

A G E N D A

Southern Area Planning Sub- Committee

Date: **Wednesday, 5th November, 2003**

Time: **2.00 p.m.**

Place: **The Council Chamber, Brockington**

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

For any further information please contact:

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

email: pmartens@herefordshire.gov.uk

**County of Herefordshire
District Council**

AGENDA

for the Meeting of the Southern Area Planning Sub-Committee

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

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

		Pages
1.	APOLOGIES FOR ABSENCE To receive apologies for absence.	
2.	DECLARATIONS OF INTEREST To receive any declarations of interest by Members in respect of items on the Agenda.	
3.	MINUTES To approve and sign the Minutes of the meeting held on 8th October, 2003.	1 - 16
4.	ITEM FOR INFORMATION - APPEALS To note the contents of the attached report of the Head of Planning Services in respect of the appeals received or determined for the southern area of Herefordshire.	17 - 18
5.	HEAD OF PLANNING SERVICES REPORT 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.	19 - 64
 EXCLUSION OF THE PUBLIC AND PRESS		
In the opinion of the Proper Officer, the next item will not be, or is likely not to be, open to the public and press at the time it is considered.		
 RECOMMENDATION: THAT the public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as		

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

6. ITEM FOR INFORMATION - ENFORCEMENT

65 - 66

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

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

Your Rights to Information and Attendance at Meetings

YOU HAVE A RIGHT TO:-

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

Please Note:

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

The meeting venue is accessible for visitors in wheelchairs.

A public telephone is available in the reception area.

Public Transport Links

- Public transport access can be gained to Brockington via bus route 75.
- The service runs every half hour from the 'Hopper' bus station at the Tesco store in Bewell Street (next to the roundabout junction of Blueschool Street / Victoria Street / Edgar Street).
- The nearest bus-stop to Brockington is located in Old Eign Hill near to its junction with Hafod Road. The return journey can be made from the same bus stop.

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

COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL

BROCKINGTON, 35 HAFOD ROAD, HEREFORD.

FIRE AND EMERGENCY EVACUATION PROCEDURE

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

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

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

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

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

COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL

MINUTES of the meeting of Southern Area Planning Sub-Committee held at Brockington, 35 Hafod Road, Hereford on Wednesday, 8th October, 2003 at 2.00 p.m.

Present: Mrs. R.F. Lincoln (Chairman)
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,
G. Lucas, D.C. Taylor and J.B. Williams

25. APOLOGIES FOR ABSENCE

Apologies were received from Councillor Mrs J.A. Hyde.

26. DECLARATIONS OF INTEREST

The following declarations of interest were made:

Councillor	Item	Interest
Councillor G. Lucas	Item 3 (DCSE2003/2020/F - Change of use from retail to A3 (food and drink). 33 High Street, Ross-on-Wye, Herefordshire, HR9 7DY)	Prejudicial and left the meeting for the duration of the item
Councillor Mrs. A.E. Gray	Item 5 (DCSE2003/2422/F – Proposed taxi office. 5 Cantilupe Road, Ross-on-Wye, Herefordshire, HR9 7AN)	Prejudicial and left the meeting for the duration of the item

27. MINUTES

RESOLVED: That the Minutes of the meeting held on Wednesday, 10th September, 2003 be approved as a correct record and signed by the Chairman.

28. ITEM FOR INFORMATION - APPEALS

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

29. 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.

30. ITEM FOR INFORMATION - ENFORCEMENT

The Sub-Committee received an information report about the enforcement matters within the southern area of Herefordshire.

RESOLVED: That the report be noted.

The meeting ended at 3.20 p.m.

CHAIRMAN

APPENDIX**SITE VISIT**

Ref. 1

ST WEONARDS
SW2003/1227/O

Site for one dwelling at:

LOWER TOMLINS FIELD, ST WEONARDS, HEREORD, HR2 8QEFor: **Mr SD Methven per Mr Griffin ADAS, the Patch, Elton Newnham, Gloucester. GL14 1JN**

In accordance with the criteria for Public Speaking Mr Methven, the applicant, and his agent Mr Griffin, spoke in favour of the application.

Having discussed details of the application the Sub-Committee took the view that the applicant's local agricultural engineering business provided a vital service to the local community in an area where affordable housing was virtually non-existent. They felt that there were exceptional circumstances under which planning permission could be granted for a dwelling, which could be tied to the business of the applicant.

The Chief Development and Control Officer pointed out that the application was contrary to a number of key planning policy issues. He said that it would also be inappropriate for the Sub-Committee to favour planning permission being granted because the applicant did not have planning permission for his business or a certificate of lawful use. He strongly recommended that permission be refused in accordance with the recommendations of the Officers.

Having considered all the points made about the application the Sub-Committee took the view that given the exceptional circumstances involved and the unique service provided by the applicant, planning permission should be granted.

RESOLVED: That

1. The Southern Area Planning Sub-Committee is minded to approve the application because of the special circumstances of the applicant's local agricultural engineering business which serves the local community and which necessitates a dwelling to be located in the open countryside, subject to any conditions felt to be necessary by the Head of Planning Services provided that the Head of Planning Services does not refer the application to the Planning Committee.

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

Note:

Under the Council's referral procedure, the Chief Development Control Officer decided to refer the application to the Head of Planning Services.

Ref. 2
LITTLE BIRCH
DCSW2003/2308/F

Two storey extension at:

ACONTREE HOUSE, BARRACK HILL, LITTLE BIRCH, HEREFORDSHIRE. HR2 8BA

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

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. A06 (Development in accordance with approved plans)

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

Ref. 3
ROSS-ON-WYE
DCSE2003/2020/F

Change Of Use From Retail To A3 (Food And Drink) At:

33 HIGH STREET, ROSS-ON-WYE, HEREFORDSHIRE. HR95HD

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

The receipt of a further letter from an objector was reported.

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 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.

Two storey side extension at:

MEADOW COTTAGE, BACTON, HEREFORDSHIRE, HR2 0AR

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

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. **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)**

Ref. 4
BACTON
DCSW2003/2450/F

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.

Ref. 5
ROSS-ON-WYE
DCSW2003/2422/F

Proposed taxi office at:

5 CANTILUPE ROAD, ROSS-ON-WYE, HEREFORDSHIRE, HR9 7AN

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

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

1 E20 (Temporary permission) for one year only

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- 9am-11.30pm Sunday to Thursday and 9am-1am on Firdays and Saturdays)

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

Ref. 6
ROSS-ON-WYE
DCSE2003/2422/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

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 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.

Ref. 7
ROSS-ON-WYE
 DCSE2003/2380/F

Reconstruction of existing outbuilding to garage and store at:

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

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

RESOLVED: 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.

Ref. 8 and Ref 9
UPTON BISHOP
 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 at:

AND
DCSE2003/2233/L

**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**

The receipt of a further letter from the agent regarding improvements to the vehicular access was reported.

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

RESOLVED: That subject to the satisfactory resolution of outstanding highway issues, the Officers named in the Scheme of Delegation to Officers be authorised to grant planning permission subject to the following conditions:

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.

Ref. 10 and Ref 11
COUGHTON
SE2003/1002/F
AND
DCSE2003/2157/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 and;**

Retention Of Existing Replacement Hay Barn, Hardstanding And Terrace at:

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**

The Chairman suggested that there was merit in the Sub-Committee carrying out a site inspection prior to determining the application.

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

Ref. 12 and 13
FOWNHOPE
DCSE2003/1460/F
AND
DCSE2003/1461/L

Conversion of 2 redundant barns into two dwellings with separate garages and:

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**

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

The Sub-Committee discussed details of the application and felt that there was merit in further discussions being held with the applicant

about the orientation of the garage to determine if the visual impact could be further minimised.

RESOLVED: That the Officers named in the Scheme of Delegation to Officers in consultation with the Chairman of the Sub-Committee and the local Ward Councillor be authorised to grant planning permission and listed building consent subject to further consideration of the garage proposals and subject to the following conditions and any further conditions considered necessary by Officers.

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 down pipes)

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.

4 ITEM FOR INFORMATION - APPEALS

APPEALS RECEIVED**Application No. SE2003/0535/L**

- The appeal was received on 16th October 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 D.A & S.B Pope
- The site is located at Treberon, Pencoyd, Hereford, HR2 8ND
- The development proposed is Installation of three skylights into slate roof
- The appeal is to be heard by Written Representations

Case Officer: Mr Nigel Banning on 01432 261974

Application No. SE2003/1150/F

- The appeal was received on 26th 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 J.J. Mill & CE Davies & Mr & Mrs Ward
- The site is located at Woodpeckers Barn, Great Woodend Farm, Linton, Ross-On-Wye, Herefordshire, HR9 7SR
- The development proposed is Amended proposal to retain & modify western section of dwelling (part retrospective)
- The appeal is to be heard by Hearing

Case Officer: Mr Steven Holder on 01432 260479

Application No. SW2003/1369/F

- The appeal was received on 13th October 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 C C Dennison
- The site is located at 1 Boyce Cottages, Madley, Herefordshire, HR2 9NY
- The development proposed is Erection of small wind turbine for generating electricity 2.5kw 8 m. high mast self supporting.
- The appeal is to be heard by Written Representations

Case Officer: Mr Andrew Prior on 01432 261932

APPEALS DETERMINED**Application No. SE2002/3573/F**

- The appeal was received on 14th July 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 & Mrs Bowker

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

- The site is located at Ayltor Barn, Phocle Green, Ross-On-Wye, Herefordshire, HR9 7TW
- The application, dated 18th November 2002 , was refused on 16th January 2003.
- The development proposed was Erection of double garage with residential office over
- The main issue is the effect of the proposal on special architectural and historic interest of Ayltor Barn and its setting.

Decision: The appeal was **DISMISSED** on 13TH October 2003

Case Officer: Mrs Charlotte Atkins on 01432 260536

Application No. SE2002/3446/F

- The appeal was received on 24th February 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 D Hockey
- The site is located at Ridgeway House, Whitchurch, Ross-On-Wye, Herefordshire, HR9 6DQ
- The application, dated 28th November, 2002, was refused on 15th January, 2003
- The development proposed was retention of dormer window to west elevation
- The main issue is the effect of the dormer on the living conditions of the occupiers of the neighbouring property at Alderney having particular regard to loss of privacy and outlook, and the appearance of Ridgeway House

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

Case Officer: Mr Steven Holder on 01432 260479

Application No. SW2003/0571/O

- The appeal was received on 18th July 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 Mrs A Hackley
- The site is located at Little Cobhall, Allensmore, Hereford, Herefordshire, HR2 9BG

Decision: The appeal was **Withdrawn** on 9th October, 2003

Case Officer: Mrs Angela Tyler on 01432 260372

SOUTHERN AREA PLANNING SUB-COMMITTEE

5TH NOVEMBER, 2003

DEFERRED APPLICATIONS

REF No.	APPLICANT	PROPOSAL AND SITE	APPLICATION No.	PAGE No.
1	Mr. S. Cole	Proposed building for the storage and repairs of agricultural, horticultural, auto-motive and plant machinery, Thorny Orchard, Part OS 8691, Coughton, Ross-on-Wye	SE2003/1002/F	21 - 28
2	Mr. S. Cole	Retention of existing replacement hay barn, hardstanding and terrace, Thorny Orchard, Part OS 8691, Coughton, Ross-on-Wye	DCSE2003/2157/F	21 - 28

APPLICATIONS RECEIVED

REF No.	APPLICANT	PROPOSAL AND SITE	APPLICATION No.	PAGE No.
3	Ms. J. A. Mabe	Proposed 2 bedroom bungalow, Chapel Cottage, Cobhall Common, Allensmore	DCSW2003/1375/O	29 - 32
4	The Haigh Engineering Co. Ltd.	Closing existing site access, new access, alteration to existing access and car parking and new landscaping, Haigh Engineering Co. Ltd. Alton Road, Ross-on-Wye	DCSE2003/2708/F	33 - 38
5	Mr. & Mrs. D. J. Jewell	Proposed horse arena 40 x 20 metres, three stables with tack room and lean-to hay storage barn, 2 Doctors Place, Walford, Ross-on-Wye	DCSE2003/2577/F	39 - 44

6	Sustrans Ltd.	Conversion of forest tracks and former railway line to shared surface path for walkers and cyclists, existing path between Royal Hotel Car Park and administrative area boundary, Symonds Yat East	DCSE2003/2781/F	45 - 48
7	Mr. & Mrs. W. Maguire	Conversion of barns to form swimming pool and granny annexe incorporating change of use of land from agriculture to residential curtilage, Cothars Farm, Gorsley, Ross-on-Wye	DCSE2003/2443/F	49 - 54
8	R. J. Kempson	Provision of driveway and parking and turning areas, The Summerhouse, Palmers Flat, Dancing Green, Ross-on-Wye	DCSE2003/2539/F	55 - 58
9	Ms. J. S. Savidge	Construction of detached dwelling with associated means of access and garage at former railway land fronting Mitcheldean Road, Lea	DCSE2003/2696/F	59 - 63

SITE VISIT**1 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

2 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.

SITE VISIT

- 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.

SITE VISIT

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

SITE VISIT

- 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.

SITE VISIT

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."**

SITE VISIT

- 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

SITE VISIT

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.

3 DCSW2003/1375/O - PROPOSED 2 BEDROOM BUNGALOW, CHAPEL COTTAGE, COBHALL COMMON, ALLENSMORE, HEREFORD, HR2 9BN

For: Ms J A Mabe, Chapel Cottage, Cobhall Common, Allensmore, Hereford, HR2 9BN

Date Received: 7th May 2003

Ward: Valletts

Grid Ref: 4538 3560

Expiry Date: 2nd July 2003

Local Member: Councillor P. G. Turpin

1. Site Description and Proposal

- 1.1 The application site comprises part of the lawned garden area of Chapel Cottage, a red brick faced cottage on the western side of the unclassified road (u/c 73410) that leads north/north-east out of the settlement. This site is wholly within the village settlement.
- 1.2 The site is well screened by mature hedging when viewed from the public highway. There is fencing on the north-eastern boundary shared with Copper Beeches and trees and hedging further back along the same boundary adjoining Ffrwd Cottage.
- 1.3 The site has a frontage of 18 metres and is 38 metres deep. This application is for outline planning permission with all details reserved for future consideration. Access will be gained directly off the unclassified road (u/c 73410).

2. Policies

2.1 Planning Policy Guidance

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

2.2 Hereford and Worcester County Structure Plan

Policy CTC.9 - Development Requirements
Policy H.16A - Housing in Rural Areas

2.3 South Herefordshire District Local Plan

Policy GD.1 - General Development Criteria
Policy C.43 - Foul Sewage
Policy SH.10 - Housing in Smaller Settlements

2.4 Unitary Development Plan

There are no policies that are considered to raise issues different from Development Plan policies.

3. Planning History

- 3.1 SH891515PO Erection of two dwellings with garages - Refused 20.12.89

4. Consultation Summary

Statutory Consultations

- 4.1 The Environment Agency raises no objections subject to a scheme of foul drainage works being approved by the local planning authority.

Internal Council advice

- 4.2 The Head of Engineering and Transportation recommends that conditions be attached in the event of planning permission being granted.
- 4.3 The Environmental Health and Trading Standards Officer raises no objections.

5. Representations

- 5.1 The applicant states in a covering letter:

- see Mayglothing Waste Ltd report, recommending Biodisc sewage treatment plant
- 'Wisy' system for storm-water
- application made on behalf of my son, currently renting in Hereford. He will then be able to work from home.

- 5.2 Allensmore Parish Council make the following observations:

"This site was refused for 2 dwellings on 20th December 1989 on the grounds of drainage difficulties and lack of a main sewer. Also at this time Mr. Denny was refused on ground adjacent to Richmond Cottage which is close by Chapel Cottage. This went to appeal on 1st June, 1990 and was refused. An appeal by Mr. Denny on 4th July, 1996 was refused. This lists many points on drainage of this area, and is a very comprehensive report.

Mr. P. Gregory was refused for 1 dwelling adjacent to Richmond Cottage on 10th December, 1998.

On 7th October, 1998 Mr. and Mrs. P. Jones lost an appeal to build a bungalow near the Nursery, Allensmore. Point (1) of the report says a policy of restraints for further development at Cobhall Common until the difficulties of surface water and foul sewage disposal are overcome and mains drainage is available.

The drainage improvement scheme in 1997 was intended to help existing dwellings in the Cobhall Common area and deals with surface water mainly. How much it has lowered the water table is not clear, and the water percolation tests at Chapel Cottage took place at the end of an exceptionally dry period, see attached rainfall figures for Feb and March.

We feel it would be unwise to support further development on Cobhall Common and oppose this application."

5.3 One letter of representation has been received from:

Mr. J. Addis, The Turnant, Cobhall Common, Allensmore, HR2 9BN

The following main points are raised:

- have no real objection to a bungalow
- concern is the access to it. Chapel Cottage and Richmond Villa all use a track that I use to gain access. There are drainage problems in wet winters.

5.4 In a further letter from:

Ms. W. Audas, 8 Jackson Street, Cheadle, Cheshire, SK8 2AU

The following main points are raised:

- happier to live by my daughter
- convenient, cuts travel to Cheshire
- large enough site for a small bungalow

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

6. Officers Appraisal

6.1 There are two main issues, firstly the principle of the development, and secondly the closely related issue of the means of foul drainage.

6.2 With regard to the principle of developing this site, Cobhall Common is identified as a smaller settlement within the remit of Policy SH.10 contained in the Local Plan. Therefore, it needs to satisfy the requirements of that policy together with those of general development criteria in Policy GD.1 and drainage in Policy C.43. The site does have a narrower frontage than that of Chapel Cottage, however, given the depth of site available and that a 2 bedroom bungalow is proposed there is considered to be sufficient area between Chapel Cottage and Copper Beeches and the property to the rear of the plot. Access can be gained off the unclassified road, which is confirmed by the Head of Engineering and Transportation. There are a variety of dwelling types, bungalows predominantly, in this part of the settlement, therefore it is not considered that the principle of allowing a bungalow to be built would detract from the amenities of this part of the settlement. The other criterion requirement in Policy SH.10 is one of demonstrating that there is sufficient interest in the plot in question, in order to satisfy local housing need. This has been demonstrated by the two letters received.

6.3 Cobhall Common has historically been the subject of drainage problems. The Parish Council has correctly identified the history of the site and the recent planning appeals. The current proposal is one that does take advantage of improvements made to surface water works started in 1997. This proposal entails using a package treatment plant and rain-water harvesting and there is no objection from either the Environment Agency or the Environmental Health and Trading Standards Officer. The Environment Agency attended the Hearing Appeal at Richmond Cottage, and therefore have some knowledge of Cobhall Common. The previously refused application in 1989 cited by Parish Council was on a site wider by 7 metres, but was for two dwellings and was proposing a sealed system or septic tanks that were totally inadequate at that time.

6.4 The proposal satisfies the criteria for new residential development in smaller settlements in accordance with Policies SH.10, GD.1 and C.43 contained in the South Herefordshire District Local Plan. There are considered to be no reasonable grounds for withholding planning permission.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

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

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

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

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

- 3. A04 (Approval of reserved matters)**

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

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

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

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

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

Decision:

Notes:

.....

Background Papers

Internal departmental consultation replies.

4 DCSE2003/2708/F - CLOSING EXISTING SITE ACCESS, NEW ACCESS, ALTERATION TO EXISTING ACCESS AND CARPARKING AND NEW LANDSCAPING HAIGH ENGINEERING CO LTD, ALTON ROAD, ROSS-ON-WYE, HEREFORDSHIRE, HR9 5NG

For: The Haigh Engineering Co. Ltd. per Geoff Jones Architect, 53 Broad Street, Ross on Wye, Herefordshire HR9 7DY

Date Received: 5th September 2003 Ward: Ross-on-Wye East Grid Ref: 6078 2392
Expiry Date: 31st October 2003

Local Members: Councillor Mrs A E Gray and Councillor Mrs C J Davis

1. Site Description and Proposal

- 1.1 The application site comprises an industrial estate situated on the south-east side of the Alton Road. The estate is about 2.5 ha. in area. Access to Alton Road is primarily via a single two-way entrance located centrally along the frontage.
- 1.2 The proposal is to form a new access towards the north-western corner of the site and to alter an existing access at the south-western corner. The latter is currently not used or has limited use. The existing central access would be closed other than to pedestrians. Additional car parking would be provided in front and to the side of the main building on the site. The proposals are similar to the ancillary works proposed in previous applications (SE2002/1069/F and SE2002/3919/F) but without the 3-storey office block.

2. Policies

2.1 Hereford and Worcester County Structure Plan

Policy E12	Industrial Development in Urban Areas
Policy E17	Office Development
Policy CTC1	Areas of Outstanding Natural Beauty
Policy CTC9	Development Criteria
Policy CTC18	Development in Urban Areas

2.2 South Herefordshire District Local Plan

Policy ED3	Employment Proposals within Settlements
Policy ED5	Expansion of Existing Businesses
Policy GD1	General Development Criteria
Policy C5	Development within Areas of Outstanding Natural Beauty
Policy T4	Highway and Car Parking Standards

2.3 Herefordshire UDP (Deposit Draft)

Policy E6	Expansion of Existing Businesses
Policy E8	Design Standards for Employment Sites

3. Planning History

3.1	SH810876PF	Erection of light industrial starter units	Approved 04.11.81
	SH830222PF	Erection of 7 industrial units in two blocks	Approved 04.05.83
	SH830630PF	Change of use from drawing office and print room to store	Approved 14.09.83
	SH830631PF	Change of use from canteen to store	Approved 14.09.83
	SH850179PF	Erection of 11 industrial units in two blocks	Approved 27.03.85
	SH871542PO	Erection of warehouse	Approved 13.01.88
	SH880919PM	Erection of warehouse	Approved 20.07.88
	SH890393PF	Erection of factory and offices	Approved 25.04.89
	SH910130PF	Erection of portable building for Canteen	Approved 06.03.91
	SE2001/0284/F	Pitched roof to replace flat roof	Approved 08.03.01
	SE2002/1069/F	Erection of 3-storey office block. New access to site. Amended access to site. Re-alignment of road into site. Car parking and landscaping. Demolition of building.	Withdrawn 03.07.03
	SE/2002/3919	3-storey office block and associated works	Refused 23.04.03

4. Consultation SummaryStatutory Consultations

4.1 No statutory or non-statutory consultations required.

Internal Council Advice

4.2 Head of Engineering and Transport recommends that conditions be imposed if permission is granted.

4.3 Chief Conservation Officer has no objections to the development.

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

5. Representations

- 5.2 Town Council has no objection to the development.
- 5.3 Two letters have been received from local residents objecting to the proposal. In summary the following points are made:
1. There are existing traffic problems in Alton Road which is a fast, busy road and volume has increased considerably during day and late into evening (industrial and agricultural vehicles) due to various highway schemes.
 2. New access would be directly opposite or nearer to driveways to houses opposite - this would (a) increase noise (opening/closing barrier, screeching of brakes) vibration of house, air pollution (b) make vehicular access to houses opposite, which is already a nightmare, much worse and (c) prevent visitors parking outside (as too close to junction).
 3. Unnecessary if existing accesses used.
 4. Parking in Alton Road (which has been forced towards application site by parking restrictions near to Gloucester Road) would prevent large lorries entering and leaving estate - vehicles currently swing across road to enter.
 5. New access will be used by all traffic (cars, vans, HGVs) except Haigh employees.
 6. Further car parking would create extra noise nuisance and result in loss of pleasant grass/tree outlook.
 7. Reduce value of properties.
 8. Photographs to illustrate some of above have been submitted.

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 As noted in paragraph 1.2 above, the proposal is a re-application of the alterations to access to Alton Road previously included in the applications for an office building. The later of those applications (SE2002/3919/F) was refused for the following reasons:
1. The proposed development would generate additional vehicle movements which would exacerbate existing traffic problems along Alton Road, and thereby conflict with Policies T.3 and GD.1 of the South Herefordshire District Local Plan.
 2. The proposed vehicular access would be opposite residential properties and the movement of vehicles at the access would cause noise and disturbance which would harm the amenities of the occupiers of those properties. The proposal conflicts therefore with Policies ED.3 and GD.1 of the South Herefordshire District Local Plan.
 3. The proposed office building by reason of its design, size and height would be visually overpowering in relation to the residential properties on the north-west side of Alton Road and harm the visual amenities of the area. For these reasons the

proposal conflicts with Policies ED.3 and GD.1 of the South Herefordshire District Local Plan.

- 6.2 Reasons 1 & 3 relate to the proposed building and the extra traffic that this would generate and are not therefore relevant to the current proposal. Reason 2 relates to the effect of moving the vehicular access(es) on the amenity of local residents and it is considered that this is the key issue in this case.
- 6.3 Moving the main access further north would result in fewer properties being passed by vehicles entering and leaving the estate (assuming most traffic approaches via Gloucester Road). The properties closest to the new access may suffer some increase in noise from turning and braking movements of vehicles but these dwellings are set back somewhat from Alton Road compared to those opposite the existing main entrance. There would be no change in the use of the estate nor would additional buildings be constructed, and consequently there would be no increase in traffic generation. It is not considered therefore that the loss of amenity would be significant, or that overall there would be a worsening in the living conditions of local residents.
- 6.4 The new car parking area would be about 24m from the nearest house. The area could be landscaped to form a more attractive outlook for residents living opposite, which would reduce the perception of noise. Again it is not considered, in view of the distance, that the level of noise and disturbance would be sufficient to justify refusal of planning permission.
- 6.5 The road safety and storm drainage concerns raised by the objectors are not shared by the Head of Engineering and Transportation who is satisfied with the standards that would be achieved. Additional drainage would be provided.

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 G04 (Landscaping scheme (general))

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

3 G05 (Implementation of landscaping scheme (general))

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

4. No development shall take place until details of the vehicular access barrier including mode of operation 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: In the interests of the safe and free flow of traffic on the highway.

Decision:

Notes:

.....

Background Papers

Internal departmental consultation replies.

5 DCSE2003/2577/F – PROPOSED HORSE ARENA 40 X 20 METRES, THREE STABLES WITH TACK ROOM & LEAN-TO HAY STORAGE BARN AT 2 DOCTORS PLACE, WALFORD, ROSS-ON-WYE, HEREFORDSHIRE HR9 5RE

For: Mr & Mrs D.J. Jewell, 2 Doctors Place, Walford, Ross-on-Wye, Herefordshire HR9 5RE

Date Received: 21st August 2003 Ward: Kerne Bridge Grid Ref: 5998 1977

Expiry Date: 16th October 2003

Local Member: Councillor Mrs R Lincoln

1. Site Description and Proposal

- 1.1 The site lies in open countryside in planning policy terms and within the designated Wye Valley Area of Outstanding Natural Beauty and Area of Great Landscape Value at Kiln Green, to the southeast of Walford. The area is characterised by loose knit, spoadic development, narrow lanes and mature landscaping. The site comprises a 1.06 hectare field, which is used for the grazing of horses. A public right of way lies to the north, but outside of the application site. The natural land levels slope uphill from the southeast to the northwest. Mature hedgerows define the boundaries of the site.
- 1.2 A 40 metre by 20 metre outdoor riding arena is proposed with 1.1 metre high post and rail fence to all sides, to the rear (north) of numbers 1 and 2 Doctors Place, a pair of semi-detached cottages. Both of these properties are in the applicants ownership, but number 1 is currently being rented. The arena would run parallel with the northern boundary of the field on a gradually sloping area of ground. To provide a level riding arena the northern section would be dug into the ground some 0.5 metres and the southern area raised by the same amount. It is proposed to grade and grass seed the resulting banks.
- 1.3 In addition it is proposed to erect three stables, a tack room and fodder store to the northwest of the riding arena. The scheme proposes one stable and the tack room at right angles to and detached from the fodder store and the other two stables. The cumulative floor area of the proposed stable block, tack room and fodder store would be some 53 square metres. The roof ridge height of the stables would be some 3.3 metres, whilst the fodder store and tack room would have lower roof heights, 2.8 metres and 3 metres respectively. The roof design of the buildings, with the exception of the fodder store, incorporates an overhang to the front elevation.

2. Policies

2.1 Department of Environment

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

2.2 Hereford and Worcester County Structure Plan

Policy CTC1	Development in Areas of Outstanding Natural Beauty
Policy CTC2	Development in Areas of Great Landscape Value
Policy CTC9	Development Criteria

2.3 South Herefordshire District Local Plan

Policy GD1	General Development Criteria
Policy C1	Development within Open Countryside
Policy C5	Development within Areas of Outstanding Natural Beauty
Policy C8	Development within Areas of Great Landscape Value

2.3 Unitary Development Plan – Deposit Draft

Policy S1	Sustainable Development
Policy S2	Development Requirements
Policy LA1	Areas of Outstanding Natural Beauty
Policy LA2	Landscape Character and Areas Least Resilient to Change

3. Planning History

- 3.1 SE2002/2991/F Proposed horse arena 60 x 20 metres. Three stables with tack room and fodder store - Refused 27.11.2002

4. Consultation SummaryStatutory Consultations

- 4.1 The Environment Agency has no objections to the proposal, but makes comments regarding the disposal of waste materials and the adequacy of the soakaways.

Internal Council advice

- 4.2 Head of Environmental Health has no objections to the proposal.
- 4.3 Head of Engineering and Transportation has no objections to the proposal, provided that it is for personal use and not commercial purposes.

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

5. Representations

- 5.1 Walford Parish Council - The Parish Council hopes that with the mature hedge and trees, the arena and stable block will not be visible either from Kiln Green or the Walford Road. They are concerned about possible nuisance to neighbours from lighting and the positioning of the manure heap.
- 5.2 One letter of objection has been received from Peter Dewhurst of Kiln Green House, Kiln Green. The main issues raised are:
- a similar application on the same site was refused
 - such a construction would be visually intrusive and detract from the surrounding AONB landscape
 - there are already too many horses in this area putting pressure on available land and the many footpaths. Most horse owners seem to care little about whether a track is

designated a bridleway or not. Such a construction would undoubtedly add to this pressure.

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

6. Officers Appraisal

- 6.1 The main considerations in the determination of this application are the effect of the proposed development on the character and appearance of the area, the impact on highway safety and effect on the neighbouring dwellings.
- 6.2 Policy C1 of the SHDLP states that new development in the open countryside will not be allowed without special justification. The policy sets out when development will be accepted and of these it is considered that only sustainable recreational purposes is applicable in this case. It is necessary under the policy to have regard to conserving the natural beauty and amenity of the open countryside when considering proposals for development. As the site lies within the Area of Outstanding Natural Beauty and Area of Great Landscape Value, policies CTC1 and CTC2 of the Structure Plan and C5 and C8 of the Local Plan are applicable. These require that proposals are small in scale, would have either an enhancing effect or a minimal adverse impact and are sensitively designed having regard to their surroundings. PPG7, at Annex F: Development Involving Horses states that *'the Government wishes to see a positive approach towards planning applications for horse-based development which respect the rural environment.'*(F5). Furthermore in considering applications recommended standards for safety and comfort of horses should be borne in mind alongside the need to ensure that buildings are sited and designed to blend in with their surroundings (F2).
- 6.3 A previous application on the site was refused planning permission under the Scheme of Delegation to Officers in 2002. The refused scheme was for a larger riding arena, some 60 metres by 20 metres and for a 'L' shaped stable block, with fodder store and tack room incorporating a large area of hardstanding, and sited to the east of 2, Doctors Place. It was considered that the buildings did not relate to the boundaries of the site and cumulatively the impact of the development would be harmful to the character and appearance of the area. The revised scheme incorporates the reduction in the size of the arena by one third of its footprint. Also there would be a 20% reduction in terms of the floor area of the buildings, a revised building design incorporating differing roof ridge heights, together with their resiting and the deletion of the previously proposed area of hardstanding.
- 6.4 It is considered that the proposed siting of the stables etc would relate well to existing field boundaries and by virtue of this and their design, size and height they would not be visually prominent in the wider landscape. With regard to the arena it is considered that by reason of its siting, parallel to a tall mature hedgerow and trees and the minimal ground works required it would not be unduly obtrusive in the rural landscape. The Local Plan policies also require compliance with policy GD1, which specifies general development criteria. It is considered that the proposal would accord with the requirements of this policy in that the siting of the proposed development would have regard to the setting of neighbouring buildings, landscape features etc. The public right of way lies to the north of the proposed arena but outside of the application site. The proposal would not impinge upon the right of way being separated by a minimum of some 5 metres and a mature hedgerow.

- 6.5 The proposal is for private use only. On this basis it is considered that the development would not materially increase the vehicular traffic movements to and from the site. If however the arena or stables were used commercially it is considered that by reason of the narrow lanes the road network could not satisfactorily absorb the additional traffic generated. The Head of Engineering and Transportation concurs with this view. It is therefore considered necessary and reasonable to impose a condition restricting the use to private use only.
- 6.6 The proposed buildings would be some 45 metres and the arena would be 30 metres from Doctors Place. The objector's property lies approximately 107 metres to the southeast of the arena. A manure heap is shown on the submitted plans on the applicants' orchard, some distance from the neighbouring properties. By virtue of its siting and non-commercial use it is considered that the proposal would not adversely impact upon the living conditions of occupants of the neighbouring properties. Provided that the storage/disposal is carried out in accordance with the Environment Agency's comments it is considered that there would not be a detrimental impact upon the environment. If manure were disposed of elsewhere or caused nuisance to residents this could be controlled under Environmental Health legislation. The Head of Environmental Health has raised no objections to the scheme.
- 6.7 As proposed the scheme would not include any flood lighting of the arena. Taking into account the rural nature of the surrounding area, devoid of street lighting it is considered that the provision of flood lighting could have a significant impact upon the appearance of the area and dark skies. Therefore it is recommended that a condition is attach requiring a further planning application if floodlighting were proposed in the future.
- 6.8 In conclusion it is considered that subject to reasonable and necessary conditions the proposal is acceptable in planning policy terms and there are no other material planning considerations to warrant a refusal of 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 and to protect the visual amenities of the area, noted for its landscape quality.

3 The external cladding on the buildings hereby approved shall be stained a matt, dark colour, details of which shall first be submitted to and agreed in writing with the local planning authority before development commences.

Reason: To ensure that the materials harmonise with the surroundings and to protect the visual amenities of the area, noted for its landscape quality.

- 4 No development shall take place until details or samples of materials to be used for the surfacing of the riding arena 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 ensure that the materials harmonise with the surroundings and to protect the visual amenities of the area, noted for its landscape quality.

- 5 E11 (Private use of stables and arena only)

Reason: In order to safeguard the residential amenities of the area and because the local planning authority considers that the adjacent road network and access is not suitable for commercial purposes.

- 6 There shall be no floodlighting of the riding arena hereby granted.

Reason: To protect the appearance of the locality and residential amenity of nearby properties.

- 7 G11 (Retention of hedgerows and trees (where not covered by Hedgerows Regulation))

Reason: To ensure that the application site is property landscaped in the interests of the visual amenity of the area.

- 8 The buildings and riding arena hereby granted shall only be used in connection with Doctors Place and shall not be sold, leased or used separately.

Reason: In order to safeguard the residential amenities of the neighbouring properties and to ensure that the development would not materially increase the vehicular movements to and from the site.

INFORMATIVE NOTES

- 1 All washwaters, manures and stable waste should be collected, stored and disposed of in accordance with DEFRA "Code of Good Agricultural Practice for the Protection of Water".
- 2 The applicant should ensure that the land proposed for the soakaway has adequate permeability in accordance with BS 6297 : 1983.
- 3 Any waste excavation material or building waste generated in the course of the development must be disposed of satisfactorily and in accordance with section 34 of the Environment Protection Act 1990.

Decision:

Notes:

.....

Background Papers

Internal departmental consultation replies.

6 DCSE2003/2781/F - CONVERSION OF FOREST TRACKS AND FORMER RAILWAY LINE TO SHARED SURFACE PATH FOR WALKERS AND CYCLISTS EXISTING PATH BETWEEN ROYAL HOTEL CAR PARK AND ADMINISTRATIVE AREA BOUNDARY, SYMONDS YAT EAST, HEREFORDSHIRE.

For: SUSTRANS Ltd per SUSTRANS Planning, 5 North Avenue, EXETER

Date Received: 1st October 2003

Ward: Kerne Bridge

Grid Ref: 5603 1563

Expiry Date: 26th November 2003

Local Member: Councillor Mrs R Lincoln

1. Site Description and Proposal

1.1 The application site is on the border of Herefordshire with Forest of Dean District Council. It comprises three sections: (i) a forest track (ii) former railway track bed which leads directly to (iii) the car park of the Royal Hotel. Apart from the car park the route of some 225 metres is through woodland managed by Forest Enterprises.

1.2 The application is for a new cycle route between Monmouth and Goodrich. The section between Hadnock (Monmouth) and Symonds Yat East is not on public roads and this application is for the extreme northern end of this "off-road" section. From the Royal Hotel the route joins the C1258 Symonds Yat East - Huntsham Bridge road. To the south the route continues on forest tracks through the Forest of Dean. The proposal involves making good the existing tracks which are currently used by forestry vehicles as well as informally by walkers, and a safety barrier 1.2 metres high on the upper level of the incline where the path diverts down a steep track to join a section of former railway.

2. Policies

2.1 Planning Policy Guidance

- | | | |
|-------|---|--|
| PPG.7 | - | The Countryside: Environmental Quality and Economic & Social Development |
| PPG17 | - | Planning for Open Space, Sport and Recreation |

2.2 Hereford and Worcester County Structure Plan

- | | | |
|-------------|---|------------------------------------|
| Policy CTC1 | - | Area of Outstanding Natural Beauty |
| Policy CTC2 | - | Area of Great Landscape Value |
| Policy LR1 | - | Leisure and Recreation Development |
| Policy LR2 | - | Leisure and Recreation Development |
| Policy LR10 | - | Cycling Routes |

2.3 South Herefordshire District Local Plan

Policy C5	-	Development within Areas of Outstanding Natural Beauty
Policy C8	-	Development Within Area of Great Landscape Value
Policy C12	-	Statutory Protection of Nature Conservation Sites
Policy C12A	-	SAC Protection
Policy R1	-	Provision of New Recreational Facilities
Policy R12	-	New Access Provision

2.3 Unitary Development Plan – Deposit Draft

Policy T7	-	Cycling
-----------	---	---------

3. Planning History

3.1 There have not been any recent applications relating to the application site.

4. Consultation Summary

Statutory Consultations

4.1 English Nature's advise is awaited.

4.2 Forestry Commission states that the site is within 500 metres of ancient semi-natural woodland. However the side of the proposals is such that there will be no effect on the woodland.

Internal Council advice

4.3 Head of Engineering and Transportation has no objection to this proposal.

5. Representations

5.1 The applicant makes the following submission:

- (1) This application consists of creating a new shared use route made up of various sections.
- (2) Applications have been made to Monmouthshire and Forest of Dean for their part of the route - the latter did not consider that an application was required.

In addition a detailed statement including objectives and benefits of the whole path has been submitted.

5.2 Parish Council support the application.

5.3 Two letters have been received objecting to the cycle route in general. The following points are made:

1. The current visitors to Symonds Yat tend to be of an older age group and when they use the path by the river, they should not have to worry about cyclists. It is suggested that the cycle path and the pedestrian path should be kept separate from the stretch from the Royal Hotel to Biblins Bridge.
2. The plans totally ignore the issue of parking for vehicles bringing the cyclists in and the secure storage of cycles at this end of the ride. On top of this is the issue of the single track access road to Symonds Yat East and the single track Huntsham Bridge.

3. This also needs to be considered in the context of the planned new Canoe Centre which is also presumably going to generate significant parking problems and the question as to whether the character of Symonds Yat East will be destroyed as it is turned into a (an even bigger) giant car park and traffic jam. The situation is already acute at summer weekends. I would also note that the future draft plans will have the cycleway continuing along this single track road to Goodrich and Ross, although many will presumably terminate at Symonds Yat as this will be the limit of the off-road track.
4. Consideration might be given to the cycle track on the other side of the river from Biblins, running to the easily accessed and extensive parking at Symonds Yat West which is directly accessed from the A40. This would also have the advantage of allowing possible local use of the track between Whitchurch and Monmouth which has been identified as useful in local Parish Council meetings but seems now to have been rejected.
5. Regrettably the current Sustrans plan, which is meant to benefit those not relying on the use of cars, seems to have totally ignored the impact that the cars associated with the cycleway will have on the local villages.
6. This footpath is heavily used by walkers and presumably will be upgraded so that the speed of cyclists would make it unsafe for walkers – at the least there should be some means of segregating the two.
7. I consider that Herefordshire Council should not approve the plans until these questions have been properly addressed.

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: the effect on the environment including the natural beauty of the Wye Valley Area of Outstanding Natural Beauty and the nature conservation interest of the River Wye; the effect of any additional traffic generated by the cycle route; and pedestrian safety.
- 6.2 The Council's policy supports the provision of such routes. Policy LR10 of the County Structure Plan states:

The need for recreational cycling routes to enable safer access to recreation facilities and the countryside in general is acknowledged and proposals which in particular allow access from urban areas and make use of disused railways, forest tracks or other linear features will be encouraged where they do not conflict with Policy LR2.

In addition the Unitary Development Plan – Deposit Draft points out that:

As part of the National Cycle Network the Wye Valley Cycleway is proposed to link Hereford with Ross on Wye, Monmouth and Chepstow following for the most part a route alongside or near the River Wye. Support for the establishment of the route is given within Policy C7.

- 6.3 There would be a minimal works required to provide this route. Only the safety barrier would have any adverse impact and this is required for only a short section. The use of the route by cyclists need not cause any significant harm to flora or fauna. This is not a circular route or part of a network of routes through an area with full public access, as is the case in the Forest of Dean. The proposed route, at the northern end, is through private woodlands, where other routes for cyclists would presumably not be provided. It is not considered therefore that the natural beauty of the Area of Outstanding Natural Beauty and the nature conservation interest of the River Wye SSSI/candidate SAC would be harmed. The views of English Nature on the latter would need to be taken into account, however, before the application is determined.
- 6.4 The route links Goodrich to Monmouth. Nevertheless it seems reasonable to assume that some cyclists will wish to start/finish at the off-road section. There is a small public car park at Symonds Yat East but the intention is to encourage parking at Symonds Yat Rock, Symonds Yat West and Goodrich Castle. Provided car parking is dispersed in this way the estimated traffic (5 to 20 cars per day, peaking at weekends, during the summer months) would not cause congestion. If it were to be concentrated at Symonds Yat East there would be increased traffic problems. It is not considered however that any problems would be so serious as to justify refusal of planning permission. The Head of Engineering and Transportation does not object to the proposal.
- 6.5 The concerns regarding pedestrian safety have been taken into account by Sustrans and 95% of the off-road cycle route have separate paths for pedestrians. At the Symonds Yat East end this cannot be fully achieved. However at this point there would be additional footpath as an alternative for walkers viz. the riverside path below the level of the railway track-bed" (which runs close to the River).

RECOMMENDATION

That subject to the advice of English Nature regarding the effect on the River Wye cSAK the officers named in the Scheme of Delegation to Officers be authorised to approve the application subject to the following condition and any further conditions considered necessary by officers:

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

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

Decision:

Notes:

.....

Background Papers

Internal departmental consultation replies.

Further information on the subject of this report is available from Mr S Holder on 01432 260479

7 DCSE2003/2443/F - CONVERSION OF BARNs TO FORM SWIMMING POOL AND GRANNY ANNEXE INCORPORATING CHANGE OF USE OF LAND FROM AGRICULTURE TO RESIDENTIAL CURTILAGE, COTHARS FARM, GORSLEY, ROSS-ON-WYE, HEREFORDSHIRE, HR9 7SE

**For: Mr & Mrs W Maguire per D Kirk & Associates,
Flat 2, 11 Station Street, Ross-on-Wye, Herefordshire,
HR9 7AG**

Date Received: 11th August 2003 Ward: Penyard

Grid Ref: 6697 2593

Expiry Date: 6th October 2003

Local Member: Councillor H. Bramer

1. Site Description and Proposal

- 1.1 Cothars Farm lies to the west of the village of Gorsley and to the southeast of the M50. In planning policy terms the site is within open countryside. Access is gained from an unclassified road (U70228). The surrounding area is characterised by loose knit, sporadic development and agricultural land. The land slopes gradually within the site downhill from the northwest to the south and southeast.
- 1.2 The site comprises a detached two storey dwelling, which is currently being extended, a detached garage, which is under construction, and a large agricultural building situated some 16 metres to the east of the dwelling. The buildings on site are set back from the road, by approximately 20 metres. The agricultural building occupies lower land levels than the dwelling.
- 1.3 It is proposed to convert the agricultural building and attached milking barn to provide an indoor swimming pool and a granny annexe, whilst demolishing two existing additions to the building that are situated on the southern and eastern elevations. A swimming pool, plant room, gymnasium and changing facilities are proposed in the larger section of the building and a lounge, kitchen, two bedrooms and a bathroom in the former milking parlour. Therefore the proposed use would be ancillary to the use of Cothars Farm. In addition it is proposed to change the use of the land around the agricultural building to form part of the residential curtilage.
- 1.4 The building subject to the proposal is a relatively large, modern agricultural building, some 19.8 metres by 15.4 metres, that has been modified and extended resulting in a rather modern appearance. The attached milking barn is a more traditional building that is smaller in scale, but has been extended and altered. Although the overall appearance of the building is relatively modern, particularly due to its roof design and materials, there is a significant amount of local stone to some elevations. The remaining elevation treatments are blockwork and Yorkshire boarding, with the northern elevation being essentially open, under a dual-pitched roof of corrugated roof sheeting.

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

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

2.2 Hereford and Worcester County Structure Plan

- Policy CTC.9 - Development Criteria
 Policy CTC.14 - Criteria for the Conversion of Buildings in Rural Areas

2.3 South Herefordshire District Local Plan

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

2.4 Unitary Development Plan

- Policy S.1 - Sustainable Development
 Policy S.2 - Development Requirements
 Policy DR.1 - Design
 Policy H.7 - Housing in the Countryside Outside Settlements
 Policy HBA.12 - Re-use of Traditional Rural Buildings
 Policy HBA.13 - Re-use of Traditional Rural Buildings for Residential Purposes

3. Planning History

- 3.1 SE2002/3147/F Demolition of existing double and single storey extensions. Erection of two storey side extensions and detached double garage - Refused 16.12.02
- DCSE2003/0856/F Partial demolition of existing building and erection of double and single storey extensions and detached double garage - Approved 25.04.03

4. Consultation SummaryStatutory Consultations

- 4.1 The Environment Agency has no objections to the proposal, but makes comments regarding foul drainage, surface water and swimming pool water disposal.

Internal Council advice

- 4.2 Head of Environmental Health has no objections to the proposal.

- 4.3 Head of Engineering and Transportation has no objections to the proposal.
- 4.4 The Chief Conservation Officer has no observations.

5. Representations

- 5.1 Linton Parish Council make the following comments:

- “1. We are concerned that this is a metal-framed barn with no architectural value; there are some walls extant, most of which are preformed building blocks and just a small amount of natural stone. It has in the past been used for housing cattle.
2. This cannot be called a barn conversion; to be fit for the proposed ‘Granny Annexe’ and ‘Swimming Pool’ a complete re-build would be necessary.
3. Having regard to the Development Plan policies it is considered that this application does not fulfil any of the criteria required to comply with C.36 Re-use and adaptation of rural buildings, nor C.37 Conversion of rural buildings to residential use.
4. May we suggest that a site visit and discussions are essential.

The Council for the above reasons cannot support this part of the application.”

6. Officers Appraisal

- 6.1 The main considerations in the determination of this application are the principle of the re-use and conversion of the building and the acceptability of the scheme in terms of its impact on the character and appearance of the building and surrounding area, including the change of use of land to residential curtilage.
- 6.2 Both national and local planning policies support the re-use of agricultural buildings. In particular PPG7 recognises that the re-use and adaptation of buildings, including modern buildings, can reduce demand for new building in the countryside and avoid leaving vacant buildings prone to vandalism and dereliction (paragraph 3.14). Policies CTC14 of the Structure Plan and C36 of the Local Plan allow for the conversion of buildings in rural areas, provided that the proposal complies with specified criteria, the architectural merit of the building is however not a criterion. On this basis it is considered that the re-use of the building for the ancillary use proposed is acceptable in principle.
- 6.3 Although the buildings subject to the proposal are not of great architectural merit they are of a typical rural appearance and as such do not appear unduly obtrusive in the wider landscape. It is proposed to demolish two earlier additions to the building and it is considered that this would be beneficial to the overall appearance of the building. The scheme which proposes the conversion of the remaining structure, without any further additions, would retain the existing stonework and proposes timber boarding to the existing area of blockwork and open-sided northern elevation. Glazing is proposed to the upper section of the southern gable end, in lieu of the existing timber boarding, and to the upper part of the eastern elevation to provide light to the swimming pool area. Through the removal of the two extensions and the sympathetic alterations to the building, it is considered that the proposal would retain the essential utilitarian qualities of the building.

- 6.4 To the east of the agricultural building lies a track, which provides access to the south of the site. This track defines the eastern boundary of the site. By reason of the proximity and association of the land subject to the proposed change of use with the agricultural building, it is considered that residential use would not have a harmful impact upon the surrounding area. However to retain the setting of the agricultural building and to control the erection of more outbuildings which could result in an overdevelopment of the site to the detriment of the appearance of the area, a condition removing the 'permitted development rights' for outbuildings is recommended.
- 6.5 The proposed uses would be incidental to the use of Cothars Farm, as a dwelling. With regards the proposed granny annexe it is considered that in accordance with policies H20 of the Structure Plan and C1 and SH11 of the Local Plan and the principles set out in PPG7 a separate dwelling would not be acceptable in open countryside. In respect of the swimming pool and associated facilities it is considered that provided that it is used only in connection with Cothars Farm and not for a commercial use it would be acceptable. By virtue of its rural location a commercial use would be contrary to the principles of sustainability and due to its proximity to Cothars Farm and indeed being attached to the granny annexe a commercial use could have an adverse impact upon residential living conditions. On this basis it is suggested that it would be reasonable and necessary to impose a condition, if planning permission were granted, restricting the use and ownership to the owners of Cothars Farm.
- 6.6 With regards the impact of the disposal of water from the swimming pool, foul water and surface water the Environment Agency has raised no objections, but suggest conditions and advice to the applicants to ensure a satisfactory approach is taken in the interests of the environment.
- 6.7 In respect of potential noise nuisance from the swimming pool, in particular the plant room, it is considered that by reason of the distance to any other residential property and the siting of the plant room within the building it would not result in harm to residential amenity. The Head of Environmental Health has raised no objections to the proposal.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

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

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

- 2. 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. B05 (Alterations made good)**

Reason: To maintain the appearance of the building.

5. All the existing external stone walls of the buildings shall be repaired in situ and at no time during the course of the works shall they be dismantled or demolished.

Reason: In order to ensure that the development comprises the conversion of the existing buildings, which constitutes the reason for allowing the development where a new building of this size would be contrary to policy.

6. The annexe residential accommodation hereby granted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as Cothars Farm.

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

7. The swimming pool, gymnasium and associated facilities shall not be used at any time other than for purposes ancillary to the residential use of the dwelling known as Cothars Farm and shall not be used for commercial purposes.

Reason: It is considered that the proposed use is only acceptable due to it being ancillary to the dwellinghouse. By reason of its location and proximity to Cothars Farm and the annexe residential accommodation a commercial use would not be acceptable, with regards sustainability and impact upon residential amenity.

Notes to Applicant

1. NC02 - Warning against demolition
2. HN24 – Drainage other than via Highway System
3. The Environment Agency offers the following advice to the applicant:

The applicant may require the written consent of the Agency under the Water Resources Act 1991, to discharge the pool contents to a surface water sewer, direct to a watercourse, to controlled waters or to soakaway and should contact the Agency for advice. Swimming pool filter backwash should be passed to soakaway or the foul drainage system, and not to a surface water sewer or watercourse. Swimming pool contents must be allowed to dechlorinate by standing for at least 2 days prior to a consented discharge taking place to a surface water sewer, a watercourse or controlled waters. The Environment Agency should be advised at least 7 days before such a discharge is made.

The applicant should ensure that the existing foul drainage system is operating satisfactorily and is capable of accepting any potential increase in flow and loading resulting from this proposal without causing pollution.

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

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

Decision:

Notes:

Background Papers

Internal departmental consultation replies

8 DCSE2003/2539/F - PROVISION OF DRIVEWAY AND PARKING AND TURNING AREAS, THE SUMMERHOUSE, PALMERS FLAT, DANCING GREEN, ROSS-ON-WYE, HEREFORDSHIRE, HR9 5TE

For: R J Kempson, 7, Bryngwyn Manor, Wormelow, Hereford, HR2 8EQ

Date Received: 18th August 2003

Ward: Penyard

Grid Ref: 6332 2090

Expiry Date: 13th October 2003

Local Member: Councillor H. Bramer

1. Site Description and Proposal

- 1.1 The application premises comprises a small, single-storey wooden building on a plot about 0.14 ha. in area. The building was constructed as a summerhouse. Subsequently planning permission was granted for use as holiday accommodation but occupation was "restricted to the owners and members of their families" by planning condition.
- 1.2 The current proposal is for alterations to the access, the construction of an access drive and vehicular parking and turning area. The building is situated at the western end of the plot; the access is off a forest track at the eastern end. The access drive and parking/turning area have been partially constructed. The latter has been formed close to the holiday accommodation. As submitted the proposal included retention of a further parking/turning area at the eastern end of the plot, close to the rear of the adjoining house, Palmers Hill. The applicant has agreed to omit this part of the scheme.

2. Policies

2.1 Planning Policy Guidance

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

2.2 Hereford and Worcester County Structure Plan

Policy CTC.2 - Areas of Great Landscape Value

2.3 South Herefordshire District Local Plan

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

2.4 Unitary Development Plan

Policy H.18 - Alterations and Extensions to Dwellings

3. Planning History

- | | | | | |
|-----|---------------|---|---|-------------------------------|
| 3.1 | SH629177 | Retention of summerhouse | - | Approved 02.11.77 |
| | SH861173PF | Retention of summerhouse | - | Approved 07.05.87 |
| | SH880699PF | Garden tool shed | - | Approved 23.06.88 |
| | SH970369PF | Two bedroom bungalow | - | Refused on appeal
01.06.98 |
| | SE2000/3116/F | Extension to holiday
accommodation to provide
kitchen and bathroom facilities | - | Approved 28.02.01 |

4. Consultation SummaryStatutory Consultations

- 4.1 No statutory or non-statutory consultations required.

Internal Council advice

- 4.2 Head of Engineering and Transportation recommends that conditions be imposed.

5. Representations

- 5.1 The applicant points out that:

- (1) the property has suffered from neglect
- (2) vehicular access was obstructed by its acute angle to the boundary necessitating parking on nearby common land
- (3) proposal obviates need for parking on common by those holidaying there, visitor or service vehicles and siting of gates back from road avoids further obstruction
- (4) property can be used throughout the year; in bad weather and at night access drive provides safe pedestrian access, especially for elderly and easy unloading of shopping, luggage, etc
- (5) a row of diseased Leylandii along the forest track have been removed and less contentious planting will be preferred
- (6) on completion, substantial replanting of appropriate shrubs will be undertaken.

- 5.2 Hope Mansell Parish Council's observations are as follows:

"Hope Mansell Parish Council by majority approves of the aforementioned planning application. However, the Parish Council did raise a concern that the driveway remains a stone sub-base finish to provide drainage. A concrete/tarmac finish was viewed as inappropriate. It was also suggested that the hedge at the head of the driveway required cutting back to aid visibility."

- 5.3 Two letters of objection have been received from:

R. Price, Palmers Hill Cottage, Dancing Green, Ross-on-Wye, HR9 5TE
Mr. G. Phelps, Palmers Hill, Dancing Green, HR9 5TE

The following reasons are given:

- major part of work has already been done without benefit of planning permission
- restoration pending a decision perhaps too robust a course of action but works carried out should not influence the Council's deliberations – too many local cases where planning regulations disregarded and have got away with it
- however, the other objector thinks that as applicant advised by Enforcement Officer to stop work day after he started and ignored the advice, the garden should be reinstated as soon as possible
- access is on a blind bend and should be blocked off
- previous application to develop the garden and summerhouse resulted in a Public Inquiry and the Inspector said property slopes to west, therefore a driveway to summerhouse would be a scar on landscape.

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 development of land without planning permission is never grounds, per se, to refuse to grant permission. The development must be considered on its merits in the light of prevailing policies. In this case the key issue is considered to be the effect on the landscape.
- 6.2 The building does benefit from use as holiday accommodation and is not unreasonable to provide a suitable access. The drive and parking/turning area it is understood are to be surfaced appropriately in stone rather than tarmac or concrete. The site is partly screened by existing planting and this part of the proposal would not therefore be visually intrusive. The wide area close to Palmers Hill referred to in paragraph 1.2 is considered to be otiose and has been omitted from the proposals. This area is close to the common and would harm this attractive area. A planning condition can be imposed to restore this area.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

1. G04 (Landscaping scheme (general))

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. Within 2 months of the date of this decision, details of the surfacing of the access, access drive and parking and turning area shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

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

- 4. Before the access is formed details of the new access, including visibility splay and position of gates, shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: In the interest of highway safety.

Decision:

Notes:

.....

Background Papers

Internal departmental consultation replies.

9 DCSE2003/2696/F – CONSTRUCTION OF DETACHED DWELLING WITH ASSOCIATED MEANS OF ACCESS AND GARAGE AT FORMER RAILWAY LAND, FRONTING MICHELDEAN ROAD, LEA, HEREFORDSHIRE

For: Ms J.S. Savidge per Clive Petch Architects, 3 Tebbit Mews, Winchcombe Street, Cheltenham, GLOS GL52 2NF

Date Received: 5th September 2003 Ward: Penyard Grid Ref: 6584 2130

Expiry Date: 31st October 2003

Local Member: Councillor H Bramer

1. Site Description and Proposal

- 1.1 The site comprises part of the embankment of a former railway line on the east side of the Lea - Mitcheldean Road, together with an irregularly shaped area to the north. The latter is to the rear of Station House, which fronts the road, and includes an access on to that road. The site is within a line of houses along the east side of the Lea - Mitcheldean Road, with clusters of houses to the east and west off Noden Drive and Orchard Close.
- 1.2 It is proposed to erect a single dwelling on the embankment. This would be two-storeyed but with the upper floor within the roof slope and lit, front and back, by dormer windows. In addition a narrow two-storeyed gabled section would project from the rear elevation, with a small single-storey projection (utility room) from the north-east corner. The external materials would be facing bricks and concrete interlocking tiles.
- 1.3 The access referred to above would be altered to improve visibility along the road. This would be achieved in part by a localised narrowing of the road. The access drive would lead beyond the rear of Station House to a new double garage.
- 1.4 The siting of the new house would be roughly mid-way between Station House and 6 Stockholm Place, the adjoining house to the south. The latter is set well back from the road, with a significantly higher floor level. The proposed house would be positioned part way back but at a similar floor level to Station House, as the embankment would be reduced in height.

2. Policies

2.1 Planning Policy Guidance

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

2.2 Hereford and Worcester County Structure Plan

Policy CTC2	Area of Great Landscape Value
Policy H18	Housing in Rural Areas
Policy H16A	Housing in Rural Areas

2.3 South Herefordshire District Local Plan

Policy C5	Development within Areas of Outstanding Natural Beauty
Policy SH6	Housing Development in Larger Villages
Policy SH7	Residential Proposal Sites in Larger Villages
Policy SH8	New Housing Development Criteria in Larger Villages
Policy SH14	Siting and design of buildings
Policy SH15	Criteria for new housing schemes
Policy GD1	General Development Criteria
Policy T3	Highway Safety Requirements

2.4 Unitary Development Plan – Deposit Draft

Policy H4	Main Villages : Settlement Boundaries
-----------	---------------------------------------

3. Planning History

3.1 No recent applications have been submitted relating to this site.

4. Consultation SummaryStatutory Consultations

4.1 Welsh Water recommends that conditions be imposed.

4.2 Rail Property Ltd has no objection to the proposal as it does not retain any property or structures in the immediate vicinity.

Internal Council Advice

4.3 Head of Engineering and Transportation recommends that conditions be imposed.

5. Representations

5.1 The applicant's agent makes the following submission:

- (1) The siting of the dwelling is in accordance with earlier discussions and vehicular access is shown via an altered access point into the adjacent land.
- (2) Highway consultants have negotiated with the county highway authority and we believe the proposals are acceptable

5.2 Parish Council make the following comments:

Two councillors have pointed to the danger of exiting onto the already busy B4224 and suggest that access onto the road should be gated for security to this and the neighbouring property.

One councillor suggests that the garage should be positioned nearer to the house as this would be less intrusive to the neighbouring property.

Otherwise, there have been no objections.

5.3 Two letters have been received expressing objection/concern. In summary the following reasons are given:

- (1) serious reservations about the position of the garage - this should be to the south, nearer the new house and within the obvious boundary of that property,
- (2) concerned by very close proximity of access way which opens up rear of objectors property, exposing it to possible intruders,
- (3) Mitcheldean Road is busy and another dwelling would increase the danger to pedestrians - will the Council provide a footway along that stretch of road for safe access to bus stop on A40 by Lea Church?
- (4) visibility splay encroaches on part of adjoining property,
- (5) bees are kept close to proposed building site and anxious that this does not give rise to complaints,
- (6) more positively one writer considers that design and position of house do not seriously affect privacy and hope that trees shown on the plan remain to ensure not overlooked.

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

6. Officers Appraisal

- 6.1 The application site is within the defined settlement of Lea and in principle the erection of a further house accords with statutory policies. The siting and design of the house are considered to be acceptable. In design it reflects the style of the semi-detached houses to the south although being at a similar level to Station House, could perhaps have equally well have echoed the latter's more traditional design.
- 6.2 The access drive is close to the rear of Station House particularly at the northern end (about 8 metres at the nearest). This is not ideal but there may be scope for a fence and/or hedge to maintain privacy and reduce noise disturbance.
- 6.3 The access would have the visibility standards required by the head of Engineering and Transportation and should not therefore add to dangers on the highway. There are about 40 houses in this part of Lea and it is not considered that adding one further dwelling would add significantly to the problems of pedestrians resulting from the absence of footway.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

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

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

2 B01 (Samples of external materials)

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

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 Before any other works hereby approved are commenced the access and visibility splays shown on drawing nos 0306-02 Figures 1 and 2 shall be provided in accordance with a specification to be submitted to and approved in writing by the local planning authority at a gradient not steeper than 1 in 12.

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

6 H05 (Access gates)

Reason: In the interests of highway safety.

7 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.

8 H27 (Parking for site operatives)

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

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

Reason: To protect the integrity of the Public Sewerage System.

10 No land drainage run-off will be permitted to discharge to the public sewerage system.

Reason: To prevent hydraulic overload of the Public Sewerage System and Pollution of the Environment.

INFORMATIVE NOTES

1 HN01 - Mud on highway

2 HN04 - Private apparatus within highway

3 HN05 - Works within the highway

Decision:

Notes:

.....

Background Papers

Internal departmental consultation replies.

Document is Restricted

