

# A G E N D A

## Central Area Planning Sub-Committee

Date: **Wednesday, 14 May 2008**

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Time: **2.00 p.m.**

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

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

*For any further information please contact:*

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**County of Herefordshire  
District Council**



# AGENDA

## for the Meeting of the Central Area Planning Sub-Committee

To: Councillor JE Pemberton (Chairman)  
Councillor GA Powell (Vice-Chairman)

Councillors PA Andrews, WU Attfield, DJ Benjamin, AJM Blackshaw, ACR Chappell, SPA Daniels, H Davies, GFM Dawe, PJ Edwards, DW Greenow, KS Guthrie, MAF Hubbard, TW Hunt (ex-officio), MD Lloyd-Hayes, RI Matthews, AT Oliver, SJ Robertson, RV Stockton (ex-officio), AP Taylor, AM Toon, NL Vaughan, WJ Walling, DB Wilcox and JD Woodward

	Pages
<b>1. APOLOGIES FOR ABSENCE</b>	
To receive apologies for absence.	
<b>2. DECLARATIONS OF INTEREST</b>	
GUIDANCE ON DECLARING PERSONAL AND PREJUDICIAL INTERESTS AT MEETINGS	
The Council's Members' Code of Conduct requires Councillors to declare against an Agenda item(s) the nature of an interest and whether the interest is personal or prejudicial. Councillors have to decide first whether or not they have a personal interest in the matter under discussion. They will then have to decide whether that personal interest is also prejudicial.	
A personal interest is an interest that affects the Councillor more than most other people in the area. People in the area include those who live, work or have property in the area of the Council. Councillors will also have a personal interest if their partner, relative or a close friend, or an organisation that they or the member works for, is affected more than other people in the area. If they do have a personal interest, they must declare it but can stay and take part and vote in the meeting.	
Whether an interest is prejudicial is a matter of judgement for each Councillor. What Councillors have to do is ask themselves whether a member of the public – if he or she knew all the facts – would think that the Councillor's interest was so important that their decision would be affected by it. If a Councillor has a prejudicial interest then they must declare what that interest is and leave the meeting room.	
<b>3. MINUTES</b>	1 - 16
To approve and sign the minutes of the last meeting.	
<b>4. ITEM FOR INFORMATION - APPEALS</b>	17 - 18
To note the Council's current position in respect of planning appeals for the central area.	

## Applications Received

To consider and take any appropriate action in respect of the planning applications received for the central area 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.

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|--|----------------|
| <p><b>5. DCCW2008/0421/F - THE BIRCHES STABLES, BURGHILL, HEREFORD, HEREFORDSHIRE, HR4 7RU</b></p> <p>Retrospective application for change of use from agricultural to a two family traveller site including siting of two mobile homes and a touring caravan for Mr. James Smith and Mr. Jimmy Smith and their respective families.</p> | <p>19 - 26</p> |
| <p><b>6. DCCW2008/0177/F - LAND ADJACENT TO ROSEMULLION, BISHOPSTONE, HEREFORD, HEREFORDSHIRE, HR4 7JE</b></p> <p>Proposed dwelling.</p>   | <p>27 - 34</p> |
| <p><b>7. DCCW2008/0292/F - ST. NICHOLAS RECTORY, 76 BREINTON ROAD, HEREFORD, HEREFORDSHIRE, HR4 0JY</b></p> <p>Demolish existing rectory and erect 9 no. residential dwellings.</p>  | <p>35 - 46</p> |
| <p><b>8. DCCW2008/0335/F - WARHAM COURT FARM, BREINTON, HEREFORD, HEREFORDSHIRE, HR4 7PF</b></p> <p>Two new sleep/feed barns for beef cattle, new straw barn and new silage barn.</p>  | <p>47 - 54</p> |
| <p><b>9. DCCE2008/0552/F - BUILDING AT MILL FARM, FOWNHOPE, HEREFORD, HEREFORDSHIRE, HR1 4NT</b></p> <p>Proposed change of use from agricultural storage to storage of non agricultural products.</p>  | <p>55 - 60</p> |
| <p><b>10. DATES OF FUTURE MEETINGS</b></p> <p>11 June 2008<br/>9 July 2008<br/>6 August 2008</p>   |                |

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- Inspect agenda and public reports at least five clear days before the date of the meeting.
- Inspect minutes of the Council and all Committees and Sub-Committees and written statements of decisions taken by the Cabinet or individual Cabinet Members for up to six years following a meeting.
- Inspect background papers used in the preparation of public reports for a period of up to four years from the date of the meeting. (A list of the background papers to a report is given at the end of each report). A background paper is a document on which the officer has relied in writing the report and which otherwise is not available to the public.
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- Have a reasonable number of copies of agenda and reports (relating to items to be considered in public) made available to the public attending meetings of the Council, Cabinet, Committees and Sub-Committees.
- Have access to a list specifying those powers on which the Council have delegated decision making to their officers identifying the officers concerned by title.
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- The nearest bus stop to Brockington is located in Old Eign Hill near to its junction with Hafod Road. The return journey can be made from the same bus stop.

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## **COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL**

**BROCKINGTON, 35 HAFOD ROAD, HEREFORD.**

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COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL

**MINUTES of the meeting of Central Area Planning Sub-Committee held at The Council Chamber, Brockington, 35 Hafod Road, Hereford on Wednesday, 16 April 2008 at 2.00 p.m.**

**Present:** Councillor PA Andrews (Acting Chairman)

**Councillors:** DJ Benjamin, ACR Chappell, H Davies, PJ Edwards, DW Greenow, MAF Hubbard, AT Oliver, SJ Robertson, AM Toon, WJ Walling, DB Wilcox and JD Woodward

**In attendance:** Councillors TW Hunt (ex-officio) and RV Stockton (ex-officio)

**CHAIRMAN**

Councillor TW Hunt advised the Sub-Committee that, as both the Chairman and the Vice-Chairman had given their apologies, it was necessary to appoint an acting Chairman for this meeting. The Sub-Committee nominated and elected Councillor PA Andrews for this purpose.

**146. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors WU Attfield, SPA Daniels, KS Guthrie, MD Lloyd-Hayes, JE Pemberton, GA Powell and AP Taylor.

**147. DECLARATIONS OF INTEREST**

The following declarations of interest were made:

Councillor	Item	Interest
DW Greenow	Minute 150, Agenda Item 5 [A] DCCE2008/0112/F and [B] DCCE2008/0114/L <b>Hereford Conservative Club, 102 East Street, Hereford, HR1 2LW</b>	Declared a prejudicial interest and left the meeting for the duration of the item.
AM Toon	Minute 151, Agenda Item 6 DCCW2008/0235/F <b>Land Adjoining 9 and 11 Pixley Walk, Hereford, HR2 7TA</b>	Declared a personal interest.
SJ Robertson	Minute 153, Agenda Item 8 DCCE2008/0256/F <b>Land Adjacent to 53 Barrs Court Road, Hereford, HR1 1EQ</b>	Declared a prejudicial interest and left the meeting for the duration of the item.
AM Toon	Minute 154, Agenda Item 9 DCCE2008/0442/F <b>16 Aylestone Hill, Hereford, Herefordshire, HR1 1HS</b>	Declared a personal interest during the item.

**148. MINUTES**

**RESOLVED:** That the minutes of the meeting held on 19 March 2008 be approved as a correct record and signed by the Chairman.

**149. 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.

**150. [A] DCCE2008/0112/F AND [B] DCCE2008/0114/L - HEREFORD CONSERVATIVE CLUB, 102 EAST STREET, HEREFORD, HR1 2LW [AGENDA ITEM 5]**

*Conversion of parts of building to eight flats, relocation of manager's flat and secretary's office.*

The following updates were reported:

- Two letters had been received from the agent, points included:
  - i. Agreement to contribute £10,167 towards sustainable transport initiatives and off-site play areas and sports facilities.
  - ii. The need to satisfy the requirements of the Conservation Manager and English Heritage would add to the conversion costs.
  - iii. The project would bring back into use and enables proper preservation of the building.
  - iv. The capital injection made to the Club would enable its continuation and was likely to be used in part to restore other parts of the building.
  - v. It was considered unlikely that the prospective occupants would own cars.
  - vi. It was considered unlikely that the scheme would place additional burden upon the county's play area resource.
- A letter had been received from the scheme's architect stating that conversion and other costs would be higher than normal, owing to the Grade II\* listed status.
- A letter had been received from the Club Secretary which provided details of club membership, advised that several members had expressed interest in the proposed flats, stated that the development was essential to secure the future of the club, and questioned the need for Section 106 contributions.

In response to the additional representations, the Senior Planning Officer advised that:

- The confirmation of the developer's intent to contribute £10,167 via a Section 106 Agreement had been received too late to enable the amendment of the Heads of Terms as appended to the report. Therefore, the Head of Terms would be amended to reflect the proposed increased contributions and other minor changes in line with the Council's standard requirements (£5,040 for the enhancement of off site open space, play and sports provision in the locality and £5,127 for improvements to sustainable transport infrastructure in the locality). All contributions to be indexed linked and paid back within 10 years of not being spent.

Councillor MAF Hubbard, the Local Ward Member, said that there were few Grade II\* listed buildings in the locality and the long-term future of this building was a key consideration. He was generally supportive of the scheme and noted that the

Conservation Manager (Historic Buildings) recommended approval.

Councillor WJ Walling commented on the present state of the building and felt that the conversion scheme was acceptable.

Councillor AT Oliver did not feel that the proposal would result in a satisfactory standard of accommodation and, referring to Policy H17 (Sub-division of existing housing), he felt that the application should be refused. However, this motion was not seconded.

**RESOLVED:**

**That the Head of Legal and Democratic Services be authorised to complete a planning obligation under Section 106 of the Town and Country Planning Act 1990 in accordance with the amended Heads of Terms and any additional matters and terms that he considers appropriate.**

**Upon completion of the aforementioned planning obligation officers named in the Scheme of Delegation to Officers be authorised to issue planning permission subject to the following conditions and any further conditions considered necessary by officers:**

**DCCE2008/0112/F**

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

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

2. **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. **C10 (Details of rooflights).**

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

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

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

7. **W01 (Foul/surface water drainage).**

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

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

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

9. F16 (Restriction of hours during construction).

Reason: To protect the amenity of local residents.

10. F39 (Scheme of refuse storage).

Reason: In the interests of amenity.

11. H29 (Secure covered cycle parking provision).

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

12. D02 (Archaeological survey and recording).

Reason: A building of archaeological/historic/architectural significance will be affected by the proposed development. To allow for recording of the building during or prior to development. The brief will inform the scope of the recording action.

**Informatives:**

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

**DCCE2008/0114/L**

Subject to the Secretary of State raising no objection following referral of the application, officers named in the Scheme of Delegation to Officers be authorised to issue listed building consent subject to the following conditions and any further conditions considered necessary by officers:

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

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

2. B01 (Samples of external materials).

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

3. 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. C10 (Details of rooflights).

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

6. C11 (Specification of guttering and downpipes).

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

7. Prior to the commencement of development details of the method of closure of the entrance to the attic space above the billiard room shall be submitted to and approved in writing by the local planning authority. The entrance shall be closed and inaccessible to occupants of Flat 8 prior to the first occupation of this unit.

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

8. C06 (External finish of flues).

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

9. C18 (Details of roofing).

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

**Informatives:**

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

2. N19 - Avoidance of doubt.

151. DCCW2008/0235/F - LAND ADJOINING 9 & 11 PIXLEY WALK, HEREFORD, HR2 7TA [AGENDA ITEM 6]

*Erection of 2 no. two bedroom three persons flats and associated parking.*

- The following update was reported:

An e-mail had been received from Councillor GA Powell, a Local Ward Member and was summarised. Councillor Powell felt unable to support the application 'on the grounds of over intensification of housing in a small area, highway safety and visual impact.'

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

Councillor H Davies, a Local Ward Member, commented on the compact size of the site and did not feel that it had capacity for two flats. She noted the demand for three bedroom houses and felt that consideration of the application should be deferred so that the proposal could be amended accordingly.

Councillor PJ Edwards, also a Local Ward Member, said that local residents had expressed concerns about anti-social behaviour in this area and many would welcome the redevelopment of the site. He felt that, on balance, the proposal was acceptable having regard to problems experienced with the site and the need for affordable accommodation.

A number of members supported deferral to enable the type of building to be reconsidered and comments were made about the need for private amenity space.

Councillor AM Toon commented that the road network and open space provision in this area was better than in many recent estate developments and felt that the form of accommodation proposed would not be incongruous with the existing street scene.

The Team Leader - Central advised that deferral of the application to amend the scheme to a three-bedroom house would not be appropriate as this would result in a materially different proposal. It was noted that the application should be refused if members did not consider the type of development to be acceptable. However, he advised that the application complied with the relevant policies and a refusal of planning permission might not be sustainable on appeal. He added that it was likely that a three-bedroom house would have a similar footprint to the proposal under consideration.

Councillor AT Oliver proposed that the application be refused as he felt that the building would have a detrimental impact on highway safety by compromising visibility on a severe bend, represented an over-intensive form of development, and because it lacked private amenity space for residents.

Councillor ACR Chappell noted the demand for affordable residential units and felt that it was an appropriate development for the site.

Councillor MAF Hubbard felt that the expert advice provided by the applicant and by officers, particularly in relation to affordable housing provision, had to be given due consideration and he supported the application. He noted that the footprint of a three-bedroom house would not allow for any private amenity space either.

Councillor DB Wilcox noted that the Sub-Committee had to determine the application before it and did not feel that there were any defensible reasons for refusal in this instance.

Councillor Edwards felt that it would be better to redevelop this land for affordable housing than let it remain in a dilapidated state. He noted that it would be difficult to satisfy all parties and he acknowledged the concerns of the objectors.

In view of the advice that a different form of accommodation would require an entirely separate application, the motion to defer consideration of the application was withdrawn. A motion to refuse planning permission failed and the resolution below was then agreed.

**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. **A07 (Development in accordance with approved plans).**

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

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

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

4. **F22 (No surface water to public sewer).**

**Reason: To safeguard the public sewerage system and reduce the risk of surcharge flooding.**

5. **H13 (Turning area and parking).**

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

6. **During the construction phase no machinery shall be operated, no process shall be carried out and no deliveries taken at or despatched from the site outside the following times: Monday - Friday 7.30 am - 6.00 pm, Saturday 8.00 am - 1.00 pm or at any time on Sundays, Bank or Public Holidays.**

**Reason: To safeguard residential amenity.**

**Informatives:**

1. **N01 - Access for all.**
2. **N03 - Adjoining property rights.**
3. **N04 - Rights of way.**
4. **N14 - Party Wall Act 1996.**
5. **All machinery and plant shall be operated and maintained in accordance with BS5228: 1997 'Noise Control of Construction and Open Sites'.**
6. **N19 - Avoidance of doubt.**
7. **N15 - Reason(s) for the Grant of PP/LBC/CAC.**

152. **DCCW2008/0578/F - LAND TO THE REAR OF 140-142 KINGS ACRE ROAD, HEREFORD, HEREFORDSHIRE, HR4 0SD [AGENDA ITEM 7]**

*Proposed dwelling.*

The following update was reported:

- A further letter of objection had been received from Mrs. Pritchard of 11 Pennine Close and was summarised. In particular, concerns were expressed about the impact of the proposed development on privacy, outlook and residential amenity.

In response to the additional representation, the Senior Planning Officer advised that:

- Paragraph 6.9 of the report specifically addressed the impact of the development on the amenity of surrounding properties with regard to overlooking and loss of light and concluded that, due to the separation distances (over 35 metres property to property), there were no residential amenity grounds for refusal.

Councillor AM Toon, a Local Ward Member, noted that the development was within the settlement boundary, was within an existing residential curtilage and the orientation of the proposed dwelling should minimise overlooking. She commented on problems experienced in the area with flooding and felt it essential that measures in respect of surface water drainage and rainwater harvesting be incorporated into the conditions.

**RESOLVED:**

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

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

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

2. **A07 (Development in accordance with approved plans).**

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

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

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

4. **E17 (No windows in side elevation of dwelling).**

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

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

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

6. **G02 (Landscaping scheme (housing development)).**

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



7. G03 (Landscaping scheme (housing development) – implementation).  
Reason: To ensure a satisfactory and well planned development and to preserve and enhance the quality of the environment.
8. H03 (Visibility splays).  
Reason: In the interests of highway safety.
9. H05 (Access gates) (5 metres).  
Reason: In the interests of highway safety.
10. H06 (Vehicular access construction).  
Reason: In the interests of highway safety.
11. H10 (Parking - single house) (2 cars).  
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. 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. F18 (Scheme of foul and surface water drainage disposal).  
Reason: In order to ensure that satisfactory drainage arrangements are provided.
15. During the construction phase no machinery shall be operated, no process shall be carried out and no deliveries taken at or despatched from the site outside the following times: Monday - Friday 7.00 am - 6.00 pm, Saturday 8.00 am - 1 pm nor at any time on Sundays, Bank or Public Holidays.  
Reason: To safeguard residential amenity.
16. The development shall be designed and constructed to meet level three of the Code for Sustainable Homes: A Step change in Sustainable Home Building Practice Design dated December 2006 or equivalent standard as may be agreed in writing with the local planning authority. No development shall commence until authorised certification has been provided confirming compliance with the agreed standard and prior to the occupation of the last dwelling, further certification shall be provided confirming that the development has been constructed in accordance with the agreed standard.  
Reason: To promote the sustainability of the development hereby

approved in accordance with Policies S1 and H13 of the Herefordshire Unitary Development Plan and PPS1 Supplement 'Planning and Climate Change'.

**Informatives:**

1. **N01 - Access for all.**
2. **N03 - Adjoining property rights.**
3. **N14 - Party Wall Act 1996.**
4. **HN05 - Works within the highway.**
5. **HN10 - No drainage to discharge to highway.**
6. **All machinery and plant shall be operated and maintained in accordance with BS5228: 1987 'Noise Control of Construction and Open Sites'.**
7. **N19 - Avoidance of doubt**
8. **N15 - Reason(s) for the Grant of PP/LBC/CAC.**

**153. DCCE2008/0256/F - LAND ADJACENT TO 53 BARRS COURT ROAD, HEREFORD, HR1 1EQ [AGENDA ITEM 8]**

*Proposed residential development of 6 flats.*

The following updates were reported:

- Two further letters of objection had been received from Mr. & Mrs. Moucher, 52 Barrs Court Road and Mrs. M. Nobbs, 3 Penn Grove Road, Hereford. It was reported that the letters reiterated previous objections which were based upon the absence of parking within the scheme. Comment was also made on the time given to respond to notification of the receipt of amended plans.

In response to the additional representations, the Senior Planning Officer advised that:

- Car parking had been removed owing to inadequacies with the proposed vehicular access. He added that the Traffic Manager felt that car free would be an acceptable option for the development proposed.
- He also reported that the Heads of Terms, as appended to the report, should read a *total* of £8,790 and not this amount per unit. All unspent money to be paid back after 10 years. The requested contribution remained to be agreed by the applicant.

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

Councillor DB Wilcox, a Local Ward Member, commented on the particular access difficulties associated with this site and noted the arguments for and against the proposal. He noted that a vehicular access could not be provided without compromising highway safety or having a detrimental impact on traffic congestion. He said that, without having the power to prevent residents from owning vehicles, the Section 106 Agreement to restrict future occupants from applying for residents' parking permits was a reasonable control to ensure that the development remained

car free. As a further means of managing the situation, he proposed an additional condition to prevent parking by any vehicles on site, with the exception of motorised mobility scooters. He emphasised the need for facilities for the less mobile and proposed that a secure, covered parking area for mobility scooters should be required as part of the scheme; he felt that similar provision should be considered in all future city centre developments of this kind.

Councillor ACR Chappell felt that the parking area should accommodate at least two mobility scooters and, furthermore, should incorporate recharging facilities.

The Development Control Manager outlined the principles relating to car free development and advised that recommended condition 16 (Details of boundary treatments) would incorporate measures to prevent car access to the site.

The Team Leader - Central re-iterated that the applicant had not yet agreed the requested contribution towards sustainable transport initiatives. A number of members felt that the requested contribution was important having regard to the car free nature of the proposal. Councillor Wilcox proposed that delegated authority be given to the officers, in consultation with the Chairman of the Sub-Committee and the Local Ward Members, to resolve this issue before any planning permission was granted.

Councillor MAF Hubbard said that, to respond to environmental challenges and to address transport issues in the city, the authority had to take a progressive attitude towards car free development. He added that some 44% of people in the adjoining Central Ward did not have access to a private car.

Councillor PJ Edwards was disappointed that only £8,790 in total, rather than per unit, was being sought towards infrastructure improvements. He supported the comments made about the need for an integrated approach to sustainable transport issues in the city.

A number of members concurred with the views of the Local Ward Member. In response to questions, the Senior Planning Officer advised that:

- pedestrian access would be provided off Barrs Court Road only and an impermeable boundary treatment would ensure that there was no through access to Pengrove Road;
- the contribution being sought towards sustainable transport initiatives was in line with the Supplementary Planning Document on Planning Obligations; and
- the existing buildings on the site would be demolished.

**RESOLVED:**

**Subject to agreement between the Council, in consultation with the Chairman of the Sub-Committee and the Local Ward Members, and the applicants regarding the planning contribution towards sustainable transport initiatives:**

- 1) **That the Head of Legal and Democratic Services be authorised to complete a planning obligation under Section 106 of the Town and Country Planning Act 1990 in accordance with the Heads of Terms appended to this report and any additional matters and terms that he considers appropriate.**
- 2) **Upon completion of the aforementioned planning obligation officers named in the Scheme of Delegation to Officers be authorised to issue**

planning permission subject to the following conditions and any further conditions considered necessary by officers:

1. **A01 (Time limit for commencement (full permission)).**  
**Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990.**
2. **A09 (Amended plans).**  
**Reason: To ensure the development is carried out in accordance with the amended plans.**
3. **B01 (Samples of external materials).**  
**Reason: To ensure that the materials harmonise with the surroundings.**
4. **C11 (Specification of guttering and downpipes).**  
**Reason: To safeguard the character and appearance of this building of [special] architectural or historical interest.**
5. **C04 (Details of window sections, eaves, verges and barge boards).**  
**Reason: To safeguard the character and appearance of this building of [special] architectural or historical interest.**
6. **C05 (Details of external joinery finishes).**  
**Reason: To safeguard the character and appearance of this building of [special] architectural or historical interest.**
7. **E18 (No new windows in specified elevation).**  
**Reason: In order to protect the residential amenity of adjacent properties.**
8. **F48 (Details of slab levels).**  
**Reason: In order to define the permission and ensure that the development is of a scale and height appropriate to the site.**
9. **F39 (Scheme of refuse storage).**  
**Reason: In the interests of amenity.**
10. **H29 (Secure covered cycle and mobility buggy parking provision).**  
**Reason: To ensure that there is adequate provision for secure covered cycle and mobility buggy accommodation within the application site, encouraging alternative modes of transport in accordance with both local and national planning policy and the needs of the less mobile.**
11. **F16 (Restriction of hours during construction).**  
**Reason: To protect the amenity of local residents.**

**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. H32 (Sustainable Home).**

**Reason: To promote the sustainability of the development hereby approved in accordance with Policies S1 and H13 of the Herefordshire Unitary Development Plan 2007 and PPS1 Supplement 'Planning and Climate Change'.**

**16. G01 (Details of boundary treatments including a permanent boundary to close off the Penn Grove Road vehicular access).**

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

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

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

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

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

**Informative(s):**

**1. N19 - Avoidance of doubt.**

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

**154. DCCE2008/0442/F - 16 AYLESTONE HILL, HEREFORD, HEREFORDSHIRE, HR1 1HS [AGENDA ITEM 9]**

*Conversion of ground, first and second levels of townhouse into six self contained flats with single storey extension and parking.*

The following update was reported:

- Further comments had been received from the Traffic Manager clarifying that the sustainable transport contribution should be £5350 in line with the Supplementary Planning Document on Planning Obligations with the money likely to be used towards the proposed cycle lane improvements on Commercial Road and pooled towards the park and ride facilities.

The Team Leader (Central) advised that:

- The applicant had agreed to reduce the height of part of the rear extension but amended plans had not yet been received.
- The applicant had also now agreed to the principle of a contribution towards sustainable transportation infrastructure.
- The Heads of Terms, as appended to the report, would be amended to reflect the Traffic Manager's further comments.

In accordance with the criteria for public speaking, Mr. Bolt spoke in objection to the application. Mr. Goldsworthy had registered to speak in support but was not present when the opportunity to speak arose.

Councillor DB Wilcox, a Local Ward Member, noted that the Sub-Committee had refused planning permission for a change of use of this building into a house in multiple occupation in January 2008 [planning application DCCE2007/3542/F refers]. As this proposal would result in the creation of six flats, in addition to the basement flat already permitted [DCCE2007/1450/F refers], he questioned whether the concerns of the Sub-Committee had been addressed, particularly regarding the potential over-intensive use of the building, and sought clarification about the floor area of the living and bedroom accommodation. The Team Leader - Central responded by advising that the rooms were of a typical size and each self-contained flat would benefit from a satisfactory standard of accommodation.

Councillor AM Toon commented on the party wall and, noting that the proposal could result in living rooms being situated next to bedrooms in the adjoining dwelling, asked whether the layout could be reviewed in order to minimise disturbance. The Team Leader – Central advised that noise attenuation measures may be required by building regulations approval and controls existed through other legislation. He added that the internal layout of the flats could be altered at any time without necessarily requiring planning permission.

A number of members expressed concerns about tandem parking, particularly as this could prevent vehicles from leaving the site in a forward gear. The Team Leader – Central advised that removing the tandem formation would enable the creation of up to five spaces in total, rather than seven spaces, along with the necessary manoeuvring area. He confirmed that the Traffic Manager was satisfied with this revised arrangement and the recommendation had been formulated on this basis.

Councillor PJ Edwards noted that development had to preserve or enhance the character or appearance of the Conservation Area and expressed concerns about the flat roofed extension. The Team Leader – Central confirmed that the Conservation Manager considered the proposal acceptable and he advised that the comments of the Conservation Advisory Panel partly related to roadside fencing which did not form part of this application. He commented that the flat roof of the single storey rear extension would have less visual impact than a pitched roof, particularly on the amenity of the neighbouring property.

In response to a question from Councillor JD Woodward, the Team Leader – Central advised that the purpose of seeking amended plans was to reduce further the height of the rear portion of the extension; so that it followed a similar line to the existing flat roofed extension on the neighbouring property, then stepped down to the height of the boundary wall. He re-iterated that the applicant had agreed to amend the plans accordingly.

In response to a question from Councillor AM Toon, the Chairman advised that

building regulations, rather than planning conditions, specified the measures required in respect of fire/emergency control and evacuation.

Councillor DW Greenow felt that consideration of the application should be deferred pending the receipt of amended plans and resolution of the parking arrangements. Councillor Edwards suggested that, rather than defer the application, delegated authority be given to the officers, in consultation with the Chairman of the Sub-Committee and the Local Ward Members, to resolve the outstanding matters satisfactorily. Other members supported this idea.

In response to a question from Councillor Toon, the Central Team Leader confirmed that the sustainable transport contribution would be in line with the Supplementary Planning Document on Planning Obligations. He added that the contribution had been revised from £7,325, as given in the report, to £5,350 following further analysis of trip rates.

### **RESOLVED**

**Subject to the receipt of suitably amended plans relating to a reduction in the scale/height of the rear extension and (subject to agreement between the Council, in consultation with the Chairman of the Sub-Committee and the Local Ward Members, and the applicants):**

- 1) **The Head of Legal and Democratic Services be authorised to complete a planning obligation under Section 106 of the Town and Country Planning Act 1990 in accordance with the amended Heads of Terms appended to this report and any additional matters and terms that he considers appropriate.**
- 2) **Upon completion of the aforementioned planning obligation the Officers named in the Scheme of Delegation to Officers be authorised to issue a planning permission subject to the following conditions and any further conditions considered necessary by Officers:**
  1. **A01 (Time limit for commencement (full permission)).**  
**Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990.**
  2. **B01 (Samples of external materials).**  
**Reason: To ensure that the materials harmonise with the surroundings.**
  3. **H13 (Turning area and parking).**  
**Reason: In the interests of highway safety and to ensure the free flow of traffic using the adjoining highway.**
  4. **H29 (Secure covered cycle parking provision).**  
**Reason: To ensure that there is adequate provision for secure covered cycle accommodation within the application site, encouraging alternative modes of transport in accordance with both local and national planning policy.**
  5. **Notwithstanding the submitted details, the proposed privacy screen at**

first floor along the eastern boundary between No. 16 and No. 18 Aylestone Hill shall be at a minimum height of 1.8 metres above the roof level of the extension and glazed with obscure glass. The details of which shall be submitted for the approval in writing of the local planning authority prior to the commencement of development. The screen shall be maintained in perpetuity in accordance with the approved details thereafter.

**Reason: To safeguard the residential amenity of neighbouring property.**

**Informatives:**

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

**155. DATE OF NEXT MEETING**

14 May 2008

In response to a question from Councillor ACR Chappell, Councillor TW Hunt advised that, as had been arranged in previous years, a tour of recent planning developments in the county was being considered.

The meeting ended at 3.45 p.m.

**CHAIRMAN**



**ITEM FOR INFORMATION - APPEALS****APPEALS RECEIVED****Application No. DCCE2007/3323/F**

- The appeal was received on 28 April 2008.
- The appeal is made under Section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is brought by Mr. & Mrs. S. Warburton.
- The site is located at 1 Courtney Rise, Hereford, Herefordshire, HR1 1BP.
- The development proposed is Loft conversion to form bedroom.
- The appeal is to be heard by Written Representations.

**Case Officer: Ed Thomas on 01432 261961**

**APPEALS DETERMINED****Application No. DCCW2007/2878/F**

- The appeal was received on 18 January 2008.
- The appeal was made under Section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal was brought by Dr. R.D. Channon.
- The site is located at 64 Belmont Road, Hereford, Herefordshire, HR2 7JW.
- The application, dated 11 September 2007, was refused on 7 November 2007.
- The development proposed was Proposed erection of four new flats.
- The main issue is the effect of the proposal on the character and appearance the neighbouring property – a Grade II Listed Building.

**Decision:** The appeal was DISMISSED on 15 April 2008.

**Case Officer: Peter Clasby on 01432 261947**

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



**5 DCCW2008/0421/F - RETROSPECTIVE APPLICATION FOR CHANGE OF USE FROM AGRICULTURAL TO A TWO FAMILY TRAVELLER SITE INCLUDING SITING OF TWO MOBILE HOMES AND A TOURING CARAVAN FOR MR. JAMES SMITH AND MR. JIMMY SMITH AND THEIR RESPECTIVE FAMILIES AT THE BIRCHES STABLES, BURGHILL, HEREFORD, HEREFORDSHIRE, HR4 7RU**

**For: Mr. James Smith & Mr. Jimmy Smith, The Birches Stables, Burghill, Hereford, HR4 7RU**

**Date Received: 19 February 2008**

**Ward: Burghill,  
Holmer & Lyde**

**Grid Ref: 47047, 44289**

**Expiry Date: 15 April 2008**

Local Member: Councillor SJ Robertson

**1. Site Description and Proposal**

- 1.1 The Birches Stables is a 0.26 hectare site located southwest of Burghill Scout Hut and Manor Fields Housing Estate on the edge of the settlement boundary for Burghill.
- 1.2 This proposal is to use the land as a site for a two family traveller site to include two mobile homes and a touring caravan for the benefit of two named people and their respective families. The proposal also includes the provision of a new access.
- 1.3 Planning permission was previously granted for the stationing of two caravans for two gypsy families in 2006. This permission was granted with a personal condition and included the provision of the new access. The access has not been constructed and the site has now been sold to a new gypsy family.

**2. Policies**

- 2.1 Circular 1/2006 ODPM – Planning for Gypsy and Traveller Caravan Sites.
- 2.2 Herefordshire Unitary Development Plan 2007:

Policy S1	-	Sustainable Development
Policy S2	-	Development Requirements
Policy S3	-	Housing
Policy DR1	-	Design
Policy DR2	-	Land Use and Activity
Policy H4	-	Main Villages: Settlement Boundaries
Policy H7	-	Housing in the Countryside Outside Settlements
Policy H12	-	Gypsies and other Travellers

**3. Planning History**

- 3.1 SH91/1548/PF Use of land as a caravan site for sole occupation of applicant. Approved 22 January 1992.
- 3.2 DCCW2006/1598/F Variation of condition 1 of planning permission SH91/1548/PF sole occupation. Refused 6 July 2006.
- 3.3 DCCW2006/3153/F Change of use from agricultural to a two gypsy site. Approved 5 January 2007.
- 3.4 DCCW2007/2057/F Variation of condition no. 2 of planning consent DCCW2006/3153/F to allow sale of the property (if necessary) to another travelling family. Refused 14 December 2007.

**4. Consultation Summary**Statutory Consultations

- 4.1 None.

Internal Council Advice

- 4.2 Traffic Manager: Recommends conditions.
- 4.3 Environmental Health & Trading Standards Manager: No objection to this proposal. The Assessment of Accommodation Needs of Travellers in Herefordshire Feb. 2001) and The Gypsy & Traveller Accommodation Assessment Shropshire, Herefordshire, Telford & Wrekin & Powys) 2007 have both identified a future need for extra Traveller Caravan site plots.

**5. Representations**

- 5.1 Burghill Parish Council: "Burghill Parish Council strongly objects to the retrospective application DCCW2008/0421/F.

The Parish Council has always maintained that this particular site is too close to the Scout Hut and densely populated residential area to be made suitable for a gypsy site.

The refusal of planning permission DCCW2007/2057/F, decision dated 14.12.07, states that due to the local sensitivity of the site and specifically the need to preserve the amenity of the locality, it is considered necessary to maintain strict control over the occupation of the site. It was considered contrary to Policies DR2 and H12 of the HUDP 2007.

The original planning permission in 1989 was granted on the basis that it was only for the lifetime of Mr. Lane. It would then revert to agricultural use. All the recent problems have proved that this should have happened and should now happen.

In the Parish Council's opinion this latest application DCCW2008/0421/F is also contrary to Policies DR2 and H12."

- 5.2 Burghill Scout & Guide Group: "The Group wishes to object to the application. Our reasons have not changed since the previous attempts to get planning and change of use over the past two years, e.g. planning application no. DCCW2006/3153/F and the change of use last autumn.

We are rather surprised to see continuing attempts to get change of use on this agricultural land as previous requests have been turned down by both the Committee and full Council meetings. We are not aware of any change of conditions which might lead to permission being granted and therefore trust that the Council will adhere to its previous decision and refuse the application.

- 5.3 Three letters of objection have been received from Mr. B. Green, The Rustlings, Burghill, Mr. E. Webb, 19 Manor Fields, Burghill and Mrs. J. Jones, Fairway View, Burghill.

The main points raised are:

1. The last occupants had planning permission refused to remove the personal condition and this application should be refused.
2. Despite the refusal the site has been sold and the new owner has been clearing the site and laying hardcore which is not in the interest of agricultural use as a wildlife area. The removal of trees will be of great detriment to the local area.
3. Previous conditions have not been complied with.

- 5.4 One letter of support has been received from Herefordshire Travellers Support Group.

The main points raised are:

1. The proposal is in line with Policy H12 of the Herefordshire Unitary Development Plan and reflect Government policy in Circular 1/2006.
2. There is an identified substantial shortfall of gypsy and travellers accommodation in the area and this is being reduced by Herefordshire by granting permission for suitable small sites.
3. The site is close to facilities and sustainable.
4. The previous application although opposed by the Parish Council indicated local support.
5. The current owners have clear traveller status and local connections.

- 5.5 The applicant's agent has submitted the following information:

1. The site previously had planning permission for a two family gypsy site.
2. The new owners acquired the site in January.
3. The applicants are Romany Travellers.

4. The proposal complies with the UDP and Circular 1/2006 (Planning for Gypsy & Traveller Caravan Sites).
5. A new access will be constructed away from the scout hut in accordance with the Traffic Manager's requirements.
- 5.6 A letter of support from Mr. W.F. Kerswell, Sollars Cottage, Picklescott, Church Stretton, Shropshire. He is the former vice chairman of the National Gypsy Council and confirms the gypsy status of the families.

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. Officer's Appraisal**

- 6.1 This site has previously been accepted and granted planning permission as a gypsy site. Attached to that planning permission was a condition limiting its occupation to Mr. & Mrs. R. Jones and Miss Rosanne Jones. Further conditions were also imposed concerning a new access. The new access has not been formed. The site has now been sold to the applicant who wishes to reside on site and form the new safer access away from the entrance to the Scout Hut.
- 6.2 The site is located in open countryside but immediately adjacent to the settlement boundary of Burghill as identified in the Herefordshire Unitary Development Plan.
- 6.3 There is clear policy presumption against residential development in the open countryside. However Policy H7 of the Herefordshire Unitary Development Plan (Revised Deposit Draft) established a number of circumstances where such development may be exceptionally permitted. It refers specifically to the provision of sites meeting the needs of gypsies or other travellers.
- 6.4 Policy H12 deals directly with sites intended for the accommodation needs of gypsies and other travellers and requires the following criteria to be met:-
  1. The site is within reasonable distance of local services and facilities;
  2. Sites for settled occupation should be small;
  3. Adequate screening and landscaping is included within the proposal in order to ensure that the proposal does not result in an adverse impact upon the character of the area and amenity of the landscape; and
  4. They contain appropriate levels of residential amenity, including safe play areas for children and provide satisfactory work and storage areas."
- 6.5 The applicants have provided sufficient evidence to substantiate their gypsy status and as such it is reasonable to consider this proposal against Policy H12 as an exception to the normal presumption against residential development in the open countryside. Accordingly taking the four criteria stated:
  - (1) The site lies adjacent to an identified main village, Burghill and therefore as an identified 'main village' it contains the local services and facilities and is ultimately considered to be a sustainable location.

- (2) The proposal for two families is considered small in scale.
  - (3) Despite the removal of overgrown areas the site is still well screened within the landscape. However alterations to the access, which are discussed in more detail below, will require the removal of hedging which will make the site more visible until new landscaping grows. However roadside frontage faces Burghill Valley Golf Course where the boundary is well landscaped.
  - (4) There is adequate levels of amenity and play space for children within the site.
- 6.6 In addition, the Council's Environmental Health and Trading Standards Officer has confirmed that there is a lack of availability of authorised pitches is a significant material consideration and your officers are satisfied that based on current information, this site can be treated as a genuine exception.
- 6.7 In view of the above it is considered that the proposal accords with Policy H12. Therefore it is contended that the only issue of concern is the access. A new access has been agreed with the Traffic Manager who recommends the imposition of appropriate conditions. The new access requirements are slightly reduced due to the recent moving of the 30mph speed limit.
- 6.8 The previous application was refused under Policy DR2 which relates to land use and activity. This site being located adjacent to the settlement boundary provides a choice of modes of travel and the use is considered to be compatible with adjoining land uses. Conflict with the scout hut entrance will be eased by provision of the new access and the development will not prejudice development on adjoining sites.
- 6.9 The Parish Council's and other objectors' concerns are noted, however the proposal is considered to be fully compliant with the Herefordshire Unitary Development Plan and Circular 1/2006.
- 6.10 Finally, Members previously granted permission on a personal basis to enable the Local Planning Authority to retain effective control over the site. If Members wish to maintain this position, a suitable condition is proposed.

## RECOMMENDATION

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

- 1. No more than two mobile homes and one touring caravan shall be stationed on the land at any time. No other structure apart from those existing on the site at the time of the application, including those permitted by the caravan site licence shall be erected without the approval of the local planning authority.**

**Reason: In the interest of highway safety and to conform with the requirements of Policy DR3 of the Herefordshire Unitary Development Plan.**

- 2. This permission shall enure for the benefit of Mr James and Mr Jimmy Smith and not for the benefit of the land or any other persons interested in the land. On cessation of their occupation the land shall revert to agricultural use.**

**Reason: The local planning authority wish to control the specific use of the land in the interest of local amenity and to comply with Policies DR2 and H12 of the Herefordshire Unitary Development Plan.**

- 3. Notwithstanding the submitted plans and within one month of the date of this permission a new vehicle access shall be constructed providing visibility splays of 2 metres x 60 metres in each direction and any entrance gates set back 5 metres, full details of which shall be submitted for approval in writing of the local planning authority, and the access shall be constructed in accordance with the approved details and retained in perpetuity.**

**Reason: In order to maintain the visual amenities of the area and to conform with Policy LA6 of the Herefordshire Unitary Development Plan.**

- 4. G11 (Landscaping scheme – implementation).**

**Reason: In order to maintain the visual amenities of the area and to comply with Policy LA6 of Herefordshire Unitary Development Plan.**

- 5. H08 (Access closure).**

**Reason: To ensure the safe and free flow of traffic using the adjoining County highway and to conform with the requirements of Policy DR3 of Herefordshire Unitary Development Plan**

- 6. H06 (Vehicular access construction).**

**Reason: In the interests of highway safety and to conform with the requirements of Policy DR3 of Herefordshire Unitary Development Plan**

- 7. No goods, plant, material or machinery shall be deposited or stored outside the buildings on the land hereby permitted unless otherwise agreed in writing with the local planning authority.**

**Reason: In order to maintain the visual amenities of the area and to comply with Policy LA6 of Herefordshire Unitary Development Plan.**

**Informatives:**

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

Decision: .....

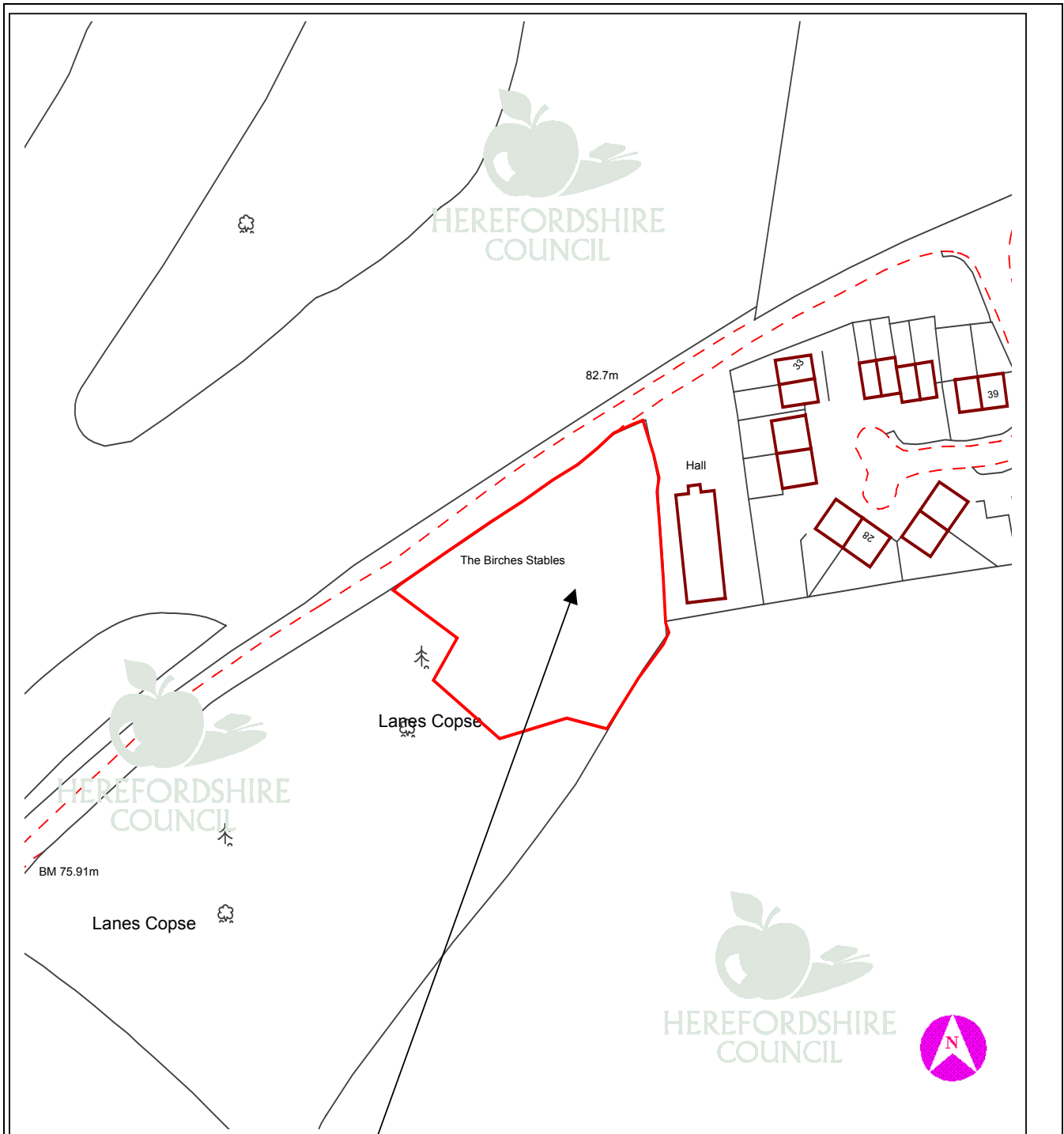
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**Background Papers**

Internal departmental consultation replies.



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**APPLICATION NO:** DCCW2008/0421/F

**SCALE :** 1 : 1250

**SITE ADDRESS :** The Birches Stables, Burghill, Hereford, Herefordshire, HR4 7RU

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**6 DCCW2008/0177/F - PROPOSED DWELLING AT LAND ADJACENT TO ROSEMULLION, BISHOPSTONE, HEREFORD, HEREFORDSHIRE, HR4 7JE**

**For: P.J. Developments per Daniel Forrest, Satchmo, 2 Broomy Hill, Hereford, Herefordshire, HR4 0LH**

**Date Received: 24 January 2008      Ward: Wormsley Ridge      Grid Ref: 42075, 43078**

**Expiry Date: 20 March 2008**

Local Member: Councillor AJM Blackshaw

**1. Site Description and Proposal**

- 1.1 Rosemullion is located between Whipsiderry and White Roses on the southern side of the C1097 road and running through the centre of the settlement of Bishopstone, Hereford.
- 1.2 The site presently forms the extended garden area to Rosemullion. The proposal is to erect a dwelling comprising bedroom with en-suite, kitchen/diner and lounge on the ground floor with two bedrooms and bathroom on the first floor. A new access will be created onto the village road. External materials proposed are brick under a tiled roof.

**2. Policies**

- 2.1 Herefordshire Unitary Development Plan 2007:

Policy S1	-	Sustainable Development
Policy H6	-	Housing in Smaller Settlements
Policy DR1	-	Design
Policy H14	-	Re-using Previously Developed Land and Buildings
Policy T11	-	Parking Provision
Policy ARCH6	-	Recording of Archaeological Remains

**3. Planning History**

- 3.1 DCCW2007/0377/O      Erection of one detached dwelling with garage. Withdrawn 10 April 2007.
- 3.2 DCCW2007/2069/O      Erection of one detached dwelling with garage. Approved 29 August 2007.

**4. Consultation Summary**

Statutory Consultations

- 4.1 Welsh Water: Raise no objection subject to appropriate conditions.

Internal Council Advice

- 4.2 Traffic Manager: Recommends conditions.
- 4.3 Conservation Manager (Archaeology): The archaeological sensitivity of the proposed development site is great, being directly adjacent to the course of a significant Roman road leading from the former Roman town of Kenchester. Given the nature and scale of the likely ground disturbance under the proposal, the development impact will probably be moderately severe. There are clearly significant archaeological issues in this case.

However, it is also my view that it should be possible to mitigate any damaging effects of the development by means of an archaeological investigation prior to / during development works on site. Accordingly I have no objections to the above proposal, subject to the attachment of suitable archaeological conditions to any permission granted. I would therefore advise the standard archaeological condition E01 (to secure an archaeological watching brief in this case).

The above advice follows the guidance in PPG16 Section 30, and is in accordance with Policy ARCH6 of the adopted Herefordshire Unitary Development Plan.

**5. Representations**

- 5.1 Bishopstone Parish Council: Evidence to show footprint of building is 90m<sup>2</sup>. Does not meet our Parish Council proposal - 2 bed single storey. Could allow a family, 2 children + 3 cars - increase in traffic. Excavation is proposed therefore archaeological survey required.
- 5.2 Two letters of objection have been received from Mr. A. Knott, White Roses, Bishopstone, Hereford and Mr. & Mrs. B. Megson, Whipsiderry, Bishopstone, Hereford.

The main points raised are:-

1. The outline planning permission was for a two bedroom bungalow. This is a three bed dormer.
2. A dormer bungalow is a two storey dwelling.
3. The total floor space excluding garage is 93 - 94 sq.m. above the 90 sq.m. allowed for a three bed dwelling.
4. The conservatory onto Rosemullion has not been erected and is now for sale. Therefore not complying with the 30 metre frontage criteria.
5. Greater consideration should be given to the Parish Council's recommendation for single storey 2 bed accommodation.
6. The roof alignment differs from the adjoining dwellings and is therefore out of character and appearance.
7. To reduce its impact they are proposing to reduce the ground level by approximately 2500mm - 300mm but this will still leave the dwelling 500mm above

the adjoining bungalow and therefore still out of character and appearance with the locality.

5.3 The applicants have confirmed the following information:-

1. The plot size is 350m<sup>2</sup> and the floor space excluding the garage is 88.2m<sup>2</sup>.
2. The site will be excavated to provide a suitable gradient to the road. This also enables the ground level to be lowered.
3. The existing mature hedge to the side and rear will remain.

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. Officer's Appraisal**

- 6.1 Outline planning permission was granted for this infill plot last year. Conditions imposed at that time limited the habitable floor space to 90 sq.m. in accordance with Policy H6 of the Herefordshire Unitary Development Plan and restricted the development to single storey.
- 6.2 Accordingly due to use of the roof area for two bedrooms, a full planning application has been submitted for consideration rather than a Reserved Matters application. The floor area of the property has been assessed and the agent has made a minor variation to ensure that the proposed floor area is under 90m<sup>2</sup>. There were no bedroom numbers conditioned on the previous application. However the 90m<sup>2</sup> equates to the criteria laid down in Policy H6 for a 3 bed dwelling. The plot area is also restricted to below 350m<sup>2</sup>, again as required by Policy H6.
- 6.3 Concern has been expressed that the gap between dwellings is greater than the 30 metre criteria. This was identified when the outline planning permission was considered. It was pointed out that the gap was 32.5 metres and that the applicant could, under permitted development, extend the conservatory to comply. It was considered reasonable to support the development in accordance with the general principles of the policy and the same view is taken again.
- 6.4 Regarding the design of the property, the setting down of the slab helps reduce the impact of the higher ridge level together with the gable facing the road which helps provide space between properties. The modest increase in height above adjoining property therefore breaks the monotony of the same roof plane and provides interest in the streetscene and is therefore considered acceptable and not detrimental to the character and appearance of the area.
- 6.5 Accordingly the proposal is considered to satisfy the general requirements for the infill of gaps within smaller settlements as identified by Policy H6 of the Herefordshire Unitary Development Plan subject to the conditions as listed below.

## **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. C01 (Samples of external materials).**

**Reason: To ensure that the materials harmonise with the surroundings so as to ensure that the development complies with the requirements of Policy DR1 of Herefordshire Unitary Development Plan**

**3. E01 (Site investigation – archaeology).**

**Reason: To ensure the archaeological interest of the site is recorded and to comply with the requirements of Policy ARCH6 of Herefordshire Unitary Development Plan.**

**4. F08 (No conversion of garage to habitable accommodation).**

**Reason: To ensure adequate off street parking arrangements remain available at all times and to comply with Policy H18 of Herefordshire Unitary Development Plan.**

**5. F14 (Removal of permitted development rights).**

**Reason: In order to protect the character and amenity of the locality, to maintain the amenities of adjoining property and to comply with Policy H13 of Herefordshire Unitary Development Plan.**

**6. F16 (No new windows in specified elevation).**

**Reason: In order to protect the residential amenity of adjacent properties and to comply with Policy H18 of Herefordshire Unitary Development Plan.**

**7. F17 (Obscure glazing to windows).**

**Reason: In order to protect the residential amenity of adjacent properties and to comply with Policy H18 of Herefordshire Unitary Development Plan.**

**8. I16 (Restriction of hours during construction).**

**Reason: To protect the amenity of local residents and to comply with Policy DR13 of Herefordshire Unitary Development Plan.**

**9. G09 (Details of Boundary treatments).**

**Reason: In the interests of visual amenity, to ensure the development has an acceptable standard of privacy and to conform to Policy DR1 of Herefordshire Unitary Development Plan.**

**10. I22 (No surface water to public sewer).**

**Reason: To safeguard the public sewerage system and reduce the risk of surcharge flooding so as to comply with Policy DR4 of Herefordshire Unitary Development Plan.**

**11. I51 (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 so as to comply with Policy DR1 of Herefordshire Unitary Development Plan.**

**12. H04 (Visibility over frontage).**

**Reason: In the interests of highway safety and to conform with the requirements of Policy DR3 of Herefordshire Unitary Development Plan.**

**13. H05 (Access gates).**

**Reason: In the interests of highway safety and to conform with the requirements of Policy DR3 of Herefordshire Unitary Development Plan**

**14. H06 (Vehicular access construction).**

**Reason: In the interests of highway safety and to conform with the requirements of Policy DR3 of Herefordshire Unitary Development Plan**

**15. H09 (Driveway gradient).**

**Reason: In the interests of highway safety and to conform with the requirements of Policy DR3 of Herefordshire Unitary Development Plan**

**16. H12 (Parking and turning - single house).**

**Reason: In the interests of highway safety, to ensure the free flow of traffic using the adjoining highway and to conform with the requirements of Policy T11 of Herefordshire Unitary Development Plan.**

**Informatives:**

- 1. HN01 - Mud on highway.**
- 2. HN04 - Private apparatus within highway.**
- 3. HN05 - Works within the highway.**
- 4. HN10 - No drainage to discharge to highway.**
- 5. N19 - Avoidance of doubt - Approved Plans.**
- 6. N15 - Reason(s) for the Grant of PP/LBC/CAC.**

Decision: .....

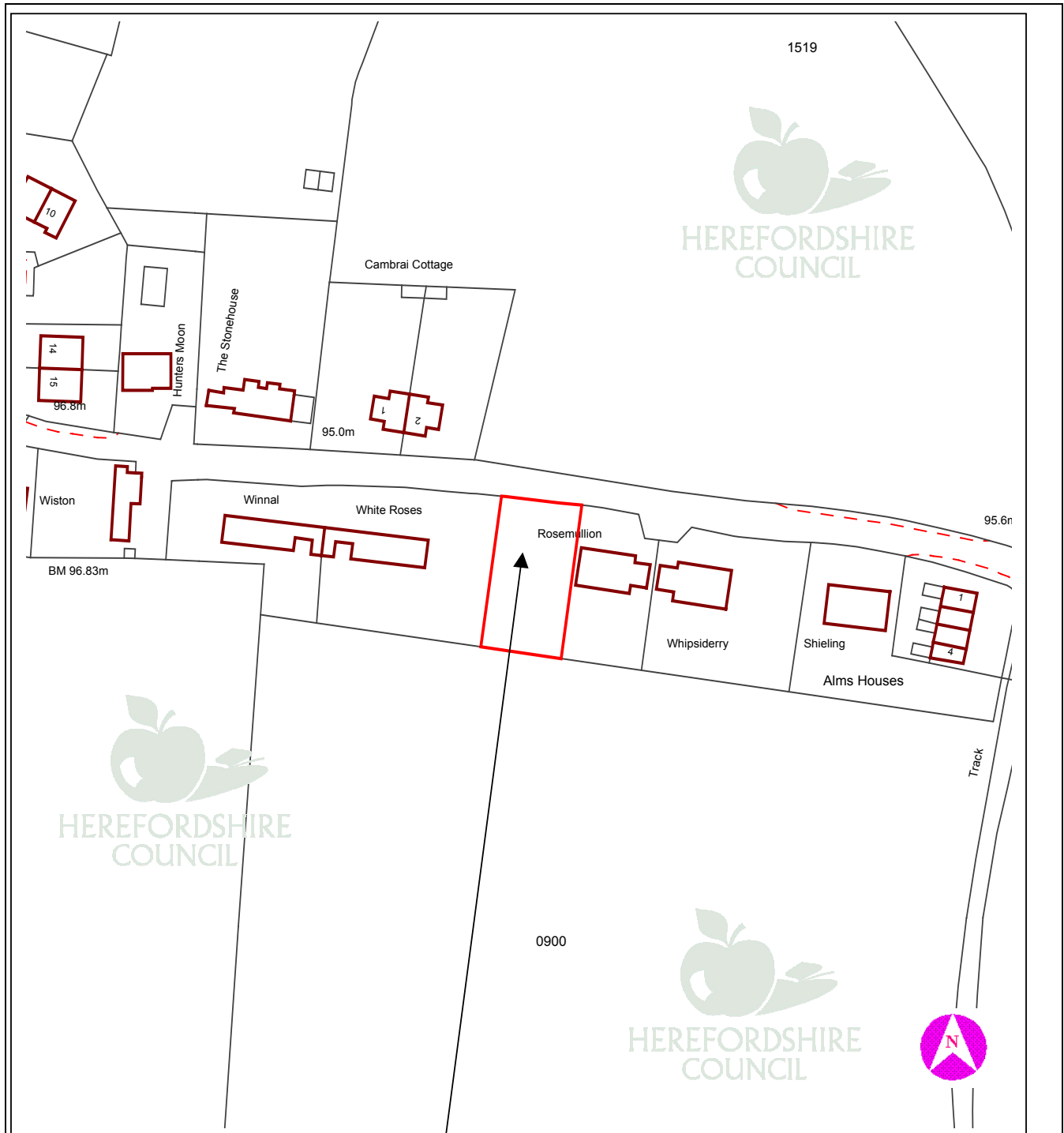
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**Background Papers**

Internal departmental consultation replies.





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**APPLICATION NO:** DCCW2008/0177/F

**SCALE :** 1 : 1250

**SITE ADDRESS :** Land adjacent to Rosemullion, Bishopstone, Hereford, Herefordshire, HR4 7JE

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**7 DCCW2008/0292/F - DEMOLISH EXISTING RECTORY AND ERECT 9 NO. RESIDENTIAL DWELLINGS AT ST. NICHOLAS RECTORY, 76 BREINTON ROAD, HEREFORD, HEREFORDSHIRE, HR4 0JY**

**For: Diocese of Hereford per Hook Mason Ltd., 11 Castle Street, Hereford, HR1 2NL**

**Date Received: 6 February 2008**

**Ward: St. Nicholas**

**Grid Ref: 49918, 39787**

**Expiry Date: 2 April 2008**

Local Members: Councillors DJ Benjamin and JD Woodward

**1. Site Description and Proposal**

- 1.1 St. Nicholas Rectory is located on the corner of Westfaling Street and Breinton Road, Hereford. The house occupies the northern part of the site and is a substantial brick and tiled roof dwelling. Vehicular and pedestrian access is off Breinton Road. The site has substantial tree coverage, particularly at the junction with Westfaling Street and Breinton Road. The land slopes down from north to south onto Breinton Road.
- 1.2 The proposal is to demolish the existing house and build nine dwellings, all fronting Westfaling Street with parking and vehicular access off Breinton Road. The dwellings are grouped to provide three blocks of three dwellings. The first block at the junction of Westfaling Street and Breinton Road will be 2½ storeys high and contain 3 bed accommodation. The two remaining blocks will each provide 2 bed accommodation in two storey dwellings.
- 1.3 A traditional design approach has been taken with the use of red brick under a natural slate roof to match the adjoining property. 14 car parking spaces are proposed and all the dwellings have their own dedicated cycle storage sheds.
- 1.4 An ecological survey accompanied the planning application.

**2. Policies**

2.1 Planning Policy Statements:

PPS1	-	Delivering Sustainable Development
PPS3	-	Housing
PPS9	-	Biodiversity and Geological Conservation

2.2 Herefordshire Unitary Development Plan 2007:

Policy S1	-	Sustainable Development
Policy S2	-	Development Requirements
Policy S3	-	Housing
Policy DR1	-	Design
Policy DR4	-	Environment
Policy DR5	-	Planning Obligations

Policy H1	-	Hereford and the Market Towns: Settlement Boundaries and Established Residential Areas
Policy H9	-	Affordable Housing
Policy H13	-	Sustainable Residential Design
Policy H14	-	Re-using Previously Developed Land and Buildings
Policy H15	-	Density
Policy H16	-	Car Parking
Policy T11	-	Parking Provision
Policy LA5	-	Protection of Trees, Woodlands and Hedgerows
Policy LA6	-	Landscaping Schemes
Policy HBA6	-	Locally Important Buildings
Policy NC5	-	European and Nationally Protected Species

### 3. Planning History

- 3.1 DCCW2007/0364/F Demolition of existing Rectory and erection of 14 apartments. Withdrawn 30 March 2007.

### 4. Consultation Summary

#### Statutory Consultations

- 4.1 Welsh Water: Raise no objection subject to appropriate conditions.

#### Internal Council Advice

- 4.2 Traffic Manager: Raise no objection to the amended car parking layout subject to appropriate conditions and contributions.
- 4.3 Head of Economic and Community Services: The proposal is for 9 dwellings and the loss of one dwelling therefore the net gain is 8. Under existing UDP policy a development of this size is currently below the threshold to provide a play area.

We do, however, ask for a Sport England contribution from all new housing developments. This is in response to Sport England who required such developments to help contribute towards increasing participation in active sports. The calculation is based on Sport England's Sports Facilities Calculator. This would be used towards improvements to access at the Hereford Leisure Pool, which is in easy walking distance of the site.

- 4.4 Conservation Manager (Landscape): I would like to make the following comments:

- The proposal has developed following pre-application discussions with both the Senior Building Conservation Officer and the Senior Landscape Officer. The proposals have addressed a number of initial concerns.
- The arboricultural report submitted with the application is of limited value and only identifies species of tree, general condition and some management prescriptions. The proposals require the removal of a number of trees in generally good condition, but also seek to preserve a number of notable specimens. Planting of new trees in mitigation for the ones lost has been proposed. None of the trees are the subject of a TPO. The opportunity to remove trees of poor quality and enhance the arboricultural resource in the area should be realised.

I would recommend that if the proposal were granted planning permission, a condition requiring a full statement of tree management and protection be attached. The trees and all necessary protection should be described in terms of *BS5837: Trees in Relation to Development, Recommendations, 2005*.

- A proposal of this size and character should ideally be accompanied by a detailed landscaping scheme. In this case, due to the pre-application discussions I consider it reasonable to attach conditions requiring the production of detailed landscaping proposals prior to the commencement of any works. This should include both hard and soft landscaping proposals.
  - The treatment of boundaries and all new walls should also be the subject of clarification and controlled through the use of condition.
  - The provision of level car parking to the south side of the site may require the excavation and re-profiling of a substantial amount of soil, the details of which should again be the subject of a planning condition.
  - Lastly, I would suggest that the proposals would on balance make a positive contribution to the quality and character of the street scene. Subject to the production of a high quality landscaping scheme for the site, the arboricultural and vegetative character of the site will be preserved despite the increase in the number of dwellings.
- 4.5 Conservation Manager (Historic Buildings): The rectory building is not a distinguished example of the architecture of the period and subsequent development in the area has resulted in its position and massing detracting from the generally tight grain of the area.

Overall a well thought out scheme which should fill the gap in the streetscape on an important corner. The corner 'turret' provides a means for the building to turn the corner fairly successfully rather than presenting a blank wall. The staggering of the blocks should fit well with the building pattern on the opposite side of the street and provide a visual sweep up the slope. In design terms the buildings will harmonise well with the neighbouring terraced and semi-detached houses both in scale and massing and in detailing.

- 4.6 Conservation Manager (Ecology): Comments are:

I note the presence of common and soprano pipistrelle bats foraging on the site, but that none were found to be roosting there. I would like to see opportunities for enhancing the site for biodiversity in line with legislation (NERC Act 2006) for Government guidance (PPS9), by the provision of bat tubes in the new buildings, bird and bat boxes on trees to be retained and use of native species in the landscaping and planting scheme. These details should be submitted prior to development of the site.

I have no objection to approval of this application subject to the inclusion of appropriate conditions.

- 4.7 Children & Young People's Directorate: The educational facilities provided for this development site are Whitecross Day Nursery, Lord Scudamore Primary School and Whitecross Sports College. Hereford City also provides youth facilities. Within

Herefordshire we also have a Special School, Barrs Court, which provides secondary education to persons with special needs.

Whitecross Day Nursery is the nearest early years provision setting to this development. It has been confirmed by the nursery that, at present, they have no spare capacity and on evidence that has been gathered by Early Years and Extended Services, certain sessions within the nursery are on a waiting list basis, but this is dependant on the age of the child.

Lord Scudamore School is over capacity in one year group (Reception) as at the Spring Census 2008.

Whitecross High School is over capacity in two year groups (Year 7 and Year 8) and at capacity in one year group (Year 9) as at the Spring Census 2008.

The Youth Service has no building from which to deliver youth work in Hereford City. They currently rent space from a voluntary sector organisation, Close House, which is the base for two part time Youth Workers. There are currently staffing vacancies in this area. The two part time youth workers operate across Hereford City with most of their work being street based. The Youth Service would like to find a suitable building for them to permanently delivery youth work within Hereford City.

Please note that the PAN of the above year groups is based on permanent and temporary accommodation, whereas section 3.5.6 of the SPD states that the capacity should be based on the permanent accommodation, therefore, additional children may also prevent us from being able to remove temporary classrooms at Lord Scudamore Primary School that we would otherwise be able to do.

The Children & Young Peoples Directorate would therefore be looking for a contribution to be made towards Children and Young People in this area that would go towards rectifying some of the issues identified above that would only be exacerbated by the inclusion of additional children.

## **5. Representations**

- 5.1 Hereford City Council: Hereford City Council requests that this planning application be determined strictly in accordance with the approved development plan applicable to the area of the Parish of the City of Hereford. The City Council has no objection to this application for planning permission.
- 5.2 Five letters of objection have been received from A. & V. Kaye, 1 Westfaling Street, Hereford; M.R. Speak, 31 Castlefields, Leominster; Mr. T. Harris, 1 Tower Road, Hereford; Mr. R. Hodges, 19 Westfaling Street, Hereford and Mrs. R. Dorling, 15 Westfaling Street, Hereford.

The main points raised are:

1. Objection to the demolition of an irreplaceable example of period architecture which greatly enhances the area.
2. The area is already over congested with people and traffic and this proposal will further aggravate this problem.
3. St. Nicholas Rectory should be listed.

4. The Rectory is one of the best surviving examples of a fairly substantial Edwardian house in the City of Hereford.
5. There is no affordable housing on the site.
6. The site is being over developed.

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. Officer's Appraisal**

6.1 The key issues in determining this application are considered to be:

- 1) Principle of Development
- 2) Design and Layout
- 3) Highway and Parking Issues
- 4) Impact on Adjoining Property
- 5) Ecology
- 6) Section 106 Planning Obligation

### Principle of Development

- 6.2 This site is located within the established residential area for Hereford City as identified in the Herefordshire Unitary Development Plan. Residential development is permitted in such areas where compatible with housing design and other policy of the Plan. It is classified as 'previously developed' land and therefore complies with the main thrust of Policy H14 provided it respects the character and appearance of the area and protects existing and proposed residential amenity.
- 6.3 The quality of the existing building has been assessed by the Conservation Manager who confirms that the Rectory is not a distinguished example of the architecture of the period and subsequent development in the area has resulted in its position and massing detracting from the general tight grain of the area.
- 6.4 Finally no affordable housing is required as the number of units and size of the site falls below the threshold.

### Design and Layout

- 6.5 A traditional approach has been taken with the dwellings scale, mass and materials similar to the dwellings opposite the site in Westfaling Street. They are therefore compatible to the character and appearance of the area. The change in levels has helped the inclusion of the three 3-bed dwellings which are 2½ storeys high. These are located to the east of the site near the junction of Breinton Road with Westfaling Street. The insertion of the wrap around bay window turret also improves the appearance of the corner plot, particularly when viewed from Westfaling Street.
- 6.6 The layout follows the existing pattern of development on the south side of Westfaling Street which allows for the vehicular access and parking to be achieved onto Breinton Road via a new access. The existing access will be closed. Adequate amenity space is also provided for each of the dwellings. Therefore the design and layout are considered to be compatible with the character and form of the area.

### Highways and Parking

- 6.7 Westfaling Street is a well-trafficked road and this site is located at the junction of not only Breinton Road and Ryelands Street but Tower Road as well. As a consequence the site only has pedestrian access to each of the units at the front on Westfaling Street with all vehicular access from a new access moved further west along Breinton Road. The existing access will be closed. Extensive on-street parking occurs in the area, therefore the maximum car parking requirement of 1½ car spaces per unit has been achieved on-site totalling 14 spaces. The Traffic Manager has confirmed that this is acceptable and accords with Policies H16 and T11. In addition separate cycle storage is proposed for each dwelling and a contribution to highway improvements in the locality.

### Impact on Adjoining Property

- 6.8 The layout of the development ensures that there is no unacceptable overlooking between dwellings. No side windows are proposed and houses on the north side of Westfaling Street are raised above the level of this site. Furthermore the line of the new dwellings follows the similar line of the adjoining dwellings. Therefore maintaining the streetscape. The proposal is therefore considered not to impact detrimentally upon the amenity of adjoining residents.

### Ecology

- 6.9 An ecological survey accompanied the planning application and has been fully assessed by the Council's Ecologist. The presence of common and soprano pipistrelle bats have been noted foraging on site but none were found to be roosting in the Rectory. Therefore subject to a suitable condition to ensure that the recommendations of the ecological report are followed which includes the appointment of an Ecological Clerk of Works, no objections are raised.

### Section 106 Planning Obligation

- 6.10 This planning application was submitted prior to the adoption of the Supplementary Planning Guidance on Planning Obligations. Therefore whilst the full requirements cannot be requested it provides a useful tool on which to base negotiations, particularly as it can be given significant weight.
- 6.11 Negotiations commenced on the basis of the SPD and contributions have been sought for:
1. Education
  2. Highways
  3. Recycling
  4. Sport England
  5. Library Service

- 6.12 The agents have submitted the following comments on the need for contributions:

“On the matter of contributions, our clients are firmly of the opinion that as a registered charity they should be exempt from such charges, given that their sole motivation for obtaining Planning Permission on this site is to realise the maximum land value when



ultimately sold in order to enable them to maintain the extensive portfolio of properties within the Diocese for which they are responsible. Their stance is further reinforced by the fact that the application (originally submitted in February 2007 although subsequently withdrawn in order to address various technical matters and later resubmitted on 4/02/08) was submitted well in advance of the SPD policy becoming effective on 1/04/08 and Peter Yates's advice to the Southern Area Planning Committee Members on this specific subject of timing on 2/04/08 was entirely unambiguous.

However notwithstanding the above having considered matters in detail and having taken extensive planning consultancy advice on the matter our clients are prepared to offer contributions totally £16,440.00 which comprise transport contributions of £15,480.00 and recycling contributions of £960.00. From the advice received, the case for education contributions in this specific case appears to be entirely spurious and the potential impact of the proposed development on the library and sports services is regarded as being negligible."

It is disappointing that the applicants do not see the benefits of contributing to education considering the reasonable case put forward by the Children and Young People Directorate. However, this planning application was submitted prior to the adoption of the SPD where the size of this development would not have contributed.

Accordingly the draft Heads of Terms are annexed to the report.

- 6.13 In conclusion therefore it is considered that the principle of the development is established and acceptable. The design and layout is compatible to the character of the area. Maximum car parking standards have been met and contributions to improved highway safety in the area are proposed. Finally there is considered to be no detrimental impact on the amenity of adjoining residential property.

#### **RECOMMENDATION**

**That 1) The Head of Legal and Democratic Services be authorised to complete a planning obligation under Section 106 of the Town and Country Planning Act 1990 in accordance with the Heads of Terms appended to this report and any additional matters and terms that he considers appropriate.**

**2) Upon completion of the aforementioned planning obligation Officers named in the Scheme of Delegation to Officers be authorised to issue planning permission subject to the following conditions and any further conditions considered necessary by Officers:**

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

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

- 2. B03 (Amended plans).**

**Reason: To ensure the development is carried out in accordance with the amended plans and to comply with the requirements of Policy DR1 of Herefordshire Unitary Development Plan.**

- 3. C01 (Samples of external materials).**

**Reason: To ensure that the materials harmonise with the surroundings so as to ensure that the development complies with the requirements of Policy DR1 of Herefordshire Unitary Development Plan.**

**4. G02 (Retention of trees and hedgerows).**

**Reason: To safeguard the amenity of the area and to ensure that the development conforms with Policy DR1 of Herefordshire Unitary Development Plan.**

**5. G04 (Protection of trees/hedgerows that are to be retained).**

**Reason: To safeguard the amenity of the area and to ensure that the development conforms with Policies DR1 and LA5 of Herefordshire Unitary Development Plan.**

**6. G06 (Remedial works to trees).**

**Reason: The trees form an integral part of the visual environment and this condition is imposed to preserve the character and amenities of the area and to ensure that the development conforms with Policies DR1 and LA5 of Herefordshire Unitary Development Plan.**

**7. G09 (Details of Boundary treatments).**

**Reason: In the interests of visual amenity, to ensure the development has an acceptable standard of privacy and to conform to Policy DR1 of Herefordshire Unitary Development Plan.**

**8. G10 (Landscaping scheme).**

**Reason: In order to maintain the visual amenities of the area and to conform with Policy LA6 of Herefordshire Unitary Development Plan.**

**9. G11 (Landscaping scheme – implementation).**

**Reason: In order to maintain the visual amenities of the area and to comply with Policy LA6 of Herefordshire Unitary Development Plan.**

**10. H03 (Visibility splays) (2.4 metres x 33 metres).**

**Reason: In the interests of highway safety and to conform with the requirements of Policy DR3 of Herefordshire Unitary Development Plan.**

**11. H05 (Access gates) (5 metres).**

**Reason: In the interests of highway safety and to conform with the requirements of Policy DR3 of Herefordshire Unitary Development Plan.**

**12. H06 (Vehicular access construction).**

**Reason: In the interests of highway safety and to conform with the requirements of Policy DR3 of Herefordshire Unitary Development Plan.**

**13. H08 (Access closure).**

**Reason: To ensure the safe and free flow of traffic using the adjoining County highway and to conform with the requirements of Policy DR3 of Herefordshire Unitary Development Plan.**

**14. H09 (Driveway gradient).**

**Reason: In the interests of highway safety and to conform with the requirements of Policy DR3 of Herefordshire Unitary Development Plan.**

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

**Reason: In the interests of highway safety and to ensure the free flow of traffic using the adjoining highway and to conform with the requirements of Policy T11 of Herefordshire Unitary Development Plan.**

**16. H27 (Parking for site operatives).**

**Reason: To prevent indiscriminate parking in the interests of highway safety and to conform with the requirements of Policy DR3 of Herefordshire Unitary Development Plan.**

**17. H29 (Secure covered 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 and to conform with the requirements of Policy DR3 of Herefordshire Unitary Development Plan**

**18. I16 (Restriction of hours during construction).**

**Reason: To protect the amenity of local residents and to comply with Policy DR13 of Herefordshire Unitary Development Plan.**

**19. I22 (No surface water to public sewer).**

**Reason: To safeguard the public sewerage system and reduce the risk of surcharge flooding so as to comply with Policy DR4 of Herefordshire Unitary Development Plan.**

**20. I51 (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 so as to comply with Policy DR1 of Herefordshire Unitary Development Plan.**

**21. I56 (Sustainable Homes Condition).**

**Reason: To promote the sustainability of the development hereby approved in accordance with Policies S1 and H13 of the Herefordshire Unitary Development Plan and PPS1 Supplement 'Planning and Climate Change'**

**22. K4 (Nature Conservation – Implementation).**

**Reason: To ensure that all species are protected having regard o the Wildlife and Countryside Act 1981 (as amended), the Conservation(Natural Habitats, &c) Regulations 1994 (as amended) and Policies NC1, NC5, NC6 and NC7 of Herefordshire Unitary Development Plan.**

**23. L01 (Foul/surface water drainage).**

**Reason: To protect the integrity of the public sewerage system and to comply with Policy CF2 of Herefordshire Unitary Development Plan.**

**24. L02 (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 so as to comply with Policy CF2 of Herefordshire Unitary Development Plan.**

**Informatives:**

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

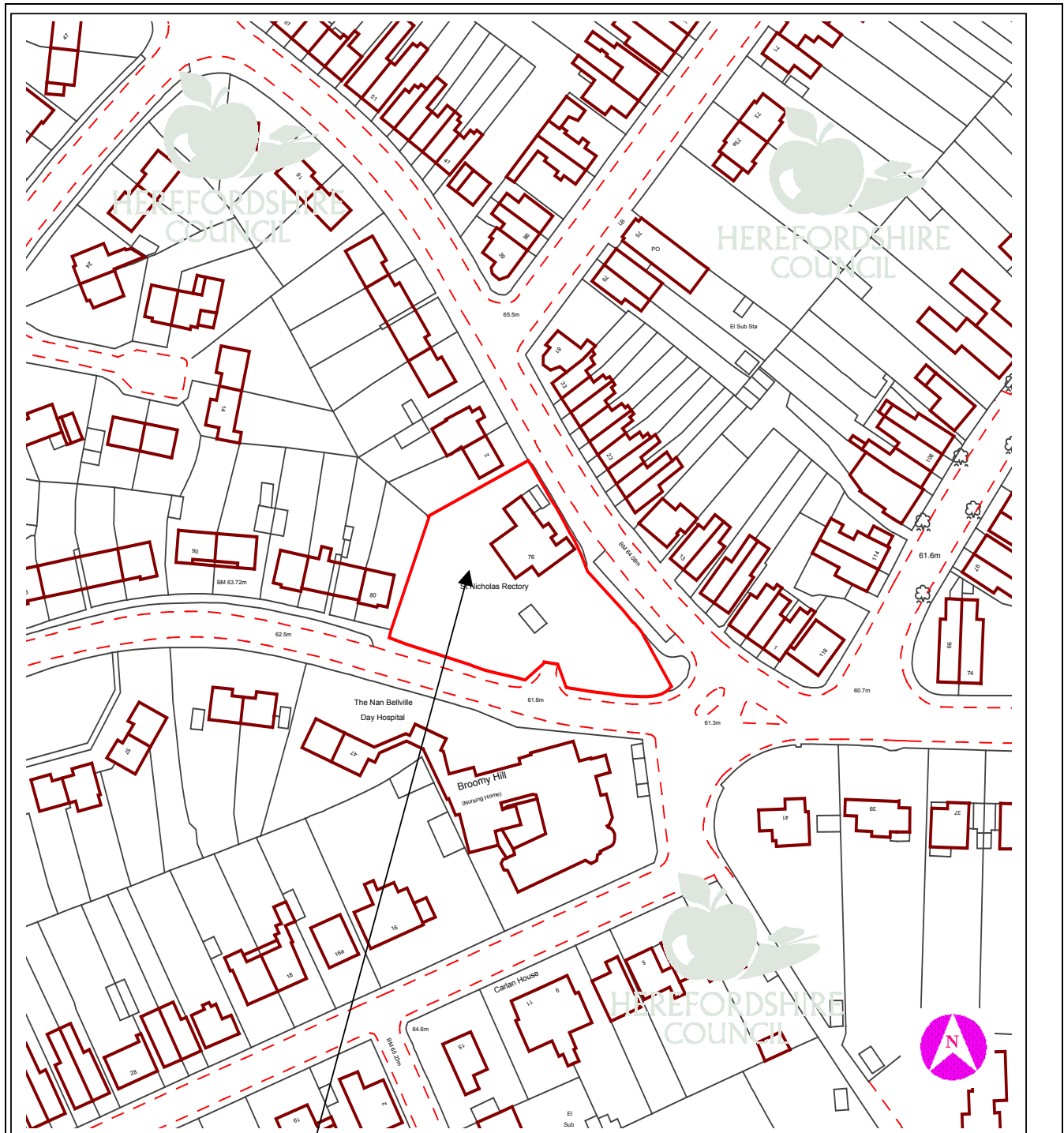
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Notes: .....

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**Background Papers**

Internal departmental consultation replies.



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**APPLICATION NO:** DCCW2008/0292/F

**SCALE :** 1 : 1250

**SITE ADDRESS :** St. Nicholas Rectory, 76 Breinton Road, Hereford, Herefordshire, HR4 0JY

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**HEADS OF TERMS**  
**Proposed Planning Obligation Agreement**  
**Section 106 Town and Country Planning Act 1990**

Planning Application – DCCW2008/0292/F

Demolition of existing Rectory and erection of 9 residential dwellings at St Nicholas Rectory, 76 Breinton Road, Hereford. HR4 OJY

1. The developer covenants with Herefordshire Council, to pay Herefordshire Council the sum of £960 for improved recycling.
2. The developer covenants with Herefordshire Council, to pay Herefordshire Council the sum of £15,480 for off site highway works and improved public and sustainable transport infrastructure to serve the development (which aren't Section 278 works i.e. essential to facilitate the development).
3. The monies shall be used by Herefordshire Council at its option for any or all of the following purposes: (The list is not in any order of priority)
  - a) Traffic calming measures in the area
  - b) Improved bus shelters/stops in the locality of the application site
  - c) Safe Routes for Schools
  - d) Improve lighting and signage to existing highway/pedestrian and cycle routes leading to the site
  - e) Improved pedestrian and cyclist crossing facilities in the area
  - f) Any other purpose falling within the criteria defined in 3 above.
4. In the event that Herefordshire Council does not for any reason use the said sum of Clauses 1 and 2 for the purposes specified in the agreement within 10 years of the date of each payment, the Council shall repay to the developer the said sum or such part thereof, which has not been used by Herefordshire Council.
5. All of the financial contributions shall be Index linked and paid on or before commencement of the residential development unless otherwise agreed with Herefordshire Council
6. The developer shall pay to the Council on or before the completion of the Agreement, the reasonable legal costs incurred by Herefordshire Council in connection with the preparation and completion of the Agreement.

Kevin Bishop - Principal Planning Officer

21 April 2008

**8 DCCW2008/0335/F - TWO NEW SLEEP/FEED BARN  
FOR BEEF CATTLE, NEW STRAW BARN AND NEW  
SILAGE BARN AT WARHAM COURT FARM,  
BREINTON, HEREFORD, HEREFORDSHIRE, HR4 7PF**

**For: Mr. K. Hammett per ATSS Ltd., Bourne Works, The  
High Street, Collingbourne Dulcis, Wiltshire, SN8 3EQ**

**Date Received: 8 February 2008**

**Ward: Credenhill**

**Grid Ref: 48572, 39358**

**Expiry Date: 9 May 2008**

Local Member: Councillor RI Matthews

**1. Site Description and Proposal**

1.1 Warham Court Farm is located on the northern side of the unclassified 73023 road approximately 1 km west of the edge of Hereford City.

1.2 Warham Cottages are located to the north with Warham Cottage and Old House, Breinton to the west. Open fields adjoin the site and Warham Court Farm is a listed building.

1.3 The proposal is to erect two new sleep/feed barns for beef cattle and a new straw barn and new silage barn to the west and north of the farmhouse.

1.4 The building sizes are:

	Width	Length	Height
Unit 1	33m	45.87m	7.481m
Unit 2 (existing)	23m	30.172m	7.387m
Unit 3	23m	72.172m	7.637m
Silage Clamp	36.623m	45.898m	1.176m
Straw barn	23.596m	45.897m	9.705

1.5 The applicant has agreed to remove the storm water alternator pond from the proposal and to 'hand' the straw barn and silage clamps together with setting this build further back in line with Unit 3.

**2. Policies**

2.1 Planning Policy Statements:

PPS7 - Sustainable Development in Rural Areas

## 2.2 Herefordshire Unitary Development Plan 2007:

Policy DR1	-	Design
Policy DR2	-	Land Use and Activity
Policy DR4	-	Environment
Policy E13	-	Agricultural and Forestry Development
Policy LA2	-	Landscape Character and Areas Least Resilient to Change
Policy LA6	-	Landscaping Schemes
Policy HBA6	-	Setting of Listed Buildings

**3. Planning History**

- 3.1 CW1999/0361/F Steel framed portal building to cover existing cattle building. Approved 10 June 1999.
- 3.2 CW2001/2260/F Change of use to site for a horse worker. Approved 18 October 2001.

**4. Consultation Summary**Statutory Consultations

- 4.1 None.

Internal Council Advice

- 4.2 Traffic Manager: No objections.
- 4.3 Head of Environmental Health & Trading Standards: Comments awaited.
- 4.4 Conservation Manager (Historic Buildings Officer): The proposed development is appropriate in terms of scale and design for the agricultural nature of the site and will be far enough away from the listed building to have no detrimental impact on its setting.
- 4.5 Conservation Manager (Landscaping): I would like to make the following comments:

The site is located in open country approximately three-quarters of a mile to the west of Hereford, on the northern terrace of the river Wye (quarter of a mile to the south). The site is located within the Principal Timbered Farmlands landscape type, as defined in the Herefordshire Landscape Character Assessment. This landscape is distinguished by a distinct pattern of hedgerows, emphasised by the presence of mature trees and woods. Fields are often small in size and formed by sinuous boundaries indicative of an organic and unplanned enclosure of the countryside over many centuries; the pastoral heritage in this landscape is clearly apparent and efforts to maintain the numbers of grazing animals, and subsequently pasture, welcomed.

Specifically the site is well screened by the surrounding topography, existing vegetation and buildings; however, the western boundary is ill defined and partially visible from a number of vantage points, particularly travelling east from Warham House.



Bearing the above in mind, I would suggest that the proposed development of this site is acceptable and the landscape has the capacity to accommodate these large buildings. However, substantial landscaping, in the form of hedge and tree planting, should be provided to the western and northern boundaries of the site, in particular the northern portion of the western boundary. Unfortunately, the 'red line' application site will not provide sufficient space for the amount of landscaping required and we should seek to ensure planting extends into land in the applicant's ownership surrounding the site. I would generally recommend the use of native species with a predominance of oak (*Quercus robur*), planted in dense clumps, connecting stretches of hedgerow. I generally discourage the planting of large specimens, as they are slow to establish, prone to failure and expensive to replace - landscaping of a site of this nature should seek to achieve long-term enhancement of the site rather than a 'quick fix' mitigation of any unacceptable visual impact.

## 5. Representations

- 5.1 Breinton Parish Council: Breinton Parish Council supports established farming industry in the Parish and understands that expansion is necessary to achieve viability. It therefore has no objection, in principle, to this application. However, the size of this development is a concern, although the members of the Council are not qualified to give a view as to whether or not a development on this scale is viable in relation to the farm as a whole. (UDP: H8, 4).

Most of the concerns raised are related to the impact this development will have on the immediate environment and surrounding properties, two of which lie within around 100m of the tallest building of the proposed expansion and several more of which are within 400m.  
(UDP: 6.5.22).

The Council wonders why some of the new buildings could not be accommodated in the orchard, closer to the house, thus reducing the impact on open countryside.  
(UDP: H8, 2).

The Council would suggest that the silage clamp and straw barn should be interchanged, thus lowering the height of the very tall barn closest to Warham Court Cottages (to the north) by around 1.5m. This would reduce the impact of the development from the road (C1189) and from many of the surrounding properties. Also, a lower roofline would be achieved if these two buildings were sunk into the ground by a small amount to put the foundations and floor of all buildings on the same level.  
(UDP: E13, 2 and E16, 3).

It is with the huge impact of such a large expansion in mind that the Parish Council would ask that, if planners are minded to approve this application, the following conditions would be imposed, and that the Parish Council could be party to the conditions of such approval before it is implemented:

Roofing materials should be light absorbing to reduce glare and reflection. All construction materials used should be sympathetic to and harmonise with the immediate surroundings (UDP:H8:3)

The existing drainage system be upgraded to cope with the loss to concrete of over half a hectare of draining land. Such a system should ensure that excess water is drained away, under the road (73023), down towards the river.

(UDP: E12, 2)

The entire development should be landscaped on all those sides without entrances. Such landscaping should include the planting of a variety of broadleaf trees with different canopy heights (UDP: E16, 3)

The track across the field be used for farm vehicles only. Large vehicles should be specifically prohibited, both during construction and in the future to protect the adjacent property.

That during the construction period, deliveries and work should take place between reasonable hours.

Subject to these conditions being imposed, the Parish Council does not object to this application.

- 5.2 Five letters of objection have been received from Mr. M. & Dr. K. Oakley, Pilliners Hill, Breinton; N. & P. Eyles, Fairfield, Breinton; Mr. R. Franklin, Cluttons, Church Farm Business Park, Corston, Bath; Mr. P. Bannister, 1 Warham Court Cottage, Breinton and Mrs. E. Linton, 2 Warham Court Cottage, Breinton.

The main points raised are:

1. Increased surface water drainage could impact on adjoining residents.
2. Septic tank spreader systems could be affected.
3. Construction of a pond could lead to flooding of adjoining dwellings.
4. Danger of sewage seeping into new pond.
5. The size and in particular height of the new buildings will impact detrimentally on the visual appearance of the area and adjoining residents.
6. The development will overlook adjoining property.
7. A track runs from this farm to Warham Farm to the north and passes by No. 1 Warham Cottage. Its increased use would be detrimental to the amenity of residents. In addition the access is restricted.
8. Concerns on environmental grounds regarding 600 cattle, noise, smell with silage dump, dung middens and light pollution.
9. Unit 3 should be moved to the side of Units 1 and 2 which would then have a direct access.
10. A bank of trees would improve the impact of the development on the landscape.

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. Officer's Appraisal

6.1 This is a major agricultural development that will considerably expand the beef rearing enterprise at Warham Court Farm, Breinton. Units 1 and 3 will be located either side of the existing Unit 2 which is already in use for beef rearing. The silage clamp and straw barn will be handed and moved back away from Warham Cottages. The main aspects to consider are:

1. The Principle of Development
2. Landscape Impact
3. Impact on Amenity of Adjoining Residents
4. Highways

### Principle of Development

6.2 This proposal seeks a substantial expansion of buildings at Warham Court Farm covering 5931.964m<sup>2</sup> of floor space. Policy E13 of the Herefordshire Unitary Development Plan confirms that new buildings need to be sited with the group or positioned so that they are readily assimilated into the landscape, not have an adverse impact on residential amenity and well related to existing development.

6.3 The buildings are proposed within part of the group of buildings at the farm and therefore will be seen as part of the farm complex. However, they will, due to the overall size, considerably expand the size of the farm complex and therefore the impact on the landscape is a critical factor. Therefore the principle of development is acceptable subject to its landscape impact and impact on residential amenity.

### Landscape Impact

6.4 The Council's Conservation Manager has fully assessed the landscape impact of the development. It is confirmed that the Herefordshire Landscape Character Assessment defines the area as 'Principal Timbered farmlands'. It is distinguished by distinct patterns of hedgerows with mature trees. He confirms that the landscape can accommodate three large buildings subject to extensive landscaping in the form of hedge and tree planting on the western and northern boundaries. The visual impact will be further enhanced with the use of dark materials for the roof sheeting (slate blue).

### Impact on Residential Amenity

6.5 The buildings will be approximately 100 metres south of the nearest dwellings, Nos. 1 and 2 Warham Cottages and match the form and detail of the most recent building erected on site (Unit 2) that is steel framed with Yorkshire boarding under a slate blue/grey sheeted roof. In addition extensive landscaping is proposed between the new building and the adjoining dwellings which together with the distances involved is considered acceptable.

6.6 In addition the storm water attenuation pond has now been removed from the planning application. This was sited immediately adjacent to the nearest neighbours. The silage clamp and straw barn have also been 'handed' and moved slightly south in line with the new Unit 3. Therefore the combination of the distances involved, extensive landscaping and amendments to the layout, including deletion of the attenuation pond,

make the development acceptable and minimise the impact of the development on neighbours.

#### Highways

- 6.7 The Traffic Manager has raised no objections to the proposal, however local residents are concerned that the track that joins the two farms will be upgraded to take larger farm vehicles. The access point is adjacent to No. 1 Warham Cottage and evidence on the ground suggests that improvements to the access would benefit all concerned. The applicant is aware of this and therefore a suitable condition will be recommended.

### **RECOMMENDATION**

**Subject to the receipt of suitably amended plans, the Officers named in the Scheme of Delegation to Officers be authorised to issue planning permission subject to the following conditions and any additional conditions considered necessary by Officers:**

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

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

2. **G01 (Earthworks).**

**Reason: In order to ensure that the development conforms with Policies DR1 and LA5 of Herefordshire Unitary Development Plan).**

3. **G12 (Hedgerow planting).**

**Reason: In order to maintain the visual amenity of the area and to comply with Policy LA6 of Herefordshire Unitary Development Plan.**

4. **G13 (Tree planting).**

**Reason: In order to maintain the visual amenity of the area and to comply with Policy LA6 of Herefordshire Unitary Development Plan.**

5. **The existing access north of the site onto the Class III 1189 road shall be improved, details of which shall be submitted for approval in writing of the local planning authority prior to any works commencing on site. The approved access shall be finished prior to occupation of the buildings.**

**Reason: To enable the safe and free flow of traffic using the adjoining county highway and to conform with the requirements of Policy DR3 of the Herefordshire Unitary Development Plan.**

6. **I20 (Scheme of surface water drainage).**

**Reason: To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal and to comply with Policy DR4 of Herefordshire Unitary Development Plan.**

7. **I33 (External lighting).**

**Reason: To safeguard the character and amenities of the area and to comply with Policy DR14 of Herefordshire Unitary Development Plan.**

**8. I16 (Restriction of hours during construction).**

**Reason: To protect the amenity of local residents and to comply with Policy DR13 of Herefordshire Unitary Development Plan.**

**Informatives:**

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

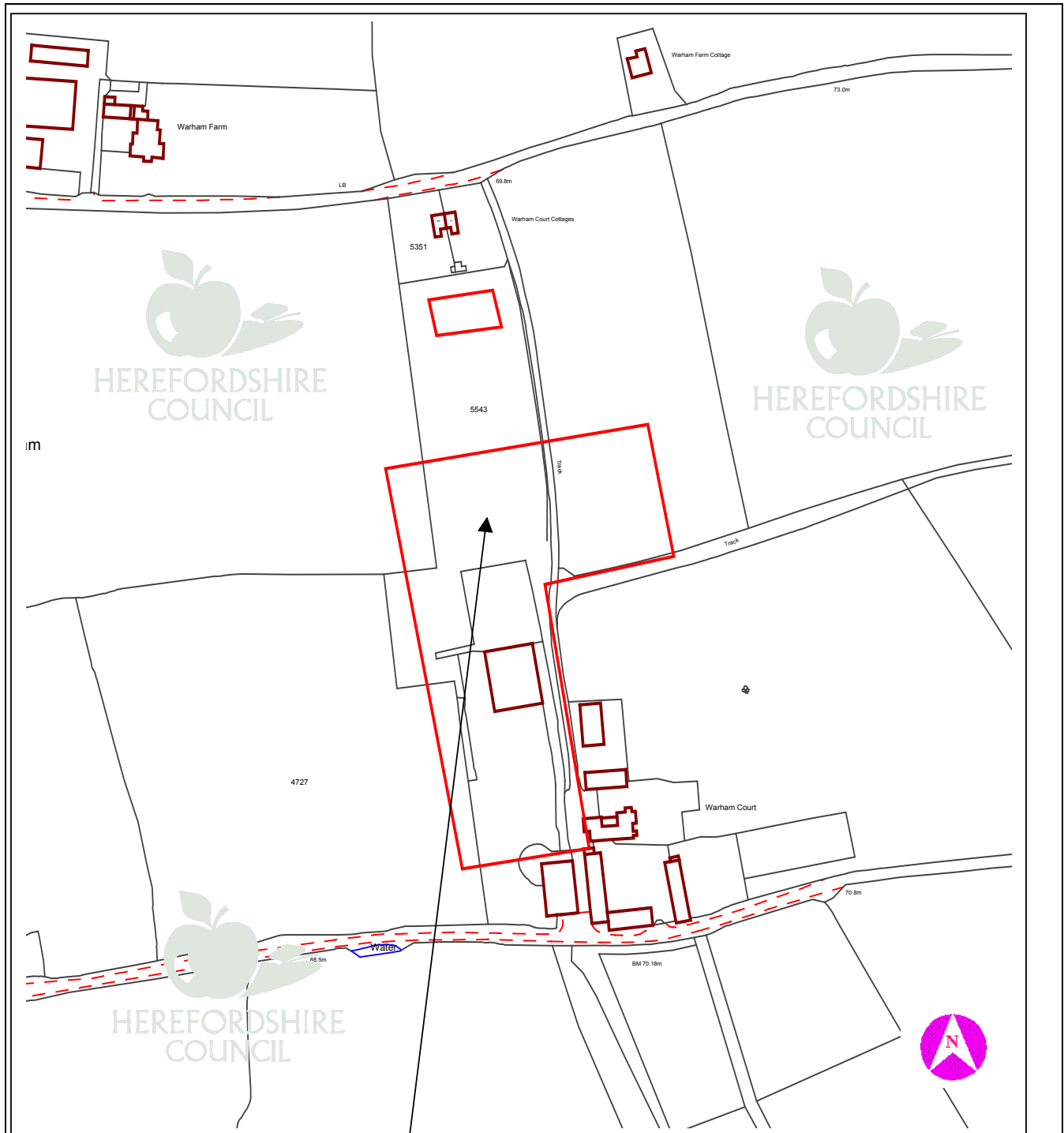
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**Background Papers**

Internal departmental consultation replies.



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**APPLICATION NO:** DCCW2008/0335/F

**SCALE :** 1 : 2500

**SITE ADDRESS :** Warham Court Farm, Breinton, Hereford, Herefordshire, HR4 7PF

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**9 DCCE2008/0552/F - PROPOSED CHANGE OF USE FROM AGRICULTURAL STORAGE TO STORAGE OF NON AGRICULTURAL PRODUCTS, BUILDING AT MILL FARM, FOWNHOPE, HEREFORD, HEREFORDSHIRE, HR1 4NT**

**For: Mr. D. Watkins per Thompsons, Agriculture House, Tillington Road, Hereford, HR4 9QJ**

**Date Received: 3 March 2008**

**Ward: Backbury**

**Grid Ref: 57481, 34727**

**Expiry Date: 28 April 2008**

Local Member: Councillor JE Pemberton

**1. Site Description and Proposal**

- 1.1 The application site is located to the south-west of the B4224 in open countryside adjacent to both the settlement boundary and conservation area of Fownhope. It also lies within the designated Area of Outstanding Natural Beauty.
- 1.2 The site currently consists of a steel framed agricultural building and a surrounding hardcore yard area with an existing access to the road. Residential properties are located to the south-east and north-west of the site. To the south-west is an agricultural field.
- 1.3 This application seeks permission for the change of use of the building from agricultural storage to use for storage of non-agricultural products. The proposal would be change of use only and does not involve any external alterations to the building.

**2. Policies**

**2.1 Planning Policy Statement**

PPS7 - Sustainable Development in Rural Areas

**2.2 Herefordshire Unitary Development Plan 2007**

Policy S1	-	Sustainable Development
Policy S2	-	Development Requirements
Policy S6	-	Transport
Policy DR2	-	Land Use and Activity
Policy DR4	-	Environment
Policy E8	-	Design Standards for Employment Sites
Policy E10	-	Employment Proposals within or adjacent to Main Villages
Policy E12	-	Farm Diversification
Policy T8	-	Road Hierarchy
Policy LA1	-	Areas of Outstanding Natural Beauty
Policy HBA12	-	Re-use of Rural Buildings

**3. Planning History**

- |     |            |  |   |                  |
|-----|------------|--|---|------------------|
| 3.1 | SH911001SZ | Building - general agricultural purposes   | - | Allowed 16.09.91 |
|     | SH930025PF | Proposed general purpose steel portal framed agricultural extension to existing building | - | Refused 02.03.93 |

**4. Consultation Summary**Statutory Consultations

- 4.1 No statutory or non-statutory consultations required.

Internal Council Advice

- 4.2 Traffic Manager - no objection.
- 4.3 Public Rights of Way Manager - no objection.
- 4.4 Conservation Manager - no objection.
- 4.5 Environmental Health & Trading Standards Manager comments – “The application site is relatively close to residential properties and whilst I do not have any objection to the proposal I would suggest that a condition restricting hours of work might be considered as safeguard to the future amenity of the neighbours. I would propose that delivery vehicle movements to and from the building, the loading and unloading of delivery vehicles and other work outside the store be prohibited after 6pm and before 8am Monday to Friday, after 1pm and before 8am on Saturdays, with no working on Sunday, Bank and Public Holidays.”

**5. Representations**

- 5.1 Fownhope Parish Council – “recommends that more information is required prior to a decision being made. It was considered that access is dangerous, proposed change of use may increase traffic movements. Noise pollution increase, insufficient parking and turning area without major resurfacing of area adjacent to storage shed being required. Type of storage not specified or detailed. Lack of screening to adjacent properties.”
- 5.2 Four representations have been received from:

Mrs A Barber-Starkey, York House, Lower House Gardens, Fownhope, HR1 4NN  
 Mr P Morris, Mill House Farm, Fownhope, HR1 4NT  
 Mr P F Daines, Mill Farm Barn, Fownhope, HR1 4NT  
 Mrs B Oakley, Deerfield House, Fownhope, HR1 4NN

which raise concerns about additional traffic movement and noise generating activity on this site as well as the types of products to be stored in the building.



- 5.3 In response to concerns raised by neighbours, the agent supplied the following information:

“We do not anticipate that the premises will be used for the storage of deleterious materials (i.e. non deleterious materials only). It is considered that the type of items which could be stored may range from furniture, previously manufactured goods being stored for onward movement to retail outlets, plant and machinery. It is not anticipated that there would be any storage of hazardous substances and a restriction against that would, I think, be acceptable to our clients. It is not proposed that any manufacturing or further treatment of materials would take place at the property. It is not proposed that any storage would be with a view to retail on site and it is not considered that the property will be accessible to general public passing. It is a discreet storage unit and its position and nature tend towards a storage use.”

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. Officer's Appraisal**

- 6.1 Both PPS7 and Unitary Development Plan Policy HBA12 encourage the re-use of rural buildings for employment purposes subject to meeting the requisite criteria. The main issues in the determination of this application are the impact of the proposed use on the road network, the amenities of local residents and the landscape.
- 6.2 It is clear from the representations received that noise and disturbance relating to the type of use and the number and type of vehicular movements generated by the proposed use are serious concerns associated with this particular use.
- 6.3 With regard to residential amenity, it is noted that the nearest residential property, Deerfield House, is located approximately 45m away from the proposed building. Due to the close proximity there is some concern that the unspecified B8 use may cause harm to the living conditions of the occupier of the neighbouring property. However, the proposed use is a storage and distribution use (B8) for storage purpose. Whilst the agent is unable to specify the nature of storage use, he indicated that the premises will be likely to be used for the storage of furniture, manufactured products, plant and machinery and will not be used for the storage of deleterious materials. Taking into account the proposal is for general storage use only, it would not have any unacceptable impact on the amenity of the neighbouring property. The Environmental Health Manager has considered the proposal and raises no objection. Should any noise nuisance or disturbance be identified in the future these issues can be effectively controlled under the Environmental Protection Act 1990.
- 6.4 In terms of traffic generation, the existing access from the application site enters on to the B4224 which is a secondary distributor road. The existing access is of appropriate design and construction to satisfy the highway requirement. The building was formerly used as a potato store for agricultural purposes where traffic generation would be significantly greater, particularly during the crop season. The Traffic Manager has no objection to the application. It is considered that subject to conditions restricting the delivery hours, the number of traffic movements generated by the proposed use will not be detrimental to highway safety.
- 6.5 The proposed building is set well back and screened from the main road. At present the building is visible from the adjoining neighbouring properties to the south-east and

north-west. The agent has acknowledged the concerns expressed by the neighbour and indicated that some landscaping would be provided along the south-east boundary in order to enhance the visual amenity and minimise the effect on the amenity of the neighbouring property. Notwithstanding this, condition will also be imposed to restrict any goods, plant, material or machinery to be deposited or stored outside the building on the hardcore yard area in order to preserve the rural character and the wider landscape.

- 6.6 In conclusion, and taking all matters raised, it is considered that the proposed B8 use would not be detrimental to the amenity of the nearby residents or the safety of the highway network. The proposal is in accordance with the relevant planning policies and the objective of Government guidance, subject to appropriate conditions, the proposal represents an acceptable development.

### **RECOMMENDATION**

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

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

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

2. **F05 (Restriction on hours of use (industrial)).**

**Reason: In order to protect the amenity of occupiers of nearby properties and to comply with Policy DR1 of Herefordshire Unitary Development Plan.**

3. **F06 (Restriction on Use).**

**Reason: The local planning authority wish to control the specific use of the land/premises, in the interest of local amenity and to comply with Policy DR2 of Herefordshire Unitary Development Plan.**

4. **No goods, plant, material or machinery shall be deposited or stored outside the application site edged in red on the plan date stamped 3rd March, 2008.**

**Reason: To protect the appearance of the locality and the amenity of the neighbouring properties.**

5. **I33 (External lighting).**

**Reason: To safeguard the character and amenities of the area and to comply with Policy DR14 of Herefordshire Unitary Development Plan.**

6. **I35 (Time limit on floodlighting/external lighting).**

**Reason: To minimise the impact of the floodlights and to protect the residential amenity of nearby dwellings so as to comply with Policy DR14 of Herefordshire Unitary Development Plan.**

7. **G10 (Landscaping scheme).**

**Reason: In order to maintain the visual amenities of the area and to conform with Policy LA6 of Herefordshire Unitary Development Plan.**

**8. G11 (Landscaping scheme - implementation).**

**Reason: In order to maintain the visual amenities of the area and to comply with Policy LA6 of Herefordshire Unitary Development Plan.**

**Informative(s):**

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

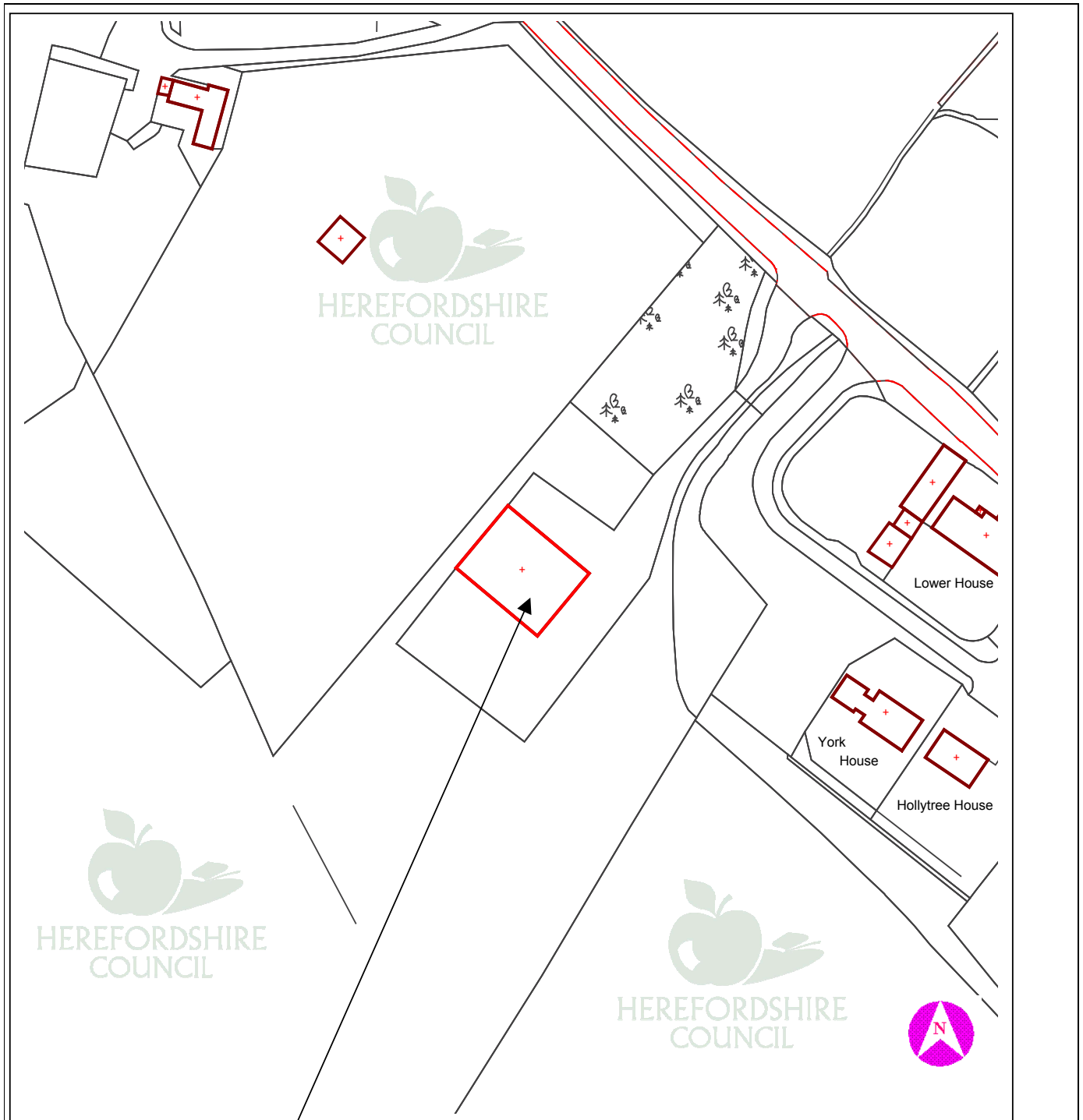
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**Background Papers**

Internal departmental consultation replies.



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**APPLICATION NO:** DCCE2008/0552/F

**SCALE :** 1 : 1250

**SITE ADDRESS :** Building at Mill Farm, Fownhope, Hereford, Herefordshire, HR1 4NT

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