

A G E N D A

Southern Area Planning Sub- Committee

Date: **Wednesday, 16th July, 2003**

Time: **2.00 p.m.**

Place: **Brockington, 35 Hafod Road,**

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

For any further information please contact:

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AGENDA

for the Meeting of the Southern Area Planning Sub-Committee

To: Councillor R.F. Lincoln (Chair)
Councillor P. G. Turpin (Vice-Chairman)

Councillors H. Bramer, M.R. Cunningham, N.J.J. Davies, C.J. Davis, G.W. Davis, J.W. Edwards, A.E. Gray, Mrs. J. Hyde, G. Lucas, D.C. Taylor and J.B. Williams

	Pages
1. APOLOGIES FOR ABSENCE	
To receive apologies for absence.	
2. DECLARATIONS OF INTEREST	
To receive any declarations of interest by Members in respect of items on the Agenda.	
3. MINUTES	1 - 20
To approve and sign the Minutes of the meeting held on 18 June, 2003	
4. ITEM FOR INFORMATION - APPEALS	
To note the contents of the attached report of the Head of Planning Services in respect of the appeals received or determined for the southern area of Herefordshire.	
5. HEAD OF PLANNING SERVICES REPORT	21 - 70
To consider and Take any appropriate action on the attached reports of The Head of Planning Services in respect of the planning applications received for the southern area of Herefordshire, and to authorise him to impose any additional conditions and reasons considered to be necessary.	
Plans relating to planning applications on this agenda will be available for inspection by members during the meeting and also in the Council Chamber from 1.30 p.m. on the day of the meeting.	
EXCLUSION OF THE PUBLIC AND PRESS	
In the opinion of the Proper Officer, the next item will not be, or is likely not to be, open to the public and press at the time it is considered.	

RECOMMENDATION: THAT the public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Schedule 12(A) of the Local Government Act, 1972 as indicated below.

6. ITEM FOR INFORMATION - ENFORCEMENT

71 - 72

To note the Council's current position in respect of enforcement proceedings for the Southern Area.

(This item discloses information relating to possible legal proceedings by the Council)

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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 three 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 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.
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- The nearest bus-stop to Brockington is located in Old Eign Hill near to its junction with Hafod Road. The return journey can be made from the same bus stop.

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

COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL

BROCKINGTON, 35 HAFOD ROAD, HEREFORD.

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

COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL

MINUTES of the meeting of the Southern Area Planning Sub-Committee held at The Council Chamber, Brockington, 35 Hafod Road, Hereford on 18th June, 2003 at 2:00 p.m.

Present: Councillor Mrs. R.F. Lincoln (Chairman)
Councillor P.G. Turpin (Vice-Chairman)

Councillors: H. Bramer, M.R. Cunningham, N.J.J. Davies, Mrs. C.J. Davis, G.W. Davis, Mrs. A.E. Gray, Mrs. J.A. Hyde, G. Lucas, D.C. Taylor, J.B. Williams.

The Chairman expressed her condolences to Councillor T.W. Hunt arising on his recent bereavement.

The Chairman congratulated former Councillor Mrs. J.H. Thomas on her recent award of an M.B.E.

1. APOLOGIES FOR ABSENCE

Apologies were received from Councillors J.W. Edwards and T.W. Hunt

2. DECLARATIONS OF INTEREST

The following declarations of interest were made.

Councillor	Item	Interest
N.J.J. Davies	Items 10 and 11 - SW2003/0995/F Conversion of agricultural buildings to one house with residential annexe and erection of one house, Great House Farm, Dorstone and SW2003/0997/L Listed building application in respect of the above	Prejudicial and left the meeting for the duration of the item
Mrs. J.A. Hyde	Item 1 - SW2003/0774/F Erection of two storey, three bedroomed dwelling with double garage, rear of Madley Store & P.O., Madley	Prejudicial and left the meeting for the duration of the item
G. Lucas	Item 9 - SE2003/0841/F Relocation of dairy unit from Vine Tree Farm to Arbour Hill Farm (Renewal of planning permission SH970699PF), Arbour Hill Farm, Lincoln Hill, Ross-on-Wye	Prejudicial and left the meeting for the duration of the item

D.C. Taylor	Item 5 – SW2003/0761/F Ground floor extension, various alterations, Shark House Barn, Clehonger	Prejudicial and left the meeting for the duration of the item
P.G. Turpin	Item 3 – SW2003/0898/RM Proposed detached dwelling and garage/store, land at Thornbury Cottage, Allensmore	Prejudicial and left the meeting for the duration of the item

3. MINUTES

RESOLVED: That the Minutes of the meeting held on 23rd April, 2003 be approved as a correct record and signed by the Chairman.

4. PLANNING APPEALS

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

5. HEAD OF PLANNING SERVICES REPORT

The Southern Divisional Planning Officer presented the report of the Head of Planning Services in respect of the planning applications that had been received for the Southern area of Herefordshire.

RESOLVED: That the planning applications be determined as set out in the appendix to these Minutes.

The meeting ended at 3.50 pm

CHAIRMAN

APPENDIX

SITE VISIT A
SW2002/3814/F
 And
SITE VISIT B
SW2003/0113/F
LONGTOWN

Variation Of Conditions 3 & 5 Of Planning Permission SH93/0872PF
 And Conditions 4 & 9 Of Planning Permission SH97/0565PF, also To
 Retain Additional Van Body And To Site Temporary Portacabin; and

Change of Use of Land and New Vehicular Access Onto Class III
 Road at:

SPRINGVALE, LONGTOWN, HEREFORD, HR2 0PB

For: **Black Mountain Mineral Water Co. Ltd., Springvale,
 Longtown, Hereford, HR2 0PB**

The receipt of a further letter from a neighbour was reported.
 In accordance with the criteria for public speaking Mr J White spoke
 against the application and Mrs Watkins, the applicant, spoke in
 favour.

The Sub-Committee discussed details about the application and the
 Southern Divisional Planning Officer advised that negotiations had
 taken place with the applicants to ensure that heavy vehicles used
 the exit furthest away from the neighbours to minimize noise
 nuisance.

RESOLVED: That in respect of SW2002/3814/F

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

1. **The portacabin hereby permitted shall be permanently
 removed from the site on or before 30th April, 2006.**

**Reason: The local planning authority would not be
 prepared to permit the siting of such a structure in this
 rural location other than on a temporary basis in the
 interests of the visual amenity of the area.**

2. **The hours during which working may take place on
 Saturdays shall be restricted to 8.00 am to 4.00 pm. There
 shall be no such working on Sundays, Bank or Public
 Holidays.**

Reason: To safeguard the amenities of the locality.

3. **The two existing van bodies/lorry trailers sited within the
 application site of the premises shall be permanently
 removed from the site on or before 30th April, 2006.**

**Reason: The local planning authority would not be
 prepared to permit the continued siting of these structures**

in this rural location other than on a temporary basis in the interests of the visual amenity of the area.

- 4. No amplified or other music shall be played in the premises, which is audible outside of the building, i.e. the original building and its extension.**

Reason: In order to protect the amenity of occupiers of nearby properties.

RESOLVED: That in respect of SW2003/0113/F planning permission be granted subject to the following conditions:

- 1. A07 (Development in accordance with approved plans)**

Reason: To ensure adherence to the approved plans in the interests of a satisfactory form of development.

- 2. The use of land hereby approved shall be solely for purposes ancillary with the water bottling business on site and for no other purposes whatsoever.**

Reason: The local planning authority wish to control the specific use of the land in the interests of local amenity.

- 3. There shall be no storage of pallets, bottles or other containers on the application site of the premises without the prior written approval of the local planning authority.**

Reason: In order to protect the visual amenities of the surrounding countryside designated as an Area of Great Landscape Value.

- 4. G04 (Landscaping scheme (general))**

Reason: In order to protect the visual amenities of the area.

- 5. G05 (Implementation of landscaping scheme (general))**

Reason: In order to protect the visual amenities of the area.

- 6. The junction of the new access driveway with the public highway shall have a kerb radius of at least 4 metres.**

Reason: In the interests of highway safety.

- 7. The three existing tree stumps on the south side of the**

new access corner shall be removed.

Reason: In the interests of highway safety.

8. H05 (Access gates)

Reason: In the interests of highway safety.

- 9. The new access hereby permitted shall be used solely for incoming vehicles entering the site only. The existing access shall be solely for vehicles exiting the site.**

Reason: In the interests of highway safety.

- 10. A signage scheme relating to condition No. 9 shall be submitted for approval by the local planning authority and implemented on site within 4 months of the date of this permission.**

Reason: In the interests of highway safety.

- 11. The visibility splay at the existing exit access (northern end) shall be maintained. Any new fencing must not obstruct the existing visibility in its current form and at all times thereafter.**

Reason: In the interests of highway safety.

- 12. The new vehicular access shall be a properly consolidated surface and drained in accordance with details to be submitted and approved in writing by the Local Authority, and it shall remain unobstructed at all times.**

Reason: In the interests of highway safety.

- 13. Details of any floodlighting/external lighting proposed to illuminate the development should be submitted to and approved in writing by the local planning authority prior to their erection. Development shall be carried out in accordance with the approved details and there shall be no other external illumination of the development.**

Reason: To safeguard local amenities.

- 14. Details of external cowls, louvres or other shields to be fitted to the floodlights to reduce light pollution shall be submitted to and agreed in writing with the local planning authority prior to their erection.**

Reason: To minimise light overspill and to protect the

amenity of neighbouring properties.

15. The whole of the works required by conditions 6 to 12 must be fully completed within 4 months of the date of this permission unless otherwise first agreed in writing by the local planning authority.

Reason: In the interests of highway safety.

Informatives

- 1. HN01 - Mud on highway**
- 2. HN05 - Works within the highway**
- 3. HN10 - No drainage to discharge to highway**

SITE VISIT C
SE2003/0754/F
SELLACK

Amendments To Existing Scheme For New Underground Garage/Rumpus Room With Natural Swimming Pools And Sauna at:

LAWLESS HILL COTTAGE, SELLACK, ROSS-ON-WYE, HEREFORDSHIRE, HR9 6QP

For: **Mr K Meehan per Malcolm Harrison & Associates, Newcastle Farmhouse, Orcop Hill, Herefordshire, HR2 8SF**

In accordance with the criteria for public speaking Councillor R Currie of Sellack Parish Council spoke against the application. Councillor G.W. Davies expressed concerns about the size of the new buildings in relation to the approved plans and the Principal Planning Officer undertook to check the dimensions. The Sub-committee was concerned at the further loss of trees around the site and the Southern Divisional Planning Officer said that an appropriate planning condition could be added to prevent felling without prior permission from the Council.

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

1 A01 (Time limit for commencement (full permission))

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

2 B01 (Samples of external materials)

Reason: To ensure that the materials harmonise with the surroundings.

3 G04 (Landscaping scheme (general))

Reason: In order to protect the visual amenities of the area.

4 G05 (Implementation of landscaping scheme (general))

Reason: In order to protect the visual amenities of the area.

5 F18 (Scheme of foul drainage disposal)

Reason: In order to ensure that satisfactory drainage arrangements are provided.

6. G10 (Retention of trees)

Reason: In order to preserve the character and amenities of the area.

7. **The junction of the new access driveway with the public highway shall have a kerb radius of at least 4 metres.**

Reason: In the interests of highway safety.

8. **The three existing tree stumps on the south side of the new access corner shall be removed unless otherwise first agreed in writing by the local planning authority.**

Reason: In the interests of highway safety.

Ref. 1
MADLEY
SW2003/0774/F

Erection of two storey, three bedroomed dwelling with double garage at rear of:

MADLEY STORE & PO, MADLEY, HEREFORD, HEREFORDSHIRE. HR2 9LS

For: **Mr J Menton, Whitehall, Madley, Herefordshire, HR2 9LS**

The Principal Planning Officer reported that Welsh Water had withdrawn its objection to the proposed dwelling being connected to the sewerage system.

In accordance with the criteria for public speaking Mr J Menton, the applicant) spoke in favour of the application.

Councillor D.C. Taylor the Local Ward Member said that there was a diversity of architectural styles in the village and suggested that the Officers be requested to carry out further negotiations with the applicant to reach a design that would be acceptable on planning grounds.

RESOLVED: That consideration of the application be deferred pending further negotiations by Officers with the applicant in respect of the design of the proposed dwelling.

Ref. 2
LEA
SE2003/1225/F

Single storey extension to rear of garage at:

WEST VIEW, LEA, ROSS-ON-WYE, HEREFORDSHIRE. HR9 7LN

For: **Mr B Davies, West View, Lea Line, Lea, Ross-on-Wye,
Herefordshire. HR9 7LN.**

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

1 A01 (Time limit for commencement (full permission))

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

2 A09 (Amended plans)

Reason: To ensure the development is carried out in accordance with the amended plans.

3 G04 (Landscaping scheme (general))

Reason: In order to protect the visual amenities of the area.

4 G05 (Implementation of landscaping scheme (general))

Reason: In order to protect the visual amenities of the area.

5 E19 (Obscure glazing to windows)

Reason: In order to protect the residential amenity of adjacent properties.

Ref. 3
ALLENSMORE
 SW2003/0898/RM

Proposed detached dwelling and garage/store on land at:

**THORNSBURY COTTAGE, ALLENSMORE, HEREFORD. HR2
 9BP**

For: **Mr P Crapper, 16 Yarlinton Mill, Belmont, Hereford. HR2
 7UB.**

RESOLVED: That subject to the receipt of further details relating to materials and landscaping, officers named in the Scheme of Delegation to Officers be authorised to issue planning permission subject to the following condition and any additional conditions considered necessary by officers:

1. **A07 (Development in accordance with approved plans)**

Reason: To ensure adherence to the approved plans in the interests of a satisfactory form of development.

Ref. 4
PHOCLE GREEN
 SE2003/0968/F

Proposed Apple storage building at:

PHOCLE GREEN, HEREFORDSHIRE

For: **Chicory Crops Ltd per A J Lowther & Son Ltd, The
 Works, Whitchurch, Ross-on-Wye, Herefordshire. HR9 6DF**

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

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

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

- 2 **A07 (Development in accordance with approved plans)**

Reason: To ensure adherence to the approved plans in the interests of a satisfactory form of development.

- 3 **B08 (Dark roof colouring (agricultural buildings))**

Reason: To protect the visual amenities of the area.

- 4 **G04 (Landscaping scheme (general))**

Reason: In order to protect the visual amenities of the area.

- 5 **G05 (Implementation of landscaping scheme (general))**

Reason: In order to protect the visual amenities of the area.

6 Before any work commences on site full details showing how the building is intended to be cut into the ground shall first be submitted to and be subject to the prior written approval of the local planning authority.

Reason: To define the terms to which this planning permission relates.

7 Before any work commences on site full details of the extent/area and intended top surface material of any proposed hardstanding area to be used in connection with the building, hereby approved, shall first be submitted to and be subject to the prior written approval of the local planning authority.

Reason: To protect the visual amenities and character of the surrounding rural area.

INFORMATIVE NOTE

1 The landscaping details required by Condition No. 4 should be in the form of appropriate tree planting, in particular, on the northern and western sides of the building hereby approved.

Ref. 5
CLEHONGER
SW2003/0761/F

Ground floor extension, various alterations, at:

SHARK HOUSE BARN, CLEHONER, HEREFORD. HR2 9TE.

For: Mr and Mrs Flemming per Mr C Goldsworthy, 85 St Owens Street, Hereford. HR1 2JW.

In accordance with the criteria for public speaking Mr Flemming the applicant spoke in favour of the application.

The Sub-Committee discussed the application in relation to the Council's planning policies and felt that further investigation should be made into whether the building was originally a barn converted to a dwelling or a dwelling with an attached barn which had been converted into residential accommodation.

RESOLVED: That consideration of the application be deferred for the Officers to investigate the planning history of the dwelling.

Ref. 6
PONTSHILL
SE2003/0801/O

Site for residential development at:

COMMERCIAL YARD, PONTSHILL, NR ROSS-ON-WYE,

HEREFORDSHIRE

For: Mr and Mrs Powles per Paul Smith Associates, Chase View House, Merrivale Road, Ross-on-Wye, Herefordshire. HR9 5JX.

The Principal Planning Officer reported the receipt of an additional letter in support of the application from Mrs E.M. Saunders.

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

- 1 A02 (Time limit for submission of reserved matters (outline permission))**

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

- 2 A03 (Time limit for commencement (outline permission))**

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

- 3 A04 (Approval of reserved matters)**

Reason: To enable the local planning authority to exercise proper control over these aspects of the development.

- 4 A05 (Plans and particulars of reserved matters)**

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

- 5 F18 (Scheme of foul drainage disposal)**

Reason: In order to ensure that satisfactory drainage arrangements are provided.

- 6 No development shall take place until details of the improvements to the access and access drive and of the vehicle parking and turning areas have been submitted to and approved in writing by the local planning authority.**

Reason: In the interests of highway safety and to ensure the free flow of traffic using the adjoining highway.

- 7 No dwelling hereby approved shall be occupied until the details approved pursuant to condition No. 6 above have been implemented and these areas shall thereafter be retained and kept available for those uses at all times.**

Reason: In the interests of highway safety and to ensure the free flow of traffic using the adjoining highway.

Ref. 7
MUCH BIRCH
SW2003/0766/F

To site a 10m x 6m timber clad demountable building within the grounds of Much Birch primary school for the purpose of providing before and after school care and a nursery class, 8.15am – 5.45 pm to include 2 car parking spaces at:

THE OLD SCHOOL HOUSE, MUCH BIRCH CP SCHOOL, MUCH BIRCH, HEREFORD. HR2 6QN.

For: **Ms M Roberts, Farm Childcare Group, Bromley Court, Hoarwithy, Hereford. HR2 6QN.**

The receipt of seven letters of support, a letter from the applicant and the views of the Head of Engineering and Transportation were reported.

In accordance with the criteria for public speaking Mr Padden spoke against the application and Mrs M Roberts, the applicant spoke in favour.

The Chairman was concerned about the problems facing Mr Padden about motorists bringing children to the school parking across his drive or reversing into it, and asked the Officers to discuss with him what measures could be taken to help resolve the situation.

RESOLVED: That planning permission be granted subject to the following condition:

1. The building/structure hereby permitted shall be removed from the site and the land restored to its former condition on or before 30th June, 2008 in accordance with a scheme of work submitted to and approved by the local planning authority.

Reason: To define the terms to which the application relates as the proposed building/structure is considered to be unacceptable as a permanent fixture on this site within a designated Area of Great Landscape Value.

Ref. 8
THRUXTON
 SW2003/0886/F

Removal of agricultural occupation restriction (Condition 2) of Planning Permission SH901391PF, at:

CRICKADARN, THRUXTON, HEREFORD. HR29BD

For: **Mr and Mrs G Watkins per Williams Parry Richards, Windsor House, St Mary's Street, Ross on Wye, Herefordshire. HR9 5HT.**

RESOLVED: That planning permission be granted subject to the following condition:

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

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

Ref. 9
ROSS-ON-WYE
 SE2003/0841/F

Relocation of dairy unit from Vine Tree Farm to Arbour Hill Farm (renewal of planning permission SH970699PF) at:

ARBOUR HILL FARM, LINCOLN HILL, ROSS-ON-WYE, HEREFORDSHIRE. HR9 7TH

For: **D Boynton & Sons per Bruton Knowles, Bisley House, Green Farm Business Park, Bristol Road, Gloucester. GL2 4LY.**

The Principal Planning Officer reported the receipt of a further two letters of objection.

RESOLVED:

That 1) **The County Secretary and Solicitor be authorised to complete a deed of variation on the new planning application under Section 106 of the Town and Country Planning Act 1990 and deal with any other appropriate and incidental terms, matters or issues.**

2) **Upon completion of the aforementioned deed of variation, officers named in the scheme of delegation to officers be authorised to issue planning permission subject to the following conditions:**

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

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

- 2 **G04 (Landscaping scheme (general))**

Reason: In order to protect the visual amenities of the area.

3 G05 (Implementation of landscaping scheme (general))

Reason: In order to protect the visual amenities of the area.

4 G01 (Details of boundary treatments)

Reason: In the interests of visual amenity and to ensure dwellings have satisfactory privacy.

5 A full specification for the external finishes and colour of all other materials used in all engineering and building works shall be submitted to and approved in writing by the local planning authority before the development is commenced. Development shall be carried out in accordance with the approved specifications.

Reason: To protect the visual amenities of the area.

6 Proposals for landscaping shall include earth mounding along the land bordering the south-east, north-east and north-west of the proposed site, which shall be carried out and seeded before the buildings are brought into use.

Reason: To protect the visual amenities of the area.

7 Details for the safeguarding of the ponds on the south-eastern boundary from any contamination shall be submitted to and approved in writing by the local planning authority before the development is commenced. Development shall be carried out in accordance with the approved details.

Reason: To avoid pollution.

8 Before the buildings hereby approved are brought into use the internal farm roadway identified on drawing No. MB12, and the revised access arrangements at the point of access onto the Class II highway at Vine Tree Farm buildings, shall be upgraded in accordance with details to be submitted to and approved in writing by the local planning authority.

Reason: To ensure that the roadway and access will meet the applicants' requirements and in the interest of safety.

9 F48 (Details of slab levels)

Reason: In order to define the permission and ensure that the development is of a scale and height appropriate to the site.

- 10** Notwithstanding the provisions of Article 3, Schedule 2 and Part 6 of the Town and Country Planning (General Permitted Development) Order 1995, no works referred to in Class A and Class B (other than those contained within this specific planning permission) shall be carried out.

Reason: Specific permission has been given to transfer an existing Dairy unit to this site. If other agricultural uses are proposed it is essential that the local planning authority assess the impact of any changes in relation to the neighbourhood where there are residential properties in separate ownership.

- 11** Notwithstanding the provisions of Section 55(2) of the Town and Country Planning Act 1990 the proposed buildings and associated structures and engineering works, subject of this permission, shall only be used for the agricultural uses described as a dairy unit and the new premises shall not be used for any other agricultural purpose without the prior written permission of the local planning authority.

Reason: Specific permission has been given to transfer an existing Dairy unit to this site. If other agricultural uses are proposed it is essential that the local planning authority assess the impact of any changes in relation to the neighbourhood where there are residential properties in separate ownership.

- 12** D03 (Site observation - archaeology)

Reason: To allow the potential archaeological interest of the site to be investigated and recorded.

- 13** H16 (Parking/unloading provision - submission of details)

Reason: To minimise the likelihood of indiscriminate parking in the interests of highway safety.

- 14** The proposed improvements and upgrading of the existing access onto the county highway shall be carried out prior to the construction of the proposed buildings.

Reason: In the interests of highway safety.

- 15** F02 (Scheme of measures for controlling noise)

Reason: In order to protect the amenity of occupiers of nearby properties.

- 16** A plan shall be submitted to and approved in writing by the local planning authority which specifies the locations of any stock-piled manure resulting from this development.

Reason: To prevent environmental pollution and protect the amenities of neighbours.

Ref. 10 and 11
DORSTONE
 SW2003/0995/F
 And
 SW2003/0997/L

Conversion of agricultural buildings to one house with residential annexe and erection of one house;

And

List building application in respect of:

GREAT HOUSE FARM, DORSTONE, HEREFORDSHIRE. HR3 6BE

For: Mr R Goodwin per Burton & Co, Lydiatt Place, Brimfield, Ludlow, Shropshire. SH8 4NP

In accordance with the criteria for public speaking Mrs J. Goring spoke against the application and Mr G. Burton the agent acting on behalf of the applicant spoke in favour.

RESOLVED: That subject to the receipt of suitably amended plans the officers named in the Scheme of Delegation to Officers be authorised to issue planning permission and listed building consent subject to the following conditions and any additional conditions considered necessary by officers:

In respect of SW2003/0995/F

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

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

- 2. A07 (Development in accordance with approved plans)**

Reason: To ensure adherence to the approved plans in the interests of a satisfactory form of development.

- 3. C02 (Approval of details)**

Reason: To safeguard the character and appearance of this building of architectural and historical interest.

- 4. C10 (Details of rooflights)**

Reason: To ensure the rooflights do not break the plane of the roof slope in the interests of safeguarding the character and appearance of this building of architectural and historical interest.

5. G01 (Details of boundary treatments)

Reason: In the interests of visual amenity and to ensure dwellings have satisfactory privacy.

6. E15 (Restriction on separate sale)

Reason: It would be contrary to the policy of the local planning authority to grant consent for a separate dwelling in this location.

7. E16 (Removal of permitted development rights)

Reason: In order to safeguard the character and appearance of this building of architectural and historical interest.

8. E18 (No new windows in specified elevation)

Reason: In order to protect the residential amenity of adjacent properties.

9. F18 (Scheme of foul drainage disposal)

Reason: In order to ensure that satisfactory drainage arrangements are provided.

10. G04 (Landscaping scheme (general))

Reason: In order to protect the visual amenities of the area.

11. G05 (Implementation of landscaping scheme (general))

Reason: In order to protect the visual amenities of the area.

In respect of SW2003/0997/L

1. C01 (Time limit for commencement (Listed Building Consent))

Reason: Required to be imposed by Section 18(1) of the Planning (Listed Buildings and Conservation Areas) Act

1990.

2. C02 (Approval of details)

Reason: To safeguard the character and appearance of this building of architectural and historical interest.

3. C10 (Details of rooflights)

Reason: To ensure the rooflights do not break the plane of the roof slope in the interests of safeguarding the character and appearance of this building of architectural and historical interest.

4. G01 (Details of boundary treatments)

Reason: In the interests of visual amenity and to ensure dwellings have satisfactory privacy.

5. G04 (Landscaping scheme (general))

Reason: In order to protect the visual amenities of the area.

6. G05 (Implementation of landscaping scheme (general))

Reason: In order to protect the visual amenities of the area.

Ref. 12
ROSS-ON-WYE
SE2003/1275/F

Proposed semi-detached two storey dwelling corner site at:

**HENRY STREEET AND CROFT LANE, ROSS-ON-WYE,
HEREFORDSHIRE. HR9 7AA.**

For: **Casepress Ltd per Mr C Goldsworthy, 85 St Owens
Street, Hereford. HR1 2JW.**

RESOLVED: That subject to submission of acceptable revised drawings, officers named in the Scheme of Delegation to Officers be authorised to issue planning permission subject to the following conditions and any additional conditions considered necessary by officers:

1 A01 (Time limit for commencement (full permission))

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

2 C02 (Approval of details)

Reason: To safeguard the character and appearance of this building of [special] architectural or historical interest.

SOUTHERN AREA PLANNING SUB-COMMITTEE

16TH JULY, 2003

APPLICATIONS RECEIVED

REF NO.	APPLICANT	PROPOSAL AND SITE	APPLICATION NO.	PAGE NO.
1	Mr. P. Symonds	Retention of fruit clamp, land at Upper Moraston, Bridstow, Ross-on-Wye	SE2003/1474/F	27 - 32
2	Mr. L. D. R. Cook	Erection of detached dwelling, land adjacent to Lodoroc House, Walford Road, Ross-on-Wye	SE2003/1270/F	33 - 38
3	Ms. S. R. Williams	Removal of Condition 3 ('There shall be one surgery at the premises') of planning permission SE2001/0079/F, Stone Lodge Dental Surgery, Whitchurch, Ross-on-Wye	SE2003/1565/F	39 - 44
4	Paul Smith Associates	Site for residential development, factory premises, Brampton Road, Ross-on-Wye	SE2003/0904/O	45 - 50
5	Mrs. A. Snow	Use of residential annexe as a dwelling, Juana Lodge, Symonds Yat, Ross-on-Wye	SE2003/1267/F	51 - 54
6	Mr. C. Bateman	Erection of 6 no. holiday letting units, information centre and machinery store and creation of lake adjacent to and as part of existing holiday complex, Wye Lea Country Manor, Bridstow, Ross-on-Wye	SE2003/1502/F	55 - 60
7	J. Dereham	Conversion of and alterations to a redundant traditional barn to create one residential dwelling, Barn at Sapness Farm, Sollers Hope	SE2003/1245/F	61 - 68

8	Mr. A. Clarke	Demolition of redundant Methodist Chapel and erection of a detached two-storey dwelling, Old Methodist Chapel, Eaton Bishop	SW2003/1416/RM	69 - 74
9	Mr. & Mrs. B. Thompson	Two-storey extension to rear and garage to side, Lea Croft, Archenfield Road, Ross-on-Wye	SE2003/1638/F	75 - 78
10	J. Whittal	Proposed change of use of agricultural buildings to domestic use, Upper Farm House, Bredwardine	SW2003/1361/F	79 - 82
11	Mr. C. Hughes & Mr. G. Downes	Conversion to a private dwelling, Ice House, Wilton Road, Ross-on-Wye	SE2003/0909/F	83 - 88
12	D. H. Morgan	Conversion of underground redundant reservoir into holiday bungalow, The Green Farm, Clifford	SW2003/0984/F	89 - 92
13	Mr. C. C. Dennison	Erection of small wind turbine for generating electricity 2.5Kw 8m high mast, self-supporting, 1 Boyce Cottages, Shenmore, Madley	SW2003/1369/F	93 - 96

1 SE2003/1474/F - RETENTION OF FRUIT CLAMP. LAND AT UPPER MORASTON, BRIDSTOW, ROSS-ON-WYE, HEREFORDSHIRE

For: Mr P Symonds per Mr B S Hapgood, 96 Monnow Street, Monmouth NP25 3EQ

Date Received: 16th May 2003

Ward: Llangarron

Grid Ref: 5613 2608

Expiry Date: 11th July 2003

Local Member: Councillor Mrs J A Hyde

1. Site Description and Proposal

- 1.1 The site is within open countryside, in planning policy terms and within the Wye Valley Area of Outstanding Natural Beauty. It lies in the southwest corner of a field, which is planted with fruit bushes, on the northern side of an unclassified road which runs between Dadnor and Lower Grove Common. The surrounding area predominantly comprises undulating agricultural land with sporadic, loose knit development. The natural land levels of the site slope downwardly from the southwest corner of the field to the east and northeast. A mature native hedgerow defines the boundary of the field with the unclassified road to the south with a post and rail fence and mature silver birch trees along the western boundary. There are converted rural buildings used as care homes situated some 44 metres to the west of the site. Access into the site is gained off the unclassified road (U71009).
- 1.2 Planning permission is sought retrospectively for a fruit clamp. At present the clamp has a concrete area of hardstanding of some 18.7 metres square with 3 metre high precast concrete panels to the north and east sides of the concrete pad. It is proposed to reduce the height of the concrete sides of the clamp to 1.8 metres (above the existing ground levels) and introduce earth bunds to the north and east sides of the clamp with hawthorn hedge planting on the bunds.

2. Policies

2.1 Department of the Environment

PPG1	General Policy and Principles
PPG7	The Countryside: Environmental Quality and Economic & Social Development

2.2 Hereford and Worcester County Structure Plan

Policy CTC1	Area of Outstanding Natural Beauty
Policy CTC9	Development Criteria
Policy A3	Construction of Agricultural Buildings

2.3 South Herefordshire District Local Plan

Policy GD1	General development criteria
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Policy C1	Development Within Open Countryside
Policy C5	Development within AONB
Policy ED9	New Agricultural Buildings

2.3 Herefordshire UDP (Deposit Draft)

The Plan contains a number of polices which are relevant to the proposal. However it is considered that they do not raise any new issues that are not addressed in the Development Plan.

3. Planning History

- 3.1 SE2002/3756/F Retention of existing concrete clamp for storing and loading fruit - Refused 7.02.03.

4. Consultation Summary

- 4.1 Environment Agency - No comment.

5. Representations

- 5.1 Peterstow Parish Council - No objection.
- 5.2 Sellack Parish Council (adjacent Parish) - No objection.
- 5.3 Two letters of objection have been received, from M.A Bishop of 7 Monkton Place, St Weonards and Mr R.L and Mrs G.R Adams of Bradley Hirst, Flying Horse Lane, Bradley Green, Redditch. In summary the main issues raised are:

- Stable Cottage and Tithe Barn are both registered care homes and our daughter resides there.
- The clamp is built on ground immediately in front of a cottage that I work at with young people with learning disabilities.
- The single track to the property is not suitable for the amount and size of vehicles that will be going to the clamp. As the clamp has been there for a year we know the size of vehicles used, they are so large that they are eroding the sides and edges of the road. It is frightening and dangerous for our clients to be faced with such vehicles when we are walking on the road. Access from the site has poor visibility.
- Siting, on skyline, is ill considered, can be seen for many miles and the clamp is ugly.
- The clamp blocks the beautiful views from the house and gardens, depriving already disadvantaged residents the possibility of enjoying the surrounding countryside.
- The increase in vermin and wasps so close to a home will have a detrimental effect on our residents, some of which have a horror of wasps in particular. The increase in number of wasps would mean that residents could not sit out and would have to sit inside with windows closed.
- If it rains water will run onto the road making driving conditions more hazardous.
- Understand that people have to make a living, but consider that the clamp should be relocated, maybe opposite the potato warehouse.
- The clamp is placed in front of Stable Cottage and the work carried out there will have an impact on all our lives causing distress and uncertainty to our residents.

5.4 Letters have been received in respect of this application and the earlier application from Mr P Symonds, the applicant. The main points raised are:

- We farm 3 units, which are over 6 miles apart.
- Where the clamp is situated amounts to 162 acres, with no farm buildings.
- There are 3 accesses to the field, but if the clamp were sited at the other 2 it would involve hedge removal and development.
- All products from the site are harvested by machine and moved in bulk containers, therefore articulated lorries are needed. Turning areas are needed and the site chosen is ideal.
- We have planted a large belt of trees opposite the clamp.
- We are mindful that there is a need to reduce the amount of agricultural traffic. It is planned to use the clamp to load sugar beat onto lorries, which will go straight to the factory, thereby saving tractor and trailer movements.
- There is a need for a hardstanding where fruit can be cleanly and safely loaded.
- Not possible to site clamp next to Masons potato buildings, due to conflict with their lorries. Site opposite would involve grubbing out of at least 3/4 acre producing apple trees, removal of hedge and top soil.

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

6. Officers Appraisal

6.1 The main considerations in the determination of this application are the principle of the development, the effect on the character and appearance of the surrounding area, which is within the Wye Valley Area of Outstanding Natural Beauty, the impact on the residential amenity of neighbouring properties and highway safety.

6.2 Development required in connection with agricultural activities is one of the specified exceptions to the general policy of restraint in the open countryside, as set out in policy C1 of the South Herefordshire District Local Plan. Therefore the principle of the development is considered acceptable. Policies A3 of the Hereford and Worcester County Structure Plan and ED9 of the South Herefordshire District Local Plan relate to new agricultural buildings, but it is considered that the principles are applicable to the agricultural development proposed. These policies state that where possible new agricultural buildings should be sited adjacent to existing farm buildings and not in isolated or visually intrusive positions. Furthermore policies CTC1 and C5 of the Hereford and Worcester County Structure Plan and the South Herefordshire District Local Plan respectively require that new development in the Areas of Outstanding Natural Beauty should be small in scale and should either preserve or have a minimal adverse impact on the landscape.

6.3 An application to retain the existing fruit clamp, without modification, was refused planning permission in February 2003, under the Scheme of Delegation to Officers, due to its impact on the visual amenities of the area. Since the refusal of planning permission other sites have been considered but due to issues such as land ownership, accessibility and the prominence of these sites it is considered that none of these other options would be appropriate. The proposed scheme provides for the reduction in height of the concrete sides of the clamp, from 3 metres to a height of 1.8 metres. Earth bunding of 0.6 metres is proposed with hedge planting on top on the outside face of the concrete sides. Whilst the fruit clamp is not sited adjacent to farm buildings it is sited near and to the east of the traditional rural buildings, which have been converted to

provide residential accommodation. Taking into account the existing mature landscaping to the western and southern boundaries of the site, the proposed modifications to the fruit clamp and the introduction of earth bunding and planting the visual impact of the development would be satisfactorily mitigated so that the development would have only a minimal adverse impact upon the landscape and therefore would accord with the requirements of the relevant polices.

- 6.4 The fruit clamp is sited on agricultural land, with an existing access in the southwestern corner of the field. The agricultural use of the land is lawful and well established. The provision of the clamp is to enable picked fruit to be stored, collected and transferred into large vehicles to then be taken away from the holding. Although the clamp can be seen from the adjacent barn conversions due to its siting, height, design and orientation in relation to the barns it is considered that it would not overshadow or have an overbearing impact upon the residential amenity of occupants of the barns. With regards the potential for vermin etc it is considered that the provision of the clamp would not materially increase the likelihood of such nuisance in light of the agricultural use of the land. The Head of Environmental Health and Trading Standards has raised no objections.
- 6.5 As stated there is an existing access off the unclassified road into the site and the fruit clamp is situated in close proximity to this access. The unclassified road has a number of accesses off it into other fields. It is considered that the volume and nature of the traffic generated by the provision of the clamp, in comparison with the use of the access for the field would not be materially different to justify refusal on this ground alone. Furthermore the Head of Engineering and Transportation, response from Divisional Surveyor (South) has raised no objections to the development.
- 6.6 In conclusion it is considered that whilst the existing structure would have an adverse impact the proposal in its amended form is acceptable because it would only have a minimal adverse effect on the quality of the landscape, would not have a harmful impact upon the residential amenity of neighbouring properties or be detrimental to highway safety. As such the proposal would accord with the relevant policies of the Development Plan.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

- 1 Within 3 months of the date of this permission the concrete walls of the clamp shall be reduced in height as shown on the approved plans (drawing number 1566-01).**

Reason: In the interests of the visual amenity of the area.

- 2 No plant, machinery or material other than agricultural produce, excluding silage, slurry or sewerage sludge, shall be deposited or stored in the fruit clamp hereby granted.**

Reason: To protect the appearance of the locality and the residential amenities of neighbouring properties

- 3 All planting, seeding or earth bunding comprised in the approved details of landscaping (site block plan) shall be carried out in the first planting and seeding seasons following the date of this permission, and any trees or plants which**

within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent to any variation. If any plants fail more than once they shall continue to be replaced on an annual basis until the end of the 5 year defects period. Notwithstanding the details on the site block plan the approved hedging shall be planted in a staggered double row.

Reason: In order to protect the visual amenities of the area.

- 4 There shall be no floodlighting of the fruit clamp hereby granted.

Reason: To protect the appearance of the locality and the residential amenities of neighbouring properties

Decision:

Notes:

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Background Papers

Internal departmental consultation replies.

2 SE2003/1270/F - ERECTION OF DETACHED DWELLING. LAND ADJACENT TO LODOROC HOUSE, WALFORD ROAD, ROSS-ON-WYE, HEREFORDSHIRE, HR9 5PQ**For: Mr L D R Cook per Bruton Knowles, Bisley House, Green Farm Business Park, Bristol Road, Gloucester GL2 4LY****Date Received: 28th April 2003 Ward: Ross-on-Wye West Grid Ref: 5976 2356
Expiry Date: 23rd June 2003**

Local Members: Councillor G Lucas and Councillor M R Cunningham

1. Site Description and Proposal

The site lies within the primary residential area of Ross-on-Wye, the Ross-on-Wye Town Conservation Area and the Wye Valley Area of Outstanding Natural Beauty. The site is approximately 620 metres to the south of the town centre on the western side of the Walford Road. The surrounding area comprises detached, semi detached and terraced properties of varying sizes, designs and materials. The pattern of development on the western side of the Walford Road in the locality of the site is denser than on the eastern side.

It is proposed to erect a detached 2 ½ storey property on an area of land between a detached property known as Lodoroc House (formerly known as Lindos) and Ashcote, which is a semi-detached dwelling. At present the site forms part of the garden of Lodoroc House. A new access off Walford Road (B4234) is proposed with an area for parking/turning between the highway and the proposed dwelling. The site, which is essentially rectilinear, has an area of 0.0035 hectares, a frontage of some 10.3 metres and depth of some 31 metres. The proposed dwelling would have a ground floor area of 75 square metres and a roof ridge height of 9.6 metres. The proposed dwelling would provide accommodation on three levels, a lounge, kitchen, dining room and W.C at ground floor, three bedrooms and a bathroom at first floor and an ensuite bedroom within the roof void. Two flat roof dormer windows are proposed on the rear elevation of the property to provide natural light to the second floor accommodation. The proposed dwelling would have bay windows at ground and first floor on the right-hand side of the front elevation, a chimney and brickwork to the ground floor with render above, under a tiled roof.

2. Policies**2.1 Department of the Environment**

PPG1	General Policy and Principles
PPG3	Housing
PPG13	Transport
PPG15	Planning and the Historic Environment

2.2 Hereford and Worcester County Structure Plan

Policy CTC1	Area of Outstanding Natural Beauty
Policy CTC9	Development Criteria
Policy H18	Housing in Rural Areas
Policy H16A	Housing in Rural Areas

2.3 South Herefordshire District Local Plan

Policy GD1	General development criteria
Policy C5	Development within AONB
Policy C23	New Development affecting Conservation Areas
Policy C45	Drainage
Policy SH5	Housing Land in Ross on Wye
Policy SH14	Siting and design of buildings
Policy T4	Highway and Car Parking Standards

Part 3 - Chapter 37

Policy 3	Infill Sites for Housing
Policy 5	Housing in Built-up Areas
Policy 12	Off-street Parking
Policy 16	Tourist Attractions

2.4 Herefordshire Unitary Development Plan – First Deposit Draft

The Plan contains a number of policies which are relevant to the proposal. However it is considered that they do not raise any new issues that are not addressed in the Development Plan.

3. Planning History

- 3.1 SS98/0876 Relocation of existing access to improve - Granted 8.12.1998
access for handicapped persons

4. Consultation Summary

- 4.1 Hyder Consulting on behalf of Welsh Water - No objection, recommend conditions

5. Representations

- 5.1 Ross-on-Wye Town Council - No objection to the house but there are concerns over the access across and egress on to a very busy road.

- 5.2 Five letters of objection have been received, from Mr and Mrs Petersen of Lyford, 4 Ashfield Crescent, Sarah Sykes of 6 Ashfield Crescent, Graham and Barbara Isle of Halcombe, Ashfield Crescent, Mr Reynolds of Ashcote, Walford Road and A Rush of 37 Redwood Close. In summary the main issues raised are:

- OS Map submitted is not up to date, therefore does not reflect the density and difference between the denser development of the town and the more well spaced pattern along Walford Road.

- When we bought our property we felt that our open aspect and privacy to the rear of our house was guaranteed (4, Ashfield Crescent).
- Proposal would result in overlooking of our rear gardens and into rooms with windows to the rear. The second floor dormer windows would enable further overlooking.
- Have been advised that an application for a previous owner was turned down due to impact on Conservation Area and on highway grounds.
- Fail to see how a three storey house, of modern design would preserve or enhance a Conservation Area, which mainly consists of older properties.
- The building on the small, narrow plot of land would erode the feeling of openness enjoyed by local residents.
- The access and turning/parking area would be insufficient and would result in obstructions and danger on Walford Road, which is used by St Joseph's Convent and School and Lawfords (home for the elderly). The removal of the wall to the road to provide an adequate access and parking/turning area would be undesirable in terms of its effect on the street scene. A smaller property, with an integral garage, may enable satisfactory arrangements.
- The three storey dwelling proposed would maximise the accommodation provided and therefore its value regardless of the appropriateness of such for the site.
- The submitted plans do not indicate the removal of earth etc to achieve the land levels and the impact that this would have on the neighbouring property and the provision of the access and services.
- Negative effects of the proposal would outweigh the positive, it would devalue properties, be an unnecessary increase in housing density detracting from the more spacious garden fronted houses of the rest of the street.
- The building of another house would be a 'careless decision' to increase the number of properties in Ross-on-Wye.

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

6. Officers Appraisal

- 6.1 The main considerations in the determination of this application are the principle of the development, the effect on the character and appearance of the surrounding area, which is within a Conservation Area and Area of Outstanding Natural Beauty, the impact on the residential amenity of neighbouring properties and highway safety.
- 6.2 The Local Plan policies permit new residential, infill development within the defined settlements subject to certain specified criteria. Furthermore PPG 3 – Housing advocates the efficient use of land, particularly in sustainable locations with good access to facilities and public transport. Therefore it is considered that the principle of residential development on the site is acceptable.
- 6.3 The policies of the Development Plan seek to protect the character and appearance of those areas recognised for their visual and/or historic qualities. Specifically policies CTC15 of the Structure Plan and C23 and Policy 16 of the Local Plan state that proposals in Conservation Areas should contribute to the character of the area and maintain visually important open spaces. Furthermore PPG 15 reinforces the legislative requirement (section 72 of the Town and Country Planning Act 1990 (as amended)) that, in respect of Conservation Areas, Local Planning Authorities should pay special attention to the desirability of preserving or enhancing the areas (paragraph 4.14).

- 6.4 The siting of the proposed dwelling would be set back in relation to Ashcote, to the south, but forward of Lodoroc to the north. The height of the proposed dwelling would be lower than Ashcote but similar to Lodoroc. In terms of its scale, mass, design and materials the proposed dwelling has taken the neighbouring property Ashcote as a point of reference. Taking into account the existing character and appearance of the surrounding area, the relationship between dwellings, the general mixed pattern and design of development in the surrounding area, it is considered that the proposed dwelling would not appear cramped in the plot and would be sympathetic to the character of the locality. The majority of the frontage of the site is screened to the highway by a wall with a fence above. Therefore it is considered that the site does not represent an important open area within the street scene. A street scene plan has been submitted and it is considered that this indicates that the proposal would complement the spaces between properties. Careful consideration has been given to the siting, height, design and materials of the proposed property and it is considered that the proposal would not detract from the character of this part of the Conservation Area, but rather would preserve it. To ensure the external materials would be appropriate in the Conservation Area it is considered necessary to require that samples and/or trade descriptions are submitted and agreed prior to the commencement of development. Furthermore to be in keeping with the existing boundary treatments to the highway and preserve the character and appearance of the Conservation Area it is considered that a condition should be imposed to require details to be submitted and approved.
- 6.5 Although the site is within the Wye Valley Area of Outstanding Natural Beauty it is within a built-up area adjacent to other houses. In light of the context of the site and the scale of the development proposed it is considered that the proposal would only have a minimal impact upon the landscape quality and as such would not be contrary to the relevant policies.
- 6.6 In respect of the impact of the proposal on the amenity of neighbouring properties, by virtue of the siting and orientation of the existing dwellings in relation to the proposed and existence of substantial boundary treatments to the western boundary, the proposal would not be overbearing or overshadow adjacent properties. The proposed dwelling would have only secondary windows to the southern elevation, which would serve the landing/staircase and an ensuite bathroom. The rear elevation would have bedroom windows at first floor and two dormer windows, set in the roof slope. From the rear elevation of the proposed dwelling to the rear elevations of the properties to the west (Numbers 4 and 6 Ashfield Crescent) there would be a distance of some 35 metres. With regard to the effect upon the privacy of neighbouring properties, it is considered that by reason of the distance separation between the proposed dwelling and those to the west, particularly in relation to the objectors' properties (on Ashfield Crescent) and the urban location of the site it would not cause demonstrable harm.
- 6.7 Vehicular access to the site would be provided off Walford Road. Off road parking is proposed within the site. Policy T4 states that when considering proposals certain car parking standards should be applied. Within the Conservation Area and/or adjacent to Ross-on-Wye town centre an intermediate or reduced provision applies. Moreover PPG3 – Housing and PPG13 – Transport state that in areas where services are readily available by walking, cycling or on public transport car parking standards should be revised. Taking into account the proximity of the site to public transport routes and Ross-on-Wye town centre this aspect of the proposal is considered acceptable. Subject to the provision of satisfactory visibility onto Walford Road the proposed parking and access would be acceptable and would accord with policy requirements.

Head of Engineering and Transportation, Divisional Surveyor (South) raises no objection subject to necessary conditions.

- 6.8 The land levels within the site are higher than the adjoining highway. To ensure that the proposed dwelling would be in keeping with the existing heights of the adjoining buildings a condition requiring slab levels to be agreed before commencement of development is recommended.
- 6.9 In summary it is considered that the proposal is acceptable in principle and would preserve the character and appearance of the area, not adversely effect the amenity of neighbouring properties or be detrimental to highway safety. As such the proposal would accord with the relevant policies of the Development Plan.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

1 A01 (Time limit for commencement (full permission))

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

2 A07 (Development in accordance with approved plans)

Reason: To ensure adherence to the approved plans in the interests of a satisfactory form of development.

3 B01 (Samples of external materials)

Reason: To ensure that the materials harmonise with the surroundings.

4 E18 (No new windows in specified elevation)

Reason: In order to protect the residential amenity of adjacent properties.

5 G01 (Details of boundary treatments)

Reason: In the interests of visual amenity and to ensure dwellings have satisfactory privacy.

6 F48 (Details of slab levels)

Reason: In order to define the permission and ensure that the development is of a scale and height appropriate to the site.

7 The dwelling hereby granted shall not exceed the height of 'Ashcote'.

Reason: To define the permission in order to protect the character and appearance of the Conservation Area.

8 H03 (Visibility splays)

Reason: In the interests of highway safety.

9 H05 (Access gates)

Reason: In the interests of highway safety.

10 H13 (Access, turning area and parking)

Reason: In the interests of highway safety and to ensure the free flow of traffic using the adjoining highway.

11 Foul water and surface water discharges must be drained separately from the site.

Reason: To protect the integrity of the public sewerage system.

12 No surface water shall be allowed to connect (either directly or indirectly) to the public sewerage system.

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no detriment to the environment.

13 No land drainage run-off will be permitted, either directly or in-directly, to discharge into the public sewerage system.

Reason: To prevent hydraulic overload of the public sewerage system and pollution of the environment.

INFORMATIVE NOTES

1 N03 - Adjoining property rights

2 HN01 - Mud on highway

3 HN04 - Private apparatus within highway

4 HN05 - Works within the highway

5 If a connection is required to the public sewerage system, the developer is advised to contact the Dwr Cymru Welsh Water's Network Development Consultants on Tel: 01443 331155.

Decision:

Notes:

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Background Papers

Internal departmental consultation replies.

3 SE2003/1565/F - REMOVAL OF CONDITION 4 ('THERE SHALL BE ONE SURGERY AT THE PREMISES') OF PLANNING PERMISSION SE2001/0079/F STONE LODGE DENTAL SURGERY, WHITCHURCH, ROSS-ON-WYE, HEREFORDSHIRE, HR9 6DD

For: Ms S R Williams, Stone Lodge, Whitchurch, Ross-on-Wye, HR9 6DD

Date Received: 27th May 2003 Ward: Kerne Bridge Grid Ref: 5534 1804

Expiry Date: 22nd July 2003

Local Member: Councillor Mrs R Lincoln

1. Site Description and Proposal

- 1.1 The site lies within the larger settlement of Whitchurch, as defined in the South Herefordshire District Local Plan, within the Wye Valley Area of Outstanding Natural Beauty and adjacent to the Area of Great Landscape Value. Stone Lodge is a detached, two storey building that lies on the northwestern side of the unclassified Old Ross Road, which runs parallel with the A40 trunk road. Access into the site is gained off the unclassified road. The building is currently used as a dental surgery with a residential flat above. There is an area to the front of the building for the parking of approximately 4 vehicles.
- 1.2 Planning permission was granted in 1994 to use part of the building as a dental surgery. In 2001 a further planning permission was granted to extend the building to provide a reception office and disabled toilet in connection with the dental surgery use. Condition 4 of the 2001 planning permission states that 'There shall be one surgery at the premises'. The internal layout of the building has not been carried out in accordance with the approved plans and a second surgery has been provided. Planning permission is now sought to remove condition 4 of the earlier permission to allow the continued use of two surgeries from the building. The two surgeries currently share the associated rooms, i.e. waiting room, reception, toilets, staff area, x-ray room. It is not proposed to change this arrangement.

2. Policies

2.1 Department of the Environment

PPG1	General Policy and Principles
PPG7	The Countryside: Environmental Quality and Economic & Social Development

2.2 Hereford and Worcester County Structure Plan

Policy CTC1	Area of Outstanding Natural Beauty
Policy CTC9	Development Criteria
Policy T12	On-street Parking

2.3 South Herefordshire District Local Plan

Policy GD1	General development criteria
Policy C5	Development within AONB
Policy ED3	Employment Proposals within/adjacent to Settlements
Policy ED5	Expansion of Existing Businesses
Policy T4	Highway and Car Parking Standards

2.4 Herefordshire Unitary Development Plan – First Deposit Draft

The Plan contains a number of polices which are relevant to the proposal. However it is considered that they do not raise any new issues that are not addressed in the Development Plan.

3. Planning History

- | | | | |
|-----|---------------|--|----------------------|
| 3.1 | SH94/0194/PF | One door and three windows enclosing under existing building. | - Withdrawn 29.3.94. |
| | SH94/0826/F | Two storey extension to form dental surgery on ground floor and lounge to flat on first floor. | - Granted 2.11.94. |
| | SE2001/0079/F | Extension to form reception office and disabled toilet | - Granted 21.2.01. |

4. Consultation Summary

- 4.1 Highways Agency - no objection.

5. Representations

- 5.1 Whitchurch Parish Council - No objection.
- 5.2 One letter of objection has been received, from Mr Eccleshall, of Meadway, Old Ross Road, Whitchurch. In summary the main issues raised are:
- Wish to object in the strongest possible terms.
 - Condition that there should be only one surgery was inserted to 'safeguard residential amenity'. Would draw attention to policy ED3. The business is operating on a scale that is totally out of keeping with the residential environment in which it is located and it causes considerable traffic nuisance. I enclose extracts of correspondence with your colleagues over the last 18 months.
 - The original 1994 planning permission to convert these premises to business use involved retrospective approval and I strongly objected at the time.
 - There is a history of planning regulations being deliberately and flagrantly flouted and the system being cynically manipulated to secure retrospective approval - I urge you not to allow this again.
- 5.3 A letter of support has been received from Herefordshire NHS Primary Care Trust. The salient points are:
- The surgery has been a major provider of NHS dental care within the Ross-on-Wye area for many years. 95% of the patients are treated under NHS regulations.

- Workload has been enormous and expansion was required to adequately care for the local population and also to protect the health and wellbeing of Mrs Williams (the dentist).
- It seems that the development of the essential second treatment room was carried out in ignorance of the restriction.
- The Primary Care Trust supports the retrospective request for the second treatment room, the practice provides excellent and essential NHS service to those living in the Ross-on-Wye area. Hope you can treat the application with sympathy and understanding.

5.4 A letter from the applicant has been received clarifying the nature of the business. In summary:

- There are two surgeries.
- The employees comprise 2 part time receptionists (1 works 20 hours per week, the other 9.5 hours per week), 1 full time (38 hours per week) and 1 part time (20 hours per week) dental nurse and two dentists (who work a 38 hour week and a 20 hour week).
- The number of registered clients is approximately 2000, but this varies from month to month.
- The usual working hours are: Monday 9.00am - 5.30pm, Tuesday 8.00am - 5.00pm, Wednesday 9.00am - 2.30pm, Thursday 8.00am - 5.00pm, Friday 8.00am - 1.00pm.

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

6. Officers Appraisal

- 6.1 The main considerations in the determination of this application are the principle of the development, the effect on the residential amenity of neighbouring properties and highway safety.
- 6.2 Circular 11/95 – ‘The use of conditions in planning permissions’ states, at paragraph 4, that Section 73 of the Town and Country Planning Act 1990 provides for applications to be made for planning permission without compliance with conditions imposed on an earlier planning permission. It is advised at paragraph 15 that conditions should not be retained unless there are ‘sound and clear-cut’ reasons for doing so. In determining such applications conditions can be modified, deleted or new conditions imposed. The reason given for condition 4 of planning permission SE2001/0079/F was ‘to accord with the terms of the application and to safeguard residential amenity’. It is considered that the condition was imposed to clarify the permission and bring the provision of further ‘surgeries’ under planning control in order that such proposals could be assessed.
- 6.3 On the basis of the planning history of the site it would appear that the original business element of the site did not constitute a material change of use for which planning permission would be required. However the business has expanded over the years and consequently planning permission was sought and granted for the use and extensions in 1994. Subsequently in 2001 planning permission was sought and granted for an extension to provide additional accommodation in connection with the business use of the site. The mixed use of the site for a dental surgery and residential flat has therefore been accepted. No building operations are proposed to enlarge the

building to accommodate the second treatment room, but rather the internal layout of the building has been revised.

- 6.4 Policy ED5 of the Local Plan states that proposals for the expansion of existing businesses in settlements will be permitted providing that they fulfil the criteria set out in policy ED3. In turn policy ED3 states that small scale proposals for employment use within settlements will be favourably considered subject to compliance with certain, specified criteria. In summary these criteria are that it is sensitive and appropriate in scale, nature and design to the size of the settlement, it is compatible with and has no adverse impact upon the environment and amenity of the area, has adequate vehicle access, servicing and parking and the road network can accommodate the traffic generated. In addition PPG7 advises that *'Local Plans should set out the authority's policy towards the future expansion of business premises in the countryside, allowing where possible for reasonable future expansion on site'*.
- 6.5 The additional treatment room is located at the rear section of the ground floor of the building, with a door to the rear elevation. No additional off road car parking is proposed and by reason of the proximity of the side elevations of the building to the boundaries it would not be possible for vehicles to park to the sides of the building or gain access to the rear of the premises. In itself it is considered that due to the nature of the business, the authorised use of the site and the distance between the site and the neighbouring property 'Meadway' the operation of a second treatment room would not have a harmful impact upon the residential amenities of the area, and in particular 'Meadway'.
- 6.6 Policy T12 of the Structure Plan seeks to ensure that on street parking is controlled so that it is consistent with road safety, including the needs of pedestrians, residents, moving traffic and the environment. Policy T4 of the Local Plan sets out car parking standards for proposals. In respect of dental practices four off road car parking spaces per treatment room are required. At present there are four off road parking spaces to the front of 'Stone Lodge'. The proposal is for two treatment rooms and as such in accordance with the policy's requirements eight off road car parking spaces should be provided. Due to the size of the site and the position of the building it is not possible to provide any additional off road car parking spaces. It is therefore necessary to consider the effects of the under provision of spaces and the resulting effect on the unclassified highway.
- 6.7 It is likely that as there are insufficient off road car parking spaces that the result would be cars parking on the highway. As the use for which permission is sought is currently taking place the effect can be viewed and site visits by officers have confirmed this to be the case. Between five and seven cars have been observed by officers parked on the road, whilst all four off road spaces were used. The road on which the cars are parked is unclassified and lightly trafficked. The course of the road is straight from the core of Whitchurch village to the south west of the 'Little Chef' car park. If cars are parked on the highway it is not wide enough for two moving vehicles to pass one another. Due to the low traffic levels and the length of the road it is considered that the provision of cars parked on the highway is not harmful to highway safety. The inconvenience, either by way of blocked driveways and/or reduced visibility, caused by indiscriminate parking is noted. However it is considered that this could be satisfactorily addressed by the introduction of 'H' markings across driveways, which is proposed, to encourage sensible parking. The Head of Engineering and Transportation, Transportation Manager raises no objection to the proposal, taking into account the light traffic flows and accident records. As a result of the business use, and the provision of a second treatment room, there is an increase in cars

manoeuvring to park both on site and on the highway. Taking into account the existing ambient noise levels, particularly the noise from traffic on the A40, and in comparison with the authorised single surgery use of the site, it is considered that the proposal would not demonstrably harm the amenities of the area by way of noise nuisance.

6.8 The objectors concerns regarding the retrospective nature of the development and indeed earlier applications are duly noted. However in considering such applications the development must be considered on its merits. It is considered that the provision of two dental treatment rooms at the premises is a sensitive use and appropriate in scale and nature to the size of the settlement. Having carefully considered the highway implications of the expanded use it is opined that it would not be detrimental to highway safety or the residential amenities of the area.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

- 1 There shall only be two dental treatment rooms as indicated on the approved plan.**

Reason: To prevent further intensification of the building and the associated on road parking in the interests of residential amenity and highway safety.

- 2 The existing car park area to the front of Stone Lodge shall be retained for car parking and not used for any other use.**

Reason: To retain a level of off-road parking in the interests of highway safety.

Decision:

Notes:

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Background Papers

Internal departmental consultation replies.

4 SE2003/0904/O - SITE FOR RESIDENTIAL DEVELOPMENT. FACTORY PREMISES, BRAMPTON ROAD, ROSS-ON-WYE, HEREFORDSHIRE.

For: Paul Smith Associates, Chase View House, Merrivale Road, Ross-on-Wye, Herefordshire HR9 5JX

Date Received: 20th March 2003 Ward: Ross on Wye West Grid Ref: 6009 2463

Expiry Date: 15th May 2003

Local Members: Councillor G Lucas & Councillor M R Cunningham

1. Site Description and Proposal

- 1.1 These premises lie on the west side of Brampton Street about 200 m. north of Five Ways. This site is about 0.1 ha. in area, and comprises a small modern factory building set back from and elevated above the road, an extension along the southern boundary and a yard. The factory is within a residential area, although a modern office building adjoins the site to the south - this occupies a backland site to the rear of the frontage houses. A footway adjoins the northern boundary of the site, which rises steeply from Brampton Street. There are three houses which front this pedestrian route.
- 1.2 It is proposed to re-develop the site for residential purposes. The initial submission of this outline application was for 6 houses and siting, external appearance and means of access were not reserved. The submitted drawings showed 3 houses along the frontage and 3 towards the rear of the site. The applicant has agreed to amend the proposal so that all matters except means of access are reserved. The access would be off Brampton Street at the northern end of the site.

2. Policies

2.1 Planning Policy Guidance

PPG3 Housing

2.2 Hereford and Worcester County Structure Plan

Policy H16 Location of Growth
 Policy CTC1 Area of Outstanding Natural Beauty
 Policy CTC9 Development Criteria

2.3 South Herefordshire District Local Plan

Policy SH5 Housing Land in Ross on Wye
 Policy SH14 Siting and Design of Buildings
 Policy SH15 Criteria for New Housing Schemes
 Policy GD1 General Development Criteria
 Policy ED4 Safeguarding existing Employment Premises
 Policy C5 Development within AONB
 Policy T3 Highway Safety Requirements

2.4 Unitary Development Plan – Deposit Draft

Policy S3	Housing
Policy H1	Hereford – Market Towns : settlement boundaries and established residential areas
Policy H14	Re-using Previously Developed Land and Buildings
Policy E5	Safeguarding Employment Land – Buildings

3. Planning History

3.1	SH90/0094/PF	Extension to workshop.	- Permitted 18.4.90
	SH89/1683/PF	Extension to workshop.	- Refused 2.1.90
	SH88/1253/LF	Demolition and erection of 11 starter homes.	- Permitted 5.10.88
	SH88/1252/PO	Demolition and erection of 11 starter homes.	- Permitted 5.10.88
	SH83/0594/PF	Erection of garages.	- Permitted 14.9.83
	SH80/0529/LE	Demolition of garages to provide staff parking.	- Permitted 25.6.80

4. Consultation Summary

4.1 No representations have been received.

5. Representations

5.1 The applicant makes the following submissions:

- (1) This site is encircled by residential properties and has been used for manufacturing purposes since 1952. Since the 1970's, attempts to expand and widen commercial uses on the site were unsuccessful because of the harm caused to the Conservation Area, residential amenity and highway conditions by the use of the present substandard vehicular access. According to your records, local residents during that time objected strongly to these expansion plans because they already suffered from light 'spill', noise, traffic disturbance and long working hours.
- (2) The scope to enhance commercial use is severely limited due, in part, to its steep, very narrow vehicular access which results in on-street loading. However, the original 1952 permission is so open-ended that these premises can be used intensively on a 24-hour, seven days a week basis without the need for planning permission. Clearly, the grant of permission for the proposed development is the only means of protecting, effectively, neighbours from these adverse impacts.
- (3) The approval of the proposed development would also significantly enhance the Conservation Area by reinstating the historic pattern of development of this site. I attach a copy of an old OS extract for your attention. Moreover, the proposed scheme improved the vehicular access whilst protecting the great majority of the front wall to the benefit of the Conservation Area.

- (4) The principal of this development has previously been accepted by the planning authority when outline permission for 11 houses on this site and adjoining land was granted in 1988 (your ref: SH881252PO).
- 5.2 Ross on Wye Parish Council's observations are that "consideration needs to be given to the provision of off-road parking".
- 5.3 5 letters of objection have been received. In summary the following reasons are given. These representations all relate to the submitted scheme for 6 dwellings. Any further representations on the revised proposal will be reported at the Committee meeting.
- (1) New houses would directly overlook existing houses and gardens and would be at a higher level than some existing houses leading to a loss of privacy;
 - (2) frontage houses are in front of building line and would block views, in particular of St Mary's Church and part of town;
 - (3) very busy road with many cars exceeding speed limit; new access would be at narrow bottleneck (exacerbated by on-street car parking) and near blind spot. This development can only lead to accidents;
 - (4) insufficient parking is proposed which would result in parking on Brampton Street and exacerbate highway problems and make it more difficult for existing residents with no off-street parking;
 - (5) noise pollution already excessive e.g. cannot open window as noise drowns out television;
 - (6) not in keeping with Conservation Area, unsightly, out of scale, overpowering and overdevelopment. Factory been there since 1940's and accepted part of the area, according to one local resident;
 - (7) one local resident considers up to 4 houses would be acceptable and preferable to the factory - bungalows may be more appropriate given such a small site;
 - (8) decrease value of properties;
 - (9) concern that houses would be developed by housing association.

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

6. Officers Appraisal

- 6.1 The site is within an established residential area and additional housing would therefore be appropriate. The concern of local residents regarding the adverse impact of the submitted scheme are appreciated and the applicant has agreed to amend the application so that the number of houses, their siting, external appearance and design are all matters for later decision. It is considered that the site could be developed for residential purposes without causing the harm neighbours have identified.
- 6.2 Nevertheless Policy ED4 of the South Herefordshire District Local Plan seeks to safeguard existing employment land unless there are environmental improvements and community benefits that outweigh the advantages to the local community from retaining the land for employment. In this instance, the employment site has become established over time, in a primarily residential area, and is surrounded by housing. The factory is current vacant although there is a low-key use in the rear section. Nevertheless as a non-conforming land use this employment site could cause harm to the amenities of nearby residents (in terms of noise, vehicular movements, light spillage etc). It is anticipated therefore that there would be community and environmental benefits accruing from residential development. These potential advantages must also be

weighed against the thrust of Policy ED4, which is to avoid the loss of local employment opportunities. This issue is of particular importance in Ross, which has little available land remaining at present. Recently however, planning permission has been granted for a 1.5 ha. business/industrial site at Hildersley Farm which will help provide additional future land for employment. The emerging UDP (now at its First Deposit Draft stage) identifies land at Ross for a new 10 ha. business park in order to increase employment land supply in the area, although little weight can be given to this proposal in view of the early state in the UDP process. In these circumstances it is considered that the loss of this small site for employment use would not be significant. It is concluded therefore that there would be net benefits from re-development of this small site for housing.

6.3 The proposed access would have better visibility along Brampton Street than the existing access and is considered to be acceptable. Its position, at the northern end of the site is probably the most appropriate as regards residential development.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

1 A02 (Time limit for submission of reserved matters (outline permission))

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

2 A03 (Time limit for commencement (outline permission))

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

3 A04 (Approval of reserved matters)

Reason: To enable the local planning authority to exercise proper control over these aspects of the development.

4 A05 (Plans and particulars of reserved matters)

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

5 H03 (Visibility splays)

Reason: In the interests of highway safety.

6 H06 (Vehicular access construction)

Reason: In the interests of highway safety.

7 H11 (Parking - estate development (more than one house))

Reason: In the interests of highway safety and to ensure the free flow of traffic using the adjoining highway.

8 H13 (Access, turning area and parking)

Reason: In the interests of highway safety and to ensure the free flow of traffic using the adjoining highway.

Decision:

Notes:

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Background Papers

Internal departmental consultation replies.

5 SE2003/1267/F - USE OF RESIDENTIAL ANNEXE AS A DWELLING. JUANA LODGE, SYMONDS YAT, ROSS-ON-WYE, HEREFORDSHIRE, HR9 6BJ

For: Mrs A Snow per Paul Smith Associates, Chase View House, Merrivale Road, Ross-on-Wye, Herefordshire, HR9 5JX

Date Received: 28th April 2003 Ward: Kerne Bridge Grid Ref: 5534 1727

Expiry Date: 23rd June 2003

Local Member: Councillor Mrs R Lincoln

1. Site Description and Proposal

1.1 The application premises are located in open countryside and on the south-east side of the B4161 about 100 metres to the south-west of the entrance to the Symonds Yat Leisure Park. They comprise a detached bungalow (Juana Lodge) situated to the rear of Juana, a two-storey house. Planning permission (SH960501PF) was granted in 1996 for a single-storey annexe. The approved plans show the annexe attached to the garage of Juana (by the dining room according to the approved plans but only by a porch on the Building Control submission). The annexe is not however attached to Juana and it is understood that it was built like this or was separated a number of years ago. A conservatory (about 4 metres x 3 metres) has been added to the rear of the lounge.

1.2 A Condition (No. 5) attached to the permission restricted use of the annexe as follows:

"The annexe hereby approved shall at all times remain in residential use dependent on the existing use of the existing dwelling, the whole being and continuing to be within the same curtilage and a single planning unit."

It is now proposed to use the annexe as a separate dwellinghouse.

2. Policies

2.1 Planning Policy Guidance

PPG7	The Countryside: Environmental Quality and Economic and Social Development
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2.2 Hereford and Worcester County Structure Plan

Policy H20	Residential Development in Open Countryside
Policy CTC1	Area of Outstanding Natural Beauty

2.3 South Herefordshire District Local Plan

Policy SH11	Housing in Open Countryside
Policy C5	Development within AONB

Policy GD1 General Development Criteria
 Policy T1A Environmental Sustainability and Transport

2.3 Unitary Development Plan – Deposit Draft

Policy H7 Housing in the Countryside Outside Settlements
 Policy H17 Sub-division of Existing Housing

3. Planning History

- 3.1 SH96/60501/PF Single-storey annexe - Permitted 20.8.96.
 SH95/0127/PF Extension (self-contained annexe) - Permitted 5.4.95.

The latter appears to have been erected but there is no external staircase and access is therefore presumably through the main house.

4. Consultation Summary

- 4.1 Environment Agency's response is awaited.

5. Representations

- 5.1 The applicant's agent makes the following case:

- (1) The annexe comprises two bedrooms and all facilities to be found in a dwelling including a medium-sized private garden and dedicated car parking spaces. The use of the annexe as an independent dwelling is achievable without any internal or external changes to these buildings. Therefore, there would be no impact on the environment.
- (2) A taller boundary fence between the gardens of both properties and that the obscure glazing of bathroom window on the main house is required which could be addressed by the imposition of planning conditions.
- (3) There is no planning policy relating to the sub-division of dwellings. The Council, however, intends to adopt such a policy within its emerging Unitary Development Plan. Policy H17 will permit the sub-division of dwellings subject to the provision of adequate car parking and access, living and garden space and no harm being caused to the character of the site, adjoining properties and locality. The proposed use of the annexe as a dwelling would accord with all these criteria and the objectives of PPG3 'Housing' which seeks, inter alia, an efficient use of buildings and to secure an appropriate mix of house types to meet housing needs for properties.

- 5.2 Whitchurch Parish Council has no objection to the proposal.

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

6. Officers Appraisal

- 6.1 The application premises comprise a detached bungalow with garden to the rear and front with extensive hard surface area adjacent to the highway. The bungalow has a

full range of facilities. The second bedroom (small double bedroom size) is accessed directly off the kitchen but was originally intended as a dining room. The building is only 1m. or so from the rear of the garage of the main house and from the boundary fence dividing the rear gardens of the two properties. Nevertheless there is adequate separation and privacy for there to be acceptable living conditions for the occupiers of the two dwellings whether or not they are related. The bungalow is set back from the main house and is not prominent from public viewpoints.

- 6.2 The annexe was permitted partly it seems in view of the personal circumstances of the applicant, whose medical problems “requires single-storey purpose-built accommodation” (according to the applicant’s agent). On completion of the annexe the applicants moved in but Mr Snow sadly died a few years ago but Mrs Snow continues to live in the bungalow. The main house has been occupied for less than 2 years in total it is understood and mainly by an unrelated household. The current proposal would allow the main house to be let or sold and Mrs Snow to continue to reside at the bungalow, without further breaching condition No. 5 (see paragraph 1.2 above).
- 6.3 There are no statutory policies directly related to sub-division. Policy H17 of the UDP would allow this but has limited weight in view of the early stage in the development plan process. In general, creation of separate dwellinghouses has been resisted because of the additional traffic, domestic impedimenta (washing lines, garden sheds etc) and pressure for extensions to small annexe buildings. In this case the size of the bungalow means that extension is not necessary, a conservatory and garden shed have been built and the rear garden is screened from public view. The house is not isolated although the bus route is about 400 metres away and some of the facilities at Whitchurch (in particular the village shop) are on the north side of the A40. However if permission is granted this would allow the current occupant, for whose benefit the annexe was originally permitted, to continue to live at Juana Lodge and the vacant house to be occupied.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

1 E16 (Removal of permitted development rights)

Reason: To protect the visual amenities of this part of the Wye Valley Area of Outstanding Natural Beauty and the amenities of neighbours.

2 Before this permission is implemented a 1.8 metre screen fence shall be erected along the boundary to the rear of Juana and the side of Juana Lodge in accordance with details which have been submitted to and approved in writing by the local planning authority.

Reason: To protect the amenities of the occupiers of Juana.

3 Prior to the occupation of Juana and at all times thereafter the bathroom window which faces Juana Lodge shall be glazed with obscure glass only (and shall be non opening).

Reason: In order to protect the residential amenity of adjacent properties.

4 H10 (Parking - single house)

Reason: In the interests of highway safety and to ensure the free flow of traffic using the adjoining highway.

Decision:

Notes:

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Background Papers

Internal departmental consultation replies.

6 SE2003/1502/F - ERECTION OF 6 NO. HOLIDAY LETTING UNITS, INFORMATION CENTRE AND MACHINERY STORE AND CREATION OF LAKE ADJACENT TO AND AS PART OF EXISTING HOLIDAY COMPLEX. WYE LEA COUNTRY MANOR, BRIDSTOW, ROSS-ON-WYE, HR9 6PZ

**For: Mr C Bateman per M E Thorne & Co The Ridge
Buckcastle Hill Bridstow Ross on Wye**

Date Received: 19th May 2003 Ward: Llangarron Grid Ref: 5824 2574

Expiry Date: 14th July 2003

Local Member: Councillor Mrs J A Hyde

1. Site Description and Proposal

1.1 Wye Lea is a holiday centre situated on the north-east side of the C1271 about 0.8 km north of Bridstow Parish Church. The centre comprises a number of converted buildings, a terrace of 6 modern holiday cottages plus leisure centre and restaurant set in extensive grounds of some 5ha. that extends eastwards to the River Wye

1.2 Planning permission was refused in July 2002 for the erection of an additional 6 holiday cottages, tourist information centre, offices, general manager's house, staff room, shift manager's room and machinery store, plus a lake and other ancillary works. The reasons for refusal were as follows:

1. The Council is not satisfied that there is special justification for the general manager's house. As a consequence the proposal would be contrary to the Council's policies to restrict new residential development in the open countryside. The policies referred to are H.20 of the Hereford and Worcester County Structure Plan and C.1 and SH.11 of the South Herefordshire District Local Plan.
2. The proposed house would be visually intrusive and harm the rural character of this area which is within the Wye Valley Area of Outstanding Natural Beauty and Area of Great Landscape Value. The proposal conflicts therefore with Policies CTC.1 and CTC.2 of the Hereford and Worcester County Structure Plan and C.5, C.8 and TM.10 of the South Herefordshire District Local Plan.

The subsequent appeal was dismissed.

1.3 The current application is for a revised scheme which omits the manager's house and the office and store have been redesigned and would be considerably smaller and sited further into the site. The office would be hexagonal in shape (about 4.5 metres wide); the store would be a double garage (6 m. x 6.5 m. x 4.6 m. to ridge). The 6 cottages would be in two terraces situated towards the southern apex of the site. The cottages would accommodate 2 double bedrooms and bathrooms at first floor level with livingroom and kitchen on ground floor. The external materials (primarily brick with some render and timber cladding) would match the modern buildings at the centre.

The lake would be more or less identical to the earlier submission. It would be about 0.2 ha. in area.

2. Policies

2.1 Planning Policy Guidance

PPG.7 The Countryside: Environmental Quality and Economic and Social Development

2.2 Hereford and Worcester County Structure Plan

Policy CTC1 Area of Outstanding Natural Beauty
 Policy CTC2 Area of Great Landscape Value
 Policy TSM1 Tourism Development
 Policy TSM5 Tourism Accommodation

2.3 South Herefordshire District Local Plan

Policy C1 Development Within Open Countryside
 Policy C4 AONB Landscape Protection
 Policy C5 Development within AONB
 Policy C8 Development Within Area of Great Landscape Value
 Policy TM1 General Tourism Provision
 Policy TM10 Proposals within Wye Valley AONB
 Policy GD1 General Development Criteria
 Policy T3 Highway Safety Requirements

Unitary Development Plan – Deposit Draft

Policy RST1 Criteria for Tourism Development
 Policy RST2 Tourism for within Area of Outstanding Natural Beauty Policy
 Policy RST12 Visitor Accommodation

3. Planning History

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|-----|------------|--|---------------------|
| 3.1 | SH820348PO | Development of land as a Country Park. | - Refused 21.5.82 |
| | SH820539PO | Holiday village development. | - Refused 29.7.82 |
| | SH840162PF | Erection of 5 holiday bungalows and private swimming pool and provision of a private sewage treatment plant. | - Refused 24.2.84 |
| | SH850645PF | Change of use of part of 1 st floor to 2 holiday suites. | - Approved 25.9.86 |
| | SH850877PF | Conversion to form 3 holiday cottages, improvements to existing cottage and erection of a covered swimming pool. | - Approved 25.11.87 |
| | SH871326PF | Proposed 6 no. holiday cottages with caretaker's flat. | - Approved 25.11.87 |
| | SH871407PF | Proposed family leisure building including swimming pool, Jacuzzi and solarium, table tennis and snooker room. | - Approved 25.11.87 |
| | SH910236PF | Removal of Condition 2 on SH871407PF dated 25.11.87 | - Approved 1.5.91 |
| | SH910958PF | Proposed squash court and tennis court. | - Approved 11.9.91 |

SH930035PF	Putting green and croquet lawn and relaxation of Condition 3 on SH910958PF 11.9.91.	- Approved 10.2.93
SH930036PF	Floodlighting to 2 tennis courts.	- Approved 10.2.93
SH941107PF	Proposed new entrance , improved access drive and new car parking for 57 cars.	- Approved 19.10.94
SH941108PF	Proposed family leisure building.	- Approved 19.10.94
SH941215PF	Proposed animal stabling/store (for donkeys, pigmy goats and hay)	- Approved 7.11.94
SH950662PF	Proposed conservatory forming extension to existing 'Edengrove Restaurant'.	- Approved 27.07.95
SE2002/0327/F	Proposed 6 no. holiday cottages, tourist information centre and offices, general manager's house, staff room and shift manager's room and machinery store. Improvements to entrance and drive, external works and car parking and 1 no. lake and landscaping.	- Refused 25.7.02 Appeal dismissed 19.3.03

4. Consultation Summary

4.1 Environment Agency has no objections in principle to the proposed development but recommends conditions regarding drainage and bunds around oil and gas tanks.

4.2 English Nature points out that

" the site lies close to the River Wye, which is notified as a Sites of Special Scientific Interest and is a candidate Special Area of Conservation.

Our response to this application includes our statutory advice in relation to the Sites of Special Scientific Interest (under S28I Wildlife and Countryside Act). The proposals should not affect the River Wye as it lies outside the SSSI boundary as well lying outside the Environment Agencies Indicative Floodplain Area which indicates the extent of potential flooding for a one in a hundred chance of flooding each year, ignoring the presence of defences.

The Council should seek to encourage habitat creation where possible. The proposed lake is an opportunity for biodiversity gain. The enhancement of the lake through incorporating areas of marginal vegetation, marginal shelves and gentle bank gradients and island edges, will greatly improve the overall diversity of the lake."

5. Representations

5.1 The applicant's agent makes the following submission:

- (1) In a letter dated 16 April 2003 officers confirmed that the proposal 'would be acceptable having regard to development plan policy'.
- (2) In the light of adverse comments made about the previously proposed second entrance, that part of the previous application has been dropped and access to the site maintained through the existing entrance.

- (3) In consequence the proposed Information Centre has been moved to a convenient position near this existing entrance. You will also note that the size and scale of this building has been significantly reduced from what was previously proposed.
 - (4) Likewise the proposed Machinery Store has also been significantly reduced in size, to now little more than a double garage and relocated to a site adjacent to the proposed Manager's House for reasons of security and general convenience.
 - (5) This leaves the area of the proposed 6 no. additional Holiday letting Units far more open and you will note that these are now proposed in two blocks of three units each, thus creating a far greater sense of space and absence of bulk in this lavishly landscaped and visually most attractive facility, thus respecting also one of the Inspector's findings at Appeal.
- 5.2 Bridstow Parish Council "objects to this application, our concerns are still relevant to the previous one, the density is too great, out of keeping within the area of ANOB. Increased pressure on already overstretched local facilities and considerable increased traffic."
- 5.3 Brampton Abbots Parish Council expresses the following concerns:
- Concern that no more intrusive upward lighting be allowed.
 - Concern that no mature trees or hedgerows are destroyed.
 - Concern that, in the event of the current owners' departure from Wye Lea, a large organisation would buy the complex and add further 'creeping urbanisation' to the area.
- 5.4 Open Spaces Society confirm that proposal does not adversely affect interests that the Society represents.

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

6. Officers Appraisal

- 6.1 The current proposal does not include the manager's house, which was the sole reason for refusal of the earlier application, and the ancillary buildings are scaled down and more discretely sited. The number of new holiday units remains six, albeit in two blocks of 3, and the lake would be the same in area and location. It was considered that these elements of the original scheme were in accord with the Council's policies which encourage small-scale expansion of holiday accommodation.
- 6.2 A number of concerns have been raised by the Parish Councils regarding the current proposal. With regard to density of development, it is considered that the office and store would not be prominent from outside the site and buildings of this size would not materially alter the perceived density of development. The holiday units would be more prominent, partly because of the proposed siting close to the highway. The land within the centre to the north of the existing holiday flats is an extensive open area and 6 units could be readily accommodated. The units close to the road could be moved further into the site. This would reduce any unacceptable impact on the visual amenities of the Wye Valley AONB and would link with the views expressed by the

appeal Inspector. The applicant's agent has agreed to submit a revised layout drawing.

- 6.3 The expansion would necessarily entail an increase in traffic but the level anticipated was not considered by the Inspector as in itself sufficient grounds for refusal nor does the Head of Engineering and Transportation, Divisional Surveyor (South) object. Similarly the pressure on local facilities is not so serious to justify refusal, given the limited size of the proposed accommodation and that tourism is encouraged in the Development Plan. Other matters including protection of important trees and hedges and external lighting could be the subject of planning conditions. The future use of the site and further expansion would need planning permission and would be considered, if they arise, in the light of policies then current
- 6.4 As noted above English Nature has considered the proposal and considers that the River Wye cSAC and SSSI would not be harmed by the proposed development. Nevertheless there are concerns regarding the details of the lake and further information has been requested.

RECOMMENDATION

That subject to revised proposals regarding siting/design of the holiday units and further details of the lake being acceptable the officers named in the Scheme of Delegation to Officers be authorised to issue planning permission subject to the following conditions and any additional conditions considered necessary by officers:

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

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

- 2 B01 (Samples of external materials)**

Reason: To ensure that the materials harmonise with the surroundings.

- 3 G04 (Landscaping scheme (general))**

Reason: In order to protect the visual amenities of the area.

- 4 G05 (Implementation of landscaping scheme (general))**

Reason: In order to protect the visual amenities of the area.

- 5 F32 (Details of floodlighting/external lighting)**

Reason: To safeguard local amenities.

- 6 F25 (Bunding facilities for oils/fuels/chemicals)**

Reason: To prevent pollution of the water environment.

- 7 F18 (Scheme of foul drainage disposal)**

Reason: In order to ensure that satisfactory drainage arrangements are provided.

8 E31 (Use as holiday accommodation)

Reason: The local planning authority are not prepared to allow the introduction of a separate unit of residential accommodation, (due to the relationship and close proximity of the building to the property known as () (in this rural location).

INFORMATIVE NOTES

- 1 Under the terms of the Water Resouces Act 1991 and the Land Drainage Byelaws, the prior written consent of The Agency is required for any proposed works or structures in, under, over or within 7 metres of the top of the bank of the main river (Wye).**
- 2 Under the terms of the Water Resources Act 1991, an Impounding Licence may be required from the Agency for the impounding of any watercourse, ditch or stream (e.g. by dam, weir etc.) and an Abstraction Licence may be required from the Agency for the abstraction of water from any inland water or underground strata. This is dependent on water resource availability and may not be granted.**
- 3 It is the responsibility of the applicant to ensure that the development will not affect any existing legal water interests in the area.**
- 4 There are seven licensed abstraction points found within 1 km of the NGR provided.**
- 5 Any waste excavation material or building waste generated in the course of the development must be disposed of satisfactorily and in accordance with section 34 of the Environment Protection Act 1990.**

Decision:

Notes:

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Background Papers

Internal departmental consultation replies.

7 SE2003/1245/F - CONVERSION OF AND ALTERATIONS TO A REDUNDANT TRADITIONAL BARN TO CREATE ONE RESIDENTIAL DWELLING. BARN AT SAPNESS FARM, SOLLERS HOPE, HEREFORDSHIRE

**For: J Dereham per James Spreckley MRICS FAAV,
Brinsop House, Brinsop, Herefordshire HR4 7AS**

Date Received: 28th April 2003 Ward: Old Gore Grid Ref: 6243 3305

Expiry Date: 23rd June 2003

Local Member: Councillor J W Edwards

1. Site Description and Proposal

- 1.1 This site is located in the countryside approximately 3/4 mile to the east of Sollers Hope Church. The site flanks the northern side of the unclassified road No. 70011 which heads eastwards from Sollers Hope towards Ridge Hill.
- 1.2 The site comprises a stone barn with corrugated sheeting on the roof. There is a small yard area at the front with wooden open fronted lean-to buildings around it which are to be demolished. There is an existing vehicular access gate onto the road. The area to the rear of the barn is a narrow grassed area of land. The road which serves the site is in fact a narrow rough track. The site is set in a dip with the land around at a higher level. There is a wooded area immediately to the west of the site and fields on the other three sides.
- 1.3 The proposal is for the conversion of this building into a single dwelling with a parking area at the front utilising the existing vehicular access opening onto the road/track. The roof will be recovered with slate. A new septic tank will be provided to serve the dwelling.

2. Policies

2.1 Planning Policy Guidance

PPG.7 The Countryside: Environmental Quality and Economic and Social Development

2.2 Hereford and Worcester County Structure Plan

Policy H16A	Housing in Rural Areas
Policy H20	Housing in Rural Areas outside the Green Belt
Policy CTC2	Areas of Great Landscape Value
Policy CTC9	Development Requirements
Policy CTC13	Conversion of Buildings
Policy CTC14	Conversion of Buildings

2.3 South Herefordshire District Local Plan

Policy GD1	General Development Criteria
Policy C1	Development Within Open Countryside
Policy C8	Development within Area of Great Landscape Value
Policy C36	Re-use and Adaptation of Rural Buildings
Policy C37	Conversion of Rural Buildings to Residential Use
Policy C43	Foul sewerage
Policy SH11	Housing in Open Countryside
Policy T3	Highway Safety Requirements
Policy T4	Highway and Car Parking Standards

2.4 Unitary Development Plan – Deposit Draft

Policy S2	Development Requirements
Policy DR1	Design
Policy H7	Housing in the Countryside Outside Settlements
Policy HBA12	Re-use of Traditional Rural Buildings
Policy HBA13	Re-use of Traditional Rural Buildings for Residential Purposes

2.5 Herefordshire Council – Supplementary Planning Guidance

Re-use and Adaptation of Traditional Rural Buildings

3. Planning History

3.1 None

4. Consultation Summary

4.1 The Forestry Commission observe:

No comment as the proposal will have no affect on the nearby ancient semi-natural woodland.

4.2 The Environment Agency observe:

The Agency has no objections but would recommend that a condition be imposed on any planning permission granted that a scheme for the provision of foul drainage works be submitted for approval by the local planning authority.

5. Representations

5.1 The applicants agent has submitted a letter of support. The main points being:

- the County Archaeology Office considers the barn to date from 1750-1850. A structural survey which was previously undertaken concludes that although there is a significant repair to be done to one corner of the barn wall, this is only 5% of the total wall area. The remainder of the walls are stable with some crack anchor stitching needed;
- the proposal complies with Council policies and supplementary planning guidance. Informal pre-application discussions have taken place;
- the extent of internal sub-division has been kept to a minimum and there are no new openings proposed in the existing walls.

5.2 The Parish Council observe:

A site meeting took place on 10th June. The majority had, in principle, no objection to the property being sympathetically converted. However, informed comment was limited by the lack of information relating to the provision of electricity, and proposals for proper access to the property. The Parish Council would require further detail regarding these two issues in order to return a final and fully informed comment. We are aware of objections being raised by Parishoners in the locality, and no doubt Planners will take these into account in reaching a final decision.

5.3 Five letters of objection have been received from:

J & E Rogers, Whittlebury Farm, Sollershope, Herefordshire
S & S Vine, Whittington, Sollers Hope, Herefordshire
Mrs F R Francis, Perryfield, Sollers Hope, Herefordshire
Dr G Fowler, Sapness Cottage, Sollers Hope, Herefordshire
Mr C J Carter, The Lyndalls, Sollers Hope, Herefordshire

The main points being:

- it is inappropriate to create a dwelling here as it would create an intrusion into a quiet peaceful valley;
- the proposal will impinge on the natural beauty of the area which is unspoiled and which lies partly within the Wye Valley Area of Outstanding Natural Beauty
- the proposal will set a precedence for more of this type of development in the area;
- the area will be spoiled by the disturbance created by the development during and after building work and also by the additional traffic on the roadway/track;
- the barn has been known to house barn owls;
- fragile eco-system in the area and along the sides of the track which could be affected by the proposal;
- an attempt to line pockets at the expense of the environment;
- planning permission was sought about three years ago through Woolhope PC and was rejected;
- the farm buildings are not redundant as they are used for cattle;
- the new dwelling could be enlarged in the future;
- the access and track are not suitable for refuse collection vehicles;
- the proposed access to the development is via an ancient cobbled road, one of the last remaining examples in the county;
- the barn is approached by an historic track used by the Whittington entourage who owned the valley between 1311 and 1546;
- the track is used by walkers and is featured in several books on walks;
- the development will result in more vehicles using the track.

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

6. Officers Appraisal

- 6.1 This stone barn is considered to be a building of architectural merit and worthy of retention. The barn is generally in a sound condition but a small amount of localised repairs/rebuilding will be required. The use of this building for a commercial use is not considered appropriate due to the isolated nature of the site. However it is considered

that the use of the building for full residential use would be acceptable. The proposed conversion scheme is considered to be acceptable and retains the essential quality and character of the barn without the need for major external alterations to the building. As such it is considered that the proposed conversion will be in accordance with approved planning policies, in particular policies C36 and C37 of the South Herefordshire District Local Plan and the Council's Supplementary Planning Guidance "Re-use and Adaptation of Traditional Rural Buildings" which directly relate to conversion of rural buildings. The Chief Conservation Officer has no objections to the proposed development from an architectural point of view.

- 6.2 The existing barn is located in a fairly isolated position away from other dwellings. The site is surrounded by fields with the exception of a wood on its western side. The land around the site rises to a higher level and there are many trees in the general area. As such it is considered that the site is fairly well hidden from view and does not impinge on the landscape. The proposed dwelling will not affect any neighbours and will not adversely affect the visual appearance or character of the surrounding rural area. The Chief Conservation Officer is of the opinion that the change in character of the barn in this isolated position will have a harmful effect on the countryside designated as an Area of Great Landscape Value. However because of the sensitive nature of the conversion scheme and the fact that the site is well hidden in the landscape it is considered that there would not be an unacceptable impact on the landscape.
- 6.3 The unclassified road which the barn already has direct vehicular access onto is in fact a rough track. The Head of Engineering and Transportation, Divisional Surveyor (South) recommends that any permission which may be granted includes certain conditions relating essentially to parking and visibility splays etc. The track, due to its rough nature, can only be driven along slowly. However the vehicular access would still need to be set out properly.
- 6.4 The existing barn building was until recently used to house cattle, however, there were no cattle in the building at the time the site was inspected. Also one of the objectors stated that the barn has been known to house barn owls. However at the time of the site inspection there was no obvious evidence of owls.
- 6.5 In conclusion it is considered that proposed conversion scheme is acceptable and the creation of a dwelling here will not adversely affect the surrounding rural environment/landscape. The proposal complies with the approved planning policies for the area. The concerns of the objectors have been carefully evaluated however it is considered that they do not justify refusing planning permission for this proposed development.
- 6.6 The objectors have referred to a recent refusal of planning permission for a similar scheme on the site. However there is no record of any such application.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

1 A01 (Time limit for commencement (full permission))

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

2 A07 (Development in accordance with approved plans)

Reason: To ensure adherence to the approved plans in the interests of a satisfactory form of development.

- 3 The material to be used externally on the roof shall be natural Welsh slate unless otherwise first agreed in writing by the local planning authority.**

Reason: To protect the visual appearance and character of the original building.

- 4 Before any work commences on site full details of the extent of rebuilding/repair work to be undertaken on the walls of the barn building and the materials to be used shall first be submitted to and be subject to the prior written approval of the local planning authority.**

Reason: To define the terms to which this planning permission relates and to protect the visual appearance and character of the original building.

- 5 Before any work commences on site detailed drawings (including materials and finishes) of all new external doors, windows, screens, rooflights, flues and vents shall first be submitted to and be subject to the prior written approval of the local planning authority.**

Reason: To protect the visual appearance and character of the original building.

- 6 E16 (Removal of permitted development rights)**

Reason: To ensure the character of the original conversion scheme is maintained..

- 7 Before any work commences on site a drawing showing the position of the existing vents on the right hand side on the south elevation of the barn building and also details of any ramp/stairs proposed to serve the doors in the wagonway screen on the same elevation shall first be submitted to and be subject to the prior written approval of the local planning authority.**

Reason: To protect the visual appearance and character of the original building.

- 8 G04 (Landscaping scheme (general))**

Reason: In order to protect the visual amenities of the area.

- 9 G05 (Implementation of landscaping scheme (general))**

Reason: In order to protect the visual amenities of the area.

- 10 F18 (Scheme of foul drainage disposal)**

Reason: In order to ensure that satisfactory drainage arrangements are provided.

- 11 H01 (Single access - not footway)**

Reason: In the interests of highway safety.

12 H03 (Visibility splays)

Reason: In the interests of highway safety.

13 H05 (Access gates)

Reason: In the interests of highway safety.

14 H06 (Vehicular access construction)

Reason: In the interests of highway safety.

15 H13 (Access, turning area and parking)

Reason: In the interests of highway safety and to ensure the free flow of traffic using the adjoining highway.

16 The whole of the works relating to means of access, including drainage, shall be completed before the development is brought into use.

Reason: In the interests of highway safety.

INFORMATIVE NOTES

1 Full details of all surface and boundary treatments (proposed, retained and removed) shall be included in the landscaping details required by Condition No. 8 unless otherwise specified.

2 HN04 - Private apparatus within highway

3 HN05 - Works within the highway

4 The Environment Agency advise:

The porosity test results suggest that a suitable means of effluent disposal would be a septic tank/soakaway system. The applicant is reminded that the septic tank and soakaway system should meet the following requirements:

- (i) a site survey should be carried out to establish the location of any watercourse, ditch or land drainage system on the site,**
- (ii) the foul drainage system, particularly the foul soakaway, should be sited at least 10 metres from any watercourse, ditch or land drainage system to minimise pollution risk,**
- (iii) the foul drainage system, including the foul soakaway, should be situated so as not to cause pollution of any well, borehole, spring or groundwater used for potable water supply. A minimum separation of 100m should be kept from any source of potable water supply.**

The application should ensure that the land proposed for the soakaway has adequate permeability in accordance with BS 6297 : 1983.

Any waste excavation material or building waste generated in the course of the development must be disposed of satisfactorily and in accordance with section 34 of the Environment Protection Act 1990.

5 N11 – Wildlife and Countryside Act 1981

6 The applicant’s attention is drawn to the requirements of the Wildlife and Countryside Act 1981 (as amended) with regard to bats. It is advised that an inspection of roof spaces and any other voids is carried out prior to the commencement of development. If bats are discovered during the inspection or subsequently during the conversion work, the work must cease immediately and English Nature be informed. English Nature can be contacted at: Herefordshire and Worcestershire Team, Bronsil House, Eastnor, Ledbury, Herefordshire HR8 1EP or telephone number 01531 638500.

Decision:

Notes:

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Background Papers

Internal departmental consultation replies.

8 DCSW2003/1416/RM - DEMOLITION OF REDUNDANT METHODIST CHAPEL AND ERECTION OF A DETACHED TWO STOREY DWELLING, OLD METHODIST CHAPEL, EATON BISHOP, HEREFORD, HEREFORDSHIRE, HR2 9QD

For: Mr A Clarke per Mr G Bacon, Brownings Acre, Whitehouse Lane, Alfrick, Worcester, WR6 5HE

Date Received: 12th May 2003 Ward: Stoney Street Grid Ref: 4440 3907

Expiry Date: 7th July 2003

Local Member: Councillor D. C. Taylor

1. Site Description and Proposal

- 1.1 The application site is on the eastern side of the Class III road (C1199) that constitutes the main throughfare of Eaton Bishop.
- 1.2 The site has a red brick chapel on it, with a slate roof. There is a red brick boundary wall approximately 1½ metres back from the metalled edge of the C1199 road. There is little room to park a vehicle off the road. The chapel is understood to have become vacant in 1974. It was originally on a much smaller plot. This was enlarged when the applicant owned the adjoining dwelling (Carpenters) and he realigned the common boundary between the Carpenters and the Chapel. There is a two-storey dwelling to the south known as Orchard House, which was the village shop. The boundary between the Orchard House is staggered, it was originally delineated as a straight line, it was then amended following representations being made by the owner.
- 1.3 This site has a rear boundary with agricultural land and has a western outlook across the above mentioned Class III road and towards the graveyard of St. Michaels and All Angels Church.
- 1.4 The proposed dwelling is a two-storey, 3 bedroom dwelling comprising red facing brick under a Redland Grovebury, Breckland Black colour, tiled roof. The main element is 6.75 metres to the ridge aligned north-east to south-west, which is parallel to the highway (C1199) from which it will gain access.
- 1.5 There is a single storey element on the eastern side, i.e. away from the highway, and on the roadside side elevation is a lower two-storey element providing the third bedroom and bathroom over part of the double garage that is at right angles to the road.
- 1.6 The main building, which is narrower in footprint than the existing Chapel, is approximately 8.7 metres back from the metalled edge of the highway, the garage and lower two-storey element bring the building as close as 1.65 metres from the metalled edge of the same highway, which is just behind the line of the existing red brick wall that runs for a distance of 9.4 metres across the front of this site.

2. Policies**2.1 Hereford and Worcester County Structure Plan**

Policy H.16A - Housing in Rural Areas

2.2 South Herefordshire District Local Plan

Policy GD.1 - General Development Criteria

Policy SH.8 - New Housing Development Criteria in Larger Villages

Policy SH.14 - Siting and Design of Buildings

3. Planning History

3.1 SH931024PF Alterations to existing church building to convert into one bedroom dwelling - Refused 22.09.93

SW2001/1970/O Site for erection of 3 bedroomed cottage style dwelling - Approved 06.02.02

4. Consultation Summary

4.1 The Environment Agency states that it understands the applicant proposes to connect to an adjacent private sewerage system, this system should be capable of accepting the increase in flow and loading. Also the land should have adequate permeability for surface water soakaway in accordance with BS6297: 1983.

5. Representations

5.1 The Parish Council's observations are awaited.

5.2 Three letters of representation have been received from:

G. P. Allen, The Manor House, Eaton Bishop, HR2 9QD
Mr. & Mrs. A. Morris, The Carpenters, Eaton Bishop, HR2 9QD
A. P. & A. J. Haines, Orchard House, Eaton Bishop, HR2 9QD

The following main points are raised:

- cramped site
- does not fall within definition of cottage style dwelling
- chapel of historic interest (1865) could be enlarged modestly, not destroyed
- Parish Council's previous recommendation as to re-use/modification of the Chapel have not been considered
- only 175mm from boundary and one metre from other property
- need 1.2 metre gap, what about future maintenance?
- no kink in boundary with The Carpenters
- windows on north and south elevations prohibited by conditions, will overlook house and garden, loss of privacy
- too close to road, narrow part of road difficult for 2 cars to pass
- our 1969 dwelling, had a 30 foot building line, this is closer, inconsistent and out of character
- chimney in living room, creates health and safety issue given slope of site, reduce height of it, suffer from bonfires now

- no indication of how effluent will be disposed, poor permeability of land, should go to Pulley Avenue
- bats in the Chapel, should be investigated.

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

6. Officers Appraisal

- 6.1 It is considered that the main issues relate to the loss of the Chapel, the form of the development, its relationship to adjacent boundaries, proximity to the road, and the means of foul drainage disposal.
- 6.2 The principle of erecting a dwelling on this site involving the loss of the Chapel has already been accepted at the outline stage. The need to provide a safe access and the ability to manoeuvre on site would entail the demolition of the Chapel.
- 6.3 The main building is well sited some 8.7 metres back from the metalled edge of the highway. Were the Chapel to be utilised in some way this would have brought the building closer to the highway. It is considered that the form of development does not detract from the character of the village, as further south older traditional buildings are even closer to the highway. Pushing the dwelling further into the site would possibly impact more on the property to the north of the site.
- 6.4 The dwelling is close to the boundary particularly on the northern boundary with The Carpenters, however the closest elements are single storey, i.e. the living room and garage. The two storey gable wall is between 1.3 metres and 0.65 metres away. The impact will be reduced by a line of evergreen trees growing on the other side of the northern boundary. It is not considered that unreasonable overshadowing of The Carpenters would occur, resulting in a loss of amenity.
- 6.5 The chimney provides a good visual element to the dwelling, however there is a potential for fumes according to Building Control Section. This would need to be resolved before permission could be granted and could entail the removal of the chimney.
- 6.6 A further issue relates to the means of foul drainage disposal, this will connect to a private sewage system at Pulley Avenue. The Council's Housing Manager and Welsh Water have been involved with the applicant on this matter. This is supported by the Environment Agency. This is a satisfactory means of foul drainage disposal, however confirmation of the route with a submitted plan would be required.
- 6.7 The outline planning permission contains a condition stating that no windows should be created at first floor level and above in the north and south elevations of any dwelling. This was attached as a safeguard against any dwelling proposed being sited further back into the site such that the private rear garden areas of the two adjoining properties would not adversely be overlooked. This is notwithstanding that there are no first floor windows in The Carpenters that overlook the site and although there is a narrow window at first floor level in Orchard House it is understood to be a stairwell window, and there is a double garage on the northern end of Orchard House, and a further three metres to the well established boundary between the sites. An en-suite bedroom window could be removed from the southern gable of the dwelling, there is also a dormer window in the south elevation of the western wing off the dwelling,

i.e. above the garage providing light to the third bedroom. This window could be placed in the gable end facing the highway. There is a window serving an en-suite bathroom on the north elevation, this would need to be removed and mechanical ventilation provided. Otherwise this application could not comply with the terms of the outline planning permission.

- 6.8 The access arrangement is acceptable, given the Head of Engineering and Transportation raises no objections.
- 6.9 The dwelling complies with the provisions of Policies GD.1, SH.8 and SH.15.

RECOMMENDATION

That subject to revisions being made to the positioning of first floor windows on north and south elevations, clarification with regard to the effect of the living room chimney, and confirmation of the route of the drainage connection, the officers named in the Scheme of Delegation to Officers be authorised to issue planning permission subject to the following conditions and any additional conditions considered necessary by officers:

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

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

2. **A07 (Development in accordance with approved plans)**

Reason: To ensure adherence to the approved plans in the interests of a satisfactory form of development.

3. **The foul drainage shall be taken from the site to a private sewage plant to the satisfaction of the local planning authority.**

Reason: In order to define the terms to which the application relates

4. **Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification), no windows/dormer windows shall be constructed in the north and south elevations at the first floor level and above of the property.**

Reason: In order to protect the residential amenity of adjacent properties.

5. **E18 (No new windows in specified elevation)**

Reason: In order to protect the residential amenity of adjacent properties.

6. **E19 (Obscure glazing to windows)**

Reason: In order to protect the residential amenity of adjacent properties.

Decision:

Notes:

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Background Papers

Internal departmental consultation replies.

9 SE2003/1638/F - TWO STOREY EXTENSION TO REAR AND GARAGE TO SIDE. LEA CROFT, ARCHENFIELD ROAD, ROSS-ON-WYE, HEREFORDSHIRE, HR9 5BB

For: Mr & Mrs B. Thompson per Mr K Cooper, Fork House, The Lonk, Joyford, Gloucester GL16 7AJ

Date Received: 2nd June 2003 Ward: Ross-on-Wye West Grid Ref: 5934 2342
Expiry Date: 28th July 2003

Local Members: Councillor G Lucas and Councillor M R Cunningham

1. Site Description and Proposal

1. This site, located within Ross on Wye, flanks the north western side of Archenfield Road. The site is situated within a residential area with houses on either side and rear.
- 1.2 The site comprises of a two-storey dwelling with a long back garden. The house has red brick walls and red concrete tiles on the roof. There is an existing flat roofed single storey extension at the rear and a flat-roofed sectional garage also in the rear garden.
- 1.3 The proposal is for the erection of a two-storey extension at the rear of the dwelling to directly replace the existing flat roofed single storey extension which will be demolished. The proposal also involves the erection of a single garage which will be attached to the side of the proposed extension. This will again replace the existing garage which will also need to be removed. This existing porch on the south western side of the house will be replaced by a slightly larger one. The proposed extensions will be in external materials to match the existing dwelling i.e. red brick and red concrete tiles.

2. Policies

2.1 Hereford and Worcester County Structure Plan

Policy CTC1	Area of Outstanding Natural Beauty
Policy CTC9	Development Requirements

2.3 South Herefordshire District Local Plan

Policy GD1	General Development Criteria
Policy SH23	Extensions to dwellings
Policy C5	Development within AONB
Policy T3	Highway Safety Requirements

2.2 Unitary Development Plan – Deposit Draft

Policy S2	Development Requirements
Policy DR1	Design
Policy H18	Alterations and Extensions

3. Planning History

- 3.1 SE2003/0528/F Two storey extension to rear and garage to side - Refused 14.04.03

4. Consultation Summary

- 4.1 None.

5. Representations

- 5.1 The Town Council comments have yet to be received.
- 5.2 A letter of objection has been received from J & HM Stamp, Nashel, Archenfield Road, Ross on Wye, Herefordshire. The main points being:
- the proposed development will adversely affect amenities of objectors' lounge in terms of loss of light and domination of room;
 - the submitted photographs show how sunlight enters lounge during afternoons and evenings during the month of May;
 - loss of both sunlight and indirect light would affect quality of life in objectors principal living room

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

6. Officers Appraisal

- 6.1 A previous application (ref No SE2003/0528/F) for a two storey extension and attached garage at the rear of this dwelling was refused planning permission on 14th April 2003. The extension had a double gable at the rear and extended across the whole of the rear of the existing dwelling. The neighbours to the north east objected to the proposal due to loss of light to a side ground floor window serving their lounge. This application was refused for reasons of loss of sunlight to this window, overlooking and over-domination of the neighbours dwelling.
- 6.2 The applicants subsequently discussed the proposed development with officers and, as a result, have submitted this revised application. The extension at first floor level has been reduced in size so that it is approximately 3 metres further away from the objectors' dwelling. In doing so the proposed double gable has been reduced to a single gable. Also the proposed first floor window on the north east side of the dwelling has been removed.
- 6.3 It is considered that the reasons for refusal for the previous application have essentially been overcome in this current application. The proposed extension will be in keeping with the size, scale and design of the original dwelling and will not adversely affect the residential amenities of any of the neighbours. The development will not adversely affect the residential amenities of the objectors' dwelling. There will be no adverse over-domination of the dwelling. Any loss of light to the objectors' dwelling would only be minimal and certainly not to the extent of causing any loss of residential amenity. The proposed replacement porch is also considered to be acceptable.

6.4 Consequently the proposed development is considered to be acceptable and in accordance with the approved planning policies for the area in particular Policy SH23 of the Local Plan which relates to proposed extensions to dwellings.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

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

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

- 2 A08 (Development in accordance with approved plans and materials)**

Reason: To ensure adherence to the approved plans and to protect the general character and amenities of the area.

INFORMATIVE NOTES

- 1 N03 – Adjoining property rights**

- 2 N14 – Party Wall Act 1996**

Decision:

Notes:

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Background Papers

Internal departmental consultation replies.

2.2 Hereford and Worcester County Structure Plan

- Policy CTC.9 - Development Criteria
- Policy CTC.13 - Buildings of Special Architectural or Historical Interest
- Policy CTC.14 - Criteria for the Conversion of Buildings in Rural Areas

2.3 South Herefordshire District Local Plan

- Policy GD.1 - General Development Criteria
- Policy C.29 - Setting of a Listed Building
- Policy C.36 - Re-use and Adaptation of Rural Buildings
- Policy C.37 - Conversion of Rural Buildings to Residential Use
- Policy C.1 - Development within the Open Countryside
- Policy SH.24 - Conversion of Rural Buildings
- Policy SH.11 - Housing in the Countryside

3. Planning History

- 3.1 SH940171PF Conversion of timber framed barn to dwelling house - Approved 29.06.94
- SW2003/0688/F Change of use of agricultural buildings to domestic use - Refused 29.04.03

4. Consultation Summary

- 4.1 No representations have been received.

5. Representations

- 5.1 Bredwardine Parish Council has no objections.
- 5.2 One letter of representation has been received from:

Mr. A. & Mrs. S. Stone, Damsons, Bredwardine
 Mr. M. Blythe, Halcyon Vista, Bredwardine

The following main points are raised:

- our houses are not shown on site plan submitted
- Upper Farm House, gives no indication of site
- barn sympathetically treated visible in landscape, attractive element in landscape, visible from many footpaths and adjacent hills
- dilapidated, partly overgrown building, only 3.5 metres high, does not detract significantly from aspect of barn
- ridge height will more than double to 7.5 metres, makes it more visible. In effect new building, should be kept in keeping with barn
- site access constructed (3.5 metres narrow unsurfaced sunken lane) also used by agricultural machinery
- access road also well used footpath to Arthur's Stone
- as neither building on site is occupied not aware that site is inside village envelope. Assume no further development near this site would be permitted
- not objecting to proposal as such, but hope that no untoward effects result.

The full text of this letter can be inspected at Southern Planning Services, Blueschool House, Blueschool Street, Hereford and prior to the Sub-Committee meeting.

6. Officers Appraisal

- 6.1 The site is in the open countryside where planning permission for new housing is not normally granted. One exception to this restriction is where the proposal is for the re-use and adaptation of a rural building. The existing dwelling at the site was created under this policy context following a permission in 1994.
- 6.2 There are criteria, as stated in Local Plan Policies C.36 and C.37, against which individual buildings and the detailed proposals for their conversion are considered. The building must be structurally sound, capable for conversion and be a bona fide conversion scheme and not require extensive reconstruction or extensions and adaptations incompatible with the building.
- 6.3 In this case the building concerned is incomplete and of no architectural merit. It is not a building that it is considered appropriate to convert to a new dwelling. There are remnants of an older building but this has clearly been altered over time and part is a modern lean-to. In addition, even if the building were considered worthy of retention, the scheme does not respect the character of the structure and involves significant new work to create effectively a two-storey structure. This proposal is clearly contrary to planning policy and there is no justification in this case for the creation of a new dwelling in the open countryside.
- 6.4 The existing converted barn is a Listed Building. A conversion of this curtilage building in the manner proposed would have a harmful impact and detract from the setting of the Listed Building.

RECOMMENDATION

That planning permission be refused for the following reason:

- 1. **The proposed new dwelling does not constitute a bona fide conversion scheme as established by local and national planning policies and therefore it is contrary to the provisions of Policies C.1, C.36, C.37, SH.11, SH.24 contained in the South Herefordshire District Local Plan and Hereford and Worcester County Structure Plan Policies H.20, CTC.13 and CTC.14 and, as augmented by planning advice contained in the Council's Supplementary Planning Guidance and in PPG.7 and in addition the development would detract from the setting of the listed barn and therefore Policies CTC.13 contained in the Hereford and Worcester County Structure Plan and Policy C.29 contained in the South Herefordshire District Local Plan.**

Decision:

Notes:

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Background Papers

Internal departmental consultation replies.

11 SE2003/0909/F - CONVERSION TO A PRIVATE DWELLING. ICE HOUSE, WILTON ROAD, ROSS-ON-WYE, HEREFORDSHIRE**For: Mr C Hughes & Mr. G. Downes per Geoff Jones, Architect, 53 Broad Street, Ross-on-Wye, Herefordshire HR9 7DY****Date Received: 17th June 2003 Ward: Ross on Wye West Grid Ref: 5964 2407****Expiry Date: 12th August 2003**

Local Members: Councillor G Lucas, Councillor M R Cunningham

1. Site Description and Proposal

- 1.1 This building is situated on the south-west side of Wilton Road opposite the junction with Royal Parade and is the first building encountered when approaching Ross on Wye from Wilton. The building, viewed from Wilton Road is a low single-storey structure with aluminium shopfront and ridge roof. However the building has further floors below the Wilton Road level and the base is at about the same level as the adjacent flats in Wye Street. It thus acts as a retaining structure to this section of Wilton Road. There is some evidence that it was built as an ice house but this is not certain. It is not listed but is historically and architecturally important especially in view of its prominent position.
- 1.2 It is proposed to convert the building into a single dwellinghouse. The scheme includes the erection of an additional storey. As submitted this would have had a monopitch roof but following discussions with officers a ridge roof is now proposed, about 1.5m. higher at eaves and ridge levels than the existing building. Additional windows of a modern style are proposed for the top 3 storeys (including the new storey) in the rear elevation (facing the River Wye) and top 4 storeys facing south-west (down Wilton Road). Fenestration has also been amended to meet design concerns and protect the privacy of occupiers of the maisonettes in Wye Street. The converted building would accommodate two double bedrooms with en-suite bathrooms, living room and kitchen-dining room with the lowest two floors an office and gymnasium. The lowest floor has some natural light via glass blocks.
- 1.3 There is no space for car parking or garden but the land to the south-west side would be fenced and a series of short decks and external stairs formed linking Wilton Road level to the two floors below.

2. Policies**2.1 Planning Policy Guidance**

PPG3	Housing
PPG15	Planning and the Historic Environment

2.2 Hereford and Worcester County Structure Plan

Policy CTC1	Area of Outstanding Natural Beauty
Policy CTC2	Area of Great Landscape Value
Policy CTC9	Development Requirements
Policy CTC13	Conversion of Buildings
Policy CTC14	Criteria for the Conversion of Buildings in Rural Areas

2.3 South Herefordshire District Local Plan

Policy C4	AONB Landscape Protection
Policy C5	Development within AONB
Policy C6	Landscape and AONB
Policy C8	Development Within Area of Great Landscape Value
Policy C9	Landscape Features
Policy C23	New Development Affecting Conservation Areas
Policy SH5	Housing Land in Ross on Wye
Policy GD1	General Development Criteria
Policy 2 (Vol III)	New Housing Developments
Policy 17 (Vol III)	Re-use of Existing Buildings

3. Planning History

- 3.1 SH81/003PF Replacement shop front - Permitted 18.2.81

4. Consultation Summary

- 4.1 Welsh Water recommend that conditions be imposed regarding drainage of the site.

5. Representations

- 5.1 The applicants' agent makes the following submission:

- (1) It is understood that the building was used in days gone by to store ice for use in the town, though no description of the manner of storage or where the ice came from can be found.
- (2) The building was last used as a shop, storing and selling household electrical goods, mainly washing machines, and before that it was a motorcycle showroom and shop. It has been empty since December 2001.
- (3) The building has been broken into many times recently.
- (4) The building is mainly constructed of stone, the south-east wall, being the retaining wall to Wilton Road, is ramped at an angle of approximately 7 degrees making the floor area at the bottom noticeably smaller than that at the top. There are at present six floors to the building. The top floor is accessible directly from Wilton Road on the south-east side.
- (5) To the south-west of the building is an area of land approximately 6 m x 10 m currently occupied by a concrete ramp and steps and surrounded by metal fencing.

- (6) The proposal is to convert the Icehouse to a dwelling. The upper parts of the building command superb views of the river and countryside to the south and west and therefore these elevations will be glazed to take advantage of this. The south-east elevation is directly on to the footpath of Wilton Road. For reasons of sound reduction and privacy, this elevation will be solid and fairly blank. This new top floor will be added to achieve the required accommodation as the bottom two floors will be without any external openings, except for a fire escape door at the lowest level, and the only natural light will be obtained from a window of opaque glass blocks set in the shape of the huge brick arch.
 - (7) The Building Regulations require a means of escape from every floor in the case of fire. Therefore, the new top floor will have an escape window, then below that the living room has access onto the open deck to the south west, as does the kitchen/dining below it, and the second bedroom below that. These escape decks will also act as the outdoor space for the dwelling.
 - (8) Views from The Prospect towards the river will not be affected.
- 5.2 Town Council has no objections providing that the development is in keeping with an AONB.
- 5.3 Two letters have been received raising the following concerns, some of which relate to the original submission. Any further representations will be reported at the Committee meeting.
- stainless steel roof unsuitable material and would impinge on roofscape when viewed from above;
 - horizontal strips of glazing out of character with the building - preferable if glazing broken up by solid masonry/brickwork and not carried right to corner of building; are sunscreens appropriate?
 - Wilton Road frontage unduly stark, exacerbated by vertical timber boarding - small areas of fixed glazing or some other detailing would be preferable to soften this facade;
 - railed decking too prominent viewed from below if not screened by new planting;
 - occupiers of Riverview use sides of buildings as social areas as rear garden completely hemmed in - this area would be overlooked by new windows or balcony, as would lounge of one unit and flat below's bedroom;
 - is new balcony an amenity area or for access only? - previously existing platform largely screened by trees and shrubs but plan shows trees removed presumably to allow use as balconies and uninterrupted views.
- 5.3 Letters have been written in support for the following reasons:
- (1) Ice house has much to offer as a house of local interest and glass elevations add to its individual nature - an example of good, imaginative design and use of traditional space in a modern context, will make positive contribution to local area.
 - (2) A health risk as used for drug taking and regularly vandalised.
 - (3) The old motorcycle building is an eyesore.
 - (4) Trees to side of site need urgent attention (falling down and a danger to children who climb them) - slopes need re-landscaping, replacing what has been removed with fencing to stop children climbing up to Wilton Road.
 - (5) One response to the revised scheme considers they are more appropriate and their earlier objection is withdrawn.

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

6. Officers Appraisal

- 6.1 The site is within the town boundary defined in the Local Plan. It adjoins residential properties in Wye Street and it is considered that a dwelling would be an appropriate use. The building, although not listed, is of local historic and architectural interest locally which it is important to retain. Currently however the Wilton Road elevation (an old-fashioned aluminium shopfront) is unattractive. The building has been subject to vandalism and deterioration of the fabric. Conversion to residential use would resolve these problems provided the scheme respected the character of the building, was not intrusive in the landscape and did not harm the amenities of neighbours.
- 6.2 Viewed from Wilton Road the building appears to be a bungalow. The extra storey would not appear out of scale but there are some reservations regarding the elevational treatment, particularly the additional glazing in the rear (north-west) and side (south-west) elevations. The Chief Conservation Officer would prefer the increase in height to be kept to a minimum but points out that the overhanging roof and brise soleil (external blinds) would help to reduce the visual impact of the glass resulting from its reflective quality. These aspects could be given further consideration.
- 6.3 The extra height of the building would not be intrusive however or block views from the town of the River and countryside. The building is clearly visible from the walk along the River bank and would be more prominent if the mature trees to the west were to be cut down. This is not part of the current proposal but a survey has been undertaken which recommends removal of most of the trees and it is understood that the appropriate application will be submitted to effect this. Nevertheless the strong vertical shape would be an attractive part of the townscape which would be seen against the cliff below The Prospect. Care would be needed regarding the detailed design and materials of the external stairs, fencing and decking to ensure that they are not intrusive. The large area of glazing could be brightly illuminated by internal lighting if curtains or blinds are not closed. It is not considered however that this is grounds for refusal.
- 6.4 Although the building is close to the rear of the flats the relative heights mean that any overlooking is at an acute, downward angle. To ensure privacy of the external areas to the side of the flats additional screen fencing has been provided by the stairs. It is considered that there would not be significant loss of privacy.

RECOMMENDATION

That subject to the submission of acceptable revised proposals regarding design and external appearance the officers named in the Scheme of Delegation to Officers be authorised to issue planning permission subject to the following conditions and any additional conditions considered necessary by officers:

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

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

2 B01 (Samples of external materials)

Reason: To ensure that the materials harmonise with the surroundings.

3 C02 (Approval of details)

Reason: To safeguard the character and appearance of this building of [special] architectural or historical interest.

4 E18 (No new windows in specified elevation)

Reason: In order to protect the residential amenity of adjacent properties and to protect the character of the building.

Decision:

Notes:

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Background Papers

Internal departmental consultation replies.

12 SW2003/0984/F - CONVERSION OF UNDERGROUND REDUNDANT RESERVOIR INTO HOLIDAY BUNGALOW THE GREEN FARM, CLIFFORD, HEREFORD, HR3 5HA**For: D H Morgan, The Green Farm, Clifford, Hereford, HR3 5HA****Date Received: 27th March 2003 Ward: Golden Valley North Grid Ref: 2725 4453****Expiry Date: 22nd May 2003**

Local Member: Councillor N. J. J. Davies

1. Site Description and Proposal

- 1.1 The proposal site is 50 metres to the south-east from the B4352 road, at Windle Park. Access will be gained off the southern side of this Class II road near to the brow of a hill. This access track which is unadopted and unsurfaced provides access for farm vehicles and access to dwellings further to the south of the reservoir.
- 1.2 The reservoir building is visible from at least 400 metres to the north-east further along the B4352 road, given the elevational position of this building faced in red brick under a curved corrugated iron roof. There is screening by trees on the western and southern boundaries of the site.
- 1.3 The red brick walled areas are approximately one metre to 600 mm above the level of ground level. The building is 7.15 metres wide and 13.25 metres long. At eaves level are iron trusses supporting the current corrugated iron roof. At both gable ends there is a wooden grid framework.
- 1.4 It is proposed to excavate between 2.1 to 2.5 metres of soil around the building. The sides will be graded, this will provide an area approximately one metre out on three sides, and on the southern side, away from the B4352, it increases to 2.4 metres providing a patio area for occupants.
- 1.5 Windows of varying widths, lengths and heights are proposed in all four elevations of the building, together with a boarded door and French windows. The roof will comprise insulated iron roof sheets over refurbished or replacement steel trusses.
- 1.6 A parking area for two vehicles is provided for in adjoining paddock, screened from the field in which the reservoir stands. It is proposed to establish a hedgerow of a species matching those used in the existing field boundaries immediately around the reservoir.

2. Policies**2.1 Planning Policy Guidance**

PPG.7 - The Countryside: Environmental Quality and Economic and Social Development

2.2 Hereford and Worcester County Structure Plan

- Policy CTC.2 - Area of Great Landscape Value
- Policy CTC.9 - Development Criteria
- Policy CTC.13 - Buildings of Special Architectural or Historical Interest
- Policy CTC.14 - Criteria for the Conversion of Buildings in Rural Areas
- Policy H.16A - Development in Rural Areas
- Policy H.20 - Residential Development in the Open Countryside Outside The Green Belt

2.3 South Herefordshire District Local Plan

- Policy C.1 - Development within Open Countryside
- Policy C.8 - Development within Area of Great Landscape Value
- Policy C.36 - Re-use and Adaptation of Rural Buildings
- Policy C.37 - Conversion of Rural Buildings to Residential Use
- Policy TM.1 - General Tourism Provision
- Policy TM.5 - Proposals for Small Guesthouses, Bed & Breakfast and Self-Catering Accommodation
- Policy ED.8 - Farm Diversification

2.4 Supplementary Planning Guidance

Re-use and Adaptation of Traditional Rural Buildings

3. Planning History

3.1 No relevant history identified.

4. Consultation Summary

4.1 None applicable.

5. Representations

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

- endeavoured to conserve the character and appearance of structure built in 1904
- retains the curved corrugated iron roof feature, repairing and replacing necessary iron roof trusses
- replacing the wooden framed windows in the gables with matching windows
- please inform before determination if it could be improved
- will be excavated soil/spoil immediately adjoining one and a half foot thick walls providing a pathway around the building and patio on south-eastern side
- will plant more trees, albeit the foliage, bark or fruit are not harmful to stock
- Green Farm of which the site forms part is a 150 acres mixed holding (110 acres pasture/40 acres arable). Stocking levels 253 ewes and their followers and 41 bullocks
- proposal constitutes farm diversification in accordance with Policy ED.8 (4.35 to 4.38 refers) and Policy E.12 in emerging Unitary Development Plan.

5.2 In a further letter received from the applicant, received in response to representations received, a letter dated 12th July, 1989 from solicitors acting on his behalf, relating to a right of way to Yew Tree Farm.

5.3 Two letters of representation have been received from:

M. N. Lindsay, Spring Meadows, Windle Park, Clifford, HR3 5HA
Mr. & Mrs. R. Lindsay, Yew Tree Farm, Windle Park, Clifford, HR3 5HA

The following main points are made:

- existing access to Spring Meadows, Yew Tree Farm, The Rose narrowed to stop lorries and farm machinery
- fire engine ended up with flat tyres going to a chimney fire at The Rose, also cattle truck could not get through
- parents bought land to gain a second access. Access 24 feet wide leading to bridleway
- objections is that our main access will be blocked, also the applicant objected to my house and farm buildings. It could be narrowed
- do not want same trouble we have experienced for about 20 years.

5.4 The Parish Council "support the application."

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

6. Officers Appraisal

6.1 The main issues are considered to relate to the suitability of this rural building for conversion into a holiday unit, in accordance with both policies relating to farm diversification and the conversion of redundant rural buildings, and secondly issues relating to access.

6.2 This building is in an elevated position, and is clearly visible when approaching Windle Park and Clifford School from the Bredwardine direction. There are other reservoirs that have been the subject of planning applications, they however were primarily buildings that were underground structures with no historic fabric of interest. It is considered that the existing brick walls and curved corrugated roof constitute a building of some local interest that is capable of conversion.

6.3 It is considered that the conversion scheme is such that the building has, with the many windows, the appearance of a holiday cottage when it was formerly an industrial building. This is not helped by the amount of excavation proposed around the building. The proposal is evidently a small scale proposal that falls within the remit of Local Plan Policy ED.8. However this policy is qualified by Policy C.36, that is concerned with the re-use and adaptation of rural buildings. This policy is concerned with retaining the existing building's qualities and essential features. This proposal, given the additional windows introduced into existing blank elevations, the excavations, and that one of the key features of the building, the grid areas at either end of the building, are not utilised to provide light (as a ceiling has been introduced across the building) is not considered to achieve this policy requirement, and those set out in the Council's Supplementary Planning Guidance on the Re-use and Adaptation of Rural Buildings.

- 6.4 This building is in a prominent location in an Area of Great Landscape Value, it is considered also that the scheme submitted would detract from the amenity of this part of the designated Area of Great Landscape Value.
- 6.5 The site is served by an access off the B4352 road, along a bridleway (CL56) that neither the council's Public Rights of Way Manager nor Head of Engineering and Transportation object to being used by the applicant subject to their having authority to do so and that it remains its historic width. This would appear to address those issues raised by objectors to the proposal, who are primarily concerned with their existing means of access.
- 6.6 The parking area serving the holiday unit is an adjoining paddock, well screened from the reservoir.
- 6.7 Therefore, whilst the building is of some local merit the scheme for conversion does not respect its essential qualities and features and is clearly contrary to policy.

RECOMMENDATION

That planning permission be refused for the following reason:

- 1. **The proposed conversion of the building would not retain the building's essential character and features and therefore would be contrary to the provisions of Policies C.36, GD.1, TM.1, TM.5 and ED.8, contained in the South Herefordshire District Local Plan and as augmented by the Council's Supplementary Planning Guidance on the 'Re-use and Adaptation of Traditional Rural Buildings' and would, given its prominence in the landscape, detract from the amenities of this part of the Area of Great Landscape Value and would therefore also be contrary to the provisions of Policy C.8.**

Decision:

Notes:

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Background Papers

Internal departmental consultation replies.

13 DCSW2003/1369/F - ERECTION OF SMALL WIND TURBINE FOR GENERATING ELECTRICITY 2.5KW 8M. HIGH MAST, SELF-SUPPORTING. 1 BOYCE COTTAGES, SHENMORE, MADLEY, HEREFORDSHIRE, HR2 9NY

For: Mr C C Dennison, 1 Boyce Cottages, Shenmore, Madley, Herefordshire, HR2 9NY

Date Received: 7th May 2003

Ward: Stoney Street

Grid Ref: 3983 3847

Expiry Date: 2nd July 2003

Local Member: Councillor D. C. Taylor

1. Site Description and Proposal

- 1.1 The proposed site is the rear garden of one of a pair of semi-detached dwellings that are both aligned north-west to south-east and are between 15 to 12 metres back from the metalled edge of the unclassified road (u/c 73211) that leads through this part of Shenmore joining the Madley - Tyberton road to the north-east.
- 1.2 It is proposed to erect a wind turbine to provide a domestic supply. The height to the centre of the rotor is 7.5 metres. The rotor diameter is 3.5 metres. The blades and housing are black polypropylene which in turn is mounted on the slightly tapering pole, which is natural grey galvanised steel that will, it is understood, with weathering change into a matt grey colour. There is no gearbox, unlike on larger wind turbines, also the nominal running speed is 300rpm.
- 1.3 The structure is sited just inside on the north-eastern boundary of the dog-legged shaped garden that leads north-westward and continues beyond the line of the garden of 2 Boyce Cottages. Boyce Villa has a garden area that tapers to a point in line with the rear line of 2 Boyce Cottages.
- 1.4 The turbine is approximately 23 metres along from the nearest point of the rear garden of Boyce Villa and closer, being 18 metres from the rear garden area of 2 Boyce Cottages.
- 1.5 There is a line of established deciduous trees on the south-western boundaries of this part of the garden into which it is proposed to site the turbine. These trees are at the minimum 8 to 9 metres high, they provide screening for the turbine from the south-westerly direction. The hedgerow closest to the turbine is approximately 2.5 metres high. There is open arable land that drops down to the B4352 road to the north-east.

2. Policies

2.1 Planning Policy Guidance

PPG.22 - Renewable Energy

2.2 South Herefordshire District Local Plan

- Policy GD.1 - General Development Criteria
- Policy C.39A - Renewable Energy

3. Planning History

3.1 None identified.

4. Consultation Summary

4.1 None applicable.

5. Representations

5.1 In literature from manufacturers, the following main points are made:

- now have 50 installations in UK, hilltop telecommunication sites to domestic heating and electricity
- planning officers and councillors wary of visual intrusion, noise, not an issue with 3 meter rotor diameter as compared to 45 meter ones
- survey found customers would have theirs nearer than at present, distances vary from under 10 metres to 150 metres
- have 2 turbines in National Parks (Dartmoor and Glen Affrie) and one beside a listed country house
- WT2500 stands on a 7.5 metre pole, about same length as standard wooden telegraph pole, of which there are thousands in Herefordshire
- turbine blades are black, help merge into landscape
- mast self-supporting, no stays/ropes, galvanised steel finish quickly dulls to a matt grey colour
- no gear box, main source of whining noise in large wind farms machines
- maximum speed 300rpm, about half speed of other small turbines, producing a gentle 'swooshing' noise
- background noises of cars quieter than swoosh noise of blades, our office is single glazed, 25 metres away, turbine not audible, traffic from 'B' road further 23 metres away is though.

5.2 Two letters of representation have been received from:

Mrs. M. E. Perry, Little Gwerngenny, Wormbridge, HR2 9DT
G.W. & M.C.L. Doman, Lissadell, Shenmore, Madley, HR2 9NZ

The following main points are raised:

- noise disturbance from our sunroom, terrace and garden. Both our front and rear gardens face the site
- whirring noise from turbine
- number of buildings been erected on site, is this plus the turbine for a business?
- establish a precedent in locality
- area of outstanding natural beauty, blades (10 foot plus) on a 26 foot mast enormous, just to produce 2.5kw of electricity
- spoil an interrupted view from Boyce Villa of distant hills, would recommend evergreen planting on western boundary, deciduous at present and could be removed at any time if planning permission were granted

- devalue my property
- only recommend in remote locations, environmental benefits negligible given CO₂ generation associated with the manufacture of the unit
- no benefits from turbine, outweighed by loss of glorious part of countryside.

5.3 The Parish Council make the following observations:

"The Parish Council has no objection to the erection of this wind turbine but has no first-hand experience of such a turbine. Although this is an environmentally friendly energy source, Parish Council has concerns about any noise and requests that permission is only granted for a trial period of time, possibly for one year only."

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

6. Officers Appraisal

- 6.1 There is general encouragement for renewable energy proposals in Local Plan Policy C.39 and PPG.22. With this proposal there are considered to be two main issues. Firstly the impact on nearby residential property and secondly the impact of the structure in the landscape.
- 6.2 It is considered that the turbine is sufficiently distant from domestic dwellings such that an unacceptable noise intrusion should not arise. No. 2 Boyce Cottages has outbuildings at the end of its garden providing a buffer between the turbine and well used garden area. Boyce Villa has a garden area that tapers to a point. The Head of Environmental Health and Trading Standards raises no objection on the basis of the report from the applicant that accompanied the application. In addition, there should not be any unacceptable shadow flicker to the nearby dwellings.
- 6.3 It is evident that this galvanised steel structure will have some impact in the landscape, the issue is whether or not the impact is mitigated by the context of the site and its surroundings. This proposal has to be treated on its merits, whether or not it is granted planning permission does not establish a precedent for turbines across the county. Policy C.39A contained in the Local Plan is concerned with Areas of Outstanding Natural Beauty and Areas of Great Landscape Value or other areas of conservation importance. This site falls outside these categories of landscape. The turbine has the backdrop of Boyce Cottages when viewed from the north-west, it will not be visible from the east given topography, it will be glimpsed by dwellings a further 115 metres to the west of Boyce Cottages, particularly in the winter months, however the presence of the trees and the black blades and rota on the turbine will, it is considered, reduce the impact.
- 6.4 Conditions would need to be applied in order to ensure that the existing hedgerows and trees are retained, which would therefore mean that the proposal could not reasonably be withheld planning permission.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

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

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

2. A07 (Development in accordance with approved plans)

Reason: To ensure adherence to the approved plans in the interests of a satisfactory form of development.

3. G10 (Retention of trees)

Reason: In the interests of reducing the impact of the development in the open countryside.

4. The hedgerow boundary on the north-western boundary of the site shall be maintained at a height of not less than 2 metres to the satisfaction of the local planning authority.

Reason: In the interests of reducing the impact of the development in the open countryside.

Decision:

Notes:

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Background Papers

Internal departmental consultation replies.

Document is Restricted

