

AGENDA

Planning Committee

Date: **Wednesday 21 July 2010**

Time: **10.00 am**

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

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

For any further information please contact:

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Agenda for the Meeting of the Planning Committee

Membership

Chairman	Councillor TW Hunt
Vice-Chairman	Councillor RV Stockton
	Councillor ACR Chappell
	Councillor PGH Cutter
	Councillor H Davies
	Councillor GFM Dawe
	Councillor DW Greenow
	Councillor KS Guthrie
	Councillor JW Hope MBE
	Councillor B Hunt
	Councillor RC Hunt
	Councillor G Lucas
	Councillor RI Matthews
	Councillor JE Pemberton
	Councillor AP Taylor
	Councillor DC Taylor
	Councillor WJ Walling
	Councillor PJ Watts
	Councillor JD Woodward

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AGENDA

		Pages
1.	APOLOGIES FOR ABSENCE To receive apologies for absence.	
2.	NAMED SUBSTITUTES (IF ANY) To receive details any details of Members nominated to attend the meeting in place of a Member of the Committee.	
3.	DECLARATIONS OF INTEREST To receive any declarations of interest by Members in respect of items on the Agenda.	
4.	MINUTES To approve and sign the Minutes of the meeting held on 30 June 2010.	1 - 6
5.	CHAIRMAN'S ANNOUNCEMENTS To receive any announcements from the Chairman.	
6.	DMSE1004200 - LAND ADJACENT TO ALTON BUSINESS PARK, ALTON ROAD, ROSS ON WYE, HEREFORDSHIRE, HR9 5ND Erection of a 60 bed (maximum) care home for the elderly.	7 - 18
7.	DMCW100999F - LAND SOUTH OF WERGINS BRIDGE, C1125, SUTTON ST NICHOLAS, HEREFORDSHIRE. New vehicle access to field.	19 - 22
8.	DMCW100947F - 44 TOWER ROAD, HEREFORD, HEREFORDSHIRE, HR4 0LF. Erection of 8 flats.	23 - 32
9.	DMS101526FH - 236 GRANDSTAND ROAD, HEREFORD, HR4 9LS. Proposed single storey front extension.	33 - 36
10.	DATE OF NEXT MEETING Date of next site visit – Tuesday 10 August 2010 Date of next meeting – Wednesday 11 August 2010	

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HEREFORDSHIRE COUNCIL

BROCKINGTON, 35 HAFOD ROAD, HEREFORD.

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HEREFORDSHIRE COUNCIL

MINUTES of the meeting of Planning Committee held at The Council Chamber, Brockington, 35 Hafod Road, Hereford on Wednesday 30 June 2010 at 10.00 am

Present: Councillor TW Hunt (Chairman)
Councillor RV Stockton (Vice Chairman)

Councillors: PA Andrews, ACR Chappell, PGH Cutter, KS Guthrie, JW Hope MBE, B Hunt, RC Hunt, G Lucas, PJ McCaull, JE Pemberton, WJ Walling, PJ Watts and JD Woodward

1. ELECTION OF CHAIRMAN AND APPOINTMENT OF VICE-CHAIRMAN

Members noted the re-election of Councillor TW Hunt and the re-appointment of Councillor RV Stockton as Chairman and Vice-Chairman of the Planning Committee.

2. APOLOGIES FOR ABSENCE

Apologies were received from Councillors GFM Dawe, DW Greenow, RI Matthews, AP Taylor and DC Taylor.

3. NAMED SUBSTITUTES (IF ANY)

In accordance with paragraph 4.1.23 of the Council's constitution, Councillor PA Andrews was a substitute member for Councillor AP Taylor and Councillor PJ McCaull was a substitute member for Councillor RI Matthews.

4. DECLARATIONS OF INTEREST

No declarations of interest were made.

5. MINUTES

RESOLVED: That the Minutes of the meeting held on 12 May 2010 be approved as a correct record and signed by the Chairman.

6. APPEALS

The Committee noted the appeal in respect of B&M Home stores. Concern was expressed in respect of other stores who may be in breach of their planning conditions. The Assistant Director – Environment, Planning and Waste advised that it was important for the Council to take enforcement action in respect of B&M Home stores in order to protect the integrity of the town centre. He added that the Inspector had recognised the stance taken by the Council but felt that impact on the town centre was minimal and therefore quashed the enforcement notice.

The Assistant Director went on to advise the Committee in respect of the new enforcement team and ensured Members that they would take the necessary action in order to safeguard the retail vitality of the city centre.

RESOLVED

That the appeal report be noted.

7. CHAIRMAN'S ANNOUNCEMENTS

The Chairman introduced all of the Officers present at the meeting.

It was noted that the previous meeting had been cancelled due to a lack of business and that a training session had taken place instead. The Chairman thanked members for their attendance and noted the positive feedback received in respect of the quality of the training session. He added that a future training session had been planned to cover planning enforcement.

8. DMSE1004200 - LAND ADJACENT TO ALTON BUSINESS PARK, ALTON ROAD, ROSS ON WYE, HEREFORDSHIRE, HR9 5ND

Erection of a 60 bed (maximum) care home for the elderly.

The Senior Planning Officer gave a presentation on the application and updates / additional representations received following the publication of the agenda were provided; the schedule of committee updates is appended to these minutes. He also reported the receipt of a further 16 letters of support which were received after the update sheet had been produced.

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

In accordance with paragraph 4.8.2.2 of the Council's Constitution, Councillor PGH Cutter, one of the local ward members, commented on a number of issues which had been raised by Councillor AE Gray, the other local ward member, these included:

- The site would have to be registered and regulated by the Care Quality Commission.
- The Commission for Social Care Inspection felt that there were too many care homes within Herefordshire and recommended a move towards care within the community.
- Would a care home in an industrial area be appropriate?
- The loss of employment land would be a concern within Ross-on-Wye.
- The concerns raised by the traffic manager were echoed.

He went on to comment on further issues, including:

- The applicant stated in a recent letter that 'Activity generated by the road and office block would create interest for the residents', this statement was disputed.
- The applicants were well regarded within Ross-on-Wye and they had generated a number of new jobs through previous applications, however the current application was not suitable.
- The Southern Area Planning Committee had approved permission for 3 retail units on the site.
- Planting offered in a previous application had still not taken place.
- 6a Alton Road had stated that the noise emanating from their development exceeded levels stated in the applicant's noise report.
- It was imperative that comments were received from the adult social care team before any decision was made.
- The application should be deferred until the comments from the adult social care team were received.

Members discussed the application and noted that both local and national policies had seen a move to care for people in their own homes. They also noted that the 8 care homes in the area offered a total of 232 beds with only 57 of these purchased by the Council. It was also noted that this number was unlikely to increase.

In response to a question, the Head of Development Management advised Members that the social care team had been consulted but that no response had been received.

Councillor Cutter was given the opportunity to close the debate in accordance with the Council's Constitution. He reiterated the issues raised in his opening statement.

RESOLVED

That determination of the application be deferred pending consultation with the adult social care team.

9. DMCW0929320 - LAND AT FARADAY ROAD, HEREFORD, HR4 9NZ

Outline planning permission for the construction of a Total Care facility to include 100 Assisted Living Units (Use Class C2 and C3).

The Northern Team Leader gave a presentation on the application as well as thorough details of the planning and appeal history of the site. Details of the updates / additional representations received following the publication of the agenda were also provided; the schedule of committee updates is appended to these minutes.

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

In accordance with paragraph 4.8.2.2 of the Council's Constitution, Councillor PA Andrews, the local ward member, commented on a number of issues, including:

- The application was very similar to the Rose Gardens site which had been extremely popular.
- The application site had been empty for 20 years with no industrial usage coming forward during that time.
- Extra industrial land had now become available at the Holmer and Three Elms trading estates.
- The affordable living units were welcomed.
- Concern was raised in respect of the limited car parking proposed on the site.
- Allocation of units should be assessed in order to give local residents first opportunity.

The Northern Team Leader advised Members that the allocation of the dwellings had been discussed with the Housing Manager and that the Section 106 agreement would be amended in order to give higher priority to local residents.

The Committee felt that the provision of smaller residential units would release a number of larger homes for sale on the open market. They noted that the application offered a total care package allowing the level of care offered to increase over a period of time. The creation of up to 140 jobs was welcomed, members felt that this helped to alleviate concerns regarding the loss of industrial use land.

In response to points raised by the Committee, the Northern Team Leader advised that the plan submitted with the application was an indicative layout plan and that all landscaping details would be considered during the full application process.

Councillor Andrews was given the opportunity to close the debate in accordance with the Council's Constitution. She reiterated the issues raised in her opening statement.

RESOLVED

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

- 1 C02 Time limit for submission of reserved matters (outline permission)**
- 2 C03 Time limit for commencement (outline permission)**
- 3 C04 Approval of reserved matters**
- 4 C05 Plans and particulars of reserved matters**
- 5 C12 Section 106 Agreement**
- 6 C74 Staging of development**
- 7 CAD Access gates**
- 8 CAE Vehicular access construction**
- 9 CAL Access, turning area and parking**
- 10 CAP Junction improvement/off site works**
- 11 CAT Wheel washing**
- 12 CA2 Landscape maintenance arrangements**
- 13 CB2 Secure covered cycle parking provision**
- 14 CB3 Travel Plans**
- 15 CCP Sustainable Homes Condition**
- 16 CBK Restriction of hours during construction**
- 17 CBO Scheme of surface water drainage**
- 18 CAP Pedestrian crossing – Grandstand Road**
- 19 CAP Bus shelters**
- 20 CAP Upgrade to Chave Court Close**

INFORMATIVES:

- 1 I05 No drainage to discharge to highway**
- 2 I45 Works within the highway**
- 3 I13 Section 106 Obligation**
- 4 I08 Section 278 Agreement**

5 I38 Avoidance of doubt – Approved Plans

6 I34 Reason(s) for the Grant of PP/LBC/CAC

10. STRUCTURE OF PLANNING SERVICES

The Assistant Director - Planning, Transport and Waste and the Head of Development Management gave a verbal update in respect of the recent changes to the structure of the planning services department.

11. DATES OF FUTURE MEETINGS

Members noted the dates for Planning Committee for 2010 – 2011 as amended at full Council on 28 May 2010.

RESOLVED

That the report be noted

APPENDIX 1 - SCHEDULE OF COMMITTEE UPDATES

The meeting ended at 11.22 am

CHAIRMAN



MEETING:	PLANNING COMMITTEE
DATE:	21 JULY 2010
TITLE OF REPORT:	<p>DMSE/100420/O - ERECTION OF A 60 BED (MAXIMUM) CARE HOME FOR THE ELDERLY AT LAND ADJACENT TO ALTON BUSINESS PARK, ALTON ROAD, ROSS ON WYE, HEREFORDSHIRE, HR9 5ND.</p> <p>For: Mr Egan per Mr John Sneddon, Eclipse Office Park High Street, Staple Hill, Bristol, BS16 5EL.</p>

Date Received: 26 February 2010 Ward: Ross-on-Wye East Grid Ref: 360606,223781

Expiry Date: 3 June 2010

Local Members: Councillors AE Gray and PGH Cutter

Introduction

This application was considered at the last meeting of the Planning Committee when Members resolved the application should be deferred pending the receipt of comments of the Director of Adult and Social Care, now received and reported at paragraph 4.5.

1. Site Description and Proposal

- 1.1 The site lies within the settlement boundary of Ross-on-Wye and Wye Valley Area of Outstanding Natural Beauty and is allocated as safeguarded employment land in the Herefordshire Unitary Development Plan. It is located on the south-eastern side of Alton Road approximately 0.8 km to the west of the town centre. The site is bordered to the north and south by commercial development, to the east by agricultural land and to the west by Alton Road (C1279) and residential properties.
- 1.2 This is an outline application to establish the principle of a care home for the elderly, a C2 use. The application reserves all matters; layout, scale, appearance, access and landscape for future consideration. However, a suggested site layout plan has been submitted that shows the position of the care home building positioned towards the rear of the site, and a car parking area that will be to the rear of the building. The remaining area of land is shown as open space/amenity area/garden. Vehicular access is shown off the adjoining industrial estate road that exits onto Alton Road.

2. Policies

2.1 Planning Policy Statements

PPS1 - Delivering Sustainable Development

Further information on the subject of this report is available from Mr D Thomas on 01432 261974

- PPS4 Planning for Sustainable Economic Growth
- PPG13 - Transport
- PPG24 - Planning and Noise

2.2 Herefordshire Unitary Development Plan

- S1 - Sustainable Development
- S2 - Development Requirements
- S4 - Employment
- S6 - Transport
- S11 - Community Facilities and Services
- DR1 - Design
- DR2 - Land use and activity
- DR3 - Movement
- DR5 - Planning Obligations
- DR13 - Noise
- DR14 - Lighting
- E5 - Safeguarding Employment Land and Buildings
- E7 - Other Employment Proposals Within and Around Hereford and the Market Towns
- E8 - Design Standards for Employment Sites
- CF5 - New Community Facilities
- CF7 - Residential Nursing and Care Homes
- T11 - Parking Provision

3. Planning History

- 3.1 DCSE2008/0775/O Outline planning permission for the redevelopment of existing site for a mixed use development including business/general industrial (B1, b, c, B2) and bulky goods retail (A1) uses. - Approved 20.3.2009
- DCSE0009/1186/O 60 bed care home. - Withdrawn

4. Consultation Summary

Statutory Consultations

- 4.1 Welsh Water has no objection subject to conditions.

Internal Council Advice

- 4.2 Traffic Manager recommends refusal: inadequate parking shown and cycle and footway links to the Town and Country Trail to Alton Road need to be implemented.
- 4.3 Environmental Protection Manager recommends conditions to protect the amenity of residents of the care home.
- 4.4 Economic Regeneration Manager: "It is considered that the issue is one of a residential use on an employment site that would be surrounded on three sides by B class use development, and the potential adverse impact that this residential care home (Use Class C2) could have on the full utilization and operation of the surrounding employment sites over time. In particular, complaints of disturbance from care home residents needing peace and quiet. Nearby residential development is currently separated by a distributor road and merely faces the employment site.

Further information on the subject of this report is available from Mr D Thomas on 01432 261974

The accompanying Environmental Noise Assessment indicates that the noise measurements were taken in the area of the proposed car park at the front of the site. The report states that based on noise measurements, the site falls into Category B (as set out in PPG 24), where noise should be taken into account when determining planning applications and where appropriate, conditions imposed to ensure an adequate level of protection against noise. In the report, it is recommended that attenuated glazing be applied to all facades of the building along with a 2 metre high acoustic fence to the side and rear of the building. This is not the right place for the proposed residential use.

Great play is made of an earlier retail planning permission on the site, but it is believed that a retail use would more acceptable in land use terms with the surrounding B class use development.

Accordingly, from an economic development aspect, we still object to the above proposal for the reasons set out above.”

- 4.5 Director of Adult Social Care – “The applicant has not approached the Health and/or Social Care Commissioners with regard to their application, and it is not clear whether the care would fit with Commissioning Plans. Despite a growth in the number of older people predicted to be requiring care in the future, service users views and local and national policy emphasises care in the persons owns home. Herefordshire is not anticipating a significant increase in demand for residential care, other than short term reablement, a maximum of weeks care in a combination of any setting, for which Ross-on-Wye is already well served.”

5. Representations

- 5.1 A Design and Access Statement has been submitted with the application. In summary it is said:

- This application proposes a care home for the elderly. All residents would be above the age of 60 although in reality the average age will be well into the 70`s.
- The proposal will have a maximum floor area of 1450 square metres.
- The accommodation will consist of individual bedrooms and communal areas; lounges and activities, interviews and treatment rooms, staff rooms and nurses rooms and medical rooms and kitchen. It will be a modern efficient care home.
- The position of the building will be determined by the street and character of the area. The building will be of traditional design.
- It is relevant that the application site has planning permission for a non-pure employment use; retail use.
- The site sits within the development limits of one of the highest ranking settlements in the Council area. Care home uses are acceptable in this settlement. There is no reason to believe it will impact on adjoining properties.
- The site is marked in the UDP as being protected from non-employment uses but permission has been granted for use which is not a classic employment use.
- The site is vacant and there is no need to look at alternative locations.
- The property will be manned 24 hours a day.
- The care will provide 40 full time jobs translating to 50 with part time employment.
- The site is close to services.
- Mitigation is proposed to ensure the residents will not be affected by noise from nearby industrial units.
- The proposal will have far less impact in traffic terms than the retail planning permission.

- 5.2 The applicant has said:

This is an application for change of use of a site which currently has consent for bulky goods retail. There is currently no demand for this use and we wish to secure planning consent for a care home.

The application site is located on previously developed land within the development limits of Ross-on-Wye. Care home proposals like this should be built in sustainable larger towns where the highest number of people can access them for employment and visiting with the option of journeys by walking, cycling, public transport and by car where there is the greatest opportunity to combine journeys to the site with other activities like shopping and so on.

The site is a small part of a larger allocation of employment land, protected by policy E5 which states proposals which result in a loss of the site to "non-employment uses" will only be permitted in certain circumstances. This application is employment generating and therefore there are additional jobs being created and this is not considered contrary to policy E5. This care home will create around 50 much needed local jobs (part time and full time) as opposed to the current consent for retail on the site which provides only 4-5 jobs.

This new job creation is much needed in the area to replace the redundant manufacturing jobs that have been lost.

You will all be aware of the recently allocated Model Farm site which will provide 10 hectares. A plan has been submitted to the planning authority which demonstrates how the home is intended to be laid out.

The site has excellent road frontage which is required by an operator.

The activity generated by the road and the adjoining office block will provide interest for the residents to look out of the window.

The views to the rear of the site to Chase Woods, provides an excellent backdrop to the scheme and this was a unique selling point to the operator.

In identifying this site we have carried out a detailed analysis of available sites for a home of this size, these include Model Farm, Ashburton Industrial Estate, land at Hildersley, Homs Road, Church Street, Brookend Street, Greytrees and Brampton Road. They have been considered too small to accommodate the proposal. There are no suitable available sites in Ross-on-Wye. A site could be created by demolishing existing houses but this would cause local objection.

If Ross-on-Wye is to be adequately provided for in its care needs, then this application should be approved. If this is not then people needing care facilities from Ross-on-Wye will need to re-locate to other towns; Hereford or Gloucester.

Our proposal remains part of a comprehensive redevelopment of the site. My clients have built Phase 1 and Phase 2 which has provided modern office and work space in the town. They fully intend to move onto the rear of the site with proposals for appropriate commercial development.

To demonstrate that sites similar to these are being developed across the country we have recently secured a planning consent for a new care home on the front of a business park in Newent, Gloucestershire. This has residential on the one side of the home and offices on the other a very similar situation to Ross-on-Wye.

This application has received significant local support.

The demand for these homes is going to improve dramatically in the future. We have included some background information for you to understand where this pressure is coming from to provide for this space due to our ageing population.

'Age Concern' figures

Population of England 2008

- 61 million total
- 20.5 million over 50
- 9.7 million over 65
- 2.7 million over 80

By 2032 1 in 4 people will be over 65 compared to currently there are only 1 in 6.

Between 2008 and 2028 will be the fastest period of growth of older people in the population.

- 16% increase in people of all ages
- 33% increase in people over 50
- 53% increase in people over 65 and over
- 85% increase in people over 80 and over

5.3 Ross Town Council has no objection.

5.4 Objections have been received from Mrs M Jenkins, 14 Alton Road, Ross-on-Wye and Mrs JA Hayes, White Keys, Walford Road, Ross-on-Wye. In summary it is said:

- Increase traffic along Alton Road danger in entering and exiting driveways opposite site and increase in traffic along Alton Road.
- Elderly residents overlooked from offices to the left not suitable for elderly people.
- 22 car parking spaces not enough for staff and residents should be sited at back of complex, cars already parking from the junction of Penyard Lane to Chase Side Road causing difficulty for drivers, if not enough car parking will result in more cars being parked along a very busy Alton Road, also used for Police cars and Ambulances answering 999
- calls routes exiting and entering police station and hospital, large tractors also using this road to get to Walford Road. After A40 through Ross was reduced to make friendly for shoppers, moved traffic into residential area. Should really have a traffic survey carried out on Alton Road and Alton Street to access usage and best way to move forward with increase of traffic.
- Extra sewerage when Ross Sewerage has not been upgraded how can this be passed?
- Extra drainage to be installed because of run off of rain water from Penyard Woods.
- Green transport bus does not run for visiting times causing extra traffic
- No A & E at hospital so residents to be transported to Hereford hospital more need on Ross resources.
- Roof height on main entrance higher than rest of building what is maximum height - is it same height as building demolished?
- Site is industrial not residential.
- I can think of no more inappropriate place for a Care Home for the elderly. Resting between the Alton Industrial Estate and Alton Business Park and, to the rear, the Army Rifle Range - where is the peace and quiet and the dignity for those in care?
- The access appears to be through the Business Park. So private cars, ambulances, doctors and nurses, trades vans, heavy goods vehicles, 40 full time staff and 15 part time staff, and visitors to the Home will all be using the same entrance?
- There has been so little thought given to this application. Please ask the developer to think again and find a better place to build this Care Home.

5.5 Letter from Bauer Kompressoren UK Ltd, Unit 6A Alton Road Business Park, Alton Road, Ross-on-Wye. In summary it is said:

Further information on the subject of this report is available from Mr D Thomas on 01432 261974

- We are in close proximity to the proposed building of a care home
- We have viewed the noise report and feel it necessary to inform you that as part of our daily activities we operate compressors immediately in front of the main entrance to Unit 6A
- The effect of these operations are that noise is generated that exceeds the figures specified in the Noise Report
- Our activities are in accordance with the requirements of our tenancy agreement.

5.6 18 letters in support of this application have been received. In summary it is said:

- It will provide a much needed local service.
- The approval will provide immediate employment for the employees of MF Freeman and sub contractors.
- The development when complete will provide 48 jobs + for the local community.
- The carehome provides a valuable facility needed by the local community as the population is living longer.

5.7 A petition with 53 signatures in support of the proposal has also been received.

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

6. Officer's Appraisal

- 6.1 The application site is located within safeguarded employment land, as defined in policy E5 of the Unitary Development Plan.
- 6.2 Policy E5 says proposals will only be permitted where there would be substantial benefits to residential or other amenity in allowing alternative forms of development, and the site or premises concerned can be shown to be unsuitable for other employment uses, including consideration of mitigation measures.
- 6.3 Policy CF7 which deals specifically with residential care homes comments they should be located within areas that are suitable for other forms of residential accommodation and ideally be situated close to local services and public transport routes. It is important to ensure that a satisfactory standard of accommodation is provided for residents, with appropriate levels of external amenity space. In addition, and recognising that such facilities are likely to be established within existing residential areas, it is important that the levels of noise and activity arising, for instance through social functions or traffic, does not significantly impact upon the amenity of local residents.
- 6.4 This is an application for a care home, a use that falls within Use C2; a place for people in need of care. Material to the determination of this application is the affect adjoining businesses and processes could have on the ability of operating the care and effect upon the residents of the care home. Also, consideration needs to be given to the effect a care here would have on adjoining businesses. Although an outline application the applicant has submitted a plan that positions the care home building and associated parking to the rear of the site. The plan also shows sitting out areas to be screened by acoustic fences. The Environmental Protection Manager advises that the acoustic fencing together with sound attenuation measures to be incorporated into the design of the building should protect the occupants of the building from potential noise nuisance from adjoining industrial processes that may arise from to time.
- 6.5 The site forms part of a much larger area of land which is subject of a comprehensive redevelopment scheme; DCSE2008/0775/O refers. Phase 1 included the refurbishment of

Further information on the subject of this report is available from Mr D Thomas on 01432 261974

units for industrial use and permission has recently been approved for the redevelopment of the office block to the front of the site. The remainder of the site (Phase 2 & 3) has been derelict for some time and does not form an attractive frontage to Alton Road. Consequently, the proposal would improve the appearance of the site and would benefit the residential amenity of properties facing the site on the opposite side of Alton Road.

- 6.6 Notwithstanding the employment allocation, other material planning considerations must be considered; outline planning permission has been granted for the redevelopment of the site which included a retail warehouse, DCSE2008/0775/O refers, a fall back position that remains available to the applicant. The site for the care home is that part of the site which was proposed for the retail warehouse. This outline planning permission is considered a material consideration in the determination of this current proposal. Notwithstanding the loss of employment land to the retail warehouse, this was based on a clearly identified need. The applicant was able to demonstrate there was no suitable sites available within the town centre for the sale of bulky goods and that the retail element of that proposal; would not undermine the vitality and viability of Ross town centre. Given the outline planning permission has established the principle of this part of the site as “non-manufacturing use”. The proposal will include employment use of the site in that it will provide employment opportunities through 24 hour shift work whereas as the retail warehouse will only provide employment during retail hours.
- 6.7 Material to the determination of this application is the outline planning permission at Model Farm which established the use of 15ha of land for B1, B2 and B8 Uses. DCSE2007/3140/O refers. The application site for the care home is some 0.40ha. This is considered a small area of land. The loss of this site is more than adequately compensated by the plans for industrial uses at Model Farm.
- 6.8 At the time of determination of the previous application on this site, DCSE2008/0775/O, the applicant argued the proposal would lead to a small loss of employment land having demonstrated that a surplus of 68ha of employment land was available, along with the recently approved 15ha employment site at Model Farm the loss would not be detrimental to the overall supply of employment land. This figure focused on the UDP provision for 100ha of land within the county, but the Herefordshire Monitoring Report (2006) identified about 168ha of available land. It was also said over the past 21 years average annual take up of available land has been 6ha. On this basis there is sufficient land to meet the needs of businesses for the next 28 years.
- 6.9 In addition, the small loss of employment land should be weighed against the number of jobs created. The applicant has said between 40 and 50 jobs will be created should this development proceed. It is considered this will represent a boost to Ross-on-Wye and the local jobs market.
- 6.10 Although the Traffic Manager has recommended refusal of the application in that the suggested layout plan does not provide adequate parking, 22 spaces are shown, and footway and cycle links from the Town and Country Trail to Alton Road will need to be implemented prior to the occupation of the care home. In the matter of parking this is an outline application which reserves all matters for future consideration which will include parking on the site. Insofar as the footway and cycle link is concerned this formed part of planning permission DCSE2008/0775/O. However, the applicant has agreed a financial contribution towards the construction of a pedestrian crossing point in Alton Road. Given the proposal is likely to generate a significant level of pedestrian traffic the provision of crossing point within the vicinity of the application site is seen a positive contribution to pedestrian safety in the locality. A Draft Heads of Terms is attached to this report.

- 6.11 As mentioned, the applicant has investigated alternative sites in Ross-on-Wye for the care home but it is said there are no sites available to accommodate the scale and form of the proposal.
- 6.12 The site is located within the Wye Valley Area of Outstanding Natural Beauty. Policy LA1 states 'priority will be given to the protection and enhancement of the natural beauty and amenity of the area in the national interest'. This is an outline application which reserves all matters for future consideration. However, a suggested layout plan has been provided that indicates a building that will be similar in size and scale to the adjoining industrial units.
- 6.13 There is scope for further planting on the site. A landscaping and management scheme could be imposed by condition. In these circumstances, although the development would have a limited adverse impact on the Wye Valley Area of Outstanding Natural Beauty it is not sufficient to justify refusal of planning permission, given its context in relation to existing and approved commercial development. The proposal is considered acceptable to the requirements of policy LA1.
- 6.14 Having regard to the planning history of the site, job creation, appropriate acoustic mitigation and the availability of employment land elsewhere in Ross-on-Wye the proposal is considered acceptable to policies E5 and CF7.

RECOMMENDATION

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

- 1 A02 Time limit for submission of reserved matters (outline permission)**
- 2 A03 Time limit for commencement (outline permission)**
- 3 A04 Approval of reserved matters**
- 4 A05 Plans and particulars of reserved matters**
- 5 B07 Section 106 Agreement**
- 6 C01 Samples of external materials**
- 7 F06 Restriction on Use**
- 8 H13 Access, turning area and parking**
- 9 H30 Travel plans**
- 10 I55 Site Waste Management**
- 11 L01 Foul/surface water drainage**
- 12 L02 No surface water to connect to public system**
- 13 L03 No drainage run-off to public system**
- 14 I44 No burning of materials/substances during construction phase**
- 15 I33 External lighting**
- 16 I39 Scheme of odour and fume control**

Further information on the subject of this report is available from Mr D Thomas on 01432 261974

- 17 I16 Restriction of hours during construction
- 18 I40 Details of flues or extractors
- 19 G10 Landscaping scheme
- 20 G11 Landscaping scheme - implementation
- 21 No development shall take place until details for the provision of acoustic fencing to be erected along the boundaries of the application site have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with those details, prior to the first occupation of the development.

Reason. In order to protect the amenity of the occupants of the care home from the potential of nuisance from adjoining businesses so as to comply with policies DR1, DR3 and CF7 of the Herefordshire Unitary Development Plan.

INFORMATIVES:

- 1 N15 Reason(s) for the Grant of PP/LBC/CAC
- 2 HN01 Mud on highway
- 3 HN05 Works within the highway
- 4 HN25 Travel Plans
- 5 W01 Welsh Water Connection to PSS
- 6 W02 Welsh Water rights of access

Decision:

Notes:

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Background Papers

Internal departmental consultation replies.

Proposed Planning Obligation Agreement
Section 106 Town and Country Planning Act 1990

Planning Application – DMSE/100420/O

Erection of 60 bed care home for the elderly
Land adjacent to Alton Business Park, Alton Road, Ross-on-Wye

1. The developer covenants with Herefordshire Council, to pay Herefordshire Council the sum of £5,447.08 for off site highway works and improved public and sustainable transport infrastructure to serve the development (other than Section 278 works essential to facilitate the development). The monies shall be used by Herefordshire Council at its option for any or all of the following purpose:
 - a) Improved pedestrian and cyclist crossing facilities
2. In the event that Herefordshire Council does not for any reason use the said contributions [in paragraphs referenced above] for the purposes specified in the agreement within 10 years of the date of each payment, the Council shall repay to the developer the said sum or such part thereof, which has not been used by Herefordshire Council.
3. All of the financial contributions shall be Index linked and paid on or before commencement of the development.
4. The developer shall pay to the Council on or before the completion of the Agreement, the reasonable legal costs incurred by Herefordshire Council in connection with the preparation and completion of the Agreement and the 2% monitoring charge as required by the Supplementary Planning Document, “Planning Obligations”, adopted by Herefordshire Council in April 2008.



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APPLICATION NO: DMSE/100420/O

SITE ADDRESS : LAND ADJACENT TO, ALTON BUSINESS PARK, ALTON ROAD, ROSS ON WYE, HEREFORDSHIRE

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Further information on the subject of this report is available from Mr D Thomas on 01432 261974



MEETING:	PLANNING COMMITTEE
DATE:	21 JULY 2010
TITLE OF REPORT:	<p>DMCW/100999/F- NEW VEHICLE ACCESS TO FIELD AT LAND SOUTH OF WERGINS BRIDGE, C1125, SUTTON ST NICHOLAS, HEREFORDSHIRE.</p> <p>For: Mr Rogers per Mr Ian Savager, 35 Caswell Crescent, Leominster, Herefordshire, HR6 8BE</p>

Date Received: 20 April 2010

Ward: Sutton Walls and Burghill, Holmer & Lyde

Grid Ref: 352860,244405

Expiry Date: 15 June 2010

Local Members: Councillors KS Guthrie and SJ Robertson

1. Site Description and Proposal

- 1.1 The application site forms part of an agricultural field located to the west of the C1125 Sutton St Nicholas Road some 200 metres south of Wergins Bridge.
- 1.2 The application seeks permission to construct a replacement field access.

2. Policies

- 2.1 Herefordshire Unitary Development Plan 2007:
 - DR3 - Movement
 - E13 - Agricultural and Forestry Development

3. Planning History

- 3.1 None.

4. Consultation Summary

Internal Council Advice

- 4.1 Traffic Manager: No objection. The proposed access arrangements are satisfactory, subject to the gateway being set back 8 metres and the existing access being closed.
- 4.2 Conservation Manager: No objection, subject to appropriate mix of native-species being used to close off the existing access.

5. Representations

- 5.1 Pipe and Lyde Parish Council: No objection.

Further information on the subject of this report is available from Ms K Gibbons on 01432 261781

- 5.2 Sutton St Nicholas Parish Council: Objection. The 2.4 metre setback is considered insufficient. The speed limit on this road is 60mph and is unsuitable for slow moving agricultural vehicles to enter or leave. The sightline can't be achieved and is otherwise obstructed by a 0.7 metre high wall. The Parish Council is aware of the proposed music festival and any such use of the access would increase the probability of an accident occurring.
- 5.3 Four letters of objection have been received, summarised as:
- The access is intended for the proposed music festival.
 - Would this access open the field up for other uses?
 - This is a fast road.
 - The gate is only 2.4 metres from the road, a tractor is longer than this.
 - Visibility from the proposed access is poor.
 - The access will be hazardous.
 - The road is unsuitable for large agricultural machinery to turn in and out of the field.
 - A section of hedge has already been removed contrary to DEFRA Regulations.
- 5.4 The full text of these letters can be inspected at Planning Services, Garrick House, Widemarsh Street, Hereford and prior to the Committee meeting.

6. Officer's Appraisal

- 6.1 This application is for a replacement field access, in lieu of the existing access to the north at the apex of the bend on Wergins Bridge.
- 6.2 The proposed location affords good visibility in both directions and the Traffic Manager has raised no objection on grounds of highway safety.
- 6.3 To ensure that the existing access is closed, an appropriate condition is recommended.
- 6.4 Whilst the comments about the presence of a 0.7 metre high parapet wall are noted, proper consideration has to be had for the size of agricultural machinery whose drivers will typically be seated at a height whereby their eye line will be at least 2 metres above the ground, being well above any suggested obstruction along the visibility splay.
- 6.5 Furthermore this large physical presence will make any manoeuvring onto or from the highway plainly visible to other road users.
- 6.6 As to comments in the letters of representation about the perceived position of the gate only being 2.4 metres from the highway, the submitted plan clearly shown an 8 metre unobstructed area of hard standing between the gate and the edge of the highway, allowing sufficient length for any machinery to enter and leave the site safely.
- 6.7 As stated above, this application is for the creation of an agricultural field access, therefore the comments raised about any perceived or proposed temporary uses of the land are not material to the determination of this planning application. Furthermore were a 'music festival'

to be proposed it would require an event licence, the issue of which would first consider all aspects of public safety including access arrangements.

6.8 Overall the proposal complies with the relevant development plan policies and as such approval is recommended.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

- 1 **A01 Time limit for commencement (full permission)**
- 2 **B01 Development in accordance with the approved plans**
- 3 **No development shall take place until a scheme detailing the measures to be undertaken to close the existing access has been submitted to and approved in writing by the local planning authority. Such scheme shall include the provision of a hedgerow, comprising a mix of native species, to the highway boundary. The scheme shall include a timetable for the completion of the work with the new hedgerow to be planted no later than the first planting season following the first use of the access.**

Reason: To define the terms by which planning permission is granted in order to ensure that the development does not prejudice the free flow of traffic or the conditions of general safety along the adjoining highway to comply with Policy DR2 of the Herefordshire Unitary Development Plan.

- 4 **H05 Access gates (8 metres)**
- 5 **H06 Vehicle access construction**

INFORMATIVES:

- 1 **HN01 Mud on highway**
- 2 **N11C General**
- 3 **N15 Reason(s) for the Grant of PP/LBC/CAC**

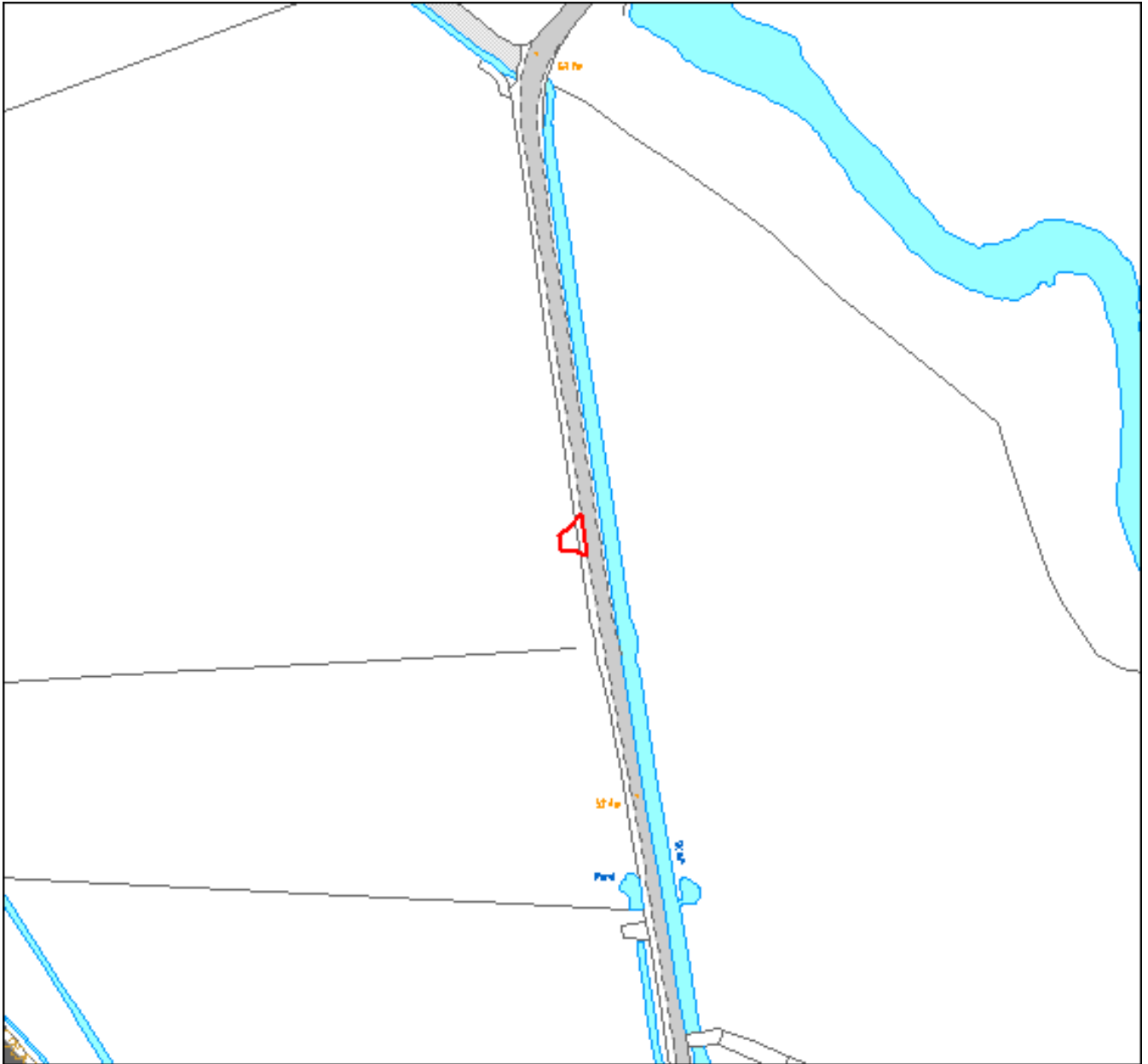
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DMCW/100999/F

SITE ADDRESS : LAND SOUTH OF WERGINS BRIDGE, C1125, SUTTON ST NICHOLAS, HEREFORDSHIRE

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Further information on the subject of this report is available from Ms K Gibbons on 01432 261781



MEETING:	PLANNING COMMITTEE
DATE:	21 JULY 2010
TITLE OF REPORT:	<p>DMCW/100947/F - ERECTION OF 8 FLATS AT 44 TOWER ROAD, HEREFORD, HEREFORDSHIRE, HR4 0LF.</p> <p>For: Mr Shaw per Mr John Phipps, Bank Lodge, Coldwells Road, Holmer, Herefordshire, HR1 1LH.</p>

Date Received: 23 April 2010

Ward: St Nicholas

Grid Ref: 349772,239673

Expiry Date: 24 June 2010

Local Members: Councillors DJ Benjamin and JD Woodward

1. Site Description and Proposal

- 1.1 The application site comprises an existing bungalow standing within its own substantial curtilage at the western end of a cul-de-sac within an established residential area known as Broomy Hill.
- 1.2 The application site is bounded to the north and east by residential development, a large area of public open space lies to the west and the public highway forms the southern boundary on the opposite site of which is further residential development.
- 1.3 The application seeks planning permission to demolish the existing bungalow and erect a development comprising eight one bedroom flats in the form of two blocks linked at ground floor level by an entrance foyer that incorporates secure cycle storage. A communal amenity space providing off-road parking for eight vehicles is located at the rear of the development. This is accessed along a driveway along the eastern boundary and emerging on to the highway to the south.

2. Policies

2.1 Government Guidance:

Planning Policy Statement 1: Delivering Sustainable Development

Planning Policy Statement 3: Housing

2.2 Herefordshire Unitary Development Plan 2007:

S1	-	Sustainable Development
S2	-	Development Requirements
S3	-	Housing
DR1	-	Design
DR2	-	Land Use and Activity
DR3	-	Movement
DR4	-	Environment
DR5	-	Planning Obligations
H1	-	Hereford and the Market Towns: Settlement Boundaries and Established Residential Areas
H13	-	Sustainable Residential Design
H15	-	Density
T11	-	Parking Provision
CF1	-	Utility Services and Infrastructure
CF2	-	Foul Drainage

3. Planning History

- 3.1 DCCW2004/3497/F Construction of dormer windows, single storey extension and a basement. Approved December 2004.
- 3.2 DCCW2006/3245/F Construction of a workshop/store including a basement. Withdrawn November 2006.

4. Consultation Summary

Statutory Consultations

- 4.1 Welsh Water: No objection subject to the use of standard conditions.

Internal Council Advice

- 4.2 Traffic Manager: No objection subject to the use of standard conditions.
- 4.3 Public Rights of Way Manager: No objection.

5. Representations

- 5.1 Hereford City Council: Objection. This is not an appropriate application for this development, though the site would be appropriate for two houses. It is also garden grabbing.
- 5.2 Broomy Hill Residents Association: Mixed comment. It is acknowledged that much thought has gone into the design to make the development aesthetically suitable for such a residential area and this aspect is not contested. However by reason of the density of the development there will be an unacceptable impact in terms of highway congestion and parking provision, exacerbating the existing situation.
- 5.3 Thirty three letters of objection and a petition signed by twenty six local residents have been received which are summarised as follows:
- Overdevelopment.
 - Proposal not in keeping with the area.
 - Utilities will not cope with the increased demand.

Further information on the subject of this report is available from Ms K Gibbons on 01432 261781

- Potential overlooking and loss of privacy.
- Property values will be affected.
- Overlooking onto or across the public park is unacceptable.
- Contrary to recent government statements stopping 'garden grabbing'.
- Although presented as 1 bed units, some flats appear to lend themselves to later conversion into two bedrooms. This would result in more congestion and impact on infrastructure.
- Warden controlled retirement flats or bungalows would be ok.
- Development only served by minimal parking arrangements, this may lead to more vehicles seeking on street parking.
- Many existing properties don't have off-street parking, resulting in congestion.
- Cars already parked on both sides of the road and there is no turning space.
- Pedestrians, particularly children may be at risk from any further development in this area.
- The whole area suffers from a lack of capacity in terms of parking provision.
- The development should be set back within the site to allow for the creation of a turning head within the public highway.

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

6. Officer's Appraisal

6.1 Having regard to the relevant policies, the primary issues in determining this application are considered to be:

- The Principle of Development
- Design and Layout
- Residential Amenity
- Water and Sewerage
- Access and Highways Issues
- Planning Obligations

The Principle of Development

6.2 The application lies within the designated settlement boundary for the City of Hereford within which the Herefordshire Unitary Development Plan 2007 through Policy H1; amongst others, allows for the provision of appropriate forms of new residential development.

6.3 Therefore, the proposed redevelopment of the existing bungalow to provide new residential development is acceptable in principle. The suitability of the proposed eight flats is subject to other material considerations being satisfactorily resolved.

Design and Layout

- 6.4 The pattern of residential development along Tower Road is generally characterised by large semi-detached and detached dwellings; reflecting a range of styles from 19th Century through to late 20th Century, arranged in a linear formation fronting onto the adjoining highway with large private gardens lying to the rear. The existing bungalow is at odds with this general character.
- 6.5 The proposed development will comprise two blocks, the front being 2½ storeys high, the rear being reduced to 2 storeys, the overall design, bulk and massing of which have been properly informed by the scale and character of the existing properties.
- 6.6 Although it is noted that a large majority of the letters of objection raised comments that the proposed development was perceived to be out of keeping with the character of the wider locality, as stated above there is no strong defining architectural style. Therefore the proposed development will not be read as discordant in the context of this comparatively diverse streetscape.
- 6.7 However to ensure the satisfactory appearance of the development, it is considered expedient to recommend conditions requiring the prior approval of external materials and a landscaping scheme including the type and design of any boundary treatment.
- 6.8 Although the application has been submitted on the basis of all the units providing only one bedroom, it is noted from the plan that the two duplex units on the upper floors of the front block have a bedroom plus a divorced dressing room of not inconsiderable size from which the bathroom is accessed. Therefore to define the planning permission, it is considered expedient to recommend a condition to control against the creation of any additional bedrooms, in the interests of both the amenity of the wider locality and also to ensure compliance with the terms under which the planning obligation was negotiated.

Residential Amenity

- 6.9 Following on from concerns raised by the immediate neighbour, a revised plan has been submitted which proposes the use of obscured glazing in the first floor windows in the eastern flank of the rear block, and the insertion of an obliquely angled window in the south elevation, thereby overcoming the concerns about a potential loss of privacy arising from direct overlooking. To ensure that a satisfactory relationship continues to exist between the proposed development and its neighbor, a condition is recommended to maintain the window affixed shut and obscured glazed in perpetuity.
- 6.10 More generally having proper regard for the pre-existing pattern of development in the locality, the proposal will not result in an unacceptable impact in terms of either overlooking or overbearance, because the siting, relative orientation and separation distances involved are neither particularly close or unusually discordant when measured against that found in the wider locality.
- 6.11 Overall the proposed development is not considered to give rise to any demonstrable harm to the residential amenity of the wider locality, however in order to protect the general amenity of the area a condition is recommended to control the operational activities during the demolition and construction phases.

Access and Highways Issues

- 6.12 The application site has an existing vehicular access, which will continue to serve the proposed development.

- 6.13 The Traffic Manager has no objection to the access and parking arrangements.
- 6.14 Whilst the comments raised in the letters of representation about the perceived unacceptable increase in traffic generation are noted, in the absence of any objection from the Traffic Manager, it is not considered that those concerns can be sustainably defended as a basis for refusal on highway safety grounds.
- 6.15 With regard to the suggestion that the development should provide for the creation of a turning head within the public highway, as evidenced through the letters of representation the problem of capacity in terms of on-street parking is pre-existing. Therefore having proper regard to the modest scale of the proposed development, refusal of this application upon the basis of not providing increased capacity or improved manoeuvring space within the public highway could not be substantiated as defensible grounds for refusal.

Water and Sewerage

- 6.16 Whilst the concerns raised in the letters of representation are noted about the perceived lack of capacity in the sewerage system are noted, Welsh Water have raised no objection to the proposed development, subject to the imposition of standard drainage conditions.
- 6.17 In the absence of any objection from Welsh Water, it is not considered that the concerns raised in the letters of representation can be substantiated as ground for refusal.

Planning Obligation

- 6.18 The applicant has agreed to a range of Section 106 contributions, in accordance with the adopted Planning Obligations SPD.
- 6.19 In summary the contributions are £8280 to provide sustainable transport infrastructure, £4341 to provide enhanced formal or informal recreational or public open space, £960 to provide enhanced library services and a contribution towards the cost of monitoring and enforcing the Section 106 Agreement.

Conclusion

- 6.20 Overall the proposal complies with the development plan and as such approval is recommended.

RECOMMENDATION

The Assistant Chief Executive – Legal and Democratic be authorised to complete a planning obligation under Section 106 of the Town and Country Planning Act 1990, (as set out in the Heads of Terms attached to the report) and deal with any other appropriate terms, matters or issues as he considers appropriate.

Upon completion of the above-mentioned planning obligation, Officers named in the Scheme of Delegation be authorised to issue planning permission subject to the following conditions and any additional conditions considered necessary by Officers:

- 1 A01 Time limit for commencement (full permission)**
- 2 This permission is for the creation of eight self-contained one bedroom units and at no time whatsoever shall any of the units be subdivided to provide for more than one bedroom.**

Reason: To define the terms under which planning permission is granted and to comply with the requirements of Policies DR1, DR5, H1 and H13 of the Herefordshire Unitary Development Plan.

- 3 B01 Development in accordance with the approved plans**
- 4 C01 Samples of external materials**
- 5 F17 Obscure glazing to windows**
- 6 G09 Details of Boundary treatments**
- 7 G10 Landscaping scheme**
- 8 G11 Landscaping scheme - implementation**
- 9 H11 Parking - estate development (more than one house)**
- 10 H05 Access gates**
- 11 L01 Foul/surface water drainage**
- 12 L02 No surface water to connect to public system**
- 13 Development shall not begin until a 'Construction Method Statement' has been submitted to and approved in writing by the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:**
- i. The hours when building operations will occur. (Note: In any event the local planning authority will now allow any process to be carried out and/or machinery to be operated beyond the following times: Monday-Friday 7.00 am-6.00 pm, Saturday 8.00 am-1.00 pm nor at any time on Sundays, Bank or Public Holidays).**
 - ii. The hours between which deliveries can be received taking into account and therefore avoiding times of peak congestion on the local highway network.**
 - iii. The parking of vehicles of site operatives and visitors.**
 - iv. The loading and unloading of plant and materials.**
 - v. Storage of plant and materials used in constructing the development.**
 - vi. The erection and maintenance of site security hoardings, where appropriate.**
- Reason: To protect the amenity of local residents and in the interests of highway safety. To comply with Policies DR3 and DR4 of Herefordshire Unitary Development Plan.**
- 14 H06 Vehicular access construction**
- 15 H13 Access, turning area and parking**
- 16 H09 Driveway gradient**

17 I55 Site Waste Management

INFORMATIVES:

- 1 N01 Access for all**
- 2 N02 Section 106 Obligation**
- 3 N14 Party Wall Act 1996**
- 4 N15 Reason(s) for the Grant of PP/LBC/CAC**

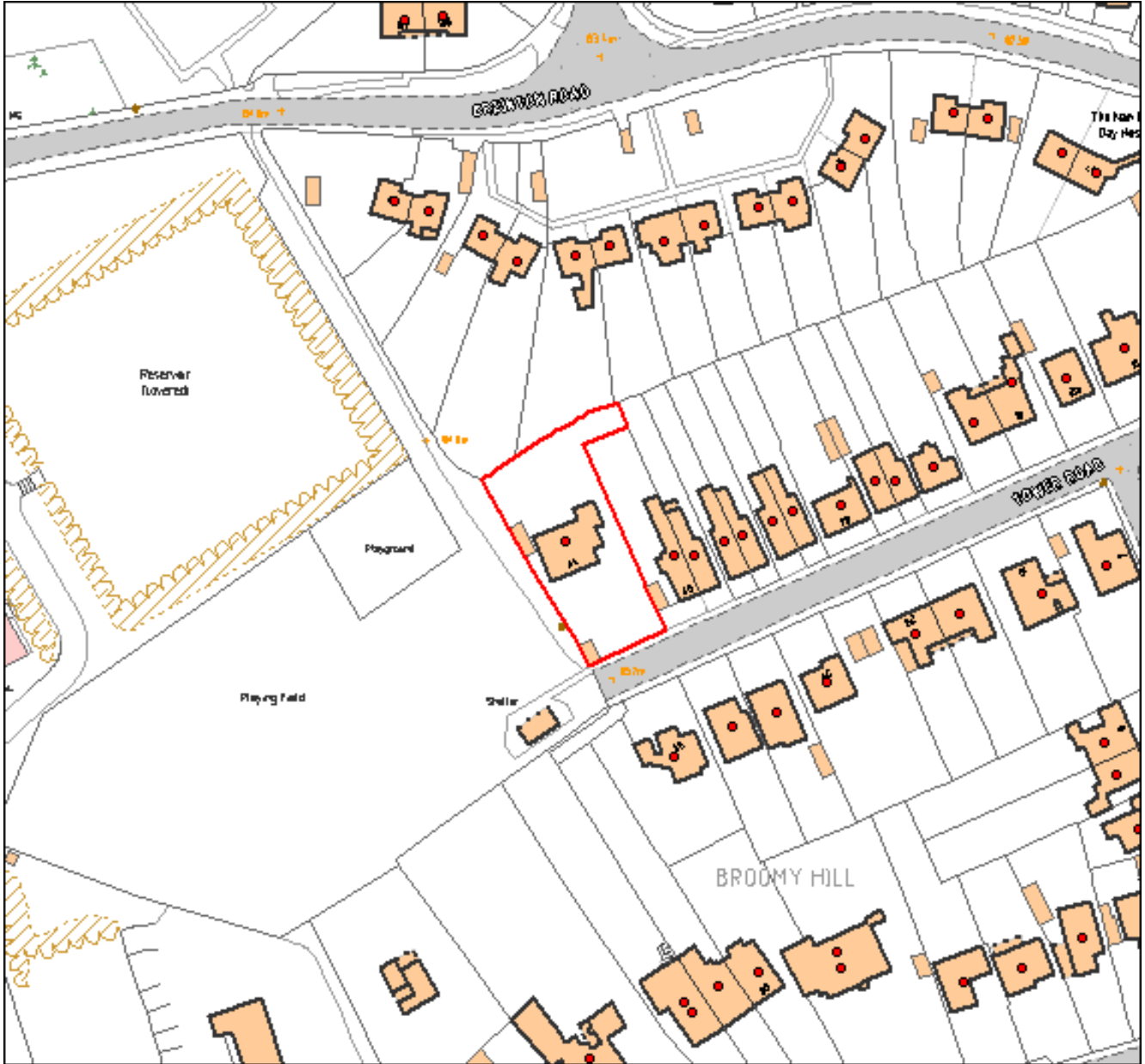
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DMCW/100947/F

SITE ADDRESS : 44 TOWER ROAD, HEREFORD, HEREFORDSHIRE, HR4 0LF

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Further information on the subject of this report is available from Ms K Gibbons on 01432 261781

HEADS OF TERMS

PROPOSED PLANNING OBLIGATION AGREEMENT

Section 106 Town and Country Planning Act 1990

Planning Application: DMCW/100947/F

Proposal: Construction of 8 x 1 bedroom flats

Site: land at 44 Tower Road, Hereford

1. The developer covenants with Herefordshire Council to pay Herefordshire Council the sum of £8280 to provide a sustainable transport infrastructure to serve the development, which sum shall be paid on or before the commencement of the development, and may be pooled with other contributions if appropriate. The monies shall be used by Herefordshire Council at its option for any or all of the following purposes:
 - 1.1. Traffic calming and improved signage within the vicinity of the development site
 - 1.2. Localised highway improvements
 - 1.3. Public and community transport facilities, including improved bus service in Hereford City
2. The developer covenants with Herefordshire Council to pay Herefordshire Council the sum of £4341 to provide enhanced formal or informal recreational or public open space in the locality of the development. The sum shall be paid on or before the commencement of development. The monies may be pooled with other contributions if appropriate.
3. The developer covenants with Herefordshire Council to pay Herefordshire Council the sum of £719 towards the provision of enhanced Library facilities in Hereford City. The sum shall be paid on or before the commencement of the development, and may be pooled with other contributions if appropriate.
4. In the event that Herefordshire Council does not for any reason use the sums in paragraphs 1, 2 and 3 above, for the purposes specified in the agreement within 10 years of the date of this agreement, the Council shall repay to the developer the said sum or such part thereof, which has not been used by Herefordshire Council.
5. The sums referred to in paragraphs 1, 2 and 3 above shall be linked to an appropriate index or indices selected by the Council with the intention that such sums will be adjusted according to any percentage increase in prices occurring between the date of the Section 106 Agreement and the date the sums are paid to the Council.
6. The developer covenants with Herefordshire Council to pay a surcharge of 2% of the total sum detailed in this Heads of Terms, as a contribution towards the cost of monitoring and enforcing the Section 106 Agreement. The sum shall be paid on or before the commencement of the development.

7. The developer shall pay to the Council on or before the completion of the Agreement, the reasonable legal costs incurred by Herefordshire Council in connection with the preparation and completion of the Agreement.

PETER CLASBY
SENIOR PLANNING OFFICER
29 June 2010



MEETING:	PLANNING COMMITTEE
DATE:	21 JULY 2010
TITLE OF REPORT:	DMS/101526/FH - PROPOSED SINGLE STOREY FRONT EXTENSION AT 236 GRANDSTAND ROAD, HEREFORD, HR4 9LS. For: Mr and Mrs White, 236 Grandstand Road, Hereford, HR4 9LS.

Date Received: 18 June 2010

Ward: Three Elms

Grid Ref: 349344,241789

Expiry Date: 13 August 2010

Local Members: Councillors PA Andrews, SPA Daniels and AM Toon

1. Site Description and Proposal

- 1.1 The application site comprises a detached dwelling that forms part of a crescent of seven very similar two storey detached dwellings. These front a small, shared area of open space that is laid to grass with mature trees and landscaping. The site is on the northeast side of and set back from Grandstand Road.
- 1.2 The property, like its neighbours, has a small single storey lean-to porch to its right hand side that projects 1.7 metres forward of the front elevation. The proposal is to erect an extension to the front elevation of the property adjacent to this porch. The lean-to extension would project 2.5 metres and be 4.9 metres wide. The extension would have an eaves height of 2.2 metres and ridge height of 3.8 metres would be constructed of materials to match the existing dwelling. The porch/hallway would be retained in its current form.
- 1.3 This application has been referred to Committee as the applicant is employed in Planning Services.

2. Policies

- 2.1 Herefordshire Unitary Development Plan 2007:
- DR1 - Design
H18 - Alterations and Extensions

3. Planning History

- 3.1 DMCW/100921/FH Single storey front extension. Withdrawn 21/06/2010.

4. Consultation Summary

- 4.1 No statutory consultees.

Further information on the subject of this report is available from Ms K Gibbons on 01432 261781

4.2 No Internal Council advice.

5. Representations

5.1 Hereford City Council make no comment.

5.2 The consultation period expires on 14 July 2010. Any representations will be reported at Committee.

6. Officer's Appraisal

6.1 The crescent of dwellings that the application property sits amongst has a strong sense of symmetry and the main issue in considering this application relates to whether the proposed front extension would alter the balance of this symmetry or impact on the amenities enjoyed by the neighbouring properties that are in close proximity.

6.2 The proposal has been revised from that in the previous application, reducing its width and length so that the form and mass is less dominant. As such it is now considered to be in keeping with the character of the existing dwelling and its surroundings in terms of scale, mass, siting and detailed design helping to retain that strong sense of symmetry. In reducing the overall size of the extension and in retaining the porch in its current form the proposal is also now acceptable in relation to its impact on the amenities of the adjoining property. As such the proposal complies with Policies DR1 and H18 of the Herefordshire Unitary Development Plan and is recommended for approval subject to conditions relating to the use of materials.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

- 1 A01 Time limit for commencement (full permission)**
- 2 B02 Development in accordance with approved plans and materials**

INFORMATIVE:

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

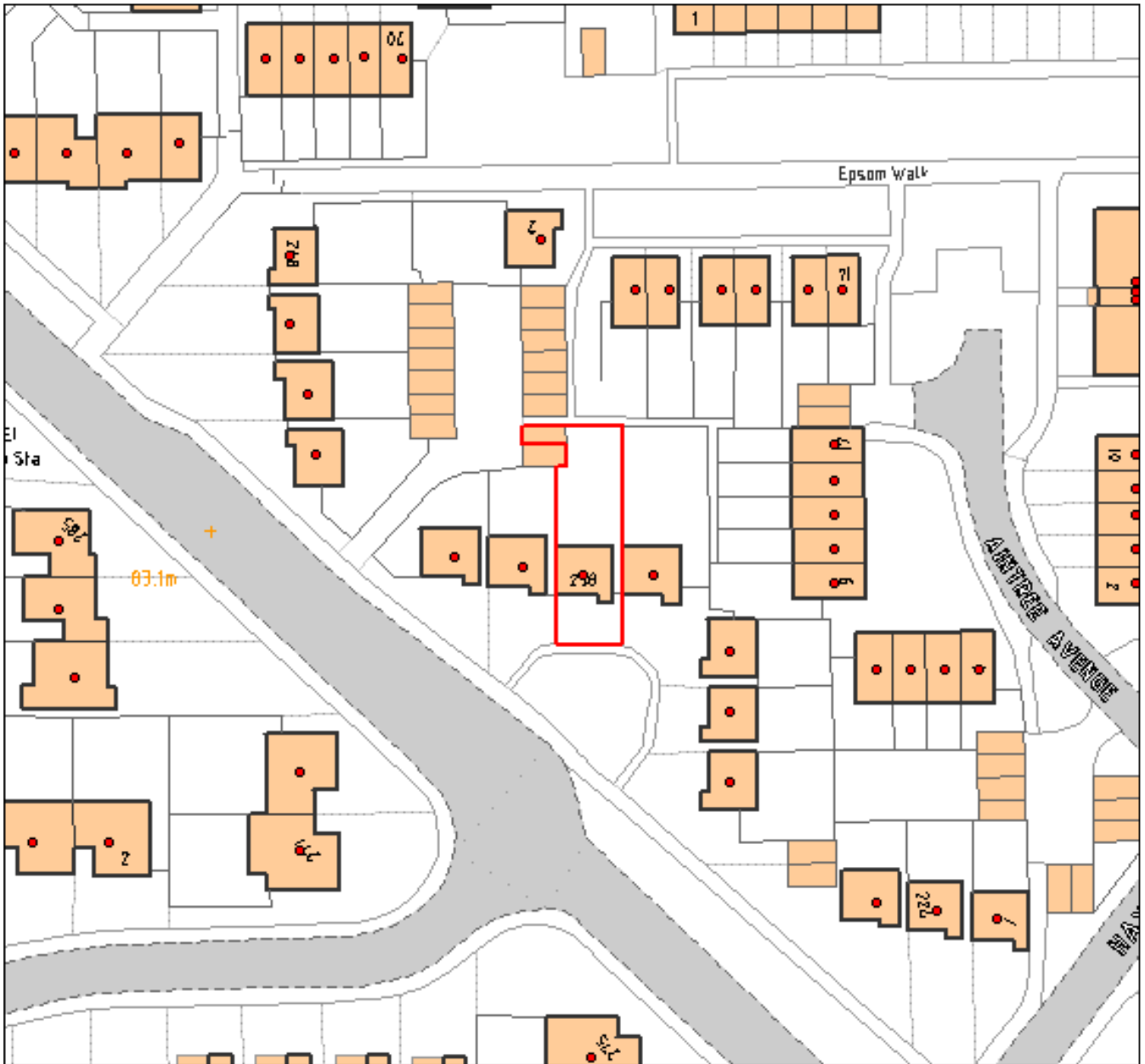
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DMS/101526/FH

SITE ADDRESS : 236 GRANDSTAND ROAD, HEREFORD, HR4 9LS

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