/O - PROPOSED DWELLING AND GARAGE AT LAND TO REAR OF STONEY CROFT, MARDEN, HEREFORD, HR1 3DX

For: Mr. & Mrs. Stevens per John Phipps, Bank Lodge, Coldwells Road, Holmer, Hereford, HR1 1LH

Date Received: 28th March, 2006 Ward: Sutton Walls Grid Ref: 52503, 47705

Expiry Date: 23rd May, 2006

Local Member: Councillor J.G.S. Guthrie

1. Site Description and Proposal

- 1.1 Stoney Croft is located on the northern side of Walkers Green at its junction with the Sutton St. Nicholas to Bodenham road in the village of Marden. Stoney Croft is a one and half storey dwelling with twin gables. Two large dwellings are located to the rear, Mo-I-Rana and Berbsholme and Stoney Cross, an extended detached dormer bungalow is located to the east.
- 1.2 The proposal is to construct a dwelling and garage on the rear garden with access off Walkers Green. The application is in outline form with only the principle of development and access for consideration at this stage.
- 1.3 The access would be between Mo-I-Rana and Stoney Croft which is an existing access used by Stoney Croft.
- 1.4 The site is contained within the settlement boundary for Marden as identified in both the South Herefordshire District Local Plan and Herefordshire Unitary Development Plan (Revised Deposit Draft).

2. Policies

2.1 South Herefordshire District Local Plan:

Policy C2	-	Settlement Boundaries
Policy SH6	-	Housing Development in Larger Villages
Policy SH8	-	New Housing Development Criteria in Larger Villages
Policy SH14	-	Siting and Design of Buildings
Policy SH15	-	Criteria for New Housing Schemes
Policy GD1	-	General Development Criteria

2.2 Herefordshire Unitary Development Plan (Revised Deposit Draft):

Policy S1	-	Sustainable Development
Policy S2	-	Development Requirements
Policy S3	-	Housing
Policy DR1	-	Design
Policy DR2	-	Land Use and Activity
Policy DR4	-	Environment

Policy H4 - Main Villages

3. Planning History

3.1 No recent planning history.

4. Consultation Summary

Statutory Consultations

4.1 Welsh Water recommends conditions.

Internal Council Advice

4.2 Traffic Manager recommends conditions.

5. Representations

5.1 Marden Parish Council: "Marden Parish Council is opposed to this application because the access is on a dangerous bend of a narrow road, the proposed dwelling would be obtrusive in the area and cannot be regarded as infill. There are doubts as to whether the existing sewerage system would be able to cope with the additional load."

5.2 Four letters of objection have been received from:

D.G. Watkins, Berbsholme, Marden.

Mr. & Mrs. C.M. Edge, Mo-I-Rana, Walkers Green, Marden.

Dr. T.W. Poole, Stoney Cross, Marden.

E. Harrhy, 22 Walkers Green, Marden.

The main points raised are:-

1. Access and egress in on a dangerous bend and pruning of trees is unlikely to make the junction better.
2. Loss of privacy if a two storey dwelling is constructed due to the position of surrounding dwellings.
- 3 The dwelling will be in a back garden in a "landlocked" situation with access skink the flank and rear of adjoining house.
4. The new dwelling will be overlooked by the surrounding houses.
5. A number of trees will have to be felled.
6. Connection to the main sewer will require a pump.
7. It will not be affordable.
8. A single storey dwelling would have less impact.
9. Consent would set a precedent for further development.

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

6. Officers Appraisal

- 6.1 This site is located within the settlement boundary for Marden as identified in both the South Herefordshire District Local Plan and Herefordshire Unitary Development Plan. Therefore the principle of residential development is accepted subject to criteria relating to access and impact on adjoining dwellings.

Access

- 6.2 The proposal is to use the access off Walkers Green which at present has substandard visibility southeast towards the junction with the Bodenham Road. However the access details include a new visibility line across the garden to the side of Stoney Croft which will not only improve the access splay to the proposed site but also visibility to the second access serving Stoney Croft. Members will note that the Traffic Manager raises no objection to the improved access.

Impact on Adjoining Dwellings

- 6.3 Due to the juxtaposition of adjoining dwellings a well sited and designed dwelling will not detrimentally impact on the adjoining dwellings which are of two storey scale to the west and one and a half storey to the south and east.
- 6.4 The concerns of adjoining residents are noted and it is considered that a single storey dwelling would reduce any potential impact through overlooking. In this respect the size of the plot is such that a single storey dwelling can easily be accommodated and conditioned.
- 6.5 The access drive will pass between Stoney Croft and Mo-I-Rana, however Mo-I-Rana has a blank wall (former garage) adjacent to the driveway and as such any impact on residential amenity will be reduced to an acceptable level.

Conclusion

- 6.6 The site is located within the settlement boundary and improvements to the access will also provide an improve access and increased highway safety. The impact on neighbours has been assessed and subject to a condition restricting the development to single storey the proposal is considered acceptable.

RECOMMENDATION

That outline planning permission be granted subject to the following conditions:

1. **A02 (Time limit for submission of reserved matters (outline permission)).**

Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990.

2. **A03 (Time limit for commencement (outline permission)).**

Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990.

3. A04 (Approval of reserved matters).

Reason: To enable the local planning authority to exercise proper control over these aspects of the development.

4. A05 (Plans and particulars of reserved matters).

Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990.

5. E13 (Restriction on height of building).

Reason: To safeguard the character and amenities of the locality.

6. H03 (Visibility splays).

Reason: In the interests of highway safety.

7. H12 (Parking and turning - single house).

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

Informatives:

1. HN01 - Mud on highway.

2. HN22 - Works adjoining highway.

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

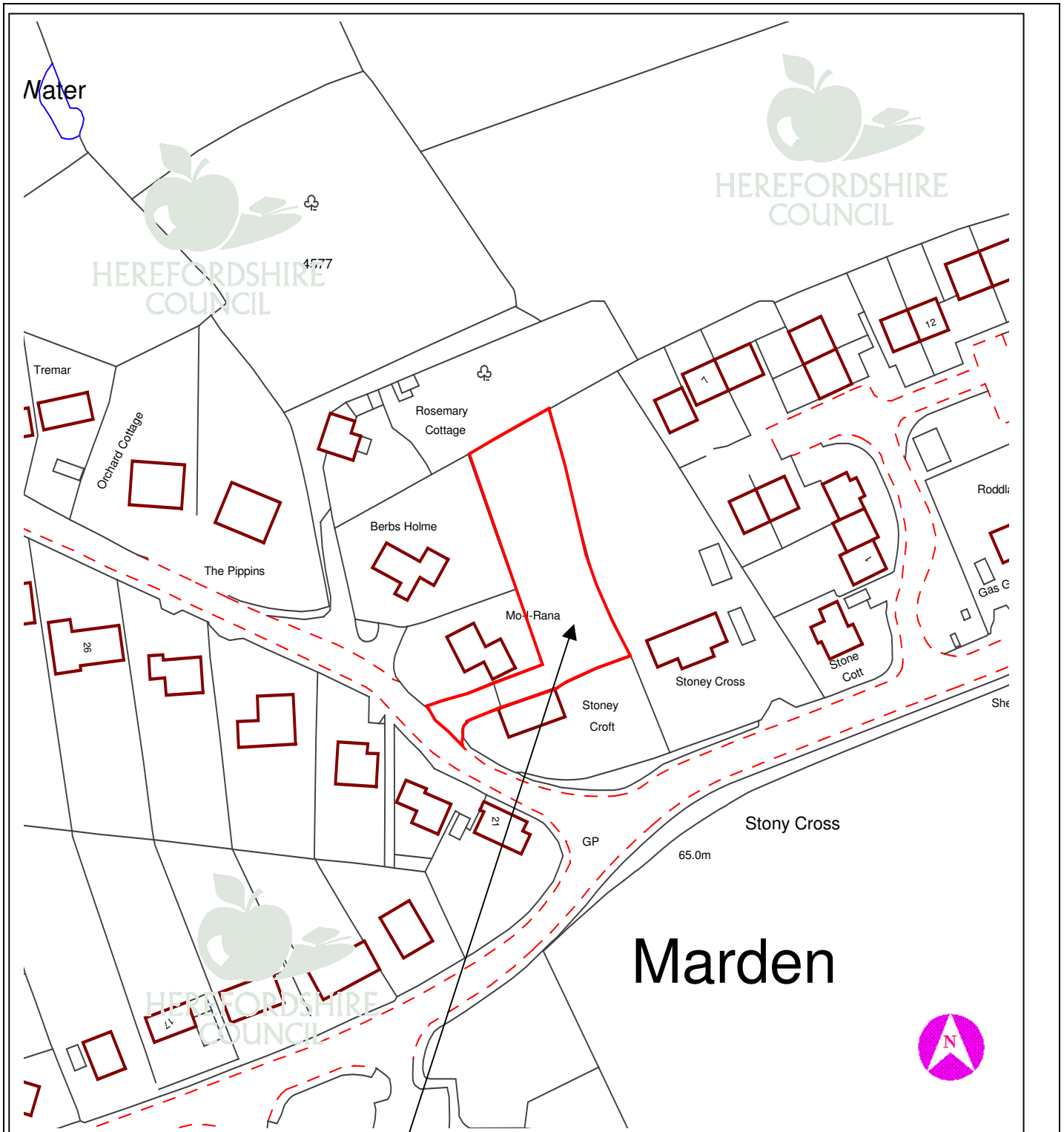
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCCW2006/1071/O

SCALE : 1 : 1250

SITE ADDRESS : Land to rear of Stoney Croft, Marden, Hereford, HR1 3DX

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18 DCCW2006/1227/F - PROPOSED NEW DETACHED DWELLING AT LAND TO THE REAR OF MARSTON HOUSE, 64 BELMONT ROAD, HEREFORD, HR2 7JW

For: Mr. & Mrs. R. Windley per Mr. J. Scriven, Long Orchard, 5 Overbury Road, Hereford, HR1 1JE

Date Received: 6th April, 2006

Ward: St. Martins & Hinton

Grid Ref: 50542, 39101

Expiry Date: 1st June, 2006

Local Members: Councillors Mrs. W.U. Attfield, A.C.R. Chappell and R. Preece

1. Site Description and Proposal

- 1.1 The application site is comprised of the northwestern half of the curtilage of 64 Belmont Road, situated within an Established Residential Area of the City of Hereford.
- 1.2 The application seeks consent to erect a detached dwelling within the subdivided curtilage of this Grade II listed property and would be accessed from Belmont Court.
- 1.3 The proposed detached dwelling would be a four bedroom property, of traditional red brick and natural slate roof construction, with a maximum ridge height of 7.5 metres.

2. Policies

2.1 Hereford Local Plan:

Policy ENV14	-	Design
Policy H3	-	Design of New Residential Development
Policy H12	-	Established Residential Areas – Character and Amenity
Policy H13	-	Established Residential Areas – Loss of Features
Policy H14	-	Established Residential Areas – Site Factors
Policy CON2	-	Listed Buildings – Development Proposals

2.2 Herefordshire Unitary Development Plan (Revised Deposit Draft):

Policy DR1	-	Design
Policy H1	-	Hereford and the Market Towns: Settlement Boundaries and Established Residential Areas
Policy H13	-	Sustainable Residential Design
Policy HBA4	-	Setting of Listed Buildings

3. Planning History

- 3.1 HC910312PO Outline consent for the erection of four dwelling. Granted October 1992. *(Note this consent was approved under the provisions of the previous Local Plan and prior to 64 Belmont Road being designated as a Grade II listed building).*
- 3.2 HC960381PO Outline consent for the erection of four dwellings. Withdrawn January 1997.

4. Consultation Summary

Statutory Consultations

4.1 None.

Internal Council Advice

4.2 Traffic Manager: No objection, subject to minor modification.

4.3 Conservation Manager: No objection.

5. Representations

5.1 Hereford City Council: Request that this application be determined strictly in accordance with the approved development plan applicable to the area of the Parish of the City of Hereford. The City Council also makes the following additional representations: recommends refusal on the grounds this being backland development and on account of inadequate access provision.

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

6. Officers Appraisal

6.1 Having regard for the relevant policies, the primary issues in determining this application are considered to be:

- The principle of development
- The impact of the proposed dwelling on amenity of the established residential area
- The impact on the setting of the listed building.
- Access and highways issues
- Flood risk

Principle of Development

6.2 The application site lies within an Established Residential Area, and the adopted local plan recognises that there is scope for further appropriate residential development within these areas, providing that the character and appearance of the area is not adversely affected by the proposed development. Therefore the proposal to erect a new dwelling is acceptable in principle, subject to other material considerations being satisfactorily resolved.

Visual and Residential Amenity

6.3 A 2.4 metre high brick wall fully encloses the rear curtilage of the existing dwelling providing a significant degree of privacy preventing views into the garden area. The design of the new dwelling is relatively modest in scale, being comprised of a 1½ storey brick built construction under a slate roof incorporating small dormer windows.

6.4 The proposed dwelling will be significantly screened from external view, the ground floor being below the level of the wall, leaving only the roof and upper part of the dwelling visible from public vantage points.

6.5 Having regard for the enclosed nature of the application site, privacy of the adjoining dwellings will be largely unaffected, and the design of the dwelling omits any windows

in the northeastern flank, protecting the amenity of those dwellings backing onto that part of the site. However notwithstanding the submitted design, it is considered expedient to remove the permitted development rights to insert windows in this elevation to ensure the continued satisfactory relationship between the proposed dwelling and its neighbours. In order to protect the amenity of the area during the construction phase, standard conditions would be imposed controlling hours of operation, and prohibiting fires. Overall the design siting and layout of the proposed dwelling and its relative orientation to neighbouring properties is not considered to give rise to any harm to the visual or residential amenity of the wider locality.

- 6.6 The concerns of Hereford City Council are noted but in view of the above and the generally mixed character of the residential development surrounding the site, it is not considered that this represents an unacceptable form of backland development.

Setting of the Listed Building

- 6.7 The existing dwelling is a large grade II listed, 19th Villa style house, consequently regard needs to be had to the desirability of preserving its character and setting when determining this application for planning permission. Although the presence of the proposed building will have some impact in relation to setting of the listed building, it is not considered that there will be demonstrable harm, particularly as the development will occur within what is already a private and enclosed space. No objection is raised by the Conservation Manager.

Access and Highways

- 6.8 The property is served by an existing vehicular access, which traverses a short section of private driveway, prior to entering onto the public highway known as Belmont Court. The proposed dwelling and the existing property will continue to be served by this access, with a total of 6 parking spaces being provided within the curtilage of the site to serve both properties.
- 6.9 In principle the Traffic Manager has no objection to the access and parking arrangements, but states that minor modifications to the surfacing and layout of the driveway to provide for an enlarged turning head, as well as re-siting one of the proposed parking spaces are required. These comments are considered reasonable and the appropriate conditions are recommended.

Flood Risk

- 6.10 The application site lies just within the southern edge of a designated flood zone 2 (medium to low risk area), and as such the Local Planning Authority have an obligation to consider the impact of flooding.
- 6.11 In this particular case the site is completely surrounded by residential development which is not known to have a history of flooding, consequently it is not considered that there is any significant flood risk which would justify either refusal or the inclusion of any mitigation measures to protect the development from future flood events.

Conclusion

- 6.12 Overall the proposal complies with the relevant policies in the Local Plan, and as such, approval is recommended.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

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

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

2. **A06 (Development in accordance with approved plans).**

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

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

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

4. **E18 (No new windows in specified elevation).**

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

5. **F10 (Restriction on hours of operation of machinery/equipment).**

Reason: To safeguard the amenity of the area.

6. **F40 (No burning of material/substances).**

Reason: To safeguard residential amenity and prevent pollution.

7. **H13 (Access, turning area and parking).**

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

Informatives:

1. **N01 - Access for all.**

2. **N03 - Adjoining property rights.**

3. **N06 - Listed Building Consent.**

4. **N12 - Shopfront security.**

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

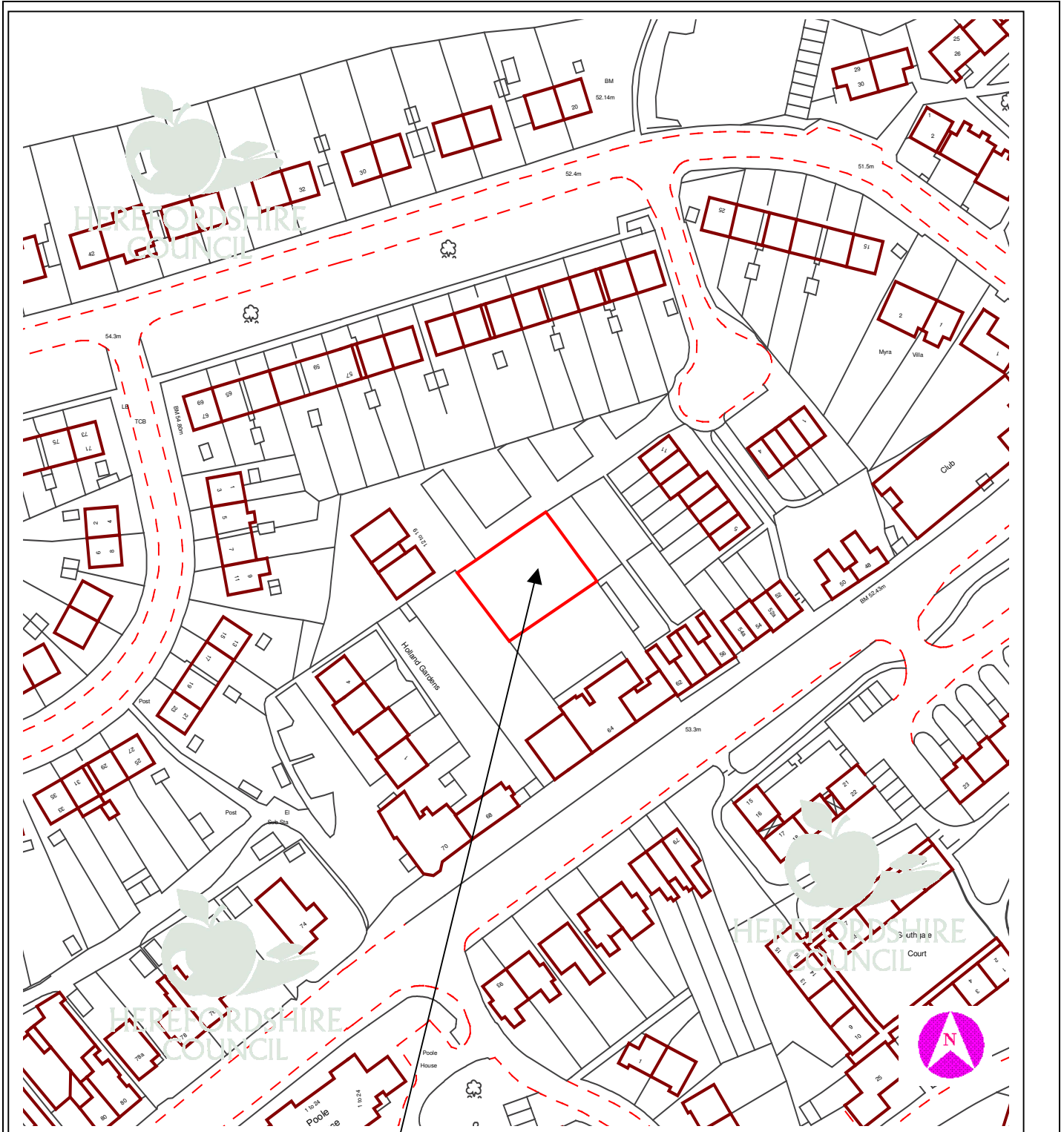
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCCW2006/1227/F

SCALE : 1 : 1250

SITE ADDRESS : Land to the rear of Marston House, 64 Belmont Road, Hereford, HR2 7JW

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19 DCCE2006/1254/F - CHANGE OF USE FROM EXISTING VACANT TYRE FITTING DEPOT TO INDOOR SOFT PLAY BASED FAMILY ENTERTAINMENT CENTRE WITH PROPOSED EXTENSION AT 122-124 WIDEMARSH STREET, HEREFORD, HR4 9HN

For: Mr. & Mrs. Phillips, per Mr. D. Walters, 27 Elizabeth Road, Kington, Herefordshire, HR5 3DB

Date Received: 2nd May, 2006

Ward: Central

Grid Ref: 51150, 40545

Expiry Date: 27th June, 2006

Local Member: Councillor D.J. Fleet

1. Site Description and Proposal

- 1.1 The site is located on the eastern side of Widemarsh Street opposite the car park associated with Focus DIY Store. Immediately to the south is 'Norris & Stewart's' second hand car sales, to the rear of which is a small vacant light industrial unit, to the north lies 'Print Plus' printing business and to the east are existing playing fields. A two storey brick and pitched roofed building fronts Widemarsh Street and extends back to the rear of the site linking in with a single storey steel framed and corrugated clad building with a shallow pitched roof. The remainder of the site is undeveloped and is set out hardstanding. The building was last used approximately 2 years ago by 'Easy Fit' as a tyre and exhaust repair/fitting centre but has been vacant since then. The site lies within the Edgar Street Grid Redevelopment Area as identified in the Herefordshire Revised Deposit Draft Unitary Development Plan and more specifically forms part of the Canal Baisn and Historic Core. The site also lies within a Flood Plain designated as Flood Zone 2 and 3.
- 1.2 Planning permission is sought for the change of use of existing tyre fitting depot to a soft play based family entertainment centre and construction of a new single storey building to the rear to replace the existing corrugated clad building.

2. Policies

6.1 Hereford Local Plan:

ENV1	-	Land liable to flood
ENV14	-	Design
SC4	-	Day nurseries
T11	-	Pedestrian provision
T12	-	Cyclist provision

6.2 Herefordshire Unitary Development Plan (Revised Deposit Draft):

S1	-	Sustainable development
S2	-	Development requirements
S11	-	Community facilities and services

DR1	-	Design
DR2	-	Land use and activity
DR3	-	Movement
DR4	-	Environment
DR7	-	Flood risk
TCR23	-	Land at Widemarsh Street Civic Quarter
CF5	-	New community facilities
T11	-	Parking provision
T6	-	Walking
T7	-	Cycling

3. Planning History

- 3.1 CE2004/0761/F - Change of use from tyre and exhaust centre (sui generis) to retail (Class A1) use. Approved 26th April, 2004.

4. Consultation Summary

Statutory Consultations

- 4.1 Environment Agency: Comments awaited.
- 4.2 Traffic Manager: Comments awaited.
- 4.3 Forward Planning Manager: Comments awaited.
- 4.4 Environmental Health and Trading Standards Manager: Comments Awaited.
- 4.5 Economic Development Manager: Comments awaited.
- 4.6 Chief Executive of Edgar Street Grid: Comments awaited.

Internal Council Advice

5. Representations

- 5.1 Hereford City Council: The City Council is concerned at the total lack of on site parking provision for patrons.

6. Officers Appraisal

- 6.1 The existing lawful use of the premises as a Tyre and Exhaust Centre is a sui generis use (i.e. does not fall within any specified use class). As such any alternative use of the premises will require planning permission. The site itself has no planning designation within the Development Plan but does fall within the redevelopment area for the Edgar Street Grid proposals and is allocated through policy TCR21R of the Unitary Development Plan as being part of the Canal Basin and Historic Core. As such, there is no objection in principle to considering an alternative use of the premise and the community/leisure based use as proposed would fall within the redevelopment aspirations under Policy TCR21R for this part of the Grid area.
- 6.2 The applicants are proposing a soft play based family entertainment centre. This will provide a safe indoor play venue for children in the age range 0 – 12 years. The

facility will also be available for children's parties including special needs schools in addition to 'pay and play' sessions. The space will be broken into three areas of play (junior, toddler and baby play) which will include water and sand based activities, a small sports arena and a sensory area for toddlers and children with specific needs. Ancillary facilities would also be available including non-alcoholic beverages, light meals and snacks.

- 6.3 No facility of this kind or nature presently exists within walking distance of the city centre and therefore a qualitative need for such a facility in a sustainable location does exist. The applicants have also undertaken their own market research including a survey of Herefordshire residents, which also suggests a strong need for such a facility. Sequentially, the site will enable link trips to be made between the facility and town centre whilst also being accessible by public transport, cycling and walking.
- 6.4 Concerns have been expressed regarding lack of on site parking. A drop-off and collection point is proposed within the site with sufficient space for a vehicle to enter and leave the site in a forward gear but no on site parking is proposed. However, the applicants have provided a basic Green Travel Plan, which includes measures such as financial incentives and discounts being offered to patrons to encourage the use of transport other than private motor vehicle and car share system for staff. Alongside this there are two large public car parks (Merton Meadow and Garrick House) within walking distance and secure cycle facilities will be provided on site. Furthermore, whilst some parking could be provided on site it would be difficult to police and would inevitably be abused by parents who may use the on site free parking whilst shopping in town, for example. On this basis and given the sustainable location of the site, it is considered more appropriate not to provide any on site parking.
- 6.5 The existing steel clad extension to the rear is to be demolished and replaced with a new larger single storey extension. Amended plans have been requested to improve the design and materials for this extension both to compliment the existing building fronting Widemarsh Street and also to ensure the development accords with Policy TCR21R, which requires any new development in this location to be of a high standard of design. Minor alterations to the front elevation have also been requested but the current plans identify the removal of the existing signage, which is welcomed. The overall scale of the building is considered acceptable and proportionate with the size of the site. In order to improve the connectivity of this site with the canal basin re-development area, a pedestrian/cycle link to the rear of the site is also to be required by condition.
- 6.6 There is no objection to the loss of the existing tyre fitting depot and the principles of the proposed use in this location accord with the current Development Plan policies and longer-term redevelopment proposals for the area. Subject to the receipt of satisfactory amended plans improving the overall design of the existing and proposed buildings the development is considered acceptable.

RECOMMENDATION

Subject to the receipt of suitably amended plans and to no further objections from third parties or statutory consultees raising additional material planning considerations by the end of the consultation period, the officers named in the Scheme of Delegation to Officers be authorised to 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 A09 (Amended plans).

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

3 B01 (Samples of external materials).

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

4 E06 (Restriction on Use).

Reason: The local planning authority wish to control the specific use of the land/premises to ensure the use remains in accordance with policy TCR21R of the Herefordshire Unitary Development Plan (Revised Deposit Draft).

5 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.

6 A new gated pedestrian/cycle access shall be provided in the south eastern corner of the site prior to first use of the development hereby permitted. Details of the proposed means of providing a pedestrian/cycle access shall be provided within 2 months of the commencement of the development hereby permitted. The access shall be created in accordance with the approved details.

Reason: To provide a pedestrian/cycle link between the site and the Edgar Street Grid Canal Basin and Historic Core area as required by Policy TCR21R of the Herefordshire Unitary Development Plan (Revised Deposit Draft).

7 G01 (Details of boundary treatments).

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

Informatives:

1 N08 - Advertisements

2 N15 - Reason(s) for the Grant of PP/LBC/CAC

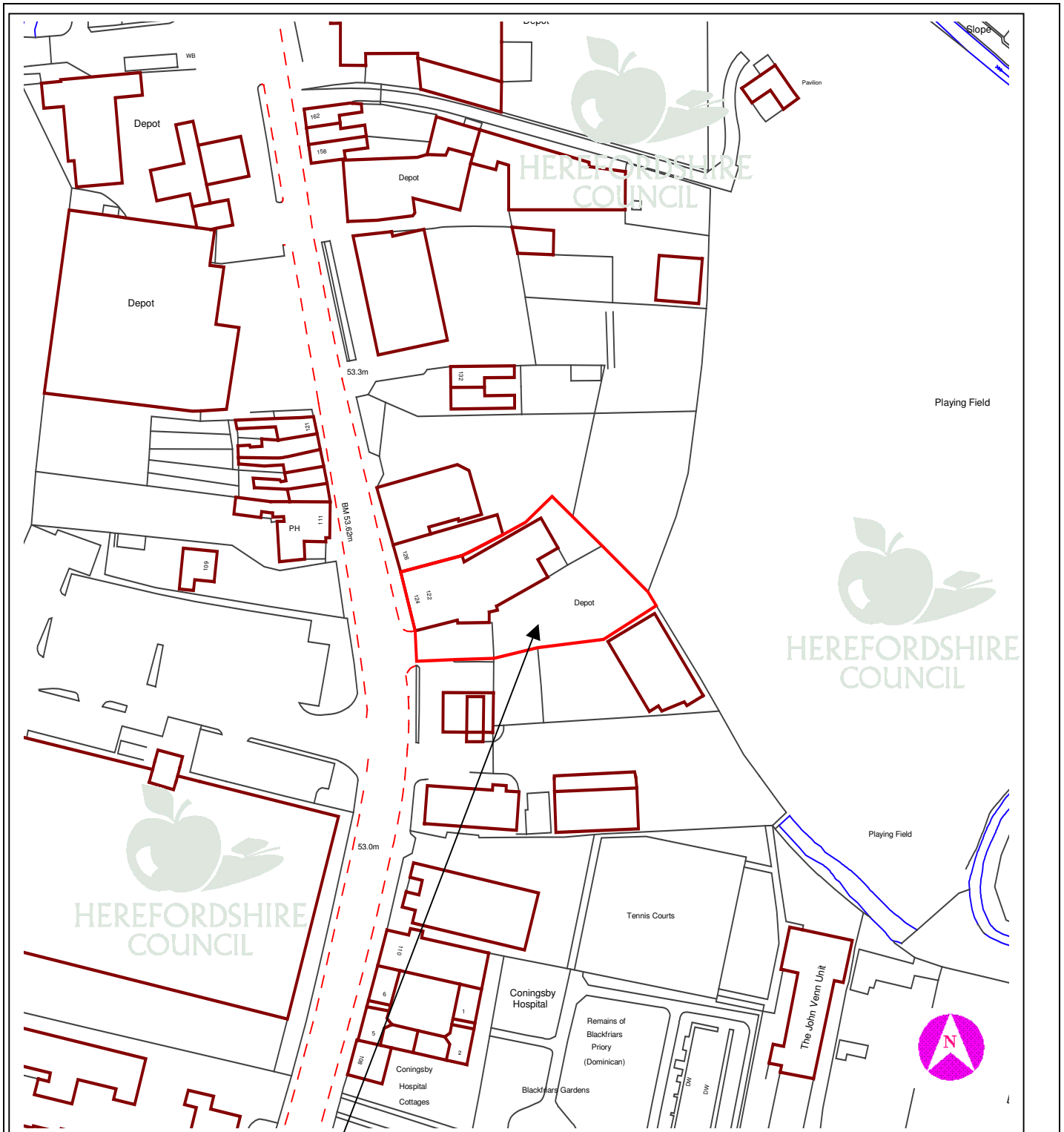
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCCE2006/1254/F

SCALE : 1 : 1250

SITE ADDRESS : 122-124 Widemarsh Street, Hereford, HR4 9HN

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