

A G E N D A

Central Area Planning Sub-Committee

Date: **Wednesday, 25th April, 2007**

Time: **2.00 p.m.**

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

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

For any further information please contact:

*Ben Baugh, Members' Services, Tel: 01432
261882*

e-mail: bbaugh@herefordshire.gov.uk

AGENDA

for the Meeting of the Central Area Planning Sub-Committee

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

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

	Pages
1. APOLOGIES FOR ABSENCE To receive apologies for absence.	
2. DECLARATIONS OF INTEREST To receive any declarations of interest by Members in respect of items on the Agenda.	
3. MINUTES To approve and sign the Minutes of the meeting held on 4th April. 2007.	
4. ITEM FOR INFORMATION - APPEALS To note the Council's current position in respect of planning appeals for the central area.	1 - 2
APPLICATIONS RECEIVED	
To consider and take any appropriate action in respect of the planning applications received for the central area of Herefordshire and to authorise the Head of Planning Services to impose any additional and varied conditions and reasons considered to be necessary. Plans relating to planning applications on this agenda will be available for inspection in the Council Chamber 30 minutes before the start of the meeting.	
Agenda items 5 to 10 are applications that were deferred for site inspections at the last meeting and the remainder are new applications.	
5. [A] DCCE2007/0493/F AND [B] DCCE2007/0495/C - PUBLIC CONVENIENCE AND REFERRAL UNIT, UNION STREET, HEREFORD, HR1 2BT Proposed demolition of existing buildings and construction of new building to provide commercial (A3) unit and six residential units above. Ward: Central	3 - 12

6.	DCCW2007/0187/F - HOLMER PARK SPA AND HEALTH CLUB, CLEEVE ORCHARD, HOLMER, HEREFORD, HEREFORDSHIRE, HR1 1LL	13 - 16
	External fire escape staircase from ground floor to first floor (retrospective).	
	Ward: Burghill, Holmer & Lyde	
7.	DCCW2006/3963/F - SHETTON COURT FARM, MANSEL LACY, HEREFORD, HEREFORDSHIRE, HR4 7HP	17 - 22
	Proposed agricultural building for general stock housing and grain store.	
	Ward: Wormsley Ridge	
8.	DCCE2007/0283/F - LUCKSALL CARAVAN PARK, MORDIFORD, HEREFORD, HEREFORDSHIRE, HR1 4LP	23 - 30
	Retention of existing pontoon, steps and storage area for max. 30 canoes.	
	Ward: Backbury	
9.	DCCE2007/0286/F - LUCKSALL CARAVAN PARK, MORDIFORD, HEREFORD, HEREFORDSHIRE, HR1 4LP	31 - 38
	Improvement to existing vehicular access and re-use of existing reception building and store for office, sales and cafe.	
	Ward: Backbury	
10.	DCCE2007/0619/F - 24 HOLME LACY ROAD, HEREFORD, HR2 6BY	39 - 42
	Change of use of 1 no. house to 2 no. flats and single storey rear extension.	
	Ward: St. Martins & Hinton	
11.	DCCE2007/0624/A - STIRLINGS SUZUKI, CALLOW, HEREFORD, HEREFORDSHIRE, HR2 8BT	43 - 46
	Four internally illuminated fascia panels and one internally illuminated totem pole sign.	
	Ward: Hollington	
12.	DCCE2007/0594/F - BROOKLYN TOYOTA, ROSS ROAD, CALLOW, HEREFORD, HEREFORDSHIRE, HR2 8BT	47 - 52
	Erection of 4 no. new 6m high steel lighting columns, each fitted with vertical louvres – retrospective.	
	Ward: Hollington	
13.	DCCE2007/0571/F - LAND NEAR TO WHITETHORN WOOD [WHITETHORN FARM], CAREY, HOARWITHY, HEREFORDSHIRE, HR2 6NG	53 - 58
	Proposed extension to barn.	
	Ward: Hollington	

14. **DCCE2007/0163/F - 17 WALNEY LANE, HEREFORD, HEREFORDSHIRE, HR1 1JD** 59 - 68

Erection of 2 no. detached houses and replacement garage for no. 17 Walney Lane and associated access works.

Ward: **Aylestone**

15. **DATE OF NEXT MEETING**

6th June, 2007.

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COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL

BROCKINGTON, 35 HAFOD ROAD, HEREFORD.

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MINUTES of the meeting of Central Area Planning Sub-Committee held at The Council Chamber, Brockington, 35 Hafod Road, Hereford on Wednesday, 4th April, 2007 at 2.00 p.m.

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

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

In attendance: Councillors T.W. Hunt (ex-officio) and J.B. Williams (ex-officio)

179. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors J.G.S. Guthrie, Mrs. M.D. Lloyd-Hayes, Ms. G.A. Powell, Miss F. Short and A.L. Williams.

180. DECLARATIONS OF INTEREST

The following declarations of interest were made:-

Councillor	Item	Interest
S.J. Robertson	Minute 183, Agenda Item 5 DCCE2007/0313/F Land to the Rear of Stokes Stores, Holme Lacy Road, Hereford	Declared a prejudicial interest and left the meeting for the duration of the item.
J.C. Mayson	Minute 186, Agenda Item 8 DCCW2006/3963/F Shetton Court Farm, Mansel Lacy, Hereford, Herefordshire, HR4 7HP	Declared a prejudicial interest and left the meeting for the duration of the item.
A.C.R. Chappell and S.J. Robertson	Minute 188, Agenda Item 10 DCCE2007/0317/F 50 Ledbury Road, Hereford, Herefordshire, HR1 2SY	A.C.R. Chappell declared a personal interest and left the meeting for the duration of the item. S.J. Robertson declared a prejudicial interest and left the meeting for the duration of the item.
Ms. A.M. Toon	Minute 190, Agenda Item 12 [A] DCCE2007/0493/F and [B] DCCE2007/0495/F Public Convenience and Referral Unit, Union Street, Hereford, HR1 2BT	Declared a prejudicial interest and left the meeting for the duration of the item.

D.J. Fleet	Minutes 191 and 192, Agenda Items 13 and 14 DCCE2007/0283/F and DCCE2007/0286/F Lucksall Caravan Park, Mordiford, Hereford, HR1 4LP	Declared a personal interest.
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181. MINUTES

The Minutes of the last meeting were received.

RESOLVED: That the Minutes of the meeting held on 7th March, 2007 be approved as a correct record and signed by the Chairman.

182. ITEM FOR INFORMATION - APPEALS

The Sub-Committee received an information report about the Council's current position in respect of planning appeals for the central area.

RESOLVED: That the report be noted.

183. DCCE2007/0313/F - LAND TO THE REAR OF STOKES STORES, HOLME LACY ROAD, HEREFORD [AGENDA ITEM 5]

Erection of 3 houses & formation of parking area.

The Principal Planning Officer reported the following:

- Correspondence had been received from Hereford City Council; recommended refusal on the basis of over intensive development with inadequate access.
- A further section plan had been received identifying the precise position and height of the new development relative to the nearest neighbouring property and lounge window.

Councillor A.C.R. Chappell, a Local Ward Member, commented on the value of the site inspection that had been held. He felt that, despite the revisions made since the last application (CE2006/1460/F refers), this proposal represented an over intensive form of development and would have a detrimental impact on residential amenity. He commented on difficulties associated with parking in the vicinity of the site and felt that traffic generated by this development could compromise highway safety further.

Councillors Mrs. W.U. Attfield and R. Preece, the other Local Ward Members, also felt the proposal to be over intensive and commented on parking problems

Some Members felt that the previous reasons for refusal had not been overcome. Others felt that this form of backland development was acceptable having regard to National Planning Guidance.

The Development Control Manager commented that the principal issue for consideration was the impact on the amenity of surrounding properties. It was felt that, given the views of the Traffic Manager and the proposed conditions relating to access and parking, a refusal reason based on highway safety might not be defensible.

In response to a comment about potential loss of light, the Principal Planning Officer drew attention to the orientation and distances between the properties but acknowledged that there were more general amenity issues to be considered. The Central Team Leader confirmed that the proposal satisfied requirements in respect of loss of light.

Councillor Chappell maintained that the proposal should be refused on the grounds of overdevelopment and impact on the amenities of surrounding properties.

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 Head of Planning Services) provided that the Head of Planning Services does not refer the applications to the Planning Committee:

- 1. The proposal would result in an overdevelopment of the site to the detriment of the amenities of the locality. As such the development is contrary to Policies S1, S2, DR1, DR2 and H13 of the Herefordshire Unitary Development Plan 2007**

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

[Note: Following the vote on this application, the Development Control Manager advised that, although the resolution was contrary to the Officer's recommendation, he was not minded to refer the matter to the Head of Planning Services given the grounds for refusal put forward by the Sub-Committee.]

**184. DCCE2007/0199/F - RIDGE VIEW, GRAFTON LANE, HEREFORD, HR2 8BS
[AGENDA ITEM 6]**

Proposed two storey extension.

The Senior Planning Officer reported the following:

- A revised plan had been received to remove the window to the north elevation at ground floor. As such, it was considered that the condition relating to boundary treatments would not be required.

Councillor W.J.S. Thomas, the Local Ward Member, felt that the site inspection had been helpful, welcomed the revised plan and considered the proposal to be acceptable having regard to the limitations of the site.

RESOLUTION:

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. **B03 (Matching external materials (general)).**

Reason: To ensure the satisfactory appearance of the development.

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.

Informatives:

1. **N03 - Adjoining property rights.**
2. **N15 - Reason(s) for the Grant of PP/LBC/CAC.**
3. **N19 - Avoidance of doubt.**

185. DCCE2007/0196/A - CALLOW MARSH, CALLOW, ROSS ROAD, HEREFORD, HEREFORDSHIRE, HR2 8BT [AGENDA ITEM 7]

Fascia sign, entrance feature, directional and parking signs. Replacement pylon.

The Senior Planning Officer reported the following:

- Correspondence had been received from the Parish Council; no objection in principle but concerns expressed.

Councillor W.J.S. Thomas, the Local Ward Member, commented that that the site inspection had been useful to inform Members of the difficulties associated with the car dealerships in this sensitive rural area. He felt that some progress was being made on various issues and supported the application.

RESOLUTION:

That planning permission be granted subject to the following conditions:

1. **I01 (Time limit on consent).**

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

2. **I03 (Constant level of illumination).**

Reason: In the interest of the visual amenity of the area.

3. **I06 (Non-illuminated sign only).**

Reason: In the interests of visual amenity.

Informatives:

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

3. N19 - Avoidance of doubt.**186. DCCW2006/3963/F - SHETTON COURT FARM, MANSEL LACY, HEREFORD, HEREFORDSHIRE, HR4 7HP [AGENDA ITEM 8]**

Proposed agricultural building for general stock housing and grain store.

The Central Team Leader reported the following:

- Five further letters of support had been received; the contents of which were considered similar to those already included in the representations section of the report.
- Three further letters had been received from the applicants; one of which was extensive and reiterated the need for the building, that this is the optimum site for it and that it would be well screened by established landscaping.
- Attention was drawn to the need to correct Page 39, paragraph 6.4, second line, so that it read '...it is considered that a suitable site ~~is~~ east of the farm...'

Councillor W.J.S. Thomas commented that there was significant local support for the application and felt that the Sub-Committee would benefit from a site inspection.

In accordance with the criteria for public speaking, Mrs. Powell had registered to speak in support of the application but decided to defer her opportunity to speak until the Sub-Committee next considered the application.

RESOLVED:

That consideration of the application 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.**

187. DCCW2007/0187/F - HOLMER PARK SPA AND HEALTH CLUB, CLEEVE ORCHARD, HOLMER, HEREFORD, HEREFORDSHIRE, HR1 1LL [AGENDA ITEM 9]

External fire escape staircase from ground floor to first floor (retrospective).

Councillor Mrs. S.J. Robertson, the Local Ward Member, felt it regrettable that this was another retrospective application from this development. She commented on the concerns of the Parish Council and concurred with the Conservation Manager that '...the stair does nothing to improve the ambience of the listed summerhouse and that the solution to the problem of escape could have been handled in a more sensitive and visually pleasing way...'. She also felt that there were other issues of concern and felt that Members would benefit from a site inspection.

The Central Team Leader emphasised that the sole matter under consideration was the acceptability of the external fire escape and noted that there was an ongoing dialogue between the owner and the Conservation Manager about other issues. He also drew attention to the comment of the Area Building Control Officer that 'The existing fire escape from the first floor at the rear is required for emergency means of escape as the travel distance to and from this floor would be too great without it'.

A number of Members felt that a site inspection was warranted.

RESOLVED:

That consideration of the application 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.**

188. DCCE2007/0317/F - 50 LEDBURY ROAD, HEREFORD, HEREFORDSHIRE, HR1 2SY [AGENDA ITEM 10]

Conversion of office to two houses and erection of three terraced houses with parking.

The Senior Planning Officer reported the following:

- An additional condition was recommended in respect of refuse storage.

Councillor Mrs. E.A. Taylor, a Local Ward Member, felt that this proposal was an improvement on previous schemes but concurred with the views of Hereford City Council about the 'inadequate, poor and dangerous access'. She noted that there had been many accidents along this part of Ledbury Road and felt that this proposal would compromise vehicular and pedestrian safety further, particularly as many pedestrians crossed the road at this point. She commented that the low and narrow railway bridge impeded vision at the access and, given the number of lorries that had hit the bridge in recent years, increased traffic from this site could cause more accidents. She also commented on other developments in the area, including the Extra Care Village, that would increase traffic levels on Ledbury Road.

Councillor W.J. Walling, also a Local Ward Member, commented on the highway safety problems associated with Ledbury Road but felt that this particular proposal would have limited impact on the existing situation and, therefore, there were no material planning reasons to refuse the application.

In response to questions, the Senior Planning Officer clarified the proposed parking arrangements and commented that traffic generated by the existing office use was considered to be broadly comparable with the proposed residential development.

Councillor D.B. Wilcox expressed concerns about highway and pedestrian safety and suggested that a contribution should be sought from the development towards pedestrian crossing facilities on Ledbury Road. A number of Members supported this suggestion. In response, the Development Control Manager advised that the scale of this development would not meet the threshold for such a contribution.

The Central Team Leader suggested that some additional parking might be achieved if some areas of garden were reduced and some elements of tandem parking were introduced.

RESOLVED:

That planning permission be granted subject to the following conditions:

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

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

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

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

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

Reason: [Special Reason].

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

Reason: To protect the amenity of local residents.

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

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

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

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

- 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. H06 (Vehicular access construction).**

Reason: In the interests of highway safety.

- 11. The development hereby permitted shall not be brought into use until access, turning area, and parking facilities identifying 9 off-street parking spaces have been submitted to, and approved in writing by, the local planning authority. The development shall then be implemented in accordance with these approved details.**

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

- 12. The development hereby permitted shall not be brought into use until the access, turning area and parking facilities approved by virtue of Condition 11 have been properly consolidated, surfaced, drained and otherwise constructed in accordance with details to be submitted to and**

approved in writing by the local planning authority and these areas shall thereafter be retained and kept available for those uses at all times.

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

13. H27 (Parking for site operatives).

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

14. 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.

15. Prior to the commencement of development a scheme for the provision of storage, prior to disposal, of refuse, crates, packing cases and all other waste materials shall be submitted for the approval of the local planning authority. The approved scheme shall be implemented prior to the first occupation of the development hereby permitted.

Reason: In the interests of amenity.

16. The development hereby permitted shall be developed in accordance with the revised plan (918-4.A) identifying bay windows in the elevation of the terraced development facing Ledbury Road.

Reason: In the interests of clarification and to preserve the visual amenities of the locality.

Informatives:

1. N01 - Access for all.
2. N03 - Adjoining property rights.
3. HN01 - Mud on highway.
4. HN05 - Works within the highway.
5. HN10 - No drainage to discharge to highway.
6. The applicant/agent is advised that the occupants of the dwellings hereby approved may not qualify for a parking permit.
7. The applicant/agent is advised that the highway works identified under Informative 4 shall include the removal of two on-street parking spaces and associated alterations.
8. N19 - Avoidance of doubt.
9. N15 - Reason(s) for the Grant of PP/LBC/CAC.

189. DCCE2007/0337/F - 115-117 ST. OWEN STREET, HEREFORD, HEREFORDSHIRE, HR1 2JW [AGENDA ITEM 11]

Amendment to planning permission DCCE2004/2293/F (conversion of existing building to four self contained flats) with new housing to the rear to form a further five residential dwellings.

The Senior Planning Officer reported the following:

- Further correspondence had been received from the Traffic Manager; additional informatives relating to on-street parking were recommended.
- An additional condition was recommended in respect of refuse storage.

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

The Chairman, speaking in his capacity as the Local Ward Member, welcomed the retention and conversion of the existing building and felt that the new housing to the rear was perhaps the best that could be achieved given the constraints of the site.

In response to a question from Councillor W.J. Walling, the Senior Planning Officer advised that the existing shop frontage would be retained to reflect its previous use but the building would be converted into four residential units.

A number of Members spoke in support of the application but questioned entitlements to residents' parking permits given the pressures on parking in that area. Councillor P.J. Edwards felt that there was a pressing need to review the on-street parking policies in Hereford, in consultation with the Local Ward Member, given the number of high density developments coming forward. This suggestion was supported by other Members.

In response to a question from Councillor D.B. Wilcox, the Senior Planning Officer advised that an intelligent entrance system had been examined but the Traffic Manager did not wish to pursue this option as it may result in vehicles waiting on the highway for spaces to become available. The Senior Planning Officer added that the number of parking spaces was considered acceptable and cycle parking was included in the proposal.

RESOLVED:

That planning permission be granted subject to the following conditions:

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

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

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

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

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

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

4. E16 (Removal of permitted development rights).
Reason: In the interests of preserving the visual and residential amenities of the locality.
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. F39 (Scheme of refuse storage).
Reason: In the interests of amenity.
9. F48 (Details of slab levels).
Reason: In order to define the permission and ensure that the development is of a scale and height appropriate to the site.
10. H04 (Visibility over frontage).
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. H27 (Parking for site operatives).
Reason: To prevent indiscriminate parking in the interests of highway safety.
14. 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.
15. W01 (Foul/surface water drainage).
Reason: To protect the integrity of the public sewerage system.

16. **W02 (No surface water to connect to public system).**

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

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

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

18. **The proposed development site is crossed by a public sewer with the approximate position being marked on the attached Statutory Public Sewer Record. Under the Water Industry Act 190901 Dwr Cymru Welsh Water has rights of access to its apparatus at all times. No part of the building will be permitted within 3 metres either side of the centreline of the public sewer.**

Reason: To protect the integrity of the public sewer and avoid damage thereto.

Informatives:

1. **The applicants/agents attention is drawn to the requirement to undertake alterations to the on-street parking provision in the vicinity of the access to the application site. No works on site should commence until the required revisions have been approved with the Highway Authority.**
 2. **ND01 - Scheduled Monument Consent.**
 3. **HN01 - Mud on highway.**
 4. **HN05 - Works within the highway.**
 5. **HN07 - Section 278 Agreement.**
 6. **N16 - Welsh Water Informative.**
 7. **N19 - Avoidance of doubt.**
 8. **N15 - Reason(s) for the Grant of PP/LBC/CAC.**
190. **[A] DCCE2007/0493/F AND [B] DCCE2007/0495/C - PUBLIC CONVENIENCE AND REFERRAL UNIT, UNION STREET, HEREFORD, HR1 2BT [AGENDA ITEM 12]**

Proposed demolition of existing buildings and construction of new building to provide commercial (A3) unit and six residential units above.

The Senior Planning Officer reported the following:

- Correspondence had been received from the Conservation Area Advisory Panel; supported the application as revised.
- The consultation period associated with the final revisions to the scheme was to expire on the 11th April, 2007. Therefore, the recommendation was amended to read 'Subject to no further material planning objections being raised, the officers

named in the Scheme of Delegation of Officers be authorised to issue planning permission subject to the following conditions and any additional conditions considered necessary by officers'.

In accordance with the criteria for public speaking, Mrs. Morley spoke in objection to the application.

In response to comments made by the public speaker, the Legal Practice Manager outlined landowners' responsibilities with regard to easements but advised that these were generally civil matters which would not impede the granting of a planning permission.

In response to a question from the Chairman, the Senior Planning Officer acknowledged that the development would compromise the windows of the adjoining property but advised that there were no residential openings and as such the protection afforded to these windows was substantially reduced. He also explained the relationship between the two buildings. The Development Control Manager advised that the obstruction of advertisement panels was not considered a material planning consideration. He added that it was unclear whether the advertisement panels had express consent in any case.

A number of questions were asked about the layout and elevations of the development. The Chairman, speaking in his capacity as Local Ward Member, felt that Members would benefit from a site inspection.

RESOLVED:

That consideration of the applications 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.**

191. DCCE2007/0283/F - LUCKSALL CARAVAN PARK, MORDIFORD, HEREFORD, HEREFORDSHIRE, HR1 4LP [AGENDA ITEM 13]

Retention of existing pontoon, steps and storage area for max. 30 canoes.

The Senior Planning Officer reported the following:

- Correspondence had been received from Worcestershire County Council – Malvern Hills Outdoor Centre; advised that Lucksall was vital to their canoe expeditions and its loss would make such training unviable.

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

Councillor Mrs. J.E. Pemberton, the Local Ward Member, reported on local concerns about the growth of this site in recent years and the potential extent of further development. She commented that significant activity could result from the use of the pontoon and associated steps as a formalised landing and launching area for visiting organisations. She drew attention to the comments of Natural England and to the objections of Holme Lacy Parish Council. Councillor Mrs. Pemberton questioned whether the scale of the development and potential for increased activity levels was suitable in this sensitive landscape and whether the impact on the

amenities of neighbouring properties was acceptable.

Councillor J.C. Mayson supported the views of the Local Ward Member and felt that there were inconsistencies in the purported aims of the development.

Councillor W.J.S. Thomas advised that Holme Lacy Parish Council were very concerned about the impact of the development on the area and commented that traffic generated by visiting organisations could cause further highway safety problems on the B4224. Given the concerns raised, he suggested that a site inspection was warranted.

RESOLVED:

That consideration of the applications 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.**

192. DCCE2007/0286/F - LUCKSALL CARAVAN PARK, MORDIFORD, HEREFORD, HEREFORDSHIRE, HR1 4LP [AGENDA ITEM 14]

Improvement to existing vehicular access and re-use of existing reception building and store for office, sales and cafe.

The Senior Planning Officer reported the following:

- Correspondence had been received from Fownhope Parish Council; confirmed no objection.
- A letter had been received from the agent acting on behalf of the applicant; confirmed that the proposed storage arrangements for the bikes currently stored within reception building. It was also confirmed that no further external storage was being pursued.
- Further comments had been received from the Traffic Manager; confirmed that the area of the access was being considered by the Council in the context of the requirement for warning signs etc.

In accordance with the criteria for public speaking, Ms. Harris had registered to speak in objection to the application and Mr. Jolly had registered to speak in support of the application, both decided not to speak on this item.

Councillor Mrs. J.E. Pemberton, the Local Ward Member, commented on the retrospective nature of this application and that the external appearance of the building had changed. She felt that the impact of the development on highways safety had been underestimated, that traffic congestion at the access to the site would create further hazards on the B4224, and stressed the urgent need for warning signs along this road. She also noted the need for appropriate landscaping. In order to assess the matters raised, she proposed that a site inspection be held.

A number of Members supported the views of the Local Ward Member.

RESOLVED:

That consideration of the applications 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.**

193. DCCE2007/0443/F - RILEYS SNOOKER & POOL CLUB (FORMER) JOB CENTRE, BATH STREET, HEREFORD, HEREFORDSHIRE, HR1 2LG [AGENDA ITEM 15]

Variation to condition 3 of DCCE2006/2739/F - to extend opening hours from 11pm to midnight.

The Principal Planning Officer reported the following:

- The consultation period had expired and, as no further representations had been received, the recommendation was changed to that of approval.

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

In response to a question from Councillor R.I. Matthews, the Legal Practice Manager explained Herefordshire Council's concurrent responsibilities as the local planning authority and the licensing authority.

The Chairman, speaking in his capacity as the Local Ward Member, noted that the premises had not yet opened as a snooker and pool club and that the Sub-Committee had previously considered an 11.00 p.m. closing time to be appropriate in order to protect the amenities of residential properties. He did not feel that there was any material change that warranted an extension of the opening hours at this time and, therefore, felt that the application should be refused.

A number of Members supported the views of the Local Ward Member.

RESOLVED:

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

- 1. It has not been demonstrated that the proposed extension of hours would not adversely impact upon the amenity of nearby properties. As such the development is contrary to Policies S2, DR1, DR2 and DR13 of the Herefordshire Unitary Development Plan 2007.**

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

[Note: Following the vote on this application, the Development Control Manager advised that, although the resolution was contrary to the Officer's recommendation, he was not minded to refer the matter to the Head of Planning Services given the grounds for refusal put forward by the Sub-Committee.]

194. DCCE2007/0508/F - 1 AND 2 MARSH COTTAGES, WITHINGTON, HEREFORD, HR1 3QE [AGENDA ITEM 16]

Construct detached house (2 storey and basement level) with detached double garage. To replace two existing cottages.

In accordance with the criteria for public speaking, Ms. Law had registered to speak in objection to the application but decided not to speak.

Councillor R.M. Wilson, the Local Ward Member, commented on concerns raised in respect of a previous application for two detached bungalows (CE2006/2729/F refers) but noted that the current proposal was to be sited largely on the footprint of the existing cottages. He commented on the sustainable elements of the proposal and welcomed recommended condition 14 which would remove permitted development rights. Given these considerations, he felt that there were no material planning reasons to warrant refusal and supported the application.

Some Members felt that the proposed demolition of the two existing cottages was regrettable and their replacement with such a modern building could have a negative impact on the character of the area. In response, the Principal Planning Officer advised that the cottages were not considered worthy of retention as they did not have any particular architectural or historical merit and were in fairly poor condition. Councillor Wilson added that there were other modern buildings in the locality.

RESOLVED:

That planning permission be granted subject to the following conditions:

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

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

2. B01 (Samples of external materials).

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

3. G01 (Details of boundary treatments).

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

4. G04 (Landscaping scheme (general)).

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

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

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

6. 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.

7. G07 (Details of earth works).

Reason: (Special Reason).

8. G10 (Retention of trees).

Reason: In order to preserve the character and amenities of the area.

9. H03 (Visibility splays).

Reason: In the interests of highway safety.

10. H05 (Access gates).

Reason: In the interests of highway safety.

11. H06 (Vehicular access construction).

Reason: In the interests of highway safety.

12. H09 (Driveway gradient).

Reason: In the interests of highway safety.

13. 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.

14. E16 (Removal of permitted development rights).

Reason: (Special Reason).

Informatives:

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

2. N19 - Avoidance of doubt.

3. HN5 – Works within the highway.

4. HN10 – No drainage to discharge to highway.

195. DCCE2007/0565/T - HEREFORD MOTOR SERVICES, UNIT 14B, ROCKFIELD ROAD, HEREFORD, HEREFORDSHIRE, HR1 2UA [AGENDA ITEM 17]

Installation of a 15m monopole, 6 no. radio antennas, 2 no. transmission dishes, 2 no. equipment cabinets and ancillary development thereto.

The Senior Planning Officer reported the following:

- Further information had been received from the applicant's agent and was summarised as follows: if a mast share was proposed, the total height of the new mast would need to be 20 to 21 metres; the additional antennas were required, irrespective of whether the Herefordshire College of Technology antennas were removed, in order to provide additional network capacity; Court

papers had been served on Vodafone by the Herefordshire College of Technology terminating their existing lease; additional plans had been provided identifying the height of the proposed mast in relation to the existing mast and trees around the site; and additional coverage plots had been provided identifying the extent of coverage with the existing college antennas removed.

- This additional information addressed the concerns detailed in the report and the recommendation was amended accordingly.

In accordance with the criteria for public speaking, Mr. Godfrey spoke in objection to the application.

In response to comments made by the public speaker, the Development Control Manager queried the potential impact of the monopole on nearby businesses, advised that deferral for a site inspection would take the application beyond the expiry date after which approval would be granted automatically, that refusal based on health and safety reasons would not be defensible on appeal as the application met the necessary standards, and the principal issue remaining was the appearance of the development.

Councillor D.B. Wilcox, a Local Ward Member, noted the difficulties in siting such equipment, asked for clarification about possible interference with other electrical equipment, and questioned whether several smaller monopoles would be better than a single, larger mast.

The Principal Planning Officer advised that no evidence had been provided to suggest that the monopole would cause interference with the operation of computerised car management systems. He added that there was an existing monopole within close proximity and there were no known problems arising from it. He also advised that the Hospital was likely to have more sensitive equipment than the nearby businesses but it had not raised any objections to the application. The Development Control Manager commented on other examples of monopoles being used in close proximity to other electrical equipment without any evidence of interference.

Councillor R.M. Wilson questioned whether the monopole could be a potential hazard for the Air Ambulance. In response, the Development Control Manager advised that there were other examples of masts being used in much closer proximity to hospitals than this proposal. The Principal Planning Officer advised that the Hospital Estate Manager had not raised any objections but further clarification could be requested from the applicant on the specific technical issues if considered necessary.

Councillor R.I. Matthews commented that many people in the scientific community had reservations about the use of such masts and felt that they should be sited as far away from residential dwellings as possible.

Councillor P.J. Edwards commented on an example in his Ward where residents had to pay for the costs to mitigate radio interference problems themselves and asked that, if planning permission was granted and interference did arise, the applicant be required to cover the costs of any measures to protect local businesses.

Councillor Ms. A.M. Toon questioned whether operators were meeting the requirements of PPG8, particularly in relation to the roll out of services in the east of the city and in terms of mast sharing. She felt that mast sharing, albeit with a greater height, was preferable.

The Principal Planning Officer advised that the removal of masts from the Herefordshire College of Technology would leave a significant gap in coverage and that operators had to find suitable locations for the necessary equipment elsewhere. He advised that some eighteen sites had been dismissed already and that this site was considered to be acceptable in planning terms.

A number of Members felt that the visual impact of this proposal was unsatisfactory and that a mast share may be more appropriate in this instance. The Development Control Manager re-iterated that Officers considered that the visual impact on the urban fabric of the locality would be reduced through the use of monopoles rather than larger shared masts. The Principal Planning Officer advised that a number of operators were looking to retain and improve network capacity in the area and that the height of a shared mast could be in excess of 25m.

RESOLVED:

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

- 1. The proposed siting would result in the proliferation of masts in the locality and the appearance of the mast in this location would be particularly conspicuous. The proposed installation would thereby be to the detriment of the visual amenity of the area and contrary to Policies S2, DR1, CF3 of the Herefordshire Unitary Development Plan 2007 and advice contained within PPG8.**

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

[Note: Following the vote on this application, the Development Control Manager advised that, although the resolution was contrary to the Officer's recommendation, he was not minded to refer the matter to the Head of Planning Services given the grounds for refusal put forward by the Sub-Committee.]

196. DCCE2007/0553/F - LAND TO REAR OF THE SQUIRRELS, FOWNHOPE, HEREFORD, HEREFORDSHIRE, HR1 4PB [AGENDA ITEM 18]

Erection of a detached three bedroom bungalow.

The Principal Planning Officer reported the following:

- No further evidence had been provided in relation to drainage. The recommendation remained that of approval but with a change to condition 9 to prevent any work from commencing prior to the resolution of that matter.

Councillor Mrs. J.E. Pemberton, the Local Ward Member, commented that nothing had changed substantially since the previous application was refused (DCCE2005/4167/F refers). She commented that the access track to this site was narrow and difficult to negotiate and that no large or emergency vehicles could use it safely. She noted that the concerns of Fownhope Parish Council went beyond

issues of drainage and she felt unable to support this application.

The Principal Planning Officer advised that the previous application was refused as the proposed cesspool was considered unacceptable for environmental, amenity and transport reasons. Subject to satisfactory evidence being provided, to demonstrate that the applicants had a legal right to connect to an existing private drain which in turn connected to the mains drain, the refusal reason would be addressed. He added that planning permission could not be implemented if this civil legal matter was not overcome. The Legal Practice Manager explained the common use of easements to enable appropriate transmission media to be utilised.

A number of Members commented that they had significant concerns about access arrangements when the previous application was considered and these did not only relate to servicing the foul drainage system.

The Development Control Manager advised that the previous application was refused on a specific technical issue and that it would be difficult to defend refusal of the current application if this issue could be resolved. He also advised that the Traffic Manager considered that the traffic associated with this proposed development could be safely accommodated on the existing access track and reminded the Sub-Committee that the track already served a number of residential properties.

A number of Members emphasised the need for the legal issues to be resolved fully prior to the commencement of any development.

RESOLVED:

That planning permission be granted subject to the following conditions:

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

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

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

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

3. **E01 (Restriction on hours of working).**

Reason: To safeguard the amenities of the locality.

4. **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.

5. **There shall be no vehicular access from the proposed parking as identified on drawing no. 05/442/01A to serve the bungalow.**

Reason: In order to safeguard the residential amenity of neighbouring properties.

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. No development shall take place with the exception of the foul drainage infrastructure until evidence documenting the operational foul drainage connection to the main sewer has been submitted to and approved in writing by the local planning authority. The development shall thereafter remain permanently connected to the mains sewer in accordance with the approved details.

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

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that Order with or without modification) no cess pool, septic tank or other private drainage system shall be installed or garage constructed.

Reason: In order to ensure that the mains drainage connection is retained and to ensure that the drainage arrangements are satisfactory and safeguard neighbouring residential amenity.

11. 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 windows/dormer windows shall be constructed in the north elevation of the property and the permitted window shall be glazed with obscure glass only.

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

Informatives:

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

197. DCCE2007/0619/F - 24 HOLME LACY ROAD, HEREFORD, HR2 6BY [AGENDA ITEM 19]

Change of use of 1 no. house to 2 no. flats and single storey rear extension.

Councillor A.C.R. Chappell, a Local Ward Member, drew attention to concerns about the potential impact of the development on the character of the area and about access, parking and manoeuvring arrangements. Given these considerations, he felt that a site inspection was warranted.

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

In response to comments made by the public speaker, the Development Control Manager noted that the application was for change of use to two flats but the use sought by the applicant might be more akin to a 'granny annexe'. He suggested that officers be delegated to negotiate this matter with the applicant, in consultation with the Local Ward Members, and if a satisfactory resolution could not be found then a site inspection then be held.

In accordance with the criteria for public speaking, Mr. Hancock spoke in objection to the application.

Councillor Chappell felt that there were a number of issues outstanding and that there was merit in holding a site inspection in any case.

RESOLVED:

That consideration of the application 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.**

198. DATE OF NEXT MEETING

25th April, 2007

The meeting ended at 5.45 p.m.

CHAIRMAN

ITEM FOR INFORMATION - APPEALS**APPEALS RECEIVED****Application No. DCCE2006/2483/F**

- The appeal was received on 26th March, 2007.
- The appeal is made under Section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is brought by Morbaine Limited.
- The site is located at Land at rear of former Denco Holdings, Hereford, Herefordshire, HR4 9SJ.
- The development proposed is Variation of condition no 6 of planning permission DCCE2005/1752/O to allow (1) Goods from a catalogue showroom retailer including jewellery, clocks, watches, cutlery, crockery & glassware where ancillary to main range of goods sold. (2) Clothing & footwear.
- The appeal is to be heard by Hearing.

Case Officer: Russell Pryce on 01432 261957

Application No. DCCE2006/1978/F

- The appeal was received on 27th March, 2007.
- The appeal is made under Section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is brought by Strand Homes Ltd.
- The site is located at Bartestree Convent, Bartestree, Herefordshire, HR1 4DU.
- The development proposed is Erection of a terrace of 3 cottages and provision of additional parking area.
- The appeal is to be heard by Hearing.

Case Officer: Adam Sheppard on 01432 261961

Application No. DCCE2007/0091/F

- The appeal was received on 30th March, 2007.
- The appeal is made under Section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is brought by Mr. C.D. Stroud.
- The site is located at 5 Laburnum Grove, Hereford, Herefordshire, HR2 6AG.
- The development proposed is Erection of a wooden 1.9metre (Slatted) fence to the front of the property – retrospective.
- The appeal is to be heard by Written Representations.

Case Officer: Adam Sheppard on 01432 261961

Application No. DCCW2006/2534/F

- The appeal was received on 5th April, 2007.
- The appeal is made under Section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is brought by S. & A. Davies.
- The site is located at Brook Farm, Marden, Hereford, Herefordshire, HR1 3ET.
- The development proposed is Retention of polytunnels in connection with raised-bed strawberry production.
- The appeal is to be heard by Inquiry.

Case Officer: Kevin Bishop on 01432 261946

5A DCCE2007/0493/F - PROPOSED DEMOLITION OF EXISTING BUILDINGS AND CONSTRUCTION OF NEW BUILDING TO PROVIDE COMMERCIAL (A3) UNIT AND SIX RESIDENTIAL UNITS ABOVE. PUBLIC CONVENIENCE AND REFERRAL UNIT, UNION STREET, HEREFORD, HR1 2BT

For: Bindi (London) Ltd. Daniel Forrest, Satchmo, 2 Broomy Hill, Hereford, HR4 0LH

5B DCCE2007/0495/C - PROPOSED DEMOLITION OF EXISTING BUILDINGS AND CONSTRUCTION OF NEW BUILDING TO PROVIDE COMMERCIAL (A3) UNIT AND SIX RESIDENTIAL UNITS ABOVE. PUBLIC CONVENIENCE AND REFERRAL UNIT, UNION STREET, HEREFORD, HR1 2BT

For: Bindi (London) Ltd. Daniel Forrest, Satchmo, 2 Broomy Hill, Hereford, HR4 0LH

Date Received: 16th February, 2007 Ward: Central Grid Ref: 51233, 40080

Expiry Date: 13th April, 2007

Local Member: Councillor D.J. Fleet

This application was deferred at the meeting of the Central Area Planning Sub-Committee on the 4th April, 2007 in order to carry out a Members' site visit. This site visit was carried out on the 17th April, 2007.

1. Site Description and Proposal

- 1.1 These applications seek planning permission and Conservation Area Consent for the demolition of an existing public toilet building and pupil referral unit, and the erection of a new block containing six residential units and a restaurant/café.
- 1.2 The application site falls within an Area of Archaeological Importance and is within the Central Conservation Area. The site is within a designated Secondary Shopping Frontage and is inside the Central Shopping and Commercial Area. The site is currently vacant and lies within a 19th Century terrace containing a mix of retail, food and drink, business and residential accommodation. The neighbouring property to the north is currently a cafe/hot food takeaway with residential accommodation above. To the south there is a retail unit with retail, storage, and ancillary office accommodation above.

- 1.3 The proposal involves the erection of a three storey property infilling the current frontage gap. To the rear the development drops to a single storey scale, reflecting the constraints posed by the neighbouring properties. The proposal provides for a restaurant/cafe use at ground floor level, with residential accommodation above. The proposal intends to provide 6 units of single bedroom accommodation.
- 1.4 The scheme has been substantially revised in light of new information relating to the internal arrangement of the neighbouring property to the north.

2. Policies

2.1 National Policy Guidance:

PPS1	-	Delivering sustainable development
PPS3	-	Housing
PPS6	-	Town centres and retail development
PPG15	-	Planning and the historic environment
PPG16	-	Archaeology and planning

2.2 Herefordshire Unitary Development Plan 2007:

S1	-	Sustainable development
S2	-	Development requirements
S3	-	Housing
S5	-	Town centres and retail
S6	-	Transport
S7	-	Natural and historic heritage
DR1	-	Design
DR2	-	Land use and activity
DR3	-	Movement
H1	-	Hereford and the market towns: settlement boundaries and established residential areas
H13	-	Sustainable residential design
H14	-	Re-using previously developed land and buildings
H15	-	Density
H16	-	Car parking
H17	-	Sub-division of existing housing
TCR1	-	Central shopping and commercial areas
TCR2	-	Vitality and viability
TCR3	-	Primary shopping frontages
TCR4	-	Secondary shopping frontages
TCR6	-	Non-retail uses (Classes A2 and A3)
E5	-	Safeguarding employment land and buildings
T11	-	Parking provision
HBA6	-	New development within conservation areas
ARCH7	-	Hereford AAI

3. Planning History

- 3.1 DCCE2006/3936/F - Proposed demolition of existing buildings and construction of new build to provide A3 unit with 8 residential units above. Withdrawn 6th February, 2007.

- 3.2 DCCE2006/4013/C - Proposed demolition of existing buildings and construction of new build to provide A3 unit with 8 residential units above. Withdrawn 6th February, 2007.

4. Consultation Summary

Statutory Consultations

- 4.1 Welsh Water: No objections subject to conditions.

Internal Council Advice

- 4.2 Traffic Manager: No objection. Requested provision of covered cycle parking.
- 4.3 Conservation Manager: No objections subject to conditions and informatives relating to conservation and archaeological matters.
- 4.4 Environmental Health Manager: No objection subject to conditions.

5. Representations

- 5.1 Hereford City Council: No objection.
- 5.2 Conservation Area Advisory Panel: Access to apartments of concern, as are the service arrangements.
- 5.3 Local Residents: Two letters of objection have been received from the following sources:
- S. Morley, 22 Union Street, Hereford;
 - Gabbs Solicitors on behalf of 21 Union Street, Hereford.

The comments raised can be summarised as follows:

- Loss of light to residential accommodation;
 - Obscuring of advertisement boards;
 - Loss of light to stock room, toilet facilities, and stairs adversely impacting upon property values and increasing electricity usage.
- 5.4 The full text of these letters can be inspected at Central Planning Services, Garrick House, Widemarsh Street, Hereford and prior to the Sub-Committee meeting.

6. Officers Appraisal

- 6.1 It is considered that the following points represent the salient issues for consideration in this application:
- Principle of Development;
 - Design, Scale and Visual Amenities;
 - Residential Amenities;
 - Highway Issues.

Principle of Development

- 6.2 The site lies within the Central Shopping and Commercial Area as designated in the Herefordshire Unitary Development Plan 2007. Furthermore Union Street is designated as Secondary Shopping Frontage. Policy TCR1 of the Unitary Development Plan state that the Central Shopping and Commercial Area should be retained and protected as the prime focus for retail, leisure and commercial activity in order to ensure the continued vitality and viability of the city centre. The proposal incorporates an A3 restaurant/café use and residential accommodation and therefore is a mixed-use development. PPS6 promotes mixed-use development in town centre locations and particularly above shops for the same reasons. PPS6 indicates that for a town centre to be commercially attractive and vibrant both day and night a mixture of uses should be promoted. As the proposal incorporates a restaurant/café with an active frontage onto Union Street, this in principle is also acceptable from a policy context. Policy TCR4 specifically considers Secondary Shopping Frontages and outlines criteria for compliance. This scheme will not allow for full compliance with this policy due to the extent of A3 and A5 uses in this frontage. However, this situation is complicated in this instance as the unit is currently used as a public toilet with a D1 use to the rear. In these circumstances, the introduction of a Class A use is welcomed since in part it bring about an enhancement of the site
- 6.3 This is a windfall site, that is to say that it is not specifically allocated for development within the Herefordshire Unitary Development Plan 2007. The Herefordshire Unitary Development Plan identifies that 40% of all housing anticipated to be built between 2006 and 2011 in Hereford would result from windfall sites such as this. Therefore, based on these figures the need for this additional housing is justified.

Residential Amenities

- 6.4 The adjacent property to the south is a retail unit with retail and ancillary space above. Windows are found in the side elevation of this property and these will be severely compromised as a result of this proposal. However, these are not residential openings and as such the protection afforded to them is substantially reduced to the extent that it would not warrant the refusal of planning permission in this case.
- 6.5 Turning to the north, residential accommodation is found above the existing café/takeaway unit. A single side window is found in the elevation facing the application site and this will be obstructed by the new development as proposed. Clearly this is of concern, however, this opening is a secondary window serving a room with a further larger opening in the front elevation facing Union Street. There will inevitably be a loss of light as a result of the effective blocking up of this window through this development proposal, however, as light will still be afforded to this accommodation it is considered that the impact will be within acceptable limits. Further openings are found to the rear, however, the design alterations introduced, and the relative positions of the existing and proposed units, are such that the impact will again be within acceptable limits. An extant permission for further extension work to the rear of No. 21 exists and the design of the proposal has been revised from the original submission (DCCE2006/3936/F) to ensure that the future amenities of this neighbouring site are protected.
- 6.6 Further south, Units 24-30 Union Street have recently secured planning permission for the use of the upper storeys for 8 residential apartments. Habitable windows at first floor level are found on one element of this scheme but, although in close proximity to

this new proposal, the relevant orientation is such that the relationships are considered acceptable for this city centre location.

Design, Scale and Visual Amenities

- 6.7 The proposal utilises a traditional design concept with a frontage which is intended to effectively integrate with the adjacent properties. Traditional shop front and window openings are proposed, with fenestration reflective of the neighbouring units. To the rear, modern touches are introduced but the scheme retains a generally traditional concept despite the constraints imposed by neighbouring properties. The site constraints, particularly the neighbouring properties. The scale is not considered excessive in this central location. A condition will ensure that high quality materials are used in the interests of retaining the character of the area. It is assessed that the scheme will integrate effectively into the street scene and will enhance the character and appearance of the Conservation Area.

Highway Issues

- 6.8 The application site is in a very central and sustainable location. It is therefore considered an appropriate location for a car free development. Goods, services, employment, and public transport interchanges are all within close proximity to this site and cycle parking is included within this proposal.

Other Issues

- 6.9 The obstruction of the advertisement panels attached to the side of Unit 22 is unfortunate but it is not considered to be a material planning consideration in this instance.
- 6.10 The archaeological implications of this proposal, having regard to the position of this site within the AAI, are protected through the inclusion of an appropriate condition to allow site investigation.
- 6.11 The demolition of the existing toilet block is not considered problematic, but the use of some of the stone from this building in the unit façade is welcomed. The pupil referral unit is a modern pre-fabricated structure of no merit.

RECOMMENDATION

DCCE2007/0493/F

That planning permission be granted subject to the following conditions:

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

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

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

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

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

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

4 C05 (Details of external joinery finishes).

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

5 D01 (Site investigation - archaeology).

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

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

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

7 E19 (Obscure glazing to windows).

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

8 F16 (Restriction of hours during construction).

Reason: To protect the amenity of local residents.

9 F37 (Scheme of odour and fume control).

Reason: In order to ensure that fumes and odours are properly discharged and in the interests of the amenities of residential property in the locality.

10 F39 (Scheme of refuse storage).

Reason: In the interests of amenity.

11 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.

12 W01 (Foul/surface water drainage).

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

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

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

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

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

15 W04 (Comprehensive & Integrated draining of site).

Reason: To ensure that effective drainage facilities are provided for the proposed development, and that no adverse impact occurs to the environment or the existing public sewerage system.

Informatives:

- 1 ND02 - Area of Archaeological Importance.**
- 2 HN01 - Mud on highway.**
- 3 HN05 - Works within the highway.**
- 4 N16 - Welsh Water Informative.**
- 5 N15 - Reason(s) for the Grant of PP/LBC/CAC**

The decision to grant planning permission has been taken having regard to the policies and proposals in the Herefordshire Unitary Development Plan 2007 set out below, and to all relevant material considerations including Supplementary Planning Guidance:

Herefordshire Unitary Development Plan 2007:

This informative is only intended as a summary of the reasons for grant of planning permission. For further detail on the decision please see the application report by contacting The Hereford Centre, Garrick House, Widemarsh Street, Hereford (Tel: 01432-261563).

- 6 N19 - Avoidance of doubt.**

DCCE2007/0495/C

Subject to no further material planning objections being raised that Conservation Area Consent be granted subject to the following conditions:

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

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

Informatives:

- 1. D01 – Site investigation – archaeology.**
- 2. N15 - Reason(s) for the Grant of PP/LBC/CAC.**
- 3. N19 - Avoidance of doubt.**

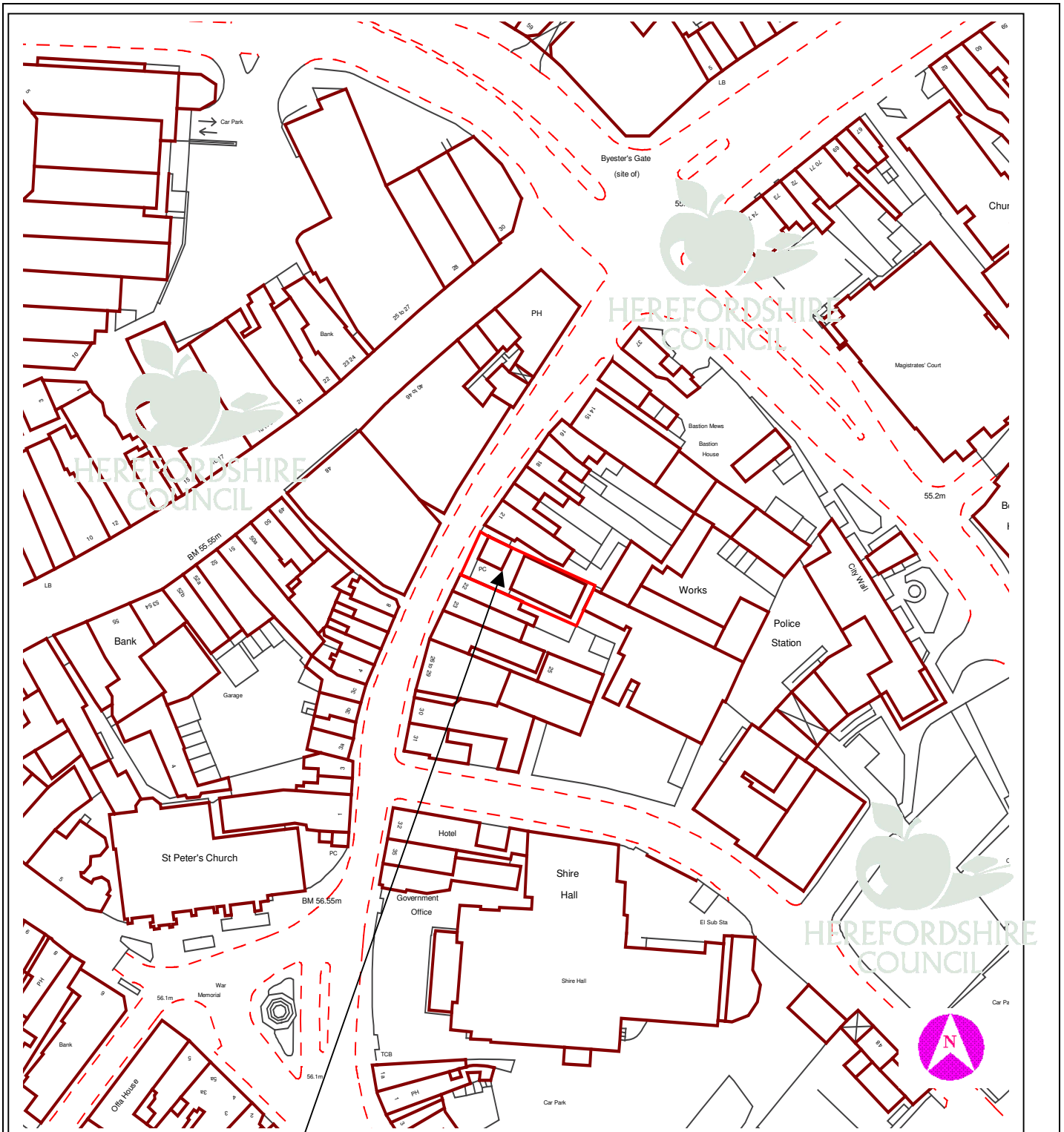
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCCE2007/0493/F

SCALE : 1 : 1250

SITE ADDRESS : Public convenience and referral unit, Union Street, Hereford HR1 2BT

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6 DCCW2007/0187/F - EXTERNAL FIRE ESCAPE STAIRCASE FROM GROUND FLOOR TO FIRST FLOOR (RETROSPECTIVE) AT HOLMER PARK SPA & HEALTH CLUB, CLEEVE ORCHARD, HOLMER, HEREFORD, HEREFORDSHIRE, HR1 1LL

For: Holmer Park Spa & Health Club per David Edwards Associates, Station Approach, Barrs Court, Hereford, HR1 1BB

Date Received: 18th January, 2007 Ward: Burghill, Grid Ref: 50785, 42282
Holmer & Lyde

Expiry Date: 15th March, 2007

Local Member: Councillor Mrs. S.J. Robertson

This application was deferred at the meeting of the Central Area Planning Sub-Committee on the 4th April, 2007 in order to carry out a Members' site visit. The site visit was carried out on the 17th April, 2007.

1. Site Description and Proposal

- 1.1 Holmer Park Spa and Health Club is located at the northern end of Cleeve Orchard, Holmer. Access is via Cleeve Orchard onto Roman Road opposite Inco Alloys. Attwood Lane adjoins the northern boundary together with a listed summerhouse.
- 1.2 Planning permission is sought to retain a metal fire escape erected onto the side elevation of Holmer Park adjacent to Attwood Lane. The fire escape is required for emergency access as the travel distance to/from the first floor is beyond that required by Building Regulations. It is presently painted cream.

2. Policies

2.1 Herefordshire Unitary Development Plan 2007:

Policy DR1	-	Design
Policy HBA4	-	Setting of Listed Building
Policy HBA8	-	Locally Important Buildings

3. Planning History

- 3.1 SC980298PF Change of use to Class B1 office with associated provision of car parking and landscaping. Approved 04/02/1999.
- 3.2 SC980299PO Site for residential home (amended scheme). Refused 18/11/1998, appeal dismissed.
- 3.3 CW2000/2722/O Outline application for the erection of four detached dwelling. Approved 14/02/2001.

- 3.4 CW2001/2858/F Change of use from social club to D1(h) Use in connection with public worship religious instruction. Approved 05/12/2001.
- 3.5 CW2002/0819/F Change of use of Wiggins Social Club to D2 (Health & Leisure Club) with extension to form a cardio-fitness training area and swimming pool with changing and plant rooms within underground extension. Approved 16th October, 2002.

4. Consultation Summary

Statutory Consultations

- 4.1 None.

Internal Council Advice

- 4.2 Traffic Manager: No objection.
- 4.3 Conservation Manager: Having discussed this application with colleagues, I wish to withdraw my objection. Although I maintain that the stair does nothing to improve the ambience of the listed summerhouse and that the solution to the problem of escape could have been handled in a more sensitive and visually pleasing way I appreciate that the extent of the setting of the summerhouse is not entirely clear. Whereas PPG15 advises that the setting of a listed building must not be interpreted too narrowly (2.7) I agree that in the case of the summerhouse, changes to the main property might be considered to be beyond its influence. On balance, I would agree that it would be difficult to justify refusal of this application.
- 4.4 Area Building Control Officer: The existing fire escape from the first floor at the rear is required for emergency means of escape as the travel distance to and from this floor would be too great without it.

5. Representations

- 5.1 Holmer Parish Council: There appears to be no justification for the escape. The parish object to the damage caused to the ornate stone balustrading which has been removed to enable the escape to be provided and the adverse impact to the adjacent listed building.
- 5.2 One letter of objection from T. Smith and D. Morgan, Thuya House, Holmer Park.
- i) A fire escape already exists onto the back of the property serving the flats, why does he need another monstrosity on the other side.

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

6. Officers Appraisal

- 6.1 This fire escape is required under Buildings Regulations as the travel distance from one of the upper floor is too great. It is sited on the side of the building and cannot be seen in the main views of the building. The colour of the fire escape is cream which matches the window detailing, however a substantial element of the fire escape is seen

against the red brick of the building and it is considered that a darker colour, similar to the other fire escape (green) would reduce its visual impact in respect of its effect on the host building.

6.2 The fire escape has been assessed in relation to its impact on the setting of the listed building (summerhouse) which is sited 8 metres to the north.

6.3 The Conservation Manager has given very careful consideration of the impact of the development on the setting of the listed building and considers that whilst the proposal is not necessarily the best option, it is not sufficiently detrimental to its setting so as to warrant a refusal. It is also considered that the painting of the fire escape a darker colour, similar to the existing fire escape will further mitigate its impact. Accordingly the proposal is considered acceptable and not to significantly impact on the setting of the listed building.

6.4 Finally, the removal of the balustrade has been investigated. It collapsed prior to work commencing on the fire escape. The remaining elements have now been secured. The loss of the balustrade on the side is not considered detrimental to the visual amenity of the building.

RECOMMENDATION

That planning permission be granted subject to the following condition:

- 1. Within one month of the date of this permission the fire escape shall be painted a dark green colour or other suitable colour to be agreed in writing with the local planning authority. Thereafter the fire escape shall be maintained in accordance with the approved detail.**

Reason: In the interests of visual amenity.

Informatives:

- 1. N19 - Avoidance of doubt.**
- 2. N15 - Reason(s) for the Grant of PP/LBC/CAC.**

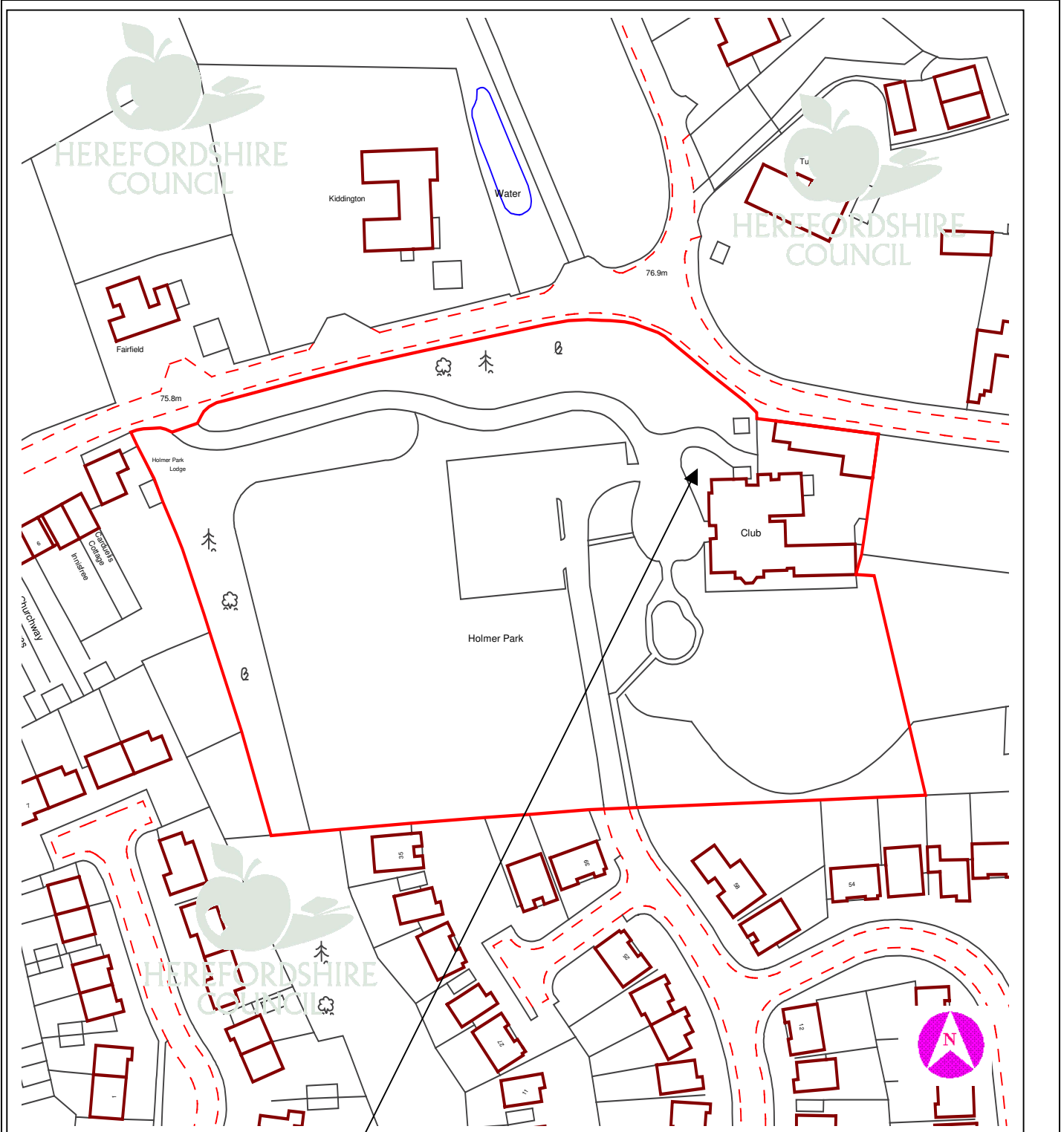
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCCW2007/0187/F

SCALE : 1 : 1250

SITE ADDRESS : Holmer Park Spa & Health Club, Cleeve Orchard, Holmer, Hereford, Herefordshire, HR1 1LL

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7 DCCW2006/3963/F - PROPOSED AGRICULTURAL BUILDING FOR GENERAL STOCK HOUSING AND GRAIN STORE AT SHETTON COURT FARM, MANSEL LACY, HEREFORD, HEREFORDSHIRE, HR4 7HP

For: G.H. Powell & Son per Mr. I. Savagar, 35 Caswell Crescent, Leominster, Herefordshire, HR6 8BE

Date Received: 18th December, 2006 Ward: Wormsley Ridge Grid Ref: 40566, 45014
Expiry Date: 19th March, 2007

Local Member: Councillor J.C. Mayson

This application was deferred at the meeting of the Central Area Planning Sub-Committee on the 4th April, 2007 in order to carry out a Members' site visit. The site visit was carried out on the 17th April, 2007. The report has been updated.

1. Site Description and Proposal

- 1.1 The application site is located in the corner of field no. 504045 to the west of Shetton Cottage, Mansel Lacy, Hereford.
- 1.2 The ground is presently pasture land and extensive tree lined hedges about the south and northern boundaries. The land rises gently up to the west. Shetton Farm and its traditional outbuildings are located immediately to the south of Shetton Cottage. The former outbuildings are presently being converted into seven dwellings pursuant to Application No. DCCW2007/1515/F.
- 1.3 The proposal is to erect a 36.5m x 30.48m agricultural building for the purposes of general stock housing and grain store. The building would be 4.26m to the eaves and 8m to the ridge. External materials proposed are concrete walls and metal sheeting under a metal sheet roof. The sides of the building will be open.

2. Policies

2.1 National:

PPS7 - Sustainable Development in Rural Areas

2.2 Herefordshire Unitary Development Plan 2007:

Policy DR1 - Design
 Policy DR2 - Land Use and Activity
 Policy E13 - Agricultural and Forestry Development
 Policy LA2 - Landscape Character and Areas of Least Resilient to Change

3. Planning History

- 3.1 DCCW2006/2966/S Hay, straw and implement building. Prior Approval Refused 29th September 2006. (Note this was in the western corner of the field).

4. Consultation Summary

Statutory Consultations

- 4.1 None.

Internal Council Advice

- 4.2 Head of Environmental Health & Trading Standards: Comments awaited.
- 4.3 Conservation Manager: "I have very grave concerns about the siting of the proposed building and the resultant impact on the quality and character of the landscape. I have considered a range of possibilities by which this impact could be reduced but conclude that the building is inappropriately located and recommend that the application be refused (Contrary to Policies E13, LA2 and DR1 of the emerging UDP).

The location of the proposed buildings in a landscape type identified as 'Wooded Estatelands' in the Herefordshire Landscape Character Assessment. This is a landscape of strong, well-defined elements often of a scale untypical of the central part of the county. Large, discrete blocks of woodland, linking hedges and framed views are typical features. Despite these strong elements, the landscape is susceptible to degradation through large or inappropriately located development. The LCA describes this landscape as '...dependent on a small number of strongly defined characteristics.'

The proposed building is a large, industrial scale building that would command an elevated position on the southern side of a wide valley. The main A480 road from Hereford to Kington runs on an identical contour on the north side of this valley and should be considered a major 'receptor' when assessing the potential impact of this building. Uninterrupted views of the site area gained travelling both east and west on the A480 for approximately 3 miles. It should be noted that the majority of buildings in the visual scope of this proposal are located below this contour. The proposed building will also be visible from a bridleway further up the southern valley side and will interrupt views from it.

The proposed building is arbitrarily located in the eastern corner of a field, immediately adjacent to a former trackway. This route would appear to have linked across the valley from the bridleway mentioned above, via Shetton Court Farm to Flag Farm and the main road beyond to the north. This route, now redundant, has resulted in a double-hedged field boundary instantly distinguishable from the other well trimmed, straight, post-enclosure hedges defining the remaining fields of the southern side of the valley. This feature is insufficiently large to screen the proposed building; rather its significance would be overshadowed by it.

The proposed building draws no reference from the existing buildings in the Shetton Farm complex and will be perceived as juxtaposed and dominant to it rather than part of it. No amount of landscaping would adequately disguise the presence of this building and due to the elevated position may even risk exaggerating its presence.

Whilst I recognise the importance of encouraging and maintaining livestock farming in this landscape, essential to the retention of the pastoral quality of the area, I believe that alternative sites should be investigated and more careful consideration given to the potential impact on the landscape. Identifying a site subordinate to the principal elements in the landscape will be necessary to successfully accommodate a building of the proportions proposed."

5. Representations

5.1 Mansel Lacy Parish Council: "The Foxley Group Parish Council has no objection to this application for a general purpose farm building to replace the covered area of the now obsolete fine Victorian brick farm complex. This Council realizes the importance of farms being viable in order to survive in these difficult times. We feel that the proposed siting of the new building is probably in the last obtrusive position, adjacent to the original farmstead. In fact, the new buildings will be less obtrusive than the original because many of the existing buildings are due to be demolished."

5.2 Mansel Gamage Parish Council: "Unhappy with proposed site. The first site proposed more accessible as it was more discrete from surrounding area.

This site will impact on surrounding landscape.

This building will have impact on adjoining properties by size, lights and noise.

Does not meet Parish Plan guidelines."

5.3 Further response received 28th February 2007. "At a planning sub-committee meeting held on Tuesday 27 February the above item was re-considered after we had received the attached letter from the applicant.

We believe that we gave an honest opinion when we first considered this application and found no reason to change our minds at this second consideration.

This building will be built in the wrong place should you give permission to this application."

5.4 One letter of objection has been received from Richard White, Chandos, Much Marcle, Nr. Ledbury, Herefordshire. The main planning points are:-

1. The building should be moved 200 yards to the west which would mean it would not be detrimental to Cork & Bottle Cottage and barn conversion to the north and the landscape in general.

2. Stock buildings are normally located 400 metres from dwellings.

5.5 Fourteen letters of support have been received.

The main points raised are:-

1. The positioning of this building in the proposed place would be the most advantageous as far as the workings of the farm, landscape and residential property nearby.

2. Other sites have been considered but are either too wet or would be exposed within the landscape.
3. The building will not impact in any way on the surrounding landscape.

5.6 The applicant and agent have submitted letters, the main points are:-

1. The site was chosen after a great deal of thought given the requirements of this mixed arable and livestock farm.
2. This site leads directly to the grasslands much of which is now down to permanent pastures.
3. There would be no bio-security problems with stock having to cross the lane.
4. The building has been designed to cater for the storage of straw, hay, corn and implements which would make the farm tidier and conform to present day rules and regulations regarding farm management.
5. The sheep will only be housed whilst lambing therefore there will be no slurry or problems with manure.
6. The chosen site will be seen as part of the group of buildings at Shetton Court Farm and Cottage.
7. Additional planting will be undertaken.
8. Hard surfacing will be laid around the building which will help keep the road clean and tidy.
9. Services are at hand.
10. The alternative site advocated by the Landscape Officer is remote from the farmstead and would require a new roadway. It is the wettest area of the farm and in an exposed position and surrounded by arable land. No services are to hand.
11. The site nearer the farmhouse is in a more exposed position and away from the residence of the principal stockman who lives at The Cottage. It lies adjacent to arable land.
12. The proposed building is not of industrial scale.
13. The site is already well landscaped.
14. The building will not command an elevated position in the valley.
15. Minimise the need to use the roadway and other alternative sites.

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

6. Officers Appraisal

- 6.1 The need for this new building has arisen following the conversion of the traditional buildings at Shetton Court Farm into seven dwellings. These buildings were not suitable for modern farming practices.
- 6.2 It is clear from the wide-ranging opinions expressed in relation to the proposed site that views in respect of the visual impact of the building are polarised. The choice of site has been the subject of detailed consideration and generally appears to have the support of local residents with the obvious exception of Mansel Gamage Parish Council.
- 6.3 The applicant has sought to choose a site that meets the needs of the established holding whilst still retaining an element of screening from the adjacent tree-lined hedge. However Members will note that the Council's Conservation Manager has raised serious concerns in relation to the visual impact of the building due to its size and exposed elevated position.
- 6.4 Alternative sites have been suggested but have been discounted by the applicant and whilst the reasoning put forward is noted, it is considered that a suitable site east of the farm as suggested by the Landscape Officer would have the least impact upon the landscape, being lower on the valley side and benefiting from screening by well established trees. The applicant suggests that the suggested alternative site would be difficult to develop, divorced from the farmhouse and sited in the wrong place for the land which it would serve. However, whilst these concerns are noted, it is not considered that they outweigh the visual harm caused by the proposed building in its current location.
- 6.5 Accordingly the planning application as submitted is considered to be contrary to the Development Plan.

RECOMMENDATION

That planning permission be refused for the following reason:

This building by reason of its isolated and prominent hillside location would have a detrimental impact upon the landscape quality of the area contrary to Policies E13, LA2 and DR1 of the Herefordshire Unitary Development Plan 2007.

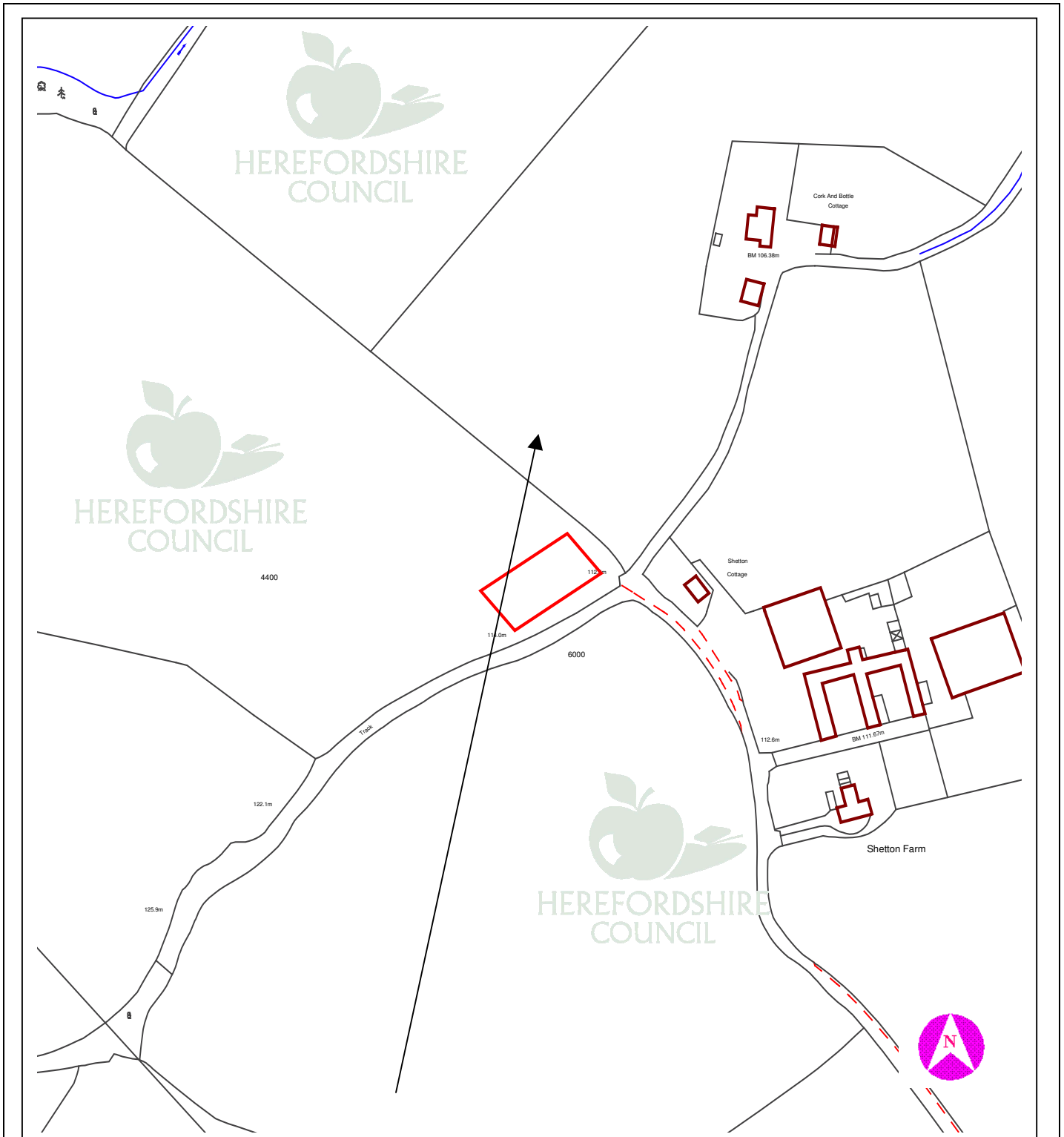
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCCW2006/3963/F

SCALE : 1 : 2500

SITE ADDRESS : Shetton Court Farm, Mansel Lacy, Hereford, Herefordshire, HR4 7HP

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Further information on the subject of this report is available from Mr. K.J. Bishop on 01432 261946

8 DCCE2007/0283/F - RETENTION OF EXISTING PONTOON, STEPS AND STORAGE AREA FOR MAX. 30 CANOES. LUCKSALL CARAVAN PARK, MORDIFORD, HEREFORD, HEREFORDSHIRE, HR1 4LP

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

Date Received: 1st February, 2007 Ward: Backbury Grid Ref: 56775, 36240

Expiry Date: 29th March, 2007

Local Member: Councillor Mrs. J.E. Pemberton

This application was deferred at the meeting of the Central Area Planning Sub-Committee on the 4th April, 2007 in order to carry out a Members' site visit. This site visit was carried out on the 17th April, 2007.

1. Site Description and Proposal

- 1.1 This application seeks permission for the retention of a floating pontoon, access steps, and canoe storage area at Lucksall Caravan Park, Mordiford together with the provision of a terraced enclosure. The application site is located in the open countryside and is within a designated Area of Outstanding Natural Beauty. The site is found to the west of the B4224, north of Fiddlers Green, and south of the river crossing and the junction with the B4399. The River Wye is a Site of Special Scientific Interest (SSSI) and a Special Area of Conservation (SAC).
- 1.2 The area subject of this application is to the north of the camping and caravan site, to the side and rear of the existing reception building. The application seeks to secure permission for a storage area to the rear of the reception building to provide a protected facility for canoes. The canoes are only available for hire to persons staying at the site. The pontoon and associated steps are to the west of the canoe storage area and are intended to provide river access to campers and caravanners hiring canoes on site, as well as a formalised landing and launching area for visiting organisations. The steps are of timber construction with the pontoon of metal/plastic construction and effectively replace a long established an informal river access point slightly further to the north.

2. Policies

2.1 Planning Policy Guidance:

PPS1	-	Delivering sustainable development
PPS7	-	Sustainable development in rural areas
PPS9	-	Biodiversity and geological conservation
PPG21	-	Tourism

2.2 Herefordshire Unitary Development Plan 2007

S1	-	Sustainable development
S2	-	Development requirements
S6	-	Transport
S7	-	Natural and historic heritage
S8	-	Recreation, sport and tourism
DR1	-	Design
DR2	-	Land use and activity
DR7	-	Flood risk
T11	-	Parking provision
LA1	-	Areas of Outstanding Natural Beauty
LA2	-	Landscape character and areas least resilient to change
RST1	-	Criteria for recreation, sport and tourism development
RST2	-	Recreation, sport and tourism development within Areas of Outstanding Natural Beauty
RST14	-	Static caravans, chalets, camping and touring caravan sites
NC1	-	Biodiversity and development
NC2	-	Sites of international importance
NC3	-	Sites of national importance
NC4	-	Sites of local importance

3. Planning History

- 3.1 DCCE2007/0286/F - Improvement to existing access, re-use of existing storage building and store as office, sales and cafe. Undetermined.
- 3.2 DCCE2006/3365/F - Proposed park vehicle access way - part retrospective. Approved 4th December, 2006.
- 3.3 DCCE2006/0351/F - Repositioning of existing caravans and addition of 13 static caravans to include change of use of part of land. Approved 31st May, 2006.
- 3.4 DCCE2005/2119/F - Repositioning of existing caravans and addition of 13 static caravans to include change of use of part of land. Withdrawn 24th August, 2005.
- 3.5 DCCE2004/2207/F - Low level lighting. Approved 26th August, 2004.
- 3.6 DCCE2004/2208/A - Fascia sign. Approved 27th August, 2004.
- 3.7 SH931333PF - Change of use of part of barn to form reception area. Approved 5th January, 1994.
- 3.8 SH930192PF - Septic tank. Approved 6th December, 1993.
- 3.9 SH911310PF - Change of use to extend park and erect a toilet block. Approved 9th June, 1992.
- 3.10 SH780187PF - Use of land as a holiday camping and caravan site. Approved 10th May, 1975.

4. Consultation Summary

Statutory Consultations

- 4.1 Environment Agency: No objection subject to an informative advising of the requirement for Land Drainage Consent.
- 4.2 Natural England: No objection to the proposal in the context of landscape impact or the SSSI/SAC but advise of the requirement to secure Land Drainage Consent from the EA and note concern over the unauthorised works carried out.

Internal Council Advice

- 4.3 Traffic Manager: No objection.
- 4.4 PROW Manager: No objection.
- 4.5 Conservation Manager (Ecologist): No objection
- 4.6 Environmental Health and Trading Standards Manager: No objection.

5. Representations

- 5.1 Fownhope Parish Council: No objection.
- 5.2 Holme Lacy Parish Council: Raised the following objections:
- Unhappy pattern for retrospective planning applications;
 - Support tourism and leisure activities but these must be sympathetic to the environment, and its impact upon the area and neighbouring properties fully assessed;
 - Impact upon wildlife requires full consideration;
 - Unauthorised work to a SSSI requires careful consideration.
- 5.3 Local Residents: Four letters of objection have been received from the following sources:
- D.M. & S.A. Parker, Deepwood, Fownhope;
 - A. Harris & R. Ensor, Evendene, Mordiford (x3).

The comments raised can be summarised as follows:

1. Unacceptable access arrangements;
 2. Highway safety issues due;
 3. Adverse impact upon the visual amenities of the locality;
 4. Adverse impact upon AONB;
 5. Impact upon residential amenities caused by canoe related activities;
 6. Boundary/ownership issue;
 7. A site less harmful to neighbouring residential amenities would be available;
 8. The business activities on site have expanded to an unreasonable level.
- 5.3 Three letters have also been submitted in support of the application from the following sources:

- Ian Scott, Panel Secretary, Severn and Wye Expedition Panel (Duke of Edinburgh's Award);
- P.F. Daines, Mill Farm Barn, Fownhope;
- Worcester County Council [Malvern Hills Outdoor Centre]

The comments raised can be summarised as follows:

1. Few access points to the River Wye Navigation are available and access is dependent upon 'friendly landowners';
2. Lucksall is the only access point between Hereford and Hoarwithy, a distance of 16 miles;
3. The owners of this site have welcomed canoeists for more than 50 years;
4. The launch provides for both individuals and hire companies;
5. The site offers a good, safe access to the river and new facilities will improve this;
6. Re-siting the launch would require canoeists passing through the camping/caravan site itself;
7. The EA is looking for 5 new access points along the river in addition of this one, and as such the loss of this facility would be a great pity;
8. The loss of this facility would make the distance between access points 43km, beyond the ability of some river users;
9. The site is an essential link in the camp site chain as 'wild' camping is not supported by the DofE's Award;
10. The tourist activity associated with canoeists are an important part of the tourist industry in this area;
11. Canoeing is a low impact activity appropriate for a rural environment;
12. Restricting hours of activity on site would compromise the safety of river users;
13. The loss of the launch/landing facility will make the Malvern Hills Outdoor Centre's canoe expedition programme unviable.

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

6. Officers Appraisal

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

- Principle of Development
- Residential Amenities
- Visual Amenities
- Highway Issues
- Ecology

Principle of Development

6.2 Herefordshire Unitary Development Plan 2007 Policy S8 considers recreation, sport, tourism. The enhancement of existing facilities is offered broad support, subject to consideration of the site specific factors. Policy RST1 considers these matters in more detail and advises that proposals will be permitted where they are appropriate for the location, will not harm the amenities of neighbouring properties, respect the environment, and are accessible by a choice of transport modes. Policy RST2 specifically considers new development such as that proposed in this application and which falls within an AONB. In such circumstances, development must have particular

regard to the landscape impact, be small in scale and of appropriate materials, and make a positive contribution to the understanding and quiet enjoyment of the natural beauty of the area.

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

Residential Amenities

- 6.4 In the context of disturbance to residential amenities the principal property for consideration is Evendene. Although the residential curtilage of this dwelling does not run down to the river, the canoe storage area is nevertheless adjacent to the property boundary to Evendene and together with the pontoon is in relatively close proximity to the dwelling, and its associated residential curtilage. The formalisation of launching/landing may result in an increased activity level and the amenity implications of this activity are of note. However it must be stressed that the use of this section of the bank for access to the river is a long established activity over which the local planning authority has no regulatory control. The siting of the pontoon is such that it would reduce the impact on Evendene when compared to the long established access point. Nevertheless it is considered appropriate to ensure that the use of the canoes in the storage area, which represent Lucksall's own hire facility, are for the benefit of persons staying at the site only. In this way the actual activity will be maintained at an acceptable level in the context of this established use of the site.
- 6.5 The use of the pontoon and canoe storage area, particularly in the summer months, offers the potential to cause a degree of disturbance which inevitably results from the use of the storage area and launching/recovery craft. However, this impact must be weighed up against the benefit to rural tourism represented by this launch/landing point, the long established nature of landing/launching in this area, and the limited number of launch/landing points that are available along this stretch of the River Wye. It is significant that the Environmental Health Officer has not raised an objection to the impact of these uses in this location and, with the condition suggested above, it is considered that the impact will be within acceptable limits.

Visual Amenities

- 6.6 The physical alterations proposed are relatively limited. The canoe storage area is to the rear of the existing reception facility and integrates with it visually. The steps and pontoon are small in scale and limited visibility is afforded to them. They are considered to be an appropriate form of development for a riverbank location such as this.
- 6.7 Turning to the AONB implications, it is considered that the actual physical alterations are of a scale that will ensure that the high quality of this landscape is maintained. In terms of the implications of the use proposed, canoeing activities can be carried out on the river regardless of this permission. It is assessed that the provision of this formal landing/launching facility will not adversely affect the intrinsic natural beauty and amenity of the area and will make a positive contribution to the ability of river users to enjoy the natural beauty of the AONB.

Highway Issues

- 6.8 Informal landing/launching activity in this location is long established, however, it is recognised that the formalisation of the landing and launching facility may result in an intensification of its use. In this context the condition proposed in Para. 6.4 above, restricting the users of the canoes in the storage area to persons staying at the site, is again relevant. Such users will not result in additional traffic generation and in this way it can be ensured that the traffic generation. The Traffic Manager has confirmed that he has no objection to the proposal and on this basis it is considered that the proposal is acceptable in the context of highway safety matters.

Ecology

- 6.9 The importance of the River Wye as a SAC, SSSI, and Special Wildlife Site is significant having regard to the steps and pontoon and the associated formalisation of landing/launching in this location. An Ecological Survey, particularly focused upon otter and water voles, was submitted with this application and has been assessed by the Council's Ecologist. It is advised that the otter, water vole, and other protected species will not be significantly affected by the development. This position is supported by Natural England, who raise no objection in the context of ecological matters.

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 C02 (Approval of storage area fencing details).**

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

- 3 The canoes stored within the canoe storage area shall be for the benefit of persons staying at the Lucksall Camping and Caravan Park only.**

Reason: To safeguard the amenities of the locality and in the interests of highway safety.

Informatives:

- 1 N01 - Access for all.**
- 2 N03 - Adjoining property rights.**
- 3 N04 - Rights of way.**
- 4 HN02 - Public rights of way affected.**
- 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.
- 8 N19 - Avoidance of doubt.

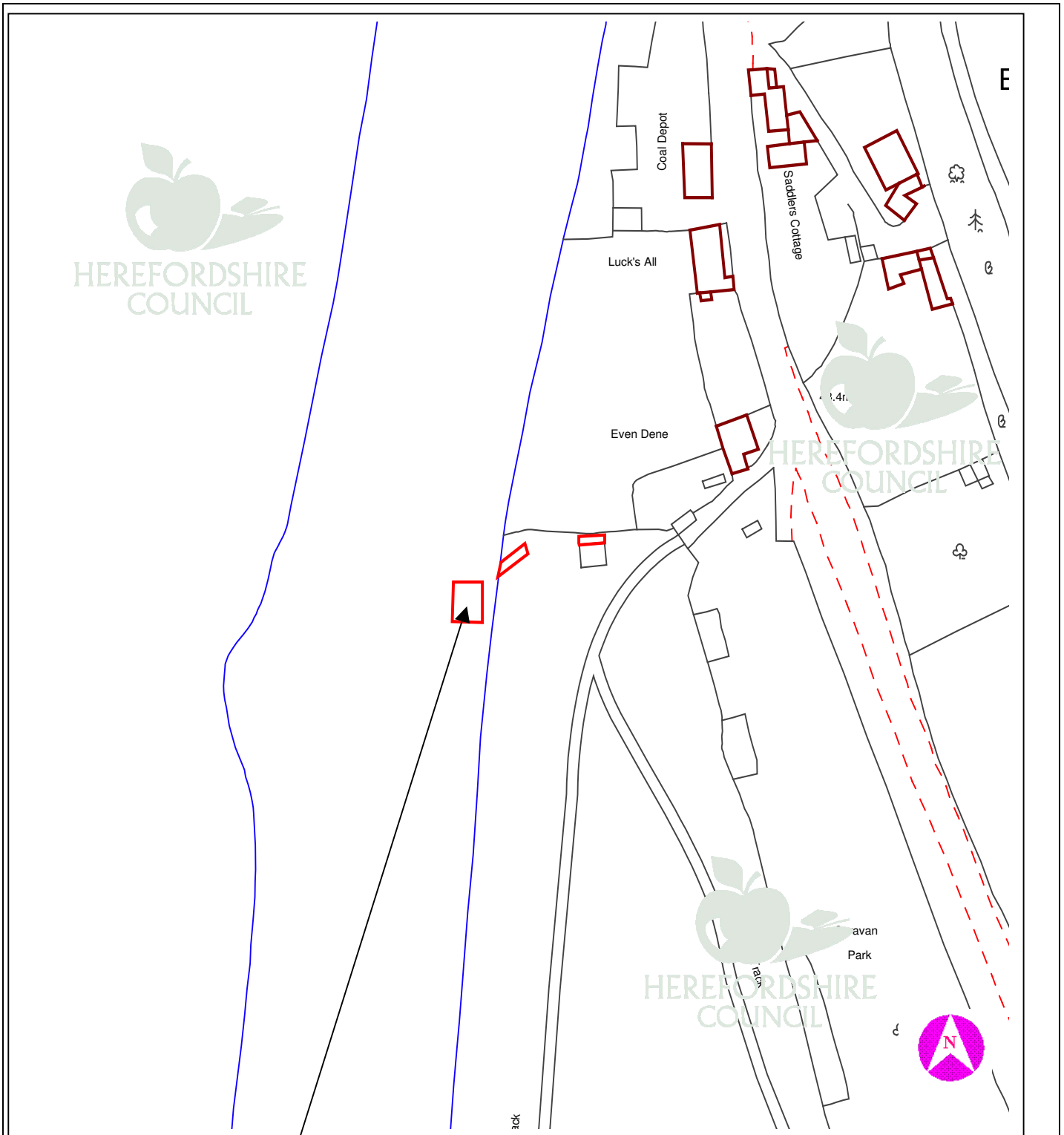
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCCE2007/0283/F

SCALE : 1 : 1250

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

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9 DCCE2007/0286/F - IMPROVEMENT TO EXISTING VEHICULAR ACCESS AND RE-USE OF EXISTING RECEPTION BUILDING AND STORE FOR OFFICE, SALES AND CAFE. LUCKSALL CARAVAN PARK, MORDIFORD, HEREFORD, HR1 4LP

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

Date Received: 1st February, 2007 Ward: Backbury Grid Ref: 56833, 36021

Expiry Date: 29th March, 2007

Local Member: Councillor Mrs. J.E. Pemberton

This application was deferred at the meeting of the Central Area Planning Sub-Committee on the 4th April, 2007 in order to carry out a Members site visit. This site visit was carried out on the 17th April, 2007.

1. Site Description and Proposal

- 1.1 This application seeks permission for the improvement to the existing site access and the use of the existing reception building and store as an office, retail space, and cafe in connection with the Lucksall Caravan and Camping Park, Mordiford.
- 1.2 The application site is located in the open countryside and is within a designated Area of Great Landscape Value and an Area of Outstanding Natural Beauty. The site is found to the west of the B4224, north of Fiddlers Green, and south of the river crossing and the junction with the B4399. The River Wye is a Site of Special Scientific Interest (SSSI) and a Special Area of Conservation (SAC).
- 1.3 The building subject of this application is to the north of the camping and caravan site, adjacent to the access road into the site. The building is currently utilised as a reception, retail, and storage area at ground floor level with office and ancillary administration space above. The permitted use of this building is as a reception and storage facility and as such the application is partly retrospective so far as the retail and office space is concerned. The application also seeks to regularise the external appearance of the building.

2. Policies

2.1 Planning Policy Guidance:

PPS1 - Delivering sustainable development
 PPS7 - Sustainable development in rural areas
 PPG21 - Tourism

2.2 Herefordshire Unitary Development Plan 2007:

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

3. Planning History

- 3.1 DCCE2007/0283/F - Storage area for 30 canoes, pontoon and steps. Undetermined.
- 3.2 DCCE2006/3365/F - Proposed park vehicle access way - part retrospective. Approved 4th December, 2006.
- 3.3 DCCE2006/0351/F - Repositioning of existing caravans and addition of 13 static caravans to include change of use of part of land. Approved 31st May, 2006.
- 3.4 DCCE2005/2119/F - Repositioning of existing caravans and addition of 13 static caravans to include change of use of part of land. Withdrawn 24th August, 2005.
- 3.5 DCCE2004/2207/F - Low level lighting. Approved 26th August, 2004.
- 3.6 DCCE2004/2208/A - Fascia sign. Approved 27th August, 2004.
- 3.7 SH931333PF - Change of use of part of barn to form reception area. Approved 5th January, 1994.
- 3.8 SH930192PF - Septic tank. Approved 8th December, 1993.
- 3.9 SH911310PF - Change of use to extend park and erect a toilet block. Approved 9th June, 1992.
- 3.10 SH780187PF - Use of land as a holiday camping and caravan site. Approved 10th May, 1978.

4. Consultation Summary

Statutory Consultations

- 4.1 Environment Agency: No objection subject to informatives.
- 4.2 Natural England: No response received but Members attention is drawn to the comments made upon application DCCE2007/0283/F, elsewhere on the agenda.

Internal Council Advice

- 4.3 Traffic Manager: No objection.
- 4.4 PROW Manager: No objection.
- 4.5 Conservation Manager (Ecologist): No objection
- 4.6 Environmental Health and Trading Standards Manager: No objection.

5. Representations

- 5.1 Fownhope Parish Council: No objection.
- 5.2 Holme Lacy Parish Council: Raised the following points:
- Unhappy pattern for retrospective planning applications;
 - Support tourism and leisure activities but these must be sympathetic to the environment, and its impact upon the area and neighbouring properties fully assessed;
 - No objections to the cafe but feel that any future development be given careful consideration;
 - The access is onto a dangerous piece of road, especially for caravans and canoe trailers.
- 5.3 Local Residents: Four letters of objection have been received from the following sources:
- D.M. & S.A. Parker, Deepwood, Fownhope;
 - A. Harris & R. Ensor, Evendene, Mordiford (x3).

The comments raised can be summarised as follows:

1. Unacceptable access proposals due to the loss of landscaping and associated loss of privacy;
 2. Loss of storage space;
 3. The cafe will not reduce vehicle movement as suggested;
 4. Caravan/camping visitors will have their own facilities to make hot drinks/snacks;
 5. Cafe could lead to a restaurant, which could in turn lead to a facility seeking an alcohol licence and entertainment licence;
 6. The changes could result in more noise and disturbance;
 7. The site is continuing development of this site, in an AONB, is unacceptable.
- 5.4 The full text of these letters can be inspected at Central Planning Services, Garrick House, Widemarsh Street, Hereford and prior to the Sub-Committee meeting.

6. Officers Appraisal

- 6.1 It is considered that the principle issues for consideration in this application are as follows:
- Principle of Development
 - Residential Amenities
 - Visual Amenities
 - Highway Issues

Principle of Development

- 6.2 Herefordshire Unitary Development Plan 2007 Policy S8 considers recreation, sport and tourism. The enhancement of existing facilities is offered broad support, subject to consideration of the site specific factors. Policy RST1 considers these matters in more detail and advises that proposals will be permitted where they are appropriate for the location, will not harm the amenities of neighbouring properties, respect the environment, and are accessible by a choice of transport modes. Policy RST2 specifically considers new development such as that proposed in this application and which fall within an AONB. In such circumstances, developments must have particular regard to the landscape impact, be small in scale and of appropriate materials, and make a positive contribution to the understanding and quiet enjoyment of the natural beauty of the area.
- 6.3 On the basis of the above it is considered that the principle of this development can be accepted, with the acceptability or otherwise of the proposal resting upon the details of the application.

Residential Amenities

- 6.4 In the context of disturbance to residential amenities the principal property for consideration is Evdene. The building subject of this application backs onto the property boundary with this dwelling and is adjacent to the private amenity space to the rear. The upstairs administrative and storage use is not considered to be an issue in the context of residential amenities. A reception use in this building is authorised by virtue of application SH931333PF. The main concerns therefore relate to the proposed cafe and retail area. Both areas are relatively small in scale and are intended solely for use by patrons on the site. However, the potential for disturbance to the occupiers of Evdene is noted, particularly during unsociable hours. The Environmental Health Manager has raised no objection but in this case it is considered appropriate that opening hours should be imposed to restrict the opening of the café, and the sale of goods. This will not impact upon the ability of the unit to operate in an unrestricted manner as a reception facility, as is currently possible now. The site is currently also only open to camping/caravanning for certain periods of the year. On the basis that this facility is suggested as being for the benefit of patrons, restricting the opening to the same months as are permissible through the site licence would also be appropriate.
- 6.5 It is considered that the access alterations will have no measurable impact upon residential amenities, but a condition requiring further confirmation of landscaping arrangements will ensure privacy in perpetuity.

Visual Amenities

- 6.6 The physical alterations to the building are relatively limited, with the principle alterations being the replacement of the original sliding 'barn' doors with glazing and the introduction of timber cladding at first floor level. Having regard to the limited alterations it is considered that the impact upon visual amenities and the wider AONB will be limited. The building is well kept and although the appearance has changed from an overtly agricultural building to a more 'domestic' one, the impact is considered acceptable. It is assessed that the redevelopment of this building will not adversely affect the intrinsic natural beauty and amenity of the AONB.

- 6.7 With effective landscaping it is considered that the access alterations will not significantly alter the appearance of the site entrance, or adversely impact upon the landscape.

Highway Issues

- 6.8 The improvements to the access arrangements are welcomed. The potential to enter and leave the site simultaneously will reduce waiting and manoeuvring on the highway and will be a significant improvement to highway safety in this location.

Other Matters

- 6.9 A condition will prevent the separate sale of the building subject of this application from the camping/caravan site due to the inappropriateness of an independent retail/café use in this relatively unsustainable rural location.

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 E03 (Restriction on hours/months of opening).**

Reason: In the interests of the amenities of existing residential property in the locality.

- 3 E06 (Restriction on Use).**

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

- 4 E15 (Restriction on separate sale).**

Reason: To ensure that the retail and café use remain an integral part of the caravan and camping park

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

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

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

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

Informatives:

- 1 N01 - Access for all.**

- 2 N03 - Adjoining property rights.**

- 3 N04 - Rights of way.
- 4 HN02 - Public rights of way affected.
- 5 HN05 - Works within the highway.
- 6 N11A - Wildlife and Countryside Act 1981 (as amended) – Birds.
- 7 N11B - Wildlife & Countryside Act 1981 (as amended) and Conservation (Nat. Habitats & C.) Regs 1994 – Bats.
- 8 N15 - Reason(s) for the Grant of PP/LBC/CAC.
- 9 N19 - Avoidance of doubt.

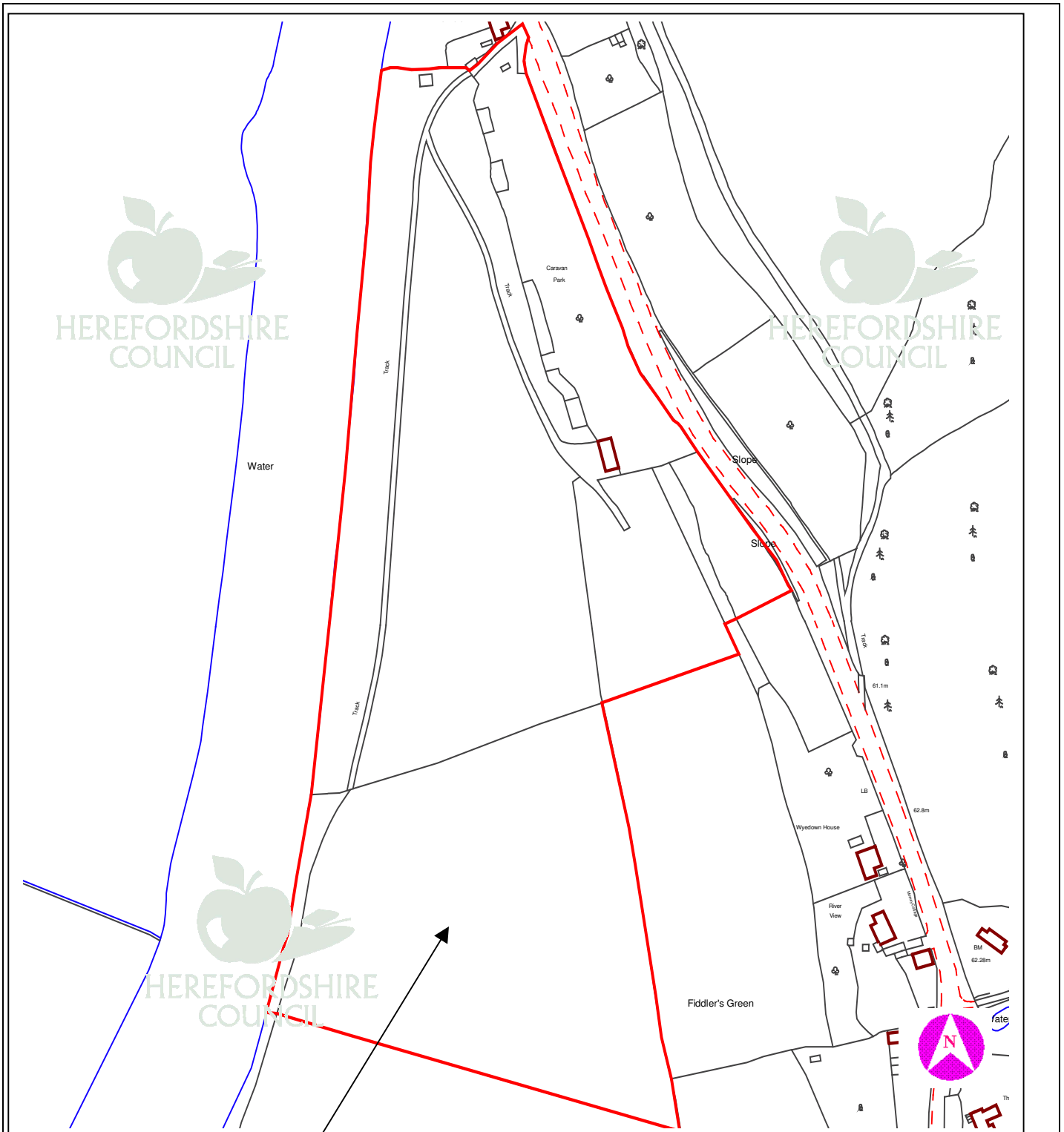
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCCE2007/0286/F

SCALE : 1 : 2500

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

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10 DCCE2007/0619/F - CHANGE OF USE OF 1 NO. HOUSE TO 2 NO. FLATS AND SINGLE STOREY REAR EXTENSION. 24 HOLME LACY ROAD, HEREFORD, HR2 6BY

For: Mr. S. Ross, 24 Holme Lacy Road, Hereford, HR2 6BY

Date Received: 27th February, 2007 Ward: St. Martins & Hinton Grid Ref: 50836, 38570

Expiry Date: 24th April, 2007

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

This application was deferred at the meeting of the Central Area Planning Sub-Committee on the 4th April, 2007 in order to carry out a Members' site visit. This site visit was carried out on the 17th April, 2007.

1. Site Description and Proposal

- 1.1 No. 24 Holme Lacy Road is a two-storey, three-bedroom semi-detached dwelling situated in the Established Residential Area in Hereford.
- 1.2 This application seeks planning permission for the construction of a single-storey extension to the rear and the conversion of the dwelling into 2 no. one-bedroom flats. Off-street parking would be provided to the forecourt area of the property.

2. Policies

- 2.1 Herefordshire Unitary Development Plan 2007:

DR1	-	Design
H16	-	Car parking
H17	-	Sub-division of existing housing
H18	-	Alterations and extensions

3. Planning History

- 3.1 None identified.

4. Consultation Summary

Statutory Consultations

- 4.1 Welsh Water: No objection subject to the imposing of standard sewerage conditions.

Internal Council Advice

- 4.2 Traffic Manager: No objections.

5. Representations

- 5.1 Hereford City Council: Recommend refusal as it is an inappropriate change of use that would be out of keeping with the area.
- 5.2 Four letters have been received from Mr & Mrs Lewis of 21 Broadleys Crescent, Mr Hancock and Miss Regan of 22 Holme Lacy Road, Mr Eckersall of 28 Holme Lacy Road and Mr Oldham of 26 Holme Lacy Road. The comments are summarised as follows:
- Flat accommodation is inappropriate to the character of the area;
 - Highway safety issues generated by the proposed development;
 - Increase noise level.
- 5.3 The full text of these letters can be inspected at Central Planning Services, Garrick House, Widemarsh Street, Hereford and prior to the Sub-Committee meeting.

6. Officers Appraisal

- 6.1 The key considerations in the determination of this application are the principle of development, the standard of accommodation, the impact upon the character and amenities of the residential area and the adequacy of parking to serve the new occupiers.
- 6.2 Policy H17 of the Herefordshire Unitary Development Plan 2007 acknowledges the useful contribution that the conversion of dwelling into small self-contained units can make to the supply of dwellings in the city and as such the proposal is considered broadly acceptable in principle, subject to satisfying detailed criteria.
- 6.3 Each of the proposed units will comprise a bedroom, dining room, toilet/bathroom and kitchen. It is considered that the standard of accommodation for each unit is acceptable. With regard to the external alterations, the proposed single-storey extension is modest in scale and will be in keeping with the character of the main dwelling.
- 6.4 In relation to residential amenity, it is noted that the adjoining property at No. 26 has been extended with a single storey flat roof rear extension. This proposed extension would project out in line with the neighbour's extension and as such it would not have an adverse impact on their amenity. The neighbouring property, No. 24 to the west is within close proximity and has a kitchen window in the rear elevation. It is acknowledged that this proposal would affect the extent of light reaching the window, however it is considered that the impact would be minimal and would not be sufficient to warrant refusal.
- 6.5 Turning further to the parking arrangement on site, it is noted the entire forecourt area has been converted into a parking area. The Traffic Manager raises no objection to this proposal and a condition will be attached to ensure that this area is retained to serve the new occupiers.
- 6.6 The concerns expressed by Hereford City Council and the representations made by local residents are acknowledged but having regard to the format of the accommodation proposed, the limited impact on residential amenity and the availability

of on site car parking, it is considered that the proposal is acceptable and complies with the planning 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 B03 (Matching external materials (general)).**

Reason: To ensure the satisfactory appearance of the development.

- 3 H10 (Parking - single house).**

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

Informatives:

- 1 N03 - Adjoining property rights.**
- 2 N15 - Reason(s) for the Grant of PP/LBC/CAC.**
- 3 N19 - Avoidance of doubt.**

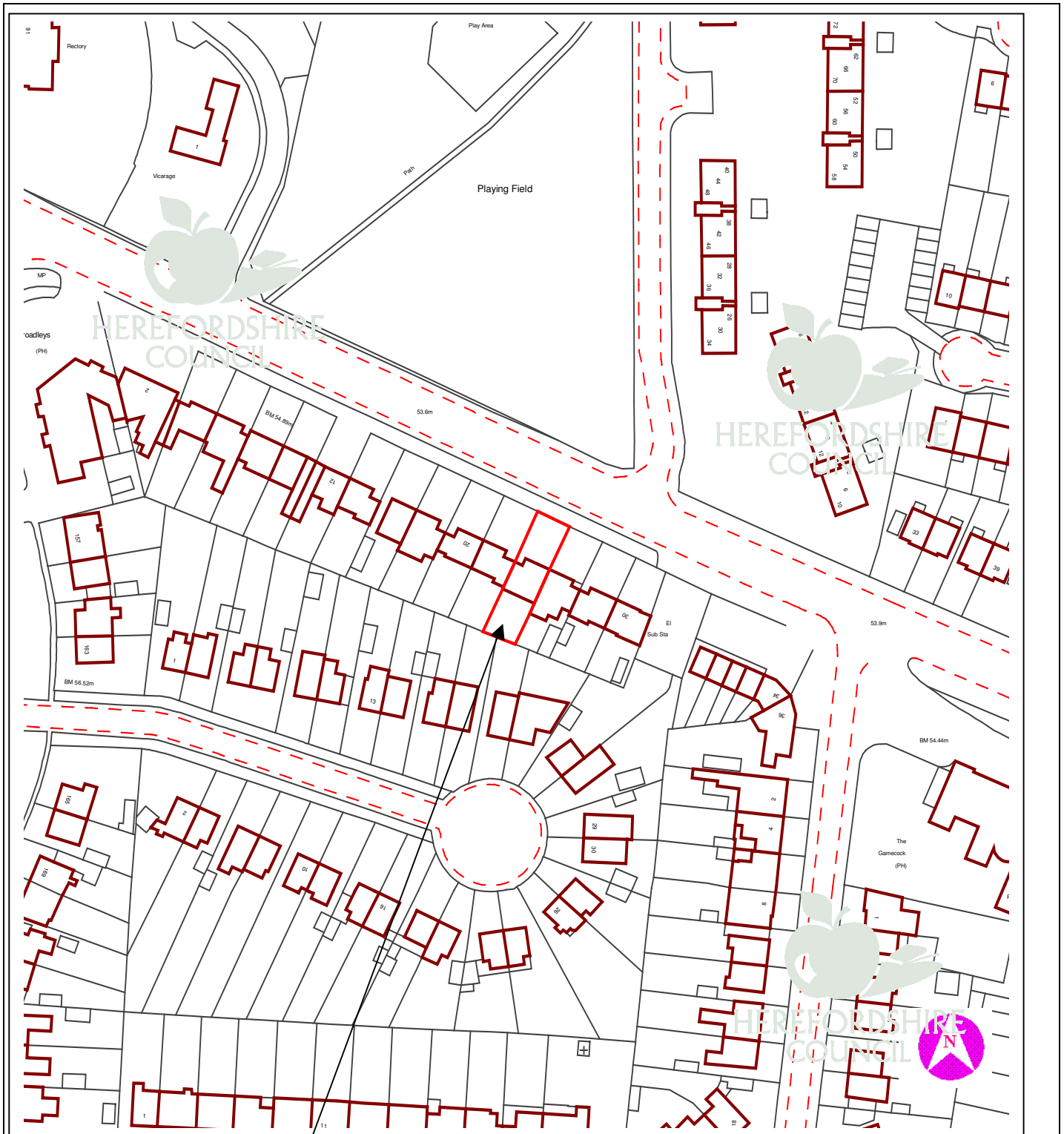
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCCE2007/0619/F

SCALE : 1 : 1250

SITE ADDRESS : 24 Holme Lacy Road, Hereford, Herefordshire, HR2 6BY

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11 DCCE2007/0624/A - FOUR INTERNALLY ILLUMINATED FASCIA PANELS AND ONE INTERNALLY ILLUMINATED TOTEM POLE SIGN STIRLINGS SUZUKI, CALLOW, HEREFORD, HEREFORDSHIRE, HR2 8BT

For: Suzuki GB Plc, Sign Specialists Ltd, 46 Hockley Hill, Hockley, Birmingham, B18 5AQ

Date Received: 27th February, 2007 Ward: Hollington Grid Ref: 49735, 35404

Expiry Date: 24th April, 2007

Local Member: Councillor W.J.S. Thomas

1. Site Description and Proposal

1.1 This application seeks Advertisement Consent for the display of signage at the Sterling Suzuki car dealership located to the west of the A49, south of Hereford. The application site is located in the open countryside. A car dealership is found to the south and the north, and residential properties to the west and north. The application proposes the display of an illuminated totem sign and four internally illuminated fascia signs.

2. Policies

2.1 National Policy Guidance:

PPG19 - Outdoor advertisement control

2.2 Herefordshire Unitary Development Plan 2007:

S2 - Development requirements

DR1 - Design

HBA11 - Advertising

3. Planning History

3.1 DCCE2006/3579/A - Three flagpoles. Refused 15th December, 2006.

3.2 DCCE2006/2145/F - Erection of service bay and clearing/wash bay. Approved 21st August, 2006.

3.3 SW2000/3430/F - Internally illuminated fascia signs and new panel to existing totem sign. Approved 10th May, 2001.

4. Consultation Summary

Statutory Consultations

4.1 Highways Agency: No objection subject to conditions.

Internal Council Advice

- 4.2 Traffic Manager: No objection. Advised of the requirement to liaise with the Highways Agency.
- 4.3 Environmental Health Manager: No objection.

5. Representations

- 5.1 Callow and Haywood Parish Council: Objection. 'It is felt that this application is by its scale and the siting within the existing signage area, would have a detrimental impact upon the appearance of the existing building and the visual amenities of the area...It is also felt as has been aired in other planning applications of this nature that there would be a significant impact on the local area in respect to light pollution and constant undermining of the rural area that this application comes under. There are continued complaints, concerns of the local residents about the whole of the area where these dealerships are that there should be consideration by Herefordshire Council upon these. The view of the Parish Council is that this application be refused.'
- 5.2 Local Residents: Five letters of local objection have been received from the following sources:
1. Mr & Mrs Barrett, Hattrall, The Old Angel Inn, Callow
 2. N. Davies, Knockerhill Farm, Callow
 3. Mrs Matthews, Sunrise House, Callow.

The comments raised can be summarised as follows:

1. Detrimental impact upon visual amenities;
 2. Detrimental impact upon residential amenities caused by glare and light spill;
 3. Adverse impact upon highway safety;
 4. Increase in the carbon footprint of the dealership;
 5. Lighting is unnecessary and is inappropriate in this rural location.
- 5.3 The full text of these letters can be inspected at Central Planning Services, Garrick House, Widemarsh Street, Hereford and prior to the Sub-Committee meeting.
- 6. Officers Appraisal**
- 6.1 Herefordshire Unitary Development Plan 2007 Policies S2 and DR1 require a high standard of design in new development.
- 6.2 Herefordshire Unitary Development Plan 2007 Policy HBA11 advises that consent for the display of advertising will only be granted where they do not adversely affect the visual character and appearance of this area, either individually or cumulatively.
- 6.3 The proposed signage involves a wrap-around fascia panel running around the front and side elevations of this property in four sections, as well as a new 5 metre high internally illuminated totem pole. All elements are made of aluminium with only the text and logos internally illuminated.
- 6.4 Having regard to the rural location of this site, and the growing concern over the intrusive nature of this garage, and its two neighbours, the level of illumination

proposed is of some concern. However, it is also the case that this proposal represents a like-for-like replacement of the existing signage with the noticeable change being limited to the appearance of the new corporate identity of Suzuki. On this basis the signage will not result in any new or additional harm being caused to the amenities of the locality. The scheme is therefore considered acceptable subject to conditions.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

- 1 I01 (Time limit on consent).**

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

- 2 I03 (Constant level of illumination).**

Reason: In the interest of the visual amenity of the area.

- 3 Prior to the installation of the approved advertisements, further details shall be submitted to, and approved in writing by the local planning authority in consultation with the Highways Agency, to demonstrate that the lighting will not cause glare to trunk road users, and that no lighting source will be directly visible (including by reflection) to trunk road users.**

Reason: In the interests of highway safety.

Informatives:

- 1 N03 - Adjoining property rights.**

- 2 This permission does not authorise any works within the confines of the adjacent trunk road.**

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

- 4 N19 - Avoidance of doubt.**

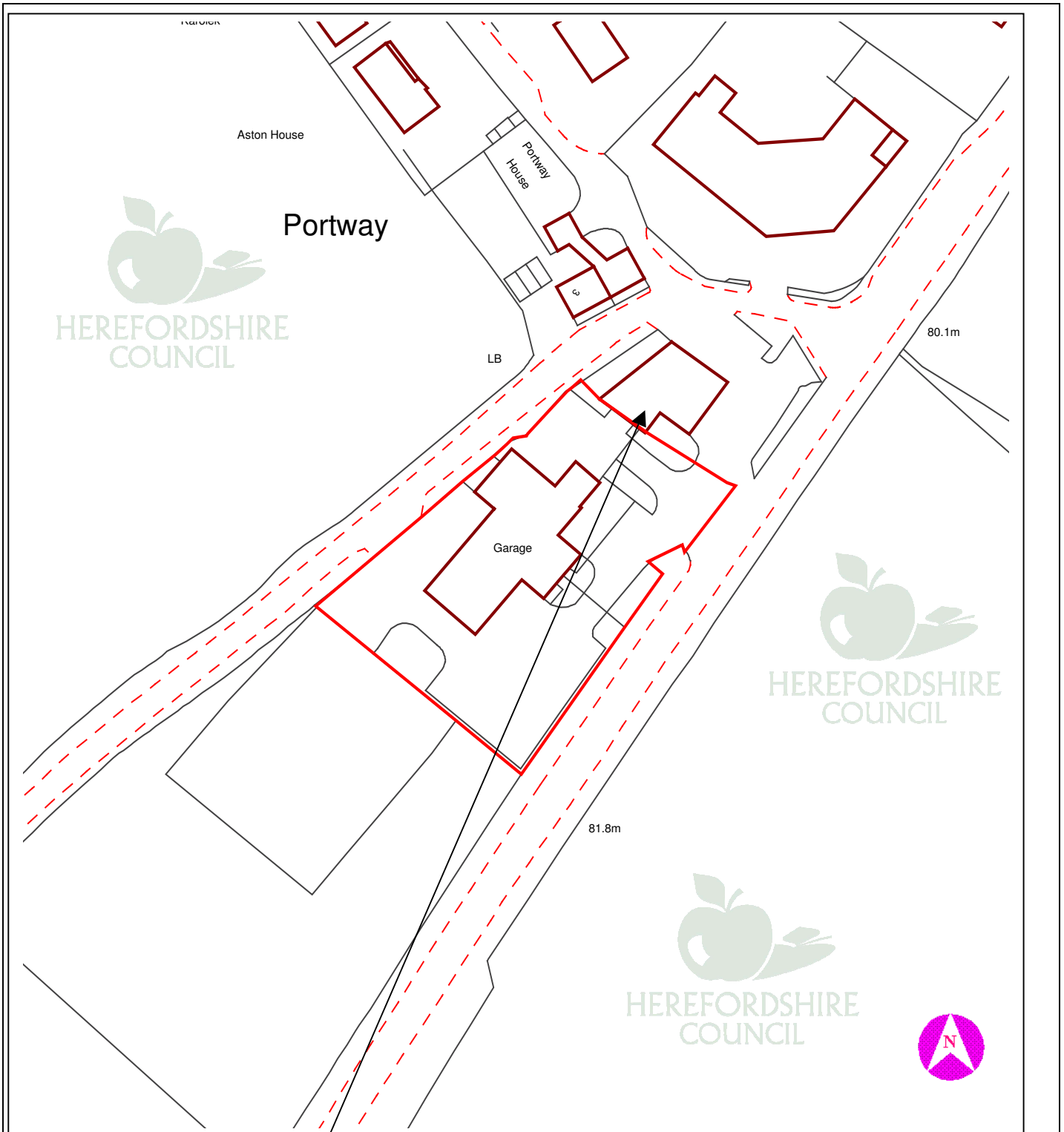
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCCE2007/0624/A

SCALE : 1 : 1250

SITE ADDRESS : Stirlings Suzuki, -, Callow, Hereford, Herefordshire, HR2 8BT

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12 DCCE2007/0594/F - ERECTION OF 4 NO. NEW 6M HIGH STEEL LIGHTING COLUMNS, EACH FITTED WITH VERTICAL LOUVRES - RETROSPECTIVE BROOKLYN TOYOTA, ROSS ROAD, CALLOW, HEREFORD, HEREFORDSHIRE, HR2 8BT

For: Brooklyn Toyota, White Design Ltd, The White House, 5a Westbrook Court, 2 Sharrowvale Road, Sheffield SY11 8YZ

Date Received: 26th February, 2007 Ward: Hollington Grid Ref: 49691, 35358

Expiry Date: 23rd April, 2007

Local Member: Councillor W.J.S. Thomas

1. Site Description and Proposal

1.1 This application seeks planning permission for the retention of four 6 metre lighting columns at Brooklyn Toyota, Ross Road, Callow. The scheme includes the fitting of vertical louvres to control light spill.

1.2 The application site is located on the western side of the A49, south of Hereford. The site is located in an open countryside location but forms part of a small cluster of residential and commercial premises known as Portway. The application site is located to the south of Hereford, in close proximity to the junction with the C1226 for Callow. The site is occupied by a Toyota car dealership with the lighting columns sited to illuminate the outdoor car display area. Three of the lighting columns are positioned along the boundary of the A49, the fourth is positioned further into the site on the southern boundary of the front parking/display area.

2. Policies

2.1 National Policy Guidance:

PPS1	-	Delivering sustainable development
PPG4	-	Industrial and commercial development and small firms
PPS7	-	Sustainable development in rural areas

2.2 Herefordshire Unitary Development Plan 2007:

S1	-	Sustainable development
S2	-	Development requirements
S7	-	Natural and historic heritage
LA2	-	Landscape character and areas least resilient to change
DR2	-	Land use and activity
DR14	-	Lighting

3. Planning History

- 3.1 DCCE2006/1787/F - 4 x 6m lighting columns with vertical louvers. Refused 26th July, 2006.
- 3.2 DCCE2006/1492/A - Signage. Approved 28th June, 2006.
- 3.3 DCCE2006/0491/F - 4 x 6m lighting columns. Refused 4th April, 2006.
- 3.4 DCCE2005/2686/F - Valeting bay. Approved 10th October, 2005.
- 3.5 DCCE2005/2555/A - Signage. Approved 22nd September, 2005.
- 3.6 DCCE2005/0066/F - Workshop extension to rear of existing showroom. Approved 8th March, 2005.

4. Consultation Summary

Statutory Consultations

- 4.1 Highways Agency: No objection subject to conditions.

Internal Council Advice

- 4.2 Traffic Manager: No objection subject to condition H25.
- 4.3 Environmental Health Manager: No objection subject to condition F36.
- 4.4 Lighting Engineer – No objection

5. Representations

- 5.1 Callow and Haywood Parish Council: Objection. 'The lighting proposed is both intrusive in the rural location and the light pollution from it would have a detrimental effect upon the environment. There are continued complaint, from local residents in relation to continued applications from Brooklyn Toyota, and other car dealerships in this area. Under the concerns raised by the Parish Council it is strongly felt that this application be refused.'
- 5.2 Local Residents: Five letters of local objection have been received from the following sources:

- 1. Mr & Mrs Barrett, Hatrall, The Old Angel Inn, Callow
- 2. S. Davies, The Lilacs, Callow
- 3. Mr & Mrs Layton, Karolek, Grafton Lane
- 4. N. Davies, Knockerhill Farm, Callow
- 5. Mrs Matthews, Sunrise House, Callow

The comments raised can be summarised as follows:

- 1. Detrimental impact upon visual amenities;
- 2. Detrimental impact upon residential amenities caused by glare and light spill;
- 3. Adverse impact upon highway safety;

4. Increase in the carbon footprint of the dealership;
 5. Lighting is unnecessary and is inappropriate in this rural location.
- 5.3 The full text of these letters can be inspected at Central Planning Services, Garrick House, Widemarsh Street, Hereford and prior to the Sub-Committee meeting.

6. Officers Appraisal

- 6.1 The principle considerations associated with this application relate to the impact of the illumination upon residential and visual amenities, as well as upon highway safety.
- 6.2 This application represents the third to retain these lighting columns. The previous applications (DCCE2006/0491/F and DCCE2006/1787/F) contained limited information and were refused on the basis of harm to the residential and visual amenities. The third application has addressed the information shortfall of the previous applications and a plan showing 'lux' levels and lighting spill has been provided. With the benefit of the additional information, the Environmental Health Manager is satisfied that the impact upon residential amenities will be acceptable. A condition to control the angles of the lights is proposed.
- 6.3 Turning to visual amenities, this is somewhat harder to judge. The application site is located in a rural location with limited lighting. The lighting detailed in this application will certainly add to the 'night time' intrusion represented by this premise, and the neighbouring car dealerships. However, this must be set against the existing illumination found on these sites. Although these modern car dealerships may not be ideally located in this rural setting, they are established commercial premises. A balance must therefore be made between the requirements of an established business, and the importance of protecting this sensitive rural location. Ultimately it is considered that, having regard to the existing illumination and signage on these sites, this illumination will not cause further harm which can be differentiated to an extent that it could be argued that their impact is unacceptable.
- 6.4 In line with the preceding proposals, the Council's Traffic Manager raised no objection to this proposal. The Highways Agency raised no objection, subject to conditions. On this basis it is concluded that this proposal would not be detrimental to highway safety subject to appropriate conditioning.

RECOMMENDATION

That planning permission be approved 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 F36 (Angle of floodlighting).**

Reason: To minimise light overspill and to protect the amenity of neighbouring properties.

3 H25 (Direction of proposed lighting).

Reason: In the interests of highway safety.

4 Prior to the use of these lighting columns, further details shall be submitted to, and approved in writing by the local planning authority in consultation with the Highways Agency, to demonstrate taht the lighting will not cause glare to trunk road users and that no lighting source will be directly visible (inlcuding by reflection) to trunk road users.

Reason: In the interests of highway safety.

5 I03 (Constant level of illumination).

Reason: In the interest of the visual amenity of the area.

Informatives:

1 N03 - Adjoining property rights.

2 This permission does not authorise any works within the confines of the adjacent trunt road.

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

4 N19 - Avoidance of doubt.

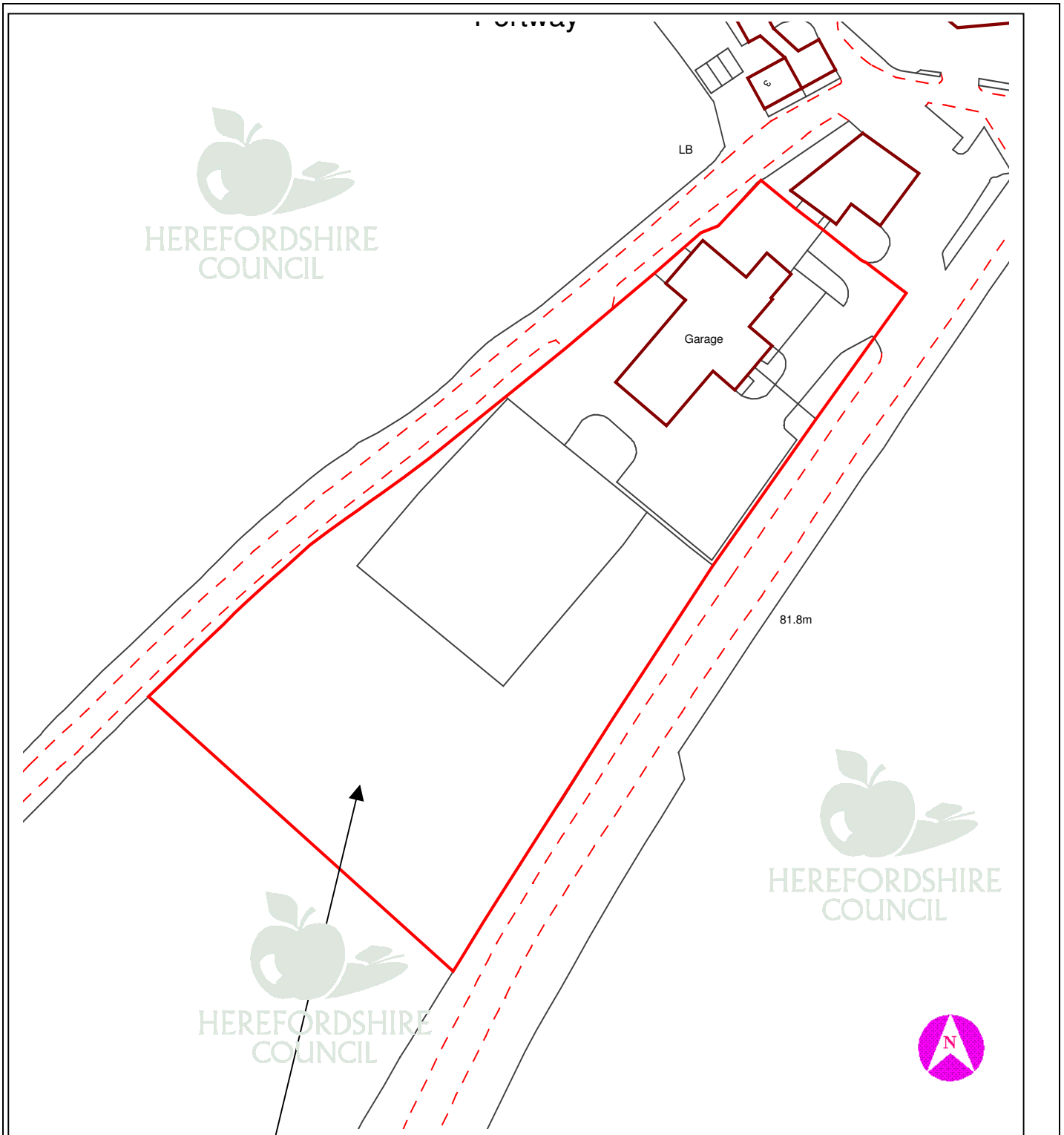
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCCE2007/0594/F

SCALE : 1 : 1250

SITE ADDRESS : Brooklyn Toyota, Ross Road, Callow, Hereford, Herefordshire, HR2 8BT

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13 DCCE2007/0571/F - PROPOSED EXTENSION TO BARN LAND NEAR TO WHITETHORN WOOD (WHITETHORN FARM), CAREY, HOARWITHY, HEREFORDSHIRE, HR2 6NG

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

Date Received: 22nd February, 2007 Ward: Hollington Grid Ref: 55988, 31041

Expiry Date: 19th April, 2007

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 towards 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.
- 1.2 An existing gravel track provides access into the site leading to an agricultural storage building and a pole barn for which permission was approved in 2005 and 2006 respectively. A timber chalet mobile home has also been sited to the north of the pole barn which is occupied by the applicants and secured temporary planning last year alongside which is a further mobile home which is to be occupied by seasonal workers and again, received temporary planning permission last year but is to be re-sited alongside unclassified road 72003. The site lies within the Wye Valley Area of Outstanding Natural Beauty.
- 1.3 Planning permission is sought for the construction of a single storey lean-to extension of the existing agricultural storage building. The extension measures 11.8 metres in width by 6.2 metres in length by 3.6 metres in height to the highest point of the roof. The extension is constructed from the same materials as the existing building, namely weatherboarding cladding and fibre cement sheeted roof with three rooflights and double door on the front. The extension is to be used for agricultural purposes and specifically will house a cider press and mill, apple washing unit and barrels used to process produce grown on the farm.

2. Policies

6.1 Herefordshire Unitary Development Plan 2007:

S7	-	Sustainable development
LA1	-	Areas of Outstanding Natural Beauty
LA2	-	Landscape character and areas least resilient to change
E13	-	Agricultural and forestry development
DR1	-	Design

6.2 Planning Policy Statement 7 – Sustainable Development in Rural Areas

3. Planning History

- 3.1 CE2007/0056/S - Proposed construction of glasshouse. Prior Approval Not Required 29th January, 2007.
- 3.2 CE2006/3596/S - Agricultural building for storage of straw, hay, animal feed stuffs and general storage. Prior Approval Not Required 8th December, 2006.
- 3.3 CE2006/3291/F - Siting of two mobile homes to be occupied by seasonal agricultural workers only. Temporary planning permission approved 23rd November, 2006.
- 3.4 CE2006/1772/F - Siting of temporary living accommodation for agricultural worker. Temporary planning permission approved 29th August, 2006.
- 3.5 CE2006/0400/S - Agricultural building to store hay, straw, animal feeds and general storage. Prior Approval Not Required 28th February, 2006.
- 3.6 CE2006/0403/S - Agricultural glass house for raising of plants. Prior Approval Not Required 28th April, 2006.
- 3.7 CE2005/1944/S - Housing for irrigation control equipment and standby generator. Prior Approval Not Required.
- 3.8 CE2005/1124/S - Erection of agricultural building. Prior Approval Not Required 27th April, 2005.
- 3.9 CE2005/0350/F - Construction of farm track. Approved 4th May, 2005.
- 3.10 CE2004/4258/S - Agricultural building and construction of farm track. Prior Approval Refused 6th January, 2005.
- 3.11 CE2005/0093/S - Erection of agricultural building and construction of farm track. Prior Approval Refused 2nd February, 2005.

4. Consultation Summary

Statutory Consultations

- 4.1 None required.

Internal Council Advice

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

5. Representations

- 5.1 Little Dewchurch Parish Council: No objection
- 5.2 5 letters of objection have been received. The main points raised are:

1. We query how the applicants have been allowed to turn an Area of Outstanding Natural Beauty into a field of polytunnels, barns, sheds, mobile home etc;
 2. There is constant noise from refrigeration units and movements of vehicles and machinery both into the field and along very narrow local lanes which echoes throughout the valley;
 3. This proposal will be one step closer to achieving the applicants aim of having a permanent mobile home on site;
 4. The building is to be used for producing bottled fruit juices which is an industrial rather than agricultural activity resulting in a further increase in noise and disruption;
 5. We ask when the Council would draw a line to the destruction of the Area of Outstanding Natural Beauty;
 6. Local indications are that the bottling plant is set up to be used for further produce from other growers and not just from the applicant.
- 5.3 One letter of comment states that whilst they are unable to support the on-going proposal on site the increase in the length of the barn will have little impact. If a noisy bottling plant is required it should be sited elsewhere as far away from the village as possible and built to the specifications required to prevent noise pollution.
- 5.4 The full text of these letters can be inspected at Central Planning Services, Garrick House, Widemarsh Street, Hereford and prior to the Sub-Committee meeting.

6. Officers Appraisal

- 6.1 The proposed extension is to be constructed off the western gable end of the existing agricultural storage building and from the same materials. The scale is modest and remains subservient to the existing building with the total height being considerably lower than the existing barn. Furthermore, the extension is largely screened by existing buildings and therefore will have minimal additional impact within the landscape which is designated as an Area of Outstanding Natural Beauty.
- 6.2 Most of the objectors refer to the existing noise emanating from the site and comment on the proposed use of the extension for the processing of bottled fruit. The processing of produce grown on the same agricultural holding in planning and legal terms is regarded as a use ancillary to the primary agricultural use of the land and therefore does not require planning permission. As such the processing of fruit, providing it is only produce grown on the applicants holding is in itself an agricultural use. Nevertheless, it is likely that this will generate additional noise over and above noise resulting from the general agricultural activities on the holding and therefore it is considered reasonable and necessary to require the extension to be appropriately insulated to minimise noise emissions from the activities within the extension.
- 6.3 The objectors also express concerns regarding the on-going developments at the site and the impact on the AONB. There have been many applications over the last few years, many of which have been subject to full debate and consideration by Committee and have been deemed acceptable, notwithstanding the landscape designation of the site. Ultimately, each application must be considered on its merits and the proposal when assessed against Policy E13 of the Herefordshire Unitary Development Plan 2007 relating to agricultural development is acceptable subject to conditions.

RECOMMENDATION

That planning permission be approved 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 B02 (Matching external materials (extension)).

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

- 3 F02 (Scheme of measures for controlling noise).

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

Informatives:

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

- 2 N19 - Avoidance of doubt.

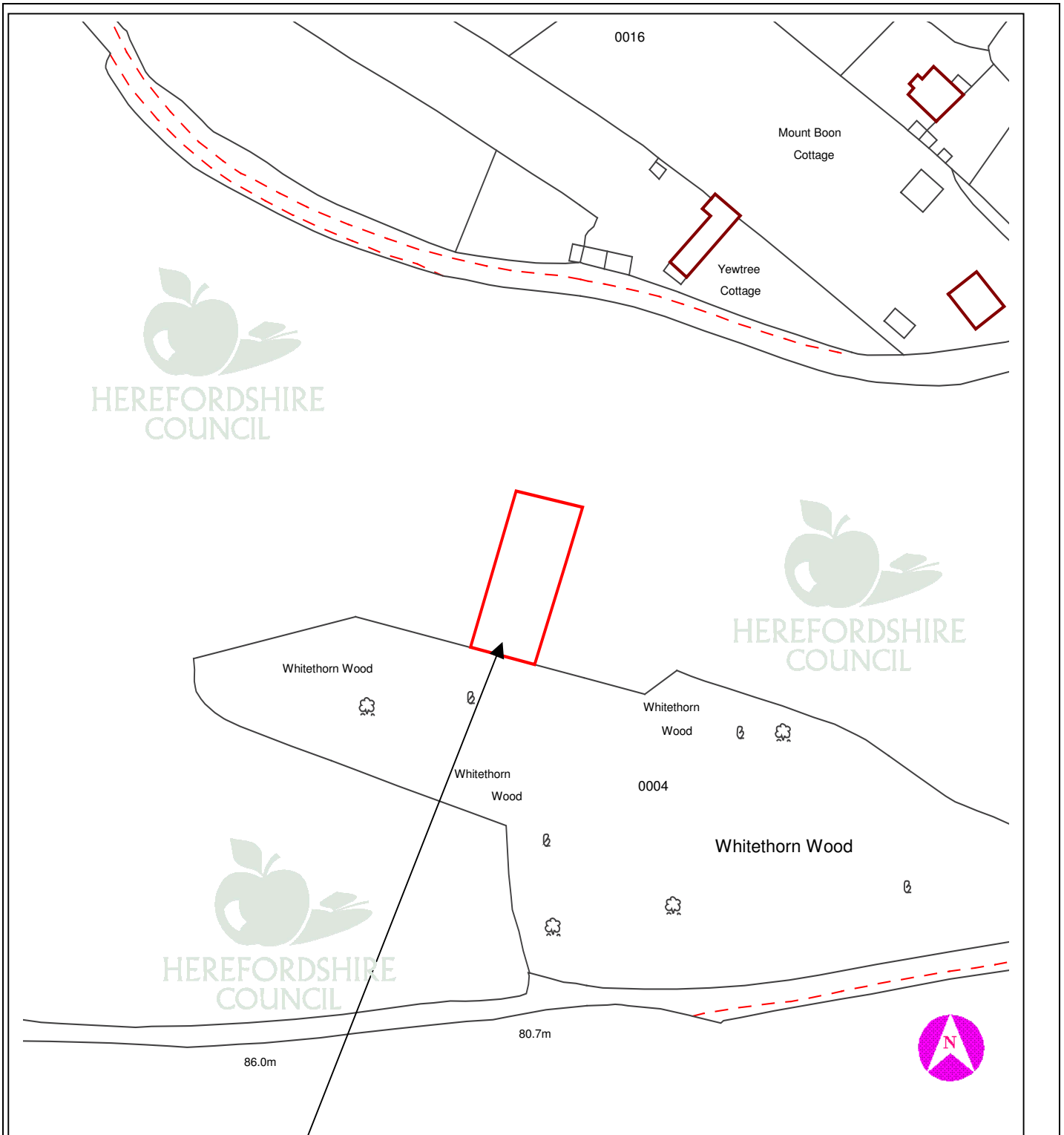
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCCE2007/0571/F

SCALE : 1 : 1250

SITE ADDRESS : Land near to Whitethorn Wood (Whitethorn Farm) Carey Hoarwithy Herefordshire HR2 6NG

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14 DCCE2007/0163/F - ERECTION OF 2 NO. DETACHED HOUSES AND REPLACEMENT GARAGE FOR NO. 17 WALNEY LANE AND ASSOCIATED ACCESS WORKS. 17 WALNEY LANE, HEREFORD, HEREFORDSHIRE, HR1 1JD

For: Arena Estates Ltd, per Mr. S.R.B. Bell, Stephen R. Bell Design, 173 Lower High Street, Stourbridge, West Midlands, DY8 1TG

Date Received: 17th January, 2007 Ward: Aylestone Grid Ref: 52369, 41133

Expiry Date: 14th March, 2007

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

1. Site Description and Proposal

- 1.1 The site is accessed off Walney Lane (unclassified road 80225) which enters onto the A465 (Aylestone Hill) opposite the junction with Overbury Road. 17 Walney Lane is a detached painted render villa style property under a hipped slate roof located relatively centrally within the site. Immediately to the north is a two storey coach house style building used as garaging at ground floor with storage above. The majority of the western boundary of the site backs onto the rear gardens of properties fronting Aylestone Hill, either side of the existing access off Walney Lane are two detached properties whilst the north western boundary borders agricultural land. A new detached dwelling is currently under construction immediately north of the site. With the exception of a lawn area in front (east) of the existing property, the remainder of the site including the boundaries comprise mature trees, shrubs and hedges. Ground levels fall relatively steeply into the site from Walney Lane from south to north and to a lesser extent from west to east.
- 1.2 The site lies within an Established Settlement Boundary as identified in the Herefordshire Unitary Development Plan. The boundary of Aylestone Conservation Area falls 50 metres west of the site and the property near the entrance to the site on the southern side of Walney Lane is Grade II Listed. All the trees within the site are now also protected by a group Tree Preservation Order.
- 1.3 Planning permission is sought for the demolition of the existing detached garage/outbuilding and construction of one detached 5 bedroom and one detached 4-bedroom dwelling, each with a double garage along with a further replacement garage for the existing dwelling. Alterations to the junction between Walney Lane and Aylestone Hill are also proposed comprising the widening of the existing access to 5.5 metres for a distance of 22 metres and re-positioning of the existing access to the site to create a turning head/passing place. The application has been amended and a further consultation exercise undertaken. This report is based upon the amended plans.

2. Policies

2.1 Herefordshire Unitary Development Plan (Revised Deposit Draft):

S1	-	Sustainable development
S2	-	Development requirements
S3	-	Housing
S7	-	Natural and historic heritage
DR1	-	Design
DR2	-	Land use and activity
DR3	-	Movement
DR4	-	Environment
H13	-	Sustainable residential design
H14	-	Re-using previously developed land and buildings
H15	-	Density
H16	-	Car parking
T8	-	Road Hierarchy
T11	-	Parking provision
HBA6	-	New development within conservation areas
HBA8	-	Locally important buildings
HBA9	-	Protection of open areas and green spaces
LA5	-	Protection of trees, woodlands and hedgerows
LA6	-	Landscaping schemes
CF2	-	Foul drainage

3. Planning History

- 3.1 CE2006/2829/F – Erection of 3 detached houses and replacement garage for 17 Walney Lane, associated access works and proposed passing place. Application withdrawn 12th October, 2006.

4. Consultation Summary

Statutory Consultations

- 4.1 Welsh Water: As the applicant intends utilizing private drainage facilities Welsh Water have no comment to make on the application.

Internal Council Advice (Comments relate to the amended plans)

- 4.2 Traffic Manager: The amended proposal for 17 Walney Lane now reduces the number of additional properties to two, and therefore the additional traffic by a third. Therefore the overall impact on Walney Lane is lessened from the earlier scheme. Also improvements are proposed in the provision of the turning bay combined with the revised access to No 17 and the widening of the initial length of Walney Lane from Aylestone Hill for around 50m.

In view of the fact that the proposed passing bay (fronting Nos 5 and 9 Walney Lane and the access to 88 Aylestone Hill) is located only around 25m from the widening which is now proposed along the full Walney Lane frontage of 84 Aylestone Hill, the passing bay would provide negligible benefit and I therefore do not consider it necessary.

Overall I consider that the reduction in number of additional properties and with the improvements proposed to Walney Lane the proposals (without the passing bay) could provide a satisfactory access for the two additional properties.

- 4.3 Conservation Manager: The existing Victorian villa is a reasonable example of its type and worthy of retention. The landscaped setting to this house is particularly important although there has been some self-seeded trees, which are not particularly beneficial. The proposals respect the setting of the villa and its grounds. This is an enhancement of the previous scheme and we recommend approval.
- 4.4 Landscape Officer/Arboriculturalist: There are trees to be removed that are the subject of a TPO and whilst their removal would be contrary to policy we would not raise an objection subject to appropriate replacement trees being planted. All the trees protected by the TPO meet the criteria for protection based on an assessment of their amenity value. We therefore have no objection to the amended proposal subject to conditions requiring a detailed landscaping scheme to be submitted addressing both hard and soft landscaping and protection of the trees to be retained.
- 4.5 Senior Building Control Surveyor: Ground conditions in the area are generally poor where soakaway capacity is concerned - a nearby development was approved recently only because they have access to the adjacent field and so are able to put in a large area of soakaway (around 100m for a single dwelling).

The applicants seem to have recognised this and make reference to a drainage mound, which is certainly a possibility. Drainage mounds though can be problematic if the ground beneath is unsuitable, or if they are incorrectly designed or constructed. There is a possibility that effluent, having percolated down through the mound, can simply run out into the surface layer surrounding it. I would recommend that you ask for a detailed assessment and design at this stage. Also, if the three dwellings are to be served by a single sewage plant then the anticipated flow rate from the plant would require an Environment Agency discharge consent.

The rainwater harvesting plant is admirable in environmental terms and there is no problem in principle, but since they propose to overflow the system into the drainage mound I would like to see a bit more detail with regard to the anticipated rainfall likely to be collected from these dwellings, set against the capacity of the proposed tank and the average water usage expected from dwellings of this size. Should the harvesting system overflow more often than is anticipated then this is likely to exasperate the already difficult sewage disposal system. Of course, if there were no harvesting system at all then all the rainwater would be going into soakaways, which could be even more problematic.

5. Representations

- 5.1 Hereford City Council: While the City Council has no objections to the building they wish to insure that there is a condition that there is a connection from this building to the main sewer.
- 5.2 Conservation Advisory Panel: Trees are an important aspect of this development, sensitive density and there are drainage problems in the area to be resolved.

5.3 12 letters of objection were received in response to the original submission. A further 8 letters of objection have been received in response to the amended plans. The main points raised are:

1. Walney Lane is a pleasant country lane well used by walkers to access Lugg Meadows. Any alterations will completely change the character of the lane and increase the volume and speed of traffic to the detriment of highway and pedestrian safety.
2. Walney Lane has no footpaths.
3. Visibility on Walney Lane is severely restricted.
4. Some of the proposed passing places are on private property.
5. The increase in traffic generated by the proposal would be to the detriment of amenity of existing occupiers and safety of pedestrians.
6. The proposals would represent an overdevelopment of the site.
7. The Environment Agency because of poor results from percolation tests have issued a refusal to the right to discharge from septic tanks. Effluent and soakaways currently a ponds on the surface resulting in obnoxious smells both within and around the application site.
8. The development will result in a loss of amenity through overlooking of neighbouring properties.
9. All windows facing neighbouring properties should be obscured and plot 2 re-orientated.
10. Discharges from existing septic tanks currently gravitate across the site of the proposed dwellings.
11. All new properties must be required to connect to the proposed new public sewer.
12. We are concerned with the likelihood of serious ground slippage between Nos. 15 and 17 as a result of the proposed works and tree removal. If permission is approved a new retaining wall along the boundary will be required.
13. There will be considerable noise and disruption particularly during construction.
14. There will be considerable environmental damage and subsequent loss of wildlife through the removal of a trees and hedgerow.
15. Bats, badgers and barns owls have been sighted area.
16. The development is contrary to CTC6 of the Structure Plan which requires Aylestone Hill/Tupsley Ridge to be protected as a significant landscape feature.
17. The development is contrary to policy DR4 of the UDP as it fails to protect biodiversity and significantly damages landscape character.
18. If permission is approved all vehicles associated with the construction should be parked within the site.
19. The widening of Walney Lane will impact upon an historic stone wall which is not identified on the plans.
20. The development will adversely affect the trees which are now protected by Tree Preservation Order.
21. The existing house should remain as a single dwelling.
22. The deletion of one dwelling is welcomed.

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

6. Officers Appraisal

6.1 The plans have been amended to address concerns expressed by consultees and objectors. The amendments are a reduction in the number of dwellings from three to two, re-design, re-siting and re-orientation of the proposed properties and garages and

re-alignment of the access and access road into the site. Following further comments from the Traffic Manager, the proposed passing place can now also be deleted and amended plans are awaited illustrating this. This report assesses the development based upon the amended proposals.

- 6.2 The site falls within the settlement boundary as identified in the adopted Unitary Development Plan where the principle of new residential development is acceptable. The site is also relatively large and can accommodate a modest residential development without compromising the residential and landscape character of the area. The principles are therefore considered acceptable.
- 6.3 Sufficient space exists within the site to accommodate the two properties of the size now proposed with commensurate garden, vehicle parking and manoeuvring areas. The scale and mass of the dwellings are large but the general scale and character of existing properties within the locality including the existing property on site are large and are set within relatively spacious plots and therefore the scale and density is not considered unacceptable. Two different designs are proposed incorporating gables and dormer features with different ridge heights, which assists in diluting the scale of the properties.
- 6.4 The siting has largely been dictated by the position and canopy spread of the protected trees to be retained. This however, achieves a more interesting layout and form whilst respecting the open setting of the existing dwelling to the east. The deletion of the dwelling proposed nearer the entrance to the site is also welcomed and ensures that the undeveloped tree lined approach to the site is retained. Elsewhere, all existing mature trees worthy of retention, which are now protected by Tree Preservation Order, are to be retained and the amended plans reflect this. The layout, scale and design of the proposed properties and associated garaging are therefore considered acceptable and will safeguard the landscape character of the site.
- 6.5 The immediate neighbours have objected on the grounds of a loss of privacy through overlooking. The properties are relatively close to the northern and western boundaries and there will be the opportunity for some additional overlooking of gardens. However, the length of gardens and distances between existing and proposed properties to the east is considered acceptable to safeguard a satisfactory level of amenity and to the west, the juxtaposition of the existing and proposed dwellings and existing trees to be retained will again, not result in any unacceptable loss of privacy. Nevertheless, there is scope for some first floor windows with outlook towards the north to be re-positioned and/or obscure glazed and amended plans have been requested to address this situation.
- 6.6 The existing access off Walney Lane is to be widened with the provision of new timber access gates leading to a new gravelled access road running to the rear (west) of the existing dwelling. The amended plans re-position the access to safeguard the mature Sycamore tree on the boundary of the site. The first seven metres of the access will also form part of the highway and be available for use as a turning head.
- 6.7 Walney Lane itself is a single width unclassified road with no existing passing places serving approximately 15 properties. The mouth of the junction is to be widened to 5.5 metres to enable a vehicle to enter and exit Walney Lane simultaneously, which is not currently possible. The Traffic Manager no longer considers the passing place is necessary and this has therefore been deleted from the proposals.

- 6.8 There will inevitably be some disruption if permission is approved both during the construction phase and also through increased vehicle movements to and from the site after occupation. However, it is not considered that the character of the lane and as a 'green lane' will be materially changed even with the works proposed as it will still remain predominantly single width with mature hedges and stone walling forming the highway boundary. Furthermore, the alterations are also considered acceptable given the improvement to highway safety that will result.
- 6.9 The applicants propose a treatment plant foul drainage system with final discharge via a raised soakaway within the confines of the site. This ordinarily would not be a problematic means of foul drainage. However, existing residents have experienced difficulties in achieving satisfactory soakaways due to the porosity of the ground. Whilst the proposed system may ultimately operate successfully on site, further information has been requested to satisfy the Building Control Managers concerns. Welsh Water are also scheduled to commence the installation of a new foul drain in June this year which will have capacity to accommodate the proposed development. In light of this, a condition is recommended that prevents the dwellings from being occupied until an appropriate drainage connection is made supported by evidence in the form of a Building Control Notice to demonstrate the system is operational and acceptable.
- 6.10 Therefore, subject to minor changes detailed above, the development is considered acceptable.

RECOMMENDATION:

Subject to the receipt of suitable amended plans, the officers named in the Scheme to Delegation to Officers be authorised to issue planning permission subject to the conditions below 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 B01 (Samples of external materials).

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

3 The works relating to the widened access off the junction between Aylestone Hill and Walney Lane shall be completed in accordance with the approved plans prior to any other work commencing on the site for the proposed dwellings hereby permitted.

Reason: In the interests of highway and pedestrian safety.

4 E19 (Obscure glazing to windows).

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

5 F16 (Restriction of hours during construction).

Reason: To protect the amenity of local residents.

- 6 G01 (Details of boundary treatments including retaining walls).
Reason: In the interests of visual amenity and to ensure dwellings have satisfactory privacy.
- 7 G04 (Landscaping scheme (general)).
Reason: In order to protect to visual amenities of the area.
- 8 G05 (Implementation of landscaping scheme (general)).
Reason: In order to protect the visual amenities of the area.
- 9 G18 (Protection of trees).
Reason: To ensure adequate protection to existing trees which are to be retained, in the interests of the character and amenity of the area.
- 10 G21 (Excavations beneath tree canopy).
Reason: To prevent the unnecessary damage to or loss of trees.
- 11 H13 (Access, turning area and parking).
Reason: In the interests of highway safety and to ensure the free flow of traffic using the adjoining highway.
- 12 H27 (Parking for site operatives).
Reason: To prevent indiscriminate parking in the interests of highway safety.
- 13 The dwellings hereby permitted shall not be occupied until evidence documenting the foul drainage connection to the mains sewer has been submitted and approved in writing by the local planning authority OR details of the proposed private drainage system have been submitted and approved by the local planning authority and certified as operational by the Council.
Reason: To ensure satisfactory drainage arrangements are provided.
- 14 H5 (Access gates).
Reason: In the interests of highway safety.
- 15 H17 (Junction improvements/off site works).
Reason: To ensure the safe and free flow of traffic on the highway.
- 16 H6 (Vehicular access construction).
Reason: In the interests of highway safety

Informatives:

- 1 N15 - Reason(s) for the Grant of PP/LBC/CAC
- 2 N19 - Avoidance of doubt
- 3 HN1 – Mud on highway
- 4 HN5 – Works within the highway
- 5 HN7 – Section 278 Agreement
- 6 HN8 – Section 38 Agreement details
- 7 HN21 – Extraordinary maintenance

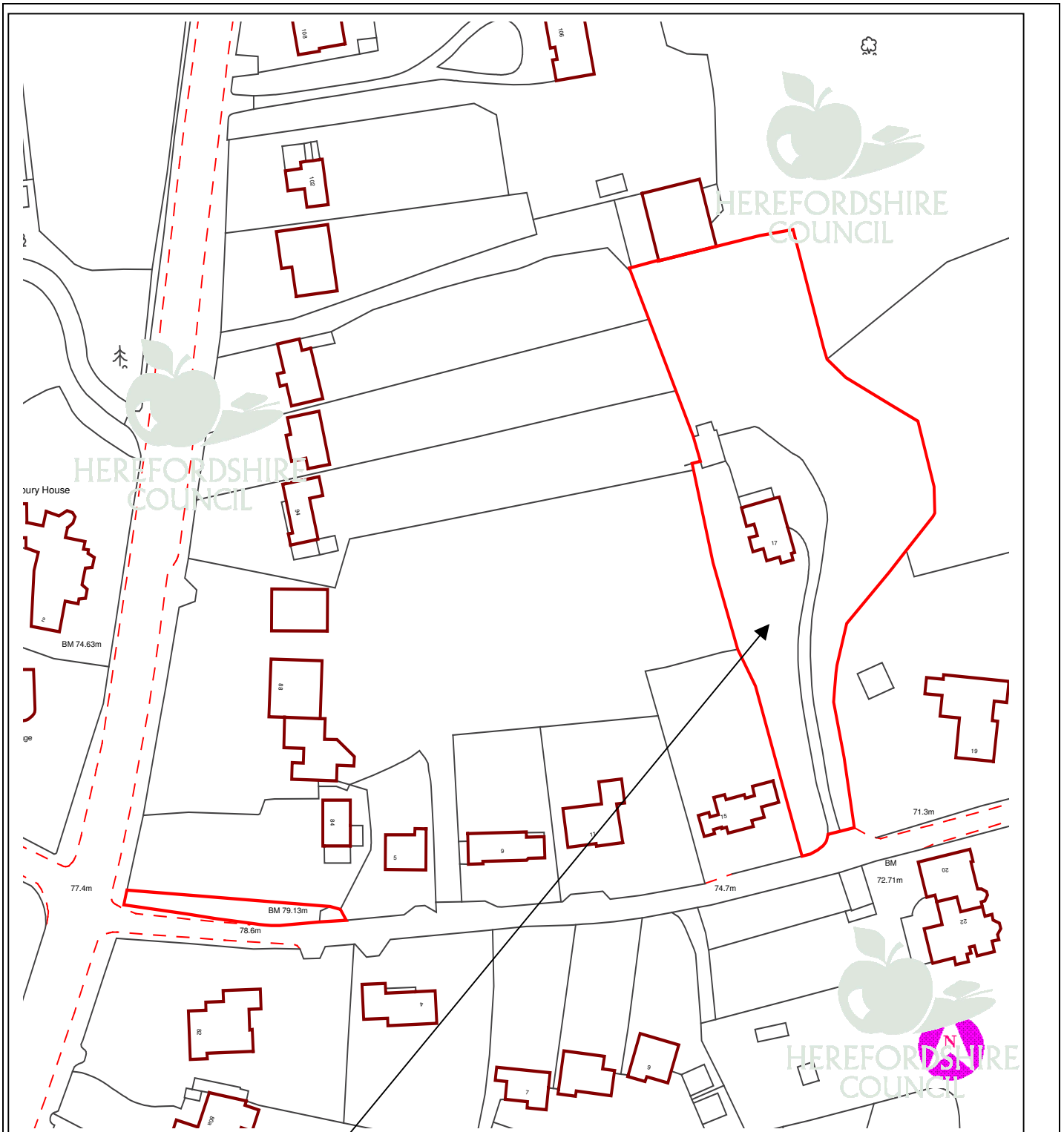
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCCE2007/0163/F

SCALE : 1 : 1250

SITE ADDRESS : 17 Walney Lane, Hereford, Herefordshire, HR1 1JD

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