

A G E N D A

Central Area Planning Sub-Committee

Date: **Wednesday 27 May 2009**

Time: **2.00 pm**

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

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

For any further information please contact:

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Herefordshire Council

AGENDA

for the Meeting of the Central Area Planning Sub-Committee

To:

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

	Pages
<p>1. ELECTION OF CHAIRMAN AND APPOINTMENT OF VICE-CHAIRMAN</p> <p>To note the election of Chairman and the appointment of Vice-Chairman at the Annual Council meeting on 22 May 2009.</p>	
<p>2. APOLOGIES FOR ABSENCE</p> <p>To receive apologies for absence.</p>	
<p>3. DECLARATIONS OF INTEREST</p> <p>GUIDANCE ON DECLARING PERSONAL AND PREJUDICIAL INTERESTS AT MEETINGS</p> <p>The Council's Members' Code of Conduct requires Councillors to declare against an Agenda item(s) the nature of an interest and whether the interest is personal or prejudicial. Councillors have to decide first whether or not they have a personal interest in the matter under discussion. They will then have to decide whether that personal interest is also prejudicial.</p> <p>A personal interest is an interest that affects the Councillor more than most other people in the area. People in the area include those who live, work or have property in the area of the Council. Councillors will also have a personal interest if their partner, relative or a close friend, or an organisation that they or the member works for, is affected more than other people in the area. If they do have a personal interest, they must declare it but can stay and take part and vote in the meeting.</p> <p>Whether an interest is prejudicial is a matter of judgement for each Councillor. What Councillors have to do is ask themselves whether a member of the public – if he or she knew all the facts – would think that the Councillor's interest was so important that their decision would be affected by it. If a Councillor has a prejudicial interest then they must declare what that interest is and leave the meeting room.</p>	
<p>4. MINUTES</p> <p>To approve and sign the minutes of the last meeting.</p>	1 - 6
<p>5. ITEM FOR INFORMATION - APPEALS</p> <p>To be noted.</p>	7 - 8

Planning Applications

To consider and take any appropriate action in respect of the planning applications received for the central area and to authorise the Head of Planning and Transportation to impose any additional and varied conditions and reasons considered to be necessary. Plans relating to planning applications on this agenda will be available for inspection in the Council Chamber 30 minutes before the start of the meeting.

- | | |
|--|---------|
| 6. DCCW2009/0384/F - UPPER HILL FARM, BREINTON, HEREFORD, HEREFORDSHIRE, HR4 7PH | 9 - 18 |
| Change of use of barns to 2 nos. houses. | |
| 7. DCCW2009/0575/F - WARHAM COURT FARM, BREINTON, HEREFORD, HEREFORDSHIRE, HR4 7PF | 19 - 24 |
| Provision of one dung midden as a replacement for those previously approved under application DCCW2008/0335/F. | |
| 8. DCCW2009/0160/F - LAND AT BROOK FARM, MARDEN, HEREFORDSHIRE, HR1 3ET | 25 - 36 |
| Change of use of land from agriculture to a site for the accommodation of seasonal agricultural workers in mobile homes and demountable portable buildings stationed continuously on the site and not removed at the end of the agricultural season (retrospective). | |
| 9. DCCW2009/0161/F - LAND AT BROOK FARM, MARDEN, HEREFORDSHIRE, HR1 3ET | 37 - 52 |
| Application (part retrospective) to erect fixed (non rotating) Spanish polytunnels over arable (soft fruit) crops grown on table tops. | |
| 10. DCCE2009/0755/RM - 22 FOLLY LANE, HEREFORD, HR1 1LY | 53 - 58 |
| Proposed dwelling with integral garage and alterations to existing access. | |
| 11. DCCW2009/0568/F - VILLAGE INN, MORETON ON LUGG, HEREFORD, HEREFORDSHIRE, HR4 8DE | 59 - 66 |
| Conversion and alterations of public house to five flats. | |
| 12. [A] DCCE2009/0555/F AND [B] DCCE2009/0556/L - TARRINGTON COURT, TARRINGTON, HEREFORDSHIRE, HR1 4EX | 67 - 76 |
| Retention of arch and rebuilding of wall. Conversion of existing hay loft to flat in Coach House. Build stable block. | |
| 13. DATES OF FUTURE MEETINGS | |
| 24 June 2009 | |
| 22 July 2009 | |
| 19 August 2009 | |

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HEREFORDSHIRE COUNCIL

BROCKINGTON, 35 HAFOD ROAD, HEREFORD.

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HEREFORDSHIRE COUNCIL

MINUTES of the meeting of Central Area Planning Sub-Committee held at The Council Chamber, Brockington, 35 Hafod Road, Hereford on Wednesday 29 April 2009 at 2.00 pm

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

Councillors: PA Andrews, WU Attfield, DJ Benjamin, AJM Blackshaw, SPA Daniels, H Davies, PJ Edwards, KS Guthrie, MAF Hubbard, MD Lloyd-Hayes, RI Matthews, AT Oliver, SJ Robertson, AP Taylor, AM Toon, NL Vaughan, WJ Walling and JD Woodward

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

136. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors ACR Chappell, GFM Dawe, DW Greenow and DB Wilcox.

137. DECLARATIONS OF INTEREST

141. [A] DCCW2009/0077/F and [B] DCCW2009/0085/C - Barton Sidings, Hereford, Herefordshire, HR4 0AY [Agenda Item 6]

Councillor JD Woodward; Personal.

142. DCCW2009/0119/F - 304 Kings Acre Road, Hereford, Herefordshire, HR4 0SD [Agenda Item 7]

Councillor DJ Benjamin; Personal.

Councillor MAF Hubbard; Personal.

Councillor RI Matthews; Personal.

K Bishop, Principal Planning Officer; Personal.

138. MINUTES

RESOLVED:

That minutes of the meeting held on 1 April 2009 be approved.

139. ITEM FOR INFORMATION - APPEALS

The Sub-Committee received an information report.

140. ITEM FOR INFORMATION - SECTION 106 AGREEMENTS DETERMINED UNDER DELEGATED POWERS

The Sub-Committee received an information report.

In response to a question from Councillor MD Lloyd-Hayes about the enforcement of conditions relating to the redevelopment of the Folly Lane colleges, the Central Team Leader said that he would ask the case officer to contact the Member directly.

141. [A] DCCW2009/0077/F AND [B] DCCW2009/0085/C - BARTON SIDINGS, HEREFORD, HEREFORDSHIRE, HR4 0AY [AGENDA ITEM 6]

Demolition of redundant commercial premises and erection of 13 residential dwellings.

Councillor JD Woodward, a Local Ward Member, asked a number of questions and the responses of the Principal Planning Officer are summarised below:

1. The height of the proposed dwellings would be approximately the same as adjacent properties.
2. The recommendation included conditions requiring a study to assess the possibility of contamination and a remediation scheme to remove or contain any contamination if found.
3. Noise exposure categories were outlined and it was reported that the Environmental Health Manager had confirmed that subject to appropriate conditions the proposal was acceptable. Consequently, the recommendation included conditions to mitigate noise impact.
4. The site had been vacant since 2006 and, although a marketing exercise had been undertaken, no formal offers had been received. Therefore, an alternative use could be considered. It was noted that the lack of demand might be due to the type of buildings and the location of the site.
5. Boundary treatments were not identified in the application but the recommendation included a condition requiring these details.
6. A breakdown of contributions towards educational infrastructure was provided.
7. Residents' parking could be included in the list of items under sustainable transport infrastructure contributions.

Councillor Woodward drew attention to the objections of the Economic Regeneration Manager and Hereford City Council and commented on the need to safeguard employment land, particularly given the shortages north of the river and the potential impact of Edgar Street Grid. She also commented on parking problems in the area and, given the shortage of facilities, requested that contributions towards enhanced recreational or public open space be designated to the St. Nicholas Ward.

Councillor DJ Benjamin, the other Local Ward Member, said that the site was run down but he had concerns about the layout of the proposed dwellings and felt that no development should commence until the area was covered by a residents' parking scheme.

Councillor PJ Edwards noted that noise levels were high in the area and suggested that noise attenuation fencing be considered. Concerns were expressed about the limited amenity space, non-opening windows and access arrangements, particularly for refuse collection.

In response to comments by Members, the Principal Planning Officer advised that the habitable rooms were focussed to the front of the dwellings and the fixed windows on the rear elevation provided light to areas such as stairwells.

Councillor PA Andrews felt that the layout of the proposal would result in an over intensive form of development, with limited amenity space and potentially reduced standard of living accommodation. Other Members supported these views.

Councillor RI Matthews reminded officers of the need to discuss local infrastructure requirements with Local Ward Members at the earliest opportunity.

Councillor MD Lloyd-Hayes noted that, as a brownfield site, some form of redevelopment might be appropriate but felt that this proposal was over intensive. Comments were also made about residents' parking and library facilities.

Councillor NL Vaughan did not feel that the loss of employment land was acceptable, particularly given the limited number of employment sites. He also felt that it was for potential purchasers to decide whether the accommodation suited their needs.

In response to a question from Councillor SPA Daniels, the Principal Planning Officer confirmed that the proposal was for open market housing with no affordable housing element. Councillor Daniels expressed concerns about traffic congestion in the locality.

Councillor MAF Hubbard noted that the dwellings were likely to be occupied by families and he considered the limited outdoor space to be unacceptable.

In response to a question from Councillor Edwards, the Principal Planning Officer advised that noise attenuation fencing was not proposed in the application but the scheme incorporated a number of measures to mitigate noise impact. The Central Team Leader reminded the Sub-Committee that the Environmental Health Manager (Noise) had no objections to the application subject to conditions.

RESOLVED:

That

- (i) **The Central Area Planning Sub-Committee is minded to refuse the application subject to the reasons for refusal set out below (and any further reasons for refusal felt to be necessary by the Head of Planning and Transportation) provided that the Head of Planning and Transportation does not refer the application to the Planning Committee:**
- 1. Overintensification of the site.**
 - 2. Inadequate amenity space.**
 - 3. Loss of employment land.**
- (ii) **If the Head of Planning and Transportation 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 Central Team Leader advised that, although the resolution was contrary to the officers' recommendation, he was not minded to refer the matter to the Head of Planning and Transportation.]

142. DCCW2009/0119/F - 304 KINGS ACRE ROAD, HEREFORD, HEREFORDSHIRE, HR4 0SD [AGENDA ITEM 7]

Replacement dwelling and garage building with some minor landscaping, including alterations to existing entrance to improve site access.

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

Councillor PA Andrews, a Local Ward Member, said that the existing cottage was an attractive vernacular building of local architectural and historical interest and was worthy of preservation. Councillor Andrews also had concerns about the design of the proposed replacement. Therefore, she felt that the proposal should be refused as being contrary to Herefordshire Unitary Development Plan Policy HBA8 (Locally Important Buildings). Councillor SPA Daniels, also a Local Ward Member, supported this and commented on the need for consistency.

The Central Team Leader reminded the Sub-Committee that each application had to be considered on its own merits and a judgement needed to be made on the circumstances relevant to this application.

Councillor AM Toon, the other Local Ward Member, commented on planning obligation requirements, said that she was ambivalent about the design of the replacement, and questioned the relationship between the applicant's agent and Hereford Civic Society.

The Chairman noted that Hereford City Council had no objection to the application.

Councillor MD Lloyd-Hayes spoke in support of the application and noted that: a number of issues would be addressed through conditions; Breinton Parish Council had no objection; the cottage was not unattractive but was not in a Conservation Area; the building had a number of structural defects; and the replacement dwelling complied with the relevant policies.

Councillor NL Vaughan commented on drainage problems in the locality and the damage caused by water ingress.

Councillor PJ Edwards welcomed the environmental credentials of the replacement as outlined by the speaker but questioned the reasons for refusal relating to previous applications at the site. The Senior Planning Officer advised that previous applications had sought an additional dwelling in the grounds and, therefore, were not directly relevant to this application for a replacement dwelling.

Councillor RI Matthews drew attention to the findings of a structural engineer's report and noted that officers considered the siting and scale of the replacement to be acceptable.

Councillor AJM Blackshaw commented that the historical nature of the cottage had been debased over the years and the fabric of the building was in a poor condition. He said that he supported the proposed replacement, particularly it had sustainable features and would promote local businesses.

Councillor MAF Hubbard said that, unlike some other recent applications for replacement dwellings, this proposal was reasonable in terms of scale. Councillor Hubbard also said that Hereford Civic Society operated similar protocols to the Council on declarations of interest and separation of roles and, therefore, there was no reason to question the integrity of the comments provided.

Councillor AT Oliver said that the demolition of cottages was regrettable but, in this case, it was apparent that the structure of the building was beyond reasonable economic repair. He said that he did not oppose the application but did have reservations about the design of the replacement building.

RESOLVED:

That planning permission be granted subject to the following conditions:

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

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

2. Before any development commences, a complete photographic record of the building must be submitted to the local planning authority for written approval and the approved record shall be deposited with the Herefordshire Sites and Monuments Record.

Reason: To ensure that the building is preserved by record, where it will be lost as a result of the development hereby approved.

3. I51 (Details of slab levels).

Reason: In order to define the permission and ensure that the development is of a scale and height appropriate to the site so as to comply with Policy DR1 of Herefordshire Unitary Development Plan.

4. B01 (Development in accordance with the approved plans).

Reason. To ensure adherence to the approved plans in the interests of a satisfactory form of development and to comply with Policy DR1 of Herefordshire Unitary Development Plan.

5. C01 (Samples of external materials).

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

6. F08 (No conversion of garage to habitable accommodation).

Reason: In order to define the permission and ensure that the resultant development remains of an appropriate scale to comply with Policy H7 of Herefordshire Unitary Development Plan.

7. F14 (Removal of permitted development rights).

Reason: In order to define the permission and ensure that the resultant development remains of an appropriate scale to comply with Policy H7 of Herefordshire Unitary Development Plan.

8. G02 (Retention of trees and hedgerows).

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

9. H05 (Access gates).

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

10. H06 (Vehicular access construction).

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

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

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

12. H27 (Parking for site operatives).

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

13. I16 (Restriction of hours during construction).

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

14. L01 (Foul/surface water drainage).

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

15. L02 (No surface water to connect to public system).

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no detriment to the environment so as to comply with Policy CF2 of Herefordshire Unitary Development Plan.

Informatives:

1. N01 - Access for all.
2. N11C - General.
3. N19 - Avoidance of doubt - Approved Plans.
4. N15 - Reason(s) for the Grant of PP/LBC/CAC.

143. DATES OF FUTURE MEETINGS

27 May 2009
24 June 2009
22 July 2009

The meeting ended at 3.12 pm

CHAIRMAN

ITEM FOR INFORMATION - APPEALS**APPEALS RECEIVED**

- The appeal was received on 27 April 2009.
- The appeal is made under Section 174 of the Town and Country Planning Act 1990 against the service of an Enforcement Notice.
- The appeal is brought by Mr. C.H. Markham.
- The site is located at Warham Oak, Breinton, Hereford, HR4 7PD.
- The breach of planning control alleged in this notice is 'Without the benefit of planning permission the material change of use of the land, buildings and the dwelling house at Warham Oak, Breinton, Hereford to that of a mixed use of a domestic dwelling house and grounds and as a meeting place.'
- The requirements of the notice are: Permanently cease the use of the dwelling house, known as Warham Oak, Breinton, Hereford, its curtilage and associated buildings as a meeting place.
- The appeal is to be heard by Hearing

Case Officer: Peter Clasby on 01432 261947

APPEALS DETERMINED

None.

6 DCCW2009/0384/F - CHANGE OF USE OF BARNs TO 2 NOS. HOUSES AT UPPER HILL FARM, BREINTON, HEREFORD, HEREFORDSHIRE, HR4 7PH

For: Ms. G. Bulmer per Mr. A. Priddle, Advance Planning & Architecture Ltd., Haywood Lodge, Haywood, Hereford, HR2 9RU

Date Received: 26 February 2009 Ward: Credenhill Grid Ref: 47627, 40369

Expiry Date: 23 April 2009

Local Member: Councillor RI Matthews

1. Site Description and Proposal

1.1 Upper Hill Barns are located on the eastern side of the unmade bridleway that joins the unclassified 73022 road that joins Breinton Road in the Parish of Breinton. The barns form a range of buildings south of the former farm house at Upper Hill Farm. The farm house is presently subject of a spot listing application.

1.2 The proposal is to convert the barns into two dwellings. Barn 1 is L-shaped and incorporates bedrooms, kitchen, dining room, lounge, library, office and ancillary bathrooms. Garaging is also incorporated within the conversion. Barn 2 lies south of Barn 1 and comprises four bedrooms with lounge, kitchen and dining room. Garaging is provided with a new three bay garage. Both conversion have elements of full height rooms to complement the character of the buildings.

2. Policies

2.1 National:

PPS1	-	Delivering Sustainable Development
PPS3	-	Housing
PPS7	-	Sustainable Development in Rural Areas
PPS9	-	Bio-diversity and Geological Conservation
PPG15	-	Planning and the Historic Environment

2.2 Herefordshire Unitary Development Plan 2007:

Policy S1	-	Sustainable Development
Policy S2	-	Development Requirements
Policy S3	-	Housing
Policy S7	-	Natural and Historic Heritage
Policy DR1	-	Design
Policy DR5	-	Planning Obligations
Policy DR6	-	Water Resources
Policy DR7	-	Flood Risk
Policy H7	-	Housing in the Countryside Outside Settlements
Policy H14	-	Re-using Previously Developed Land and Buildings
Policy H15	-	Density

Policy H16	-	Car Parking
Policy T11	-	Parking Provision
Policy HBA12	-	Re-use of Rural Buildings
Policy HBA13	-	Re-use of Rural Buildings for Residential Purposes

2.3 Supplementary Planning Documents:

Re-use and Adaptation of Rural Buildings
Planning Obligations

3. Planning History

3.1 None.

4. Consultation Summary

Statutory Consultations

4.1 Dwr Cymru Welsh Water: Make no comment as private drainage facility is proposed.

Internal Council Advice

4.2 Traffic Manager: Whilst visibility in an easterly direction at the junction of the access lane with U73022 is below standard, the access track currently serves five dwellings and the farm and there is no injury accident record at the location over the last five years. Visibility to the west is good. There will also be the loss of possible farm traffic upon redevelopment of the barns. Cutting back of the roadside hedge to the post and wire fence, as shown on the drawings, will improve the visibility and whilst setting back of the boundary fence to introduce a visibility splay is desirable, it is noted that this would be outside the applicant's control.

The U73022 is lightly trafficked single track to the east of the site, with average speeds of around 30mph and any vehicle emerging will be visible to approaching traffic at a distance significantly greater than the relevant stopping sight distance for this speed. Full eastward visibility for drivers of emerging vehicles will be gained as they emerge from the access.

4.3 Conservation Manager: There appears to be a high level of uncertainty as to exactly what works will be required to the timber framing on both barns. I am concerned by the amount of rebuilding that may be necessary therefore I would request drawings of the timber framing as existing and a schedule of repairs identifying the works required at this stage. Any further works identified as necessary following further investigation to be agreed in writing prior to commencing. Any alterations to the West Range wall stabilisation also to be agreed in writing prior to commencing.

The drawings for the proposed bat lofts are not sufficiently detailed to assess their impact. For instance I note that one of the lofts appears to have rooflights. I am also concerned by the amount of space that is being given over to the bat lofts as this will reduce the amount of open spaces within the barns, therefore entailing a loss of their character.

The proposed landscaping scheme is too domesticated - an approach which preserves the farmyard character of the outside spaces is required.

- 4.4 Conservation Manager (Ecology): I visited the site earlier in the month and have received the Phase I Habitat Survey and the Bat Emergence Survey reports by Worcestershire Wildlife Consultancy dated December 2007 and August 2008 respectively. I note the presence of brown long-eared and common pipistrelle bats roosting in the buildings. Evidence of nesting birds is also present. I was concerned that bat lofts had not been shown on the architectural drawings and requested that this information be submitted. I have also discussed the site with the ecological consultants and am satisfied that the provision of bat lofts in both barns will be appropriate. Further enhancement measures for bats (bat tubes, boxes and or adapted weather-boarding) as well as mitigation measures for nesting birds will need to be incorporated into the new garage as well as around the site.

With reference to the drawings submitted on the 17th March, although it is not clear, I note that the bat loft in House 2 is not the full width of the building. I recommend that it is made the full width of the building and that a single roof light could be "boxed in" to provide light in the corridor below. Mr Priddle's response of the 25/03/2009 also states that "Worcestershire Wildlife Consultancy can confirm that they, who have to issue a license later, are completely satisfied with the level of detail." This is not the case, as it is Natural England that will issue the EPS licence for the development to proceed, provided that there is sufficient mitigation for the bats. The landscaping scheme should include planting of native species along boundaries and adjacent to bat access points. Conditions recommended.

- 4.5 Public Rights of Way Manager: Raises no objection subject to a condition to ensure suitable re-surfacing material is used on the bridleway.
- 4.6 Children and Young People's Services, Open Space/Recreation and Community Services: All identify an impact and therefore request contributions in accordance with Supplementary Planning Document - Planning Obligations. However the agent has confirmed that his clients propose to commence work within 12 months of the date of approval, therefore the commencement period will be reduced to 12 months. This is in accordance with the Cabinet decision to suspend S.106 payments for development of five dwellings or less.

5. Representations

- 5.1 Breinton Parish Council: In principle, the Parish Council has no objections to the conversion of these barns into two dwellings and the designs have been carefully conceived to be sympathetic to the barns which they replace.

However, there are considerable concerns about access, water levels and drainage.

The access road is substandard and is in such a condition that even the waste collection vehicles refuse to use it. These two properties would increase the access usage by at least 40%. The road is not owned by the applicant. The Parish Council would object to these two properties being built without the access road being brought to a satisfactory standard and would request a condition that BEFORE ANY BUILDING WORK TAKES PLACE, the access road is brought up to the standard as outlined in the application, with any necessary alterations to the plans to improve drainage as requested below. (This would, of course, mean that any ownership, permission and maintenance details would have to be addressed by the two parties prior to commencement of work). Despite some assurance from the architect that Highways have been consulted, there is doubt that the splay onto the highway is sufficient,

bearing in mind that this is a de-restricted road, wide enough only for one vehicle and near a bend.

The area is already prone to standing water and it is queried whether the water table is indeed 1.4m. It is thought that it is higher than this and the actual situation needs to be investigated, especially since 400mm piping needs to be used. The ditch on the side of the access road will take water to the Council's maintained highway, but water already gathers at the entrance to the access road. More drainage work will need to be done in the highway to address this problem.

The soakaways border property owned by someone else, in an area already prone to flooding. The increased concrete footprint will exacerbate this problem.

The waste provision is queried at being sufficient for 13 people only. These two large properties at any time could easily accommodate more than this.

The S106 contribution is totally inadequate. The Highways contribution needs to be increased to address the drainage situation on the road in the area, which affects other areas in Breinton. Furthermore, it is thought reasonable that a contribution should be made to complete the improvement work to the whole length of Green Lane and to the path to King's Acre Road known as Church Walk.

- 5.2 Ramblers Association: This development does not appear to have any impact upon the adjacent Public Rights of Way, Breinton BT9, however we ask you to ensure that the developer is aware that there is a legal requirement to maintain and keep clear a Public Right of Way at all times.

I would request that consultation is taken with the Public Rights of Way with regard to the upgrading of the private drive, along which the bridleway is routed, to ensure the finished surface is suitable for the equestrian needs.

- 5.3 4 letters of representation have been received, the main points raised are:-

1. Matters that need to be addressed is the surface of the lane and drainage. Both are in an awful condition and need to be done prior to work commencing on site.
2. The owner of the lane and land either side has not been consulted on improvements or indeed any consents for works.
3. The conversions will improve the area but have concerns regarding the high water table and therefore the impact on drainage.
4. The junction of the lane with the road is inadequate with no speed limits.
5. Concerns over future maintenance costs of the lane.

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

6. Officer's Appraisal

- 6.1 This range of barns lie to the west of Hereford City in the Parish of Breinton. The removal of the steel framed barns adjacent will reveal an attractive range of brick and

timber framed buildings that are worthy of retention through conversion. A marketing exercise was undertaken in 2008 for a potential employment reuse. There were no viewings, offers or positive responses to the marketing campaign. Policy therefore allows conversion to residential development to be considered.

- 6.2 The scheme submitted is the result of extensive discussion with Officers of the Council and seeks to retain the two main timber framed barns together with the single storey brick cattle byre on the western side abutting the lane. The spatial divisions proposed complement the character of the buildings and is fully supported. Conditions will need to be imposed to ensure a full schedule of repair for the timber framed buildings. The new garage for Barn No. 2 is well sited adjacent to a mature hedge.
- 6.3 Both barns will be accessed on the lane to the west which is also a bridleway. This lane is in a very poor state of repair with substantial potholes. A full schedule of repair and upgrading is proposed, the final finish for which will be subject to consultation to ensure no detrimental impact for users of the bridleway. Furthermore due to the very poor state of the lane, it will be recommended that the improvements are undertaken prior to any other works commencing on site. Whilst the owner of the lane has not reached an agreement with the applicant, the relevant certificate was submitted and served for the planning application. Although concerns have been raised regarding drainage, a package treatment works is proposed with drainage by means of a spreader system into the adjoining paddock.
- 6.4 Finally appropriate wildlife surveys have been undertaken and assessed by the Council's Ecologist who is satisfied that subject to amendments to the bat loft that the proposal is acceptable.
- 6.5 The proposal is therefore considered to comply with the main thrust of policy contained in the Herefordshire Unitary Development Plan and guidance from PPS7.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

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

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

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

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

3. **D08 (Repairs to external brickwork).**

Reason: To ensure that the work is finished with materials, textures and colours that are appropriate to the safeguarding of the architectural or historic interest of the building (as one which is in a conservation area, or of local interest) and to comply with the requirements of Policies HBA12 and HBA13 of Herefordshire Unitary Development Plan.

4. D09 (Details of rooflights).

Reason: To ensure that the rooflights are of an appropriate form and minimise the potential disruption to the appearance and continuity of the roofs in the interests of the safeguarding of the architectural or historic interest of the building (as one which is in a conservation area, or of local interest) and to comply with the requirements of Policies HBA12 and HBA13 of Herefordshire Unitary Development Plan.

5. D10 (Specification of guttering and downpipes).

Reason: To ensure that the rainwater goods are of an appropriate form in the interests of the building (as one which is in a conservation area, or of local interest) and to comply with the requirements of Policies HBA12 and HBA13 of Herefordshire Unitary Development Plan.

6. D11 (Repairs to match existing).

Reason: To ensure that all of the works arising from the approved scheme are of an appropriate form in the interest of the building (as one which is in a conservation area, or of local interest) and to comply with the requirements of Policies HBA12 and HBA13 of Herefordshire Unitary Development Plan.

7. D12 (Repairs in situ).

Reason: To ensure that the integrity of the building of local interest is preserved to ensure compliance with Policy HBA13 of Herefordshire Unitary Development Plan.

8. Prior to any works commencing a full timber frame repair schedule shall be submitted for approval in writing of the local planning authority and the repairs undertaken in accordance with the approved specification.

Reason: To ensure that the integrity of the building of local interest is preserved to ensure compliance with Policy HBA13 of Herefordshire Unitary Development Plan.

9. F14 (Removal of permitted development rights).

Reason: To ensure the character of the original conversion scheme is maintained and to comply with Policy HBA12 of Herefordshire Unitary Development Plan.

10. G10 (Landscaping scheme).

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

11. G11 (Landscaping scheme – implementation).

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

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 and to conform with the requirements of Policy T11 of Herefordshire Unitary Development Plan.

13. The specification for works to the surface of bridleway BT9, providing private vehicle access to the site, must be submitted for written approval by the highway authority and the planning authority before any work commences.

Reason: To comply with Policy T6 of the Herefordshire Unitary Development Plan.

14. Prior to the commencement of any other works on site, the access lane between the site and the unclassified 73022 road shall be repaired and improved. This work shall be in accordance with details which have been submitted to and approved in writing by the local planning authority.

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

15. H27 (Parking for site operatives).

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

16. I16 (Restriction of hours during construction).

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

17. I19 (Drainage in accordance with approved plans).

Reason: In order to ensure that satisfactory drainage arrangements are provided and to comply with Policy DR4 of Herefordshire Unitary Development Plan.

18. K4 (Nature Conservation – Implementation).

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

Informatives:

- 1. HN05 - Works within the highway.**
- 2. HN10 - No drainage to discharge to highway.**
- 3. N19 - Avoidance of doubt - Approved Plans.**

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

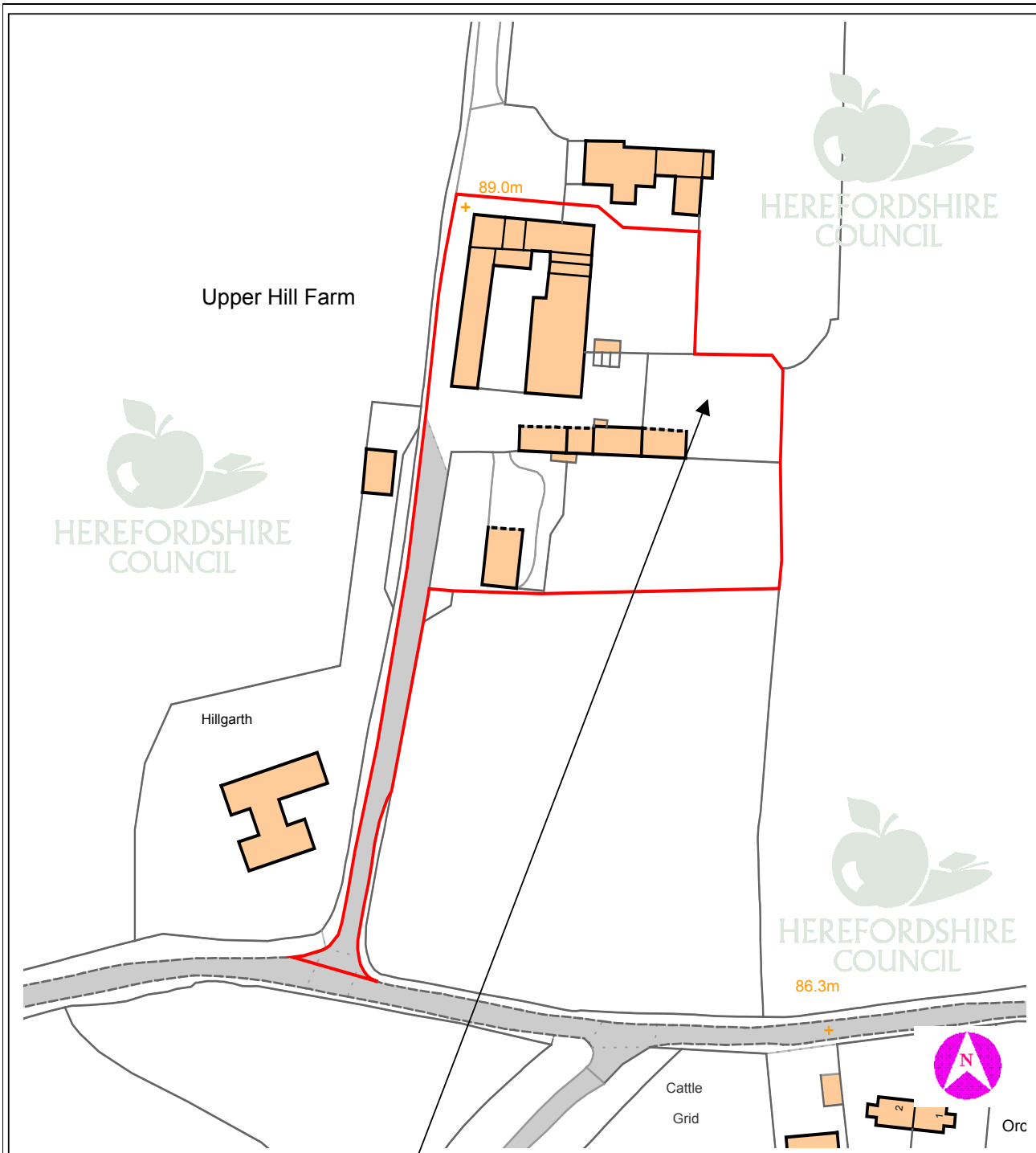
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCCW2009/0384/F

SCALE : 1 : 1250

SITE ADDRESS : Upper Hill Farm, Breinton, Hereford, Herefordshire, HR4 7PH

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7 DCCW2009/0575/F - PROVISION OF ONE DUNG MIDDEN AS A REPLACEMENT FOR THOSE PREVIOUSLY APPROVED UNDER APPLICATION DCCW2008/0335/F AT WARHAM COURT FARM, BREINTON, HEREFORD, HEREFORDSHIRE, HR4 7PF

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

Date Received: 23 March 2009 Ward: Credenhill Grid Ref: 48541, 39252

Expiry Date: 18 May 2009

Local Member: Councillor RI Matthews

1. Site Description and Proposal

- 1.1 Warham Court Farm, Breinton is located on the northern side of the unclassified 73023 road approximately 1 kilometre west of the edge of Hereford City.
- 1.2 Nos. 1 and 2 Warham Court Cottages are located to the north together with Warham Farmhouse. Warham Cottage and Old House are located to the west with open fields to the south and Warham Court Farmhouse to the east.
- 1.3 This retrospective planning application is to retain one dung midden to store cattle waste from the recently built development. It is located between existing buildings to the east and the new clean water pond recently approved (DCCW2008/2647/F). The dimensions are 54 metres long x 18 metres wide. Pre-cast concrete walls are proposed on three sides and are approximately 2.4 metres high. The design of the dung midden ensures that waste water follows back towards the building and collected in a tank for dispersal under Defra Regulations.

2. Policies

2.1 National:

PPS7 - Sustainable Development in Rural Areas

2.2 Herefordshire Unitary Development Plan 2007:

Policy DR1 - Design
 Policy DR2 - Land Use and Activity
 Policy DR4 - Environment
 Policy DR6 - Water Retention
 Policy DR7 - Flood Risk
 Policy E13 - Agricultural and Forestry Development
 Policy E16 - Intensive Livestock Units
 Policy LA2 - Landscape Character and Areas Least Resilient to Change
 Policy LA6 - Landscaping Schemes
 Policy HBA4 - Setting of Listed Buildings

3. Planning History

- 3.1 CW1999/0361/F Steel framed portal building to cover existing building. Approved 10 June 1999.
- 3.2 CW2001/2260/F Change of use to site for a horse walker. Approved 18 October 2001.
- 3.3 DCCW2008/0335/F Two new sheep/feed barns for beef cattle, new straw barn and new silage barn. Approved 14 May 2008.
- 3.4 DCCW2008/2647/F The construction of a clean water attenuation pond for the recycling of storm water. Approved 4 March 2009.

4. Consultation Summary

Statutory Consultations

- 4.1 Environment Agency: Comments awaited.
- 4.2 Natural England: No objection – “It is our view that, either alone or in combination with other plans or projects, it would not be likely to have a significant effect on the important interest features of the River Wye SAC, or any of the special scientific interest features of the River Wye Site of Special Scientific Interest (SSSI).”

Internal Council Advice

- 4.3 Traffic Manager: No objections.
- 4.4 Conservation Manager (Historic Buildings): The proposed dung midden is located well away from the listed building and screened by agricultural buildings, therefore there will be no detrimental impact on the setting of the listed building. No objection.
- 4.5 Conservation Manager (Landscape): I can confirm that I am satisfied that the existing approved scheme of landscaping at Warham Court Farm will be sufficient to mitigate the impact of the proposed dung midden. Particularly as enhanced landscaping was submitted and agreed (see my e-mail of 23/3/09) I feel that adequate future provision of soft landscaping is established.
- 4.6 Head of Environmental Health and Trading Standards: After viewing the application and taking into account distance to the nearest property, I am satisfied that the proposed development is unlikely to cause any Environmental Health issues to people living in the vicinity as long as the applicant abides by the correct codes of practice pertinent to this development.

5. Representations

- 5.1 Breinton Parish Council: We the undersigned represent Breinton Parish Council as the only councillors who have no declared interest in the above planning application. We have initiated this letter ourselves due to the absence of our clerk, who is away on holiday.

We object to the new dung midden at Warham Court Farm for which retrospective planning permission is being sought. The amended site plan shows a single large dung midden, which has already been constructed without planning permission.

For this reason we do not feel that this application in its correct form would comply with the Council's UDP Policies E13 and E16.

Please note that no drainage plans are provided with this application.

There has been a limited amount of landscaping, however the amended plans shows that all the landscaping that was hitherto agreed has now been removed. Perhaps your own Senior Landscape Officer will recall his comments dated 8th February 2009:

"I would also draw your attention to my comments concerning the visibility of the site from the west ... the western boundary is ill-defined and particularly visible from a number of vantage points ... we should seek to ensure that planting extended into land in the applicant's ownership to bring about an extensive improvement in the general character and condition of the landscape; I believe this approach to be in line with both policies in the Herefordshire UDP and the recent 'Development Contributions' SPD."

Our concern is that if matters continue in this way it will set a precedent for any retrospective planning applications in the future, which other developers may then see as an opportunity to exploit.

All this is very confusing for our constituents. As public servants, I'm sure you will share our concern over this matter. Their perception of how we conduct ourselves is key; it is vital that both councils are seen to behave correctly and with consistency.

5.2 One letter of objection has been received from Mr. & Mrs. Morawiecki, Warham Farmhouse, Breinton, Hereford, HR4 7PE. The main points raised are:

1. The boundary of the development is now sprawling out of line with the original building line into open countryside and clearly visible from neighbouring households, roads and public footpaths. The proposal is therefore contrary to Policies E13 and E16 of the Herefordshire Unitary Development Plan.
2. It would be difficult to landscape due to the position of the adjoining pond.
3. Removal of the dung to field to the north means that farm vehicles have to go past three farm buildings, therefore it would be better located elsewhere.
4. No drainage plans are provided and therefore it could lead to the contamination of the adjacent storm water pond.
5. Plans do not show any landscaping which has been previously agreed.

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

6. Officer's Appraisal

6.1 Extensive new agricultural developments at Warham Court Farm were approved in May 2008 and included the provision of two dung middens alongside two of the cattle

buildings. These dung middens each measured 26 metres x 13 metres. During the construction of the buildings the applicant decided that it would be more efficient to have one dung midden hence this new planning application. The new dung midden is located further away from the nearest dwellings and Members will note that the Environmental Health Officer does not consider that there will be an impact on nearby property.

- 6.2 Concern has been expressed regarding potential pollution of the adjacent clean water pond. However the development is constructed to ensure that all liquid run-off falls back towards the buildings and is collected in a holding tank before dispersal in accordance with the Defra Code of Practice.
- 6.3 The landscaping of the clean water pond has not been removed with this planning application. However to ensure that it is planted in the event that the clean water pond is not constructed a suitable condition will be recommended. Having regard to the advice of the Conservation Manager, there should not be an unacceptable impact on the landscape.
- 6.4 Finally, the dung midden is located within the complex at Warham Court Farm and therefore fully complies with Policy E13 'Agriculture and Forestry Development'.

RECOMMENDATION

That planning permission be granted subject to the following condition:

- 1. **The landscaping scheme approved under reference DCCW2008/2647/F shall be implemented in the next planting season following the date of this planning permission.**

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

Informatives:

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

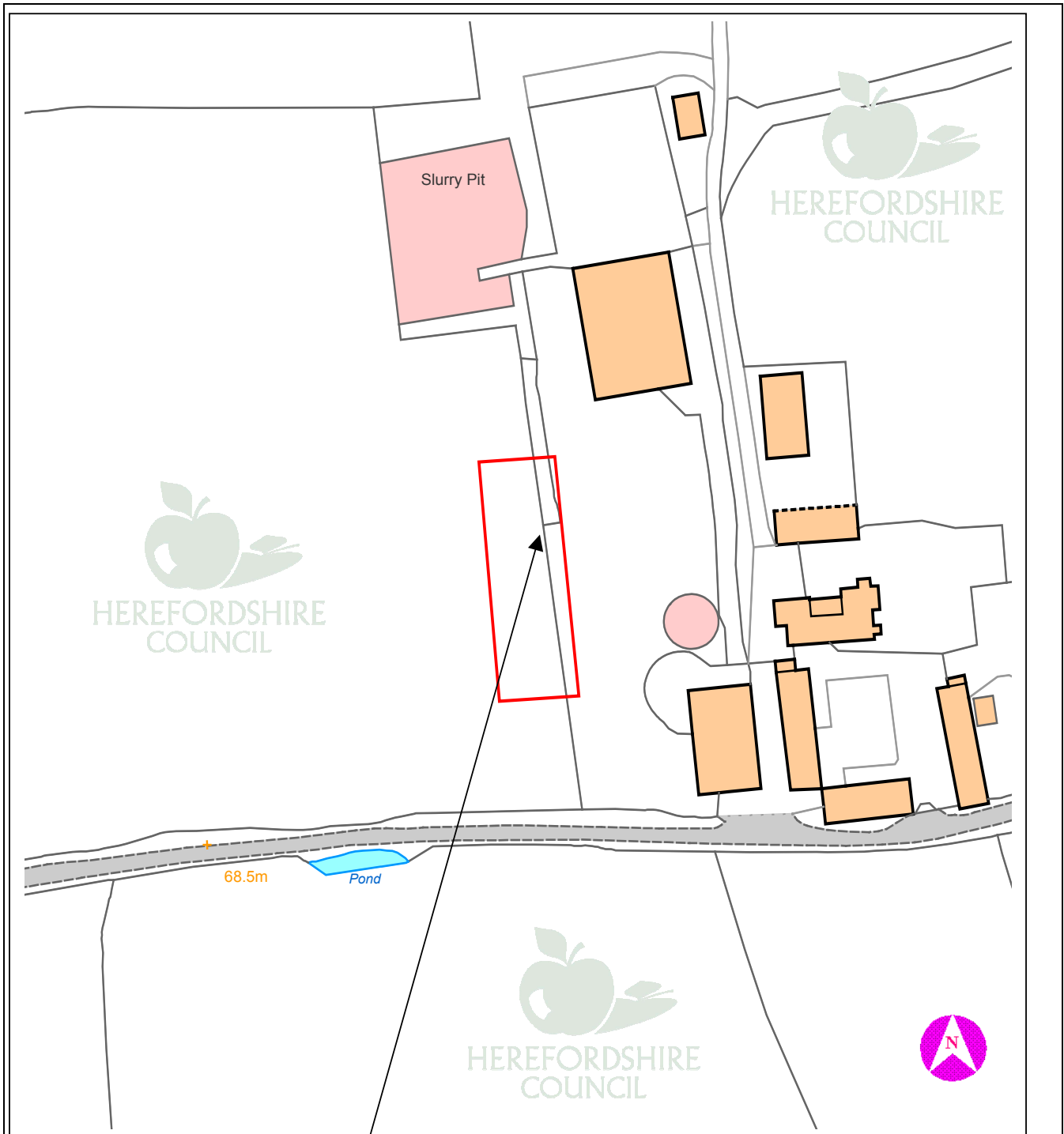
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCCW2009/0575/F

SCALE : 1 : 1250

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

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8 DCCW2009/0160/F - CHANGE OF USE OF LAND FROM AGRICULTURE TO A SITE FOR THE ACCOMMODATION OF SEASONAL AGRICULTURAL WORKERS IN MOBILE HOMES AND DEMOUNTABLE PORTABLE BUILDINGS STATIONED CONTINUOUSLY ON THE SITE AND NOT REMOVED AT THE END OF THE AGRICULTURAL SEASON (RETROSPECTIVE) AT LAND AT BROOK FARM, MARDEN, HEREFORDSHIRE HR1 3ET

For: S & A Produce (UK) Limited per Antony Aspbury Associates, 20 Park Lane Business Centre, Park Lane, Basford, Nottingham, NG6 0DW

Date Received: 28 January 2009 Ward: Sutton Walls Grid Ref: 52164, 47999

Expiry Date: 29 April 2009

Local Member: Councillor KS Guthrie

1. Site Description and Proposal

- 1.1 Brook Farm is located on the east side of the C1120 road some 200 metres to the north of the village of Marden.
- 1.2 The proposal is for the change the use of land to a site for the accommodation of seasonal agricultural workers in 164 mobile homes and 48 demountable portable buildings (pods).
- 1.3 The planning application seeks permanent planning permission. The site area equates to approximately 3 hectares and excludes the staff operations centre and 'H' block accommodation which will be subject of future planning applications. Variations to the current unauthorised layout are proposed which includes removing the bund on the roadside boundary and moving the recreation pitch more central. The number of mobile homes increases from 150 to 164 but with a reduced occupancy (4 per unit) and the number of pods reduced from 100 to 48. A three year time period for the re-organisation of the site to the accommodation levels proposed is also requested.

2. Policies

2.1 National:

PPG11	-	Regional Planning
PPS1	-	Delivering Sustainable Development
PPG4	-	Industrial and Commercial Development and Small Firms
PPS7	-	Sustainable Development in Rural Areas
PPG13	-	Transport

2.2 Herefordshire Unitary Development Plan 2007:

Policy S1	-	Sustainable Development
Policy S2	-	Development Requirements
Policy S4	-	Employment
Policy DR2	-	Land Use and Activity
Policy DR3	-	Movement
Policy DR13	-	Noise
Policy DR7	-	Flood Risk
Policy H7	-	Housing in the Countryside Outside Settlements
Policy H8	-	Agriculture and Forestry Dwellings and Dwellings Associated with Rural Businesses
Policy E10	-	Employment Proposals Within or Adjacent to Main Villages
Policy E13	-	Agricultural and Forestry Development
Policy HBA4	-	Setting of Listed Buildings
Policy CF2	-	Foul Drainage
Policy LA3	-	Setting of Settlements

3. Planning History

- 3.1 CW1999/2613/F Use of land for siting of caravans. Refused 21 June 2000.
- 3.2 CW2000/2826/F Use of land for siting of caravans. Approved 17 October 2002.
- 3.3 CW2003/0130/F Extension to caravan site. Approved 16 April 2003.
- 3.4 CW2003/0290/F Accommodation block. Approved 16 April 2003.
- 3.5 DCCW2003/3749/F Permanent toilet facilities to replace existing portacabins. Approved 30 January 2004.
- 3.6 DCCW2007/2806/F Continued use of land as a caravan site and retention of accommodation block for seasonal agricultural workers. Refused 21 November 2007. Appeal withdrawn.

4. Consultation SummaryStatutory Consultations

- 4.1 Dwr Cymru Welsh Water: Raise no objection subject to conditions to ensure separate discharge of surface water and foul water in a regulated manner.
- 4.2 Environment Agency: The Agency have removed their objection following submission of the Flood Risk Assessment but recommend consultation with the Council's Land Drainage Engineer.
- 4.3 River Lugg Internal Drainage Board: The Board has no objection in principle to this proposal, but as it is unclear whether surface runoff will be attenuated before discharge into the Board's Drainage District and watercourses under its operational control, the Board advises that, should the application be considered for approval, conditions are recommended.

Internal Council Advice

- 4.4 Traffic Manager: As the traffic generated in respect of the proposals is less than the current situation, no objections are raised subject to the imposition of a Travel Plan condition.
- 4.5 Conservation Manager (Landscape): As the subject of the application has been previously considered and tested, the issues related to landscape and visual impact have already been, to some extent exercised. In brief, the following points arise:

The applications are accompanied by Landscape and Visual Impact Assessments (LVIA) carried out in accordance with adopted guidelines. The studies recognise national and local landscape character assessments, and also include specific baseline assessments of the site and surroundings. The degree of impact of both proposed developments on both the character of the landscape and the identified visual envelope is reasonably and fairly assessed. The studies go on to propose suitable measures, including new planting and management of existing vegetation that will mitigate the identified negative impacts.

I am satisfied that the assessments have been carried out in a manner that properly recognises the visual impact of the proposed development, but fails to acknowledge that the development will bring about a 'permanent' change in the pattern and use of the land under consideration.

I am satisfied that the proposed landscape mitigation measures represent the minimum necessary to negate the impact of the development. I would suggest that a strongly worded condition is attached to any permission given, requiring all landscape measures proposed to be implemented before 1st April 2010, and for the provisions included in the proposed landscape and ecological management plan to be extended to a minimum of ten years (currently five years).

I suggest it would be appropriate to attach a condition to any permission given, particularly in relation to the seasonal workers' accommodation, requiring a detailed landscaping scheme to be prepared, submitted and approved for ground within the setting of the listed buildings on and adjacent to the site.

- 4.6 Conservation Manager (Historic Buildings): I am concerned by the assertion contained in paragraph 8.28 of the Landscape and Visual Appraisal that 'The development will not affect the setting of Brook Farmhouse and Ivy Cottage, as they are located in the centre of an existing cluster of buildings and hence screened from the application site'. This is a fundamental misunderstanding of the potential significance of the setting of a listed building. The setting does not merely comprise the area immediately visible from the building or those areas affording views of the building. As stated in paragraph 2.16 of PPG15 "The setting is often an essential part of the building's character, especially if a garden or grounds have been laid out to complement its design or function. Also the economic viability as well as the character of historic buildings may suffer and they can be robbed of much of their interest, and of the contribution they make to the townscape or countryside, if they become isolated from their surroundings."

Furthermore Policy HBA4 of the Herefordshire Unitary Development Plan states that 'development proposals which would adversely affect the setting of a listed building will not be permitted. The impact of the proposal will be judged in terms of scale, massing, location, detailed design and the effects of its uses and operations'. The setting of Brook Farmhouse is being damaged by the preponderance of utilitarian temporary and permanent structures and the hard landscaping associated with them. A comparison

between the first edition OS map and the present site layout illustrates the extent to which these buildings have encroached on what was originally a farmhouse with two modest ranges of buildings to the west and north and a further outbuilding further to the north east.

On my previous visit to the site Brook Farmhouse was being used as a recreation and laundry facility connected with the accommodation. I would seek clarification as to whether this is to continue as these uses are potentially damaging to the building, particularly the use as a laundry. The house is in need of repairs to the timber frame, infill panels and chimney stacks and unauthorised alterations appear to have been carried out.

Whilst I accept that changing agricultural practices dictate that landscape will change over time in this case it seems that no regard is being paid to the statutory requirement to preserve both the listed building and its setting. It should be possible to mitigate against the effects of the proposed changes on the listed building and its setting through a sensitive landscaping scheme and schedule of repairs however this scheme makes no effort to address these issues and therefore I am unable to support it.

- 4.7 Environmental Health Manager: I have examined the above planning application and have no objections to the proposed development.

However, I recommend the following conditions to protect the amenity of the local and/or residents.

1. Details of any external lighting proposed to illuminate the development, including security and car park lighting shall be submitted to and approved in writing by the local planning authority before the use hereby permitted commences.
2. The standby generator should only be operated in areas within the site boundary, as agreed with the local planning authority.

I have consulted with the Licensing Section of this Department, who suggest that should permission be granted a subsequent application is made for a caravan site licence as provided for by the Caravan Sites and Control of Development Act 1960, site licence conditions will have to be complied with; further, Hereford and Worcester Fire and Rescue Authority should also be consulted in respect of the Regulatory Reform (Fire Safety) Order 2005.

- 4.8 Public Rights of Way Manager: The proposed change of use of land from agriculture to a site for the accommodation of seasonal workers would not appear to significantly affect the use and enjoyment of public footpath MR22A, which passes along the outside of the south boundary of the application site.

The proposed 'hedge planting' shown on the Landscape Proposals plan and the location of most of the accommodation away from the path will mitigate some of the visual impact on the use and enjoyment of the footpath. However, the PROW Manager does have some reservations about the 3 accommodation units located immediately adjacent to the footpath in terms of privacy for residents, and a potential deterrent impact on users of the footpath, who may feel such close proximity impinges on their enjoyment of walking the path.

This reservation is based on experience with PROWs passing very close to existing residential accommodation at many other locations in the county. Both residents and path users have submitted comments to the PROW service in the past expressing concern about such close proximity.

The PROW Manager provides these comments to help the planning authority determine how this relatively minor detail in the application should be judged against the requirements of UDP Policy T6.

4.9 Land Drainage Engineer: Advice not available.

5. Representations

5.1 Marden Parish Council: Marden Parish Council notes that planning permission for retention of an accommodation block and for the change of use of the land to a caravan site was refused planning permission on 21 November 2007 (Ref: DCCW2007/2806/F). The key question must be how the current proposal differs from the refused scheme.

It is noted that the same planning statement has been submitted with both the planning applications for the accommodation and for the polytunnels. This is also true of the other supporting economic appraisal, environmental and landscape assessments.

Although the economic appraisal presented with the application demonstrates that the business appears to be established on a sound financial basis, there needs to be a demonstration that the functional needs of the enterprise are such that the scale of accommodation proposed is justified. The proposal must be tested against the stringent tests set out in Annex A of PPS7.

It is not apparent in the supporting information submitted with the application that there is a substantial functional need for residential development in designated countryside.

According to Paragraph 10 of PPS7 housing development (including single dwellings) in the countryside will require special justification for planning permission to be granted. Where the special justification for an isolated new house relates to the essential need for a worker to live permanently at or near their place of work in the countryside, planning authorities should follow the advice in Annex A.

It is considered that the above scheme fails to meet the functional needs test of PPS7 as it has not been demonstrated how many workers (if any) are needed to live on the site to protect the fruit etc. It is appreciated that the enterprise is different from conventional agricultural holdings where essential staff may be needed at short notice for reasons of animal welfare. It is inconceivable that all of the workers are required to be located in an unserviced rural location to meet the security needs of the operation. The applicant has failed to consider alternative housing arrangements for the staff and the level of provision proposed (on a permanent basis) are more akin to the creation of a new urban enclave in a rural area. It is not evident that the economic needs of the operation are so overwhelming so as to justify a departure from fundamental policies of rural restraint.

The Parish Council does however understand the practicalities of trying to find appropriate alternative accommodation and the importance of appropriate accommodation for workers at the enterprise. The Parish Council is sympathetic to the

company's desire to improve the quality of accommodation. However, this cannot displace fundamental planning principles.

Further, the Parish Council cannot see why the proposed accommodation provides accommodation for 872 workers when the supporting documentation suggests a requirement for 687 workers.

The Parish Council is opposed to any permission being permanent, and asks that the planning authority imposes a time limit on any permission by way of a Section 106 agreement, with a maximum of 5 years duration.

The Parish Council is opposed to the replacement of the existing car park by caravans as it will bring the caravans too close to the road, and nearby houses.

Any permission for change of use from agriculture to caravans should not allow the land to be used for any other purpose, and any future proposal for change of use should be subject to a new planning application.

The scale of the operation at Brook Farm is such that it could be regarded as a food processing operation as opposed to conventional agriculture and this cannot be used to justify new agricultural dwellings.

It is considered that the proposal is contrary to policies H7 and H8 of the Herefordshire Unitary Development Plan and the applicant has failed to consider reasonable alternatives which do not conflict with the policies of the development plan. In this respect, the proposal is not sufficiently different in planning terms from the refused scheme (DCCW2007/2806/F).

It is respectively requested that the points raised above are duly considered before the application is determined.

5.2 40 letters of objection have been received, the main points raised are-

1. The development goes against the long term interests of Herefordshire as a rural county with a growing and vibrant tourist industry.
2. The accommodation is sub-standard and facilities limited.
3. Disturbance to the permanent residents of Marden with the movement of workers in buses, HGV vehicles.
4. Lack of care and maintenance of Brook Farmhouse which is a Grade II listed building.
5. No Green Transport Plan.
6. The damaging effect on the quality of life style for Marden residents.
7. The permanent site for caravans and pods would be out of character in a rural area.
8. Immigrant fruit pickers provide an unacceptable burden on local services.

9. The land is prime agricultural land and should be used for growing sustainable crops.
10. The mass production of discretionary food may be unsustainable as we enter a recession which could leave a huge scar on the Herefordshire landscape.
11. Marden has become an industrial development area with the expansion of Brook Farm beyond the limits considered acceptable for the village.
12. The local road network is totally unsuitable for the buses the workers use and the large HGV vehicles.
13. This form of development was not envisaged nor would be considered appropriate in the Local Plan for Marden village.
14. The activities of workers accommodated on this site have caused unacceptable noise and disturbance.
15. The conditions and S106 of the previous applications were not enforced.
16. Workers are regularly transported to places of work other than Brook Farm.
17. Why is more land needed when the workforce is too shrink by 45%.
18. The balance of village life will be disrupted with the arrival of hundreds of foreign workers.
19. The caravan park resembles a refugee camp.
20. Noise from sporting events can be heard in the village and in homes.
21. The caravan site is only hidden during the period when trees and bushes have foliage. During late autumn, winter and early spring the site is clearly seen.
22. The yellow 'pods' are unsightly and when not in use are stacked high above any natural cover.
23. The application is no better than the previous refused application.
24. The caravans will be closer to the road with only fences and bushes to protect the landscape and residents from noise.
25. The applicants have previously stated that workers are not permitted to have vehicles on site, therefore there is no need for the car park.
26. This is not a 'whole farm', 'complete' application as several other matters are left for future applications.
27. The development is unrealistically high and fails Policy E11 that requires rural business to be of a scale to their rural landscape.
28. Typical caravans four person layouts are unacceptable.

29. Pods previously contained two bunk beds for four people, now they tell us only two people per pod.
30. The number of workers and the stated reduction do not match.
31. The accommodation occupied by the stated number equates to only 872 workers yet last year 1250 occupied the site.
32. More caravans will mean more workers.
33. The proposal does not comply with the Caravan Act.
34. The applicants claim that the pack house and headquarters will move sometime in the future. This equates to approximately 400 workers, therefore it is illogical to grant planning permission to have 1000 or more workers.
35. The accommodation should only be for workers at Brook Farm and no other parts of the county.
36. No public pavements from site to village.
37. No indication of access for emergency vehicles.
38. Any landscaping to mitigate the site will take up to 15 years to establish.
39. Some caravans are occupied all year round. This is not seasonal work and amounts to full time employment and that is unsatisfactory.
40. This is not a holistic submission.
41. If planning permission is granted it should be for no more than two years.

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

6. Officer's Appraisal

- 6.1 This proposal seeks planning permission for the change of use of land for the stationing of mobile homes and 'pods' to house seasonal workers at Brook Farm, Marden. The complex is contained within a defined area south of the main buildings at Brook Farm and is mainly enclosed by mature hedging. The earth bunding forming part of the planning permission for the site will be removed and the caravans moved closer to the road. At this point a 2.4 metre fence is proposed.
- 6.2 The proposal has been considered under the following:
 1. Principle of Development
 2. Landscape Impact
 3. Impact on Marden

Principle of Development

- 6.3 The site has been used as a seasonal workers campsite for a number of years with planning permission which has now expired. The accommodation has provided in the past facilities for 1400 workers. This proposal seeks to reduce the number of workers albeit in slightly more caravans but in less 'pods'. The occupancy rate is also proposed to be reduced. The workers are employed at the adjoining packhouse and on the land preparing and harvesting the crops. Reduced labour force is required due to enhanced methods of production. The reduction in workforce/accommodation is in line with the Committee's resolution when planning permission was refused for a similar proposal in November 2007.
- 6.4 The workers are an integral part of the soft fruit enterprise and the need for the accommodation on this scale has been demonstrated in respect of the temporary permission previously granted and the on-going developments at the farm including the polytunnel planning application on this agenda. Whilst the workers in the packhouse are not strictly involved in direct agriculture, they are part of the processing and despatch of the agriculture products out to the consumers. Hence the need to have workers on site as part of the on going agriculture activity is considered acceptable.
- 6.5 The site lies adjacent to a main village which contains a post office, general store and access to public transport and as such represents a sustainable location having regard to balancing the need for workers to be housed closer to the farm and the services available in Marden. The site is well screened from the surrounding area by mature hedging and trees.
- 6.6 The site is secure with a security fence on the boundary. Leisure activities are provided within the site.

Landscape Impact

- 6.7 The site has previously been accepted in landscape terms however the proposal includes a full Landscape and Visual Appraisal (LVIA) which has been thoroughly assessed by the Council's Conservation Manager (Landscape). The LVIA was carried out in accordance with adopted guidelines and recognises natural and local landscape character assessment. The study proposes additional landscaping and management of existing vegetation to mitigate negative impacts. The new landscaping will also provide for improvement to the setting of the Listed Building. Finally, due to the topography of the site together with the existing and proposed landscaping the location of the site in landscape terms, is considered to have a minimal impact on the setting of the village of Marden.

Impact on Marden

- 6.8 It is considered reasonable to conclude that the establishment of such a large temporary workforce needs to be located close to the farmed area and furthermore its location within reasonable distance of the facilities provided by a village such as Marden represents a sustainable alternative to a very isolated rural location.
- 6.9 This proposal meets both of these criteria. Marden is identified in the Herefordshire Unitary Development Plan 2007 as a main village. Whilst at its peak the number of workers housed in the accommodation was comparable to the population of Marden, the intention is to reduce the workforce. In addition the applicants have sought to reduce the impact on the village by providing a range of on-site facilities including games areas, swimming pool, TV rooms, internet café and a bar. The proposal is

considered to provide an acceptable balance between on-site facilities and those services provided within the village and it is therefore considered acceptable.

Conclusion

- 6.10 The applicants have through the previous planning permission established a need for this temporary workforce and this proposal seeks to reduce the numbers. The site is well located in relation to the existing complex of farm buildings and lies on the edge of the settlement of Marden. The site is therefore considered to be acceptable subject to a further temporary planning permission of five years to enable the local planning authority to retain effective control over the site to meet any future changes in farming practices. Particularly given the stated aims of relocating the headquarters and packhouse which employ approximately 400 workers. It is acknowledged that the scale of the operation at Brook Farm, Marden and the associated accommodation requirements is a cause of serious concern amongst residents of the village. However it is considered that the principle of this use of land remains an acceptable one subject to appropriate planning controls. It is recommended that conditions can effectively restrict the threat of further expansion of the accommodation at Brook Farm and furthermore that a temporary permission remains appropriate in order to periodically review the accommodation needs for the enterprise given the relocation aims of the business and impact on the village of Marden.

RECOMMENDATION

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

1. **F21 (Temporary permission (mobile home/caravan)) (Five years).**

Reason: To enable the local planning authority to retain effective control over the site in accordance with the aims of the applicants to relocate the operation.

2. **The occupation of the caravans and pods shall be limited to persons employed at Brook Farm, Marden.**

Reason: Planning permission has only been granted for the farming requirements of Brook Farm.

3. **Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 or any order revoking and re-enacting that order with or without modification no caravans or pods shall at any time be placed on the land which is under the control or ownership of the applicant as defined by Drawing No. 1252/45B.**

Reason: In order to clarify the terms of this planning permission and to maintain control over the scale of accommodation provided in the interests of visual and residential amenity.

Informatives:

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

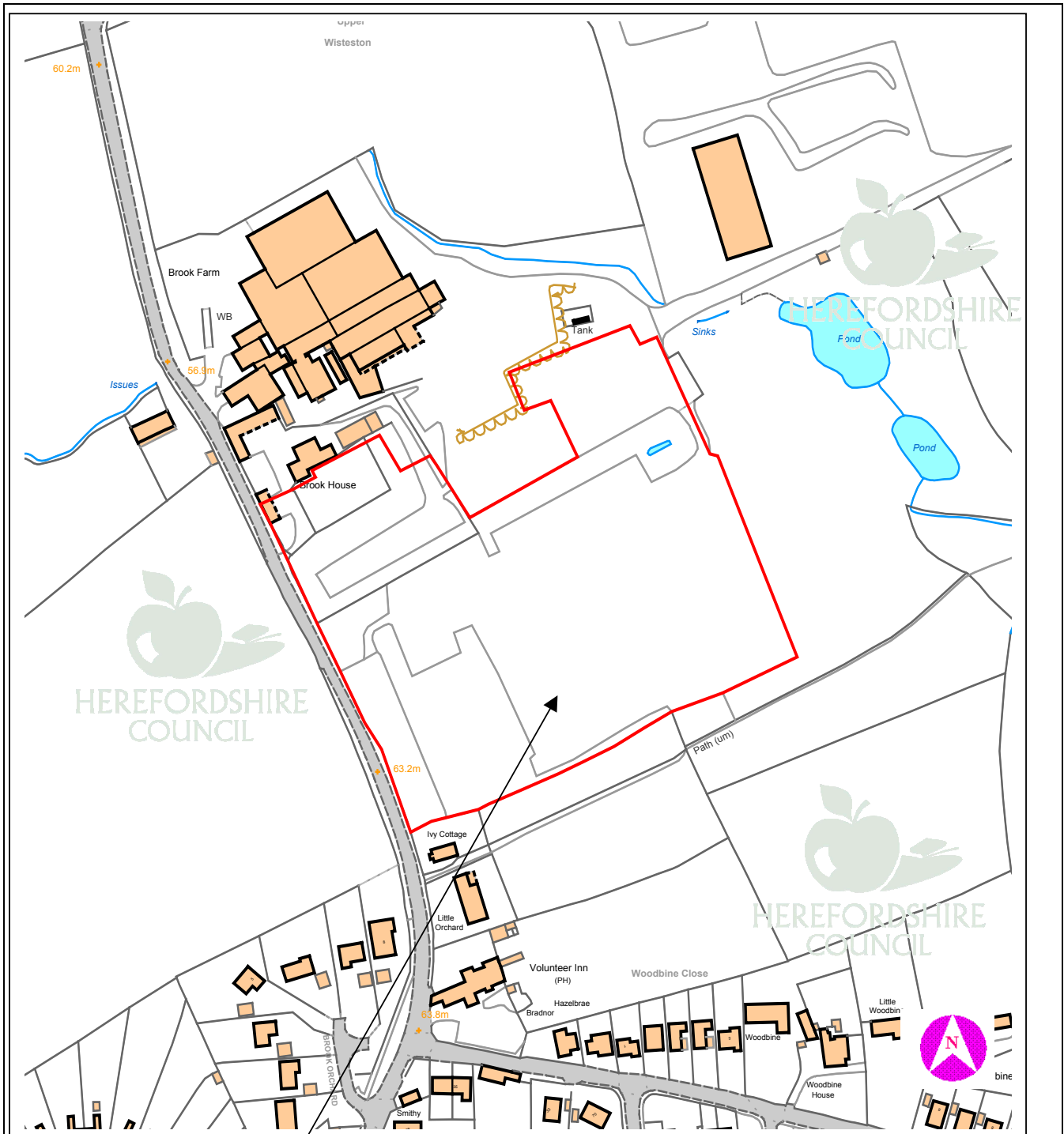
Decision:

Notes:

.....

Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCCW2009/0160/F

SCALE : 1 : 2500

SITE ADDRESS : Land at Brook Farm, Marden, Herefordshire HR1 3ET

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9 DCCW2009/0161/F - APPLICATION (PART RETROSPECTIVE) TO ERECT FIXED (NON ROTATING) SPANISH POLYTUNNELS OVER ARABLE (SOFT FRUIT) CROPS GROWN ON TABLE TOPS AT LAND AT BROOK FARM, MARDEN, HEREFORDSHIRE HR1 3ET

For: S & A Produce (UK) Limited per Antony Aspbury Associates, 20 Park Lane Business Centre, Park Lane, Basford, Nottingham, NG6 0DW

Date Received: 28 January 2009

Ward: Sutton Walls

Grid Ref: 52564, 48342

Expiry Date: 29 April 2009

Local Member: Councillor KS Guthrie

1. Site Description and Proposal

- 1.1 Brook Farm is located on the eastern side of the C1120 road that runs north from Marden to Bodenham. The site contains a large number of portacabins used as temporary offices and administration centre for S. & A. Davies.
- 1.2 The proposal is to retain 36.5 hectares of Spanish polytunnels located in the fields to the east and north of Brook Farm, Marden. The tunnels are 7.5 metres wide with a maximum height of 4.5 metres. They are constructed of galvanised steel and covered with a clear plastic membrane. Underneath the tunnels raised beds have been constructed within which strawberries and other soft fruits are grown.
- 1.3 The planning application is amended from the dismissed appeal by removal of fields adjacent to the village. The loss of these fields is compensated for by inclusion of additional fields to the north.

2. Policies

2.1 National Guidance:

PPS7 - Sustainable Development in Rural Areas

2.2 Herefordshire Unitary Development Plan 2007:

S1 - Sustainable development
 S4 - Employment
 S7 - Natural and historic heritage
 DR2 - Land use and activity
 DR3 - Movement
 DR4 - Environment
 DR6 - Water resources
 DR7 - Flood risk
 DR11 - Soil quality
 DR13 - Noise

E6	-	Expansion of existing businesses
E8	-	Design standards for employment sites
E10	-	Employment proposals within or adjacent to main villages
E13	-	Agricultural and forestry development
T6	-	Walking
LA2	-	Landscape character and areas least resilient to change
LA3	-	Setting of settlements
LA5	-	Protection of trees, woodlands and hedgerows
LA6	-	Landscape schemes
NC1	-	Biodiversity and development
NC5	-	European and nationally protected species
NC6	-	Biodiversity action plan priority habitats and species
NC7	-	Compensation for loss of biodiversity
NC8	-	Habitat creation, restoration and enhancement
NC9	-	Management of features of the landscape important for fauna and flora
HBA4	-	Setting of listed buildings

3. Planning History

- 3.1 DCCW2004/0804/F Proposed erection of permanent polytunnels. Withdrawn 18 January 2005.
- 3.2 DCCW2005/0698/F Siting of polytunnels in connection with raised bed strawberry production. Withdrawn 18 August 2005.
- 3.3 DCCW2006/2534/F Retention of polytunnels in connection with raised bed strawberry production. Refused 24 October 2006. Appeal dismissed 6 February 2008.

4. Consultation Summary

Statutory Consultations

- 4.1 Environment Agency: No objection subject to imposition of a condition to ensure all surface run-off is limited to Greenfield run-off rates with attenuation for 1% plus climate change storm event in accordance with the Flood Risk Assessment submitted with the application.
- 4.2 River Lugg Drainage Board: No objection in principle subject to controls on surface water run-off.
- 4.3 Natural England: Regulation 48 of the Habitat Regulations requires your Authority, before deciding to give any consent to a project which is (a) likely to have a significant effect on a European site (either alone or in combination with other plans or projects, and (b) not directly connected with or necessary to the management of the site, to make an appropriate assessment of the implications for the site in view of its conservation objectives.
- 4.4 Ramblers' Association: I note the time and effort which have been allocated to the preservation of the Public Rights of Way, within the application site. The only point which gives me concern is the separation of the footpaths from the agricultural activities. On the one hand this seems reasonable from a safety aspect. The down

side of this action, which I have found through experience, is that the alleyway where the footpath exists soon becomes overgrown and then due to the enclosing fence difficult to maintain. I would seek a commitment regarding the upkeep of the footpaths in these fenced areas as a condition of this Planning Application.

Internal Council Advice

- 4.5 Traffic Manager: As the traffic generation in respect of the proposals is less than the current situation, my recommendation for both applications is approval with conditions, the condition being H30 Travel Plan.
- 4.6 Conservation Manager (Ecology): I can also confirm that we are satisfied with the proposed mitigation and enhancement measures for great crested newts, and that a planning condition to secure further details of this is appropriate.
- 4.7 Conservation Manager (Landscape): The nature of the two applications makes it appropriate to confine my comments to a single response. As the subject of the applications has been previously considered and tested, the issues related to landscape and visual impact have already been, to some extent exercised. In brief, the following points arise:

The applications are accompanied by Landscape and Visual Impact Assessments (LVIA) carried out in accordance with adopted guidelines. The studies recognise national and local landscape character assessments, and also include specific baseline assessments of the site and surroundings. The degree of impact of both proposed developments on both the character of the landscape and the identified visual envelope is reasonably and fairly assessed. The studies go on to propose suitable measures, including new planting and management of existing vegetation that will mitigate the identified negative impacts.

I am satisfied that the assessments have been carried out in a manner that properly recognises the visual impact of the proposed development, but fails to acknowledge that the development will bring about a 'permanent' change in the pattern and use of the land under consideration.

I am satisfied that the proposed landscape mitigation measures represent the minimum necessary to negate the impact of the development. I would suggest that a strongly worded condition is attached to any permission given, requiring all landscape measures proposed to be implemented before 1st April 2010, and for the provisions included in the proposed landscape and ecological management plan to be extended to a minimum of ten years (currently five years).

I suggest it would be appropriate to attach a condition to any permission given, particularly in relation to the seasonal workers' accommodation, requiring a detailed landscaping scheme to be prepared, submitted and approved for ground within the setting of the listed buildings on and adjacent to the site.

- 4.8 Conservation Officer (Historic Buildings): No objection.
- 4.9 Public Rights of Way Manager: The proposed erection of fixed (non rotating) Spanish polytunnels will affect the use and enjoyment of public footpaths MR22A and MR21, which cross the application site as shown on the attached plan.

However, this proposal will be a significant improvement over the way the site has been managed in the past. During the years 2002-2006 in particular, the PROW

Manager received dozens of reports relating to problems experienced by members of the public attempting to walk these two footpaths. The rate at which reports have been received has dropped considerably during the last couple of years so that in 2007 no reports were received on either footpath, and since then just four reports have been logged regarding these two footpaths.

The PROW service has been working closely with the applicant to resolve problems when they arise, and in formulating the detail of the treatment of PROWs in this application.

The sections and plans showing the layout shown in the drawings LO9A, LO9B and LO9C are testament to this. There is clear separation of the PROW from vehicle movements and polytunnel structures, and a minimum path width of 3 metres has been provided, much greater than the minimum width of 1.5 metres for a field edge path, and minimum 1 metre width for a cross field path specified in the Highways Act 1980 for fields under a growing crop. The 3 metre width will also allow vegetation alongside each path to be maintained by machine on a regular basis, and the PROW service will continue to monitor this using its powers under the Highways Act 1980. The PROW Manager requests that the treatment of PROWs shown in these plans be made a condition of any approval.

Whilst the immediate visual impact of the polytunnels will remain, its significance will be reduced by the smaller total area under polytunnels, greater separation of the tunnels themselves from each of the paths, and a planting regime to soften visual perspectives.

The public bridleways along the outside of the north boundary (MR20) and along the outside of the east boundary (MR19) will not be significantly affected by the proposal.

The PROW Manager has no objections to this application, but asks for a condition to reinforce UDP Policy T6 and SPD supplementary guideline 16, as follows:

There shall be no polytunnels erected within 2 metres of the centre line of a public right of way and no polytunnels sited within 3 metres of the centre line of a bridleway.

This will ensure that an enforcement regime exists to protect the public's enjoyment of their right to walk along these footpaths and bridleways particularly if any changes be proposed in the future.

5. Representations

- 5.1 Marden Parish Council: Objects to the above planning application. It is noted that the description of the proposal is very similar to that which was refused on appeal dated 6th February 2008 (Ref: APP/W1850/A/07/2041947).

The key question in considering the application is the material difference between both schemes. The site area proposed is 40% larger than that refused in the appeal. The Parish Council considers that the proposed scheme would have a considerable impact on the character and environment of the village.

It is clear from the applicant's cover letter that the company is seeking to draw a line under previous 'town planning difficulties'. However, it must be noted that the applicant's proposals have been through a thorough assessment by the Secretary of

State and have been deemed by a Planning Inspector not to comply with the development plan. Significant revisions would need to be made to the scheme to overcome the reasons for dismissal of the appeal. The letter simply repeats the economic arguments which were duly considered at the Public Inquiry.

It is proposed to extensify the use of the 'table top' method of cultivation which will increase yields and reduce the need for additional areas of polytunnel. The Parish Council notes that the applicant refers to addressing the polytunnels closest to the village, that linear block 31 - 33 which are considered at Paragraphs 183 and 184 of the Inspector's report. It is also noted that the Planning Inspector states that Blocks 34 and 35 are at the bare limit of acceptability. The site plan forming part of the application proposal indicates that the most offending blocks 31 - 34 will be removed and 34 and 35 retained. The parish council is concerned about the impact of the whole development, but particularly that blocks 34 and 35 on the nearby houses, particularly from noise of machinery, workers, and polythene in windy conditions. It is also concerned about the impact of these blocks on the nearby public footpath.

The removal of blocks 31 to 33 is a small concession given the scale and impact of the operation.

Herefordshire Council has recently adopted a Supplementary Planning Document (Dec 2008) in respect of polytunnels and it is obviously very relevant in the consideration of the above planning application. Policy SG3 'Cumulative Impact - limits to polytunnel coverage' is related to policies S1, S2, S7, LA1, LA2, LA3, E13 and SG4 of the adopted Unitary Development Plan. The applicant states that the consolidation of the enterprises at Marden and Brierley through moving to table top production will enable the proposal to conform to policy SG3 of the SPD.

It is acknowledged in the SPD that there are undoubted economic benefits arising from polytunnels used in agricultural production and this is a crucial part of the economic structure of Herefordshire. Notwithstanding this, it is evident that the proposal would harm the landscape contrary to Policy LA2 of the UDP.

Policy SG3 of the SPD states that 'The local planning authority will normally seek to secure, via an appropriate legal mechanism (usually a planning condition), a limit as to the total area of an agricultural holding or unit that may accommodate polytunnels'. There is no explanatory text to this policy but it is considered that the policy cannot be applied to the proposal which is retrospective in nature.

Marden Parish Council considers that the position and scale of polytunnels in the landscape is an important consideration and has made this clear in its submission during the consultation period of the SPD. Policy SG4 of the SPD states that the scale of polytunnels will also be limited within each distinct landscape character zone. Marden Parish Council have serious concerns in respect of the feasibility of any planning conditions imposed which would seek to limit polytunnels around the village (in accordance with the SPD). This is especially true of polytunnels which are not in the ownership of the applicant. The Parish Council would like to seek assurances from the Local Planning Authority that there would be appropriate conditions imposed in this respect and that these can be effectively enforced to ensure that the landscape and environment around Marden is protected from further encroachment arising from polytunnels. The SPD also requires the polythene of the polytunnels to be removed within the annual growing cycle but the applicant does not appear to comply with this in any of the reports submitted.

The network of footpaths and bridleways needs to be protected and it is considered that the scale of the scheme proposed would have a negative effect on the network of public footpaths and bridleways through the site. The Parish Council would like to see a more proactive and comprehensive policy for the protection of footpaths and bridle paths in the polytunnel area.

The Parish Council is also concerned that the information provided on rainfall run-off and water abstraction and management is historical and not relevant to the proposed area of polytunnels. Any permission should therefore include a clear condition requiring submission of a detailed water management and flood protection policy that is approved by the Environment Agency.

Overall, the concept of 'table top' production is supported by members of the Parish Council. Notwithstanding this, there are serious reservations regarding the scale of this application and the imposition of sufficiently robust conditions and around the feasibility of the enforcement of these conditions with any consent.

It is respectively requested that the points raised above are duly considered before the application is determined.

5.2 Arrow Valley Residents Association: I write on behalf of AVRA to object to this application for permanent polytunnels over such a large area at Marden for the following reasons:

1. Table top growing does not need prime agricultural land
2. The environmental impact is unacceptable
3. The amount of fruit grown will need around 2000 pickers causing an overload on local services
4. No amount of screening prevents the visibility of plastic from the higher ground in the area such as the Queenswood viewpoint, Croft Ambrey, Wapley and large parts of the Mortimer Way and Herefordshire Trail.

5.3 Campaign for the Protection of Rural England: On behalf of the Committee of the Herefordshire Branch of CPRE (Campaign to Protect Rural England) I am writing to object to this application.

We have objected to the scale and prominence of the polytunnels around Marden on several occasions, and made representations at the Appeal Inquiry in December 2007. I note that much of the area of polytunnels that was under discussion at that Inquiry is within the area delineated in this application. The most southerly area has been excised but further hectares of land have been added to the northern part of the land refused at that Inquiry.

It seems to us that all the arguments made to defend damage to the landscape and visual amenity made by the Planning Consultants acting for Herefordshire Council (at that Appeal Inquiry, in December 2007), still apply. Many viewpoints were detailed and several photographs submitted but the Inspector decided that... the landscape impact is acute in both long and short range views. ... Any mitigation measures on the appellant's own evidence would take 20 - 30 years to establish so as to significantly lessen the impact.

It would be towards the end of this time period before the impact from important long distance views, for instance from Dinmore Hill, were lessened.

The main policies in the UDP which would be contravened if this application was successful are E13, LA2 and LA3. It is important to note that Policy LA2 provides for surrounding valuable countryside to be particularly protected.

The Secretary of State noted additionally that the development under discussion in December 2007 had affected ...'the notably domestic character of the landscape as defined by the scale of the field pattern'.

It would seem to be the case that this argument applies to this application also.

We hope that you will consider our views on the need to protect the landscape from this proposed permanent damage when you decide on this application.

5.4 Campaign for Polytunnel Control: My objection to this application is as follows:

- This development is against Planning Policy Guidance 7 and the objectives of the UDP.
- The scale is large, unsightly and impacts adversely upon the landscape and public rights of way.
- There will be adverse effects to the local economy, creating a slump in residential devaluation of property.
- The history of the applicant indicates that further expansion at Marden is likely therefore in the event that this application is approved a Section 106 Agreement should be imposed restricting development.
- The future lies in tabletop production and should therefore use brown field sites that do not impact on rural communities.

5.5 Thirty five letters of objection have been received, the main points are:-

1. The installation of permanent table top growing system and fixed polytunnels are inconsistent with the beautiful countryside, peace and tranquility of Herefordshire.
2. The land is good quality and should be used to grow crops not cover in plastic.
3. The development is not in the long term interest of Herefordshire.
4. We were promised that the number of workers would be reduced and the area of polytunnels reduced, yet this is for a bigger area than before.
5. This development goes against the long term interests of Herefordshire as a rural county with a growing and vibrant tourist industry and sets a precedent for the further destruction of the English countryside.
6. Table top growing does not need prime agricultural land.
7. The environmental impact is unacceptable.
8. No amount of screening prevents the visibility of plastic from higher ground such as Queenswood viewpoint and Sutton Walls making the visual impact very considerable and incongruous in its surroundings.
9. As we go into a recession the mass production of a discretionary food item is too vulnerable to the cyclical market to be viable. Hence Herefordshire Council could be left with a large collapsed polytunnel infrastructure.

10. Local facilities, infrastructure and local authority finances could be overloaded.
11. No account appears to have been taken of the public footpaths and bridleways and the damage caused by this type of development. There has been a complete disregard of these rights of way.
12. This flies in the face of the Secretary of State's recent decision.
13. The economic gains to the county of £50 million is very dubious.
14. The proposed development would not maintain or enhance the environment as required by PPS7.
15. It would be contrary to the objections of the Herefordshire Unitary Development Plan which seeks to encourage sustainable development and enhance and protect the natural environment.
16. The tunnels are taller than those used to grow crops from the ground making them more conspicuous in the landscape.
17. The applicant's intention to scale down the coverage of polytunnels is not accepted.
18. There will be very little benefit to the local economy.
19. Permanent permission for development of this type is inappropriate. The structures can easily be dismantled and there may well be changes to production methods and the market for the crop.
20. If permission is granted restrictions preventing further polytunnels should be imposed.
21. Pesticides used could contaminate local water supplies.
22. Marden is turning into an industrial area with damage to the road network and verges as a result of the heavy lorry usage. Sooner or later a serious accident will occur.
23. There is excessive traffic generation from daily operational movements of works traffic in and out from 0400 daily from April. Far in excess that can be deemed acceptable in a rural community.
24. They create localised flooding, soil erosion, the complete loss of any insects and bird life.
25. Excessive water extraction from the River Lugg.
26. A direct threat to the quality of life of local residents.
27. The whole operation is too big and completely surrounds and overwhelms Marden.
28. Mud on roads.

29. Every approach into Marden is blighted by polytunnels.
30. The appeal noted that had fields 31, 32 and 33 not been included there would have been a better chance of approval. Whilst these fields have been removed, reference was also made to fields 34 and 35 as being on the edge of acceptability - these are included within this application and the concerns raised then still remain, namely impact on the Public Right of Way.
31. The Council previously considered the site unacceptable, therefore a larger area must also be unacceptable and it would be quite illogical to consider otherwise.
32. The employment generation is considered superficial given that no posts are identified for the 100 permanent positions and the majority of temporary workers are secured outside of the UK. Therefore few are taken by local people from the village.
33. Planning conditions could not be placed on other land around Marden to prevent polytunnels as suggested - this would be done by the planning system.
34. Polythene is proposed to be in place all year - in conflict with the SPD.
35. It is difficult to see how a reduction in traffic will occur when the applicants still have other fields remote to Brook Farm and not accessible by internal tracks.
36. Spray drift alongside Public Rights of Way is unacceptable and would impact detrimentally.
37. The water abstraction data is out of date and contradictory.
38. There will be greater water run-off possibly flooding the area.
39. The landscape and visual impact report claims no landscape impact after 15 years. This is not acceptable and mean that Marden would be expected to live with this eyesore of polytunnels.
40. PROW MR22a will be enclosed due to existing and proposed hedgerows which will impact upon the quality and enjoyment of the PROW.
41. The application is unnecessarily large and intrusive when considered in the natural landscape.
42. If permission is granted it should only be for a temporary period.

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

6. Officer's Appraisal

- 6.1 PPS7 recognises the important and varied roles of agriculture, including the maintenance and management of the countryside. It also acknowledges that policies should support development that enables farming and farmers to
 - i) become more competitive, sustainable and environmentally friendly

- ii) adapt to new and changing markets
- iii) comply with changing legislation and associated guidance
- iv) diversity into new agricultural opportunities
- v) broaden their operations to 'add value' to their primary produce.

It is under this set of guidance together with UDP policy and the recent appeal decision that the planning application will be considered with the key identified issues being:

- 1) Visual Impact
- 2) Vehicular Movements and Capacity of Local Highway Network
- 3) Local Jobs and Economic Development
- 4) Ecological Interest and Habitat Regulations
- 5) Hydrological and Flooding Issues
- 6) Footpaths and Bridleways
- 7) Tourism

Visual Impact

- 6.2 Polytunnels are an emotive issue with the potential damage to the countryside a typical response to their erection. However from a farmer's perspective they elongate the growing and harvest potential of the crop. As with all planning applications they must be treated on their own individual merit and one polytunnel site can be distinctively different from another. This particular site is relatively well concealed being generally located within the fold in the landscape and fields 31, 32 and 33 have been removed from the previous dismissed appeal. The Inspector noted that had they not been included then the balance of issues may have been different with the balance of harm being significantly reduced. Accordingly these fields are not included in this application and the applicants have removed the polytunnels and all structures. Whilst also removing the visual impact it moves the activities of the operation further away from the village and therefore further reducing any impact on the setting of the village. The Landscape Officer has fully assessed the Landscape and Visual Impact Assessment submitted with the application and carried out in accordance with adopted guidelines. He is satisfied that the mitigation measures proposed are sufficient to negate the impact subject to suitable conditions to ensure proposed landscaping measures are implemented before April 2010 and that the maintenance period is extended to 10 years. In addition the polythene is removed from the tunnels by the end of October and not required to be replaced until the beginning of March. This ensures that the screening afforded to the site through hedges and trees when they are at their least effective due to lack of foliage is mitigated by no polythene, an arrangement that can be secured by condition. The Herefordshire lowlands are not an area of special designation but as identified by the Inspector it still merits the protection given to the countryside. However it was noted that the general setting of Brook Farm is relatively favourable with only modest effects on landscape character. It is therefore considered that in visual terms the proposal can be accommodated within the landscape.

Vehicular Movements and Capacity of the Local Road Network

- 6.3 The retention of permanent polytunnels on this site will reduce the need for farm vehicles on the adjoining public highways as all of this site can be serviced from internal farm tracks to the pack house at Brook Farm. A return to rotational cropping on this area would necessitate additional land being used with farm traffic inevitably increasing on the local road network. This, together with an extended harvesting period provides for a more sustainable development. Concerns regarding the HGVs

that access Brook Farm are noted, however the use of this site as a storage, processing and distribution plant was allowed on appeal in 1997 when it was then being used as a potato distribution centre. Whilst transport routing is not within the planning remit, it is suggested that discussions are held with the applicant to clarify a routing system for distribution of their produce.

Local Jobs and Economic Development

- 6.4 At its height in the summer months the applicant has previously employed approximately 2000 migrant workers. In addition nearly 100 full time jobs are provided together with 38 farmers who are employed by S&A Davies but also manage their own farms and enhance their income. The applicants therefore provide for significant employment opportunities in the local economy. In addition the workforce provides significant income back into the local economy through the local shops. The loss of this employment would have significant implications within this rural area.
- 6.5 The benefits arising from the table-top growing method including the quality and yield of product, the reliability of production, reduced transport and impact and better use of land and resources were given significant weight by the Inspector into the dismissed appeal. They are also supported by the objectives of PPS7, the RSS and the UDP all which seek to promote the rural economy. It should also be noted that soft fruit growing is a substantial part of the local agricultural economy and whilst concern over the concentration of this method of production have been raised it was not considered out of place by the Inspector.
- 6.6 Finally, over 30 letters of support were received with the application from local businesses whose services are used at the farm.

Ecological Interest

- 6.7 The ecological interests of the site have been fully assessed by the Ecology Officer and Natural England. The application has also been subject to a Habitat Regulations Assessment screening. Members will note that subject to appropriate conditions the proposal is acceptable. This will ensure protection of protected species and habitats.

Hydrological and Flooding Issues

- 6.8 The Environment Agency and River Lugg Drainage Board have assessed the water regime for the development and are both satisfied that subject to active management of surface water drainage that the proposal is acceptable. This can be imposed by means of suitable conditions to ensure any surface water run-off is discharged at Greenfield run-off together with climate change and storm events taken into account.

Footpaths (PROW)

- 6.9 Three footpaths/bridleways cross the site being MR20, MR21 and MR22. All are now free from polytunnel encroachment and acceptable separation distances are now proposed which as Members will see is supported by the Public Rights of Way Officer. These separation distances will be maintained by the imposition of conditions together with the suitable maintenance of the routes. This opinion is also supported by the Ramblers' Association.

- 6.10 The enhanced treatment of the PROW is the result of extensive discussions and negotiations by the PROW Manager. Whilst this does not overcome the detrimental impact on the ambience of the PROW it does ensure that the impact is reduced to the extent that less weight is afforded when balancing of the impacts are considered.

Tourism

- 6.11 The concerns relating to tourism are noted however, as stated a precedent would not be set if permission is granted for this site. This site is relatively well concealed and the expansion of polytunnels across Herefordshire should not inhibit the development of this relatively constrained site. It is therefore considered that in this instance the benefits to agriculture and the local economy outweigh the limited harm of this site to tourism.

Conclusions

- 6.12 The concerns of the objectors are noted together with the impact of the polytunnels on the landscape. However this is a well-chosen site that together with further mitigation measures will, it is considered be acceptable and comply with the guidance afforded by PPS7 and SPD Polytunnels in supporting the rural economy. However due to the changing nature of agriculture and to enable the local planning authority to retain effective control over the site a temporary permission of 10 years is recommended.

RECOMMENDATION

That temporary planning permission shall be granted for a period of 10 years subject to the following conditions:

- 1. F20 (Temporary permission and reinstatement of land).**

Reason: In order to clarify the terms under which this permission is granted and in accordance with Policies DR1, LA4 and E13 of the Herefordshire Unitary Development Plan.

- 2. The polythene shall be removed by 31st October each year and not replaced until or after 1st March in the following year unless otherwise agreed in writing by the local planning authority.**

Reason: In order to protect the visual amenity of the area in accordance with Policy LA2 of the Herefordshire Unitary Development Plan.

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

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

- 4. G05 (Pre-development tree work).**

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

5. **G11 (Landscaping scheme - implementation) – April 2010.**

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

6. **Within three months of the date of this decision, a full habitat management and enhancement scheme (based upon the Outline Landscape and Ecological Management Plan dated December 2008) shall be submitted to the local planning authority for written approval. This shall include mitigation and protection measures for protected species and in particular great crested newts. The scheme shall be implemented as approved and continued thereafter unless otherwise agreed in writing with the local planning authority.**

Reason: To ensure the protection of European and nationally designated sites and to comply with Herefordshire Council's Unitary Development Plan Policies NC2 and NC3.

To ensure that all species are protected having regard to the Wildlife and Countryside Act 1981 (as amended), the Conservation (Natural Habitats, & C) Regulations 1994 (as amended) and Policies NC1, NC5, NC6 and NC7 of Herefordshire Council's Unitary Development Plan.

To comply with Herefordshire Council's Policies NC8 and NC9 in relation to Nature Conservation and Biodiversity and to meet the requirements of PPS9 Biodiversity and Geological Conservation and the NERC Act 2006.

7. **To ensure the footpaths and bridleways remain unobstructed appropriate signage, details of which shall first be submitted for approval in writing of the local planning authority, shall be placed in positions to be agreed and thereafter maintained to the satisfaction of the local planning authority while polytunnels remain on the land.**

Reason: In order to protect the Public Rights of Way.

8. **No polytunnels shall be erected within 2 metres of the centre line of a public right of way or 3 metres in the case of a bridleway.**

Reason: In order to protect the Public Right of Way in accordance with Policy T6 of the Herefordshire Unitary Development Plan.

9. **The Public Right of Way shall be maintained strictly in accordance with the submitted drawings L09A, L09B and L09C unless otherwise agreed in writing by the local planning authority.**

Reason: In order to protect the Public Right of Way in accordance with Policy T6 of the Herefordshire Unitary Development Plan.

10. **All surface water shall be limited to the relevant Greenfield run-off rate, with attenuation for the 1% plus climate change storm event, in accordance with the Flood Risk Assessment (Ref:P:\SAD multi (5540)) Polytunnels\Marden Nove 08\FRA vO.1doc), unless otherwise agreed in writing by the local planning authority.**

Reason: To prevent flood risk and ensure sustainable disposal of surface water run-off.

11. H30 (Travel Plans).

Reason: In order to ensure that the development is carried out in combination with a scheme aimed at promoting the use of a range of sustainable transport initiatives and to conform with the requirements of Policy DR3 of Herefordshire Unitary Development Plan.

Informatives:

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

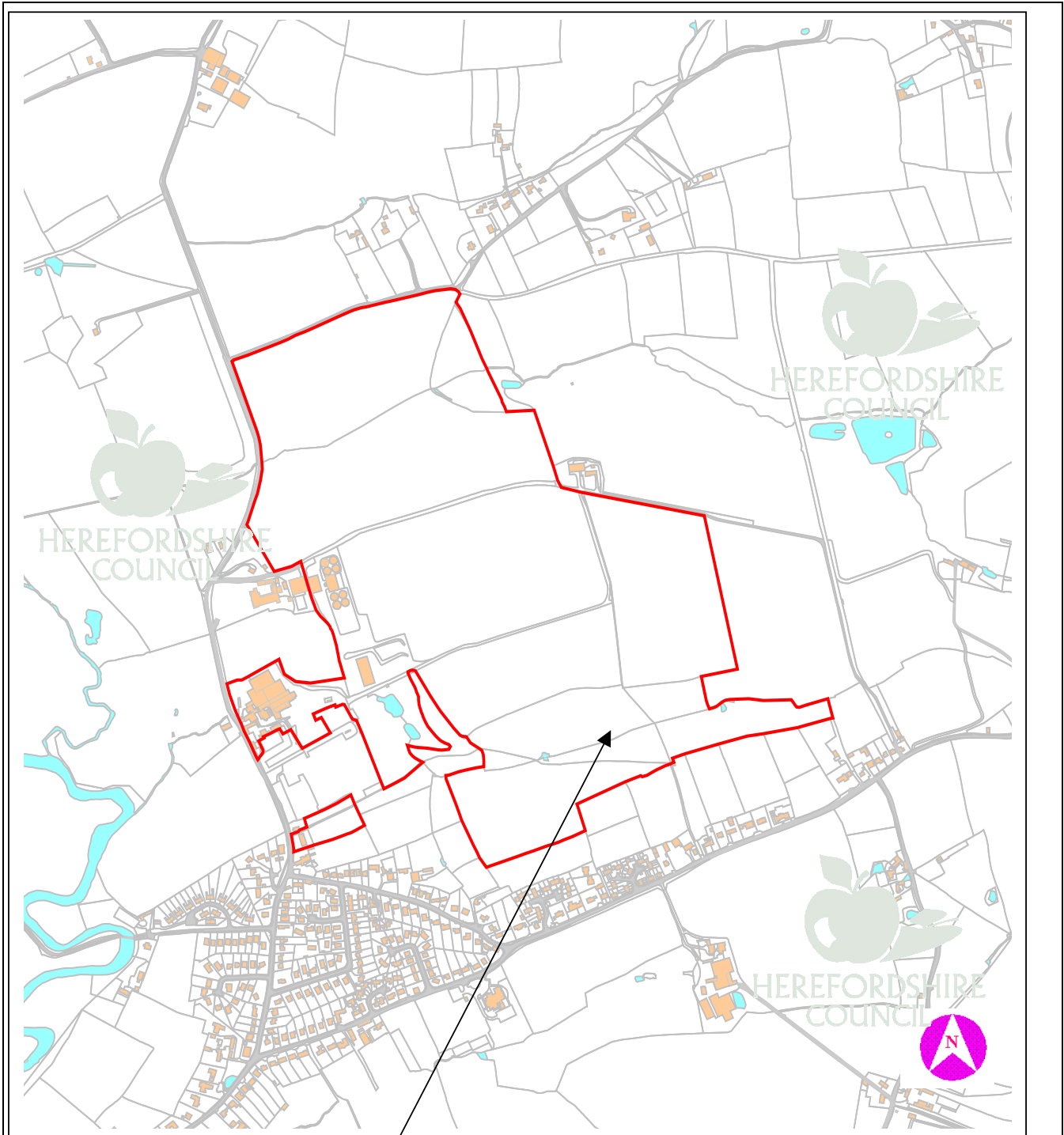
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCCW2009/0161/F

SCALE : 1 : 10408

SITE ADDRESS : Land at Brook Farm, Marden, Herefordshire HR1 3ET

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10 DCCE2009/0755/RM - PROPOSED DWELLING WITH INTEGRAL GARAGE AND ALTERATIONS TO EXISTING ACCESS AT 22 FOLLY LANE, HEREFORD, HR1 1LY

For: Mrs D.R. Built per John Phipps, Bank Lodge, Coldwells Road, Holmer, Hereford, HR1 1LH

Date Received: 7 April 2009

Ward: Tupsley

Grid Ref: 52509, 40355

Expiry Date: 2 June 2009

Local Members: Councillors MD Lloyd-Hayes, AP Taylor and WJ Walling

1. Site Description and Proposal

- 1.1 This is a Reserved Matters application, outline planning permission being granted in 2006 (reference DCCE2006/1374/O). It is proposed to erect a detached dwelling, with integral garage and alterations to existing access. The principle of the development has already been established, therefore the siting, design, appearance and access are to be considered in this application. The site fronts onto Folly Lane with the existing detached dwelling located to the rear of the curtilage. To the west of the site is found frontage development facing onto Folly Lane. Folly Drive runs immediately to the east of the application site serving 11 dwellings.
- 1.2 This application proposes the new dwelling to be served by the existing vehicle access from Folly Lane, with a new access to number 22 provided off Folly Drive. The property would include an integral garage, with accommodation above comprising a bedroom with en-suite facilities, lounge, kitchen come breakfast room, hallway and WC, and on the second floor 2 bedrooms, bathroom and landing area.
- 1.3 The proposed floor level of the proposed dwelling is 71.80, which is below that of number 24, which is 72.33. The footprint of the proposed dwelling would be some 13.7 metres in length and 8.7 metres in width, orientated approximately north/south. It would be some 11.5 metres, at its nearest point, to number 22 Folly Lane. The roof ridge height would be 6.2 metres. The proposed dwelling has been designed with a hipped slate roof with its walls to be constructed in weathered red facing bricks.

2. Policies

2.1 Planning Policy Guidance:

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

2.2 Herefordshire Unitary Development Plan 2007:

S1	-	Sustainable development
S3	-	Housing
DR1	-	Design
DR2	-	Land use and activity
DR4	-	Environment

H13	-	Sustainable residential design
H16	-	Car parking
T11	-	Parking provision

3. Planning History

- 3.1 CE2006/1374/O Proposed dwelling. Approved 26 July 2006
- 3.2 DCCE2005/3072/O Proposed dwelling. Refused 15 November 2005.
- 3.3 95/0035/PF Two-storey extension. Approved 27 February 2005.

4. Consultation Summary

Statutory Consultations

- 4.1 Welsh Water: No objection.

Internal Council Advice

- 4.2 The Traffic Manager: No objection.
- 4.3 Environmental Health Officer: No response.
- 4.4 Conservation Manager (Arboriculturist): No response.

5. Representations

- 5.1 Hereford City Council: No response.
- 5.2 Two letters of representation have been received from Mr & Mrs Williams of 24 Folly Lane and Ken Mallender of 11 Folly Lane. The main points raised are:
- Proposed balcony on top of garage would encroach onto 11 Folly Lane's privacy;
 - Concerned about the length of the proposed house to that of number 24 Folly Lane;
 - Concerned with the height of the proposed property and its impact of the side windows of number 22 Folly Lane; and
 - Elevations on plans labelled wrong (amended plans have now been submitted correcting this).
- 5.3 The consultation period does not elapse until 20 May 2009. Any additional representations received will be summarised in the update sheet.
- 5.4 The full text of these letters can be inspected at Central Planning Services, Garrick House, Widemarsh Street, Hereford and prior to the Sub-Committee meeting.

6. Officer's Appraisal

- 6.1 The application site has the benefit of an extant outline planning permission, which establishes the principle of a dwelling on the site. The main issues are the scale and design of the proposed dwelling, the impact of the new dwelling on its surroundings, the affect on neighbouring residential amenity and the means of access to and from the site.

- 6.2 In relation to the overall scale of the dwelling, it is considered that it will sit comfortably within the plot and with the retention of the hedge on the boundaries, the dwelling is not considered to have a detrimental impact on the character and appearance of the locality. The scale of the proposed dwelling is considered both proportionate to its plot and in keeping with other properties found along this section of Folly Lane, which is in accordance with policy H13 of the Herefordshire Unitary Development Plan.
- 6.3 The use of bricks and slate are acceptable in this setting and locality, with the integral garage reflecting the change of level across the site and its surroundings. There appears to be adequate private garden areas provided, and the use of the existing access driveway to the integral garage will provide the property with the necessary area for off-road parking and turning within the site, both of which are in accordance with policies DR1, DR3 and H13 of the Herefordshire Unitary Development Plan.
- 6.4 In consideration of the neighbour's comments relating to the balcony, given the distance between the balcony and the neighbouring properties the proposed balcony is not considered to pose a risk to the residential amenity in terms of privacy. There is 33 metres from the new dwelling and number 11 Folly Lane.
- 6.5 The height of the proposed dwelling is 6.2 metres with a floor level of 71.80. There are no first floor windows on the west elevation facing number 24 Folly Lane, with the proposed property set 2.2 metres from its boundary. Number 24 Folly Lane is set 3.6 metres back from the boundary. The proposed dwelling does extend back beyond that of number 24 Folly Lane, however the scale and design of the property are considered sympathetic to its setting in respect of adjoining neighbours and ensures that no overlooking occurs with all first floor windows to the front and rear. The rear first floor window facing number 22 Folly Lane is to be obscure glazed and fixed to ensure no overlooking can occur. The proposed dwelling is also not considered to overshadow the surrounding dwellings.
- 6.6 Overall the proposed dwelling is considered to sit comfortably within its context with its form being in keeping with the general form of properties in the area. Accordingly the proposal is considered to comply with the relevant policies in the Herefordshire Unitary Development Plan and is recommended for approval.

RECOMMENDATION

That approval of reserved matters be granted subject to the following conditions:

1. B03 (Amended plans).

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

2. C01 (Samples of external materials).

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

3. F08 (No conversion of garage to habitable accommodation).

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

4. F14 (Removal of permitted development rights).

Reason: In order to protect the character and amenity of the locality, to maintain the amenities of adjoining property and to comply with Policy H18 of Herefordshire Unitary Development Plan.

5. H06 (Vehicular access construction).

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

6. H09 (Driveway gradient).

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

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

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

Informatives:

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

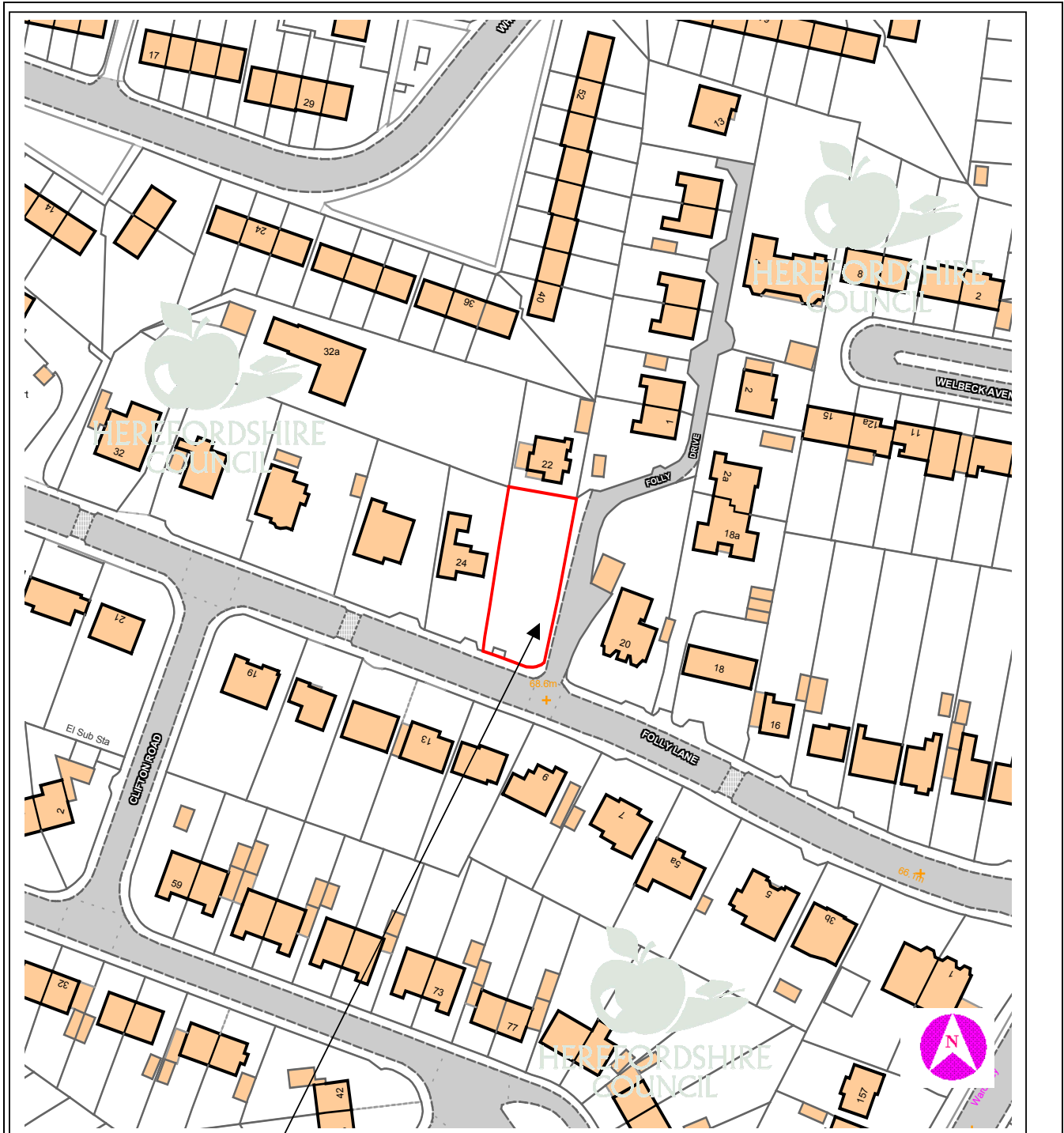
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCCE2009/0755/RM

SCALE : 1 : 1250

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

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11 DCCW2009/0568/F - CONVERSION AND ALTERATIONS OF PUBLIC HOUSE TO FIVE FLATS AT VILLAGE INN, MORETON ON LUGG, HEREFORD, HEREFORDSHIRE HR4 8DE

For: Upper House Properties per David Glasson Planning Ltd., 119 Northover Road, Westbury-on-Trym, Bristol, BS9 3LG

Date Received: 20 March 2009 Ward: Sutton Walls Grid Ref: 50545, 45668

Expiry Date: 15 May 2009

Local Member: Councillor KS Guthrie

1. Site Description and Proposal

- 1.1 The application site is comprised of a substantial 2½ storey building situated on the southern side of the principal road running through the settlement of Moreton-on-Lugg, adjacent to St. Andrews Church and village hall.
- 1.2 The property presently comprises a hot foot takeaway (A5), hairdressers salon (A1), both located at the front of the property, a licensed public house (A4) to the rear, and a self-contained flat on the top floor. The property is served by a large area of off-street parking located to the southeast, which is accessed by two separate tracks, one runs immediately alongside the flank of the building, the other emerging to join the highway on the other side of the properties known as The Beeches, a little way to the east.
- 1.3 The application seeks permission to convert the part of the premises used as the public house into five self-contained flats. The fish and chip shop, hairdressers and the attic flat will remain and are unaffected by the proposed development.

2. Policies

2.1 Herefordshire Unitary Development Plan 2007:

Policy S1	-	Sustainable Development
Policy S2	-	Development Requirements
Policy S3	-	Housing
Policy S11	-	Community Facilities and Services
Policy DR1	-	Design
Policy DR2	-	Land Use and Activity
Policy DR3	-	Movement
Policy DR4	-	Environment
Policy DR5	-	Planning Obligations
Policy H1	-	Hereford and the Market Towns: Settlement Boundaries and Established Residential Areas
Policy H4	-	Main Villages: Settlement Boundaries
Policy H13	-	Sustainable Residential Design
Policy H14	-	Re-using Previously Developed Land and Buildings
Policy H15	-	Density
Policy H16	-	Car Parking

Policy TCR14 - Village Commercial Facilities

3. Planning History

- 3.1 CW2002/0727/F Change of use from C5 to (A5) takeaway and (A1) hairdressers. Approved May 2002.
- 3.2 CW2003/2039/F Change of use of former school rooms into (A4) public house. Approved November 2003.
- 3.3 CW2003/3438/F Change of use to create self-contained residential flat. Approved February 2004.

4. Consultation Summary

Statutory Consultations

- 4.1 Cymru Dwr Welsh Water: No objection, but suggest the use of standard conditions.

Internal Council Advice

- 4.2 Traffic Manager: No objection, subject to the use of standard highway conditions but suggests that a one-way system be implemented due to the available width of both access points.
- 4.3 Environmental Health & Trading Standards Manager: I can confirm that I have had opportunity to consider this proposal and the representations from the adjoining farm and am of the opinion that the design of the proposed development is such that the flats will receive protection from potential nuisance caused by the farming activities, i.e. the southern elevation does not have any window openings for the proposed flats and the flats are separated from the gable by the proposed bin and cycle store. I can also confirm that this section has not received any complaints about the farming activities from existing residents.

5. Representations

- 5.1 Moreton-on-Lugg Parish Council: The Parish Council feels that the loss of the Village Inn as a public house has not demonstrated a sufficiently determined effort to sell or lease the premises as a viable public house because the selling price and lease were too high for viability. In the event of approval the parish council would like to see the following conditions:
 - (1) During construction deliveries of materials and equipment should be between 10.00 a.m. and 3.30 p.m. in consideration of the safety of local children waiting for and disembarking from school buses.
 - (2) Consideration should be given to improvements to the access from the car park to the public highway, as there is limited visibility at the entrance. Consideration should also be given to prevention of parking on the roadside by residents as there is already a parking problem created by the fish and chip shop.
 - (3) Consideration should be given to inclusion of a Local Housing Needs Policy in the Section 106 Agreement.

5.2 Two letters of objection have been received from Mrs. Stevenson, 10 Orchard Close and Mrs. Adams, C. Perkins & Sons, Church House Farm which are summarised as follows:

- The site plan is out of date and does not show all the surrounding farm buildings.
- The access to the car park belongs to Church House Farm, and a condition should be included to ensure access to the car park is only via the eastern access point.
- A proper boundary fence is needed between the farm and the application site in the interests of safety.
- The ground floor is overdeveloped.
- The owners of the building have not put anything back into the community since getting a grant to open the public house.
- The rents required for the property have been extortionate and unreasonable, prohibiting anyone realising a viable business.
- Will the hairdressers and fish and chip shop be closed?
- My property is one adjacent to the car park, and I will suffer disturbance as a result of noise, the security lights are already too bright.

5.3 One letter has been received from Mrs. Cullen, 12 Orchard Close summarised as follows:-

- I have no objection, but would like to point out that my property has a right of way over the access to the car park.

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

6. Officer's Appraisal

Principle of Development

6.1 The application lies within a designated settlement boundary and the Herefordshire Unitary Development Plan 2007 recognises that there is scope for appropriate residential development within this area providing that the character and appearance of the wider locality is not adversely affected by the proposed development. Therefore, the proposal to convert the building into five residential units is acceptable in principle, subject to other material considerations being satisfactorily resolved.

Loss of Existing Community Facilities

6.2 The licensed public house has since its creation in early 2004 suffered only marginal success, and it has not enjoyed local support to the extent that it has become a key community facility.

6.3 The application has been accompanied by a marketing report, demonstrating that there is no viable demand to retain it as a public house, either on a freehold or

tenanted basis. Therefore it is considered that the proposed change of use accords with the relevant test set out in Policy TCR14.

Visual and Residential Amenity

- 6.4 The proposed conversion involves only limited alteration to the external appearance of the building, therefore there will be no impact on the visual amenity of the wider locality.
- 6.5 In terms of residential amenity the proposed change of use is not considered to give rise to any demonstrable impact, when regard is had to the fall back position offered by the extant lawful A4 use.
- 6.6 Although the comments raised in the letter of objection about the proximity of the working agricultural unit are noted, having regard to the proximity and relationship between the farm complex and the existing residential neighbours, it is not considered that the proposed units will suffer any significant deficit in the levels of residential amenity presently enjoyed as to substantiate any sustainable grounds for refusal in this instance.
- 6.7 Overall the proposed development is not considered to give rise to any harm to the visual or residential amenity of the wider locality. However in order to protect the amenity of the area during the construction phase, standard conditions are recommended to control the hours of operation during the construction phase.

Access and Highways

- 6.8 Although the comments about on-street parking are noted, these issues arise from the use of the village hall, church and the businesses to the front of the property. The proposed residential units will have private off-street parking provided within the existing car park.
- 6.9 Therefore in the absence of any objection from the Traffic Manager, it is not considered that the concerns raised in the letters of objection can be substantiated as grounds for refusal on highway safety grounds. The comments of the Traffic Manager about the benefits of a one-way system to access the car park are noted, and appropriate conditions are recommended.
- 6.10 The comments raised about the contested land ownership are not a material planning consideration.

Planning Obligation

- 6.11 The proposed development falls within the terms of the adopted Planning Obligations SPD and as such is liable for a range of Section 106 contributions. However, in accordance with the decision of the Cabinet Member for Environment and Strategic Housing to relax the requirement for residential schemes for five dwellings or less which came into effect on the 1 April 2009, the proposed development is exempt subject to the planning permission being limited to 12 months.

Conclusion

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

RECOMMENDATION

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

Reason. To ensure adherence to the approved plans in the interests of a satisfactory form of development and to comply with Policy DR1 of Herefordshire Unitary Development Plan.

3. **C03 (Matching external materials (general)).**

Reason: To ensure the satisfactory appearance of the development so as to ensure that the development complies with the requirements of Policy DR1 of Herefordshire Unitary Development Plan.

4. **G09 (Details of boundary treatments).**

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

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

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

6. **Prior to the first occupation of the development hereby permitted an area shall be laid out, consolidated, surfaced and drained within the application site for the parking of 6 cars, and for those vehicles to turn so that they may enter and leave the site in a forward gear. These areas shall thereafter be retained and kept available for those uses at all times.**

Reason: To minimise the likelihood of indiscriminate parking in the interests of highway safety and to ensure the free flow of traffic using the adjoining highway to conform with the requirements of Policy T11 of Herefordshire Unitary Development Plan.

7. **H26 (Access location).**

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

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

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

9. I33 (External lighting).

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

10. I37 (Details of shields to prevent light pollution).

Reason: To minimise light overspill and to protect the amenity of neighbouring properties so as to comply with Policy DR14 of Herefordshire Unitary Development Plan.

11. L01 (Foul/surface water drainage).

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

12. L02 (No surface water to connect to public system).

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no detriment to the environment so as to comply with Policy CF2 of Herefordshire Unitary Development Plan.

Informatives:

- 1. N01 - Access for all.**
- 2. N19 - Avoidance of doubt - Approved Plans.**
- 3. N15 - Reason(s) for the Grant of PP/LBC/CAC.**

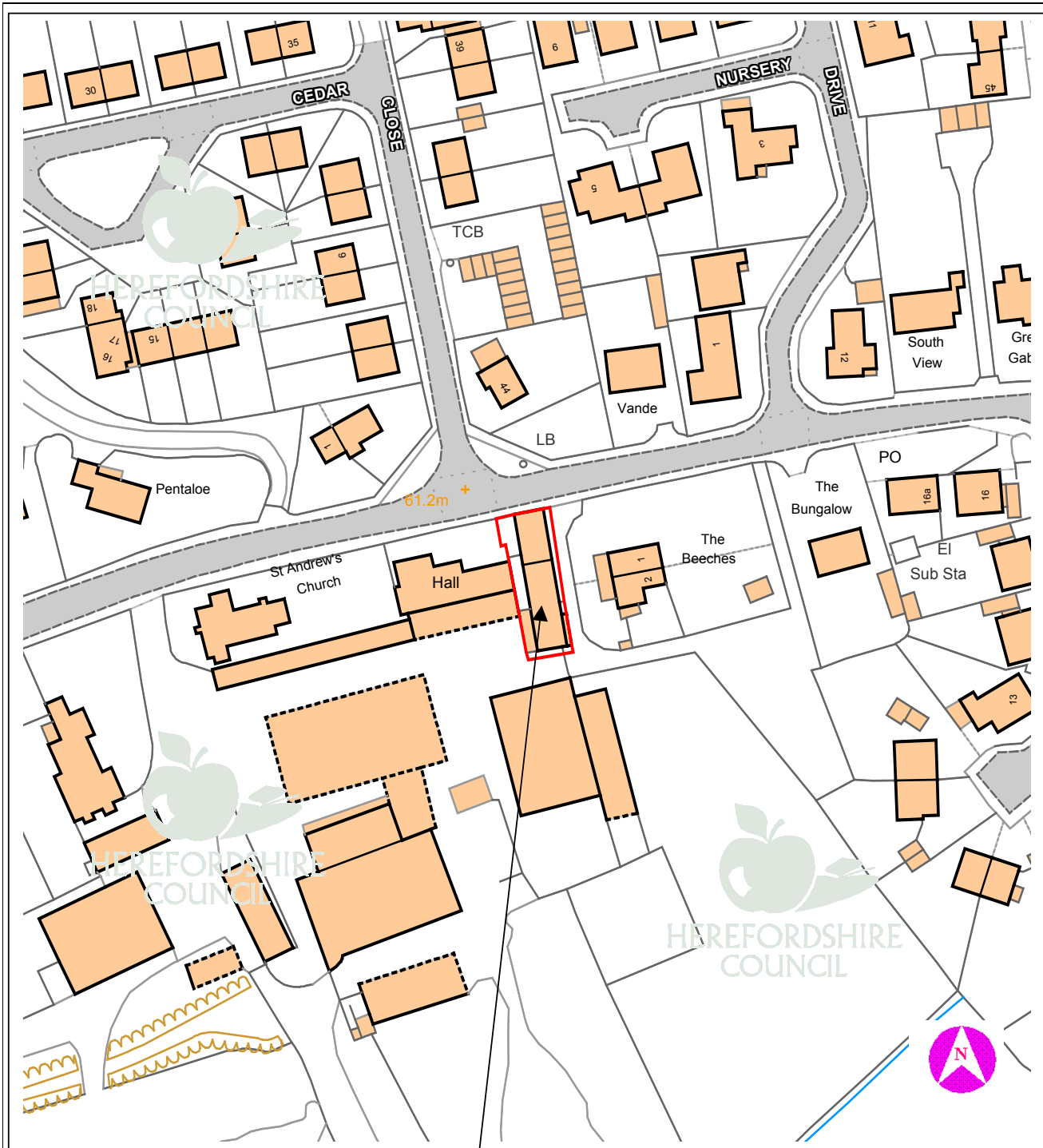
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCCW2009/0568/F

SCALE : 1 : 1250

SITE ADDRESS : Village Inn, Moreton on Lugg, Hereford, Herefordshire HR4 8DE

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Further information on the subject of this report is available from Mr. P.G. Clasby on 01432 261947

12A DCCE2009/0555/F - RETENTION OF ARCH AND REBUILDING OF WALL. CONVERSION OF EXISTING HAY LOFT TO FLAT IN COACH HOUSE. BUILD STABLE BLOCK AT TARRINGTON COURT, TARRINGTON, HEREFORDSHIRE, HR1 4EX

For: Mrs. C. Jago per SSM Building Company, Sheepcote, Pencoyd, Harewood End, Herefordshire, HR2 8JH

12B DCCE2009/0556/L - RETENTION OF ARCH AND REBUILDING OF WALL. CONVERSION OF EXISTING HAY LOFT TO FLAT IN COACH HOUSE. BUILD STABLE BLOCK AT TARRINGTON COURT, TARRINGTON, HEREFORDSHIRE, HR1 4EX

For: Mrs. C. Jago per SSM Building Company, Sheepcote, Pencoyd, Harewood End, Herefordshire, HR2 8JH

Date Received: 18 March 2009 Ward: Backbury Grid Ref: 61646, 40502

Expiry Date: 13 May 2009

Local Member: Councillor JE Pemberton

1. Site Description and Proposal

- 1.1 The site lies in the south western corner of Tarrington village adjoining but outside of the defined settlement as identified by the Unitary Development Plan. The curtilage is enclosed by unclassified road 66207 to the north, unclassified road 66209 to the west and unclassified road 66208 to the east. Tarrington Court itself is a late 16th Century/early 17th Century timber frame farmhouse under a pitched tiled roof. Immediately south of which is a detached Victorian coach house converted to a garage at some stage in the mid-20th Century and constructed from traditional Herefordshire red brick under a pitched tiled roof. South of which is a former cider house with attached hop kilns dating to early 19th Century, constructed from timber frame with brick infill and a mixture of tiled and slated roofs. Both Tarrington Court and the cider house and hop kilns are individually Grade II listed. The cider house and hop kilns are now used as offices in connection with the applicant's business. The properties as a whole are set within spacious landscaped ground with a single vehicular access off unclassified road 66208 to the east which is also designated as a public right of way ref:TR8. The majority of the curtilage is defined by a stone wall varying in height between a metre and two metres.

1.2 Planning and Listed Building Consent is sought for three separate proposals. These are as follows:

1. Retention of works already carried out to the stone boundary wall running along the northern boundary of the curtilage including the introduction of a pedestrian access in place of the existing vehicular access through the construction of a stone wall incorporating an arch over the door. Also proposed is the continued increased height of the wall along the remainder of the frontage to tie in with the remnants of the existing wall in the north western corner.
2. Conversion of the first floor of the former coach house to one bedroomed flat to be occupied by staff.
3. Construction of a detached three bay stable block constructed from brick with oak timber frame under a pitched tiled roof to be sited on land east of the dwelling.

2. Policies

2.1 Planning Policy Guidance Notes:

PPG15 - Planning and the Historic Environment

2.2 Herefordshire Unitary Development Plan 2007:

S1	-	Sustainable development
S2	-	Development requirements
S7	-	Natural and historic heritage
DR1	-	Design
DR2	-	Land use and activity
DR3	-	Movement
DR4	-	Environment
H7	-	Housing in the countryside outside settlements
HBA1	-	Alterations and extensions to listed buildings
HBA3	-	Change of use of listed buildings
HBA4	-	Setting of listed buildings

3. Planning History

3.1 Extensive history for alterations both to the principal dwelling, outbuildings and development within the curtilage but the two most recent applications of note are:

CE2008/1388/F Replace gateway at entrance, the repair of gates and pedestrian gate to side. Approved 23 July 2008.

CE2008/1389/L Close up existing driveway at entrance, build archway wall and pedestrian gate, reinstate wall to original height, alter gateway at entrance B. Listed Building Consent Approved 23 July 2008 (alterations to close up existing entrance and build archway were removed from the Listed Building application).

4. Consultation Summary

Statutory Consultations

- 4.1 Welsh Water: No objection subject to conditions on foul and surface water drainage.

Internal Council Advice

- 4.2 Traffic Manager: No objections.

- 4.3 Conservation Manager:

Boundary wall and arch feature

The existing wall would appear to date from the 18th / early 19th century due to its stone construction. It forms the curtilage of the house and would appear adjacent to the gate to have been at some point an animal pen or storage area as it loops round to enclose a small area of land. Indeed the 1st edition Ordnance Survey map shows that this area appears to be part of a substantial farmyard with a number of buildings all of which have now been removed. Adjacent to the lane, which leads up to Tarrington Common, the wall has been retained at its original height with a coping detail. However once it turns onto school road the top section of the wall appears to have been removed and no coping detail has been formed which allows it to continue to slowly decay. The issue to consider therefore is should this element of wall be reinstated to its presumed original height. This can be gauged from the surviving element of wall and it would be assumed that it would follow the contours down the site at the same height. Therefore given the height of the wall is known and that a matching stone, coping detail and mortar are available we believe that it would be appropriate to reinstate the wall to its original height and design. This should enhance the presence to the roadside and given the uplift in height is relatively minimal would not have a detrimental impact on the setting of Tarrington Court or the surrounding area.

With regards to the gateway this is a more balanced judgement and should be looked at with regards to the overall landscaping of this area of the site. Unfortunately the landscape is not mentioned in the Survey of Historic Parks and Gardens in Herefordshire. Previous to the installation of this gateway there was a substantial tarmaced road, which led up to the house. This was detrimental to the setting of the listed building. The current owner took this up as part of a general review of the landscaping. Whilst this did not need consent it was most welcomed. The issue then to resolve was the scale of the access within this frontage to the property. Given the current lack of documentary and physical evidence it is unclear whether this was the original access to the court although we suspect that it was not. The landscaped original approach to the house would appear to have been located further east in front of the principal elevation. Evidence for this compartmentalisation can be seen on the 1st edition OS map which shows 2 parallel lines running between the house and school lane. One of these can still be seen on current maps. These linear features are what would be expected for the gardens / landscapes of the time of construction where the access was designed to frame the approach to the house and impress guests and residents. The current gateway access would therefore appear to be a secondary access relating to the use of the now demolished farm buildings. Evidence for this can also be seen in the lack of fine entrance piers/ features. As the status of the building changed and the various ideas of landscape gardening changed over time the accesses moved and for a time this became the primary access. However there was no upgrade in its design status and it retained the character of a farmyard access.

Given the continued evolution of the building and that the entrance no longer relates to its original use we do not believe that it was necessary to be retained in its existing

form. However the idea of an access from this point needs to be retained so that the evolution of the site can be understood and appreciated. The raising of the wall over the gate is a satisfactory form and given that our concerns about the height have been addressed so that it flows through more comfortably we would not object to this feature. Given that this is a secondary access we do not believe that it needs the fine mouldings / detailing that can be found to other properties within the street and therefore the proportions detailing and finish would be in keeping with the overall character of this element of the proposal.

We believe that there would also be a major enhancement to the public realm with the removal of the tarmaced area and the landscaping of this site. This would benefit both the setting of Tarrington Court and the wider local area. We therefore believe that an appropriate scheme has been arrived at which would on balance preserve the character of both the listed wall and the setting of Tarrington Court and would support this element of the application.

Conversion of coach house

We believe that the building is capable of being converted and in principle therefore support this scheme. Minor amendments are recommended including changing the dormers so as only one is full sized so as to give the appearance of a loading bay for the coach house along with further information on the detailing. The building does not need symmetrical elements and an attempt to introduce this would be detrimental to the buildings character.

Proposed stables

The positioning of this building is acceptable. However further clarification on the setting down of the stable block into the ground is required in order to reduce its overall impact and maintain its subservience within the complex. It will also require a number of design changes including changing the upper gable elements to weatherboarding, using windows in the gables rather than a rooflight, slightly reducing the height of the building by reducing the span, increasing the size of both the posts and the bracing and removing the large projecting pediment with the clock and instead have a smaller gabled element, which could still sit comfortably within the roof and substantially reduce the mass of the building and still contain the clock.

4.4 Public Rights of Way Manager: No objections.

5. Representations

5.1 Tarrington Parish Council:

With regard to the stable block and the conversion of the hay loft, the Parish Council has no objections, provided that sympathetic materials are used for the stable block and the sewerage system has the capacity for the additional connection from the hay loft.

With regard to the archway, the Parish Council does have objections, for the following reasons:

1. The wording of the application is misleading as regards the building works that have recently taken place. The archway and door did not exist until 2008 when they were built without planning permission. This archway is shown on the application as 'existing'.

2. No reasonable justification has been given for the replacement of the original gate by a door and archway. The style of the archway is not in keeping with the rural nature of the local area.
3. There is no evidence to show that the wall was ever higher than it is now and we enclose photographs to show that the wall as it stands at present is in fact in keeping with the style of other boundary walls in the village.
4. The Parish Council does not consider that the applicant has justified the reasons for raising the height of the wall and again we stress that it would be out of character with most of the stone walls in the village.
5. The original wall and gate form part of the curtilage of a Grade II Listed Building and should not be modified in any way.

The Parish Council does not consider this part of the application to be acceptable and therefore recommends that the application be refused.

5.2 Five letters/e-mails of objection have been received to the planning and listed Building Consent from Robert and Veronica Hodges of Ro-Onica, Tarrington, M Wessell and Dr R Naylor of Aspen Cottage, Tarrington and John Pearce. The main points raised are:

1. The archway has a gothic style that adversely affect the setting and views of the property and is not suitable for this period of house which originally was a farmhouse.
2. The raising of the height of the boundary wall is stated as needed for security reasons yet the property is now in the National Gardens Book and open to the public.
3. The previous opening and five-bar gate complemented the house, the proposals detract from the property.
4. The wall and proposed arch detract from the historic and architectural heritage of the listed building
5. The arch and wall are contrary to Policies HBA4 and HBA8 of the Unitary Development Plan and guidance contained in PPG15.
6. The application for a wall and arch are retrospective.
7. There is no evidence to show that the wall ever continued at the higher height as is now proposed.
8. There are other means of providing privacy such as a fence with roses and honeysuckle or a native hedge.
9. The proposed stable block will be an over development of the site and spoil the main entrance to Tarrington Court.
10. The stable block may cause pollution of local water courses.

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

6. Officer's Appraisal

6.1 The applications comprise three separate elements:

1. The retention of arch and increase in height of existing stone boundary wall,
2. Conversion of first floor of coach house to one bedroom staff accommodation, and
3. Construction of stable block.

Retention of stone arch and pedestrian gate and increase in height of the existing boundary stone wall.

- 6.2 This application is part retrospective is so much as the previous vehicular access has been closed off through the construction of a stone wall incorporating a stone arch over a new pedestrian door. This is perhaps the most locally controversial element of the applications and has generated objections from local residents and the Parish Council.
- 6.3 Firstly, there is no objection the closure of the existing vehicular access and its change into a pedestrian access only. The works to achieve the archway over the pedestrian access through increasing the height of the stone wall, in isolation, would be unacceptable. However, once the wall is continued at an increased height to tie in with the existing height as is proposed, it is considered that this will from an acceptable boundary treatment and preserve the setting of the listed property. Public views of the listed property will still be available over the wall and from the public footpath that runs through part of the curtilage. The existing arch is constructed to a high standard using matching materials and traditional construction methods and this quality is to be maintained for the remainder of the wall including the use of matching coping. The wall in its own right as a boundary feature and its compatibility with the principal listed buildings and their setting is therefore acceptable.
- 6.4 Also of note are the Conservation Manager's comments, which are detailed in Paragraph 4.3. The Conservation Manager has examined in some detail the acceptability of the arch and works to the wall with the conclusion being that they will preserve the character of both the listed wall and the setting of Tarrington Court and therefore they also raise no objection to these elements.

Conversion of first floor of coach house to one bedroom flat:

- 6.5 The coach house is now occupied as a garage with the first floor largely being unused other than ancillary storage. Adequate space exists within the roof to accommodate a modest one bedroom flat and the principle of the works and the use as staff accommodation subject to a restriction tying the accommodation to the principal dwelling is acceptable. Light is being achieved through rooflights on the rear (west) elevation with two dormers proposed on the front elevation, access has been achieved by way of new stable steps off the northern gable. The works generally are in keeping with the appearance of the building subject to minor changes to the dormer detailing. Amended plans have been requested to address the design changes.

Erection of stables:

- 6.6 The scale and proportions of the stables are designed to reflect the scale of the adjacent coach house. The siting will ensure the levels can also be lower so as the stables are viewed as a secondary element on the principal approach to the group of buildings as suggested by the Conservation Manager. The materials will also harmonise with the coach house, this being traditional red brick with weather-boarded gables and a clay tile roof.
- 6.7 The applicants have agreed to reduce the height of the stables through reducing its span with a slightly shallower pitch and design changes have also been agreed to simplify its appearance. Again amended plans are awaited identifying these changes.

Subject to receipt of these plans the stable building will harmonise with the existing listed buildings and preserve their setting.

- 6.8 Subject to receipt of amended plans identifying design changes to the conversion of the first floor of the coach house and the stables, the proposals as a whole are considered acceptable in accordance with Policies HBA1 relating to alterations to listed buildings and HBA4 relating to setting of listed buildings in particular.

Planning Permission – CE2009/0555/F

RECOMMENDATION

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

- 1. The proposed works to the northern boundary wall shall be completed in accordance with the approved plans within 6 months of the date of this planning permission or in accordance with a timescale to be agreed in writing with the local planning authority within one month of the date of this permission.**

Reason: To ensure the completion of the wall in order to safeguard its character and appearance and the setting of Tarrington Court and comply with Policies HBA1 and HBA4 of the Herefordshire Unitary Development Plan.

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

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

- 3. F13 (Restriction on separate sale).**

Reason: It would be contrary to the policy of the local planning authority to grant permission for a separate dwelling in this location having regard to Policy H7 and HBA4 of Herefordshire Unitary Development Plan.

- 4. I18 (Scheme of foul drainage disposal).**

Reason: In order to ensure that satisfactory drainage arrangements are provided and to comply with Policy DR4 of Herefordshire Unitary Development Plan.

- 5. I51 (Details of slab levels).**

Reason: In order to define the permission and ensure that the development is of a scale and height appropriate to the site so as to comply with Policy DR1 of Herefordshire Unitary Development Plan.

- 6. L01 (Foul/surface water drainage).**

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

7. L02 (No surface water to connect to public system).

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no detriment to the environment so as to comply with Policy CF2 of Herefordshire Unitary Development Plan.

8. L03 (No drainage run-off to public system).

Reason: To prevent hydraulic overload of the public sewerage system and pollution of the environment so as to comply with Policy CF2 of Herefordshire Unitary Development Plan.

Informatives:

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

Listed Building Consent – CE2009/0556/L

RECOMMENDATION

Subject to the receipt of suitably amended plans, the officers named in the Scheme of Delegation to Officers be authorised to issue listed building consent subject to the following conditions and any further conditions considered necessary by officers:

1. The proposal works to the northern boundary wall shall be completed in accordance with the approved plans within 6 months of the date of this listed building consent or in accordance with a timescale to be agreed in writing with the local planning authority within one month of the date of this permission.

Reason: To ensure the completion of the wall in order to safeguard its character and appearance and the setting of Tarrington Court and comply with Policies HBA1 and HBA4 of the Herefordshire Unitary Development Plan.

2. D02 (Approval of details).

Reason: To ensure that the work is carried out in accordance with the details that are appropriate to the safeguarding of the special architectural or historical interest of the building and to comply with the requirements of Policy HBA1 of Herefordshire Unitary Development Plan.

Informatives:

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

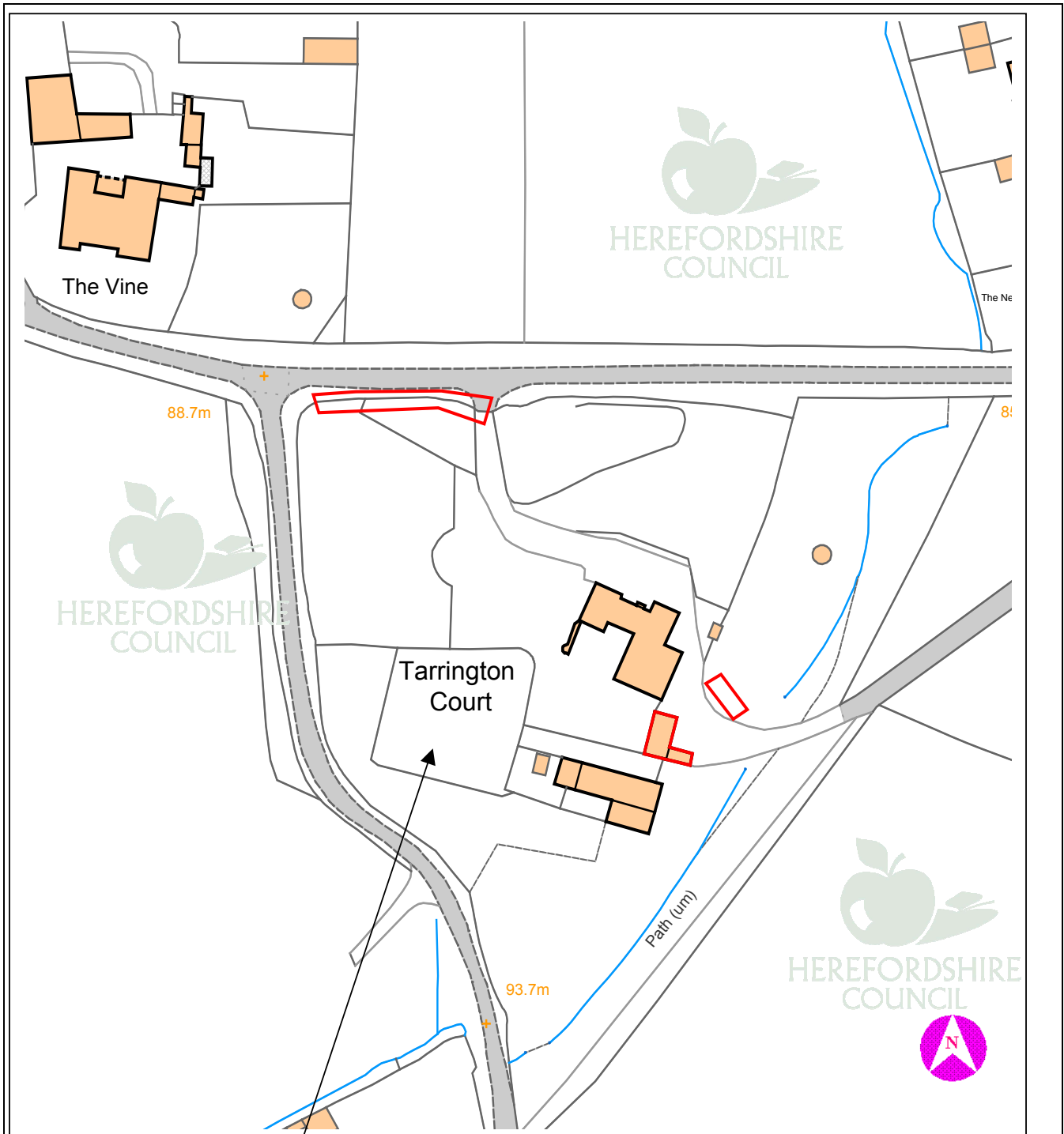
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCCE2009/0555/F

SCALE : 1 : 1250

SITE ADDRESS : Tarrington Court, Tarrington, Hereford, Herefordshire, HR1 4EX

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