

# A G E N D A

## Southern Area Planning Sub- Committee

Date: **Wednesday, 8th October, 2003**

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Time: **2.00 p.m.**

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

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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  
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**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, (ex-officio)  
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 - 22
To approve and sign the Minutes of the meeting held on 10th September.	
<b>4. ITEM FOR INFORMATION - APPEALS</b>	23 - 26
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>	27 - 96
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</b>	

**on the grounds that it involves the likely disclosure of exempt information as defined in Schedule 12(A) of the Local Government Act, 1972 as indicated below.**

**6. ITEM FOR INFORMATION - ENFORCEMENT**

97 - 98

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

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





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

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# **COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL**

**BROCKINGTON, 35 HAFOD ROAD, HEREFORD.**

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



## COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL

**MINUTES of the meeting of Southern Area Planning Sub-Committee held at Council Chamber, Brockington, 35 Hafod Road, Hereford on Wednesday, 10th September, 2003 at 2.00 p.m.**

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

**Councillors:** H. Bramer, 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 and J.B. Williams

**In attendance:** Councillors P.J. Edwards and P.E. Harling

**19. APOLOGIES FOR ABSENCE**

Apologies were received from Councillors M.R. Cunningham and G.W. Davis

**20. DECLARATIONS OF INTEREST**

The following declarations of interest were made:

<b>Councillor</b>	<b>Item</b>	<b>Interest</b>
Councillor Mrs. J.A. Hyde	Item 4 (SE2002/3719/F and Item 5 SE2002/3721/C – Part demolition, part rebuild and extension of clubhouse, Ross-on-Wye Bowling Club, Crossfields, Walford Road, Ross-on-Wye, Herefordshire, HR9 5AR)	Prejudicial and left the meeting for the duration of the item
Councillor G. Lucas	Item 10 (SE2003/1848/F – Variation of condition to extend period to commence development by a further 5 years. Site fronting Broad Street, Brookend Street and Kyrle Street, Ross-on-Wye, Herefordshire); and Item 11 (SE2003/2164/F – Relocation of existing restaurant to redundant barn, construction of new car park and alterations to existing car park. Site adjacent to Castle Lodge Hotel, Wilton, Ross-on-Wye, Herefordshire)	Prejudicial and left the meeting for the duration of the item

**21. MINUTES**

**RESOLVED:** That the Minutes of the meeting held on 13th August, 2003 be approved as a correct record and signed by the Chairman.

**22. ITEM FOR INFORMATION - APPEALS**

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

**23. HEAD OF PLANNING SERVICES REPORT**

The report of the Head of Planning services was presented in respect of planning applications 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**

**24. ITEM FOR INFORMATION - ENFORCEMENT**

The Sub-Committee received an information report about planning enforcement activity within the southern area of Hereford.

The meeting ended at 3.30 p.m.

**CHAIRMAN**

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**APPENDIX**

Ref. 1  
**ST WEONARDS**  
SW2003/1227/O

Site for one dwelling

**LOWER TOMLINS FIELD, ST. WEONARDS, HEREFORD,  
HR2 8QE**

For: **Mr S.D. Methven per Mr Griffin ADAS, The Patch, Elton  
Newnham, Gloucester GL14 1JN**

**RESOLVED: That consideration of the application be deferred  
for a site inspection on the grounds that the setting and  
surroundings are fundamental to the determination or to the  
conditions being considered.**

Ref. 2  
**KINGSTHORN**  
SW2003/1823/RM

Proposed dwelling and garage, land adjacent to

**BLACKSMITHS COTTAGE, KINGSTHORN, HEREFORD. HR2 8AL**

For: **Perfection Homes per Paul T. Sant, Broxash, Litmarsh,  
Marden, Hereford, HR1 3EZ**

**RESOLVED: That subject to further satisfactory information  
being submitted in relation to foul drainage, the officers named  
in the Scheme of Delegation to Officers be authorised to  
approve the application subject to the following condition and  
any additional conditions considered necessary by officers:**

1. **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.**

Ref. 3  
**LLANWARNE**  
SW2003/1939/F

Double garage (retrospective application)

**TOWNSEND BUNGALOW, LLANWARNE, HEREFORD, HR2 8JE**

For: **Mr & Mrs R. Craig per Mr M Keyse Sawpits, Great Doward, Symonds Yat, Ross On Wye, HR9 6BP**

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

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

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

**2. B02 (Matching external materials (extension) )**

**Reason: To ensure the external materials harmonise with the existing building.**

**3. E08 (Domestic use only of garage )**

**Reason: To ensure that the garage is used only for the purposes ancillary to the dwelling.**

**4. The garage hereby approved shall be kept available for storage use and shall not be converted into habitable accommodation.**

**Reason: In order to ensure that the garage remains for storage use, and therefore restricts pressure for further buildings in this rural location, within the Conservation Area.**



Ref. 4&5  
**ROSS-ON-WYE**  
SE2002/3719/F  
SE2002/3721/C

SE2002/3719/F - part demolition, part rebuild & extension of clubhouse

**ROSS-ON-WYE BOWLING CLUB, CROSSFIELDS, WALFORD ROAD, ROSS-ON-WYE, HEREFORDSHIRE, HR9 5AR**

SE2002/3721/C – part demolition of clubhouse

**ROSS on WYE BOWLING CLUB, CROSSFIELDS, WALFORD ROAD, ROSS-ON-WYE, HEREFORDSHIRE, HR9 5AR**

For: **Ross on Wye Bowling Club per Hall Needham Associates, Kille House, Chinnor Road, Thame OXON OX9 3NU**

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

**RESOLVED: That**

**In respect of SE2002/3719/F:**

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

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

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

**2 A09 (Amended plans )**

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

**3. B01 (Samples of external materials)**

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

**In respect of SE2002/3721/C**

**That consent be granted subject to the following conditions:**

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

**Reason: Required to be imposed by Section 18(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.**

Ref. 6  
**ROSS-ON-WYE**  
SE2003/1749/F

Change of use from general industrial (class B2) to storage and distribution (class B8)

**FORMER DAYLA LIQUID PACKAGING, ADJACENT TO BILL MILLS, ROSS-ON-WYE, HEREFORDSHIRE**

For: **H.E. Coombs & G. Owen per Edward Nash Partnership, 23a Sydney Buildings, Bath BA2 6 BZ**

In accordance with the criteria for public speaking Lady North spoke against 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 F02 (Scheme of measures for controlling noise)**

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

**3 F32 (Details of floodlighting/external lighting )**

**Reason: To safeguard local amenities.**

**4 H15 (Turning and parking: change of use - commercial )**

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

**5 E02 (Restriction on hours of delivery)**

**Reason: To safeguard the amenities of the locality.**

Ref. 7  
**LLANGROVE,**  
**ROSS-ON-WYE**  
 SE2003/2136/F

Proposed replacement garage and first storey extension over.

**ROSEMARY COTTAGE, LLANGROVE, ROSS-ON-WYE,  
 HEREFORDSHIRE, HR9 6EX**

For: **R A J Pye, The Holt, Harewood End, Hereford HR2 8LA**

The Southern Divisional Planning Officer reported that Llangarron Parish Council had written to say that it had no objection to amended scheme.

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

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

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

**2 A09 (Amended plans )**

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

**3 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. 8  
**ROSS-ON-WYE**  
 SE2003/2161/F

Change of use to plumbing & general builders merchants, alterations to external elevations & yard storage

**UNIT 7, ASHBURTON ROAD, ASHBURTON INDUSTRIAL  
 ESTATE, ROSS-ON-WYE, HEREFORDSHIRE**

For: **Travis Perkins Plc per The John Parkhouse Partnership,  
 The Manor House, Northampton Lane, Moulton, Northampton  
 NN3 7QS**

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

The Sub-Committee considered that screening should be provided on the boundary of the site to No. 2 North Road, to contain any dust and minimise noise arising from the proposed use. The Principle Planning Officer suggested that authority be delegated to the Officers to enter into negotiations with the applicant about this.

**RESOLVED:** That authority be delegated to the Officers named in the scheme of Delegation to Officers to grant planning permission, subject to successfully reaching agreement with the applicant for the erection of an acoustic fence along the boundary of the application site with No 2 North Road and subject to the following conditions

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

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

**2 A09 (Amended plans )**

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

**3 F02 (Scheme of measures for controlling noise)**

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

**4 E03 (Restriction on hours of opening)**

**Reason:** In the interests of the amenities of existing residential properties in the locality.

**5 E02 (Restriction on hours of delivery)**

**Reason:** To safeguard the amenities of the locality.

**6 H13 (Access, turning area and parking)**

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

**7 F32 (Details of floodlighting/external lighting)**

**Reason:** To safeguard local amenities.

**8 No machinery or power tools shall be installed or operated within the building at the southern end of the site or within the yard without the prior approval in writing of the local planning authority.**

**Reason:** To protect the amenities of neighbours.

**ROSS-ON-WYE**  
SE2003/1633/O

**LAND ADJACENT BURMELL, BRIDSTOW, ROSS-ON-WYE,  
HEREFORDSHIRE, HR9 6AJ**

**For: Mr & Mrs D H Phillips per Paul Smith Associates, Chase  
View House, Merrivale Road, Ross-on-Wye, Herefordshire HR9  
5JX**

**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 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.**

**3 A03 (Time limit for commencement (outline permission) )**

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

**4 A04 (Approval of reserved matters )**

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

**5 The dwelling shall not be occupied until space has been  
laid out within the site for 2 cars to be parked. The space  
shall be properly consolidated, surfaced and drained in  
accordance with details to be submitted to and approved  
in writing by the local planning authority before any  
development commences, and the area shall not  
thereafter be used for any other purpose than the parking  
of vehicles.**

**Reason: In the interests of safe and free flow of traffic on  
the highway.**

**6 No development shall take place until the improvements  
to the access track shown on drawing no PMS/00/01 have  
been carried out in accordance with a scheme which has  
been previously submitted to and approved in writing by  
the local planning authority.**

**Reason: In the interests of safe and free flow of traffic on**

**the highway.**

Ref. 10  
**ROSS-ON-WYE**  
 SE2003/1848/F

Variation of condition to extend period to commence development by a further 5 years. (application no. SH971299PF).

**SITE FRONTING BROAD STREET, BROOKEND STREET & KYRLE STREET, ROSS-ON-WYE, HEREFORDSHIRE**

**For: B S GROUP PLC per Lennon Planning Limited, 4 King Street Lane, Winnersh, Berkshire RG41 5AS**

The Principal Planning Officer said that the Environment Agency had no objection to the application. Written confirmation was awaited from Welsh Water and he asked for the decision to be delegated to Officers to issue permission when their observations had been received.

**RESOLVED: That the Officers named in the Scheme of Delegation to Officers be authorised to grant planning permission, subject to the receipt of no objections from Welsh Water and 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 The Class A1 food retail store shall be used for the retail sale of food within Class A1 of the Town and Country Planning (Use Classes) Order, 1987 only, except where the retail sale of non-food goods forms a minor and ancillary part of the operation of any of the retail activity but shall not include the following:**

- i) a pharmacy and sale of pharmaceutical goods**
- ii) sale of newspapers and magazines**
- iii) reception of goods for dry cleaning**
- iv) a post office**

**Reason: To define the terms of the permission and protect the vitality and viability of the town centre.**

**3 No development shall take place until details of the following have been submitted to and approved in writing by the local planning authority:**

- i) the treatment of the exposed elevations of 24-32 Broad Street and 2 and 7 Brookend Street following demolition of rear extensions**
- ii) the treatment of the boundaries of the site**

- iii) new shop fronts
- iv) materials to be used on all new and altered external surfaces

**Reason:** To ensure that the development is satisfactory in appearance.

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

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

**5 G09 (Retention of trees/hedgerows )**

**Reason:** To safeguard the amenity of the area.

**6 Details of the measures for the protection of trees to be retained on site during the course of construction shall be submitted to and agreed by the local planning authority in writing before the commencement of any work on site. Development shall be carried out in accordance with the approved details.**

**Reason:** To preserve and/or enhance the visual amenities of the area.

**7 No development shall take place until full details of the proposed layout, surfacing and drainage of all car parking areas including a programme and timetable of works, provision of footways, an oil interceptor, re-siting CCTV cameras, and trolley stores, have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.**

**Reason:** To preserve and/or enhance the visual amenities of the area and to avoid pollution of watercourses.

**8 Notwithstanding the submitted drawing no. 9623/25SE/B, no development shall take place until details of the layout of the vehicular turning area, measures for protecting the safety of pedestrians and a scheme of management and supervision of the HGV turning area have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details and scheme of management.**

**Reason:** To minimise conflict between service vehicles, private cars and pedestrians within the car park.

- 9 Notwithstanding the details indicated on the submitted drawings, details of facilities for parking cycles shall be submitted to and approved in writing by the local planning authority. These details shall include design and method of security. Development shall be carried out in accordance with the approved details before the store is opened for trading.**

**To encourage alternative means of transport to private cars.**

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

**Reason: To safeguard local amenities.**

- 11 The loading and unloading of service and delivery vehicles, together with their arrival and departure from the site shall not take place outside the hours of 0730 to 1700 hours Mondays to Saturdays nor at any time on Sundays, Bank or Public Holidays.**

**Reason: To protect the amenities of neighbours.**

- 12 No vehicle shall enter the service area from the highway nor enter the highway from the service area in reverse gear.**

**Reason: In the interests of the safe and free flow of traffic on the highway.**

- 13 The vehicle turning area as approved pursuant to Condition No. 8 above shall not be used for turning or parking HGVs except between 0730 to 0930 hours on Mondays to Fridays and between 0730 to 0900 hours on Saturdays nor at any time on Bank or Public Holidays.**

**Reason: To protect the amenities of neighbours.**

- 14 No development shall take place until detailed drawings, plans and specifications for:**

- the construction of a mini-roundabout at the existing entrance to the car park on Brookend Street, together with a central pedestrian refuge on Brookend Street**
- modification of the existing access between numbers 9 and 12 Brookend Street**
- the improvement of the two mini-roundabouts at the junctions of Brookend Street, Millpond Street,**



**Brampton Street, Greytrees Road and Overcross Street**

have been submitted to and approved in writing by the local planning authority and that part of the development that comprises a retail store shall not open for trading until all of the works specified above have been constructed in accordance with the approved plans.

**Reason:** In the interests of the safe and free flow of traffic on the highway.

**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 No development shall take place until a means of vehicular access and parking areas for construction traffic and site operatives have been provided in accordance with a scheme submitted to and approved in writing by the local planning authority.**

**Reason:** In the interests of the safe and free flow of traffic on the highway.

**17 At all times from the date that the development is first open for trading the public shall be allowed access to, and the use (free of charge) of the public conveniences which form part of the development and which are shown on application drawing no 9623/25SE/B between the hours of 7.00 am and 9.00 pm on every day throughout the year except Christmas Day (or such other times and days as may otherwise be agreed in writing with the Council) such access to be either direct from the outside of the store which forms part of the development or from within the store which forms part of the development.**

**Reason:** To ensure alternative facilities are made available permanently.

**18 D01 (Site investigation - archaeology )**

**Reason:** To ensure the archaeological interest of the site is recorded.

**19 Development shall not begin until a scheme to deal with any contamination of the site has been submitted to and approved by the local planning authority. This scheme shall include an investigation and assessment to identify the extent of contamination and the measures to be taken**

to avoid risk to the public, buildings and environment when the site is developed. Development shall not commence until the measures approved in the scheme have been implemented.

Reason: To avoid harm to the environment and local residents/businesses.

- 20 The finished floor level of the food store shall not be lower than 33.100 AOD.

Reason: To minimise the adverse impact from flooding.

- 21 B01 (Samples of external materials )

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

- 22 Millbrook House and 7, 8 and 9 Brookend Street shall not be used for residential purposes from the date that the food store is first open for trading.

Reason: To avoid conflict between residential and retail uses.

- 23 No development shall take place until details of the loading bay including measures to reduce emission of noise during loading/unloading have been submitted to and approved in writing by the local planning authority. The approved details shall be implemented before the store opens for trading.

Reason: To protect the amenities of neighbours.

- 24 No goods, materials or equipment shall be stored in the open.

Reason: To preserve the visual amenities of the area.

- 25 No development shall take place until a scheme to ensure means of access to the swimming pool for buses and not less than 90 car parking spaces for users of the swimming pool are available throughout the construction period has been submitted to and approved in writing by the local planning authority.

Reason: In the interests of safety particularly for school bus parties.

- 26 A06 (Development in accordance with approved plans )

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

## **INFORMATIVE**

### **1 HN07 - Section 278 Agreement**

Ref. 11  
**WILTON, ROSS-  
ON-WYE**  
SE2003/2164/F

Relocation of existing restaurant to redundant barn, construction of new car park and alterations to existing car park.

#### **SITE ADJACENT TO CASTLE LODGE HOTEL, WILTON, ROSS-ON-WYE, HEREFORDSHIRE**

For: **Mr & Mrs J.C. Felices per Andy Powell, Yew Tree Cottage, Brockhampton, Herefordshire HR1 4SJ**

In accordance with the criteria for public speaking Mr Lord spoke against the application and the applicant Mr Felices spoke in favour.

The Principal Planning Officer reported the receipt of fifteen letters of support and one letter of objection, together with the fact that the Wilton Parish Council wished to make no observations. In addition the requirements of the Highways Agency were reported.

The Sub-Committee had reservations that in future the restaurant might be operated separately from the hotel. The Southern Divisional Planning Officer explained that if the application was approved, appropriate conditions would be imposed which tied it to the hotel. If the owner wished to operate it separately, he would first need to seek planning permission for change of use.

**RESOLVED: That the Officers named in the Scheme of Delegation to Officers be authorised to grant permission subject to the resolution of highway issues and subject to the following conditions, after the decision notice had first been agreed with the Chairman of the Sub-Committee, the local Ward Councillor and Councillor H Bramer:**

#### **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 A06 (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 C04 (Details of window sections, eaves, verges and barge boards )**

**Reason: To safeguard the character and appearance of this building of architectural or historical interest.**
- 5 C05 (Details of external joinery finishes )**

**Reason: To safeguard the character and appearance of this building of architectural or historical interest.**
- 6 No external flues or extraction equipment shall be installed at the premises without the prior written approval of the local planning authority.**

**Reason: In the interests of the amenity of the area.**
- 7 C09 (External repointing )**

**Reason: To safeguard the character and appearance of this building of architectural or historical interest.**
- 8 C10 (Details of rooflights )**

**Reason: To ensure the rooflights do not break the plane of the roof slope in the interests of safeguarding the character and appearance of this building of architectural or historical interest.**
- 9 C11 (Specification of guttering and downpipes )**

**Reason: To safeguard the character and appearance of this building of architectural or historical interest.**
- 10 C18 (Details of roofing )**

**Reason: To safeguard the character and appearance of this building of architectural or historical interest.**
- 11 D01 (Site investigation - archaeology )**

**Reason: To ensure the archaeological interest of the site is recorded.**
- 12 E03 (Restriction on hours of opening )**

**Reason: In the interests of the amenities of existing residential property in the locality.**
- 13 E06 (Restriction on Use )**

**Reason: The local planning authority wish to control the specific use of the land/premises, in the interest of local amenity.**

- 14 The restaurant and car park hereby permitted and the Castle Lodge Hotel shall not be sold, let or leased separately from each other, and the car parking shall be permanently available for use by both the restaurant and the Castle Lodge Hotel.**

**Reason: To ensure that car parking facilities are readily available for both premises and to protect the amenities of neighbouring dwellings.**

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

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

- 16 F22 (No surface water to public sewer )**

**Reason: To safeguard the public sewerage system and reduce the risk of surcharge flooding.**

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

**Reason: To safeguard local amenities.**

- 18 F40 (No burning of material/substances )**

**Reason: To safeguard residential amenity and prevent pollution.**

- 19 G13 (Landscape design proposals )**

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

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

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

- 21 G15 (Landscaping implementation )**

**Reason: To ensure the site is satisfactorily landscaped.**

- 22 G17 (Protection of trees in a Conservation Area )**

**Reason: To ensure the proper care and maintenance of the trees.**

- 23 G37 (Access for disabled people )**

**Reason: In order to ensure that the development is fully accessible.**

- 24 G40 (Barn Conversion - owl box )**

**Reason: In order not to disturb or deter the nesting or**

**roosting of barn owls which are a species protected by the Wildlife and Countryside Act 1981.**

**25 H03 (Visibility splays )**

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

**26 H05 (Access gates )**

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

**27 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.**

**28 H21 (Wheel washing )**

**Reason: To ensure that the wheels of vehicles are cleaned before leaving the site in the interests of highway safety.**

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

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

**30 H29 (Secure cycle parking provision )**

**Reason: To ensure that there is adequate provision for secure cycle accommodation within the application site, encouraging alternative modes of transport in accordance with both local and national planning policy.**

**31 The car park hereby approved shall not be used for the overnight parking of commercial vehicles, caravans or mobile homes at any time.**

**Reason: To protect the character and appearance of this part of the Area of Outstanding Natural Beauty, Ross Town Conservation Area and the amenities of the neighbouring dwellings.**

**INFORMATIVES**

**1 NC01 - Alterations to submitted/approved plans**

**2 NC02 - Warning against demolition**

**3 ND03 - Contact Address**

**4 HN01 - Mud on highway**

**5 HN04 - Private apparatus within highway**

- 6     **HN05 - Works within the highway**
- 7     **HN07 - Section 278 Agreement**
- 8     **HN10 - No drainage to discharge to highway**
- 9     **HN13 - Protection of visibility splays on private land**
- 10    **HN17 - Design of street lighting for Section 278**
- 11    **HN22 - Works adjoining highway**

Ref. 12  
**SYMONDS YAT  
 WEST,  
 ROSS-ON-WYE  
 SE2003/1937/F**

New timber balcony to side elevation

**SNOWDROP COTTAGE, 18 WYE RAPIDS COTTAGES,  
 SYMONDS YAT WEST, ROSS-ON-WYE, HEREFORDSHIRE, HR9  
 6BL**

For:   **Mr & Mrs L. Duke per Mr T Pitt-Lewis, 19 Elstob Way,  
 Monmouth, NP25 5ET**

The receipt of a further letter from the applicant and the observations of the Parish Council was reported.

In accordance with the criteria for public speaking Mr Clark spoke against 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.    **C05 (Details of external joinery finishes)**

**Reason: To ensure the development is satisfactory in appearance.**

4.    **Before any work commences on site a detailed drawing showing the design, materials and finish of the new external door on the north side elevation of the dwelling shall first be submitted to and be subject to the prior written approval of the local planning authority.**

**Reason: To ensure that the development is satisfactory in appearance.**

**Informatives**

- 1. N03 - Adjoining property rights**
- 2. The applicants should be aware that this planning permission does not override any civil/legal rights enjoyed by adjacent property owners nor any legal covenants/restrictions which may apply to the property. If in doubt the applicants are advised to seek legal advice on the matter.**



## 4. ITEM FOR INFORMATION - APPEALS

### APPEALS RECEIVED

#### Application No. SW2003/0172/O

- The appeal was received on 10th September 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 J P Beavan
- The site is located at Land adjacent to Thornberry, Clehonger, Hereford, HR2 9SE
- The development proposed is Proposed site for residential purposes
- The appeal is to be heard by Written Representations

**Case Officer: Mrs Angela Tyler on 01432 260372**

#### Application No. SW2003/0264/F

- The appeal was received on 8th September 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 Dr. P Harris
- The site is located at Lilac Cottage, Ridge Hill, Hereford, HR2 8AD
- The development proposed is Replacement two-storey garage building incorporating surgery/office
- The appeal is to be heard by Written Representations

**Case Officer: Mr Andrew Prior 01432 261932**

#### Application No. SE2003/0501/F

- The appeal was received on 11th September 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 S Edwards
- The site is located at 2 Millbrook Cottage, Pontshill, Ross-on-Wye, Herefordshire
- The development proposed is change of use of garages, utility/store and single storey extension to form additional residential accommodation
- The appeal is to be heard by Written Representations

**Case Officer: Mr Steven Holder 01432 260479**

### APPEALS DETERMINED

- The appeal is made under section 174 of the Town and Country Planning Act 1990, as amended by the Planning and Compensation Act 1991
- The appeal is brought by South Wales Poles and Cables against an enforcement notice issued by Herefordshire Council
- The notice was issued on 20th March, 2003

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

- The breach of planning control as alleged in the notice is the change of use of the land from that of agriculture to that of the storage of telegraph poles and stores
- The requirements of the notice are to cease the use of the land for the storage of telegraph poles and associated stores and remove the said telegraph poles and associated stores from the land
- The period for compliance with the requirements is 28 days

**Decision:** The appeal was **Dismissed** on 1st September, 2003

**Case Officer:** Mr Andrew Prior on 01432 261932

**Application No. SE2002/1048/L**

- 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 Mr K Johnson
- The site is located at Wilton Hall, Wilton, Ross-On-Wye, Herefordshire.
- The application, dated 10th April 2002, was refused on 31st July 2002
- The development proposed was Conversion & change of use from nursing home to 10 flats.
- The main issues in this case are (1) the impact of the proposed works upon the listed building and its setting; (2) whether the proposed development would preserve or enhance the character or appearance of the conservation area; (3) the impact of the proposed development upon the living conditions of neighboring occupiers, with particular regard to noise and disturbance.

**Decision:** The appeal was **Allowed** on 3rd September, 2003

**Case Officer:** Mike Willmont on 01432 260612

**Application No. SE2002/1049/F**

- 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 Mr K Johnson
- The site is located at Wilton Hall, Wilton, Ross-on-Wye, Herefordshire
- The application, dated 10th April 2003 was refused on 31st July 2002
- The development proposed was Conversion of nursing home into 10 flats.
- The main issues in this case are (1) the impact of the proposed works upon the listed building and its setting; (2) whether the proposed development would preserve or enhance the character or appearance of the conservation area; (3) the impact of the proposed development upon the living conditions of neighboring occupiers, with particular regard to noise and disturbance.

**Decision:** The appeal was **Allowed** on 3rd September, 2003

**Case Officer:** Mike Willmont on 01432 260612

**Application No. SW2002/3251/O**

- The appeal was received on 9th June 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 Mr A P Wright

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

- The site is located at 2 Rosemary Lane, Madley, Hereford, HR2 9LS
- The application, dated , was refused on
- The development proposed was Erection of detached dwelling.
- The main issues are the effect of the proposal on the character and appearance of the area, and the implications of the approved but unimplemented extension at No 2 Rosemary Lane for the living conditions of the future occupiers of the new dwelling by reason of overlooking

**Decision:** The appeal was **Dismissed** on 16th September, 2003

**Case Officer: Mr Andrew Prior on 01432 261932**

**Application No. EN2003/003/ZZ**

- The appeal was made under Section 174 of the Town and Country Planning Act 1990, as amended by the Planning and Compensation Act 1991
- The appeal was brought by Mr B Morgan against an enforcement notice
- The notice was issued on 20 March, 2003
- The breach of planning control as alleged in the notice is: change of use of the land from that of agricultural use to that of a parking/operating centre for heavy goods vehicles
- The requirement of the notice is: cease the use of the land as operating/parking centre for heavy goods vehicles
- The period for compliance with the requirement is 28 days
- The appeal is proceeding on ground (c) as set out in section 174(2) of the 1990 Act. Since the prescribed fees have not been paid with the specified period, the deemed application for planning permission does not fall to be considered

**Decision:** The appeal was **Dismissed** and the notice upheld

**Case Officer: Mr Andrew Prior on 01432 261932**

**Application No. SE2002/3119/A**

- The appeal was received on 13th February 2003
- The appeal is made under the Town and Country Planning (Control of Advertisements) Regulations 1992 against a refusal to grant advertisement consent
- The appeal was brought by JP Holmes
- The site is located at Rock Farm, (site on North side of A40), Lea, Nr Ross-on-Wye, Herefordshire, HR9 7JZ
- The application, dated 22nd October 2003, was refused on 4th December 2002
- The development proposed was Free standing 'V' sign.
- The main issue is whether the display of the signs for a limited period would harm the appearance of the area. Whether the signs would distract the attention of road users

**Decision:** The appeal was **Allowed** and consent granted for the display of the freestanding signboards on the terms set out below in the Formal Decision

**Case Officer: Mr Steven Holder on 01432-260479**

**Application No. SE2003/0976/F**

- The appeal was received on 16th June 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 Casepress Ltd

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

- The site is located at Corner Site, Henry Street & Croft Lane, Ross on Wye, Herefordshire HR9 7AA
- The application, dated 25th March, 2003, was refused on 21st May, 2003
- The development proposed was Erection of two No. 3 bed semi-detached dwellings.
- The main issue is the effect of the development on the conditions enjoyed by the residents and other users of The Stag Public House, with particular reference to daylight and outlook

**Decision:** The appeal was **Allowed** on 25th September, 2003

**Case Officer:** Mr Steven Holder on 01432-260479

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

<b>SOUTHERN AREA PLANNING SUB-COMMITTEE</b> <b>8TH OCTOBER, 2003</b>
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## DEFERRED APPLICATION

REF NO.	APPLICANT	PROPOSAL AND SITE	APPLICATION NO.	PAGE NO.
1	Mr. S. D. Methven	Site for one dwelling, Lower Tomlins Field, St. Weonards	SW2003/1227/O	<b>29 - 32</b>

## APPLICATIONS RECEIVED

REF NO.	APPLICANT	PROPOSAL AND SITE	APPLICATION NO.	PAGE NO.
2	Mr. & Mrs. Johnson	Two-storey extension, Acontree House, Barrack Hill, Little Birch	DCSW2003/2308	<b>33 - 36</b>
3	Mrs. L. Preece	Change of use from retail to A3 (Food and Drink), 33 High Street, Ross-on-Wye	DCSE2003/2020/F	<b>37 - 42</b>
4	Mr. & Mrs. Lewis	Two-storey side extension, Meadow Cottage, Bacton	DCSW2003/2450/F	<b>43 - 46</b>
5	R. Brooke	Proposed taxi office, 5 Cantilupe Road, Ross-on-Wye	DCSE2003/2422/F	<b>47 - 50</b>
6	Ms. D. L. Evans	Change of use of land to residential garden land to the rear of 9 Church Close/ December House, Copse Cross Street, Ross-on-Wye	DCSE2003/2432/F	<b>51 - 54</b>

7	C. A. Burley	Reconstruction of existing outbuilding to garage and store, Kiln Green Barn, Kiln Green, Walford, Ross-on-Wye	DCSE2003/2380/F	<b>55 - 58</b>
8	Mr. & Mrs. Skerrett	Demolition of storage shed and poultry units. Restoration and conversion of redundant listed farm buildings to form 5 holiday cottages and indoor swimming pool, Woodhouse Farm Barns, Upton Bishop, Ross-on-Wye	DCSE2003/2231/F	<b>59 - 70</b>
9	Mr. & Mrs. Skerrett	Listed Building application in respect of the above	DCSE2003/2233/L	<b>59 - 70</b>
10	Mr. S. Cole	Proposed building for the storage and repairs of agricultural, horticultural, automotive and plant machinery, Thorny Orchard, Part OS 8691, Coughton, Ross-on-Wye	SE2003/1002/F	<b>71 - 82</b>
11	Mr. S. Cole	Retention of existing replacement hay barn, hardstanding and terrace, Thorny Orchard, Part OS 8691, Coughton, Ross-on-Wye	DCSE2003/2157/F	<b>71 - 82</b>
12	Mr. P. R. Clay	Conversion of 2 redundant barns into two dwellings with separate garages, Upper Buckenhill, Fownhope	DCSE2003/1460/F	<b>83 - 96</b>
13	Mr. P. R. Clay	Listed Building application in respect of the above	DCSE2003/1461/L	<b>83 - 96</b>

**SITE VISIT****1 SW2003/1227/O - SITE FOR ONE DWELLING, LOWER TOMLINS FIELD, ST. WEONARDS, HEREFORD, HR2 8QE****For: Mr S.D. Methven per Mr Griffin ADAS, The Patch, Elton Newnham, Gloucester GL14 1JN****Date Received: 24th April 2003      Ward: Pontrilas      Grid Ref: 4740 2517****Expiry Date: 19th June, 2003**

Local Member:    Councillor G. W. Davis

**1. Site Description and Proposal**

- 1.1 The proposal site is an area of farmland immediately adjacent to the western side of the unclassified road (u/c 71418) that joins the C1234 road to the north and the C1236 road to the south, close to Treferanon Farm. The site is approximately one mile south of the junction of the unclassified 71418 and the C1234 road, also known as Ross Road.
- 1.2 This is an outline application but with the only matter to be determined at this stage being siting, which is identified with a cross as being 10 metres west of the metalled edge of the unclassified 71418 road, and 30 metres north of the existing track that divides Lower Tomlins Field and the application site. The other matters are reserved for subsequent approval.
- 1.3 The site has roadside frontage of 44 metres along the line of existing established hedgerow and trees that screen the site from the unclassified road. The site is 16 metres wide where it adjoins the aforementioned track serving the farm and dwelling at Lower Tomlins Field, widening to 20 metres on the northern boundary.

**2. Policies****2.1 Planning Policy Guidance**

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

**2.2 Hereford and Worcester County Structure Plan**

Policy CTC.2        -            Area of Great Landscape Value  
 Policy CTC.9        -            Development Criteria  
 Policy H.16A        -            Housing in Rural Areas  
 Policy H.20         -            Housing in Rural Areas

**2.3 South Herefordshire District Local Plan**

Policy GD.1         -            General Development Criteria  
 Policy C.1            -            Development within Open Countryside  
 Policy C.8            -            Development within Area of Great Landscape Value

## SITE VISIT

Policy SH.11 - Housing in the Countryside

### 2.4 Unitary Development Plan

Policy H.7 - Housing in the Countryside outside Settlements  
Policy H.8 - Agricultural and Forestry Dwellings and Dwellings  
Associated with Rural Businesses

### 3. Planning History

3.1 SW2002/1327/O Site for single dwelling - Refused 24.06.02

### 4. Consultation Summary

4.1 The Environment Agency has no objections in principle, but would recommend that conditions be attached in the event of planning permission being granted.

Responses by internal consultees that raise material planning issues are summarised and considered in the Officers Appraisal.

### 5. Representations

5.1 In a supporting statement that accompanied the application, the applicant's agent makes the following main points:

- following refusal (SW2002/1327/O) applicant is re-submitting with a justification based upon the needs of a rural service business
- client is now the owner of the site
- Lower Tomlins Field is a small holding comprising 2 hectares of land, dwelling and group of buildings. Small scale agricultural enterprise exists, but does not justify an agricultural dwelling
- for over 10 years my client has undertaken an agricultural engineering and emergency call-out and repair service to local agricultural businesses and other rural businesses in locality
- work includes repair to hydraulic hoses, welding, work to electrical circuits, modifying machines to improve performance, maintenance of specialist machinery and carrying essential spare parts and materials to fabricate repairs
- work undertaken on site and on location
- repair works often late in day, and machinery repairs after working day, i.e. late, over a third to half of such work is after 6pm in planting and harvesting season
- repairs at weekend common
- list of recent customers set out
- my client plus two part-time workers for busy times
- my client and his wife have lived in a number of local rented properties, currently at Northgate Lodge, St. Weonards until they have to vacate the property
- have lived in three different addresses in last 5 years
- my client is the owner occupier of the proposal site and has a life-long lease of the building which is the base for his business
- remainder owned by Mrs. Tomlins senior, client will inherit the remaining buildings and land, but not his mother's dwelling
- the Deposit Draft (September 2002) recognises the changing rural economy given it allows for in Policy H.7, dwellings that are a necessary accompaniment to



## SITE VISIT

the growth of rural enterprise, including tourism and farm diversification schemes and complies with Policy H.8

- justification for a dwelling is given "where a worker is required day and night for supervision, inspection or emergency responses. Security is not in itself sufficient to justify a dwelling, but it may be a contributing factor"
- UDP Policy H.8 provides criteria to be satisfied, that are very similar to the criteria to justify agricultural/forestry dwellings
- my client works in excess of 60 hours per week
- business is viable (accounts for 1998, 1999 and 2000 can be forwarded). Income exceeds agricultural workers wage
- need for dwelling is due to out of hours service for clients who require emergency repairs at short notice, either at Lower Tomlins Field or on site
- no buildings suitable for conversion
- recent building erected on nearby site, in a far more prominent position than site applied for
- previous application was not refused by Highways (subject to conditions) nor the Environment Agency.

5.2 The Parish Council has no objections.

5.3 14 letters of support have been received in which the following main points are made:

- very essential service
- farming is not 9 - 5, need help up to 11pm
- key part of community
- repairing agricultural machinery for over 30 years
- if not approved, would be detrimental to my business
- on call at least 16 hours per day
- good for security
- quality of life for applicant would improve
- no loss of privacy
- would not adversely affect anyone
- would not spoil 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 issue is considered to be the principle of erecting a dwelling on this site in the open countryside.

6.2 The previous application, a dwelling refused under delegated powers in June 2002, was accompanied by letters from the applicant and the NFU. The case advanced was on grounds that the applicant was managing the smallholding, including feeding stock and completing paperwork. No mention was made at that time of the business carried out by the applicant to the rear of the farmhouse. This business requires planning permission or a Certificate of Lawfulness. It is understood that one building to the rear of the farmhouse is used in connection with the applicant's business.

6.3 The relevant development plan policies are Policy H.20 contained in the Hereford and Worcester County Structure Plan, and in particular H.20(c) that refers to the necessary

### SITE VISIT

accompaniment of a new dwelling to the establishment and success of a new enterprise which needs to be located outside a settlement. It is considered that the existing use does not need to be located outside a settlement. The fact that it would be more convenient is not sufficient reason in itself to outweigh the policy requirement. Therefore, it is also contrary to the provisions of Policy SH.11, as it constitutes development in the open countryside. Policy H.8 in the Unitary Development Plan is the subject of representations during the deposit stage, therefore it cannot be given much weight, i.e. over existing policies in the Development Plan cited above. There is in any case a dwelling serving the smallholding.

- 6.4 The applicant’s agent makes reference to a decision made by the Secretary of State in North Shropshire. It is not considered that this appeal case is directly relevant given the personal circumstances cited in the Inspector’s decision letter. An application determined by your officers more recently was the subject of appeal for a bungalow at a site adjacent to a workshop at Llangarron. It was dismissed on appeal. The Inspector did not consider that the need for a dwelling was so compelling as to warrant justifying a dwelling in open countryside. There is also an existing dwelling nearby, which was not the case for the Llangarron appeal decision.
- 6.5 Clearly, this proposal constitutes development in the open countryside that does not meet the stringent tests established in Government advice contained in PPG.7 nor policies contained in the Development Plan. These policies essentially affirm that the countryside should be protected for its own sake.

### RECOMMENDATION

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

- 1. **The site is in open countryside, within the designated Area of Great Landscape Value and having regard to Hereford and Worcester County Structure Plan Policies H.16A, H.20, CTC.2 and CTC.9, and South Herefordshire District Local Plan Policies GD.1, C.1, C.8 and SH.11, the local planning authority consider the proposed development to be unacceptable. The erection of a dwelling in this open countryside location would , in the absence of sufficient justification such that the above policies can be set aside, be harmful to the character and appearance of the countryside**

Decision: .....

Notes: .....

.....

### Background Papers

Internal departmental consultation replies.

## 2 DCSW2003/2308/F - TWO STOREY EXTENSION ACONTREE HOUSE, BARRACK HILL, LITTLE BIRCH, HEREFORDSHIRE, HR2 8BA

**For: Mr & Mrs Johnson per Hook Mason, 11 Castle  
Street, Hereford, HR1 2NL**

**Date Received: 30<sup>th</sup> July, 2003      Ward: Pontrilas      Grid Ref: 5066 3257**

**Expiry Date: 24<sup>th</sup> September, 2003**

Local Member: Councillor G. W. Davis

### 1. Site Description and Proposal

- 1.1 Acontree House is on the western side of the unclassified road (u/c 71609), also known as Barrack Hill. The stone and rendered dwelling house is sited 25 metres into this site that inclines north-westward toward Aconbury Reservoir.
- 1.2 It is proposed to extend the previously extended dwelling house, on the north-western end of the building, i.e. away from the unclassified road (u/c 71609). This will entail erecting a two-storey natural stone faced extension that is aligned parallel with the original cottage, i.e. approximately east to west. The building measured externally is 8.1 metres long and 4 metres wide. The original dwelling is 4.1 metres wide and as extended is 11.5 metres long. An additional single storey link is proposed in a recess on the north-eastern side of the building. The first floor accommodation provided are 2 bedrooms.
- 1.3 A previous proposal for a two-storey extension which was 0.5 of a metre longer, together with a porch addition was refused under delegated powers and is currently the subject of an appeal.

### 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 - Development within Area of Great Landscape Value  
 Policy SH.23 - Extensions to Dwellings

### 3. Planning History

- |     |          |  |   |                   |
|-----|----------|--|---|-------------------|
| 3.1 | 31953    | Alterations and additions to existing cottage                                    | - | Approved 21.09.71 |
|     | SH865/78 | Extensions, additional dining, kitchen, bathroom, bedroom and hall accommodation | - | Approved 08.02.79 |

SH366/79	Extension, providing porch, cloakroom and additional kitchen area	-	Approved 26.06.79
SW2002/2312/F	Two storey extension and alterations to dwelling, and change of use of agricultural land to residential use	-	Withdrawn 08.10.02
SW2002/3777/F	Change of use of agricultural land to residential use	-	Granted 06.02.03
SW2002/3778/F	Two storey extension	-	Refused 06.02.03

#### 4. Consultation Summary

##### 4.1 No statutory or non-statutory consultations required.

Responses by internal consultees that raise material planning issues are summarised and considered in the Officers Appraisal.

#### 5. Representations

##### 5.1 In a letter that accompanied the application, the applicant's agent raises the following main points:

- revised scheme follows meeting on 17th June and subsequent telephone message on 21st July, 2003
- length of extension (2-storey) reduced by 500mm, both gable faces now set back from building line of existing house
- reduction in eaves overhang (currently forming a porch to second entrance) to a conventional eaves depth. Has the effect of raising eaves level at this point as ridge level is fixed given the headroom required on first floor link
- redundant, inappropriate modern chimney will be removed from the east elevation.

##### 5.2 Aconbury Parish Meeting make the following observations:

"The majority feeling in the parish was to raise no objection to the original proposal, so we see this slightly reduced plan as another act in this peculiar saga and find no problem with the proposed building.

A resident in the vicinity of the site is adding his own perspective to the saga, and we enclose his views on the screening aspect of new and existing hedge and trees"

##### 5.3 Two letters have been received, one a letter of support, the other of representation from:

Mr. K. Newman (Church Property Steward, Little Birch Methodist Church), Hill View, Barrack Hill, Kingsthorpe, HR2 8AX  
 Mr. & Mrs. R. Derham, Upper House Farmhouse, Barrack Hill, Kingsthorpe, HR2 8BA

##### 5.4 In a letter of support the following main points are raised:

- as a church see no reason why planning permission should not be granted
- property is hidden from our view, and other nearby properties
- not a sound issue, given distance

5.5 In a letter of objection, the following main points are raised:

- plans fundamentally same as before, save for approximately one foot being shaved off northern extension, therefore in respect of area/volume concerns raised in previous letters still remain
- removal of clump of trees, exposes view of Acontree House/extension, disturbs setting of our Listed building
- size of extension excessive, addition in 90s appears to quadruple size of pre 1948 (original) house
- current proposal further 65 metres square larger than original house. Notwithstanding double garage erected in 90s
- concern that given applicants are doctors, an application may follow for a group practice. There are 5 separate reception rooms on ground floor, suggesting surgeries, boundary change allows for a car park.

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 proposal raises three issues, one is the impact on the setting of Upper House Farmhouse, a listed building, the possibility of an alternative use for the dwelling in the future, and lastly and most importantly, the principle of allowing a further extension to this already extended dwelling.

6.2 It is not considered that the loss of trees, which has already occurred, is a matter on which the local planning authority could have intervened, given that the trees are not protected by being in a Conservation Area, curtilage of a listed building or protected by a Tree Preservation Order. The proposal site and dwelling does not constitute part of the curtilage of Upper House Farmhouse.

6.3 The second issue is the one relating to a possible alternative use. This would require planning permission, and would need to be determined on its merits at that time. However, it does not preclude the local planning authority from determining the current proposal on its merits as an extension to a previously extended dwelling house.

6.4 The main issue is the final one listed above, and that relates to the principle of further extending the dwelling. The extensions have been revised slightly by removing a covered porch area on the west elevation and by reducing the length of the two-storey block that is linked to the existing dwelling by an additional ground floor area and by a link that is lower than the ridge height of the two-storey extension and the existing dwelling. The extension has an almost identical width, i.e. 4.1 metres to the original cottage and the same height, therefore it provides a good architectural conclusion to the building when viewed from the east or west. It would not be viewed from the roadside.

6.5 Policy SH.23 contained in the Local Plan states that extensions should be in keeping in terms of mass, scale, design and materials with the existing dwelling and that the existing dwelling remains the dominant feature. It is evident that the materials and design are satisfactory, indeed it will enhance the setting of the building. It will not detract from the setting of this part of the Area of Great Landscape Value, as required by Policies C.8 and GD.1, again contained in the Local Plan. The extension would not

become the dominant feature in relation to the original dwelling. Therefore the proposal satisfies the provisions of Policy H.20 contained in the Structure Plan.

6.6 It is considered that on balance the extension would fulfil the criteria of policies for extensions. In the refusal for the slightly larger extension than currently proposed it was stated that the original cottage is already not the dominant feature, this would still continue to be the case. It has been extended eastward and north-westward such that the front or roadside elevation has lengthened such that the original cottage has absorbed into the extended building. It is not possible to identify the original cottage when viewing the dwelling from the highway. The current proposal can be dealt with on its merits as a structure that does not materially detract from the 'original' dwelling, it in fact brings the different elements of previous extensions to a satisfactory architectural conclusion.

**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. A06 (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.

### **3 DCSE2003/2020/F - CHANGE OF USE FROM RETAIL TO A3 (FOOD AND DRINK). 33 HIGH STREET, ROSS-ON-WYE, HEREFORDSHIRE, HR9 5HD**

**For: Mrs L Preece per Jonathan Preece & Co, 53 Broad Street, Ross-on-Wye, Herefordshire HR9 7DY**

**Date Received: 4th July 2003**

**Ward: Ross-on-Wye West**

**Grid Ref: 5992 2408**

**Expiry Date: 29th August 2003**

Local Members: Councillor M R Cunningham and Councillor G Lucas

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

- 1.1 This site is located in the centre of Ross on Wye near to the 'Market House'. The site constitutes the ground floor of what was last used as a shop. The building as a whole is a Grade II listed building which forms part of a row of buildings which front onto the High Street. The two upper floors of the building are used as a single residential flat. There is a rough access track which serves the rear of the property.
- 1.2 The proposal is to change the use of the shop (Class A1) to Class A3 (Food and Drink) of the Town and Country Planning (Use Classes) Order 1987, i.e. the use for the sale of food and drink for consumption on the premises or of hot food for consumption off the premises.

#### **2. Policies**

##### **2.1 Planning Policy Guidance**

PPG No 6 (Revised) – Town Centres and Retail Developments

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

Policy E1	Economic Growth
Policy CTC1	Areas of Outstanding Natural Beauty
Policy CTC9	Development Requirements
Policy CTC13	Conversion of Buildings
Policy CTC15	Conservation Areas

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

Policy GD1	General Development Criteria
Policy C20	Protection of Historical Heritage
Policy C22	Maintain character of Conservation Areas
Policy C27A	Change of Use to a Listed Building
Policy C29	Setting of a Listed Building
Policy ED3	Employment Proposals within/adjacent to Settlements
Policy RT1	Ross on Wye Town Centre
Policy T3	Highway Safety Requirements
Policy 21	Central Shopping Zone

## 2.4 Unitary Development Plan – Deposit Draft

Policy S2	Development Requirements
Policy S5	Town Centres and Retail
Policy TCR1	Central Shopping and Commercial Centres
Policy TCR2	Vitality and Viability
Policy TCR3	Primary Shopping Frontages
Policy TCR6	Non-Retail Uses (Classes 2 and 3)
Policy TCR15	Hot Food Take-Away Outlets
Policy T11	Parking Provision
Policy LA1	Areas of Outstanding Natural Beauty
Policy HBA3	Change of Use of Listed Buildings
Policy HBA4	Setting of Listed Building
Policy HBA6	New Development within Conservation Areas

## 3. Planning History

3.1	SH960217PF	Change of use from A1 (Retail) to A2 (Financial and Professional)	Approved 04.06.96
	SE2002/3795/F	Demolition of rear of shop, conversion of part of shop and extension to form two new dwellings.	Approved 10.02.03
	SE2002/3796/L	Demolition of rear of shop, conversion of part of shop and extension to form two new dwellings.	Listed Building Consent 10.02.03

## 4. Consultation Summary

4.1 English Heritage observe: No objection to the application.

Responses by internal consultees that raise material planning issues are summarised and considered in the Officers Appraisal.

## 5. Representations

5.1 The applicant's agent has submitted two letters of support. The main points being:

- enquiries have been received for the property from a number of potential occupiers for A3 use;
- A2 approval was granted in June 1996;
- no change of use within the block adjacent to site.

5.2 Town Council observe: No objections.

5.3 Five letters of objection have been received from:

- R J Pearce, Golden Crust Bakery, 25 Broad Street, Ross on Wye, Herefordshire
- A Weinhardt, Meaders Hungarian Restaurant, 1 Copse Cross Street, Ross on Wye, Herefordshire
- J & D Campkin, 8 Maitland Road, Reading, Berks
- D Campkin, 8 Maitland Road, Reading, Berks
- L Trute, Crown and Sceptre, Market Place, Ross on Wye, Herefordshire



The main points being:

- moved to Ross due to stated policy of not allowing new licensed premises in the town;
- already saturated with eating and drinking establishments with three having ceased trading through lack of business. Further competition will put objector out of business;
- drunken threatening behaviour in streets in town centre late at night. More licenced premises will make situation worse;
- need to protect character of town and the market place;
- the shop has always sold electrical goods or clothes which is type of shop the town needs;
- too many food related shops in the town;
- parking in the road will cause hazards;
- An A3 use will cause a loss of residential amenity to objectors next door flat due to noise, disturbance, smells and unsociable hours of operations, and the new flats being built at the rear;
- future residential development will be prejudiced;
- conflicts with UDP policy TCR2;
- no proper servicing access to premises which conflicts with UDP policy TCR3. Any deliveries at the front will be a hazard to road safety;
- private shared access at rear gets congested at times. The two new dwellings will make this worse;
- the proposal will be detrimental to the character of the conservation area and the neighbouring Grade II\* listed building 'Man of Ross House';
- A3 use will threaten retailing and viability and vitality of the central shopping area and therefore conflicts with UDP policy TCR1;
- the premises has a prominent site in market place. Already a number of non-retail uses in immediate area which are detrimental to retail character of the primary shopping frontage conflicting with UDP policies TCR2 and TCR3.

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 site is situated in Ross on Wye town centre within the central shopping zone. Within the general area of the site there are other hot food and drink premises i.e. takeaways, restaurants and coffee shops etc.
- 6.2 The policies which particularly relate to this proposal in the Local Plan are policies RT1 (Ross on Wye Town Centre) 21 (Central Shopping Zone) and GD1 (General Development Criteria). These policies basically seek to maintain and enhance the attractiveness, vitality and viability of Ross Town centre, ensure that proposals are appropriate for the setting, do not adversely affect adjacent uses and also normally restrict A3 (also A2 and B1) uses in the central shopping zone to a maximum of two units within a continuous floor frontage of any six units to prevent the central shopping area being eroded.
- 6.3 Examples of A3 use are restaurants, public houses, snack bars, cafes, wine bars and shops for the sale of hot food. These types of premises are considered to be appropriate for a town centre provided the retail/shopping vitality and character of the

area is properly maintained and not eroded. The proposal does not conflict with policy No. 21 (i.e. a maximum of two A2, A3 and B1 use units within a continuous floor frontage of six units) and will not adversely affect the character of the area which will remain predominately retail.

- 6.4 With respect to the Council's Unitary Development Plan (Deposit Draft) the proposal will be situated on the defined 'primary shopping frontage' within the central shopping and commercial area for the town. It is considered that the proposal will comply with the policies in the plan in particular policies TCR1, TCR2 and TCR3 which relate directly to the proposal.
- 6.5 There is an existing access track which currently serves the rear of the premises and this will remain. The new residential development for two new dwellings which recently received planning permission (SE2002/3795/F) will still allow access to rear of premises. The Council's Head of Engineering and Transportation (Transportation Manager) has no objection to the proposal and it is considered that there will be no adverse traffic related implications created by the proposed use. Also the proposed change of use will not affect the character or appearance of the Grade II listed building, the setting of other nearby listed buildings nor the designated Conservation Area. This view is endorsed by the Chief Conservation Officer.
- 6.6 The objectors have raised a number of concerns about the proposal relating to the disturbance to the town centre and neighbouring properties. However it is considered that there are already public houses and take-away food shops in the area which results in people moving about the town centre at night and that the use of this premises for A3 use will not exacerbate or make any significant impact on this current situation. Similarly it is considered that the use of the premises for A3 use will not adversely affect the amenities of nearby/adjacent residential uses provided conditions are imposed on any planning permission relating to hours of opening, odour and fume control and details of any flues or extractors being submitted. The Head of Environmental Health and Trading Standards has recommended certain conditions be imposed relating to the matters on any planning permission granted.
- 6.7 The objectors have also stated that the proposal will increase competition in the town with respect to A3 uses. However this is not considered to be a material planning consideration.
- 6.8 The proposed development is considered to be acceptable and will not adversely affect the amenities and character of the area or the viability and vitality of the central shopping zone. It is considered that there will be no adverse traffic related implications created by the proposed use. The proposal will be in accordance with the approved planning policies for the area and in particular those relating to the town centre. Also there are no objections to the proposal from an environmental health point of view. The recommendation is therefore for permission.

## **RECOMMENDATION**

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

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

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

**2 A06 (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 use hereby approved relates solely to the ground floor of the premises.**

**Reason: To define the terms to which this planning permission relates and to protect the residential amenities and character of the area.**

**4 The use hereby permitted shall not be open to customers outside the hours of 8.00 am and 11.00 pm Sundays to Thursdays and 8.00 am and 12.00 midnight Fridays and Saturdays.**

**Reason: To safeguard the amenities of the locality.**

**5 A scheme for the ventilation of fumes and odours arising from the use hereby permitted shall first be submitted to and be subject to the prior written approval of the local planning authority. The use shall not be commenced until the approved scheme has been installed and made fully operational, and thereafter it shall be operated and maintained, as long as the use continues.**

**Reason: In order to ensure that fumes and odours are properly discharged and in the interests of the amenities of residential property in the locality.**

**6 No external flues or extractor equipment shall be installed at the premises without the prior written approval of the local planning authority.**

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

Decision: .....

Notes: .....

.....

**Background Papers**

Internal departmental consultation replies.



## **4 DCSW2003/2450/F - TWO STOREY SIDE EXTENSION MEADOW COTTAGE, BACTON, HEREFORDSHIRE, HR2 0AR**

**For: Mr & Mrs Lewis per Broadheath Consulting Ltd,  
Broadheath, Moreton on Lugg, Hereford, HR4 8DQ**

**Date Received: 11th August 2003    Ward: Golden Valley South    Grid Ref: 3740 3223  
Expiry Date: 6th October 2003**

Local Member:    Councillor J. B. Williams

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

- 1.1 The site lies on the southern side of the Class III 1209 road leading to Bacton from Abbey Dore. The property known as 'Meadow Cottage' is some 70 metres from the classified road via a steep drive. The property is an elongated detached dwelling of red brick within large grounds and situated within the dell below the surrounding lands. To the north of the property the land is bounded by a steep embankment and rises steeply to 1 and 2 Yew Tree Cottages. In planning policy terms the site is in the open countryside and Area of Great Landscape Value.
- 1.2 A previous scheme (Application SW2003/0395/F) proposed a two-storey extension to the north elevation. The extension measured 6.4m x 5.7m and was considered to be not in keeping with the existing dwelling in terms of mass, scale and design. This application was withdrawn.
- 1.3 Following negotiations, the scheme has been reduced with the proposed two-storey extension to measure 5.1m x 4m to the north elevation. The extension has removed the dormer style windows and replaced with one opening at first floor to the east and west elevations. Furthermore, the two window openings to the north elevation have been omitted. The materials are to match the existing dwelling.

### **2. Policies**

#### **2.1 Planning Policy Guidance**

PPG.1                    -            General Principles

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

Policy CTC.2        -            Development in Areas of Great Landscape Value  
Policy CTC.9        -            Development Criteria  
Policy H.16A        -            Housing in Rural Areas  
Policy H.20         -            Housing in Rural Areas Outside the Green Belt

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

Policy GD.1         -            General Development Criteria  
Policy C.1           -            Housing in the Open Countryside

- Policy C.8 - Development within Areas of Great Landscape Value  
 Policy SH.23 - Extensions to Dwellings

## 2.4 Unitary Development Plan

### Part I

- Policy S.2 - Development Requirements  
 Policy S.7 - Natural and Historic Heritage

### Part II

- Policy DR.1 - Design  
 Policy H.7 - Housing in the Countryside Outside Settlements  
 Policy H.18 - Alterations and Extensions  
 Policy LA.2 - Landscape Character and Areas Least Resilient to Change

## 3. Planning History

- 3.1 SW2003/0395/F Two-storey side extension and - Withdrawn 14.03.03  
 demolition of existing porch

## 4. Consultation Summary

- 4.1 None applicable.

Responses by internal consultees that raise material planning issues are summarised and considered in the Officers Appraisal.

## 5. Representations

- 5.1 The Bacton Parish Council observe:

"Abbeydore and Bacton Group discussed this application for a two-storey extension to Meadow Cottage, Bacton which is a re-submission of an application that was withdrawn, ref. SW2003/0395/F. A neighbour, Mr. Franklin has indicated that he will object on the grounds that he will be overlooked. Councillors saw no good reason to object to the original application and therefore recommend that this application be approved."

- 5.2 Two letters of representations have been received, namely:

Berringtons, acting on behalf of Mrs. B. M. Harron, Bacton Manor, Bacton, Hereford  
 Mr. R. Ffoulkes-Jones, The Old Rectory, Bacton, Hereford

The following main points are made:

- proposed development is too large in proportion to the existing property
- it has a significant impact upon the surrounding landscape with regard to the east and west elevations
- extension is not sympathetic to the location and character of the building
- affects levels of privacy and amenity of 1 and 2 Yew Tree Cottages
- proposed development does not comply with Policy GD.1, on the grounds of its scale and setting

- does not accord with planning objective number 3.26 (iv), (v) and (vi) of the South Herefordshire District Local Plan
- Bacton is covered under Policy SH.10 being a smaller settlement, classed as open countryside, which means there is a presumption against development
- concerns that the sewage facilities are adequate for the proposed extension.

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 is the effect of the development on the character and appearance of the existing dwelling and upon the landscape quality.
- 6.2 The property is a detached elongated building set some 70 metres from the access point of the classified road. The property is not visible travelling along the classified road, it can only be viewed at the access point. To its east the property looks onto its garden area with a few large trees to its curtilage. To the south and west are open fields and to its north lie two cottages known as 1 and 2 Yew Tree Cottages at higher ground level.
- 6.3 Policy SH.23 of the Local Plan specifies that proposals should be in keeping in terms of mass, scale, design and materials and do not dominate the existing dwelling. Policy C.8 of the Local Plan seeks to ensure that development does not harm the landscape. The submitted plans propose a two-storey extension to the north elevation of the property. The property is a gabled end building and overall measures 14.3m x 4.4m. The proposed extension measures 5.1m x 4m and is situated virtually central to the north elevation. It is considered that the scale and design in the form proposed is in keeping and remains subservient.
- 6.4 The concerns raised by neighbouring properties are noted, however the position of the dwelling is set at lower ground level and consequently the neighbouring properties will overlook the proposed extension. The property to the west known as 'The Old Rectory' is some distance at 250 metres and the properties to the north known as 1 and 2 Yew Tree Cottages are some 42 metres distant situated at right angles abutting the classified road. As to its effect upon the levels of privacy and amenity of 1 and 2 Yew Tree Cottages, the garden area to the north of Meadow Cottage provides a post and wire fencing to its curtilage and is not screened from their view. No. 1 Yew Tree Cottage has panelled fencing to its rear curtilage and No. 2 has outbuildings to its rear and it is considered that their levels of privacy and amenity currently enjoyed would not be affected by this proposal due to the cottages being at higher ground level and respective screening. No further windows are proposed to the north elevation, the current window for the landing area will be replaced and positioned to the right of the extension, which still forms part of the landing area. Other policy issues raised concerning housing in the open countryside are concerned with new housing developments and are considered inappropriate for this proposal. Drainage and sewage facilities for the proposal will be controlled by the use of appropriate conditions.
- 6.5 It is considered that the proposed extension due to its scale and design would not be harmful to the character and appearance of the dwelling nor upon the landscape

quality as it will be of a comparable size with other properties in the surrounding area. It would be unreasonable to refuse planning permission for such development.

**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. A06 (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. F24 (Standard of septic tank/soakaway system )**

**Reason: To prevent pollution of the water environment.**

Decision: .....

Notes: .....

.....

**Background Papers**

Internal departmental consultation replies.



**5 DCSE2003/2422/F - PROPOSED TAXI OFFICE  
5 CANTILUPE ROAD, ROSS-ON-WYE,  
HEREFORDSHIRE, HR9 7AN**

**For: R. Brooke, 9 Walford Road, Ross-on-Wye,  
Herefordshire, HR9 5PX**

**Date Received: 8th August 2003    Ward: Ross-on-Wye East    Grid Ref: 6014 2412  
Expiry Date: 3rd October 2003**

Local Member:    Councillor Mrs. C. J. Davis  
                          Councillor Mrs. A. E. Gray

**1. Site Description and Proposal**

- 1.1 The site is on the west side of Cantilupe Road close to its junction with Henry Street and Gloucester Road.
- 1.2 No. 5 is a single storey building that is flat roofed. To the Cantilupe Road frontage is a large window with entrance door. It is currently vacant but it appears that its last use was as a cafe.
- 1.3 The proposal is to use the property as a taxi office. No physical alterations to the building are indicated.
- 1.4 The building is on the edge of the town centre where there is a mix of uses. In the immediate vicinity there are retail uses, the library, a restaurant and housing. In Cantilupe Road immediately outside and opposite the premises are bus stops.

**2. Policies**

**2.1 Planning Policy Guidance**

PPG.1	-	General Policy and Principles
PPG.13	-	Transport
PPG.15	-	Planning and the Historic Environment

**2.2 Hereford and Worcester County Structure Plan**

Policy CTC.15	-	Conservation Areas
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**2.3 South Herefordshire District Local Plan**

Policy GD.1	-	General Development Criteria
Policy C.5	-	Development within Area of Outstanding Natural Beauty
Policy C.23	-	New Development affecting Conservation Areas
Policy RT.1	-	Ross-on-Wye Town Centre
Policy T.1A	-	Environmental Sustainability and Transport
Policy T.3	-	Highway Safety Requirements
Policy 11	-	Business Uses in Residential Areas

- Policy 16 - Conservation Areas
- Policy 17 - Re-use of Existing Buildings

#### 2.4 Unitary Development Plan

- Policy DR.2 - Land Use and Activity
- Policy HBA.6 - Conservation Areas
- Policy TCR.1 - Central Shopping and Commercial Areas
- Policy T.1 - Public Transport Facilities
- Policy T.11 - Parking Provision

### 3. Planning History

- 3.1 None identified.

### 4. Consultation Summary

- 4.1 No statutory or non-statutory consultations required.

Responses by internal consultees that raise material planning issues are summarised and considered in the Officers Appraisal.

### 5. Representations

- 5.1 The applicant states that they intend to open from 9.00 a.m. until 11.30 p.m. but on Friday and Saturday until 1.00 a.m., they will use telephones for communication, they will run four vehicles but intend to add two more to cover the Christmas period, the vehicles are, and would continue to be, parked at 9 Walford Road and there will be a seated area in the building to allow customers to wait for transport.
- 5.2 The owner of the building advises that the building known as 'Bungalow Cafe' has been previously used for a taxi business.
- 5.3 Ross-on-Wye Town Council have no objections.
- 5.4 One letter of representation has been received from 6 Cantilupe Road. This raises concerns over the existing traffic congestion and that the use will add to this. There was no information as to hours of opening but expresses concern about noise from people and cars and that the site is already advertising the taxi service.

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

### 6. Officers Appraisal

- 6.1 The site is located on the edge of the town centre where there is a mix of commercial and residential uses. In addition, Cantilupe Road at this point contains bus stops. The main considerations in the determination of this application are whether the use is (i) appropriate in this location, (ii) effect on road safety, (iii) impact on residential amenity and (iv) impact on the Conservation Area and Area of Outstanding Natural Beauty.

- 6.2 The first issue concerns the suitability of the proposed use for this location. In commercial terms there are shops and a restaurant together with the library in the vicinity. There are houses opposite and nearby with new housing development adjoining the library. The proposed use does not fall within any specific Use Class but in terms of the activity that it generates would not in principle be inappropriate in this location.
- 6.3 With regard to road safety (issue ii) at times during the day there is congestion in the area due to the presence of buses but this is not continual. There are no off road parking facilities available so that when taxis attend the site they would be required to park on the highway where there is only limited space available. However, it is considered unlikely, from the number of vehicles stated to be operated, that the additional traffic would cause noticeable harm. The Head of Engineering and Transportation has no objection.
- 6.4 Issue (iii) concerns impact on residential amenity. During the day when the existing commercial uses are in operation there is an impact on the amenity of the dwellings in the vicinity. It would be expected that during the evening and overnight that such disturbance from existing uses would be reduced. The proposed use particularly late at night with customers and vehicles visiting the premises could give rise to noise and disturbance. It is difficult to assess the extent of such an impact particularly as it partly depends on the behaviour of the customers. Accordingly, a time limited permission and restriction on operating hours is considered reasonable.
- 6.5 The proposed use would not cause harm to the character of the Conservation Area or to the Area of Outstanding Natural Beauty.
- 6.6 The use proposed is not inappropriate in this location but it is the effect of it on the amenities of nearby residents that primarily gives rise to concern. From the information provided the use does not appear to be particularly intensive but its operation late at night may give rise to noise and disturbance. Subject to the conditions set out below the application is considered acceptable.

**RECOMMENDATION**

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

**1 E20 (Temporary permission )**

**Reason: To enable the local planning authority to give further consideration of the acceptability of the proposed use after the temporary period has expired.**

**2. E03 (Restriction on hours of opening )**

**Reason: In the interests of the amenities of existing residential property in the locality.**

Decision: .....

Notes: .....

**Background Papers**

Internal departmental consultation replies.



**6 DCSE2003/2432/F - CHANGE OF USE OF LAND TO RESIDENTIAL GARDEN LAND TO THE REAR OF 9 CHURCH CLOSE/DECEMBER HOUSE, COPSE CROSS STREET, ROSS-ON-WYE, HEREFORDSHIRE,**

**For: Ms D L Evans, 9 Church Close, Ross-on-Wye, Herefordshire, HR9 5HS**

**Date Received: 8th August 2003    Ward: Ross-on-Wye West    Grid Ref: 5991 2399**

**Expiry Date: 3rd October 2003**

Local Members: Councillor M R Cunningham and Councillor G Lucas

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

1.1 The application land is an irregularly shaped area of about 0.01ha. It is currently part of the rear garden of December House, the former Magistrates Court (until recently known as Foundation House) which has been converted into bed-sitting room accommodation. This area of garden is at a higher level from the main courtyard and appears to be little used and uncultivated.

1.2 It is proposed to add this area to the rear garden of 9 Church Close, a semi-detached house. The two garden areas are contiguous and with similar ground levels.

### **2. Policies**

#### **2.1 Planning Policy Guidance**

PPG15            Planning and the Historic Environment

#### **2.2 South Herefordshire District Local Plan**

Policy C27A      Change of use to a Listed Building

Policy C29        Setting of a Listed Building

Policy GD1        General Development Criteria

#### **2.3 Hereford Unitary Development Plan – Deposit Draft**

Policy HBA4      Setting of Listed Buildings

### **3. Planning History**

3.1	SH961092PF	Conversion to supported accommodation. 9 bedspaces with warden's flat.	-	Permitted 6.11.96
	SH961093LA	Conversion to supported accommodation. 9 bedspaces with warden's flat.	-	Consent 6.11.96

**4. Consultation Summary**

- 4.1 No statutory or non-statutory consultations required.

Responses by internal consultees that raise material planning issues are summarised and considered in the Officers Appraisal.

**5. Representations**

- 5.1 Town Council has no objections to the proposal.
- 5.2 No representations have been received in response to public consultation.

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, on plan, appears to be a 'bite' out of the corner of the garden of 9 Church Close, leaving the existing garden of limited use. The proposed transfer of the land would therefore add to the amenities of this property. The land is detached from the remainder of the curtilage of December House by a private path (which appears to be used as a pedestrian route between Copse Cross Street and Church Close). The remaining courtyard and garden area of December House is considered to be sufficient (about 300m<sup>2</sup>). The severance of this small area would not harm the setting of the listed December House nor the Conservation Area. In these circumstances it is considered that there are no grounds to refuse permission.
- 6.2 Under 'permitted development' only small outbuildings ((up to 10m<sup>3</sup>) can be erected on this land or a swimming pool and enclosure. Provided a suitable boundary fence or wall is erected it is not considered that it is necessary to remove 'permitted development' rights.

**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 No development shall take place until details of the treatment of the boundaries of the site have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details before use as a residential garden commences.**

**Reason: To protect the setting of the listed building.**

Decision: .....

Notes: .....

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**Background Papers**

Internal departmental consultation replies.





**7 DCSE2003/2380/F - RECONSTRUCTION OF EXISTING OUTBUILDING TO GARAGE AND STORE, KILN GREEN BARN, KILN GREEN, WALFORD, ROSS-ON-WYE, HEREFORDSHIRE, HR9 5RE**

**For: C. A. Burley, Kiln Green Barn, Kiln Green, Walford, Ross-on-Wye, Herefordshire, HR9 5RE**

**Date Received: 5<sup>th</sup> August, 2003      Ward: Kerne Bridge      Grid Ref: 6015 1985**

**Expiry Date: 30<sup>th</sup> September, 2003**

Local Member:      Councillor Mrs. R. F. Lincoln

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

- 1.1 The application property occupies an elevated site at Kiln Green. Although the property adjoins the highway, access is off a narrow track. Planning permission for conversion of the barn to a dwellinghouse was granted in 1994. The barn is roughly centrally placed on this sizeable plot and is about 40 m from the highway.
- 1.2 About 10 m from the north-east corner of the barn a garage and store has been constructed. Permission was granted for the conversion of an existing outbuilding to a garage/store in 1998. The outbuilding was only partly of stone construction and the permitted scheme involved raising the height of the walls and constructing a ridge roof. According to the applicant the scheme did not prove to be practicable and a new building was constructed. The latter is larger than the permitted conversion scheme : about 200mm longer, 300mm wider and 100mm higher at ridge and with a less steep roof pitch. The dimensions are 8.8m x 5.65m x 4.6m to ridge.
- 1.3 Planning permission had previously been refused twice for conversion to a granny annexe. The reasons in the later case (SE1999/3193/F) were as follows:
1. The proposal would involve extensive refurbishment/rebuilding of this out-building to form a detached annexe. The proposal would conflict therefore with Policy H20 of the Hereford and Worcester County Structure Plan and Policy SH11 of the South Herefordshire District Local Plan, which seek to protect the character of the open countryside by restricting residential development and with Policy T1A of the Local Plan as the proposal would not help to reduce the need to travel and would not therefore be environmentally sustainable.
  2. The annexe would be detached from the main dwellinghouse and it may be difficult to resist pressure for use as a separate residential unit once there is no further need for annexe accommodation.

## **2. Policies**

### **2.1 Planning Policy Guidance**

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

**2.2 Hereford and Worcester County Structure Plan**

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

**2.3 South Herefordshire District Local Plan**

- Policy C.5 - Development within Area of Great Landscape Value  
 Policy C.37 - Development within Area of Great Landscape Value  
 Policy SH.23 - Extensions to Dwellings  
 Policy GD.1 - General Development Criteria  
 Supplementary Planning Guidance : Re-use and Adaptation of Traditional Rural Buildings

**2.4 Unitary Development Plan**

- Policy HBA12 - Re-use of Traditional Rural Buildings  
 Policy HBA13 - Re-use of Traditional Rural Buildings for Residential Purposes  
 Policy H18 - Alterations and Extensions

**3. Planning History**

- 3.1 SH940424PF Conversion of barn to dwelling - Permitted 26.8.94  
 SH971185PF Annexe for dependent relative - Refused 17.12.97  
 SS980835PF Conversion of existing outbuilding to a garage and store - Permitted 10.12.09  
 SE1999/3193/F Refurbishment/part rebuilding of outbuilding to provide one bedroom family annexe - Refused 17.4.2000

**4. Consultation Summary**

- 4.1 No statutory or non-statutory consultations required.

Responses by internal consultees that raise material planning issues are summarised and considered in the Officers Appraisal.

**5. Representations**

- 5.1 The applicant makes the following submission:

- it is understood that the alterations to openings and very slight increase in footprint are of no concern to Planning Department
- inner blockwork was set out on assumption that would be 4" of stonework but in fact stonework is about 8" and estimate has been enlarged by about 200mm in each direction
- Planning Officer recommended that slightly less than half be re-built with new footings but remaining half was out of true, in very poor condition and a large area collapsed when refurbishment commenced - good building practice therefore required rebuilding
- building is not obtrusive and in keeping with the barn and attractive stone and slate work.

## 5.2 Parish Council comment as follows:

The greatly increased roof height shown in these plans together with the roof light cause concern. Following refusal of consent to the previous application to provide a family annexe, SE1999/3193/F, the Parish Council ask for the use to be limited to garage and store.

## 5.3 Two letters of objection have been received. In summary, the following points are made:

- planning permission to build a granny annexe on site of outbuilding refused twice followed by application to convert to garage/store
- photographs submitted to show size of new building; clearly twice height of original and probably 4 times in volume and bears all the hallmarks of a future 'granny annexe'
- visible from skyline third of a mile away and from one objector's house quarter of a mile away - visually intrusive, fits uncomfortably with surrounding buildings and height out of keeping with surrounding landscape
- no dimensions on drawings of old or new buildings, no mention of ground works nor that application retrospective
- conditions imposed regarding landscaping and splay on original permission not complied with and ugly flue fitted to house - disregard of planning control suggests that there will be attempt to convert new building to a dwelling. This would aggravate surface water problems and lead to unacceptable levels of traffic on the track (a bridleway)
- building is configured as a dwelling for which no proven need, there is negligible public transport and in an Area of Great Landscape Value
- if planning permission granted would set worrying precedent that can build without planning permission
- condition should be imposed that could never be used as a dwelling.

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 Council's guidelines encourage existing buildings to be used for garaging when rural buildings are converted to residential use. In this case this was not practicable within the main barn. The existing outbuilding was not suitable as it was and required significant works to enable it to be used as a garage and store. Nevertheless this was within the spirit of the Council's (at that stage informal) guidelines for barn conversions. The resultant building would have been somewhat longer than a typical double garage (about 8.6m compared to 6m) but less wide and of similar height.

6.2 The building was in poor condition and it can be appreciated why extension and conversion proved impracticable. New garaging for barn conversions is not encouraged in the Supplementary Planning Guidance (the original scheme is considered to be "finite") nevertheless this has generally been accepted provided it is in keeping with the existing buildings and not intrusive in the landscape. In this case the new garage/store is built of the same distinctive and attractive local stone as the barn and with a matching slate roof. Although longer than a typical square garage, it is a more pleasing shape. As noted earlier it is not unduly tall. As the land rises away from the barn the garage/store has a significantly higher ground level but nevertheless

it is not considered to be out of scale with the barn. Being on an elevated plot the building is visible over a wider area but in the context of the barn and with a tall hedge along the northern boundary would not be intrusive in the landscape. The garage is clearly visible from along the track and further hedge planting would help to integrate the garage into its setting.

**RECOMMENDATION**

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

- 1. Within two months of the date of this permission a scheme of landscaping shall be submitted for approval in writing by the local planning authority. The approved scheme shall be implemented before the garage/store is brought into use.**

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

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

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

- 3. Details of the doors and windows shall be submitted for approval in writing before they are installed. Development shall be carried out in accordance with the approved details.**

**Reason: To ensure that the development is satisfactory in appearance.**

- 4. E09 (No conversion of garage to habitable accommodation)**

**Reason: To define the terms of the permission and to ensure adequate off-street parking arrangements remain available at all times.**

Decision: .....

Notes: .....

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**Background Papers**

Internal departmental consultation replies.

**8 DCSE2003/2231/F - DEMOLITION OF STORAGE SHED AND POULTRY UNITS. RESTORATION AND CONVERSION OF REDUNDANT LISTED FARM BUILDINGS TO FORM 5 HOLIDAY COTTAGES AND INDOOR SWIMMING POOL. WOODHOUSE FARM BARNs, UPTON BISHOP, ROSS-ON-WYE, HEREFORDSHIRE, HR9 7UW**

**9 DCSE2003/2233/L - DEMOLITION OF STORAGE AND POULTRY UNITS. RESTORATION AND CONVERSION OF REDUNDANT LISTED FARM BUILDINGS TO FORM 5 HOLIDAY COTTAGES AND INDOOR SWIMMING POOL. WOODHOUSE FARM BARNs, UPTON BISHOP, ROSS-ON-WYE, HEREFORDSHIRE, HR9 7UW**

**For: Mr & Mrs Skerrett per Warren Benbow Architects,  
21 Mill Street, Kington, Herefordshire HR5 3AL**

**Date Received: 24th July 2003**

**Ward: Old Gore**

**Grid Ref: 6552 2907**

**Expiry Date: 18th September 2003**

Local Member: Councillor J W Edwards

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

- 1.1 Woodhouse Farm is situated at the north-eastern end of a long, narrow private track extending off an unclassified road which leads to the north from the Upton Bishop – Kemply road and which is itself a 'cul de sac'. The farm complex includes a farmhouse (listed Grade II) and an 'L'-shaped group of stone barns (also listed), together with a smaller two-storey building (already converted into a dwelling) and adjoining cartshed which enclose the northern part of the farmyard. To the south of this complex is a modern steel-framed agricultural building and a number of intensive poultry units.
- 1.2 It is proposed to convert the main complex into 5 holiday units and to demolish the modern farm buildings. The main change to these buildings would be the addition of a roof to the east barn. The walls of this barn would need to be raised and it is proposed to achieve this by adding clerestorey glazing just below the eaves of the new roof. This would help reduce the number of new openings required. This range of barns would form 4 units of varying sizes (from one to three bedrooms) with the cartshed forming the fifth unit.
- 1.3 In addition a small stone workshop would be extended by the addition of a swimming pool and housing. The latter would have a steel frame with wooden windows and doors and a corrugated sheeting roof.

## 2. Policies

### 2.1 Planning Policy Guidance

PPG7	The Countryside : Environmental Quality and Economic and Social Development
PPG15	Planning and the Historic Environment

### 2.2 Hereford and Worcester County Structure Plan

Policy CTC2	Development in Areas of Great Landscape Value
Policy CTC13	Buildings of Special Architectural or Historic Interest
Policy CTC14	Criteria for the Conversion of Buildings in Rural Areas
Policy TSM1	Criteria for Tourism Related Development
Policy TSM3	Encouraging the Development of Tourist Accommodation

### 2.2 South Herefordshire District Local Plan

Policy C5	Development within AONB
Policy C36	Re-use and Adaptation of Rural Buildings
Policy C37	Conversion of Rural Buildings to Residential Use
Policy SH24	Conversion of Rural Buildings
Policy GD1	General Development Criteria
Policy TM5	Proposals for Small Guesthouses, Bed and Breakfast and Self-Catering Accommodation

### 2.3 Supplementary Planning Guidance

Re-use and adaptation of Traditional Rural Buildings

### 2.4 Unitary Development Plan – Deposit Draft

Policy HBA12	Re-use of Traditional Rural Buildings
Policy HBA13	Re-use of Traditional Rural Buildings for Residential Purposes
Policy S8	Recreation, Sport and Tourism Development
Policy RST1	Criteria for Recreation, Sport and Tourism Development

## 3. Planning History

3.1 There have not been any recent planning applications relating to this site.

## 4. Consultation Summary

4.1 Environment Agency has no objection in principle but recommends conditions be imposed regarding drainage.

4.2 The Society for the Protection of Ancient Buildings does not generally favour the conversion of traditional agricultural buildings because the introduction of partitions and domestic style doors and windows often results in a loss of character and interest. However, in this case we appreciate that there is no existing agricultural use and that the buildings are in need of repair. Assuming that alternative and less intrusive uses have been considered, we feel re-roofing and conversion for holiday use may prove acceptable as a solution for the building's future. We are, however, somewhat

concerned about the intended number of units (requiring, for instance, an undesirable dividing wall across the main entry to the south barn) and about the large and reflective areas of glass to be used in openings. We also suggest that information on the treatment of the outside spaces is required.

Responses by internal consultees that raise material planning issues are summarised and considered in the Officers Appraisal.

## 5. Representations

5.1 The applicant's agent has submitted a detailed description and explanation of the proposals which are included as an appendix to this report.

5.2 Upton Bishop Parish Council comment as follows:

On balance the Parish Council do not oppose the application, if only because it will ensure the removal of the dreadful poultry houses and other agricultural units on site. It is a salutary reminder of how the unrestricted construction of agricultural buildings in open country can present long-term problems and here where their removal is occasioned only by a permission for further development. The applicant stated that he intended to keep one poultry house which is to the left of the site as you enter the property, in a hollow. The Parish Council are of the view that all poultry houses should be demolished and removed from site as a condition of any planning consent together with the building adjacent to the bull pen and the hoppers, feeders, tanks and ancillary apparatus. The applicant stated that the concreted areas would also be ripped up and removed. The Parish Council believe this should be a condition of any consent which is granted. The building which currently appears to be an office and which it is proposed will double in size and house a swimming pool would by reason of the increase in size appear to constitute a new building in open space. It is for the Planners to decide whether this is so. The applicant states that he intends to roof this building (if permission is granted) with corrugated sheeting. This seems to the Parish Council to be incongruous and if the building is permitted then the roof must be of the same materials as the rest of the development, i.e. slate or pan tiles.

It is for the Planning Authority to decide if the cart house is a building and which is redundant, as it appears to be used for storage purposes as ancillary to the cottage to which it is adjacent. Likewise, the Planning Authority will decide whether the building to the right of the cart house which currently comprises stone walls, and a concrete block section constitutes a building, and which can be classified as redundant. The remaining agricultural buildings which the applicant intends to retain should be made the subject of a condition of storage only so as to prevent their use as housing for migrant workers as happens elsewhere. The Parish Council consider that the removal of the agricultural buildings, feeding apparatus and concreted areas should be completed and the land restored to its original condition before any of the units are occupied. The Parish Council have an overriding concern that if the proposed holiday letting venture is not successful, the Planning Authority will be faced with an application at some point in the future for permission to use the units for permanent residence. In the view of the Parish Council this would be unacceptable given that it would create a settlement of some seven dwellings at a point far removed from any existing settlement of some seven dwellings at a point far removed from any existing settlement which constitutes the Parish of Upton Bishop.

### Highways

It seems to the Parish Council that the traffic implications of the proposed development would be to substitute one traffic problem for another in that the current heavy goods use of the lane would cease but would be replaced by a much more frequent use by motor cars of the lane and access to the site by holiday makers who would be unfamiliar with the lane. Given the continued use of the lane by Castle Farm and by the dwellings immediately adjacent to the lane, the Parish Council will consider that there are significant highway implications and consider that the Highways Authority should be asked to assess the impact of a development upon the public roads leading to the site.

- 5.3 Much Marcle Parish Council has no objection to this planning application.
- 5.4 Two letters expressing objections/concerns have been received. In summary the following points are made:
- Lane to Woodhouse Farm is heavily used by farm traffic and herb business employing 20 staff - proposal could generate up to 20 vehicles at any one time, all of the drivers unfamiliar with the hazards on the narrow lanes;
  - proposal is in effect for a holiday park which would be detrimental to rural environment of the area, add to noise pollution, increased risk of crime and reduce personal security and property. This is a peaceful area of natural beauty and this proposal could eventually change this environment as a floodgate to further leisure development. Not in keeping with the area;
  - risk that may become permanent dwellings forming a small hamlet of 7 dwellings way outside the village envelope;
  - poultry houses must be demolished concurrently with conversion scheme;
  - a proposal for holiday homes nearby was refused planning permission for similar reasons to those stated above.

Both letters however also support demolition of the poultry houses, which do not comply with current standards and result in traffic at unsociable hours causing disturbance to local residents. One letter also supports restoration of the stone buildings which have been neglected too long.

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 National and local policies encourage conversion of rural buildings to uses that benefit the local economy. In view of the isolated rural location it is considered that holiday accommodation is the only appropriate use. In principle therefore the proposal accords with the Council's policies. The submitted Structural Inspection report and a site inspection confirm that conversion can be undertaken without major reconstruction of the barns.
- 6.2 The main concern expressed in the representations is the traffic generated by these units. The Head of Engineering and Transportation, Transportation Manager does not raise any objections however provided the access track can be upgraded and passing places provided, which can be required by condition. There are only a few houses along the unclassified road and it is not considered that traffic flows would be unduly heavy as a result of this development nor that noise and disturbance from that traffic



would significantly harm residential amenities. The track, although long and winding in places and in need of re-stoning is for much of its length as wide or wider than the highway that leads to it. The applicant has confirmed that the track could be upgraded.

- 6.3 It is accepted that conversion into residential dwellings may be more difficult to resist once this scheme has been implemented, but it would first have to be demonstrated that commercial use was not viable. Furthermore under current policies conversion to houses would have to be considered after market testing and an isolated location is not specifically mentioned in the statutory policies as grounds for refusal. These listed buildings are important as a group. PPG15 strongly encourages finding new uses which ensure the long-term future of such buildings. County Structure Plan Policy TSM3 specifically encourages farm tourism that help conserve historic buildings. It is not considered therefore that this concern regarding future use is grounds to refuse this proposal, which as noted in paragraph 6.1 accords with current policies.
- 6.4 The extension of buildings to facilitate conversion is discouraged by statutory policies. Nevertheless the swimming pool extension is appropriate to the use, and is appropriately sited without being intrusive in the landscape. The scheme benefits the landscape by demolition of 3 unattractive poultry units. Furthermore the cost of conversion is considerable bearing in mind the level of decay and this addition may help to make the proposal viable. Any further leisure facilities to make a holiday park would require a further grant of planning permission which would be considered on its merits and against the policies then prevailing. It would not be reasonable to require demolition of the fourth poultry unit. This is further from the barn complex and not intrusive.
- 6.5 Conversion of farm buildings to residential (holiday) accommodation almost always involves some alteration to the buildings character. In this case the changes are not considered to be so harmful as to warrant refusing planning permission and are generally in accord with the Council's planning guidance.

## **RECOMMENDATION**

**In respect of DCSE2003/2231/F:**

**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 C02 (Approval of details )**

**Reason: To safeguard the character and appearance of these buildings of special architectural or historical interest.**

**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** Notwithstanding the submitted drawings no demolition and/or re-building of the walls of the barns and cartshed shall be carried out unless details of the extent and nature of the works have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

**Reason:** To protect the character of these buildings of special architectural or historical interest.

- 6** No development shall take place until details of the layout of the site including access drive, parking and turning areas and the treatment of the site of the buildings to be demolished have been submitted to and approved in writing by the local planning authority.

**Reason:** To protect the visual amenities of the area and the setting of the listed building.

- 7** No development shall take place until details of improvements to the surface of the private access track and formation of parking spaces have been submitted to and approved in writing by the local planning authority.

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

- 8** The details of access track, passing places, drive, parking and turning areas approved pursuant to condition nos 5 & 6 shall be implemented before the occupation of the holiday cottages.

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

- 9** 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.

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

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

- 11** The poultry units specified in the application to be demolished shall be demolished and the materials including all hard surfaces shall be removed from the site before the occupation of any of the holiday cottages hereby approved.

**Reason:** To define the terms of the permission and in the interests of visual amenity.

In respect of DCSE2003/2233/L:

That listed building consent be granted subject to the following conditions

- 1** C01 (Time limit for commencement (listed building consent) )

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

**2 C02 (Approval of details )**

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

**3 Notwithstanding the submitted drawings no demolition and/or re-building of the walls of the barns and cartshed shall be carried out unless details of the extent and nature of the works have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.**

**Reason: To protect the character of these buildings of special architectural or historical interest.**

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

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

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

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

**6 No development shall take place until details of the layout of the site including access drive, parking and turning areas and the treatment of the site of the buildings to be demolished have been submitted to and approved in writing by the local planning authority.**

**Reason: To protect the visual amenities of the area and the setting of the listed building.**

**7 The details of access track, passing places, drive, parking and turning areas approved pursuant to condition nos 5 & 6 shall be implemented before the occupation of the holiday cottages.**

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

**8 The poultry units specified in the application to be demolished shall be demolished and the materials including all hard surfaces shall be removed from the site before the occupation of any of the holiday cottages hereby approved.**

**Reason: To define the terms of the permission and in the interests of visual amenity.**

Decision: .....

Notes: .....

.....

**Background Papers**

Internal departmental consultation replies.

SE03/223

## Introduction

Woodhouse Farm is a mixed use farm located north east of the village of Upton Bishop in South Herefordshire. Currently the farm is predominately soft fruit production and poultry rearing and this application seeks permission to diversify the business base of the farm to provide holiday accommodation on the site.

## The Buildings

Woodhouse Farmhouse itself is an attractive Grade II property thought to originate in part from the 15th century and though remodelled repeatedly over the intervening centuries still includes two cruck frames within the former hall range.

To the east of the farmhouse lie two ranges of predominately stone farm buildings which collectively form an enclosed courtyard or foldyard as it is referred to in the Listing description. Rather confusingly the listing description places this group of buildings to the west of the farmhouse but we believe the author has inadvertently misplaced north whilst note taking. Turning in a clockwise direction with the farmhouse on your left the buildings which comprise the courtyard are as follows:-

### Range 1

**The Cottage** - a small stone barn or grain store which has been converted by the previous owners of the farm into a self contained cottage. This building does not form part of the application and is included for information only.

**The Cartshed** - a partially open sided single storey timber framed structure with stone gable end and rear elevation.

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### Range 2

**East Barn**- currently roofless this building forms the eastern edge of the courtyard and is included within the listing description for it's group value in defining the courtyard setting of the farmhouse.

**South Barn** - the most imposing of the outbuildings on site , it is currently completely obscured on it's south flank by the large modern storage shed which abuts it.

**Bullpen** - referred to in the listing description as a stable, this tall partially stone roofed building provides a strong endstop to the collection of buildings. As with the South Barn it's southern flank is currently completely obscured by the large modern storage shed which abuts it.

To the south of this group of buildings and separated from it by the storage shed referred to above is what is affectionately referred to as **The Shed** . This is a stone walled structure with high pitched timber weatherboarded gables and is currently used as the farm office.

Beyond this to the south east and south west lie a collection of modern poultry units and other ancillary modern farm buildings and beyond those the areas of soft fruit production.

## The Proposal

The farm buildings in close proximity to the farmhouse have long since ceased to be used for agricultural purposes and being unsuitable for modern farming practices and machinery have lain empty for several years. This application seeks permission to restore these historically valuable buildings and convert them to provide a collection of holiday "lets" together with an indoor swimming pool. In doing so this will create an additional income stream to ensure the future viability of the farm whilst safeguarding these attractive agricultural buildings.

Taking each building in turn the proposals are as follows:-

**The Cartshed** . This is to be restored and converted into a two bedroom single storey holiday let. Currently the building is roofed in a variety of materials from large pantiles to corrugated sheeting. There is also a small single storey link section which currently forms part of the cottage which is partially tiled and partially flat roofed. The intention is to absorb this small link section back into the cartshed and form a continuous pitched roof over both sections. By salvaging pantiles from elsewhere on the site the entire building will be reroofed in reclaimed pantiles. Modifications to the existing structure are minimal as the building is blessed with a variety of window openings. The open bays are to be glazed in with large uninterrupted panels of glazing in order to

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preserve the agricultural feel of the building and a series of sliding external louvered timber screens will provide privacy at night for the occupants without the need for "domestic" elements such as curtains. When not in use the screens can be stacked to one side. Internally the unit will consist of a bedroom with an attached bathroom at either end of the building and a large open plan living dining kitchen area in the middle. Existing trusses and framework will be left exposed internally and original window openings on the rear of the building will be reinstated.

**East Barn.** The major task here is the restoration of the lost roof. Though the existing stone walling is in good condition (see attached structural report) the intention is to build a new independent timber frame inside the existing structure to support both a new first floor and the new trussed roof. This will allow the existing wall to be retained with the absolute minimum of alteration and also provides a clear distinction between the historic elements of the building and the honest repair work we are undertaking. As with most barns this building is not blessed with many apertures which could provide windows. Apart from the two storey cartway through the middle (currently infilled with blockwork) there are eight ventilation slots on either side and a further six on the gable end. In order to preserve the agricultural appearance of the building we would rather not widen these apertures as is common practice when converting this type of structure to domestic use. Instead we are proposing to supplement the light provided by these arrow slots with a discrete band of clerestorey glazing tucked in between the top of the existing stone walls and the eaves of the new roof. The existing walls are between 450-500mm thick and the clerestorey glazing is proposed to lie in the same plane as the new timber frame i.e. within the line of the walling. Consequently the glazing will be recessed approximately half a metre back from the outside face of the building and coupled with the fact that the glazing will be in the shadow of the overhang on the roof we feel this is a very subtle and unobtrusive way of providing adequate levels of daylight in the building interior without altering the essential characteristic of the barn. Please see dwg. 9918.28 for details.

In order to take full advantage of the sense of space created by the new open trussed roof an upside down plan is proposed with three bedrooms and two bathrooms at ground floor and a completely open plan kitchen dining and living area at first floor. A spiral staircase housed within a timber clad drum links the two floors and makes legible the clear distinction between new and old elements. Glazed areas within the cartways are kept as large and uninterrupted as possible in order to reinforce the non-domestic nature of the building historically. Once constructed the new roof is to be clad in slate tiles to match it's southern counterpart.

**South Barn.** Unlike the East Barn the South Barn has a wider range of existing openings and has retained it's original roof. It's appearance however is severely compromised at present by the modern storage shed which engulfs it's southern flank. The major alteration to the South Barn is therefore not to the barn itself but the demolition of this adjacent structure and the restoration of the building's setting.

At some stage the east end of this barn has been consumed into the East Barn so that the internal plan bears no relation to the roof plan over it. We are proposing returning this part of the building to its rightful ownership which will allow internal floor levels within the part of the buildings to be returned to their historic levels. On its northern flank a poorly built corrugated lean-to is to be demolished and the modern lean-to roof over the cartway removed to improve the quality of daylighting to the interior. The size of the barn renders it too large to be converted into a single holiday let and therefore it is proposed to subdivide the space into two separate units. The western half will comprise of a 2 bedroom 2 bathroom unit and the eastern half a 3 bedroom 2 bathroom unit. As collectively all the units will form a holiday "village" with shared use of common facilities such as the pool, the intention is to use a common design philosophy for all the units. Consequently the units in the South Barn are designed on the same upside down principle as the East Barn with ground floor bedrooms open plan first floor, and timber clad stair drums.

**The Bullpen.** As with the South Barn the major alteration here is the removal of the adjacent storage shed. This building is a completely self-contained two storey stone structure and blessed with a bewildering array of different sized openings. It is proposed to convert it into an open plan one bedroom one bathroom holiday let studio in order to give full expression to the dramatic nature of the interior space. The remnants of an original first floor remain and this will be retained and restored to form a sleeping gallery whilst the rest of the space will be retained as a double height space. A large vertical slot to the south facade is completely blocked in at present and will be reinstated as part of the restoration works. Other smaller openings currently blocked in will be reinstated and the current roofing materials consisting of one slope clad in clay tiles and one slope clad in stone will be retained.

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emily warren B.A. (Hons) Dip. Arch. dean benbow B.A. (Hons) Dip. Arch. R.J.B.A.....

SE03/2231/F

The removal of the storage shed creates a large outdoor space between the barns and The Shed to the south. This is intended to be the main focus for outdoor activity for the holiday lets away from the farmhouse itself. To give focus to this area and provide an added attraction for the holiday lets it is proposed to convert and extend the Shed to form a Poolhouse. The existing stone structure is to be converted to provide changing facilities whilst a new steel framed extension will house the pool itself. Large uninterrupted panels of glazing between the framing elements will reinforce the agricultural feel of the building and give the impression of an open structure. As with the cartshed panels of sliding louvred timber screens will provide privacy if required and the ability to close up the pool when not in use. A simple weather boarded facade punctuated by only a glazed screen on the south is echoed in reverse on the north facade with a glazed gable end punctuated by a weatherboarded panel.

Beyond the Poolhouse lie three intensive poultry units. It is not intended that these buildings remain in this location once the holiday accommodation is ready for occupation. It is however essential that the income stream they provide is maintained up until the point of occupation. Dismantling of the buildings will therefore need to occur after the completion of the holiday lets not before in order to maintain income. Once they have been removed it is intended to return this area to grassland so that the barns once more sit in an attractive rural setting as they must originally have done.

Taking collectively these proposals seek to create a sustainable future for Woodhouse Farm as a going concern based on the twin income streams of agricultural production and holiday accommodation. I trust the enclosed meets with your approval and we look forward to hearing from you in due course.

Yours sincerely



Dean Benbow  
warren benbow architects  
enc.

HEREFORDSHIRE COUNCIL PLANNING SERVICES DEVELOPMENT CONTROL
24 JUL 2003
To: .....
Ack'd: .....File: .....

emily warren B.A. (Hons) Dip. Arch. dean benbow B.A. (Hons) Dip. Arch.R.I.B.A.





**10 SE2003/1002/F – PROPOSED BUILDING FOR THE STORAGE AND REPAIRS OF AGRICULTURAL, HORTICULTURAL, AUTOMATIVE AND PLANT MACHINERY**

**For: Mr S Cole per RPS Ltd, Park House, Greyfriars Road, Cardiff, CF10 3AF**

**11 DCSE2003/2157/F - RETENTION OF EXISTING REPLACEMENT HAY BARN, HARDSTANDING AND TERRACE**

**THORNY ORCHARD, PART OS 8691, COUGHTON, ROSS-ON-WYE, HEREFORDSHIRE**

**For: Mr S Cole per C F Knock, 22 Aston Court, Aston Ingham, Ross-on-Wye, Herefordshire, HR9 7LS**

**Date Received: 16th July 2003      Ward: Kerne Bridge      Grid Ref: 5988 20885**  
**Expiry Date: 10th September 2003**

Local Member:    Councillor Mrs. R. F. Lincoln

**1. Site Description and Proposal**

- 1.1 The site to which these applications relate is a roughly triangular area of land lying on the south-east side of the unclassified road leading from Coughton up Howle Hill. The site is approximately 0.9ha. in area. It is about half way up the hill with the wooded hillside rising to the south-east.
- 1.2 Various building and engineering operations have been undertaken and the applications are (i) to regularise these and (ii) for the erection of a new building for storage and repair of agricultural, horticultural, automotive and plant machinery. The earlier application (SE2003/1002/F) refers to the formation of a terrace or platform, improvements to the access and turning radius, closure of two other accesses onto the adjacent highway, storage shed and landscaping including a bund. The shed would be about 46m long x 10.7m wide x 7.7m to ridge. The later application (DCSE2003/2157/F) is for retention of a hay barn, hardstanding and terrace. The barn is 13.7m x 6.4m x about 4.8m high (maximum height). The external materials are grey corrugated sheets with a grey profiled sheet roof.
- 1.3 It is understood that the use of land at Orchard House for agricultural and haulage contractors business would transfer to the new site and the former be returned to agricultural use.

**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.1 - Areas of Outstanding Natural Beauty  
 Policy CTC.2 - Areas of Great Landscape Value  
 Policy E.6 - Industrial Development in Rural Areas  
 Policy A.3 - Agricultural Buildings

**2.3 South Herefordshire District Local Plan**

- Policy C.1 - Development within Open Countryside  
 Policy C.2 - Settlement Boundaries  
 Policy C.4 - Areas of Outstanding Natural Beauty Landscape Protection  
 Policy C.5 - Development within Areas of Outstanding Natural Beauty  
 Policy C.6 - Landscape and Areas of Outstanding Natural Beauty  
 Policy C.8 - Development within Area of Great Landscape Value  
 Policy C.9 - Landscape Features  
 Policy C.11 - Protection of Best Agricultural Land  
 Policy ED.5 - Expansion of Existing Businesses  
 Policy ED.6 - Employment in the Countryside  
 Policy ED.9 - New Agricultural Buildings  
 Policy GD.1 - General Development Criteria  
 Policy T.3 - Highway Safety Requirements

**2.4 Unitary Development Plan – Deposit Draft**

- Policy S.7 - Natural and Historic Heritage  
 Policy LA.1 - Area of Outstanding Natural Beauty  
 Policy LA.2 - Landscape Character and Areas Least Resilient to Change  
 Policy E.6 - Expansion of Existing Businesses  
 Policy E.8 - Design Standards for Employment Sites  
 Policy E.11 - Employment in the Countryside

**3. Planning History**

- 3.1 There have not been any recent applications relating to this site.

**4. Consultation Summary**

- 4.1 No statutory or non-statutory consultations required.

Responses by internal consultees that raise material planning issues are summarised and considered in the Officers Appraisal.

**5. Representations**

- 5.1 Walford Parish Council observe in respect of SE2003/1002/F:

"As far as the provisions under Policy GD.1 are understood by the Parish Council, there seems to be no reason to build a large commercial building in open country in an Area of Outstanding Natural Beauty, on an elevated site and with a narrow, twisting access road. The impact of the recently built 'replacement' barn, two or three times the size and height of the original wooden shed, and which is not part of the current application, has been noted. If retrospective consent is given for the earth-moving/hardstandings and for this building, the Parish Council ask that the following points be taken into consideration:

The building is so large that a condition be made not to allow machinery to be left out in the open; that no outside floodlighting be permitted, that the bunds be planted with native species, not conifers; that the work shop be sound-proofed; that note be taken of possible damage to WA50 from the newly-carved-away drop. It was noted that local electors who attended the site meeting were all in favour of the new building apparently because it would aid the clear up of the field next to Orchard House."

5.2 Walford Parish Council observe in respect of DCSE2003/2157/F:

"The majority of councillors did not have objections to the retention of the replacement barn, although some objected to the height of the new building erected without consent on an Area of Outstanding Natural Beauty elevated site. There were vehement objections to the terracing and hardstanding given that its intended uses are now obvious from Planning Application SE2003/1002/F. It conflicts with policies GD.1, i, ii, iii, vi, ix, xi, xvii and xviii in that the site is visually obtrusive in an Area of Outstanding Natural Beauty and the access will cause dangers on the narrow twisting road. It was noted that at the site meeting on 6th July, cars had difficulty negotiating the exit on to the U70416."

5.3 In respect of SE2003/1002/F the applicant's agent makes detailed submissions which are included in full in the Appendix to this report.

5.4 In respect of DCSE2003/2157/F:

"The applicant's agent points out that the building is slightly larger than the original building in order to accommodate the larger size hay bales both square and round shape. the external materials are the same as the original barn."

5.5 A petition (85 signatories from 67 addresses) has been received in support of planning application SE2003/1002/F.

5.6 In addition, 14 letters of support have been received. The following reasons are given:

- create local employment (2 new jobs)
- support local farming community – many farms, as well as businesses and householders rely on the applicant for repairs, contract work and hire of earth moving equipment; 90% of his work is within 10 mile radius
- would ensure existing site next to Orchard House was cleared
- new site is less visible; building would not be seen from road and no noticeable impact on landscape
- all services exist or are readily available; would be secure site both as regard equipment and safety of children; highway aspect agreed by Council's Transportation Unit; vehicle movements would be kept to a minimum
- majority of local people support proposal for above reasons

- only field applicant owns and he needs to diversify, develop and consolidate his business
  - his personal qualities are referred to; very honest and hard working.
- 5.7 5 letters of objection have been received. The following is a summary of the representations:
- this development is not appropriate in an Area of Outstanding Natural Beauty and would conflict with policy (GD.1), intentions for Area of Outstanding Natural Beauty (presumably to protect its natural beauty) and initiatives to encourage tourism (by allowing an eyesore)
  - up to 2 years (6 years according to one letter) the field was open pasture and extensive earth moving has created plateau and used for storage of builder's rubble, with much of soil taken off the site
  - all presumably without planning permission
  - earth moving itself detrimental to landscape and effectiveness of tree planting on top of bund is questioned; site and new building would be clearly visible from Ross – Walford road and public footpath and no amount of landscaping will hide this blot on landscape
  - machinery may be stored outside as well as waste materials and liquids, further harming Area of Outstanding Natural Beauty
  - this could set precedent for further development in Area of Outstanding Natural Beauty, exacerbating harm identified above
  - site is awkwardly placed near blind bend on narrow road and half way up a hillside with traffic speeding downhill – turning movements of large machinery into and off site and trying to pass other large vehicles would cause considerable problems and compromise highway safety; totally inappropriate on highway grounds
  - next step will be application for dwelling
  - existing house turned into plant yard and eyesore with combine harvesters under polythene tunnels. Field (which?) must be returned to agricultural use
  - Walford Residents Association endorse the Parish Council's observations.
- 5.8 In respect of DCSE2003/2157/F one of the above letters of objection points out that the new hay barn replaces a sheep shelter that was 15' square by 6' tall, a quarter of the size of the new building.

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 Although two separate applications have been submitted there are obvious overlaps, for example, same application site and retention of engineering works. Nevertheless the applications are considered separately in order of receipt.

### SE2003/1002/F

- 6.2 There are three main issues to be considered, firstly the relevant policies and the need for the building, secondly the impact on the landscape and thirdly highway safety.
- 6.3 Both the County Structure Plan (HWCSP) and Local Plan (SHDLP) (Policies E.6 and ED.5 respectively) encourage the expansion of existing businesses. The latter specifically refers to expansion on new sites as follows:

'In its efforts to promote economic development, the Council will support appropriate proposals to develop a new site when existing businesses have outgrown their original sites and operate in cramped conditions to the detriment of surrounding residents and other land users. The Council will also support the expansion of a business activity in a settlement or countryside location where this will not give rise to serious environmental problems or have a damaging effect upon the landscape or nature conservation.'

There is clearly an existing business operated from the field adjoining Orchard House but insufficient evidence has been submitted on two occasions to satisfy the Council that this use, which started without planning permission, has now become lawful. As the use is unauthorised it is considered that the above policies do not apply. The erection of a new commercial building is referred to specifically or by inference in Policies C.1 and ED.6 (SHDLP) and in both cases it is specifically stated that "special justification" is required. Policy ED.6 reads as follows:

POLICY ED.6  
Employment in the  
countryside

"WITHIN THE COUNTRYSIDE, PROPOSALS FOR EMPLOYMENT-GENERATING USES WILL ONLY BE PERMITTED WHERE THEY ARE FOR SMALL SCALE PROJECTS ON APPROPRIATE SITES WHICH ACCORD WITH THE COUNTRYSIDE POLICIES OF THE PLAN, AND ANY ONE OF THE FOLLOWING CRITERIA:-

- (i) THE DEVELOPMENT IS REQUIRED FOR THE ESSENTIAL OPERATION OF AGRICULTURE OR FORESTRY OR THE WINNING OF MINERALS; OR
- (ii) THE PROPOSAL IS FOR A FARM DIVERSIFICATION OR TOURISM PROJECT WHERE NO OTHER SITE EXISTS IN OR ADJOINING A SETTLEMENT AND WHICH ACCORDS WITH POLICY ED.8 AND POLICY TM.1 RESPECTIVELY; OR
- (iii) THE PROPOSAL IS FOR A REUSE OR ADAPTATION OF A RURAL BUILDING IN ACCORDANCE WITH POLICY ED.7;

NEW DEVELOPMENT OR BUILDINGS WILL ONLY BE PERMITTED PROVIDING IT CAN BE DEMONSTRATED THAT THERE IS NO OPPORTUNITY FOR THE RE-USE OR ADAPTATION OF EXISTING BUILDINGS AND SUCH NEW DEVELOPMENT SHOULD PREFERABLY BE LOCATED EITHER WITHIN OR ADJOINING EXISTING BUILT DEVELOPMENT. **A REASONED JUSTIFICATION WILL NEED TO BE SUBMITTED WITH ANY PROPOSALS OF THIS TYPE DEMONSTRATING WHY AN EXCEPTION TO COUNTRYSIDE POLICY SHOULD BE MADE. PROPOSALS FOR SUCH DEVELOPMENT SHOULD ALSO BE IN UNOBTRUSIVE LOCATIONS CAUSING NO ADVERSE IMPACT UPON THE NATURAL ENVIRONMENT, THE ROAD NETWORK OR LOCAL AMENITY."**

- 6.4 The reasons put forward in support of the proposal refer to the need to find an alternative site, that attempts to secure premises locally have been unsuccessful and that this is the only land available. Furthermore, it is pointed out that the business serves the local farming community and other businesses and would create additional employment. Relocation into a secure building away from houses would allow the land at Orchard House to be returned to agriculture thus improving the appearance of the area. It can be accepted that the business is conveniently located in the countryside but it does not seem to be essential. The business serves non-farming enterprises as well as local farms, according to the representations. Both the existing land and the

relocation site are in the Wye Valley Area of Outstanding Natural Beauty in which priority is given to protecting the natural beauty of the countryside. The effect on the landscape is thus critical to whether an exception should be made to the policy that new commercial buildings should not normally be constructed in the open countryside.

- 6.5 In order to screen this sizeable building an earth bund would be necessary, which would be about 5m above existing ground level and the site of the building has been excavated up to 4m below the original ground level. In addition a new wider vehicular access and turning area would be required. These engineering works would alter substantially in contour the character and appearance of this former pasture, introducing angular and alien shapes into the countryside and further tarmac surfacing. These would all be highly visible and yet the building would not be screened from public view as there is a public footpath which passes just within the adjoining woodland along the south-east boundary. It is considered that this would seriously harm the natural beauty of this part of the Wye Valley Area of Outstanding Natural Beauty.
- 6.6 The access could meet the requirements of the Council's Head of Engineering and Transportation who is satisfied that highway safety would not be compromised. However as noted above the access and turning area would require significant engineering works, involving further loss of hedgerow. Thus whilst this is not in itself grounds for refusal it would add to the harm to the Area of Outstanding Natural Beauty.
- 6.7 It is concluded that the harm to the countryside would be sufficiently serious as to outweigh any benefits from the development. The criteria in Policies ED.3, 5 and 6 for acceptable development in the countryside would not therefore be met and it is not considered that the case for making an exception has been made.

DCSE2003/2157/F

- 6.8 The appraisal of the engineering operations above are relevant also to this application. The retention of the hay barn has not been discussed however. This is significantly larger than the demolished structure. It is not of attractive appearance, although a coat of paint would help, and is sited on top of a steep bank. It is not screened effectively by the hedgerow and is conspicuous from the adjoining road, as well as the public footpath. It is not clear that the hay barn is appropriately sited for agriculture, as most of the field is proposed for non-agricultural use and presumably the hay is grown or used on other parts of the applicants agricultural unit.

## RECOMMENDATION

In respect of SE2003/1002/F

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

- 1. The Council does not consider that there is special justification for a new building in open countryside in view of the serious harm that would be caused to the natural beauty of the landscape which is within the Wye Valley Area of Outstanding Natural Beauty and defined as of Great Landscape Value. The proposal would conflict therefore with Policies E.6, CTC.1 and CTC.2 of Hereford and Worcester County Structure Plan and ED.5, ED.6, C.1, C.5, C.6 and C.8 of South Herefordshire District Local Plan.**

In respect of DCSE2003/2157/F

That planning permission be refused for the following reason:

1. The hay barn, hardstanding and terracing are prominently sited within open countryside and seriously harm the character and appearance of this part of the Wye Valley Area of Outstanding Natural Beauty. Retention would therefore conflict with Policies E.6, A.3, CTC.1 and CTC.2 of the Hereford and Worcester County Structure Plan and ED.5, ED.6, ED.9, C.1, C.5, C.6 and C.8 of South Herefordshire District Local Plan.

Decision: .....

Notes: .....

.....

**Background Papers**

Internal departmental consultation replies.





## Background

My client, as I understand you are aware, is an agricultural contractor who has been servicing the local agricultural community for the last 30 years. Whilst the business has been successful during that period, its growth has been fettered by Mr Cole's inability to secure appropriate storage premises for his vehicles and equipment. Accordingly, he has been forced to use a number of largely open areas at various locations including land adjacent to his home at Coughton and land at Monmouth, Tewkesbury, and Michaelchurch Escley. He has also been forced to leave plant and machinery on open, unprotected sites overnight. The consequence of such arrangements is that the business has failed to achieve its optimum efficiency and it has been affected by vandalism and other operational problems.

Being located at Coughton Mr Cole has therefore naturally sought to consolidate the business within the locality. As you know, however, he has failed to secure an authorised site, the recent application for planning permission adjacent to Orchard House having been withdrawn and an application made to seek a Certificate of Lawfulness having been rejected by our Authority. Additionally, it has been stressed by your Authority to my client that he is currently occupying his site without the benefit of planning permission and enforcement action is therefore pending. The current application is therefore submitted with the express purpose of securing a permanent removal of unauthorised storage uses on the land adjacent to Orchard House and the equally permanent establishment of the storage requirements of his business within a purpose-made building at Thorny Orchard. Implicit in the application is a proposal to retain the engineering works that have been undertaken at the latter site.

## The Proposal

2

The proposal entails the following:

- 1 The retention of the existing engineering works which have created a level platform with sufficient capacity to accommodate the proposed landuse.
- 2 The retention of the works undertaken to improve the existing access point, together with additional works to secure a turning radius commensurate with the requirements of your Authority.
- 3 The closure of two other existing accesses onto the adjacent highway.
- 4 The construction of a single storey storage shed with sufficient capacity to accommodate the plant and machinery that is essential to allow my client to continue his business.
- 5 Landscaping works including, in particular, the construction of a landscape bund and tree planting in the location that respects the local topography whilst at the same time provides an effective visual screen to the building.

## Potential Impacts

It is appreciated that the site lies outside the established settlement limit. Nevertheless, it is wholly in the control of my client and within close proximity to his existing business location. Having attempted to secure premises elsewhere in the locality, particularly existing brownfield development sites, without success it is therefore the only option open to my client which allows him to secure alternative accommodation before enforcement action threatens to close his business.

Having said that, the visual impact of the proposal will be minimal due to the fact that the building is to be cut into the hillside with a floor level some 5 – 8 metres lower than the retained slope along the site's south-eastern boundary. With an eaves height of 6 metres and a ridge height of 8 metres the building when viewed from long distance vantage points to the west will sit within the landscape and its visual impact will be substantially mitigated by the topographical and woodland back-cloth that surrounds it.

Additionally, it is proposed to construct a landscaped earth bund of 4 metres height above the floor level of the building in a configuration that runs parallel to its north-western elevation. That, combined with the tree planting proposed on top of it and in its vicinity, will because of the degree of angle from the valley below effectively screen the building in its entirety from what will probably be regarded as being the more sensitive receptor locations in the area.

It should be noted that the public footpath that abuts the site's south-eastern boundary will be unaffected by the proposals, as will a badger sett known to exist to the north-east of the site but well outside any area of concern and, in particular, the zone in which a Badger Licence would be required to undertake any earth or building works.

The proposed access arrangements have derived from a meeting held on site between Mr Christopher Knock and your Senior Engineer (Development Control), Graham Delal. His requirements for visibility splays in both directions, for a radius of 8.5 metres, for a maximum gradient of 1 in 12 and for the entrance gates to be set back from the access are all met by the proposal, as confirmed in his letter of 24<sup>th</sup> March 2003 to Chris Knock. The proposal also has the added advantage of closing two other existing access points along the site frontage, thereby reducing the potential for vehicular conflict in the locality.

It is considered, therefore, that despite its open countryside location the proposal offers, through design and topographical/landscape mitigation, an acceptable solution to this otherwise elevated location.

### **Policy Context**

It is appreciated that the application needs to be assessed against the context set for it by primarily, in this instance, the adopted South Herefordshire District Local Plan. In that respect:

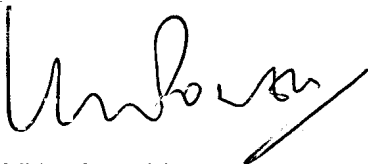
- 1 The proposal has a direct relationship to the local agricultural economy and is especially justified bearing in mind the need for it to be located within the locality and the history of enforcement action that has threatened its future at its existing main site. The proposal is considered, therefore, not to be contrary to Policy C1.
- 2 It is appreciated that the application site sits within the Wye Valley AONB where, under Policy C4, the priority will be towards the protection and enhancement of the area's natural beauty. However, the proposal is small in scale and the design is particularly tailored towards its proposed function and the quality of the local environment. The landscaping proposals, and the intention to nestle the building within the local topography, will have a minimal adverse affect upon the special scenic quality of the landscape and the local environment. The proposal is one that is regarded as essential to meet both the local needs of the agricultural community and to support the essential agricultural economy of those

communities. The proposal does not compromise the general development criteria of Policy GD1, and it is therefore considered that the requirements of Policy C5, specific to the AONB, are met.

- 3 Likewise, the choice of materials is appropriate to the locality; the landscaping proposals will be effective and complementary to the existing topography; the volume of additional traffic generated upon the local road network will be minimal; all the necessary parking requirements can be accommodated within the site; and it is therefore considered that the proposal is not in conflict with Policy C6.
- 4 Neither is the proposal considered to be in conflict with the objectives of Policy C8 which deals with development within Areas of Great Landscape Value. That is a policy, of course, that now has reduced relevance since the designation is proposed to be deleted upon the adoption of the Herefordshire Unitary Development Plan.
- 5 The proposal complies with Policy ED5 in that it comprises the expansion of existing business in a countryside location that fulfils the criteria of Policy ED3 in that it is appropriate in scale; has no adverse effects upon the environment and amenity value of the surroundings; has adequate vehicular access, servicing and parking arrangements; and fulfils generally the criteria of Policy GD1.
- 6 Finally, as the proposal is for a small scale project on an appropriate site within the countryside; it is essential for sustaining the agricultural economy within the locality; and it is necessary to maintain the viability of a business which is threatened by enforcement action at its current premises, the proposal is not in conflict with Policy ED6.

In these combined circumstances, therefore, I shall be grateful if you will register the application and proceed with its determination. In the event that you require any additional information, please do not hesitate to come back to me.

Yours sincerely



LYN POWELL  
**Planning Director**  
[powelll@rpsplc.co.uk](mailto:powelll@rpsplc.co.uk)

Encls

cc: Simeon Cole  
Chris Knock



**12 DCSE2003/1460/F - CONVERSION OF 2 REDUNDANT BARNs INTO TWO DWELLINGS WITH SEPARATE GARAGES AT UPPER BUCKENHILL, FOWNHOPE, HEREFORDSHIRE, HR1 4PU**

**13 DCSE2003/1461/L - CONVERSION OF 2 REDUNDANT BARNs INTO TWO DWELLINGS WITH SEPARATE GARAGES AT UPPER BUCKENHILL, FOWNHOPE, HEREFORDSHIRE, HR1 4PU**

**For: Mr P.R. Clay per Hook Mason, 11 Castle Street, Hereford HR1 2NL**

**Date Received: 15th May 2003**

**Ward: Old Gore**

**Grid Ref: 6005 3310**

**Expiry Date: 10th July 2003**

Local Member: Councillor J W Edwards

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

- 1.1 The application site consists of a courtyard of farm buildings that lies to the south of the B4224 in a roadside location. The buildings were previously associated with Upper Buckenhill Farm, a grade II farmhouse situated immediately north-east and on the other side of the road from the application site. The main barn, which faces north-west and can be clearly seen when approaching from Fownhope, is an independently listed grade II timber framed threshing barn. It has also been established that the remaining buildings are curtilage listed. The buildings that are the subject of this conversion scheme lie to the north of the 2.3 hectare field that is currently lying fallow. The site has an existing access from the B4224 into the courtyard of buildings and a separate access to the south west of the buildings.
- 1.2 The proposal is to convert the Listed barn and remaining barn into 2 units of accommodation. The proposal also includes the erection of a detached garage for each unit. A scheme was initially submitted and concerns were relayed to the applicant, and as a result the scheme has been amended to provide a more sympathetic approach. It is these revised plans which are now being considered.
- 1.3 It is proposed that the Listed Barn would undergo conversion to become a three bed dwelling with associated detached garage and access from the adjoining lane. The bedroom accommodation will be accommodated within the upper floor of the timber framed barn, also incorporating a bathroom and one en-suite. A void has been created with the central 'threshing' section of the barn, with free-standing stairs leading to the upper floor. The ground floor of the barn has been designed to be open through the three areas of living room, dining hall and kitchen, leaving the existing timber frames and plinths intact to provide the distinction between the rooms. A glass walled study is also proposed on the ground floor. A playroom, utility and shower room would be provided in the single storey section of the listed barn which extends to the rear along

the roadside. Entrance to the barn can be gained via the courtyard area into a lobby and cloak area.

- 1.4 The non listed barn and stables would provide a further residential unit comprising four bedrooms, 2 bathrooms, living room, dining room, kitchen, hall. A playroom, shower room, and utility would also be provided within the one storey stable section to the North. An open porch has been proposed to the courtyard frontage of the two-storey part of the barn. A detached garage with turning area and access from the B4224 has been proposed to the east of the site. An open access and pathway from the parking area to the courtyard is shown. Within this building the existing stalls are to be retained in situ and a character feature.

## **2. Policies**

### **2.1 Planning Policy Guidance**

PPG1	General Policy and Principles
PPG3	Housing
PPG7	The Countryside – Environmental Quality and Economic and Social Development
PPG13	Transport
PPG15	Planning and the Historic Environment

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

Policy CTC1	Development in AONB's
Policy CTC2	Development in AGLV'
Policy CTC7	Development and features of Historic and Architectural Importance
Policy CTC9	Development Criteria
Policy CTC13	Buildings of Special Architectural or Historic Interest.

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

Policy GD1	General Design Principles
Policy C1	Development within open Countryside
Policy C4	AONB landscape protection
Policy C5	Development within AONB
Policy C8	Development within AGLV
PolicyC16	Protection of species
Policy C27a	Change of use of a Listed Building
Policy C27b	Alteration or additions to a Listed Building
Policy C29	Setting of a Listed Building
Policy C36	Reuse and adaptation of rural buildings
Policy C37	Conversion of Rural Buildings to Residential Use
Policy C43	Foul sewerage
PolicyT3	Highway Safety Requirements

### **2.4 Unitary Development Plan – Deposit Draft**

Policy DR1	Design
Policy NG1	Nature Conservation and Development
Policy LA1	Areas of Outstanding Natural Beauty
Policy H7	Housing in the Countryside Outside Settlements
Policy H14	Reusing Previously Developed Land and Buildings

Policy HBA1	Alterations and Extensions to Listed Buildings
Policy HBA3	Change of use of Listed Building
Policy HBA4	Setting of a Listed Building
Policy HBA12	Re-use of traditional rural buildings
Policy HBA13	Re-use of traditional rural buildings for residential purposes

### 3. Planning History

3.1 None relevant to this application site.

### 4. Consultation Summary

4.1 Environment Agency: The Environment Agency has no objections in principle to the proposed development but would request that conditions referring to foul drainage works are imposed on any permission granted.

4.2 Hyder Consulting: recommends conditions relating to sewerage and surface water drainage are attached to any permission granted.

4.3 English Heritage note that this does not appear to be a case on which they need to be consulted, but advise that before determining the application you should give particular attention to the following.

1. We are concerned to note the extent of change to the timber framed barn
2. We trust you will rigorously apply your policies on residential conversion of historic farm buildings.

Responses by internal consultees that raise material planning issues are summarised and considered in the Officers Appraisal.

### 5. Representations

5.1 A covering letter was submitted as part of the application and can be summarised as follows:

#### Access:

- The present access from the B4224 is split into two. There is one access immediately to the east of the farm buildings and another one which enters directly into the farmyard. It is proposed to seal the farmyard access entirely in order that each of the two dwellings will have just one individual access. The one to the east will remain where it is and the other access off the adjoining lane will also remain in its present position.
- Since agricultural processes will now cease the majority of slow moving traffic will be eliminated making access to the site so much safer.

#### Services:

- Drainage will be by two separate conventional septic tanks. Percolation tests have been obtained and they are satisfactory.

#### The Site:

- The present site is clearly very untidy. It is proposed to remove all of the existing modern steel-framed buildings. In all there are four; one to the south of the Listed barn has all but collapsed and the three others are all attached to the second barn and are clearly extremely unsightly.

- Within the courtyard only natural materials will be used in respect of hard landscaping and it is here where washing lines and distbins will be positioned for both buildings.
- As you will see from the drawings any major trees and hedgerows within the curtilage of the site will be retained in their entirety. It is not proposed to provide any new boundaries around the site, with the exception of the sub-division within the courtyard and the new hedges where shown.

#### Design Issues:

##### Threshing Barn:

- We have very carefully considered your Planning Policy C.36 and believe that the Guidelines given have been complied with. We have also taken into account your Supplementary Planning Guidance for Re-use and Adaptation of Rural Buildings.
- Perhaps one of the most interesting features is the fact that two original scissor braced trusses exist in this barn. Unfortunately these scissor braced trusses have not been structurally satisfactory which has resulted in much of the distortion we see today. We confirm that the frame will be retained and the collars will be removed and more discreet strengthening will be provided in the form of ceiling joists above the rooms immediately below the trusses.
- The south gable wall which is leaning in towards the building by approximately 600mm will be largely retained and underpinned and only the outer upper sections rebuilding and repointed in lime mortar.
- Externally the building will be clad with stained large section feather edged boarding and all windows and joinery will be formed 'chunky' sections in accordance with your Council's Guidelines. You will see that the main screens within the threshing bay have been set back in order that the framework and original opening can be expressed.
- An open feel to the whole of the interior has been respected with the building services through the former extension which is situated on the east side of the living area.
- In the main barn and at ground floor level the staircase is free standing and carefully designed so that there is minimal intervention within the space as a whole. At landing level a 'bridge' has been provided only sufficiently large enough to gain access to the individual rooms. At the threshing bay positions the first floor partitions are set back behind the timber framework and not taken up to roof level in this position. Instead flat ceilings are provided in the rooms on either side of the threshing bay which means that from the threshing bay itself the roof will be completely visible internally. Effectively the main visible accommodation will be in the form of two 'pods' provided at first floor level to either side of the threshing bay. The exception to this is the small study enclosure. This has been glazed where adjoining the threshing bay and set back from the central timber framework.

##### Second Barn and Stables:

- Its structure is generally good and in addition to the barn itself there is a stable building which was provided around the turn of the century when the small cottage at the east end of the main building was also formed.
- Here, with careful lowering of the floors in the centre of the building, it is possible to provide good residential accommodation without destroying any of the principal fabric.
- The whole of the exterior will be completely refurbished to its original condition.
- There are some fine 19th Century cast iron stalls within the stable building. It is proposed to retain these in their entirety.



- Again we believe that this building is being converted with minimum intervention in respect of the existing fabric.

5.2 On receipt of the amended plans an additional supporting statement was submitted and can be summarised as follows:

In respect of the non-listed barn:

- As requested the bay window on the south elevation has been entirely eliminated and a conventional purpose-made window provided in its place.
- As requested the number of openings in the existing walling have been considerably reduced.
- There are now no new openings on the south wall at first floor level as the existing bathroom has been relocated and a window provided in an existing opening in the west gable.
- At ground floor level there are only two new windows in the existing structure both designed to take advantage of the sunlight on this side of the building.
- Internally we have made a minor amendment within the hallway in order to change the location of the staircase and reinstate the old fireplace opening as a feature so far as possible. The existing timber frame in this area already has one of its cross rails taken out. We have therefore repositioned the door into the living room to this location so that there will be minimal intervention.
- The floor levels of the existing stable block, link passage and kitchen will remain as existing so will be floor level at the western end of the living room.
- At first floor level both floors in the eastern and western most parts of the building remain as existing but lowering of the central floors will be required in order to ensure that there is adequate headroom beneath the existing roof trusses.

Turning to the listed Threshing barn:

- We have shown the whole of the ground floor is kept open with a reduced link in the central bay. The staircase has been separated from the existing structure. The roof void is also completely open and it will be possible to look through the barn from end to end at both levels. You will see that this scheme can now be carried out with minimal intervention of the existing fabric.
- We believe that the floor in the Threshing bay still remains. We expect to have to lower the ground floor by 125 mm in order to avoid altering the timber frame at the ground floor window head positions.
- You will recollect from the County Surveyor's letter dated 22 May 2003 that the opening from the road is to be sealed for safety reasons. Therefore it is not possible to locate garages in this area. Bearing in mind how many existing buildings have been removed we consider it entirely reasonable to provide new garages which will be in keeping with the scheme.
- We are aware that there has been an objection in respect of this garage. We consider this to be unreasonable as the object's house is set well above the road and the garage will not obscure their view.
- There has also been a considerable discussion in respect of the mitigation process for great crested newts. English Nature have advised that they would very much like to see the pond reinstated and we have agreed to this.

5.3 Two structural surveys have been submitted and can be summarised as follows:

Structural Survey of non-listed barn and adjoining stable:

- This building appears to have been altered substantially throughout its lifespan. Despite this and the lack of maintenance in recent years, the overall condition of the building is generally sound.

- Careful repairs are required to this building, ;in order that it can be converted to residential use. During the scheme, it would be required to raise the external roof line as it is clear that this is all in a satisfactory condition and in any event the structure can be accommodated within it. There is nothing to suggest that sections of the building require major reconstruction.

#### Timber framed listed barn

- I have made inspections of the building on six occasions in the period between September 2002 and May 2003.
- In summary, my advice is that in my opinion this building can be converted within the terms of the policy of Herefordshire Council, which is that the building should be converted without major structural alteration or repair.
- The timber frame walls, roof structure and single storey building can all be converted without major structural alteration or repair. The masonry plinth walls to the timber frame are in a variable condition but some lengths can be retained with others re-built. Several options have been considered for the existing stone south gable wall and we have decided, in consultation with the planning authority, that it can be partly retained if it is supported on a buttressing chimney breast within the building. Underpinning will be required to the masonry plinth walls retained and to the retained section of the south gable wall.

#### Conclusion

- It is my view that the building is in a reasonably stable structural condition and can be converted without major structural alteration and repair as required by the policy of Herefordshire Council.

- 5.4 Brockhampton Parish Council supports this application but would mention concerns regarding access to the development; also that the site is close to the brow of a hill and the B4224 is not level in that area.
- 5.5 Woolhope Parish Council has no objection to this application. They consider the plans to show a sympathetic conversion of the redundant buildings.
- 5.6 Fownhope Residents association support these applications
- 5.7 There have been letters of representation to this scheme from;

Mr T and Mrs B Drakeford of Upper Buckenhill Farmhouse and who make the following observations regarding the proposal:

They do not object in principle to the development of the barns as two dwelling houses  
They object to the new three bay garage sited opposite our house because:

- (a) it represents a considerable visual intrusion
- (b) It is contrary to Herefordshire Councils policy (SPG0 to erect an entirely new building when developing an existing site
- (c) the separate garage is unnecessary, as the existing buildings are extensive
- (d) the new building is sited outside the existing developed site

Mr M.D.J Morris and Mrs W.E Morris of Ivy House, Upper Buckenhill also made representations making the following points:

- (a) Proposed development is very closely situated to our property and land, and we strongly feel if the development goes ahead, our enjoyment and privacy of our property and land will be considerably reduced.
- (b) These barns are in proximity to the very busy B4224, on which many accidents have occurred in recent years, some of these being outside this proposed development.
- (c) Having lived alongside the B4224 for 16 years, the volume of traffic has vastly increased in this time, and we are gravely concerned about the added danger and hazards to all road users and neighbouring properties with vehicles exiting and entering onto this road if these barns are converted into dwellings.
- (d) There is also added further danger of a very bad blind spot approaching these barns (from the direction of Ross), resulting in very poor visibility which can only contribute to an already dangerous situation.

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

## **6. Officers Appraisal**

6.1 The proposed scheme to convert the underused barns has been the subject of substantial and in depth pre-application discussions over the period of the last year. As a result of this an application was submitted, some further design and ecological issues were raised as part of the appraisal of this application and revised scheme submitted. The main issues that are the subject of this application are:

- The principle of conversion to residential in relation to market testing for alternative uses and structural capability;
- The sympathy of the design and layout in relation to the existing rural agricultural character of the barns and the impact on the Listed Building and its setting;
- The introduction of garage accommodation for each unit
- The impact of the conversion on highway safety;
- Its relationship with the Area of Outstanding Natural Beauty and Area of Great landscape value;
- Effect on surrounding ecological interests;

6.2 The barns are situated on the periphery of an existing large estate within the parish of Brockhampton. They are clearly visible and accessible from the B4224 which runs between Fownhope and Ross-on-Wye. Having regard to their relatively sustainable location, the applicant has undertaken a market testing exercise for alternative uses. There was no interest in the use of the site for commercial or tourist uses on a to let basis. The results of which have been submitted by Brightwells as part of the application. On this basis it is felt that the information provided is satisfactory and reliable. The information provided is also considered consistent with advice given with the Councils Supplementary Planning Guidance (SPG) on the re-use and adaptation of the traditional Rural Buildings.

6.3 The SPG and Policies C36 and C37 of the South Herefordshire District Local Plan identify criteria that should be satisfied to convert existing buildings to residential use. One of the criteria is that the building is structurally sound and capable of conversion and should be a bona fide conversion and not a scheme to bring the building back into use a building requiring extensive reconstruction. The proposal includes two structural surveys; one of each unit of accommodation.

- 6.4 The non Listed barn and stable has been surveyed and results find that although works to repair and update the accommodation are required, there is no evidence that major reconstruction will be required to bring the accommodation up to a level which would provide satisfactory living accommodation.
- 6.5 The Listed barn has caused more concern as its structural condition has deteriorated quite rapidly in recent years. Remedial works were undertaken to stabilise the building last year. However, the main structure of the building is intact, including the timber frame, roof and gable walls. The structural engineer has addressed each of the areas of concern with sympathy to its status as a Listed Building and has put forward solutions which have allowed the timber framed walls, roof structure and single storey building to be converted without any major structural alteration or repair. Some localised repair and rebuild will be required to the masonry plinths walls. The main area of concern is the Southern Gable wall which is visibly 'leaning' and in need of stabilising. This wall can be partly retained if it is supported on a buttressing chimney breast within the building. Underpinning is also required to the masonry plinth walls retained and to the retained section of the south gable wall. Having regard to the information submitted and the fact that the structural difficulties can be overcome to provide satisfactory living accommodation. It is evident that there is repair and structural work required, but this is not major reconstruction and thus it has been demonstrated that the scheme is a bona fide conversion. Much of the structural works proposed would be required to just retain the structure even if an application was not being considered. This work will also enable a Listed Building to be brought into a beneficial use in accordance with the policies of the South Herefordshire District Local Plan and the current SPG.
- 6.6 Through the pre-application and application process the issue of design and layout has been paramount in the compilation of a suitable and sympathetic scheme. Internally, the existing spatial arrangements of the barn are vital to retaining the character of the barns. Externally the utilisation of existing openings is vital in retaining the rural character and appearance of the buildings.
- 6.7 The non-listed barn and stables lend themselves well to conversion. Internally the spaces are already subdivided allowing the living accommodation to follow the existing form. The only alteration would be to the floor levels in part of the non-listed barn. This has been done to provide headroom within the building without the removal of historic beams. Within the stable, a number of divisions are currently in situ, this includes the historic stalls. These are to be retained, offering an insight into the historic use and character of the building. Externally the building also lends itself to conversion. There are a number of existing openings that have been utilised to provide the natural light required. The proposal retains the character of the existing buildings and does not harm the setting of the adjacent Listed Building.
- 6.8 The existing layout and internal arrangements of the Listed Barn have been respected by utilising the void through the central area of the building, and open plan effect on the ground floor. Compartmentalisation has been minimised and existing structural divisions retained to protect the both spatial arrangements of a Listed Building and the barn whilst providing realistic and suitable living accommodation. The proposed external appearance of the building has utilised existing openings wherever possible. Where new openings have been inserted these respect the frame of the building and the rural character and are not excessive in the scale of the development. Whilst there are some concerns over the internal and external treatment of the Listed Building.

- 6.9 The Chief Conservation Officer has had concerns regarding the method of conversion since the submission of these applications. Officers have sought to negotiate the areas of concern having regard to architectural and historical significance of the site. Concerns are still raised by the Chief Conservation Officer. However balancing the issues in respect of current condition of the buildings, its importance to the locality and listed status and no alternative uses have been found for the buildings after a marketing exercise as set out in the Council's Supplementary Planning Guidance the level of intervention proposed is considered acceptable and the minimum necessary to allow conversion and preserve the structural integrity and character of the buildings.
- 6.10 The proposed scheme has introduced two units of garage accommodation, one for each unit. The introduction of independent garage accommodation in association with barn conversions is not normally something that is encouraged. However in this instance the applicant has proposed sympathetically designed garages which are close to the barn complex itself and which would not appear incongruous or out of keeping with the rural character of the area. The garages are also designed to provide compensatory habitat for protected species such as bats. The garage to the east of the site, that is associated with the non listed barn, would face south with the rear of the garage to the roadside. The topography in this location is such that the garage would appear higher than the road but would be located behind an existing hedgerow. An elevation of the whole site from the B4224 has been provided which demonstrates the position of the garage and its subservience in the scheme. The garage to the south of the Listed Barn is accessed from the existing lane that runs to Copthorne Farm. As with the previous garage the rear of the garage faces onto the lane, with the existing mature hedgerow partially obscuring this from public view. This garage would replace an existing corrugated shed that is in a poor state of repair. The fact that this new garage is set some distance from the Listed Building helps to protect the setting, character and appearance of the Listed Barn. The owners of the adjacent property have raised objections to these garages, and their concerns have been considered. However only the rear of the garage will be visible and this would be across a main road from their property. Having regard to this the inclusion of the garage would not be considered inappropriate nor would this detached garage have an adverse impact on the enjoyment of the amenities of the owners of the property.
- 6.11 As part of the scheme the existing access directly into the courtyard shall be sealed as it is considered to be restricted and a threat to highway safety. The proposal therefore utilises two existing accesses. The first immediately to the east of the existing buildings, with access from the B4224 which will lead to a parking, turning and garage area for the non listed barn. The second is an access from the lane that runs to along the western boundary of the site and provides access to the parking, turning and garage area associated with the Listed Barn. There are no objections in highway safety terms to either access and the turning and parking areas provided will allow vehicles to turn on site and exit on a forward gear.
- 6.12 The site lies within the Wye Valley Area of Outstanding Natural Beauty and the locally designated Area of Great Landscape Value. Both of these designations place emphasis on the protection of these countryside and landscape and resist new development which would cause harm or be obtrusive to the landscape area. The proposed development retains a rural appearance and character and whilst it cannot be denied that the development of this site will introduce a residential use and associated paraphernalia the impact on the landscape quality would not be compromised, especially given the enclosed 'courtyard' nature of the development and its close proximity of the busy road. The historical relationship of the buildings will be retained.

- 6.13 Two ecological surveys were submitted as part of the application tackling the concerns regarding the protected species of Great Crested Newts and a survey of bats and birds. Both of these ecological reports offer method statements that include details of the phasing and timings of the work, identification of positions for bat lofts, roosts and nesting places. It also includes the management of the adjacent land. The Chief Conservation Officer is satisfied that the reports are comprehensive and would raise no objection to the granting of permission as long as all the procedures, mitigation and compensation mentioned in the reports are undertaken. As such the concerns relating to these species have been addressed and can be satisfied.
- 6.14 In conclusion, the proposed development offers a bona fide conversion scheme which embraces the ideals of the SPG and local plan policies to the most practicable extent. It is accepted that the nature of the existing barns has allowed some leniency but wherever possible a scheme which sympathetically uses the existing spatial areas and external opening and characters has been negotiated and proposed. As such it is considered that the scheme would represent a positive development in terms of the retention and use of the Listed Building and adjacent barns, in a sustainable location. The site has safe access and has addressed the concerns relating to ecological issues. As such the proposed scheme would accord, in the main with the SPG and Local plan policies to offer an imaginative and sympathetic scheme.

## **RECOMMENDATION**

**In respect of DCSE2003/1460/F:**

**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 B07 (Stonework laid on natural bed )**

**Reason: In the interests of conserving the character of the building.**

**5 Prior to the commencement of development a full schedule of repair to timber frame, stonework and all other structural elements and a method statement for both units of accommodation shall be submitted to and approved in writing by the Local Planning Authority.**

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

**6 C02 (Approval of details )**

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

**7 C05 (Details of external joinery finishes )**

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

**8 C06 (External finish of flues )**

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

**9 C11 (Specification of guttering and downpipes )**

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

**10 No cutting or alteration of the historic timber frame shall be undertaken other than that approved as part of this application or unless it has been submitted to and approved in writing by the Local Planning Authority.**

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

**11 The protection measures and works laid out in the two ecological studies shall be implemented and maintained in accordance with the details submitted.**

**Reason: In the interests of nature conservation.**

**12 The developer shall afford access at all reasonable times to any ecologist nominated by the local planning authority for the purpose of observing and monitoring the biological features of the site and works completed under the ecological surveys submitted.**

**Reason: To allow the potential nature conservation interests of the site to be investigated, recorded and monitored.**

**13 E16 (Removal of permitted development rights)**

**Reason: To retain the character and appearance of this agricultural building.**

**14 E09 (No conversion of garage to habitable accommodation)**

**Reason: To ensure adequate off-street parking arrangements remain available at all times.**

**15 E08 (Domestic use only of garage)**

**Reason: To ensure that the garage is used only for the purposes ancillary to the dwelling.**

In respect of DCSE2003/1461/L:

That listed building consent be granted subject to the following conditions:

**1 C01 (Time limit for commencement (listed building consent) )**

**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 B07 (Stonework laid on natural bed )**

**Reason: In the interests of conserving the character of the building.**

**5 Prior to the commencement of development a full schedule of repair to timber frame, stonework and all other structural elements and a method statement for both units of accommodation shall be submitted to and approved in writing by the Local Planning Authority.**

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

**8 C02 (Approval of details )**

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

**9 C05 (Details of external joinery finishes )**

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

**8 C06 (External finish of flues )**

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

**9 C11 (Specification of guttering and downpipes )**

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**Reason:** To allow the potential nature conservation interests of the site to be investigated, recorded and monitored.

Decision: .....

Notes: .....

.....

**Background Papers**

Internal departmental consultation replies.



Document is Restricted

