

A G E N D A

Southern Area Planning Sub- Committee

Date: **Wednesday, 21st January, 2009**

Time: **2.00 p.m.**

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

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

For any further information please contact:

*Ricky Clarke, Democratic Services Officer, Tel:
01432 261885 Fax: 01432 260286*

E-mail: rclarke@herefordshire.gov.uk

Herefordshire Council

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
<p>1. APOLOGIES FOR ABSENCE</p> <p>To receive apologies for absence.</p>	
<p>2. DECLARATIONS OF INTEREST</p> <p>To receive any declarations of interest by Members in respect of items on the Agenda.</p> <p>GUIDANCE ON DECLARING PERSONAL AND PREJUDICIAL INTERESTS AT MEETINGS</p> <p>The Council's Members' Code of Conduct requires Councillors to declare against an Agenda item(s) the nature of an interest and whether the interest is personal or prejudicial. Councillors have to decide first whether or not they have a personal interest in the matter under discussion. They will then have to decide whether that personal interest is also prejudicial.</p> <p>A personal interest is an interest that affects the Councillor more than most other people in the area. People in the area include those who live, work or have property in the area of the Council. Councillors will also have a personal interest if their partner, relative or a close friend, or an organisation that they or the member works for, is affected more than other people in the area. If they do have a personal interest, they must declare it but can stay and take part and vote in the meeting.</p> <p>Whether an interest is prejudicial is a matter of judgement for each Councillor. What Councillors have to do is ask themselves whether a member of the public – if he or she knew all the facts – would think that the Councillor's interest was so important that their decision would be affected by it. If a Councillor has a prejudicial interest then they must declare what that interest is and leave the meeting room.</p>	
<p>3. MINUTES</p> <p>To approve and sign the Minutes of the meeting held on 10 December 2008.</p>	1 - 6
<p>4. ITEM FOR INFORMATION - APPEALS</p> <p>To be noted.</p>	7 - 8
<p>5. ITEM FOR INFORMATION - SECTION 106 AGREEMENTS DETERMINED UNDER DELEGATED POWERS</p> <p>To be noted.</p>	9 - 10

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.

- | | |
|---|---------|
| 6. DCSE2008/2740/F - 9 GOODRICH CLOSE, ROSS-ON-WYE, HEREFORDSHIRE, HR9 5UX. | 11 - 14 |
| Single storey rear extension to provide wheelchair accessible facilities. | |
| 7. DCSE2008/2835/RM - EQUINE CENTRE, O.S. MAP REF SO653321, NR BODENHAM FARM, MUCH MARCLE, HEREFORDSHIRE. | 15 - 22 |
| Dwelling for stud workers at equine centre. | |
| 8. DCSE2008/2743/F - WEST BANK RESIDENTIAL CARE HOME, WALFORD ROAD, ROSS-ON-WYE, HEREFORDSHIRE, HR9 5PQ. | 23 - 30 |
| Construction of one single storey and two two-storey extensions to existing residential care home. | |
| 9. DCSE2008/2773/F - GREAT TREWEN FARM HOUSE, WHITCHURCH, ROSS-ON-WYE, HEREFORDSHIRE, HR9 6ES. | 31 - 36 |
| Proposed telecommunications development consisting of increase of height of existing telecommunications tower from 15.0 metres to 20.0 metres and relocation of existing orange headframe and equipment to new 20.0 metres height within existing compound. | |
| 10. DCSE2008/2927/RM - BEECHGROVE, GOODRICH, ROSS-ON-WYE, HEREFORDSHIRE, HR9 6JE. | 37 - 44 |
| Proposed erection of a two storey dwelling. | |

The Public's Rights to Information and Attendance at Meetings

YOU HAVE A RIGHT TO: -

- Attend all Council, Cabinet, Committee and Sub-Committee meetings unless the business to be transacted would disclose 'confidential' or 'exempt' information.
- Inspect agenda and public reports at least five clear days before the date of the meeting.
- Inspect minutes of the Council and all Committees and Sub-Committees and written statements of decisions taken by the Cabinet or individual Cabinet Members for up to six years following a meeting.
- Inspect background papers used in the preparation of public reports for a period of up to four years from the date of the meeting. (A list of the background papers to a report is given at the end of each report). A background paper is a document on which the officer has relied in writing the report and which otherwise is not available to the public.
- Access to a public Register stating the names, addresses and wards of all Councillors with details of the membership of Cabinet and of all Committees and Sub-Committees.
- Have a reasonable number of copies of agenda and reports (relating to items to be considered in public) made available to the public attending meetings of the Council, Cabinet, Committees and Sub-Committees.
- Have access to a list specifying those powers on which the Council have delegated decision making to their officers identifying the officers concerned by title.
- Copy any of the documents mentioned above to which you have a right of access, subject to a reasonable charge (20p per sheet subject to a maximum of £5.00 per agenda plus a nominal fee of £1.50 for postage).
- Access to this summary of your rights as members of the public to attend meetings of the Council, Cabinet, Committees and Sub-Committees and to inspect and copy documents.

Please Note:

Agenda and individual reports can be made available in large print. Please contact the officer named on the front cover of this agenda **in advance** of the meeting who will be pleased to deal with your request.

The meeting venue is accessible for visitors in wheelchairs.

A public telephone is available in the reception area.

Public Transport Links

- Public transport access can be gained to Brockington via the service runs approximately every half hour from the 'Hopper' bus station at the Tesco store in Bewell Street (next to the roundabout junction of Blueschool Street / Victoria Street / Edgar Street).
- The nearest bus stop to Brockington is located in Old Eign Hill near to its junction with Hafod Road. The return journey can be made from the same bus stop.

If you have any questions about this agenda, how the Council works or would like more information or wish to exercise your rights to access the information described above, you may do so either by telephoning the officer named on the front cover of this agenda or by visiting in person during office hours (8.45 a.m. - 5.00 p.m. Monday - Thursday and 8.45 a.m. - 4.45 p.m. Friday) at the Council Offices, Brockington, 35 Hafod Road, Hereford.



Where possible this agenda is printed on paper made from 100% Post-Consumer waste. De-inked without bleaching and free from optical brightening agents (OBA). Awarded the Nordic Swan for low emissions during production and the Blue Angel environmental label.

COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL

BROCKINGTON, 35 HAFOD ROAD, HEREFORD.

FIRE AND EMERGENCY EVACUATION PROCEDURE

In the event of a fire or emergency the alarm bell will ring continuously.

You should vacate the building in an orderly manner through the nearest available fire exit.

You should then proceed to Assembly Point J which is located at the southern entrance to the car park. A check will be undertaken to ensure that those recorded as present have vacated the building following which further instructions will be given.

Please do not allow any items of clothing, etc. to obstruct any of the exits.

Do not delay your vacation of the building by stopping or returning to collect coats or other personal belongings.

HEREFORDSHIRE COUNCIL

MINUTES of the meeting of Southern Area Planning Sub-Committee held at The Council Chamber, Brockington, 35 Hafod Road, Hereford on Wednesday, 10 December 2008 at 2.00 p.m.

Present: Councillor PGH Cutter (Chairman)

Councillors: H Bramer, BA Durkin, JA Hyde, JG Jarvis, G Lucas, PD Price, RH Smith and JB Williams

In attendance: Councillors TW Hunt and RV Stockton

65. APOLOGIES FOR ABSENCE

Apologies were received from Councillors CM Bartrum, MJ Fishley, AE Gray, and DC Taylor.

66. DECLARATIONS OF INTEREST

There were no declarations made.

67. MINUTES

Members discussed minute item 62 and particularly made reference to the use of the word 'affordable' in the resolution. A debate ensued as to the interpretation of the resolution. It was agreed that the minutes were an accurate account of the debate and that the uncertainty had arisen through the interpretation of the minutes.

RESOLVED: That the Minutes of the meeting held on 12 November 2008 be approved as a correct record and signed by the Chairman.

68. ITEM FOR INFORMATION - APPEALS

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

69. DCSE2008/2427/F - LAND ADJACENT TO BODENHAM FARM, MUCH MARCLE, LEDBURY, HEREFORDSHIRE, HR8 2NJ. (AGENDA ITEM 5)

Retention of 2 field shelters with new external cladding.

Councillor BA Durkin, the local ward member, felt that his concerns regarding the shape and appearance of the field shelters had not been addressed by the applicants, and he could therefore not support of the application.

In response to a question seeking clarification regarding the additional information received from the applicant, the Southern Team Leader advised that the applicant could apply for a certificate of lawful use if he could prove that the field shelters had been in situ for 4 years. He added that if this was the case, the field shelters would then be permitted in their current state and would not have the benefit of a planning condition to mitigate their impact on the landscape.

Members discussed the application and noted the comments of the Landscape Officer who had not objected to the application. They felt that there were no planning grounds to refuse the application and approved the resolution below.

RESOLVED

That planning permission be granted subject to the following condition:

- 1 Within 3 months of the date of this permission the field shelters shall be clad in shiplap boards and stained a dark brown colour and thereafter maintained.**

Reason: In the interests of visual amenity and to ensure the shelters comply with Policy LA2 of the Herefordshire Unitary Development Plan.

Informatives:

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

- 70. DCSE2008/2538/F - LYNE DOWN FARM, LYNE DOWN, MUCH MARCLE, LEDBURY, HEREFORDSHIRE, HR8 2NT. (AGENDA ITEM 6)**

Construction of apple pressing barn with storage facilities and relocation of shop

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 C01 (Samples of external materials)**

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

- 3 H03 (Visibility splays)**

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

- 4 H05 (Access gates)**

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

- 5 H06 (Vehicular access construction)**

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

- 6 H13 (Access, turning area and parking)**

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

7 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.

8 G13 (Tree planting)

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

9 B07 (Section 106 Agreement)

Reason: In order to provide [enhanced sustainable transport infrastructure, educational facilities, improved play space, public art, waste recycling and affordable housing] in accordance with Policy DR5 of the Herefordshire Unitary Development Plan 2007.

10. F06 (Restriction on Use)

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

Informatives:

- 1. N02 - Section 106 Obligation**
- 2. HN01 - Mud on highway**
- 3. HN04 - Private apparatus within highway**
- 4. HN05 - Works within the highway**
- 5. HN10 - No drainage to discharge to highway**
- 6. HN24 - Drainage other than via highway system**
- 7. HN28 – Highways Design Guide and Specification**
- 8. N19 - Avoidance of doubt - Approved Plans**
- 9. N15 - Reason(s) for the Grant of Planning Permission**

71. DCSE2008/2207/F - BRELSTON COURT, MARSTOW, ROSS-ON-WYE, HEREFORDSHIRE, HR9 6HF. (AGENDA ITEM 7)

Side extension to existing barn, formation of training manège, rebuild of dilapidated shed. Renewal of parking/turning areas.

Councillor JA Hyde, the local ward member, felt that her initial fears regarding the application had been allayed due to condition 8 which restricted the usage of the manège.

In response to a question, the Principal Planning Officer advised that condition 8 would transfer to the new owners if the property was sold in the future. He added that the conditions meant that the manège could not be used for commercial purposes.

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 H06 (Vehicular access construction)**
Reason: In the interests of highway safety and to conform with the requirements of Policy DR3 of Herefordshire Unitary Development Plan.
- 5 H04 (Visibility over frontage)**
Reason: In the interests of highway safety and to conform with the requirements of Policy DR3 of Herefordshire Unitary Development Plan.
- 6 H13 (Access, turning area and parking)**
Reason: In the interests of highway safety and to ensure the free flow of traffic using the adjoining highway and to conform with the requirements of Policy T11 of Herefordshire Unitary Development Plan.
- 7 I20 (Scheme of surface water drainage)**
Reason: To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal and to comply with Policy DR4 of Herefordshire Unitary Development Plan.
- 8 F09 (Private use of stables only)**
Reason: In order to safeguard the character and amenity of the area and to comply with Policy (specify) of Herefordshire Unitary Development Plan.

Informatives:

- 1 HN01 - Mud on highway**
- 2 HN05 - Works within the highway**
- 3 HN10 - No drainage to discharge to highway**
- 4 HN22 - Works adjoining highway**
- 5 N19 - Avoidance of doubt - Approved Plans**
- 6 N15 - Reason(s) for the Grant of Planning Permission**

The meeting ended at 2.45 p.m.

CHAIRMAN

ITEM FOR INFORMATION - APPEALS**APPEALS RECEIVED****Application No. DCSE2008/1826/F**

- The appeal was received on 22 December 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 J Savidge
- The site is located at Wharton Farm, Pontshill, Ross-on-Wye, Herefordshire, HR9 5SX
- The development proposed is Proposed two storey extension.
- The appeal is to be heard by Hearing

Case Officer: Edward Thomas on 01432 260479

APPEALS DETERMINED**Application No. DCSE2008/1411/F**

- The appeal was received on 26 August 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 Tendean Ltd
- The site is located at Laycombe, Archenfield Road, Ross-on-Wye, Herefordshire, HR9 5AY
- The application, dated 15 May 2008, was refused on 23 July 2008.
- The development proposed was Erection of additional detached dwelling, alterations to existing dwelling and garage, layout of parking area and alterations to access.
- The main issue is whether the proposal would harm the character and appearance of the surrounding predominantly residential area.

Decision: This application was refused under Delegated Powers on 23 July 2008.
The appeal was **DISMISSED** on 5 December 2008.

Case Officer: Yvonne Coleman on 01432 383083

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

ITEM FOR INFORMATION – SECTION 106 AGREEMENTS DETERMINED UNDER DELEGATED POWERS
--

Planning Ref: DCSE2008/1280/F

Address: Premier Inn, Ledbury Road, Ross

Proposal: Extension to Inn

Date Approved: 9 July 2008

Summary of Contributions:

Amount	Purpose
£16,031	Highways
	Open space
	Sport England
	Community
	Education/Young People

Case Officer: Charlotte Atkins on 01432 26536

Planning Ref: DCSW2008/2072/F

Address: Coach House, Dorstone

Proposal: Conversion to one house

Date Approved: 3 October 2008

Summary of Contributions:

Amount	Purpose
£2,457	Highways
£731	Open space
	Sport England
£146	Community
£3,001	Education/Young People
£127	2% for monitoring

Case Officer: Andrew Prior on 01432 261932

Planning Ref: DCSE2008/2126/F

Address: Carthage Farm, Foy, Ross

Proposal: Barn conversion to single dwelling

Date Approved: 7 October 2008

Summary of Contributions:

Amount	Purpose
£2,098	Highways
£193	Open space
	Sport England
£120	Community
£48	2% for monitoring
	Education/Young People

Case Officer: Edward Thomas on 01432 260479

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

Planning Ref: DCSE2008/2212/F

Address: Broadwing House, Ledbury Road, Ross

Proposal: Two residential units

Date Approved: 14 October 2008

Summary of Contributions:

Amount	Purpose
	Highways
£1,332	Open space
	Sport England
	Community
£2,982	Education/Young People
£86	2% monitoring

Case Officer: Edward Thomas on 01432 260479

Planning Ref: DCSW2008/2274/F

Address: The Stone Barn, Walterstone

Proposal: Conversion of barn to dwelling

Date Approved: 29 October 2008

Summary of Contributions:

Amount	Purpose
£3,686	Highways
	Open space
	Sport England
	Community
	Education/Young People
£72	2% monitoring

Case Officer: Yvonne Coleman on 01432 383083

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

6 DCSE2008/2740/F - SINGLE STOREY REAR EXTENSION TO PROVIDE WHEELCHAIR ACCESSIBLE FACILITIES, 9 GOODRICH CLOSE, ROSS-ON-WYE, HEREFORDSHIRE, HR9 5UX.

For: Mr & Mrs A Middlecote per Mrs Clayton, Penelope Clayton Architectural Drawing, 2 Sunshine Close, Ledbury, Herefordshire, HR8 2DZ.

Date Received: 5 November 2008 Ward: Ross-on-Wye West Grid Ref: 59572, 23235

Expiry Date: 31 December 2008

Local Member: Councillor CM Bartrum and G Lucas

1. Site Description and Proposal

- 1.1 9 Goodrich Close, a detached property, is located on the south-west side of Goodrich Close, a cul-de-sac that exits onto Duxmere Drive. A 2 metre high leylandii hedge defines the rear northern boundary. There is wooden panel fencing to other boundaries. The site is located in an established residential area and within the Wye Valley Area of Outstanding Natural Beauty.
- 1.2 This application proposes a single storey extension with a hipped roofed on the rear of the property that will accommodate a bedroom and shower room. The extension has been designed to meet the needs of the applicant's disabled daughter.

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 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 with this application.

5.2 Ross Town Council has no objection.

5.3 An objection has been received from Mr G Smith and Miss C Nash, 10 Goodrich Close, Ross-on-Wye:

- the extension is positioned close to our boundary taking away our light from our dining room affecting our amenity
- light will also be taken from our garden
- the extension is out of character, scale and design with the original building
- the applicants' site is much higher than our property and while the extension is single storey it will overwhelm 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 It is considered that the determining factor in this application is the impact the proposal will have on the amenity of the neighbouring property through overshadowing and its overbearing impact. The Building Research Establishment has published guidance - Site Layout Planning for Daylight and Sunlight - on the best workable method for assessing any reduction in daylight and sunlight. In measuring the effect of development on daylight and sunlight a 45 degree code is used i.e. the proposed development should not cross a line drawn at 45 degrees from the centre of the nearest window. In this case the nearest window is a patio door in the lounge/dining room of the neighbouring property. Provided the extension does not cross this line then it would normally be considered acceptable. Using the 45 degree line from the centre of the patio doors the extension does not break the 45 degree code. By using this calculation it is not considered the proposal will cause loss of daylight/sunlight to the nearest habitable room in the neighbouring property. The proposal is therefore considered acceptable.

6.2 Insofar as the overbearing of the proposal on the neighbour is concerned the application site is slightly higher than the neighbour's property and the 2 properties are set at an angle of 15 degrees to each other. Also, a 2 metre high leylandii hedge is planted along the common boundary on the neighbour's property. The eaves height of the extension measures 2.3 metres from ground level and the side of the extension will be some 900mm from the centre of the hedge. Given the extension will have a hipped roof with the plane of the roof sloping away from the neighbour and the orientation of the dwellings, it is not considered the extension will have an overbearing impact on the amenity of the neighbouring property.

6.3 In conclusion it is not considered the proposal will cause significant harm to the amenity of the neighbouring property.

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 **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.

Informatives:

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

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

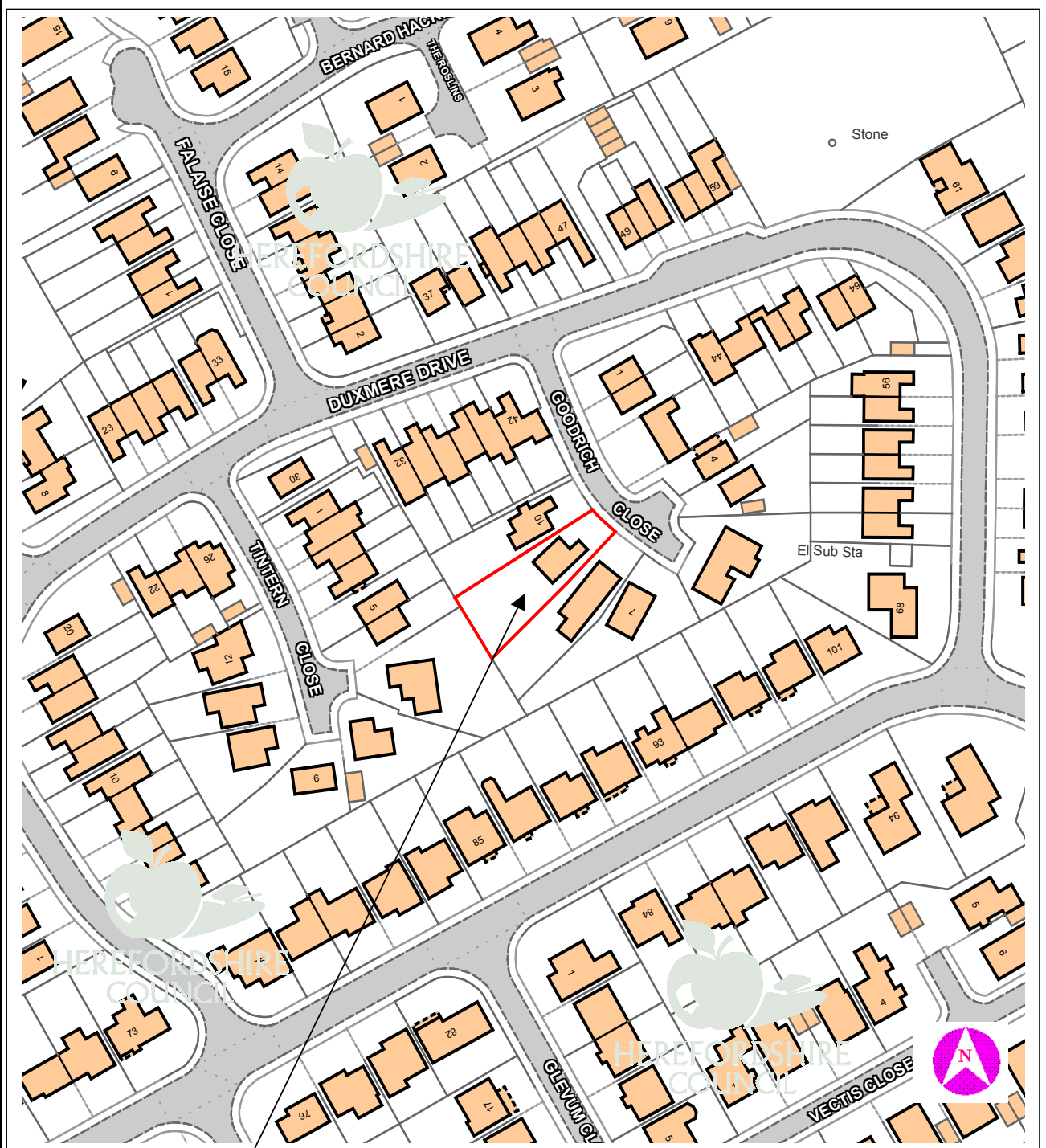
Decision:

Notes:

.....

Background Papers

Internal departmental consultation replies.



This copy has been produced specifically for Planning purposes. No further copies may be made.

APPLICATION NO: DCSE2008/2740/F

SCALE : 1 : 1250

SITE ADDRESS : 9 Goodrich Close, Ross-on-Wye, Herefordshire, HR9 5UX

Based upon the Ordnance Survey mapping with the permission of the controller of Her Majesty's Stationery Office, © Crown Copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Herefordshire Council. Licence No: 100024168/2005

7 DCSE2008/2835/RM - DWELLING FOR STUD WORKERS AT EQUINE CENTRE O.S. MAP REF SO653321, NR BODENHAM FARM, MUCH MARCLE, HEREFORDSHIRE.

For: Colin Goldsworthy MCIAT MaPS, 85 St Owens Street, Hereford, Herefordshire, HR1 2JW.

Date Received: 18 November 2008 Ward: Old Gore Grid Ref: 65217, 32041

Expiry Date: 13 January 2009

Local Member: Councillor BA Durkin

1. Site Description and Proposal

- 1.1 The Singing Stud occupies about 8ha of land between the A449 and the unclassified road between Lyne Down and Old Pike to the north of Bodenham Farm, a Grade II Listed building. There is access off the unclassified road to the stud farm. Public footpath MM2A is to the north of the site of the proposed dwelling.
- 1.2 This application is for the approval of reserved matters following the appeal decision that established the principle of a dwelling in connection with the stud farm under reference DCSE2005/3806/O.
- 1.3 It is proposed to locate the dwelling on the southeast side of the yard and foaling boxes adjacent to a vertical wooden boarded fence that defines the boundary between The Singing Stud and Bodenham Farm. The site of the dwelling falls gently from boundary fence towards adjoining fields/paddocks that is to the east of the site. The slab level of the dwelling is shown to be set at 88.200 AOD. There is a wooded area adjacent to the boundary fence.
- 1.4 The dwelling will accommodate an office, living room, dining/meeting room, kitchen, utility/drying room, shower, WC on the ground floor with 3 bedrooms and en-suite bathrooms at first floor. A stand-alone double garage is proposed between the dwelling and the yard. The dwelling will be accessed off the existing access track that exits onto unclassified 70006 which leads from Lyne Down to Old Pike.

2. Policies

2.1 Planning Policy Statements

PPS1 Delivering Sustainable Development
PPS7 Sustainable Development in Rural Areas

2.2 Herefordshire Unitary Development Plan

S1 Sustainable development
S2 Development requirements
DR1 Design

H7 Housing in the countryside outside settlements
H8 Agricultural and forestry dwellings and dwellings associated with rural businesses
H13 Sustainable residential design

3. Planning History

- 3.1 DCSE2005/0795/F Continuation of use as an equine stud. Approved 15.7.2005
- 3.2 DCSE2005/1015/F Continuation of a use as equine stud farm, training area, hay barn, winter barn, stables including grooms flat. Refused 30.6.2005
- 3.3 DCSE2005/3770/F Fenced training ring at equine centre. Refused 16.1.2006. Appeal allowed 5.6.2006
- 3.4 DCSE2005/3806/O Dwelling for stud farm worker at equine centre. Refused 20.6.2007. Appeal allowed 4.2.2008
- 3.5 DCSE2006/1486/F Retention of two field shelters. Refused 17.5.2006
- 3.6 DCSE2006/1495/F Retention of foaling boxes and one infill stable. Refused 20.6.2007. Appeal allowed 4.2.2008
- 3.7 DCSE2007/0704/F retrospective application for blockwork skin to existing stable. Refused 20.6.2007. Appeal allowed 4.2.2008
- 3.8 DCSE2007/0705/F retention of lean-to building for storage purposes. Refused 20.6.2007. Appeal allowed 4.2.2008
- 3.9 DCSE2008/1195/F Variation of condition. Approved 24.6.2008
- 3.10 DCSE2008/2037/RM Dwelling for stud worker. Withdrawn
- 3.11 DCSE2008/2427/F Retention of 2 field shelters with new external cladding. Approved 10.12.2008

4. Consultation Summary

Statutory Consultations

- 4.1 No statutory or non-statutory consultations required

Internal Council Advice

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

5. Representations

- 5.1 A Design and Access Statement has been submitted

Existing site:

The existing, gently sloping site is currently part of the field adjacent to The Singing Stud stable yard, within an area approved under DCSE2005/3806/O;

Proposed use:

The proposal is for self-contained accommodation, including a garage, garden space, dedicated office for the running of the stud farm and clientele;

Amount of development:

The proposed building sits within the identified site. It has 3-bedrooms each with en-suite facilities and communal living space with adequate storage and utility areas; The building is designed to provide adequate storage and utility areas to service the needs of the occupants;

Design and appearance:

The building is cut into the slope of the site, with the detached garage at the highest level. This cut and fill method will reduce the amount of earth works and allows the building to nestle into the contours;

The garage and the proposed accommodation/office will be rendered blockwork. The house will have timber board cladding at first floor only. Blue/black natural slates are proposed for the roof;

A rainwater harvesting system will be incorporated into the design;

The entrance to the dwelling is deliberately screened from the drive to direct visitors towards the office;

Landscaping

Paving around the building will be constructed using pervious brick pavers;

Landscaping will be divided into the public and private sections;

Fencing will match existing;

The track from the existing yard to the new gate will be a gravel drive;

Access:

The proposal will be accessed off the yard; and

The new drive will follow the slope of the field but will level off to provide a level approach from the proposed parking spaces.

5.2 Much Marcle Parish Council - "Dwelling too large, outside planning area. Should have restriction for stud worker dwelling only - agricultural tie if consent given."

5.3 Objections have been received from:

B Morgan, Bodenham Farm, Much Marcle, Ledbury, HR8 2NJ

N Pope, Avenue Cottage, Much Marcle, Ledbury, HR8 2NU

- The appeal was granted for a single dwelling for a stud worker (singular). This application is for, quote, "stud workers", each with their own en-suite accommodation. The Access Statement refers to "the convenience for the grooms (PLURAL) and decrease the disturbance during foaling". This is not a

single dwelling for a stud worker but hostel accommodation with office facilities attached;

- The Property Services Manager in a report to the Southern Area Planning Sub-Committee on 29th May '07 stated, "In my opinion there is a need for some form of accommodation that will be suitable for an experienced stud groom (SINGULAR) to occupy" (para. 4.4);
- In the same report the planning officer, Mr S Holder, wrote, "Careful siting, excavation of the sloping land and design probably a bungalow would minimise the harm". (para. 6.2.);
- Southern Area Planning Sub-Committee on 20th June '07 rejected the application for "probably a bungalow" on the grounds that it "would be erected in a prominent location and would thereby harm the landscape character of this attractive rural area, in conflict with policies H8, LA2, LA4, S1, S7 & DR1";
- Mr Holder's Statement of Case to the planning inspector on 26th November '07 (para. 2.9) refers to "This outline application relates to the erection of a stud farm workers bungalow on land within the stud farm." Please note that the above refers to a single occupancy bungalow;
- It would follow that what was in the mind of the appeal inspector was a small, single person or small family bungalow in keeping with its surroundings - "I shall impose conditions limiting occupation of the dwelling as planning permission is only granted as an exception to development plan policies";
- It therefore follows that it could amount to an abuse of authority for either an officer of the council or a planning committee to allow what has now been proposed by the applicant. Something that exceeds all reasonable relation to what was allowed on appeal;
- "Dwelling for stud worker at equine centre" (description from application title), which presumably may include their immediate family, does not include the building of "professionally staffed" offices and a meeting room;
- This proposal is not just for a dwelling for an equine worker. It has areas "divided into public and private sections", and an office and meeting room. How does this fit as being living accommodation for a stud worker?
- Design & Appearance states that the building will be cut into the slope, but it would appear that no elevations show any such work to be carried out.
- The development is too large and too high for the original purpose that was proposed, i.e. dwelling for farm worker;
- The style of building is not compatible with any of the local buildings, having more of a commercial look than a farm worker's dwelling.
- The application is faulty in that it has omitted to supply the listing information about Bodenham farmhouse, situated close to and overlooked by this development;
- There are footpaths (MM2A & MM11) that run just to the north and west of the site. Post and rail fencing will enable the house to be seen by all using either of the paths. To quote the planning officer's submission to the Southern Area Planning committee on 29th May '07 "It would be visible from the A449 by Bodenham Farm even if single-storeyed and as the land to the north and north-west is fairly level and open, widely visible from that direction. Furthermore, footpaths from the four points of the compass converge just to the north-west of the application site allowing public views of the site from close at hand.";
- The proposed two-storey building will be able to be seen from the A449, not only as one travels south from the Much Marcle post office direction, but also from the main road south east of the site;
- It will form a skyline development for those exiting the conservation area of Homme House;

- This development with a total footprint of over 200 square metres, including the 36 square metre garage, is certainly the largest new building to be built within Much Marcle in the last twenty years. Hardly the perceived residence of a tied occupancy;
- There is a theory that this residence, in a prime location with views of the Malvern Hills, if built, will ultimately become available for sale, or be the abode of one or both of the owners. The apparent over generous accommodation for a staff member would seem to give weight to this theory.
- Amount of development - "being built to serve an equine farm it is expected to be of a standard that reflects the image of such establishments". The remainder of this make-do hotchpotch of buildings grandly called a stud does not give credence to this statement;
- Professional advice that I have taken estimates, purely on the size of the footprint, that new build costs for such a building would conservatively be in the region of 0.9 million. How can this amount be justified for a stud, according to their website, that this year had only seven mares covered and where only seven mares have been covered for next year.

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 principle of a dwelling in connection with the stud farm on this site was approved on appeal, DCSE2005/3806/O refers. This application is for the approval of reserved matters - appearance, landscaping, layout and scale - following the outline planning permission. Given the outline planning permission has established the principle of a dwelling on this site the determining factors in the application relate to the scale and form of the proposal and how it meets the functional requirement of the enterprise and landscape impact.
- 6.2 While, the appeal decision established the functional need of a dwelling, policy H8 which deals with agricultural and forestry dwellings and dwellings associated with rural businesses requires:
- Make use wherever possible of existing buildings in preference to new development;
 - Be carefully sited within the unit or in relation to other dwellings;
 - Be of a scale and design which is appropriate to its surroundings; and
 - Be of a size commensurate with the established functional requirement.
- 6.3 This application proposes a square form dwelling with single-storey wing that will accommodate living room and office and reception, and a stand-alone double garage. The dwelling, excluding the garage, will have a floor area of 208m². Policy H8 requires the dwelling to be commensurate with the established functional requirements of the enterprise, and in allowing the appeal, the Inspector acknowledged the need for someone to be readily available at most times representing a functional need. The Inspector also said that based on the number of stabled horses of the business a labour requirement of up to 6 full time workers existed. There are currently 2 full-time workers and 3 part-time members of staff. The proposed dwelling has been designed to accommodate either 3 workers living as a single household or a single worker with family as a family home. It is stressed that in planning terms there is no land use distinction made between such living

arrangements with both being regarded as a dwellinghouse under the terms of the Town and Country Planning Use Classes (Amendment) Order 2005. Given the Inspectors acceptance of functional need for up to 6 full-time workers it is considered the proposed dwelling is of a size that meets the functional requirements of the business and offers a degree of flexibility in meeting this need.

- 6.4 In the matter of landscape impact the Inspector acknowledged “the stud farm is located in an elevated position to the west of the Ross to Ledbury road (A449). The land to the north of the road is open with few trees but the site is bordered by a high close-boarded fence. Whilst siting and design are matters reserved for subsequent approval, I do not consider that the dwelling would be readily visible from the road, though glimpsed views may be possible. Several public footpaths pass near to the site, including one which passes through the yard. However, I am satisfied that an appropriately sited scheme on this site could be designed to fit in with its surroundings and not appear unduly prominent in the landscape.”
- 6.5 The square form of the dwelling and use of materials are considered appropriate to this rural location. While, it is acknowledged the dwelling will be visible from the A449 it is considered the proposal when seen against the backdrop of adjoining trees will assimilate the proposal into the landscape so as not to appear as an intrusive feature in the locality. The dwelling will be closely associated with the group of buildings at the Singing Stud so as not to appear as an isolated development. Given the sloping nature of the site, the dwelling will be cut into the site. The submitted plan shows the slab level of the dwelling to be set at 88.200 AOD. It is considered this will further reduce the impact of the proposal on the locality.
- 6.6 While, there is a public footpath, MM2A, that runs through the complex of buildings, the dwelling will be sited in a position that will not affect the right of way. Accordingly, the PROW has no objection.
- 6.6.1 In conclusion it is considered that this revised proposal comprises a form of accommodation that addresses the functional needs of the enterprise in an appropriate manner and would not appear overly intrusive in the landscape such that the refusal of these reserved matters would be warranted.

RECOMMENDATION

That approval of reserved matters is approved subject to the following conditions:

1 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

2 F07 (Domestic use only of garage)

Reason: To ensure that the garage is used only for the purposes ancillary to the dwelling and to comply with Policy H18 of Herefordshire Unitary Development Plan.

3 F14 (Removal of permitted development rights)

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

INFORMATIVES:

- 1 N15 - Reason(s) for the Grant of PP/LBC/CAC**
- 2 N19 - Avoidance of doubt - Approved Plans**
- 3 N09 – Approval of reserved matters**

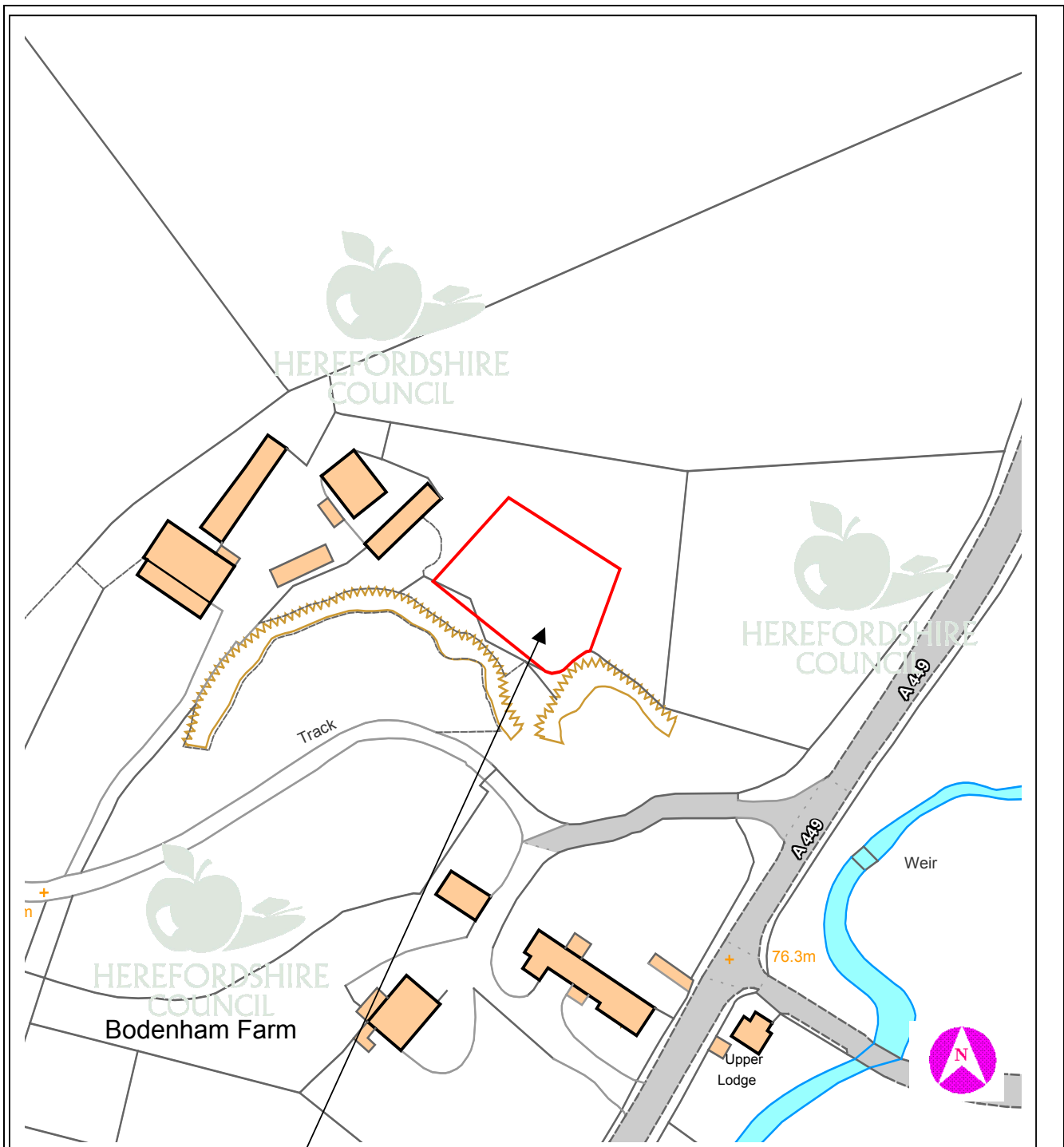
Decision:

Notes:

.....

Background Papers

Internal departmental consultation replies.



This copy has been produced specifically for Planning purposes. No further copies may be made.

APPLICATION NO: DCSE2008/2835/RM

SCALE : 1 : 1250

SITE ADDRESS : O.S. Map Ref SO653321, Nr Bodenham Farm, Much Marcle, Herefordshire

Based upon the Ordnance Survey mapping with the permission of the controller of Her Majesty's Stationery Office, © Crown Copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Herefordshire Council. Licence No: 100024168/2005

8 DCSE2008/2743/F - CONSTRUCTION OF ONE SINGLE STOREY AND TWO – TWO-STOREY EXTENSIONS TO EXISTING RESIDENTIAL CARE HOME, WEST BANK RESIDENTIAL CARE HOME, WALFORD ROAD, ROSS-ON-WYE, HEREFORDSHIRE, HR9 5PQ.

For: West Bank Residential Home Ltd per Clive Petch Architects, 3 Tebbit Mews, Winchcombe Street, Cheltenham, Gloucestershire, GL52 2NF.

Date Received: 6 November 2008 Ward: Ross-on-Wye East Grid Ref: 59855, 23712

Expiry Date: 1 January 2009

Local Member: Councillors PGH Cutter and AE Gray

1. Site Description and Proposal

- 1.1 West Bank residential care home is an existing care facility located on Walford Road adjacent to the junction with Kent Avenue and opposite the turnings for Ashfield Park and Archenfield Road. The home comprises the original late nineteenth century Villa with large, modern extensions to the rear (east). The site is within a predominantly residential area, which also forms part of the Ross conservation area.
- 1.2 Vehicular access is gained directly from the B4234 Walford Road, with parking currently to the side of the building. The original building is one of a cluster of high-status villas, although it has been extended heavily. The current proposal involves the erection of a two-storey extension against the south elevation of the existing extension, together with two further single-storey extensions against the north elevation. In total 6 further bedrooms are proposed, each with en-suite facilities. One of the proposed single-storey extensions would provide a lounge/dining facility, with one corner sectioned off to provide a further bathroom.
- 1.3 Externally modifications are proposed to the existing parking layout. Four additional spaces would be provided upon the front lawn, with those to the side of the existing building properly demarked and increased in width.
- 1.4 The application follows the withdrawal of application DCSE2008/2050/F, which proposed extensions comprising 9 bedrooms and a lounge/dining room. As such this proposal attempts to overcome previously stated concerns, regarding the impact upon neighbouring dwellings, by reducing both the scale and footprint of the extensions and as a consequence the number of bedrooms.
- 1.5 In order to accommodate the extension to the south, it is necessary to remove a tree. Given the reduction in the footprint of the extensions to the north, existing trees can now be retained. The application also proposes the provision of semi-mature planting to the southern and eastern boundaries, against the residential properties known as Glenalmond and Mulberry House. It appears that the previous owners of West Bank failed to comply with the landscaping condition attached to the previous planning permission to extend and the planting proposals attempt to address this deficit.

- 1.6 The extensions are designed so as to replicate the form of the existing extension, which is a part brick, part render construction under a hipped, tiled roof.
- 1.7 A tree survey and a Design and Access Statement accompany the application.

2. Policies

2.1 Planning Policy Statements

PPS1 - Delivering Sustainable Development

2.2 Herefordshire Unitary Development Plan

Policy S1 - Sustainable Development
 Policy S2 - Development Requirements
 Policy DR1 - Design
 Policy DR2 - Land Use and Activity
 Policy DR3 - Movement
 Policy HBA6 - New Development within Conservation Areas
 Policy LA1 - Areas of Outstanding Natural Beauty
 Policy LA6 - Landscaping Schemes
 Policy T6 - Walking

3. Planning History

- | | | | | |
|-----|-----------------|--|---|--------------------|
| 3.1 | SH941291PF | Proposed extension to form enlarged kitchen, new laundry & sunroom | - | Approved 16.12.94 |
| | DCSE2002/1610/F | Proposed extension to form additional bedrooms and lounge | - | Approved 18.09.02 |
| | DCSE2008/2050/F | One single-storey and two two-storey extensions | - | Withdrawn 17.09.08 |

4. Consultation Summary

Statutory Consultations

- 4.1 Welsh Water: Recommends the imposition of standard conditions to control the discharge of surface water to the public sewer.

Internal Council Advice

- 4.2 Conservation Manager (Building Conservation): No objection. "West Bank has been heavily extended, although the modern additions are well-screened from public vantage points, and the current proposals are unlikely to have any additional cumulative impact on the building or the character of the wider conservation area."
- 4.3 Traffic Manager: No objection and the improvements to the parking layout are noted. Conditions are recommended regarding the construction of the additional parking and the provision of appropriate visibility splays, cycle parking and formulation of a Travel Plan.
- 4.4 Public Rights of Way Manager: No objection.

5. Representations

5.1 Ross Town Council: No objection.

5.2 Letters of objection have been received from the following:

Mr & Mrs GE & JD Smith, Glenalmond, Coach Lane, Ross-on-Wye
Dr & Mrs A Rogers, Mulberry House, Coach Lane, Ross-on-Wye
Mrs E Jarvis, Cherry Trees, 15 Kent Avenue, Ross-on-Wye
Mr & Mrs C Hamilton, 13 Kent Avenue, Ross-on-Wye
Mrs E Webb, 14 Kent Avenue, Ross-on-Wye

Mrs Coleman of Grosmont House, Walford Road 'phoned to reiterate her objections made under the previous application.

The content of the objections can be summarised as follows:

- Overdevelopment: The proposal still constitutes overdevelopment of the site within a conservation area. The proposed 42 bedrooms is too large for the site;
- Loss of privacy: The four bedroom windows proposed to the south elevation of the two-storey extension would overlook both Glenalmond and Mulberry House, resulting in a loss of privacy;
- Removal of the existing conifer tree will remove the only existing relief against the building;
- Noise: Objectors report frequent noise from residents, staff and alarms.
- Light pollution: External lights are left on overnight and sometimes during the day;
- The requirements of previous planning permissions, notably the landscaping required under DCSE2002/1610/F have not been complied with;
- The additional bedrooms will lead to an increase in vehicular traffic at a busy junction, close to a public right of way used frequently by school children;
- Concern is expressed regarding the capacity of the sewer;
- The lack of maintenance of the boundary wall is indicative of the owners' lack of acknowledgment of their responsibilities.

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 application proposes the addition of a further 6 en-suite bedrooms and a lounge/dining room to the existing residential care home for the elderly at West Bank, Walford Road, Ross-on-Wye. The application raises a number of issues, which are considered to include the following:

- Impact of the development upon the character or appearance of the Conservation Area;
- Impact of the development upon the residential amenity of the adjoining private dwellings;
- The impact of the development upon the safe operation of the highway network.

Whilst the Design and Access Statement makes reference to the demand for the additional rooms, I am affording this little weight in the absence of empirical evidence,

and whilst this is outstanding, the issues identified above are considered to take precedence.

- 6.2 It is worth re-visiting the amendments that have been made to this proposal following the withdrawal of DCSE2008/2050/F.
- The proposed two-storey extension has been reduced in length from 8.7m to 4.5m and the overall height has been reduced by 0.5m to 6.8m.
 - The formerly proposed two-storey extension to the north is now reduced to a single-storey in height and its length has been reduced from 6.3m to 5.4m.
 - The lounge/dining room extension is now smaller in plan, the length reduced from 6.3m to 5.4m.
 - Because of the reduced footprint, an existing conifer tree against the northern boundary wall is retained.
 - Additional car parking spaces have been provided, including a disabled space. The width of the existing spaces has been increased to enable easier manoeuvring within the site.
- 6.3 In this context the Conservation Manager, although mindful of the existing extensions, considers that the proposals would not further affect the appearance of the existing building, or indeed the wider conservation area. From public vantage points the existing extensions, although large, are well screened and the reduction in scale referred to above will assist this further. Although it is acknowledged that landscaping obligations associated with the earlier planning permission have not been fulfilled, the proposed landscaping plan represents an opportunity to improve the visual amenity of the site. The planning officer has impressed the importance of fulfilling these requirements upon the new owners and the proposed landscaping plans indicate the introduction of evergreen trees at a minimum height of 3m against the boundary with Mulberry House to counter the loss of the existing conifer. Semi-mature Hawthorn, Birch and Holly trees are proposed against the boundary with Glenalmond. In addition there is an undertaking that the current owners will implement the planting that should have been undertaken pursuant to planning permission DCSE2002/1610/F, which too forms part of the proposed landscaping scheme.
- 6.4 As mentioned above, the reduction in footprint of the now single-storey extension to the north will allow retention of the conifer previously earmarked for removal. The design of the extensions follows that of the existing extensions and is the logical approach.
- 6.5 Given the Conservation Manger's advice and provision of a landscaping scheme I consider the impact of the development to be acceptable within the context of the Conservation Area.

Impact upon neighbour's residential amenity

- 6.6 Given the failure to provide the additional landscaping as proposed under the previous owners tenure, the concern of the neighbour's is acknowledged. The material issues raised are those of impact within the Conservation Area (addressed above), loss of privacy and highway safety. Noise and light pollution can be material planning issues, but in this context it is considered that Environmental Protection legislation provides the appropriate remedy and that a refusal of planning permission for an extension could not be sustained on either of these two issues. The planning officer has raised both issues with the management in recognition that they are evidently causing a problem locally.

- 6.7 In terms of loss of privacy, the primary concern is the introduction of an additional four bedroom windows in the two-storey extension. The extension has been reduced in length i.e. southern projection by 4.2 metres. It is thus the equivalent distance further from Mulberry House than the former proposal, whilst the scale and overall impact would be significantly reduced from the east (Glenalmond). This extension is now 15m from the southern boundary, against which additional planting is proposed. Mulberry House itself (the dwelling as opposed to garden), is further to the southeast. In this context it is considered unlikely that the extension will result in undue loss of privacy to the occupiers, whilst the impact upon the enjoyment of the garden is capable of being mitigated.
- 6.8 The view from the proposed bedroom windows will allow views over the front garden to Glenalmond, although overlooking is already possible from the existing windows. Again, the proposed planting of semi-mature trees along the eastern boundary will, in your officer's opinion provide adequate screening. Moreover, whilst the sensitivity is recognised, the windows will overlook the area to the front of Glenalmond rather than the more private garden space to the rear. A condition is recommended to prevent the future introduction of windows into the east elevation of the two-storey extension or the north elevations of either of the two single-storey extensions. On this basis a refusal based upon loss of amenity to either of the objectors' properties is not considered sustainable.

Impact upon the safe operation of the highway network

- 6.9 West Bank is accessed by vehicle and on foot directly from the B4234. This is a busy road and the junction is opposite the turning for Ashfield Park Road and adjacent Kent Avenue. The Traffic Manager has considered the proposals and comments that the improvements to the parking layout, together with improvements to the visibility upon egress will render the proposal acceptable. Cycle parking, predominantly for staff, will be required via condition, together with a Travel Plan, which will be formulated in conjunction with the Council's Travel Plan Officers. The objective will be to secure a shift of behaviour amongst staff and potential visitors by achieving an increase in the proportion of trips made either on foot or by bike or public transport. Given the scope of the improvements and the relatively modest increase in the number of bedrooms, the impact upon the operation of the highway network is considered acceptable.

Summary

- 6.10 This application involves an extension to a commercial, residential care home, which is located within a predominantly residential area. Therefore, one of the key issues identified is the impact upon residential amenity. As described above, your officers consider that the current proposal strikes an appropriate balance in terms of extending the existing facility whilst taking account of the impact upon the Conservation Area and neighbouring residential amenity. As such the proposal is considered to accord with policies DR1 and HBA6 and is recommended for approval subject to conditions.

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 C03 (Matching external materials (general))**
- Reason: To ensure the satisfactory appearance of the development so as to ensure that the development complies with the requirements of Policy DR1 of Herefordshire Unitary Development Plan**
- 3 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.**
- 4 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.**
- 5 F16 (No new windows in specified elevation)**
- Reason: In order to protect the residential amenity of adjacent properties and to comply with Policy H18 of Herefordshire Unitary Development Plan.**
- 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 G10 (Landscaping scheme)**
- 8 G11 (Landscaping scheme - implementation)**
- Reason: In order to maintain the visual amenities of the area and to comply with Policy LA6 of Herefordshire Unitary Development Plan.**
- 9 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.**
- 10 H04 (Visibility over frontage)**
- Reason: In the interests of highway safety and to conform with the requirements of Policy DR3 of Herefordshire Unitary Development Plan.**
- 11 H13 (Access, turning area and parking)**
- Reason: In the interests of highway safety and to ensure the free flow of traffic using the adjoining highway and to conform with the requirements of Policy T11 of Herefordshire Unitary Development Plan**

12 H27 (Parking for site operatives)

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

13 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

14 H30 (Travel plans)

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

Informatives:

1 N19 - Avoidance of doubt - Approved Plans

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

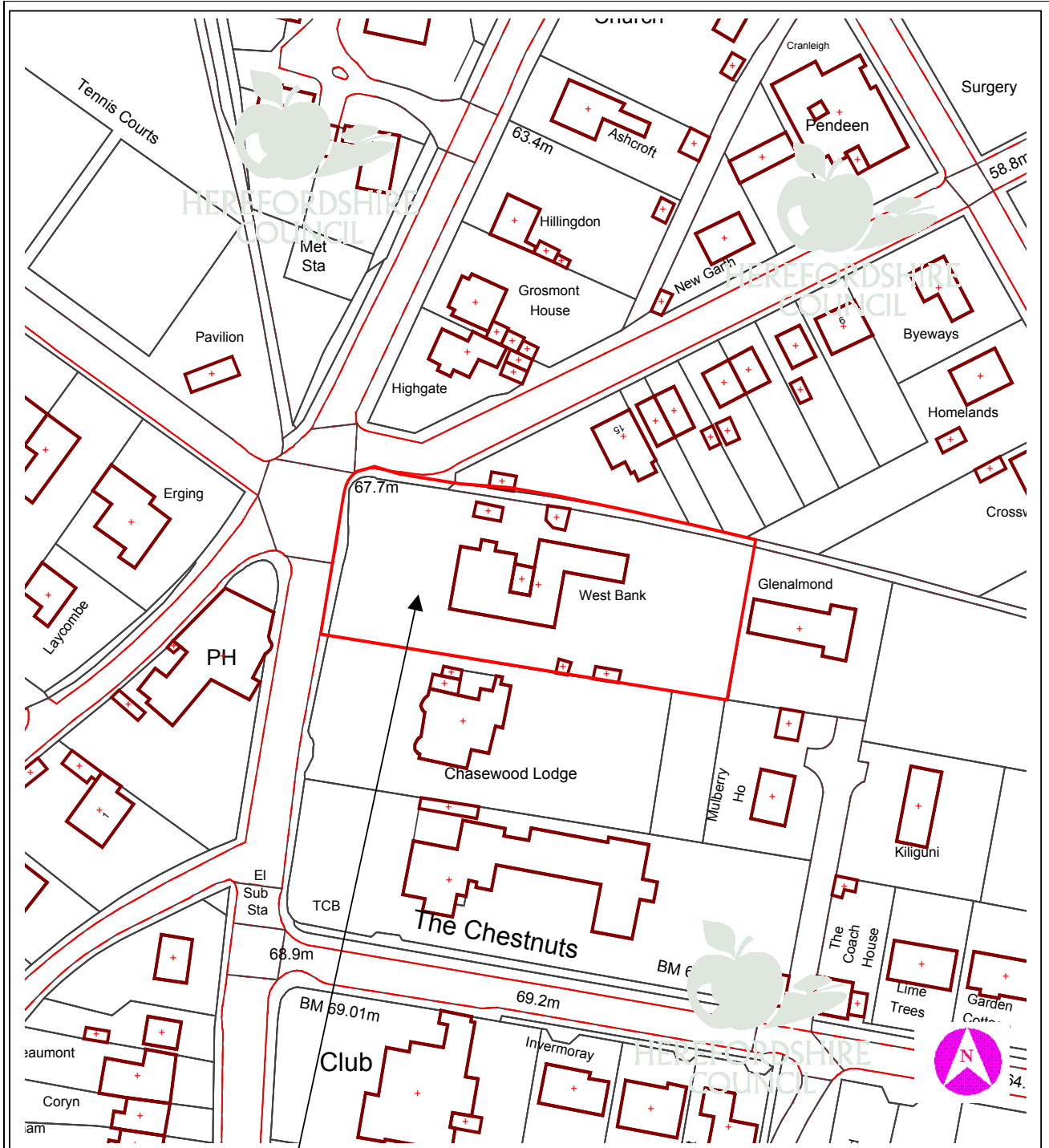
Decision:

Notes:

.....

Background Papers

Internal departmental consultation replies.



This copy has been produced specifically for Planning purposes. No further copies may be made.

APPLICATION NO: DCSE2008/2743/F

SCALE : 1 : 1250

SITE ADDRESS : West Bank Residential Care Home, Walford Road, Ross-on-Wye, Herefordshire, HR9 5PQ

Based upon the Ordnance Survey mapping with the permission of the controller of Her Majesty's Stationery Office, © Crown Copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Herefordshire Council. Licence No: 100024168/2005

9 DCSE2008/2773/F - PROPOSED TELE-COMMUNICATIONS DEVELOPMENT CONSISTING OF INCREASE IN HEIGHT OF EXISTING TELE-COMMUNICATIONS TOWER FROM 15.0 METRES TO 20.0 METRES AND RELOCATION OF EXISTING ORANGE HEADFRAME AND EQUIPMENT TO NEW 20.0 METRES HEIGHT WITHIN EXISTING COMPOUND. GREAT TREWEN FARM HOUSE, WHITCHURCH, ROSS-ON-WYE, HEREFORDSHIRE, HR9 6ES.

For: Mr C. Searle per Mr I Coulson, Coulson Property Services, 124 Wellington Road, North Stockport, Cheshire, SK4 2LL.

Date Received: 13 November 2008 Ward: Kerne Bridge Grid Ref: 53767, 18005
Expiry Date: 8 January 2009
 Local Member: Councillor JG Jarvis

1. Site Description and Proposal

- 1.1 The application seeks planning permission for the increase in height of the existing lattice style mobile phone mast from 15.0m to 20.0m. The rationale for the increase is given as interference from nearby trees and the consequent requirement to be above these for direct line of sight between masts. This is in order that calls can be transferred between base stations.
- 1.2 The existing mast is a standard lattice design with a single headframe. The proposed extension is the same size in section as the present upper part of the mast. The headframe, 6 antennae and single transmission dish would be relocated in the existing form, and on the same bearing, to the top of the new section.
- 1.3 The mast stands immediately adjacent another lattice tower structure, which is already at around 20.0m in height. The site is within a rural landscape to the north west of Whitchurch. The masts overlook open fields to the south and east. To the north is a small copse, the trees within which are causing the current reduction in operating performance.
- 1.4 A Design and Access Statement and ICNIRP compliance certificate accompany the application.

2. Policies

2.1 Government Guidance

PPG8 - Telecommunications

2.2 Herefordshire Unitary Development Plan 2007

Policy DR1	-	Design
Policy LA2	-	Landscape character and areas least resilient to change
Policy CF3	-	Telecommunications

3. Planning History

On site:

- 3.1 SE2000/3173/T - Installation of radio equipment housing etc. Prior Approval Not Required, 18th December 2000
- 3.2 SH93/0853SZ (Cleud) Proposed Aerial - certificate issued

Adjoining:

- 3.3 SE2004/3422/F - Mast extension of 2.5m: Approved 22nd December 2004
- 3.4 SE2003/0826/F - Install one 3G panel antenna: Approved 12th May 2003
- 3.5 SE2002/0025/F - Installation of two HG3 panel antennas and cabinets etc: Approved 6th March 2002
- 3.6 SE2000/1155/T - Additional antennas at 20m, 2 x 0.6m diameter dishes and 1 x equipment cabinet: Prior approval not required.
- 3.7 SH97/1223ZZ - Installation of 6 antennas and 1 600mm diameter dish: No objection
- 3.8 SH96/1205SZ (Cleud) Proposed base station - certificate issued

4. Consultation SummaryStatutory Consultations

- 4.1 Defence Estates: No response

Internal Council Advice

- 4.2 Traffic Manager: No objection.
- 4.3 Conservation Manager (Landscapes and Biodiversity): No objection

"Approaching the site from the north, along the C1250, there is only a glimpse of the top of the masts when adjacent to the pump house, close to the C1250 crossroads. Approaching the site from the east, from Whitchurch, the top of the masts only become visible as you come over the hill and approach the C1250 crossroads. From the south, on the unclassified road leading steeply down to Ganarew, there is a glimpsed view of the upper part of the masts, on the skyline, through a gateway adjacent to Greenway Farm it is evident that the topography of the area restricts view of the masts from the wider area. Whilst the proposal would mean that a greater proportion of the upper sections of the mast would be visible from the viewpoints identified above, I consider that this would be acceptable, given there are only a limited number of viewpoints and that the existing trees provide a backdrop in addition there are quite a number of individual trees and groups of trees in the wider view of the hillside, and in this context, the prominence of the masts is reduced."

5. Representations

- 5.1 Parish Council: "The Parish Council object to this application on the grounds of continued intrusion and potential further intrusion. We suggest that the trees referred to in the application be dealt with as opposed to extending the height of the mast."

- 5.2 One letter of objection has been received from Mr MW Rudge, Hilltop, Llangrove Road, Whitchurch, Ross-on-Wye, HR9 6ES. Hilltop is 0.25km northeast of the application site. The letter raises the following points:
- Access - Service engineers continue to try and access the masts down the private driveway. This causes a nuisance.
 - Future implications - Concern is expressed that this application will not be the final proposal at the site. Objections have been lodged since 1997.
 - Alternatives - Why can't the trees be topped again, rather than extending the mast?
- 5.3 The Design and Access Statement submitted with the application explains that the increase in height is required to overcome the problems caused by the trees originally planted to screen the mast in 1993, which have subsequently grown to impede effective coverage. In response to a letter asking why the problem trees cannot be topped, the agent has explained that the trees are outside the application site and also outside the limits of the lease agreement with the landowner. Moreover, it is argued that by topping the trees by the requisite amount, the mast would become more visually prominent locally than it would under the current proposal to increase the overall height. It is also suggested that the trees will stabilise at their mature height shortly, and the increase in mast height will provide scope for this to happen without recourse to topping the trees.
- 5.4 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 application proposes a 5m increase in the height of the existing mast so that it would be similar in height to the neighbouring lattice mast. The masts are visible within the landscape, although from a limited number of viewpoints as identified by the Conservation Manager, who considers the additional impact to fall within acceptable parameters. This conclusion is drawn bearing in mind the limited number of vantage points, existing backdrop and the fact that the bulk of the impact upon the landscape and visual amenity is already apparent.
- 6.2 Mindful of the operator's obligations under the Electronic Communications Code, it is considered that an objection based upon harm to the landscape and visual amenity could not be successfully sustained.
- 6.3 The agent confirms that the problem trees are outside the applicant's site and that Orange thus has no legal right or ability to force the landowner to top the trees. Apparently the landowner is adamant that the trees should not be topped.
- 6.4 The neighbour's comments regarding access are noted, but are not a material planning issue and represent a problem that would endure irrespective of whether this application is approved. In these circumstances the application 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 Notwithstanding the approved drawings, the extension hereby approved shall match in colour, form and texture those of the existing telecommunications mast.**

Reason: To ensure the satisfactory appearance of the development so as to comply with Policy DR1 of the Herefordshire Unitary Development Plan 2007.

INFORMATIVES:

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

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

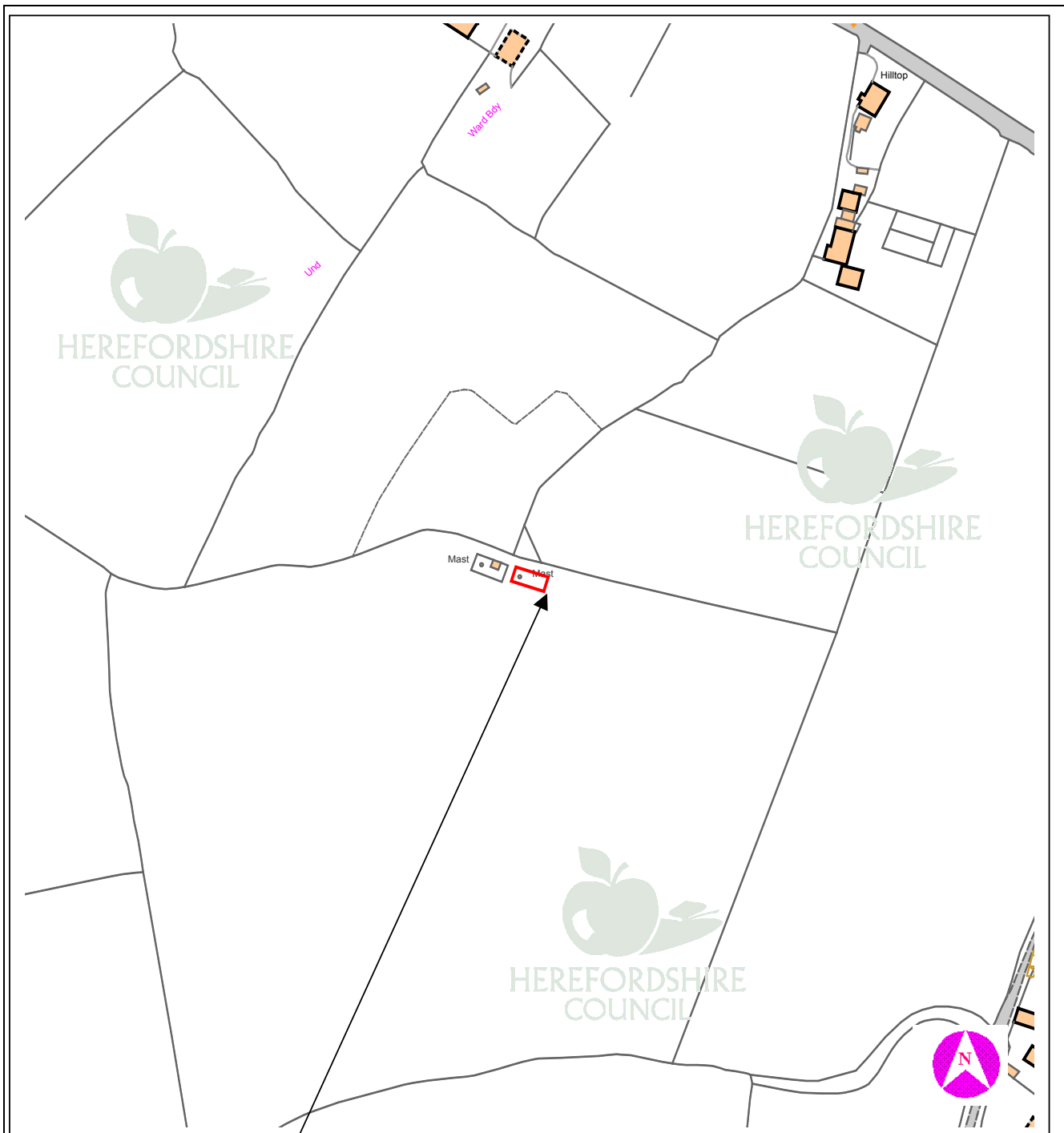
Decision:

Notes:

.....

Background Papers

Internal departmental consultation replies.



This copy has been produced specifically for Planning purposes. No further copies may be made.

APPLICATION NO: DCSE2008/2773/F

SCALE : 1 : 2500

SITE ADDRESS : Great Trewen Farm House, Whitchurch, Ross-on-Wye, Herefordshire, HR9 6ES

Based upon the Ordnance Survey mapping with the permission of the controller of Her Majesty's Stationery Office, © Crown Copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Herefordshire Council. Licence No: 100024168/2005

10 DCSE2008/2927/RM - PROPOSED ERECTION OF A TWO STOREY DWELLING BEECHGROVE, GOODRICH, ROSS-ON-WYE, HEREFORDSHIRE, HR9 6JE.

For: Mr J Anderson, per Mr S Barter, A & S Studios, The Old School House, Church Road, Clehonger, Herefordshire, HR2 9SD.

Date Received: 3 December 2008 Ward: Kerne Bridge Grid Ref: 57142, 18914

Expiry Date: 28 January 2009

Local Member: Councillor JG Jarvis

1. Site Description and Proposal

- 1.1 The site lies within Goodrich at Church Pitch, on the southern side of the C1295, at its junction with a green lane. Granton House lies to the west and White Hall also a Grade II Listed Building lies to the south east. The site and surrounding area are within the designated Wye Valley Area of Outstanding Natural Beauty. The site is elevated in relation to the road and lies beyond a tall, stone wall which run parallel with the road, with a mature hedgerow behind. Along the green lane there is a earth bank with trees and hedges.
- 1.2 The site comprises the eastern part of the residential curtilage that serves Beechgrove, a detached dwelling, formerly known as Old Court House Cottage. The Old Courthouse, a Grade II listed building, is situated to the west of the site including the means of access. Within the site the land levels are higher than the road and slope down from west to east, similarly to the surrounding area. The appeal site is essentially 'L' shaped. The site is a corner plot of land between the southern side of the C1259, a narrow lane, and its junction with a Green Lane. Access to Beechgrove is gained off the green lane. The predominant surrounding land use is residential and generally consists of large, detached properties occupying large plots.
- 1.3 This is a Reserved Matters application, outline planning permission was granted at appeal (reference SE2005/3592/O). It is proposed to erect a detached 1 storey dwelling, with a crucifix plan form. Vehicular access would be shared with Beechgrove, off the green lane. The property would include an attached double garage, with accommodation over and in summary would comprise a dining room, kitchen, utility room, W.C, living room, hallway and study at ground floor with 4 bedrooms, one with ensuite facilities, bathroom, box room and landing area above.
- 1.4 The footprint of the proposed dwelling would be some 15 metres in length and 13.2 metres in width, orientated approximately east/west. It would be some 8.6 metres, at its nearest point, to Beechgrove. The cross wing would be set back some 0.6 metres from the central part of the eastern elevation. The roof ridge height would be 7.6 metres, with a chimney of 1.5 metres above.

- 1.5 Essentially the design of the dwelling would have the characteristics of an Edwardian property, incorporating a jettied first floor to the eastern elevation and detailing at first floor.

2. Policies

2.1 Planning Policy Guidance:

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

2.2 Herefordshire Unitary Development Plan 2007:

- S1 - Sustainable development
S3 - Housing
DR1 - Design
DR2 - Land use and activity
DR4 - Environment
H4 - Main villages: settlement boundaries
H13 - Sustainable residential design
H16 - Car parking
T11 - Parking provision
LA1 - Areas of Outstanding Natural Beauty
LA3 - Setting of settlements
LA5 - Protection of trees, woodlands and hedgerows
LA6 - Landscaping schemes

3. Planning History

- 3.1 SE2005/2655/O - Proposed two storey detached dwelling - withdrawn 21.09.2005
3.2 SE2005/3592/O - Erection of a detached dwelling with ancillary works - refused 31.12.2005 - appeal allowed 17.05.2006
3.3 SE2007/1994/F - Erection of two detached dwellings with ancillary works - refused 14.08.2007 - appeal dismissed 30.01.2008
3.4 SE2008/1507/F - Proposed erection of a two storey dwelling - withdrawn 30.07.2008.

4. Consultation Summary

Statutory Consultations

- 4.1 No statutory or non statutory consultations required.

Internal Council Advice

- 4.2 The Traffic Manager recommends conditions and a financial contribution to public transport and park and ride provision.
4.3 The Conservation Manager is satisfied that the scheme would fit comfortably into its context and has been designed from first principles following examination of local characteristics and precedents.

5. Representations

- 5.1 Goodrich Parish Council consider that the siting of the new building is not ideal and question whether if the driveway is to be tarmaced there should be provision for a soakaway to prevent water flooding the green lane.
- 5.2 Three letters of representation have been received from John and Rosemary Ryan of Chy Carne, Mrs Hunter of The Old Courthouse and John and Elizabeth Bloxham of Granton House (and owners of Granton Lodge), Goodrich. The main points raised are:
- proposed house would look directly into our garden (Chy Carne)
 - would be an intrusion upon a quiet country road
 - site is on a nasty bend and would increase traffic hazards
 - steps on the corner of the road and the green lane would be dangerous, occupants of the new house may park on the corner to unload shopping etc, rather than carry it through the house
 - principle of development is not an issue, but design, materials and size would be out of character with the area
 - the irregular form and integral garage hardly constitutes 'cottage style', despite the addition of joinery on fascias and barges
 - there are no red brick properties in the area, the construction should be stone and a single storey building
 - Granton House and Granton Lodge would be overlooked, light restricted and a loss of privacy would result. This may be the same for The Old Courthouse, Chy Carne and Upper Granton
 - It is proposed to reduce the height of the hedge. This would allow further exposure to properties
 - No details of the slab level, so to reduce the overall height of the dwelling
 - Property would not be designed to accommodate disabled or less ambulant people, a single storey building would be better
 - Surface water draining into the green lane would exacerbate the already muddy state of the lane
- 5.3 The notification period does not elapse until 19 January 2009. Any additional representations received will be summarised in the update sheet.
- 5.4 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 considerations in the determination of this application are the principle of residential development on the site, the impact on the character of the area, the affect on residential amenity and highway safety.
- 6.2 The site lies within the main village of Goodrich, where there is a presumption to permit new residential development, subject to compliance with certain, specified criteria. Furthermore, the principle of residential development of the site, for one dwelling, was established at appeal (SE2005/3592/O). At appeal, the Inspector concluded that a dwelling could be accommodated on the site and if designed appropriately could avoid intrusive overlooking, loss of privacy and sunlight etc. It was considered that vehicular access should be taken off the Green Lane and be shared with Beechgrove. This scheme proposes to utilise the existing access to Beechgrove, off the Green Lane.

- 6.3 The site lies in an attractive part of Goodrich and is particularly sensitive, being a corner plot set behind an attractive stone wall. The scheme would retain the existing wall and majority of the hedge, although it is proposed to remove existing diseased trees and reduce the height of some of the beeches. The proposed dwelling on the site would be visible, by reason of the higher land levels within the site from the road and the height of the dwelling. However, this by itself, is not unacceptable.
- 6.4 The orientation of the dwelling would relate well to the boundaries and its position would be sufficiently distant from the boundary with Beechgrove so that it would not appear cramped. The dwelling to plot ratio would not be significantly dissimilar to others within the local vicinity. Whilst the roof ridge height would be some 7.6 metres the eaves would be 3.8 metres, with first floor windows contained within gables or lucarnes. This ensures that the scale and mass of the dwelling would not be imposing in the rural street scene. Principally it would be the roof that would be visible from the adjacent highway and by virtue of its design it would not be prominent or harmful to the established character of the area. The Conservation Manager considers that the dwelling would be appropriate in its context. The site is already well landscaped and further landscaping is proposed to the western boundary, with The Old Courthouse. A condition would be necessary to ensure the landscaping was acceptable for the location and would provide adequate screening between the two sites. Due to the satisfactory design and scale of the building, the lower land levels that the dwelling would occupy in relation to The Old Courthouse and the proposed landscaping, the setting of the listed building would not be adversely affected.
- 6.5 The site is within the Wye Valley Area of Outstanding Natural Beauty, where policy LA1 seeks to protect the scenic quality of the landscape. In this location, within the village, with residential development surrounding the provision of a dwelling, of the scale, mass and design proposed would be neither intrusive or prominent in the landscape. From Coppet Hill the roof of the proposed property would be visible, but this would be read in conjunction with the surrounding development and would be appropriate in this context.
- 6.6 With regards the impact on neighbouring properties, there would be some 35 metres between the nearest elevations of the proposed dwelling and Chy Carne. Due to the orientation of the properties in relation to one another the angles would be oblique and therefore there would be no unacceptable loss of privacy between the two properties. In addition, due to the distance separation and orientation of the dwellings, and the size of curtilages any impact upon the amenity within the garden would be minimal. Turning to the impact upon Granton House, the dwelling would be some 15 metres from the boundary and visually divorced by the mature hedge and trees and sunken green lane. Granton House has a stone building, fronting the green lane, which does not have any windows overlooking the lane. On this basis the development would not adversely overlook Granton House. By reason of the existing mature landscaping along the green lane boundary, the existing roadside building at Granton House and the height of the proposed dwelling, the proposal would not be overbearing to Granton House. In respect of Granton Lodge, due to the difference in levels and the position of windows within the proposed dwelling, the scheme would not be detrimental to the amenity of occupants of Granton Lodge.
- 6.7 In terms of traffic generated from the site one additional dwelling would not be unacceptable. This view was confirmed at appeal. The shared access, with Beechgrove, off the green lane would ensure that the stone boundary wall with the C1295 would not be altered. In this rural location a tarmaced driveway would be inappropriate. A permeable surface would be preferable and details of the surfacing and drainage of the driveway should be submitted prior to the commencement of development. In respect of the pedestrian steps on the corner of the C1295 and the Green Lane there are already steps

and a pedestrian gate into the garden in this location, albeit overgrown by the hedgerow. Planning permission would not be required for this aspect of the scheme, in itself. However, taking into account the proposed driveway and parking area it would be unlikely that future occupiers of the property would park on the corner of the C road and the green lane to unload shopping and if indiscriminate parking did occur it would be covered by other legislation. A financial contribution would not be required under the provisions of the Supplementary Planning Document – Planning Obligations, because planning permission was granted in 2006, at appeal, prior to the adoption of the Supplementary Planning Document and this application relates to the approval of the reserved matters.

- 6.8 Details of tree planting drainage and siting of the access are controlled by conditions attached to the Outline Planning Permission.
- 6.9 In conclusion, the proposed development for a single dwelling on the site is acceptable in principle by virtue of policy H4 of the Herefordshire Unitary Development Plan and the appeal decision in 2006. In terms of the detailed proposal this would not be harmful to the rural street scene, Area of Outstanding Natural Beauty, amenity of neighbouring properties, setting of nearby listed building or highway safety.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

1 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

2 F07 (Domestic use only of garage)

Reason: To ensure that the garage is used only for the purposes ancillary to the dwelling and to comply with Policy H18 of Herefordshire Unitary Development Plan.

3 F08 (No conversion of garage to habitable accommodation)

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

4 F14 (Removal of permitted development rights)

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

5 F15 (No windows in elevations of dwelling)

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

6 I51 (Details of slab levels)

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

7 H21 (Wheel washing)

Reason: To ensure that the wheels of vehicles are cleaned before leaving the site in the interests of highway safety and to conform with the requirements of Policy DR3 of Herefordshire Unitary Development Plan

8 H09 (Driveway gradient)

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

9 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

INFORMATIVES:

- 1 HN01 - Mud on highway**
- 2 HN04 - Private apparatus within highway**
- 3 HN05 - Works within the highway**
- 4 HN10 - No drainage to discharge to highway**
- 5 HN21 - Extraordinary maintenance**
- 6 N19 - Avoidance of doubt - Approved Plans**
- 7 N15 - Reason(s) for the Grant of PP/LBC/CAC**

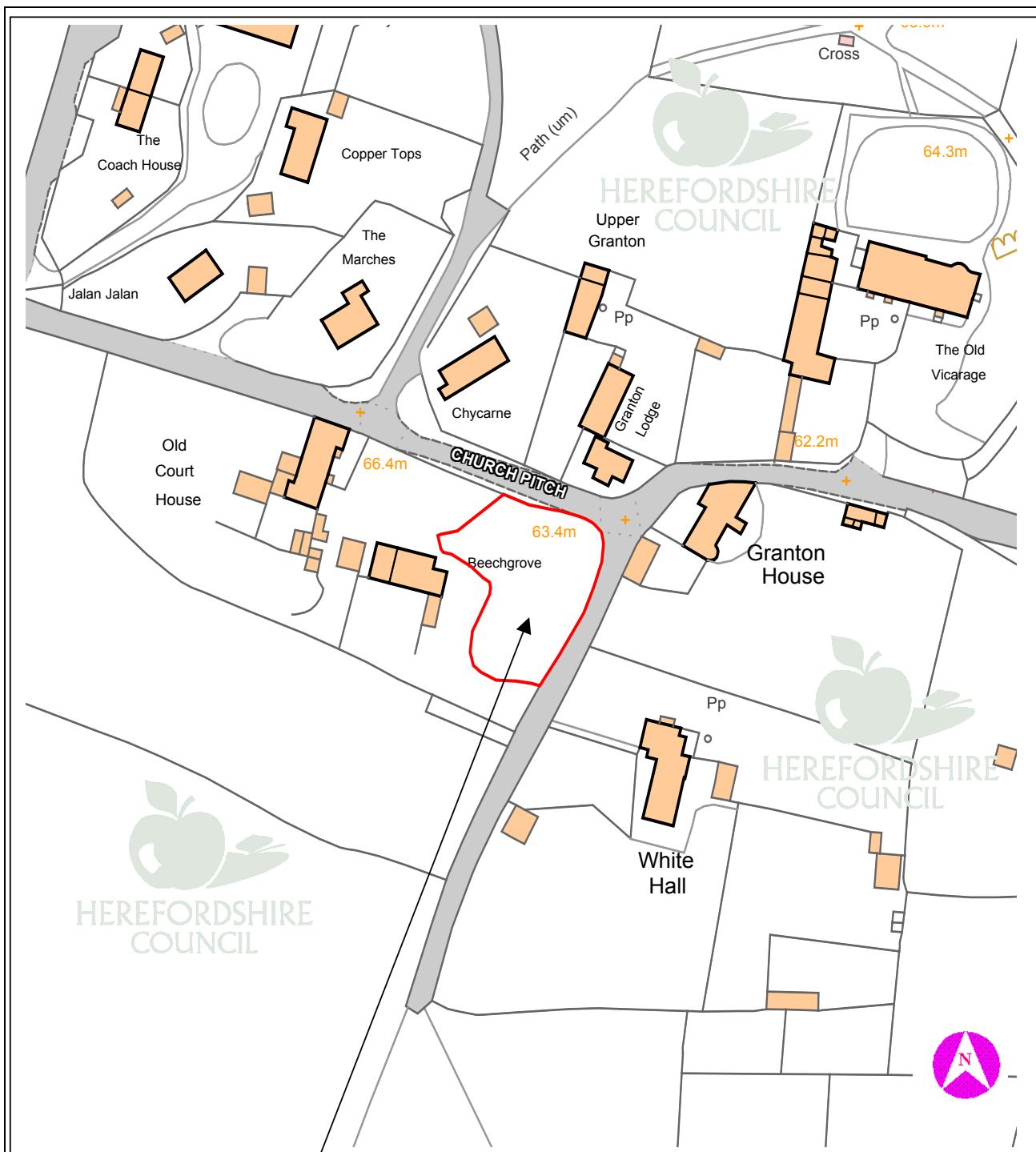
Decision:

Notes:

.....

Background Papers

Internal departmental consultation replies.



This copy has been produced specifically for Planning purposes. No further copies may be made.

APPLICATION NO: DCSE2008/2927/RM

SCALE : 1 : 1250

SITE ADDRESS : Beechgrove, Goodrich, Ross-on-Wye, Herefordshire, HR9 6JE

Based upon the Ordnance Survey mapping with the permission of the controller of Her Majesty's Stationery Office, © Crown Copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Herefordshire Council. Licence No: 100024168/2005

