

A G E N D A

Southern Area Planning Sub- Committee

Date: **Wednesday 15 April 2009**

Time: **2.00 pm**

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

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

For any further information please contact:

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Herefordshire Council

AGENDA

for the Meeting of the 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 18 March 2009.</p>	1 - 4
<p>4. ITEM FOR INFORMATION - SECTION 106 AGREEMENTS DETERMINED UNDER DELEGATED POWERS</p> <p>To be noted.</p>	5 - 6

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.

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|--|---------|
| 5. DCSW2008/2972/F - STEINER ACADEMY HEREFORD, MUCH DEWCHURCH, HEREFORD, HR2 8DL. | 7 - 16 |
| Amendments to planning permission for new assembly hall, classrooms and ancillary building (ref DCSW2003/3461/F) including minor alterations to Church Farm. | |
| 6. DCSW2009/0298/O - ORCOP HILL, MUCH DEWCHURCH, HEREFORD, HR2 8EW. | 17 - 26 |
| Provision of 6 affordable dwellings on site of former poultry unit, bio-disc treatment plant and use of existing access. | |
| 7. DCSW2009/0091/F - COURT FARM, MUCH BIRCH, HEREFORD, HEREFORDSHIRE, HR2 8HT. | 27 - 36 |
| Replace seven ageing poultry units (in two different locations on the farm) with four modern poultry units. | |
| 8. DCSE2009/0370/F - ROWAN LODGE, PETERSTOW, ROSS-ON-WYE, HEREFORDSHIRE, HR9 6LF. | 37 - 42 |
| Detached garage and storerooms with study above. | |
| 9. DCSE2009/0388/F - JUNCTION OF FERNBANK ROAD EASTFIELD ROAD, ASHFIELD, ROSS-ON-WYE, HR9 5PP. | 43 - 52 |
| 10m high telecommunication pole with antennas, associated radio equipment cabinet and Lucy AR pillar. | |
| 10. DCSE2009/0308/A - HOPE & ANCHOR, ROPE WALK, ROSS-ON-WYE, HEREFORDSHIRE, HR9 7BU. | 53 - 58 |
| Two free standing signs (pole sign illuminated) and a fascia sign to building. | |

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HEREFORDSHIRE 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 18 March 2009 at 2.00 pm

Present: Councillor PGH Cutter (Chairman)
Councillor MJ Fishley (Vice Chairman)

Councillors: CM Bartrum, JA Hyde, JG Jarvis, G Lucas, PD Price,
RH Smith and JB Williams

In attendance: Councillors TW Hunt

90. APOLOGIES FOR ABSENCE

Apologies were received from Councillors H Bramer, BA Durkin, AE Gray, and DC Taylor.

91. DECLARATIONS OF INTEREST

7. DCSW2008/2972/F - STEINER ACADEMY HEREFORD, MUCH DEWCHURCH, HEREFORD, HR2 8DL.
Councillor MJ Fishley; Personal; Council appointed School Governor.

92. MINUTES

RESOLVED: That the Minutes of the meeting held on 18 March 2009 be approved as a correct record and signed by the Chairman.

93. ITEM FOR INFORMATION - APPEALS

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

In response to a question the Southern Team Leader advised that no costs had been awarded against the Council for either of the successful appeals at the Kings Head. He added that the applicants could implement either of the planning permissions.

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

The Sub-Committee noted the Council's current position in respect of Section 106 agreements determined under delegated powers for the southern area of Herefordshire.

95. DCSW2009/0137/F - NEWCASTLE FARM HOUSE, ORCOP, HR2 8SF.

Extensions to dwelling.

Councillor RH Smith, the Local Ward Member, supported the application as he felt that it was consistent with policy H18 of the Council's Unitary Development Plan. He noted that the Parish Council had not objected to the application although they would

have preferred the extension to be finished in stone cladding.

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 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 H12 (Parking and turning - single house)

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

Informatives:

1 N19 - Avoidance of doubt - Approved Plans

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

96. DCSW2008/2972/F - STEINER ACADEMY HEREFORD, MUCH DEWCHURCH, HEREFORD, HR2 8DL.

Amendments to planning permission for new assembly hall, classrooms and ancillary building (ref DCSW2003/3461/F) including minor alterations to Church Farm.

In accordance with the criteria for public speaking Mr Renshaw, the applicant's agent, spoke in support of the application.

Councillor MJ Fishley, the Vice Chairman speaking in her capacity as Local Ward Member, advised the sub-committee that she had declared a personal interest in respect of the application due to the fact that she was a Council appointed governor of the school. She stated that she had not supported the expansion plans submitted by the applicants in 2006 but felt that the current proposal was more suitable. She noted the positive comments received from the Much Dewchurch Society and thanked the applicant for a thorough consultation process with the local residents culminating in the introduction of a signed consultation protocol requiring the school to consult with local residents and groups 4 weeks prior to submitting future planning applications. In summing up she thanked the case officer for producing a detailed and thorough report and proposed that the application be granted.

In response to a question, the Principal Planning Officer advised that the flat roofs had not been amended and that the gothic windows would be enhanced.

In response to a question the applicant confirmed that the woodchip would be stored in an underground container and that the traffic movements had been worked out using the site plan. He felt that the delivery vehicles would have no issues in accessing the site to deliver the woodchip.

Members discussed the application and had concern regarding the access to the site for the delivery of the woodchip. They felt that the proposed access for delivery vehicles was too narrow and requested that the application be deferred pending further discussions with the applicant.

RESOLVED:

THAT the application be deferred pending further discussions with the applicant regarding the delivery of woodchip.

The meeting ended at 2.55 pm

CHAIRMAN

ITEM FOR INFORMATION – SECTION 106 AGREEMENTS DETERMINED UNDER DELEGATED POWERS
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Planning Ref: DCSE2009/0054/F

Address: 53 Over Ross Street, Ross-on-Wye

Proposal: 7 dwellings

Date Approved: 26 February 2009

Summary of Contributions:

Amount	Purpose
	Transport
£2,951	Education
£5,198	Open Space
	Community Sport & Leisure
£986	Community
£960	Other
£202	2% monitoring

Case Officer: Edward Thomas on 01432 260479

Planning Ref: DCSE2009/0013/F

Address: 54 Over Ross Street, Ross-on-Wye

Proposal: 3, 1 bedroom flats

Date Approved: 25 February 2009

Summary of Contributions:

Amount	Purpose
	Transport
	Education
£1,803	Open Space
	Community Sport & Leisure
	Community
	Other
	2% monitoring

Case Officer: Duncan Thomas on 01432 261974

Planning Ref: DCSW2009//0028/F

Address: Slade, Peterchurch

Proposal: Sub-division – 2units

Date Approved: 2 March 2009

Summary of Contributions:

Amount	Purpose
£4,917	Transport
£8,955	Education
	Open Space
	Community Sport & Leisure
	Community
£150	Other
	2% monitoring

Case Officer: Andrew Prior on 01432 261932

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

5 DCSW2008/2972/F - AMENDMENTS TO PLANNING PERMISSION FOR NEW ASSEMBLY HALL, CLASSROOMS & ANCILLARY BUILDING (REF DCSW2003/3461/F) INCLUDING MINOR ALTERATIONS TO CHURCH FARM. STEINER ACADEMY HEREFORD, MUCH DEWCHURCH, HEREFORD, HR2 8DL.

For: Steiner Academy Hereford per John Renshaw Architects, 86 Constitution Street, Leith, Edinburgh, EH6 6RP.

Date Received: 11 December 2008

Ward: Valletts

Grid Ref: 48133, 31090

Expiry Date: 5 February 2009

Local Member: Councillor MJ Fishley

Introduction

This application was deferred by the Southern Area Planning Sub-Committee on 18 March 2009 in order for further information to be produced regarding arrangements for the delivery of woodchip for the biomass boiler located in the basement of the proposed hall.

The applicant's agent has provided further detailed information including a swept path plan for the vehicle, photographs of a typical delivery vehicle that made a trial visit to the site, and a copy of a draft delivery management policy. It has also been advised that a tanker lorry visits twice a year to empty the septic tank and also that oil delivery vehicles currently have to cross the playground, a situation that will no longer exist under the terms of this proposal. Furthermore, it is proposed to limit deliveries to between 9.00 – 12.00 and 14.00 – 15.30 on week days only.

The report has been updated and omits any reference to the woodworking room, which will be dealt with by a separate application. An additional condition is appended to this report relating to the delivery management policy.

1. Site Description and Proposal

1.1 Much Dewchurch is located some 7 miles south of Hereford and lies astride the Class II road that connects Wormelow and Allensmore. The site is located on the southern side of the village and comprises the existing Waldorf School. The school site covers a substantial area of land which encompasses the school buildings, pastureland to the south, the existing outdoor play areas to the south of St. David's Church and an area of pastureland to the east. In total the area is some 4.5 hectares.

1.2 This application principally relates to three areas of the school complex. The major elements relate to the two-storey classroom block and new assembly hall, which was the subject of the extant planning permission granted in January 2004 (SW2003/3461/F). These two linked buildings extend out in a south-easterly direction from the eastern end of the existing two-storey stone building (referred to as the Barn).

A detached single storey woodwork/eurythmy building together with solar panels on the south facing roof of the Old Barn was also approved pursuant to SW2003/3461/F.

1.3 The revised proposal, which has latterly been informed by a public meeting arranged by the applicant and attended by interested parties including the Parish Council and the Much Dewchurch Society can be summarised as follows:-

- (i) access gallery to provide first floor access to classrooms within both the Barn and the classroom extension
- (ii) creation of a basement level biomass boiler/plant room with associated flue
- (iii) change to the design of covered walkways and storage provision associated with the hall
- (iv) changes to fenestration and provision of timber louvres on the hall
- (v) revisions to the design of the approved music room
- (vi) erection of porch extension to Church Farm
- (vii) alterations to fenestration on the Barn and Old School buildings

2. Policies

2.1 Planning Policy Statements

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

2.2 Herefordshire Unitary Development Plan

Policy S1	-	Sustainable Development
Policy S2	-	Development Requirements
Policy S7	-	Natural and Historic Heritage
Policy S11	-	Community Facilities and Services
Policy DR1	-	Design
Policy DR2	-	Land Use and Activity
Policy DR4	-	Environment
Policy HBA1	-	Alterations and extensions to listed buildings
Policy HBA4	-	Setting of listed buildings
Policy LA2	-	Landscape Character
Policy LA3	-	Setting of Settlements
Policy CF5	-	New Community Facilities

3. Planning History

3.1	SH871704PF	Change of use of barns into a two-storey classroom block and construction of playground, parking and turning area	-	Approved 10.02.88
	SH940094PF	Erection of new complex to provide theatre and hall space, art/craft facilities and alterations to link block	-	Refused 20.04.94
	SH940095PF	Erection of a timber framed kindergarten building	-	Refused 20.04.94 Appeal dismissed 15.12.94

SH950413PF	Extend temporary permission for two portakabins and a timber storage shed	-	Approved 21.06.95
SH950448PF	Kindergarten block, workshops and hall complex, altered and extended toilet block and hard play area	-	Refused 20.09.95 Appeal dismissed 04.10.96
SH970543PF	Retention of two portakabins and storage shed	-	Approved 03.09.97
SW2000/2970/F	Change of use to educational premises with extension and alteration and erection of garage workshop (Church Farm)	-	Approved 18.04.01
DCSW2003/3461/F	New assembly hall, new classroom block and ancillary buildings. Removal of temporary buildings and sheds	-	Approved 09.01.04
DCSW2005/3136/F	Change of use from agricultural use to overspill car parking in part of field on temporary basis	-	Deemed Withdrawn 23.03.07
DCSW2006/3430/O	Site for new school buildings and new access to extend school facilities	-	Refused 24.01.07 Appeal dismissed 11.03.08
DCSW2007/1091/O	Site for new school buildings and new access to extend school facilities	-	Refused 20.06.07 Appeal dismissed 11.03.08
DCSW2008/1702/F	Siting and erection of prefabricated classrooms, w.c. and kitchen facilities to provide temporary accommodation during rehabilitation and extension of existing school premises	-	Approved 17.09.08
DCSW2008/2378/F	Erection of field hut for temporary planning permission (retrospective) for a period of 5 years	-	Approved 05.11.08

4. Consultation Summary

Statutory Consultations

- 4.1 English Heritage raise no objections, stating that the application should be determined in accordance with national and local policy guidance.

Internal Council Advice

- 4.2 Traffic Manager queries how the extension will affect pupil numbers.
- 4.3 Conservation Manager raises no objection commenting that the proposed amendments to the 2003 application do not appear to involve significant alterations to the permitted scheme.

5. Representations

- 5.1 In the revised Design and Access Statement following the changes made, the following main points are raised:

- location and design of flues amended
- ventilation cowls omitted
- canopies/awnings adjacent to Church Farm omitted; chimney stack retained
- Boiler Room: flue will need to rise 2 metres above ridge of Hall. Flue will now be contained within chimney stack, clad in matching weatherboarding. Anticipated there will be 12 deliveries per annum by a 4 axle rigid HGV (10m long by 2.5m wide). Also two back-up deliveries for fuel oil and lpg for cookery and science laboratory. Boiler, flue, flue exissions, fuel storage and plant room will comply with regulations
- Hall: use of internal blinds not as effective, does not prevent overheating in summer
- ventilator cowls omitted and replaced with larger areas of openable windows. This avoids need for extra duct and vents associated with mechanical ventilation systems in Hall
- Church Farm: design for porch amended to simpler lean-to roof
- awnings have been omitted
- chimney will be retained and repaired, as suggested by Parish Council and Much Dewchurch Society

- 5.2 Much Dewchurch Parish Council make the following observations in respect of the originally submitted scheme:

“The Steiner Academy have submitted these plans without any consultation nor discussions with village residents nor the Much Dewchurch Parish Council and due to the fact that the documents are date stamped December 8th 2008, the enclosed letter to the Parish Council is dated December 11th and was not received until December 17th, it only had nine working days to deal with the reply owing to two weekends and the Christmas and New Year breaks.

The Parish Council appreciates many of the proposed changes have arisen to comply with rulings and legislation. However, the proposed changes to the Gothic windows in the original School Building and the proposed chimney and roofing would not be in keeping with surrounding buildings in the village. The proposed changes and alterations intended for the Church Farm House have also raised concerns and objections from residents.

The Parish Council regard the proposed exterior changes to the buildings would alter the appearance and character in this part of Much Dewchurch where there are listed buildings and the proposals would contravene Planning Appeals Inspectors' decisions of now allowing developments which would change the appearance and character of the village.”

5.3 Seven letters of representation have been received from the following:

Mr CM Brown, Stone House, Much Dewchurch, HR2 8DL
 Mrs B Brown, Much Dewchurch Society, c/o The Old Vicarage, Much Dewchurch, HR2 8DH
 Mrs A Dale, Home Farm, Much Dewchurch, HR2 8DH
 RJ & S Sheppard, Hybab View, Much Dewchurch, HR2 8DH
 Mr AW Twiston-Davies, The Mynde, Much Dewchurch, HR2 8DN
 PL Grubb, Almond House, Much Dewchurch, HR2 8DL
 Mr CG Powell, The Old Vicarage, Much Dewchurch, HR2 8DH

The following main points are raised:

- boiler flue too visually intrusive, particularly given proximity to boundary with Grade I Church
- flue suggests industrial site
- enlarged storage sites throws up appropriateness of location of site
- flat roofs instead of sloping roofs, detrimental effect on appearance of new Hall and site
- better to have slate or natural covering on sloping roofs than stainless steel
- ventilation cowls too prominent
- timber shutters to windows in Eurythmy/Music Block increases impact of buildings and out of character with location. Could reduce size of windows viz kindergarten or use internal blinds
- Church Farm is included in Royal Commission for Historic Monuments on strength of historic features. English Heritage confirmed that building still of 'considerable local interest'
- porch for Church Farm in access of area lost by platform lift, bears no relation to main entrance therefore out of character
- awnings proposed wholly out of character and would increase footprint of building
- demolition of chimney (on Church Farm) not rationalised by applicants. Loss would detract from historic fabric of the thirteenth century farm house
- what is proposed to barns
- any changes to Gothic windows in Old School detrimental to character of site
- scheme fails to respect sensitivity of location in historic heart of village
- Church Farm should retain character and appearance of a farm house, which in turn forms an integral part of the grouping of historic buildings in centre of village
- includes part of church parking area, established by title
- have conditions previously imposed on earlier planning permission been complied with?
- has English Heritage approved the plans?
- are the applicants observing all the requirements placed on them by the Inspector?

In response to the revised proposals the following additional comments were received:

- 5.4 Much Dewchurch Parish Council acknowledges that the revised plans are more acceptable. However, there are concerns relating to access for fuel deliveries given limited space available between Old School and Churchyard. Would prefer a route from the south. Enhanced plans make scheme look better than it will on completion. Other concerns will be raised at appropriate time.
- 5.5 Much Dewchurch Society state that revisions made are welcome following open meeting on 16 February 2009. However, concerns are raised given the size of the

school population which now exceeds the village population and that surely connection should be made to the main sewer?

Further comments were received in relation to concerns regarding the woodwork room which is no longer part of this proposal.

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 main issue associated with this application relates to the impact of the alterations upon the character and appearance of this historic complex of buildings and the wider setting of the village, the listed former farmhouse and Church and surrounding countryside.
- 6.2 The applicants have made alterations to the originally submitted scheme, which have been submitted following a public meeting held on the site between interested parties.
- 6.3 The school site can be broken down into different components, namely Church Farm together with the proposed woodwork building, the Barn, the Old School building, the two storey classroom block and Hall, and lastly the Eurythmy/Music block. For ease of reference, the appraisal considers the various alterations to these components in turn.
- 6.4 Church Farm, as a result of the revisions submitted, would retain its chimney on the southern end of the building. The proposed awnings around the building have been omitted from the scheme. The only new addition is the porch on the east elevation of the building, which has been simplified following comments made on the original proposal. It will now have the appearance of a rendered lean-to extension instead of the originally submitted gable fronted building. It is considered that this revised addition together with two rooflights in the west elevation are acceptable new elements that will preserve the character and integrity of Church Farm.
- 6.5 With regard to the Barn building there will be minimal changes to fenestration on the north elevation of the stone building. The new windows are in the timber infill area and entail the removal of four existing windows and their replacement. The main alteration is the erection of a gallery on the south elevation of the building, which provides for first floor access (a requirement of the Building Regulations and Disabled Discrimination Act) from across the school and allows for a more conventional layout inside the existing barn building. The timber framed feature introduces a new element onto the site, but one that is not considered to detract from the character of the Barn nor the setting of the site in relation to the Grade I Listed building and Church Farm itself.
- 6.6 The Old School building will essentially be repaired and rehabilitated. This includes works to the window details on the north and east elevations. The original Gothic style windows on the south gable elevation will also be restored. A new three light window is proposed in the south elevation that replaces an ugly modern window. New doorways and an enclosure for a lift are installed on the west elevation of the Old School. In response to concerns raised by some, the alterations proposed do not entail the removal of Gothic windows, indeed this building is enhanced with the restoration of existing windows and the rendering of a brick lean-to visible on the east elevation.

- 6.7 The new school block will essentially provide w.c. facilities on the ground floor and classrooms above, as previously approved. It was originally clad at both levels on the west elevation. The first floor area will, together with the southern gable end, be lime rendered as elsewhere on the site. This use of render will help differentiate the buildings when viewed in more distant public views from the south-west and south of the site.
- 6.8 The canopy on the western side of the classroom block continues as a flat roof over storage elements that also projects out on the western side of the proposed Hall. This flat roof replaces the originally approved sloping roofs. It is considered that the flat roof would provide a continuous visual link between the new hall and the classroom block immediately to the north. It is not considered to be a discordant feature on what is a modern building. The new hall, roofs to the Barn and Old School and Church Farm will remain the dominant features in the landscape. The use of more glazing, for solar gain, just below eaves level also enables more prominent rooflights to be omitted.
- 6.9 Representations were received regarding the installation of the ventilation cowls and the external flue which projected above the ridge line on the hall. The cowls have been omitted from the scheme and the flue incorporated into a chimney stack which projects out of the roof giving the building a more conventional silhouette comparable with Church Farm. In response to queries regarding the roof covering of the classroom block and hall, it is advised that the extant scheme allowed for the possibility of a turf or natural slate roof. Natural slate roof is proposed for all new buildings on the site and is considered entirely appropriate in this historic context.
- 6.10 It is considered that the enlargement of storage areas and the installation of a basement plant room under the new hall are matters that are acceptable in terms of their scale and visual impact. These changes have largely been driven by the floorspace requirements of Sport England and the desire to provide for a low energy fuel source. The changes accord with Herefordshire Unitary Development Plan policies which promote sustainable development objectives.
- 6.11 The final building is the Eurythmy/Music block which has been re-modelled such that the music room is larger and the roof profile is altered to match the hipped roof on the kindergarten block attached to Church Farm. The issue of shutters has been raised with regard to this building. It is not considered that the timber shutters will be a discordant feature in the overall scheme such that they will detract from the character and setting of the site.
- 6.12 During the course of the consideration of this application, clarification has been sought in relation to the impact of the proposals upon pupil numbers and it is confirmed that there will be no intensification over the acknowledged school roll. Furthermore details of the projected vehicular movements associated with the delivery of woodchip to the biomass boiler suggest that a total of 12 deliveries will be made per annum. It is not considered that this modest uplift in traffic movements over and above existing vehicular activity would reasonably substantiate a refusal of planning permission.
- 6.13 In conclusion, the scheme has been revised from that originally approved. The new elements such as the gallery providing first floor access across the site are sensitively designed and will enhance the function of the new Academy as required by the Building Regulations and DDA regulations. The revised and more modest changes to Church Farm and its immediate setting are considered to be sensitive to this historic building. The Barn and Old School buildings will alter little externally when viewed

from public vantage points. Indeed it is considered that the Old School building will be enhanced with the proposed repair and replacement windows. The classroom block and hall alters from that approved with the use of lime render which will differentiate the building when viewed against the predominantly timber clad building. The flat roofed areas will not materially impact upon the setting of the Grade I Listed Church. It is considered that the reduction in glass on the south gable will reduce the impact of the building in distant views from the south. The removal of the detached flue and prominent ventilation cowls omits elements that would have introduced discordant features within the site and the repositioning and traditional treatment of the revised flue is considered to be a significant improvement on the original submission. The Eurythmy/Music block will also compliment the existing and new buildings as regards materials and the hipped roof profile.

- 6.14 On the basis of the revised proposals, the scheme can be supported subject to the conditions set out below.

RECOMMENDATION

That planning permission be granted subject to the following conditions.

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

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

- 2. 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. B04 (Amendment to existing permission)**

Reason: For the avoidance of doubt and to comply with the requirements of Policy DR1 of Herefordshire Unitary Development Plan.

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

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 the Herefordshire Unitary Development Plan.

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

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

- 6. The delivery of woodchip shall be carried out in accordance with the management policy dated 26 March 2009.**

Reason: In the interests of the safety of local residents and school children and to comply with Policy DR3 of the Herefordshire Unitary Development Plan

- 7. In addition to the requirements of Condition 6, deliveries of woodchip will be restricted to between the hours of 09.00 – 12.00 and 14.00 – 15.30 from Monday to Friday and shall not take place on Saturdays, Sundays, Bank or Public Holidays.

Reason: To safeguard the amenities of the locality and to comply 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**

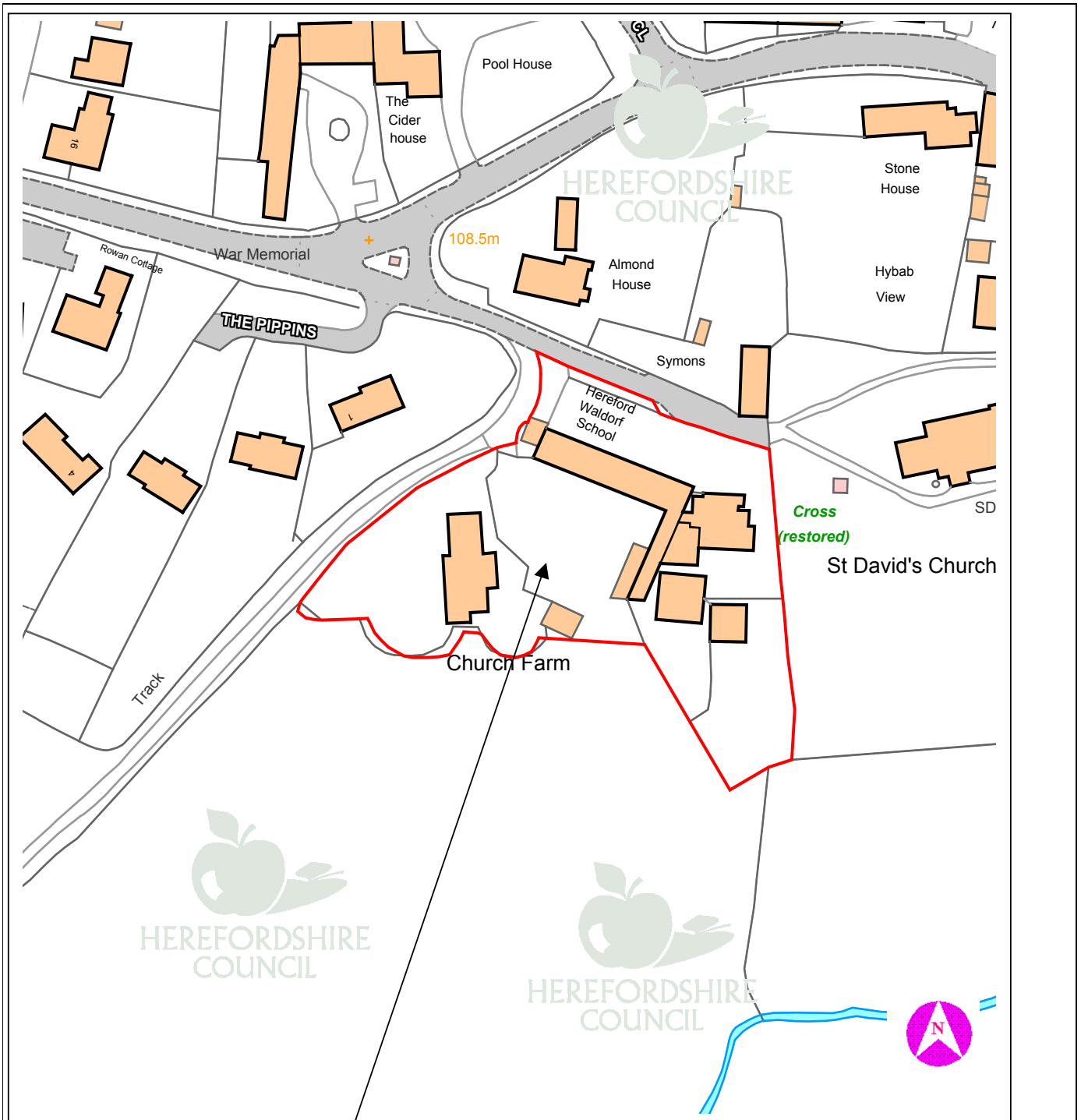
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCSW2008/2972/F

SCALE : 1 : 1250

SITE ADDRESS : Steiner Academy Hereford, Much Dewchurch, Hereford, Herefordshire, HR2 8DL

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6 DCSW2009/0298/O - PROVISION OF 6 AFFORDABLE DWELLINGS ON SITE OF FORMER POULTRY UNIT, BIO DISC TREATMENT PLANT AND USE OF EXISTING ACCESS. ORCOP POULTRY, ORCOP HILL, MUCH DEWCHURCH, HEREFORD, HR2 8EW.

For: Mr K Jones per Brian Griffin P&CC Ltd, The Cottage, Green Bottom, Littledean, Glos. GL14 3LH.

Date Received: 17 February 2009

Ward: Pontrilas

Grid Ref: 48141, 28172

Expiry Date: 14 April 2009

Local Member: Councillors MJ Fishley and RH Smith

1. Site Description and Proposal

- 1.1 The application site is on the western side of Lyston Lane, a Class III road (C1235) that links Orcop Hill to the A466 road. The site was formerly partly covered by two poultry units.
- 1.2 Access to the site is via an existing surfaced road that passes the north-eastern side of Etna, a dwelling lived in by the applicant. This roadway serves six discounted market dwellings (approved pursuant to DCSW2004/0047/O) which are down slope from and to the south-west of the application site. These three pairs of dwellings are subject to a Section 106 Agreement that discounts the market value of the semi-detached properties by 30%.
- 1.3 The proposal site is similar in outline to one refused in January this year (DCSW2008/2020/O). The refused scheme proposed a discount of 30% of their market value. It is now proposed to discount the market value by 45%. An indicative layout accompanying the application provides for three pairs of semi-detached dwellings in a staggered formation. Landscaping is also indicated to the north-east and adjoining the northern side of the existing entrance to the site serving the six built dwellings at Birch View, south-east of the application site.
- 1.4 This is an outline application and the only matter to be determined at this stage is the means of access. All other matters are reserved for future consideration.
- 1.5 The roadway and the majority of the site lies within the Pontrilas Ward with a much smaller portion adjoining the existing six dwellings recently constructed within the Vallets Ward.
- 1.6 Orcop was identified as a settlement in the South Herefordshire District Local Plan, and the above-mentioned 2004 application was considered in relation to this plan. Orcop is no longer classified as a settlement within the Herefordshire Unitary Development Plan and in policy terms the application site is regarded as one within open countryside.

2. Policies**2.1 Government Guidance**

- PPS3 - Housing
 PPS7 - Sustainable Development in Rural Areas

2.2 Regional Planning Guidance for the West Midlands (RSS)**2.3 Herefordshire Unitary Development Plan**

- Policy S1 - Sustainable Development
 Policy S6 - Transport
 Policy H7 - Housing in the Countryside Outside Settlements
 Policy H10 - Rural Exceptional Housing
 Policy H13 - Sustainable Residential Design
 Policy DR1 - Design
 Policy DR2 - Land Use and Activity
 Policy LA3 - Setting of Settlements

2.4 Supplementary Planning Guidance & Other Material Considerations

- Planning Obligations (adopted April 2008)
 Herefordshire Housing Needs Assessment 2005

3. Planning History

- 3.1 Code 11623 2 flock houses, boiler house and agricultural workers bungalow - Approved August 1961
- SH930279PF Demolish 2 existing poultry houses and buildings and replace with 2 modern poultry houses, bins - Approved 21.04.93
- SH971420PF Extension of time for one year only (conditions 1 – 7) excluding condition 6 agreed on SH930279PF - Approved 09.12.97
- SS990095PF Extension of time for 2 years only for planning permission SH971420PF - Approved 16.03.99
- SW2001/0496/F Extension of time for 2 years of previous planning permission SS990095PF - Approved 11.04.01
- DCSW2003/2651/O Site for 11 dwellings with bio-disc treatment system (affordable housing) - Withdrawn 28.11.03
- DCSW2004/0047/O Site for 6 dwellings (affordable market housing), removal of poultry buildings - Approved 31.08.05 (subject to Section 106/ Planning Obligation)

DCSW2006/1032/O Variation on condition 5 of - Approved 05.05.06
DCSW2004/0047/O

DCSW2006/1534/RM 6 dwellings for affordable market - Approved 18.07.06
housing

DCSW2008/2020/O 6 affordable (discount market - Refused 09.01.09
housing)

4. Consultation Summary

Statutory Consultations

4.1 The Environment Agency's response is awaited.

Internal Council Advice

4.2 The Traffic Manager states that the access road to the development will need to be adopted and a footpath provided to the north. Access to the new section needs to be altered, i.e. to be 90 degrees to existing and set away from the bend. Existing access will need to be brought up to standard as regards the footpath and visibility, and comply with the Council's Design Guide.

4.3 Strategic Housing makes the following observations:

“Strategic Housing is unable to support the above application for 6 affordable dwellings at Orcop Hill. Orcop is classed as an undefined settlement therefore development is limited to the construction of a single affordable dwelling. However, if Committee is mindful to grant permission for 6 affordable units then Strategic Housing would look for the affordable units to be provided as follows:

1. to the current affordable levels stated in the SPD Planning Obligations
2. to be built to Housing Corporation Design & Quality standards
3. to be built to Joseph Rowntree Lifetime Homes
4. all units to be subject to a Section 106, allocated through Home Point to local people in housing need.

After initial discussions with the developer he has agreed to develop the units to the agreed affordable levels. The Section 106 will ensure that the properties go to people with a local connection, the agreed period for the Council to take on the properties is three months, however, discussions can take place to extend this period if felt necessary.”

4.4 Environmental Health and Trading Standards Manager's recommendation is awaited.

4.5 Forward Planning Manager states the site is in open countryside given Orcop is not identified as a settlement in the Unitary Development Plan. The development would extend up slope into open countryside. Policy H10 (in the UDP) only allows for single dwellings supported by evidence of need. Location is not sustainable given it is dependent on use of the private car. More housing will be needed in the next plan period, however current proposal does not satisfy requirements of Policy H10. Also considered to be encroachment of dwellings on prominent hillside would be harmful to character and appearance of countryside and as a consequence is contrary to Policies DR1 and H13 of the Unitary Development Plan.

5. Representations

5.1 In a letter that accompanied the application the applicant's agent makes the following main points:

- outline consent refused by 10 votes to 8 at full Planning Committee on 9 January 2009
- considerable support expressed by Committee, opponents felt scheme needed to be affordable in accordance with the Council's SPD
- invited to re-apply for 6 affordable dwellings following a meeting with officers
- affordability for a 3 bedroom property defined as £109,000 which represents a 45% discount on open market value. Application made on this basis
- application for 6 affordable dwellings, treatment plant and use of existing access
- more natural layout required at meeting with officers. Application site is similar and more landscaping is offered to east of entrance/access road to soften view from the east
- previous application based on housing needs assessment that identified a need for 18 emergent and existing households. Given overwhelming response this application is for 6 affordable houses including one adapted for wheelchair use
- since draft Regional Spatial Strategy requires an increased rate of house building to meet numbers of affordable and market housing based on the number of newly forming households and increased immigration.

5.2 In the Design and Access Statement submitted the following main points are made:

- Amount: 6 affordable houses with car ports. Three pairs of dwellings fronting onto existing access road. Built in accordance with Joseph Rowntree Life Time Home Standards, i.e. minimum of 85m squared floor space. Each dwelling would have an allocated parking space. Connecting pavement to 6 affordable houses built in 2006. Site area is nearly 0.3 hectares.
- Layout: form irregular linear row of properties, gardens to front, side and rear. Orientation of 3 pairs will vary, therefore roof slopes will too.
- Scale: will be two-storey about 6.5 metres high with single-storey attached garage approximately 3.3 metres high. Roughly 7.6m x 5.6m in area.
- Landscape: gardens of at least 100m squared in area to front, side and rear, linked by pavement to Orcop. Front of properties open to public view. Three clumps of landscaping proposed to assist naturalising into its semi-urban/agrarian setting. Close boarded fencing would separate adjoining gardens.
- Appearance: to be affordable, each dwelling will be of rendered block beneath a tiled roof matching existing dwellings.
- Access, existing access utilised via new road to rear of the properties where in line parking and turning area will be provided.

5.3 General Information: In Area of Great Landscape Value. Orcop Hill comprises loose arrangement of dwellings mostly two-storey ones of stone or brick, plus a few rendered ones. Most have large gardens.

- Orcop Hill has a public house, a telephone box and small chapel. Other facilities in Orcop (impressive Church) or in wider locality i.e. Parish Hall. Four bus stops serve Orcop Hill
- Orcop Hill is served by minor roads with a short connection eastwards to the A466 and A49 to Hereford
- site is mainly flat with a slight rise to the north and west

- biodisc treatment plant would be installed for the six dwellings

Orcop Housing Needs Study 2003

- undertaken January - March 2003. Higher than normal response rate received, with some 67% of resident population of 379 being represented in responses
- purpose of survey was to identify housing needs over next 5 years. Identified greater need, when compared to other parishes, for additional affordable market housing
- survey identified need for 11 new dwellings from emergent households of which seven should be affordable and four market housing. The existing households showed a need for seven new dwellings, all market housing, i.e. no affordable housing. In total, 18 new dwellings identified comprising 11 market houses and 7 affordable houses. Application is for 6 affordable houses.

5.4 Planning Policies:

- Development Plan comprises UDP and West Midlands draft RSS
- UDP regeneration policy is to seek adequate provision of rural housing to meet local needs, including affordable housing
Policy S1 seeks a range of affordable housing, and a range of dwelling types and sizes to create and maintain sustainable and integrated communities
- Orcop is classified as open countryside under Policy H7, restricts houses to special needs and rural exception sites in accordance with Policy H10. Policy H10 allows as an exception just one dwelling
- on face of it application conflicts with UDP, however a number of factors to consider siting and layout does not harm local environment, landscape or amenity of existing occupiers
- ongoing reviews of the RSS requires County to increase housing provision in urban and rural areas over next 10 years
- increase in Herefordshire is needed
- PPS7 has key aim of offering everyone opportunity to a decent home, the needs of all for accessible and affordable houses and that local planning should plan to meet such requirements in local villages
- PPS3 states that Government is committed to improving affordability and supply in all communities
- Government's National Housing Advisory Panel has recommended that more suitable houses are provided, particularly low cost houses
- PPS3 requires a mix of both market and affordable housing, particularly in terms of price and tenure in urban and rural areas
- Orcop Hill is well served by public transport. Bus route 412 (Orcop - Hereford 7.50am (Mon - Sat), 10.05 (Wed, Fri & Sat), Hereford - Orcop 1.00pm (Wed, Fri & Sat), 4.15 school days and Wednesdays in school holidays, 5.35pm (Mon - Sat))
- development meets identified local housing need for next five years. Transport in rural areas reliant on private vehicles, however site would be served by regular bus services, which are planned to be expanded
- not ribbon development, forms a constrained block of development within outer boundary of Orcop Hill
- proposal offers affordable houses. A legal agreement would ensure that the properties could only be sold or rented at the figure agreed with the Council via a legal agreement.

5.5 The applicant's agent makes the following main points in response to the issues raised by the petition:

- previous application refused by 10 votes to 8 by full Planning Committee. It had support of Orcop Parish Council and Local Councillors
- meeting held with Housing and Planning Department officers as regards definition of affordable houses. Legal agreement will ensure that houses remain so
- houses will be first offered to Orcop people, or persons with an Orcop connection and then on a cascade basis. Houses not for benefit of other areas, i.e. Hereford City.

Point 1: 6 houses were sold in accordance with the approved discounted rate and the legal agreement. The petition is factually wrong on this point. 3 of the houses sold for more because they were of a different specification. The specification of the current 6 affordable houses has to meet the Council's standard for affordable homes.

Point 2: The issue of amenities was discussed at the last planning meeting. The Southern area and full Planning Committees concluded that Orcop has a sufficient range of services for a rural settlement. There are no objections from the Herefordshire Council with regard to the capacity of road network given that the poultry unit vehicles (mainly HGVs) no longer exist.

Point 3: The proposed site will form a grouping with existing dwellings. The site is not that visible in the wider landscape and some minor landscaping is proposed.

Point 4: The asbestos cement sheets on the former poultry sheds are buried within the wider field, a method of disposal that was advised by and approved by the Environment Agency and the Council. It was permissible to bury the material because the asbestos cement sheets did not pose a hazard to the environment. The works were undertaken in conjunction with the Environment Agency and their procedures. Therefore, there is no actual hazard to anyone.

Point 5: The housing need study identified a need from a range of local people, some retired, some working. The petition does not represent the mainstream view as Orcop Parish Council has been very supportive. Orcop is a beautiful village and a great place to live but only for those people who can afford the expensive housing. There is a massive shortfall in the supply of affordable rural housing and this scheme will allow the next generation and those not earning high incomes to live and work in their home area.

5.6 Much Dewchurch Parish Council make the following observations:

"Much Dewchurch Parish Council reiterates the comments put forward at the first application, particularly as to whether the site should be allowed further development in the countryside where there are no services and there appears to be no definite proof of demand. There also appears to be a problem with land drainage around the existing first six dwellings whereby the gardens are constantly waterlogged."

5.7 Orcop Parish Council make the following observations:

"Orcop Parish Council fully supports the planning application on the former poultry house site for six affordable dwellings."

5.8 Llanwarne Parish Council make the following observations:

“This site is not in Llanwarne, and cannot be seen from the majority of this Parish. No objections.”

5.9 Nine letters of representation have been received from:

Mrs V Harcombe, Wenmai Cottage, Orcop Hill, HR2 8SD (2)
 Mr & Mrs Manns, 2 Birch View, Orcop, HR2 8SH
 DG Baly, Lodge Farm, Orcop, HR2 8SA
 EA Baly, Lodge Farm, Orcop, HR2 8SA
 Mr I Peill, Quarry Farm, Orcop, HR2 8SF
 Mrs C Peill, Quarry Farm, Orcop, HR2 8SF
 Mr & Mrs J Ward, 6 Birch View, Orcop, HR2 8SH
 Mr P Darby, c/o Birch View Community

The following main points are raised:

- cannot see there being any more purchasers when you can only sell one out of six
- can see houses standing empty for some time
- out of keeping, predominance of stone dwellings in Orcop
- high on skyline, visible from Harewood End and large area to east
- site is mostly in Much Dewchurch whose inhabitants are unaffected by this eyesore
- no changes in circumstances from previous refusal
- difficulty selling previously, what is the demand?
- not a dormitory for commuters additional traffic on narrow lane, wear and tear by farm traffic now made worse by more traffic
- Orcop has no school, shop, new residents would need to travel by car to Hereford, Ross or Monmouth
- site near to site of shallow buried asbestos material from former poultry units
- road belongs to Birch View Management Company. Applicant not connected in any way to that company only has right of way to his field for agricultural use
- houses get boggy already, not possible to use garden. New drainage could overpower existing land drainage.

5.10 A petition has been received with 52 signatures, the following main points are raised:

- as residents of Orcop Hill register our strong objections. Believe only 3 of the existing 6 new houses were sold as affordable
- Orcop Hill has no amenities, no shop, no school and a very poor bus service. Lanes to village are very narrow, often impassable in winter
- top of hill location visible for miles around. Also in parish of Much Dewchurch whose inhabitants cannot see them so do not object
- large amount of asbestos from two large poultry house roofs is buried in a shallow trench. Surely a hazard
- Orcop Hill is a small hamlet, in beautiful countryside and wants to remain so. House building will make it a dormitory for commuters, making lanes more dangerous.

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

6. Officer's Appraisal

- 6.1 The main issue is considered to be the principle of developing the site having regard to Government guidance expressed in PPS7, the Regional Spatial Strategy and the policies of the Herefordshire Unitary Development Plan which restricts housing development in the open countryside.
- 6.2 In the supporting information, the applicant's agent correctly confirms that the site is in open countryside, that Orcop is not identified as a settlement and that the proposal is contrary to Policy H7 of the Herefordshire Unitary Development Plan. The previously approved and implemented scheme on the adjacent site was broadly supported by officers at that time as it was considered that it related well to the existing dwellings on the fringe of Orcop Hill, which at the time was still recognised as a settlement under the terms of the South Herefordshire District Local Plan that remained in force. Members may recall that the main issue at this time was the need to establish an acceptable discount on the market value of the dwellings. Officers sought this through a Section 106 Agreement that was based upon average income. Ultimately, Members supported a valuation of the six properties which discounted their open market valuation by 30%. A further application was submitted at the end of last year which sought permission for six affordable dwellings at a valuation which discounted their open market valuation by 40%. This earlier proposal was ultimately refused by the main Planning Committee in January this year. The current scheme proposes an increase the discount to 45% of market valuation and by reducing the site area slightly. The issue is still though the principle of developing a site.
- 6.3 Orcop is no longer identified as either a main village or a smaller settlement in the Unitary Development Plan and as such this proposal must be considered with regard to Policy H7, which restricts residential development to limited exceptions that include dwellings required to meet the needs of an agricultural, forestry or other identified rural enterprise or rural exception housing compliant with Policy H10. According to this policy, rural exceptions will only be permitted adjacent to identified settlements and will generally only be made once during the Plan period. This fundamental policy objective is not satisfied and furthermore the Strategic Housing Manager objects to the proposal. Notwithstanding the enhanced discount on the market value currently proposed, Policy H10 only allows for one dwelling in exceptional circumstances in locations such as Orcop Hill, which are not designated settlements.
- 6.4 The applicant seeks to make a case that other material considerations should be given weight and cites a number of factors which he considers to outweigh those policy objections in the Herefordshire Unitary Development Plan. In response to these it is not considered that a small chapel, telephone box and public house and a bus route are factors that outweigh the policy issues set out above. The occupants of the six dwellings would be largely reliant on the need to drive to take children to school, use local shops, Post Office, go to work and go to a GP. This location is not sustainable for further residential development, a fundamental reason why in the review undertaken for the Unitary Development Plan, settlements such as Orcop Hill were no longer considered to be appropriate locations where new residential development should be identified.
- 6.5 It is considered that the site layout as indicated is environmentally acceptable and will have less of an impact in the landscape than the previously refused scheme. Therefore, it is not considered that a reason for refusal relating to this issue could be sustained.

6.6 In conclusion, whilst it is fully acknowledged that the delivery of affordable housing is an important Council priority, this must not be at the expense of policies aimed at restricting unsustainable forms of development within the open countryside. The Strategic Housing Manager does not support the proposal. There is a fundamental policy objection to this proposal in terms of its isolated rural location making it an unsuitable site for housing development.

RECOMMENDATION

That planning permission be refused for the following reasons:

- 1. The proposal constitutes development in open countryside where there is a strong presumption against new residential development unless there are exceptional circumstances to justify otherwise. The development will not meet an identified local need for affordable housing and does not satisfy the requirements of the rural exceptions policy. The proposal is therefore contrary to Policies H7 and H10 of the Herefordshire Unitary Development Plan and the guiding principles of PPS7 - Sustainable Development in Rural Areas.**
- 2. The proposal by reason of its isolated rural location would not be sustainable in terms of reducing the need to travel by private car as required by Policies S1, S6 and DR2 and as set out in Government advice contained in PPS7 - Sustainable Development in Rural Areas and PPG13 - Transport.**

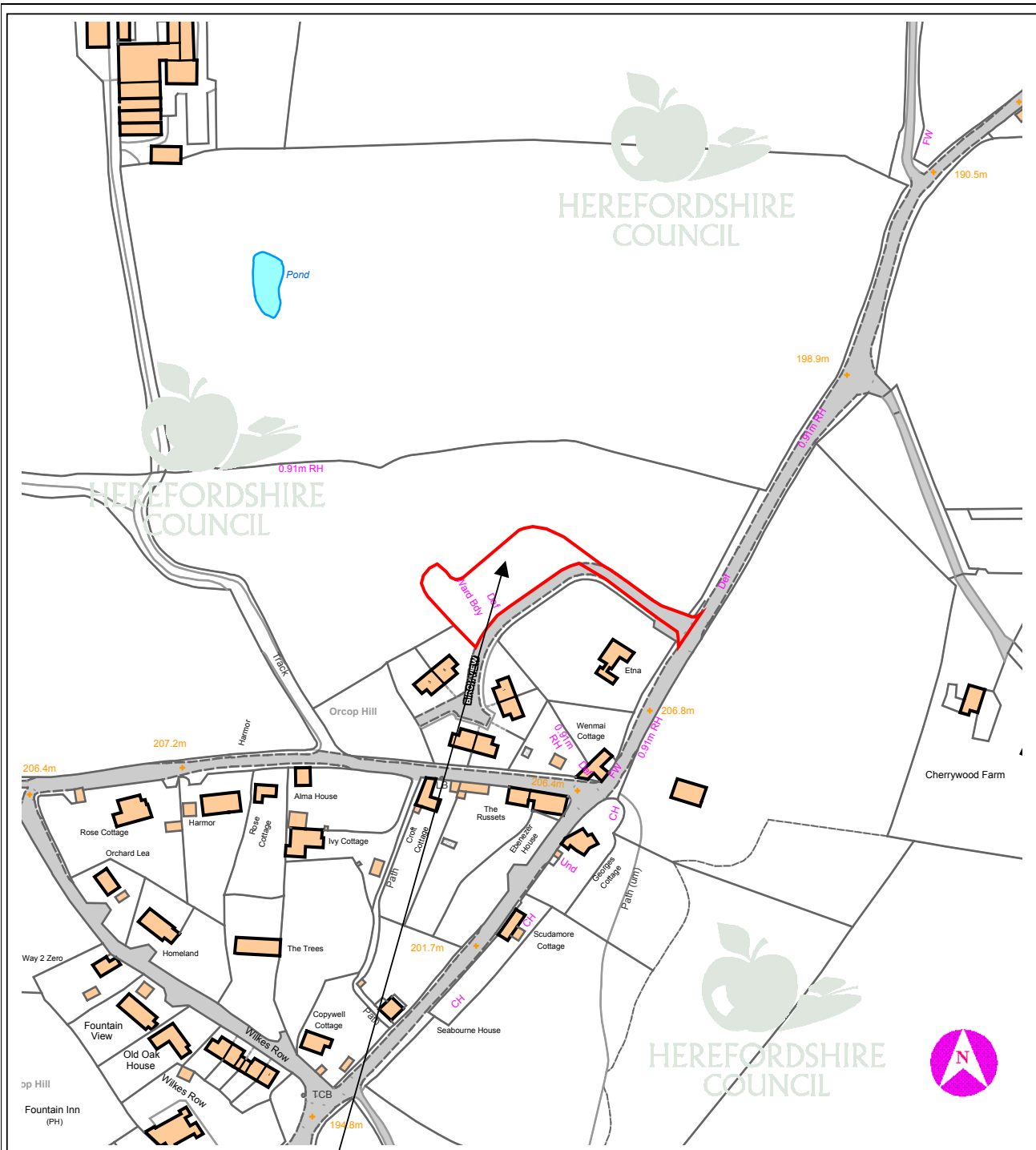
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCSW2009/0298/O

SCALE : 1 : 2500

SITE ADDRESS : Orcop Poultry, Orcop Hill, Much Dewchurch, Hereford HR2 8EW

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7 DCSW2009/0091/F - REPLACE SEVEN AGEING POULTRY UNITS (IN TWO DIFFERENT LOCATIONS ON THE FARM) WITH FOUR MODERN POULTRY UNITS, COURT FARM, MUCH BIRCH, HEREFORD, HEREFORDSHIRE, HR2 8HT.

For: Mr M. Green per Mr R Williams, Adas UK Ltd, 11D Milton Park, Milton, Abingdon, Oxford, OX14 4RS.

Date Received: 15 January 2009

Ward: Pontrilas

Grid Ref: 50198, 30079

Expiry Date: 16 April 2009

Local Member: Councillor RH Smith

1. Site Description and Proposal

- 1.1 The application site is on the southern side of the A49(T) located along an adopted road (u/c 71606) which runs between St. Mary's Church and the recently extended doctor's surgery and the Community Hall. A track starts close to Court Farm and then leads south past a fruit packing plant and southward along the line of a public footpath.
- 1.2 The proposal is for the erection of four poultry units each one being 110.7 metres long and 18.3 metres wide, 2.3 metres to the eaves and 3.9 metres to the ridge. These four buildings will be erected in two separate pairs some 245 metres apart. There will be a control room between each pair measuring 5 metres by 3 metres in floor area. The roofs will be covered in box profile polyester coated steel sheeting coloured slate blue and the same material will be coloured a goodwring grey on the gable ends and flank walls. The two feed bins for each pair will be just over 2 metres higher than the 3.7 metres high roofs on the western most site. The proposal would entail the demolition of the existing seven poultry units
- 1.3 The enterprise is split into distinct areas, one in the north-west and one in the south-east. Two existing poultry units will be demolished in the north-west and replaced by two of the four proposed poultry units. The existing blockwork and profile sheeted buildings are aligned in a line east to west. The two new units will be aligned parallel to one another, the northern most unit covering part of the site of the existing older poultry units. There is an existing fall in land of approximately 2.5 metres at this point, the two existing units being cut into the sloping ground which inclines northwards towards houses to the west of St. Mary's Church at Much Birch. There is an established line of trees on this northern boundary broken by the five tall feed hoppers. The removal of these silver coloured feed hoppers will reduce the impact of the units from the north and north-east.
- 1.4 The second site for the two new poultry units is further to the south-east adjoining the boundary with Treberva Fruit Farm to the east. This boundary is well defined by trees and hedges particularly to the north-east of the application site. It is proposed to erect the two new buildings immediately to the east of five existing poultry units. Four were granted planning permission in 2004 (reference DCSW2004/1766/F). The four existing units house 124,000 birds in total. These existing units have been cut into the land. The two proposed units will be on relatively level ground. The five buildings which will

be demolished are immediately to the north of this part of the application site and are sited between the aforementioned double line of trees constituting the eastern boundary of the applicant's property with Treberva Fruit Farm. On the western side is an area of arable land which is fringed by hedging and trees on the northern and western boundaries. A line of birch trees has been planted on the southern side of the four recently erected poultry units.

- 1.5 This planning application was accompanied by an Environmental Statement which was supplemented by further details relating particularly to issues of noise, odour and landscape impact, waste and dust and traffic generation associated with the four new units which are larger than the existing poultry units.
- 1.6 There are presently 307,000 broilers housed in the 11 poultry units on the site. There will be no more than 305,000 in the eight broiler houses that would result in the event of the four new broiler units being approved. The seven units replaced have a total floor area of 8,179 metres square (88,062.71 feet square), they will be replaced by four buildings with a total floor area of 8,027 metres square (86,400). Each cycle is 65 days, females are removed after 38 days. There is a period of 1-2 weeks for cleaning out the buildings, resulting in an 8-9 week cycle.

2. Policies

2.1 Planning Policy Guidance and Statements

PPS1	-	Delivering Sustainable Developments
PPS7	-	Sustainable Development in Rural Areas
PPG13	-	Transport

2.2 Herefordshire Unitary Development Plan

Policy S2	-	Development Requirements
Policy DR1	-	Design
Policy DR2	-	Land Use and Activity
Policy DR3	-	Movement
Policy DR4	-	Environment
Policy DR6	-	Water Resources
Policy DR9	-	Air Quality
Policy DR13	-	Noise
Policy LA6	-	Landscaping Schemes
Policy E13	-	Agricultural & Forestry Development
Policy E16	-	Intensive Livestock Units

3. Planning History

- 3.1 DCSW2004/1766/F Erection of four new poultry units - Approved 16.03.05

4. Consultation Summary

Statutory Consultations

- 4.1 The Environment Agency's response is awaited.

Internal Council Advice

- 4.2 Traffic Manager has no objections in view of the comparative size of the development in relation to the existing situation.
- 4.3 Environmental Health and Trading Standards Manager has no objections given that there would not be any significant noise, odour and waste issues. The new units should improve the current situation. The Environment Agency would enforce the IPPC regulations for these units.
- 4.4 Conservation Manager's comments are awaited.

5. Representations

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

- seven ageing poultry units not suited to modern standards of production efficiency, environmental protection, animal welfare and prevention of animal disease
- also ageing units have poor energy efficiency given design, poor insulation and inefficient heating systems
- to be sited next to 4 remaining units and west of existing units (1 and 2)
- new units further away from dwellings than present units
- impacts associated with noise and odour greatly reduced
- each unit 18.29 x 109.73m, between each pair of units will be control room 3.05m x 5m in area
- unlikely to change character of area, given they are of improved build quality, internal views in and around area restricted, also roadside hedging provides screening
- main ventilation will be by tunnel ventilation by large fans in gable ends
- units finished in box profile coated steel sheeting, fibreglass insulation with white steel liner sheeting.
- access route remains unaltered
- vehicular movements will not change.

- 5.2 In the Environment Statement the following other areas are addressed:

- odour likely to decrease. Higher insulation would result in less use of fans, thus less odour resulting
- odours will be more dispersed
- units much drier, than presently, drier litter emits fewer odours
- also units further away from dwellings, as odour concentrations fall steadily at increased distances
- noise: with better insulation less need for ventilation fans
- less noise and further away from dwellings (noise from fans and filling feeding bins)
- landscape: not in AONB, approximately 1.3kms to east. Impact minimal. No major earthworks, other than cutting into site
- existing landscape character enhanced by shelter belts, infilling hedgerows and planting trees and native hedges on linear boundaries. Less intrusive feed bins than at present.

- ecology: proposed units located on arable grass fields which have been in recent cultivation, therefore of low ecological value. No trees or hedges are to be removed
- waste: manure is currently spread and/or stored on land farmed by applicant, who has 1012 acres available for spreading, within area recommended in Code of Good Agricultural Practice
- disposal of manure will be the same as currently. No incinerator on site
- washing down water would be stored in below ground tanks and spread onto land at Court Farm or taken away by approved contractor, there are no tanks fitted for wash down water for broiler units to be replaced
- archaeology: no sites within 2 kilometres of radius of site.

5.3 Much Birch Parish Council make the following observations:

“Application supported, however residents have expressed concerns regarding the height of the buildings.”

5.4 Five letters of representations have been received from the following:

Mr A & Mrs Wood, Newlands, Much Birch, HR2 8HT
Mr G & Mrs S Snell, Treberva, Much Birch, HR2 8HU
Mr N Snell, Treberva, Much Birch, HR2 8HU
Mr & Mrs MJ Freeman, Ashfield, Much Birch, HR2 8HT

The following main points are raised:

- existing poultry units emit a low humming noise depending on wind direction is disturbing particularly at night. Trust new insulated buildings will deal with this
- could not traffic be directed onto B4348 at southern end of site
- pleased to see removal of 7 ageing units (does this mean demolition, will it be a condition? Timescale?)
- could units be re-built in future?
- close to our boundary. Better sited to west of existing 4 units or better still site new units to north-west
- intend developing farm buildings into a house for our son. Proposal could jeopardise this
- will ventilation system be as presently? i.e. side inlets with chimney fans
- have an issue with low level dust
- need a comprehensive landscaping/planting scheme to mitigate for vast roofs, silos and minimise associated noise
- could be more dust, given moisture will be reduced, as units will be run drier
- believe earlier scheme in 1990s bordering Treberva Fruit Farm was dropped
- appears to be no screening from our south windows. Also do not want to overlook two sets of buildings.

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 impact of the proposed development on the amenity of residents which covers such factors as noise, odour and dust, the impact that the four poultry houses would have in the landscape and finally the means of access serving the site and the traffic generated by the proposal.

- 6.2 Intensive food production units such as poultry units have certain legislative requirements placed on them, one of which is the requirement for an Environmental Impact Assessment (EIA) when the proposed development crosses a certain threshold. In this instance the number of birds that would be housed in the four poultry houses. This has been the subject of preliminary discussion as regards the scope of the EIA. The main issue related to the distances between poultry units and nearby dwelling, (usually defined as one not inhabited by an agricultural worker). This distance, which is notionally set at 400 metres, is referred to in Government advice in PPS7 and more pertinently in Policy E16 of the Herefordshire Unitary Development Plan. It advises that new intensive livestock buildings should be sited at least 400 metres from dwellings and other buildings used by non-agricultural workers given recognition that such livestock units can give rise to problems such as noise, smell, dust and other possible nuisances. The proximity of other existing livestock units would also have a bearing and the policy requires careful consideration of any proposals involving intensive livestock units within the 400 metre zone.
- 6.3 The siting for the new poultry houses adjacent to Treberva Fruit Farm together with the cessation of the five ageing units to the north of the site takes bird production further out of range of dwellings to the north and north-east, and is considered to be a benefit in this locality. The design and insulation of the new buildings together with the removal of seven ageing units across the site will also reduce noise emissions such as night time humming and generally improve the pre-existing conditions.
- 6.4 The two units sited close to the Treberva Fruit Farm boundary would be within 400 metres of a group of traditional stone buildings which the owners state they may wish to convert into residential use. These buildings are to the south-east of the proposed complex of five poultry units. This application, however, must be judged on its merits based upon the prevailing circumstances at this point in time and as such the potential use of these buildings, in the absence of any planning permission, cannot substantiate the refusal of this application. However, it is the officer's view that this proposal would not materially affect the suitability of these buildings for conversion any more than the pre-existing situation.
- 6.5 It is stated that the buildings will be run on a drier ventilation system given there will be less moisture in the new broiler units. Concern has been raised about the possibility of an increase in dust. However note should be taken of the Environmental Health and Trading Standards Manager who does not raise objections and advises that the environmental conditions as a result of this proposal will improve. This issue can, as for the previously approved application, be made the subject of a planning condition.
- 6.6 Odour has not been raised as an issue in representations received. The siting and design of the new broiler units together with the removal of the existing buildings will improve the environmental impact of 305,000 birds at Court Farm. The amenity of residents will be further ameliorated with the imposition of a condition, as previously, controlling the spread of litter generated by the four new poultry units. The extant condition requires that all litter is taken off the site properly sheeted and removed via the access onto the B4348 road. This necessary function is closely linked to the cleaning of buildings and a deodorising unit would be used as previously conditioned. Therefore, given the above, it is considered that the issue of dust, odour and litter (manure) management have been addressed in accordance with Policies DR4, DR6, DR13, E13 and E16 in the Herefordshire Unitary Development Plan.

- 6.7 With regard to the impact of the four buildings in the landscape. This is slightly complicated by the fact that the four buildings will be erected in pairs some 245 metres apart. The northern most pair are pushed further to the west but will still utilise the existing screening on the northern boundary of the site. The new buildings will also need to be screened from the east and south. This will assimilate the buildings into the landscape, and will reduce their impact from distant vantage points. The removal of the five existing feed silos will also assist in helping reduce the impact of the new development. The new feed bins are only two metres higher than the ridges of the 3.9 metres high buildings.
- 6.8 The two units adjoining the boundary of Treberva Fruit Farm need to be better screened and assimilated into the landscape. There is an existing tree screen along the boundary between the two properties, which is more substantial alongside the existing five units to be demolished and it is recommended that this planting should be strengthened. The colouration of the buildings will also assist, and a dark matt colour particularly on the roof will provide a darker silhouette when viewed from the south-east. Landscaping is needed on the southern, eastern sides in particular and native trees added to existing hedgerows as recommended by the Conservation Manager for the previously approved and implemented planning approval for four poultry units would be controlled by condition. It is not considered practical for these two units to be sited to the west of the five existing poultry units given the topography of the site. The proposal takes advantage of the natural land form as required by Policies E13 and E16 in the Herefordshire Unitary Development Plan and is ultimately considered acceptable subject to additional landscaping. It is also considered that siting these two units with the two poultry units to the north-west will result in greater impact in landscape terms given the proximity to the public footpath which divides the two sites.
- 6.9 The issue of traffic movements has been raised as regards the movement of larger vehicles. This was a matter raised with the previously approved and implemented scheme. It is anticipated that most of the traffic will leave the site at the southern access point onto the B4348. However this access point is not adequate for larger vehicles. It is considered that given there will be negligible, indeed probably no increase in traffic movements, this is not an issue which would warrant the refusal of the application.
- 6.10 It is considered that there are considerable benefits to decommissioning the seven ageing units and replacing them with new units in terms of better managing noise, dust and odour. The proposal involves the replacement of existing buildings and as such it is maintained that subject to control of use of materials and additional landscaping, the new units will cause no further harm to the landscape and furthermore there will be no net increase in traffic movements over and above pre-existing arrangements and as such the application is recommended for approval having proper regard for the information set out in the Environmental Statement that accompanied this application.

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 F02 (Restriction on hours of delivery)

Reason: To safeguard the amenities of the locality and to comply with Policy DR1 of Herefordshire Unitary Development Plan.

5 No litter from any of the proposed poultry houses shall be spread on any land at Court Farm. All litter shall be taken off the site properly sheeted and via the access onto the B4348.

Reason: To safeguard residential amenity.

6 I40 (Details of flues or extractors)

Reason: In the interests of the amenity of the area and to comply with Policy DR4 of Herefordshire Unitary Development Plan.

7 Details of any replacement incinerator, including the proposed siting, shall be the subject to the existing incinerator being permanently removed from Court Farm and shall be approved in writing by the local planning authority before the incinerator is first installed.

Reason: To safeguard residential amenity.

8 I32 (Details of floodlighting/external lighting)

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

9 At times of cleaning out any of the poultry houses a deodorising unit, specifications of which shall be the subject of the prior written approved of the local planning authority, shall be sited down wind of the poultry units in order to lessen the potential for odour.

Reason: To safeguard residential amenity.

10 G10 (Landscaping scheme)

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

11 G11 (Landscaping scheme - implementation)

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

- 12** Before any of the poultry units are brought into use the seven identified poultry units and associated equipment including silos shall be decommissioned and all materials not to be used in the construction of the new buildings shall be permanently removed from Court Farm in accordance with details to be approved in writing by the local planning authority.

Reason: In order to define the terms to which the application relates in order to protect the landscape and the amenity of residents in the area by reducing the cumulative impact of intensive livestock units on Court Farm in accordance with Policies LA2, LA3, DR4 and E16 of the Herefordshire Unitary Development Plan.

- 13** 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.

Informatives:

- 1** N19 - Avoidance of doubt - Approved Plans
- 2** N15 - Reason(s) for the Grant of Planning Permission (to include reference to consideration of the Content of the Environmental Statement)

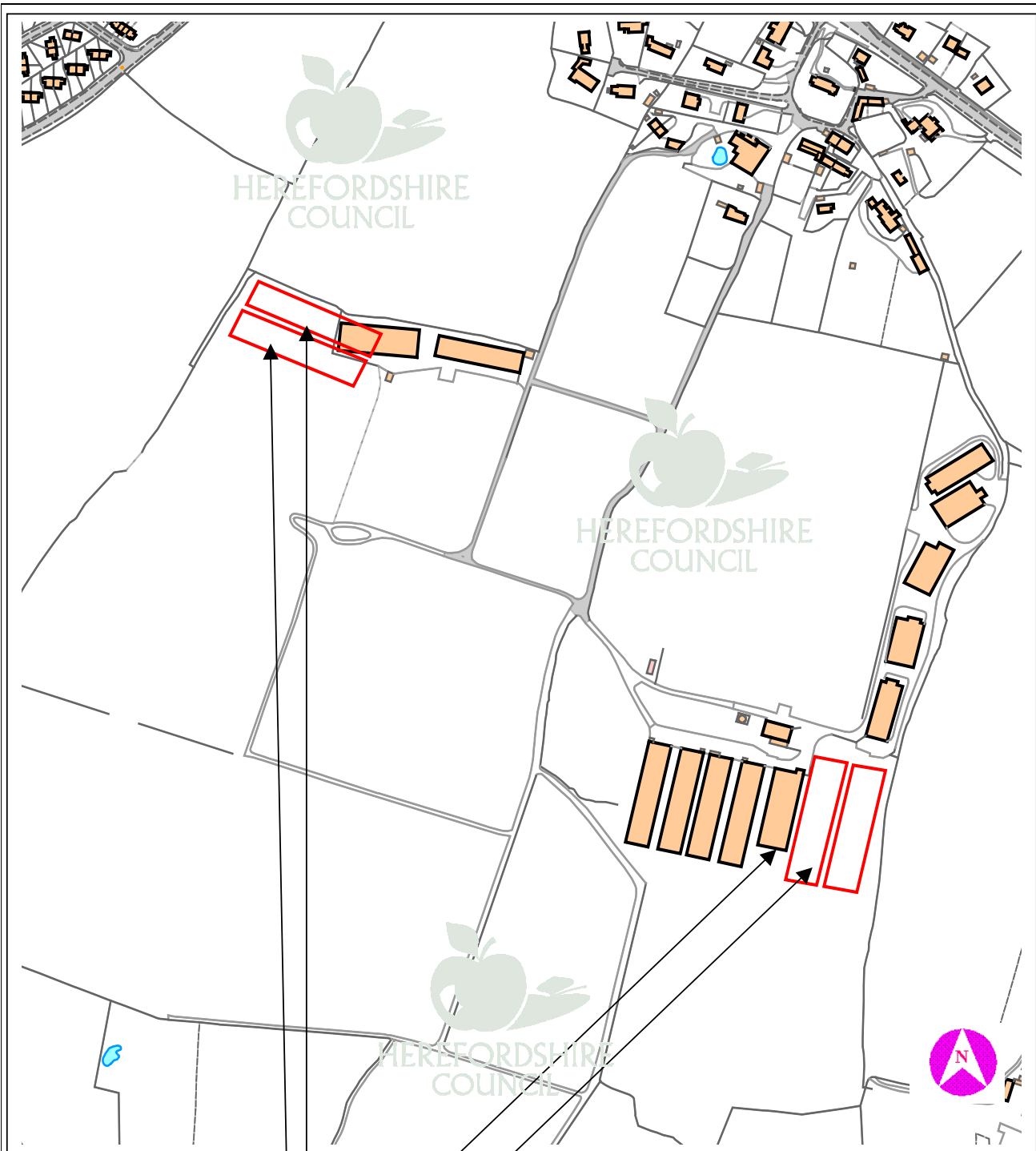
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCSW2009/0091/F

SCALE : 1 : 5000

SITE ADDRESS : Court Farm, Much Birch, Hereford, Herefordshire, HR2 8HT

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8 DCSE2009/0370/F - DETACHED GARAGE AND STOREROOMS WITH STUDY ABOVE, ROWAN LODGE, PETERSTOW, ROSS-ON-WYE, HEREFORDSHIRE, HR9 6LF.

For: Mr S Pelham Davies per Mrs Heron, Heron Associates, The Old Shop, Kingcoed, Usk, Monmouthshire, NP15 1DS.

Date Received: 2 March 2009

Ward: Llangarron

Grid Ref: 56187, 24716

Expiry Date: 27 April 2009

Local Member: Councillor Mrs JA Hyde

1. Site Description and Proposal

- 1.1 Rowan Lodge (shown as Rowan Cottage on the site location plan) is located at the end of gravel drive that runs between Link End and High Field, and on the north side of the unclassified 71012 that leads up from the A49. High Field and Fern Bank are to the south and Highgrove is to the south-west. A 1 metre high hedge runs along the western boundary and a native species hedge defines the boundary of the site with the A49 to the north. The access drive also provides access to Lane End, which is in the ownership of the applicant.
- 1.2 The site is located in the Peterstow Conservation Area and within the Wye Valley Area of Outstanding Natural Beauty.
- 1.3 This application proposes a stand-alone building, 12.6 metres x 7.2 metres, 2.5 metres to eaves and 5.7 metres to ridge, that will provide 2 garages, workshop and garden machinery store with office/study, storeroom and toilet in the roof space. The external walls of the building will be painted render off a brick plinth and clay tiles are proposed for the roof. It is proposed to locate the building in the south-west corner of the garden, to the rear of Lane End. A hedge is to be planted along the boundary with Lane End.

2. Policies

2.1 Planning Policy Statements

PPS1	-	Delivering Sustainable Development
PPG15	-	Planning and the Historic Environment

2.2 Herefordshire Unitary Development Plan

Policy DR1	-	Design
Policy S2	-	Development Requirements
Policy S7	-	Natural and Historic Heritage
Policy H18	-	Alterations and Extensions
Policy HBA6	-	New Development within Conservation Areas
Policy LA1	-	Areas of Outstanding Natural Beauty

3. Planning History

- 3.1 DCSE2006/0307/F Single storey extension - Approved 03.03.06
- DCSE2006/2745/F Summerhouse (retrospective application) - Approved 27.09.06

4. Consultation Summary

Statutory Consultations

- 4.1 No statutory or non-statutory consultations required.

Internal Council Advice

- 4.2 The Conservation Manager has no objection.

5. Representations

- 5.1 A Design and Access Statement has been submitted:

- The site area is approximately 3640 square metres and the building footprints total 462 square metres;
- The new building will be located between Rowan Lodge and Lane End creating an attractive courtyard area in front of Rowan Lodge;
- The design of the garage intends to respect its locality whilst also reflecting the character of Rowan Lodge with its brickwork and render walls and tiled roof; and
- Hedge planting will be used to screen the building from Lane End.

- 5.2 Peterstow Parish Council is concerned that by virtue of its size the proposed new building is both out of keeping and proportion to the existing dwelling on site and to adjoining properties. Rowan Lodge is a substantial dwelling in itself and there is already a large garage and summerhouse on site. This brings into question the necessity for such a large building, which would also appear to have the potential for use as accommodation. The Parish Council therefore objects to the application in its present form.

- 5.3 Mrs L James, Highfield, Peterstow has no objection to this proposed building.

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

6. Officer's Appraisal

- 6.1 Proposals for the alteration or extension of residential properties can have a significant effect on the character of the original building, the surrounding area and the amenities of adjoining residents. It is important that the scale, siting and design of such developments respect these aspects, so as to ensure adequate levels of privacy and environmental quality.
- 6.2 Policy H18 deals with proposals for the alteration and extension of dwellings. This policy will also be applied to proposals for annexes, other ancillary accommodation and buildings incidental to the enjoyment of a dwelling, where planning permission is required. The following is subject to the following criteria:

1. The original building (that is, as at 1 July 1948 or as originally built if constructed later than this date, and not including any subsequent extensions) would remain the dominant feature;
 2. The proposal is in keeping with the character of the existing dwelling and its surroundings in terms of scale, mass, siting, detailed design and materials;
 3. The proposal would not be cramped on its plot, including having regard to provision of suitable private open amenity space, and would not adversely impact on the privacy and amenity of occupiers of neighbouring residential property; and
 4. The level of resulting off street parking provision is in accordance with Policy H16.
- 6.3 Although, Rowan Lodge has been extended, DCSE2006/0307/F refers, and a summerhouse has been constructed on the south side of the property, the scale and form of the original building remains dominant. The proposed building is to be located in the south-west corner of the large garden to Rowan Lodge, in a position where it is considered its scale and form will not detract from the character of the principal building and not appear visually dominant. Rowan Lodge is situated in a large garden. The proposed building is to be located in a position where its scale and form will not lead to an overdevelopment of the garden leaving adequate amenity space around the property. Also, there is ample space available to provide a turning area so that vehicles can enter and leave the site in a forward gear.
- 6.4 Insofar as the impact of the building on the locality is concerned, it will not be seen from the adjoining lane as it will be behind Lane End, and the existing boundary hedge along the A49 provides an effective screen to the site.
- 6.5 The site is located in the Peterstow Conservation Area where Policy HBA6 is considered relevant to this application. The policy states that development will not be permitted unless it preserves or enhances its character or appearance of the conservation area. The Historic Buildings Officer has raised no objection to the proposal, commenting that Rowan Lodge is a C20 bungalow typical of the post-war 'suburb' of High Town. Given its context, the application is unlikely to have any wider impact on the character of the conservation area. Consequently, the proposal is considered acceptable to Policy HBA6.
- 6.6 Having regard to the comments made by the Parish Council it is considered that the limited visual impact of the proposal and the context within which it is set is such that it will not cause demonstrable harm to the locality. Furthermore, conditions limiting its use are proposed which will bring about reasonable control. The application is accordingly 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 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 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.

4 F08 (No conversion of garage to habitable accommodation)

Reason: The [integral garage/garage/car port] and access thereto must be reserved for the garaging or parking of private motor vehicles and the garage shall at no time be converted to habitable accommodation.

Informatives:

1 N19 - Avoidance of doubt – Approved Plans

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

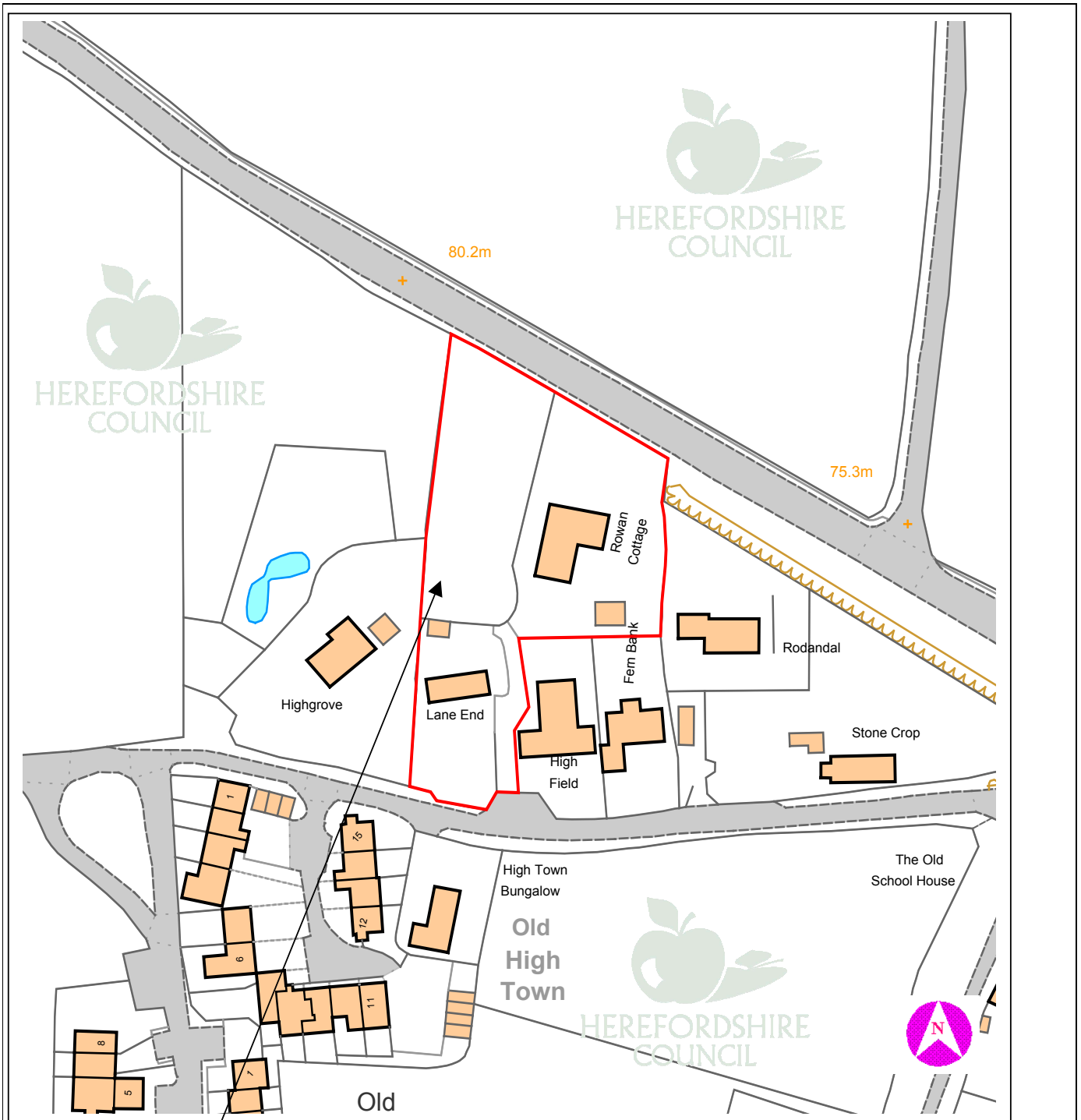
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCSE2009/0370/F

SCALE : 1 : 1250

SITE ADDRESS : Rowan Lodge, Peterstow, Ross-on-Wye, Herefordshire, HR9 6LF

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9 DCSE2009/0388/F - 10M HIGH TELECOMMUNICATION POLE WITH ANTENNAS, ASSOCIATED RADIO EQUIPMENT CABINET AND LUCY AC PILLAR, JUNCTION OF FERNBANK ROAD / EASTFIELD ROAD, ASHFIELD, ROSS-ON-WYE, HR9 5PP.

For: Vodafone UK Ltd per Mono Consultants Ltd, 96 - 98 King Street, Hammersmith, London, W6 0QW.

Date Received: 27 February 2009

**Ward: Ross-on-Wye
East**

Grid Ref: 59794, 23160

Expiry Date: 24 April 2009

Local Members: Councillors PGH Cutter and AE Gray

1. Site Description and Proposal

- 1.1 The site lies to the south of Ross-on-Wye town centre at the junction of Fernbank Road and Eastfield Road to the east of the Walford Road. The site and surrounding area are within the Wye Valley Area of Outstanding Natural Beauty and the boundary of the Town Conservation Area lies some 64 metres to the north. Predominantly the surrounding land use is residential, with the Town and Country Trail to the south-east of the site and a children's play area to the south-west, separated by the highway.
- 1.2 It is proposed to erect a 10 metre high telecommunications pole, with antennas (some 1.8 metres), associated radio equipment cabinet and Lucy AC pillar on the grass verge at the junction of Fernbank Road and Eastfield Road. The pole would be wooden and the cabinet and Lucy AC pillar would be green. The ground equipment would range between 1.35 metres and 1.18 metres in height.
- 1.3 Levels are generally flat on the proposed site, with a vegetation covered power post and street lighting column in close proximity to the siting of the proposed pole. The grass verge is some 3.5 metres in depth, from the existing power post to the kerb. To the rear of the grass verge there are mature trees and bushes.

2. Policies

2.1 Government Guidance

The Planning System: General Principles (Office of the Deputy Prime Minister)
PPG8 – Telecommunications

2.2 Herefordshire Unitary Development Plan

Part 1

- | | | |
|------------|---|-----------------------------------|
| Policy S2 | - | Development Requirements |
| Policy S7 | - | Natural and Historic Heritage |
| Policy S11 | - | Community Facilities and Services |

Part 2

Policy DR1	-	Design
Policy LA1	-	Areas of Outstanding Natural Beauty
Policy CF3	-	Telecommunications

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 The Traffic Manager advises that the mast, as shown on drawing number 73864/A/005, is in the visibility splay for exiting Fernbank Road and the forward visibility for Eastfield Road. The mast should be moved to the rear of the highway land. Provided that amended plans are submitted showing this, there is no objection subject to highway notes attached to the planning permission. Permission will also be needed from the Highway Authority as owners of the land.

4.3 Environmental Health & Trading Standards Manager comments:

“I have examined the proposed development and have no objections, provided the development meets the ICNIRP guidelines for public exposure to non-ionizing radiation and the main Antenna Beam is pointed away from the Play Area.”

5. Representations

5.1 The applicant has submitted a Design and Access Statement and additional information in support of the application. These state, in summary:

- Had regard to the need for good design, in relation to the context of the site.
- Due to the increased data transfer, the location of 3G base station sites is critical. Base stations must be located where the local demand exists in order to provide the required levels of service, otherwise the network will not function.
- Street scene is characterised by concrete street lighting columns, telegraph poles, mature trees, bushes and shrubbery.
- Proposed timber effect telegraph pole would assimilate well with surrounding vegetation and vertical structures. Proposed radio equipment, due to its colour would assimilate well with existing vegetation.
- Proposal would have a minimal impact on the character of the local amenities and Area of Outstanding Natural Beauty.
- Proposal was given a red rating a part of the Traffic Light Rating Model for telecommunications development - consultation.
- Consultations were undertaken with Ward Members, Ross-on-Wye Town Council and residents within 50 metres of the proposal.
- Other sites have been considered, however the Welsh Water site would not provide the required level of coverage for the target area and the other sites are all in residential areas where the visual impact would be greater than the proposal. The mast at Chase Woods (650 metres away) would not provide the required coverage to the target area.

- Visual impact has been minimised as far as is practicable for a mast, most sympathetic design solution.
 - The height has been carefully selected so that it is the minimum needed to clear the surrounding trees and to provide the technical coverage required.
 - The proposal meets the International Commission on Non-Ionising Radiation Protection guidelines for public exposure.
- 5.2 Ross-on-Wye Town Council - The applicant says there is existing telecommunications equipment on the site - please could the planning officer check there is maximum sharing of structure as per PPG8.
- 5.3 Seventy one letters of objection have been received. The main issues raised are:

Need:

- 3G is not required in Ashfield, as it is a residential area where occupants can use broadband or land lines.
- 'Phone and SMS communications do not require 3G masts so any user would be car users, who cannot, by law, use 3G therefore cell boundary requirements should be relaxed.
- No independent corroboration of applicant's site option appraised.
- Mobile phones are not life or death, looking after our environment is.
- Mast on Chase Hill should be shared.
- Mast should be sited elsewhere, on local industrial estate.
- This is only pampering to a private company and not to do with the safety and wishes of the general public.

Visual Impact:

- Site is at the entrance to the Conservation Area, within the Wye Valley Area of Outstanding Natural Beauty and adjacent to the entrance to the County Trail/cycleway and access to Chase Woods. The proposed mast is inappropriate and would be harmful to the character of the area.
- This is a residential area and the mast would not be in keeping with the established character of the area.
- Birmingham City Council are refusing masts in residential areas and have a SPG which advises that applications can be refused due to impact on area.
- The mast would not blend in with the existing 'street furniture' which is not as tall.
- The mast would be more obvious and have a greater visual impact in the winter as the trees are deciduous.
- Planning permission has recently been refused for two bungalows nearby and there should be consistency in the decisions made in this area.

Health and Safety:

- Mast should not be sited in a residential area or near to the children's play area.
- There is conflicting literature regarding the health risks from masts. Naila study (Germany) 18.11.2004, shows that cancer risks treble within 400 metres of phone masts.
- Fear of health risks to residents, visitors, children using the play area and living locally and local schools.
- Unwise to add to existing health risks from electrical equipment, televisions etc.
- Precautionary approach should be adopted, no mast in a residential area.
- Welfare of residents should be put ahead of the revenues for the Council from the developer.

Relevant Papers:

Wolf R, Wolf D (April 2004)
Eger H et al (Nov 2004)
Versailles Court of Appeal reference (Feb 2009) re: Bouygues Telecom – sets legal precedent.

Highway safety/use of footpath:

- Walkers and horse riders use the grass verge, mast would restrict this.
- Vehicles for installation and maintenance of the mast would restrict visibility on the blind bend, resulting in highway danger.
- Equipment would restrict view for vehicles exiting Fernbank Road, this would be dangerous.
- Maintenance vehicles would use the car park in Fernbank Road, which gets very busy at times, so this would be unsuitable.

Devaluation of Property:

- The mast would reduce property values and not aid sales, in the current economic climate this would make the selling of properties more difficult.
- Already pay high Council Tax.

Other Observations

- Poorly made application, inaccuracies regarding directions to the site.
- Extensive pre-application consultation was not carried out, as stated by the applicant.
- Minimal publicity of the application has been carried out by the Council, due to its contentious nature the consultation period should have been extended and widened.
- No acknowledgement of biodiversity/geological areas of interest.
- Proposal does not conform with the Council's Mission Statement 'Putting People first, Providing for our Communities, Preserving our Heritage, Promoting our County, Protecting our future.
- This application should be refused.

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 impact of the proposal on the character and appearance of the area, which is within the Wye Valley Area of Outstanding Natural Beauty, and the amenity of neighbouring properties, the fear and perception of health risks and highway safety.
- 6.2 National Planning Guidance, as set out in PPG8 – Telecommunications, states that it is the government's policy to facilitate the growth of new and existing telecommunications systems, whilst keeping the environmental impact to a minimum. The Government's advice clearly states that authorities should not question the need for telecommunication systems, which proposed development is to support. It is Government policy to ensure that there is a choice of providers, range of services and equitable access to the latest technologies, as they become available. Local Planning Authorities are encouraged to respond positively, whilst considering the advice of protection of urban and rural areas in other guidance.
- 6.3 In terms of site selection the applicant has demonstrated that the search area is limited. Within the area there are no existing masts. It is considered that in light of this

the proposed site is the best option, other sites within the search area would be closer to more densely concentrated residential properties and/or would be visually prominent.

- 6.4 Policy CF3 of the Herefordshire Unitary Development Plan sets out the criteria for the consideration of telecommunications development. In particular it should be demonstrated that there is no opportunity for mast/site sharing or use of existing buildings or structures, the siting and external appearance of the apparatus have been designed to minimise the impact on the surrounding area and residential amenity and where appropriate provide a scheme for landscaping. In addition proposals in the Wye Valley Area of Outstanding Natural Beauty, and other areas, should be sensitively designed and sited and it must be demonstrated that there are no suitable alternative sites. The special siting and technical needs and operational constraints of the operation should be taken into account. The applicant has demonstrated that alternative sites have been considered, but would not provide the coverage required or would be nearer to residential properties.
- 6.5 The Wye Valley Area of Outstanding Natural Beauty designation covers part of the built up area of Ross-on-Wye, including the site subject to this proposal. Policy LA1 of the Unitary Development Plan states the criteria for the consideration of applications in the Areas of Outstanding Natural Beauty. The policy seeks to protect and enhance the natural scenic beauty and amenity of the area. The site is within a primarily residential, suburban area of Ross-on-Wye, where the natural beauty of the landscape is not overtly evident. Rather it is the built development and associated landscaping that defines the character of the locality. By virtue of the natural topography of the area, existing development and mature vegetation in the area distant views of the mast would be limited. It is therefore considered that in this context the proposal would not have a harmful impact upon the scenic qualities of the natural landscape. As such the proposal accords with the requirements of policy LA1 of the Unitary Development Plan.
- 6.6 By reason of its siting on the highway verge the proposal would be an obvious addition to the street scene. The pole would be the tallest structure, but it would, however, be seen in conjunction with existing street furniture. It is considered that careful attention has been given to the design of the pole, a slender monopole of a timber telegraph pole appearance and the ground equipment would be unobtrusive due to its siting at the rear of the verge and its minimal height. It is therefore considered that the pole would not be unduly intrusive in the street scene by virtue of the context within which it would be sited and the proposed design and colour. It is noted that the existing trees and vegetation would not provide the same screening and backdrop all year round. Thus, the visual impact of the pole would vary during the seasons. However, it is not necessary, in this suburban location, for the mast to be screened. The street furniture, which is of a more permanent nature, would ensure that the pole would not be a stand-alone structure, alien to the existing character of this part of Eastfield Road. Therefore, it is considered that the visual impact of the proposal, by virtue of its siting and design, would be satisfactorily minimised and accord with the requirements of policy CF3 of the Unitary Development Plan and PPG8 – Telecommunications.
- 6.7 It is recognised that the mast could be seen from some neighbouring properties, however views of it would be partially screened by existing, mature landscaping. In terms of the design (a slender monopole) and colour, the structure would not be a stark feature such that its presence would be overwhelming or harmful to the general residential amenities of the area.

- 6.8 PPG 8 encourages the dual or multiple use of masts. It is proposed to erect a pole mast on the site, which would not be capable of being shared. It is considered that to satisfactorily minimise the visual impact of the mast this design is preferred and outweighs the preference for a mast that is capable of being shared.
- 6.9 The majority of the objections to the application specify health risks as a major concern. It has been established, through case law, that both health risks and the perception of health risks are material planning considerations to be taken into account in the determination of planning applications. The boundary of the curtilage of the nearest property to the north, Ballard Lodge, 39, Eastfield Road, would be 13 metres from the site, to the south 31 metres and some 12 metres from the nearest boundary of the children's play area. Objections raised relate to the unknown effects of the proximity of masts to residential properties and on the health of occupants and visitors, including children.
- 6.10 Both mobile 'phones and masts use electromagnetic fields (EMF's) to transmit and receive signals. EMF's also occur naturally and are found in other manmade sources, where there is an electrical circuit, such as domestic wiring and appliances. The government's statutory advisor, the National Radiological Protection Board (NRPB) provide advice regarding EMF's and health issues, to local planning authorities and the general public. At the request of the government, the NRPB set up an independent expert group, chaired by Sir William Stewart, and following a rigorous and comprehensive assessment the report was published in May 2000. With regards to base stations the report found that the *'balance of evidence indicates that there is no general risk to the health of people living near to base stations...'*. Cases and levels of exposure from EMF's generally reduce with increasing distance from the source (The Stewart Report 2000, section 1.6). For base station emissions, exposures to the general population will be to the whole body, but normally at levels of intensity many times less than those from handsets (The Stewart Report 2000, section 1.7). Use of mobile 'phones can expose tissues adjacent to the antenna to levels of EMF radiation more than a thousand times higher than people would normally encounter from base stations (The Stewart Report 2000, section 6.71 – emphasis added).
- 6.11 It is accepted that there are additional factors that need to be taken into account in assessing the possible health effects and the people can vary in their susceptibility to environmental hazards. In light of this The Stewart Report found sufficient justification to recommend a precautionary approach be adopted, but concluded that it is not realistic to prevent any development until it is proven that there is no risk at all. The recommended precautions do no include a moratorium on the provision of telecommunications masts in residential areas, rather they set out precautions to the Government, Local Planning Authorities, the telecommunications operators and the consumers. It is recommended that emissions from mobile 'phones base stations must meet the guidelines for the International Commission on Non-Ionising Radiation Protection (ICNRP) for public exposure. The proposal complies with this requirement. Another recommendations is that in respect of schools the beam of greatest radio frequency intensity should not fall on any part of the school's grounds, unless the school and parents agree to it (section 6.65). This precautionary recommendation has been applied to this proposal in respect of the nearby children's play area, and the beam of greatest radio frequency intensity would not fall upon or cross the play area. Another recommendation is that individuals may wish to minimise their risk, in line with the precautionary approach, by making fewer and shorter calls and reducing their exposure, due to proximity, by using an approved hands-free set.

- 6.12 In assessing the weight to be attached to the raised health issues PPG8, paragraph 98 states that it is *'the government's firm view that the planning system is not the place for determining health safeguard. It remains central Government's responsibility to decide what measures are necessary to protect public health. In the Government's view, if a proposed mobile phone base station meets the ICNIRP guidelines for public exposure it should not be necessary for a local planning authority, in processing an application for planning permission or prior approval, to consider further the health aspects and concerns about them'* [emphasis added]. In addition, as stated at paragraph 101 *'In the Government's view, local planning authorities should not implement their own precautionary policies.'* In light of the submission of the certificate of compliance with the International Commission on Non-Ionising Radiation Protection (ICNIRP), which confirms that the whole of the coverage area would meet the ICNIRP requirements, the confirmation that the beam of greatest radio frequency intensity would not fall or cross the children's play area and government advice it is considered that the health risks raised are not sufficient to outweigh technical evidence and government advice.
- 6.13 With regards the perception of health risks, whilst the mast could be seen from some neighbouring properties and the children's play area, it would be partially screened by existing trees. Furthermore the limited height and slender design of the mast would further reduce its prominence. Therefore it is considered that having restricted views of the mast from within residential properties or their curtilages or from the children's play area, would not reasonably give rise to a significant or justified heightened sensitivity about health risks.
- 6.14 Amended plans have been received, which have re-sited the ground equipment further back into the site with the exception of the mast. Provided that satisfactorily amended plans are received in this respect the Traffic Manager has no objection because the proposal would not impinge upon visibility for vehicles existing Fernbank Road. The use of the verge for walkers and horse riders would not be prevented by the proposed installation. Furthermore, there is a footpath on the opposite side of Eastfield Road from the proposed site.
- 6.15 Some of the objectors state that if the mast is erected it would reduce local house values. The Planning System: General Principles notes that it is not for the planning system to protect private interests of one person against the activities of another. In differentiating between a private and public interest it states that *'The basis question is not whether owners and occupiers of neighbouring properties would experience financial or other loss from a particular development, but whether the proposal would unacceptably affect amenities and the existing use of land and buildings which ought to be protect in the public interest.'* Furthermore, no evidence has been submitted to support this view.
- 6.16 In conclusion it is considered that the mast would not have a harmful impact upon the landscape or street scene, the health of local residents or highway safety.

RECOMMENDATION

Subject to receipt of satisfactorily amended plans regarding the siting of the mast, 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 Prior to the commencement of development samples/trade descriptions of the external colour and finish of the mast pole and base equipment shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

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 All of the telecommunications equipment hereby granted shall be permanently removed from the site as soon as reasonably practicable when no longer required for its designed use.

Reason: In order to protect the visual amenities of the area in accordance with Policy DR1 of the Herefordshire Unitary Development Plan.

Informatives:

- 1 HN01 - Mud on highway**
- 2 HN04 - Private apparatus within highway**
- 3 HN05 - Works within the highway**
- 4 N19 - Avoidance of doubt - Approved Plans**
- 5 N15 - Reason(s) for the Grant of Planning Permission**

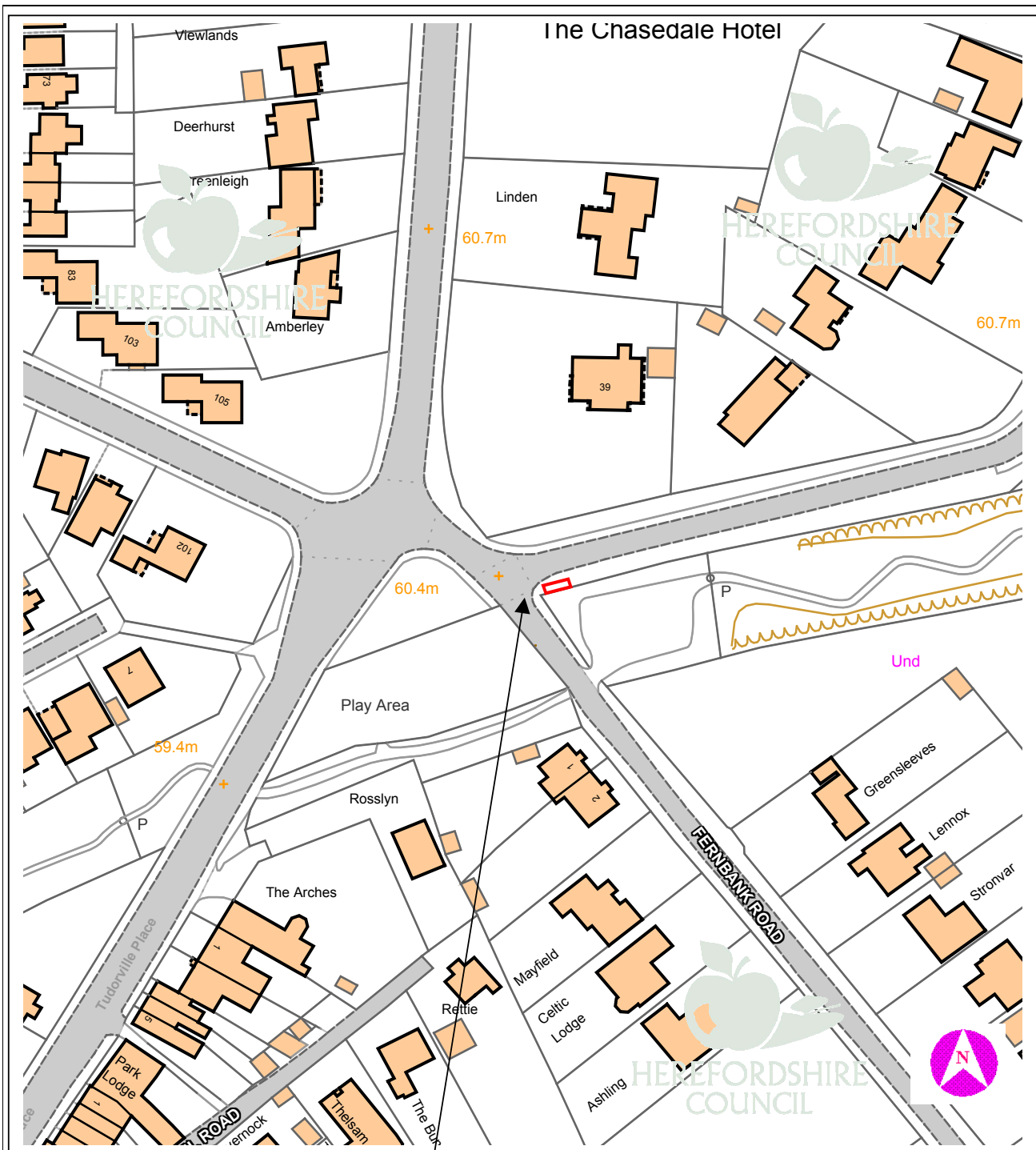
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCSE2009/0388/F

SCALE : 1 : 1250

SITE ADDRESS : Junction of Fernbank Road / Eastfield Road, Ashfield, Ross-on-Wye, Herefordshire, HR9 5PP

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10 DCSE2009/0308/A - TWO FREE STANDING SIGNS (POLE SIGN ILLUMINATED) AND A FASCIA SIGN TO BUILDING, HOPE & ANCHOR, ROPE WALK, ROSS-ON-WYE, HEREFORDSHIRE, HR9 7BU.

For: Mr G Overall per Morgan Signs & Design Ltd. Unit A4 Walsall Enterprise Park, Regal Drive, Walsall, WS2 9HQ.

**Date Received: 18 February 2009 Ward: Ross-on-Wye Grid Ref: 59644, 24183
West**

Expiry Date: 15 April 2009

Local Members: Councillors CM Bartrum and G Lucas

1. Site Description and Proposal

- 1.1 The Hope and Anchor Public House is situated between Wye Street and the River Wye in Ross-on-Wye and comprises a public house, car park and grassed beer garden area with two timber buildings and numerous picnic tables and benches. The site is within the Ross-on-Wye Town Conservation Area and Wye Valley Area of Outstanding Natural Beauty. It is within the flood plain of the river. Levels within the site rise gradually from the top of the riverbank to the public house to the east and the road beyond.
- 1.2 It is proposed to replace three signs at the site, a double sided directional sign (Item A) adjacent to Wye Street near to the vehicular access into the site, a pole sign (Item B), which it is also proposed to re-site adjacent to an existing garage building and stone wall on the north-western side of Wye Street and an existing wall sign (Item C) fixed to the front (western) elevation of the public house.
- 1.3 The double sided directional sign would be a maximum of 1.5 metres in height, 1.5 metres in width and would have a blue background with cream text and symbol. The pole sign would be some 3.8 metres in height, excluding the 'Marstons' crowner and would be illuminated by a pair of pictorial lights to the pictorial sign and two bullet lights to the directional sign, which would indicate the direction of the entrance to the site and the car park. The wall sign would be 2.4 metres in width and 0.9 metres in height, with a blue background and cream vinyl text and coachlines. It would be sited on a gable end, directly beneath a first floor window and above a ground floor, flat roofed addition.

2. Policies

2.1 Planning Policy Statements

The Planning System: General Principles (Office of the Deputy Prime Minister)
PPG15 - Planning and the Historic Environment
PPG19 - Outdoor Advertisements Control

2.2 Herefordshire Unitary Development Plan

Part 1

- Policy S2 - Development Requirements
 Policy S7 - Natural and Historic Heritage

Part 2

- Policy DR1 - Design
 Policy DR2 - Land Use and Activity
 Policy LA1 - Areas of Outstanding Natural Beauty
 Policy HBA4 - Setting of Listed Buildings
 Policy HBA6 - New Development in Conservation Areas
 Policy HBA11 - Advertising

3. Planning History

- 3.1 DCSE2007/3335/F Erection of a 5m x 9m garden room structure to the front of the building. Predominantly timber with trellis panels and ballustrade and timber shingle roof - Withdrawn 12.12.07
- DCSE2007/3872/F Erection of a 5m x 9m garden room structure to the front of the building. Predominantly timber with trellis panels and ballustrade and timber shingle roof - Refused 06.02.08 allowed on appeal on 07.08.08
- DCSE2008/2092/F Proposed erection of a garden room structure and relocation of existing ice-cream/drinks unit - Granted 01.10.08

4. Consultation SummaryStatutory Consultations

- 4.1 No statutory or non-statutory consultations required.

Internal Council Advice

- 4.2 The Conservation Manager advises that there will be no net change on the impact of the character of listed buildings in the vicinity or the wider Conservation Area.
- 4.3 Traffic Manager advises that the proposed re-siting of the pole sign should not be within 2.4 metres of the carriageway and should be re-sited.

5. Representations

- 5.1 The applicant's agent has submitted additional information in support of the application. This states, in summary:

- The proposed location of the pictorial pole sign is crucial, as there is a history of motorists who travel down the hill, pass the entrance to the site (on their right), continue and do not turn around.
 - The proposed re-siting would clearly identify the site entrance and enable motorists more time to turn safely into the site.
- 5.2 Ross-on-Wye Town Council - No objection.
- 5.3 One letter of objection has been received from the owner of The White House Guest House. The main issues raised are:
- Object to the re-siting of the pole, free standing sign only.
 - The re-siting would be opposite my front door, in direct sight line of at least two of my letting rooms.
 - Guest House is a Grade II listed building, in a Conservation Area.
 - It would be obtrusive to the views from all rooms, which currently have an interrupted view of the riverside.
 - No problem with position of the existing sign, which has been there around 30 years, why is it necessary to move it?
 - It is the applicant's Birmingham sign makers that have made the suggestion for re-siting.
 - Benefit of the applicant's by moving the sign would not outweigh the benefit to my business by leaving it where it is.
 - Have no objection to the other proposed signs.

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, as set out in PPG19 – Outdoor Advertisement Control, the impact upon amenity and public safety. Policy HBA11 states that advertisement consent will only be granted where they do not adversely affect public safety or amenity, having regard to the architectural, historical and visual character and appearance of the area and to both individual and cumulative effects.
- 6.2 With regards to the Area of Outstanding Natural Beauty designation Policy LA1 of the Unitary Development Plan states that only small scale development, which would not adversely impact upon the intrinsic natural beauty of the landscape and is necessary to facilitate the economic well being of the area will be permitted. In addition Policy HBA6 requires development in Conservation Areas to preserve or enhance the character and appearance of the area, whilst Policy HBA4 states that development that would adversely affect the setting of listed buildings will not be allowed.
- 6.3 The double sided directional sign would be of comparable size and siting to the existing. It would be of a simple design and two colour scheme and by virtue of this, together with its siting, it would not be unduly prominent in the street scene or from riverside views. As such the sign would not be harmful to the amenity of the area. Due to its siting, set back from the highway it would not restrict visibility or the free flow of traffic. Therefore, the sign would not prejudice public safety.

- 6.4 The re-sited illuminated pole sign would be relocated approximately 20 metres to the north-east of its existing position, adjacent to a garage and stone wall on the north-western side of Wye Street. It would be at a lower level than the highway and nearby to an existing telegraph pole. In terms of its impact on the general amenity of the area it is considered that it would be read in conjunction with existing development and would not be intrusive. The Conservation Manager has advised that there would be no adverse impact upon the Conservation Area or the setting of the nearby listed buildings. It is therefore considered that the character and appearance of the Conservation Area will be preserved and the setting of the listed buildings, in this suburban location, would not be harmed. Illumination of the sign is considered acceptable in this location, provided that it is turned off when the public house to which it relates is closed. A condition is recommended to control this. Amended plans have been received which propose the siting of the pole sign set back some 2.4 metres from the carriageway. On this basis the Traffic Manager considers that the sign would not adversely impact upon public safety, in respect of restricting visibility to the north-east from vehicles existing the site or pedestrians using the public footway.
- 6.5 The proposed wall sign, to the front elevation of the public house, would essentially replace the existing. By reason of its size and siting it would relate well to the existing building, would not be unduly prominent and would have no impact upon public safety.
- 6.6 As advised in PPG19 – Outdoor Advertisement Control, it is not for the planning system to question the need for advertisements. Furthermore, it is the wider public amenity that is considered and not the interests of individuals. The objector's comments in respect of the pole sign are noted, however as set out in The Planning System: General Principles private interests are not protected, but rather public amenity. The impact upon the amenity of the area has been considered at section 6.4 of this report and it is concluded that there would be no demonstrable adverse impact upon the amenity of the locality.
- 6.7 In conclusion, it is considered that the three signs proposed would not have an adverse impact upon the amenity of the area or public safety.

RECOMMENDATION

That advertisement consent be granted subject to standard conditions and the following further 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 I35 (Time limit on floodlighting/external lighting) (amended)

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

Informatives:

- 1 N19 - Avoidance of doubt - Approved Plans
- 2 N15 - Reason(s) for the Grant of Advertisement Consent

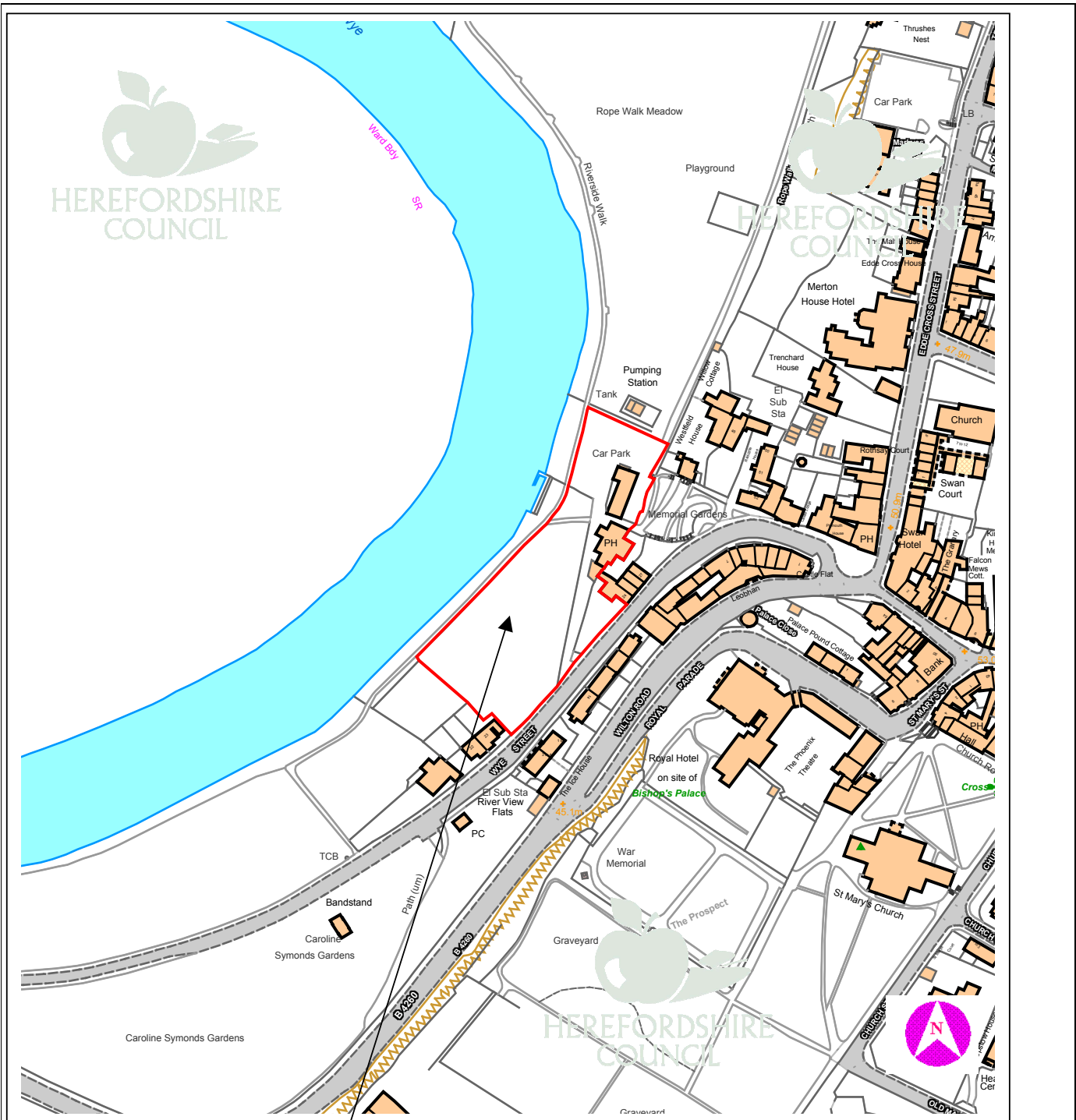
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCSE2009/0308/A

SCALE : 1 : 2500

SITE ADDRESS : Hope & Anchor, Rope Walk, Ross-on-Wye, Herefordshire, HR9 7BU

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Further information on the subject of this report is available from Mrs C Atkins on 01432 260536