

# A G E N D A

## Southern Area Planning Sub- Committee

Date: **Wednesday, 13th August, 2003**

---

Time: **2.00 p.m.**

---

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

---

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

*For any further information please contact:*

*Pete Martens, Members' Services,  
Brockington, 35 Hafod Road, Hereford  
Tel: 01432 260248 Fax: 01432 260286*

***e-mail: [pmartens@herefordshire.gov.uk](mailto:pmartens@herefordshire.gov.uk)***

---

**County of Herefordshire  
District Council**



# AGENDA

## for the Meeting of the Southern Area Planning Sub-Committee

To: 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, J.W. Edwards, Mrs. A.E. Gray, T.W. Hunt, Mrs. J.A. Hyde, G. Lucas, D.C. Taylor and J.B. Williams

	Pages
<b>1. APOLOGIES FOR ABSENCE</b>	
To receive apologies for absence.	
<b>2. DECLARATIONS OF INTEREST</b>	
To receive any declarations of interest by Members in respect of items on the Agenda.	
<b>3. MINUTES</b>	1 - 18
To approve and sign the Minutes of the meeting held on 16th July, 2003.	
<b>4. ITEM FOR INFORMATION - APPEALS</b>	19 - 20
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.	
<b>5. HEAD OF PLANNING SERVICES REPORT</b>	21 - 78
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.	
<b>EXCLUSION OF THE PUBLIC AND PRESS</b>	
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.	
<b>RECOMMENDATION:</b>	
<b>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</b>	

defined in Schedule 12(A) of the Local Government Act, 1972 as indicated below.

**6. ITEM FOR INFORMATION - ENFORCEMENT**

79 - 80

To note the Councils current position in respect of enforcement proceedings for the sothern area.

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

# **Your Rights to Information and Attendance at Meetings**

## **YOU HAVE A RIGHT TO:-**

- Attend all Council, Cabinet, Committee and Sub-Committee meetings unless the business to be transacted would disclose 'confidential' or 'exempt information'.
- Inspect agenda and public reports at least 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.
- Access to this summary of your rights as members of the public to attend meetings of the Council, Cabinet, its Committees and Sub-Committees and to inspect and copy documents.
- Access to this summary of your rights as members of the public to attend meetings of the Council, Cabinet, Committees and Sub-Committees and to inspect and copy documents.

### **Please Note:**

Agenda and individual reports can be made available in large print. Please contact the officer named on the front cover of this agenda **in advance** of the meeting who will be pleased to deal with your request.

The meeting venue is accessible for visitors in wheelchairs.

A public telephone is available in the reception area.

## **Public Transport Links**

- Public transport access can be gained to Brockington via bus route 75.
- The service runs every half hour from the 'Hopper' bus station at the Tesco store in Bewell Street (next to the roundabout junction of Blueschool Street / Victoria Street / Edgar Street).
- The nearest bus-stop to Brockington is located in 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.**

## **FIRE AND EMERGENCY EVACUATION PROCEDURE**

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

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

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

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

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





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 16th July, 2003 at 2:00 p.m.**

**Present:** Councillor Mrs. R.F. Lincoln (Chairman)

**Councillors:** H. Bramer, M.R. Cunningham, N.J.J. Davies, Mrs. C.J. Davis, J.W. Edwards, Mrs. A.E. Gray, T.W. Hunt (Ex-officio) Mrs. J.A. Hyde, G.Lucas, D.C. Taylor, J.B. Williams

**6. APOLOGIES FOR ABSENCE**

Apologies were received from Councillors P.G. Turpin (Vice-Chairman) and G.W. Davis.

**7. DECLARATIONS OF INTEREST**

The following declarations of interest were made.

Councillor	Item	Interest
M.R. Cunningham	Item 2 (Erection of detached dwelling. land adjacent to Lodoroc House, Walford Road, Ross-On-Wye, Herefordshire, HR9 5PQ)	Prejudicial and left the meeting for the duration of the item.
Mrs. J.A. Hyde	Reference 9 (Two storey extension to rear and garage to side. Lea Croft, Archenfield Road, Ross-On-Wye, Herefordshire, HR9 5BB)	Personal and left the meeting for the duration of the item.

**8. MINUTES**

**RESOLVED:** That the Minutes of the meeting held on 18th June, 2003 be approved as a correct record and signed by the Chairman.

**9. PLANNING APPEALS**

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

**10. 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.

**EXCLUSION OF THE PUBLIC AND PRESS**

**RESOLVED:** That under Section 100 (A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the following item of business on the grounds that it involved the likely disclosure of exempt information as defined in Schedule 12(A) of the Act, as indicated below.

**SUMMARY OF THE PROCEEDINGS OF EXEMPT INFORMATION**

**11. ENFORCEMENT NOTICES SERVED IN THE SOUTHERN AREA**

The Sub-Committee received an information report about the enforcement notices served within the Southern area of Herefordshire.

The meeting ended at 4.15 p.m

**CHAIRMAN**

Document is Restricted



**APPENDIX**

Ref. 1  
**BRIDSTOW**  
SE2003/1474

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**

In accordance with the criteria for public speaking, Mr. B.S. Hapgood, the agent acting on behalf of the applicant, spoke in favour of the application.

**RESOLVED: 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**

Ref. 2  
**ROSS-ON-WYE**  
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**

The receipt of a revised site plan including satisfactory parking and turning areas was reported.

In accordance with the criteria for public speaking, Mr. L.D.R. Cook, the applicant spoke in favour of the application.

**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 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.**

Ref. 3  
**WHITCHURCH**  
SE2003/1565/F

Removal of condition 4 ('there shall be one surgery at the premises') of planning permission SE2001/0079/F at:

**STONE LODGE DENTAL SURGERY, WHITCHURCH, ROSS-ON-WYE, HEREFORDSHIRE, HR9 6DD**

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

It was reported that the Cabinet Member (Highways and Transportation) had authorised the imposition of 30 mph speed limit on the road adjoining the application.

**RESOLVED: 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.**



Ref. 4  
**ROSS-ON-WYE**  
SE2003/0904/O

Site for residential developmentat:

**FACTORY PREMISES, BRAMPTON ROAD, ROSS-ON-WYE, HEREFORDSHIRE.**

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

The receipt of four letters of objection, an amended application for outline permission only and the observations of the Head of Engineering and Transportation were reported.

In accordance with the criteria for public speaking, Mrs. Murphy spoke against the application.

**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 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.**

Ref. 5  
**SYMONDS YAT**  
SE2003/1267/F

Use of residential annexe as a dwelling at:

**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**

The receipt of a new Certificate of Ownership, and a letter from the Environment Agency raising no objection to the application subject to a condition preventing any further development on the site, was reported.

**RESOLVED: Subject to the expiry of the Certificate of Ownership notice period, officers named in the Scheme of Delegation to Officer be authorised to issue planning permission, subject to the following conditions and any further conditions felt to be necessary by officers:**

**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.**

Ref. 6  
**BRIDSTOW**  
SE2003/1520/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 at:

**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**

Receipt of the observations of the Council's Chief Conservation Officer and recommendations from the Head of Engineering and Transportation was reported.

**RESOLVED: 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 in this rural location.**

**INFORMATIVE NOTES**

- 1 Under the terms of the Water Resources 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.**

Ref. 7  
**SOLLER HOPE**  
 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**

In accordance with the criteria for public speaking, Mr. Carter spoke against the application and Mr. Spreckley, the agent acting on behalf of the applicant, spoke in favour.

The Sub-Committee discussed the application site, which was set in an attractive rural location accessed by an ancient roadway. Councillor J.W. Edwards, the Local Ward Member, had some concerns about the impact of a dwelling on the rural landscape and the fact that the ancient roadway which was well used by walkers and riders had no passing places for vehicles. He therefore suggested that there was merit in the Sub-Committee undertaking a site inspection.

**RESOLVED: That consideration of the application be deferred pending a site inspection on the grounds that a judgement is required on visual impact and the setting and surroundings are fundamental to the determination in the application.**

Ref. 8  
**EATON BISHOP**  
 SW2003/1416/RM

Demolition of redundant Methodist Chapel and erection of a detached two storey dwelling at:

**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**

It was reported that the Eaton Bishop Parish Council had submitted its observations raising concerns about the application but that these had not been received. It was reported that the Head of Environmental Health and Trading Standards had no objection to the application.

The receipt of drainage connection details from the applicant was reported.

The Sub-Committee discussed details about the application and had some concerns about the size of the proposed property, the limited space around the boundaries and the impact that this could have on the neighbouring property. The Sub-Committee asked for further negotiations with the applicant to address these points.

In accordance with the criteria for public speaking, Mr. Faulkner of

Eaton Bishop Parish Council spoke against the application, Mr Morris spoke against the application and Mr. Clarke, the applicant, spoke in favour of the application.

**RESOLVED: That consideration of the application be deferred pending further negotiations between the Officers and the applicant.**

Ref. 9  
**ROSS-ON-WYE**  
SE2003/1638/F

Two storey extension to rear and garage to side at:

**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**

The receipt of observations of the Ross-on-Wye Town Council and the Head of Engineering and Transportation was reported.

In accordance with the criteria for public speaking, Mr Stamp. spoke against the application.

The Sub-Committee discussed details of the application and had some concerns about the impact of proposed extension on the light to the adjoining property.

**RESOLVED: That consideration of the application be deferred pending a site inspection on the grounds that a judgement is required on visual impact.**

Ref. 10  
**BREDWARDINE**  
SW2003/1361/F

DCSW2003/1361/F - Proposed change of use of agricultural buildings to domestic use, at:

**UPPER FARM HOUSE, BREDWARDINE, HEREFORD**

For: **J. Whittal per Mr. E. Price, Moorcourt, Lyonshall, Kington, Herefordshire, HR5 3JZ**

The Chairman reported the receipt of letters from the applicant. The receipt of the observations of the Head of Engineering and Transportation was reported.

In accordance with the criteria for public speaking, Mr. and Mrs. Whittal, the applicants, spoke in favour of the application.

**RESOLVED: That planning permission be refused for the following reason:**

- 1. The proposed new dwelling does not constitute a bona**

vide 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.

Ref. 11  
**ROSS-ON-WYE**  
 SE2003/0909/F

Conversion to a private dwelling at:

**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**

The receipt of the observations of Ross-on-Wye Town Council and the Ross-on-Wye Civic Society was reported.

**RESOLVED:** 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.**

Ref. 12  
**HEREFORD**  
SW2003/0984/F

Conversion of underground redundant reservoir into holiday bungalow at:

**THE GREEN FARM, CLIFFORD, HEREFORD, HR3 5HA**

For: **D.H. Morgan, The Green Farm, Clifford, Hereford, HR3 5HA**

In accordance with the criteria for public speaking, Mr Lindsey spoke against the application and Mr. Morgan, the applicant, spoke in favour.

**RESOLVED: 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.**

Ref. 13  
**MADLEY**  
SW2003/1369/F

Erection of small wind turbine for generating electricity 2.5kw 8m. High mast, self-supporting at:

**1 BOYCE COTTAGES, SHENMORE, MADLEY, HEREFORDSHIRE HR2 9NY**

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

In accordance with the criteria for public speaking, Mrs. Perry spoke against the application.

The Sub-Committee considered details of the application and had reservations about the visual impact on the adjoining property and the visual impact on the landscape.

**RESOLVED: That:**

- 1. The Southern Area Planning Sub-Committee is minded to refuse the application because of the adverse impact on**



**the amenity of the neighbouring property and the adverse affect on the landscape (and subject to any further reasons for refusal felt to be necessary by the Head of Planning Services provided that the Head of Planning Services does not refer the application to the Planning Committee).**

- 2. If the Head of Planning Services does not refer the application to the Planning Committee Officers named in the Scheme of Delegation to Officers be instructed to refuse the application.**

**(Note**

Under the Council's referral procedure, the Southern Divisional Planning Officer decided not to refer the application to the Head of Planning Services.)



<b>ITEM FOR INFORMATION - APPEALS</b>
---------------------------------------

**APPEALS RECEIVED****Application No. SE2002/3573/F****Ayltor Barn, Phocle Green, Ross-On-Wye**

- The appeal was received on 14th July, 2003
- The appeal is made under Section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission
- The appeal is brought by Mr & Mrs Bowker
- The site is located at Ayltor Barn, Phocle Green, Ross-On-Wye, Herefordshire, HR9 7TW
- The development proposed is Erection of double garage with residential office over
- The appeal is to be heard by Written Representations

**Case Officer: Mrs Charlotte Atkins on 01432 260536****Application No. SW2003/0571/O****Little Cobhall, Allensmore, Hereford**

- The appeal was received on 18th July, 2003
- The appeal is made under Section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission
- The appeal is brought by Mrs A Hackley
- The site is located at Little Cobhall, Allensmore, Hereford, Herefordshire, HR2 9BG
- The development proposed is Site for dorma bungalow
- The appeal is to be heard by Hearing

**Case Officer: Mrs Angela Tyler on 01432 260372****Application No. SE2003/0668/F****Hill Bungalow, Symonds Yat, Ross-On-Wye**

- The appeal was received on 18th July, 2003
- The appeal is made under Section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission
- The appeal is brought by Mr E Heyes
- The site is located at Hill Bungalow, Symonds Yat, Ross-On-Wye, Herefordshire, HR9 6BN
- The development proposed is Two storey extension
- The appeal is to be heard by Hearing

**Case Officer: Mr Steven Holder on 01432 260479****APPEALS DETERMINED****Application No. SE2002/1210/O****Part O.S. No 7100, Pencoyd Court Farm, St. Owens Cross**

- The appeal was received on 9th December, 2002
- The appeal was made under Section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission

---

Further information on the subject of this report is available from the relevant Case Officer

- The appeal was brought by A J & C I Snell
- The site is located at Part O.S. No 7100, Pencoyd Court Farm, St. Owens Cross, Hereford, HR2 8JY
- The application, dated 17th April, 2003, was refused on 14th June, 2002
- The development proposed was Site for farm managers dwelling utilizing existing access. (Re-application of lapsed planning permission No. SH941612PO).
- The main issues are:
  - i. whether the agricultural arguments in support of the proposed dwelling are sufficient in this case to justify an exception to policies designed to protect the countryside, and
  - ii. the effect of the proposal on the character and appearance of the area

**Decision:** The appeal was **Dismissed** on 9th July, 2003

**Case Officer:** Mrs Charlotte Atkins on 01432-260536

**Application No. SW2002/3241/F**

**The Haven, Hardwick, Hay-on-Wye, Herefordshire**

- The appeal was received on 31st January, 2003
- The appeal was made under Section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission
- The appeal was brought by Sedgemoor College
- The site is located at The Haven, Hardwicke, Hay-on-Wye, Herefordshire, HR3 5TA
- The application, dated 28th October, 2002, was refused on 11th December, 2002
- The development proposed was Change of use from the current hotel (C1) use, to residential institution (C2) use
- The main issues in this case are:
  - i. Whether the location of the appeal site is suitable for a residential institution of kind proposed; and
  - ii. The effect of the proposal on the living conditions of the occupiers of nearby properties, with particular regard to the fear of crime and other antisocial behaviour.

**Decision:** The appeal was **Allowed** on 30th July, 2003

**Case Officer:** Mr Alan Poole on 01432-261782

**Costs Application No. SW2002/3241/F**

**The Haven, Hardwick, Hay-on-Wye, Herefordshire**

- The application is made under the Town and Country Planning Act 1990, sections 78, 320 and Schedule 6 and the Local Government Act 1972, section 250(5)
- The application is made by Sedgemoor College for a full award of cost against Herefordshire Council
- The inquiry was in connection with an appeal against the refusal of planning permission for the change of use from current hotel (C1) use to residential institution (C2) use

**Decision:** The appeal was **Allowed** on 30th July, 2003

**Case Officer:** Mr Alan Poole on 01432-261782

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

<b>SOUTHERN AREA PLANNING SUB-COMMITTEE</b> <b>13TH AUGUST, 2003</b>
---

### DEFERRED APPLICATIONS

REF NO.	APPLICANT	PROPOSAL AND SITE	APPLICATION NO.	PAGE NO.
A	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	00-00
B	Mr. & Mrs. B. Thompson	Two storey extension to rear and garage to side, Lea Croft, Archenfield Road, Ross-on-Wye	SE2003/1638/F	00-00
C	Mr. A. Clarke	Demolition of redundant Methodist Chapel and erection of a detached two storey dwelling, Old Methodist Chapel, Eaton Bishop	SW2003/1416/RM	00-00

### APPLICATIONS RECEIVED

REF NO.	APPLICANT	PROPOSAL AND SITE	APPLICATION NO.	PAGE NO.
1	Mr. & Mrs. Flemming	Ground floor extension, various alterations, Shark House Barn, Clehonger	SW2003/0761/F	00-00
2	Mr. A. Havard	Portal framed building to house livestock, Brooklands Farm, Orcop	SW2003/1477/F	00-00
3	Mr. P. M. Besant	Roof existing walls, erect conservatory and add a dormer and door to first floor with decking to raised garden, Bronte Cottage, Lea, Ross-on-Wye	SE2003/1785	00-00

4	Mr. B. & T. Morris	Erection of 4 residential dwellings, detached garages and associated access, land adjoining Hunsdon Manor Hotel, Weston-under-Penyard	SE2003/1777/F	<b>00-00</b>
5	Mr. D. Gurney	Construction of stables and new site access, field at Swinmoor Farm, Madley	SW2003/1450/F	<b>00-00</b>
6	Mr. A. Phillips	Extensions and alterations to provide loft conversion with dormer windows, garden store, entrance porch and oak framed carport and change of use of piece of land from agricultural to domestic use, The Oaks, Garway	SW2002/3506/F	<b>00-00</b>
7	Blasemere Ltd.	Installation of one diesel pump and use of site as café and fuel filling station, Marstow Filling Station, Pencraig, Ross-on-Wye	SE2003/1316/F	<b>00-00</b>

**SITE VISIT****A 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 The determination of this application was deferred at the meeting on 16th July 2003 so that a site visit could be undertaken which subsequently occurred on Monday 28th July 2003. The previous report to Committee is included as an Appendix.

**2. Representations**

Since the original report was written the applicant's agent has submitted an additional letter of support/explanation. The main points being:

- The lane is a public highway which will provide adequate access to the proposed dwelling.
- The Vintage Sports Car Club use the lane as part of their route for their annual March rally.
- The existing farm track is to be retained and will continue to act as a passing place.
- Neither the South Herefordshire District Local Plan nor Planning Policy Guidance No. 7 contains any test for redundancy as a requirement for the conversion of barns to dwellings.
- The barn is redundant for modern agricultural purposes, i.e. too small for machinery and unsuitable for livestock.
- The topographical features, general landscape and the existence of woodland contribute to the fact that the site is well hidden from view and does not impinge on the landscape.

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.

**3. Officers Appraisal**

- 3.1 The contents of the representations set out in section 2 have been fully considered and taken into account. However it is considered that the representations do not introduce any significant new information/details which would result in the previous recommendation to Committee being altered or amended in any way.

## SITE VISIT

### 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) )**



## SITE VISIT

**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,**

**SITE VISIT**

- (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: .....

.....

**Background Papers**

Internal departmental consultation replies.

**APPENDIX**

**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

## APPENDIX

### 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;

## APPENDIX

- 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, Sollers Hope, 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

## APPENDIX

- 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:**

**APPENDIX**

- 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 )**

## APPENDIX

**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**



**APPENDIX**

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: .....

.....

**Background Papers**

Internal departmental consultation replies.



**SITE VISIT**

**B 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**

1.1 The determination of this application was deferred at the meeting on 16th July 2003 so that a site visit could be undertaken which subsequently occurred on Monday 28th July 2003. The previous report to Committee is included as an Appendix.

**2. Representations**

2.1 Since the original report was written the Town Council comments have been received and are as follows:

“No objections in principle but concerns that the development is very close to the neighbouring property.”

**3. Officers Appraisal**

3.1 The contents of the representations set out in section 2 have been fully considered and taken into account. However it is considered that these representations do not introduce any new factors which would result in the previous recommendation to Committee being altered or amended in any way. It is also noted that the Head of Engineering and Transportation, Divisional Surveyor (South) has no objection to the proposal.

**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.**

## SITE VISIT

### INFORMATIVE NOTES

1 N03 – Adjoining property rights

2 N14 – Party Wall Act 1996

Decision: .....

Notes: .....

.....

### Background Papers

Internal departmental consultation replies

**APPENDIX****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**

- 1.1 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
-----------	--------------------------

## APPENDIX

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 14<sup>th</sup> 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

**APPENDIX**

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: .....

.....

**Background Papers**

Internal departmental consultation replies.





**DEFERRED APPLICATION****C SW2003/1416/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 This application was reported to Sub-Committee on 15th July, 2003, when Members resolved that it be deferred, as it was considered that the house was too large for the site and it should be moved, in particular, away from the northern boundary.
- 1.3 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.
- 1.4 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.
- 1.5 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.
- 1.6 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.
- 1.7 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

## DEFERRED APPLICATION

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.

- 1.8 The application has been revised from that presented to Sub-Committee in July. There are no longer any north or south facing windows at first floor level and above in the building. Also, the chimney in the living room has been removed, and the area on the northern gable re-sited further away from the boundary. The garage immediately adjoining the new building has been pulled 300mm away from the northern boundary shared with The Carpenters, also the building has been moved away from this boundary such that the narrowest points of the building are 900mm away from the boundary. The southern gable end of the dwelling has also been reduced by 350mm. This would leave the nearest point, the south-eastern corner being 1.25m away from the hedge and tree lined boundary shared with Orchard House.

### 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 Four 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

## DEFERRED APPLICATION

- 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
- surprised to see north wall of building moved further away
- had no objection to original siting as it added to our privacy
- no objection to gable end chimney, but concerned with rear flue now dispensed with
- if north facing bathroom window obscure glazed would withdraw objection.

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 has been revised such that it is further away from the boundary with The Carpenters. The nearest points are 900mm. This is notwithstanding that the residents of The Carpenters did not object to the original siting of the dwelling in relationship to their property. The applicant has also taken 350mm off the southern end of the main building, given the building has been re-positioned slightly southward. There is still a minimum gap of 1.25 metres. Members were concerned that the building was too cramped given the proximity of the dwelling, in particular to the northern boundary. It is considered that these concerns have been addressed by the revised plans submitted.

## DEFERRED APPLICATION

- 6.5 The chimney on the single-storey element has also been removed, which overcomes the possibility of increasing its height given the requirements of the Building Regulations.
- 6.6 Details of the foul drainage disposal were submitted just prior to the Sub-Committee meeting. The method and route is supported by the Environment Agency, Welsh Water and the Council's Housing Manager.
- 6.7 There will be no overlooking windows on north or south facing elevations of The Carpenters nor Orchard House and therefore the issues raised previously in the report to Sub-Committee have been fully addressed.
- 6.8 The access arrangements are considered acceptable. The Head of Engineering and Transportation raises no objection.
- 6.9 It is considered that the revised proposal overcomes the issues raised previously by Sub-Committee. This is a site that does taper when viewed from the highway and therefore only a very narrow dwelling would leave sufficient space for a clear view down both sides. The footprint of the main building is 1.6 metres longer than that of the existing chapel and 0.3 metres narrower. The proposal it is considered complies with the provisions of Policies GD.1, SH.8 and SH.14 contained in the South Herefordshire District Local 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. The foul drainage shall be taken from the site to a private sewage plant in accordance with the details submitted, prior to first occupation of the dwelling.**

**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.**

## DEFERRED APPLICATION

Decision: .....

Notes: .....

.....

### **Background Papers**

Internal departmental consultation replies.



**1 SW2003/0761/F - GROUND FLOOR EXTENSION,  
VARIOUS ALTERATIONS, SHARK HOUSE BARN,  
CLEHONGER, HEREFORD, HR2 9TE**

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

**Date Received: 10th March 2003    Ward: Stoney Street    Grid Ref: 4457 3746**

**Expiry Date: 5th May 2003**

Local Member:    Councillor D.C. Taylor

**1. Site Description and Proposal**

- 1.1 Shark House Barn is on the northern side of the B4349 road. It is between Shark House the former farmhouse immediately to the east and Twenty Acres, a smallholding just to the west. This side of the Class II road (B4349) is outside the defined settlement for Clehonger, the north-western boundary of which is on the opposite side of the B road.
- 1.2 The converted barn is an approximate 'L' shape, comprises red facing brick and horizontal boards above a stone plinth, under a slate roof.
- 1.3 It is proposed to extend out on the north-western side of the building, with the erection of a single-storey structure, boarded and slate roofed to match the main building. It is 4.3 metres wide, projects 6.6 metres out from the existing building and is 5.1 metres to the ridge. It is also proposed to introduce French windows onto the north-western elevation, together with two rooflights in the south-east elevation of the main barn, i.e. fronting onto the B4349 road.
- 1.4 This application was originally presented to Sub-Committee on 18th June, 2003. Members resolved that it be deferred pending receipt of further information regarding the status of Shark House Barn as a dwelling house.

**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.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 C.36         -            Re-use and Adaptation of Rural Buildings  
Policy C.37         -            Conversion of Rural Buildings to Rural Use  
Policy GD.1         -            General Development Criteria

### 3. Planning History

- 3.1 SH950537PF Conversion of existing barn to dwelling - Approved 21.06.95 with altered access

### 4. Consultation Summary

- 4.1 None applicable.

### 5. Representations

- 5.1 The applicant makes the following main points:

- 2 bedrooms on first floor used by our children. Our bedroom is on the ground floor, it is of an awkward size and is the smallest
- both my husband and I have parents who would like to stay, and use the downstairs bedroom, due to knee/hip problems
- possibility of one of our parents will need to stay with us in the future
- husband needs to work from home
- want to stay in area. Son at Kingstone, daughter is at Madley Primary School, where I also work part-time
- extension in keeping with property and not visible to other houses around

- 5.2 In a further letter received from the applicants' agents, the following main points are raised:

- see census return from 1881 for Shark House
- letter from Councillor D. Taylor outlining the history
- in letter (from Councillor D. Taylor) it is stated the old house was known as Shark House, the new house was built in 1899, and the name transferred to it
- old house then became an agricultural building, a stable, food store and milking parlour

- 5.3 Clehonger Parish Council has no objections.

- 5.4 Allensmore Parish Council has no objections.

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 are two main issues, the previous use of the building and the principle of an extension to a rural building that has been converted into a dwelling.

- 6.2 Planning permission was granted in 1995 for the conversion of the building into a dwelling. At that time the application described the then use of the building as a redundant barn although it was noted that there was a 'cottage section'. It would appear from the evidence available that in the late 19th century the property probably contained a cottage and an attached barn. However its use then changed to that of



agriculture. In these circumstances the use as a dwellinghouse would have ceased. This agricultural use appears to have continued until the permission in 1995. The situation where redundant cottages are used for agriculture is not unusual in the County. There is therefore no doubt that to (re) introduce a residential use would have required planning permission. In this case therefore the current application should be considered against the policies relating to the conversion of rural buildings and not those relating to extensions to existing houses.

- 6.3 The site is in the countryside where permission for new housing is not normally granted. An exception to this restriction can be in the case of the conversion of a rural building. The scheme that was permitted in 1995 complies with the relevant policies and practice for the conversion of buildings. It was considered that the scheme provided a reasonable level of accommodation and also retained the essential character of the structure. The approved plans showed the provision of a four-bedroom house. In accordance with usual practice the 1995 permission contained a condition which removed the rights for permitted development.
- 6.4 Local Plan Policies C.36 and C.37 establish the criteria against which the conversion of rural buildings are assessed. These state that any scheme needs to show that the building can provide reasonable accommodation without the need for extensions which are incompatible with the building. In addition the Supplementary Planning Guidance on this subject advises that any scheme will be considered to be finite.
- 6.5 In this case therefore the proposed extension is in principle contrary to these policies and will detract from the appearance of the converted structure. The stated personal circumstances are not considered so exceptional that an exception should be made to this policy context.

**RECOMMENDATION**

**That planning permission be refused for the following reason:**

- 1. The proposed extension would detract from the original character of this traditional rural building and therefore the proposal is contrary to the provisions of Policies C.36, C.37 and GD.1 of the South Herefordshire District Local Plan, together with Supplementary Planning Guidance for the conversion of rural buildings.**

Decision: .....

Notes: .....

.....

**Background Papers**

Internal departmental consultation replies.



## **2 SW2003/1477/F - PORTAL FRAMED BUILDING TO HOUSE LIVESTOCK, BROOKLANDS FARM, ORCOP, HEREFORD, HR2 8ET**

**For: Mr A Havard per Collins Engineering Limited.  
Unit 5, Westwood Industrial Estate, Pontrilas, Hereford,  
HR2 0EL**

**Date Received: 16th May 2003      Ward: Pontrilas      Grid Ref: 4653 2645**

**Expiry Date: 11th July, 2003**

Local Member:    Councillor G.W. Davis

### **1. Site Description and Proposal**

1.1 The application site is on the northern side of the Class III road (C1234) that links Pontrilas to the west with the A466 road to the east.

1.2 It is proposed to erect a livestock building partly on the site of one approved in 1999 but not implemented. This building is to the south-west of the main complex of buildings at Brooklands Farm. The building will be 6 metres to the ridge, 15 metres wide and 50.3 metres long. This compares to the building approved in 1999, that was 22.8 metres long, 13.7 metres wide and 5.9 metres to the ridge. The roof and box profile sheeted gable ends will be coloured slate blue.

### **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        -            Areas of Great Landscape Value  
Policy CTC.9        -            Development Requirements  
Policy A.3            -            Agricultural Buildings

#### **2.3 South Herefordshire District Local Plan**

Policy GD.1         -            General Development Criteria  
Policy C.8            -            Area of Great Landscape Value  
Policy ED.9         -            New Agricultural Buildings

### **3. Planning History**

3.1 SH950008PF      Steel portal frame silage clamp            -            Approved 24.02.95

SW1999/2204/F      Building to house livestock during        -            Approved 27.09.99  
winter months

#### **4. Consultation Summary**

- 4.1 The Environment Agency has no objections but raises issues of water pollution and has advised the applicant accordingly.

#### **5. Representations**

- 5.1 The Parish Council has no objection.
- 5.2 Two letters of representation have been received from:

Mrs. C. Moyle, The Grange, Orcop, HR2 8ET  
Mr. T. M. Vessey, Brooklands House, Orcop, HR2 8ET

The following main points are raised:

- spoil appearance of one of the loveliest valleys in South Herefordshire. Close to the road
- more traffic, using narrow road, limited visibility
- already very noisy farm. More livestock in man-made structure will mean more noise
- large poultry shed erected 5 years ago, ill managed as neighbouring property suffered an infestation of flies for several weeks (Council's Environmental Health Department called in)
- need more vigorous checks
- refer to previous comments relating to surface water treatment.

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 determining issues are considered to be the impact of the building in the landscape, traffic generation, environmental effects and surface water treatment.
- 6.2 The building will have an impact in the landscape, however this will be ameliorated by its siting in relationship to existing farm buildings to the north-east. There are not many alternative sites as there is a free range poultry unit to the north-west that is sited in a natural fold in the land.
- 6.3 It is not considered that the siting of what will be a building for over-wintering livestock would generate traffic that the C1234 road could not manage in its present form. The Head of Transportation and Engineering does not object to the erection of the building which supports this contention.
- 6.4 With regard to the environmental impact it is understood that the building would be used for the over-wintering of livestock. As such it is not considered to be in the conventional sense an intensive livestock unit. The advice from the Head of Environmental Health and Trading Standards is that he does not object although he draws attention to DEFRA guidance on siting of the dwellings from livestock units. The guidance refers in particular to intensive buildings, i.e. poultry units, buildings housing

animals all year round. The proposed building would be used in the winter months when residents in the locality would be likely to be using their gardens less than in the summer. The nearest property, Brooklands House, have always been more concerned with waste blocking a gully that runs down the driveway to Brooklands Farm, continues under the Class III road and then on part of the eastern side of Brooklands Farm. The applicants have been made aware of the concerns of the occupants of Brooklands House previously, and in the event that this application was supported a condition would be attached controlling solid waste emanation from the site. It should also be noted that the Environment Agency do not raise objections, but have written to the applicants in respect of the control of wash-waters, manures and stable waste.

- 6.5 It is considered that the building will not materially detract from this part of the Area of Great Landscape Value, and is therefore in accordance with the provisions of Policies C.8 and GD.1 contained in the South Herefordshire District Local Plan.
- 6.6 The environmental consequences have been assessed and it is considered that the application satisfies the criteria for new agricultural buildings contained in Policies ED.9 and GD.1.

**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. **Surface water drainage from the proposal site shall be constructed such that it drains down existing channels/gulleys alongside the driveway to Brooklands Farm and does not contain solid material.**

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

Decision: .....

Notes: .....

.....

**Background Papers**

Internal departmental consultation replies.



**3 SE2003/1785/F - ROOF EXISTING WALLS, ERECT CONSERVATORY & ADD A DORMER AND DOOR TO FIRST FLOOR WITH DECKING TO RAISED GARDEN AT BRONTE COTTAGE, LEA, ROSS-ON-WYE, HEREFORDSHIRE, HR9 7JZ**

**For: Mr P.M. Besant, Bronte Cottage, Lea, Ross-on-Wye, Herefordshire, HR9 7JZ**

**Date Received: 13th June 2003**

**Ward: Penyard**

**Grid Ref: 6615 2183**

**Expiry Date: 8th August 2003**

Local Member: Councillor H. Bramer

**1. Site Description and Proposal**

1.1 Bronte Cottage is a semi-detached property on the north-east side of Rock Lane in the village of Lea. Adjoining the property to the south-east is the access road to Green Acres, a bungalow, with the car park of the Crown Inn beyond that; to the north-east is permanent pasture and on the opposite side of Rock Lane an old orchard with planning permission for development as a car park. The rear garden rises steeply to the north-east.

1.2 Planning permission was granted in 1987 for various extensions to the property. These have been implemented in part but not completed. The current proposal is partly a revision of the earlier scheme. At first floor level at the rear of the house doors would be inserted with a 'dormer'-type roof. This would lead on to a short walkway over the ground floor lobby and out to the garden. The walkway - safety rails would be of timber construction. In addition a conservatory would be formed at the rear of the cottage, infilling the rear house wall and the retaining wall in the garden and along the south-eastern boundary wall.

**2. Policies**

**2.1 Hereford and Worcester County Structure Plan**

Policy H20                      Housing in Rural Areas

**2.2 South Herefordshire District Local Plan**

Policy SH23                      Extensions to Dwellings  
Policy Policy GD1              General Development Criteria

**2.3 Unitary Development Plan – Deposit Draft**

Policy H18                      Alterations and Extensions

**3. Planning History**

3.1 SH871183PF    Alterations                      Permitted 8.10.87

#### **4. Consultation Summary**

No representations have been received.

#### **5. Representations**

5.1 The applicant points out the following:

- A summer house at the top of the garden, which is elevated and surrounded by trees including large conifers so that no interlocking winter or summer with Green Acres.
- Proposed door would be more practical for access to garden by elderly relatives and young daughter, to keep an eye on her safety and to enjoy and view garden more easily.
- Dormer over door as this is what is over doors at front of house so more in keeping with its character.
- Photograph illustrating point i) was submitted.

5.2 Parish Council supports this application.

5.3 Two letters have been received, from Greenacres Bungalow and Greenacres Stables, objecting to the proposals. The following reasons are given:

- High level aspect development would not be in keeping with the other houses in the surrounding area.
- Would be seen on a higher elevation and would not be pleasant to look at.
- Overlook adjoining properties.

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 cottage has been much altered. Although not of ideal design the extension and conservatory would not be conspicuous from public viewpoints because of the highway boundary wall and rise in ground level. It is not considered therefore that the design limitations of these modest schemes are sufficient to justify refusing planning permission.

6.2 With regard to overlooking there is an adequate distance between the proposed door/walkway and the objectors' land and house to protect residential amenities. There is also existing planting which provides some screening. The door/walkway does overlook the other semi-detached property but because of the relationship of the two houses and buildings within the garden of the latter this would not seriously harm the privacy of occupiers of Orchard Lea.



**RECOMMENDATION**

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

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

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

- 2. B01 – Samples of external materials**

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

Decision: .....

Notes: .....

.....

**Background Papers**

Internal departmental consultation replies.



**4 SE2003/1777/F - ERECTION OF 4 RESIDENTIAL DWELLINGS, DETACHED GARAGES AND ASSOCIATED ACCESS. LAND ADJOINING HUNSDON MANOR HOTEL, WESTON-UNDER-PENYARD, ROSS-ON-WYE.**

**For: Mr B & T Morris per RPS Group Plc, Harbourside House, 4-5 The Grove, Bristol, BS1 4QZ**

**Date Received: 13th June 2003      Ward: Penyard      Grid Ref: 6346 2339**

**Expiry Date: 8th August 2003**

Local Member: Councillor H. Bramer

**1. Site Description and Proposal**

- 1.1 This site of about 0.4 ha lies immediately to the north-east of the Hunsdon Manor complex of buildings and on the south-east side of Rectory Lane. It is rectangular in shape with an added section extending along Rectory Lane to the existing field access. Part of the site was formerly a railway cutting which has been filled.
- 1.2 Planning permission (SE2001/2296/F) has been granted for two houses on this site. This application is for the erection of 4 houses, using the same access off Rectory Lane. The detached houses would be individually designed, 4 bedroom (one 4/5 bedrooms) dwellings. Three would be two-storeyed; the fourth would have a third floor within the roof space lit by dormer windows. They would be of brick construction with a slate (or similar) roof. Three of the houses would be sited towards the boundary with Hunsdon Manor, with the remaining house close to the north-eastern corner of the site. Existing mature trees would be retained and a detailed landscaping scheme is included.

**2. Policies**

**2.1 Department of the Environment**

PPG3	Housing
PPG.7	The Countryside: Environmental Quality and Economic & Social Development

**2.2 Hereford and Worcester County Structure Plan**

Policy H16A	Housing in Rural Areas
Policy H18	Housing in Rural Areas

**2.3 South Herefordshire District Local Plan**

Policy GD1	General Development Criteria
Policy SH8	Housing in Larger Settlements
Policy SH14	Siting and Design of Buildings
Policy SH15	Criteria for new housing schemes
Policy T1A	Environmental sustainability and transport
Policy T3	Highway Safety

### 3. Planning History

- |     |               |  |   |                   |
|-----|---------------|--|---|-------------------|
| 3.1 | SE2001/0663/F | Erection of two detached houses                                      | - | Refused 22.05.01  |
|     | SE2001/2296/F | Erection of two detached houses.                                     | - | Permitted 22.2.02 |
|     | SE2002/3159/F | Erection of two dwellings with private driveway and detached garages | - | Withdrawn 6.06.03 |

### 4. Consultation Summary

- 4.1 Highways Agency does not object to the proposals.
- 4.2 Environment Agency submits a holding objection pending the receipt of further information regarding the feasibility of mains drainage. The Agency points out that the site is located on Brownstone Formation, classified as a Minor aquifer with High vulnerability, important for local supplies and maintaining river baseflows. In addition a condition is recommended requiring investigation for contamination of soil and groundwater and a remediation strategy.

### 5. Representations

The applicants' agent makes, in summary, the following submission:

- This revised application follows extensive discussions with planning and landscape officers who requested that siting, design and layout be re-considered together with existing and proposed landscaping of the site.
  - The proposals have been assessed against current and emerging policies.
  - The principle of residential development has been established by virtue of the existing planning consent for two dwellings but it also accords with planning policy.
  - Both adopted and emerging plans support development in larger villages such as Weston under Penyard providing criteria are met. This site is brownfield land and therefore a favourable location.
  - PPG3 emphasises re-use of previously developed land and encourages higher densities – current proposal is about 9.5 dwellings per hectare and layout avoids cramming or over-development.
  - The proposed dwellings respect the distinctive character of the locality : red brick dwellings with design features e.g. barge boards and gable ends like those on Hunsdon Manor, steeply pitched roofs and appropriate windows and stone detailing.
  - The access is as previously permitted and the drive would be 4 metres wide.
  - A tree survey has been undertaken and a landscape plan prepared to show how the proposals can effectively integrate into the natural environment with localised planting of indigenous species.
- 5.2 In addition a Tree Assessment has been submitted.
- 5.3 Weston under Penyard Parish Council unanimously opposed this application of the grounds that the site is too small to accommodate four houses, and the house style plans do not suit the rural aspect of the surrounding countryside.
- 5.4 One letter of objection has been received from The Old Rectory, Weston under Penyard. In summary the following grounds are cited:
- At present the site provides an attractive entry to the village from the north down Rectory Lane which I was assured by your office would never be developed when I

enquired in 1975. It is a narrow lane, used by children walking to school, closed to large vehicles and unsuitable for increased traffic.

- From the northeast, Hunsdon Manor appears in established trees and makes a natural corner to the village, set in the adjoining farmland. Four modern houses in front of it would destroy this unity.
- Although this piece of land is included in the envelope, I wonder if this was intended as it lies outside the natural line of existing buildings.
- At a village meeting in August 2000 one suggestion made was that future building should be contained inside the site of the old railway line so that houses would not be placed on the line itself, rising above the village. Instead the old railway line could be used for tree planting to enclose the village.
- The proposed access is through a farm gateway well outside the village envelope which was extensively widened without a planning application. It leads into a large field running north of the site of the old railway and, if access were granted, pressure could rise for wholesale development of this pretty village, turning it into suburbia.
- The fact that the application has been raised from two houses to four houses adds weight to the fear expressed in the above paragraph, that this is the thin end of the wedge.

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 site is within the defined settlement boundary for Weston under Penyard in the adopted Local Plan. Planning permission has been granted for two houses. The principle of residential development on this site has therefore been established and accords with statutory policies. The views expressed that this site should not be within the settlement boundary as Hunsdon Manor forms the natural limit, are appreciated. Nevertheless the site is clearly identified as suitable for development in the adopted Local Plan and permission should not now be refused on these grounds.
- 6.2 The approved scheme however only occupies the southern half of the site, leaving further land available for development. The house proposed for the south-west corner of the site would not be conspicuous when viewed along Rectory Lane being at a lower level with stone walls, bridge parapet and trees providing additional screening. The other house would however be clearly visible. Given the openness of the site it would not be possible to 'hide' the development.
- 6.3 The current scheme seeks to develop the site fully, reflecting local architectural styles, site the houses as discreetly as practicable and retain existing mature trees. This has constrained the development and the plots are therefore smaller than would otherwise be the case with nearly half of the site left open (access drives and landscaped areas). The plots would be comparable with new properties at Hunsdon Manor. In design they are considered to be more interesting than the permitted houses. The houses are not unusually large for 4-bedroom properties, though the roofs would be steeper than normal to respect to the adjoining manor house. The proposed planting would in time

supplement existing trees and soften views from the north. In these circumstances it is considered that this proposal is not an over-development of the site, bearing in mind the encouragement in PPG3 to use housing land efficiently.

- 6.4 Weston under Penyard is one of the larger villages in this part of Herefordshire with some local facilities (school, church and public house) and is served by a frequent bus linking to Ross and Gloucester. Development would therefore be sustainable.
- 6.5 There is a mains drainage in the village but it would be necessary to requisition a sewer. The feasibility of this is being investigated. If not practicable the Environment Agency would consider the proposed sewage treatment plant.

## **RECOMMENDATION**

**That subject to the Environment Agency withdrawing its objection to the foul drainage arrangements the officers named in the Scheme of Delegation to Officers be authorised to approve the application subject to the following conditions and any further conditions considered necessary by officers:**

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

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

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

- 4 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.**

- 5 F20 (Scheme of surface water drainage )**

**Reason: To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal.**

- 6 F44 (Investigation of contaminated land )**

**Reason: To ensure that potential contamination of the site is satisfactorily assessed.**

- 7 F45 (Contents of scheme to deal with contaminated land )**

**Reason: To ensure that potential contamination is removed or contained to the satisfaction of the local planning authority.**

- 8 F46 (Implementation of measures to deal with contaminated land )**

**Reason: To ensure contamination of the site is removed or contained.**

**9 H06 (Vehicular access construction )**

**Reason: In the interests of highway safety.**

**10 H12 (Parking and turning - single house )**

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

**11 H27 (Parking for site operatives )**

**Reason: To prevent indiscriminate parking in the interests of highway safety.**

Decision: .....

Notes: .....

.....

**Background Papers**

Internal departmental consultation replies.





**5 SW2003/1450/F - CONSTRUCTION OF STABLES AND NEW SITE ACCESS, FIELD AT SWINMOOR FARM, MADLEY, HEREFORDSHIRE****For: Mr D Gurney, 17 The Hollies, Clehonger, Hereford, HR2 9SP****Date Received: 14th May 2003      Ward: Stoney Street      Grid Ref: 4260 4019****Expiry Date: 9th July 2003**

Local Member:    Councillor D.C. Taylor

**1. Site Description and Proposal**

- 1.1 The proposal site is on the north-eastern side of the unclassified road (u/c 73208), approximately 140 metres north-west of the junction of this unclassified road with the C1196 road that leads southward towards the crossroads at Madley. Swinmoor Poultry Farm is adjacent to the north-west. Cherry Tree Bungalow is between 40 to 49 metres north of the proposed stable block building. This bungalow is at the Swinmoor Poultry Farm, and has an aspect across the site.
- 1.2 There is an existing field gate access adjoining the boundary of the field in which it is proposed to erect the stable block building and the boundary shared with Swinmoor Poultry Farm. It is proposed to create a new entrance further south-eastward some 55 metres from the boundary of the field. A stable block will be sited 7 metres to the north-west of the centre line of the 10 metres wide access point. The stable block building will be 4.3 metres wide, 14.8 metres long, 2.6 metres high at the eaves facing Cherry Tree Bungalow, rising to 3.3 metres on the south-eastern elevation. This building comprises 3 stables, 3.7 metres wide and a tack room of the same width. The sides will be shiplap boarded under a mono-pitch box profile sheeted roof.
- 1.3 The roadside boundary of the field in which the stable block is proposed to be sited comprises unbroken hedgerow excepting the existing gateway that adjoins the western boundary of the field. The land inclines away from the hedgerow such that even any building erected in the field would be higher than the existing hedgerow.

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

Policy CTC.9    -    Development Requirements

**2.2 South Herefordshire District Local Plan**

Policy GD.1    -    General Development Requirements

**3. Planning History**

- 3.1 None identified relating to the site.

#### **4. Consultation Summary**

4.1 No representations have been received.

#### **5. Representations**

5.1 Madley Parish Council has no objections.

5.2 Eaton Bishop Parish Council has no objections,

5.3 Two letters of representation have been received from:

Mr. & Mrs. Hall, Cherry Tree Bungalow, Swinmoor Poultry Farm, Swinmoor,  
Canon Bridge, Madley, HR2 9JD  
D. H. & E. E. Williams, Lower Tynewydd, Clytha, Raglan, Mon. NP15 2BQ

The following main points were raised:

- bungalow not identified on plans
- land higher than that for bungalow, in which we have 3 large windows, causing serious loss of privacy
- stable block is excessively high and large
- no front or back detailed
- no designated waste site identified
- old entrance used no more than 8 times a year, new entrance worse, will be used more
- entrance just past bad corner; husband has already pulled out 2 cars out of hedge - cars are meeting round the corner
- no objections in principle but siting needs to be less intrusively positioned.

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 are considered to be 3 main issues and these relate to the means of access, the siting, and disposal of waste.

6.2 It is considered that a safer access can be provided into the field to serve the development. This would improve visibility and forward visibility for other road users. The Head of Engineering and Transportation had initially objected to the siting of the new entrance to serve the proposed development, however following further investigations, the recommendation has changed to one of support subject to the imposition of conditions.

6.3 The building is not considered to be excessively high, it is no higher than 3.3 metres to the ridge at its highest point, reducing to 2.6 metres high on the rear elevation. The rear or west elevation will face Cherry Tree Bungalow some 40 to 46 metres away, this will afford some screening. The building will need to be cut into the site, which has been confirmed by the applicant. It is on marginally higher land than the bungalow, however, given the type of use entailed with the erection of the building it is considered that it would not be detrimental to the amenity of nearby

residents. It is also not considered that the erection of the stable block/tack room building would materially result in a loss of privacy.

- 6.4 It is considered that the building uses sympathetic materials, the colour of the roof sheeting will be controlled by planning condition.
- 6.5 The waste area should not be between the building and Cherry Tree Bungalow, again this could be reasonably controlled by planning condition.
- 6.6 It is considered that there are no reasonable grounds for withholding planning permission subject to conditions. The proposal is on an elevated site, however it does not materially detract from the wider countryside given the scale and siting of the building.

**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. **E27 (Personal condition )**  
Reason: The nature of the development is such that it is only considered acceptable in this location having regard to the applicant's special circumstances.
- 5. **E11 (Private use of stables only )**  
Reason: In order to safeguard the residential amenity of the area.
- 6. **F30 (Restriction on storage of organic wastes)**  
Reason: To safeguard residential amenity.

Decision: .....

Notes: .....

.....

**Background Papers**

Internal departmental consultation replies.



**6 SW2002/3506/F - EXTENSIONS AND ALTERATIONS TO PROVIDE LOFT CONVERSION WITH DORMER WINDOWS, GARDEN STORE, ENTRANCE PORCH AND OAK FRAMED CARPORT AND CHANGE OF USE OF PIECE OF LAND FROM AGRICULTURAL TO DOMESTIC USE, THE OAKS, GARWAY, HEREFORDSHIRE, HR2 8RQ**

**For: Mr A Phillips, The Oaks, Garway, Hereford**

**Date Received: 21st November 2002**

**Ward: Pontrilas**

**Grid Ref: 4629 2276**

**Expiry Date: 16th January 2003**

Local Member: Councillor G.W. Davis

**1. Site Description and Proposal**

- 1.1 The application site is on the northern side of the Class III road (C1239) that constitutes the main thoroughfare through the settlement of Garway Common.
- 1.2 The Oaks is a detached red brick faced house, one of a pair of houses built in 1995 that are between Stanley Cottages, a terrace of 4 dwellings to the east and Fairbanks, a detached bungalow to the west, but separated from The Oaks by a 6/7 metres wide agricultural access.
- 1.3 The Oaks and Willow House are more elevated in the landscape than the bungalows to the west and further still the primary school.
- 1.4 The application is mostly a retrospective one, for works already carried out and partly for proposed works. The works carried out include a car port that is aligned north to south and is forward of the existing garage. This building projects 6 metres out, under a hipped roof that is supported by oak posts under a clay tile roof matching the main roof. The new extension projects a further 2.6 metres northward, almost in line with the rear wall of The Oaks. There is an external staircase on the western side of the car port and gable end of the existing garage into a first floor area above the existing garage and over the car port and garden store.
- 1.5 The rear garden has also been extended from that approved in 1995, by a further 7 metres. The northern boundary has a hedgerow running along it.
- 1.6 The new elements are a porch that will project 0.4 metres out from the existing porch. It is 2.4 metres wide and has a gable fronted appearance. Also two dormer windows are proposed in the south elevation facing the highway.

**2. Policies**

**2.1 Hereford and Worcester County Structure Plan**

Policy CTC.2	-	Area of Great Landscape Value
Policy CTC.9	-	Development Criteria
Policy H.20	-	Housing in Rural Areas

## 2.2 South Herefordshire District Local Plan

Policy GD.1	-	General Development Criteria
Policy C.8	-	Area of Great Landscape Value
Policy SH.23	-	Extensions to Dwellings

## 3. Planning History

3.1	SH890027PF	Two four-bedroomed houses with detached double garages	-	Approved 15.02.89
	SH950194PF	Two four bedroomed houses with detached double garages	-	Approved 28.03.95

## 4. Consultation Summary

4.1 No statutory or non-statutory consultations required.

## 5. Representations

5.1 Garway Parish Council make the following observations:

"The Council support the application, however are aware of local comment on the fact that it extends the building line which may set a precedent for future development within Garway."

5.2 Two letters of representation have been received from:

Mr. S. G. J. Lawrence, Willow Tree House, Garway, HR2 8RQ  
Mr. C. Phillips, Fairbanks, Garway, HR2 8RQ

The following main points are raised:

- intrusive of forward building line
- sets precedent
- already double garage/car port, makes these redundant
- materials used not sympathetic
- merely area for employees and sub-contractors
- completed extension used as a workshop
- front and rear of property used to park and store heavy industrial vehicles
- shared driveway not designed to take heavy vehicles, also conflict with our children using it also
- hole in hedge to rear; used as a secondary access
- building does not impinge on our property, it does block westerly view
- if granted, should be conditional for domestic purposes 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 The issues relating to this application are primarily concerned with the fact that works have taken place, the precedent it may establish for building beyond the building line, impingement of view, use of materials, uses carried out on the site and relevant use of the access.
- 6.2 The local planning authority has to determine the application on its merits whether or not works have been carried out already. It is not considered that such development establishes a precedent, as each site is different and works undertaken in such circumstances without first obtaining planning permission are done so at the risk of the applicant.
- 6.3 It is considered that the materials used are sympathetic, these include boarding, clay tiles and oak posts. The ridge height of the car port/garden store is lower than that of the existing garage. The building does not impinge to a detrimental degree in the landscape, notwithstanding that The Oaks is on higher ground than the bungalow to the west of it and dwelling houses on the opposite side of the Class III road. The new extension does not dominate The Oaks to a detrimental degree.
- 6.4 The loft area above the garage and car port is a domestic loft space having no window openings and limited headroom.
- 6.5 The extension to the garden area has been carried out sympathetically. It does not extend beyond that of the more recently built bungalow between The Oaks and the primary school. It does not result in an unacceptable loss of agricultural land.
- 6.6 The new porch provides more of a feature than an additional floor area given the floor area is 400mm by 2.4 metres. The dormer windows give the dwelling a different appearance from the original dwelling, however the size and proportion of the dormer windows are complimentary to The Oaks.
- 6.7 It is considered that the proposal is one that can be supported subject to a condition restricting the car port and garden store buildings to ancillary domestic use.

**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.**

Decision: .....

Notes: .....

**Background Papers**

Internal departmental consultation replies.





**7 SE2003/1316/F - INSTALLATION OF ONE DIESEL PUMP AND USE OF SITE AS CAFE AND FUEL FILLING STATION. MARSTOW FILLING STATION, PENCRAIG, ROSS-ON-WYE, HEREFORDSHIRE, HR9 6HR**

**For: Blasemere Ltd, Symonds Yat Services, A40 Whitchurch, Ross-on-Wye, Herefordshire, HR9 6DP**

**Date Received: 1st May 2003**

**Ward: Llangarron**

**Grid Ref: 5641 2092**

**Expiry Date: 26th June 2003**

Local Member: Councillor Mrs J.A. Hyde

## **1. Site Description and Proposal**

1.1 The site subject to this application relates to 'Marstow Services', which is situated between the A40 trunk road and the River Wye at Pencraig. The site lies within open countryside, as defined in the Local Plan and the designated Wye Valley Area of Outstanding Natural Beauty and Area of Great Landscape Value.

1.2 Planning permission is sought for the installation of one diesel pump and the mixed use of the site as a café and fuel filling station. At present the site is used as a café with associated parking. The current use was granted on 3rd April 2002 for a temporary two-year period. The temporary permission expires on 3rd April 2004 and unless another permission is granted prior to that date, the use of the site would revert back to the former use, namely petrol filling station and café.

## **2. Policies**

### **2.1 Department of Environment**

PPG.1	General Principles
PPG.7	The Countryside: Environmental Quality and Economic and Social Development

### **2.2 Hereford and Worcester County Structure Plan**

Policy CTC1	Development in Areas of Outstanding Natural Beauty
Policy CTC2	Development in Areas of Great Landscape Value
Policy CTC9	Development Criteria
Policy S10	Development of Petrol Stations and the Sale of Agricultural Produce

### **2.3 South Herefordshire District Local Plan**

Policy GD1	General Development Criteria
Policy C1	Development within Open Countryside
Policy C5	Development within Areas of Outstanding Natural Beauty
Policy C8	Development within Areas of Great Landscape Value
Policy ED4	Safeguarding Existing Employment Premises
Policy T3	Highway Safety Requirements

### 3. Planning History

3.1	SH89/0014PF	Redevelopment of filling station	Approved 01.03.89
	SH891978PF	Amendment to SH890014PF	Approved 02.01.90
	SH901478PF	Redevelopment of existing petrol station	Not determined 03.07.98
	SH910828PF	Redevelopment of forecourt to provide new sales area, kiosk and restaurant	Refused 11.09.91
	SH911525PF	Alteration to Ingress & Egress	Approved 01.04.92
	SH920172PF	General Forecourt arrangements	Approved 16.06.92
	SS990217PF	External changes to elevations, additional windows and reduction of screen wall.	Approved 17.08.99
	SS99/0388/EZ	(Certificate of Lawfulness of existing use) Self-contained flat.	Refused 28.10.1999.
	SE2002/0326/F	Change of use from petrol filling station and café to the use of the whole site as a café for a temporary period of two years	Approved 3.04.2002
	SE2003/0238/F	Removal of condition 2 of SE2002/0326/F	Refused 17.03.2003
	SE2003/1457/A	Internally illuminated pole sign on existing garage pole sign	Granted 14.7.2003

### 4. Consultation Summary

4.1 The Highways Agency - No objections

### 5. Representations

5.1 Marstow Parish Council object to re-instatement as a garage whilst it is running as a café.

5.2 Four letters of objection has been received from the owner/occupier of Hightree House, Mr T Heselton of Lansdowne, Adrian Drabble of Rogarth and Liz and Malcolm Dobson of Penkraig Court Country House Hotel, Penkraig, Ross-on-Wye.

The main issues raised are:

- Forecourt is not marked out for parking, vehicles normally fill the site during café opening hours so any increase in traffic would create a serious road hazard.
- The site was changed from a garage to a café and all but one of the conditions were carried out and not enforced.
- No site visit was made on the capping of the storage tanks by the Explosives Officer.
- Myself (Adrian Drabble) and villagers had a meeting recently with West Mercia Traffic Division who acknowledged there is a serious road danger, evidence to support this can be supplied.
- Problems on the site have been going on for more than 10 years, with documentation to back this fact already supplied on previous applications, but not put to any sub-committee members.
- Safety is most important issue along with environmental issues.
- Café is not in best position, on the brow of a hill on a fast road. Sometimes too many lorries for the site, resulting in them being half on the site and half on the A40. There has already been so many near accidents.
- Matter of time before there is a serious accident.

- Noise from more vehicles stopping at the site would be far greater, it is bad enough already.
- Lorries park illegally outside my house, I foresee the proposal making this more likely. There is no need for a diesel pump on the site, as there are other filling stations before and after the site.
- Exit from our hotel is across the 'forecourt' of the site and our guests regularly experience difficulty in exiting onto the A40 due to large lorries parked randomly on the site. Change of use proposed would dramatically increase the problem.
- Due to siting of pump it would result in queues forming across the forecourt in addition to the vehicles whose owners are in the diner.
- Lorries would have to reverse away from the pump in order to rejoin the A40, resulting in extra congestion and danger to ourselves and our guests.
- Concerned about diesel spillage and fumes pervading our hotel and grounds.
- No restriction on opening hours for the sale of fuel - potential noise and fumes problem for our overnight guests.
- Present state of the forecourt detracts from our hotel.

5.3 Two letters clarifying the details of the proposal have been received from the applicants. The main points are:

- Site is subject to a temporary permission and then will return to the previous use. Would have liked to run the full two years, but were unaware of the restrictions that apply regarding underground tanks following the closure of the garage and removal of the pumps.
- Unless a pump is reinstated the tanks must be removed (as advised by the Petroleum Officer).
- The pump would be sited on the exact spot previously occupied by pump.
- It is not our intention for the pump to be used by HGV's, and the siting chosen would only be suitable for smaller vehicles.
- The site has now been white lined - the highways department must be pleased with the much reduced volume of HGV's using the site.
- The average length of stay for any one vehicle is between 10 minutes to a maximum of 30 minutes.
- Only on very few occasions has the car park been full.
- Internal layout of the building would remain the same with a small counter for fuel dispense being installed in the position previously occupied by the fuel desk. The facilities necessary to operate the diesel pump would be minimal and we do not anticipate it requiring any additional staff.
- There has been a very busy garage on the site for many years. When we purchased the site it was open 24 hours a day and was mainly used by HGV's. We have done our best to work with local people and have reduced the business to such a point where if we do not take action it will cease to be viable.
- We will fully co-operate with the Council and any other interested parties and take on board any suggestions to enable the transition to happen smoothly and with minimum impact on the surrounding area.

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 effect of the change of use, including the provision of one diesel pump, on the character and

- appearance of the area, the impact on highway safety and effect on the neighbouring dwellings.
- 6.2 In the consideration of the application it should be taken into account that the site has previously been used as a petrol filling station and that when the temporary permission expires in April 2004 the use of the site would lawfully revert back to a filling station with ancillary café. This proposal is for a mixed use of the site, but with the café being the more dominant use with ancillary fuel sales, specifically one diesel pump. If additional pumps were sought planning permission would be required.
- 6.3 The character and appearance of the surrounding area is essentially rural. The site comprises a two-storey building and roughly surfaced hardstanding for parking. The wall adjacent to the A40 has recently being rebuilt and white lines have now been painted within the site directing traffic through and where to park. Previously petrol pumps and a large canopy, typical of petrol filling stations, occupied the site. In respect of the effect of the proposed change of use on the surrounding area it is considered that in comparison with the existing authorised use, namely a café with associated car parking and indeed the previous use as a petrol filling station it would not adversely effect the character of the area, noted for its landscape quality. In itself the provision of a single pump set back some 13 metres from the A40 and read in conjunction with an existing fence, mature conifer hedge and the two-storey building would not be prominent in the wider landscape. In light of this context it is considered that the provision of a fuel pump of the siting proposed would only have a minimal impact on the landscape and the change of use would not have an adverse impact on the landscape. Therefore the proposal would accord with the requirements of policies CTC1 of the Structure Plan and C5 of the Local Plan.
- 6.4 The concerns raised by the neighbours are noted. The authorised use and resulting traffic movements generated are material considerations in the determination of the application and therefore the application should be assessed on this basis. If permission is not granted the authorised use as a filling station with ancillary café could resume and therefore the existing traffic situation would not cease. The provision of white lines within the site directing traffic is considered to improve the flow and movement of traffic and reduce the likelihood of indiscriminate parking. As a result the adjoining neighbours and guests of the hotel should be able to exit the site more easily. Only one pump is proposed and due to its proposed siting would only be likely to be used by small vehicles and not heavy goods vehicles. On this basis it is considered that the provision of one pump would not result in vehicles backing up on the A40. In terms of highway safety the Highways Agency has raised no objections. Planning application SE2002/0326/F was reported to the Sub-Committee in April 2002. The letters of representation were summarised in the officer's report and the full text of these letters together with supporting documents were available for inspection.
- 6.5 With regards potential fuel spillage and fumes from the site these issues would be controlled by environmental health legislation. Furthermore as stated previously the use of the site as a filling station would be lawful on the cessation of the temporary permission. The Petroleum and Explosives Officer has raised no objections, but states that all underground tanks should be used and no petrol should be stored on the site. Only one pump is required to utilise all existing underground tanks.
- 6.6 The Pencraig Court Country Hotel is a Grade II listed building. By virtue of the existing land levels, existing boundary treatments and existing appearance of the application site it is considered that the proposal would not have an adverse effect on the setting

of the listed building. The Chief Conservation Officer raises no objections to the proposal.

6.5 In conclusion it is considered that the proposal would not result in the material increase in vehicular movements to and from the site. Taking into account the temporary nature of the current use and that the site could lawfully revert to a filling station with ancillary café it is considered that in comparison the proposed use would be acceptable.

**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 Prior to its installation details of the exact size, design and colour of the fuel pump hereby granted shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the details so approved.**

**Reason: To ensure that the development is appropriate in relation to the character and appearance of the surrounding area.**

**NOTES TO APPLICANT**

**1 The Petroleum and Explosives Officer advises that no petrol shall be stored within the application site.**

Decision: .....

Notes: .....

.....

**Background Papers**

Internal departmental consultation replies.



Document is Restricted

