

A G E N D A

Central Area Planning Sub-Committee

Date: **Wednesday, 26th July, 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

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| <p>1. APOLOGIES FOR ABSENCE</p> <p>To receive apologies for absence.</p> | |
| <p>2. DECLARATIONS OF INTEREST</p> <p>To receive any declarations of interest by Members in respect of items on the Agenda.</p> | |
| <p>3. MINUTES</p> <p>To approve and sign the Minutes of the meeting held on 28th June, 2006.</p> | 1 - 18 |
| <p>4. ITEM FOR INFORMATION - APPEALS</p> <p>To note the Council's current position in respect of planning appeals for the central area.</p> <p>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.</p> <p>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. Agenda items 5, 6, 7 and 8 are applications that were deferred for site inspections at the last meeting and the remainder of the agenda items are new applications.</p> | 19 - 20 |
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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, 28th June, 2006 at 2.00 p.m.

Present: Councillor D.J. Fleet (Chairman)

Councillors: Mrs. P.A. Andrews, Mrs. W.U. Attfield, Mrs. E.M. Bew, A.C.R. Chappell, J.G.S. Guthrie, 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, Mrs E.A. Taylor, W.J.S. Thomas, W.J. Walling, D.B. Wilcox, A.L. Williams and R.M. Wilson.

In attendance: Councillors J.B. Williams (ex-officio)

20. APOLOGIES FOR ABSENCE

Apologies for absence were received from Mrs. S.P.A. Daniels, P.J. Edwards, R. Preece, Miss F. Short and Ms. A.M. Toon.

21. DECLARATIONS OF INTEREST

The following declarations were made:-

| Councillor | Item | Interest |
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| D.J. Fleet and A.L. Williams | Agenda Item 5, Minute 24 DCCE2006/1219/F 23 Venns Lane, Hereford, HR1 1DE * | D.J. Fleet declared a personal interest. A.L. Williams declared a prejudicial interest and left the meeting for the duration of the item. |
| A.L. Williams | Agenda Item 10, Minute 29 DCCE2006/1277/F 1-3 Peregrine Close, Hereford, HR2 6BS | A.L. Williams declared a prejudicial interest and left the meeting for the duration of the item. |
| Mrs. S.J. Robertson and A.L. Williams | Agenda Item 11, Minute 30 DCCE2006/1158/F & DCCE2006/1159/C 57-59 Commercial Road, Hereford, HR1 2NL | Both Members declared prejudicial interests and left the meeting for the duration of the item. |
| Mrs. E.A. Taylor and Mrs. S.J. Robertson | Agenda Item 14, Minute 33 DCCE2006/0099/O Royal National College for the Blind, College Road, Hereford, HR1 1EB | Mrs. E.A. Taylor declared a prejudicial interest and left the meeting for the duration of the item. Mrs. S.J. Robertson declared a personal interest. |

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| J.C. Mayson | Agenda Item 18, Minute 37 DCCW2006/1515/F Shetton Farm, Mansel Lacy, Hereford, HR4 7HP | Declared a prejudicial interest and left the meeting for the duration of the item. |
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* Mr. K. Bishop, Principal Planning Officer declared a personal interest in this application and left the meeting for the duration of the item.

22. MINUTES

RESOLVED: That the Minutes of the meeting held on 31st May, 2006 be approved as a correct record and signed by the Chairman.

23. ITEM FOR INFORMATION - APPEALS

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

24. DCCE2006/1219/F - 23 VENNS LANE, HEREFORD, HR1 1DE [AGENDA ITEM 5]

Proposed two storey extension.

The Senior Planning Officer reported the receipt of a further letter of objection from Mr. and Mrs. Peter and summarised the issues raised.

In accordance with the criteria for public speaking, Mrs. Peter spoke against the application.

In response to a question from the Chairman arising from the comments of the public speaker, the Senior Planning Officer advised that the block plan did not show the adjacent properties in detail but the locations of the properties were clear from the Ordnance Survey map included in the agenda for the meeting.

Councillor Mrs. M.D. Lloyd-Hayes commented that the public speaker had raised some important issues and felt that related amendments would make the proposal more acceptable. Councillor W.J. Walling expressed sympathy with the views of the public speaker and concurred that revisions were necessary.

For the efficient transaction of business, the Central Team Leader suggested that Officers be delegated to approve the application subject to the identified amendments. Should officers not be able to secure the amendments, Officers be delegated to refuse the application. The Sub-Committee endorsed this approach.

RESOLVED:

- 1. That Officers named in the Scheme of Delegation to Officers, in consultation with the Local Ward Members and the Chairman, be authorised to approve the application subject to appropriate amendments and any conditions considered necessary by Officers.**
- 2. If the identified amendments cannot be secured, Officers named in Scheme of Delegation to Officers be instructed to refuse the application on the grounds of over-intensive development, impact on residential amenity and privacy and any further reasons considered to be necessary by Officers.**

25. **DCCE2006/1231/RM - LAND AT LUGWARDINE COURT, LUGWARDINE, HEREFORD, HR1 4AE [AGENDA ITEM 6]**

Proposed erection of three detached houses and ancillary garages, formation of new vehicular access and driveway.

The Senior Planning Officer reported the following:-

- Welsh Water had no objections subject to three standard conditions which would be incorporated into any planning permission granted.
- Additional conditions were recommended in respect of boundary treatment and stability.
- A planning consultant's report had been received which sought to address the concerns raised by local residents.

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

Councillor R.M. Wilson, the Local Ward Member, noted that when the outline planning permission was approved (CE2002/3749/O refers) Members envisaged that three 'modest' dwellings would be built on site but he did not feel that the proposed buildings could be described as such. Councillor Mrs. P.A. Andrews concurred that the proposed buildings were substantial and felt that the applicant should be encouraged to revise the scale of the proposal to make it more appropriate to its surroundings.

Councillor Mrs. M.D. Lloyd-Hayes felt that the proposal was acceptable subject to the additional conditions proposed. She noted the concerns of local residents but felt that the landscaping and boundary treatments would mitigate disturbance and noted that the distances between properties were considered acceptable.

In response to Members' concerns about the size of the proposed buildings, the Senior Planning Officer advised that, following refusal of a previous scheme, the scale of the two roadside properties had been substantially reduced and modifications had been made to the site layout to minimise impact on adjacent dwellings.

A motion to approve the application received an equal number of votes and the Chairman used his casting vote to support the recommendation.

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

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

3. **Foul water and surface water discharges must be drained separately from the site.**

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

- 4. No surface water shall be allowed to connect (either directly or indirectly) to the public sewerage system.**

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

- 5. No land drainage run-off will be permitted, either directly or indirectly, to discharge into the public sewerage system.**

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

- 6. Prior to the commencement of the development hereby authorised a maintenance plan for site boundary treatments shall be submitted to and approved in writing by the local planning authority. The maintenance shall then be undertaken in accordance with the agreed details.**

Reason: In the interests of the visual and residential amenities of the locality.

- 7. The garage hereby permitted shall be used solely for the garaging of private vehicles and for purposes incidental to the enjoyment of the dwelling house as such and not for the carrying out of any trade or business.**

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

- 8. The integral garage/garage and access thereto must be reserved for the garaging or parking of private motor vehicles and the garage shall at no time be converted to habitable accommodation.**

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

- 9. Prior to the commencement of the development hereby authorised a scheme of works and protection plan to ensure the stability of the site boundaries during construction and thereafter shall be submitted to and agreed in writing by the local planning authority. The development shall then be undertaken in accordance with the agreed details.**

Reason: To ensure the stability of the site boundaries.

26. DCCW2006/1148/F - FORMER FROMINGTON NURSERY, BURMARSH, HEREFORDSHIRE [AGENDA ITEM 7]

Construction of hostel to accommodate up to 56 seasonal workers employed by the Tillington Fruit Farms.

The Principal Planning Officer reported the receipt of correspondence from the applicant requesting the removal of the words 'or in control' from recommended condition 16 and 'within the control' from condition 17. Therefore, the applicant would only be required to remove agricultural workers caravans from land within the ownership of the applicant.

Councillor J.G.S. Guthrie, the Local Ward Member, noted the concerns of local residents and Marden Parish Council and felt that Members would benefit from a site inspection, particularly given the highway and pedestrian safety considerations.

In accordance with the criteria for public speaking, a representative had registered to speak on behalf of Marden Parish Council and Mr. Brown had registered to speak on behalf of the applicant. Both parties decided to defer their opportunities to speak until the next meeting following the site inspection.

RESOLVED:

That consideration of planning application DCCW2006/1148/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.**

**27. DCCW2006/1255/F - THE BOUNDARY, SWAINSHILL, HEREFORD, HR4 7QE
[AGENDA ITEM 8]**

New dwelling (amendment to former approved application CW2005/0333/F).

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

Councillor R.I. Matthews, the Local Ward Member, expressed sympathy for the views of the public speaker and questioned the extent of the modifications to the approved application. The Principal Planning Officer confirmed that the depth of the proposal was the same but the width had actually been reduced. He added that a critical factor was to ensure that the slab level was dropped as low as possible so as to minimise impact.

Councillor Matthews questioned whether a refusal of planning permission would be defensible on appeal. In response, the Development Control Manager advised that the previous permission provided a 'fallback position' which would be a material planning consideration in any appeal.

A number of Members stressed the need for the slab level to be as low as possible.

In response to suggestions by Members, the Principal Planning Officer advised that recommended condition 7 would control hours during construction and condition 9 would ensure appropriate boundary treatments. Councillor Matthews emphasised the need to protect residential amenity and privacy for adjacent dwellings.

RESOLVED:

That planning permission be granted subject to the following conditions:

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

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

2. **A09 (Amended plans).**

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

amended plans.

3. B01 (Samples of external materials).

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

4. E16 (Removal of permitted development rights).

Reason: In order to clarify the terms of this permission and protect the amenity of adjoining residents.

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.

8. F48 (Details of slab levels).

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

9. G01 (Details of boundary treatments).

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

10. Prior to occupation of the dwelling details of the proposed steps from the terrace to the garden shall be submitted for approval in writing of the local planning authority and the steps installed in accordance with the approved details.

Reason: No details submitted with the application.

11. H03 (Visibility splays).

Reason: In the interests of highway safety.

12. H05 (Access gates).

Reason: In the interests of highway safety.

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

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

Informatives:

1. HN01 - Mud on highway.

2. **HN05 - Works within the highway.**
3. **HN10 - No drainage to discharge to highway.**
4. **Regarding the slab level required to be submitted under condition no. 8, the local planning authority will be expecting the lowest level achievable for the site in the submission of the details.**
5. **N15 - Reason(s) for the Grant of Planning Permission.**

[Note: In accordance with Standing Order 5.10.2, Councillor R.I. Matthews wished it to be recorded that he abstained from voting on this application.]

28. DCCE2006/1550/F - PLOT 2 AT NO. 1 HOLME LACY ROAD, HEREFORD, HR2 6DP [AGENDA ITEM 9]

Erection of 2 no. semi detached dwellings.

The Principal Planning Officer reported the receipt of amended plans which sought to address the issues raised by the Traffic Manager, particularly in relation to visibility splays and parking.

Councillor A.C.R. Chappell, a Local Ward Member, noted that an application for the erection of a new parsonage house and detached four bedroom dwelling house had been approved in 1988 (HC870581/PF/E refers) but felt that the situation had changed since then. He commented that the use of the access road to St. Martin's Church and Community Centre had increased significantly in recent years, particularly with the establishment of a nursery, adult literacy classes and other projects. He felt that the further vehicular traffic, coupled with congestion at the junction with Holme Lacy Road, would unacceptably increase risks to highway and pedestrian safety.

Councillor Mrs. W.U. Atfield, also a Local Ward Member, emphasised the traffic problems in the vicinity of the site and felt that the intensification of use and proximity to the Holme Lacy Road junction was unacceptable.

The Principal Planning Officer reminded the Sub-Committee that a residential development scheme had already been approved. Furthermore, a refusal of planning permission based on highways concerns might not be sustainable as the current proposal was likely to generate less traffic than the previous scheme, which used the same access as now proposed.

Other Members noted the concerns of the Local Ward Members but felt that the development was acceptable having regard to the development plan policies and the fall back position of the approved 4 bedroom dwelling.

RESOLVED:

Subject to the receipt of satisfactory amended plans relating to the access and internal parking, 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. **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. **E01 (Restriction on hours of working).**

Reason: To safeguard the amenities of the locality.

5. **E16 (Removal of permitted development rights).**

Reason: The local planning authority wish to control any future enlargement of the properties and development within the curtilage due to the confined nature of the site.

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

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

7. **E17 (No windows in side elevation of extension).**

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

8. **H03 (Visibility splays)**

Informatives:

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

29. **DCCE2006/1277/F - 1-3 PEREGRINE CLOSE, HEREFORD, HEREFORDSHIRE, HR2 6BS [AGENDA ITEM 10]**

Conversion of 4 flats to 3 no. 2-storey mews houses and 1 first floor flat; demolition of outbuildings and development of 2 no. cottages; and extension to existing take away.

The Principal Planning Officer advised that comments were still awaited from the Environment Agency and, therefore, the recommendation remained the same as printed in the agenda. It was reported that the Traffic Manager had concerns but had not raised any objections subject to conditions as there would be no increase in off street parking.

Councillor A.C.R. Chappell, a Local Ward Member, noted that there were highways and pedestrian safety considerations and, as other Members may not be familiar with this area, suggested that a site inspection would be appropriate.

In accordance with the criteria for public speaking, Mr. Mitchell had registered to speak against the application but decided to defer the opportunity to speak until the next meeting following the site inspection.

RESOLVED:

That consideration of planning application DCCE2006/1277/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.**

30. [A] DCCE2006/1158/F AND [B] DCCE2006/1159/C - 57-59 COMMERCIAL ROAD, HEREFORD, HEREFORDSHIRE, HR1 2BP [AGENDA ITEM 11]

[A] Demolition of rear two storey extensions and construction of new extension to provide living accommodation for 38 key workers and extension to public house.

[B] Demolition of rear two storey extensions forming ancillary accommodation to the existing public house premises.

The Principal Planning Officer reported that an updated acoustic report had been received and that Environmental Health and Trading Standards Manager was satisfied with the proposal subject to a scheme of noise insulation works.

The Chairman, speaking in his capacity as Local Ward Member, noted that this was an intensive development proposal of a type which was not currently found in Hereford. He felt that the site was suitable for some form of development but he expressed concerns about the access arrangements, particularly the lack of a rear access. He also felt that the car free nature of the development should be emphasised with the addition of an informative note alerting potential occupiers that they would not be entitled to residents' parking permits if a scheme for the area was introduced.

The Principal Planning Officer advised that a rear access would involve third party land and, therefore, this possibility had not been pursued further. He commented that a key aspect of the development was that it should be car free because of its sustainable location and it was considered that occupiers were less likely to require the use of a car compared to a standard residential development.

Councillor Mrs. P.A. Andrews felt that a rear access was needed, especially as occupation by student nurses was anticipated and they would expect pedestrian access to the County Hospital. The Chairman added that the lack of a rear access could potentially hinder the emergency services should an incident occur at the development. The Principal Planning suggested that officers be delegated to investigate this matter with the applicant in consultation with the Chairman.

In response to a question, the Principal Planning Officer advised that the proposal was not a joint venture with the Hospital but it was understood that the applicant had undertaken market research which demonstrated the demand for such accommodation.

Councillor A.C.R. Chappell noted that many of the professions listed under recommended condition 14 would be required to have access to a vehicle as part of their jobs and there would be no viable alternative to park their cars elsewhere given the cost and safety considerations. Therefore, he felt that this element needed to be looked at again.

Councillor W.J.S. Thomas noted the apparent demand but commented that married key workers might also need affordable accommodation and he questioned the mix proposed. He felt that the proposal was very intensive and noted the need for insulation to mitigate disturbance from adjacent uses.

A suggestion was made that the list of potential occupiers should include students given the plans for the Learning Village. Other Members had mixed views about this suggestion.

A number of Members felt that the lack of rear access and parking were significant concerns.

Councillor Mrs. M.D. Lloyd-Hayes commented that congestion and safety problems might result from a single entrance. It was noted that Hereford City Council had also expressed concerns about the lack of a rear emergency route. Mrs. Lloyd-Hayes felt that further details were required about who would be responsible for the communal areas and deal with any on site problems.

In response to comments and questions, the Principal Planning Officer advised that:

- Officers would look into the fact that the application referred to 57-59 Commercial Road but the Ordnance Survey map appended to the report showed a different address.
- Deliveries to the Hop Pole Public House were made via Commercial Road because the access arch to the rear was not large enough to accommodate delivery lorries.
- Four parking places would be provided for employees and deliveries associated with the Public House but the residential scheme was to be car free. It was noted that the Traffic Manager had no objections subject to conditions.
- A rear pedestrian / emergency access could be discussed with the applicant but it would involve third party negotiations.
- Conditions 14 and 15 sought to restrict occupation to the identified key workers, highlighting that this was not standard residential accommodation but the restrictions could be reconsidered.

Councillor Mrs. W.U.A. Attfield felt that the type of accommodation proposed was not suitable for the identified purpose and concurred with the Strategic Housing Manager's comment that 'shared accommodation is outdated'. Councillor Mrs. Andrews commented that there was unlikely to be demand from student nurses for bed-sit accommodation and that self-contained units would be more acceptable. Councillor Chappell felt that there could be security issues with the type of accommodation proposed. The Principal Planning Officer drew attention to recommended condition 15 which would require further details about management issues.

Councillor R.I. Matthews felt that there were a number of fundamental concerns with the application, particularly relating to access arrangements, the intensive nature of the development and the design, which warranted refusal of the application.

RESOLVED:

That (i) The Central Area Planning Sub-Committee is minded to refuse the applications subject to the following 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 applications to the Planning Committee:

DCCE2006/1158/F

1. It has not been demonstrated that the type of accommodation proposed is required as 'affordable' housing to meet the proven local need and therefore the proposal is contrary to Policy H8 of the Hereford Local Plan and H9 of the Herefordshire Unitary Development Plan (Revised Deposit Draft) and advice contained within Supplementary Planning Guidance entitled the Provision of Affordable Housing.
2. The development has inadequate parking and no rear access for general or emergency use. As such the development is contrary to Policies ENV17 and T11 of the Hereford Local plan and Policies H3, H14, S2, DR1, DR3, T6 and T11 of the Herefordshire Unitary Development Plan (Revised Deposit Draft).

DCCE2006/1159/C

1. In the absence of a formal approval for the re-development of the site within the Conservation Area, the proposed demolition is considered unacceptable and contrary to Policies CON12, CON16 of the Hereford Local Plan and HBA7 of the Herefordshire Unitary Development Plan (Revised Deposit Draft).

- (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.]

**31. DCCE2006/1374/O - 22 FOLLY LANE, HEREFORD, HEREFORDSHIRE, HR1 1LY
[AGENDA ITEM 12]**

Proposed dwelling in garden.

The Senior Planning Officer reported the receipt of a further letter of objection from the occupiers of 20 Folly Lane.

In accordance with the criteria for public speaking, Mrs. Built (the applicant) spoke in support of the application.

In response to a comment made by the public speaker, the Senior Planning Officer confirmed that a brief letter in support from the applicant's agent had accompanied the application but it was not considered necessary to report this specifically as it did not add any further information to the indicative layout provided. He commented that the proposal would result in an unacceptable relationship with the existing dwelling and the street scene.

Councillor W.J. Walling, a Local Ward Member, drew attention to the size of the garden and felt that some form of development could be accommodated on the site without detracting from the character and appearance of the area. The Senior Planning Officer re-iterated that the proposal as submitted would either compromise the privacy of the existing dwelling or represent an incongruous feature within the street scene given the particular constraints of the site. He commented that an acceptable form of development might be achieved but the current outline proposal

was not satisfactory. The Central Team Leader advised that, if Members were minded to approve the application, an informative note would be needed to highlight the constraints of the site and emphasise the design considerations.

Councillor D.B. Wilcox expressed concerns about access arrangements and the potential loss of amenity for the residents of adjacent properties. Therefore, he proposed that a site inspection be held to enable Members to fully assess the setting and surroundings.

RESOLVED:

That consideration of planning application DCCW2006/1148/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.**

32. DCCE2006/1023/F - ACCESS TRACK FROM U72011 ROAD TO FIELD KNOWN AS WARWICKSHIRE OSM 9071, DINEDOR, HEREFORD, HR2 6PG [AGENDA ITEM 13]

Resurface track with hardcore and scalplings (part retrospective).

In accordance with the criteria for public speaking, Mr. Joynt spoke against the application and Mr. Greenow spoke on behalf of the applicant.

Councillor W.J.S. Thomas, the Local Ward Member, noted the value of public speakers' input. He drew attention to paragraph 1.1 on page 91 of the report which identified that the "site falls within an Area of Great Landscape Value and is characterised as 'Forest Smallholdings and Dwellings' in the Character Assessment". He felt it unsatisfactory that hardcore had been laid resulting in detrimental impact to the environment and ecology of the area. Therefore, he proposed that the application be refused.

A number of Members felt it regrettable that this was a retrospective application and did not feel that there was sufficient justification for the works.

In response to a question, the Legal Practice Manager advised that retrospective planning applications were not unlawful and had to be considered on their own merits.

The Development Control Manager commented that Officers did not consider the works to be acceptable but had attempted to find a compromise that would mitigate some of the damage that had occurred. He noted that the options available to the Sub-Committee were to support the proposal or to refuse planning permission whereupon enforcement action would need to be contemplated.

RESOLVED:

That (i) The Central Area Planning Sub-Committee is minded to refuse the application subject to the reason 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 development already undertaken, together with the proposed outstanding works, are detrimental to the ecology**

and landscape of the locality and harmful to the visual amenities of the area. The proposal is therefore contrary to PPS9, South Herefordshire District Local Plan Policies GD1, C1, C8 and C9, Herefordshire Unitary Development Plan (Revised Deposit Draft) Policies S1, S2, S7, DR1, DR4, LA2, NC1, NC8 and adopted Supplementary Planning Guidance: Landscape Character Assessment.

- (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.]

33. DCCE2006/0099/O - ROYAL NATIONAL COLLEGE FOR THE BLIND, COLLEGE ROAD, HEREFORD, HR1 1EB [AGENDA ITEM 14]

Construction of halls of residence, sports and complementary therapy building, creation of floodlit outdoor sports pitch, residential development on 2.3ha and associated open spaces, landscaping, infrastructure, access roads, footpaths and cycle paths.

The Principal Planning Officer reported the receipt of a letter from the applicant which highlighted the funding arrangements for the project and which claimed that the requirement to provide general needs affordable housing could have significant implications for the development of the scheme. The Principal Planning Officer commented that the key question was whether there existed such special circumstances that would merit approval of application despite the policy objections.

Councillor D.B. Wilcox, a Local Ward Member, felt it unfortunate that he had not been consulted about the situation earlier. In response to a question, the Principal Planning Officer advised that, although it had been requested, the applicant had not yet provided their definition of 'people with a disability' for the purposes of the selection criteria. Councillor Wilcox commented that it was paramount that progress with the scheme was maintained and he felt that, following a conversation with the Strategic Housing Manager, a suitable definition of eligibility could be agreed and interpreted appropriately. He felt that this was an exceptional case and that, subject to relevant amendments, planning permission should be granted.

Councillor Mrs. P.A. Andrews felt that the tone of the letter from the applicant was unfortunate and questioned the robustness the funding arrangements if adequate affordable housing provision could not be provided.

A number of Members spoke in support of the proposal.

The Principal Planning Officer clarified the policy considerations. The Development Control Manager commented that the Authority was struggling to meet affordable housing targets and cautioned the Sub-Committee about the risks of allowing special circumstances to circumvent adopted planning policies. A number of Members stressed that this was a special case which would not set a precedent for future developments.

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

Members and the Chairman, 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 would not refer the application to the Planning Committee.]

34. DCCW2006/1438/F - PLOT ADJACENT BROOKLANDS, MORETON-ON-LUGG, HEREFORD, HEREFORDSHIRE, HR4 8DQ [AGENDA ITEM 15]

Proposed detached new house with incorporated double garage.

Councillor J.G.S. Guthrie, the Local Ward Member, noted the concerns Moreton-on-Lugg Parish Council regarding the scale of the proposed dwelling and felt that Members would benefit from a site inspection.

In accordance with the criteria for public speaking, Mr. Morris had registered to speak on behalf of the applicant but decided not to speak at this meeting.

RESOLVED:

That consideration of planning application DCCW2006/1148/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.**

35. DCCW2006/1258/RM - PLOT ADJOINING WYLOE, LYDE, HEREFORDSHIRE, HR4 8AD [AGENDA ITEM 16]

Detached dwelling and garage.

The Senior Planning Officer reported the receipt of a letter of objection from Mr. Harbour of Holly Tree Cottage and summarised the points raised.

In accordance with the criteria for public speaking, Mr. Bradley spoke on behalf of Pipe and Lyde Parish Council. Mr. Stain had registered to speak against the application but was not present at the meeting when the application was considered.

The Senior Planning Officer advised that both Welsh Water and the Environment Agency had been consulted on the suitability of the drainage arrangements but neither had replied formally. Therefore, conditions were recommended to ensure that a full and satisfactory scheme was implemented.

Councillor Mrs. S.J. Robertson, the Local Ward Member, noted local residents' concerns about foul water drainage and asked that Building Control be made aware of the situation. She also noted concerns about the proposed ridge height and issues relating to a stone wall and suggested that Officers, in consultation with the Chairman and herself, be authorised to negotiate relevant amendments to the scheme.

RESOLVED:

That Officers named in the Scheme of Delegation to Officers, in consultation with the Local Ward Member and the Chairman, be authorised to issue planning permission, subject to negotiating the potential for a reduction in the height of the proposed dwelling and the inclusion of a stone boundary wall, and to the following conditions and any further conditions considered necessary by Officers.

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

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

2. E18 (No new windows in specified elevation) (southern).

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

Informatives:

1. N03 - Adjoining property rights.
2. N09 - Approval of Reserved Matters.
3. N15 - Reason(s) for the Grant of Planning Permission.

36. DCCW2006/1383/F - 137 EDGAR STREET, HEREFORD, HEREFORDSHIRE, HR4 9JR [AGENDA ITEM 17]

Proposed ground floor extension.

This application was withdrawn by the applicant before the meeting.

37. DCCW2006/1515/F - SHETTON FARM, MANSEL LACY, HEREFORDSHIRE, HR4 7HP [AGENDA ITEM 18]

Conversion of and alterations to a range of period barns to create seven dwellings.

The Principal Planning Officer advised that an additional highway note would need to be added to any planning permission granted.

In accordance with the criteria for public speaking, Mr. Spreckley had registered to speak on behalf of the applicant but decided not to speak at the meeting.

Councillor W.J.S. Thomas, the Local Ward Member, noted that the proposal was considered acceptable in policy terms but emphasised the need for an adequate number of passing bays.

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. B05 (Alterations made good).**

Reason: To maintain the appearance of the building.

- 4. C05 (Details of external joinery finishes).**

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

- 5. C09 (External repointing).**

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

- 6. C11 (Specification of guttering and downpipes).**

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

- 7. E16 (Removal of permitted development rights).**

Reason: In order to retain the character of the buildings.

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

Reason: To protect the amenity of local residents.

- 9. F17 (Scheme of foul drainage disposal).**

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

- 10. G01 (Details of boundary treatments).**

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

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

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

- 12. G05 (Implementation of landscaping scheme (general)).**

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

- 13. No dwelling hereby approved shall be occupied until all of the buildings have been demolished and removed from the site.**

Reason: In order to protect the visual amenity of the area and occupants of the dwellings.

- 14. The conversion hereby approved shall be carried out in full accordance with the Ecological Survey for the barns at Shetton Farm, Mansel Lacy, Herefordshire received on 12th April 2006. The mitigation and**

enhancement recommendations shall be fully implemented prior to the occupation of the converted barns and shall thereafter be retained in situ.

Reason: In recognition of the acknowledged nature conservation interest of the site.

15. 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.

16. No development shall take place until a scheme for the provision of passing bays from the junction of the classified 1098 road to the site is submitted for approval in writing of the local planning authority. The passing bays shall be installed in accordance with the approved scheme prior to any other works commencing on site.

Reason: In the interests of highway safety.

Informatives:

- 1. N15 - Reason(s) for the Grant of Planning Permission.**
- 2. HN5 – Works within the highway.**

38. DATE OF NEXT MEETING

It was noted that the next scheduled meeting was Wednesday 26th July, 2006.

The meeting ended at 5.12 p.m.

CHAIRMAN

ITEM FOR INFORMATION - APPEALS**APPEALS DETERMINED****Application No. DCCW2005/4043/F**

- The appeal was received on 11th April, 2006.
- The appeal was made under Section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal was brought by Mr. & Mrs. P. Scott.
- The site is located at 31 Broomy Hill, Hereford, Herefordshire, HR4 0LJ.
- The application, dated 9th December, 2005, was refused on 31st January, 2006.
- The development proposed was Detached dwelling and detached garage.
- The main issue is impact on Listed Building and Conservation Area.

Decision: The appeal was DISMISSED on 10th July, 2006.

Case Officer: Peter Clasby on 01432261947

Application No. DCCE2005/4146/A

- The appeal was received on 6th April, 2006.
- The appeal was made under Section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal was brought by Callow Marsh.
- The site is located at Former Hereford Rover, Callow, Hereford, Herefordshire, HR2 8BT.
- The application, dated 15th December, 2005, was refused on 10th February, 2006.
- The development proposed was Fascia sign, Entrance feature, directional and parking signs. Replacement pylon and flags
- The main issue is the visual impact of the signs on the premises and within the surroundings.

Decision: The appeal was ALLOWED IN PART on 15th June, 2006.

Case Officer: Adam Sheppard on 01432 261961

Application No. DCCE2004/4191/F

- The appeal was received on 6th July, 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 Mr. R. White.
- The site is located at Tower Hill, Upper Dormington, Hereford
- The application, dated 17th November, 2004, was refused on 10th January, 2005.
- The development proposed was Re-roofing of agricultural storage buildings.
- The main issues are:
 - (i) Whether there is a genuine need for the buildings for agricultural purposes and whether it is necessary for this need to be identified before works are undertaken.
 - (ii) Whether the works would be tantamount to the creation of two dwelling/holiday cottages in an unsustainable location and which would be harmful to the character and appearance of the area.

Decision: The appeal was DISMISSED on 6th July, 2006.

Case Officer: Simon Withers on 01432 260756

Application No. DCCE2004/2837/O

- The appeal was received on 5th September, 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 M.A. Godson in LPA Receivership.
- The site is located at Site at Longworth Lane (adjoining The Gateway Centre), Bartestree, Herefordshire.
- The application, dated 30th July, 2004, was refused on 11th March, 2005.
- The development proposed was Demolition of buildings and proposed site for residential development.

Decision: The appeal was WITHDRAWN on 6th July, 2006.

Case Officer: Russell Pryce on 01432 261957

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

5 DCCW2006/1438/F - PROPOSED DETACHED NEW HOUSE WITH INCORPORATED DOUBLE GARAGE AT PLOT ADJACENT BROOKLANDS, MORETON-ON-LUGG, HEREFORD, HEREFORDSHIRE, HR4 8DQ

For: Mr. & Mrs. Matthews per Mr. A.W. Morris, 20 Ferndale Road, Kings Acre, Hereford, HR4 0RW

Date Received: 2nd May, 2006 Ward: Sutton Walls Grid Ref: 50997, 45681

Expiry Date: 27th June, 2006

Local Member: Councillor J.G.S. Guthrie

Introduction

This application was deferred at the meeting of the Central Area Planning Sub-Committee on the 28th June, 2006 in order to carry out a Members' site visit. The visit took place on the 11th July, 2006.

1. Site Description and Proposal

- 1.1 The application site is located on the eastern edge of the settlement of Moreton-on-Lugg and is situated within the designated settlement boundary.
- 1.2 The application site is formed by what was formerly the northern half of the domestic curtilage of the property known as The Brooklands, but following the grant of outline planning permission the application site was severed from Brooklands, being sold at auction as a building plot for the erection of a dwelling.
- 1.3 The application seeks consent for the erection of a detached two storey brick built dwelling under a tiled roof comprised of five bedrooms above a kitchen and reception rooms and an integral garage on the ground floor.

2. Policies

2.1 South Herefordshire District Local Plan:

| | | |
|------------|---|---|
| Policy GD1 | - | General Development Criteria |
| Policy C2 | - | Settlement Boundaries |
| Policy SH6 | - | Housing Development in Larger Villages |
| Policy SH8 | - | New Housing Development Criteria in Larger Villages |

2.2 Herefordshire Unitary Development Plan (Revised Deposit Draft):

| | | |
|------------|---|--------------------------------------|
| Policy DR1 | - | Design |
| Policy H4 | - | Main Villages: Settlement Boundaries |
| Policy H13 | - | Sustainable Residential Design |

3. Planning History

- 3.1 DCCW2005/0411/O Site for new detached bungalow. Approved 31st March, 2005.

4. Consultation Summary

Statutory Consultations

- 4.1 None.

Internal Council Advice

- 4.2 Traffic Manager: No objection subject to the imposition of standard conditions.

5. Representations

- 5.1 Moreton-on-Lugg Parish Council: Objection summarised as the scale of proposed house is too large and is out of keeping with the wider settlement and highway safety would be compromised by the intensified use of the access.

- 5.2 Five letters of objection have been received from Mrs. Whittaker, Oakley End; Mr. Parker, Buttermere; Mr. Parry, Broadheath and Mr. Owen, Brooklands; Mr. Bennett, Timberlea House, which are summarised as follows:

- Scale and height of the proposed dwelling is out of character with wider settlement, a bungalow would be more suitable.
- Proposed dwelling will dominate Brooklands, leading to a loss of privacy.
- Noise and disruption during the construction phase.
- Highway safety issues arising from additional traffic entering and leaving the site.
- Bridleway needs to be kept clear.

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

- The Principle of Development
- The Siting and Design of the Proposed Dwelling
- Access and Highways Issues

The Principle of Development

- 6.2 The adopted Local Plan identifies sustainable villages and defines them by enclosure within a settlement boundary. Within these settlements, which are listed in Policy SH6, there is a presumption in favour of new housing where it accords with the principles of Policy SH8 in terms of being in keeping with the character of the locality and in relation

to siting, scale and design. Furthermore proposals are required to satisfy the general development criteria identified in Policy GD1 in order that the resultant development contributes to the quality of the built environment of the surrounding area.

- 6.3 In this case Moreton-on-Lugg is identified in Policy SH6 and in addition an extent outline permission for a dwelling albeit a bungalow exists. Therefore the primary consideration in determining this application is the impact of the proposed dwelling on the visual and residential amenity of the surrounding area.

The Siting and Design

- 6.4 A number of the representations refer to the scale of the development as being out of character with the locality, and indicate that a bungalow would be more suitable on the edge of the settlement.
- 6.5 Whilst it is acknowledged that the immediate area is characterised by single storey development, this is within a wider mixed residential environment which includes two storey development. In this context and having regard to an assessment of the wider area, it is not considered that a two storey development at this site would be out of keeping so as to warrant the refusal of planning permission.
- 6.6 It follows therefore that the proposal for two storey development needs to be assessed in terms of its impact on residential amenity. The dwelling has been orientated on the site to take account of the amenity of Brooklands to the south and following negotiations to amend the internal layout of the master bedroom, all first floor windows in the southern elevation will be obscure glazed to prevent overlooking. 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.
- 6.7 With regard to the scale of the proposal in relation to Brooklands, it is proposed to set the house down within the site by 600mm. Therefore although its overall ridge height is 7.5 metres it will in effect only be 1.5 metres higher than Brooklands which has a ridge height of 5.5 metres. Consequently it is not considered that the proposed development will have a demonstrably harmful effect on the residential amenity of Brooklands.
- 6.8 With regard to the visual impact of the wider locality, it is considered that the scale of the development is acceptable. However to ensure that the development is properly integrated the imposition of landscaping conditions is recommended, together with conditions controlling hours of operation and prohibiting fires during the construction phase in order to protect the amenity of the area.
- 6.9 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.

Access and Highways Issues

- 6.10 The application site will be accessed off the existing driveway which serves Brooklands, creating a shared access onto the public highway. This was the arrangement envisaged and approved pursuant to the outline permission granted.

6.11 The Traffic Manager has no objection to the access and parking arrangements, but comments that standard highway conditions are required to control the layout of the driveway and turning area. These comments are considered reasonable and the appropriate conditions are recommended.

Conclusion

6.12 The application site is located within the designated settlement boundary and the proposals to erect a new dwelling 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. A09 (Amended plans).

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

2. B01 (Samples of external materials).

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

3. E18 (No new windows in specified elevation).

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

4. E19 (Obscure glazing to windows).

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. F48 (Details of slab levels).

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

8. G04 (Landscaping scheme (general)).

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

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

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

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

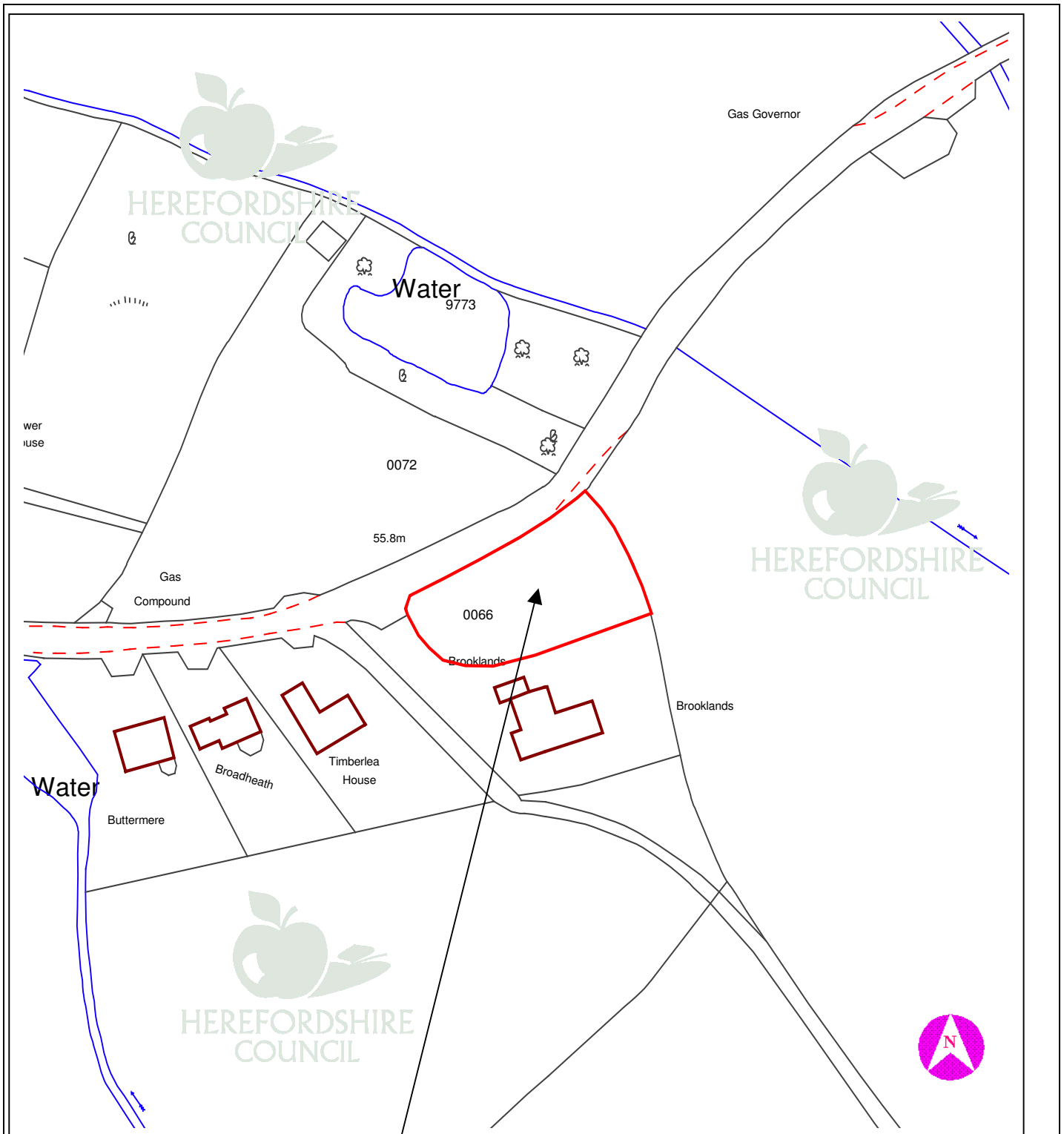
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCCW2006/1438/F

SCALE : 1 : 1250

SITE ADDRESS : Plot Adjacent Brooklands, Moreton-on-Lugg, Hereford, Herefordshire, HR4 8DQ

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6 DCCW2006/1148/F - CONSTRUCTION OF HOSTEL TO ACCOMMODATE UP TO 56 SEASONAL WORKERS EMPLOYED BY THE TILLINGTON FRUIT FARMS AT FORMER FROMINGTON NURSERY, BURMARSH, HEREFORDSHIRE

**For: The Co-operative Group (CWS) Ltd. per Savills,
Wytham Court, 11 Westway, Botley, Oxford, OX2 0QL**

Date Received: 3rd April, 2006 Ward: Sutton Walls Grid Ref: 53260, 47236

Expiry Date: 29th May, 2006

BVPI Expiry Date: 3rd July, 2006

Local Member: Councillor J.G.S. Guthrie

Introduction

This application was deferred at the meeting of the Central Area Planning Sub-Committee on the 28th June, 2006 in order to carry out a Members' site visit. The visit took place on the 11th July, 2006.

1. Site Description and Proposal

- 1.1 The application site is located in Fromington on the east side of the unclassified road between Franklands Gate and Hawkersland Cross in the Parish of Marden. It is located behind a group of dwellings, Franklands Cottages and occupies part of an existing concrete hardstanding together with part of the orchard that surrounds the north, east and south of the site.
- 1.2 The proposal is to erect a contemporary style hostel measuring approximately 29.5 metres by 14.4 metres with a maximum height of 6.5 metres. One part of the building is two storey whilst the majority is single storey. Two mono pitch roof covings are proposed. External materials are facing brickwork and red cedar boarding on the ground floor elevations and red cedar boarding with metal standing seam cladding to the first floor elevations, all under a metal standing seam roof.
- 1.3 The accommodation will comprise seven bedrooms on the ground floor containing two bunk beds in each room together with male and female washrooms, storage area, communal kitchen, dining area and living room. The first floor accommodation comprises seven bedrooms, the same total as the ground floor.
- 1.4 An outdoor amenity area constructed of paving slabs is proposed at the rear (east) of the hostel comprising an area of 10 metres by 27 metres.
- 1.5 Parking for cars and minibus is proposed at the front (west) of the building.
- 1.6 The accommodation is required to house the applicant's workforce who harvest the fruit, do ground work and tend trees.

2. Policies

2.1 National:

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

2.2 Hereford and Worcester County Structure Plan:

- Policy H16A - Housing in Rural Areas
- Policy H20 - Housing in Rural Areas
- Policy CTC9 - Development Requirements
- Policy A1 - Agriculture
- Policy A4 - Agricultural Dwellings

2.3 South Herefordshire District Local Plan:

- Policy GD1 - General Development Criteria
- Policy C1 - Development Within Open Countryside
- Policy S11 - Housing in the Countryside
- Policy SH17 - Agricultural Workers' Dwellings
- Policy SH18 - Imposition of Agricultural Occupancy Condition

2.4 Herefordshire Unitary Development Plan (Revised Deposit Draft):

- Policy S2 - Development Requirement
- Policy DR1 - Design
- Policy DR2 - Land Use and Activity
- Policy DR3 - Movement
- Policy DR14 - Lighting
- Policy H7 - Housing in the Countryside Outside Settlements
- Policy H8 - Agricultural and Forestry Dwellings and Dwellings Associated with Rural Businesses
- Policy E13 - Agricultural and Forestry Development
- Policy T11 - Parking Provision
- Policy LA6 - Landscaping Schemes

3. Planning History

- 3.1 DCCW2005/3164/F Construction of hostel to accommodate 56 seasonal workers employed by Tillington Fruit Farm. Withdrawn 5th January, 2006.

4. Consultation SummaryStatutory Consultations

- 4.1 Environment Agency: Confirm that foul drainage treatment plant will need to be further assessed.
- 4.2 Welsh Water: No objection provided no connection to the public sewerage system.

Internal Council Advice

- 4.3 Traffic Manager: Some concern about travel options for shopping and recreation. Consider provision of cycle and suitable storage and conditions for improvements to the access.
- 4.4 Conservation Manager: Confirms that provided that there are no other alternative sites that the building sited in an area designated as "Principal Settled Farmlands" would only have a moderate adverse impact on the rural landscape. In addition a survey report needs to be conditioned to cover the potential of slow worms and any necessary mitigation works.
- 4.5 County Land Agent: Confirms in my opinion for the efficient running of the farms the one site accommodation of the labour force will be an improvement. The number of workers stipulated is justified.

5. Representations

- 5.1 Marden Parish Council: "At the meeting of Marden Parish Council, it was resolved to make the following comments on the above application:

The Parish Council was concerned about the impact of another 56 workers on the community when added to the existing large seasonal workforce at S. & A. Produce. It was felt the extra workers houses in the parish would place an additional strain on roads, public transport and local amenities. There was also concern about road safety issues. The road through Burmarsh is in a very poor state of repair, it is narrow, and there are no footpaths along most of its length. The road is subject to the National Speed Limit, and since the residents of the hostel are not to be allowed cars, the provision of minibus transport to local shops would increase road traffic in the area. There would also be dangers to residents if they chose to walk from the site via local roads.

It was agreed that the applicants should consider siting the hostel at their Tillington farm, as Tillington has much better road access than Marden and the hostel could be sited without being obtrusive to other dwellings in the area. The use of the road through Burmarsh via Franklands Corner would be dangerous for minibuses because of the narrow and winding nature of the road.

It was agreed that the proposed building is not in keeping with the area, and would be obtrusive in an area of small houses.

It was noted that concerns about drainage from the site raised by a local resident have not been addressed.

It was agreed that the Parish Council is therefore opposed to the application.

It was agreed to ask for the application to be referred to the Central Area Planning Sub-Committee."

- 5.2 Seven letters of objection have been received from:

Mr. & Mrs. A. Skyrme, Frankland Villa, Sutton St. Nicholas.
Mr. R. McColl, Orchard View, Burmamrsh, Hereford.

W. & M. Keown-Boyd, Wayside Cottage, Sutton St. Nicholas.
 George Rizzardini, Summerfields, Burmarsh, Sutton St. Nicholas.
 Mr. & Mrs. Hodges, 17 Burmarsh Cottages, Burmarsh, Hereford.
 Michael Dudley, Fromington Cottage, Burmarsh, Sutton St. Nicholas, Hereford.
 Mrs. J. Potts, Little Fromington, Burmarsh, Sutton St. Nicholas, Herefordshire.

5.3 The main planning reasons:

1. There are currently 40 residents in Burmarsh and the infrastructure is not sufficient to accommodate the increase in population.
2. Insufficient parking facilities at the site.
3. No pavements for pedestrian traffic.
4. The proposed building is huge and unsightly and not in keeping with this rural setting.
5. Traffic would increase making it dangerous to walk along the single track lanes.
6. This is a greenbelt area where local residents have been refused permission to build so why should it be any different in this site.
7. There are already a number of seasonal workers in the area and unsocial behaviour has been increased and we do not want it on our doorstep.
8. Concerns over the discharge of water and whether existing culverts can accommodate the increase.
9. Increase of noise, especially from amenity area.
10. The orchards are mechanically harvested carried out by local people.
11. The entrance is on a bad bend and will be a danger to highway safety.
12. They should be accommodated at Tillington.

5.4 The applicant's agent has submitted a full Planning Statement which supports their client's case. The following of which are extracts. The full report is available for Members' inspection.

"Farming Operation

6.4 Farmcare has an extensive and long established fruit growing enterprise in Herefordshire which is based around a 780 acre estate. Their business is principally focussed upon the production of apples.

6.5 Their estate has 3 operational centres located at Tillington, Fromington and Ledbury. These farms operate collectively as The Tillington Fruit Farms. The division of land between the holdings is as follows:

| Location | Size of Holding |
|------------|-----------------|
| Tillington | 355 acres |

| | |
|---------|-----------|
| Marden | 172 acres |
| Ledbury | 220 acres |

6.6 Both Tillington and Fromington are owned by the Co-operative Group. Hill Top Farm at Ledbury is rented on a long term farm business tenancy which has a minimum of 18 years to run on with an option to extend for a further 15 years.

6.7 A range of fruit is produced by the Tillington Fruit Farms including apples, strawberries, cherries and blackcurrants. The production of soft fruits is however ancillary to the production of apples. The agricultural holding is cropped as follows:

- 580 acres of apple trees in production
- 20 acres of strawberries in production
- 20 acres of cherries in production
- 20 acres of black currants in production

6.8 The Tillington Fruit Farm produces 7,000 tonnes of apples and 60 tonnes of soft fruit each year. Apple trees are at all locations. The fruit is used in the Co-op's cider and is also sold in UK supermarkets.

6.9 There are approximately 80,000 apple trees within the estate which range from newly planted orchards to trees that are 40 to 50 years old. Routine maintenance of the Orchards includes an ongoing programme of grubbing out old trees and replanting, as well as annual pruning in order to maximise productive life and income.

6.10 The apple enterprise produces some 3,000 tonnes of desert apples which are all hand picked. They are packed and processed at Wye Fruits near Ledbury. A further 4,000 tonnes of apples go for cider production and this fruit is harvested mechanically.

6.11 The 60 acres of soft fruit complement the apple growing and allows for the effective use of labour. Polytunnels are not used for the production of strawberries. All of the soft fruit is hand picked to add value.

Staff Requirements

6.12 Tillington Fruit Farms employ 9 permanent staff: a farm manager, 3 foremen and 5 other permanent employees. Casual labour is also utilised throughout the year to undertake ground works, tend trees and harvest fruit as follows:

- December to January - winter pruning and groundwork.
- January to May - tree and fruit planting;
- June to December - harvesting;

6.13 Farmcare has a requirement for a core of 40 to 60 casual workers. The core workforce is recruited from a Government backed employment agency for overseas employees, the majority of which are east European.

6.14 During harvesting Farmcare's requirement for casual labour increases, to between 80 and 120 employees. Between 60 and 80 additional workers are therefore required between June and December. In recent years, Farmcare has

managed to make up the shortfall in labour by employing families and couples taking a working holiday. The pickers are usually UK residents who bring their own caravans. They are all based on an established caravan site at Hilltop Farm, Ledbury.

7.0 Need for Workers Accommodation

7.1 The Tillington Fruit Farms are clearly a thriving and expanding business that relies upon a large casual workforce, which is required throughout the year. For reasons of efficiency and sustainability the workforce needs to be accommodated within a reasonable distance of the farmed areas.

7.2 Currently Farmcare accommodate their core seasonal staff in 4 cottages. Multiple occupation of these properties by 8 or more employees does not comply with current fire or health and safety regulations. Discussions with the Fire Brigade have confirmed that the cottages cannot be improved to meet the regulations without being substantially altered and extended. Given the current size and location of the cottages, this is not a practical or appropriate solution.

7.3 As a consequence of these circumstances there is a need to provide alternative accommodation for Farmcare's core workforce of between 40 and 60 employees. The following section explains the process that has been followed in order to arrive at the proposed development solution.

8.0 Approach to Provision of Workers Accommodation

8.1 It is widely acknowledged within the agricultural industry that casual labour is becoming more difficult to find. Up until the late 1990's local labour made up the majority of the workers employed by Tillington Fruit Farms. Since then, Farmcare has found it increasingly difficult to meet their labour requirements in this way.

8.2 A key issue for Farmcare is therefore the recruitment of good quality staff. The implications of not having a large enough workforce are very serious. In 2005, for example, Farmcare was unable to pick 400 tonnes of apples because of a shortage of seasonal workers. This has resulted in the loss of 70,000 worth of crop. It also means that some 55 hectares of the holding is not currently in fruit production as there is insufficient labour to replant. This is limiting the ability of the business to grow.

8.3 In order to be able to reliably attract sufficient numbers of staff, Farmcare must provide good quality accommodation for their seasonal workers. This means modern, well equipped living quarters that meet workers expectations and the requirements of health and fire regulations, as well as guidelines relating to shared accommodation.

8.4 Farmcare has considered the following options for providing accommodation for the core casual workforce employed at The Tillington Fruit Farm. These are:

- Use of caravans;
- Multiple occupation of houses;
- Conversion and reuse of redundant buildings; and
- a purpose built hostel.

8.5 The Co-op has farms throughout the United Kingdom and their seasonal workers are accommodated in a variety of different ways. At Blairgowrie in Scotland, where only soft fruit is grown, seasonal workers are housed in caravans during the summer months. At Stourton in Leicestershire, which is an arable and vegetable unit, where there is already a purpose built hostel. As explained earlier, in Herefordshire workers are housed in farm cottages.

8.6 The Co-op therefore has direct experience of the issues associated with various types of workers accommodation. The decision to provide accommodation in the form of a permanent hostel is therefore well informed, it has been influenced by the following factors.

Caravans

8.7 Providing accommodation in caravans is a potential solution but is far from ideal and does not meet the Co-op's objectives. Caravans provide a very basic standard of accommodation and are only really suitable for occupation for short periods of time. Farmcare utilise casual labour throughout the year, their requirements are as follows:

- January to May - Tree and Fruit Planting
- June to December - Harvesting
- December to January - Winter pruning and ground work.

8.8 During the winter months caravans do not provide the standard of accommodation required. In order to make caravans suitable for occupation over prolonged periods and during the colder and wetter months it is essential for supporting infrastructure, such as hardstandings, roads and services to be provided. As is the case elsewhere in Herefordshire, washing and WC facilities would also have to be provided in permanent buildings and external lighting would be required. The associated development and external lighting would become a permanent feature of the landscape. The caravans and associated facilities would have a much greater effect on local visual amenities than the proposed hostel. This has been confirmed by the landscape officer's response to planning application DCCW2005/3614/F.

8.9 The need to remove and store caravans when they are not in use is also an issue that is relevant to the determination of this planning application. The large number of lorry movements required to bring caravans to the site and then remove them when they are vacant would in large part negate the traffic and travel benefits achieved by locating the workforce in a central location. Moreover, storage of unoccupied caravans either at the site or elsewhere on the Estate would inevitably have a negative visual impact.

Multiple Occupation of Houses

8.10 Traditionally, the Co-op has accommodated seasonal workers in houses. These properties were not designed for this purpose and therefore perform poorly as units of multiple occupation.

8.11 In total the Co-op owns 21 properties in Herefordshire: 10 at Tillington and 11 at Marden. Their size and type varies considerably. In summary:

- 8 properties are occupied by permanent staff;

- 5 properties are occupied by retired employees or their dependants;
- 4 are reserved for occupation by seasonal workers; and
- 4 properties are let on Assured Shorthold Tenancies.

8.12 Six of the properties have agricultural ties. Of these 4 are occupied by permanently employed agricultural workers or ex-agricultural employees who are protected under the Rent (agricultural) Act 1976.

8.13 In order to meet fire regulations, health and safety guidelines and comply with recommended standards for occupation, the 4 properties currently occupied by seasonal workers would need significant adaptation and extension. Given the size and location of the properties involved this is not practical or desirable.

8.14 In addition, the number of workers accommodated in each property would need to be reduced, which in turn will require a greater number of houses to be used as accommodation for seasonal workers. This could not be achieved without displacing permanently employed staff which is also not practical or desirable. Using greater numbers of properties as workers accommodation would also create management and logistical problems as well as raising supervision and welfare issues. It would also lead to a greater number of vehicle movements.

8.15 For these reasons, Farmcare has concluded that the use of existing farm cottages is no longer acceptable.

Conversion of Redundant Buildings

8.16 Farmcare has given careful consideration to whether the accommodation required could be delivered through the conversion and reuse of redundant buildings. This approach has been discounted on the grounds that there are not sufficient buildings to provide the number of bed spaces required and because it would not achieve the operational and sustainability advantages of having workers living in one location.

Permanent Hostel

8.17 The proposed hostel will allow Farmcare to fulfil their obligation to guarantee the well-being and welfare of their employees. It is the best way for the Farmcare to provide the standard of accommodation that is required for employees that work outside throughout the year.

8.18 The new hostel will consolidate the workforce into a single location and this will have a number of operational advantages. It will:

- make it easier for Farmcare to supervise their employees;
- allow staff resources to be managed more efficiently;
- allow Farmcare to accommodate their staff in a way that complies with health and safety and fire standards; and
- improve standards of welfare for their employees.

8.19 A permanent hostel is also the solution that is most compatible with the character and setting of Burmarsh and the surrounding countryside.

8.20 For these reasons Farmcare has decided that a permanent hostel is the most appropriate solution in this instance.

9.0 Location, Layout, Design and External Appearance

9.1 The location and design of the proposed hostel responds to recommendations made by the Council's officers during pre-application discussions. During pre-application meetings Kevin Bishop has confirmed that the simple utilitarian structure proposed represents an appropriate solution.

Location

9.2 A number of factors have led to the former Fromington Nurseries being identified as the preferred location for the new workers hostel.

9.3 Hilltop Farm at Ledbury is leased to the Co-op. It is not therefore viable for them to invest in excess of half a million pounds in the construction of a new hostel on land that they do not own. In addition, Hilltop Farm is remote from the main fruit growing areas at Tillington and Marden. It is not therefore logistically practical or desirable to accommodate the majority of the workforce there.

9.4 Tillington is located on the western edge of The Tillington Fruit Farms. Should the workforce be located there workers would have to travel the longest distance to reach Hilltop Farm. A journey from Marden to Ledbury can however be achieved more easily.

9.5 For these reasons it has been concluded that the Burmarsh holding represents the only appropriate location for the new workers hostel. It is located at the centre of the Co-op's main fruit growing areas and performs best from an operational point of view. A hostel at the former Fromington Nurseries site will generate the fewest vehicle movements and is therefore the most sustainable location.

Layout

9.6 The hostel will be located to the rear of Fromington Nursery Cottages, all of which are owned by the Co-op. The application site is far enough away from the cottages so that their residential amenities will not be effected. Development in this location will relate well to the existing pattern of development without encroaching a significant distance into the countryside.

9.7 The hostel has been orientated so that its principle elevations face north and south. By doing this overlooking of the rear gardens of the cottages is avoided. A small amount of amenity space will be provided for use by residents. Landscaping will be used to screen this area from view and afford privacy.

9.8 The Council's car parking standards are not directly applicable to the application proposals. A condition of occupation of the hostel will be that workers will not be allowed to keep a car. On this basis and given that Farmcare already provides a minibus service for their workers, only 5 car parking spaces and 1 minibus space have been incorporated into the layout. The car parking spaces will be for use by visiting members of staff or visitors such as doctors.

9.9 The existing access to the site located between 1 and 3 Fromington Cottages will be utilised. The application drawings show that visibility splays at the access can be provided in accordance with the Highway Authorities requirements.

Design and External Appearance

9.9 The hostel has a utilitarian appearance that reflects its intended use. Sleeping accommodation is provided on 2 floors at the southern end of the building. The washing cooking and communal areas are all at ground floor level.

9.10 Single pitch roofs cover the single and 2 storey elements of the building. This approach reduces the mass and bulk of the building without creating a potential maintenance liability as would have been the case if flat roofs had been used.

9.11 A statement prepared by Angus Jamieson Associates explains in greater detail the design rationale for the new hostel.

10.0 Operation of the Hostel

10.1 Farmcare has a requirement for casual labour throughout the year. The hostel will therefore be open year round. The foreman in charge of casual staff already lives in Fromington, the new hostel will therefore be closely supervised.

10.2 The hostel will provide accommodation for male and female workers, with separate bedrooms, bathrooms and WC's provided for each sex. The remainder of the accommodation will be communal with large kitchen, living and dining areas provided. Fridges and cupboards for food storage will be provided in a large pantry next to the kitchen. Clothes washing facilities will be provided in a utility room located between bathrooms on the ground floor.

10.3 Sleeping accommodation will be in the form of 14 rooms, seven on each floor of the hostel. Each room will sleep up to 4 people in bunk beds. Lockers and clothes storage space will be provided within each room. The 56 bed spaces to be provided is capable of meeting Farmcare's requirement to house a core of 40 to 60 casual workers throughout the year.

10.4 The standards applied to the accommodation provided within the Hostel have been discussed with and agreed by Greg Warwick of Herefordshire Council's Social Care and Strategic Housing Directorate. A summary of the how they have been applied is contained in the design statement in Appendix 4.

10.5 Responses to the Co-op's previous planning application from local residents suggested that workers living in the hostel might have to walk to local shops. Farmcare will however continue to provide a minibus service to local shops (for example the village shop in Marden) and supermarkets on a regular basis and as a consequence employees will not need to leave the site on foot to purchase provisions.

10.6 Farmcare find it difficult to meet their labour requirements each year. There is therefore sufficient work on the Tillington Fruit Farms to keep their seasonal workers occupied on a full time basis. Workers will therefore not have time to seek or undertake second jobs.

11.0 Conclusion

11.1 The Co-op has been producing fruit crops from farms in their ownership at Tillington, Fromington and Ledbury for many years. The Tillington Fruit Farm is therefore a mature and financially stable business that makes a significant contribution to the local and regional economy.

11.2 The assessment above demonstrates that there is an identified need for the proposed hostel. It also shows that the hostel has been sited and designed so that its impact on the character and appearance of the locality and the residential amenities of the adjacent cottages has been minimised.

11.3 It is essential for the proper functioning of Tillington Fruit Farms to have casual labour available throughout the year. As this requirement cannot be wholly met by local labour it is necessary for Farmcare to employ seasonal workers through a Government sponsored employment agency. Although Farmcare can provide accommodation for some of these workers within the community, multiple occupation of farm cottages no longer represents a viable solution for both operational and employee welfare reasons.

11.4 Consideration has been given to providing accommodation within mobile homes and through the conversion and reuse of existing buildings. Having done so it has been found that a modest hostel centrally located at the heart of the Tillington Fruit Farms is the most appropriate solution.

11.5 The provision of a permanent hostel will increase the sustainability of The Tillington Fruit Farms business and allow for the planned expansion through improved efficiency. This will further assist the local economy.

11.6 The provision of a high standard of accommodation will allow issues relating to the health and welfare of casual workers to be addressed. This will assist Farmcare to attract and retain the high quality employees that are critical to the success of their business.”

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 There is no specific policy that this proposal sits wholly within. It falls to be considered under a number of policies relating to agricultural workers dwellings. (Policies H16A, H20, A1 and A4 of the Hereford and Worcester County Structure Plan, Policies SH11, SH17 and SH18 of the South Herefordshire District Local Plan and Policies H7 and H8 of the Herefordshire Unitary Development Plan (Revised Deposit Draft).
- 6.2 A hostel is not a dwelling in its own right as indicated by the Use Classes Order that defines hostels as a sui generis use and not C3 which is the use class attributed to dwellings.
- 6.3 However, in considering the proposal the following are considered to be the primary issues.
- (a) The Principle of Development
 - (b) The Impact of the Siting, Design and Visual Appearance
 - (c) The Impact on Adjoining Residential Properties

- (d) Access and Highways Issues
- (e) Other Issues
- (f) Conclusions

The Principle of Development

- 6.4 The applicant's case is based upon a need to house 40-60 workers on a year round basis and the County Land Agent has confirmed that the numbers are justified through the standard man days calculations.
- 6.5 The location of the building is a key consideration. The applicants have considered the three sites that they farm and for which the labour is required. The Ledbury site is only rented and is therefore not viable in terms of investing in a new building. Tillington is owned but located to the west of the land holdings and would require greater travel distances to Ledbury. The Fromington site, lying between the two therefore provides a more sustainable location in terms of the applicant's land holdings and is also located near a main village, Marden.
- 6.6 The conversion of buildings has also been investigated but discounted on the grounds that there are not sufficient buildings to provide the number of bed spaces. In addition from the operational perspective of the company, this could well provide for a dispersed workforce and would not be a sustainable option in your Officers' view.
- 6.7 The site chosen, and subject of the planning application nestles behind Franklands Cottages that are owned by the applicant and represents a relatively unobtrusive site in terms of impact on the wider landscape. The next consideration is the form that this accommodation could take. The applicant owns Franklands Cottages in front of the site and is occupied by their workers who include some workers who would be housed in this hostel. However they do not provide sufficient accommodation or the style of accommodation that is required.
- 6.8 Another alternative would be to house the workers in caravans. However whereas these are sufficient for seasonal workers they are not considered appropriate during the winter months. In addition the intrusion into the landscape of a number of caravans would also have to be a key consideration. A condition preventing the use of land in the applicant's ownership and control for seasonal caravans will therefore form part of the recommendation.
- 6.9 On balance your Officers consider that a building of the design proposed would have a more positive impact on the landscape than a group of caravans. It should also be noted that the Conservation Manager does not object to the intrusion of this building within the landscape. It will also be seen as part of the group of buildings at Fromington Cottages which is a locational requirement of policy.

The Impact of Siting, Design and Visual Appearance

- 6.10 The siting of the hostel within the landscape has been fully assessed by the Council's Conservation Manager who considers that the chosen site is the best that can be achieved in order to reduce adverse visual impact and could be further improved with the planting of native trees along the hedgerows. The additional tree planting would be in keeping with the landscape assessment of this area designated as Principal Settled Farmlands. This characterises the landscape as being notably domestic in character, defined chiefly by the scale of the field pattern.

6.11 The design is of a contemporary nature with the use of traditional brick with modern elements of western red cedar with metal standing seam with two mono pitched roofs and in some respects would not be dissimilar to an industrial/agricultural style building. Accordingly with appropriate landscaping the proposal would sit well within the landscape.

The Impact on Adjoining Residential Properties

6.12 The concerns of local residents are noted, however visually it is not considered to be detrimental to the landscape and the nearest residential property not owned by the applicant is over 100 metres away.

6.13 The impact of these workers being located here is noted, however some already reside in the cottages and if the building was not approved in the region of eleven caravans would have to be brought in to accommodate the workers. The site already contains substantial hardsurfacing and this could easily be achieved. Therefore to provide a purpose built unit of accommodation would be more beneficial to the workers and the neighbours as more facilities would be available on site without having to travel. In addition the Farm Manager resides in one of the cottages adjacent and will oversee the management of the hostel.

6.14 Regarding travel, the company would be providing a minibus service.

Access and Highway Issues

6.15 The site is accessed by an existing entrance between Fromington Cottages. This access is substandard, however improvements can be achieved and the Traffic Manager is satisfied that a safe access can be provided.

6.16 The site lies approximately 800 metres from the Marden road which provides two way traffic into the village of Marden.

6.17 In line with guidance and policy promoting sustainable travel options, a Green Travel Plan is requested by condition to ensure ongoing monitoring of the site. This would complement the requirement to provide secure cycle parking.

Other Issues

6.18 Foul drainage is by means of a private treatment plant, details of which the Environment Agency require clarification of, however this represents a technical matter and not considered fundamental to the consideration of the application. The requirements could be covered by condition.

Conclusions

6.19 The provision of a hostel to house the workers is an innovative approach to providing enhanced accommodation and in your Officers' opinion is less intrusive in the landscape than a number of caravans or accommodation pods that have been used elsewhere in the county. The need for the accommodation has been proven and well supported by the County Land Agent.

6.20 Policy allows for exceptional development to be provided in the countryside for agriculture whether it is buildings or dwellings. This proposal is one that fits into both categories and can therefore be justified.

6.21 Finally management of the hostel will be undertaken by the Farm Manager who resides in one of the cottages adjacent to the site and an occupancy condition will be recommended limiting the use to agricultural workers.

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. The occupation of the hostel shall be limited to a person solely or mainly working in the locality in agriculture.

Reason: It would be contrary to Development Plan policies to grant planning permission for hostel accommodation in this location except to meet the expressed case of agricultural need.

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. F32 (Details of floodlighting/external lighting).

Reason: To safeguard local amenities.

8. G04 (Landscaping scheme (general)).

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

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

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

10. H03 (Visibility splays).

Reason: In the interests of highway safety.

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. H21 (Wheel washing).

Reason: To ensure that the wheels of vehicles are cleaned before leaving the site 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.

14. Prior to the commencement of the development a Travel Plan that contains measures to promote alternative sustainable means of transport for staff and visitors with respect to the development hereby permitted shall be submitted to and be approved in writing by the local planning authority. The Travel Plan shall be implemented in accordance with the approved details. A detailed written record shall be kept of the measures undertaken to promote sustainable transport initiatives and shall be made available for inspection by the local planning authority upon reasonable request.

Reason: In order to ensure that the development is carried out in combination with a scheme aimed at promoting the use of a range of sustainable transport initiatives.

15. G39 (Nature Conservation – site protection).

Reason: To ensure that the nature conservation interest of the site is protected.

16. Prior to the first occupation of the hostel subject of this permission all agricultural workers caravans sited on land in the control or ownership of the applicant shall be removed permanently from the land and no caravans shall be placed on the said land without the consent of the local planning authority.

Reason: The permanent hostel accommodation replaces the need for agricultural workers caravans and the removal of such temporary structures is regarded as an important justification for the hostel, which will bring about an enhancement of the wider landscape.

17. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification, no agricultural workers caravans, as defined within Part 5, Schedule 2 of the Order, shall be sited on any agricultural land within the control or ownership of the applicant.

Reason: The permanent hostel accommodation replaces the need for agricultural workers caravans and the removal of such temporary structures is regarded as an important justification for the hostel, which will bring about an enhancement of the wider landscape.

Informatives:

1. In connection with condition 14, the applicant is advised that advice on its formulation and content can be obtained from the Sustainable Travel Officer, Herefordshire Council Transportation Unit, PO Box 236, Plough Lane, Hereford, HR4 0WZ.

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

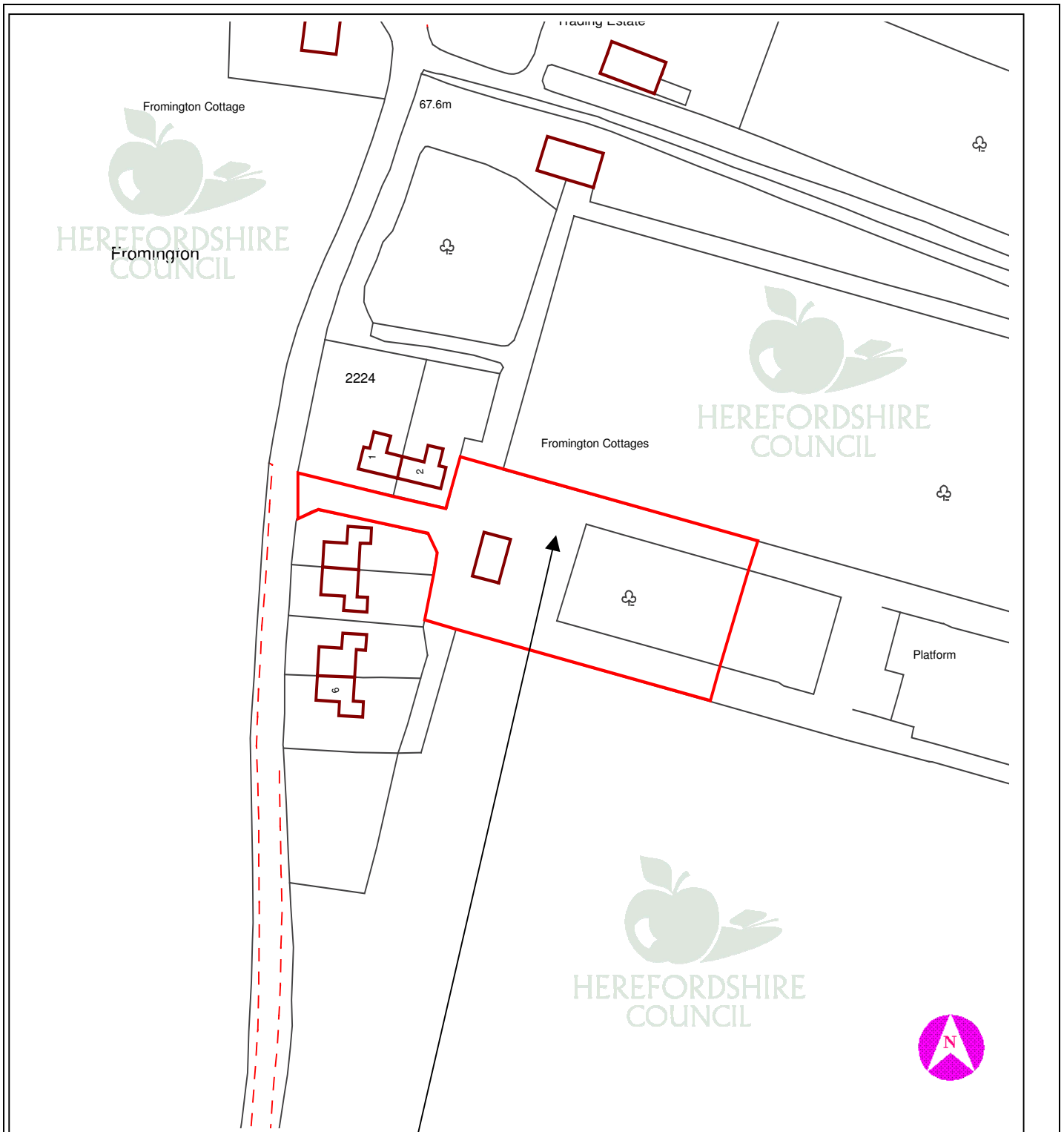
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCCW2006/1148/F

SCALE : 1 : 1250

SITE ADDRESS : Former Fromington Nursery, Burmarsh, Herefordshire

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7 DCCE2006/1374/O - PROPOSED DWELLING IN GARDEN. 22 FOLLY LANE, HEREFORD, HEREFORDSHIRE, HR1 1LY

For: Mrs. D.R. Built per Mr. C. Goldsworthy, 85 St Owens Street, Hereford, HR1 2JW

Date Received: 26th April, 2006 Ward: Tupsley Grid Ref: 52509, 40355

Expiry Date: 21st June, 2006

Local Members: Councillors Mrs. M.D. Lloyd-Hayes, Mrs. E.A. Taylor and W.J. Walling

Introduction

This application was deferred at the meeting of the Central Area Planning Sub-Committee on the 28th June, 2006 in order to carry out a site visit. The visit took place on the 11th July, 2006.

1. Site Description and Proposal

- 1.1 This application seeks outline permission for the erection of a new dwelling at 22 Folly Lane, Hereford. The application reserves all matters but an indicative layout plan has been provided. This application represents a resubmission of an Outline planning application (DCCE2005/3072/O) which also sought permission for a dwelling. This application was refused using Delegated powers.
- 1.2 The existing site fronts onto Folly Lane and consists of a dwelling located to the rear within a garden curtilage. To the west of the site is found frontage development facing onto Folly Lane. Folly Drive runs immediately to the east of the application site serving 11 dwellings. The application site is located within the Established Residential Area and gradient levels rise from the front of the site to the rear of the site. This proposal seeks permission for a dwelling to be sited in the front garden area of number 22 Folly Lane. The indicative layout suggests a dwelling located approximately 11 metres in from the highway with the existing front access point closed. A new vehicular access to serve both the existing and proposed property is shown to the front of number 22, accessed from Folly Drive.

2. Policies

2.1 Hereford Local Plan:

| | | |
|-----|---|---|
| H12 | - | Established residential areas – character and amenity |
| H13 | - | Established residential areas – loss of features |
| H14 | - | Established residential areas – site factors |

2.2 Herefordshire Unitary Development Plan (Revised Deposit Draft):

| | | |
|-----|---|--|
| S1 | - | Sustainable development |
| S2 | - | Development requirements |
| S3 | - | Housing |
| DR1 | - | Design |
| H1 | - | Hereford and the market towns: settlement boundaries and established residential areas |

3. Planning History

3.1 DCCE2005/3072/O – Proposed dwelling. Refused 15th November, 2005.

3.2 95/0035/PF - Two storey extension. Approved 27th February, 2005.

4. Consultation Summary

Statutory Consultations

4.1 None.

Internal Council Advice

4.2 Traffic Manager – No response received

4.3 Environmental Health Manager – No objection

5. Representations

5.1 Local residents – Two letters of objection have been received from the following sources:

- P.A. Hawkins, 20 Folly Lane, Hereford
- Mr and Mrs C.L. Williams, 24 Folly Lane, Hereford

The comments raised can be summarised as follows:

1. The proposed access will cause noise, light and pollution issues; the existing access should be used.
2. Mature trees on site have been removed;
3. Adverse impact upon nature conservation;
4. Unacceptable subdivision of a garden area;
5. Proposal fails to acceptably meet the criteria outlined in Hereford Local Plan Policy H14;
6. The proposal fails to comply with the criteria outlined in Herefordshire Unitary Development Plan (Revised Deposit Draft) Policy S1 and S2;
7. The proposal will be unable to promote or reinforce the distinctive character and appearance of the locality in accordance with policy DR1 of Herefordshire Unitary Development Plan (Revised Deposit Draft).

5.2 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 application site is located within the Established Residential Area of Hereford and as such there is no fundamental policy objection to a residential development of this site. As noted previously, all matters have been reserved in this application; however, the principle of residential development on this site must be considered.
- 6.2 As with the previous application it is considered that there are two significant issues for consideration in the context of this application. The first is the relationship of any new dwelling with the existing property on site. The second is the ability of any new property to integrate effectively into the street scene.
- 6.3 Having regard to the site and its context, it is considered that a new dwelling of an appropriate design and scale for this locality could not be introduced without either compromising the privacy of the existing dwelling, or representing an incongruous feature within the street scene to the detriment of the visual amenities of the area. A location towards the rear of the site will result a loss of privacy between the proposed property and the existing dwelling. Whilst the required distance between these properties to avoid overlooking would result in a prominent and intrusive feature within the street scene. The site is notable for its gradient and the siting of the neighbouring properties (20 and 24) is not conducive to the appropriate siting of this proposal. It is further assessed that, notwithstanding the above issues, a new dwelling on this site would result in a contrived relationship between the existing dwelling on site and the proposed new property.
- 6.4 Turning to the objections raised, the access limitations were recognised by the Traffic Manager in the previous application for this proposal (DCCE2005/3072/O) but it was suggested that either a widening of Folly Drive or the use of the existing access could resolve these concerns. A refusal on this matter was not considered reasonable with the previous application, particularly as access is a reserved matter, and this remains the case with this application.
- 6.5 Though this site does initially appear to offer the potential for development, it is considered that for the reasons discussed above the site is ultimately unable to acceptably accommodate a dwelling without compromise.

RECOMMENDATION

That planning permission be refused on the following ground:

- 1. The proposed development would, by virtue of the site constraints and its' context, result in a contrived and unacceptable relationship with the existing dwelling; and, would result in an adverse impact on the character and appearance of the street scene to the detriment of the visual amenities of the locality. The proposal is therefore considered contrary to Hereford Local Plan Policies H12, H13, H14 and Herefordshire Unitary Development Plan (Revised Deposit Draft) Policies S1, S2, S3, DR1, H1**

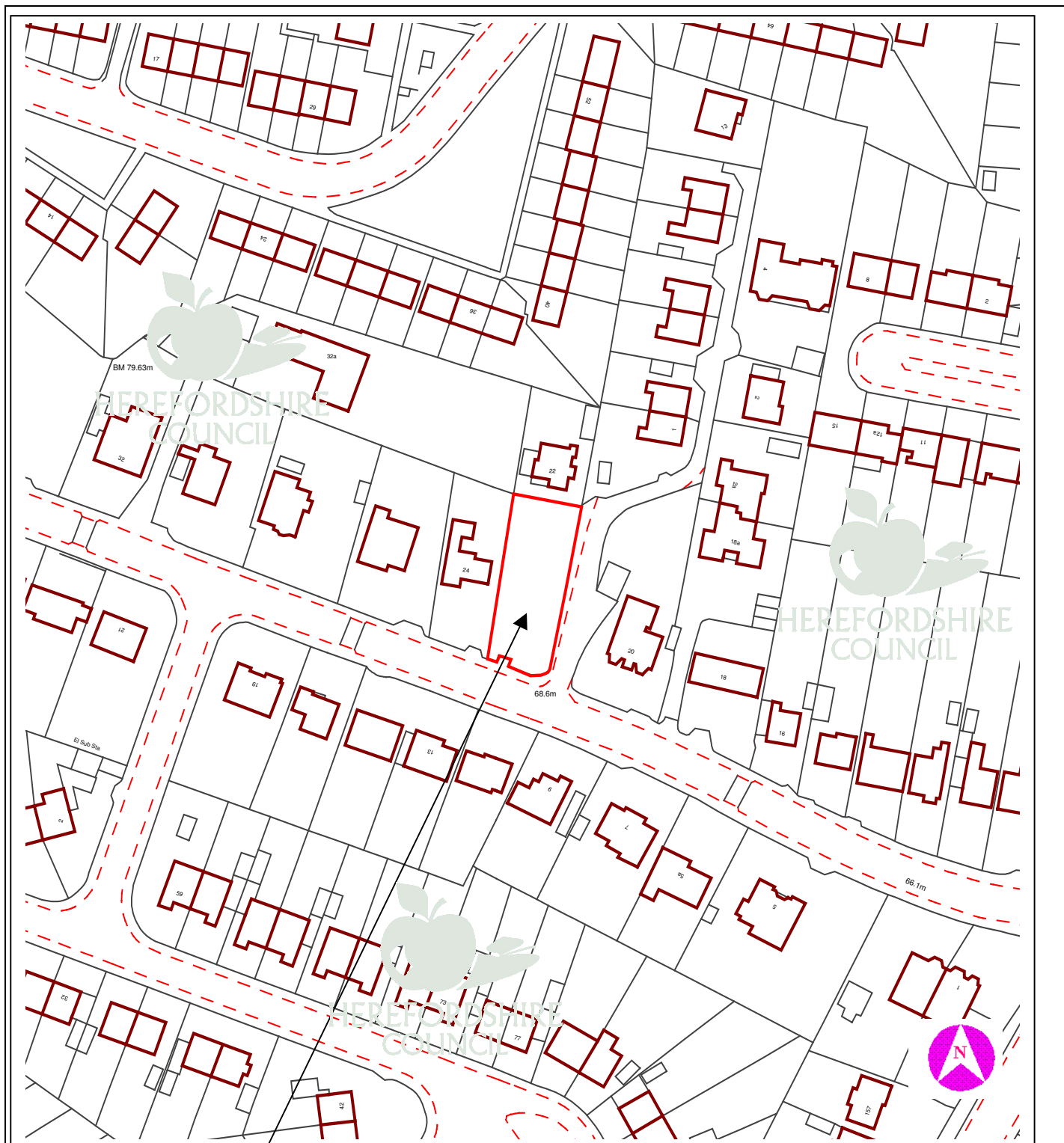
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCC2006/1374/O

SCALE : 1 : 1250

SITE ADDRESS : 22 Folly Lane, Hereford, Herefordshire, HR1 1LY

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8 DCCE2006/1277/F - CONVERSION OF 4 FLATS TO 3 NO. 2-STOREY MEWS HOUSES AND 1 FIRST FLOOR FLAT; DEMOLITION OF OUTBUILDINGS AND DEVELOPMENT OF 2 NO. COTTAGES; AND EXTENSION TO EXISTING TAKE AWAY. 1-3, PEREGRINE CLOSE, HEREFORD, HEREFORDSHIRE, HR2 6BS

For: Mr. J. Rudge, per Malcolm Rogers Consultancy Services, Highfields, Stanford Road, Great Witley, Worcs, WR6 6JG

Date Received: 18th April, 2006 Ward: St. Martins & Hinton Grid Ref: 51442, 38606

Expiry Date: 13th June, 2006

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

This application was deferred at the Central Area Planning Sub-Committee meeting on 28th June, 2006 to allow Members to inspect the site.

1. Site Description and Proposal

- 1.1 The site occupies a corner position bordering Hinton Road to the west, Acacia Close to the north and Peregrine Close to the south. A detached two storey brick and slated pitched roof building occupies the northern half of the site with an attached single storey garage running along the western boundary. This building is presently sub-divided into two one bedroom flats and a fish and chip shop/Chinese take-a-way at ground floor with one two bedroom and one one bedroom flat at first floor. The southern part of the site is largely set out to lawn and the curtilage is enclosed by a 1.5 metre high block wall. The site is largely surrounded by existing properties including bungalows to the north, two storey dwellings to the east and south and a detached timber framed two storey property to the west which is Grade II Listed. The site lies within the flood plain designated as both Flood Zone 2 and 3.
- 1.2 Planning permission is sought firstly for the re-arrangement of accommodation within the existing building on site to provide a single storey extension of the takeaway off the northern elevation at ground floor and sub-division of the remainder of the property into 2 No. two bedroom, and one three bedroom mews style property and a one bedroom flat at first floor. A first floor extension is also proposed off the northern elevation. Secondly, the existing single storey garage at the south western corner of the site is to be demolished and replaced with a one-and-a-half storey extension to create a further 2No. two bedroom units. The majority of the existing garden is to be changed to hardstanding to create six off road parking spaces with a further single space for the operators of the take-away proposed along side Acacia Close.

2. Policies

2.1 Hereford Local Plan:

| | | |
|-------|---|---|
| ENV1 | - | Land liable to flood |
| ENV14 | - | Design |
| H3 | - | Design of new residential developments |
| H7 | - | Communal open space |
| H12 | - | Established residential areas – character and amenity |
| H13 | - | Established residential areas – loss of features |
| H14 | - | Established residential areas – site factors |
| H21 | - | Compatibility of non-residential uses |
| CON2 | - | Listed buildings – development proposals |

2.2 Herefordshire Unitary Development Plan (Revised Deposit Draft):

| | | |
|------|---|--|
| S1 | - | Sustainable development |
| S2 | - | Development requirements |
| S3 | - | Housing |
| DR1 | - | Design |
| DR2 | - | Land use and activity |
| DR3 | - | Movement |
| DR4 | - | Environment |
| DR7 | - | Flood risk |
| DR13 | - | Noise |
| H1 | - | Hereford and the market towns: settlement boundaries and established residential areas |
| H13 | - | Sustainable residential design |
| H14 | - | Using previously developed land and buildings |
| H15 | - | Density |
| H16 | - | Car parking |
| H17 | - | Sub-division of existing housing |
| HBA4 | - | Setting of listed buildings |

3. Planning History

3.1 HC960077PF - Erection of external extraction ducting. Approved 8th May, 1996.

4. Consultation Summary

Statutory Consultations

4.1 Environment Agency: Comments awaited.

Internal Council Advice

4.2 Traffic Manager: I have concerns over the density of the proposed residential development and subsequent level of parking provision. I also note that the parking space in Acacia Close for the take-away operators is sub-standard. However, the parking appears to be acceptable for the number of units proposed. The take-away business is existing and does not appear to be significantly intensified as a result of the proposal. Recommends conditions.

- 4.3 Environmental Health and Trading Standards Manager: I am satisfied that there are no adverse environmental health implications.
- 4.4 Conservation Manager: The setting of the adjacent listed houses would not be affected by the proposed development. With regard to the building, what may have been an interesting core has been extended numerous times and therefore its architectural merits are less than if it had remained unaltered. In spite of this it still has some features of interest. The proposed extensions providing they use appropriate materials should not be overly detrimental to the character of the complex and therefore would be acceptable.

5. Representations

- 5.1 Hereford City Council: Recommends refusal on the grounds of proposed over intensive development.
- 5.2 Ten letters of objection have been received from local residents. The main points raised are:

- 1 the proposal is an over development of the site;
- 2 the proposal will lead to further congestion on narrow roads;
- 3 there will be disruption for possibly 12 months from the building works;
- 4 the tow path walk which is enjoyed by many holiday visitors will be ruined by yet more cars blocking the route;
- 5 the take-away was originally a chip shop but now includes a Chinese which means more customers waiting longer times and more cars blocking the road;
- 6 the storage area for the take-away is being moved to Acacia Close which is not suitable for heavy vehicles;
- 7 further congestion will make it difficult for emergency vehicles to access;
- 8 the deeds of all properties in Acacia Close forbids any business activities;
- 9 the take-away has no designated off road parking;
- 10 the local highway network is not suitable for accommodating further vehicular traffic associated with the development.
- 11 no parking will be available for visitors

- 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 proposal is for the re-organisation of the accommodation within the existing building to change three one bedroom flats and one two bedroom flat into a one bedroom flat, two two bedroom mews houses and one three bedroom mews house along with the creation of two additional two bedroom cottages.
- 6.2 There is no objection in principle to the re-organisation of the accommodation within the existing building as the floor area is largely the same with the exception of a small first floor extension off the northern elevation. The additional bedrooms are being created by sub-dividing existing rooms. A further single storey extension is proposed off the northern elevation to provide a new store and preparation area for the take-away. The scale of the extensions are modest and the form and design will harmonise with the existing building and will have no additional impact on the amenity of neighbouring properties.

- 6.3 The second element to the proposal relates to the demolition of the existing single storey garage/food storage area and its replacement with a one-and-a-half storey building to create two two bedroom cottages. The scale of this building is modest with the height being subservient to all other buildings in the immediate locality. This will ensure its impact on the character of the area and setting of the nearby listed building is minimised. The building has a simple form and appearance appropriate to its context and will have no additional impact on amenity enjoyed by nearby properties. As such the principle of the building in terms of its scale, design and materials is also considered acceptable.
- 6.4 The majority of the concerns expressed by objectors relate to lack of adequate parking and increased vehicle movements associated with both the additional number of units proposed and the take-away. The size of the take-away is not proposed to change and there will be no intensification of use as a result of this application in relation to the take-away usage. An additional two residential units will be created as a result of the development, which inevitably will lead to the likelihood of increased vehicle movements and a requirement for additional parking. The applicants have addressed this by providing off road parking of one space per unit. This is below the required standard particularly for a three bedroom unit, albeit this unit is modest in floor area. However, there is presently no off street parking to serve the existing four residential units or take-away and on balance the provision of one space per unit is considered to be an improvement on the existing situation. This is confirmed by the Traffic Manager who, whilst having concerns ultimately does not object to the application.
- 6.5 There remain concerns with the lack of private amenity space available to serve the units particularly given the location of the site on the fringes of the city. This issue has been addressed to a certain extent by enlarging the available space to be used as a communal garden area and although small, will provide an adequate amount of space for outdoor recreational use such as barbecues and the like. Furthermore the site is within walking distance of the King George's Playing Fields offering a range of recreational opportunities. Comments are awaited from the Environment Agency as the site lies within the flood plain. The applicants have, however, liaised with the Environment Agency prior to submission of the application and propose that the floor level of the two new cottages is above the highest recorded flood level for the locality.
- 6.6 Whilst parking and amenity space is limited, the provision of some off road parking is considered to be an enhancement of the existing situation where no off street parking exists, notwithstanding that an additional two units are proposed. On balance, therefore, the proposal is considered acceptable.

RECOMMENDATION

Subject to there being no objection from the Environment Agency by the end of the consultation period, the officers named in the Scheme of Delegation to Officers be authorised to approve the application 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 **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 H02 (Single access - footway).

Reason: In the interests of highway safety.

5 H06 (Vehicular access construction).

Reason: In the interests of highway safety.

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

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

7 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.

8 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.

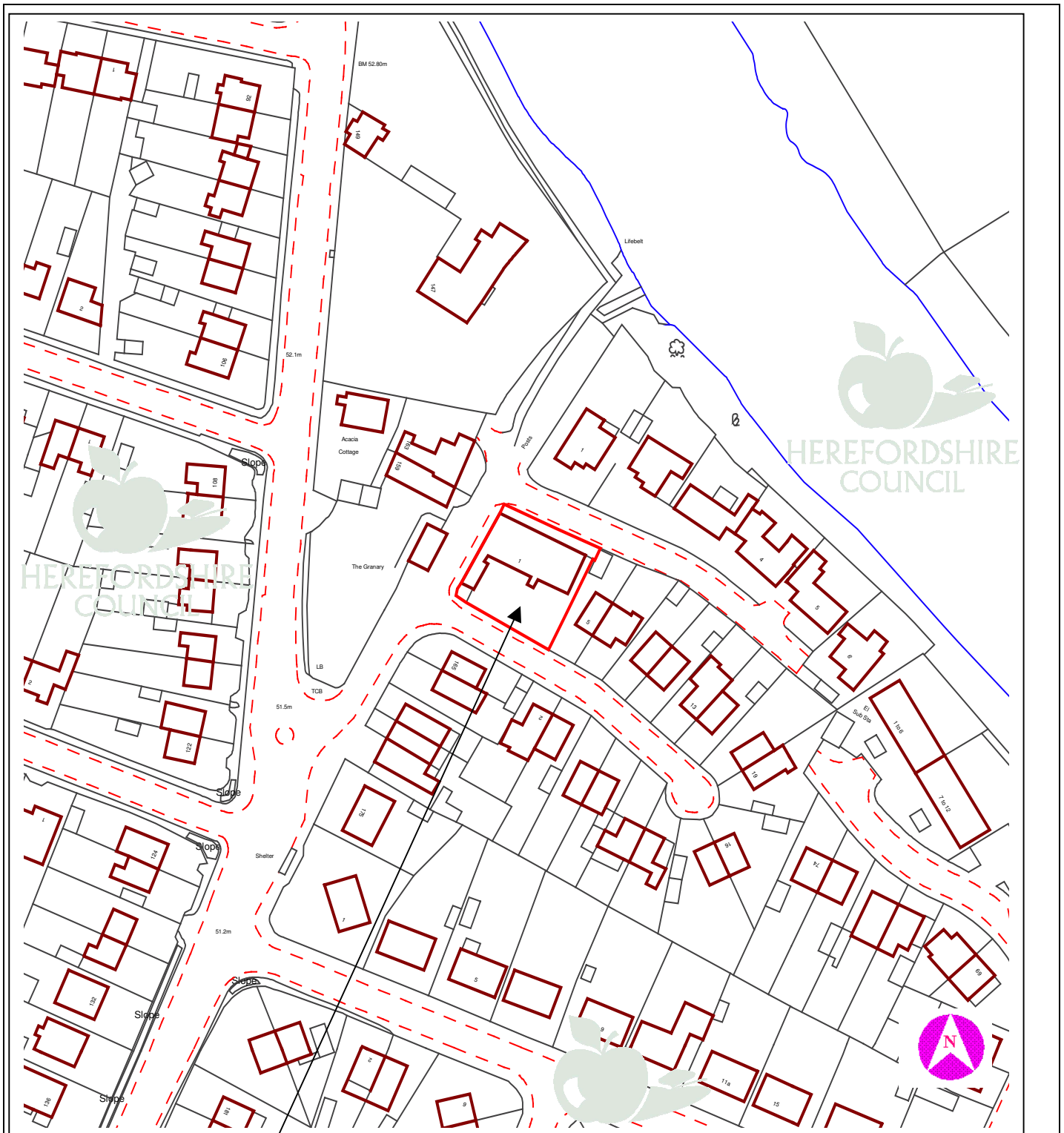
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCCE2006/1277/F

SCALE : 1 : 1250

SITE ADDRESS : 1-3, Peregrine Close, Hereford, Herefordshire, HR2 6BS

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9 DCCE2006/1654/F - CIDER HOUSE/STORE/PACKING SHED TIDNOR WOOD ORCHARDS, TIDNOR LANE, LUGWARDINE, HEREFORD, HR1 4DF

For: Mr. H. May, Knockmoyle, Strone, Dunoon, Argyll, PA23 8TB

Date Received: 18th May, 2006 Ward: Hagley Grid Ref: 56036, 39672

Expiry Date: 13th July, 2006

Local Member: Councillor R.M. Wilson

1. Site Description and Proposal

- 1.1 The site is located at the end of an unmade track within an old apple orchard, approximately 50 metres north of the C1144 and around 2.5KM east of Lugwardine. Immediately south are two single storey pitched roof agricultural storage buildings constructed in the last two years and used for the storage of agricultural machinery and equipment in association with the management of the orchard. Further orchard lies to the north which is partly designated as ancient woodland and approximately 100 metres to the east is Longworth Hall Farm.
- 1.2 Planning permission is sought for the construction of a further single storey pitched roof building measuring 6 metres in length by 5 metres in width with an attached store measuring 3 metres by 2 metres. The building is to be constructed from reclaimed bricks with rendered blockwork infill panels under a reclaimed pantile roof and is to be used as a store, packing shed and to house a traditional cider mill again in association with the management and harvesting of the surrounding orchard.

2. Policies

2.1 South Herefordshire District Local Plan:

| | | |
|-----|---|--|
| GD1 | - | General development criteria |
| C1 | - | Development within the open countryside |
| C10 | - | Protection of historic parkland |
| C19 | - | Ancient and ancient semi-natural woodlands |
| ED9 | - | New agricultural buildings |
| TM1 | - | General tourism provision |
| TM8 | - | Provision of new and improvement of existing tourist attractions |

2.2 Herefordshire Unitary Development Plan (Revised Deposit Draft):

| | | |
|-------|---|--|
| S7 | - | Natural and historic heritage |
| S8 | - | Recreation, sport and tourism |
| DR1 | - | Design |
| E13 | - | Agricultural and forestry development |
| LA4 | - | Protection of historic parks and gardens |
| RST13 | - | Rural and farm tourism development |

3. Planning History

- 3.1 CE2005/2054/S - Erection of an open agricultural store. Prior approval not required 7th July, 2005.
- 3.2 CE2005/0444/S - Proposed secure agricultural store. Prior approval nor required 4th March, 2005.

4. Consultation Summary

Statutory Consultations

- 4.1 Hereford & Worcester Garden Trust: No comments received.

Internal Council Advice

- 4.2 Traffic Manager: No objection subject to improvements in the visibility from the access.
- 4.3 Conservation Manager: I am concerned if the proposal entails the loss of any orchard trees as traditional orchards are a Herefordshire Biodiversity Action Plan Habitat.

5. Representations

- 5.1 Lugwardine Parish Council: No adverse comments.
- 5.2 Three letters of objection/comment have been received from local residents the main points raised are:
- The site is in a Green Belt Area well outside the boundaries of Lugwardine and Bartestree and very close to the Hampton Meadows SSI.
 - Any processing of apples or production of cider should be done away from the sensitive area for both wildlife and natural beauty.
 - There is only a small orchard and cannot justify the need for agricultural buildings.
 - Apples are presently not packed or stored on site but taken straight to cider factories.
 - It would be unacceptable if this and recent developments were used to justify the need for a residence on site or the retention of existing static caravan on site.
 - I have no objection in principle providing further landscaping is used to screen or soften the impact of the new buildings.
- 5.3 A letter of support has been provided by the applicant, the main points raised are:
- We already have 260 cider and cider related trees which is the biggest collection of UK cider apple trees in the world and by February 2008 this should increase to over 400 different varieties.
 - Some of our apples will fetch premium prices as we are in organic conversion and will therefore need to be hand picked and packed rather than sent off to cider mills.
 - Our honey is also in increasing demand and acquires clean and dry storage and handling facilities.
 - We also intend to produce our own juice in the building

- For a weeks a year we would also wish to use the building for traditional cider making using the press and mill which would be open to the public as a tourist attraction.
- 5.4 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 building is to be sited within the orchard alongside two recently constructed agricultural storage buildings. Its position will mean that it is largely concealed by existing orchard trees and although the materials are a little unusual for an agricultural building, they will follow the same design and theme as the other buildings on the site. As such the siting, design and external appearance of the building are considered acceptable.
- 6.2 The building is to be primarily used for agricultural purposes, which will include the processing of produce grown on the land - mainly apples and honey. For approximately 2 weeks every year the applicant also wishes to process apples using a traditional cider press and mill also to be housed within the building and to open up this activity to the public as a small tourist attraction possibly in association with Hereford Cider Museum. As the primary use of the building remains agricultural this is not considered unacceptable. Furthermore, there may also be educational benefits in raising awareness of the biodiversity benefits of retaining and managing traditional orchards.
- 6.3 The development is considered acceptable in accordance with the relevant Development Plan policies.

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 A08 (Development in accordance with approved plans and materials).

Reason: To ensure adherence to the approved plans and to protect the general character and amenities of the area.

3 G12 (Planting of hedgerows).

Reason: To ensure that hedges planted are ecologically and environmentally rich and to assist their permanent retention in the landscape.

3 H03 (Visibility Splays).

Reason: In the interests of highway safety.

Informative:

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

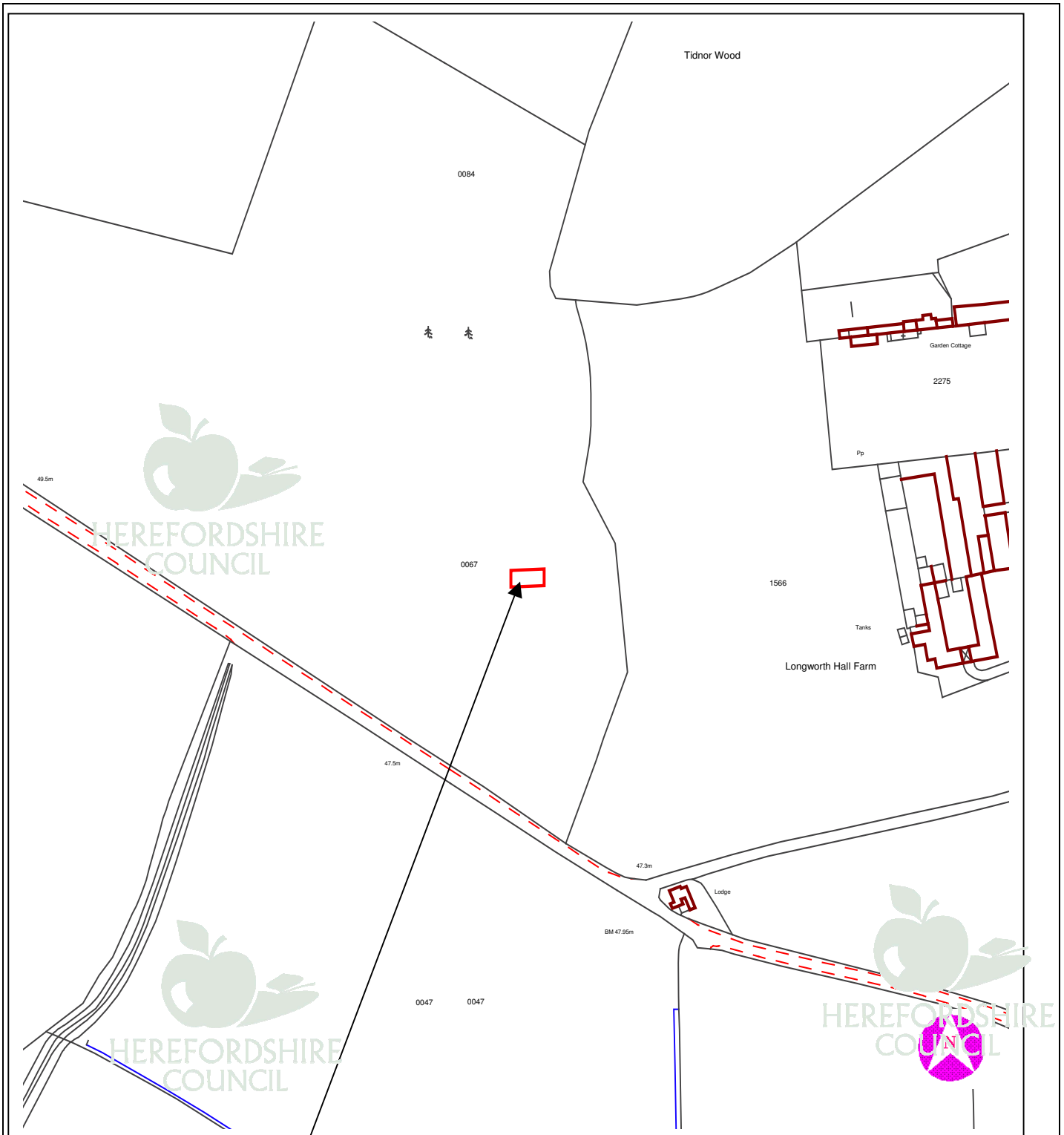
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCCE2006/1654/F

SCALE : 1 : 2500

SITE ADDRESS : Tidnor Wood Orchards, Tidnor Lane, Lugwardine, Hfd HR1 4DF

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10 DCCE2006/1619/F - RESIDENTIAL DEVELOPMENT COMPRISING 2 NO. 2 BEDROOM FLATS. LAND ADJACENT TO 72 BULMERS AVENUE, HEREFORD, HEREFORDSHIRE, HR1 1EJ

For: Hereford Co-operative Housing Ltd. JBD Architects, Mortimer House, Holmer Road, Hereford, HR4 9TA

Date Received: 15th May, 2006 Ward: Aylestone Grid Ref: 51665, 40887

Expiry Date: 10th July, 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 a two storey development to create two, two bedroom flats. The application site is located at the north eastern end of Bulmers Avenue, adjacent to No. 72. To the north and east of the site is found Frank Owen Court, a development of single storey dwellings. The site for the proposed building is broadly level, however, the eastern boundary is steeply banked with approximately 2 metres difference in levels between the lower parts of the site and the eastern boundary. The application site is located within a designated Conservation Area with the dwellings in this locality forming the first garden suburb development within the city.
- 1.2 The application proposes a unit with dimensions similar to those of the neighbouring semi-detached units, with a design intended to reflect the character of the locality but in a more contemporary manner. The site level is 0.3 metres higher than the adjacent land to the south west (occupied by No. 72), and the property itself 0.5 metres taller than No. 72, the total difference in ridge heights would therefore be 0.8 metres. A parking area is proposed to the front of the development, the front elevation of which is in line with that of the neighbouring properties to the south west.
- 1.3 This application represent a re-submission of a proposal that was ultimately withdrawn (DCCE2204/3542/F).

2. Policies

2.1 National Planning Guidance:

| | | |
|-------|---|---------------------------------------|
| PPS1 | - | Delivering sustainable development |
| PPG3 | - | Housing |
| PPG15 | - | Planning and the historic environment |

2.2 Hereford Local Plan:

| | | |
|-------|---|---------------------------------------|
| ENV14 | - | Design |
| H3 | - | Design of new residential development |

| | | |
|-------|---|---|
| H12 | - | Established residential areas – character and amenity |
| H13 | - | Established residential areas – loss of features |
| H14 | - | Established residential areas – site factors |
| CON12 | - | Conservation areas |
| CON13 | - | Conservation areas – development proposals |
| T5 | - | Car parking – designated areas |

2.3 Herefordshire Unitary Development Plan (Revised Deposit Draft):

| | | |
|------|---|--|
| S1 | - | Sustainable development |
| S2 | - | Development requirements |
| S3 | - | Housing |
| S6 | - | Transport |
| S7 | - | Natural and historic heritage |
| DR1 | - | Design |
| DR2 | - | Land use and activity |
| H1 | - | Hereford and the market towns: settlement boundaries and established residential areas |
| H16 | - | Car parking |
| T11 | - | Parking provision |
| HBA6 | - | New development within conservation areas |

3. Planning History

- 3.1 DCCE2004/3542/F - Residential development of 2, 2-bedroom flats. Withdrawn 19th January, 2005.
- 3.2 DCCE2001/2533/F - Erection of two storey extension to provide kitchen and additional bedroom. Approved 2nd November, 2001.
- 3.3 DCCE2001/0628/F - Erection of two storey extension to provide kitchen and additional bedroom. Refused 4th May, 2001.

4. Consultation Summary

Statutory Consultations

- 4.1 None.

Internal Council Advice

- 4.2 Traffic Manager: No objection subject to conditions.
- 4.3 Conservation Manager: No objection subject to conditions.

5. Representations

- 5.1 Hereford City Council: No objection.
- 5.2 Conservation Advisory Panel: Express concern at the loss of open space, advise that no context is submitted to comment upon, advise that this is a very important garden suburb, and suggest more details be requested.

5.3 Local Residents: Two letters of objection have been received from residents of Frank Owen Court. The comments made can be summarised as follows:

- Loss of privacy;
- Inadequate parking provision.

In addition to the comment made, a selection of photographs were also submitted showing the views from window openings in Frank Owen Court.

5.4 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 From a planning policy perspective this application seeks permission for a residential development within an Established Residential Area. No objections are therefore raised to the principle of development. The key issues to be considered are:

- a) Design and scale;
- b) Conservation Area impact and visual amenities;
- c) Residential amenities;
- d) Highways issues.

Design and Scale

6.2 The scale of this proposal is considered appropriate being reflective of the neighbouring semi-detached properties. The previous application for the development of this site (DCCE2004/3542/F) sought permission for a contemporary design with a strong character in stark contrast to the locality. This was considered unacceptable having regard to the context of the locality and the application was withdrawn on the advice of Officers. The design for this revised scheme whilst still contemporary represents a more subdued and sensitive approach. The need for the basic silhouette of the building to be similar to the neighbouring properties is a limiting factor, but this is a necessary and appropriate restriction in view of the strong defining character of the properties in the locality. The design as now proposed is considered appropriate in this location with the form and materials proposed matching the wider locality and the fenestration providing appropriate architectural interest and individuality. A broadly similar approach can be found to the southwest of the site in a development called Bertram Court.

Conservation Area Impact and Visual Amenities

6.3 The existing site is an open area of garden. The adjacent buildings are part of the first garden suburb with the city and as such are of architectural merit. In such a context it is considered that a contemporary design approach with a character reflective of the locality is an appropriate architectural approach. It is important for the proposal to do two things, firstly to reflect the character and appearance of the locality and sit comfortably in the locality, and secondly to express the building as a modern design to avoid an undesirable pastiche approach. It is assessed that the proposed design achieves these objectives and the character and appearance of the Conservation Area will be preserved through this development.

- 6.4 The existing trees and shrubs running along the eastern boundary are shown as being retained and this is considered important to the maintenance of the visual amenities of the locality. Having regard to this, and in recognition of the design, it is suggested that the visual amenities of the locality will be maintained.

Residential Amenities

- 6.5 The siting and layout of this proposal is such that the relationship to the north east and south west will be similar to that found throughout this estate. To the east and north east the relationship between the proposed development and the properties forming Frank Owen Court is of note. The closest point between the proposal and Frank Owen Court is approximately 15 metres, however, the window-to-window relationships must be considered having regard to their relative orientation. The difference between the floor level of the proposed development and that of Frank Owen Court is approximately 3 metres. The ground floor windows are therefore not of concern but at first floor level habitable openings are found in both the north east and east facing elevations. It is significant, however, that a 1.8 metre boundary fence is found along the boundary and a relatively dense landscape screen also runs along this edge. On balance it is considered that the relationship between these properties, together with the boundary screening, is such that the relationship between the proposed development and Frank Owen Court will be within acceptable limits. The impact upon residential amenities is therefore considered acceptable but appropriate conditions relating to the landscaped boundary treatment and slab level will ensure satisfactory form of this development.

Highway Issues

- 6.6 The proposal involves the use of the existing access point serving No. 72. Parking for two vehicles is proposed for this development. Although this development will result in the loss of the parking currently provided for No. 72, it is of note that a parking lay-by arrangement is found along the length of this road, reflecting the period of this development and the fact that off street parking is not available for all dwellings in this area. The Traffic Manager is of the opinion that the proposed parking arrangement is acceptable and is in accordance with emerging planning policy.

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 The fenestration of the development hereby approved shall be of timber construction with finishes to be submitted to and approved in writing by the local planning authority. Development shall then be carried out in accordance with the approved details and maintained thereafter unless otherwise approved in writing by the local planning authority.

Reason: To ensure the satisfactory appearance of the development.

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

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

- 6 F16 (Restriction of hours during construction).

Reason: To protect the amenity of local residents.

- 7 F48 (Details of slab levels).

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

- 8 H06 (Vehicular access construction).

Reason: In the interests of highway safety.

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

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

- 10 G04 (Landscaping scheme (general)).

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

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

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

- 12 G06 (Scope of landscaping scheme).

Reason: In order that the local planning authority may be satisfied that the deposited scheme will meet their requirements.

- 13 G17 (Protection of trees in a Conservation Area).

Reason: To ensure the proper care and maintenance of the trees.

Informatives:

- 1 N01 - Access for all.
2 N03 - Adjoining property rights.

- 3 **HN05 - Works within the highway.**
- 4 **HN10 - No drainage to discharge to highway.**
- 5 **N11A - Wildlife and Countryside Act 1981 (as amended) – Birds.**
- 6 **N11B - Wildlife & Countryside Act 1981 (as amended) and Conservation (Nat. Habitats & C.) Regs 1994 – Bats.**
- 7 **N15 - Reason(s) for the Grant of PP/LBC/CAC.**

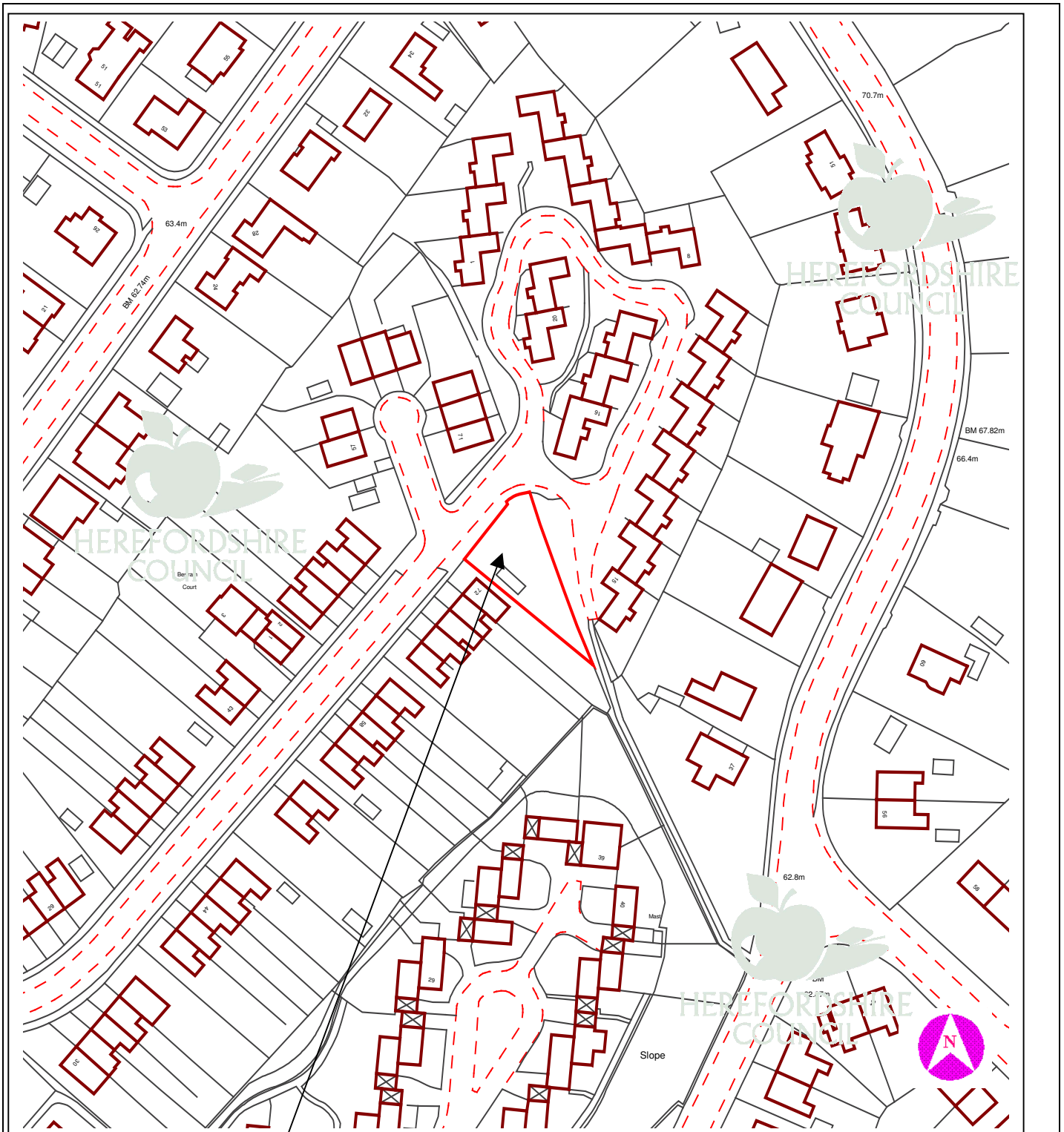
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCCE2006/1619/F

SCALE : 1 : 1250

SITE ADDRESS : Land adjacent to 72 Bulmers Avenue, Hereford, Herefordshire, HR1 1EJ

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11 DCCE2006/1624/F - SITING OF TEMPORARY CARAVAN FOR USE DURING CONSTRUCTION PERIOD OF NEW DWELLING. PLOT IN GARDEN OF LAVENDA, COURT GARDENS, FOWNHOPE, HEREFORD, HEREFORDSHIRE, HR1 4PB

For: Mr. A. Prosser, per Mr. C. Goldsworthy, 85 St Owens Street, Hereford, HR1 2JW

Date Received: 17th May, 2006 Ward: Backbury Grid Ref: 57989, 34613

Expiry Date: 12th July, 2006

Local Member: Councillor Mrs. J.E. Pemberton

1. Site Description and Proposal

- 1.1 This application seeks permission for the siting of a caravan in the garden of Lavenda Court Gardens, Fownhope during the construction of a new single storey dwelling. The application relates to the construction of a new bungalow approved by virtue of a successful appeal against planning application DCCE2006/0405/F.

2. Policies

2.1 South Herefordshire District Local Plan:

| | | |
|-----|---|-----------------------------|
| GD1 | - | General developmen criteria |
| C5 | - | Development within AONB |
| C8 | - | Development within AGLV |
| C9 | - | Landscape features |
| C17 | - | Trees/management |

2.2 Herefordshire Unitary Development Plan (Revised Deposit Draft):

| | | |
|-----|---|--|
| S1 | - | Sustainable development |
| S2 | - | Development requirements |
| S6 | - | Transport |
| S7 | - | Natural and historic heritage |
| DR1 | - | Design |
| DR2 | - | Land use and activity |
| DR3 | - | Movement |
| DR4 | - | Environment |
| LA1 | - | Areas of Outstanding Natural Beauty |
| LA5 | - | Protection of trees, woodlands and hedgerows |
| LA6 | - | Landscaping schemes |
| C43 | - | Foul sewerage |

3. Planning History

- 3.1 DCCE2005/0405/F - Erection of bungalow. Refused 4th May, 2005. Allowed on Appeal 8th December, 2005.
- 3.2 DCCE2004/3231/F - Erection of bungalow. Withdrawn 21st March, 2005.

4. Consultation Summary

Statutory Consultations

- 4.1 Water Authority: No objection subject to conditions.

Internal Council Advice

- 4.2 Conservation Manager: No objection subject to removal of caravan and reinstatement of garden upon completion of the dwelling.
- 4.3 Traffic Manager: No objection.
- 4.4 Drainage Engineer: No objection.

5. Representations

- 5.1 Fownhope Parish Council: No response received.
- 5.2 Local Residents: Three letters of objection have been received from neighbouring properties, the comments of which can be summarised as follows:
- Degrading of view;
 - Loss of privacy;
 - The application is retrospective;
 - Unauthorised tree works have been undertaken on site;
 - Drainage problems are occurring on site.
- 5.3 The tree works and retrospective nature of this application are not material considerations in the context of this application.
- 5.4 In relation to the drainage problems identified by neighbours the agent for this application has written to confirm that a leak has been identified and fixed and that the caravan is connected to the mains system.
- 5.5 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 Town and Country Planning (General Permitted Development) Order 1995 allows for the temporary siting of buildings required temporarily in connection with, and for the duration of, operations being carried out. However, in this case the occupants are not conducting the operations being carried out and the land in question is within the curtilage of the building. Permission for the temporary siting of this caravan is therefore required. In this instance the caravan is required to accommodate the future

occupant of the new dwelling to be constructed on this site, the occupants having sold their existing home to fund the construction of the new dwelling.

- 6.2 From the perspective of design and visual amenities it is clearly undesirable to site a caravan on the fringes of a Conservation Area and within an Area of Outstanding Natural Beauty. However, this application seeks temporary permission only, and this is in association with the construction of an approved development. On the basis that the caravan is to be removed upon the completion of the associated new dwelling it is considered that the refusal of permission on the grounds of an adverse impact upon the visual amenities of the locality would be unreasonable.
- 6.3 Turning to the residential amenities, the siting of the caravan is such that inter-visibility between this caravan and the neighbouring properties will be less of a concern than that which was associated with the approved dwelling. The caravan is sited parallel with the access lane creating a 45 degree angle between the north east facing elevation and the rear elevations of the dwellings to the east. At the closest point the caravan is approximately 22 metres from the nearest dwelling to the east. In comparison to this, the approved bungalow sits parallel to the dwellings to the east with a distance of approximately 15 metres at the closest point. The boundary treatments, distances involved, and respective relationships between the properties concerned are considered such that the impact upon residential amenities is assessed as being within acceptable limits.
- 6.4 Clearly the siting of this caravan in this location in the long term is undesirable on the basis of its design limitations and associated visual amenity impact. However, on the basis that this structure is required for a strictly finite and shore timeframe it is considered that this proposal is acceptable and that temporary permission should be granted. Having regard to the proposed building associated with this site it is considered that a 12 month permission period is reasonable.

RECOMMENDATION

That planning permission be granted subject to the following condition:

- 1 E23 (Temporary permission and reinstatement of land (mobile home/caravan))**

Reason: The local planning authority is not prepared to permit a residential caravan in this location other than on a temporary basis having regard to the special circumstances of the case.

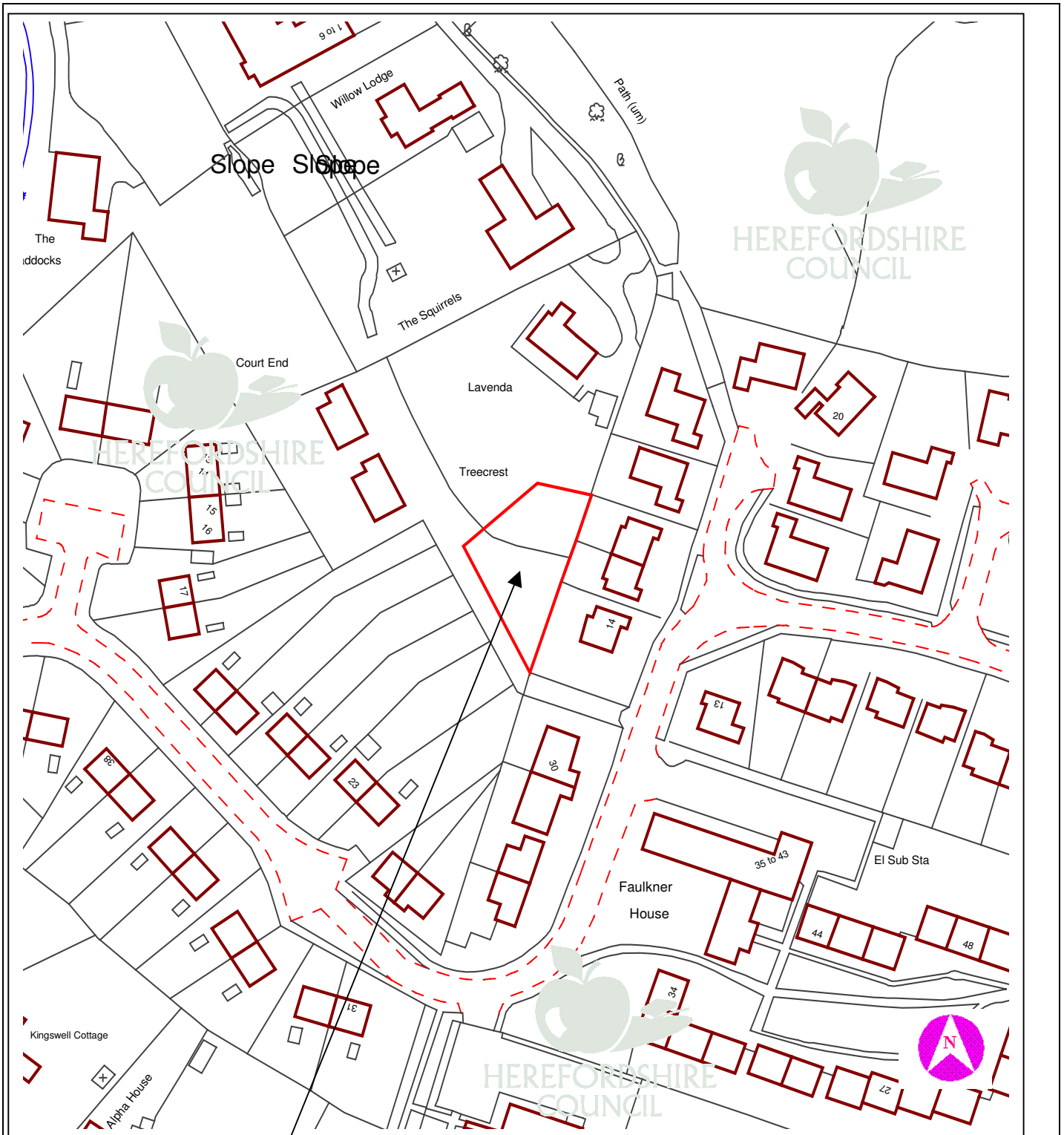
Informatives:

- 1 N03 - Adjoining property rights**
- 2 N15 - Reason(s) for the Grant of PP/LBC/CAC**

Decision:

Notes:

.....



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APPLICATION NO: DCCE2006/1624/F

SCALE : 1 : 1250

SITE ADDRESS : Plot in garden of Lavenda, Court Gardens, Fownhope, Hereford, Herefordshire, HR1 4PB

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12 DCCE2006/1772/F - SITING OF TEMPORARY LIVING ACCOMMODATION FOR AGRICULTURAL WORKERS. LAND AT WHITETHORN FARM, CAREY, HEREFORD, HR2 6NG

For: Mr. & Mrs. M. Soble, Paul Smith Associates, 19 St Martins Street, Hereford, HR2 7RD

Date Received: 23rd May, 2006 Ward: Hollington Grid Ref: 55900, 31056

Expiry Date: 18th July, 2006

Local Member: Councillor W.J.S. Thomas

1. Site Description and Proposal

- 1.1 The site is located north of unclassified road 72001, west of the hamlet of Carey. Ground levels fall steeply from the road northwards into the site and also from west to east surrounding the site. Immediately south is a small deciduous woodland known as Whitethorn Wood and around 80 metres north of the site are three detached dwellings located on the northern side of unclassified road 72003. An existing gravel track provides access into the site leading to an agricultural storage building for which planning permission was approved last year. The site lies within the Wye Valley Area of Outstanding Natural Beauty and is also designated as an Area of Great Landscape Value.
- 1.2 Temporary planning permission is sought for the siting of a mobile home on land to the west of the existing agricultural building to be occupied by a full time agricultural worker. Although no period has been specified, the relevant policy stipulates such proposals should be limited to three years. The mobile home would take the form of a timber clad chalet, although the specific design is yet to be selected. The applicants have provided an agricultural appraisal along with supporting letters from a horticultural expert and the Organic Advisory Service to explain the nature of the business and demonstrate the need for residential accommodation on site. These are appended to this report.

2. Policies

2.1 South Herefordshire District Local Plan:

| | | |
|------|---|--|
| C1 | - | Development within the open countryside |
| C4 | - | AONB landscape protection |
| C5 | - | Development within AONB |
| C6 | - | Landscaping within AONB |
| C8 | - | Development within AGLV |
| SH14 | - | Siting and design of buildings |
| SH17 | - | Agricultural workers' dwelling |
| SH18 | - | Imposition of agricultural occupancy condition |
| SH26 | - | Residential caravans/mobile homes |

2.2 Herefordshire Unitary Development Plan (Revised Deposit Draft):

- S7 - Natural and historic heritage
- LA1 - Areas of Outstanding Natural Beauty
- LA2 - Landscape character and areas least resilient to change
- H8 - Agricultural and forestry dwellings and dwellings associated with rural businesses

2.3 Planning Policy Statement 7 – Sustainable Development In Rural Areas.

3. Planning History

- 3.1 CE2006/0400/S - Agricultural building to store hay, straw, animal feeds and general storage. Prior Approval Not Required 28th February, 2006.
- 3.2 CE2006/0403/S - Agricultural glasshouse for raising of plants. Prior Approval Not Required 28th February, 2006.
- 3.3 CE2005/1944/S - Housing for irrigation control equipment and standby generator. Prior Approval Not Required.
- 3.4 CE2005/1124/S - Erection of agricultural building. Prior Approval Not Required 27th April, 2005.
- 3.5 CE2005/0350/F - Construction of farm track. Approved 4th May, 2005.

4. Consultation Summary

Statutory Consultations

- 4.1 Environment Agency: No comment.

Internal Council Advice

- 4.2 Traffic Manager: No objection subject to condition requiring visibility from the access to be improved.
- 4.3 County Land Agent: The project has started and is running well. Much of the capital expenditure has now been spent with the planting of fruit trees, the erecting of storage and office barn, polytunnels, etc. It would appear to be a well run operation with the production and marketing property thought through. The enterprise has every potential to be successful and as such profitable. In summary, the enterprise is imaginative and well planned and justifies a three year temporary permission for the mobile home.

5. Representations

- 5.1 Little Dewchurch Parish Council: Comments awaited.
- 5.2 Twelve letters of objection have been received from local residents the main points raised are:

- The character of the landscape which is designated as Area of Outstanding Natural Beauty and Area of Great Landscape Value as been adversely affected by recent developments. A mobile home will further detract from the quality of the landscape;
- There are other properties in the locality currently for sale and rent which would provide the necessary accommodation. An existing bungalow in the locality is presently for sale for £185,000 which should be affordable.
- There is no need for 24/7 presence on site.
- There is already a significant increase in noise over weekends and bank holidays from the refrigeration vehicle and other activities which has meant you cannot sit out in the gardens at weekends or evenings.
- A small food processing factory is presently being operated from the site.
- The aim of Planning Policy Statement 7 is to protect the environment, maintaining stable levels of economic growth and employment and concentrate development within existing towns and villages and strictly control development of the countryside.
- A functional need to live on site has not been proven. Many farmers, market gardeners and other businesses would like to live adjacent to work but it is not realistic or a valid reason for a mobile home.
- Any information that is requested to remain confidential should not be used in the assessment of the application.
- The local highway network is not of a suitable standard for existing and proposed development.
- The accommodation is for the landowners and not for agricultural workers thus the description is misleading;
- There has been a mobile home on site since July 2005 occupied by seasonal workers and another has been moved on site in the beginning of July. The seasonal workers can provide the essential on-site presence.
- The site lies outside of the village envelope for Little Dewchurch.
- The size of the unit is unlikely to be viable in the short or longer term.
- The applicant already owns a property in Hampshire.
- The track and access is not sufficient for the proposed uses.
- There are no long-term contracts for the purchase of the goods produced on site.

5.3 Three letters of support have been received, the main points raised are:

- The small-scale sustainable organic farm is a highly desirable project in keeping with the AONB;
- Only a medium-sized van or pick-up will be required to collect daily or weekly goods;
- The recent planting does and will enhance the appearance of the site and screen the buildings;
- The applicants have integrated well into the community;
- There are many people in the community who fully support the applicant in their business venture and their efforts in maintaining the viability of traditionally rural food-producing areas and is a welcome sight.

5.4 The full text of these letters and agricultural appraisals 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 application is for the siting of a mobile home which is intended to be of a twin unit timber clad structure measuring approximately 11 metres in length by 6 metres in width. Although no time period has been specified, the standard period for such proposals is 3 years.
- 6.2 The applicants holding extends to 18 hectares (44 acres) of Grade 1 agricultural land purchased in September 2004 which in June 2006 gained organic status. The land has been primarily planted with fruit orchards including apples, pears, plums and cherries (7 hectares), soft fruits areas of raspberries, blackberries, strawberries, gooseberries, redcurrants, blackcurrants and jostaberries (1.5 hectares) and 2 hectares of vegetables. A small number of free-range hens and 6 pigs for fattening are also kept on the land. The applicants also propose to start processing on site some of the food produced including the production of cider, fruit juices and jams. Some of the facilities for this food processing operation already exist on site including refrigeration equipment. The ethos of the enterprise being sustainable organic food production.
- 6.3 Policy H8 of the Unitary Development Plan and advice within Planning Policy Statement 7 states that where the evidence for a long term need for an agricultural workers dwelling is inconclusive or where the enterprise has not been fully established, planning permission for temporary accommodation may be granted for a maximum period of 3 years. The guidance sets out five criteria, which must be satisfied to enable support to be given for such a proposal. These being:
1. Clear evidence of a firm intention and ability to develop the enterprise concerned (significant investment in new farm buildings is often a good indication of intentions).
 2. The functional test to established whether it is essential for the proper function of the enterprise for one or more workers to be readily available at most times, day and night.
 3. Clear evidence that the proposed enterprise as been planned on a sound financial basis.
 4. The functional need could not be fulfilled by another existing dwelling on the unit or any other existing accommodation in the area, which is suitable and available for occupation by the workers concerned.
 5. Other normal planning requirements such as siting and access are satisfied.

It is against these criteria that the application is being considered.

Clear evidence of a firm intention and ability to develop the enterprise concerned

- 6.4 A detailed agricultural appraisal has been provided along with a business plan up to the year 2010 including projected financial returns for the period 2006-2010. Much of the basic infrastructure has now been installed on site including an agricultural storage building incorporating refrigeration equipment, polytunnel for propagation of vegetables, farm track, pumping station and bore hole for irrigation purposes along with the planting of the crops. This evidence and investment alongside the projected business plan indicate a firm intention to develop the enterprise further with good prospects of it becoming viable and sustainable in the short and long term.

Whether it is essential for the proper functioning of the enterprise for one or more workers to be readily available at most times, day and night.

- 6.5 It must be demonstrated that there is a clear functional need to live on site day and night to deal with emergencies that otherwise could cause serious problems such as death of animals or loss of crops. Activities associated with food processing as opposed to agriculture cannot be used to justify a mobile home.
- 6.6 There is only a small amount of livestock on the holding totalling six pigs and a few free-range hens. This amount of livestock housed and farmed in a free range/organic manner does not necessitate any on site presence although it is appreciated that they will require regular and on occasions, night-time inspection. The crop production of fruit and vegetables is also undertaken in a non-intensive manner and therefore is not susceptible to significant crop failures in the same way that that produce grown intensively within polytunnels or greenhouses may be although modern alarmed automated systems with back up generators can now address such problems.
- 6.7 Organic horticulture is very labour intensive and there is also likely to be instances where there is the need to work during unsociable hours or even through the night to harvest the crops, for example. However, this requirement appears to be sporadic and the nature of the business is such that it could successfully be managed from a property in the locality. Furthermore, if there are occasions when there is an essential functional requirement to live on site in connection with a particular activity, although not ideal, this need could be met by a temporary mobile home in the form of a touring caravan which could be taken on and off site as required. Such a situation is not uncommon with farms particularly where animal husbandry is an issue such as lambing or calving periods. Therefore, whilst it would undoubtedly be more convenient to live on site and would assist in the future development of the business, it is not considered essential for the successful functioning of the business for a permanent on site presence.

Clear evidence that the proposed enterprise as been planned on a sound financial basis.

- 6.8 The projected business accounts provided for 2006 to 2011 identify a marginal profit of for this year of £5,805. If a standard agricultural wage of around £14,000 is deducted, the profit would obviously turn into a loss. However, the projected figures identify the profits margins progressively increasing in line with the development of the business with a net profit projection for the year 2010 of £61,140. Although the figures are all largely projected and will be reliant on more secure contracts for the purchase of the produce in forthcoming years, the projections appear realistic. Furthermore, it is understandable that as the business is still developing, profit margins will be relatively low in its infancy. As such the information provided would appear to indicate that the business has been planned on a sound financial basis and has good prospects of being viable in the longer term.

The functional need could not be fulfilled by another existing dwelling on the unit or any other existing accommodation in the area which is suitable and available for occupation by the workers concerned.

- 6.9 The applicant has until very recently rented a property in the locality but there is no security of tenure and they have now been given notice to quit. A number of objectors

have commented on the fact that there are currently 2 properties for sale in the locality, one of which adjoins the applicants land.

- 6.10 It is understandable that as the business is in its infancy they would not wish to undertake capital expenditure purchasing a property although this is not a reason for supporting the application. The agent advises that another property was sought for rent in the locality last year but it could not be secured. The projected profit margins would appear to indicate that the repayments on a mortgage to secure a purchase is possible particularly if the applicant has other assets as stated by one objector. However, it is recognised that this would undoubtedly put further financial constraints on the business but no financial information has been provided to demonstrate that this is not an option. Furthermore, limited research has been undertaken on the availability of properties for sale or rent in the locality probably because the case is centred around the need for on site presence. Nevertheless, this is one of the specific tests and the limited information provided thus far does not conclusively dismiss this option notwithstanding that it may not be the applicants desire to continue operating the business from a property in the locality rather than on site.

Other normal planning requirements such as siting and access.

- 6.11 A timber chalet style construction is proposed which is considered to be the most appropriate design and material given the location of the site within an Area of Outstanding Natural Beauty. The applicants have agreed to amend the siting to bring the chalet nearer to the existing buildings both constructed and approved which will assist in creating a more compact group of development. Ultimately, the development will have an impact on the landscape but the proposal ensures that the impact is minimised. The Traffic Manager considers the access to be acceptable providing the visibility is improved.

Conclusion

- 6.12 There is no doubt that the applicants have worked hard to develop an environmentally and financially sustainable business through organic working practices and a good business case appears to have been formulated. Furthermore, having on site accommodation would undoubtedly assist in the efficient management and development of the horticultural enterprise. However, the essential need for on site accommodation at most times day and night does not exist neither can the option of other properties in the locality for sale or rent be presently discounted. Therefore, whilst there are many positive merits to the proposals, all the required tests have not been satisfied and the application is recommended for refusal.

RECOMMENDATION

That planning permission be refused for the following reason:

- 1 The nature of the business does not warrant a functional presence on site most times of the day and night neither has it been satisfactorily demonstrated that a functional need in connection with the business cannot be fulfilled by another property in the locality. As such the development is contrary to Policy SH17 of the South Herefordshire District Local Plan, S8 of the Unitary Development Plan and advice contained within Planning Policy Statement 7 entitled 'Sustainable Development in Rural Areas'.**

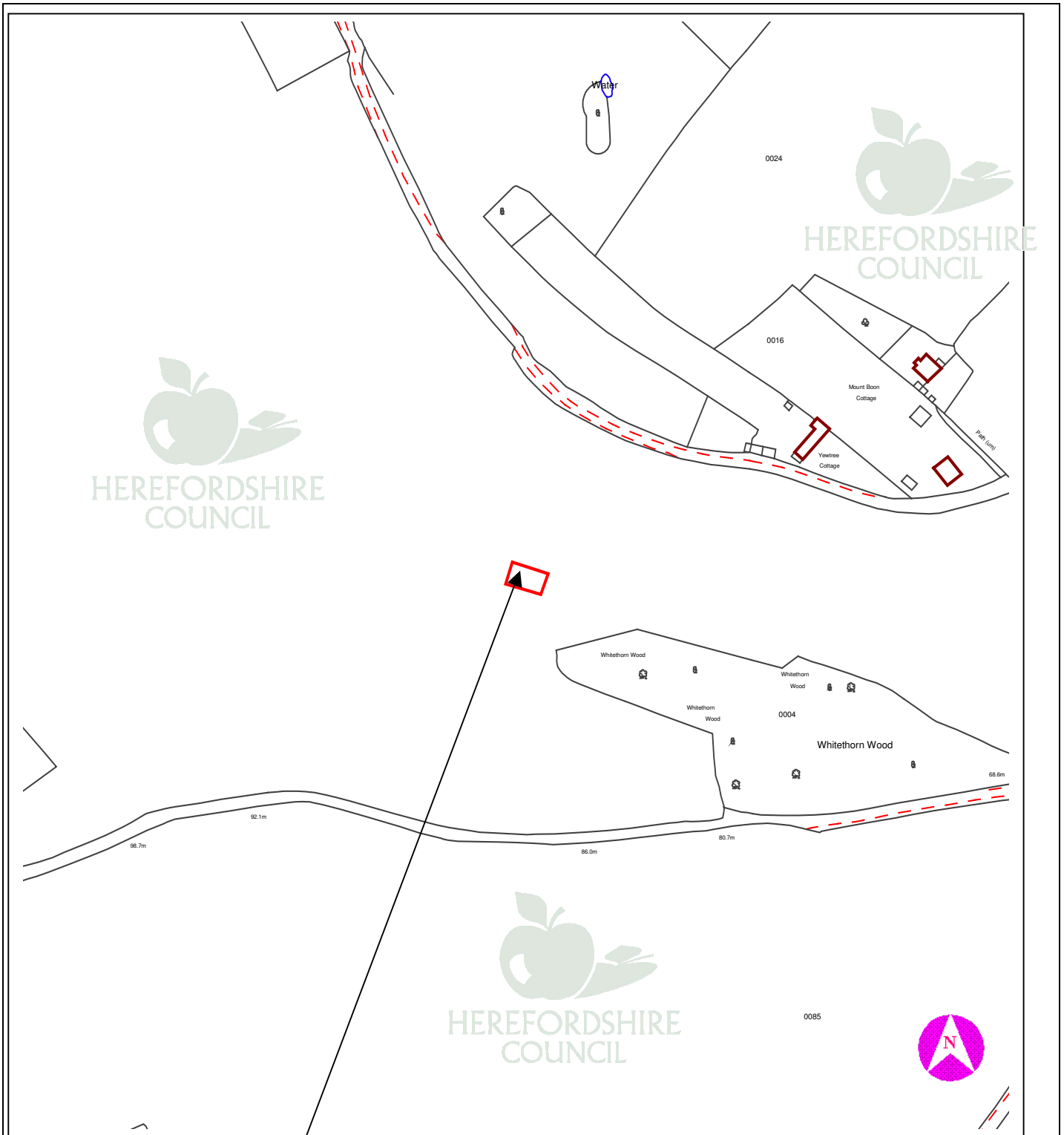
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCCE2006/1772/F

SCALE : 1 : 2500

SITE ADDRESS : Land at Whitethorn Farm, Carey, Hereford, Herefordshire, HR2 6NG

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Planning Statement
by Paul Smith Associates.

Planning Application Submitted by Mr. and Mrs. M. Soble
for
the Siting of Temporary Living Accommodation for Agricultural
Workers, Whitethorn Farm, Carey, Herefordshire. HR2 6NG.

1.0 Background.

1.1 The applicants bought this 18 hectare holding in September 2004 since which time they have established an organic horticultural enterprise. The holding completes organic conversion in June 2006. It comprises Grade 1 land and it has been planted primarily with top fruit orchards including apples, pears, plums, and cherries, soft fruit and vegetable areas. The holding has achieved Soil Association registration and qualifies for DEFRA grants for organic conversion and environmental stewardship.

1.2 To help restore the bio-diversity of the holding and improve protection over 500 trees have been planted using primarily native species to extend the existing woodland together with new under-planting to replace the dead and dying trees. Over 1000 metres of hedgerow has been planted to replace the hedges grubbed out over the last 20 years. Large areas are left uncultivated and un-mown as wildlife habitats. The orchards comprise more than 70 varieties and are planted in a more traditional manner with wider spacing and mixed grass and wildflowers growing below.

1.3 The farm implements good organic and sustainable farming practices as much as possible using lengthy crop rotations and fertility building leys to reduce pest and disease problems. The only additions are farmyard manure from neighbouring farms and green waste compost from council composting sites as a soil improver and mulch.

1.4 The farm is run on a full-time basis by the two owners with the help of seasonal workers and local contractors. As a response to the growing needs of this holding, the applicants have constructed a farm track, a storage barn, pole barn, a borehole for irrigation purposes and a greenhouse in addition to the siting of temporary polytunnels. The seasonal workers are accommodated in a temporary mobile home. The applicants have been able to rent a nearby holiday cottage property as an interim measure. However, their occupancy is reaching an end. The use of this property as holiday accommodation is soon to resume and there exists no other accommodation available to them. The needs of the holding now compel the applicants to live on-site so as to supervise and manage the unit appropriately.

1.5 The applicants have proven business experience and horticultural skills to ensure the holding is a viable venture. They also place significant emphasis upon environmental and local economic benefits. Sustainable farming is essential to retain the inherent qualities and beauty of the local area and traditional farming methods with low inputs and dedicated wildlife areas are a valuable resource. The wide range of crops makes more demands upon the applicants in terms of management and close supervision than would be if they adopted non-organic farming practices. However, this wide range of crops reduces the risk, makes better use of labour and allows more produce to be sold locally throughout the year. Better crop rotations for pest and disease control can also be established.

1.6 Despite the holding being relatively small scale and labour intensive, a good financial return will be achieved due to the range of valuable crops and direct sales to local markets. The holding hopes to be able to employ in time one or two local workers on a permanent basis. The farm has already established local markets with restaurants, speciality and convenience stores as well as number of local residents seeking out good organic produce. The applicants believe that there is excellent potential for a small farm shop and local box scheme.

1.7 In all, the farm contributes increasingly to the aims of Area of Outstanding Natural Beauty with its adoption of sustainable agricultural practice, farming for wildlife and by providing a range of produce to local people and businesses.

1.8 The basic infrastructure is now in place to establish a successful future for this enterprise. However, the impending loss of the applicants' temporary and unsecured living accommodation threatens to undermine their business plans and the future viability of their holding. It is under these circumstances that this planning application is submitted.

2.0 Relevant Development Plan Policy and National Planning Statements.

2.1 To be successful, such applications must accord with the development plan and PPS7 'Sustainable Development in Rural Areas' unless special circumstances dictate otherwise.

2.2 In support of this application, two independent reports produced by Mr. Keith Worsley and Mr. Roger Hitchings, Head of The Organic Advisory Service, are attached (see Appendix 1). Both Mr. Worsley and Mr. Hitchings, as experts in this field, have advised the applicants on the establishment and organic conversion of the holding.

2.3 Paragraph 12 of Annexe A to PPS7 permits the grant of planning permission for temporary agricultural living accommodation provided that an applicant satisfies the following criteria.

(i) Clear Evidence of a Firm Intention and Ability to Develop the Enterprise.

2.4 The applicants established their holding 20 months ago and since that time have committed themselves and have made substantial investments in this holding including the erection of buildings. The applicants have assumed the responsibility of employing and accommodating seasonal workers and have rented a house in the hamlet for themselves whilst they establish their holding.

2.5 In addition, the applicants have undertaken extensive research and have planned their holding meticulously resulting in its Soil Association Organic registration and in its Organic conversion next month. The applicants chose this holding as it comprises Grade 1 agricultural land and a topography, low frost risk and good water source ideal for horticultural (see paragraph 3 of Mr. Worsley's letter).

2.6 As part of this process, the applicants have produced an overview of their holding and a business plan. This information addresses confidential matters and the applicant is reticent to place it upon a file open to the public. However, the applicants do not object to presenting this information to officers and their agricultural consultant on a confidential basis and have done so under separate cover for their consideration. Nevertheless, Mr. Worsley had provided a financial appraisal of this holding upon which the Council can rely. This business plan shows that this holding has been established on a sound financial basis with substantial investment in orchards and long-term perennial crops and the necessary infrastructure although the enterprise is debt-free.

2.7 There is clear evidence of the applicants' firm intention is to continue to be engaged in farming and that they are willing and able to continue to realise their business plans. Both Mr. Worsley (paragraph 14 of his letter) and Mr. Hitchings (see his conclusions) confirm this assertion.

(ii) Whether there exists an Essential Functional Need for One or More Workers to be Readily Available at Most Times.

2.8 The applicants are the primary workers on this holding and it is essential for them to be on site and readily available at all times. The holding comprises a wide range of crops, growing aids, livestock and facilities requiring close management and supervision throughout the year.

2.9 It is important to note that organic horticultural and animal husbandry are much more labour intensive than conventional farming relying upon a more 'hands on' intuitive approach in harmony with nature for nutritional, pest and disease management rather than a pre-designed preventative program of chemical sprays and routine treatment with drugs.

2.10 Close climate control is essential for the raising of plants from seed in the greenhouse with heated propagation beds, ventilation and heating systems to be closely monitored and adjusted. The irrigation of nursery plants is by hand.

2.11 Protection is essential for some crops and polytunnels and greenhouse need ventilation control from dawn to dusk especially though the summer months. Polytunnel crops need irrigation and trickle systems need to be monitored and adjusted to meet the plants' specific requirements.

2.12 Many crops are susceptible to spring frosts and frequently 'fleece' covering are used to protect the most vulnerable plants. The majority of outdoor plants require intermittent irrigation to maintain plant health and reduce stress especially important in organic horticulture; crops and irrigation systems need constant monitoring for efficient and effective use of water.

2.13 Harvest of fruit and vegetables typically starts as dawn in summer months in order to minimise the 'field heat' in the crop, reduce refrigeration needs and crop deterioration. Seasonal workers who help with harvest need organisation and close supervision.

2.14 Fruit and vegetables need to be chilled immediately after harvest and transferred to cold store for short or long-term storage at the correct time and temperature. Top fruit crops will be in cold storage throughout the autumn and winter. Some of the soft fruit will be frozen on the day of harvest and moved to bulk freezers when the correct temperature is achieved. These processes need constant monitoring and personnel need to be available at all times. Cold stores, freezers and chillers need regular monitoring throughout the year and it is essential that personnel are on hand to deal promptly with any emergencies.

2.15 The holding includes a breeding pig herd of Oxford Sandy and Black pigs. This is a traditional English but endangered breed that is ideal for organic farming and a very important part of the holding's rotations and nutrient management. There will be six breeding sows producing about twelve litters a year. Although housed outdoors, the pigs will need feeding, inspection twice daily and assistance with farrowing.

2.16 In addition to these pigs, free-range chickens for egg production also provide some pest and weed management throughout the holding. Chickens require feeding and attention morning and evening and to be securely housed at night. The chicken flock will be introduced once the avian flu risk is reduced.

2.17 Messrs. Worsley and Hitchings attest to the fact that organic horticulture is very demanding of continuous manual inputs and skill, that the labour requirements of organic systems is always greater than in conventional counterparts and that there exists less margin for error to be successful. It is not enough that a crop survives – they must be given the best environment all the time and Mr. Hitchings considers that this is impossible if the owners are compelled to live off-site. The essential need for constant close supervision, protection and management of crops, livestock, ventilation and irrigation systems, seasonal labour and the cold storage procedures critical to the success of this enterprise is confirmed.

2.18 Mr. Worsley discounts reliance upon automatic and alarm systems because they will not warn and correct a malfunction; there is an essential need for a constant presence of a person on site (paragraph 13.9). Mr. Hitching considers reliance upon these automatic systems as being inappropriate. In any case, such systems become useless if there is a power failure or electrical fault. Mr. Hitchings also points to the need for the constant presence on-site of mechanical expertise for the carrying out of repairs and servicing.

2.19 Both Mr. Worsley and Mr. Hitchings see the continuing development of this holding renders it increasingly essential for security purposes that there is a constant on-site presence of the applicants. Paragraph 6, Annex A of PPS7 accepts that the protection of livestock from theft or injury is a material consideration although it is not, by itself, sufficient reason to justify a new dwelling.

2.20 Both Mr. Worsley and Mr. Hitchings state that the applicants must live on-site if they are to realise their business plan and continue to develop their holding. Therefore, there is a clear and essential functional need for the applicants to live on-site and that this need will increase as the holding develops.

(iii) Clear Evidence that the Proposed Enterprise Has Been Planned on a Sound Financial Basis.

2.21 Annex A of PPS7 refers to 'proposed' enterprise whereas the applicants submit this planning application some time after it has been established and they have achieved their initial business objectives.

2.22 The applicants have established their enterprise with great care marrying their business, marketing and horticultural experience with the advice of ADAS and the Organic Advisory Service. The holding qualifies for significant Organic conversion subsidies and Entry level system payments as well as the single farm payment.

2.23 The establishment of a wide range of fruit, vegetable and pork produce will minimise the reliance on any one crop and allow direct sales of a wider range of produce to limited local customer base at premium prices. Crops will attract a premium price once the holding becomes fully Organic next month. The increase in the supply of fruit and vegetables to local restaurants, small shops, farmers' markets and a box scheme better suits variations in supply more than if only larger customers were supplied. The wide range of crops balances capital and labour intensive enterprises with long- and short-term returns whilst using labour more effectively throughout the year avoiding significant peaks in a limited season.

2.24 Furthermore, small-scale processing (for example: juicing and freezing) uses prudently excess and grade-out crops extending the selling season and reducing waste. The applicants have identified a market opportunity for quality organic processed fruit for the speciality ice-cream, yoghurt and baby-food sectors where lower quality imported product presently dominates.

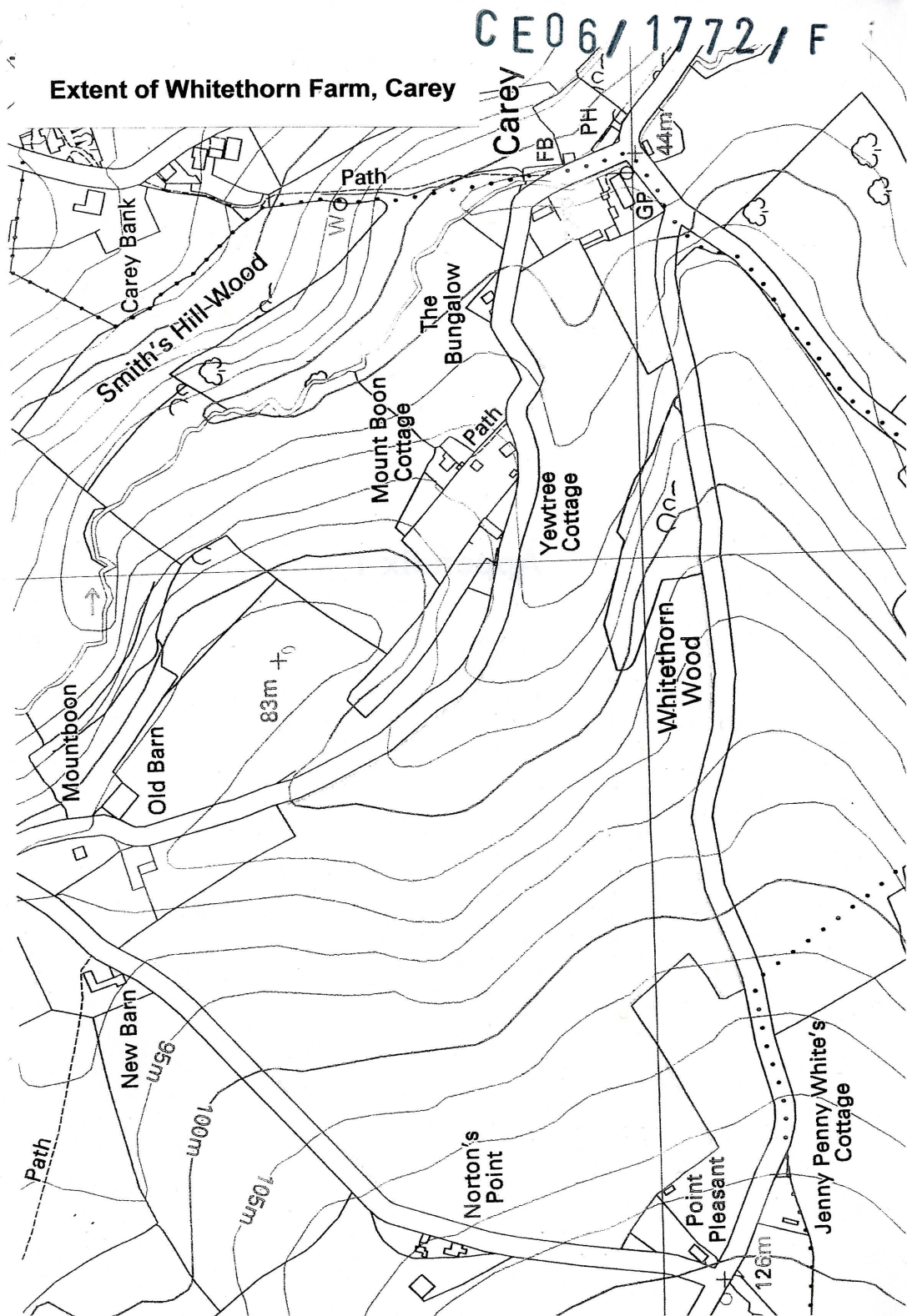
2.25 The applicants' business plan shows, *inter alia*, that the net profit of this enterprise will increase steadily from this year to the extent that within three years an income considerably greater than the minimum agricultural wage will be generated by this enterprise. Mr. Worsley has undertaken his own financial assessment which points to the same conclusion. Significantly, Mr. Hitchings' experience leads him to believe that the applicants' figures are, in some instances, on the conservative side.

2.26 Given this, I submit that the applicants have demonstrated that their enterprise has been planned on a sound financial basis and that the success of this holding achieved thus far attests to this fact.

2.27 In addition to this, the applicants place a significant emphasis upon environmental benefits including the restoration of the bio-diversity of their holding. This approach is entirely appropriate given that the holding lies in the Area of Outstanding Natural Beauty within which the primary objective is the protection and enhancement of its natural beauty. Significant lengths of hedgerow have been re-instated, the woodland has been improved and extended, large areas are left uncultivated and un-mown as wildlife habitats and the orchards have been planted in a more traditional manner to allow mixed grass and wildflowers to grow underneath.

2.28 In addition, the holding is conducting a DEFRA-funded project to evaluate green waste collections and it is part of the HDRA annual weed management programme.

2.29 Although the applicants' case is based primarily upon their ability to operate their enterprise at increasing levels of profitability and an ever-present functional need, it is worthy of note that weight is given to the management of attractive landscapes under paragraph 8 of Annex A, PPS7. Therefore, the



Appendix 1

Keith Worsley
Horticultural Consultant
'Keymer' 23 Braemar Gardens
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HEREFORD
HR1 1SJ
Tel: 01432 279372

26th April 2006

Horticultural Appraisal - Mr & Mrs Soble Whitethorn Farm

1 Introduction

1.1 Instructions

I have been instructed by Mr & Mrs Soble to write a report/appraisal regarding 18ha (44 acres) of land situated in the parish of Carey now known as Whitethorn Farm.

1.2 Qualifications and Experience

I, Keith Worsley, have spent my whole career in horticulture. I obtained my horticultural diploma in 1954 at Plumpton College, east Sussex. I spent ten years managing a nursery and fruit holding in Sussex. I obtained my NDH qualification and joined NAAS and until recently retiring, have been with MAAF advisory service (now ADAS) working in Sussex, Kent, East Anglia and West Country areas, moving to Herefordshire in 1980 as senior consultant in Fruit and Hops.

1.3 Background

I first met Mr & Mrs Soble in May 2003 when they requested advice and a report regarding establishing a horticultural enterprise on a parcel of land at Pencombe. Unfortunately they were unable to procure this land but continued looking for something suitable in Herefordshire.

2 18ha Parcel of Land, Carey

2.1 Description

Invited to visit the site in April 04. It is situated in a valley with a SE aspect toward the River Wye. It comprised approx 1ha of established woodland, that had been poorly managed, and 17ha (43 acres) of open land. This was bounded by an external hedge and almost wholly by roads. There were a number of horses grazing within electric fenced areas. There were 3 or 4 gated accesses to the roads around the external boundary. There were no buildings or permanent internal divisions. It was very obvious that all the internal hedges had been previously grubbed.

2.2 Geology

The whole area is of the Devonian Red Sandstone, mainly the Eardiston Series that can be described as a generally well-drained sandy soil. There are some areas of the Bromyard Series covering the higher parts, which is a heavier soil with more water retention. There were areas of 'cupped' sandstone, which indicated a possible source of underground reservoirs of water.

3 Horticultural Potential

The whole area is classified grade 1, with perhaps some reservation on the steeper slopes with regard to soil erosion, facing SE, the very low areas a frost risk, and for all horticultural needs, a good source of water. In conclusion the whole holding has an extremely good horticultural potential - the higher areas for top fruit production with the remaining area capable of sustaining any form of intensive horticultural cropping.

4 Purchase

After lengthy negotiations the land was purchased 'freehold' in September 2004 and named Whitethorn Farm. This, unfortunately, was too late to purchase a lot of the planting stock required for that winter planting season, but orders were placed for the future needs.

5 Development Plans

5.1 The whole unit to be run on Organic principles

5.2 The 17ha was subdivided into smaller areas taking into account the site, soil, aspect, and management needs. Thus the top fruits to occupy the higher areas of land creating cider, dessert, culinary, pear, plum and cherry orchards along with the necessary windbreaks and alleyways totalling 7ha. Below this are the areas of soft fruits, raspberries, blackberries, jostaberries, blackcurrants, redcurrants, gooseberries and strawberries totalling 1.5ha. Asparagus, Rhubarb and vegetable areas total approx 2ha. Protected cropping with multiple cropping equals approx 0.1ha. The remaining unplanted areas will be incorporated within the rotational needs of the strawberries and vegetable areas.

5.3 Bore hole

Water engineers were engaged to drill for water and successfully installed a borehole capable of producing 4m³/h. A storage tank installed at the highest point of the holding along with water mains and trickle irrigation to the respective crops.

5.4 Buildings

A horticultural building 22.8mx12mx5.2m (75'x40'x17') to eaves has been erected below the wood constructed of steel, block work and sympathetically clad in wood with a fibre cement roof. This will be used to house a cold store, freezing and refrigeration machinery, pack house equipment etc.

A 'Pole barn' 12mx7mx4m (40'x23'x13') is to be erected to store machinery and equipment, bulk bins, straw etc.

5.5 Propagation

A greenhouse of 9mx6m (30'x20') is to be constructed to replace a temporary polytunnel for propagating plants for polytunnel production and outside vegetable production.

5.6 Foreign Students

A temporary mobile caravan has been acquired for student use - providing accommodation is a pre-requisite for both 'Concordia' and 'HOPS' organisations.

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13.8 During harvest the cool chain requirement for crops needs supervision for 24 hours a day 7 days a week. For example fruits such as strawberries and raspberries need to be picked and within 30 minutes of picking the latent heat has to be extracted. Fruit is then check weighed in punnets and placed in a holding cold store with high humidity and a temperature maintained at +/- 4°C until despatched.

13.9 There are many automatic aids and alarm systems. There is no equipment that will warn and correct a malfunction other than the presence of a human being at all times.

13.10 The pigs are enclosed by an electric fence that is portable to enable easy movement to fresh sites. However, it needs constantly checking to ensure there is no short circuit or the animals get out.

13.11 The free range chickens need shutting in their house securely at dusk and ideally opening at dawn to avoid being killed by foxes

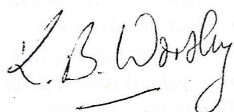
13.12 The holding is still being developed but will become more and more liable to intruders and theft, therefore, warranting an on-site presence at all times.

14 Conclusion

Mr & Mrs Soble wish to establish practical organic methods of production and to this end have made substantial investments on this 17ha holding, and will be making a lot more, indicating a sound and complete commitment to the organic system of production.

The owners have the required skills, resourcefulness and determination to make a success of the business, but need to be on-site all the time to succeed. The horticultural enterprise is being set up on sound financial footings, which will need to continue, as the organic systems need more time to bring good economic returns (compared to the conventional) in-organic systems.

Whitethorn farm has been successfully created so far from a bare piece of land. It now needs the provision of some essential on-site temporary accommodation to ensure the newly created unit can develop further successfully in the future.



Keith Worsley

The Organic Advisory Service

For Organic Principles & Best Practice

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The Organic Advisory Service farm report for:

Martin Soble
Whitethorn Farm
Carey
Herefordshire
HR2 6NG

| | | | |
|-----------------|---|-------------------|--|
| Advisor: | Roger Hitchings The Dower House Glyn Abbey Pontyates Llanelli SA15 5TL | Telephone: | 01554 810158 |
| | | Mobile: | 07980 57944 |
| | | Email: | roger@dower.idps.co.uk |

Introduction & Objectives

This report has been prepared with the purpose of producing an agricultural evaluation to support a planning permission application for a temporary agricultural residence in the first instance. The report will review the potential productivity of the holding and the financial appraisals that have been produced. Arguments will be introduced to demonstrate the desirability and in some cases the need for a permanent on-site presence. The latter will take into account the functional need requirement as outlined in PPS7.

Before going further I should introduce myself. I am presently Head of Advisory services at Elm Farm Research Centre and I am responsible for the Organic Conversion Information Scheme (OCIS), a government contract that we have held for over 9 years. The service has delivered over 7,000 free on-farm visits to a wide range of producers in England in that time. I visited the site on two occasions and provided advice on the establishment and organic conversion. I have been in touch throughout the process and I have followed progress with interest. I have been actively involved in organic horticultural advisory and consultancy work for 8 years and before that I was a registered organic producer myself growing a wide range of vegetable and salad crops for a range of outlets including supermarkets, organic wholesalers and local markets.

1

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In terms of further background I am a member of the Advisory Committee of Organic Standards (ACOS) and I also chair its Technical Committee. I sit on both the Horticulture Strategy Group and Organic Horticulture Sub-group in Wales, and I also serve on the Horticulture Standards Committee of the Soil Association. I am directly involved in a number of Defra-funded projects covering a range of topics that includes technical aspects of organic growing, the market for organic produce and the role of imports in the UK organic market.

It is worth remembering that there is a policy context that relates to organic production. The Curry Report deals with issues of local production and marketing, organic production and its environmental benefits, and healthy eating. All of these are considered to be very positive outcomes and worthy of encouragement at all levels. The English Organic Action Plan takes these themes further and also sets out a target of doubling the proportion of UK produced organic food. As noted Government policy sets out to encourage organic production through the provision of free conversion advice, the setting up of bodies as described and through the recently opened Organic Entry Level Scheme. Demonstrated benefits of organic production include increased biodiversity on organic farms, reduced consumption of external inputs, and increased employment with consequent implications for local economies.

The Farm

The details of the farm are set out in other documents and I will only note here the fact that I consider that this is a very substantial enterprise backed by considerable investment. It is also worth noting that significant steps have been taken to restore habitat and bio-diversity to the holding. While I am in general agreement with the financial figures that have been prepared though I do feel that in some instances they are on the conservative side. I am quite prepared to carry out my own analysis to back this statement up if this would be seen as helpful.

Report

Security

Regrettably security has to be near the top of the list as thefts from rural properties both commercial and domestic has increased dramatically in recent years. It is not possible at the present time to effectively deter unauthorised entry and monitor the site. Theft and vandalism can both contribute to financial losses even where insurance cover exists but more importantly the loss of key items of equipment at critical times of the year could be disastrous. The proposed dwelling would be ideally placed to monitor the farm entrance and provide a deterrent through the obvious presence of people.

Fruit production

Some of these comments will also apply to the annual crops.

- The presence of mechanical expertise on-site on a 24-hour per day basis can also be crucial for the efficient running of the farm. At busy times of the year the carrying out of

repairs and servicing during the hours of darkness could be critical to optimum timing of operations.

- Labour requirements in top fruit production are very seasonal but are extreme during the harvesting period. It can in effect mean the use of every hour of daylight and also requires a rapid response to changing weather conditions. Once again an on-site presence is essential to the efficient running of the business.
- A number of operations can require very early starts and many hours of continuous work on-site. This can include harvesting, the application of inputs, the selling of the crops, the processing of surpluses and many other operations.
- Other duties that will need to be carried out on a round the clock basis include the monitoring of the cold store parameters (and adjustments where necessary) along with the monitoring of pest levels in the orchards. Pests can be very small such as aphids, slightly bigger such as codling moth, quite large such as rabbits or very large such as deer. All cause damage in their various ways and appropriate action taken if this becomes economically unsustainable. Once again a case can be made for the monitoring of the site on a round the clock basis and the on-site presence of two full-time partners will make this possible.
- The labour requirements in organic systems are always higher than in the non-organic counterpart enterprises. The management of the labour demands is just as important as the management of the trees and the environment in which they sit. In my view this is a very important development that seeks to address current market and policy needs. It is therefore important that the workloads are distributed fairly and evenly.

Protected cropping management

In my opinion this is a very important reason why there needs to be a constant on-site presence. By its nature protected cropping seeks to maintain an ideal growing environment for the crop and this involves controlling temperature, humidity, ventilation and water supply. These can be controlled through the use of automatic systems but these would be inappropriate in this situation. In any event such systems can become useless if there is a power cut or electrical fault. Faults can lead to crop damage where an irrigation system stays on beyond its allotted time, vents stay closed in hot weather or open in the night, etc.

It is relatively straightforward to maintain an optimum environment in reasonably constant weather conditions but the real problems arise when there is a sudden change. Temperature rises of 15-20° C are not uncommon where overcast skies clear to give full sun – this is a situation where prompt action is essential to prevent damage to the crops. Sudden strong winds can cause damage to plants where the end doors are fully open for ventilation purposes and in extreme conditions can cause damage to the tunnels themselves. Problems occurring in the day are likely to be dealt with promptly when people are working there. It is the problems that can (and do) occur in the night that can give the greatest concern.

A considerable number of transplants will be raised on-site – small seedlings and transplants grown in module trays are much more sensitive to changes because they are generally less robust and because they are grown in a relatively small amount of compost. If the trays dry out unexpectedly then the young plants die – this can happen in a matter of hours. More seeds can be sown but the cropping plan will have been disrupted – seedlings that are stressed in their early stages of growth will not grow to their potential full size or productivity.

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Calabrese is one example where the plants head too early because of temperature stress while lettuce seeds refuse to germinate in conditions that are too hot. At the opposite end of the temperature spectrum damage will be caused by night-time frosts if they are unpredicted or precautions not taken.

In order to achieve the productivity on which the financial figures are based monitoring and adjustments need to be frequently carried out – this should involve several checks during every day and at least one every night. It is not enough that plants survive – they must be given the best environment all the time and I believe this would be impossible if the owners were required to live off-site.

Livestock issues

A high level of animal welfare is the norm for all UK production systems but it is subject to particular emphasis in organic systems. All organic livestock producers must not only comply with the guidelines set out by the Farm Animal Welfare Council (FAWC) but also with any particular provisions within the standards of their organic Certifying Body (CB). It is possible to manage a livestock operation from off site but there are a number of reasons why this would be unacceptable in this particular case.

- At the present time there is a single strand to the livestock (pigs) but this will change when the laying hen enterprise is initiated. The complexity of the livestock operation and the business as a whole is set to increase over time, a situation that can only realistically be managed by a 24-hour presence on-site.
- Specific welfare issues are to some extent unpredictable such as illness, parasite infestation (internal and external), and delivery difficulties. Other problems include stock especially young stock getting trapped or otherwise caught up in physical situations, escapes from the holding, entry of other stock and the risk of disease transfer e.g. scab in sheep, predation and the consequent risk of injured animals, etc., etc. Many of these issues could be addressed by the housing of stock on a more or less permanent basis but this is completely unacceptable on an organic holding. Livestock can be housed for a maximum of one third of their life and only where prevailing conditions require it i.e. in the depths of winter.
- Other issues are more predictable but they still need close management and attention to detail. These include the provision of food and water, security of housing where provided (e.g. poultry), security and safety of fencing, regular inspections seven days per week (implicit in the UK Organic Standards and explicit in the Soil Association Standards), treatment of health problems according to the standards, etc.
- Any such problems that arise during the normal working day can of course be dealt with because there should be people on site but, as was noted for the management of protected cropping, it is the problems that arise 'out of hours' that give rise to the greatest concern. Welfare problems of all types do not respect the working day and in some cases such as predation are likely to be worse at night. My opinion is that welfare of the existing and proposed livestock can only be maintained at the required level by a permanent presence on-site of the person with primary responsibility for the animals.

Actions & Conclusion

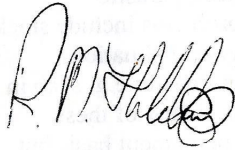
Actions & Conclusion

1. This is a business enterprise that has considerable potential for a strong degree of viability.
2. The commitment to all aspects of the business by the owners is clear and undeniable.
3. Such business developments are consistent with Government policy and can only have positive benefits for the locality and its environment. These include increased employment, the local production of food with few food miles and increased biodiversity.
4. I have set out a number of reasons why I believe a round the clock on-site presence is essential but not all will necessarily pass the functional test as required under PPS7 on their own merit.
5. That said I believe that the management of a diverse range of field crops and the complexities of the protected cropping operation does satisfy the requirements of the functional test.
6. I also consider that the existing livestock operation satisfies the requirements and this is set to become more complex as the business matures.

07 May 2006

DISCLAIMER:

In undertaking this work, *The Organic Advisory Service* has based its advice on the figures and information provided by the client or its representatives, the responsibility for which rests with the Client. *The Organic Advisory Service* has taken reasonable steps to ensure that the advice offered is accurate and applicable to the client's circumstances. No liability shall lie with *The Organic Advisory Service* in respect of any disclosure made of this advice and acceptance of this advice shall constitute an indemnity from the client to *The Organic Advisory Service*. It should be noted that the client is responsible for contacting where appropriate any relevant Government departments (e.g. DEFRA [MAFF] and the Intervention Board) to ensure that its individual situation in respect of points of law or procedure is ascertained and it is advisable that written replies are obtained to all queries.



Roger Hitchings BSc(Hons) PGCE(FE)
Head of Advisory Services

13 DCCW2006/1856/F - ERECT SINGLE DWELLING AT MIZPAH, THE ROW, WELLINGTON, HEREFORD, HEREFORDSHIRE, HR4 8AP

For: Idyllic Homes Ltd. per Axys Design, 30 Grove Road, Hereford, HR1 2QP

Date Received: 7th June, 2006 Ward: Wormsley Ridge Grid Ref: 49079, 47878

Expiry Date: 2nd August, 2006

Local Member: Councillor J.C. Mayson

1. Site Description and Proposal

- 1.1 The application site is located on the southern edge of the settlement of Wellington, and is situated within the designated settlement boundary.
- 1.2 The application site is formed by what was formerly the eastern half of the domestic curtilage of the property known as Mizpah and lies between that dwelling to the west and Munns Cottage to the east. Following the grant of outline planning permission the application site was severed from Mizpath, being sold as a building plot for the erection of a dwelling.
- 1.3 A subsequent application covering the whole curtilage of Mizpah sought to demolish the existing dwelling and redevelop the site with the erection of five dwellings (DCCW2006/0825/F) was refused planning permission on the grounds of its adverse impact on the character of the area and the inadequate access arrangements.
- 1.4 The present application relates to the same parcel of land to which the original outline permission refers, although it is a full application and seeks consent for the erection of a detached, two storey brick built dwelling under a slate roof. The proposed dwelling would comprise of three bedrooms above a kitchen/sunroom and reception room on the ground floor.

2. Policies

2.1 South Herefordshire District Local Plan:

| | | |
|------------|---|---|
| Policy GD1 | - | General Development Criteria |
| Policy C2 | - | Settlement Boundaries |
| Policy SH6 | - | Housing Development in Larger Villages |
| Policy SH8 | - | New Housing Development Criteria in Larger Villages |

2.2 Herefordshire Unitary Development Plan (Revised Deposit Draft):

| | | |
|------------|---|--------------------------------------|
| Policy DR1 | - | Design |
| Policy H4 | - | Main Villages: Settlement Boundaries |
| Policy H13 | - | Sustainable Residential Design |

3. Planning History

- 3.1 DCCW2005/0710/O Site for a residential use. Approved 21st April, 2005.
- DCCW2006/0825/F Demolish Mizpah and erect five dwellings. Refused 4th May, 2006.

4. Consultation Summary

Statutory Consultations

- 4.1 None.

Internal Council Advice

- 4.2 Traffic Manager: No objection.
- 4.2 Public Rights of Way: No objection.

5. Representations

- 5.1 Wellington Parish Council: Objection - overdevelopment, design is not in keeping with the locality and increase traffic on the private track.
- 5.2 One letter of objection has been received from Mr. Gunnell, Touchwood requesting that proper consideration is paid to protecting his property from overlooking and a loss of privacy and commenting that a dormer bungalow would be more appropriate.

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 Having regard to the relevant policies, the primacy issues in determining this application are considered to be:
- The Principle of Development
 - The Siting and Design of the Proposed Dwelling
 - Access and Highways Issues

The Principle of Development

- 6.2 The application site lies within the defined settlement boundary of Wellington and in addition there is an extant outline permission establishing the principle of residential development.
- 6.3 Therefore, in accordance with Policy SH6 of the South Herefordshire District Local Plan and Policy H4 of the Herefordshire Unitary Development Plan (Revised Deposit Draft), the proposal is acceptable in principle subject to proper consideration of its impact on the visual and residential amenity of the surrounding area.

The Siting and Design

- 6.4 The application proposes a two storey detached dwelling which fronts onto the unadopted lane, and in this respect it follows the existing pattern of linear development within the immediate locality.
- 6.5 With regard to its scale the proposed ridge height of 7 metres is not considered to be out of character with the scale of other dwellings in the immediate locality. More specifically Munns Cottage is a two storey property with a ridge height of 7 metres, whilst Mizpah has a similar overall ridge height within the streetscape, despite being a bungalow due to the fact it sits on raised ground.
- 6.6 In this context and having regard to an assessment of the wider area, it is not considered that a two storey development on this site would be out of keeping so as to warrant the refusal of planning permission.
- 6.7 The proposed dwelling has been designed to take account of the amenity of adjoining properties. No windows are proposed in the west elevation, whilst the east elevation contains two obscure glazed windows serving bathrooms.
- 6.8 A high mature evergreen hedge screens the southern boundary of the application site. Therefore there will be no issue of overlooking of Touchwood to the rear, and as such it is not considered that there are reasonable grounds to refuse the application in terms of the concerns raised in relation to privacy.
- 6.9 Notwithstanding the submitted design, it is considered expedient to remove the permitted development rights to insert new windows at first floor level and the retention of obscure glazing to ensure the continued satisfactory relationship between the proposed dwelling and its neighbours.
- 6.10 Finally a condition controlling hours of operation during the construction phase is recommended in order to protect the amenity of the area.
- 6.11 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.

Access and Highways Issues

- 6.12 The application site would be accessed off the existing private lane that serve Mizpah together with its neighbours. This was the arrangement envisaged and approved pursuant to the outline permission granted.
- 6.13 The Traffic Manager has no objection to the access and parking arrangements, but comments that standard highway conditions are required to control the layout of the driveway and turning area. These comments are considered reasonable and the appropriate conditions are recommended.

Conclusion

- 6.14 The application site is located within the designated settlement boundary and the proposal to erect a new dwelling 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. **B01 (Samples of external materials).**

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

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

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

4. **E19 (Obscure glazing to windows).**

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

5. **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.

6. **G04 (Landscaping scheme (general)).**

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

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

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

8. **G09 (Retention of trees/hedgerows).**

Reason: To safeguard the amenity of the area.

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

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

10. **During the construction phase no machinery shall be operated, no process shall be carried out and no deliveries taken at or despatched from the site outside the following times: Monday - Friday 8.00 am - 6.00 pm, Saturday 8.00 am - 1.00 pm nor at any time on Sundays, Bank or Public Holidays.**

Reason: To safeguard residential amenity.

Informatives:

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

2. **N03 - Adjoining property rights.**
3. **All machinery and plant shall be operated and maintained in accordance with BS5228: 1997 'Noise Control of Construction and Open Sites'.**
4. **N15 - Reason(s) for the Grant of Planning Permission.**

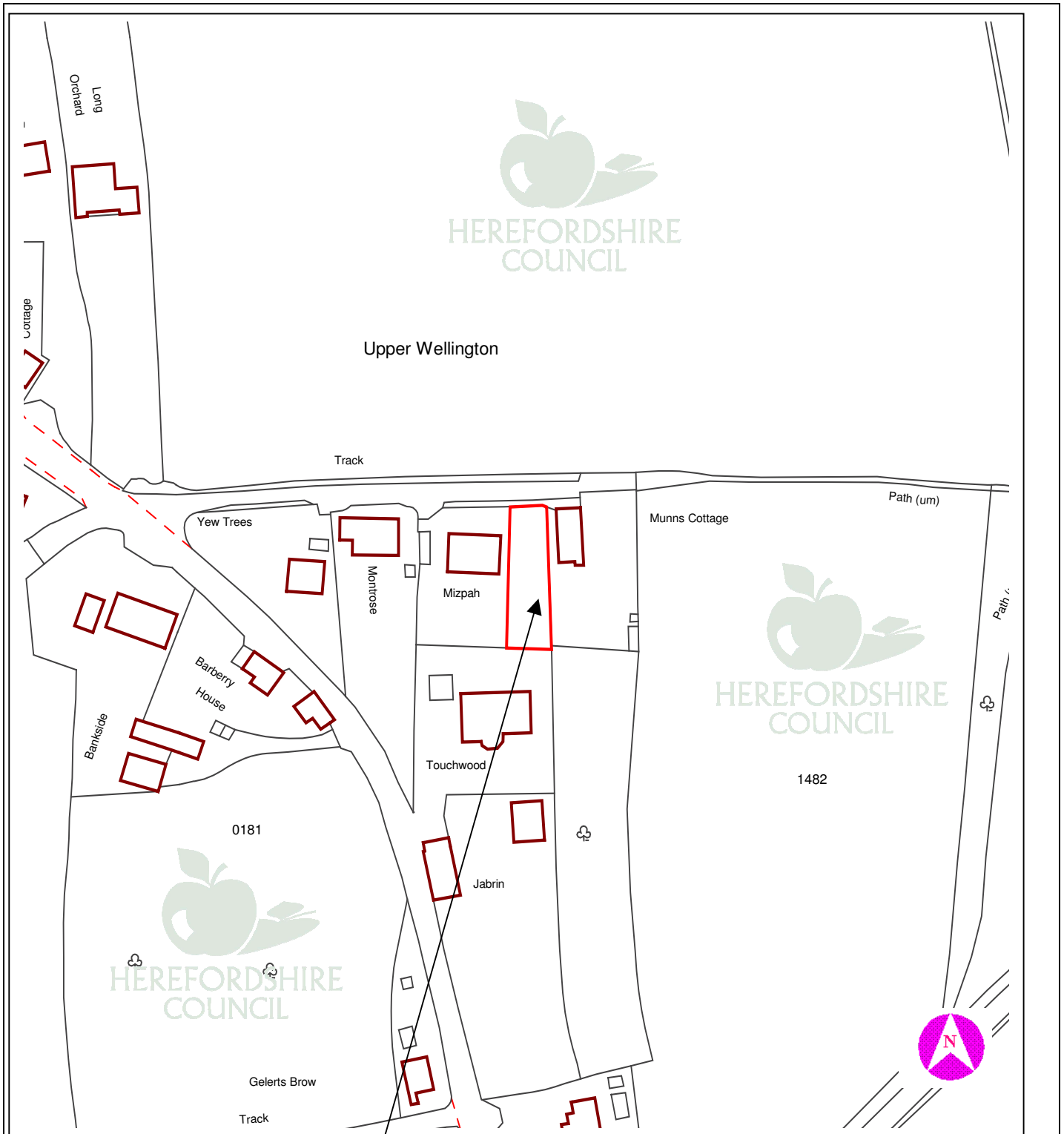
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCCW2006/1856/F

SCALE : 1 : 1250

SITE ADDRESS : Mizpah, The Row, Wellington, Hereford, Herefordshire, HR4 8AP

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14 DCCW2006/1908/F - INSTALLATION OF ACOUSTIC HOUSING AND SILENCER TO KITCHEN EXTRACT ON EXISTING PUBLIC HOUSE AT 47 NEWTOWN ROAD, HEREFORD, HEREFORDSHIRE, HR4 9LJ

For: S.A. Brain & Co. Ltd, Street Eite Associates, Princes Drive, Kenilworth, Warwickshire, CV8 2FD

Date Received: 15th June, 2006 Ward: Three Elms Grid Ref: 50933, 40887

Expiry Date: 10th August, 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 application site is comprised of a large Public House (The Heart of Oak) situated in a prominent location on the southern side of Newtown Road at its junction with Edgar Street within an Established Residential Area of the City.

1.2 The application, which is partly retrospective, seeks consent to regularise the erection of the ventilation ducting on the rear of the property and install an acoustic housing and silencer to reduce noise emanating from the equipment and is specifically in response to complaints arising from noise nuisance.

2. Policies

2.1 Planning Policy Guidance:

PPG24 - Planning and Noise

2.2 Hereford Local Plan:

ENV7 - Noise
 ENV14 - Design
 H21 - Compatability of Non-Residential Uses
 H22 - Existing Non-Residential Uses

2.3 Herefordshire Unitary Development Plan (Revised Deposit Draft):

DR1 - Design
 DR2 - Land Use and Activity
 DR13 - Noise

3. Planning History

3.1 DCCW2004/0342/F - Installation of kitchen extract system and porch roof. Approved 29th March, 2004.

3.2 DCCW2004/4068/F - Retrospective application for resiting of kitchen extract duct. Withdrawn 19th January, 2005.

4. Consultation Summary

Statutory Consultations

4.1 None.

Internal Council Advice

4.2 Environmental Health and Trading Standards Manager: The existing external ventilation duct provided to the Heart of Oak is causing significant nuisance to the occupier of a neighbouring property due to noise from inadequately silenced fans and ductwork. I have examined the applicants proposals, which include noise mitigation measures in accordance with a report prepared by Acoustic Design Technology. The measures proposed by the consultant represent a practical 'belt and braces' solution to the problem. The consultant predicts a reduction in noise level at the first floor windows on the adjacent property of at least 15db(A), this is a very substantial reduction and would bring levels down below background noise levels and abate the existing nuisance. I consider that the proposals represent the best practicably available solution to the problems caused by the existing equipment.

5. Representations

5.1 Hereford City Council: Comments awaited.

5.2 One letter of objection has been received from Mr. Dalton, 51 Newtown Road:

"I have had a look at the plans and cannot see how they are altering the unit as it stands. It is still a noisy eyesore that is being used and I cannot see what they are attempting to do to improve this".

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 Planning permission (DCCW2004/0342/F) was granted in March 2004 for the erection of replacement ducting to be erected on the rear elevation of the premises.

6.2 However the ductwork was not installed in accordance with the approved plans and details relating to the acoustic treatment of the approved equipment were not discharged in accordance with the permission. The applicants were therefore invited to submit an application to regularise this relocation, and a further application was received on the 22nd November 2004. Whilst dealing with that application your Officers became aware that the equipment, as installed, was giving rise to noise complaints from adjoining residents. Therefore the applicants withdrew the application in order to investigate appropriate means of mitigating against the level of operational noise the ductwork was producing.

6.3 The design of the present revised proposal incorporates the erection of an additional acoustic housing around the ductwork together with a silencer, to mitigate against the existing noise emissions.

6.4 It is noted that a letter of objection has been received from a neighbouring property. However the Environmental Health & Trading Standards Manager has commented that the proposal represents the best practicable solution to the problems caused by

the existing equipment commenting that a substantial 15 db(A) reduction in noise levels would be achieved bringing levels down below background noise levels and securing an acceptable improvement to the residential amenity of the neighbouring occupier.

- 6.5 Visually the increased size of the acoustic housing is not considered to give rise to any demonstrable harm to the character and appearance of the locality.
- 6.6 Overall the proposal is considered to comply with the relevant guidance and Development Plan policies, 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 The installation of the acoustic housing and silencer shall be installed in accordance with the acoustic report prepared by Acoustic Design Technology within one month of the date of this permission. The approved installation shall thereafter be maintained in perpetuity.**

Reason: To safeguard the amenity of adjoining occupiers.

Informative:

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

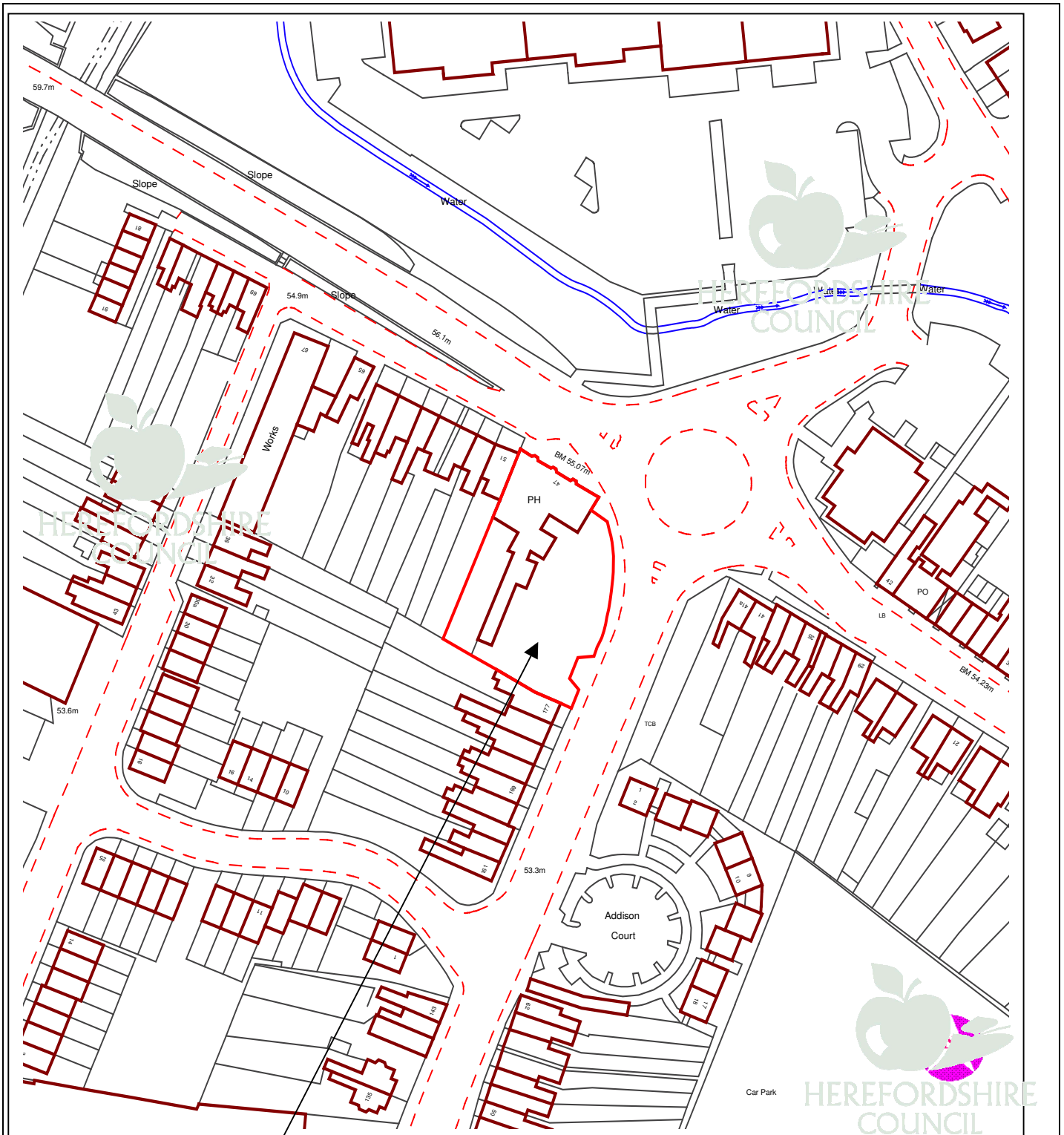
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCCW2006/1908/F

SCALE : 1 : 1250

SITE ADDRESS : 47 Newtown Road, Hereford, Herefordshire, HR4 9LJ

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15 DCCW2006/1815/F - SEPARATION OF EXISTING DWELLING TO FORM TWO DWELLINGS AT 1 COPPIN RISE, BELMONT, HEREFORD, HR2 7UE

For: Mr. & Mrs. S. Crane per Mr. R. Pritchard, The Mill, Kenchester, Hereford, HR4 7QJ

Date Received: 1st June, 2006 Ward: Belmont Grid Ref: 49499, 38392

Expiry Date: 27th July, 2006

Local Members: Councillors P.J. Edwards, J.W. Newman and Ms. G.A. Powell

1. Site Description and Proposal

- 1.1 No. 1 Coppin Rise is located at the junction of Coppin Rise with Yarlinton Mill, Belmont, Hereford.
- 1.2 The proposal is to divide the dwelling, vertically, into two dwellings, one 2 bed and the other 3 bed. Four car parking spaces are proposed, two for each dwelling.

2. Policies

2.1 National:

PPG3 - Housing

2.2 South Herefordshire District Local Plan:

Policy GD1 - General Development Criteria
 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 DR1 - Design
 Policy H1 - Housing
 Policy H3 - Managing the Release of Housing Land
 Policy H14 - Re-using Previously Developed Land and Buildings
 Policy H15 - Density
 Policy H16 - Car Parking

3. Planning History

- 3.1 DCCW2005/2916/F Conversion of existing dwelling to form two dwellings and erection of garage. Withdrawn 6th October, 2005.
- 3.2 DCCW2005/3340/F Conversion of existing dwelling to form two dwellings and erection of garage. Refused 28th November, 2005.

4. Consultation Summary

Statutory Consultations

4.1 None.

Internal Council Advice

4.2 Traffic Manager: No objection.

5. Representations

5.1 Belmont Parish Council: "This is the third time this applicant has submitted this application and although there are some minor changes to the frontage of the property since the last application, Belmont Rural Parish Council continues to object to this application on the following grounds:

- The proposed development will be out of character with other properties in the immediate vicinity and detract from the visual amenity of the area.
- We believe a minimum of two off road car parking spaces are required for each dwelling and feel that there is still insufficient space to park four vehicles within the remodelled frontage. Access to the parking spaces is restricted by the road sign, making it difficult, if not impossible for vehicles to access the off road parking. Furthermore, vehicles parked there (particularly in the space immediately next to the corner of the road) will obstruct visibility for those exiting from the adjacent road junction, creating a safety hazard."

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 The division of this dwelling into a semi-detached two and three bedroomed dwelling should be considered in relation to its impact on the character and appearance of the area and the highway safety implications.

Character of the Area

6.2 This area of Belmont has a mix of detached, semi-detached and terraced dwellings. Opposite the property and to the one side are detached dwellings whilst to the rear there are semi-detached dwellings and to the side (west) terraced units. Therefore it is not considered that the sub-division of this dwelling into a semi-detached property would adversely impact on the visual amenity of the area.

Highway Safety

6.3 The applicant's agent has now confirmed by means of a revised car parking layout that four car parking spaces can be provided. The Traffic Manager has assessed the revised plan and is satisfied that the proposal is acceptable. It is acknowledged that access to both properties is near to the junction with Yarlinton Mill but this is also considered acceptable. All proposed parking is within the curtilage of the property, and therefore visibility at the junction will not be restricted.

Conclusion

6.4 It is not considered that the sub-division of this detached dwelling into a two and three bed semi-detached dwelling will not impact on the character and amenity of the area which has a wide range of housing types and will not detrimentally impact on highway safety. The scheme has altered since the previous refusal due to the identification of the car parking spaces, accordingly whilst the continuing concerns of the Parish Council are noted, the applicant has satisfactorily addressed the previous grounds for refusal.

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. **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.

Informative:

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

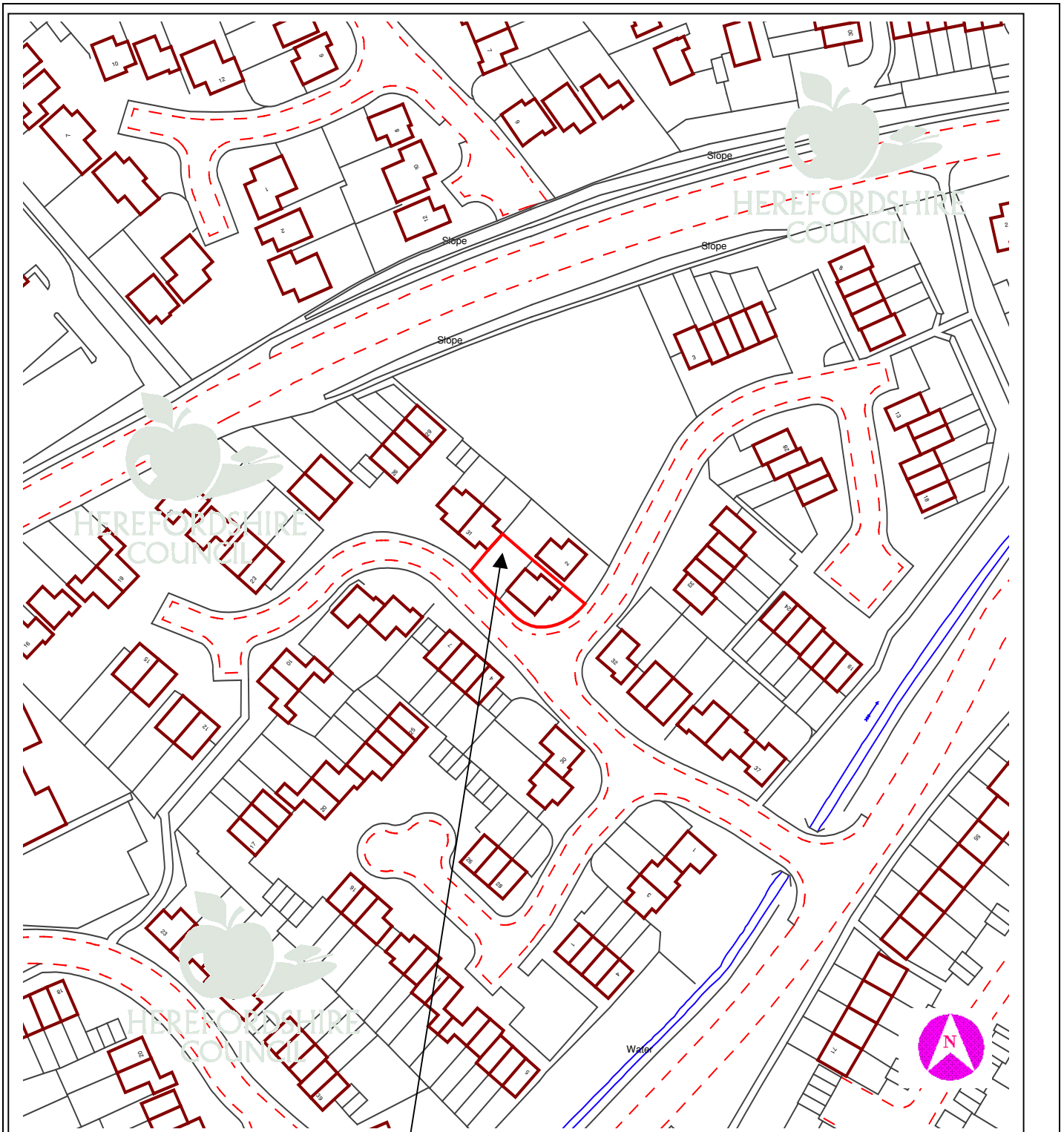
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCCW2006/1815/F

SCALE : 1 : 1250

SITE ADDRESS : 1 Coppin Rise, Belmont, Hereford, HR2 7UE

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16 DCCE2006/1936/F - PROPOSED SINGLE STOREY EXTENSION. 21 FAWLEY CLOSE, HEREFORD, HR1 1AL

For: Ms. A. Fincham, 21 Fawley Close, Hereford, HR1 1AL

Date Received: 19th June, 2006 Ward: Aylestone Grid Ref: 51757, 41683

Expiry Date: 14th August, 2006

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

1. Site Description and Proposal

- 1.1 No. 21 Fawley Close is a semi-detached dwelling with a detached garage and a small lean-to situated at the junction with Wessington Drive.
- 1.2 This application seeks consent to enlarge the existing small lean-to and is being reported to the Central Area Planning Sub-Committee as the applicant is employed in the Planning Department.

2. Policies

2.1 Hereford Local Plan:

| | | |
|-------|---|---|
| ENV14 | - | Design |
| H12 | - | Established residential areas – character and amenity |
| H14 | - | Established residential areas – site factors |
| H16 | - | Alterations and extensions |

2.2 Herefordshire Unitary Development Plan (Revised Deposit Draft):

| | | |
|-----|---|----------------------------|
| DR1 | - | Design |
| H18 | - | Alterations and extensions |

3. Planning History

- 3.1 None identified.

4. Consultation Summary

Statutory Consultations

- 4.1 None.

Internal Council Advice

- 4.2 Traffic Manager: No objection.

5. Representations

5.1 Hereford City Council: No comments received at the time of writing.

6. Officers Appraisal

6.1 The key considerations in the determination of this application are the impact of the proposed extension on the visual and residential amenity of the locality.

6.2 It is noted that there are examples of similar additions in the locality. The proposed development is modest in size and is designed to reflect the character and appearance of the main dwelling. It is located to the side of the property and the neighbouring properties are situated some distance away from the proposed development. It is therefore considered that there would be no detrimental impact on residential amenities in this instance.

6.3 The proposed extension would not have a detrimental impact on the character of the area or neighbouring amenity. The proposal is considered to accord with relevant policies and as such, approval is recommended.

RECOMMENDATION

Subject to no further objections raising additional material planning considerations by the end of the consultation period, the officers named in the Scheme of Delegation to Officers be authorised to approved the application subject to the following conditions and any further conditions considered necessary by officers:

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

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

2 **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.

Informatives:

1 **N03 - Adjoining property rights**

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: DCCE2006/1936/F

SCALE : 1 : 1250

SITE ADDRESS : 21 Fawley Close, Victoria Park, Hereford, HR1 1AL

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