

Southern Area Planning Sub- Committee

Date: **Wednesday, 10th October, 2007**

Time: **2.00 p.m.**

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

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

For any further information please contact:

*Ricky Clarke, Members' Services, Tel: 01432
261885 Fax: 01432 260286
e-mail: rclarke@herefordshire.gov.uk*

**County of Herefordshire
District Council**

AGENDA

for the Meeting of the Southern Area Planning Sub-Committee

To: Councillor G Lucas (Chairman)
Councillor PD Price (Vice-Chairman)

Councillors CM Bartrum, H Bramer, PGH Cutter, MJ Fishley, AE Gray, TW Hunt, JA Hyde, JG Jarvis, TMR McLean, RH Smith, RV Stockton, DC Taylor and JB Williams

	Pages
1. APOLOGIES FOR ABSENCE	
To receive apologies for absence.	
2. DECLARATIONS OF INTEREST	
To receive any declarations of interest by Members in respect of items on the Agenda.	
3. MINUTES	1 - 6
To approve and sign the Minutes of the meeting held on 12th September, 2007.	
4. ITEM FOR INFORMATION - APPEALS	7 - 8
To note the contents of the attached report of the Head of Planning Services in respect of the appeals received or determined for the southern area of Herefordshire.	
REPORTS BY THE HEAD OF PLANNING SERVICES	
To consider and take any appropriate action in respect of the planning applications received for the southern area and to authorise the Head of Planning Services to impose any additional or varied conditions and reasons considered to be necessary.	
Plans relating to planning applications on this agenda will be available for inspection in the Council Chamber 30 minutes before the start of the meeting.	
5. DCSE2007/2694/F - STONY RISE, WOOLHOPE, HEREFORDSHIRE	9 - 14
Replacement semi-detached cottages in lieu of dilapidated 1960's bungalow.	
6. DCSE2007/2552/A - ROSS CONSERVATIVE CLUB, THE AVENUE, ROSS-ON-WYE, HEREFORDSHIRE	15 - 18
Replacement sign on the corner of Walford Road and The Avenue.	
7. DCSW2007/2235/F - CASTLEBURY, MADLEY, HEREFORD,	19 - 22
Proposed general storage building.	

8.	DCSW2007/2054/F - PANDY INN, DORSTONE, HEREFORD, HR3 6AN	23 - 30
	Extension to provide kitchen stores, toilets and owners bedrooms. New building to provide 8 guest rooms and 2 staff bedrooms.	
9.	DCSW2007/2455/F - NO. 4 DOYRE HOUSE, PONTRILAS, HEREFORDSHIRE, HR2 0EH	31 - 34
	Conversion of attic to provide additional residential space (2 bedrooms and 1 bathroom).	
10.	DCSW2007/2050/F & DCSW2007/2029/L - SHOP BARN, PWLL-Y-HUNT, PONTRILAS, HEREFORDSHIRE, HR2 0HF	35 - 42
	Construction of garage/workshop building to accompany shop barn.	
11.	DCSW2006/2992/O - FIELD NO. 9825 OPPOSITE LOWER HOUSE, PONTRILAS ROAD, EWYAS HAROLD, HEREFORDSHIRE, HR2 0ES	43 - 50
	Site for 5 dwellings, comprising 3 no. 4 bedroom two-storey dwellings and 2 no. semi-detached 3 bedroom dwellings.	
12.	DCSE2007/2435/F - LAND ADJACENT TO THE OAKS, BANNUTTREE LANE, BRIDSTOW, ROSS-ON-WYE, HEREFORDSHIRE, HR9 6AJ	51 - 54
	Proposed single storey link between dwelling and double garage to accommodate ground floor study/bedroom and en-suite facility and form rear extension.	
13.	DCSE2007/2695/F - ST JOSEPH'S, WALFORD ROAD, ROSS-ON-WYE, HEREFORDSHIRE	55 - 70
	Demolition of school hall and erection of a two-storey block of four flats and conversion of The Retreat to three flats.	
14.	DCSE2007/1872/F & DCSE2007/1874/L - HUNTSHAM COURT FARMHOUSE, HUNTSHAM COURT, GOODRICH, ROSS-ON-WYE, HEREFORDSHIRE, HR9 6JN	71 - 80
	Conservation, repairs and alterations.	
15.	DCSE2007/1938/F & DCSE2007/1940/C - ST JOHN AMBULANCE, EDDE CROSS STREET, ROSS-ON-WYE, HEREFORDSHIRE, HR9 7BZ	81 - 88
	Demolition of redundant ambulance station and erection of 6 no. two bed flats.	

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COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL

BROCKINGTON, 35 HAFOD ROAD, HEREFORD.

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COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL

MINUTES of the meeting of Southern Area Planning Sub-Committee held at The Council Chamber, Brockington, 35 Hafod Road, Hereford on Wednesday, 12th September, 2007 at 2.00 p.m.

Present: Councillor G Lucas (Chairman)
Councillor PD Price (Vice Chairman)

Councillors: CM Bartrum, H Bramer, PGH Cutter, MJ Fishley, AE Gray, JA Hyde, RH Smith and JB Williams

In attendance: Councillors TW Hunt and RV Stockton

62. APOLOGIES FOR ABSENCE

Apologies were received from Councillors JG Jarvis, TMR McLean, and DC Taylor.

63. DECLARATIONS OF INTEREST

The following declaration of interest was made:

Councillor	Item	Interest
G Lucas	Agenda Item 6 DCSE2007/1771/G – Variation of section 106 agreement ref: SH940997PF Land adjacent to Caradoc, Sellack, Ross-on-Wye, Herefordshire, HR9 6LS.	A prejudicial interest was declared and the member left the meeting for the duration of the item.

64. MINUTES

Councillor PD Price noted that under minute item 59 the applicant's representative was referred to as an agricultural contractor and not as his correct title of agricultural consultant.

RESOLVED: That the Minutes of the meeting held on 15th August, 2007 be approved as a correct record and signed by the Chairman subject to the afore mentioned amendment to minute item 59.

65. ITEM FOR INFORMATION - APPEALS

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

66. DCSW2007/2543/O - GARDEN OF SANDRIDGE, SANDRIDGE, BARRACK HILL, KINGSTHORNE, HEREFORDSHIRE, HR2 8AY.

The Principal Planning Officer reported the following:

- The Parish Council supports the application.
- The Transportation Manager recommends as follows: “HR5 - requires that speeds to determine visibility splay at junction with U/C 71609 which will need to be conditioned, if not achievable recommend refusal.”
- The Officer commented that the Transportation Manager had not previously requested a speed survey, but was concerned about parking and manoeuvring on the application site.

The Principal Planning Officer advised that the application was not within the settlement boundary of Kingsthorne. He also provided details of the appeal case referred to in the report.

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

Councillor RH Smith, the local ward member, felt that the key policy in determining the application was H6, as Kingsthorne was listed as a smaller settlement in the UDP. He felt that the application met all of the standard criteria for Policy H6 and felt that it should be approved contrary to the Officers recommendation.

Councillor PGH Cutter felt that the application site fell within the settlement boundary for Kingsthorne and noted that there were a number of existing dwellings nearby.

The Southern Team Leader advised Members that the application site did not fall within the settlement boundary as defined in the UDP, he also noted that the criteria contained in Policy H6 stated that the frontage of the site could be no more than 30 metres but the proposed site had a frontage of 55 metres and was therefore contrary to Policy.

Members discussed the application and felt that there was a local need for the proposed dwelling.

RESOLVED

The Southern Area Planning Sub-Committee is minded to approve the application subject to the conditions set out below (and any further conditions felt to be necessary by the Head of Planning Services) provided that the Head of Planning Services does not refer the application to the Planning Committee.

1) No conditions recommended by Members.

If the Head of Planning Services does not refer the application to the Planning Committee, officers named in the Scheme of Delegation to Officers be instructed to approve the application to such conditions referred to above.

[Note: Following the vote on this application, the Development Control Manager advised that he would refer the decision to the Head of Planning Services.]

67. DCSE2007/1771/G - LAND ADJACENT TO CARADOC, SELLACK, ROSS-ON-WYE, HEREFORDSHIRE, HR9 6LS.

The Principal Planning Officer reported the following:

- 3 letters of objection have been received in addition to those reported. The key points made are:
 - (i) The Committee report makes no mention of a second current application for a certificate of lawful existing use for part of East Wing as separate dwelling – this factual information is material to decision regarding S106 and its omission is potentially misleading.
 - (ii) We believe certificate cannot be granted as fails to meet the relevant tests but Members should be aware that the creation of a separate unit of accommodation would be at odds with the scheme granted planning permission in 1995 and in breach of the listed building consent (for a “single residence”) and potentially in breach of the requirements of the S106 the applicant is seeking to vary.
 - (iii) Officer’s report is misleading with regard to work already done and that which remains – in fact essential restoration works to West Wing, which constitutes $\frac{1}{3}$ to $\frac{1}{2}$ of original building, has not even started. The extensive list of requirements includes the walls, structure, services and internals not just the roof. These requirements are specified in details. It is entirely misleading to be told that the only outstanding essential works to the West Wing required by the S106 are roofing and glazing. In fact the neglected and dilapidated condition of the West Wing means that the whole of Caradoc Court is far from secure.
 - (iv) Only way for Members to make a proper, informed decision would be for them to visit Caradoc Court.
 - (v) The original planning permission for restoration and enabling development was granted on the basis that the whole of Caradoc Court would be preserved, not just part of it. Contrary to officer’s view the proposed variation would not serve this purpose equally well as Council would have conceded its only means of ensuring that the whole of Caradoc Court is preserved.
 - (vi) Impression gained locally some years ago was that applicant neither needed nor intended to use the enabling development to fund restoration and current application suggests a change in circumstances – if so all the more reason for original terms to be retained to ensure that an otherwise undesirable development does not take place without its achieving its sole justification.
 - (vii) Contrary to original agreement a caravan has frequently been observed on OS 0056 and hardcore has been laid down for it.
 - (viii) Applicant intends additionally to sell to a developer a plot OS 3161 (to east of browsing site).
 - (ix) Factual error in officer’s report in paragraph 1.3: full restoration is to be completed prior to occupation of the 6th new house.
 - (x) Conservation manager refers to owner being a private individual but it is understood that he intends to sell all the land to a commercial developer.
 - (xi) The Appendix is confusing and seems to infer that all clauses are variations whereas only clause 1 is varied.

Other concerns raised are:

- (i) The letter from the applicant’s agent referred to in paragraph 5.1 does not correctly describe the objector’s position or it is believed accurately reflect Mr Brooker’s.
- (ii) Enabling development is on skyline site and the steep scarp is one of finest prospects on this stretch of River Wye.

- (iii) Name suggests a site once fortified and topography resembles other local Dark Age/early medieval settlements – a careful archaeological watching brief should be stipulated.
- (iv) As originally submitted houses were on both side of East Cottage and approved plan is more open to objection because it concentrates development in more picturesque site, suburban style density and threatens hedges and trees. Also adjoining field to east included in sale particulars and developer will submit an application for further development there.
- (v) Sales particulars and on-line newspaper report have been submitted.

The applicant has submitted photographs of Caradoc Court before restoration works started.

The Principal Planning Officer made the following comments:

- The Conservation Manager has inspected the interior and exterior of Caradoc Court and estimates that 80% of the full restoration works have been undertaken.
- Paragraph 1.4 refers to one main exception. Other works are also required but these are relatively minor. The glazed roof of the conservatory should also be mentioned for completeness.
- I understand that occupation of the East Wing as a separate dwelling has been stopped pending the outcome of the application for a certificate of lawful existing use (referred to in paragraph 3.1; DCSE2007/0330/U). This use may be a breach of planning control but it is not clear that this has a direct bearing on the current application.

In accordance with the criteria for public speaking, Mr. Champion, representing Sellack Parish Council, and Mr. Gartside, representing the local residents, both spoke in objection to the application.

The Legal Practice Manager advised members that they had three options when determining an application of this type, they could refuse the application, cancel the agreement, or grant the variation.

Councillor JA Hyde, the local ward member, felt that if the section 106 agreement was amended as requested it would be to the detriment of Caradoc Court. She felt that it was important to keep the section 106 agreement in place to ensure that all works associated to Caradoc Court were completed prior to the new dwellings being commenced.

A number of Councillors supported the views expressed by the local ward member. They felt that the agreement was entered into and therefore should be honoured.

Councillor JB Williams felt that the applicant had done a good job of the restoration work to date. He noted that the applicant's circumstances had changed and felt that the section 106 agreement should be amended to reflect this.

In response to a question raised by Councillor RH Smith, the Principal Planning Officer confirmed that two small trees had been felled but that this work would not have required planning permission.

RESOLVED

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

A) Members felt that the terms of the original Section 106 agreement should be adhered to.

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

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

The meeting ended at 2.50 p.m.

CHAIRMAN

ITEM FOR INFORMATION - APPEALS**APPEALS RECEIVED****Application No. DCSE2006/1495/F**

- The appeal was received on 19th September 2007
- The appeal is made under Section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission
- The appeal is brought by The Singing Stud Ltd
- The site is located at The Singing Stud Yard, Land adjacent, Bodenham Farm, Much Marcle, Herefordshire, HR8 2NJ
- The development proposed is Retention of foaling boxes and one 'infil' stable (retrospective application)
- The appeal is to be heard by Written Representations

Case Officer: Steve Holder 01432 260479

Application No. DCSE2007/0704/F

- The appeal was received on 19th September 2007
- The appeal is made under Section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission
- The appeal is brought by The Singing Stud Ltd
- The site is located at The Singing Stud Yard, (adj. Bodenham Farm), Much Marcle, Ledbury, Herefordshire, HR8 2NJ
- The development proposed is Retrospective application for block work skin to existing stables.
- The appeal is to be heard by Written Representations

Case Officer: Steve Holder 01432 260479

Application No. DCSE2007/0705/F

- The appeal was received on 19th September 2007
- The appeal is made under Section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission
- The appeal is brought by The Singing Stud Ltd
- The site is located at The Singing Stud Yard, (land adj. Bodenham Farm), Much Marcle, Ledbury, Herefordshire, HR8 2NJ
- The development proposed is Retention of lean-to building for storage purposes.
- The appeal is to be heard by Written Representations

Case Officer: Steve Holder 01432 260479

APPEALS DETERMINED

Application No. DCSE2006/3409/O

- The appeal was received on 7th March, 2007
- The appeal was made under Section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission
- The appeal was brought by Mr B Tapsell
- The site is located at Plot 4, Burrups Lane, Gorsley, Herefordshire HR9 7FA
- The application, dated 12th September, 2006, was refused on 18th December, 2006
- The development proposed was Outline permission for one dwelling
- The main issues are the effect that the housing in the open countryside would have on the character of the area, and the potential overdevelopment of the site.

Decision: The appeal was DISMISSED on 28th August 2007

Case Officer: Steven Holder on 01432 260479

Application No. DCSW2006/2538/O

- The appeal was received on 26th March, 2007
- The appeal was made under Section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission
- The appeal was brought by Mrs Wigglesworth
- The site is located at Land adjacent to Mountview, Longtown, Herefordshire, HR2 0LT
- The application, dated 1st August, 2006, was refused on 19th September, 2006
- The development proposed was Outline application to provide one two storey dwelling.
- The main issue is the effect of the proposal on the setting of neighbouring dwellings and the settlement itself.

Decision: The appeal was UPHELD on 31st August, 2007

Case Officer: Angela Tyler on 01432 260372

Application No. DCSE2006/2284/F

- The appeal was received on 22nd March, 2007
- The appeal was made under Section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission
- The appeal was brought by Mr C Bateman
- The site is located at Wye Lea Country Manor, Bridstow, Ross-on-Wye, Herefordshire, HR9 6PZ
- The application, dated 17th July, 2006, was refused on 11th September, 2007
- The development proposed was Conversion of leisure buildings to a private dwelling with garaging and staff accommodation with new accesses to the highway.

Decision: Appeal was WITHDRAWN on 20th September, 2007

Case Officer: Steven Holder on 01432 260479

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

5 DCSE2007/2694/F - REPLACEMENT SEMI-DETACHED COTTAGES IN LIEU OF DILAPIDATED 1960'S BUNGALOW, STONY RISE, WOOLHOPE, HEREFORDSHIRE

**For: Mrs G Ardoino & Mrs EM Wren per Peter Martin,
19 Scotch Firs, Fownhope, Herefordshire, HR1 4NW**

Date Received: 20th August 2007 Ward: Old Gore Grid Ref: 61221, 35586

Expiry Date: 15th October 2007

Local Member: Councillor Miss TMR McLean

1. Site Description and Proposal

1.1 Stony Rise, a bungalow, is located on the east side of the C1298 that leads from Woolhope to Sollers Hope. The Stone House, a Grade II Listed building adjoins the site on its north side and Hillrise is to the south. St. Georges is to the southwest and Greytree is opposite. The site is located in the Woolhope Conservation Area and the Wye Valley Area of Outstanding Natural Beauty.

1.2 This application proposes to replace the existing bungalow with a pair of semi-detached dwellings. Each dwelling will accommodate living room, kitchen/dining room, WC and entrance hall on the ground floor with 4 bedrooms and a bathroom on the first floor. A single garage is proposed for each house. The entrance onto the C1298, which is close to the boundary with Hillrise, is to be repositioned to a central position. The new entrance will access both dwellings.

2. Policies

2.1 Planning Policy Guidance

- PPS1 - Delivering Sustainable Development
- PPS3 - Housing
- PPS7 - Sustainable Development in Rural Areas
- PPG15 - Planning and the Historic Environment

2.2 Herefordshire Unitary Development Plan 2007

- Policy S1 - Sustainable Development
- Policy S2 - Development Requirements
- Policy S6 - Transport
- Policy S7 - Natural and Historic Heritage
- Policy DR1 - Design
- Policy DR3 - Movement
- Policy H6 - Housing in Smaller Settlements
- Policy H13 - Sustainable Residential Design
- Policy H14 - Re-using Previously Developed Land and Buildings
- Policy LA1 - Areas of Outstanding Natural Beauty
- Policy HBA6 - New Development within Conservation Areas
- Policy HBA7 - Demolition of Unlisted Buildings within Conservation Areas

3. Planning History

- 3.1 DCSE2007/0293/F Demolition of bungalow. Erection of semi-detached dwellings. - Withdrawn

4. Consultation Summary

Statutory Consultations

- 4.1 No statutory or non-statutory consultations required

Internal Council Advice

- 4.2 Traffic Manager recommends that any permission be subject to conditions.
- 4.3 Conservation Manager – no objection subject to the garages being set back 0.5metre so they do not impinge on the street elevation.

5. Representations

- 5.1 Woolhope Parish Council – unanimously support this application because it will provide homes for local people.

- 5.2 A Design and Access Statement has been submitted with the application:

- The site is located within the village envelope and is presently occupied by a 1960`s/70`s bungalow
- The proposal is to replace this rather dilapidated structure with a pair of semi-detached dwellings
- Access will be of the adjoining lane
- Care has been taken with regard to the detailed design to reflect the vernacular of Woolhope
- There already exists a pair of not dissimilar semi-detached dwellings on the opposite side of the lane
- The proposed dwellings are designed in the "traditional style" therefore including the following indigenous features; massing, traditional style windows, gable windows, gallows style porch, brick and tile to local authority approval and dentil brick course.

- 5.3 Objection have been received from S Cowell, Hillrise, Woolhope and J Dixon, The Stone House, Woolhope

- The proposed dwelling is just 1 metre from our boundary fence which would give us no privacy as well as putting that side of our bungalow in permanent shadow
- A 2-storey dwelling would be totally out of place on a road where the majority of homes are bungalows
- The proposed dwelling would be much larger than the existing footprint, taking up a good proportion of the site making it an eye-sore of the future
- Woolhope is a conservation area the proposed dwelling would be accessed from a single track road
- Over the last 10 years there has been an increase in traffic on this road, which is starting to be an issue with residents. The proposal would exacerbate the situation

- Any two storey dwelling will severely impact our privacy and our use and enjoyment of our home as they will directly overlook our garden and house
- Any redevelopment should be a bungalow and not a two storey house.

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

6. Officer's Appraisal

- 6.1 This application proposes to replace an unprepossessing 1960`s/70`s bungalow that is located in the smaller settlement of Woolhope. Policy H6 permits limited infill development in smaller settlements provided the site is within the built up area of the settlement and the infill gap does not exceed 30 metres. The policy also restricts the scale of development to a maximum habitable space of 100 square metres for a four-bedroom house (90 square metres in the case of three-bedroom dwellings).
- 6.2 The application site is located in the recognised built up part of Woolhope where its redevelopment would not compromise the character of this part of the village. The site has a frontage of some 20 metres, which is adequate to accommodate the proposed dwellings. The proposed dwellings reflect the traditional scale, form and vernacular of other dwellings in the locality. The development will not harm the Conservation Area or the Area of Outstanding Natural Beauty.
- 6.3 The proposed dwellings have been designed and positioned on the site so that they would not cause harm to the amenity of neighbours. Although they will be set further back than the position of the existing bungalow, this is to allow vehicles to enter and leave the site in a forward gear. Also, the dwellings will be in a position that would not be considered unneighbourly causing overshadowing of Hillrise. Further, the orientation and design of the dwellings will not cause direct overlooking of the adjoining dwellings thereby maintaining the amenity of the neighbours.
- 6.4 The applicant has been requested to set back the garages in line with the comments of the Conservation Manager, but at the time of report the amended plans had not been received. It is anticipated they will be available for Members consideration at the Sub-Committee meeting.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

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

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

2 B01 (Samples of external materials)

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

3 C14 (Signing of contract before demolition)

Reason: Pursuant to the provisions of Section 17(3) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

4 E18 (No new windows in specified elevation)

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

5 H03 (Visibility splays)

6 H05 (Access gates)

7 H09 (Driveway gradient)

8 H12 (Parking and turning - single house)

9 H27 (Parking for site operatives)

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 HN21 - Extraordinary maintenance

6 HN22 - Works adjoining highway

7 N19 - Avoidance of doubt

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

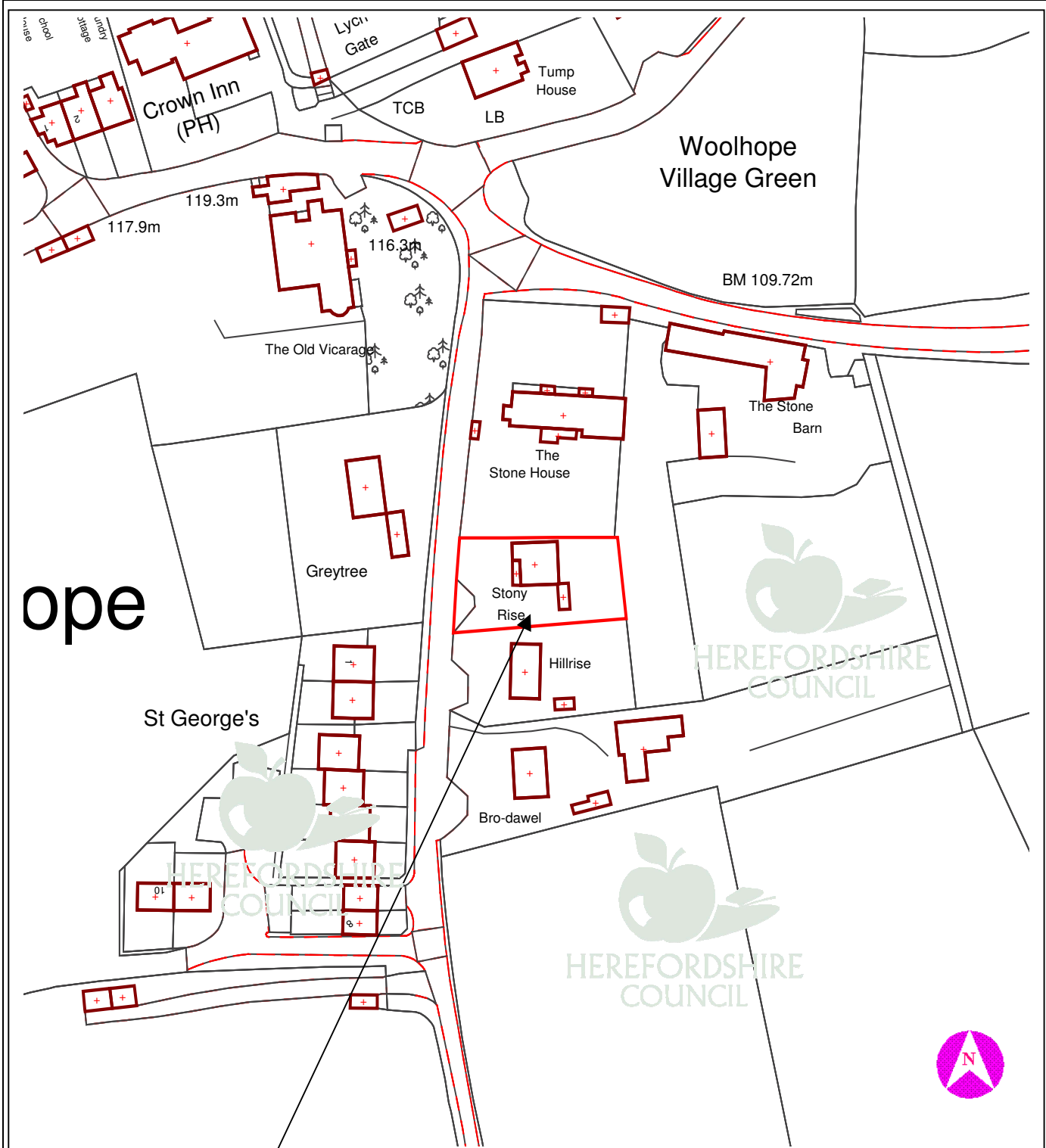
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCSE2007/2694/F

SCALE : 1 : 1250

SITE ADDRESS : Stony Rise, Woolhope, Herefordshire

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6 DCSE2007/2552/A - REPLACEMENT SIGN ON THE CORNER OF WALFORD ROAD AND THE AVENUE, ROSS CONSERVATIVE CLUB, THE AVENUE, ROSS-ON-WYE, HEREFORDSHIRE

For: Mr N Dale, c/o Ross Conservative Club, The Avenue, Ross on Wye, Herefordshire

Date Received: 10th August 2007 Ward: Ross-on-Wye Grid Ref: 59825, 23602 East

Expiry Date: 5th October 2007

Local Members: Councillor PGH Cutter and Councillor Mrs AE Gray

1. Site Description and Proposal

1.1 Ross Conservative Club is located on the south side of the junction of The Avenue with Walford Road. The Chestnuts Home for the Elderly is to the north. The site is located in an established residential area, the Ross-on-Wye Conservation Area and the Wye Valley Area of Outstanding Natural Beauty.

1.2 This application proposes the erection of a non-illuminated advertisement board, 1200mm x 700mm that will be located at the junction of The Avenue with Walford Road. The sign will be constructed in 3mm thick aluminium panel with folded returns with a powder coat finish, colour cream with applied vinyl blue lettering. The sign will be fixed to 2, 75mm box section posts, positioned on raised land behind a 1.1 metre high stonewall and in front of a leylandii hedge. The application seeks to display the advert for a period of 5 years.

2. Policies

2.1 Planning Policy Guidance

PPS1 - Delivering Sustainable Development
 PPG15 - Planning and the Historic Environment
 PPG19 - Outdoor Advertisement Control
 Circular 3/2007 Town and Country Planning (Control of Advertisements) (England) Regulations.

2.2 Herefordshire Unitary Development Plan 2007

Policy S7 - Natural and Historic Heritage
 Policy DR1 - Design
 Policy LA1 - Areas of Outstanding Natural Beauty
 Policy HBA6 - New Development within Conservation Areas
 Policy HBA11 - Advertising

3. Planning History

3.1 There is no planning history.

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 Conservation Manager - No objection.

5. Representations

5.1 An objection has been received from JP Allen, Invermoray, The Avenue, Ross-on-Wye. The main points raised are:

- The sign which has disappeared was no larger than a typical "House for Sale" sign.
- The new size is unnecessarily large and is not warranted.
- It will be out of place in this very pleasant residential, rather than commercial, area.

5.2 Ross Town Council has no objection.

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

6. Officer's Appraisal

6.1 The material considerations in the determination of this application are matters of amenity and public safety.

6.2 Amenity is considered to be the effect the sign will have on the visual and aural amenity in the immediate neighbourhood. In assessing amenity this is taken to be the local characteristics of the neighbourhood including its scenic, historic, architectural and cultural features. The site is located in an established residential area which the Conservation Manger comments is characterised by large detached Victorian and Edwardian villas with well planted gardens and mature trees. Many of the houses are built of sandstone in the Victorian Gothic style. The Conservative Club, former dwelling, is typical of this characterisation. While the sign is in a prominent position, the sign is not unduly large or of inappropriate design and is therefore unlikely to have any significant impact on the character of the conservation area.

6.3 Public safety is considered to be the safe use and operation of any form of traffic or transport on land (including the safety of pedestrians). The Traffic Manger considers the sign and position of the sign will not cause nuisance to either pedestrians or cause confusion to motorists using the adjoining road network and accordingly has no objection to the application.

RECOMMENDATION

That express consent be granted subject to the following conditions:

1 I01 (Time limit on consent)

2 A09 (Amended plans)

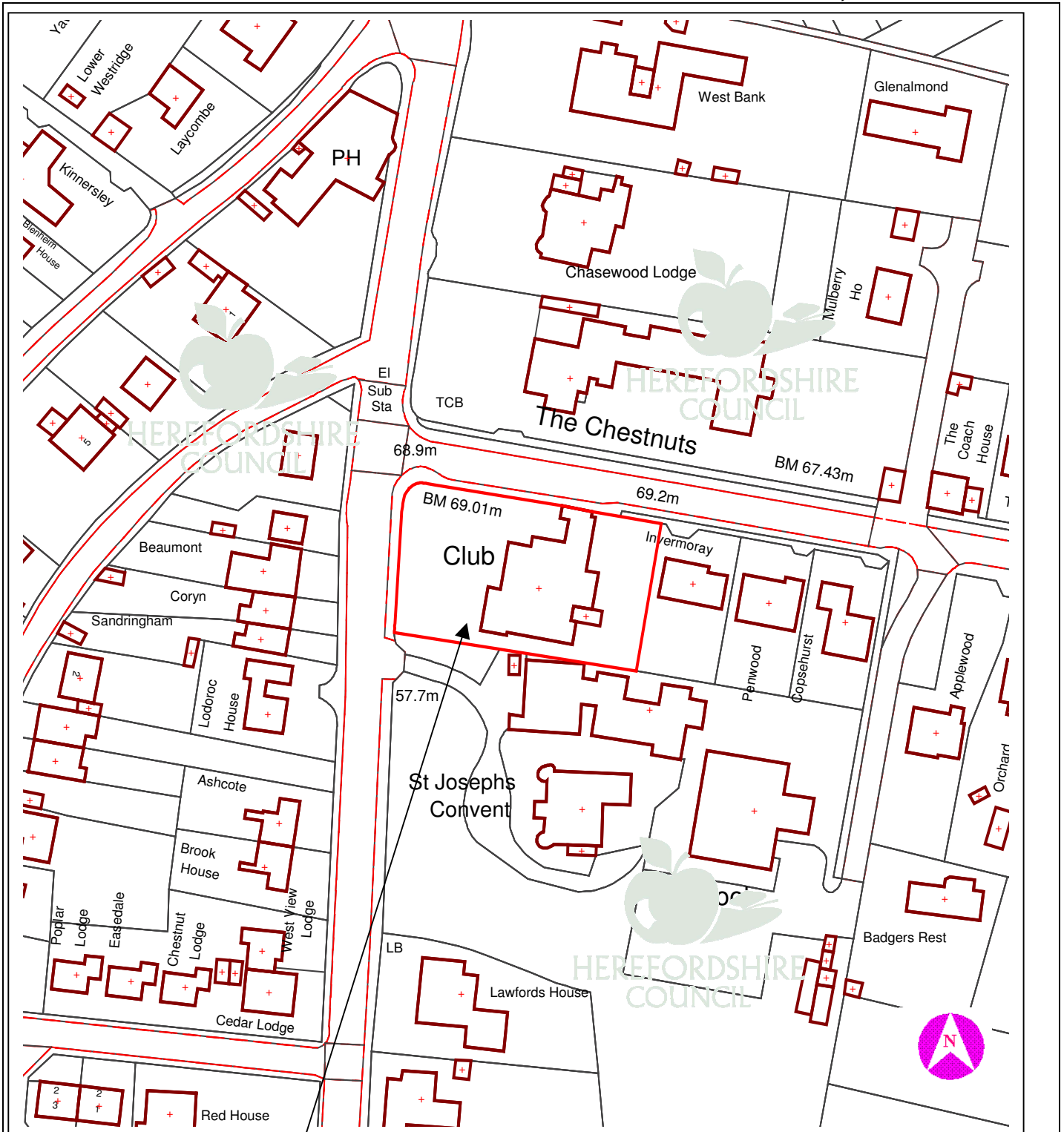
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCSE2007/2552/A

SCALE : 1 : 1250

SITE ADDRESS : Ross Conservative Club, The Avenue, Ross-on-Wye, Herefordshire

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7 DCSW2007/2235/F - PROPOSED GENERAL STORAGE BUILDING, CASTLEBURY, MADLEY, HEREFORD, HR2 9PE

For: Mr P Mason per Mr RL Gell, Penderw, Old Radnor, Presteigne, LD8 2RP

Date Received: 12th July 2007

Ward: Stoney Street

Grid Ref: 40274, 37525

Expiry Date: 6th September 2007

Local Member: Councillor DC Taylor

1. Site Description and Proposal

- 1.1 The proposal site is on the northern side of the C1193 road that links the south-western approach to Madley, i.e. on to the Brampton road, and Shenmore to the west. The site is well treed on the western and eastern boundaries. The site is in gently undulating landscape. There are no visible neighbouring properties.
- 1.2 It is proposed to erect a storage building. The building will be sited 45 metres north of the roadside or southern boundary of the site. There is an existing beech hedge between the site and the aforementioned highway from which access is gained. It is a three bay building 13.7 metres long, 9.2 metres wide and 6.5 metres to the ridge (4.5 metres to the eaves). The roof will be covered in big 6 fibre cement sheeting, colour anthracite grey and the walls will be clad in tan feather-edged boarding.
- 1.3 The building will be used to store bee-hives and associated equipment, implements, materials and equipment.

2. Policies

2.1 Planning Policy Statement

PPS.1 - Delivering Sustainable Development

2.2 Herefordshire Unitary Development Plan 2007

Policy H.18 - Alterations and Extensions
 Policy DR.1 - Design
 Policy E.13 - Agricultural and Forestry Development

3. Planning History

- 3.1 DCSW2007/0919/F Replacement dwelling and garage - Approved 04.05.07

4. Consultation Summary

Statutory Consultations

- 4.1 No statutory or non-statutory consultations required.

Internal Council Advice

4.2 The Traffic Manager recommends that the building be not used for commercial or business purposes.

5. Representations

5.1 The applicant's agent has submitted a Design and Access Statement in which the following main points are made:

- clients just taken up residence, will soon start work on replacement dwelling
- domestic curtilage around new house, small area of agricultural land to rear (presently unimproved grassland which will be grazed when fenced)
- storage needed for various implements, fodder, etc
- storage also required for large number of bee hives, arrayed on land for miles around
- also building materials and equipment will be stored
- style of building that of a small modern agricultural building
- dark grey fibre cement roof (30 degree pitch)
- walls covered in tanalised softwood weather boarding. It will fit in well in rural area and match the garage approved with new house
- existing hedgerow trees and high old hedge to lane to rear will all be retained, providing landscaping for building
- access will be via new access for house
- conclude that building fits well into site, good standard of design and accords with policy.

5.2 Madley Parish Council make the following observations:

"We do not support this application. We feel the size is excessive and are concerned that some time in the future planning permission will be sought to change into a house."

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

6. Officer's Appraisal

6.1 The main issue relates to the design and size of the building and the possible future use of it.

6.2 It is evident, from what is stated in the case submitted, that the new building will serve the needs of the applicant on his smallholding. The design of the building and in particular the materials of horizontal boarding and an anthracite grey coloured roof will help assimilate the building into the landscape, particularly the roof colour. The building is wider than the approved garage, almost due west of it, but is shorter in length. It is considered that the height is compatible for a modern agricultural storage building. It is a three-bay building with one window and double sliding doors and a single width door.

6.3 The building will not dominate the size nor detract from the amenity of the locality given that it is sited well into the site and is sited adjacent to established trees and hedging on the eastern boundary of the applicant's property.

6.4 It would be unreasonable to withhold planning permission for this agricultural storage building without specific justification. Should an application be received in the future for a change of use then it would be determined with regard to development plan policies at that time.

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. The premises shall be used for agricultural purposes and for no other purpose.**

Reason: In order to define the terms to which the application relates.

Informative(s):

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

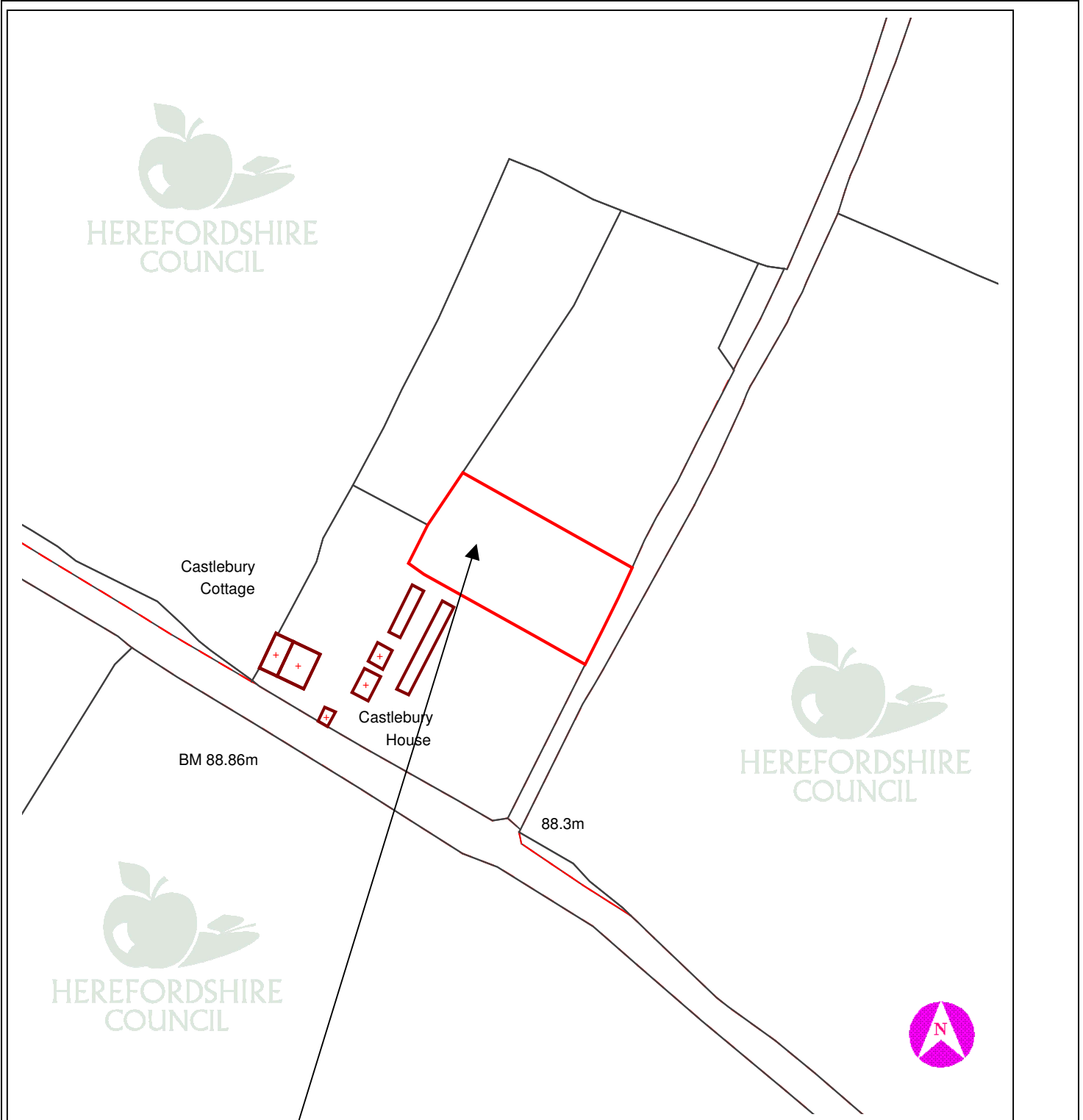
Decision:

Notes:

.....

Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCSW2007/2235/F

SCALE : 1 : 1250

SITE ADDRESS : Castlebury, Madley, Hereford, Herefordshire, HR2 9PE

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8 DCSW2007/2054/F - EXTENSION TO PROVIDE KITCHEN STORES, TOILETS AND OWNERS BEDROOMS. NEW BUILDING TO PROVIDE 8 GUEST ROOMS AND 2 STAFF BEDROOMS, PANDY INN, DORSTONE, HEREFORD, HEREFORDSHIRE, HR3 6AN

For: Mr & Mrs W Gannon per John Farr and Associates, Fincham, Stockley Hill, Peterchurch, Hereford, HR2 0SS

Date Received: 2nd July 2007 Ward: Golden Valley North Grid Ref: 31334, 41635

Expiry Date: 27th August 2007

Local Member: Councillor PD Price

1. Site Description and Proposal

- 1.1 The application site is the medieval Pandy Inn in the heart of Dorstone Conservation Area. It is diagonally opposite the village shop and tarmac surfaced car park. The motte and bailey of the castle, a Scheduled Monument is to the north-west of the public house. School House, a Grade II listed property is immediately to the north.
- 1.2 There is parking to the rear of the premises reached via an entrance between the public house and School House which inclines and which is taken at walking pace by vehicles. There is a lawned area beyond the car park on which it is proposed to erect a detached two-storey building providing 8 bedrooms on two floors with its own entrance/hallway. Accommodation is also provided on the southern side under a timber clad lean-to element for staff. This lean-to element comprises two staff bedrooms, kitchen (2.2 metres by 1.8 metres). The main building is 6.2 metres at the highest.
- 1.3 The public house will be extended south-westward. The ground floor will provide a new kitchen and hall. The first floor accommodation will provide improved accommodation for the applicants who live over the public house. The hallway will provide a conventional access, as at present access is via an external staircase and decking off the lawned area to the south of the public house. The ground level of the public house is between 1 to 1.2 metres below that of the aforementioned lawned area. A lean-to element runs northwards off the two-storey extension, underneath the sloping roof will be new wc's, cupboards and storage space (in association with the kitchen). The existing vacated kitchen area which is in the oldest part of the property will provide additional space for customers; this space is approximately just over 4 metres square in area. The gents wc is at present in an outbuilding separated from the public house.
- 1.4 The applicant's agent has confirmed recently, in writing, that foul drainage via a package sewage treatment plant will be discharged to a watercourse as agreed for by the Environment Agency.
- 1.5 The car parking area will be increased from 11 to 13 spaces, this will need to include for provision for the accommodation block and staff.

2. Policies**2.1 Planning Policy Statement**

PPS.1 - Delivering Sustainable Development

2.2 Herefordshire Unitary Development Plan 2007

Policy DR.1 - Design
 Policy DR.2 - Land Use & Activity
 Policy DR.4 - Environment
 Policy HBA.6 - New Development within Conservation Areas
 Policy E.6 - Expansion of Existing Businesses
 Policy TCR.14 - Village Commercial Facilities
 Policy RST.12 - Visitor Accommodation

3. Planning History

- 3.1 SH911625PF New dwelling for use in connection with The Pandy Inn (not implemented) - Approved 02.09.92
- SW1999/3130/F Fire escape, decking (implemented) - Approved 06.01.00

4. Consultation SummaryStatutory Consultations

- 4.1 English Heritage state that 'the proposed design is not significantly detrimental to the setting of the Castle. Use of local materials will be important.'

Internal Council Advice

- 4.2 The Traffic Manager recommends refusal as parking provision is insufficient for staff accommodation, guest accommodation and dining provision.
- 4.3 Conservation Manager - Archaeology - does not consider that the development would harm the setting of the Castle Monument. Recommends a condition be attached covering disturbance with ground works.

The Conservation Manager - Conservation - further states "that extension and works appear necessary for functioning of public house. Will not impact on Conservation Area nor setting of The School or the motte. More details required. Reservations relating to new building on edge of Conservation Area, suggest simpler building and more modest proposal and location would have less impact on Conservation Area."

- 4.4 The Environmental Health and Trading Standards Manager states "that there are known problems with existing septic tank drainage, that has been the subject of a Section 59 Building Act Notice. A packaged sewage treatment plant and discharge to a watercourse would be the appropriate approach."

5. Representations

5.1 In the Design and Access Statement that accompanied the application the following main points are made:

- two elements to the design, the public house extension and the separate guest and staff accommodation
- public house extension needed to provide kitchen, stores and modern toilets, with improved accommodation for clients
- design is intended to reflect existing character and be subservient to main building
- extension built into ground, ridge dropped. Stores and toilets under a monopitch catslide roof
- allows oldest part of building (13th Century?) to be part of the public area
- separate building needed for 4* standard accommodation and house staff who cannot find rooms in the village
- building utilises traditional local forms, proportions and scale and materials to produce an organic building
- site for vehicles and pedestrians unchanged
- access on level, suitable for wheelchairs
- each building will have disabled facilities and guest block will have a suitable staircase
- two spaces in car park for disabled users
- car park will be surfaced and spaces delineated, will increase number of spaces.

5.2 Five letters of objection have been received from:

Mr D Davies & Mrs CL Davies, Pandy Lodge, Dorstone, HR3 6AN
D & C Glossop, Clover Cottage, Dorstone, HR3 6AN
Mrs S Corrick, The Lawns, Dorstone, HR3 6AN
DA Burd, Oak House, Dorstone, HR3 6AP
Mr K. & Mrs SE Longbottom, School House, Dorstone, HR3 6AN

The following main points are raised:

- impact on rural businesses, including B & B
- insufficient parking area and increase in traffic movement
- shop car park adjoining us will be used more intensively
- problems with outflow and smell from drainage system now, will get worse
- extension will affect integrity of one of oldest inns in Herefordshire. Built to house workers building St. Faith's Church (in Dorstone)
- extension will take away light from our property, have no north-west facing windows
- consider impact on Ancient Monument Site
- front door closer by 5.5 metres, more noise, smoking and pollution. Utilise public house garden entrance
- noise from footfall utilising dual vehicle/pedestrian access
- use of kitchen as games room will affect our amenity as will gallery upstairs with overlooking window
- in essence feel positive as regards modernising The Pandy.

5.3 One letter of support has been received from:

Mr C & Mrs B Thomas, Castle Barn, Dorstone, HR3 6AP

The following main points are raised:

- very important part of Dorstone life
- vital to its viability
- need to be aware of interests of nearby neighbours and for extension to fit in with style of existing inn as far as possible.

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

6. Officer's Appraisal

- 6.1 The main issues are considered to be the means of foul drainage, the extensions to The Pandy and the detached building, amenity of local residents, impact on Ancient Monument site, car parking provision and impact on local businesses.
- 6.2 Representations have been received relating to problems that have arisen with the existing septic tank drainage which it is understood has spreaders on the lawned area on which the new accommodation block will be sited. It is evident from the consultation reply received from the Environmental Health and Trading Standards Manager that the applicants have remedied the existing problems. The proposed package sewage treatment plant will, with the Consent to Discharge granted by the Environment Agency, allow foul water to be treated such that the amenity of residents in the locality will be greatly improved.
- 6.3 It is considered that the extension to the public house is proportionate and will not detract from the amenity of this part of the Conservation Area nor the setting of the Ancient Monument site to the north-west, which should be noted is not contiguous with the application site. The Conservation Manager and English Heritage have confirmed that the proposal would not materially detract from the setting of the Scheduled Monument site. The Conservation Manager recommends that conditions relating to further details, i.e. windows, verges, chimneys and materials be provided. The detached building is one for which again English Heritage do not consider, on balance, would detract from the setting of the Scheduled Ancient Monument. The Conservation Manager has reservations about the position of the building proposed considering that it cuts off views of the open countryside and that the building could be simplified as well as the materials on the two-storey building with lean-to's on the southern and northern ends. It is considered that whilst the Conservation Manager has reservations, the building proposed given that it is broken up into different elements, i.e. gables and lean-to's and is just over 6 metres in height, will not detract greatly from this part of the Conservation Area. It should also be noted that planning permission was granted for a dwelling in 1992, for a dwelling used in connection with The Pandy Inn either for holiday use or for staff accommodation. It is considered that the building proposed, on balance, will not materially detract from the setting of this part of the Conservation Area. This will depend upon the materials and finishes proposed, which will need to be the subject of a planning condition.

- 6.4 The car parking provision will only increase marginally over that which is provided at present. The major addition to The Pandy Inn is that for a kitchen which is larger and better sited in relationship to the restaurant. It is the need for parking for the holiday accommodation which will utilise the car parking to the rear of The Pandy Inn as well as possibly for staff. There is considered to be inadequate parking provision presently, this is a historic problem particularly given the land available and the restricted means of access between School House and The Pandy Inn. This was an issue in 1992 when objections were received from residents about the inadequacy of parking provision and that parking took place throughout the village lanes. Therefore, this is a factor for one of the key community facilities in the village. The parking provision is not sufficient, however it is considered, given the history of the site and the proximity of the car park opposite the site, the application can be supported subject to provision for cyclists for holidaymakers, staff and customers as recommended by the Traffic Manager.
- 6.5 The remaining issues relate to those raised by local residents relating to the amenity of their properties. The provision of an entrance hall on the north-eastern side of the building thereby moving an outside door nearer a property immediately to the north-west across the hard surfaced apron of The Pandy Inn used for access purposes is not considered to be detrimental to the amenity of residents in the dwelling which faces south-west across the site than at present. There are other entrances out of the building, including off the main road and on the north-western side more likely to be used by customers using the restaurant.
- 6.6 The siting of the extension will, it is stated, remove light from Pandy Lodge. The extension will be some 10/11 metres to the south-east of Pandy Lodge and be just over 6.5 metres to the ridge. This is considered to be sufficient distance between the proposed extension and Pandy Lodge. Pandy Lodge will be affected when the sun is lower in the sky at certain times of the year as it is presently, however the extension will not dominate it, this is helped by the fact that there are no windows at first floor level and above in the proposed extension, on the north-east elevation.
- 6.7 It is considered that the provision of the visitor accommodation satisfies the provisions of Policy RST.12 in the Herefordshire Unitary Development Plan 2007. It is of an appropriate scale and design and does not harm the amenity of neighbouring properties.
- 6.8 The gallery window could be obscure glazed in order to protect the amenity of residents immediately to the north.
- 6.9 It is not permissible within the remit of planning legislation for local planning authorities to prohibit new businesses that may or may not compete with existing businesses, in this instance, bed and breakfast establishments.
- 6.10 The application can be supported subject to further details being provided for the extension and accommodation block, details for a cycle rack and external lighting.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

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

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

2. B01 (Samples of external materials)

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

3. C02 (Approval of details)

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

4. D01 (Site investigation - archaeology)

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

5. F32 (Details of floodlighting/external lighting)

Reason: To safeguard local amenities.

6. F41 (No burning of materials/substances during construction phase)

Reason: To safeguard residential amenity and prevent pollution.

7. F37 (Scheme of odour and fume control)

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

8. F38 (Details of flues or extractors)

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

9. F16 (Restriction of hours during construction)

Reason: To protect the amenity of local residents.

10. No part of the development shall be brought into use until such time as the foul drainage plant and means of disposal off site as detailed have been carried out to the satisfaction of the local planning authority, unless otherwise agreed in writing prior to commencement of works.

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

11. E31 (Use as holiday accommodation)

Reason: The local planning authority are not prepared to allow the introduction of a separate unit of residential accommodation, due to the relationship and close proximity of the building to the property known as The Pandy Inn.

12. 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.

13. 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.

Informative(s):

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

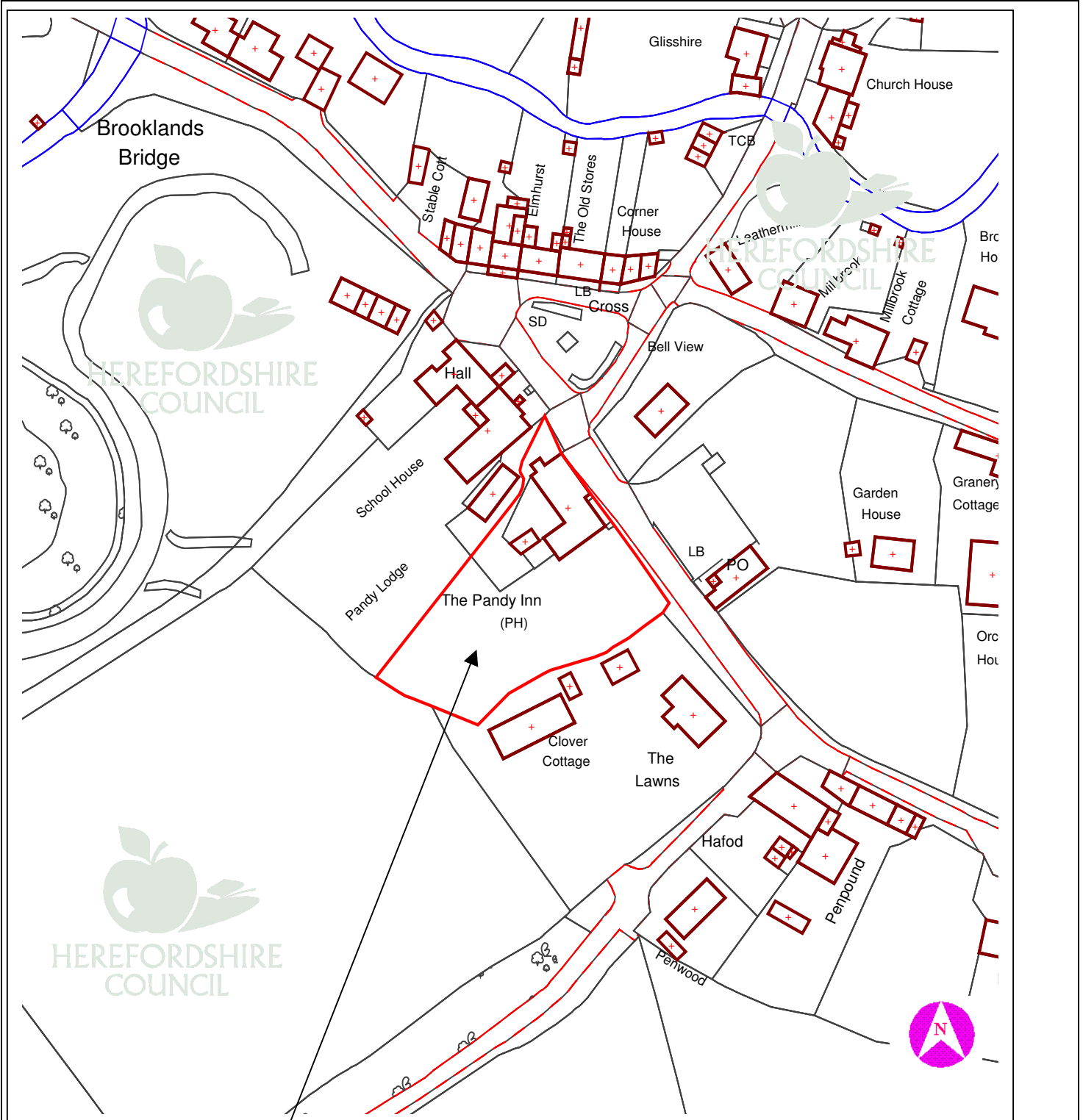
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCSW2007/2054/F

SCALE : 1 : 1250

SITE ADDRESS : Pandy Inn, Dorstone, Hereford, Herefordshire, HR3 6AN

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9 DCSW2007/2455/F - CONVERSION OF ATTIC TO PROVIDE ADDITIONAL RESIDENTIAL SPACE (2 BEDROOMS AND 1 BATHROOM), NO. 4 DOYRE HOUSE, PONTRILAS, HEREFORDSHIRE, HR2 0EH

For: Trustees Kentchurch Children's Trust per Berringtons, The Estate Office, The Vallets, Wormbridge, Hereford, HR2 9BA

Date Received: 3rd August 2007

Ward: Vallets

Grid Ref: 39710, 27620

Expiry Date: 28th September 2007

Local Member: Councillor Mrs MJ Fishley

1. Site Description and Proposal

1.1 Doyre House is a red brick faced and slate roofed property on the northern side of the C1233 road. It used to be a property with a shop onto the main thoroughfare in Pontrilas, with accommodation behind the shop and on the first floor. This building has recently been converted into solely residential use, by sub-dividing the imposing Victorian building into 4 residential units.

1.2 The car parking area is down slope from the Class III road; the declining access track is between Doyre House and Woodvale to the west. This car parking area has been approved and designated for use by the planning permission granted last year. The current proposal is to convert the attic space above unit 4 which is on the north-western corner of the building. This will entail providing two additional bedrooms which will be lit by two rooflights in the north facing roof slope. An existing 1.2 metres high by 0.5 metres width window will also be utilised in the south-western gable fronted elevation.

2. Policies

2.1 Herefordshire Unitary Development Plan 2007

Policy DR.1	-	Design
Policy DR.2	-	Land Use & Activity
Policy DR.3	-	Movement
Policy H.17	-	Sub-Division of Existing Housing

3. Planning History

3.1 DCSW2006/0339/F Conversion of mixed residential/retail use building to four residential units - Approved 30.03.06

4. Consultation Summary

Statutory Consultations

4.1 No statutory or non-statutory consultations required.

Internal Council Advice

4.2 The Traffic Manager states that “the access is poor, it has a steep gradient, limited visibility and intensification of use.”

5. Representations

5.1 In a letter that accompanied the application the applicant's agent states:

- will increase from one bedroom unit (approved) to a 3 bedroom one. However, 2 spaces were allocated for it already
- if more is required it can be provided
- existing window, looks over the top of the adjoining property rather than into it.

5.2 Kentchurch Parish Council make the following observations:

“Following a meeting of the Planning Group the Parish Council resolved unanimously to offer no objections to this application.”

5.3 Two letters of objection have been received from:

Mr & Mrs G Newman, Woodvale, Pontrilas, HR2 0EH
Mr C Hickinbottom, The Stonehouse, Pontrilas, HR2 0EH

The following main points are made:

- window faces SSW to our property, never been used since we have been here
- understood reason for none use was existence of Pipistrelle bats
- window will overlook our property
- window should be bricked up
- car parking area is approximately 4 feet higher. Environment Agency would not support as it is on the flood plain
- no buffer of trees/hedges placed between our property and car park to date
- window looks directly into my daughter's bedroom
- further expansion of car park likely to increase flooding.

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

6. Officer's Appraisal

6.1 There are three issues relating to the application, one is the use of the access, secondly the existence of bats, and lastly, the use of an existing attic window which faces south-westward across Woodvale and onto The Stonehouse.

6.2 The Traffic Manager is concerned that the enlargement of the approved one bedroom unit into a three bedroom one, by utilising the attic space above, will intensify the use of a poor access. This is allied with fears of local residents that the car park created for the four units of accommodation will need to be enlarged. This is given that they are concerned about the level of the car park presently. The car parking area was approved last year, and as has been stated by the applicants' agents above, two spaces have already been allocated for this unit. Therefore, it is not considered that there will be an intensification of use of the existing access in association with the four

residential units approved in Doyre House. There will also not be a need to expand the approved car park in a flood plain.

6.3 The original application for the conversion of Doyre House was granted planning permission following consultation with the Council’s Conservation Manager as regards all matters relating to ecology. This is with regard to representations received relating to bats.

6.4 The last issue relates to the use of an existing attic window which has a south-western aspect. This window is in the attic space of the original dwelling. It will be at a low level and provides light through a narrow window 0.5 metres wide and 1.2 metres in height. It is only 4 metres away from the boundary with Woodvale, and at a height of 8.3 metres above ground level. This window will need to be obscure glazed in order to remove the opportunity for overlooking Woodvale in particular. It is considered that The Stonehouse at over 20 metres distance from the window is not materially affected. The two proposed rooflights in the north facing roof space will provide more consistent all year round lighting for the accommodation proposed. Otherwise the proposal could not be supported for reasons of overlooking.

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

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

Informative(s):

- 1. **N19 - Avoidance of doubt**
- 2. **N15 - Reason(s) for the Grant of Planning Permission**
- 3. **The applicant’s attention is drawn to The Wildlife and Countryside Act 1981 and subsequent legislation protecting sites used by bats and nesting birds.**

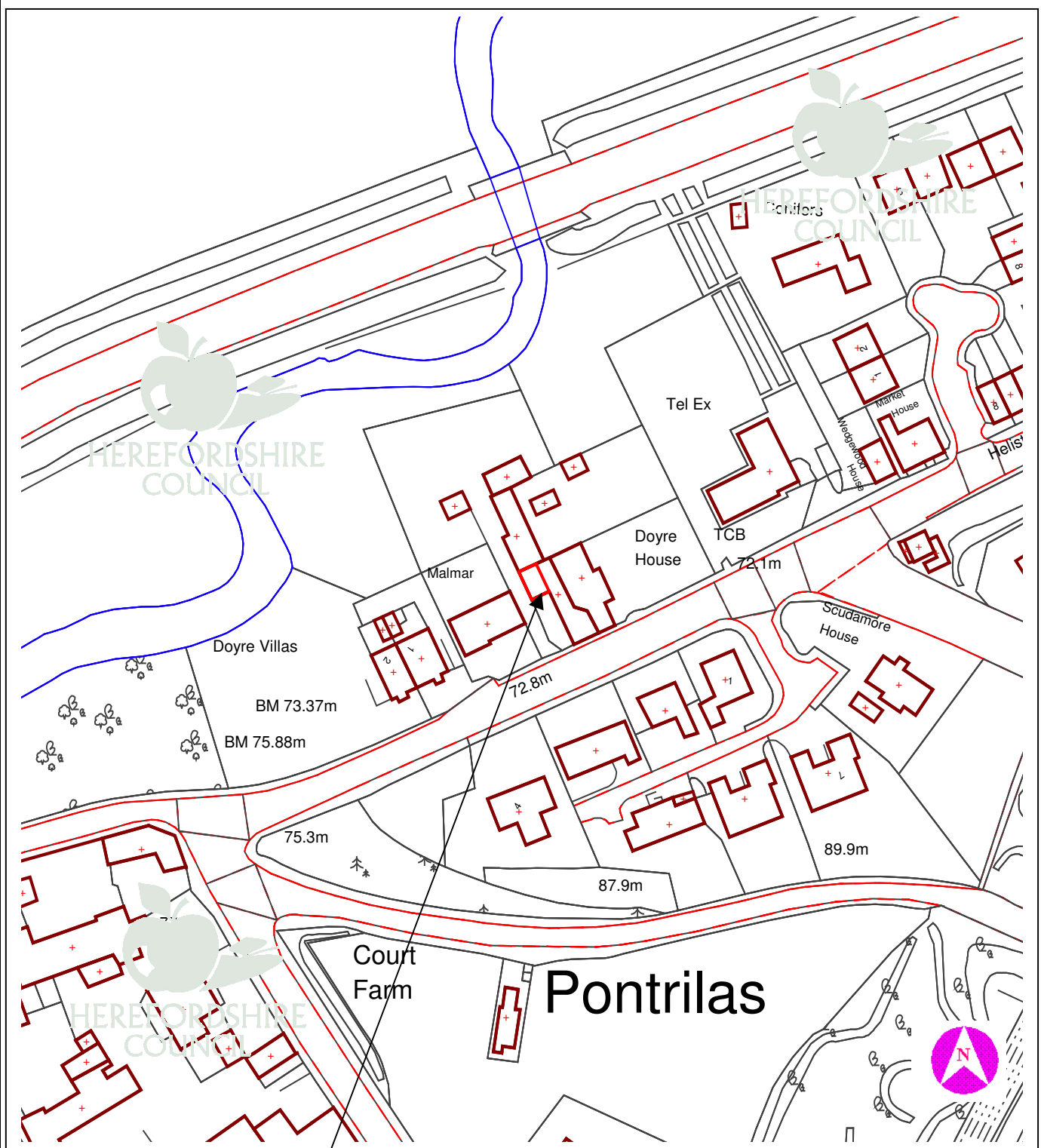
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCSW2007/2455/F

SCALE : 1 : 1250

SITE ADDRESS : No. 4 Doyre House, Pontrilas, Herefordshire, HR2 0EH

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10A DCSW2007/2050/F - CONSTRUCTION OF GARAGE/WORKSHOP BUILDING TO ACCOMPANY SHOP BARN AT SHOP BARN, PWLL-Y-HUNT, PONTRILAS, HEREFORDSHIRE, HR2 0HF

10B DCSW2007/2029/L - CONSTRUCTION OF GARAGE/WORKSHOP BUILDING TO ACCOMPANY SHOP BARN AT SHOP BARN, PWLL-Y-HUNT, PONTRILAS, HEREFORDSHIRE, HR2 0HF

For: Mr D Elkerton per Mr RL Gell, Penderw, Old Radnor, Presteigne, LD8 2RP

Date Received: 2nd July 2007

Ward: Golden Valley

Grid Ref: 37681, 26038

Date Received: 22nd June 2007

South

Expiry Date: 27th August 2007

Expiry Date: 17th August 2007

Local Member: Councillor JB Williams

1. Site Description and Proposal

- 1.1 The application site is reached off an unclassified road (u/c 74220) also known as Pudding Street, that leads southwards from the Class III road (C1219) just to the east of Rowlestone. The maintained road stops approximately half a kilometre west of the site. The C1219 road links Rowlestone and Walterstone Common further to the west with the A465(T) road adjoining the now closed Pontrilas Garden Centre.
- 1.2 The applicant has an extant planning permission and listed building consent for conversion of Shop Barn which is elevated above the level of an unadopted track that winds past Pwll-y-Hunt and another listed barn which has been converted to the north-east of Shop Barn and down slope from it. Shop Barn has been used for many years as a workshop whilst the applicant was residing at Pwll-y-Hunt; the applicant wants to continue his work in a purpose built facility close to Shop Barn for which planning permission and listed building consent were granted and works commenced.
- 1.3 The proposed workshop will have a red plain tile roof which will match that used on Shop Barn. The sides will be clad in non-stained Douglas fir feather-edged weatherboarding.
- 1.4 The building is sited some 14 metres to the south-east of Shop Barn and across a ditch. The siting for the 8.6 metres long by 6.6 metres wide building is on a slope covered by grass and self-sown saplings. An access will be created by introducing a spur from the existing up slope track, the new track will swing around the rear or southern side of Shop Barn.

2. Policies

2.1 Planning Policy Statement

PPS.7 - Sustainable Development in Rural Areas

2.2 Herefordshire Unitary Development Plan 2007

Policy DR.1 - Design
Policy DR.2 - Land Use & Activity
Policy DR.4 - Environment
Policy H.18 - Alterations and Extensions
Policy HBA.4 - Setting of Listed Buildings

3. Planning History

- 3.1 SW2000/2504/F Conversion of dwelling being a - Approved 01.11.00
renewal of SH951030PF
- SW2000/2503/L Conversion of dwelling being a - Approved 01.11.00
renewal of SH951031LA

4. Consultation Summary

Statutory Consultations

- 4.1 No statutory or non-statutory consultations required.

Internal Council Advice

- 4.2 The Traffic Manager has no objection.
- 4.3 The Conservation Manager states that the building is of a self-effacing design appropriate to its function and will have only a neutral impact on the setting of the adjoining listed buildings.

5. Representations

- 5.1 In the Design and Access Statement that accompanied both applications, the following main points are made:

The Need for the Building

- barn conversion (Shop Barn) is entirely residential, only space for domestic furniture
- client practical, needs tools and equipment
- no room on site to park or turn a vehicle
- not visually pleasing parking vehicles next to pond.

Siting of the Proposed Building and Access

- optimum position chosen, far enough away from listed barn but not divorced from it
- excavation required, this will though help provide more light and alleviate damp to barn
- additional land for track and garage/workshop will be also additional curtilage.

Design

- no windows proposed on north or east elevations, i.e. facing Barn A
- building proposed will have materials (red clay tiles, Douglas Fir weatherboarding, exposed rafter feet, matches style of Shop Barn.

5.2 The Parish Council has not responded to date in respect of either application.

5.3 One letter of objection has been received from:

Dr EA Waters & Mrs JE Waters, The Barn, Pwll-yr-Hunt, Pudding Street, Rowlestone, HR2 0HF

The following main points are made:

- too close, closer than Shop Barn to our property
- higher than our property
- overlook and dominate rear of our property, no such bearing on Shop Barn
- use of electrical and mechanical equipment, some shielding of noise at present
- affect re-sale value
- could be re-sited, our garage (purpose built) is quite close to our property
- if approved, ensure workshop is not above our property, affects our view unless sunk
- existing hedging and deciduous trees should be retained and better still improved, would help any visual and sound impact
- north side of workshop be sound-proofed.

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

6. Officer's Appraisal

6.1 The main issues are considered to be the principle, and the issues of siting and relationship to the two listed barns and the impact on the amenity of nearby residents.

6.2 It is evident that it is not practicable for the applicant to continue using Shop Barn as both a primary residence and as a workshop given the configuration of the building such that the best lit space is currently used as the workshop. Also, there is a premium on space in Shop Barn for working on longer lengths of timber.

6.3 The next issue revolves around the siting of the garage/workshop building. The design, size and materials for the building have been sensitively considered and will not detract from the amenity nor setting of the two Grade II listed barns either side of the track that divides them. The Conservation Manager has stated that the building is self-effacing and a functional building that would have a neutral impact in the landscape. The siting is not straightforward, given that Shop Barn is in an elevated

position in relation to the other Grade II barn (The Barn) and the farmhouse. Siting the building to the west or north, i.e. either up slope and above Shop Barn would open up the views to the ancillary building proposed and would, it is considered, detract from the setting of Shop Barn. The siting for which is compounded by the lack of screening such as trees and hedging which are found around the proposed site. There will be a need for a good landscaping scheme and details of the extent of the setting in of the building. There are though opportunities for supplementary planting of trees and plants particularly on the track-side elevation.

- 6.4 A further issue raised relates to overlooking and noise and the potential impact on the amenity of residents at The Barn. There are not proposed to be windows on the north elevation facing The Barn and this could be safeguarded by planning condition, so therefore opportunity for overlooking from the building can be controlled. The planning condition should also control the future installation of rooflights in the north elevation, i.e. facing The Barn. The new building should also have measures for sound attenuation particularly on the north elevation wall which would also double up as insulation for the building.
- 6.5 The building proposed has been carefully considered in terms of design, size and location. It relates well to Shop Barn. The new building will be purpose built and although visible from the rear garden it is not considered that planning permission could be reasonably withheld.

RECOMMENDATION

In respect of DCSW2007/2050/F

That planning permission be granted subject to the following conditions:

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

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

2. B01 (Samples of external materials)

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

3. C02 (Approval of details)

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

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

Reason: In order to protect the residential amenity of a nearby property.

5. The use of the building as a workshop shall enure for the benefit of Mr. D. Elkerton at such time as he resides in Shop Barn. The workshop use shall cease otherwise and be used solely for garaging and incidental purposes to Shop Barn.

Reason: In order to define the terms to which the application relates given the nature of the use proposed.

6. F32 (Details of floodlighting/external lighting)

Reason: To safeguard local amenities.

7. F38 (Details of flues or extractors)

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

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. G04 (Landscaping scheme (general))

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

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

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

Informative(s):

1. N19 - Avoidance of doubt

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

In respect of DCSW2007/2029/L

That listed building consent be granted subject to the following conditions:

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

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

2. B01 (Samples of external materials)

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

3. C02 (Approval of details)

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

Informative(s):

1. N19 - Avoidance of doubt

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

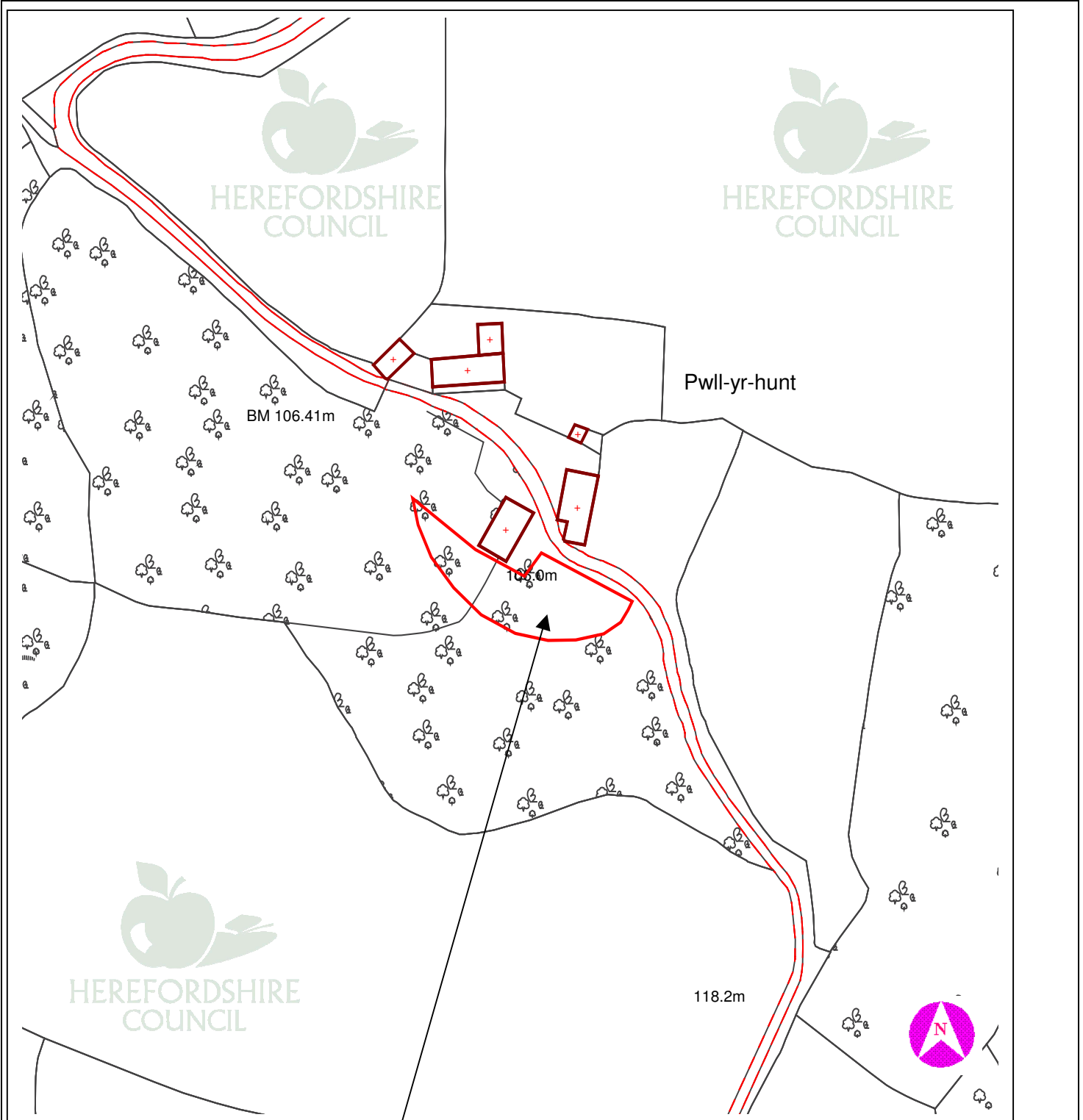
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCSW2007/2050/F

SCALE : 1 : 1250

SITE ADDRESS : Shop Barn, Pwll-y-Hunt, Pontrilas, Herefordshire, HR2 0HF

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11 DCSW2006/2992/O - SITE FOR 5 DWELLINGS, COMPRISING 3 NO. 4 BEDROOM TWO STOREY DWELLINGS AND 2 NO. SEMI-DETACHED 3 BEDROOM, FIELD NO. 9825 OPPOSITE LOWER HOUSE, PONTRILAS ROAD, EWYAS HAROLD, HEREFORDSHIRE, HR2 0ES

For: Mr & Mrs PT Wright per Mark Ponting Consultancy, Caemain, Ewyas Harold, Herefordshire, HR2 0ES

Date Received: 14th September 2006 Ward: Golden Valley Grid Ref: 38985, 28247 South

Expiry Date: 9th November 2006

Local Member: Councillor JB Williams

1. Site Description and Proposal

- 1.1 This site comprises a paddock between the Dulas Brook immediately adjoining the tree-lined western boundary and the B4347 on the eastern boundary from which access is gained. The B4347 is the main thoroughfare in Ewyas Harold.
- 1.2 The site has public footpaths leading north-eastward from the roadside to a crossing point over the Dulas Brook. There is also a footpath that followed the western side of the Dulas Brook which unfortunately has disappeared over the years following erosion of the western bank of the Dulas Brook, and is impeded further to the south-east.
- 1.3 This planning application is in outline form with all matters reserved for future consideration. This is notwithstanding that the description for the application is very specific and that an indicative block plan accompanies the proposal.
- 1.4 The site is 0.36 hectares in area.

2. Policies

2.1 Herefordshire Unitary Development Plan 2007

Policy S.1	-	Sustainable Development
Policy S.2	-	Development Requirements
Policy S.3	-	Housing
Policy H.4	-	Main Villages: Settlement Boundaries
Policy H.9	-	Affordable Housing
Policy H.13	-	Sustainable Residential Design
Policy H.15	-	Density
Policy H.16	-	Car Parking

3. Planning History

3.1 None identified.

4. Consultation Summary

Statutory Consultations

4.1 The Environment Agency has no objections in principle subject to conditions being attached relating to finished floor levels, controlling development adjacent to the Dulas Brook, i.e. buffer zone, and approval of a surface water regulation system.

4.2 Welsh Water has no objection subject to conditions controlling foul and surface water discharges being drained separately from the site.

Internal Council Advice

4.3 The Traffic Manager recommends that conditions be attached to any grant of planning permission. These conditions would include for improved visibility and a single access only.

4.4 The Public Rights of Way Manager comments:

“No development should take place until such time as relevant public path orders to divert both public rights of way have been through the formal public consultation process and legally confirmed. The use of estate roads for public rights of ways should be avoided as per DoE circular 2/1993 (Annex D). Works to footbridge would also be encouraged; there are barriers at either end of it.”

4.5 The Conservation Manager initially stated that “the site is adjacent to Dulas Brook Special Wildlife Site (SO33/018B). Need to commission ecological survey. Need 5 metres buffer along Dulas Brook.”

Following receipt of Ecological Appraisal the Conservation Manager observes:

- no development within 10 metres
- wide buffer zone, from river bank top
- insufficient area for 5 houses
- habitat strategy required for buffer zone
- updated protected species survey be undertaken

5. Representations

5.1 In a letter that accompanied the application the applicant's agent states:

- application for small field (0.368 hectares) opposite their house
- site is in village envelope, bounds the B4347 road and is traversed by footpath
- M/S W S Atkins & Partners, Swansea have recently completed a Flood Risk Assessment for Ewyas Harold and Pontrilas
- field and neighbouring properties above the Q100 and Q200 hydraulic modelling area, highway lower than field, freely drains towards Pontrilas
- clients now wish to offer children opportunity to build homes on the farm as well as plots for low cost dwellings for young people or for retirement.

5.2 In the Design and Access Statement that also accompanied the application, the following main points are made:

- small field bounded by Dulas Brook (maintained by Environment Agency) and B4347 and dwellings to north and south
- mixed form of dwellings in ribbon configuration along Pontrilas road
- site too small for farming purposes
- good access to facilities, i.e. shops, churches, buses and village hall
- opportunity for mixed development for different ages
- five dwellings to be served by access in optimum position for visibility
- proposed that 3 dwellings will be 4 bedroom ones of brick construction as well as for pair of 3 bedroom semi-detached properties
- density consistent with Old Shoppelands and Orchard Close
- retention of most of roadside hedgerow and riverside trees, provides a well balanced attractive development
- access without stiles or gates will improve access to the river and fields adjacent
- one street light for security and for benefit of footpath users.

5.3 The Parish Council have no objections.

5.4 Two letters of objection have been received from:

Mr JN Jones, The Birches, Ewyas Harold, HR2 0ES
Mr A Lee-Jones, Kymin, Ewyas Harold, HR2 0ES

The following main points are raised:

- overlooking of properties, loss of privacy
- accept principle and infill needs to be strip development
- possibly 4 frontage dwellings
- care needed with re-routed footpath
- not allocated in UDP as is the case for land adjacent to Lower House Farm.

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

6. Officer's Appraisal

6.1 The main issues are considered to be the principle of development, highways issues, flooding, layout, ecology, density and privacy of local residents and impact on footpaths.

6.2 This site is wholly within the village envelope for Ewyas Harold. It is one of the few remaining sites available for residential development. Therefore the principle of developing the site, notwithstanding other issues relating to the site is in accordance with the Unitary Development Plan: 2007.

6.3 It is possible for a single access to be created with the requisite visibility splays for development on the site. This is given the reported recommendation of the Traffic Manager. The means of access is one of the matters to be reserved for future consideration. This is notwithstanding that the applicant's agent has provided an indicative plan detailing a new access point, as well as indicative layout of 3 detached dwellings and a pair of semi-detached dwellings.

- 6.4 The Environment Agency has been one of the principal consultations for this site adjoining the Dulas Brook. The applicant has referred to a recently commissioned Flood Risk Assessment covering Ewyas Harold and Pontrilas. The Environment Agency has recommended that a condition relating to finished floor levels be imposed upon any dwellings erected on the site. The Environment Agency also recommend that there are no structures including buildings and gates and fences within 7 metres of the top of any bank of the Dulas Brook. Surface water will also need to be regulated by planning condition. The Environment Agency also recommend that the local planning authority ascertains whether or not there is sufficient capacity for mains drainage. This has been carried out, Welsh Water confirming that subject to conditions relating to disposal of foul and surface water separation the body does not object. Therefore, there are no outstanding matters relating to flooding of the site nor the capacity of mains drainage facility in the village.
- 6.5 The site adjoins the Dulas Brook which is rich in fauna, whereas away from the watercourse the site is of poorer ecological value. The importance of the Dulas Brook is such that a buffer zone of 10 metres measured from the top of the bank is recommended by the Council's Ecologist. An ecological appraisal was undertaken in December, this provided a good basis of survey, however a further survey would be required, this would cross-reference the need for a habitat strategy for the buffer zone. These outstanding matters can be made the subject of planning conditions, the details for which could be provided before work commences on site, given that the buffer zone provided protects fauna.
- 6.6 Representations received state that development on the eastern side of the Pontrilas road (B4347) is wholly ribbon or strip development, whereas the indicative scheme submitted provides for a cul-de-sac form of development which as the applicant's agent states is focused on the western side of the Pontrilas road. The scheme submitted does specify the number of dwellings proposed, i.e. 5 dwellings, and on the application form it is broken down further. However, siting is not a matter to be considered at this stage and therefore the configuration of development on the site cannot be determined. This matter is also related to issues of overlooking highlighted by residents adjoining the site. However, it is considered that given the Council's Ecologist requires a 10 metres buffer zone and the Environment Agency coincidentally a 7 metres wide buffer zone, it will not be feasible to erect 5 dwellings on the site. This would mean that the description for the proposal, i.e. for 5 dwellings, should be revised such that the development is for residential development alone. This is also given that frontage development is the predominant characteristic of residential development on the eastern side of the Pontrilas road.
- 6.7 The final issue relates to the two public footpaths that traverse the site. The indicative block plan implicitly re-routes one footpath (EH2) along the spine of an access road before re-routing back to the narrow pedestrian bridge over the Dulas Brook. This re-routing would need to be the subject of a separate agreement with the Council. However, the Public Rights of Way Manager states that routing footpaths along estate roads is not good practice and could not be supported. This matter is not one though that is the subject of determination at this stage given the status of the application and that the public footpath has yet to be re-routed. This paddock is one though that will need to be crossed in order that the Dulas Brook and fields further to the east are linked with the Pontrilas road. This is a matter that can be resolved at a later stage. The second footpath (EH4) is not complete given that it is obstructed to the south east by residents' properties. This route could be partly protected by the buffer zone. The applicant's agent has offered on behalf of his clients a 5 metres strip of land for this footpath. Better access can be provided from the Pontrilas road, i.e. by replacing the

existing with a gate. The route of the public footpath could have implications for the final layout of the site in the event that Members supported the application.

RECOMMENDATION

That subject to the description being revised omitting mention of 5 dwellings, 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. A02 (Time limit for submission of reserved matters (outline permission))

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

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

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

3. A04 (Approval of reserved matters)

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

4. A05 (Plans and particulars of reserved matters)

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

5. Finished floor levels shall be set no lower than 72.37m AOD unless otherwise agreed in writing by the local planning authority.

Reason: To protect the development from flood risk for the lifetime of the development.

6. There shall be no new buildings, structures (including gates, walls and fences) or raised ground levels within

a) 7 metres of the top of any bank of the watercourse (Dulas Brook), inside or along the boundary of the site, unless agreed otherwise in writing by the local planning authority.

Reason: To maintain access to the watercourse for maintenance or improvements and provide for any overland flood flows.

7. The proposals outlined in the ecologist's report should be followed unless otherwise agreed in writing with Herefordshire Council.

Reason: To comply with Herefordshire Council's Policy NC.8 and NC.9 in relation to Nature Conservation and Biodiversity and to meet the requirements of PPS.9 Biodiversity and Geological Conservation and the NERC Act 2006.

To conserve and enhance protected habitat and to maintain the foraging area for protected species in compliance with Unitary Development Plan Policies NC.6, NC.7, NC.8 and NC.9 and PPS.9.

8. A work programme should be devised for the site to ensure that the birds are not disturbed during nesting from March to August inclusive.

Reason: To ensure the law is not breached with regard to nesting birds which are protected under the Wildlife and Countryside Act 1981, the Countryside and Rights of Way Act 2000 and Policies NC.1, NC.5, NC.6 and NC.7 within the Unitary Development Plan.

9. A habitat enhancement scheme based upon the recommendations of the ecologist's report accompanied by a management strategy should be produced and specified in a method statement for submission to Herefordshire Council in order to enhance the habitat on the site for wildlife. This should include a 10 metre wide buffer zone unless otherwise agreed with Herefordshire Council.

Reason: To comply with Herefordshire Council's Policy NC.8 and NC.9 in relation to Nature Conservation and Biodiversity and to meet the requirements of PPS.9 Biodiversity and Geological Conservation and the NERC Act 2006.

To conserve and enhance protected habitat and to maintain the foraging area for protected species in compliance with Unitary Development Plan Policies NC.6, NC.7, NC.8 and NC.9 and PPS.9.

10. Details of the location and type of fencing to be erected during development works should be submitted prior to development.

Reason: To conserve and enhance protected habitat and to maintain the foraging area for protected species in compliance with Unitary Development Plan Policies NC.6, NC.7, NC.8 and NC.9 and PPS.9.

11. An appropriately qualified and experienced ecological clerk of works should be appointed (or consultant engaged in that capacity) to oversee ecological mitigation and enhancement work.

Reason: To comply with Herefordshire Council's Policy NC.8 and NC.9 in relation to Nature Conservation and Biodiversity and to meet the requirements of PPS.9 Biodiversity and Geological Conservation and the NERC Act 2006.

To conserve and enhance protected habitat and to maintain the foraging area for protected species in compliance with Unitary Development Plan Policies NC.6, NC.7, NC.8 and NC.9 and PPS.9.

12. H03 (Visibility splays)

Reason: In the interests of highway safety.

13. H07 (Single access - outline consent)

Reason: To ensure the safe and free flow of traffic using the adjoining highway.

14. H12 (Parking and turning - single house)

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

15. W01 (Foul/surface water drainage)

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

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

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

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

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

18. H28 (Public rights of way)

Reason: To ensure the public right of way is not obstructed.

Informative(s):

1. Note to condition 6:

Under the terms of the Water Resources Act 1991 and the Land Drainage Byelaws, the prior written consent of The Agency is required for any proposed works or structures in, under, over or within 7 metres of the top of the bank of the main river (Dulas Brook).

2. N19 - Avoidance of doubt

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

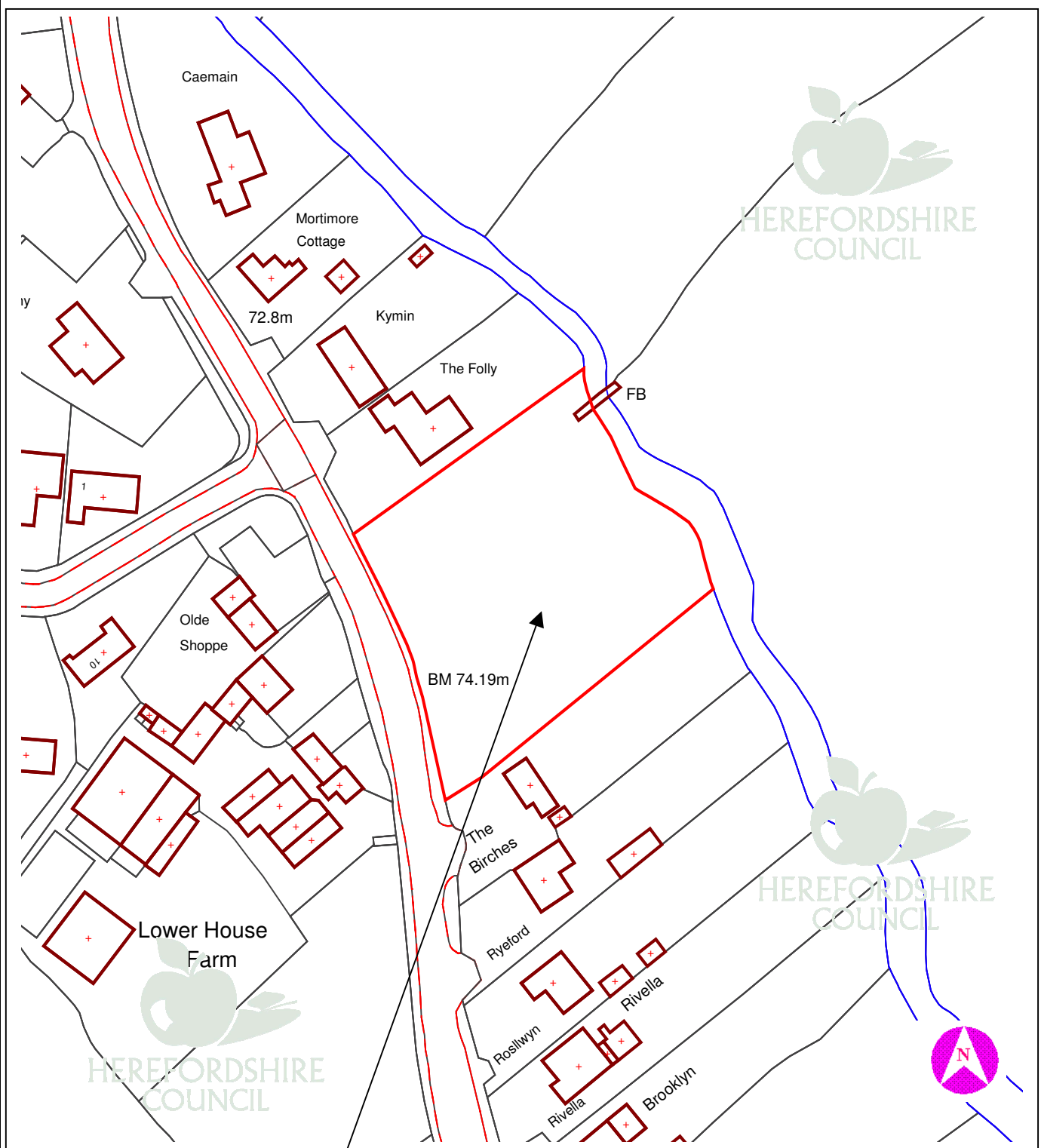
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCSW2006/2992/O

SCALE : 1 : 1250

SITE ADDRESS : Field No. 9825 opposite Lower House, Pontrilas Road, Ewyas Harold, Herefordshire, HR2 0ES

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12 DCSE2007/2435/F - PROPOSED SINGLE STOREY LINK BETWEEN DWELLING AND DOUBLE GARAGE TO ACCOMMODATE GROUND FLOOR STUDY/BEDROOM AND EN-SUITE FACILITY AND FORM REAR EXTENSION, LAND ADJACENT TO THE OAKS, BANNUTTREE LANE, BRIDSTOW, ROSS-ON-WYE, HEREFORDSHIRE, HR9 6AJ

For: Mr R Rogers per The Design Partnership, 41 Millbrook Street, Hereford, HR4 9LF

Date Received: 6th September 2007 Ward: Llangarron Grid Ref: 58485, 24478

Expiry Date: 1st November 2007

Local Member: Councillor Mrs JA Hyde

1. Site Description and Proposal

- 1.1 Planning permission for a detached house with garage to the side of The Oaks was granted in November 2006 and the house is currently being erected. The property is on the corner of Bannutree Lane and the A40(T) in Bridstow. To the south of the site is a private drive providing access to adjoining residential properties. The land on the opposite side of Bannutree Lane is farmland.
- 1.2 The approved double garage would be about 8m in front of the house with access off a new wide access serving both the new house and The Oaks. A similar garage has also been approved for The Oaks to the east of that house. The current proposal is to erect a single-storey extension linking the new house and its garage. This would be narrower and lower at eaves and ridge than the garage, with maximum dimensions about 5.5m deep x 5.3m wide. Compared to the approved plans the garage would be built closer to the house. As the extension would block the main lounge windows the internal layout has been altered and an additional single storey extension would be added at the rear (5.5m wide x 4.2m deep) with a lean-to roof but with a central flat roof section to allow light to the first floor bedroom. External materials would match the new house viz. facing bricks and plain clay tiles.

2. Policies

2.1 Herefordshire Unitary Development Plan 2007

Policy H.13	-	Sustainable Residential Design
Policy H.18	-	Alterations and Extensions
Policy LA.1	-	Areas of Outstanding Natural Beauty

3. Planning History

- 3.1 DCSE2004/3390/O Renewal of outline planning - Approved 25.11.04
 permission for one dwelling

DCSE2006/2848/F One house with garage - Approved 28.11.06

4. Consultation Summary

Statutory Consultations

4.1 No statutory or non-statutory consultations required.

Internal Council Advice

4.2 Traffic Manager has no objection to the grant of planning permission.

5. Representations

5.1 A Design and Access Statement has been submitted, which is in summary:

- the site of the new dwelling and new garage once formed part of the southern section of garden belonging to The Oaks
- the new property is a two-storey dwelling with a double garage. The ground floor external envelope will be constructed of red brick to match those of The Oaks with the first floor covered with a smooth s/c and lime render; colour to match that of existing properties in the locality
- the proposal is to construct a single-storey structure that provides a ground floor study/bedroom, with en-suite facilities, (incorporating dual-entry), and access to the rear of the property
- the proposal will link the dwelling to the double garage and form a physical break from the front of the property to the rear
- in the re-design of the internal layout of the dwelling the living area was moved so that it could benefit from the views over Ross-on-Wye towards May Hill
- the link shall be built from the same materials as those used on the new dwelling and double garage.

5.2 The Parish Council objects to the proposal on the grounds that this is creating one massive building.

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

6. Officer's Appraisal

6.1 The house currently being constructed on the southern half of the garden of The Oaks is similar in style and massing to that dwellinghouse. As a consequence there would be two sizeable houses with only a small gap (about 2.5m) between them. The main issue then is whether the addition of the link and rear extensions would adversely affect the street scene.

6.2 The close juxtaposition of these houses is not wholly untypical of Bannuttree Lane. The houses to the south are of similar width to The Oaks and the new house, are set further forward on their plots and are barely one metre apart, with Appledore jutting forward of Blenheim House, although the attached garage of Appledore provides variation in height. Even with the currently detached garage being linked to the house the resultant building would not be further forward on its plot than Appledore and the link would be roughly in line with Blenheim House. Being to the rear of the garage and

a narrower and lower structure it would not be prominent when viewed from Bannuttree Lane and only a small section (about 0.5m at most) of the external wall and the roof sloping away would be seen above the side boundary fence.

6.3 The rear extension would be a larger structure (up to 5m high). The new house is 'T' shaped and the extension would be formed within the rear arm of the house and would probably not be visible from Bannuttree Lane. It would project about 1.5m beyond the rear main wall of the house and its height at this point would be about 3.4m. Being on the far side of the house from the access drive along the side of the property it would not be readily visible above the boundary fence. Consequently although a large house for this plot the proposed additions would have relatively little visual impact when seen from public viewpoints and the harm to the street scene would not be sufficient, in my view, to justify refusing planning permission.

6.4 The rear extension would be close to the side wall of The Oaks but would not extend beyond the rear wall of that property although the sloping roof would cut across windows in the side wall of that property. There would be sufficient distance between the new house and Warley House to the (rear) west to ensure that the former did not appear overbearing. The proposals would not therefore harm the amenities of neighbours.

RECOMMENDATION

That subject to expiry of the consultation period and no new representations being received the officers named in the Scheme of Delegation to Officers be authorised to approve the application subject to the following conditions and any additional conditions considered necessary by officers:

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

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

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

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

Informative(s):

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

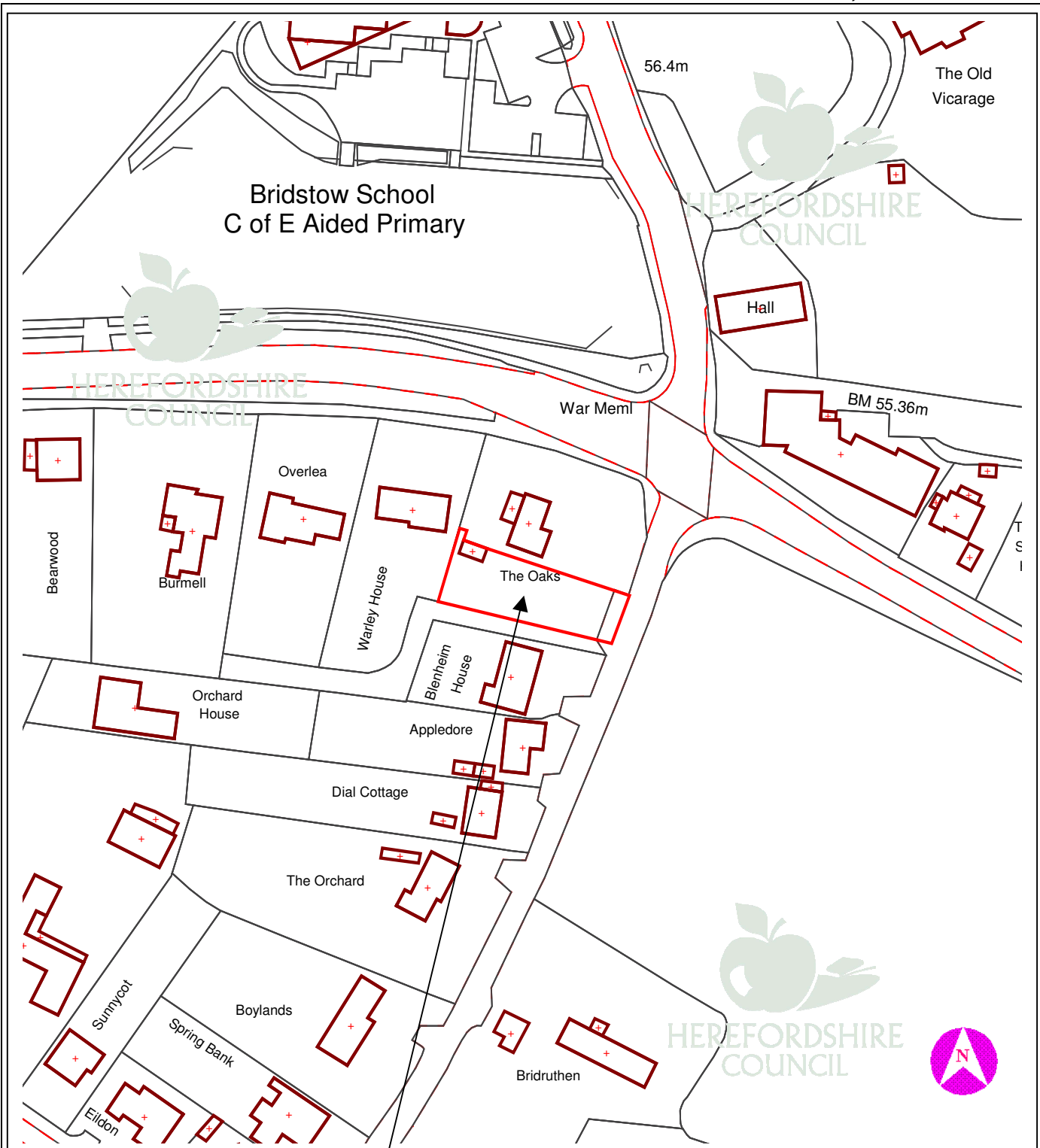
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCSE2007/2435/F

SCALE : 1 : 1250

SITE ADDRESS : Land adjacent to The Oaks, Bannuttree Lane Bridstow, Ross-on-Wye, Herefordshire, HR9 6AJ

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13 DCSE2007/2695/F - DEMOLITION OF SCHOOL HALL AND ERECTION OF A TWO-STOREY BLOCK OF FOUR FLATS AND CONVERSION OF THE RETREAT TO THREE FLATS, ST JOSEPH'S, WALFORD ROAD, ROSS-ON-WYE, HEREFORDSHIRE

For: M F Freeman Ltd per Geoff Jones Architect, 53 Broad Street, Ross on Wye, Herefordshire, HR9 7DY

Date Received: 21st August 2007 Ward: Ross-on-Wye East Grid Ref: 59828, 23565

Expiry Date: 16th October 2007

Local Member: Councillor PGH Cutter and Councillor Mrs AE Gray

1. Site Description and Proposal

- 1.1 St Joseph's is a large Victorian stone villa and grounds situated on the east side of Walford Road. To the north of the main building extensive single-storey buildings (The Retreat and a hall) were erected in the 1970's when the premises were used as a convent. This use has now ceased and the main building is used as offices. The application site is in a primarily residential part of Ross on Wye but adjoining it to the east is a primary school (St Joseph's), to the north is a social club and to the south a residential home for the elderly (Lawfords House). Adjoining the north-east part of the site are dwellings in The Avenue and there are further dwellings on the west side of Walford Road and to the south of Lawfords House.
- 1.2 It is proposed to demolish the hall to the front of The Retreat which has been used until recently as school hall by St Joseph's RC Primary School. A two-storey block of 4 flats would be erected in its place. This would be about 16m wide x 10m deep x 5.1m to eaves/7.4m to ridge. It would have a ridge roof with gables projecting front and back at both sides of the building with, on the front (west) elevation, a further two gables between. The ground floor between the two outer gables would be facing brickwork; the remainder of the building would be rendered. Windows and doors would be aluminium with two steel and glass balconies on the front elevation at first floor level.
- 1.3 The remaining part of The Retreat would be converted into 3, 2-bedroomed residential units. The accommodation would be on the ground floor except for the central unit which would have the bedrooms and bathrooms within the roof slope, lit by existing rooflights plus three new rooflights in the north elevation. Other external changes would be the provision of additional lighting from new floor to ceiling windows in the south and east elevations. Car parking (10 spaces) would be provided to the front of the block of flats with access via the new entrance to the south of St Joseph's.

2. Policies

2.1 Planning Policy Statement

PPS3 - Housing

2.2 Herefordshire Unitary Development Plan 2007

Policy H1	-	Hereford and the Market Towns: Settlement Boundaries and Established Residential Areas
Policy H13	-	Sustainable Residential Design
Policy H14	-	Re-using Previously Developed Land and Buildings
Policy H16	-	Car Parking
Policy HBA6	-	New Development within Conservation Areas
Policy HBA8	-	Local Important Buildings
Policy HBA9	-	Protection of Open Areas and Green Spaces
Policy T11	-	Parking provision
Policy DR1	-	Design
Policy DR2	-	Land Use and Activity
Policy DR3	-	Movement
Policy DR4	-	Environment

3. Planning History

3.1	SE2002/1929/F	Extension to provide classroom, cloaks and store. Re-provision of displaced car parking.	-	Approved 19.08.02
	DCSE2004/2614/F	New access.	-	Approved 04.11.04
	DCSE2004/3905/F	Demolition of existing 1970's hall and living accommodation. Construction of new block of 11 no. flats.	-	Withdrawn 32.03.05
	DCSE2004/3906/C	Demolition of existing 1970's hall and living accommodation.	-	Not determined.
	DCSE2004/3495/F	Conversion from house in multiple occupancy into six residential units.	-	Approved 06.05.05
	DCSE2005/0949/F	Construction of block of 8 flats.	-	Appeal dismissed 26.1.07
	DCSE2005/0951/C	Demolition of 1970's hall and living accommodation.	-	Appeal allowed. 26.1.07

4. Consultation Summary

Statutory Consultations

- 4.1 Welsh Water recommends that conditions are imposed with regard to foul and surface water drainage.
- 4.2 English Heritage does not wish to offer any comments on this occasion and recommends that the application be determined in accordance with national and local policy guidance and on the basis of the Council's specialist Conservation advice.

Internal Council Advice

- 4.3 The Traffic Manager recommends that conditions be attached to any grant of permission. However cycle parking needs to be addressed before approval.
- 4.4 The Conservation Manager points out "the former St Joseph's Convent is identified as a building of local interest. It is one of Ross's more notable unlisted buildings and notwithstanding the present buildings on the application site, any new development in such close proximity must be complimentary to its character. The existing hall is of limited merit but as a single storey building, it at least has the virtue of being self-effacing and it is clear that the previous application foundered in part because of its scale. The present scheme offers a significant reduction in size, and although still of two storeys, it now occupies an intermediate position between the extremes of St Joseph's and the Conservative Club to the north.

The gabled form also carries echoes of St Joseph's lively silhouette but the architect has argued that a low-key, contemporary architectural approach remains valid and I am inclined to support this view. It is virtually impossible to replicate the quality of St Joseph's High Gothic detailing within modern budgets and any attempt at pastiche would literally be a 'pale imitation' when contrasted against such a vigorous original. Although 'Modern', the design is generally deferential to the principal building, and the careful selection of materials will further help it to harmonise with its context.

The proposed conversion of the Retreat, the retained existing building, is largely acceptable but I would like further details of the extent of the exterior masonry painting proposed."

5. Representations

- 5.1 The applicant's agent has submitted a Design and Access Statement which is in summary:
- (1) The Inspector in dismissing the previous application on this site refers to the existing single storey hall and retreat buildings as "having eroded the space around St Joseph's, but that their low height means that a sense of openness remains above them and the main St Joseph's building remains the very strongly dominant built element on the site".
 - (2) In the present scheme, The Retreat is to remain and be converted to three dwellings, with the hall and its ancillary connections to The Retreat being demolished.
 - (3) The new two storey block of flats will sit on the footprint of the existing hall.
 - (4) The design approach was to relate it in height and roof depth to the extensions to the Conservative Club on the adjacent site. Although essentially single storey, the ground level on that site is considerably higher, and the new flats will relate more to them, partly because of the intervening mass of trees, than to St Joseph's. However, the roofline of the new flats, a series of steeply pitched gables, relates to the roof of St Joseph's.

- (5) The disposition of the windows to the new flats is two-fold: to provide a variety of exciting views of the site from within the flats, and to maintain a high level of security on the site, giving intruders little scope for unwarranted access.
 - (6) Each flat is given its own outdoor space, either a decked area at ground floor level, or a balcony at first floor level.
 - (7) External wall materials are render, to match with the Conservative Club's extensions and to provide a foil to St Joseph's flamboyant style, and small areas of facing brick to match as near as possible the sandstone of St. Joseph's.
 - (8) The Retreat is to be converted from 15 bedrooms plus bathrooms and kitchens, to 3 self-contained 2-bedroom flats.
 - (9) To prevent overlooking to the properties in The Avenue, the new rooflights are positioned at a minimum of 1800mm above floor level.
 - (10) The external fabric of The Retreat will be overhauled, and the dull brown facing brick will be painted to differentiate each flat.
 - (11) The planning requirement is for one parking space per unit (7) but ten spaces will be provided.
 - (12) Steel cycle rails will be located adjacent to individual flats or in secure enclosures, away from public view.
 - (13) A store for refuse will be located to the west of the car park near the pedestrian access to the site.
 - (14) A presentation of the scheme has been made at a public meeting on site. Although relatively short notice was given 20 attended, and the scheme was well received. There were no objections to the proposals.
- 5.2 Ross Town Council has no objections but would request the Tree Officer inspect the site and agree any tree works.
- 5.3 Two letters have been received expressing the following concerns:
- (1) the site is extremely close to the school, classrooms and pathways which pupils have to use - 'child protection' may therefore be compromised as residents may be able to overlook classrooms and outside lessons especially from flat 1 (new windows and doors facing the school).
 - (2) Disruption to lessons and possible safety issues whilst building work is carried out.
 - (3) Regular club functions are held at the Conservative Club in a room that borders the site and purchasers may not be away of this and complain about noise in the future.
 - (4) It is understood that the Convent now belongs to a company and access details should refer to the company's name not the school's.

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

6. Officer's Appraisal

6.1 This is a new scheme following dismissal of the appeal relating to a 3-storey storey block of flats. A copy of the Inspector's decision letter is included as an appendix to this report. His main conclusions were:

- (i) that the appeal building would be out of scale and character with the adjoining buildings and the character of the area, and
- (ii) its height so close to the boundary would be intrusively overbearing in the outlook from the garden of Invermoray.

The current proposal seeks to overcome these concerns. The key issues therefore are firstly the effect on the setting of the adjoining Victorian villas and the character of the Ross on Wye Conservation Area and secondly the effect on the amenities of neighbours.

6.2 The proposed building would be 2-storeys high, with a ridged roof, and although in a modern idiom the steeply pitched gables would have a visual connection with St Joseph's. Furthermore in its scale and massing the proposed block of flats would not compete for dominance with the existing building. In relation to the Conservative Club the eaves and ridge heights would be the same as for the single-storey extensions to that building and considerably lower than the main building. Nevertheless it would not be a scaled down version of the Victorian building. As the Conservation Manager points out any attempt to replicate, on a smaller scale, St Joseph's would be likely to result in a pale imitation without the wealth of detail which is such a striking feature of that building. "The design", he continues "is generally deferential to the principal building and the careful selection of materials will further help to harmonise it with its context". The existing planting along the street boundary and within the site would limit views of St Joseph's and the block of flats together. Towards the new entrance trees and shrubs have had to be removed, opening up views of St Joseph's. The retention of two large Thujas (Western Red Cedars) between the two buildings would help to separate them visually. According to the Tree Survey and Arboricultural Assessment both trees can be retained provided root damage is minimised. Since the survey was carried out a car park has been formed and further consideration needs to be given to the protection and future health of these trees. This can be required by planning condition. I consider, therefore, that the proposed block of flats would fit acceptably in this location without undue harm to the setting of St Joseph's and the Conservative Club.

6.3 The Appeal Inspector granted conservation consent for demolition of The Retreat, including the hall. The hall is not an attractive building. The Conservation Manager refers to it as of limited merit. In my opinion its replacement by a building which although larger, would be architecturally and visually appropriate would ensure that the Conservation Area was not harmed.

6.4 On the second issue the key consideration is that the new building, unlike the appeal proposal, would not extend as far as the boundary with Invermoray (the first house along The Avenue). Furthermore it would have only two storeys with the roof sloping away. At the nearest point the building would be about 13m from the garden of Invermoray. Views from the rear windows of the new flats towards Invermoray would

be blocked in part by The Retreat but the distances (about 13m to the garden and about 24m to the house) would be sufficient to protect the privacy of occupiers of that property. The Retreat would not be increased in size and the only new windows in the north elevation (3 rooflights) would be installed above eye-level to restrict overlooking of the adjoining residential properties. There would be some overlooking of the Conservative Club but of the rear yard and I understand that none of this property is occupied residentially. There is a tall brick/stone wall along the boundary with the Conservative Club and Invermoray. In these circumstances I consider that the proposals would not harm the amenities of neighbours.

- 6.5 The security of the school could be ensured by retention of the close-boarded fence that has been erected along the common boundary which, as for cycle parking, could be required by planning condition.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

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

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

2 C02 (Approval of details)

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

3 G04 (Landscaping scheme (general))

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

4 G05 (Implementation of landscaping scheme (general))

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

5 G01 (Details of boundary treatments)

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

6 W01 (Foul/surface water drainage)

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

7 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.

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 The foul only discharge from the proposed development must be connected to the 225mm public combined sewer at manhole SO59237401, located at the junction of Palmerston Road and Walford Road.**

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

- 10 H08 (Access closure)**

Reason: To ensure the safe and free flow of traffic using the adjoining County highway.

- 11 H11 (Parking - estate development (more than one house))**

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

- 12 H27 (Parking for site operatives)**

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

- 13 H29 (Secure 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.

- 14 F32 (Details of floodlighting/external lighting)**

Reason: To safeguard local amenities.

- 15 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.

- 16 G24 (Location of trees on and adjacent to development sites)**

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

INFORMATIVES:

- 1 N19 - Avoidance of doubt**

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

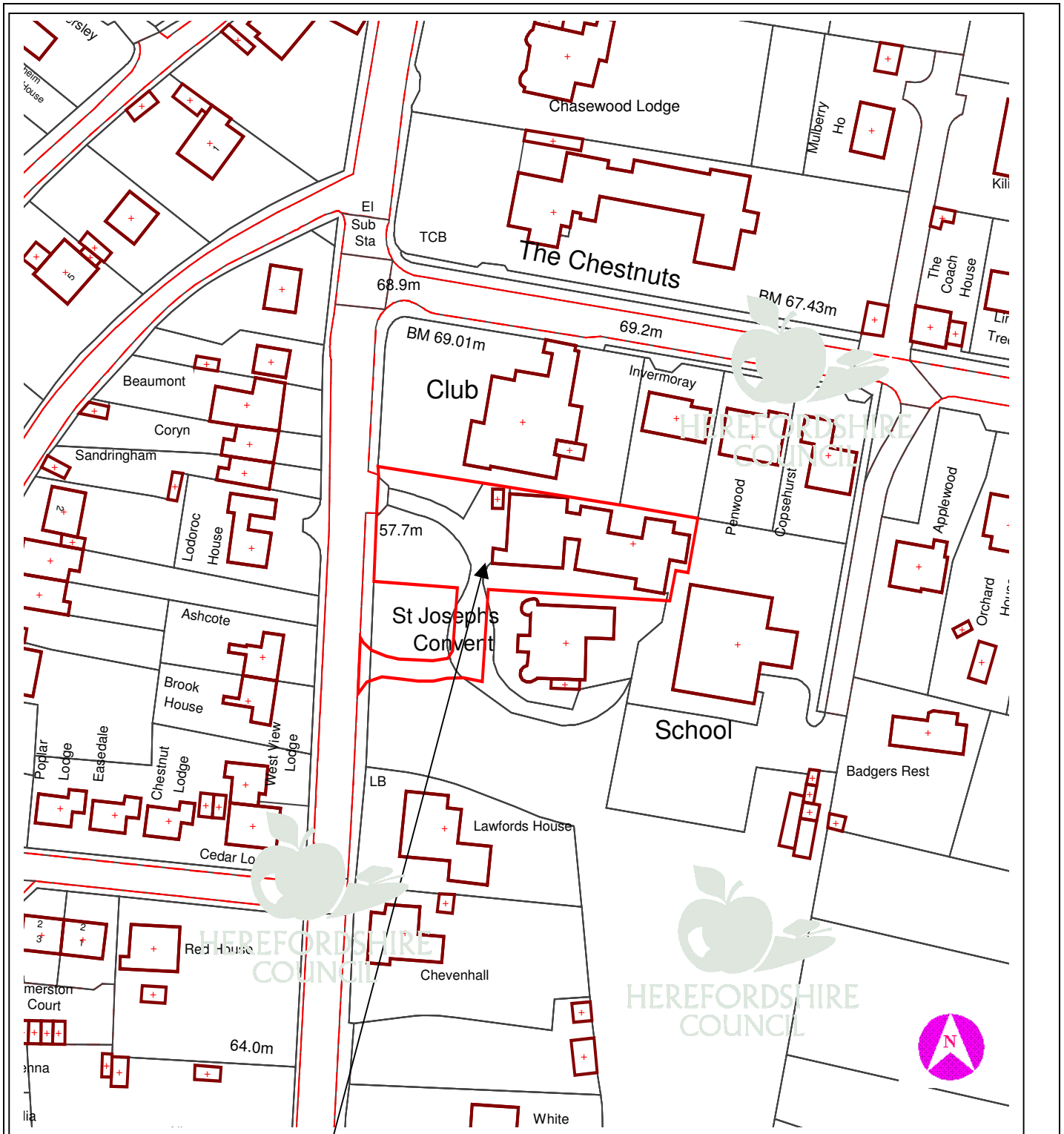
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCSE2007/2695/F

SCALE: 1 : 1250

SITE ADDRESS : St Joseph's, Walford Road, Ross-on-Wye, Herefordshire

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APPENDIX

	<h2>Appeal Decision</h2> <p>Inquiry held on 08 November and 12 December 2006 Site visit made on 12 December 2006</p> <p>by David Grace BSc Dip TP MRTPI</p> <p>an Inspector appointed by the Secretary of State for Communities and Local Government</p>	<p>The Planning Inspectorate 4/09 Kite Wing Temple Quay House 2 The Square Temple Quay Bristol BS1 6PN ☎ 0117 372 6372 e-mail: enquiries@planning-inspectorate.gsi.gov.uk</p> <p>Date: 26 January 2007</p>
	<hr/> <p>Appeal A Ref: APP/W1850/A/06/2007985 St Josephs Convent, Walford Road, Ross on Wye HR9 5PQ</p> <ul style="list-style-type: none"> 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 made by Woodfield Developments Ltd against the decision of Herefordshire Council. The application Ref. DCSE2005/0949/F, dated 23 March 2005, was refused by notice dated 3 August 2005. The development proposed is demolition of existing 1970's hall and living accommodation and construction of new block of 8 no. flats. <p>Summary of Decision: The appeal is dismissed.</p> <hr/> <p>Appeal B Ref: APP/W1850/E/06/2007983 St Josephs Convent, Walford Road, Ross on Wye HR9 5PQ</p> <ul style="list-style-type: none"> The appeal is made under sections 20 and 74 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant conservation area consent. The appeal is made by Woodfield Developments Ltd against the decision of Herefordshire Council. The application Ref. DCSE2005/0951/C, dated 23 March 2005, was refused by notice dated 3 August 2005. The proposal is for demolition of existing 1970's hall and living accommodation and construction of new block of 8 no. flats. <p>Summary of Decision: The appeal is allowed, and conservation area consent is granted in the terms set out below in the Formal Decision.</p> <hr/> <p>Procedural Matter</p> <ol style="list-style-type: none"> Notwithstanding the description of the proposal included in the conservation area consent application, I have dealt with appeal B on the basis that the proposal is for demolition of the existing 1970's hall and living accommodation that are shown on plans 1026.2-310 and 311. <p>Main Issues</p> <ol style="list-style-type: none"> I consider there are two main issues in Appeal A. The first main issue is whether the proposed development would preserve or enhance the character or appearance of the Ross on Wye Conservation Area. The second main issue is the effect of the proposed development on the living conditions of nearby residents in terms of visual impact and privacy. I consider the main issue in Appeal B is whether the proposed demolition works would conflict with national and local policies for the control of demolition in conservation areas and, if so, whether there are material considerations that would outweigh this. <p>Planning Policy</p> <ol style="list-style-type: none"> The development plan includes Regional Planning Guidance for the West Midlands, the Hereford and Worcester County Structure Plan and the South Herefordshire District Local Plan. There is also an emerging Herefordshire Unitary Development Plan (UDP) which is at a very 	
		<p>HEREFORDSHIRE COUNTY COUNCIL PLANNING DEVELOPMENT CONTROL</p> <p>29 JAN 2007</p> <p>To:</p> <p>Ack'd: File</p>

Further information on the subject of this report is available from Mr S Holder on 01432 260479

advanced stage of preparation and is a material consideration of substantial weight. Of the policies that have been drawn to my attention, I consider below those that are most directly relevant to the main issues of this appeal.

4. The proposal is situated within the Ross on Wye Conservation Area. Accordingly I am required by the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of that area. Structure Plan Policy CTC.15 accords with this duty. Local Plan Policy C.23 goes beyond it and includes a requirement that development should preserve or enhance the character and appearance of conservation areas. However, emerging UDP Policy HBA6 accords with the requirement of the Act and the Structure Plan in these respects. Policy 16 of the Local Plan specifically deals with Ross on Wye and, as it relates to this appeal, broadly accords with the thrust of Policy C.23. Local Plan Policy 5 indicates that within the built up area of Ross on Wye new housing on small sites will generally be considered favourably unless, amongst other things, it would adversely affect the appearance and character of the Conservation Area.
5. In combination, as they relate to this appeal, Structure Plan Policy CTC.9 and Local Plan Policies C.23, GD.1 and SH.14 seek a high standard of design and require that the layout, design, form, mass, scale, height, materials and colour of development should respect and be in keeping with the quality, character and appearance of the area. Emerging UDP Policies HBA6, P10, S2, DR1 and DR2 continue the thrust of these policies.
6. Policy GD.1 includes a requirement that development should have regard and be appropriate to the setting of neighbouring buildings. Emerging UDP Policy HBA8 indicates that proposals which would adversely affect the setting of buildings that make a valuable contribution to the character and appearance of the area will not be permitted. Local Plan Policy 3, which specifically relates to Ross on Wye, requires, amongst other things, that the design and materials of development are in harmony with surrounding buildings particularly when within the Conservation Area.
7. Local Plan Policy C.25 indicates that consent for demolition of buildings in conservation areas will only be given where the loss of the building will not have a detrimental effect on the conservation area. Emerging UDP Policy HBA7 includes an indication that demolition of unlisted buildings in conservation areas will only be permitted where it is accompanied by redevelopment proposals that are in accord with Policy HBA6. This goes beyond Local Plan Policy C.25 but is in accord with the advice contained in paragraph 4.27 of Planning Policy Guidance 15: Planning and the Historic Environment (PPG15).
8. Local Plan Policy GD.1 requires that development should not disturb or conflict with adjoining uses and Local Plan Policy SH.15 requires that the relationship between new and existing dwellings maintains adequate levels of privacy. Emerging UDP Policy DR2 indicates that development should not prejudice the amenity of adjoining land and buildings.

Reasons - Appeal A

General

9. The appeal site is within the curtilage of the former St Josephs convent and includes an existing hall and a retreat building. It is therefore previously-developed land the efficient re-use of which for housing is encouraged by Government policy. However, it is also Government policy in relation to housing and design quality that development which is inappropriate in its context, or which fails to take the opportunities available for improving the character and quality of an area and the way it functions, should not be accepted. I consider this below.

Effect on the Ross on Wye Conservation Area

10. The former St Josephs convent is one of a number of large mansion style buildings grouped in the area close to the junctions of Walford Road, The Avenue and Eastfield Road. These buildings have a consistency in their design and materials and are generally of a high Victorian style. They are predominately faced in stone with feature banding, lintel and cill details and have steeply pitched slate roofs. Pronounced gables are significant features in this area. The buildings are typically set in large gardens with mature vegetation and bounded by stone walls with decorative gateway features. Views of many of the buildings are at least partly screened by garden vegetation but, nonetheless, their presence is apparent and this establishes a strong, distinctive character for a substantial length of this part of the east side of Walford Road. In my opinion, this sense of large and grand traditional buildings in relatively spacious settings makes an important contribution to the character and appearance of the Conservation Area. Dwellings have been built in the curtilages of some of the large houses in this part of the Conservation Area. However, it has not occurred at the series of large houses on the east side of Walford Road close to The Avenue, although some have been extended and annex buildings have previously been constructed adjacent to St Josephs.
11. The above pattern of development and the sense of the grandness of the buildings are particularly apparent near to the junction of Walford Road and The Avenue. The existing single storey hall and retreat buildings adjacent to St Josephs, which are proposed to be demolished, have eroded the space around the building but their low height means that a sense of openness remains above them and the main St Josephs building remains the very strongly dominant built element on the site. This dominance is in keeping with the overall grain of this part of the Conservation Area and allows the juxtaposition of St Josephs and the adjacent Conservative Club to the north to make an important contribution to the townscape.
12. The proposed building would be 3 storeys high. It would have a flat roof which would be approximately at the level of the eaves of St Josephs. The building would have a smaller footprint than the buildings it would replace and would increase the size of the garden at the rear of the site. However, it would have substantially more bulky overall massing. The front elevation would be slightly further back than that of the existing hall but would be forward of the main part of the front elevation of St Josephs. This would, in my view, accentuate the bulk of the new building in relation to St Josephs. For these reasons I consider the proposed building would be significantly less subservient than the existing hall and retreat and the dominance of St Josephs would be substantially reduced by it. Moreover, the greater height and bulk of the proposed flats would greatly reduce the sense of space between St Josephs and the Conservative Club. As a result, I consider the scale of the proposed building in relation to its surroundings would be unacceptable. It would detract from the setting of St Josephs and the Conservative Club and would be at odds with, and detract from, the character of the area.
13. The proposed flats would have a modern appearance. The materials would be a mixture of brickwork, painted render and terra cotta rain screen cladding. There would also be extensive areas of glazing behind balconies on the second floor in the south and west elevations. The building would have sharp, clean lines with rectangular panels of render. The proportions of the building would have a horizontal emphasis in all but the east elevation.
14. I do not agree with the appellant that the building would have a restrained appearance that would not compete with St Josephs. In my view, the building would have a strong, distinct identity and its contrast with the buildings to either side would accentuate its presence. In my opinion, the building would appear incongruously out of accord with the proportions, form, shape, fenestration, detailing and overall character of both St Josephs and the Conservative Club. As a result, I consider it would unacceptably intrude into, and detract from, the visual relationship of those two buildings. The north elevation would be particularly horizontal in its

emphasis. It would have a slab-like appearance that would be largely unrelieved by openings or features. In my view, this would be starkly at odds with the more complex form and more richly detailed elevations of the neighbouring buildings. PPG15 advises that what is important is not that new buildings in conservation areas should imitate earlier styles but that they should be designed with respect for their context. In my view, the appeal scheme does not achieve this objective. That the attractive roof form of St Josephs would be visible from the Avenue over the new building would not overcome this. Rather, in my opinion, it would highlight the scheme's lack of accord with its surroundings. Removal of the retreat building would increase views from The Avenue to the hills beyond the town to a limited extent. However, in my opinion, this would not outweigh the intrusive impact of the development in such southward views.

15. The appellant says the colour and texture of the materials could be dealt with by means of a condition. However, in my opinion, this would not be sufficient to make the overall design of the elevations acceptable and bring the scheme into accord with the surroundings.
16. Despite the presence of mature trees and shrubs at the front of the appeal site the proposed block of flats would be visible from Walford Road. It would be seen through the new access to the site and through the existing entranceway. It would also be seen for a significant part of the year, when the trees are not in leaf, in views across the garden in front of the Conservative Club. The new building would also be very prominent in views from The Avenue across the Conservative Club car park. As a result, the incongruous and intrusive impact that I consider the proposed development would have, and its lack of accord with the prevailing character of the area, would be clearly apparent and would unacceptably detract from the quality of the street scene.
17. The appellant has submitted a completed S106 unilateral undertaking in respect of a scheme of remedial works for the gate pillars and adjoining walls at the existing site entrance. Such works would enhance the frontage of the site. However, in my view, this would not outweigh the harm that I have identified above. The appellant says that if there is no redevelopment scheme the existing hall and retreat building will not be demolished. I agree that these buildings detract from the setting of St Josephs and the overall appearance of the Conservation Area. However, taking into account the small scale and low profile of the existing annex buildings, I consider the harm that would result from the proposed development would outweigh the benefits that would result from their removal.
18. The proposed development would be seen in some long views from the countryside beyond the town. Whilst the unacceptable incongruity of the scheme in relation to St Josephs and the Conservative Club would be apparent, it would only be seen from a considerable distance. It would be below the skyline and would be perceived in the context of the suburban development in front of it. In my opinion, the scheme would not unacceptably affect the natural beauty of the Wye Valley Area of Outstanding Natural Beauty (AONB) within which it is situated.
19. Notwithstanding my favourable assessment in respect of the AONB, I conclude on the first main issue that the adverse effects of the proposed development on the townscape of the area are such that the scheme would fail to preserve or enhance the character or appearance of the Ross on Wye Conservation Area and would conflict with Structure Plan Policies CTC.9 and CTC.15, Local Plan Policies C.23, GD.1, SH.14, 5 and 16 and emerging UDP Policies HBA6, HBA8, P10, S2, DR1 and DR2. I also conclude that this unacceptable effect outweighs the accord of the scheme with Government and development plan policy in respect of encouraging the re-use of previously-developed land for housing.

Effect on living conditions

- 20. The Council confirmed during the Inquiry that it no longer objects to the scheme in respect of overlooking from its south side because St Josephs is now being converted for B1 office use. Some of the windows of the proposed flats would face towards Invermoray, a neighbouring dwelling. However, the scheme includes projecting wall fins adjacent to some of the windows and obscure glazing could be used for bathroom windows. Also many of the views would be at oblique angles. Taking these factors into account, together with the separation distance between the dwelling and the proposed block, I consider the scheme would not result in an unacceptable reduction in *privacy* for the occupiers of Invermoray. The scheme would increase overlooking of the garden of Invermoray but, in my view, it is common within residential areas for there to be some overlooking of rear gardens from neighbouring upper floor windows. I consider it is not reasonable to expect that there should be no such overlooking in a suburban setting such as that which exists in this area. For these reasons, I consider the proposed development would not conflict with the requirements of Local Plan Policy SH.15 in respect of privacy.
- 21. The council considers the proposed development would increase *overshadowing* of Invermoray. However, it confirmed during the Inquiry that this would not be to an extent that would justify the withholding of permission. I accept that view.
- 22. The north-east corner of the proposed building would be very close to the south-west corner of the curtilage of Invermoray. In my opinion, the 3 storey height of the proposed building so close to the boundary would result in it being intrusively overbearing in the *outlook* from the garden. The scheme would remove the retreat building that is positioned to the rear of Invermoray and would open up the outlook in that direction. However, the retreat roof slopes away from the garden which reduces its impact and avoids an oppressive sense of enclosure. On balance, I consider the adverse effect of the scheme on the outlook from the garden of Invermoray outweighs the benefit of removing the retreat building. Notwithstanding my favourable conclusions in respect of privacy and overshadowing, I consider this is the determining matter in the second main issue. I therefore conclude that the proposed development would unacceptably affect the living conditions of the occupiers of Invermoray in terms of visual impact and would conflict with Local Plan Policy GD.1 and emerging UDP Policy DR2 in that respect.

Conclusions - Appeal A

- 23. For the reasons given above and having regard to all other matters raised, I conclude that appeal A should not succeed.

Reasons and Conclusions - Appeal B

- 24. There is no permitted scheme for the redevelopment of the appeal site. As a result, the proposal would conflict with emerging UDP Policy HBA7 and the advice contained in PPG15. However, in my view, the proposed removal of the hall and retreat building would increase the sense of space around St Josephs and improve its setting. Provided the cleared site is landscaped, which can be dealt with by means of a condition, I conclude that the proposal would enhance the character and appearance of the Conservation Area. It would, therefore, not conflict with Local Plan Policy C.25 and, in my view, the benefit of the proposal in the above respect is a material consideration that outweighs its conflict with national and emerging local policy. I therefore conclude that appeal B should succeed.

HEREFORDSHIRE COUNCIL PLANNING SERVICES DEVELOPMENT CONTROL 29 JAN 2007
To:..... Ack'd: File:

Formal Decisions

25. **Appeal A - Ref. APP/W1850/A/06/2007985**

26. I dismiss the appeal.

27. **Appeal B – Ref. APP/W1850/E/06/2007983**

28. I allow the appeal, and grant conservation area consent for the demolition of the existing 1970's hall and living accommodation at St Josephs Convent, Walford Road, Ross on Wye HR9 5PQ in accordance with the terms of application Ref. DCSE2005/0951/C dated 23 March 2005 and the plans submitted subject to the following conditions:

- 1) The works hereby authorised shall begin not later than 5 years from the date of this consent.
- 2) The works hereby authorised shall not take place until a scheme and programme for landscaping has been submitted to and approved in writing by the local planning authority. The scheme shall include details of arrangements for removal from the site of materials resulting from the works hereby authorised. The works shall be carried out in accordance with the approved details and the agreed programme.

D Grace

INSPECTOR

14A DCSE2007/1872/F - CONSERVATION, REPAIRS AND ALTERATIONS AT HUNTSHAM COURT FARMHOUSE, HUNTSHAM COURT, GOODRICH, ROSS-ON-WYE, HEREFORDSHIRE, HR9 6JN

14B DCSE2007/1874/L - CONSERVATION, REPAIRS AND ALTERATIONS AT HUNTSHAM COURT FARMHOUSE, HUNTSHAM COURT, GOODRICH, ROSS-ON-WYE, HEREFORDSHIRE, HR9 6JN

For: Mr RH Vaughan per Graham Frecknall Architects, 9 Agincourt Street, Monmouth, NP25 3DZ

Date Received: 14th June 2007 Ward: Kerne Bridge Grid Ref: 56246, 17294
Expiry Date: 9th August 2007
 Local Member: Councillor JG Jarvis

1. Site Description and Proposal

- 1.1 Huntsham Court is a substantial farmhouse (Listed, Grade II*) dating originally from the seventeenth century, although with later additions and twentieth century alterations. It is situated on the Huntsham Bridge - Symonds Yat East road. Although the house and main entrance fronts that road, it is well set back and there is only a pedestrian route leading to it via steps up from the boundary walls. At the north end a 3-storeyed (plus basement) gabled extension projects to the front, with 2 further lower, asymmetrical gables projecting from the rear. A 3-storey former barn extends forward and to the south of the main house, with a lower building linking the two. Attached to the north-east corner of the house is a ridge roofed former pig building with lean-to. The vehicular entrance to the property is about 300 m to the north with a narrow access drive defined by low stone walls.
- 1.2 The proposals involve alterations to the exterior and interior of the house. Externally the main changes would be the demolition of the pig buildings (formerly pigsties and a pig swill house) at the north-east corner of the house and erection of a two-storey porch on the north elevation. The porch would be modelled on example found on comparable farmhouses in the South Wales and Marches area. Together with the opening up of blocked windows and creation of a new third floor window to match that existing this would become the new main entrance to the house. Associated with this would be the formation of a new wider drive parallel to but about 20 m to the east of the existing drive and planting of an avenue of oak trees. The drive would then turn to pass under an arch through an imposing barn and farmyard to the east of the house.
- 1.3 Other elevations would have changes to fenestration primarily with architecturally more appropriate windows being fitted together with other minor alterations. Internally the basement of the main house and other disused rooms would be brought back into use and the south wing would be re-configured to provide a staff flat, offices, and a room

for business entertainment/sitting room. The new north porch would be accompanied by a new staircase and other changes to form an appropriate entrance.

2. Policies

2.1 Planning Policy Guidance

PPG15 - Planning and the Historic Environment

2.2 Herefordshire Unitary Development Plan 2007

Policy H18	-	Alterations and Extensions
Policy HBA1	-	Alterations and Extensions to Listed Buildings
Policy HBA2	-	Demolition of Listed Buildings
Policy HBA3	-	Change of Use of Listed Buildings
Policy HBA4	-	Setting of Listed Buildings
Policy NC1	-	Biodiversity and Development
Policy NC5	-	European and Nationally Protected Species
Policy NC6	-	Biodiversity Action Plan Priority Habitats and Species
Policy NC7	-	Compensation for Loss of Biodiversity
Policy NC8	-	Habitat Creation, Restoration and Enhancement
Policy NC9	-	Management of Features of the Landscape Important for Fauna and Flora
Policy LA1	-	Areas of outstanding Natural Beauty
Policy LA4	-	Protection of Historic Parks and Gardens
Policy S7	-	Natural and Historic Heritage

3. Planning History

There have not been any recent applications for planning permission or listed building consent other than the current applications.

4. Consultation Summary

Statutory Consultations

- 4.1 English Heritage comment that "Huntsham Court is an interesting and quite complex gentry house, the overall history of which is that it declined in status to an ordinary farmhouse but has now risen again to something more like its original status. This gives the opportunity for a major overhaul of this rather battered building, and the rectifying of some mutilations that have happened in the last two centuries. This case highlights the philosophical issues of how far one respects the scars of history on the one hand, and how far one respects the taste and intentions of the architecture.

In the present context, it is reasonable for the owners to expect the building to function better in terms of access and hospitality. That does produce a circulation problem, as it would now be difficult to use the historic front door as the main entrance without greatly disrupting the setting of the building. We therefore accept the principle of a new main entrance on the north side of the building. The proposed two storey porch would potentially accord with the status of the building and give a visual harmony, but would need to be very carefully designed and detailed, and should carry clear evidence that it is a 21st century intervention - such as a date stone with the owners' initials. We live in an eclectic architectural era, and the use of historical imagery is valid today if it is done well.

The main casualty in the proposal would be the north-east extension, an outbuilding apparently of early 19th century date. Our view is that this is a sacrifice worth making in order to revitalise this outstanding historic building, subject to a full archival record being made and deposited in the County HER. However this is a finely balanced issue, and we can see the case for keeping it (perhaps slightly reduced?) in spite of its visual impact on the new north porch.

The other alterations all seem to us to be potentially uncontentious, indeed welcome in most cases, subject to stringent conditions on detail and the scope of the works.

Recommendation

Consent and permission may be granted for these works, subject to the considerations summarised above. However any consent should be conditional on your council's prior approval of the exact scope of the works (including repairs) and all architectural details, materials and finishes. A condition should also cover all landscape design and detail."

- 4.2 Ancient Monuments Society felt that the most controversial aspect of the application was the demolition of the 18th century addition to the northern face of the house (referred to as pig housing and swill making). The addition, although it appears to be constructed of different quality stone, and at a later date to the earliest part of the house, is clearly still of historic value. The Committee wondered if this might in fact be former stables. They felt strongly that the presumption should be in favour of retention and urged that the applicant be encouraged to make use of the existing fabric in any scheme for re-orientation.
- 4.3 The Georgian Group advises that "the proposals seek to undertake a range of repairs, reinstate a number of features, and demolish some attached ancillary buildings and construct a new entrance porch to the north elevation. Given the date of the building these works are strictly outside of our area of interest however we feel that it may be useful for you to receive our views on the proposals.

We have no strong concerns over the majority of the proposals however we would like to comment briefly on the demolition element and the new porch. We note that the applicant claims that the single storey buildings (pigsties and a pig swill house) that would be demolished under the proposals are of a late nineteenth century date but the list description for this building places them slightly older at eighteenth century in date. Whatever the exact date of these buildings it is clear that they are historic in character and are part of the development of the complex of buildings at Huntsham Court. Their removal should therefore be strongly justified and inline with guidance on demolition of listed buildings.

Moving onto the new entrance porch, whilst the proposals are clearly well informed and impressively designed they would bring about a significant change in the character of this building and would represent a substantial phase in its development. It is clearly the objective of the proposals to do this and alter the orientation and main external character of the building and in this light we regard the new porch as having a relatively benign impact that does not have a direct harmful impact upon the eighteenth century aspects of this building.

However, the porch would have to be 'enabled' by the demolition of the ancillary buildings to the side and on this point we would recommend that this application be determined in accordance with relevant national and local policy and you should be

entirely satisfied of the argument for demolition before considering consent for this scheme."

- 4.4 The Society for the Protection of Ancient Buildings comment that "we are encouraged to find that significant parts of the works involve reversing damaging modern interventions with the use of traditional materials and techniques proposed. As such, we would like to focus our comments to the areas of the application that relate to the proposed creation of a new entrance into the house on the north elevation.

Turning first to the proposed demolition of the single storey outbuilding on the north elevation. The outbuilding is attractively constructed and has value as part of the narrative of the historic development of the house. However, it is in itself of limited architectural or historic interest and has always been a somewhat ad hoc and incongruous addition to the house.

It is recognised that setting a precedent for demolition should be discouraged. However, in the context of this application, the demolition of the structure in question might be considered advantageous in restoring the character of the main house. The outbuilding whilst clumsily constructed against the existing house has not been keyed into the existing house and as such its removal would be possible with minimal damage to the main house.

Turning now to the proposed construction of a new entrance porch on the north elevation. Access from the north into the hallway (room 207) makes sense in terms of the internal planning of the house. An existing window opening in the north elevation could be adapted to form a new doorway giving access to the hallway and stair. Whilst the design draws on local C17 precedence and bears a strong resemblance to the projecting doorway at Treowen, it should be noted that the doorway at Treowen, as in the others cited, is on or just above ground level. Therefore it is important to appreciate that the proposed porch would take on a different architectural appearance on Huntsham Court.

The application suggests the re-use of the C18 stonework from the demolished outbuilding for the porch. There is a danger that constructing a new porch whose design is based upon C17 precedent using C18 stonework will confuse the reading of the building and its historical development.

The other important issue to address is with respect to level changes. The internal level at the proposed porch location is almost a storey higher than the external ground level requiring 14 steps to reach it. As such the design of the proposed new porch becomes three-storeys high, which is considerably taller than the existing single storey open-sided porch of the west elevation that sits atop a flight of 9 steps. In scale and design, the proposed porch has considerable impact and strongly asserts itself as the primary entrance to the house, which we believe will detract negatively from the historic westerly entrance. It is important that any intervention should respect the historic ordering of and orientation of the house. The design of the proposed porch would benefit from a reduced scale to reinforce the westerly entrance as the primary historic approach.

To conclude the Society must regretfully object to the application until the concerns raised in relation to the design of the new porch, outlined above, are addressed."

Internal Council Advice

- 4.5 The Conservation Manager advises that "the proposed works vary greatly in terms of their impact and the more minor elements such as the internal re-ordering and the refurbishment of the majority of the windows are broadly welcomed.

However the proposal to demolish an attached C18 barn to make way for a two storey tower porch is particularly contentious. The case for this seems to revolve around the fact that as the current vehicular access does not approach the historic 'front' of the building (ie the west elevation), the adjacent north elevation must be 'promoted' to compensate. Whilst such radical re-modelling was not uncommon even as late as the early C20, it is totally out-of-step with current conservation practice, which generally advocates that modern additions to listed buildings should not seek to distort the historical evolution of the building. Furthermore it should be noted that national and local policy resists the demolition of listed buildings as a matter of course without exceptional circumstances and in this case no overriding functional or structural arguments have been made for the demolition of the barn, which is a substantially intact, serviceable structure."

In addition it is pointed out that "the grounds of Huntsham Court, comprising the triangular shaped former orchard to the north of the Court, the formal garden to the west and an area of pasture to the south, have the status of an unregistered garden.

I regret that I would not support the proposed new driveway. The existing driveway, recorded on the map of Huntsham Court dated 1888, is simple, direct and relates to the northern elevation of Huntsham Court. In my view, creating a new, parallel driveway, only 20 metres to the east of the historic driveway, would appear illogical and would detract significantly from the historic driveway, which is an integral part of the unregistered garden. The pastoral field also forms part of the setting of Huntsham Court and building a new driveway through it would be harmful to its character.

I do not consider that avenue planting, which is rather grandiose in character, would be appropriate to this particular unregistered garden. One of the key characteristics of this site is its low-key, agricultural character. This is described in the section on Huntsham Court in 'A Survey of Historic Parks & Gardens in Herefordshire' by David Whitehead as a series of enclosures to productive gardening, as shown on the 1838 tythe map.

The orchards he describes have disappeared over time, with only a few fruit trees remaining, so the orchard character has already been eroded. I am very concerned that avenue planting, particularly if large-scale trees were used, would further erode the orchard character and replace it with a parkland character which is inappropriate to this site. I feel that avenue planting would also appear over-scaled in relation to the court, which is relatively modest in scale. Furthermore, the avenue of trees would appear illogical, in design terms, just as the proposed new driveway would do. Avenues of trees are normally aligned with the principal faade of a building. In this proposal, the avenue would be aligned with the barns, not the court.

I conclude that I could not support the proposed new driveway because I consider that this element would be contrary to Policy LA4: Protection of Historic Parks and Gardens."

- 4.6 The Traffic Manager would object to the proposal unless improvements to visibility of the access can be achieved.

5. Representations

- 5.1 The applicant's agent has submitted a Justification Statement, which the applicant has summarised:

- Huntsham Court is the farm house for Huntsham Farm. It is, and has always been, at the heart of an active farming enterprise. The farm is small by modern standards (386 acres) and changes are now needed to the house to ensure that both the house and farm remain viable into the 21st century.
- Huntsham Farm came into the Courtfield Estate in the first half of the seventeenth century. Huntsham Court was constructed at about the same time. I have been farming at Huntsham for 39 years and arrangements are in place to ensure that the house and farm remain in the ownership of the Vaughan family not only in this, but also in future generations.
- The main interest in the house lies in the way in which it has been altered over the centuries to adapt it to the changing needs of the farming enterprise which it serves. There have been numerous additions to the building over the years and a large number of doors and windows which have been created and blocked up at different times. We now need to continue that process of change but are very anxious to do this in a way which does not damage the historic value of the building.
- The standard of maintenance during the early and middle part of the twentieth century was poor and, although I carried out an overhaul when I moved into the house 35 years ago, I was a young man and my funds were very limited.
- Despite the relatively small acreage of the farm, I have gradually been able to build up a thriving meat supply business on it, involving the rearing of rare breed pigs, cattle and sheep, which makes good use both of the ancient water meadows opposite the house and most of the historic farm buildings behind it. I supply the meat from these animals direct to restaurants and private individuals throughout the country and it is fundamental to my ability to market it that chefs and private customers can visit the farm on a regular basis to see how the animals are cared for. Many of the changes proposed to the house relate to the need to accommodate these visits and to ensure that the buildings present an appropriate 'face' to visitors.
- The farming business has now developed to the point that we can fund the programme of restoration and repair which the house has long needed. Much of the work proposed relates to the need to carry out repairs to stonework, windows etc and to the restoration and reinstatement of architectural features. I have been advised that the overwhelming majority of the work proposed is non-controversial from both a planning and listed building perspective but that there is one aspect, described below, which is potentially controversial.
- One of the changes which has been made to the house over the years is its re-orientation - we think at the end of the nineteenth century - so that the principal access, which had previously been via fine stone steps below the house to the west, became - and remains to this day - from the north. The construction of the nineteenth century north driveway presumably reflected the fact that it was not feasible to arrange vehicular access to the house from the west because of the wall and steps. That constraint was further reinforced when my grandfather gave the road through the farm which runs past the house and the associated bridge over the River Wye to the Council for public use; the road is now quite busy and a new access point would clearly be impractical. Although I propose a minor re-routing of

the drive, therefore, there is no intention of changing the point of access on the road to the north of the property.

- The house has, however, not been changed to reflect the nineteenth century access arrangements and there is no door in the north facade. I propose to construct a new front door and two-storey stone porch on this facade and re-open two stone mullioned windows which were blocked up in Georgian times. The new door will afford access into the heart of the house in the staircase hall. The porch, which has been carefully researched and modelled on examples in the vicinity, will be constructed to the highest standards, I believe this remodelling will greatly enhance the currently rather plain north facade and be an appropriate contribution by my generation of the family to the gradual process of change the house.
- Access to the north side of the house is obstructed, both physically and visually, by a small run of redundant farm buildings adjacent to, though not keyed into, the north east corner of the house. These buildings, which I do not consider to be of any particular architectural or practical merit, were one of the latest additions to the house and I believe were constructed in two phases in the latter part of the nineteenth and early twentieth centuries to accommodate pig housing and swill making. At that time, Huntsham Farm, although in the ownership of the Vaughan family, was not occupied by a family member. The buildings appear to have been constructed, not to a very high standard, by the then tenant farmer, out of stone already on the farm.
- The re-use of stone is a feature of Huntsham Court and its associated farm buildings. In the great majority of cases, the buildings are attractive examples of practical vernacular architecture and, although some are over 250 years old, they are in continuing daily use. The buildings on the north east corner of the house are both too small to have much practical use and too close to it to be suitable as pig accommodation in the twenty first century.
- More importantly, these buildings detract significantly from the proposed remodelling of the north facade and mean that the new porch would be cramped next to buildings whose masonry is of a quality very much inferior to that on the rest of that side of the house. If they were allowed to remain, the architectural integrity of the new facade would be entirely lost and it would be obscured from all but the closest viewpoints.
- The stone which has been used in the construction of the redundant buildings is of varying quality but some of it is dressed to the same high standard as that used in the main house. I would want to continue the process of recycling building materials which has been so much a feature of the property and re-use all of the good quality stone in the construction of the new porch, thereby ensuring that it will blend with the existing stonework on the north facade from the outset.

5.2 Goodrich Parish Council has no objections to the proposed application.

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

6. Officer's Appraisal

6.1 These proposals would make extensive repairs and changes to this historically and architecturally important house. Many of these works are not contentious and are

broadly welcomed by English Heritage and the national amenity societies that have responded. These include the internal alterations, bringing back into use parts of the house that have not been used for some time, and making the house more suitable for family use and to assist the farming enterprise. Similarly the external alterations, in particular re-using original window openings that have been blocked up and changing architecturally discordant windows with windows more appropriate to the age and style of the building (primarily stone mullioned with leaded lights) would enhance the house.

- 6.2 The requirement to form a new entrance in the north elevation can also be appreciated. As noted above the existing main entrance to the house is on the west (front) elevation but it is not readily accessed from the parking areas to the north and east (rear) of the house. It is understandable therefore that the north elevation has been selected for the new entrance and this would be facilitated by relatively minor internal changes, including the new staircase. The manner in which this would be carried out has raised concerns however, and the main issue is whether the re-modelling of the north elevation and associated works would harm the character and appearance of this listed farmhouse and harm its setting.
- 6.3 The re-modelling involves the erection of a porch and the demolition of the former pig buildings. The porch would be two-storeyed and the design based on entrance porches of buildings of similar age and style in the South Wales/Marches area. However as pointed out by SPAB internal floor levels require a flight of steps up to the front door (14 steps are shown on the submitted drawings) making the porch 3 storeys in height and markedly different from all the other examples of porches used to inform the design. The removal of the pig buildings although not strictly essential to the new entrance would, the applicant considers, detract from the new entrance and, having no practical use would deteriorate, are not ancient and of no particular architectural merit or historic interest. There is no consensus regarding the age of the buildings, although the listing suggests the eighteenth century rather than late nineteenth/early twentieth century asserted by the applicant's agent or English Heritage's early nineteenth century. It is accepted that these buildings are not in themselves of great interest nevertheless they do illustrate the evolution of the building and removal must be strongly justified as required by guidance in PPG15 (paragraph 3.19). Whilst English Heritage supports demolition as a "sacrifice worth making in order to revitalise this outstanding historic building" the advice points out that this is "a finely balanced issue and we can see the case for keeping it (perhaps slightly reduced?) in spite of its visual impact on the new north porch". In fact the need to demolish the pig buildings is significantly reduced if a more modest entrance is made in the north elevation, as recommended by the Conservation Manager (and reiterated by SPAB).
- 6.4 The result of these changes, together with the otherwise unexceptionable re-opening and insertion of new windows, is to make the north elevation the main façade of the house and detract therefore from the historic (and existing) west elevation. As SPAB points out this would not "respect the historic ordering of and orientation of the house". The Conservation Manager's view is that such "radical re-modelling.....is totally out of step with current conservation practice...that modern additions....should not seek to distort the historical evolution of the building". On weighing these arguments I consider that this last point is the key factor and that the proposals would therefore seriously harm the character and appearance of this Grade II* listed building.
- 6.5 In addition the creation of a new access drive and avenue would be contrary to this historic garden. As noted above the structure of the garden survives (a series of productive enclosures) even if the planting (largely orchards) has disappeared. As a "home farm" Dr Whitehead points out that extended pleasure grounds or parkland

would not have been appropriate; they were over the hill at Courtfield (A Survey of Historic Parks and Gardens in Herefordshire). The setting of the listed building would therefore be harmed.

6.6 Other issues raised in the representations include the need to improve visibility at the access and the effect on the bats that are known to occupy parts of Huntsham Court. The former can be covered by planning condition; advice from Natural England is awaited on the latter.

RECOMMENDATION

In respect of DCSE2007/1872/F

That planning permission be refused for the following reason:

- 1 The re-modelling of the north elevation, including the new porch, and the new access drive, would harm the character and setting of this listed building and its historic garden and conflict therefore with policies H18, LA1, LA4, HBA1, HBA2 and HBA4.**

Decision:

Notes:

.....

RECOMMENDATION

In respect of DCSE2007/1874/L

That Listed Building Consent be refused for the following reason:

- 1 The re-modelling of the north elevation, including the new porch and demolition of the former pig buildings, and the new access drive, would harm the character and setting of this listed building and its historic garden and conflict therefore with policies H18, LA1, LA4, HBA1, HBA2 and HBA4.**

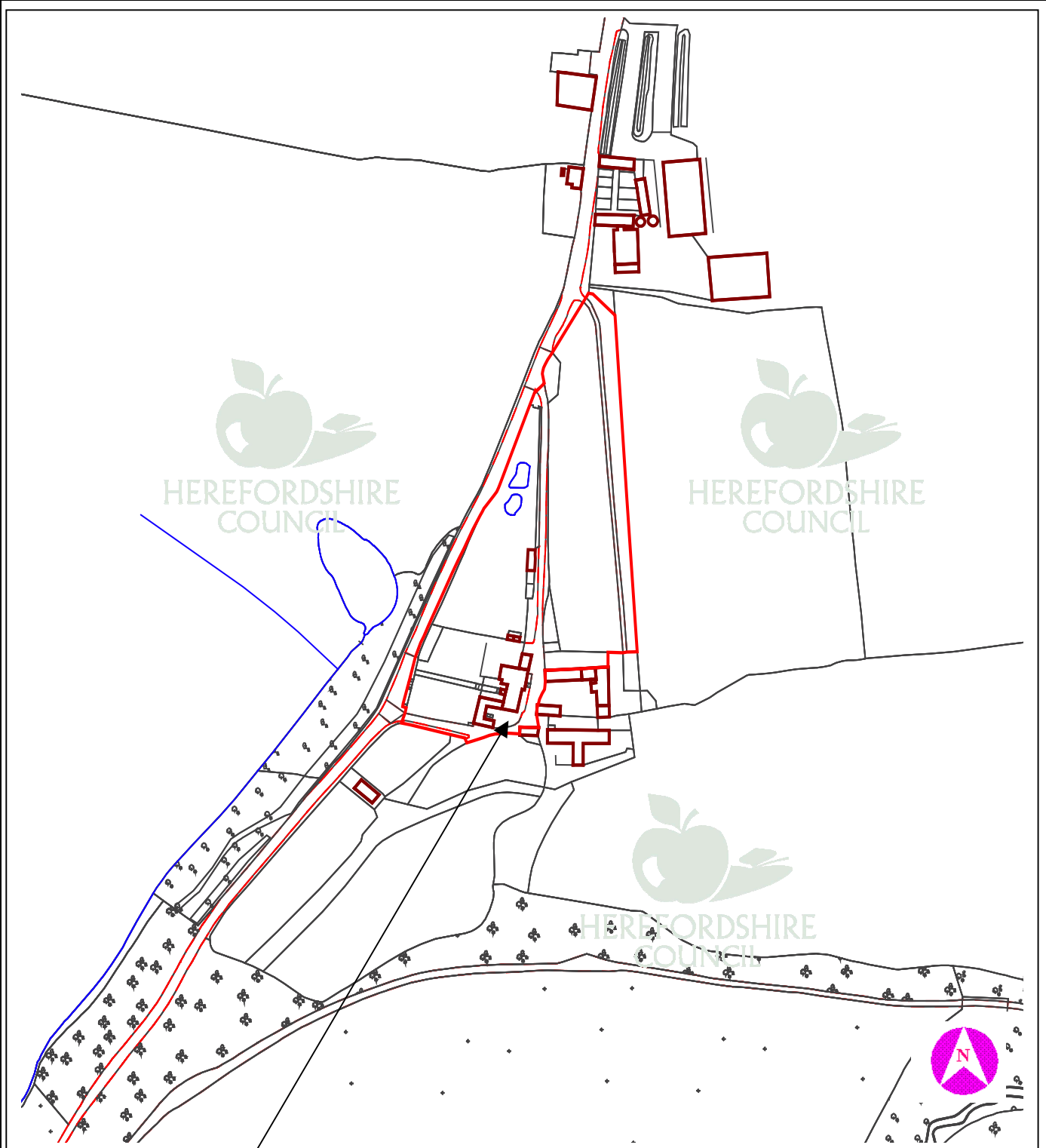
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCSE2007/1872/F

SCALE : 1 : 3113

SITE ADDRESS : Huntsham Court, -, Goodrich, Ross-On-Wye, Herefordshire, HR9 6JN

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15A DCSE2007/1938/F - DEMOLITION OF REDUNDANT AMBULANCE STATION AND ERECTION OF 6 NO. TWO BED FLATS, ST JOHN AMBULANCE, EDDE CROSS STREET, ROSS-ON-WYE, HEREFORDSHIRE, HR9 7BZ

15B DCSE2007/1940/C - DEMOLITION OF REDUNDANT AMBULANCE STATION AND ERECTION OF 6 NO. TWO BED FLATS, ST JOHN AMBULANCE, EDDE CROSS STREET, ROSS-ON-WYE, HEREFORDSHIRE, HR9 7BZ

**For: St John Ambulance per Jamieson Associates,
30 Eign Gate, Hereford, HR4 OAB**

**Date Received: 18th June 2007 Ward: Ross-on-Wye West Grid Ref: 59842, 24329
Expiry Date: 13th August 2007**

Local Members: Councillor CM Bartrum and Councillor G Lucas

1. Site Description and Proposal

1.1 The St. John Ambulance Station comprises a two-storey building with forecourt and land to the rear on the east side of Edde Cross Street, approximately mid-way between New Street and Kyrle Street. Adjoining the site are residential properties, as also on the opposite side of Edde Cross Street, with the exception of the adjoining property to the south which until recently has been used as a restaurant with residential accommodation above. The latter property is listed, Grade II.

1.2 It is proposed to erect a three-storey block of 6 flats. This would be in two sections, both rectangular in footprint but not identical and with the southern block set back at the front by about 0.5m. Linking the two sections would be a glazed entrance hall and staircase and projecting to the rear of this would be a lift. The building would be of modern design with a flat roof behind a low parapet wall. It would be rendered, with 2 sets of windows in the front elevation on each section extending above the low plinth to parapet level. To the outer side of each set of windows would be a continuous boarded panel. Small additional windows would be formed in the rendered wall between the windows of the northern block but not in the narrower southern block. In relation to the adjoining properties the two sections would have a similar building line; be about the same height as the three-storey building to the north and taller than the modern two-storey dwelling to the north.

2. Policies

2.1 Planning Policy Statement

PPS.3	-	Housing
PPG.15	-	Planning and the Historic Environment

2.2 Herefordshire Unitary Development Plan 2007

Policy S.3	-	Housing
Policy H.1	-	Hereford and the Market Towns: Settlement Boundaries and Established Residential Areas
Policy H.13	-	Sustainable Residential Design
Policy H.16	-	Car Parking
Policy HBA.4	-	Setting of Listed Buildings
Policy HBA.6	-	New Development within Conservation Areas
Policy HBA.7	-	Demolition of Unlisted Buildings within Conservation Areas
Policy T.11	-	Parking Provision

3. Planning History

3.1 There have not been any recent planning applications relating to this site.

4. Consultation Summary

Statutory Consultations

4.1 Welsh Water request that conditions regarding drainage be imposed if the Council is minded to grant planning permission.

Internal Council Advice

4.2 Traffic Manager advises that he would normally expect 6 off-street car parking spaces to be provided. However there is an opportunity for 3 or 4 parking spaces to be provided along the street frontage once the current parking restrictions are lifted. On this basis he would not object to the grant of planning permission subject to the developer meeting the costs of these highway works.

4.3 Conservation Manager advises that 'the southern end of Edde Cross Street is characterised by continuous frontages of substantial three storey buildings, interspersed with a few smaller buildings, although as a recessed, freestanding building, the ambulance station interrupts this pattern. The proposed scheme adopts a similar footprint but reinstates the building line, and its massing, which notionally divides into two similar size blocks, is more in line with the scale of the neighbouring buildings. This is the main concession to context as the building is otherwise of a determinedly modern architectural idiom. Nevertheless the elevations are carefully composed to break down their scale and their treatment reflects the prevailing local material, render, whilst complementing it with natural timber cladding and high specification windows.'

With regard to archaeological interests the site is within the historic urban core of Ross-on-Wye. I have no objection to the proposal which I view as not especially damaging archaeologically. However, I would anticipate some impact on below ground archaeological deposits and advise attachment of standard archaeological investigation condition.

5. Representations

5.1 The applicant has submitted a Design and Access Statement, which, in summary, states:

1. The existing building is a purpose built ambulance station, constructed in red facing brick, two storeys in height under a plain tiled pitched roof.
2. The building is of no architectural or historic interest and in terms of its internal finishes it is very basic. As it was purposely built as an ambulance station, it does not readily lend itself to alternative uses without considerable structural alteration. It is therefore not worthy of retention.
3. The existing ambulance station is now surplus to requirements and St. John Ambulance, as a registered charity, are obliged to maximise the development potential and hence the value of the site, prior to its disposal. It is intended therefore to demolish the building and to erect six two bedroomed flats.
4. As the adjoining buildings to the north and south have differing building lines on the street frontage, the proposed building has been treated as two separate units, divided by the central stair and lift enclosure, with each section relating directly to the building line nearest to it. This also breaks down the scale of the frontage and creates an illusion of two individual buildings matching the scale of their adjoining neighbours.
5. In each of the two sections, there are two double bedrooms fronting onto the street with kitchen/dining/living areas to the rear, overlooking what will be a communal garden area. Floor plans at each of the three floor levels are identical with the three flats to the north of the central access corridor having a gross internal floor area of 58 square metres each while those to the south are 56 square metres each.
6. The rear wall of the proposed building, with the exception of the lift shaft, follows almost exactly the rear footprint of the existing ambulance station and consequently, any windows in adjoining properties are not compromised in any way. The overall height of the proposed building is approximately 100mm higher than the ridge height of the existing ambulance station.
7. Each unit is framed in white smooth sand cement render with vertical panels of horizontal western red cedar cladding. Full height glazing will be in aluminium frames powder coat finished in a dark grey colour.
8. Side walls and rear walls will be in white through colour smooth sand cement render and the lift shaft will be in through colour lilac smooth sand cement render. The building as a whole will sit on a plinth of dark blue engineering bricks.
9. Entrance gates to the rear garden area, located on the north and south extremes of the building, will be formed in western red cedar to match the vertical panels on the west elevation.
10. All flats will be capable of being accessed by disabled residents or visitors, either directly at ground floor or via the lift to upper levels. Similarly a level access will be available from the street and the building to the whole of the rear garden areas.
11. It is proposed to install a communal rainwater harvesting system on site which will collect all surface water from the roof area, recycling this water as required for wc's, washing machines and garden tap. By so doing no surface water will be discharged into the main sewer.
12. Though thoroughly modern in design, will be an enhancement to the Conservation Area by respecting the scale and massing of the adjoining buildings and using traditional sustainable materials which will happily blend with the surrounding environment. The principal elevations to the street have been layered and modelled to relate to their adjoining neighbours and the proposed building has been deliberately kept as stand alone to avoid any physically awkward junctions with the existing adjoining neighbours.

In addition, a letter from the applicant's drainage engineer outlining the proposed drainage scheme and the written response of Welsh Water has been submitted.

5.2 Town Council points out that 'there is no provision for off-street parking on a site that had adequate space to provide such a facility. There are also concerns about the adverse impact on an already overloaded public sewerage system. Object to a flat roof replacing a pitched roof. The development is not in keeping with neighbouring properties. Recommend refusal.'

5.3 Six letters have been received objecting to the proposal, in summary, for the following reasons:

- the building would be a rather large mass in this context and not fit in with the street - although matching the height of adjoining property to the right it does not have a pitched roof and 3 storeys culminating in a flat roof would make a disproportionate visual impact
- also concerns about proposed materials as both cedar cladding and white painted render may deteriorate rapidly and large expanses of glass would be aesthetically inappropriate
- it would not enhance the Conservation Area; western red cedar and grey aluminium are not traditional materials. Reminiscent of a 1960's office block.
- block light to downstairs kitchen and first floor sitting room windows - only 1.34m from northern wall of adjoining property (52 Edde Cross Street) and also block light to living room, kitchen and bathroom of 47 Edde Cross Street
- create more noise, nuisance and traffic, adding to that caused by changes to area in particular the one-way system
- revised plans are confusing, so original objections regarding loss of light still stand
- the plans are inaccurate in depicting 52 Edde Cross Street
- no thought given to parking.

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

6. Officer's Appraisal

6.1 There are three main issues: (i) the effect on the character and appearance of the Conservation Area and setting of the adjacent listed building, (ii) the effect on the amenities of neighbours and (iii) whether off-street car parking should be provided.

6.2 The ambulance station is a modern structure and is not of architectural note. It is set back from the frontage and in this respect conflicts with the character of this section of Edde Cross Street. In principle therefore there is no objection to demolition of this building. The proposed building is of modern design. The designer's intention is not to fill the gap in the frontage with a building which would imitate either the Georgian building to the south or the less attractive terraced houses to the north. The disjunction in design and massing would be eased in part by the gaps (1.2m) on either side of the proposed building and the context has been taken into account to some extent by staggering the two sections of the building. White painted render is typical of this part of the street. Nevertheless the building would stand out as distinctly different. The Conservation Manager considers the building to be well designed and that it would not be out of scale with its immediate neighbours. For these reasons the proposal should enhance the street scene and therefore not harm the character and appearance of Ross-on-Wye Conservation Area.

- 6.3 The rear wall of the building is intended to be on the same line as the existing ambulance station. However the rear section of the latter is a single-storey extension with a lean-to roof. As a consequence although the ambulance station projects in front of windows in the ground and first floor flank wall of 52 Edde Cross Street adequate light reaches both windows. As originally submitted the proposed building would have significantly reduced lighting to both the kitchen and sitting room of the adjoining property. To reduce this problem the applicant has submitted amended drawings showing this section of the block of flats reduced in depth by 1m so that it would not project across more than a small section of those windows. I consider that this would ensure that lighting and outlook from those windows was at least comparable with the current situation.
- 6.4 The other concern raised in the representations is a lift shaft and rear entrance which projects about 5.7m beyond the rear wall of the northern half of this block of flats. The adjoining house to the north has windows in the flank wall which would face towards that structure. The lift shaft however would be positioned about 8.9m from the boundary with the adjoining house and 11.2m from the windows. I consider this would be sufficient to ensure that the lift shaft would not be overbearing and to ensure adequate lighting to the house. Privacy could be protected by obscure glazing.
- 6.5 No off-street parking is proposed. This could only be achieved by forming an entrance either side of the building or an archway beneath it. The former is undesirable because vehicles would pass close to windows in the adjoining properties and the latter would be incompatible with the proposed design. Neither option would be desirable visually and would leave limited space for a private garden and cause some noise and disturbance to neighbours. The road in front of the ambulance station is marked with double yellow lines, which would not be necessary once the flats were built. This could provide parking for three or four cars. Whilst this would be below the desirable level of provision (1 space per flat) and would not be limited to the cars of occupants of the new flats, the site is close to the town centre and a lower standard of provision can be acceptable in a conservation area. In these circumstances I do not consider that the lack of parking is sufficient grounds to refuse permission. The necessary highway works can be ensured by planning condition.

RECOMMENDATION

In respect of DCSE2007/1938/F

That planning permission be granted subject to the following conditions:

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

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

2. B01 (Samples of external materials)

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

3. 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.

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

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

5. H29 (Secure cycle parking provision)

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

6. H22 (Opening windows adjacent to the highway)

Reason: In the interests of highway safety.

7. H27 (Parking for site operatives)

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

8. No development shall take place until the current parking restrictions have been removed and the kerb has been reinstated along the road frontage to the site.

Reason: In the interests of the safe and free flow of traffic on the highway.

9. D01 (Site investigation – archaeology)

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

10. W01 (Foul/surface water drainage)

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

11. 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.

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

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

Informative(s):

1. 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. HN21 (Extraordinary maintenance)

- 6. HN22 (Works adjoining highway)
- 7. N19 - Avoidance of doubt
- 8. N15 - Reason(s) for the Grant of Planning Permission

Decision:

Notes:

Background Papers

Internal departmental consultation replies.

In respect of DCSE2007/1940/C

That Conservation Area Consent be granted subject to the following conditions:

- 1. C01 (Time limit for commencement (Listed Building Consent)
Reason: Required to be imposed by Section 18(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 2. C14 (Signing of contract before demolition)
Reason: Pursuant to the provisions of Section 17(3) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Informative(s):

- 1. N19 - Avoidance of doubt
- 2. N15 - Reason(s) for the Grant of Conservation Area Consent

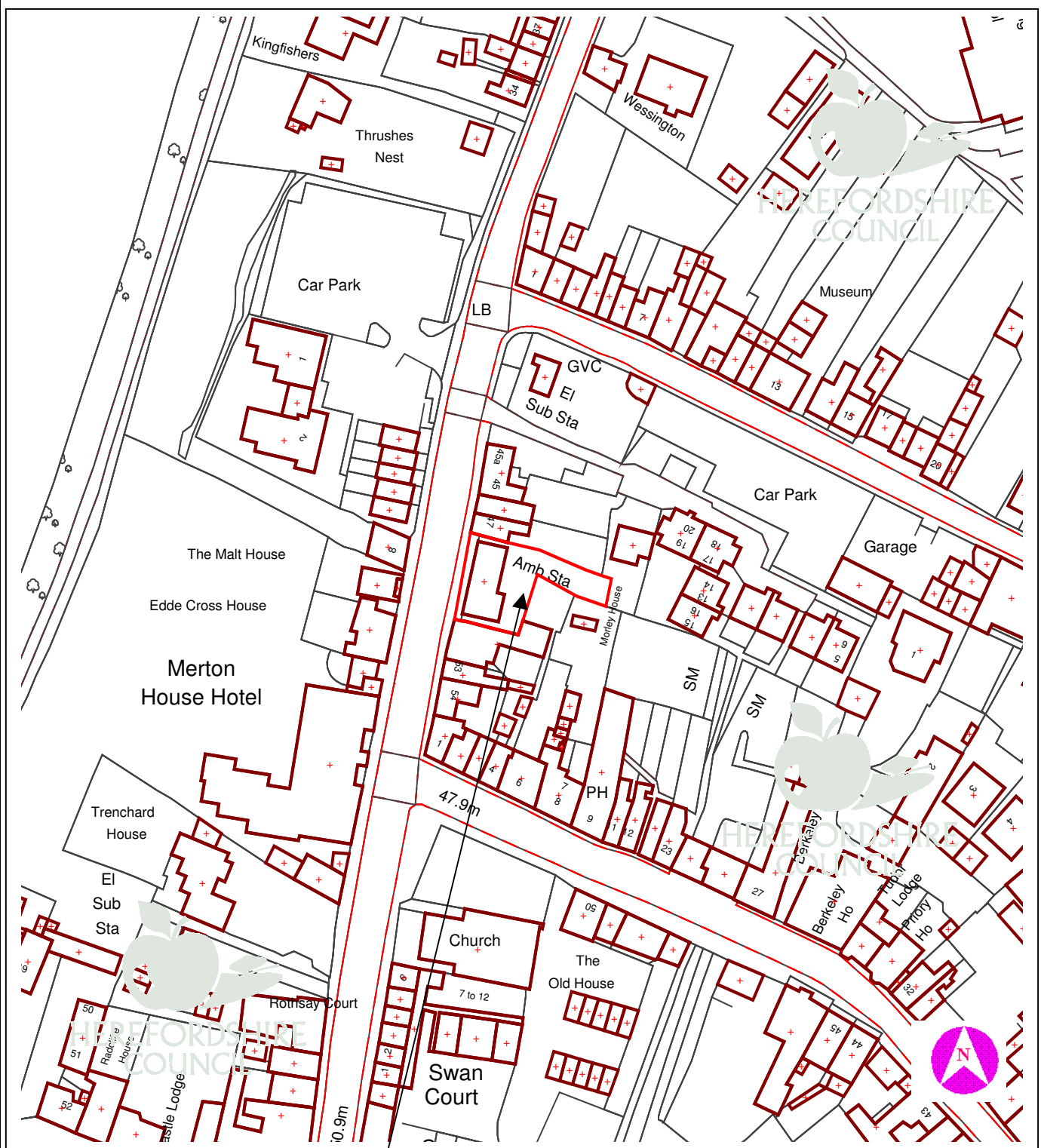
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCSE2007/1938/F

SCALE : 1 : 1250

SITE ADDRESS : St John Ambulance, Edde Cross Street, Ross-on-Wye, Herefordshire, HR9 7BZ

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