

A G E N D A

Southern Area Planning Sub- Committee

Date: **Wednesday, 25 June 2008**

Time: **2.00 p.m.**

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

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

For any further information please contact:

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AGENDA

for the Meeting of the Southern Area Planning Sub-Committee

To: Councillor PGH Cutter (Chairman)
Councillor MJ Fishley (Vice-Chairman)

Councillors CM Bartrum, H Bramer, BA Durkin, AE Gray, TW Hunt, JA Hyde, JG Jarvis, G Lucas, PD Price, RH Smith, RV Stockton, DC Taylor and JB Williams

	Pages
1. APOLOGIES FOR ABSENCE	
To receive apologies for absence.	
2. DECLARATIONS OF INTEREST	
To receive any declarations of interest by Members in respect of items on the Agenda.	
GUIDANCE ON DECLARING PERSONAL AND PREJUDICIAL INTERESTS AT MEETINGS	
The Council's Members' Code of Conduct requires Councillors to declare against an Agenda item(s) the nature of an interest and whether the interest is personal or prejudicial. Councillors have to decide first whether or not they have a personal interest in the matter under discussion. They will then have to decide whether that personal interest is also prejudicial.	
A personal interest is an interest that affects the Councillor more than most other people in the area. People in the area include those who live, work or have property in the area of the Council. Councillors will also have a personal interest if their partner, relative or a close friend, or an organisation that they or the member works for, is affected more than other people in the area. If they do have a personal interest, they must declare it but can stay and take part and vote in the meeting.	
Whether an interest is prejudicial is a matter of judgement for each Councillor. What Councillors have to do is ask themselves whether a member of the public – if he or she knew all the facts – would think that the Councillor's interest was so important that their decision would be affected by it. If a Councillor has a prejudicial interest then they must declare what that interest is and leave the meeting room.	
3. MINUTES	1 - 8
To approve and sign the Minutes of the meeting held on 28 May 2008.	
4. ITEM FOR INFORMATION - APPEALS	9 - 12
To note the contents of the attached report of the Head of Planning Services in respect of the appeals received or determined for the southern area of Herefordshire.	

PLANNING APPLICATIONS

To consider and take any appropriate action in respect of the planning applications received for the southern area and to authorise the Head of Planning Services to impose any additional or varied conditions and reasons considered to be necessary.

Plans relating to planning applications on this agenda will be available for inspection in the Council Chamber 30 minutes before the start of the meeting.

- | | | |
|------------|--|---------|
| 5. | DCSW2008/0282/F - PILGRIM HOTEL, MUCH BIRCH, HEREFORD, HR2 8HJ. | 13 - 20 |
| | Erection of 4 no. single storey hotel accommodation suites. | |
| 6. | DCSE2008/0976/F - ROSELEIGH, OAK ROAD, ROSS-ON-WYE, HEREFORDSHIRE, HR9 7BB | 21 - 26 |
| | Replacement of dangerous garage/workshop with summer house/studio for seasonal use and direct replacement of unstable outbuilding. | |
| 7. | DCSE2008/1120/F - OAK HOUSE NURSERY SCHOOL, BRAMPTON ABBOTTS, ROSS-ON-WYE, HEREFORDSHIRE, HR9 7JD. | 27 - 34 |
| | Two storey extension to Oak House Nursery School comprising a special needs and staff training room at first floor, and a baby room at ground floor, plus entrance lobby | |
| 8. | DCSW2008/1123/F - GWERNDWR, NEWTON ST. MARGARETS, HEREFORDSHIRE, HR2 0QY. | 35 - 40 |
| | Erection of general storage building. | |
| 9. | DCSW2008/0941/F - LOWER LULHAM FARM, LULHAM, MADLEY, HEREFORD, HEREFORDSHIRE, HR2 9JJ. | 41 - 46 |
| | Construction of a steel framed building for agricultural/forestry storage. | |
| 10. | DCSW2008/1181/F - CHURCH COTTAGE, ALLENSMORE, HEREFORD, HR2 9AQ. | 47 - 52 |
| | Replacement dwelling and garage. | |

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COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL

BROCKINGTON, 35 HAFOD ROAD, HEREFORD.

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HEREFORDSHIRE COUNCIL

MINUTES of the meeting of Southern Area Planning Sub-Committee held at The Council Chamber, Brockington, 35 Hafod Road, Hereford on Wednesday, 28 May 2008 at 2.00 p.m.

Present: Councillor PGH Cutter (Chairman)

Councillors: CM Bartrum, AE Gray, G Lucas, RH Smith, DC Taylor and JB Williams

In attendance: Councillors TW Hunt and RV Stockton

1. ELECTION OF CHAIRMAN AND APPOINTMENT OF VICE-CHAIRMAN

Councillor PGH Cutter, recently appointed Chairman of the Southern Area Planning Sub-Committee, thanked the previous Chairman, Councillor G Lucas, for his hard work throughout the preceding 12 months. Councillor G Lucas thanked the Officers for the support and guidance they had offered him during his time as Chairman.

2. APOLOGIES FOR ABSENCE

Apologies were received from Councillors H Bramer, BA Durkin, MJ Fishley, JA Hyde, and JG Jarvis.

3. DECLARATIONS OF INTEREST

The following declarations of interest were made:

Councillors	Item	Interest
AE Gray G Lucas	Agenda Item 6 DCSE2007/3618/C – Alterations and refurbishment of 27 Brookend Street and demolition of the separate detached rear commercial premises. DCSE2007/3619/F – Alterations and extensions to 27 Brookend Street including new shop front and extension to retail unit and 4 no. existing flats. Demolition of the detached commercial building to the rear and erection of 9 no. new build residential dwelling apartments. Palma Court, 27 Brookend Street, Ross-on-Wye, Herefordshire, HR9 7EE.	A prejudicial interest was declared and both members left the meeting for the duration of the item.

4. MINUTES

RESOLVED: That the Minutes of the meeting held on 30 April 2008 be approved as a correct record and signed by the Chairman.

5. ITEM FOR INFORMATION - APPEALS

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

6. DCSE2007/3618/C AND DCSE2007/3619/F - PALMA COURT, 27 BROOKEND STREET, ROSS-ON-WYE, HEREFORDSHIRE, HR9 7EE. (AGENDA ITEM 6)

- A) *Alterations and refurbishment of 27 Brookend Street and demolition of the separate detached rear commercial premises.*
- B) *Alterations and extensions to 27 Brookend Street including new shop front and extension to retail unit and 4 no. existing flats. Demolition of the detached commercial building to the rear and erection of 9 no. new build residential dwelling apartments.*

In accordance with the Code of Conduct, Councillor AE Gray, who had declared a prejudicial interest in respect of the item, addressed the sub-committee before withdrawing from the meeting for the ensuing debate and vote.

The Senior Planning Officer reported the following updates:

- Further to members' deferral of the application to seek off site highway works, a pedestrian crossing in Station Street, the Traffic Manager commented that of the possible crossings assessed in Ross, Millpond Street would provide for the larger number of pedestrians.

Councillor CM Bartrum felt that the site inspection had been beneficial to members. He said that he supported the application in principal but had reservations in some areas as he felt that a wall would be more suitable than a fence on the boundary, and that opaque glazing should be used to avoid any issues of overlooking for the neighbouring residents. Finally he advised the committee that he supported the Traffic Manager's suggestion of a crossing on Millpond Street.

In response to a question raised by Councillor CM Bartrum, the Development Control Manager advised that Ross Town Council had not been consulted in respect of the Section 106 agreement as the application was submitted prior to 1 April 2008. He confirmed that under the new Planning Obligations this consultation would have taken place.

Councillor RH Smith concurred with Councillor CM Bartrum in respect of the wall and the resiting of the proposed pedestrian crossing to Millpond Street.

Members discussed the application thoroughly and on balance felt that it should be approved subject to the Section 106 agreement being amended to include a contribution towards a pedestrian crossing on Millpond Street. They also requested a further condition be added to the recommendation to ensure that the applicant erected a wall instead of a fence on the boundary of the application site.

RESOLVED

In respect of DCSE2007/3618/C

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

1 D01 (Time limit for commencement (Listed Building Consent))

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

INFORMATIVES:

1 N19 - Avoidance of doubt

2 N15 - Reason(s) for the Grant of Conservation Area Consent.

In respect of DCSE2007/3619/F:

That:

(1) The Legal Practice Manager be authorised to complete a planning obligation under Section 106 of the Town and Country Planning Act 1990 in accordance with the Heads of Terms appended to this report and any additional matters and terms as he considers appropriate.

(2) Upon completion of the aforementioned planning obligation that the officers named in the Scheme of Delegation to Officers be authorised to issue Conservation Area Consent subject to the following conditions:

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

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

2 C01 (Samples of external materials)

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

3 E01 (Site investigation - archaeology)

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

4 E04 (Submission of foundation design)

Reason: The development affects a site on which archaeologically significant remains survive. A design solution is sought to minimise archaeological disturbance through a sympathetic foundation design.

5 No development shall commence until a scheme for the provision and implementation of a surface water regulation system including the Sustainable Urban Drainage System, as detailed in the Flood Risk Assessment, has been submitted to and approved in writing by the local planning authority. The scheme shall be implemented in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: To prevent the increased risk of flooding and provide water

quality benefits by ensuring the provision of a sustainable means of surface water disposal.

- 6 Prior to the occupation of the development, an Evacuation Management Plan shall be submitted to and approved in writing by the local planning authority. The plan shall include full details of proposed awareness training and procedures for evacuation of persons and property and method and procedures for timed evacuation. It shall also include a commitment to retain and update the plan and include a timescale for revision of the plan.

Reason: To minimise the flood related danger to people in the flood risk area.

- 7 Prior to the first occupation of the development flood-free access as shown on drawing number 50026-01, dated 3/1/08, including finished ground levels no lower than 33.19 metres AOD along the route, shall be in place and thereafter maintained.

Reason: To ensure a safe development and prevent flood risk.

- 8 The finished floor levels of the dwellings hereby permitted shall be no lower than 33.80 metres AOD, with finished floor level of the café set no lower than the existing and flood proofing techniques incorporated at least 33.80 metres AOD, in accordance with the Flood Proofing and Flood Resilient Construction in the Flood Risk Assessment Addendum, unless otherwise agreed in writing by the local planning authority.

Reason: To ensure a safe development and prevent flood risk.

- 9 L01 (Foul/surface water drainage)

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

- 10 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.

- 11 L03 (No drainage run-off to public system)

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

- 12 Before development commences architectural details of the shopfront to a scale of 1:1 or 1:5 shall be submitted to the local planning authority approved in writing.

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

- 13 Prior to the commencement of the development hereby approved, details of a 1.8 metre high wall (to replace the existing fence) between the application site and the boundary with Palma Court (southern boundary) shall be submitted to and approved in writing by the local planning authority. The boundary wall shall be constructed in accordance with the approved details prior to the first occupation of the

retail unit/apartments hereby approved and thereafter retained insitu.

Reason: In order to enhance the visual amenities of the area and maintain privacy in accordance with policies DR2 and HBA6 of the Herefordshire Unitary Development Plan.

INFORMATIVES:

- 1 **W01 - Welsh Water Connection to PSS**
 - 2 **N19 - Avoidance of doubt**
 - 3 **N15 - Reason(s) for the Grant of Planning Permission**
7. **DCSE2008/0710/O - 1 WOODVIEW, PONTSHILL, ROSS-ON-WYE, HEREFORDSHIRE, HR9 5SY. (AGENDA ITEM 7)**

Erection of detached house and garage to include joint access with 1 Woodview.

The Senior Planning Officer reported the following:

- Following the deferral of this application the applicant's agent met the Traffic Manager to resolve the highway objection, and has submitted amended plans that show a 2 metre x 30 metre visibility splay as recommended. While, this would appear to meet the requirements of the Traffic Manager a speed survey has been requested. This has not been received.

A further letter has been received from Mr and Mrs GP Smith, 2 Woodview, Pontshill. The main points raised are:

- We understand the application was deferred due to an issue with the driveway and access;
- We very much hope that all guidelines regarding planning in an area designated as open countryside will be adhered to; and
- We remain concerned with drainage in the area.

The Solicitor (Corporate) has stated the Council was the freeholder of this land and transferred it to Mrs Caldicutt in 2002 with a restrictive covenant that it should be used as a garage and garden area.

Councillor RH Smith noted that even though the highways issues could be resolved the primary reason for refusal was due to the application being contrary to policy H7 of the Unitary Development Plan. He felt that the application site fell within open countryside and should therefore be refused accordingly.

Councillor JB Williams noted that the application would have been approved under the previous South Herefordshire Plan. He advised members that there were a number of dwellings in the area and felt that the site should not be classed as open countryside.

RESOLVED

That planning permission be refused for the following reasons:

- 1 **The site is located outside a smaller settlement or main village identified for further residential development in the Herefordshire Unitary**

Development Plan 2007. For the purpose of planning policy the site is located in open countryside where new housing development would be contrary to policy H7. The proposal would also detract from and relate poorly to the planned layout of Woodview, resulting in overlooking from those dwellings. There is no justification for the proposal such that an exception should be made.

- 2 Pontshill does not have the level of services or public transport necessary to consider it an appropriate place for further housing development. As a consequence the occupants of the proposed dwelling would rely on the use of private transport. Consequently the proposal is not considered sustainable. Accordingly, the proposal conflicts with policies S1, S2, S3 and S6 of the Herefordshire Unitary Development Plan 2007, and the advice relating to sustainable development contained in Planning Policy Statement 1: Delivering Sustainable Development, Planning Policy Statement 3: Housing, Planning Policy Statement 7: Sustainable Development in Rural Areas and Planning Policy Guidance 13: Transport.
 - 3 It is not considered that the access arrangements provide adequate visibility splays and accordingly the proposal would be detrimental to highway safety and conflict with policies S6 and DR3 of the Herefordshire Unitary Development Plan 2007.
8. **DCSW2008/0911/RM - SANDRIDGE, BARRACK HILL, LITTLE BIRCH, HEREFORD, HR2 8AY. (AGENDA ITEM 8)**

New dwelling in garden of Sandridge.

The Planning Officer reported the following updates:

- Further supporting documentation received on 15 May 2008 from the applicant's agent.

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

Councillor RH Smith, the local ward member, noted that the issues raised by the Parish Council had been addressed and therefore supported the application.

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 **B03 (Amended plans)**
Reason: To ensure the development is carried out in accordance with the amended plans and to comply with the requirements of Policy DR1 of Herefordshire Unitary Development Plan
- 3 **C01 (Samples of external materials)**

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

- 4** Before work commences, details of windows and their openings, doors and their openings at a minimum scale of 1:5 for general arrangements shall be submitted to the local planning authority. The work shall be subsequently only be carried out in accordance with details which have been approved in writing by the local planning authority.

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.

- 5** D06 (External finish of flues)

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.

- 6** Before development commences, details or specification of the type and size of the solar panels to be situated on the roof shall be submitted to and approved in writing by the local planning authority.

Reason: In the interests of visual amenity so as to ensure that the development complies with the requirements of Policy DR1 of the Herefordshire Unitary Development Plan.

- 7** F15 (No windows in side elevation of extension)

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

- 8** H10 (Parking - single house)

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

- 9** 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

- 10** G12 (Hedgerow planting)

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

Informative(s):

- 1** N19 - Avoidance of doubt - Approved Plans

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

SITE INSPECTION

The Southern Team Leader requested that Members consider undertaking a site inspection at Homme Farm, Home Green, Ross on Wye. He felt that due to the scale of the application it may be beneficial for Members to see the site prior to the application coming before committee. Members agreed to view the site on 10 June 2008 at 10.00 am.

The meeting ended at 2.35 p.m.

CHAIRMAN

ITEM FOR INFORMATION - APPEALS

APPEALS RECEIVED**Application No. DCSW2007/2050/F**

- The appeal was received on 21 May 2008
- The appeal is made under Section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission
- The appeal is brought by Mr D Elkerton
- The site is located at Shop Barn, Pwll-y-Hunt, Pontrilas, Herefordshire, HR2 0HF
- The development proposed is Construction of garage/workshop building to accompany shop barn.
- The appeal is to be heard by Written Representations

Case Officer: Andrew Prior on 01432 261932**Application No. DCSE2007/3571/F**

- The appeal was received on 4 June 2008
- The appeal is made under Section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission
- The appeal is brought by G Lampard
- The site is located at Lodge Cottage, Yatton, Ross-on-Wye, Herefordshire, HR9 7QZ
- The development proposed is Single storey extension.
- The appeal is to be heard by Written Representations

Case Officer: Yvonne Coleman on 01432 383083**Application No. DCSW2007/3746/F**

- The appeal was received on 6 June 2008
- The appeal is made under Section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission
- The appeal is brought by Mr N Jones
- The site is located at Hazeldene, Green Lanes, Kingstone, Herefordshire, HR2 9EX
- The development proposed is Erection of 3 starter homes replacing old concrete bungalow.
- The appeal is to be heard by Written Representations

Case Officer: Angela Tyler on 01432 260372**Application No. DCSE2007/2130/O**

- The appeal was received on 10 June 2008
- The appeal is made under Section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission
- The appeal is brought by Mr & Mrs P. N. Barcoe
- The site is located at Land at Gamage Farm, Lyne Down, Much Marcle, Herefordshire, HR8 2NS
- The development proposed is Relocation of equestrian business: erection of stables, barn, dwelling and associated works.
- The appeal is to be heard by Inquiry

Case Officer: Duncan Thomas on 01432 261974

Further information on the subject of this report is available from the relevant Case Officer

APPEALS DETERMINED

Application No. T2007/1046

- The appeal was received on 11 March 2008
- The appeal was made under Section 78 of the Town and Country Planning Act 1990 against Non-determination of a planning application
- The appeal was brought by Mr & Mrs R Owen
- The site is located at Crofton, Aston Ingham Road, Kilcot, Newent, Herefordshire, GL18 1NR
- The application, dated 25 April 2007,
- The development proposed was Proposed single storey extension to garage to provide a granny annex and study and gym for Crofton.
- The main issue is whether the proposal would be acceptable in planning authority

Decision: The appeal was ALLOWED on 12 June 2008

Case Officer: Yvonne Coleman on 01432 383083

Application No. DCSE2007/1975/F

- The appeal was received on 24 October 2007
- The appeal was made under Section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission
- The appeal was brought by Ms A Gifford
- The site is located at Units A and B, Windsong Barn, Bulls Hill, Walford, Ross-on-Wye, Herefordshire, HR9 5QU
- The application, dated 18 June 2007, was refused on 14 August 2007
- The development proposed was Removal of condition 2 of planning permission SE2001/2696/F
- The main issues are the effect of the proposal on:
 - i) The character and appearance of the Area of Outstanding Natural Beauty*
 - ii) The character of the group of former farm buildings in the locality*
 - iii) The living conditions of the occupiers of the barn and Units A & B*

Decision: The appeal was DISMISSED on 21 May 2008

Case Officer: Simon Withers on 01432 260612

Application No. DCSE2007/3360/F

- The appeal was received on 11 February 2008
- The appeal was made under Section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission
- The appeal was brought by Mr M. Norris
- The site is located at 1 Fishermans Reach, Wilton, Ross-on-Wye, Herefordshire, HR9 6BE
- The application, dated 15 October 2007, was refused on 21 December 2007
- The development proposed was Proposed rear conservatory.
- The main issue is the effect of the proposal on the character and appearance of the dwelling and the Ross-on-Wye Conservation Area and on the setting of adjacent listed buildings.

Decision: The appeal was DISMISSED on 23 May 2008

Case Officer: Simon Withers on 01432 260612

Further information on the subject of this report is available from the relevant Case Officer

Application No. DCSE2007/2822/F

- The appeal was received on 25 January 2008
- The appeal was made under Section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission
- The appeal was brought by Mr P Smith
- The site is located at Land rear of Greytrees Lodge, Second Avenue, Greytrees, Ross-on-Wye, Herefordshire, HR9 7HT
- The application, dated 14 August 2007, was refused on 1 November 2007
- The development proposed was Erection of one dormer bungalow and detached garage.
- The main issue is the effect of the proposal on the living conditions of occupiers of neighbouring properties due to noise and disturbance.

Decision: The appeal was UPHeld on 4 June 2008

Case Officer: Yvonne Coleman on 01432 383083

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

5 DCSW2008/0282/F - ERECTION OF 4 NO. SINGLE STOREY HOTEL ACCOMMODATION SUITES, PILGRIM HOTEL, MUCH BIRCH, HEREFORD, HR2 8HJ.

For: Pilgrim Hotel per RRA Architects Ltd, Packers House, 25 West Street, Hereford, HR4 0BX.

Date Received: 5 February 2008

Ward: Pontrilas

Grid Ref: 49989, 30813

Expiry Date: 1 April 2008

Local Member: Councillor RH Smith

Introduction

This proposal was deferred at the meetings on 2 and 30 April 2008.

1. Site Description and Proposal

- 1.1 This site is located on the southern side of A49 Trunk Road adjacent to the northern limits of Much Birch. The Pilgrim Hotel is set within extensive grounds, extending up to 1.6 hectares, the major part of which is to the rear of the building. The original building is of stone construction with a slate roof. This has been extended primarily on either end in brick with tile roofs to provide additional accommodation and space for functions. To the front is a large car parking area. The access arrangements operate as a one-way system. The site is entered from the A49 but exited onto Tump Lane.
- 1.2 The site adjoins open fields on its south-west and north-west sides but with the south-east boundary formed with recently built housing.
- 1.3 This detailed application relates to an area next to the hotel itself and adjacent to the south-east boundary. It is proposed to construct a single storey building to provide four accommodation suites. The proposal has been revised since the original submission. The building now proposed would be some 14m by 9m with an eaves height of 2.1m and a ridge height of 4.3m. (The original proposed structure would have been 20m by 9m, with an eaves height of 2.5m and ridge height of 4.7m). In addition the corridor link to the main hotel building has been deleted. In its place a path is proposed. The external materials would be brick and tile to match those on the existing building. The existing mature trees are to be retained.
- 1.4 On 28 March, 2008 a Tree Preservation Order was made in respect of the two beech and the cedar trees in the vicinity of the site.

2. Policies

2.1 National Planning Policy

- PPS1 - Delivering Sustainable Development
- PPG7 - Sustainable Development in Rural Areas
- Good Practice Guidance for Planning on Tourism

2.2 Herefordshire Unitary Development Plan 2007

Policy DR1	-	Design
Policy DR2	-	Land Use and Activity
Policy DR3	-	Movement
Policy DR4	-	Environment
Policy T11	-	Parking Provision
Policy LA2	-	Landscape Character and Areas Least Resilient to Change
Policy LA3	-	Setting of Settlements
Policy LA5	-	Protection of Trees
Policy LA6	-	Landscaping Schemes
Policy RST1	-	Criteria for Recreation, Sport and Tourism Development
Policy RST12	-	Visitor Accommodation
Policy CF2	-	Foul Drainage

3. Planning History

Most recent only

3.1	DCSW2005/3946/F	Single storey restaurant extension	-	Approved 26.01.06
	DCSW2006/1753/F	Conversion of roof space to manager's flat	-	Approved 24.07.06
	DCSW2007/0344/F	Erection of 8 single storey hotel accommodation suites	-	Withdrawn 05.02.08

4. Consultation SummaryStatutory Consultations

- 4.1 Highways Agency has no objection. They comment that there will be some further vehicle movements but this should not significantly affect the safety or free-flow of vehicles on the A49 in this location and that the Tump Lane junction satisfies the required visibility standard.
- 4.2 Welsh Water requests that if permission is granted conditions be imposed. These would ensure that foul and surface water is drained separately and that no surface water drainage connects to the public system.

Internal Council Advice

- 4.3 The Traffic Manager has no objection subject to conditions.
- 4.4 The Head of Environmental Health has no objection.
- 4.5 Conservation Manager - Landscape Officer comments:

“There have been a number of responses, which can be summarised as follows:

In principle the proposal to site the building in this location is a significant improvement on the previously refused scheme. In appearing as an extension the building will relate closely to the main building and impinges much less on the parkland character of the hotel grounds.

The scheme as originally submitted was considered unacceptable due to its impact on the mature beech trees. It was as a consequence of this concern that the TPO was made.

With regard to the current proposal as now revised, so long as the work is carried out in accordance with the submitted details and in particular the Tree Method Statement, then the tree issues have been addressed."

5. Representations

5.1 The applicant's agent has submitted a Design and Access Statement, which can be summarised as follows:-

- The intention is to sympathetically extend the hotel
- The proposal is for "lodge" style self contained units for tourists
- Access would be from the current car park
- There would be level access to the units
- The building is low minimising the impact of the built form
- The design is sympathetic to, and the existing views of, the landscape
- The principle views are away from the adjacent dwellings

5.2 The agent has provided further details:

The agent advises that the foul drainage will be to the existing septic tank, the surface water drainage will be indicated on the plan, the existing vegetation to the south east boundary will be retained but be pruned, the existing vehicular access arrangements will be retained and the car parking will be in the existing car park.

5.3 Much Birch Parish Council's response on the revised scheme is awaited. (They supported the original proposal).

5.4 Letters of representation to the original proposal were received from 2 Old Rectory Gardens, Walnut House, 3 Old Rectory Gardens and Councillor R Smith (on behalf of the owner of The Laurels).

The main points raised are: -

- Do not feel any further extension is justified.
- Boundary hedge must be retained but it is no barrier to noise and excessive lighting.
- Do not want vehicle access adjacent to boundary because of nuisance.
- Extra traffic will result and will put further pressure on Tump Lane.
- Concern about pollution from exterior lighting.
- Doubts as to as to how services (sewage, waste disposal, heating fuel) are to be provided.
- Concern over future use of suites.
- Will extension harmonise with hotel.
- Social activity at hotel needs to be managed sensibly.
- The proposed water and sewage connections onto the current system for Walnut House, Karinya and The Laurels will cause further problems including disruption and inconvenience and the soak away system may also cause problems.
- The building will be overbearing and there will be overlooking.
- Concern as to impact on mature trees.

With regard to the consultation on the revised scheme, a further letter has been received from 3 Old Rectory Gardens which re-states the original response, summarised above.

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

6. Officer's Appraisal

- 6.1 The Pilgrim Hotel has been established at this location for many years and previously permission has been granted for extensions both for additional accommodation and extended facilities. This proposal follows from a previous application in 2007 which proposed eight accommodation suites along the south-east boundary separate from the hotel. That application was withdrawn following concern as to the impact on the parkland landscape. There were negotiations on alternative locations of which the current proposal was one.
- 6.2 The proposal is described as accommodation suites but is for four additional bedrooms which would be operationally linked to the hotel. Each would contain a bedroom and bathroom together with an external patio. This differs from the 2007 application when the accommodation suites were larger and each contained a kitchen and living space.
- 6.3 Firstly it is necessary to consider whether the principle of the development accords with planning policy. There is encouragement for the provision of visitor accommodation in Policy RST12. This provides that within an identified settlement visitor accommodation can be permitted but outside of these accommodation will only be permitted where it involves the re-use of a building. Much Birch is an identified smaller settlement and although on its edge the Pilgrim Hotel could be considered to be outside the settlement. However this proposal involves the further development of an established hotel business and it would seem unreasonable to require that any further expansion can only be through the re-use of a building, not that there are any in this case. I consider therefore that in principle the provision of new build accommodation is acceptable.
- 6.4 There are a number of detailed issues to consider. Firstly is the acceptability of the location of the building. The open ground to the rear of the Pilgrim is extensive and comprises a lawn interspersed with some specimen trees. Although the access drive cuts across this space it does not unduly impinge on its character. There are panoramic views from the hotel and I consider it important that these and the parkland quality of the site remain uninterrupted. This proposal places a new building adjacent to the existing building and, apart from a siting to the front side of the building, I consider this to be the most suitable if there is to be any extension. In this position the intrusion onto to parkland and views will be minimised.
- 6.5 As originally submitted, the building would have been significantly beneath the canopies of two of the mature trees. As a result of the concern as to the threat to the trees a Tree Preservation Order was made. It is possible to erect new buildings in such positions but the impact on the trees must be carefully considered. The applicant has reassessed the proposal and the revised plan is for a smaller building. In addition a Method Statement for the work in relation to the trees has been submitted. I consider that as now proposed there should not be an unacceptable impact on the trees.

- 6.6 In addition to the above there are other material issues. With regard to the design the proposal is for a functional structure of single storey with a pitched roof and to be in materials to match those existing. I consider that the proposal in terms of its scale and design is appropriate.
- 6.7 Adjacent to the hotel boundary on this south-east side are existing houses. These have their access from Tump Lane. The proposed building would be some 5.5m from the common boundary. The boundary line is formed by a mix of hedging (deciduous and conifer) and fencing and there are changes in levels across the two areas. In terms of its height the proposed building, as revised, at its closest point to the boundary would have a height of 2.1m (eaves). The highest part of the building is the ridge which is 4.3m but this would be some 10m from the boundary. I do not consider that the building would cause overshadowing or loss of light to the adjoining dwellings to an unacceptable degree. With regard to any overlooking the side of the building that would face the boundary would contain the entrance door and bathroom window for each of the four rooms which would be beneath the oversailing roof. Subject to the retention of the existing vegetation along the boundary I do not consider that there would be overlooking or noise and disturbance for the adjoining dwellings to an unacceptable degree. The rooms would have patio doors to allow access onto an external patio with this to be on the side furthest away from the boundary. I do not consider that any noise generated from the use of these should adversely affect the amenity of the adjoining dwellings.
- 6.8 The proposal does not involve the provision of vehicle access directly to the accommodation. The agent has confirmed that the car parking requirement would be met by the existing car park to the front of the hotel and that there is no intention to vary the current traffic system. Whilst there will be an increase in traffic this should not cause a problem with the capacity of either Tump Lane or its junction with the A49.
- 6.9 The representations raises issues with regard to service provision, notably sewage and surface water disposal. Clarification has been provided on these matters by the agent although this is not particularly detailed. On both these issues it is important to ensure that adequate provision is made on the site (unless foul sewage is to be linked to the main sewer) without any detriment to the adjoining dwellings.
- 6.10 There is a support through policy for the further development of visitor accommodation, and there is also a duty to ensure that features in the landscape are also retained. In this case the proposal as now amended will ensure that the mature trees are retained and protected during the work. As such the proposal complies with policy.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

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

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

2. B03 (Amended Plans)

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

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

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

4. **F30 (Use as holiday accommodation)**

Reason: Having regard to Policy H7 of Herefordshire Unitary Development Plan the local planning authority are not prepared to allow the introduction of separate units of residential accommodation in this rural location.

5. **Prior to the commencement of development an Arboricultural Method Statement and Tree Protection Plan shall be submitted to and be approved in writing by the local planning authority. The work shall be carried out in accordance with the approved details.**

Reason: To ensure the proper care and maintenance of the trees and to conform with Policy LA5 of Herefordshire Unitary Development Plan.

6. **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.

7. **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.

8. **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.

9. **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.

10. **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.

11. **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.

Informative(s):

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

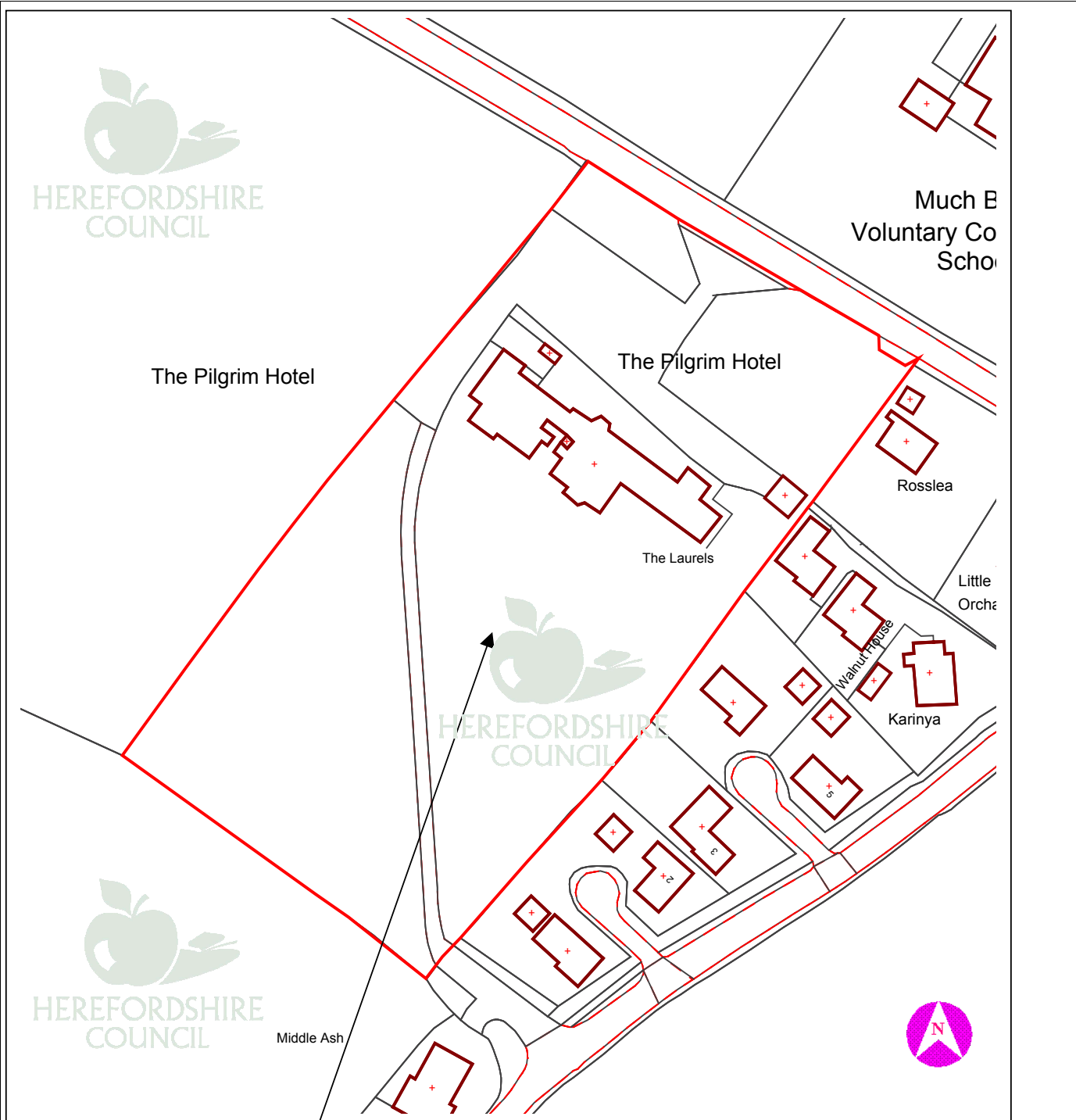
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCSW2008/0282/F

SCALE : 1 : 1250

SITE ADDRESS : Pilgrim Hotel, Much Birch, Hereford, Herefordshire, HR2 8HJ

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6 DCSE2008/0976/F - REPLACEMENT OF DANGEROUS GARAGE/WORK SHOP WITH SUMMERHOUSE/STUDIO FOR SEASONAL USE AND DIRECT REPLACEMENT OF UNSTABLE OUTBUILDING AT ROSELEIGH, OAK ROAD, ROSS-ON-WYE, HEREFORDSHIRE, HR9 7BB.

For: J.C. Winfer, Roseleigh, Oak Road, Ross on Wye, Herefordshire, HR9 7BB.

Date Received: 11 April 2008 Ward: Ross-on-Wye West Grid Ref: 60188, 24732

Expiry Date: 6 June 2008

Local Members: Councillors CM Bartrum and G Lucas

1. Site Description and Proposal

1.1 Roseleigh is a large Victorian/Edwardian red/brown dwelling at the top of Oak Road, a short cul-de-sac. There is a long garden on the south side of the property that drops slightly from the house. Brampton Close adjoins the site on its north and west sides. The site is located in an established residential area and within the Wye Valley Area of Outstanding Natural Beauty.

1.2 This is a retrospective application for a stand-alone summerhouse/studio, 6.3 metres x 4.7 metres, 2.3 metres to eaves and 3.8 metres to ridge, that is on the south side of the property approximately 1 metre from the western boundary of the site. The application also proposes the retention of a workshop/storage building with garage doors, 3.6 metres x 4.6 metres, which is at the bottom of the garden with access onto a private road. Both buildings are finished in white painted render under blue/grey slate roofs.

2. Policies

2.1 Planning Policy Statements

PPS1 - Delivering Sustainable Development

2.2 Herefordshire unitary Development Plan

Policy S2 - Development Requirements
 Policy S7 - Natural and Historic Heritage
 Policy DR1 - Design
 Policy DR3 - Movement
 Policy H18 - Alterations and Extensions
 Policy LA1 - Areas of Outstanding Natural Beauty

3. Planning History

3.1 None.

4. Consultation Summary

Statutory Consultations

4.1 No statutory or non-statutory consultations required.

Internal Council Advice

4.2 Traffic Manager has no objection.

5. Representations

5.1 A Design and Access Statement has been submitted:

Summerhouse/studio assessment:

- The existing property is 2-storey constructed in facing brick, with some rough cast render, under a slate roof;
- The original detached workshop/garage was largely of asbestos sheet construction under a pitched blue asbestos slate roof. The adjoining summerhouse was glass and timber construction under a flat roof;
- The proposal involves the demolition of the existing hazardous garage together with an unsafe summerhouse. The objective is to replace these 2 unsightly buildings with 1 to enhance the overall property;

Layout and scale:

- The property and garden are of a very good scale to provide replacement buildings;
- Whilst broadly based on the area covered by the existing buildings it has been moved 0.8 metres away from the western boundary to allow adequate maintenance;

Appearance:

- The key issues with the existing building was both appearance and safety;
- The asbestos roof was in an advanced state of decay and the timbers were worm infested. The summerhouse suffered rot and beetle infestation;
- To give the replacement summerhouse/studio the necessary input in terms of massing and scale it was felt it should be rotated through 90 degrees;
- The roof matches the house and the rendered walls would harmonise with other additions throughout the Mount Pleasant/Oak Road area;
- Landscape: and
- No new landscaping is proposed.

Outhouse/workshop assessment:

- This replaces a large outbuilding that was constructed in corrugated iron sheets and timber construction;

Layout and scale:

- The garden is large relative to that of surrounding properties
- It will broadly be in the same position but moved away from the boundary by a metre;

Appearance:

- The garden drops by some 2 metres over its length. The visual impact will be minimal;
- The main structure is of rendered block under a pitched roof;
- The appearance will enhance the an area which has suffered from a plethora of ramshackle garages and outbuildings;

Landscaping:

- The surrounding area has been covered in pea gravel;
- Access: and
- The threshold will almost be flush with the ground level.

5.2 Ross Town Council has no objection.

5.3 Objections have been received from:

Miss J Davies, 7 Brampton Close, Ross-on-Wye
 Mr and Mrs BJ Bevan, 8 Brampton Close, Ross-on-Wye
 B Marshall, 6 Brampton Close, Ross-on-Wye

- The buildings have already been constructed;
- They do not occupy the same site;
- Concerned with the use of materials, summerhouses are usually constructed in timber. It bears little comparison with the previous structure. Its higher and spreads further down the garden and has more of a visual impact;
- The building is much closer to the height of a bungalow;
- Its high pitched roof of black tiles obliterates our view from our dining room; and
- Impact on the value of our property.

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

6. Officer's Appraisal

6.1 This is a retrospective application that has been submitted following complaint to the Development Supervisor/Enforcement Officer. The application is for the retention of a stand-alone summerhouse that is adjacent to the southern elevation of Roseleigh and a stand-alone workshop that is at the bottom of the garden.

6.2 The summerhouse replaced a wooden clad outbuilding and a single garage, which it is said were in poor condition. In consideration of the objections that have been received, the summerhouse building raises concern as to its appearance, height and size. The summerhouse has replaced structures that were in a similar position. The applicant has said the new summerhouse projects no further than the previous structures. The applicant has provided a photograph of the earlier buildings, and while, the new summerhouse is in a similar position to the earlier structures, it is more bulky in its appearance. In terms of its impact on neighbours the relative height from ground to eaves measures 2.3 metres and ground to ridge measures 3.8 metres. The summerhouse is positioned approximately 1 metre from the boundary with the properties in Brampton Close. It is considered that the summerhouse does not cause significant over shadowing or loss of direct sunlight to the rear rooms of these properties.

- 6.3 While, it is said the summerhouse obstructs the view from nearby dwellings there is “no right” to the view. It is not the purpose of the planning system to protect or safeguard the view for the continued benefit of the neighbour. Given the summerhouse replaced an earlier outbuilding it is not considered the size and scale of the building causes an unacceptable change of outlook from neighbouring properties.
- 6.4 The replacement workshop building is located at the southern end of the long garden close to a gateway off a concreted private road. The workshop is of a size and type considered appropriate to the area. There is a range of other similar buildings in the locality. It is not considered the workshop looks out of place.
- 6.5 It is considered the buildings are of a size, scale and type appropriate to this residential so as not to detract from the Area of Outstanding Natural in which the site is located.

RECOMMENDATION

That planning permission be granted.

INFORMATIVES:

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

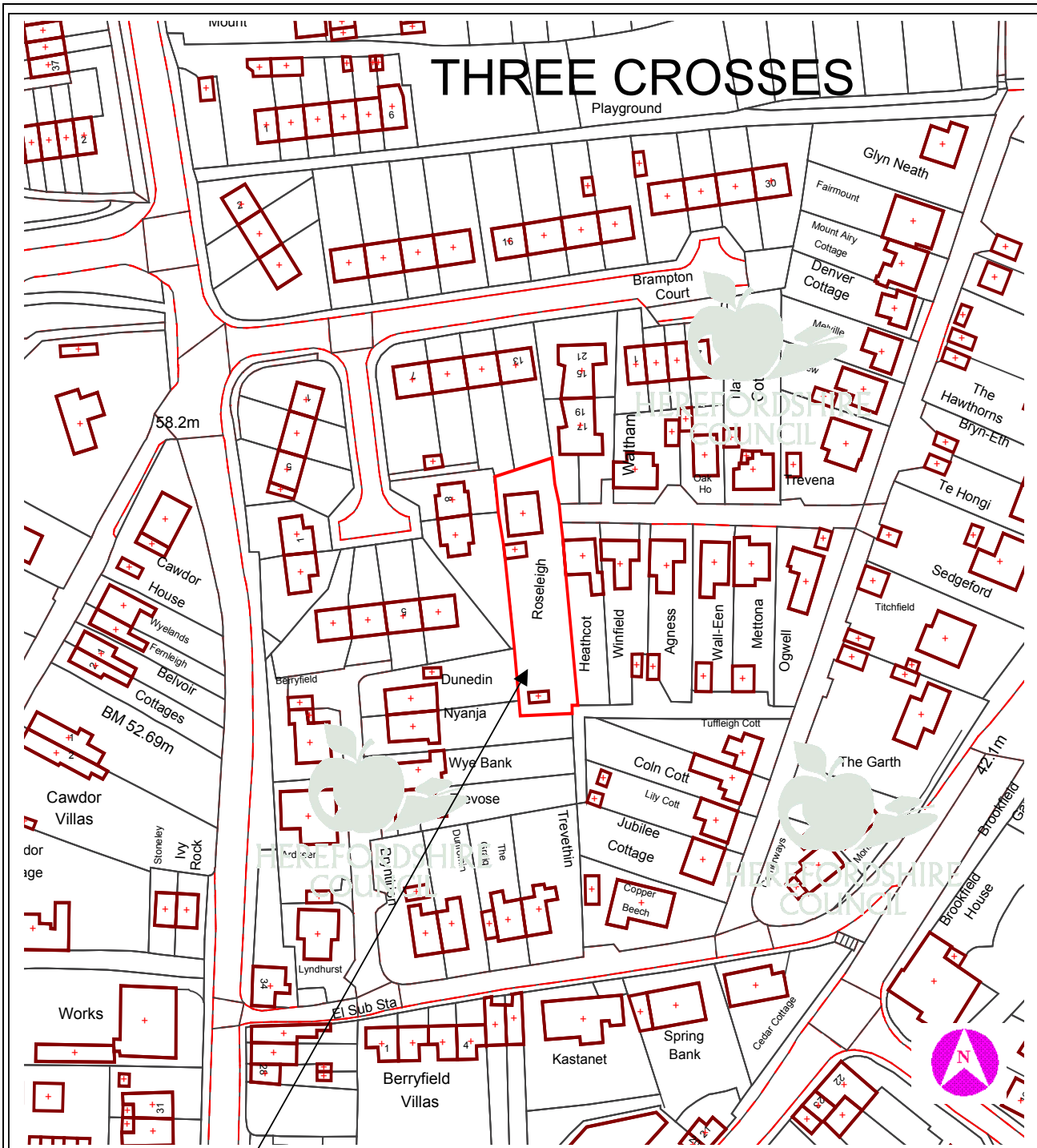
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCSE2008/0976/F

SCALE : 1 : 1250

SITE ADDRESS : Roseleigh, Oak Road, Ross-on-Wye, Herefordshire, HR9 7BB

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7 DCSE2008/1120/F - TWO STOREY EXTENSION TO OAK HOUSE NURSERY SCHOOL COMPRISING A SPECIAL NEEDS AND STAFF TRAINING ROOM AT FIRST FLOOR, AND A BABY ROOM AT GROUND FLOOR, PLUS ENTRANCE LOBBY AT OAK HOUSE NURSERY SCHOOL, BRAMPTON ABBOTTS, ROSS-ON-WYE, HEREFORDSHIRE, HR9 7JD.

For: Mrs S Marshall per Geoff Jones Architect, 53 Broad Street, Ross on Wye, Herefordshire, HR9 7DY.

Date Received: 24 April 2008

Ward: Old Gore

Grid Ref: 60343, 26523

Expiry Date: 19 June 2008

Local Member: Councillor BA Durkin

1. Site Description and Proposal

- 1.1 Oak House Nursery is located on the south side of the junction of the C1273 with the unclassified 70419 that leads to St Michael's Church. The village hall is to the north-west, with Luan to the south of the site and Rivendell is on the opposite side of the C1273. A 4 metre high leylandii hedge runs along the boundary with Luan. There is a paddock on the west side of the site. The site is located in open countryside.
- 1.2 This application proposes a 2-storey addition with a pitched roof that will be on the south side of an administration and baby unit building, which is on the western boundary of the site. The extension will provide a baby room and lobby on the ground floor with a staff/therapy room at first floor. Dormer windows are proposed to the east and west elevations. The extension will be constructed in matching materials.
- 1.3 This revised application is a re-submission following the refusal of permission on 18 July 2007.

2. Policies

2.1 Planning Policy Statements

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

2.2 Herefordshire unitary Development Plan

- Policy S2 - Development Requirements
- Policy S6 - Transport
- Policy S11 - Community Facilities and Services
- Policy DR1 - Design
- Policy DR3 - Movement
- Policy E6 - Expansion of Existing Businesses
- Policy E11 - Employment in the Countryside
- Policy CF5 - New Community Facilities

3. Planning History

3.1	SH870705PF	Change of use of former village shop to nursery school.	-	Approved 29.07.87
	SH980046PF	Amend condition 3 on planning permission SH950377PF for occasional use of music movement, PE and after school child care.	-	Approved 06.05.98
	SS980837PF	Variation of condition 2 of planning permission SH980046PF (whole of Oak House Nursery to be limited to 40 children at any one time).	-	Approved 05.02.99
	SS980938PF	Conservatory for use by nursery school.	-	Approved 05.02.99
	SS980838PF	Use of building for children's nursery.	-	Approved 05.02.99

4. Consultation SummaryStatutory Consultations

4.1 No statutory or non-statutory consultations required.

Internal Council Advice

4.2 Traffic Manager: No objection subject to conditions.

4.3 Children and Family Information Service Manager: This is a good quality day care setting, which is looking to expand. Provision for children with special needs is always welcomed and the need for baby care in more rural areas is highlighted within the sufficiency assessment.

5. Representations

5.1 The applicant has submitted a Design and Access Statement:

- This application follows a previous one which was refused planning permission;
- The reason for refusal was related to issues of the design being compromised by a flat roof and a sun screen fence, health and safety on the flat roof, lack of emergency access from the roof and the effect of noise on the nearby dwelling;
- The proposal is now for a 2-storey extension with a pitched roof to match the existing building, but with a slightly lower ridge line;
- It will provide additional facilities for approximately 6 babies on the ground floor with a much needed training room and an area for staff, play workers and speech therapists to work with children who have special educational needs and who already attend the nursery;
- We have taken care to overcome the objections of the previous scheme;
- The enclosed upper floor overcomes the perceived problem of noise;
- A second internal staircase provides access to the staff/training room acting as an additional means of escape;
- Materials will match;
- Windows are positioned to gain maximum daylight, and care has been taken not to compromise privacy of the neighbour;
- As some of the babies will be siblings of existing pupils it is expected the proposal will result in no more than 4 additional vehicles visiting the nursery daily;

- Access to the site will be as present. All accesses have shallow ramps to ease the movement of children and pushchairs;
 - It is anticipated that there will be need for 1 extra member of staff; and
 - This will not affect parking on site as the nursery rents staff parking spaces at the nearby village hall.
- 5.2 The applicant has said "we have undertaken a nursery traffic survey which led us to extend our drop off and pick up times from 8.00am to 9.30 each morning and from 3.30pm to 5.30pm each afternoon thereby avoiding congestion at any one time".
- 5.3 Brampton Abbots and Foy Group Parish Council:

"The Brampton Abbots & Foy Group Parish Council opposes the above application for a two-storey extension to house special needs/staff training requirements on the first floor, and a baby room on the ground floor. We do so because of the traffic implications and detrimental effect that any such development would have for the neighbouring area and the negative impact on residents' amenities.

Oak House has established itself as an extremely successful nursery in the 21 years of its existence, currently catering for some 67 children. Unfortunately, given its location, the business has, in our opinion, reached and indeed exceeded, what is an acceptable and sustainable limit.

In support of our position we make the following observations:

1. The nursery occupies a corner site in a rural setting and is approached via a relatively narrow road, either from Ross or from the direction of Garstone Lane. At certain times of the day, other drivers leaving or approaching the parish are frequently faced by a succession of parents' vehicles – many of them 4 x 4s – going to, or coming from, the nursery. Journeys on the lanes are often hazardous because of others excessive speeds, and by heavy goods vehicles, farm machinery and so on. Existing traffic created by Oak House seriously compounds this problem.
2. There are very limited parking spaces available at the nursery itself. Parents delivering or collecting their children usually park their vehicles as near to the nursery as possible. When they move off, they are followed by others. This creates a hazard for residents and other road users who are entering or leaving the village via the T-junction in question [where visibility, at the best of times, is poor, partly because of the boundary hedge of Oak House].
3. Because of the limited car space both in the grounds of the nursery and immediately outside, parents experience difficulty in turning their vehicles. If they cannot do so at Oak House, they then drive towards the village hall where they use the grassed area, with its horse chestnut tree, as a traffic roundabout, again often to the inconvenience of others.
4. The applicant anticipates, on the assumption that some of the babies will be siblings of children already attending the nursery, an increase of 4 vehicles each day. This could, of course, well be an under-estimate. In any case, as has been argued above, any increase whatsoever in traffic is to be deplored.
5. In addition to parents' vehicles, the local roads cope with the traffic created by some 22 staff [whose number, we are told, would grow to 23 if the application

were approved]. The cars of those employees cannot be parked at the nursery but are accommodated at the village hall car park – an arrangement on which the nursery is heavily dependent. Should that agreement ever come to an end, then additional problems would be created.

6. Traffic and parking problems are exacerbated whenever the school organises a special event such as the celebration of its twentieth anniversary in 2007.
7. The applicant herself has long ceased to live at Oak House, and perhaps has no real appreciation of the impact of her business on the local community. She previously declined an invitation to discuss the traffic situation with parish councillors.
8. Local residents are often made to feel that they have secondary status as road users. Several parents create the impression of assuming that they have automatic priority when dropping-off and collecting children.
9. Although we note with approval that the residents at the neighbouring properties of 'Luan' and 'Rivendell' have, on this occasion, been apprised of the proposals, we are also aware that those residents continue to have serious concerns. While noise is no longer a serious issue – as it was with an earlier application – those residents remain unhappy about the traffic situation, even at current levels.
10. It is our understanding that a previous extension was approved for storage and other specified purposes. In practice there has been a subsequent partial change of use in the form of office space. In that context, we wonder how confident we could be that if this current application were approved, extra space would not somehow be found eventually for yet more children.

Local residents are overwhelmingly tolerant people with no great urge to air grievances even when their concerns are both heartfelt and reasonable. It is, however, our firm belief that the nursery, even at its current level of operations, has created unacceptable traffic problems for our community.

It is for this reason that we oppose the application and would suggest a site visit at either 8.30am or 3.30pm when the problem is at its worst.”

5.4 Objections have been received from:

Mr G Marsh, Luan, Brampton Abbots, Ross-on-Wye
 Mrs R Knapp, Towns End Cottage, Brampton Abbots, Ross-on-Wye
 R and V Coker, Rivendell, Ross Road, Brampton Abbots

- The extension due to its use generating unacceptable noise and loss of amenity to neighbouring residential property and the unacceptable loss of privacy;
- The massing of the building on the site and further development represents overdevelopment of the site to the detriment of the character of the surrounding area;
- We believe that there are about 60 children who attend the nursery school, which generates a significant amount of traffic in an area where the roads are narrow. We believe that this traffic is a major contributor to the poor state of the road network;
- Adverse impact on traffic, compromising the safety and well being of those using the road network;

- This is an unsuitable location for a nursery that is highly dependant on car borne traffic. Its expansion should not be permitted;
- The facility presents no economic value to the community in this rural location.

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

6. Officer's Appraisal

6.1 Oak House is an established nursery business with a register of 67 nursery places but planning permission SS980837PF restricts the number of children at any one time to a maximum of 40.

6.2 This application is for the replacement of a temporary marquee with a 2-storey addition that will be used as a baby room on the ground floor with a staff/therapy room on the first floor. A previous application, DCSE2007/1324/F, for a similar proposal was refused planning permission on 18 July 2007 for the following reason:

“The local planning authority is not satisfied that the proposed development fully addresses the issues of health and safety for all users, or their reasonable access needs. Furthermore the design and appearance of the building would be compromised particularly by the flat roof design and high level fencing which itself would be an incongruous feature to the detriment of the appearance of the building. The design may also compromise the residential amenity of the nearby dwelling through noise nuisance and overlooking. The proposal is thereby also contrary to policies DR1 and CF5 of the Herefordshire Unitary Development Plan 2007.”

6.3 This application proposes an extension that is contiguous with the character of the parent building; the flat roof previously proposed is replaced by a traditional gable roof that proposes a ridgeline that will be lower than the adjoining building. Also, the extension will be set back allowing the extension to be subservient to the scale and form of the existing building. It is considered the bulk and form of the extension is acceptable to the character and appearance of the existing building and does not cause an over-development, in that ample space remains to allow movement around the site.

6.4 The extension has been designed to avoid overlooking of the adjoining dwelling Luan. There is a high leylandii hedge running along the boundary, which effectively screens the site from the adjoining dwelling. The hedge provides an effective dense screen, which prevents overlooking from the site into the garden and living rooms of Luan. Given the height of the boundary hedge it is not considered the extension would be unneighbourly.

6.5 In the matter of highway safety, the Traffic Manager considers the proposed intensification in use would be low-key; the proposal is to provide space for 6 more babies and an additional worker, generating an additional 7 more trips in the morning and afternoon. In view of the traffic generated by the existing facility, which does cause localised congestion at drop off and collection times, the Traffic Manager does not consider this increase in traffic generated by this proposal would provide sufficient grounds to refuse this application for reasons of highway safety. In recognition of the parking situation, the applicant rents part of the village hall car park for staff parking which parents can also use at drop off and pick up times. Accordingly, the Traffic Manager considers the road network adequate to serve the proposal.

6.6 It is considered that this more traditional extension proposal has effectively overcome the reason for the refusal of the previous application and accordingly is recommended for approval.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

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

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

2 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

3 H29 (Secure covered cycle parking provision)

Reason: To ensure that there is adequate provision for secure cycle accommodation within the application site, encouraging alternative modes of transport in accordance with both local and national planning policy and to conform with the requirements of Policy DR3 of Herefordshire Unitary Development Plan

4 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

5 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

INFORMATIVES:

1 N19 - Avoidance of doubt - Approved Plans

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

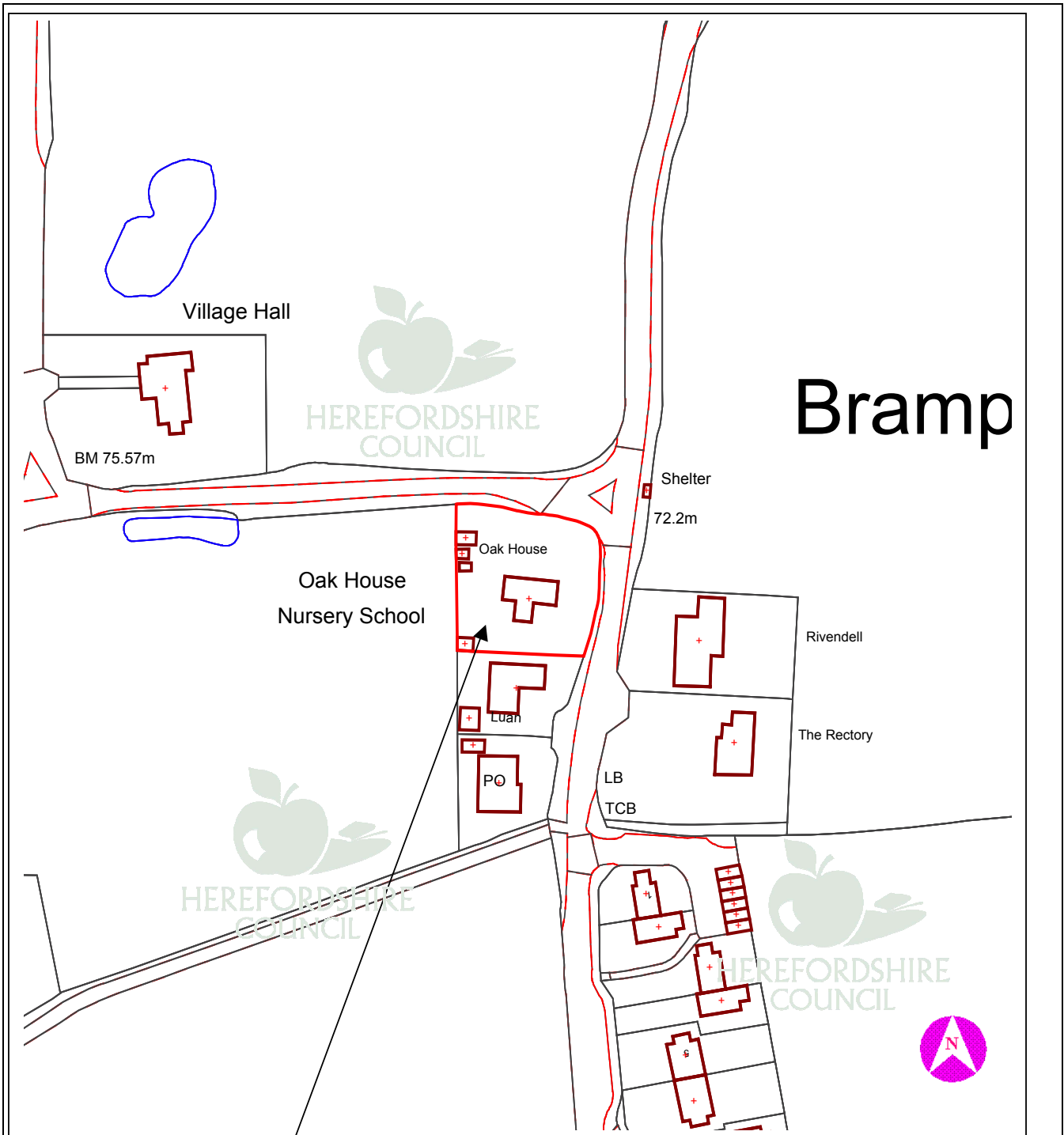
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCSE2008/1120/F

SCALE : 1 : 1250

SITE ADDRESS : Oak House Nursery School, Brampton Abbots, Ross-on-Wye, Herefordshire, HR9 7JD

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8 DCSW2008/1123/F - ERECTION OF GENERAL STORAGE BUILDING, GWERNDWR, NEWTON ST. MARGARETS, HEREFORDSHIRE, HR2 0QY.

For: Mr WF Prosser, Gwerndwr, Newton St. Margarets, Herefordshire, HR2 0QY.

Date Received: 24 April 2008

**Ward: Golden Valley
South**

Grid Ref: 34238, 34214

Expiry Date: 19 June 2008

Local Member: Councillor JB Williams

1. Site Description and Proposal

- 1.1 Gwerndwr is located on the northern side of the unclassified road (u/c 74203) on the outside of a bend. It is approximately 1.5 - 2 metres below the level of this unclassified road.
- 1.2 Bannut Tree, the neighbouring property, is immediately to the south-east. This property is well treed and lies some 48 metres from Gwerndwr. These trees and plants screen Gwerndwr from the south-east. A stone rubble barn is located on the boundary of Bannut Tree.
- 1.3 This is a retrospective application for retention of a general storage building which has been built in lieu of a double garage approved, together with a two-storey extension, in April 1999. The erected building is 8.5 metres wide, 13.7 metres long, 3.9 metres to the eaves and 5.1 metres to the ridge. The corrugated profile roof and sides are slate blue in colour. It has horizontal wooden boarding on the western gable end, which is the most visible elevation from the highway.
- 1.4 The double garage approved was 8.1 metres long, 6.3 metres wide and 5.1 metres to the ridge. The as built storage building projects further to the west and north than approved but is no higher than the approved double garage.
- 1.5 At the time of writing it has been established that the submitted plans incorrectly site the building further to the west and closer to Gwerndwr by approximately 6.6 metres. Amended plans have been requested and should be available for consideration at the Southern Area Planning Sub-Committee. The recommendation below reflects this requirement.

2. Policies

2.1 Planning Policy Statement

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

2.2 Herefordshire Unitary Development Plan 2007

Policy DR1	-	Design
Policy DR3	-	Movement
Policy E13	-	Agricultural and Forestry Development

3. Planning History

3.1	SH976128PF	Conservatory	-	Approved 20.03.97
	SS980742PF	Car port, granny annexe and first floor addition	-	Refused 30.11.98
	SS990108PF	Extension to form family room, bedroom and bathroom plus double garage	-	Approved 07.04.99

4. Consultation SummaryStatutory Consultations

4.1 No statutory or non-statutory consultations required.

Internal Council Advice

4.2 Traffic Manager has no objection.

5. Representations

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

- clear span portal frame building in steel
- space for storage of various items of farm machinery currently stored outside. Eaves height allows client to travel through sliding doors in tractor and trailer set back position, good for security viz a viz house, adopts similar roof line to barn on neighbouring property
- access unaltered
- materials chosen to be sympathetic in surrounding countryside.

5.2 The Parish Council make the following observations:

“The Parish Council is not sure about planning regulations with regard to height etc, so would prefer that the Planning Officer make the decision.”

5.3 Three letters of objection have been received from:

Mrs A Marshall, Barton House, Newton St. Margarets, HR2 0QN
 Mrs PD Butler, Yew Tree Cottage, Newton St. Margarets, HR2 0QY
 Mr N Hankinson, Barnfield House, Llangarron, Ross-on-Wye, HR9 6HB

The main points raised are:

- more congestion on road
- incorrectly drawn, closer to boundary

- other buildings could be used
- used for motor repairs by relative
- no demonstrable need; little evidence of agricultural machinery
- could be better sited, i.e. less obtrusive
- fire hazard
- not sympathetic, dominates stone outbuilding next door
- does not alleviate off-road parking
- establishes precedent

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

6. Officer's Appraisal

- 6.1 The main issues are considered to be the visual impact of the building and the acceptability of the use of the building.
- 6.2 The building as erected is not untypical of a standard agricultural building albeit this one is smaller in footprint and not as high as the norm for modern agricultural buildings. The building erected is the same height as the double garage approved for the site in 1999, but does have a larger footprint. The use of slate blue coloured cladding and timber cladding helps to assimilate the building into the landscape. The darker finish of the building would be discernible in winter when viewed across Bannut Tree from the highway. However, it is not considered that it detracts from the amenity of this part of the countryside to the extent that the refusal of planning permission is warranted.
- 6.3 The building is partly within the curtilage of Gwerndwr and a parking area on adjoining land in the applicant's ownership.
- 6.4 Whether or not vehicles should be parked on highway verges is a matter that is considered to fall outside the remit of this application. Vehicles can still be parked in front of Gwerndwr and on the concrete slope leading up to the barn. There is sufficient area for manoeuvring vehicles and the visibility onto the unclassified road is satisfactory. This is endorsed by the Traffic Manager and as such it is not considered that there are any highway safety issues in this case.
- 6.5 The applicant has applied for a general storage building. However it is stated in representations received that it has been used for motor vehicle repairs, possibly as a hobby. It was noted at the time of the site visit that there would be a need for the possibility of vehicles to be able to drive through the building, as stated in the submitted Design and Access Statement. The use needs to be specified as that for farm implements and sundries for use in connection with Gwerndwr only, which is as stated on the application form.
- 6.6 It is not considered that the building detracts from the amenity of the landscape nor on the amenity of local residents. The use of the building has been called into question; this however can be addressed by imposition of a suitable planning condition as stated above.

RECOMMENDATION

That on receipt of suitably amended plans the officers named in the Scheme of Delegation to Officers be authorised to determine the application subject to the following condition and any additional conditions considered necessary by officers:

- 1. The building shall be used for storage for farm implements and vehicles for the benefit of the applicant only, and shall otherwise only be used for purposes ancillary to the dwelling known as Gwerndwr and not for any trade of business.

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

Informative(s):

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

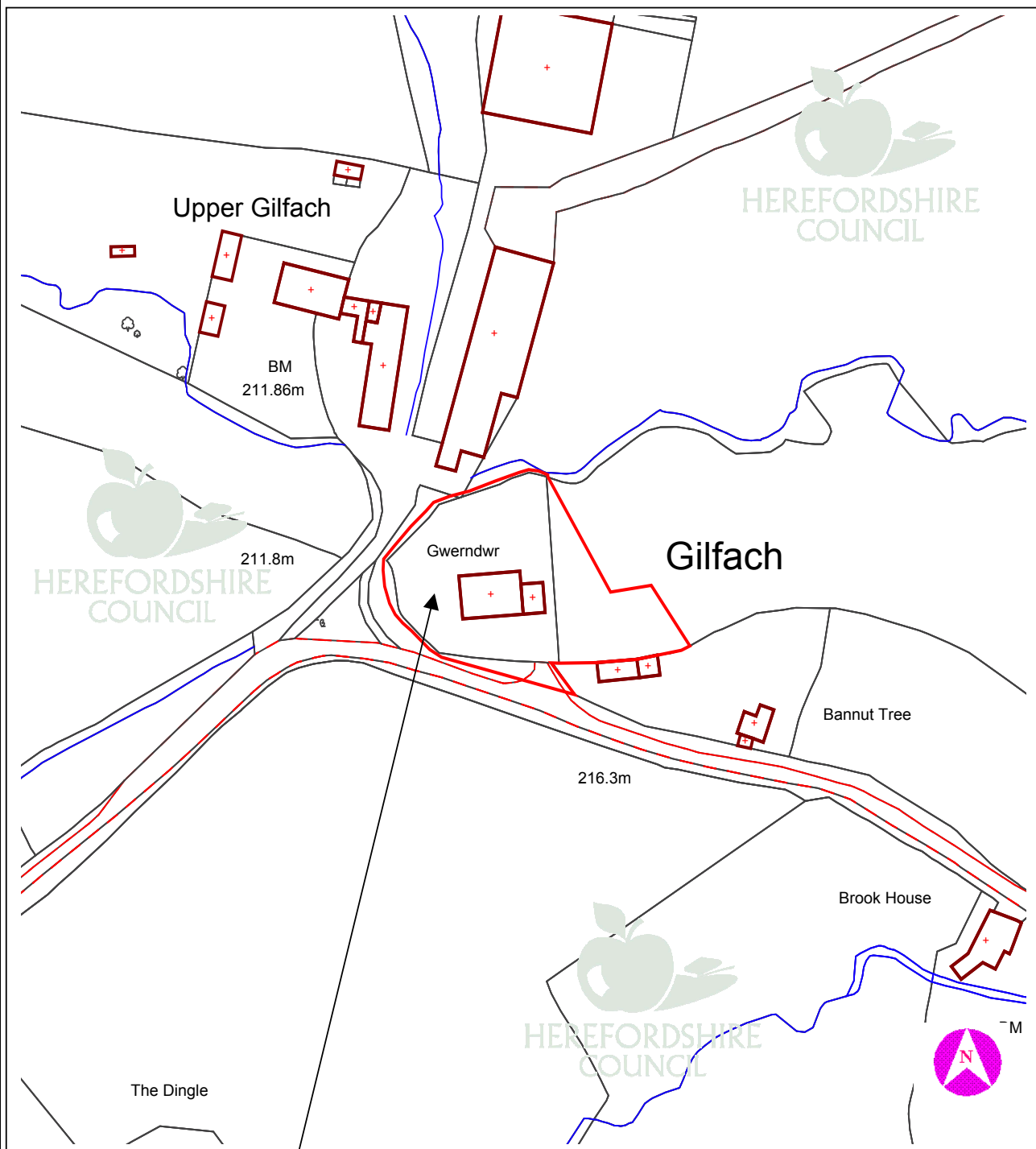
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCSW2008/1123/F

SCALE : 1 : 1250

SITE ADDRESS : Gwerndwr, Newton St. Margarets, Hereford, Herefordshire, HR2 0QY

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9 DCSW2008/0941/F - CONSTRUCTION OF A STEEL FRAMED BUILDING FOR AGRICULTURAL/FORESTRY STORAGE, LOWER LULHAM FARM, LULHAM, MADLEY, HEREFORD, HEREFORDSHIRE, HR2 9JJ.

For: HA Snell & Sons per Peter Everall & Co Ltd, Little Treberon, Pencoyd, Herefordshire, HR2 8ND.

Date Received: 4 April 2008

Ward: Stoney Street

Grid Ref: 40847, 41570

Expiry Date: 4 July 2008

Local Member: Councillor DC Taylor

1. Site Description and Proposal

- 1.1 This established site at Lower Lulham Farm is reached off the western side of the Bridge Sollars road (C1098) linking Bridge Sollars and the River Wye to Madley further south. The access road serving the site passes Lulham Cottage and Lulham Bungalow. Lower Lulham Farm is a Grade II Listed brick faced farmhouse. There are a range of buildings to the north-east varying in age; the most recent being approved in 2005.
- 1.2 The area proposed for the building has approval for use as a storage yard from May 2001. This area to the north of the site has bunding on the western, northern and eastern sides of up to 4 metres in height on which willow and ash trees are planted providing some screening, particularly on the eastern boundary.
- 1.3 The area to the north and east between the site and the Bridge Sollars road is arable and gently undulating.
- 1.4 It is proposed to erect two parallel steel framed buildings which will immediately abut the northern most building which was recently extended. The southern most element is 73.4 metres long and 18.3 metres wide and the northern building again 18.3 metres wide but shorter in length at 61.2 metres in length. The building is 7.7 metres to the ridge. The sides will be clad approximately half way down in Yorkshire boarding, the roof comprises dark grey profile sheeting.
- 1.5 The building will provide a covered storage area and, given the extent of building coverage, it is likely to constitute the final element of building on this site.

2. Policies

2.1 Planning Policy Statement

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

2.2 Herefordshire Unitary Development Plan 2007

Policy S2	-	Development Requirements
Policy LA2	-	Landscape Character and Areas Least Resilient to Change
Policy DR1	-	Design
Policy DR2	-	Land Use and Activity
Policy DR3	-	Movement
Policy E13	-	Agricultural and Forestry Development

3. Planning History

3.1	SW2000/0443/S	Portal frame building for agricultural and forestry storage	-	Prior Approval Not Required 28.02.00
	SW2001/0790/F	Extension of existing yard for storage of wood (including bunding)	-	Approved 22.05.01
	DCSW2005/0068/S	Agricultural/forestry storage building	-	Prior Approval Not Required 17.01.05
	DCSW2005/1418/S	Agricultural/forestry storage building	-	Prior Approval Not Required 09.05.05
	DCSW2005/1937/F	Extensions to building for agricultural and forestry storage	-	Approved 26.07.05

4. Consultation SummaryStatutory Consultations

4.1 No statutory or non-statutory consultations required.

Internal Council Advice

4.2 The Traffic Manager has no objections.

4.3 The Conservation Manager states that the building is sited far enough away from the listed building so as to have no detrimental effect on the setting of the farmhouse.

4.4 The Minerals and Waste Manager raises no objection but would need to know about removal of existing bunding or importation of soil to the site.

5. Representations

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

- substantial building will be used for storage of farm and forestry products and occasionally machinery related to the enterprise
- due to expansion, need more dry storage for felled timber; will also improve condition of yard
- yard and buildings are contained within 4m high and 6m wide earth bund
- provides good separation from site and surrounding landscape

- two rows of steel clear-span portal frames 18.29m wide and 5.7m high
- roof covering in slate blue colour (BS18 B29); Yorkshire boarded sides
- existing trees on property on bund to be retained
- there are adequate arrangements for access to the site

5.2 Madley Parish Council support the application.

5.3 One letter of representation has been received from:

Mr PJ Crump, Lulham Cottage, Madley, HR2 9JJ

The following main points are raised:

- increase in business equates to increase in noise, already noisy 12 hours a day, 6 days a week, more like a factory
- lane leading from Bridge Sollars not up to increase in traffic, very poor access to farm. Huge lorries and trailers danger to children and dust created
- more staff will be needed, already number of mobile homes
- building clearly visible from rear of our property from both floors
- devalue our property
- rural and residential area not an industrial site.

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

6. Officer's Appraisal

6.1 The building is, as described in the submitted Design and Access Statement, a substantial building. It is higher than the adjoining building to the south but comparable in height to the building on the eastern boundary of the site. This building is screened from the south-east by the bunding and a treed boundary. The nearest point of the building will be just over 160 metres away from Lulham Cottage, the view from which will be broken by the aforementioned earth bund which has willow and ash trees planted on it. An existing building to the south-east of the application site which is almost parallel to the eastern boundary of the yard will also screen the building from views. The 7.7 metre high building would be approximately 17 metres away from the top of the treed bund. Therefore it is not considered that the building will impinge upon the amenity of the wider landscape. It will be glimpsed from the east from the Bridge Sollars road (C1098) and the north-east, again from the same road across relatively flat terrain. However the view will be seen in the context of existing buildings and additional boundary tree planting. Therefore the proposal satisfies the requirements of Policies DR1, LA2 and DR3.

6.2 It is not considered that there will be an increase in traffic associated with the increased covered storage areas at the site. It is evident from previous visits that the covered area will, with a consolidated floor as has been provided in the buildings immediately to the south, provide needed dry storage areas. There may possibly be more activity on site, but this would not result in such additional traffic to and from the site that could justify resisting the proposal on highway safety grounds. This site is served by a limited access road and it has been a working farm for a number of years. There were poultry units here previously, and accordingly it is not considered that this ground for refusal could be sustained. A view endorsed by the Traffic Manager.

6.3 This is an established enterprise and the need for this additional building is acknowledged. The building can be assimilated into the landscape, and would not be isolated and has been positioned as far west into the site as practicable. The buildings will not be widely viewed from any public vantage point and will not detract from the setting of the grade II listed farmhouse at Lower Lulham.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

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

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

- 2. **B02 (Development in accordance with approved plans and materials)**

Reason: To ensure adherence to the approved plans and to protect the general character and amenities of the area in accordance with the requirements of Policy DR1 of Herefordshire Unitary Development Plan

- 3. **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.

Informative(s):

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

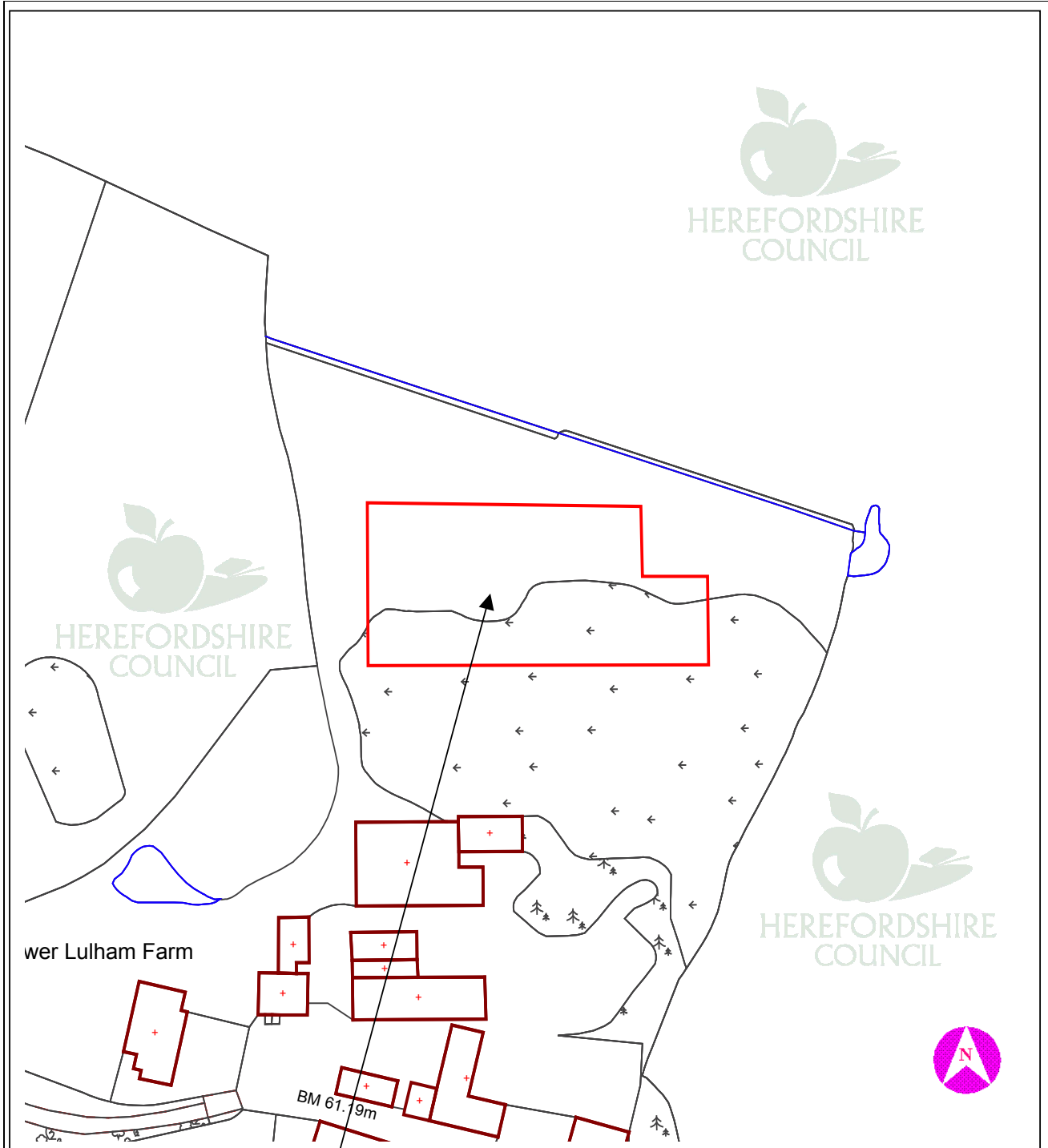
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCSW2008/0941/F

SCALE : 1 : 1250

SITE ADDRESS : Lower Lulham Farm, Lulham, Madley, Hereford, Herefordshire, HR2 9JJ

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10 DCSW2008/1181/F - REPLACEMENT DWELLING AND GARAGE, CHURCH COTTAGE, ALLENSMORE, HEREFORD, HR2 9AQ.

For: Mr C Watkinson per Mr MR James, Clyde House, Viney Hill, Lydney, Gloucestershire, GL15 4NY.

Date Received: 1 May 2008

Ward: Valletts

Grid Ref: 46583, 35927

Expiry Date: 26 June 2008

Local Member: Councillor MJ Fishley

1. Site Description and Proposal

- 1.1 Church Cottage is on the northern side of the main thoroughfare (u/c 73420) in Allensmore. It is diagonally opposite St. Andrews Church which is due south on the opposite side of the unclassified road. It is possible to view the dwelling from the north-east with a glimpse from the south-west along the driveway; otherwise the white painted brick house is screened from view by mature trees and shrubs along the roadside boundary.
- 1.2 The two-storey property has the appearance of two former cottages with unsympathetic lean-to extensions and an almost flat roofed two storey addition on the northern side. There are a mixture of evergreen and deciduous trees around the site.
- 1.3 It is proposed to demolish the existing dwelling and replace it with a two-storey dwelling which will be sited a further 3.2 metres westwards into the site (i.e. away from the unclassified road). The new dwelling will cover the majority of the footprint of the existing dwelling.
- 1.4 The new dwelling will have a maximum height of 6.8 metres with a slate roof over brick elevations. This compares to the existing dwelling height of between 5.5 and 6.2 metres. The site already benefits from a planning permission for alterations to the existing dwelling granted approval in December 2007. The planning permission entailed creating a new roof over the existing structure, demolishing the unsympathetic two-storey extension on the northern side of the dwelling, rendering the front elevation and using facing brickwork on the new extensions.
- 1.5 The main difference from the extant planning permission is the addition of a boiler room on the eastern end, a canopy on the southern elevation and the re-siting of the new dwelling a further 3.2 metres into the site. The second element is the erection of a double garage and car port 10.4 metres to the north utilising an existing gated access point on the eastern most point of the site. The garage will be faced in tanalised feather edge boarding under a sheeted roof. It is 6 metres in width and length and 4.3 metres to the ridge. A car port abutting it on the southern side is slightly narrower at 5.75 metres in width and length and 3.9 metres to the ridge.

2. Policies

2.1 Planning Policy Statement

PPS7 - Sustainable Development in Rural Areas

2.2 Herefordshire Unitary Development Plan 2007

Policy DR1 - Design
 Policy DR2 - Land Use and Activity
 Policy DR3 - Movement
 Policy H7 - Housing in the Countryside Outside Settlements
 Policy HBA8 - Locally Important Buildings

3. Planning History

- 3.1 DCSW2005/2224/O Single storey dwelling and altered access - Refused 25.08.05
 Dismissed on Appeal 09.06.06
- DCSW2007/3406/F Extension and alterations - Approved 24.12.07

4. Consultation Summary

Statutory Consultations

- 4.1 English Heritage had no comments.

Internal Council Advice

- 4.2 Traffic Manager states: "Access to the south-west is sub-standard (2m x 10m), whilst access to north-east is the preferable option (2m x 30m)."
- 4.3 Conservation Manager states: "Proposal is unique for a replacement dwelling given there is little or no change to its appearance. No objection on planning grounds. Opportunity missed though."

5. Representations

- 5.1 In a Design and Access Statement that accompanied the application the following main points are raised:

- existing building is poorly related to the site, building forms verge onto road verge
- re-siting allows for better relationship between dwelling and garden
- garden will not be drastically altered
- materials and finishes reflect Church Cottage, design very similar to extant permission (DCSW2007/3406/F)
- demolition allows for modern construction methods, higher environmental, as regards thermal efficiency and carbon footprint
- proposal to use solar panels and pellet firing boiler
- accommodation not increased from extant approval
- most trees and shrubs to be retained, supplemented by additional planting

- no particular wildlife habitat, including bats, as discussed with Council's Ecologist. Open bay garage allows for habitat for bats
- existing access points retained, southern most one improved with removal of tree and some hedges
- agreed prior to submission with officers that cottage structure and additions of very poor standard, structurally and visually
- no architectural or historic merit retaining the property.

5.2 The Parish Council make the following observations:

"We feel we can support this proposal although we were disappointed that Church Cottage would need to be demolished but accept that a lot of thought and work has been put into this application. We also noted the improved access, turning area and parking."

5.3 Two letters of objection have been received from:

Mrs J Cramp, Church House, Allensmore, HR2 9AG
Mr AJ Cramp, Church House, Allensmore, HR2 9AG

The following main points are raised:

- one of four historic properties that cluster around 14th century church, part of local heritage
- several properties are listed
- not in keeping with area
- large and high, coming close to road and church boundary impairs church and its environs
- not consistent to demolish perfectly acceptable dwelling, after some refurbishment
- more sense to add to stock, rather than one for one
- dominate area.

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

6. Officer's Appraisal

- 6.1 There are considered to be three main issues. These are the principle of demolition, the new dwelling and its relationship to surrounding dwellings and the 14th century church, and the issues raised by the Traffic Manager.
- 6.2 The building that is proposed to be demolished is not a listed building. Its historic value has been assessed in relation to Policy HBA4 and it is considered by the Conservation Manager that there is little historic fabric remaining that could justify the local planning authority resisting the demolition of the dwelling. It should also be added that with the extant planning permission the applicants were effectively permitted to demolish over fifty per cent of the footprint of the original property.
- 6.3 The new dwelling will not impinge upon the setting of the listed church. Indeed it is moving away from the highway by just over 3 metres and not closer as has been suggested. The garage and car port are not unduly dominant. The garage is only marginally over 4 metres and would not otherwise require planning permission. The height of the dwelling will be increased by one metre to 6.5 metres. This is considered

to be a reasonable increase for a modern building with the need for increased insulation in between ground and first floor and in the roof space. The choice of slate and facing brick will be important, but with care it is considered that the development would enhance the view from the north-east.

- 6.4 It is considered that the application complies with Policy H7(4) as regards the size and massing of the new dwelling. The main change from the extant planning permission to the current proposal is a boiler room on the eastern gable end, and as such there will be only a very limited impact on the locality.
- 6.5 The protection of existing trees will be important and was an issue in relation to the dismissed appeal for a building plot in the grounds of Church Cottage. This can be addressed by imposition of planning conditions.
- 6.6 The final issue relates to concerns raised by the Traffic Manager. The application seeks to retain the two existing access points, the one with the poorer visibility is the southern most one. The one closest to the existing and proposed dwelling has better visibility and will provide access to the double garage and car port. It is considered on balance that given both accesses already exist and that a five bedroom dwelling could be provided on the site, in the event that the 2007 planning permission was implemented, it would be difficult to sustain a reason for permanently closing the poorer access point.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

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

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

2. **B01 (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. **C01 (Samples of external materials)**

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

4. **D05 (Details of external joinery finishes)**

Reason: To ensure that the work is finished with materials, textures and colours that are appropriate to the safeguarding of the amenity of the locality and to comply with the requirements of Policy DR1 of Herefordshire Unitary Development Plan.

5. **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

Informative(s):

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

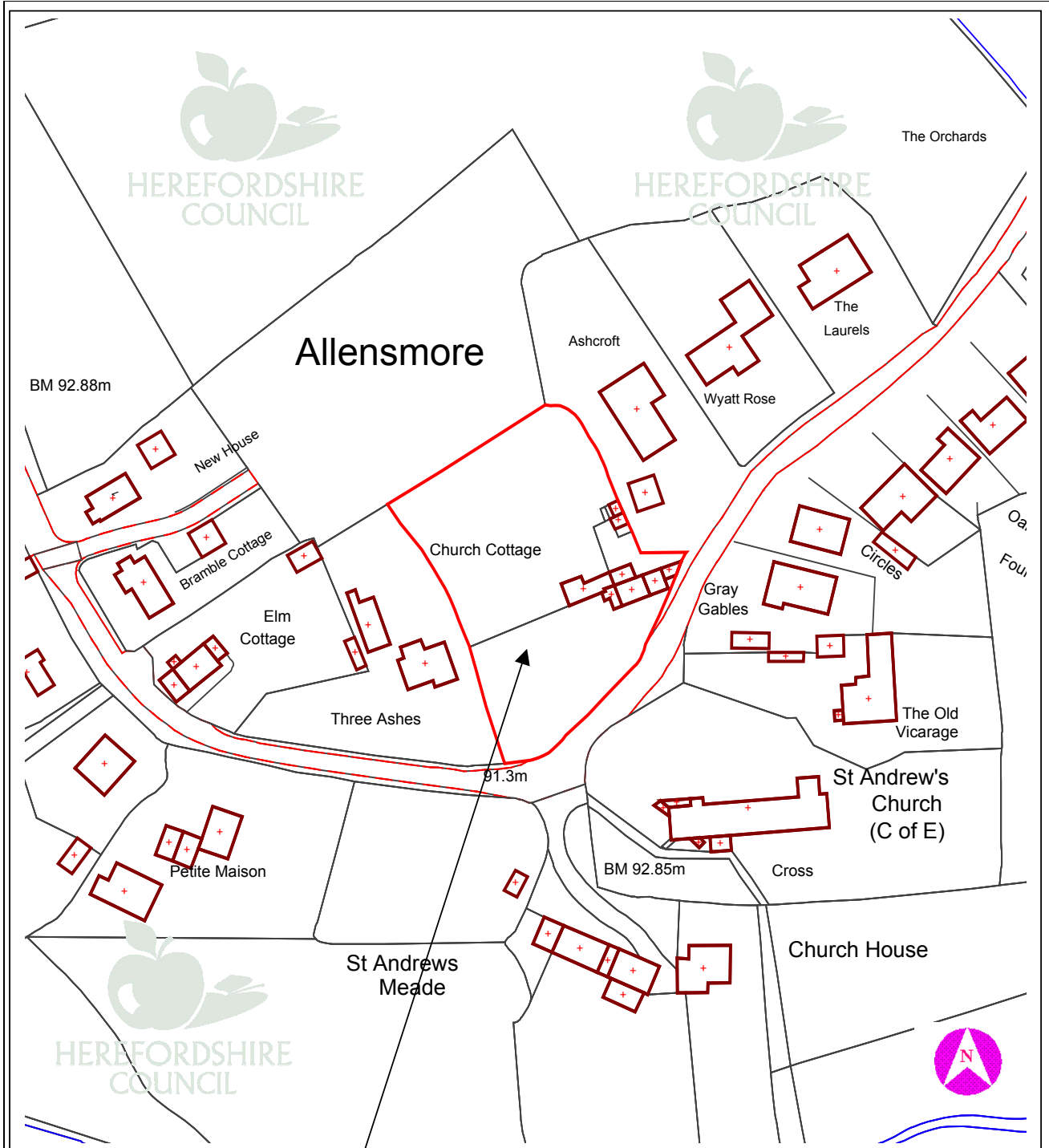
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCSW2008/1181/F

SCALE : 1 : 1250

SITE ADDRESS : Church Cottage, Allensmore, Hereford, Herefordshire, HR2 9AQ

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