

MINUTES of the meeting of Planning Committee held at The Council Chamber, Brockington, 35 Hafod Road, Hereford on Wednesday 20 November 2013 at 10.00 am

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

Councillors: PA Andrews, AM Atkinson, AN Bridges, PJ Edwards, DW Greenow, KS Guthrie, J Hardwick, JW Hope MBE, MAF Hubbard, RC Hunt, Brig P Jones CBE, JG Lester, RI Matthews, AJW Powers, GR Swinford and PJ Watts

In attendance: Councillors WLS Bowen and EPJ Harvey

82. APOLOGIES FOR ABSENCE

Apologies were received from Councillor FM Norman.

83. NAMED SUBSTITUTES (IF ANY)

There were no substitute members present at the meeting.

84. DECLARATIONS OF INTEREST

Agenda item 10 – 132033/F & 132034/C – Land at Chestnuts, the Avenue, Ross –on – Wye, Herefordshire

Councillor PGH Cutter declared a pecuniary interest in respect of a contract he held with a person who may be interested in the development. He also declared non-pecuniary interests as Chairman of the Wye Valley AONB Joint Committee; a member of the Management Committee of the Conservative Club and a governor of St Joseph's Primary both of which properties were near to the Chestnuts.

85. MINUTES

RESOLVED: That the Minutes of the meeting held on 30 October 2013 be approved as a correct record and signed by the Chairman.

86. CHAIRMAN'S ANNOUNCEMENTS

There were no announcements.

87. APPEALS

The Planning Committee noted the report.

88. 131964/O - QUARRY FIELD, COTTS LANE, LUGWARDINE, 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, as appended to these Minutes.

In accordance with the criteria for public speaking Mr Davis, Vice-Chairman of Bartestree and Lugwardine Parish Council, and Mrs Rolfe, a resident, spoke in objection to the application and Mr J Spreckley the applicant's agent spoke in support.

In accordance with paragraph 4.8.2.2 of the Council's Constitution Councillor DW Greenow, the local ward member spoke on the application.

He commented on a number of issues including:

- The proposed development was not sustainable because the access off the A438 was below standard and demonstrably unsafe. The A438 was a very busy road. There was a risk of traffic backing up as vehicles waited to turn into the development and heavy lorries hurrying up and down the A438 posed a particular hazard. Visibility could also be affected by mist and fog caused by proximity to the River Lugg. The traffic survey had been undertaken at the wrong location and did not reflect the actual speeds of vehicles passing the development site itself.
- The proposed access arrangements acknowledged the difficulty by seeking to maximise the available land for the access. However, this had the effect of making the access run up against adjoining cottages whose occupants' access would therefore be directly onto the highway.
- The footpath leading to the village was narrow and single file. Parents, for example, with a pushchair and another child would be at risk. The suggestion that railings might be put up to separate the footpath from the highway entailed a risk to the foundations of the C17 properties alongside the footpath and the possibility of a claim for damages.
- Cotts Lane was used as a rat run and was not a suitable alternative pedestrian access.
- There had been a lack of engagement by the developers with the local community.
- An application for a smaller development nearby off the A438 had been refused planning permission because it was out of character.

The debate opened and the following principal points were made:

- The Traffic Manager's comments did not reflect the reality of the situation and the volume of traffic that the development would generate both from residents and vehicles servicing the development. Both usability and visibility needed to be considered.
- Pedestrian safety was a concern. The footpath to the village alongside the A438 was single file and raised above the highway. Any pedestrian who slipped ran the risk of falling into the road. The Council could do nothing to require pedestrians to use an alternative route. In addition, the possible use of Cotts Lane as a pedestrian route did not form part of the application and that lane also had no pavement.
- The lack of consultation by the developers with the community and provision of information was completely at odds with the provisions in the Localism Act 2011.
- Linear development would change Lugwardine's character.
- There was a suggestion that tests to establish whether the land was contaminated should be undertaken prior to granting planning permission.
- It was noted that the Council's barrister was currently arguing at a Public Inquiry that the Council had in fact met the 5-year housing land supply. Clarification was sought on the bearing this had on the report before the Committee.

The Planning Lawyer referred to paragraph 6.3 of the report which noted that the scale of the housing land supply deficit was evolving. The matter had been discussed at a recent Public Inquiry and the Council had put forward a strong case that the supply requirement is being met. However, only when a decision or formal position was published would the Council be able to assert that the supply is being met.

- The Chairman undertook to request a statement from the relevant Cabinet Member for Members on the housing land supply.
- It was argued that whilst the report focused on the presumption in the National Planning Policy Framework relating to the 5-year housing land supply there were other elements of that framework to which weight could also be given but to which there was no reference.
- The development was a mile away from the nearest shop and not close to the school. It would rely on car travel and insufficient pathways and was not sustainable.

The Principal Planning Officer confirmed that the Council's design guide provided that a footpath should be 2 meters wide. This width could not be achieved in the location under discussion even with the mitigating measures proposed.

The Development Manager reminded the Committee that if Members were minded to refuse planning permission it was essential that clear reasons for refusal were identified. In his opinion it might be argued that the pedestrian route from the site to facilities, which as the report acknowledged could not be made to meet the council's design guide requirement of 2 metres width, was a potential ground for refusal. He expressed reservations about advancing the visibility and vehicular access as grounds for refusal. He clarified the perceived benefits of the Scheme and sought clarification on the suggestion that the development would have a harmful impact on Lugwardine's character to the extent that it would outweigh the Scheme's benefits.

The local ward member was given the opportunity to close the debate and reiterated his opposition to the Scheme.

Members then discussed grounds for refusing the application.

RESOLVED: That planning permission be refused and officers named in the scheme of delegation be authorised to finalise the reasons for refusal in accordance with the following grounds advanced by Members, namely:

- **MT1 – Traffic management, highway safety and promoting active travel**
- **Single access –concerns about usability and visibility**
- **LD1 – Local Distinctiveness (character of area/linear development and Seventeenth Century Housing) - landscaping measures would not provide sufficient mitigation**
- **LD2 – Landscape and Townscape**
- **ID1 – Infrastructure Delivery**
- **Pedestrian Safety**
- **Lack of consultation and information**
- **Potentially contaminated land**

(Note: For the avoidance of doubt the references to policies above have been updated in the decision notice by officers to reflect the Unitary Development Plan policy references and the National Planning Policy Framework)

INFORMATIVE

- 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 and by identifying matters of concern with the proposal and clearly setting these out in the reasons for refusal. The Local Planning Authority is willing to provide pre-application advice in respect of any future application for a revised development.

(The meeting adjourned between 11.05 and 11.15 am)

89. 132598/F - LAND OFF KITCHEN HILL, ORLETON, LUDLOW, SHROPSHIRE

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, as appended to these Minutes. He added that two further letters of objection had been received but these raised no new points. He highlighted the intention to recommend a modification to either condition 4 set out in the printed recommendation or the Section 106 agreement to ensure that maintenance liability for the proposed balancing pond was properly addressed. He also added that it was proposed that there should be a condition requiring that the dwellings had tiled roofs.

In accordance with the criteria for public speaking Mrs B Mark, Chairman of Orleton Parish Council, spoke on the application. Mr C Mitchell, a resident, spoke in objection and Mr P Sutton the applicant's agent spoke in support.

In accordance with paragraph 4.8.2.2 of the Council's Constitution Councillor WLS Bowen, the local ward member, spoke on the application.

He commented on a number of issues including:

- There was a demand for affordable housing in the local community. The Scheme complied with Unitary Development Plan policies, was on the edge of the village boundary, and would help to ensure that Orleton remained a living village.
- The project had been community led with close working with the developer to improve the design of the scheme and other aspects.
- The site had emerged as the only viable one after a prolonged exercise and investigation of 26 sites.
- The site had community facilities within reach. There was a concern about the absence of a footpath but Orleton was a rural village. It was hoped that a village gateway could be developed that would slow traffic.
- Landscaping would be satisfactory.
- He considered that the proposed measures would reduce flooding problems. Severn Trent had said that the existing sewerage system, over the capacity of which some concerns had been expressed, could accommodate an additional 20 dwellings. It was essential, however, that Severn Trent met its legal duty to ensure that the system did cope.

The debate opened and the following principal points were made:

- It was suggested that the Section 106 agreement should be used to ensure that maintenance liability for the proposed balancing pond was properly resolved.

- In response to a question about traffic calming the Planning Officer stated that the Transport Manager considered there to be low usage of the road. Traffic calming measures would have to be led by the Parish Council and the community.
- Regret was expressed that more had not been done to ensure the sustainability of the development by designing the properties to minimise energy usage and costs.
- The engagement with the community and the level of consultation was welcomed.
- The site had a negative impact on the landscape that could not be mitigated and at 120 metres from the village was not close enough.
- Concern was expressed that Severn Trent would not ensure that the sewerage system would cope and make improvements.
- It was requested that tree planting needed to be carefully managed to ensure that the impact of the development was mitigated but the development was not hidden and overshadowed.

The local ward member was given the opportunity to close the debate. He reiterated his support for the Scheme. He added that Severn Trent were now attending Parish Council meetings when invited and seemed committed to making improvements. He believed that the Scheme would be energy efficient. A village development Group was involved in the tree planting details.

That subject to the completion of a S106 Agreement 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. **The development hereby permitted shall not commence until drainage plans for the disposal of surface water and foul sewage have been submitted to and approved by the Local planning Authority. The scheme shall be implemented in accordance with the approved details before the development is first brought into use.**

Reason: To ensure that the development is provided with a satisfactory means of drainage as well as to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution and to comply with Policy DR4 of the Herefordshire Unitary Development Plan and the National Planning Policy Framework.

5. **F14 Removal of permitted development rights**
6. **G09 Details of Boundary treatments**
7. **G12 Hedgerow planting**
8. **Prior to commencement of the development, a full working landscaping method statement must be submitted to and be approved in writing by the local planning authority, and the work shall be implemented as approved.**

Reason: In order to ensure that the development integrates into the

surrounding landscape with adequate mitigation and to comply with Policies LA2 and LA6 of the Herefordshire Unitary Development Plan.

9. Prior to commencement of the development, an ecological habitat enhancement scheme must be submitted to and be approved in writing by the local planning authority, and the work shall be implemented as approved.

Reason: To ensure that all species are protected having regard to the Wildlife and Countryside Act 1981 (as amended), the Conservation of Habitats and Species Regulations 2010 and Policies NC1, NC6, NC7, NC8 and NC9 of the Herefordshire Unitary Development Plan, in relation to Nature Conservation and Biodiversity and to meet the requirements of the National Planning Policy Framework and the NERC Act 2006.

10. **I16 Restriction of hours during construction**

11 The section 106 Agreement ensure that maintenance liability for the proposed balancing pond rested with the developer.

12 There should be a condition requiring that the dwellings have tiled roofs

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. **HN04 Private apparatus within highway**

3. **HN05 Works within the highway**

90. 131680/F - LAND OFF TUMP LANE AT TUMP LANE, MUCH BIRCH, HEREFORDSHIRE

The Schedule of Committee Updates contained a change to the officer recommendation, proposing that planning permission be granted subject to no further objections raising additional material planning considerations by the end of the consultation period which was still ongoing.

In the circumstances, in the light of representations made at the meeting, it was proposed to defer consideration of the application.

RESOLVED: That consideration of the application be deferred pending completion of the consultation period.

(The meeting adjourned between 12.05 and 12.10 pm)

91. 132033/F & 132034/C - LAND AT CHESTNUTS, THE AVENUE, ROSS ON WYE, HEREFORDSHIRE,

(Councillor PGH Cutter declared a pecuniary and non-pecuniary interests and left the meeting for the duration of the meeting.)

(Councillor BA Durkin (Vice-Chairman) in the Chair)

The 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, as appended to these Minutes. An additional condition was proposed.

In accordance with the criteria for public speaking Mrs Utting spoke on behalf of Ross-on-Wye Town Council.

In accordance with paragraph 4.8.2.2 of the Council's Constitution Councillor AM Atkinson, one of the two local ward members, spoke on the application.

He commented on a number of issues including:

- He had always expected that the site would be developed. The reduction from five to four houses was welcomed. Overall the Scheme was in keeping with the area.
- He asked whether the height of the buildings could be reconsidered.
- The main impact of the Scheme was on Mulberry Lodge and Chasewood Lodge. There was some concern that large windows would overlook Mulberry House. By setting the houses back from the road they were also close to the boundary wall of the neighbouring properties and there was a concern they might overshadow them. He requested that mitigation measures be discussed further with the local ward members and residents
- He also requested that steps be taken to ensure that any damage to the new road surface by the site was made good at the developer's expense.

The debate opened and the following principal point was made: it was proposed that local members should be involved in finalising mitigation measures, noting in particular concerns about glazing to the rear of the proposed new dwelling and the overlooking of neighbouring properties.

The local ward member was given the opportunity to close the debate. He requested that a condition in relation to glazing be imposed.

RESOLVED:

That subject to no further objections raising additional material considerations by the end of the consultation period the officers named in the Scheme of Delegation be authorised to issue planning permission subject to the following conditions and any further conditions considered necessary by officers and subject to local ward members being consulted on mitigation measures:

- 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. **H13 Access, turning area and parking**
8. **F14 Removal of permitted development rights**
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**
13. **F08 No conversion of garage to habitable accommodation**
14. **H27 Parking for site operatives**
15. Prior to the commencement of development, a detailed plan, showing the levels of the existing site, the proposed slab levels of the dwellings approved and a datum point outside of the site, shall be submitted to and be approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

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

In respect of 132034/C:

That Conservation Area Consent is granted for the following conditions:

1. **C23 - Time limit for commencement**
2. **C35 - Signing of contract before demolition**

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.**

92. DATE OF NEXT MEETING

The Planning Committee noted the date of the next meeting.

APPENDIX 1 - SCHEDULE OF COMMITTEE UPDATES

The meeting ended at 12.37 pm

CHAIRMAN

PLANNING COMMITTEE

Date: 20 November 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.

SCHEDULE OF COMMITTEE UPDATES

131964/O - RESIDENTIAL DEVELOPMENT COMPRISING 20 OPEN MARKET HOMES AND 10 AFFORDABLE HOMES AT QUARRY FIELD, COTTS LANE, LUGWARDINE, HEREFORD,

For: Mrs Seymour per Mr James Spreckley MRIC FAAV, Brinsop House, Brinsop, Herefordshire HR4 7AS

ADDITIONAL REPRESENTATIONS

Three further letters of representation have been received from local residents. The context is summarised as follows:

- The local planning authority has recently refused an application for residential development at Three Penny Bit Cottage. It is clear that 131964 would impact in a similar way by the introduction of a large number of houses which would intrude visually on the approaches to the village from the A438 and from Cotts Lane and which would also be visible from the historic meadows on the Lugg Flats.
- Horseshoe bats are active in the area. This is a rare bat in the UK and, like all bats, is protected. Their presence is potentially an additional reason for objection.
- The proposed entrance to Quarry Field will quickly become an accident black spot as the blind corner combined with excessive speed means that the westbound traffic will not be able to stop in time. This will be a particular problem for the large articulated lorries that travel down the road.
- The narrow pavements mean that traffic cuts in very close to pedestrians, making it very dangerous to walk on the footpath, particularly for school children and for the elderly walking to the post box or to catch a bus.
- The amended plan for the access detracts from the appearance of Croft Cottage and will make the existing vehicular access to Quarry Cottage very difficult to negotiate. The increased splay for the entrance to the development will be a visual intrusion on this main approach to the historic part of the village with its older properties, 3 of which are Grade 2 listed buildings. If it is deemed necessary to remove some of the grass bank, given that the level of Greencroft is below the level of the pavement, this will be a further visual intrusion on the distinctive black and white properties which are such a feature of this particular approach to the village.
- Concern is expressed at the impact of any potential improvements to the footways, particularly in relation to the structural integrity of High House and the existing stone retaining wall.
- The proposed development is adjacent to the rear boundaries of 3 listed properties and as Quarry Field is a rising elevation the new houses will be overbearing and have an adverse impact as the development would overlook the listed buildings.
- The development will not be sustainable economically as there will not be sufficient employment in the local area, yielding a high enough salary, to enable people to afford the new mainly 4 bedroom homes, particularly as the largest employer in Herefordshire was the local council which is currently cutting back on its number of employees.

- The Localism Act 2011 says that local communities should decide for themselves. In this instance, although the Agent first approached the planning department in December 2012, the local community was not consulted on its views of the development prior to a planning application being submitted. In addition it is disappointing that it is for outline planning and all other matters are reserved.

Welsh Water

Welsh Water has confirmed that the provision of new off-site and/or on-site water-mains and associated infrastructure will be required for the development. In this instance Welsh Water does not require a Hydraulic Modelling Assessment to be carried out.

OFFICER COMMENTS

- The presence of all species of bats has been taken into account. Subject to conditions the Council's Ecologist has no objection.
- The Traffic Manager confirms that the access arrangements meet the requisite standards.
- Increasing the width of the footway back towards the village has been considered and discounted because of the impact upon the setting of adjoining listed buildings. This position can be revisited if deemed necessary by Members.
- In the light of Welsh Water's comments, a refusal on the basis of inadequate water supply cannot be sustained.

NO CHANGE TO RECOMMENDATION

132598/F - PROVISION OF 14 NO. AFFORDABLE HOMES AND ASSOCIATED ANCILLARY USES AT LAND OFF KITCHEN HILL, ORLETON, LUDLOW, SHROPSHIRE

For: South Shropshire Housing Group per The Old Library, Hagley Road, Stourbridge, West Midlands, DY8 1QH

ADDITIONAL REPRESENTATIONS

The Conservation Manager has responded to the application indicating that the proposed development should not affect the immediate setting of the nearby grade II listed cottage.

The response indicates that the site does not touch any dwelling boundaries alongside Kitchen Hill Road, (public highway access to the application site), which will contribute towards giving an impression of isolation to the proposed development, which is contrary to the grain of the village. Concerns are also raised about the internal layout in that the dwellings do not front onto the adjacent lane with their rear gardens facing towards Kitchen Hill Road, and this will result in privacy fencing which is degrading to the overall inclusive character of the village. Concerns are also raised about the site boundary on the northern side in that it appears to represent an awkward shape and therefore overall the proposal is considered contrary to the character of the Conservation Area.

OFFICER COMMENTS

It is acknowledged that the development does have an impact on the overall character of the surrounding landscape and consequently the Conservation Area. The site is a sloping site,

facing north, where the applicants have offered significant landscaping in order to mitigate the visual impact of the development. With consideration to the character of the surrounding landscape and its openness in a northerly direction, the proposed internal layout and dwelling layout is considered the most appropriate. The issue about proposed rear privacy fencing is acknowledged and is a matter that has been brought to the attention of the applicants. The northern boundary of the site is designed like this due to the fact that the applicants propose a sustainable urban drainage balancing pond as part of the overall development.

It is considered that the proposal does reflect landscape impact concerns and that these are considered in the report.

Whilst the concern about rear privacy fencing is noted, it is considered that conditions 6 and 7 as attached to the Committee report will address these concerns.

NO CHANGE TO RECOMMENDATION

131680/F - PROPOSED ERECTION OF 12 AFFORDABLE DWELLINGS, COMPRISING A MIXTURE OF 2 AND 3 BED HOUSES ON LAND OFF TUMP LANE AT TUMP LANE, MUCH BIRCH, HEREFORDSHIRE, HR2 8HW

For: The Owner and/or Occupier per BM3 Architecture Ltd, 28 Pickford Street, Digbeth, Birmingham, West Midlands B5 5QH

ADDITIONAL REPRESENTATIONS

One further letter of representation has been received reiterating that traffic census was undertaken by the applicants during Easter half term 2012. It is also stated that Tump Lane is exceptional for heavy traffic usage. Mention is also made of national policies relating to 'safe route for school'

The applicant has submitted a revised plan providing for a 1.2 metre wide section of footpath and a crossing point linking the site to the existing footpath and Wormelow beyond. This was the single focus of the refusal reason set out in the report and whilst the judgement is finely balanced, since it only resolves part of the problem, it is considered to make the proposal more sustainable, offering benefits to existing residents of Tump Lane. This has enabled officers to change the recommendation.

OFFICER COMMENTS

Reference has been made to the period of the traffic survey, namely 22 -28 March 2013. Much Birch School has confirmed this period did not fall within a half-term holiday period, which was earlier in February. However, Thursday 28 March was the first day of the Easter holiday. Accordingly although one day was not the subject of school traffic this would not invalidate the legitimacy of the traffic survey carried out.

CHANGE TO RECOMMENDATION

Subject to no further objections raising additional material planning considerations by the end of the consultation period and the completion of a Section 106 Agreement in accordance with the Draft Agreement submitted with the application, the officers named in

the scheme of delegation be authorised to approve the application subject to the following conditions and any further conditions considered necessary by officers:

1. A01 Time limit for commencement (full permission)
- 2 B01 Development in accordance with the approved plans
- 3 C01 Samples of materials
- 4 G10 Landscaping scheme
- 5 G11 Landscaping scheme – implementation
- 6 H03 Visibility splays
- 7 H11 Parking – estate development (more than one house)
- 8 Prior to first occupation of any dwelling hereby approved, the footpath as shown on approved drawing b/MGPCMuch Birch.1/03 or a suitable alternative shall be completed, surfaced and drained in accordance with a scheme of works that shall be approved by the local planning authority.

Reason: To ensure the provision of improved pedestrian access to facilities in Wormelow and to comply with the requirements of Policies S1 and H13 of Herefordshire Unitary Development Plan

- 9 H29 Covered and secure cycle parking provision
- 10 I16 Restriction of hours during construction
- 11 I19 Drainage in accordance with approved plans
- 12 K4 Nature Conservation – Implementation
- 13 L01 Foul/surface water drainage
- 14 L02 No surface water to connect to public system
- 15 L03 No drainage run-off to public system

Informatives:

- 1 The Local Planning Authority has acted positively in determining this application by assessing the proposal against planning policy and any other material considerations . Negotiations in respect of the 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. N02 Section 106 Obligation
3. The proposed development site is crossed by a public sewer with the approximate position being marked on the attached Statutory Public Sewer Record. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times . No part of the building will be permitted within 3 metres either side of the centreline of the public sewer.

132033/F & 132034/C - DEMOLITION OF POST WAR BUILDING AND ERECTION OF 4 NO. DWELLINGS AT LAND AT CHESTNUTS, THE AVENUE, ROSS ON WYE, HEREFORDSHIRE

For: Balimark Ltd per RRA Architects Ltd, Watershed, Wye Street, Hereford, Herefordshire, HR2 7RB

ADDITIONAL REPRESENTATIONS

The Town Council have made further representation, however it would appear that there was some confusion at the meeting and their comments related to the original scheme of five dwellings not the amended plans. I have been advised by the Clerk that a representative will clarify their position at the committee meeting.

Following the receipt of the amended plans and posting of a new site notice a further four letters of objection have been received; all from properties adjoining or near by the application site. All had made previous objections to the original scheme for five dwellings. Although the reduction to four dwellings is welcomed by all, there are still objections to the application on the following grounds;

- The gap to the western end of the site serves no purpose;
- The properties still overlook the Mulberry House to the rear given the extensive glass in the rear elevation;
- The design is out of keeping with the general character of the area being three stories;
- Not enough parking with each of the dwellings;
- The dwelling on the most easterly end is too close to the Coach Lane;
- The dwellings still represent an overdevelopment of the site being too large in scale
- No comparison to other properties within the Avenue;
- Uniformity is not welcomed as is not a characteristic of the surrounding area;
- The highway is already congested with heavy parking morning and mid-afternoon and no consideration is given to the additional traffic.
- The dwellings are still far too close together;
- Development harmful to the character and appearance of this established residential area; and
- The development still overlooks The Coach House, and in particular the side windows;

OFFICER COMMENTS

- The 'gap' referred to on the western end of the site is to be retained with the existing house. The two storey element of each property is located 8m from the rear boundary, and there is a gap of over 12m from the two storey element of plot 4 on the eastern end of the site and the neighbouring property The Coach House. The front building line of the property is also sat 4m back from the rear building line of the

coach house. These distances are considered to be adequate so as not to give rise to any issues of overlooking.

- The parking for each dwelling meets with the Council's parking standards.
- The space between each dwelling is 2.2m, which is similar to the other existing properties fronting onto The Avenue.
- Although uniformity in design is not a characteristic within the street scene, paragraph 60 of the NPPF is clear that 'planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles.'

NO CHANGE TO RECOMMENDATION

Additional condition is recommended relating to details of slab levels;

15. Prior to the commencement of development, a detailed plan, showing the levels of the existing site, the proposed slab levels of the dwellings approved and a datum point outside of the site, shall be submitted to and be approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

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

