

AGENDA

Planning Committee

Date: **Wednesday 3 April 2013**

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:

Ricky Clarke, Democratic Services Officer

Tel: 01432 261885

Email: rclarke@herefordshire.gov.uk

If you would like help to understand this document, or would like it in another format or language, please call Ricky Clarke, Democratic Services Officer on 01432 261885 or e-mail rclarke@herefordshire.gov.uk in advance of the meeting.

Agenda for the Meeting of the Planning Committee

Membership

Chairman

Councillor PGH Cutter

Vice-Chairman

Councillor BA Durkin

Councillor PA Andrews

Councillor AN Bridges

Councillor PJ Edwards

Councillor DW Greenow

Councillor KS Guthrie

Councillor J Hardwick

Councillor JW Hope MBE

Councillor MAF Hubbard

Councillor RC Hunt

Councillor Brig P Jones CBE

Councillor JG Lester

Councillor RI Matthews

Councillor FM Norman

Councillor AJW Powers

Councillor GR Swinford

Councillor PJ Watts

AGENDA

		Pages
1.	<p>APOLOGIES FOR ABSENCE</p> <p>To receive apologies for absence.</p>	
2.	<p>NAMED SUBSTITUTES (IF ANY)</p> <p>To any details of Members nominated to attend the meeting in place of a Member of the Committee.</p>	
3.	<p>DECLARATIONS OF INTEREST</p> <p>To receive any declarations of interest by Members in respect of items on the Agenda.</p>	
4.	<p>MINUTES</p> <p>To approve and sign the Minutes of the meeting held on 13 March 2013.</p>	5 - 20
5.	<p>CHAIRMAN'S ANNOUNCEMENTS</p> <p>To receive any announcements from the Chairman.</p>	
6.	<p>APPEALS</p> <p>To be noted.</p>	21 - 26
7.	<p>S123556/F - LAND ADJACENT TO ROSE COTTAGE, GORSLEY, ROSS-ON-WYE, HEREFORDSHIRE</p> <p>Erection of 10 no. affordable homes with associated parking, access & landscaping.</p>	27 - 36
8.	<p>N123463/F - LAND ADJACENT TO THE NEW INN, STAUNTON ON WYE, HEREFORDSHIRE, HR4 7LR</p> <p>Proposed construction of a new two-storey dwelling and detached garage and cycle storage.</p>	37 - 42
9.	<p>S123110/O - LAND AT WILLOW CROFT, SUTTON ST NICHOLAS, HEREFORD, HR1 3AZ</p> <p>Site for erection of four dwellings and construction of public footpath.</p>	43 - 50
10.	<p>N123569/O - FLAGGONERS GREEN HOUSE, PANNIERS LANE, BROMYARD, HEREFORDSHIRE, HR7 4QR</p> <p>Site for proposed dwelling.</p>	51 - 56
11.	<p>130563/FH - 6 OLDFIELDS CLOSE, LEOMINSTER, HEREFORDSHIRE, HR6 8PY</p> <p>Proposed single-storey extension to rear.</p>	57 - 60
12.	<p>DATE OF NEXT MEETING</p> <p>Date of next site inspection: 23 April 2013</p> <p>Date of next meeting: 24 April 2013</p>	

The Public's Rights to Information and Attendance at Meetings

YOU HAVE A RIGHT TO: -

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

Public Transport Links

- Public transport access can be gained to Brockington via the service runs approximately every 20 minutes from the City bus station at the Tesco store in Bewell Street (next to the roundabout junction of Blueschool Street / Victoria Street / Edgar Street).
- The nearest bus stop to Brockington is located in Vineyard Road near to its junction with Old Eign Hill. The return journey can be made from the same bus stop.

HEREFORDSHIRE COUNCIL

BROCKINGTON, 35 HAFOD ROAD, HEREFORD.

FIRE AND EMERGENCY EVACUATION PROCEDURE

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

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

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

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

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



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

HEREFORDSHIRE COUNCIL

MINUTES of the meeting of Planning Committee held at The Council Chamber, Brockington, 35 Hafod Road, Hereford on Wednesday 13 March 2013 at 10.00 am

Present: Councillor PGH Cutter (Chairman)
Councillor BA Durkin (Vice Chairman)

Councillors: PA Andrews, AN Bridges, PJ Edwards, KS Guthrie, J Hardwick, JW Hope MBE, MAF Hubbard, RC Hunt, JG Lester, RI Matthews, FM Norman, AJW Powers, GR Swinford and PJ Watts

In attendance: Councillors JF Knipe

150. APOLOGIES FOR ABSENCE

Apologies were received from Councillors DW Greenow and Brig. P Jones CBE.

151. NAMED SUBSTITUTES (IF ANY)

There were no substitute members present at the meeting.

152. DECLARATIONS OF INTEREST

9. S123545/CD - WATERFIELD ROAD CAR PARK, WATERFIELD ROAD, HEREFORD, HR2 7EL.

Councillor PJ Edwards, Non-Pecuniary, The Councillor set up a Country Park Watch Scheme.

10. S123439/F - NORTHOLME COMMUNITY CENTRE, NORTHOLME ROAD, BELMONT, HEREFORD, HR2 7SP.

Councillor AN Bridges, Disclosable Pecuniary, The Councillor is a trustee and Director of the Northolme Community Centre.

153. MINUTES

RESOLVED: That the Minutes of the meeting held on 20 February 2013 be approved as a correct record and signed by the Chairman.

154. CHAIRMAN'S ANNOUNCEMENTS

The Chairman advised Members that there was a planning training session scheduled for 20 March 2013 commencing at 10:30am.

155. APPEALS

The Committee sought clarification in respect of the appeal at ***, where the appellant had lost the appeal but still been granted costs. The Head of Neighbourhood Planning advised that the costs had been granted in respect of one ground of refusal, highway visibility. The Inspector had deemed that the highway visibility on the site was acceptable and had therefore awarded costs accordingly.

The Planning Committee noted the report.

156. S122604/O - LAND REAR OF WHITE HOUSE DRIVE, KINGSTONE, HEREFORD

The Principal Planning Officer gave a presentation on the application and updates / additional representations received following the publication of the agenda were provided in the update sheet

In accordance with the criteria for public speaking, Mr Wright, representing Kingstone and Thrupton Parish Council, and Mr Barton, a neighbouring resident, spoke in objection to the application and Mr Reed, the applicant's agent, spoke in support.

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

- The application had been discussed at length previously by Committee.
- At the meeting of 30 January the Committee were told that the Core Strategy could not be given due weight however the draft Core Strategy was now out for consultation.
- The draft Core Strategy stated that Kingstone was expected to grow by 14%.
- This expansion equated to approximately five houses per year.
- The application should be refused.

The debate was opened with a number of Members speaking in objection to the application. The first reason for refusal put forward by the Committee was in relation to Policy H10 of the Unitary Development plan, with particular reference made to paragraphs 1, 2, 3, and 6. In respect of Paragraph 1 of Policy H10 it was noted that the last housing needs survey for Kingstone was undertaken in 2008 and was therefore not up to date. The Committee considered that the application was contrary to paragraphs 2 and 3 as the local housing conditions could satisfy the need, and the proposal was not respectful of the character and size of Kingstone. Finally it was noted that the application was for a mixed development and was therefore contrary to paragraph 6.

Members also considered the National Planning Policy Framework in formulating a motion to refuse the application. It was stated that paragraphs 11 and 215 supported the Committee in refusing the application. It was also noted that the NPPF stated that there should be a presumption that brownfield sites be developed ahead of greenfield sites.

Reference was then made to the Core Strategy, particularly RA2 Policy 1, which stated that any development had to respect the size, role and function of each village. The Committee were of the opinion that the proposed application did not meet this requirement.

The Head of Neighbourhood Planning advised Members that as the Core Strategy was a consultation document at this stage it should be given very little weight in planning terms. He advised the Committee to make their decision based on the Council's Unitary Development Plan and the National Planning Policy Framework.

Members continued to debate the application and noted that the Core Strategy suggested a 14% increase in residential dwellings for Kingstone by 2031, they considered that the proposed application was therefore over development. The local concern regarding the application was also referred to. It was noted that the community consultation had concluded that 84% of the local residents opposed the application.

The Committee also noted that the foul drainage network would not be able to accommodate the development until it had been upgraded. Welsh Water had confirmed that these works were scheduled to be completed by April 2015. It was considered that

any development was premature and that the key infrastructure should be in place prior to any planning permission being granted at the site.

Further concern was expressed regarding the sustainable nature of the site. The Committee considered that there was not enough evidence to confirm that Kingstone should be considered a sustainable location. Concern was expressed regarding employment opportunities and public transport links in the village. Concern was also expressed that the development itself had no sustainable features.

Members raised the issue of the lack of a 5 year housing supply throughout the County. They were of the opinion that this matter had to be addressed as a priority. They considered that their hands were tied at present as the Council could not provide a 5 year housing supply.

At the conclusion of the debate both the Head of Neighbourhood Planning and the Development Manager (Hereford and Southern Localities) advised the Committee in respect of the reasons for refusal put forward. The Committee were advised to focus on the UDP and NPPF in making their decision. It was noted that during the debate reference had been made to the possible harm the application could have on the character of the area; the lack of drainage infrastructure; the scale of the development in relation to the village and the inadequate public transport links. It was considered that these could form the grounds for refusing the application in conjunction with the policies referred to by the Committee during the debate, namely UDP Policy H10 and NPPF paragraphs 215 and 11.

The Head of Neighbourhood Planning advised the Committee that he had concerns regarding the reasons for refusal put forward and stated that in his opinion the decision could be susceptible if challenged.

Councillor Knipe was given the opportunity to close the debate but chose to make no further statement.

RESOLVED

THAT planning permission be refused for the following reasons:

- 1. The site is located outside of the settlement boundary for Kingstone as defined in the Herefordshire Unitary Development Plan. The development does not satisfy any of the exception criteria within Policies H7 and H10 and therefore the development is contrary to these policies. In particular it is considered that the proposal is contrary to criteria 3, 5 and 6 of Policy H10 in that it would be of a scale and form that would fail to respect the character and size of Kingstone; its location would not afford reasonable access to facilities, employment opportunities or public transport and it would consist of a mixed development including open market housing. Therefore, notwithstanding the current deficiency in the supply of housing land, having regard to paragraph 14 of the National Planning Policy Framework the adverse impacts of the development would outweigh the benefits.**
- 2. The failure to comply with criteria 3 of Policy H10 in terms of the unacceptable scale and adverse impact upon the character and size of the settlement would therefore fail to accord with Policies DR1, H4 and H13 of the Herefordshire Unitary Development Plan.**
- 3. The failure to comply with criteria 5 of Policy H10, which requires reasonable access to facilities, employment opportunities and public**

transport, together with the current inadequacy of the existing Waste Water Treatment Works is such that the development cannot currently be served by satisfactory foul drainage arrangements. This renders the proposal unsustainable and contrary to Policies S1, S2, DR4 and CF2 of the Herefordshire Unitary Development Plan and the National Planning Policy Framework.

- 4. The application is not accompanied by a completed Section 106 Agreement considered necessary to make the development acceptable and is therefore contrary to Policy DR5 of the Herefordshire Unitary Development Plan and the Council's Supplementary Planning Document on Planning Obligations.**

157. S123075/F - MORETON BUSINESS PARK, MORETON-ON-LUGG, HEREFORDSHIRE, HR4 8DS

The Principal Planning Officer gave a presentation on the application and updates / additional representations received following the publication of the agenda were provided in the update sheet.

In accordance with the criteria for public speaking, Mr Pudge, a local resident, spoke in objection to the application and Mr Green, the applicant's agent, spoke in support.

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

- The application was generally supported although there were some concerns in respect of the access to the site.
- The Parish Council had also expressed concern regarding the increase in industrial land outside of that designated within the Unitary Development Plan.
- The proposed development coupled with the proposed green waste site would result in a significant increase of traffic on the A49.
- The speed of traffic passing the junction onto the site is a concern.
- The short turning lane also causes problems for HGV's turning into the site.
- The 50mph speed limit should be extended past the entrance of the site.
- There was also an issue with vehicles turning into Upper Wellington. A slip road at this turning would address the problem.
- A meeting had been scheduled with the Highways Agency to discuss concerns regarding this stretch of the A49.
- Improvements should be made to the layout of the junction; a 50mph speed limit put in place; and improvements to the Moreton-on-Lugg bus stop should be made prior to the development being approved.

Members discussed the application and were broadly in support of it, however some concern was expressed regarding the access to the site from the A49. The improvements to the cycle network and a dedicated bus service to the site were welcomed and the biodiversity on the site was referred to.

The Committee thanked the case officer for arranging a site visit, which they considered had been beneficial and assisted in making a decision on the application. Mr Pudge was also thanked for attending and sharing his concerns in respect of the access to the site. Members considered that his concerns should be addressed and therefore proposed that the approval of the application be delegated to officer's named in the scheme of delegation to officers subject to further discussions with the applicant in respect of the highway issues on the site.

Members also noted that the applicant was investigating the possibility of reopening the rail link to the site. This decision was welcomed and Members noted that this could reduce the number of HGV's having to access the site by road.

In response to two issues raised by the Committee, the Principal Planning Officer advised that improvement works were planned for the Starting Gate roundabout in early 2014 and that there may be limitations on the highway improvements that could be achieved at the site junction as the Highways Agency were responsible for the A49.

Councillor Guthrie was given the opportunity to close the debate. She reiterated her opening remarks and made additional comments, including:

- That she was pleased that her concerns in respect of the access to the site had been noted.

RESOLVED

That subject to further discussions with the Highways Agency, in consultation with the Chairman, Local Ward Member and neighbouring Ward Member, in respect of concerns regarding the vehicular access to the site from the A49, officers named in the Scheme of Delegation to Offices be authorised to issue planning permission subject to the following conditions and any amended or further conditions considered necessary by officers:

1. **Applications for approval of Reserved Matters shall be made to the local planning authority not later than the expiration of eight years from the date of this permission.**

Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990.

2. **The development to which this permission relates shall be begun not later than the expiration of two years from the date of the approval of the last reserved matters application to be approved.**

Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990.

3. **Prior to the commencement of the development, a phasing plan shall be submitted to and approved in writing by the Local Planning Authority. Thereafter each reserved matters application submitted shall refer to a phase, phases, or part thereof identified in the phasing plan. Any subsequent alteration to the phasing plan shall be submitted to and approved in writing by the Local Planning Authority.**

Reason: To ensure adherence to the approved plans and the associated phasing of the development and secure compliance with policies DR1 and E8 of the Herefordshire Unitary Development Plan.

4. **No development on any phase, or part thereof, shall be commenced until full details of the layout, scale, appearance and landscaping (hereafter referred to as reserved matters) for that phase have been submitted to and approved in writing by the Local Planning Authority. Thereafter each phase of the development shall be carried out in accordance with the approved reserved matters application relating to it.**

Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990 and to enable the local planning authority to exercise proper control over these aspects of the development and to secure compliance with policy DR1 of the Herefordshire Unitary Development Plan.

5. **Except where otherwise stipulated by conditions, the reserved matters applications shall be carried out in general accordance with the submitted plans drawing numbers 1674-1002c, 1674-1013 and 1674-1007G and TAs 108 Srat MP1C**

Reason: To ensure adherence to the approved plans in the interest of a satisfactory form of development and secure compliance with policies DR1 and E8 of the Herefordshire Unitary Development Plan.

6. **C01 Samples of external materials**
7. **E01 Site investigation – archaeology**
8. **G04 Protection of trees/hedgerows that are to be retained**
9. **G09 Details of Boundary treatments**
10. **G10 Landscaping scheme**
11. **G11 Landscaping scheme – implementation**
12. **H16 Parking/unloading provision (including car share spaces)**
13. **H17 Junction improvement/off site works**
14. **H18 On site roads - submission of details**
15. **I56 BREEAM**
16. **H29 Secure covered cycle parking provision**
17. **H30 Travel plans**
18. **I02 Scheme of measures for controlling noise**
19. **I18 Scheme of foul drainage disposal**
20. **I27 Interception of surface water run off**
21. **I33 External lighting**
22. **I41 Scheme of refuse storage (commercial)**
23. **I51 Details of slab levels**
24. **I55 Site Waste Management**
25. **K2 Nature Conservation - site protection**
26. **K4 Nature Conservation – Implementation**
27. **K5 Habitat Enhancement Scheme**

28. L01 Foul/surface water drainage
29. L02 No surface water to connect to public system
30. L03 No drainage run-off to public system
31. I22 No surface water to public sewer
32. F06 Restriction on Use (Zone H)
33. G14 Landscape management plan
34. Prior to the commencement of development hereby permitted or in accordance with a timescale to be agreed prior to the commencement, details of the following shall be submitted to and approved in writing by the local planning authority:
 - Strategic landscaping and wildlife habitats
 - Strategic foul and surface water drainage
 - Amenity Areas
 - The new cycleway through the site and alterations to the strategic road layout and design
 - Design of the new culvert/bridge over Moreton Brook
 - A delivery phasing plan and programme

The development shall be carried out in accordance with the agreed details and phasing plan.

Reason: To ensure the adherence to the masterplans in the interest of creating a high quality business park environment, to ensure the necessary strategic infrastructure is in place at the appropriate phase of development and to comply with policy E8 of the Herefordshire Unitary Development Plan.

35. In the case where development including demolition does not commence on each or any phase before March 2015, an updated ecological survey, together with any subsequent mitigation measures required as a result of the findings and a timescale for the implementation of the mitigation measures, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the mitigation measures shall be carried out in full in accordance with the approved details

Reason: To ensure the biodiversity interest of the site is appropriately considered and any impacts mitigated and to comply with policies NC1 and NC7 of the Herefordshire Unitary Development Plan.

36. M09 Contamination
37. No more than 50% of the total floorspace hereby permitted shall be Use Class B1c and/or B2 of the Town and Country Planning (Use Classes) order 1987, or in any equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.

Reason: To ensure the highway impact of the development does not exceed acceptable levels and to comply with policy T8 of the Herefordshire Unitary Development Plan.

Reasons for Approval

The majority of the site falls within land allocated for employment within the UDP under policy E2 where the principle of the uses proposed including the vehicle showroom is supported. Three areas of the site are beyond the UDP allocated employment zone. These areas are primarily a mixture of agricultural grazing land and a poplar tree plantation and the approval of development on these areas will be contrary to UDP policies E2 and E15. The NPPF, however, requires local planning authorities to be more flexible in their approach to applications for employment development to ensure landowners can adapt quickly to market demands. The Council is achieving this requirement south of the river on the Rotherwas Enterprise Zone but no such site currently exists close to but north of the city.

This development will deliver a range of unit sizes and employment use classes set within a high quality business park environment, the diversity of which is enhanced by the inclusion of the additional land. The Council's latest employment land study (with the inclusion of the additional land) also rates the site as one of the top two employment sites within the county in terms of environmental sustainability, market attractiveness and strategic planning. The masterplanning of the whole site also allows for the developments strategic infrastructure requirements such as foul and surface water drainage, sustainable transport links, strategic landscaping, amenity areas and biodiversity enhancement to be properly considered and achieved. Notwithstanding the conflict UDP policies E2 and E15, for these reasons, the principle of including the additional land is also supported and moreover, is not considered to be in conflict with the NPPF.

In design terms, the development meets the requirements of UDP policies E8, LA2, LA6, NC1 and DR7 and the requirements of the NPPF. More specifically, the masterplan proposes development that is harmonious with the character of the existing site in that nearly all trees of agricultural value are being retained including large areas of grassland to be dedicated as staff amenity areas and considerable additional landscaping is proposed to mitigate the landscape and visual impact of the development. The biodiversity value of the site has been comprehensively considered and whilst there will be some impact, this is mitigated and more than compensated for with the new wildlife habitats to be created and long term management of existing habitats. Flood risk has also informed the masterplan in that no buildings are now proposed with the high risk floodplain. The site can also support an entirely sustainable surface water drainage system and foul drainage capacity has been evidenced which it is considered will also ensure there is no likely significant effect on the Special Area of Conservation.

The localised and wider traffic impacts of the development have been fully considered and subject to the Highways Agency response, the technical analysis demonstrates that the highway network has capacity for the full development once the improvements to the Starting Gate roundabout are in place. The traffic impacts are also mitigated by proposed enhancements in the sustainable travel options and links with the site. Other matters such as archaeology, contamination, amenity and Section 106 have all been fully considered and are addressed or can be addressed with the recommended conditions.

The growth of this site is a key part of the County's employment strategy and will create an employment site that meets the development needs of business and help support an economy fit for the 21st century as required by section 3 of the NPPF. It will also address the present spatial and qualitative imbalance of available employment land north and south of the river and will place Hereford and the county in a strong position to attract inward investment and provide new job opportunities to complement the proposed Core Strategy housing growth.

The NPPF requires local planning authorities to apply a presumption in favour of sustainable development and defines sustainability as encompassing an economic, social and environmental role. The development is considered to deliver all three strands of sustainability. New employment opportunities will be created contributing to building a strong and responsive economy, the provision of on site childcare facilities and extensive staff amenity areas will assist in supporting the social well-being of staff whilst environmentally, the development is accessible by sustainable transport modes, will protect and enhance the natural and historic environment and will mitigate the impact of climate change in terms of flood risk and energy efficient construction. Consequently, the application will deliver sustainable economic development.

The approval of the application is considered compliant with the relevant development plan policies, save for policies E2 (part) and E15, supplementary planning guidance and the NPPF. In respect of policies E2 and E15, it is considered there are strong material planning considerations, more up to date evidence and policy guidance within the NPPF to warrant departing from these policies.

Informatives

- 1. HN10 No drainage to discharge to highway**
- 2. HN28 Highways Design Guide and Specification**

158. S123545/CD - WATERFIELD ROAD CAR PARK, WATERFIELD ROAD, HEREFORD, HR2 7EL

The Development Manager gave a presentation on the application and updates / additional representations received following the publication of the agenda were provided in the update sheet.

In accordance with paragraph 4.8.2.2 of the Council's Constitution, Councillors PJ Edwards and AN Bridges, two of the local ward members, commented on a number of issues, including:

- A monitoring group of 23 local residents who regularly visit the site had been set up following the previous approval.
- Since the approval there had not been a need to lock the gate.
- If problems did develop on site the gate could be locked.

RESOLVED

That planning permission be granted subject to the following conditions:

- 1. B04 Amendment to existing permission**

2. **The management of the car park and associated land shall be undertaken in accordance with the details of Belmont Haywood Country Park Footway / Cycleway and Car Park Scheme Management Plan dated March 2012 but excluding the requirements of paragraphs 2.1.7 and 2.1.9. The management of the car park shall be carried out in accordance with the approved details in perpetuity.**

Reason: In the interests of the amenities of the locality and to deter crime in order to comply with Policies S1, DR1, DR2 and DR3 of the Herefordshire Unitary Development Plan.

Reason for Approval

1. **The potential impact of the development has been considered in relation to the amenities of local residents and it is considered that the development itself, and use as a car park would not harm the amenities that are enjoyed by local residents. Any anti-social behaviour or disturbance can / should be dealt with by the appropriate authorities. The provision of this car park will provide a facility for use by the wider community and help prevent indiscriminate parking on the highway by those visiting the Country Park. It is therefore considered that the removal of Condition 5a and 5b would comply with the requirements of policy DR2 of the Herefordshire Unitary Development Plan.**

159. S123439/F - NORTHOLME COMMUNITY CENTRE, NORTHOLME ROAD, BELMONT, HEREFORD, HR2 7SP

The Development Manager gave a presentation on the application and updates / additional representations received following the publication of the agenda were provided in the update sheet.

In accordance with the criteria for public speaking, Mrs White, one of the applicants, spoke in support of the application.

In accordance with paragraph 4.8.2.2 of the Council's Constitution, Councillor PJ Edwards, one of the local ward members, commented on a number of issues, including:

- Mrs White and Councillor Bridges had been a driving force in establishing such a good community facility.
- The proposals would increase the usage of the community centre as well as reducing operating costs.

RESOLVED

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**
3. **Prior to the commencement of development a detailed gas mitigation scheme, that also has regard to the existing buildings gas mitigation / protection, shall be submitted to and approved in writing to the Local Planning Authority. Works shall be carried out in accordance with the approved details.**

Prior to the first use of the extensions hereby approved, a verification report on the completion of the agreed works, confirming that the remediation measures have been carried out and setting out measures for maintenance, shall be submitted to and approved in writing.

Reason: To ensure that suitable gas mitigation measures are introduced and protected to comply with the requirements of policy DR10 of the Unitary Development Plan.

Reason for Approval

- 1. The proposed development is, by virtue of its size, scale, design and siting an acceptable and appropriate form of development that would serve the needs of the local community, protect the amenities of local residents and provide sufficient parking and cycling facilities. It therefore complies with the requirements of policies S1, DR1, CF5 and T11 of the Herefordshire Unitary Development Plan. With an appropriately worded condition the requirements of policy DR10 can also be met to ensure that gas mitigation is undertaken.**

160. S123352/F - HFA HEADQUARTERS, WIDEMARSH COMMON, HEREFORD, HR4 9NA

The Development Manager gave a presentation on the application and updates / additional representations received following the publication of the agenda were provided in the update sheet.

In accordance with paragraph 4.8.2.2 of the Council's Constitution, Councillor PA Andrews, one of the local ward members, addressed the Committee and stated that all three local ward members were happy to support the application.

RESOLVED

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. C02 Matching external materials (extension)**

Reasons for Approval

- 1. The proposed extension is required to provide additional floor space for the existing Hereford Football Association headquarters as such it is regarded as a sports related development. Having regard to Herefordshire Unitary Development Plan Policies S8 and RST1 and policies contained within the National Planning Policy Framework. It is considered that the proposal represents an important contribution to the provision of local and community sports facilities.**

It is considered that the proposed extension will appear in keeping with the character and appearance of the existing building and surrounding area in terms of its siting, scale, mass, height, detailed design and materials. In this respect the proposal will not conflict with the requirements of Hereford

Unitary Development Plan Policies S1, S2, DR1 and DR2 together with the sustainability and good design policies and objectives contained in the Introduction and Section 7 of the National Planning Policy Framework.

The existing building is located within the Widemarsh Common Conservation Area, where it is an inconspicuous element in the context of the distinctive character of the conservation area. It is considered that the extension and parking area will not significantly increase the prominence of the building and will not harm the character of the conservation area. Accordingly it is considered that the proposal does not conflict with Herefordshire Unitary Development Plan Policies S7 and HBA 6 or Section 12 of the National Planning Policy Framework

It is considered that the proposal will not unduly impact on the amenity of the occupiers of nearby residential or other properties and will not conflict with Herefordshire Unitary Development Plan Policy DR2 or the Core planning principles contained in the National Planning Policy Framework.

The application site is situated within Flood Zone 3. Having regard to the applicant's flood risk assessment and the Environment Agency's response that the proposal is a minor extension and they have no formal comment it is considered the proposal is acceptable and will not conflict with Hereford Unitary Development Plan Policy DR7 or Section 10 of the National Planning Policy Framework.

Informatives

- 1. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against planning policy and any other material considerations. Negotiations in respect of matters of concern with the application (as originally submitted) have resulted in amendments to the proposal. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.**
- 2. The applicant's attention is drawn to the Environment Agency's advice on flood risk a copy of which is attached.**

161. 123519/FH - THE OLD SAWMILL, MILLFIELD, CANON FROME, LEDBURY, HR8 2TH

The Senior Planning Officer gave a presentation on the application and updates / additional representations received following the publication of the agenda were provided in the update sheet.

The Chairman advised the Committee that Councillor Morgan could not be present at the meeting but that she had sent an email of support for the application stating that the proposed fence was in keeping with others in the locality and that it formed a sensible boundary.

In response to a question, the Head of Neighbourhood Planning advised that fences under one metre high did not need planning permission.

RESOLVED

To take into account any representations received as a result of the internal and public consultation process and, subject to there being no representations

received which would require any alteration to the 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**

Reason for Approval

1. **The proposed development will look acceptable and be in keeping with the character and appearance of the area. The residential amenity of occupants of nearby dwellings will not be adversely affected. In addition highway safety will not be adversely affected. The proposed development is therefore considered to be acceptable and in accordance with planning policies and guidance. In particular Policies S2, DR1, DR3 and H18 of the Herefordshire Unitary Development Plan and Government advice contained in the National Planning Policy Framework 2012.**

Informatives

1. **The local planning authority has acted positively and proactively in determining this application by assessing the proposal against planning policy and any other material considerations, including any representations that have been received. It has subsequently determined to grant planning permission in accordance with the presumption in favour of sustainable development as set out within the National Planning Policy Framework.**
2. **N03 Adjoining property rights**

162. DATE OF NEXT MEETING

The Planning Committee noted the date of the next meeting.

APPENDIX 1 - SCHEDULE OF COMMITTEE UPDATES

The meeting ended at 12.05 pm

CHAIRMAN

PLANNING COMMITTEE

13 March 2013

Schedule of Committee Updates/Additional Representations

Note: The following schedule represents a summary of the additional representations received following the publication of the agenda and received up to midday on the day before the Committee meeting where they raise new and relevant material planning considerations.

S122604/O - OUTLINE APPLICATION FOR 35 UNIT HOUSING SCHEME WITH ASSOCIATED ACCESS AT LAND REAR OF WHITE HOUSE DRIVE, KINGSTONE, HEREFORD

For: Bayhill Property Developments Ltd per Quattro Design Architects Ltd, Imperial Chambers, Longsmith Street, Gloucester, Gloucestershire, GL1 2HT

OFFICER COMMENTS

It is considered appropriate to impose an additional condition restricting the hours when construction activity can take place (Mon-Fri 0700-1800, Sat 0800-1300 and no working on Sundays, Bank of Public Holidays)

CHANGE TO RECOMMENDATION

Add additional standard condition I16

S123075/O - SITE FOR B1(C) LIGHT INDUSTRIAL, B2 GENERAL INDUSTRY AND B8 STORAGE AND DISTRIBUTION USES, TOGETHER WITH MOTOR VEHICLE SHOWROOM, ANCILLARY NURSERY, ACCESS AND ASSOCIATED WORKS INCLUDING DEMOLITION OF REDUNDANT BUILDINGS AT MORETON BUSINESS PARK, MORETON-ON-LUGG, HEREFORDSHIRE, HR4 8DS

For: Mr Horner per Delta Planning, 1 Chester Court, 1677A High Street, Knowle, Solihull B93 0LL

ADDITIONAL REPRESENTATIONS

Further response received from the Highways Agency. In summary,

- There are no outstanding issues with the Traffic Assessment
- Further modifications are required to the framework travel plan

They confirm the following:

“We are working with the applicants to resolve the outstanding issues with the framework travel plan and we are confident that these can be overcome sufficiently so that the Holding Direction can be lifted”.

OFFICER COMMENTS

This further response addresses the principal outstanding matter concerning the traffic impacts of the development. If delegated authority is granted, your officers are also confident the outstanding issues with Schedule of Committee Updates

the travel plan can be addressed and furthermore, a condition is also recommended requiring each new occupier to submit a full travel plan.

S123545/CD - REMOVAL OF CONDITIONS 5A AND 5B OF PLANNING PERMISSION S113513/CD AT WATERFIELD ROAD CAR PARK, WATERFIELD ROAD, HEREFORD, HR2 7EL

For: Herefordshire Council per Parks and Countryside, Herefordshire Council, Po Box 41, Leominster, Herefordshire, HR6 0ZA

ADDITIONAL REPRESENTATIONS

Confirmation received from PC Roger Bradley (Belmont Local Policing Team / South Side Cops) and from Charles Naylor (Crime Prevention & Design Advisor) that can be summarised as follows:

- I am not aware of any issues or reports to the police in relation to the car park. Since Nov 2012 there has only been one anti-social type incident reported near the car park, which was a small bonfire on the fields at the rear, but that was on 5th Nov 2012. I am not aware of any other problems.
- As we operate as a police cycle team we often cycle through the car park as a link from Mulberry Park back onto Newton Farm, so the area gets its fair share of patrol visits.
- I note Mrs Lynch's concerns but unless there is any other recorded information which would give details of historic anti-social behaviour/crime at this location I do not see any major problems with supporting the application.
- I also note that the car park is fitted with a lockable gate and that this is to remain in situ and can be utilised should problems start to materialise.

NO CHANGE TO RECOMMENDATION

123519/FH - PROPOSED PICKET FENCING AND GATE TO SOUTHERN BOUNDARY, FENCING TO NE BOUNDARY AND GATE REAR OF PARKING AREA AT THE OLD SAWMILL, MILLFIELD, CANON FROME, LEDBURY, HR8 2TH

For: Mr C J Baird, The Old Sawmill, Millfield, Canon Frome, Ledbury, Herefordshire HR8 2TH

ADDITIONAL REPRESENTATIONS

Traffic Manager advises that the proposed boundary fence "A" must not have any part of it closer to the highway than a line joining the outer face of the brick wall to the centre of the hedge bounding the adjacent agricultural land. The proposed fence at the rear is acceptable.

E-mail from applicant commenting on objectors representations. He comments that not all of the properties in the area have open plan front gardens. Some have fencing around their gardens. He also states that he does not have fencing all around his property. There is some fencing but other sides are open.

OFFICER COMMENTS

The proposed line of fence "A" as shown on the submitted plans, is in accordance with the Traffic Manager's advice.

NO CHANGE TO RECOMMENDATION

MEETING:	PLANNING COMMITTEE
DATE:	3 APRIL 2013
TITLE OF REPORT:	APPEALS

CLASSIFICATION: Open

Wards Affected

Countywide

Purpose

To note the progress in respect of the following appeals.

Key Decision

This is not a key decision

Recommendation

That the report be noted

APPEALS RECEIVED

Application 122747/O

- The appeal was received on 19 March 2013
- The appeal is made under Section 78 of the Town and Country Planning Act 1990 against Refusal of Planning Permission
- The appeal is brought by Lioncourt Homes (Development No.10)
- The site is located at Home Farm, Belmont, Hereford, HR2 9RX
- The development proposed is Site for residential development for up to 85 dwellings with access, associated open space, landscaping, infrastructure and parking provision
- The appeal is to be heard by Inquiry

Case Officer: Ms K Gibbons on 01432 261781

Application 121573/F

- The appeal was received on 11 March 2013
- The appeal is made under Section 78 of the Town and Country Planning Act 1990 against Refusal of Planning Permission
- The appeal is brought by Mr N Rolinson
- The site is located at Land adj to and South of Fairview, Putley, Herefordshire, HR8 2RE
- The development proposed is erection of two holiday let units
- The appeal is to be heard by Written Representations

Case Officer: Mr N Banning on 01432 383093

Further information on the subject of this report is available from the relevant case officer

Application 121611/F

- The appeal was received on 14 March 2013
- The appeal is made under Section 78 of the Town and Country Planning Act 1990 against Refusal of Planning Permission
- The appeal is brought by Mr C Bulmer
- The site is located at Mill Farm Building, Mill Lane, Credenhill, Hereford, HR4 7EJ
- The development proposed is Change of use from agricultural to B2 general industrial - re-use of existing building with extension to form workshop for kit car assembly
- The appeal is to be heard by Written Representations

Case Officer: Ms K Gibbons on 01432 261781

APPEALS DETERMINED

Application 121409/F

- The appeal was received on 13 November 2012
- The appeal was made under Section 78 of the Town and Country Planning Act 1990 against Refusal of Planning Permission
- The appeal was brought by Mr Roger Brett
- The site is located at The Oast House, adj. Gwinllan, Vinesend Lane, Cradley, Worcestershire, WR13 5NH
- The development proposed was Proposed conversion of redundant Oast House to provide a holiday home
- The main issues were:
 - The effect of the scheme on the living conditions of future occupiers and neighbouring residents.
 - Whether the works would preserve the special architectural or historic interest of this listed building and the setting of the Grade II listed Lower Vinesend Farmhouse, and, if not, whether there are any public benefits that would outweigh that harm.

Decision:

- The application was refused under delegated powers on 2 August 2012
- The appeal was dismissed on 5 March 2013

Case Officer: Mr N Banning on 01432 383093

Application 121410/L

- The appeal was received on 13 November 2012
- The appeal was made under Section 78 of the Town and Country Planning Act 1990 against Refusal of Listed Building Consent
- The appeal was brought by Mr Roger Brett
- The site is located at The Oast House, adj. Gwinllan, Vinesend Lane, Cradley, Worcestershire, WR13 5NH
- The development proposed was Proposed conversion of redundant Oast House to provide a holiday home
- The main issues were:
 - Whether the works would preserve the special architectural or historic interest of this listed building and the setting of the Grade II listed Lower Vinesend Farmhouse, and, if not, whether there are any public benefits that would outweigh that harm.

Decision:

- The application was approved, under delegated powers, on 2 August 2012
- The appeal was dismissed on 5 March 2013

Case Officer: Mr N Banning on 01432 383093

Application 121484/F

- The appeal was received on 13 November 2012
- The appeal was made under Section 78 of the Town and Country Planning Act 1990 against Refusal of Planning Permission
- The appeal was brought by Mr Keith Ellis

- The site is located at Land adjoining Forest Lodge, Dark Lane, Leintwardine, Ludlow, Herefordshire, SY7 0LJ
- The development proposed was Erection of dormer style dwelling with access
- The main issues were:
 - The effect of the proposal on the character and appearance of the area
 - The effect on the living conditions of neighbouring residential properties, with particular regard to privacy and any overbearing impact.

Decision:

- The application was refused under delegated powers on 17 July 2012
- The appeal was dismissed on 7 March 2013

Case Officer: Mr C Brace on 01432 261947

Application 113491/F

- The appeal was received on 10 December 2012
- The appeal was made under Section 78 of the Town and Country Planning Act 1990 against Refusal of Planning Permission
- The appeal was brought by Mr Nick Rawlins
- The site is located at 1 Birtletons, Upton Bishop, Herefordshire, HR9 7UF
- The development proposed was Erection of 3 bedroom house.
- The main issue was:
 - Whether the proposal should be permitted in the light of national and local planning policies on sustainable development in rural areas.

Decision:

- The application was refused on 6 June 2012
- The appeal was dismissed on 7 March 2013

Case Officer: Mr S Withers on 01432 260612

Application 122744/FH

- The appeal was received on 4 February 2013
- The appeal was made under Section 78 of the Town and Country Planning Act 1990 against Refusal of Planning Permission (Householder)
- The appeal was brought by Mr A Young
- The site is located at Tagfield Cottage, Stoke Prior, Leominster, Herefordshire, HR6 0LG
- The development proposed was Two bay open garage (cart shed) with bike store at rear
- The main issue was:
 - The effect of the proposal on the character and appearance of the surrounding area.

Decision:

- The application was refused under delegated powers on 13 December 2012
- The appeal was dismissed on 8 March 2013

Case Officer: Mr M Tompkins on 01432 261795

Application 122729/FH

- The appeal was received on 7 February 2013
- The appeal was made under Section 78 of the Town and Country Planning Act 1990 against Refusal of Planning Permission (Householder)
- The appeal was brought by Mrs Janet Dunn
- The site is located at The Hop Barn, Hope House Lane, Stanford Bishop, Herefordshire, WR6 5TZ
- The development proposed was Single storey extension.
- The main issue was:
 - The effect of the proposal on the character and appearance of the appeal building and surrounding area.

Decision:

- The application was refused delegated powers on 26 November 2012
- The appeal was allowed on 8 March 2013

Case Officer: Mr M Tompkins on 01432 261795

Further information on the subject of this report is available from the relevant case officer

Application 113545/F

- The appeal was received on 19 November 2012
- The appeal was made under Section 78 of the Town and Country Planning Act 1990 against Refusal of Planning Permission
- The appeal was brought by Mr N Morris
- The site is located at Land behind 43 Duke Street, Kington, Herefordshire, HR5 3BL
- The development proposed was Proposed construction of 4 houses and garages.
- The main issue was:
 - The effect of the proposal on highway safety.

Decision:

- The application was refused at Planning Committee, against officer recommendation, on 16 May 2012
- The appeal was allowed on 11 March 2013

Case Officer: Mr A Banks on 01432 383085

Application 121519/FH

- The appeal was received on 22 November 2012
- The appeal was made under Section 78 of the Town and Country Planning Act 1990 against Refusal of Planning Permission
- The appeal was brought by Mr Tony Banks
- The site is located at Primrose Hill, Birchwood Lane, Storridge, Worcester, Herefordshire, WR6 5DT
- The development proposed was Proposed kitchen extension and replacement garage
- The main issue was:
 - The effect of the proposed replacement garage on the character and appearance of the area

Decision:

- The application was refused under delegated powers on 26 July 2012
- The appeal was a split decision, decided on 12 March 2013 - The appeal was allowed in relation to the proposed kitchen extension, but dismissed in relation to the proposed replacement garage.

Case Officer: Mr N Banning on 01432 383093

Application 120447/O

- The appeal was received on 28 August 2012
- The appeal was made under Section 78 of the Town and Country Planning Act 1990 against Refusal of Planning Permission
- The appeal was brought by Mr R Grindon
- The site is located at Castle End, Lea, Ross on Wye, Herefordshire, HR9 7JY
- The development proposed was Proposed outline application for a traditional 4 bedroomed dwelling
- The main issues were:
 - Whether the site is an appropriate location for housing development having regard to;
 - National and local planning policy, including by reference to sustainability
 - Its effect on the character and appearance of the locality

Decision:

- The application was refused under delegated powers on 30 May 2012
- The appeal was dismissed on 13 March 2013
- An Application for the award of Costs, made by the Appellant against the Council, was dismissed; the Council's application is under a separate decision which has not yet been issued.

Case Officer: Mr C Brace on 01432 261947

Application 120986/O

- The appeal was received on 3 December 2012
- The appeal was made under Section 78 of the Town and Country Planning Act 1990 against Refusal of Planning Permission
- The appeal was brought by Mr And Mrs R & J Fennessy
- The site is located at Plot at, 28 Folly Lane, Hereford, HR1 1LY

Further information on the subject of this report is available from the relevant case officer

- The development proposed was Proposed dwelling and access
- The main issue(s) are:
 - The character and appearance of the area
 - The living conditions of the occupiers of neighbouring properties with regard to their outlook and their privacy from overlooking
 - The safety of users of the highway

Decision:

- The application was refused under delegated powers on 24 May 2012
- The appeal was dismissed on 14 March 2013

Case Officer: Mr E Thomas on 01432 260479

Application 121669/F

- The appeal was received on 31 October 2012
- The appeal was made under Section 78 of the Town and Country Planning Act 1990 against Refusal of Planning Permission
- The appeal was brought by Miss Karen Harris
- The site is located at Losito Stud, Harris Lodge, Whitchurch, Ross-On-Wye, Herefordshire, HR9 6EG
- The development proposed was Horse training menage and storage building. Change of use of part of field no 5079 from industrial (brownfield) to equine on ½ acre site where proposed menage is excluding the rest of field no 5079. Proposed storage
- The main issue is:
 - The effect of the proposed development on the character and appearance of the area, including on the Wye Valley Area of Outstanding Natural Beauty.

Decision:

- The application was refused under delegated powers on 18 September 2012
- The appeal was a split decision on 14 March 2013

Case Officer: Mr M Tansley on 01432 261815

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



MEETING:	PLANNING COMMITTEE
DATE:	3 APRIL 2013
TITLE OF REPORT:	<p>S123556/F - ERECTION OF 10 NO. AFFORDABLE HOMES WITH ASSOCIATED PARKING, ACCESS & LANDSCAPING AT LAND ADJACENT TO ROSE COTTAGE, GORSLEY, ROSS-ON-WYE, HEREFORDSHIRE</p> <p>For: Two Rivers Housing Association per Quattro Design Architects Ltd, Imperial Chambers, Longsmith Street, Gloucester, Gloucestershire, GL1 2HT</p>
WEBSITE LINK:	http://www.herefordshire.gov.uk/housing/planning/58286.aspx?ID=123556&NoSearch=True

Date Received: 21 December 2012

Ward: Penyard

Grid Ref: 367392,226237

Expiry Date: 22 March 2013

Local Member: Councillor H Bramer

1. Site Description and Proposal

- 1.1 The application site is located outside, and immediately abutting the settlement boundary of Gorsley, a 'main village' within the Unitary Development Plan. The site occupies a prominent 'gateway position' on the approach from the west.
- 1.2 The site comprises a broadly rectangular agricultural field of some 0.34 hectares in extent positioned on the corner between the B4221 which forms the southern boundary and the unclassified Ivy House Lane which forms the boundary to the south east, and from which there is an existing field gate access. The land slopes gently from the road to its northern boundary. Local services are located in close proximity to the site, including a primary school to the west, public house opposite and footpath links to the village shop to the east. The Ivy House estate, which comprises 18 post war dwellings set in a cul-de-sac arrangement, is opposite to the east. Further open countryside and agricultural land adjoins to the north.
- 1.3 The proposal is for the erection of 10 affordable homes with associated parking, access and landscaping.

2. Policies

- 2.1 National Planning Policy Framework (NPPF)
 - The presumption in favour of sustainable development – paragraph 14
 - Core planning principles – Design quality and character of an area – paragraph 17
 - Delivering a wide choice of high quality homes – Sustainable rural development and delivery of affordable housing – Chapter 6 paragraphs 47, 49, 50, 54, 55

Further information on the subject of this report is available from Mr C Brace on 01432 261947

- Requiring good design – quality, context and local character and distinctiveness – Chapter 7 paragraphs 58, 60, 61, 64
- Determining applications – determination in accordance with the approved plan unless material conditions indicate otherwise – paragraph 196

2.2 Herefordshire Unitary Development Plan (HUDP):

S1	-	Sustainable development
S2	-	Development requirement
S3	-	Housing
S7	-	Natural and historic heritage
DR1	-	Design
DR2	-	Land use and activity
DR3	-	Movement
DR4	-	Environment
H4	-	Main villages
H7	-	Housing in the countryside outside settlements
H9	-	Affordable Housing
H10	-	Rural exception housing
H13	-	Sustainable residential design
H15	-	Density
H16	-	Car Parking
T6	-	Walking
T8	-	Road hierarchy
T11	-	Parking provision
LA2	-	Landscape character and areas least resilient to change
LA3	-	Setting of settlements
LA5	-	Protection of trees, woodlands and hedgerows
LA6	-	Landscaping schemes
NC1	-	Biodiversity of development

2.3 The Unitary Development Plan policies together with any relevant supplementary planning documentation can be viewed on the Council's website by using the following link:-

<http://www.herefordshire.gov.uk/housing/planning/29815.aspp>

3. Planning History

3.1 S122482/F – Erection of 10 affordable homes with associated parking, access and landscaping – Withdrawn

4. Consultation Summary

Internal Council Advice

4.1 The Transportation Manager raises no objection noting appropriate visibility and parking standards and requirements are satisfied. Conditions are attached to the recommendation below.

4.2 Conservation Manager (Landscape) advises that there are no landscape designations and that whilst any such development will have a landscape impact, the scale and pattern of development of Gorsley shows residential development could be accommodated on this site. No objection is made providing adequate natural boundary treatments and appropriate landscaping is provided.

- 4.3 Environmental Health Manager notes the site is within 250 metres of a closed landfill site and as such conditions regarding the consideration, assessment and mitigation of contamination risk are recommended.
- 4.4 Strategic Housing Manager supports the application and outlines both the significant affordable housing need over the next 5 years, both in Gorsley – 12 units, and the county as a whole – 3457 units. Over the next 20 years a minimum of 97 affordable units need to be provided per year to meet existing and projected need. The need in Gorsley is unmet due to no affordable housing development recently. The Strategic Housing team has been trying to source and secure such a development as proposed since 2007.

The majority of objections relayed to the Strategic Housing team at two public consultation events were about the car parking issues caused by parents dropping off and picking up their children from school. Despite this situation not being a direct result of the proposal, the Housing Association have previously tried to ease the situation by offering car parking spaces on the development, however, the Parish Council declined the offer. The Council's Area Engineer has been heavily involved with their specification for the junction and access into the site and addressed these issues.

5. Representations

- 5.1 Linton Parish Council objects to the proposal on the following summarised grounds –
- The density is too high
 - Extra traffic generated will compromise highway safety
 - Concern over impact on water supply
 - The design of the dwellings is neither 'good' or 'in keeping' with the local area
- 5.2 Twenty letters of objection have been received from local residents. Comments regarding material planning matters are summarised as –
- The proposal represents overdevelopment of the site
 - There are more suitable sites
 - Concern regarding sewerage
 - There is no local need for affordable housing
 - This is a prominent site
 - Concern over surface water issues
 - Impact on the landscape
 - Design of the dwellings is unattractive
 - Concern over highway safety
 - Parents picking up/ dropping off children at the school use Ivy House Lane to park
- 5.3 Welsh Water notes the developer can requisition sewers under Sections 98-101 of the Water Industry Act 1991 and notes 'no problems are envisaged with the provision of water supply for this development'.
- 5.4 The consultation responses can be viewed on the Council's website by using the following link:-
www.herefordshire.gov.uk/housing/planning/searchplanningapplications.aspx

Internet access is available at the Council's Customer Service Centres:-
www.herefordshire.gov.uk/community_and_living/consumer_advice/41840.asp

6. Officer's Appraisal

Principle/Need

- 6.1 This application follows the applicant's own consultation exercise with the local community, formal pre-application advice with the Local Planning Authority and this revised proposal also seeks to address a number of issues raised in respect of the withdrawn application S122482/F.
- 6.2 The most significant local plan policy applicable to this application is policy H10 – Rural exception housing. This policy allows for residential development on suitable sites adjoining identified settlements including designated 'main villages' such as Gorsley, where there is a proven genuine and quantifiable local need for affordable houses.
- 6.3 The NPPF puts sustainable development at its core and recognises three dimensions to this. The environmental dimension outlines how decision making should contribute to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy. The social role promotes the provision of a supply of housing to meet the needs of the present and future generations
- 6.4 Furthermore the NPPF clearly states that there is a presumption in favour of sustainable development.
- 6.5 To promote sustainable development in rural areas, the NPPF advises that housing should be of high quality and located where it will enhance or maintain the vitality of rural communities which includes supporting existing local services.
- 6.6 There is a significant need for affordable housing within the County as a whole and the identified need in the 2010 Housing Needs Survey for Gorsley is 12 units. This need is still unmet as no development has taken place since the study was undertaken. Clearly the proposed development of ten units will go a significant way to meeting this need.
- 6.7 In this case, the site is well related to the services and facilities offered within the village and it is concluded that there is no objection in principle to the provision of affordable homes in this location

Sustainability

- 6.11 The site is adjacent to the defined settlement boundary of Gorsley, a designated 'main village' and as such it is considered that it should be regarded as a sustainable location for new residential development. Gorsley has a range of services and facilities within easy walking distance of the application site, including the primary school, shop, public house and village hall. This development will contribute to maintaining those services. Furthermore the development of the site would not cause harm to protected species or any designated heritage or landscape assets since there are none on, or immediately adjoining the site.
- 6.12 The density of development proposed represents 29 dwellings per hectare, making efficient use of this site in accordance with Policy H15 of the UDP. Furthermore these are modest properties, ranging from 72 sq. metres in accommodation for the 2 bed units, and 84 sq. metres accommodation provided by the 3 bed units. In addition the dwellings will be constructed to Lifetime Homes Standards, which is equivalent to Code Level 3 of the Code for Sustainable Homes.

- 6.13 On the above basis, the site and proposed development is considered to meet local planning policies S1, S2 and H10 of the UDP and the requirements of NPPF.

Landscape and Visual Impact

- 6.14 Gorsley can be characterised by its network of narrow intersecting lanes fringed by wayside cottages interspersed with small hedged pastures and pockets of rough grazing. It is considered that within this landscape context new residential development of an appropriate scale and form can be accommodated.
- 6.15 Development of this site is considered to comprise a form of 'infilling', being located between the primary school and the edge of the built core of Gorsley. The site is open and undeveloped but to the east, south and west there is built development and a clear sense of transition from open countryside to a settlement. This is emphasised by the types and age of the development, ranging from the school and pub to various scales, densities and forms of housing.
- 6.16 Development of this site therefore is not considered to have a significant adverse landscape impact or undermine the setting of the village. It is considered to be appropriately designed and landscaped development. The development is further assimilated through enhanced boundary treatments comprising native species hedgerow planting to upgrade and improve the existing situation. Furthermore hardstanding areas have been kept to the minimum required to accommodate parking and manoeuvring and green areas have been incorporated into the layout.

Design

- 6.17 The development comprises ten dwellings, split into two distinct design types. This approach has been utilised so the development relates better to its context and two differing road frontages, whilst also providing some appropriate variation.
- 6.18 Plots 1 – 4 comprise two pairs of semi detached dwellings constructed of red facing brick with grey roof tiles and featuring open porches and chimneys. Each semi detached arrangement comprises one 2 bedroom unit with a width of 6.8 metres providing 74 sq metres of accommodation, and one 3 bedroom unit with a width of 8.4 metres providing 84 sq metres of accommodation. These four units front onto the B Class road opposite The Roadmaker Inn. They have side gable elevations and the ridge heights gradually increase with the topography of the site from west to east, with the highest ridge height of 7.8 metres and lowest of 7.2 metres from ground level. This approach reduces the massing impact of this section of development along the road frontage and creates some aesthetic interest.
- 6.19 Plots 5 – 10 comprise two terraces of three dwellings constructed of buff coloured stone with grey roof tiles, with each dwelling featuring an open fronted porch and chimney. Each terrace arrangement comprises three units, one comprising three 2 bedroom dwellings with a ridge height of 6.9 metres and a combined width of 19.6 metres providing 74 sq metres of accommodation per unit, and the other comprising three 3 bedroom dwellings with a ridge height of 7.3 metres and a combined width of 17.6 metres providing 84 sq metres of accommodation per unit.
- 6.20 These six units have a frontage onto the unclassified Ivy House Lane and the materials palette respects the local context and is influenced by the modern residential estate opposite and other historic buildings around the village. These units have a uniform ridge height across each terrace section and feature a hipped roof on the end units at plots 5 and 10. This again reduces the mass and also replicates a roof style feature common within Herefordshire and found within Gorsley.

- 6.21 Overall the design, detailing, siting and approach utilised is considered to be of sufficient quality, respecting the local context and nature of the location. As set out above, the proposal is considered to respond adequately to the established local character and reflects the identity of its surroundings.
- 6.22 The proposal has an appropriate level of private amenity, and also does not result in undue impact upon the amenity and privacy of the individual proposed dwellings within the development or existing adjoining residential uses.
- 6.23 Along with satisfying the design requirements of the National Planning Policy Framework, the proposal satisfies the design standards criteria of local plan policies S2, DR1 and H13.

Sewerage, surface water and hydrological issues

- 6.24 The applicant's have carried out a commercial drainage and water report undertaken by Severn Trent, and have also submitted a Drainage and Flood Risk Appraisal.
- 6.25 The site is at negligible risk if flooding from fluvial or groundwater flooding as evidenced from data held by the Environment Agency. Surface water run off and downstream surface water flood risk will be mitigated by soakaways and these will conform to or exceed Building Regulations or Code for Sustainable Homes.
- 6.26 Sewers from the Ivy House Estate have become public sewers since October 2011. A sewer connection could be achieved either in Ivy House Lane or on Ivy House Estate and no objection has been received in relation to the capacity of the local sewerage system. Welsh Water also raise no concerns regarding the provision of water supply to this development.
- 6.27 As such there are no issues regarding sewerage, surface water or water supply that would warrant refusal of this application.

Highways

- 6.28 The application is accompanied with a traffic and parking survey and the application has been assessed by the Transportation Manager.
- 6.29 The visibility and access serving the development is to the required standards and is considered acceptable. Off road parking provision is also to the required levels. The associated works actually improve the visibility at the junction with the B Class road above the existing situation. The development also secures enhancements for pedestrians due to upgrading and installation of new footpaths hereabouts adjoining the site. On this basis there are no sustainable or justified grounds to refuse the application on highway grounds.
- 6.30 The localised highways issue is created by parents parking indiscriminately when dropping off or picking up children from the school. Whilst the concerns expressed in respect of this issue are acknowledged, this existing problem cannot reasonably be used as a basis for the refusal of this application which provides the required parking provision and visibility.
- 6.31 Having regard to the acceptability of technical details regarding highways matters, whilst acknowledging the concerns of the local community regarding on road parking problems generated by users of the school, there are no sustainable or justified grounds to refuse the application on highway matters. Furthermore UDP policies S1, S2, DR1, DR2, DR3, T8 and T11 are satisfied.

Conclusion

6.32 The proposal is considered to represent a sustainable form of residential development, meeting a genuine housing need and being appropriate to and in keeping with its context. Material issues arising from this development are addressed within the development and through appropriate conditions. Relevant local and national planning policies are satisfied and as such approval with conditions is recommended.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

- 1. A01 – Time limit for commencement of development**
- 2. B01 – Development in accordance with approved plans**
- 3. B07 – No development until the completion, signing and receipt of S106 agreement**
- 4. C01 – Sample of external materials**
- 5. G02 – Retention of trees and hedgerows**
- 6. G09 – Details of boundary treatments**
- 7. G10 – Landscaping scheme**
- 8. G11 – Landscaping scheme implementation**
- 9. G12 – Hedgerow planting**
- 10. H03 – Visibility splays**
- 11. H04 – Visibility over frontage**
- 12. H13 – Access, turning area and parking**
- 13. H17 – Junction improvement**
- 14. H21 – Wheel washing**
- 15. H27 – Parking for site operatives**
- 16. H29 – Covered and secure cycle parking**
- 17. I16 – Restriction on hours during construction**
- 18. I17 – Scheme of foul water disposal**
- 19. I20 – Scheme of surface water drainage**
- 20. I23 – Improvement of existing sewerage system**
- 21. I42 – Scheme of refuse storage**

- 22. Contamination study and report and mitigation
- 23. Implementation of Remediation Scheme approved under condition no.23

Reason for Approval

- 1. The proposal represents a sustainable form of development satisfying a genuine proven affordable housing need within this locality on a suitable and available site which has limited constraints and is within close proximity to local services and facilities. The proposal is of a size, scale, design, layout and density in keeping with its edge of village location and has no detrimental impact on adjoining land uses, the character and appearance of the streetscene or highway safety. Accordingly Herefordshire Unitary Development Plan policies S1, S2, S3, S7, DR1, DR2, DR3, DR4, H4, H7, H9, H10, H13, H15, H16, T6, T8, T11, LA2, LA3, LA5, LA6 and NC1 and the relevant sustainability, housing and design aims and objectives of the National Planning Policy Framework are satisfied

INFORMATIVES:

- 1. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against planning policy and any other material considerations. Negotiations in respect of matters of concern with the application (as originally submitted) have resulted in amendments to the proposal. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.
- 2. **HN01 – Mud on Highway**
- 3. **HN04 – Private Apparatus Within Highway**
- 4. **HN05 – Works Within the Highway**
- 5. **HN07 – Section 278 Agreement**
- 6. **HN10 – No Drainage to Discharge to Highway**

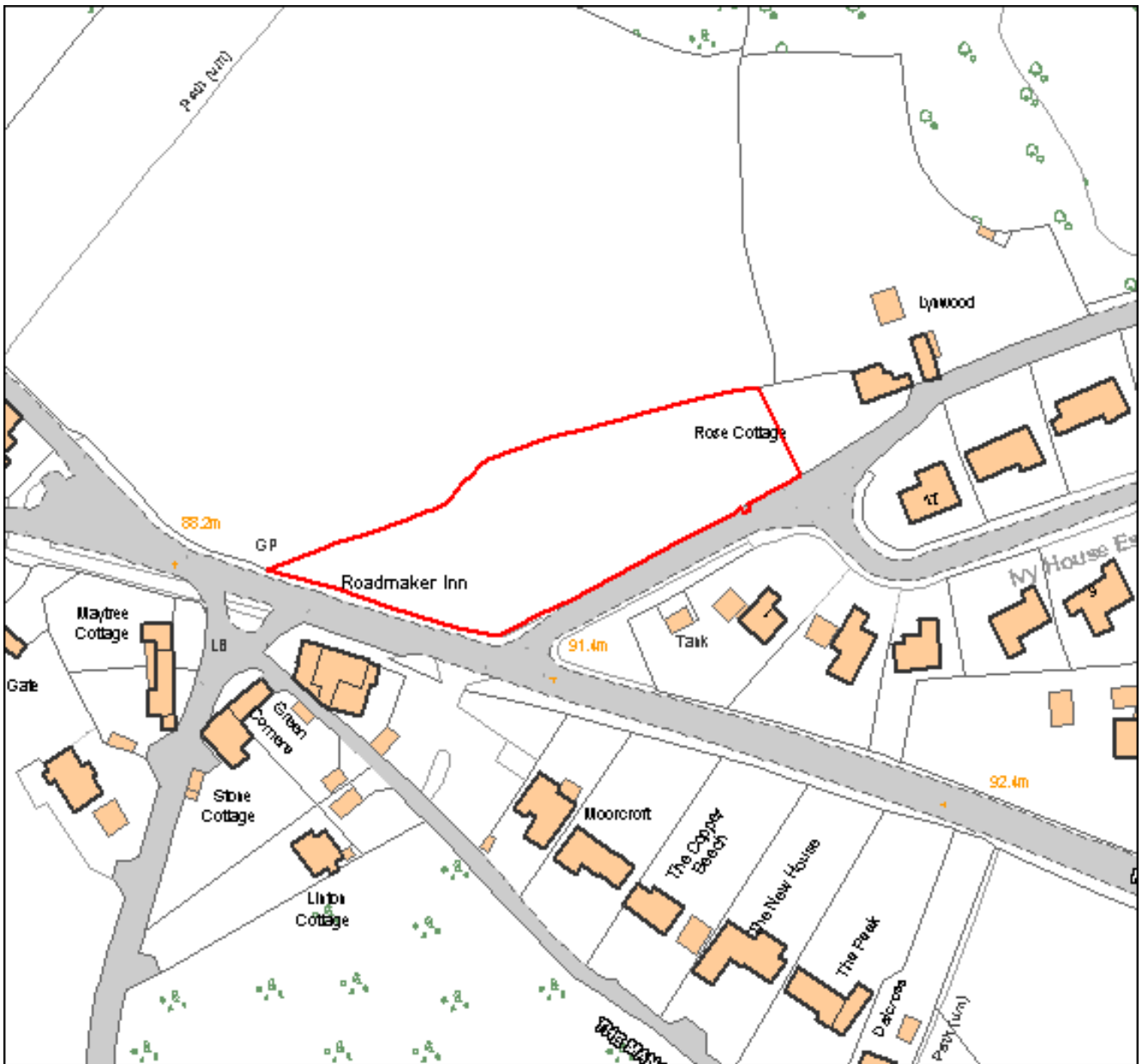
Decision:

Notes:

.....

Background Papers

Internal departmental consultation replies.



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

APPLICATION NO: S/123556/F

SITE ADDRESS : LAND ADJOINING ROSE COTTAGE, GORSLEY, ROSS-ON-WYE, HEREFORDSHIRE

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



MEETING:	PLANNING COMMITTEE
DATE:	3 APRIL 2013
TITLE OF REPORT:	<p>N123463/F - PROPOSED CONSTRUCTION OF A NEW TWO STOREY DWELLING AND DETACHED GARAGE AND CYCLE STORAGE AT LAND ADJACENT TO THE NEW INN, STAUNTON ON WYE, HEREFORDSHIRE, HR4 7LR</p> <p>For: Mr Kinsey per Mr Jim Hicks, Second Floor Offices, 46 Bridge Street, Hereford, Herefordshire, HR4 9DG</p>
WEBSITE LINK:	http://www.herefordshire.gov.uk/housing/planning/58286.aspx?ID=123463&NoSearch=True

Date Received: 12 December 2012 **Ward: Castle** **Grid Ref: 336673,245196**
Expiry Date: 12 March 2013
Local Member: Councillor JW Hope MBE

1. Site Description and Proposal

- 1.1 The application relates to a parcel of agricultural land located immediately to the east of the New Inn public house in Staunton on Wye. The site is bounded to the north by the C class road that runs through the village, the boundary being comprised of a mature hedgerow and trees, set atop a bank. All other remaining boundaries to the land are similarly comprised of native species hedgerows.
- 1.2 The land slopes from the road, down across the site to its lowest point at its south-easterly corner. A topographical survey submitted with the application shows an overall change in level of 9 metres.
- 1.3 The site has an existing field gate access at its north eastern corner which emerges directly onto the C class road. It lies on the eastern edge of the village, just beyond the settlement boundary as identified by Policy H4 of the Herefordshire Unitary Development Plan. The village contains a number of services including a doctor's surgery, public house and recently completed replacement primary school. A number of rural businesses are also located within and around the immediate environs of the village.
- 1.4 The proposal is for the erection of a single four bed dwelling and garage on the land. The plans submitted show this to be located approximately 40 metres to the east of the New Inn public house, and 60 metres from another property known as Cartref. The proposed dwelling is orientated in a north / south direction with its ridge running in an east / west plane. Two storey gabled wings project north and south and a single storey element is included on the eastern gable end. A parking and turning area is positioned to the north and a double garage in the north-west corner of the plot. The proposal relies on the existing access to the north east.
- 1.5 The plans show the dwelling to be faced in a combination of brick and timber boarding under a slate roof. It is to be served by a bio-disc sewage treatment plant, discharging to a reed bed filtration system, the precise details of which are not included. The supporting documentation

Further information on the subject of this report is available from Mr A Banks on 01432 383085

also indicates that the dwelling will utilise renewable energy technologies to include solar thermal panels and ground or air source heating.

2. Policies

2.1 Herefordshire Unitary Development Plan

S1	–	Sustainable development
S2	–	Development requirements
DR1	–	Design
DR2	–	Land use and activity
DR3	–	Movement
H4	–	Settlement boundaries: main villages
H7	–	Development in the countryside outside settlements
H13	–	Sustainable residential design
T8	–	Road hierarchy
NC1	–	Biodiversity and development
NC6	–	Biodiversity Action Plan priority habitats and species

2.2 National Planning Policy Framework

The following sections are of particular relevance:

Introduction	–	Achieving sustainable development
Section 6	–	Delivering a wide choice of high quality homes
Section 7	–	Requiring good design
Section 8	–	Promoting healthy communities
Section 11	–	Conserving and enhancing the natural environment

2.3 The Unitary Development Plan policies together with any relevant supplementary planning documentation can be viewed on the Councils website by using the following link:-

<http://www.herefordshire.gov.uk/housing/planning/29815.aspp>

3. Planning History

3.1 None identified

4. Consultation Summary

Statutory Consultations

4.1 Welsh Water – No objection subject to conditions to ensure that surface water drainage does not discharge to the main sewer.

Internal Council Consultations

4.2 Transportation Manager – No objection subject to conditions

4.3 Conservation Manager

Landscape – No objection subject to conditions

5. Representations

5.1 Staunton on Wye Parish Council – Comment as follows:

Further information on the subject of this report is available from Mr A Banks on 01432 383085

Noted that the application site is outside the UDP envelope. In the past, the Parish Council has worked to the UDP rules and consistently refused to support applications outside the envelope and the Herefordshire Council has refused permission on these grounds.

However, in the case of the recent application at Bliss House in Staunton-on-Wye, and in the case reported in the Hereford Times of an application in Colwall, it appears that the Herefordshire Council has changed the rules of the UDP without any notification and consultation with Parish Councils involved. In both these cases the relevant Parish Council has not supported the application for this reason but their views have been overridden by Herefordshire Council and permission granted. In these circumstances, the Parish Council feels that it cannot comment on the current application.

- 5.2 The consultation responses can be viewed on the Council's website by using the following link:-

www.herefordshire.gov.uk/housing/planning/searchplanningapplications.aspx

Internet access is available at the Council's Customer Service Centres:-

www.herefordshire.gov.uk/community_and_living/consumer_advice/41840.asp

6. Officer's Appraisal

- 6.1 The site falls outside of the settlement boundary for Staunton on Wye as defined by the Herefordshire Unitary Development Plan (UDP) and therefore falls within open countryside. The proposal does not satisfy any of the exception criteria outlined by Policy H7 of the UDP and therefore is contrary to it. However, it is necessary to consider whether there are any other planning policy or material planning considerations to support the principle of development.
- 6.2 The Core Strategy is not sufficiently advanced to be given due weight in the consideration of the application and in any event, there are no specific policies or proposals that relate to this particular site. The National Planning Policy Framework (NPPF) came into force in March 2012. Paragraph 215 of the NPPF clarifies that due weight can still be given to the relevant UDP policies for a period of 12 months from the date of adoption of the NPPF providing those policies are largely consistent with the NPPF. The consistency of the UDP housing policies within the UDP is therefore key to whether the principle of development can be supported.
- 6.3 At the heart of the NPPF is a general presumption in favour of sustainable development and applications for housing should be considered in this context. The NPPF now requires that local planning authorities should identify a rolling five year supply of deliverable housing land to ensure choice and competition in the market. Additionally, the NPPF requires an additional buffer of 5% (increased to 20% if a planning authority has persistently under delivered housing land). On the basis of the evidence available to date, it is considered the requirement for a 5% buffer is applicable to Herefordshire.
- 6.4 The Council's 2012 Annual Monitoring Report (AMR) which monitors housing land availability, identified that the Council currently has a shortfall of 216 units, which equates to a 4.6 year supply. This shortfall does not account for the requirement to maintain the additional 5% buffer which would amount to a further 140 units and therefore a total of 356 units.
- 6.5 Paragraph 49 of the NPPF stipulates that relevant policies concerning the supply of housing land should not be regarded as up to date if a five year land supply cannot be demonstrated. In view of this, there is a requirement to release further land for housing that is deliverable within the next five years and is sustainable. There remains a requirement for the development to accord with other relevant UDP policies and NPPF guidance but in terms of the principle, if

the development is acceptable in all other respects, the conflict with UDP policy H7 is not a reason for refusal of the application that could be sustained.

- 6.6 The proposed dwelling is set within a large parcel of land and is well spaced from the closest dwelling and pub, which both lie to the west. Due to the distances between them, and also the orientation of the proposed dwelling which has few openings in the west facing elevation, the proposal will not give rise to any demonstrable detriment to residential amenity, either to existing property, or to this proposal itself. The Land is not connected to the pub and the proposal will not affect its viability. The scheme is therefore considered to accord with Policies DR1 and H13 of the UDP.
- 6.7 The site is well placed in Staunton on Wye. The village has a good range of services that include a primary school and doctors surgery, and the location of the site is considered to be sustainable in accordance with policies S1 of the UDP and the guiding principles of the NPPF.
- 6.8 The detailed design of the proposed dwelling is considered to be appropriate and the plans show an intention to make best use of sustainable energy methods, and the use of rainwater harvesting. These aspects of the scheme accord with Policies S1 and H13 of the UDP, and also the guiding principles of the NPPF which advocates sustainable development.
- 6.9 At pre-application stage, the significance of the roadside hedge was identified as a significant constraint to development. The creation of a new access would have required at least its partial removal and this was considered to be unacceptable due to the detrimental visual impact that would result from its loss. Hedgerows are also a Biodiversity Action Plan (BAP) priority habitat, and its loss would also conflict with the objectives of Policy NC6 of the UDP. In order to address these concerns, the application therefore relies on an existing access point in the north eastern corner of the site, avoiding the need to remove the hedge and therefore complying with Policy NC6.
- 6.10 The access is considered to provide adequate visibility in both directions in light of the low traffic speeds along the road and its primary use by local traffic that will be familiar with the road conditions. The Council's Highway Engineer is content that splays can be provided in both directions simply by ensuring that the roadside hedge is trimmed, and also suggests the imposition of a condition to ensure that any gates are set back from the road by a minimum of five metres. On this basis the proposal complies with Policy DR3 of the UDP.
- 6.11 In conclusion, the lack of a five year housing land supply and the guidance given by the NPPF is considered to provide a material planning consideration of sufficient weight to allow the requirements of Policy H7 of the UDP to be set aside. It has been demonstrated that the proposal is compliant with all other policies of the UDP and therefore the application is recommended for approval.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

- 1. A01 - Time limit for commencement (full permission)**
- 2. B01 - Development in accordance with the approved plans**
- 3. C01 - Samples of external materials**
- 4. G04 - Protection of trees/hedgerows that are to be retained**
- 5. G10 - Landscaping scheme**
- 6. G11 - Landscaping scheme – implementation**
- 7. H03 - Visibility splays**
- 8. H05 - Access gates**

Further information on the subject of this report is available from Mr A Banks on 01432 383085

- 9. L01 - Foul/surface water drainage
- 10. L02 - No surface water to connect to public system
- 11. L03 - No drainage run-off to public system
- 12. I16 - Restriction of hours during construction

Reason for Approval

- 1. The Council’s five year housing land supply demonstrates a shortfall in provision. Policy H7 of the Herefordshire Unitary Development Plan does not reflect the most current advice contained within the National Planning Policy Framework and is therefore considered to be out of date. The site is considered to be sustainable as one on the edge of Staunton on Wye. The design is acceptable and access can be provided to the site without the loss of the roadside hedgerow. The proposal therefore accords with the Unitary Development Plan in all other respects and accords with the guiding principles of the National Planning Policy Framework.

INFORMATIVES:

- 1. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against planning policy and material considerations. It has subsequently determined to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.
- 2. HN28 - Highways Design Guide and Specification

Decision:

Notes:

Background Papers

Internal departmental consultation replies.



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

APPLICATION NO: N/123463/F

SITE ADDRESS : LAND ADJACENT TO THE NEW INN, STAUNTON ON WYE, HEREFORDSHIRE, HR4 7LR

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



MEETING:	PLANNING COMMITTEE
DATE:	3 APRIL 2013
TITLE OF REPORT:	S123110/O - SITE FOR ERECTION OF FOUR DWELLINGS AND CONSTRUCTION OF PUBLIC FOOTPATH AT LAND AT WILLOW CROFT, SUTTON ST NICHOLAS, HEREFORD, HR1 3AZ For: Mr Chambers per Mr John Phipps, Bank Lodge, Coldwells Road, Holmer, Hereford, Herefordshire HR1 1LH
WEBSITE LINK:	http://www.herefordshire.gov.uk/housing/planning/58286.aspx?ID=123110&NoSearch=True

Date Received: 5 November 2012 Ward: Sutton Walls Grid Ref: 353453,245951

Expiry Date: 10 January 2013

Local Members: Councillor KS Guthrie

1. Site Description and Proposal

- 1.1 The application site lies on the eastern side of the C1125 immediately north of the defined settlement boundary of Sutton St. Nicholas. To the south of the application site lies Willow Croft, a detached two-storey dwelling whose principal elevation faces south. To the immediate east of Willow Croft is a terrace of three two-bedroom cottages erected under planning permission CW100542/F. These properties lie within the settlement boundary though the approved vehicular access from the north which cuts across open countryside. There is an existing single-storey timber boarded barn on site.
- 1.2 Outline planning permission is sought for the erection of a terrace of four dwellings to the north of Willow Croft, utilising an upgraded version of the vehicular access presently serving the existing cottages. Whilst made in outline, the application is effectively a fully detailed application as only landscaping has been 'reserved' for consideration at the Reserved Matters stage.
- 1.3 The dwellings would be constructed to front the highway, the earlier refused application S121667/O having shown the dwellings constructed gable end onto the road. In recognition of the significant rise across the site from south to north, the northern most dwelling in the terrace takes the form of a bungalow with bedrooms in the roof space. The ridge height then steps up and is continuous over the two central units before stepping down over the final southern unit, which is a short distance to the north of the domestic curtilage associated with Willow Croft.
- 1.4 All of the dwellings are two-bedroomed and constructed predominantly in brick and render under a natural slate roof. A total of eight parking spaces are proposed including a three bay car barn, sited to the east of the buildings. This car barn would be an open sided timber framed structure with an eaves height of 2.2m and ridge height of 4.5m.

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

2. Policies

2.1 National Planning Policy Framework

Paragraph 14 – Presumption in favour of sustainable development. In cases where the development plan is absent, silent or out of date, permission should be granted unless; any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against policies in this Framework taken as a whole.

Paragraph 49: Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up to date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.

2.2 Herefordshire Unitary Development Plan 2007 (saved policies)

S1	-	Sustainable development
S2	-	Development requirements
S3	-	Housing
S6	-	Transport
S7	-	Natural and historic heritage
DR1	-	Design
DR3	-	Movement
DR4	-	Environment
H4	-	Main villages: Settlement boundaries
H7	-	Housing in the countryside outside settlements
H10	-	Rural exception housing
H13	-	Sustainable residential design
T8	-	Road hierarchy
T11	-	Parking provision
LA2	-	Landscape character and areas least resilient to change
LA5	-	Protection of trees, woodlands and hedgerows
LA6	-	Landscaping
NC1	-	Biodiversity and development

2.3 The Unitary Development Plan policies together with any relevant supplementary planning documentation can be viewed on the Councils website by using the following link:-

<http://www.herefordshire.gov.uk/housing/planning/29815.aspp>

3. Planning History

- 3.1 S12667/O: Erection of five dwellings and construction of public footpath: Refused 1st August 2012 for reasons of design, appearance within the landscape and impact upon the amenity associated with Willow Croft.
- 3.2 CW100542/F: Erection of three, two-bedroomed terrace cottages: Approved 21st May 2010
- 3.3 SH97/0359/PO: Erection of a single dwelling: Refused and dismissed on appeal

4. Consultation Summary

Statutory Consultations

- 4.1 Welsh Water: Recommend standard conditions regarding the separate disposal of foul and surface water.

Internal Council Advice

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

- 4.2 Traffic Manager: The access will have to be upgraded to adoptable standards which will require a Section 38/278 agreement. In the absence of speed data visibility splays in each direction should be 3.0m x 90m.
- 4.3 Public Rights of Way Manager: No objection
- 4.4 Strategic Planning Manager: The site has been assessed under the Strategic Housing Land Availability Assessment as having minor constraints. Given the absence of a five-year housing land supply, the principle of residential development is consistent with the Council's interim policy statement and the National Planning Policy Framework.
- 4.5 Strategic Housing Manager: Ordinarily development on the site should be affordable. The strategic housing team is mindful, however, of the five-year housing land supply issue.

5. Representations

- 5.1 Sutton St. Nicholas Parish Council: Although the committee felt it was an improved design when compared to the previous application (S121667/O) it objects, as the site is outside the village envelope [settlement boundary] and contrary to the Village Plan.
- 5.2 The consultation responses can be viewed on the Council's website by using the following link:-

www.herefordshire.gov.uk/housing/planning/searchplanningapplications.aspx

Internet access is available at the Council's Customer Service Centres:-

www.herefordshire.gov.uk/community_and_living/consumer_advice/41840.asp

6. Officer's Appraisal

- 6.1 The key issues in the determination of the application are as follows:

- The principle of development
- The siting and pattern of development
- Scale and appearance
- Access

Principle of development

- 6.2 The site lies outside the defined settlement boundary of Sutton St. Nicholas and lies within the open countryside under the terms of Policy H7 of the Unitary Development Plan. The issue, therefore, is whether there are any other material considerations that may warrant the setting aside of adopted policy. The local planning authority has, at present, a shortfall in its five-year housing land supply. As such consideration has to be given to the release of land adjoining existing settlement boundaries as a means of addressing the shortfall. Officers consider that the application site would be suitable for residential development against this background for the following reasons:

a) The site adjoins a main village as defined by Policy H4 of the UDP. Sutton St. Nicholas is a sustainable village within reasonable proximity to Hereford. Development would thus accord with the Council's interim policy statement;

b) The site has been subject to appraisal under the Strategic Housing Land Availability Assessment as having low or minor constraints; and

c) The landscape character of the field of which the application site forms part has already been eroded by the decision to allow a driveway through it to service the three dwellings approved under S100542/F. This decision also, for reasons of visibility, requires the removal

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

of the entirety of the roadside hedge to. This has not, hitherto, been undertaken but remains a requirement of a planning condition attached to that permission.

- 6.3 Officers are also mindful of the advice contained within the National Planning Policy Framework. Paragraph 49 confirms that the failure to demonstrate a five-year housing land supply will render the relevant policies of the UDP out-of-date and the presumption in favour of approval of sustainable development, will take precedent. This view is supported by the Strategic Planning Manager in his comments at 4.4.

Siting/Pattern of Development

- 6.4 One of the key differences between the current proposal and the refused scheme S121667/O is the orientation of the dwellings. Following officer advice the dwellings are now orientated on a north-south axis to present the principal elevation to the roadside. With some exceptions, including Willow Croft, this form of development is predominant in the village. The benefit is that the more interesting elevation in architectural terms will take on greater presence from public vantage points. The refused scheme presented a blank gable end onto the road at a distance of only three metres. As a consequence, first-floor rear facing windows over-looked Willow Croft, forming the second reason for refusal. As such the rotation of the dwellings through ninety degrees has resolved two of the previously fundamental issues and officers now consider the development to accord with the objectives of Policies DR1 and H13.

Scale and Appearance

- 6.5 The site rises appreciably from south to north with the effect that the dwellings will be significantly higher than Willow Croft. By way of comparison, the ridge height of Willowcroft would be 1.95m lower than the eaves height of the dwelling to the south of this development, which is representative of the difference in ground levels. The design approach taken ensures, however, that the ridge height over the end terrace property to the north is actually slightly lower than that of the southern-most unit down the slope. The scale of the properties is thus reduced as one approaches the brow of the hill slightly further to the north. This approach to scale is more appropriate at an edge of village location, and combined with the reorientation of the dwellings will lead to a more satisfactory form of development than the refused scheme. The appearance of the development will also be enhanced, relative to the refusal, by the enclosure of garden spaces between the rear of the dwellings and the access road. Likewise the parking areas are now located behind the dwellings rather than in prominent locations as proposed formerly. In summary the dwellings now take a more dominant position on site with gardens and service areas relegated to less prominent locations at the rear of the site. Not only does this enhance the appearance of the development as a contribution to the built environment but it also provides the garden areas with a greater sense of privacy and usability.

Access

- 6.6 As identified above, the provision of a driveway across an open field to serve the three cottages approved under S100542/F has resulted in an erosion of the rural landscape character. That permission also necessitated the removal of the roadside hedge for reasons of visibility. As such, the impact of the current scheme over and above that already consented will be limited to an increase in the width of the driveway and radii at the junction. Visibility of 3.0m x 90m in each direction is necessary and achievable, the submitted layout plan indicating the planting of a replacement hedgerow behind the visibility splay. This can be secured by condition. Officers are satisfied that the resultant vehicular access will afford safe means of access and egress from the development.
- 6.7 A footpath has also been detailed in a position behind the hedgerow that would link through the site to the access road to the rear. The decision to site this behind the hedge is one

based on visual amenity to protect that transitional relationship from the village to the rural area.

Section 106 Agreement

- 6.8 The development would be subject to a planning obligation as per the Council's Supplementary Planning Document on Planning Obligations. However, in response to the current economic climate, the Council introduced a temporary suspension of the payment of planning obligations provided that the development is commenced within 12 months. This decision was ratified by Cabinet on 4 March 2009. The Council also received an appeal decision in which the inspector considered a revised timescale (effectively 2 years to commence) for the submission of reserved matters following an outline permission to be reasonable. This is a material consideration and the recommended conditions applied would address this.

Other Matters

- 6.9 As a consequence of the reorientation it is now possible to retain a silver birch that would have had to be removed under the refused scheme.
- 6.10 The application proposes a mains connection and Welsh Water have raised no objection to this, subject to conditions. The Environment Agency and Natural England have issued a Statement of Intent to confirm their intention to complete a nutrient management plan to address the long term problem of phosphate levels within the River Wye SAC which addresses the on-going concerns in respect of the Habitat Regulation Assessments. Welsh Water do not raise an objection to the scheme and it is concluded that there is capacity within the local sewage treatment works, and as such the Council, as the competent authority would be able to screen this as having no likely significant effect in this instance.

Conclusion

- 6.11 The proposal fails to comply, in principle, with policies H4, H7 and H10 of the UDP, however weight must be given to the National Planning Policy Framework that clearly identifies that where sites are considered to be sustainably located, and where they comply with other relevant policies, there should be a presumption in favour of sustainable development. The sites development accords with policies in relation to character of the area, highway safety, relationship with neighbouring properties, landscape impact and drainage, namely policies DR1, DR2, DR3, DR4, H13, LA2, LA5, LA6, NC1, T8 and T11 of the UDP. In conclusion, whilst the application would be contrary to Saved Policies of the UDP, the absence of a 5-year supply of housing land means that there are grounds to support this application and it is recommended for approval subject to conditions

RECOMMENDATION

That 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. B01 Development in accordance with the approved plans**
- 5. C01 Samples of external materials**
- 6. G11 Landscaping scheme - implementation**
- 7. H18 On site roads - submission of details**

- 8. Prior to the commencement of any other works, a detailed timetable of works the access shall be submitted to and approved in writing. This shall include details of any temporary surfaces during the construction period.

Reason: In the interests of amenity of the locality and highway safety having regard to policies DR2 and DR3 of the UDP.

- 9. I16 Restriction of hours during construction
- 10. I20 Scheme of surface water drainage
- 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

Reason for Approval

- 1. The proposal fails to comply, in principle, with policies H4, H7 and H10 of the Herefordshire Unitary Development Plan, however greater weight has been given to the National Planning Policy Framework that clearly identifies that where sites are considered to be sustainably located, and where they comply with other relevant policies, there should be a presumption in favour of sustainable development. The sites development accords with policies in relation to design, character of the area, highway safety, relationship with neighbouring properties, landscape impact, drainage and protecting biodiversity, namely policies DR1, DR2, DR3, DR4, LA2, LA5, LA6, H13, T8 and T11 of the Herefordshire Unitary Development Plan. In conclusion, whilst the application would be contrary to Saved Policies of the Plan, the absence of a 5-year supply of housing land was afforded greater weight.

INFORMATIVES:

- 1. HN08 Section 38 Agreement & Drainage details
- 2. HN07 Section 278 Agreement
- 3. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against planning policy and any other material considerations. Negotiations in respect of matters of concern with the application (as originally submitted) have resulted in amendments to the proposal. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

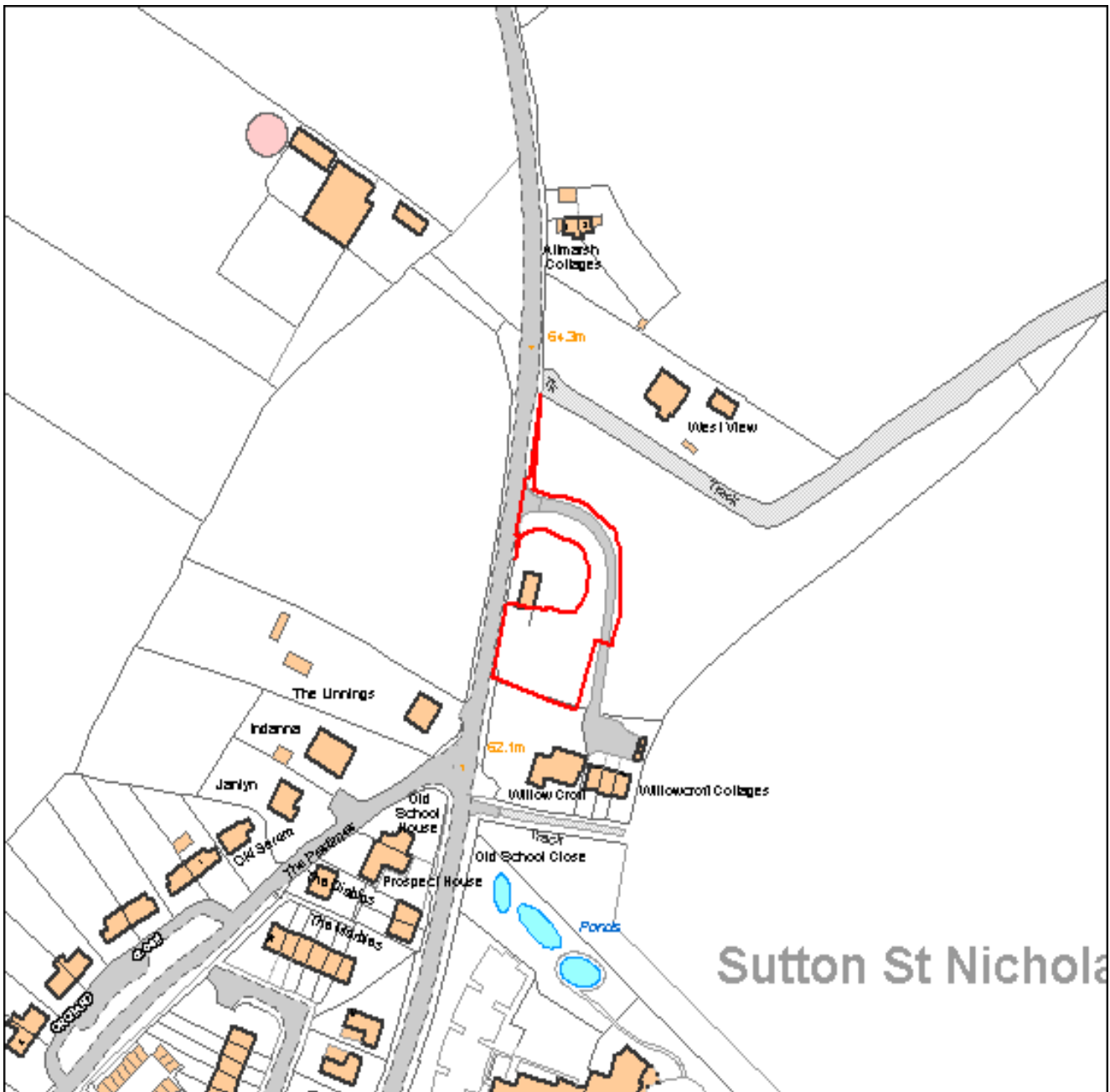
Decision:

Notes:

.....

Background Papers

Internal departmental consultation replies.



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

APPLICATION NO: S/123110/O

SITE ADDRESS : LAND AT WILLOW CROFT, SUTTON ST NICHOLAS, HEREFORD, HR1 3AZ

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



MEETING:	PLANNING COMMITTEE
DATE:	3 APRIL 2013
TITLE OF REPORT:	N123569/O - SITE FOR PROPOSED DWELLING AT FLAGGONERS GREEN HOUSE, PANNIERS LANE, BROMYARD, HEREFORDSHIRE, HR7 4QR For: Dr Blair per Mr M Kelly, 24 Rumsam Gardens, Barnstaple, Devon, EX32 9EY
WEBSITE LINK:	http://www.herefordshire.gov.uk/housing/planning/58286.aspx?ID=123569&NoSearch=True

Date Received: 21 December 2012 Ward: Bromyard Grid Ref: 364528,254328

Expiry Date: 14 March 2013

Local Members: Councillors A Seldon and JG Lester

1. Site Description and Proposal

- 1.1 The application is for outline planning permission for the erection of one dwelling on the north-east section of garden currently within the curtilage of Flaggoners Green House. All matters, with the exception of the principle of development and access, are reserved.
- 1.2 Flaggoners Green House is to the north of two semi-detached dwellings with large gardens located on an inlet of countryside which protrudes into the settlement of Bromyard as defined by policy H1 of the Herefordshire Unitary Development Plan (HUDP). It is located at the junction created by the meeting of the B4214 and the A44 being accessed off the B4214.
- 1.3 The semi-detached dwellings of Flaggoners Green House and Panniers House located to the south of the application site are of painted white brick construction. A particular characteristic of the building is the pronounced gables which face on to the B4214. The site boundaries are composed of hedgerows and trees and afford the site varying amounts of screening.

2. Policies

2.1 Herefordshire Unitary Development Plan

- S1 - Sustainable Development
- S2 - Development Requirements
- S3 - Housing
- DR2 - Land Use and Activity
- DR3 - Movement
- H1 - Hereford and the market towns: settlement settlement boundaries and established residential areas
- H7 - Housing in the countryside outside settlements
- T8 - Road Hierarchy
- LA2 - Landscape Character

Further information on the subject of this report is available from Mr Matt Tompkins on 01432 261795

2.2 National Planning Policy Framework

Achieving sustainable development

Chapter 6 – Delivering a wide choice of high quality homes

Chapter 11 – Conserving and enhancing the natural environment

2.3 The Unitary Development Plan policies together with any relevant supplementary planning documentation can be viewed on the Council's website by using the following link:-

<http://www.herefordshire.gov.uk/housing/planning/29815.aspp>

3. Planning History

3.1 The following are previous applications considered relevant to this case:

Flaggoners Green:

DCNC2008/1320/F Proposed removal of condition 2 (ancillary accommodation) of planning permission DCNC2007/0180/F: *Approved 2 - July 2008*

DCNC2007/0180/F Change of use from veterinary surgery and residential to residential: *Approved - 22 February 2007*

NC1999/2369/F Single storey extension: *Approved - 19 October 1999*

Land to the South of Flaggoners Green:

DCNC2009/0562/O Proposed dwelling: *Refused (Appeal dismissed) - 6 May 2009*

Land to the North-East of Flaggoners Green:

NC2001/3043/O Site for a detached semi bungalow with garage: *Refused (Appeal dismissed) - 8 January 2002*

MH93/1146 Proposed dwelling: *Refused - 30 November 1993*

MH92/1337 Proposed dwelling: *Refused - 15 January 1993*

MH90/2247 Proposed dwelling: *Refused - 15 January 1991*

4. Consultation Summary

Statutory Consultees

4.1 **Welsh Water** has no objection to this application. However, they request that conditions are attached to any planning permission to ensure that the scheme would have no detrimental impact on existing resident or the environments. The conditions would relate to:

- Foul water and surface water discharges being drained separately from the site
- Prohibition of surface water and land drainage run-off being allowed to connect to the public sewerage system

Internal Council Advice

4.2 Transportation Manager: This application has no highway implications

5. Representations

Further information on the subject of this report is available from Mr Matt Tompkins on 01432 261795

- 5.1 Bromyard Town Council: Resolved to support this application
- 5.2 Mr & Mrs Hambleton: Letter of representation received requesting that the local planning authority consider any potential view of the proposed dwelling from his property. The style of architecture should be similar to the existing complex of dwellings in terms of colour, materials, dropped roofs and gable windows at the end. Existing trees on site should be maintained. Wheelbins and garden paraphernalia should not be on view from his property and the A44 roadside hedge to grow to its earlier height.
- 5.3 The consultation responses can be viewed on the Council's website by using the following link:-
www.herefordshire.gov.uk/housing/planning/searchplanningapplications.aspx
- Internet access is available at the Council's Customer Service Centres:-
www.herefordshire.gov.uk/community_and_living/consumer_advice/41840.asp

6. Officer's Appraisal

Principle of development

- 6.1 The application is for the erection of a dwelling on land within the curtilage of Flaggoners Green House. The site is outside of, but directly adjacent to, the adopted settlement boundary for Bromyard as defined within Policy H1 of the UDP. Subsequently, this application falls to be considered in terms of policies relating to development within the open countryside, particularly policy H7.
- 6.2 Policy H7 of the UDP indicates that, other than for certain exceptions, housing outside of settlements will not be permitted. The application makes no attempt to satisfy any of the criteria of policy H7 which provide details of exceptional circumstances under which housing in the open countryside can be considered and therefore conflicts with it. It is therefore necessary to ascertain as to whether there are any other material planning considerations which indicate that the proposal is acceptable.
- 6.3 Previous applications for residential development on land directly to the east and south of Flaggoners Green House were refused and subsequently dismissed at appeal solely on the grounds of being outside of the adopted settlement boundary. However, it is pertinent to note that circumstances have since changed, particularly relating to the lack of a five-year housing land supply.
- 6.4 The local planning authority is currently failing to provide a 5 year Housing Land Supply, plus a 5% buffer, which shall be met by all local authorities in accordance with paragraph 47 of the NPPF. Paragraph 49 of the NPPF goes on to state that 'relevant policies for the supply of housing should not be considered upto-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites'. Consequently there is an obligation to consider applications irrespective of their location in respect to adopted settlement boundaries.
- 6.5 A cabinet report, "Local Development Framework and Local Transport Plan Update (12th July 2012)" provides an interim protocol to be adopted to housing developments outside of adopted settlement boundaries, the content of which echoes that of the NPPF including a presumption in favour of sustainable development. The protocol was compiled in response to the lack of a five-year housing land supply and advises that an application for residential development which conforms with other national and local policies may be permitted where it is located adjacent to an existing settlement boundary.
- 6.6 The application site is located directly adjacent to the settlement boundary of Bromyard in accordance with the prescribed interim approach as outlined above. Furthermore, the site falls

within the curtilage of an existing building with an established residential use and is not considered of high environmental value. Subsequently, the land is considered to be previously developed, the maximum use of which is encouraged in policy S3 of the UDP and paragraph 111 of the NPPF.

- 6.7 The proposal would represent a natural extension to the residential built form of Bromyard making use of existing facilities located within the Town. Suitable, well-used pedestrian routes already exist between the application site and the town centre located less than ½ a mile away. A convenience store is located 100 metres from the proposed dwelling at the junction of the B4214 and the A44. In light of the above, it is considered that the proposed scheme would be well situated in a sustainable location with easy access to local amenities and facilities.

Amenity and privacy of neighbouring dwellings

- 6.8 Although the exact siting, design and layout of the proposed dwelling are reserved for later consideration, there is scope to provide a new dwelling on the application site without compromising the privacy or amenity of the occupiers of Flaggoners Green House. Furthermore, there would be no undue detrimental impact on other neighbouring dwellings.

Access

- 6.9 Access to the dwelling would be off the B4214 making use of an existing driveway which currently serves Panniers House and Flaggoners Green House. This is considered to be of a suitable standard and would not prejudice highway safety. Traffic is relatively slow moving at this point either slowing down for the junction or moving away from the junction. There are no objections from the Transportation Manager with regards to the use of the existing access.

Conclusion

- 6.10 The application for the erection of a dwelling within the curtilage of Flaggoners Green House is contrary to housing policies within the Herefordshire Unitary Development Plan being located outside of a settlement boundary. However, significant weight must be attributed to the lack of a five-year housing land supply within the county. The application is in line with the interim protocol prescribed in the, "Local Development Framework and Local Transport Plan Update (12th July 2012)" being located directly adjacent to the settlement boundary. The site is considered to be in a sustainable location and consequently, the principle of development is established and the site considered suitable for the erection of a dwelling.
- 6.11 The use of an existing access is suitable with all other matters reserved for later consideration. The application is considered to accord with it other relevant policies of the Herefordshire Unitary Development Plan and in line with direction provided within the National Planning Policy Framework. On that basis, it is recommended that outline planning permission be granted.

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. L01 Foul/surface water drainage
- 6. L02 No surface water to connect to public system
- 7. L03 No drainage run-off to public system

Reason for Approval

- 1. The application is considered to be contrary to the requirements of housing policies within the Herefordshire Unitary Development Plan in so much as it would provide a new dwelling outside of the adopted settlement boundary. However, Herefordshire Council has a shortfall in its five-year housing land supply, and the site is sustainable being located directly adjacent to the settlement of Bromyard. With the proposal raising no further planning concerns, outline planning permission is therefore granted on the basis that the proposal is in line with the National Planning Policy Framework which prescribes a presumption in favour of sustainable development.

INFORMATIVES:

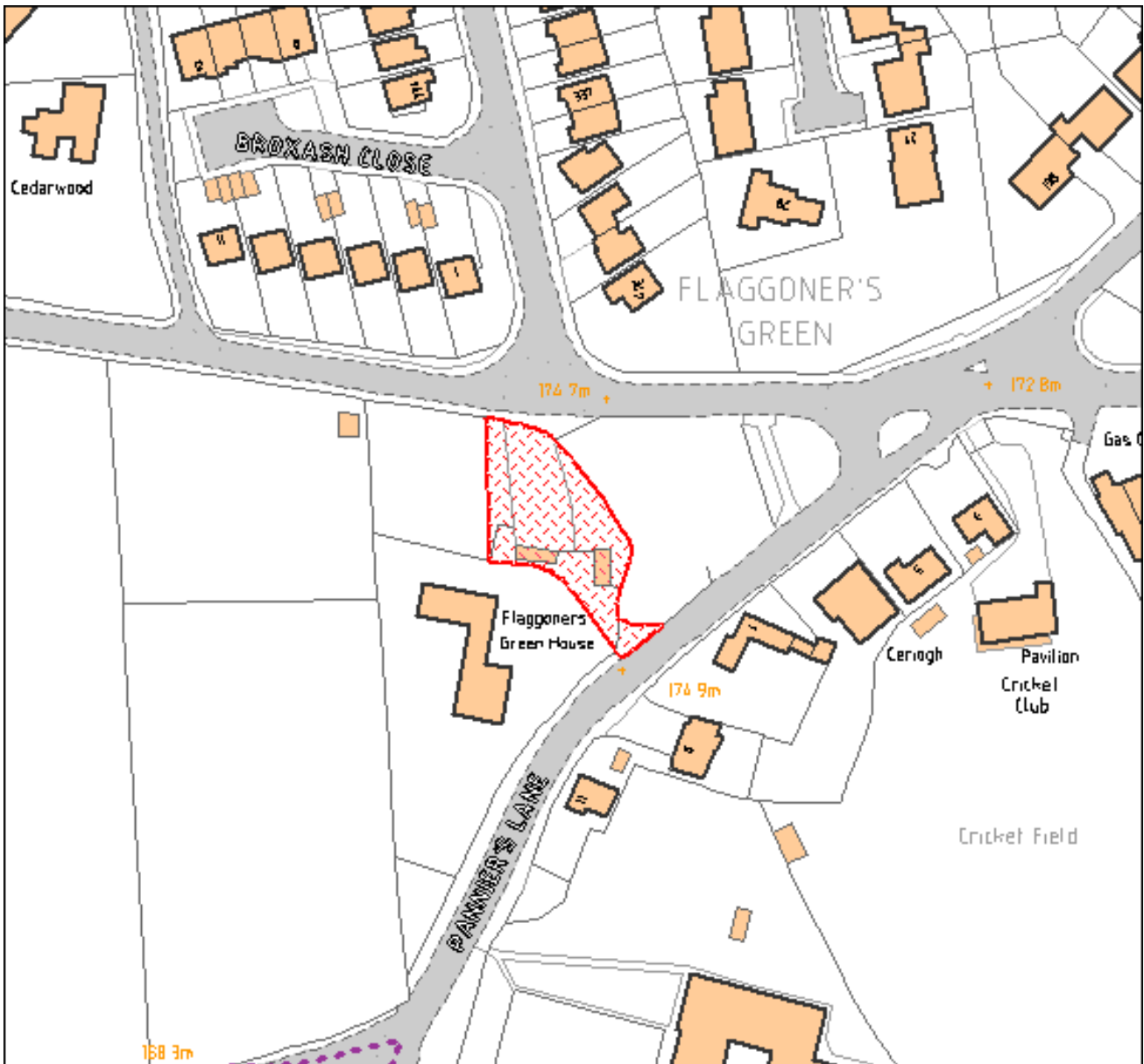
- 1. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against planning policy and any other material considerations, including any representations that have been received. It has subsequently determined to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Decision:

Notes:

Background Papers

Internal departmental consultation replies.



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

APPLICATION NO: N/123569/O

SITE ADDRESS : FLAGGONERS GREEN HOUSE, PANNIERS LANE, BROMYARD, HEREFORDSHIRE, HR7 4QR

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

Further information on the subject of this report is available from Mr Matt Tompkins on 01432 261795



MEETING:	PLANNING COMMITTEE
DATE:	3 APRIL 2013
TITLE OF REPORT:	130563/FH - PROPOSED SINGLE STOREY EXTENSION TO REAR AT 6 OLDFIELDS CLOSE, LEOMINSTER, HEREFORDSHIRE, HR6 8PY For: Mrs S J E Jones per Mr A Last, Brookside Cottage, Knapton Green, Hereford, Herefordshire HR4 8ER
WEBSITE LINK:	http://www.herefordshire.gov.uk/housing/planning/58286.aspx?ID=130563&NoSearch=True

Date Received: 27 February 2013 **Ward: Leominster North** **Grid Ref: 349306,259269**

Expiry Date: 24 April 2013

Local Members: Councillors P Jones CBE and FM Norman

1. Site Description and Proposal

- 1.1 6 Oldfields Close is a modern detached dwelling in a residential area. It is faced in brick with a tiled roof and an attached garage to the south facing side elevation. A later conservatory has been added to the rear elevation, projecting by approximately 4 metres and having a total footprint of just over 12 square metres. The property is set back from the road with detached dwellings to either side and to the rear.
- 1.2 The proposal is for the removal of the conservatory and the erection of a larger single storey extension across the entire length of the rear elevation. The plans show that the extension will project slightly further from the original rear elevation than the conservatory at 4.5 metres, and has a total footprint of 36 square metres. It is to be faced in materials to match and has a hipped roof to a height of 3.7 metres, the ridge coming just underneath the first floor window.

2. Policies

2.1 Herefordshire Unitary Development Plan

- DR1 - Design
- H18 - Alterations and extensions

2.2 The Unitary Development Plan policies together with any relevant supplementary planning documentation can be viewed on the Council's website by using the following link:-

<http://www.herefordshire.gov.uk/housing/planning/29815.aspp>

3. Planning History

- 3.1 None identified

4. Consultation Summary

Further information on the subject of this report is available from Mr A Banks on 01432 383085

4.1 No objections received

5. Representations

5.1 Leominster Town Council – Comments awaited

5.2 The consultation responses can be viewed on the Council's website by using the following link:-

www.herefordshire.gov.uk/housing/planning/searchplanningapplications.aspx

Internet access is available at the Council's Customer Service Centres:-

www.herefordshire.gov.uk/community_and_living/consumer_advice/41840.asp

6. Officer's Appraisal

6.1 Policy H18 of the Herefordshire Unitary Development Plan (the UDP) requires that proposals are in keeping with the character of the original dwelling and its surroundings in terms of their scale, mass siting, design and materials. They should not result in a cramped form of development and should not adversely impact upon the privacy and amenity of neighbouring dwellings. It is against these criteria that this proposal is to be considered.

6.2 The dwelling presents limited opportunities for extension. It is closely bounded to either side by other dwellings and consequently there is no opportunity to extend to the side. An addition to the rear is the only practical location for an extension.

6.3 The proposed extension is single storey and it sits comfortably on the elevation. Although it projects further than the existing conservatory and extends across the entire length of the elevation, it does not dominate. If its depth were to be reduced by just 0.5 metres it would in fact be permitted development and not require planning permission. It is therefore concluded that its scale and mass are acceptable.

6.4 The proposal is designed to match the existing dwelling through the use of the same facing materials. The hipped roof arrangement is similar to a single storey extension added to the rear of the immediate neighbour at no. 8, and is considered to be of an acceptable design. Although the property has only a modestly sized garden, the proposed extension does not reduce this area unacceptably and it will not result in a cramped form of development.

6.5 The extension is shown with windows facing out into the garden and a door in the south facing side elevation. The rear elevation of the extension roughly follows the built line of the rear elevations to either side and is approximately 25 metres distant from the closest dwelling lying to the east. The use of a hipped roof reduces any dominance and the proposal will not adversely affect either the privacy or amenity of the dwellings to either side, and is sufficiently distant to ensure that there will be no impact on the dwelling to the closest dwelling to the east.

6.6 It is therefore concluded that the proposal fully accords with Policy H18 of the UDP and the application is recommended for approval.

RECOMMENDATION

Subject to no further objections raising additional material planning considerations by the end of the consultation period, the officers named in the Scheme of Delegation to Officers be authorised to approve the application subject to the following conditions and any additional conditions considered necessary by officers:

1. A01 Time limit for commencement (full permission)

Further information on the subject of this report is available from Mr A Banks on 01432 383085

- 2. **B01 Development in accordance with the approved plans**
- 3. **C02 Matching external materials (extension)**
- 4. **I16 Restriction of hours during construction**

Reason for Approval

- 1. **The proposed extension is appropriate in terms of its scale design and appearance. It will not have a demonstrable detrimental impact on the residential amenity of adjoining neighbours either by virtue of its alignment in relation to them or distance from opposing elevations. The scheme accords with Policy H18 of the Herefordshire Unitary Development Plan and the guiding principles of the National Planning Policy Framework.**

INFORMATIVES:

- 1. **The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against planning policy and material considerations. It has subsequently determined to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.**

Decision:

Notes:

.....

Background Papers

Internal departmental consultation replies.



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

APPLICATION NO: 130563/FH

SITE ADDRESS : 6 OLDFIELDS CLOSE, LEOMINSTER, HEREFORDSHIRE, HR6 8PY

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

Further information on the subject of this report is available from Mr A Banks on 01432 383085