

A G E N D A

Southern Area Planning Sub-Committee

Date: **Wednesday, 10th December, 2003**

Time: **2.00 p.m.**

Place: **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

E-Mail: pmartens@herefordshire.gov.uk

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, 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 5th November, 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 - 76
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. CONFIDENTIAL ENFORCEMENT REPORT

77 - 78

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

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

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.
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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.

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A public telephone is available in the reception area.

Public Transport Links

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- 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

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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 Council Chamber, Brockington on Wednesday, 5th November, 2003 at 2.00 p.m.

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

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

In attendance: Councillor P E Harling

31. DECLARATIONS OF INTEREST

The following declarations of interest were made.

Councillor	Item	Interest
Mrs JA Hyde	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.	Prejudicial – left the meeting for the duration of the item
Mrs RF Lincoln	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.	Prejudicial – left the meeting for the duration of the item

32. APOLOGIES FOR ABSENCE

Apologies were received from Councillors TW Hunt, DC Taylor and JB Williams

33. MINUTES

RESOLVED: That the Minutes of the meeting held on 8th October, 2003 be approved as a correct record and signed by the Chairman.

34. ITEM FOR INFORMATION - APPEALS

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

35. HEAD OF PLANNING SERVICES REPORT

The report of the Head of Planning services was presented in respect of planning applications received for the southern area of Herefordshire.

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

EXCLUSION OF THE PUBLIC AND PRESS

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

SUMMARY OF THE PROCEEDINGS OF EXEMPT INFORMATION

36. ITEM FOR INFORMATION - ENFORCEMENT

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

NOT FOR PUBLICATION – This item disclosed information relating to :

- **Any instructions to counsel and any opinion of counsel (whether or not in connection with any proceedings) and any advice received, information obtained or action to be taken in connection with:**
 - (a) any legal proceedings by or against the authority, or**
 - (b) the determination of any matter affecting the authority****(whether, in each case, proceedings have been commenced or are in contemplation).**
- **Information which, if disclosed to the public, would reveal that the authority proposes:**
 - (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or**
 - (b) to make an order or direction under any enactment.**

Any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.)

The meeting ended at 2.57 a.m.

CHAIRMAN

APPENDIX

Ref. 1
COUGHTON
 SE2003/1002/F

Proposed building for the storage and repairs of agricultural, horticultural, automotive and plant machinery at
THORNY ORCHARD, PART OS 8691, COUGHTON, ROSS-ON-WYE, HEREFORDSHIRE

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

The Principal Planning Officer said that planning application SE2003/1002/F had been withdrawn by the applicant.

Ref. 2
COUGHTON
 DCSE2003/2157/F

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 Principal Planning Officer read out a letter received from the agent acting on behalf of the applicant in respect of planning application CE2003/2157/F.

The Sub-Committee discussed the planning application and felt that the hay barn, hardstanding and terrace was essential for the use of the applicant and that it was in keeping with the local rural setting. The Southern Divisional Planning Officer advised that the application had been recommended for refusal on the grounds of policy ED9 of the South Herefordshire Local District Plan in respect of new agricultural buildings, which should not be isolated or visually intrusive locations and that this site was such a site within the Area of Outstanding Natural Beauty. The Sub-Committee felt that the barn was no different from many others in such rural locations and did not concur with the view of the Officers but decided that the application should be approved.

RESOLVED: That

- (i) **The Southern Area Planning Sub-Committee is minded to approve the application subject to any conditions felt to be necessary by the Head of Planning Services, provided that the Head of Planning Services did not refer the application to the Planning Committee;**
- (ii) **If the Head of Planning Services does not refer the application to the Planning Committee the Officers**

named in the Scheme of Delegation to Officers be instructed to approve the application.

(NB the application was not referred to the Head of Planning Services because it was not considered that there were crucial planning policy issues at stake)

Ref. 3
ALLENSMORE
DCSW2003/1375/O

Proposed 2 bedroom bungalow at:

CHAPEL COTTAGE, COBHALL COMMON, ALLENSMORE, HEREFORD, HR2 9BN

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

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

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

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

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

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

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

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

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

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

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

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

Ref. 4
ROSS-ON-WYE
DCSE2003/2708/F

Closing existing site access, new access, alteration to existing access and carparking and new landscaping at:

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**

The Principal Planning Officer reported the receipt of a letter of objection to the scheme. He advised that discussions had been with the applicants about a revised car parking scheme which would be acceptable on planning grounds. He recommended that the Officers be delegated to approve the application when a revised scheme had been received that was acceptable to them and the Sub-Committee concurred with his suggestion.

RESOLVED: That the Officers named in the Scheme of Delegation to Officers be authorised to grant planning permission, subject to the receipt of a satisfactory car parking scheme and subject to 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.

Ref. 5
WALFORD
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**

The Southern Divisional Planning Officer reported the receipt of confirmation from the applicant that the application was in connection with personal use only.

In accordance with the criteria for public speaking, Mr DJ Jewell spoke in favour of his application.

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

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

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

2. 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 properly 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.**

Ref. 6
**SYMONDS YAT
EAST**
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 at:

SYMONDS YAT EAST, HEREFORDSHIRE.

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

The Vice-Chairman assumed the Chair for this item.

The Principal Planning Officer reported that the Parish Council Observations which were set out in paragraph 5.2 of the report were from Witchurch Parish Council. An objection had been received from Goodrich Parish Council and he read out the contents. He said that a letter had been received from English Nature raising no objection to the application and that a letter had been received from the Ramblers Association suggesting that alternative routes may be preferable.

In accordance with the criteria for public speaking, Mrs Whybeard of Goodrich Parish Council spoke against the application.

The application was discussed by the Sub-Committee and concerns were raised about land ownership issues, the impact of such usage on the area of outstanding natural beauty and the problems that were likely to arise because there was inadequate parking for those using a single track access road to convey their bicycles to the start of the proposed cycle track. The Southern Divisional Planning Officer said that the land ownership matters were not a planning issue for planning consent and that the Head of Engineering and Transportation had no objection to the application. The Sub-Committee still had concerns at the impact of additional traffic on the area during the tourist season. It, therefore, decided that further information should be obtained from the applicant about the way in which these potential problems could be addressed.

RESOLVED: That consideration of the application be deferred pending further information being obtained from the applicants about provision that could be made for additional vehicular traffic at the start of the cycle track.

Ref. 7
GORSLEY
DCSE2003/2443/F

Conversion of barns to form swimming pool and granny annexe incorporating change of use of land from agriculture to residential curtilage at:

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**

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)**
Reason: To ensure that the materials harmonise with the surroundings.
4. **B05 (Alterations made good)**
Reason: To maintain the appearance of the building.
2. **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 dwelling house. 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.

DCSE2003/2539/F

**THE SUMMERHOUSE, PALMERS FLAT, DANCING GREEN,
ROSS-ON-WYE, HEREFORDSHIRE, HR9 5TE**

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

RESOLVED: 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.

Ref. 9
LEA
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**

The Principal Planning Officer advised that the Head of Environmental Health and Trading Standards had requested the addition of a condition requiring the applicants to investigate if there was any contamination to the site, and if so to prepare a scheme to mitigate it. Councillor H Bramer the local Ward Councillor asked for delegated authority to be granted to the Officers to grant permission when they were satisfied that the best design and position had been achieved for the proposed garage on the site.

RESOLVED: That the officers named in the Scheme of Delegation to Officers be authorised to grant planning permission subject to the best design and position being achieved to their satisfaction for the location of the garage and subject to the following conditions:

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

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

2. B01 (Samples of external materials)

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

3. F44 – Investigation of contaminated land

Development shall not begin until a scheme to deal with contamination of the site has been submitted to and approved in writing by the local planning authority.

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

4. F45 – Contents of scheme to deal with contaminated land

The above scheme shall include an investigation and assessment to identify the extent of contamination and the measures to be taken to avoid risk to the (public/buildings/environment) when the site is developed.

Reason: To ensure that potential contamination is

removed or contained to the satisfaction of the local planning authority.

5. **F46 – Implementation of measures to deal with contaminated land**

Development shall not commence until the measures approved in the scheme have been implemented.

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

6. **F47 – Measures to deal with soil contamination**

Reason: To ensure potential soil contamination is satisfactorily dealt with before the development is occupied.

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

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

8. **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.

9. **H05 (Access gates)**

Reason: In the interests of highway safety.

10. **H13 (Access, turning area and parking)**

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

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

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

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

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

- 13. 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**

Document is Restricted

ITEM FOR INFORMATION - APPEALS

APPEALS RECEIVED**Application No. SW2002/3212/RM**

- The appeal was received on 24th November 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.G. Price & Sons Ltd.
- The site is located at Albion Villa, Peterchurch, Hereford, HR2 0RT
- The development proposed is Erect detached dwelling and garage.
- The appeal is to be heard by Written Representations

Case Officer: Mr Andrew Prior 01432 261932

Application No. DCSE2003/1345/F

- The appeal was received on 28th 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 & Mrs Seal
- The site is located at Goodrich Court, -, Goodrich, Ross-On-Wye, Herefordshire, HR9 6HT
- The development proposed is Proposed demolition of existing bungalow and erection of replacement dwelling and new garage.
- The appeal is to be heard by Written Representations

Case Officer: Mr Steven Holder on 01432 260479

APPEALS DETERMINED**Application No. SW2002/3664/O****Top Wood, Dorstone, Hereford**

- The appeal was received on 21st 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 J E Sloper
- The site is located at Top Wood, Dorstone, Herefordshire
- The application, dated 27th November, 2002 was refused on 13th February, 2003
- The development proposed was Temporary & removable holiday chalet.
- The main issue is the effect on the character and appearance of the surrounding rural area

Decision: The appeal was **Dismissed** on 22nd October, 2003

Case Officer: Mr Andrew Prior on 01432 261932

Costs Application No. SW2002/3664/O

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

Top Wood, Dorstone, Hereford

- The application is made under the Town and Country Planning Act 1990, sections 78, 322 and schedule 6 and the Local Government Act 1972, section 250(5)
- The application is made by John Ernest Sloper for a full award of costs against Herefordshire Council
- The hearing was in connection with an appeal against the refusal of planning permission for a temporary and removable holiday chalet

Decision: The application was **Allowed** on 22nd October, 2003

Case Officer: Mr Andrew Prior on 01432 261932

Application No. SW2003/0406/F

- The appeal was received on 24th June 2003
- The appeal was made under Section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission
- The appeal was brought by Mr M Gwinnett
- The site is located at Ross View, Barrack Hill, Little Birch, Hereford, Herefordshire, HR2 8AZ
- The application, dated 31st January, 2003 was refused on 31st March, 2003
- The development proposed was Demolition of single storey and construction of two storey extension
- The main issue is the effect of the proposed development on the character and appearance of the existing house and the surrounding area

Decision: The appeal was Dismissed on 28th October, 2003

Case Officer: Mr Andrew Prior on 01432 261932

Application No. SE2002/3893/F

- The appeal was received on 12th June 2003
- The appeal was made under Section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission
- The appeal was brought by Mr & Mrs Croke
- The site is located at Stoneways, Albough, Hoarwithy, Hereford
- The application, dated 23rd December, 2002, was refused on 13th February, 2003
- The development proposed was 2-storey extension, new double garage and driveway, change of use of land
- The main issues are the effect of the extensions on the character and appearance of the area, and the second is the effect the extensions would have on maintaining a viable dwelling for an agricultural worker

Decision: The appeal was Dismissed on 23rd October, 2003

Case Officer: Mrs Charlotte Atkins on 01432 260536

SOUTHERN AREA PLANNING SUB-COMMITTEE

10TH DECEMBER, 2003

DEFERRED APPLICATION

REF No.	APPLICANT	PROPOSAL AND SITE	APPLICATION No.	PAGE No.
1	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	21 - 26

APPLICATIONS RECEIVED

REF No.	APPLICANT	PROPOSAL AND SITE	APPLICATION No.	PAGE No.
2	E. & R. Waghorn	Replacement dwelling house and garage, Coles Tump, Orcop	DCSW2003/2799/F	27 - 30
3	Mr. & Mrs. G. Turney	Proposed two storey extension, 2 Coronation Cottage, Kingsthorne	DCSW2003/2741/F	31 - 34
4	Mr. & Mrs. N. Prosser	Change of use and alterations to barn/land to provide dwelling. Alterations to access, barn at Graig Farm, Newton St. Margarets, Vowchurch	DCSW2003/2396/F	35 - 40
5	Mr. O. Beman	Variation of Condition 2 (siting) as attached to consent SW2002/1480/F, for replacement dwelling and double garage, The Old Bungalows, Minster Farm, Much Birch	DCSW2003/2839/F	41 - 44

6	Mr. P. Griffiths	Alterations and extensions to existing care home to provide 6 additional bedrooms, Dovecote Care Home, Llangarron	DCSE2003/1835/F	45 - 50
7	Mr. D. Gardiner	Extension and loft conversion. Detached garage, Hornbeam, Weston under Penyard	DCSE2003/3010/F	51 - 54
8	Herefordshire Council	Two storey extension to Sixth Form area, John Kyrle High School, Ledbury Road, Ross-on-Wye	DCSE2003/2916/F	55 - 58
9	D. J. Jones	Change of use from butchers shop and car parking to office and machine repair workshop, Phocle Farm, Phocle Green, Ross-on-Wye	DCSE2003/2628/F	59 - 64
10	Lovell Partnerships	Demolition of farm buildings. Re-development of land for 66 houses, conversion of barn, provision of off-site drainage and re-alignment of farm track at land formerly part of Vine Tree Farm, Walford Road, Ross-on-Wye	DCSE2003/2323/F	65 - 76

DEFERRED APPLICATION

1 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 Determination of this application was deferred by the Committee on 5 November 2003 because of the perceived traffic congestion both at Symonds Yat East and along the road leading to it and so that the opportunity to increase parking provision could be investigated.
- 1.2 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.
- 1.3 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

DEFERRED APPLICATION

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
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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 does not wish to comment on this application.
- 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.
- 4.3 Environment Agency has no objections to the proposed development.

Internal Council advice

- 4.4 Head of Engineering and Transportation has no objection to this proposal. The development would affect public footpath GR38 and requested that reasonable steps must be taken to ensure risk to footpath users from cycle traffic is minimised.

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 WhitchurchParish Council support the application.

5.3 Goodrich Parish Council has several reservations regarding this application:

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“The first being that a large percentage of the current visitors to Symonds Yat are of an older age group or young families, who should not have to worry about cyclists when taking a leisurely walk along the river. As the area from the Biblins Bridge to the Royal Hotel, Symonds Yat is already a well-known tourist area; perhaps two paths would prove a safer option.

Parking facilities. No consideration has been made for the parking of vehicles delivering or collecting cyclists to this area, or for the storage of cycles at this end of the ride. Symonds Yat West is at the end of a single-track access road with a further pinch point at the single track Huntsham Bridge. Traffic problems already arise within the tourist season.”

We also question the feasibility of the cycleway continuing from Symonds Yat East, along the above-mentioned road to the junction of the B4229, where cyclists are expected to turn across the traffic towards Kerne Bridge. The B4229 is signposted as being the Ross on Wye By-pass for large vehicles from the Forest of Dean.”

5.4 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.

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7. I consider that Herefordshire Council should not approve the plans until these questions have been properly addressed.
- 5.5 The Ramblers Association objects to the proposal as a pedestrian only path would be shared causing safety concerns. It is suggested that the existing river bank path be segregated and used by walkers only with appropriate barriers to prevent cyclists gaining access.

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.
- 6.4 Turning to the second issue, it is unfortunate that no surveys have been carried out recently and the level of congestion is not therefore known. Anecdotal evidence suggests that this problem may have eased in recent years but this cannot be confirmed. The problem is acknowledged in the Symonds Yat Management Plan.
- 6.5 There are two car parks at Symonds Yat East, both privately owned, which offer all-day parking for a fixed fee (£1.20 or £2). In total there are over 50 spaces. In addition the Royal Hotel car park is open to patrons who are not staying at the hotel and no doubt

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caters for a number of visitors. However there appears to be no scope for providing additional car parking. There are large car parks at Yat Rock which are only ½ km or so from Symonds Yat East but the direct route is not suitable for cyclists. Further car parking may be available at the southern end of the proposed cycle route, at Goodrich Castle, although this may require negotiation with English Heritage. There are also large car parks at Symonds Yat West, but connexion for cyclists with the cycle path proper is not easy, the direct route being along the A40 or Ross Road. It may well be possible to negotiate improved links for cyclists to the proposed route from these car parks. More generally Sustrans point out that links to visitor attractions and settlements along the cycle paths could be improved to develop a network of cycle routes which would result in a more dispersed pattern of use. Example would be use of quiet lanes to Goodrich and Kerne Bridge and a link to Lydbrook via Symonds Yat tunnel.

- 6.6 The proposed cycle route is not designed as a national route and will not be advertised as such. It is intended as a local route which aims to satisfy primarily local recreational and utility demand. Publicity would be the responsibility of the local authorities and could direct cyclists who travel by car to these less congested locations. Nevertheless it is appreciated that Symonds Yat East may be an attractive starting/finishing point for some cyclists because of the long off-road section of the cycle route. The estimated number of additional vehicles is between 5 and 20 per day but this would be divided between Symonds Yat East and Monmouth. Site visits by officers to Symonds Yat East suggest that even in summer congestion is a serious problem only at weekends and on Banks Holidays, rather than a daily occurrence. The additional cars attracted by the cycle route would be only a small fraction of the total number of cars visiting Symonds Yat East and Yat Rock..
- 6.7 Of the three options for a cycle route presented in the Draft Feasibility Study for consultation the existing railway path emerged as by far the most attractive and least environmentally damaging. The route is already used by cyclists and this application seeks to formalise this informal arrangement. Sustrans anticipate that, subject to appropriate publicity, there would be no dramatic change in the type or scale of use. To refuse permission for this short section of the cycle path would raise serious questions regarding the practicability of the entire route. In view of the strong national and local policy support for cycle routes and the marginal increase in vehicular traffic it is considered that there are insufficient grounds to justify refusal of permission.
- 6.8 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 permission be granted subject to the following condition:

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

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

DEFERRED APPLICATION

Decision:

Notes:

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Background Papers

Internal departmental consultation replies.

2 DCSW2003/2799/F - REPLACEMENT DWELLING HOUSE AND GARAGE, COLES TUMP, ORCOP, HEREFORDSHIRE, HR2 8SF

For: E & R Waghorn, Coles Tump, Orcop, Herefordshire, HR2 8SF

Date Received: 16th September 2003 Ward: Pontrilas Grid Ref: 46521, 28062

Expiry Date: 11th November 2003

Local Member: Councillor G. W. Davis

1. Site Description and Proposal

- 1.1 The application site is elevated above the Class III road (C1235) from which it gains access. Lower Butts is immediately to the west of the site. The southern side of the C1235 is tree lined, however at the application site 85 metres uphill there are panoramic views. There are trees to the north and west of the existing red brick cottage that it is proposed to replace with a new dwelling. These trees are proposed to be retained.
- 1.2 There are a range of outbuildings to the west and south-west of Coles Tump that will be demolished. These buildings provide some storage space for the cottage, and include what was an outside lavatory.
- 1.3 The proposed replacement dwelling has been conceived as a family home, that will utilise local materials including cob or lime rendered straw bale walling, thatch and turf roofing and local natural stone for plinths and curtilage walls. The curtilage walls providing shelter for residents outside the new dwelling. The dwelling has an organic shape, as does the defined stone wall boundary as it follows the contours of the site. There will be a large glazed area, this is in order to achieve the solar gain required. Materials used on the site will also be re-used where practicable.

2. Policies

2.1 Hereford and Worcester County Structure Plan

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

2.2 South Herefordshire District Local Plan

Policy GD.1	-	General Development Criteria
Policy C.1	-	Development within Open Countryside
Policy C.8	-	Area of Great Landscape Value
Policy SH.11	-	Housing in the Countryside
Policy SH.21	-	Replacement Dwellings

2.3 Unitary Development Plan

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

3. Planning History

3.1 None identified.

4. Consultation Summary

Statutory Consultations

4.1 The Environment Agency raises no objections.

Internal Council advice

4.2 The Head of Engineering and Transportation recommends that conditions be attached in the event of planning permission being granted.

5. Representations

5.1 The applicant states in a covering letter:

- initial advice and guidance previously sought, officers support in principle
- dwelling will sit comfortably in landscape, comprise natural local materials (including re-used ones) and be energy efficient, and well insulated
- garage and storage buildings will house domestic paraphernalia
- curtilage limited to area close to dwelling, vegetable garden created elsewhere down slope, but well screened
- part of local community, have 4 small children, also site is registered smallholding of roughly 8 acres managed organically and on which we breed Shetland sheep.

5.2 Orcop Parish Council make the following observations:

"Orcop Parish Council has no objections to the proposed replacement house and garage. It is hoped that the replacement will be built of natural, local materials and re-using materials from the replaced dwelling."

5.3 Much Dewchurch Parish Council fully support the application.

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

6. Officers Appraisal

6.1 This proposal is reported to Sub-Committee given that the proposed replacement dwelling has a larger footprint than of the brick cottage it intends replacing. This is a specific requirement in Hereford and Worcester County Structure Plan Policy H.20 and Policy SH.21 contained in the South Herefordshire District Local Plan. The Structure Plan requires that the replacement dwelling be comparable and the South Herefordshire District Local Plan Policy that it be of a size and scale similar to that of

the original dwelling. The other requirements are that a safe access can be provided, which is possible currently, that the building to be demolished is not of architectural or historic worth such that the cottage is worth keeping and that finally the existing dwelling has existing established use rights, which is the case for Coles Tump.

- 6.2 The above-mentioned policy requirements for replacement dwellings are established on the basis that new dwellings of sympathetic scale are not replacing dwellings of some local interest, or that the new dwelling is not replacing a structure that has a residential use that has been extinguished or abandoned. These policy requirements are needed to ensure that there are not abuses of one of the few opportunities to build a new dwelling in the open countryside.
- 6.3 The concept of the replacement dwelling presented to Sub-Committee is of a building that is of the site, this has determined the curved walls and use of materials. It seeks to maximise solar gain through a large south facing window that will provide light to the interior on two floors. The area behind this glazed area is a communal area or hall, this area takes up the largest percentage of space on each floor. It is the hub of the dwelling. The living rooms on both floors lead off the hall on each floor. The footprint of the replacement dwelling is greater than that of the cottage, however, it is considered that this is mitigated by the existence of outbuildings to the west and south-west that are used in association with the existing cottage which will be demolished. The new dwelling is, however, a building with a striking design concept that although larger in footprint still has only 3 bedrooms and 3 reception rooms on the ground floor. The new dwelling will enhance the site, will utilise local materials and re-use existing materials on site, it will not entail the removal of any trees. The dwelling can be supported on the basis of its unique design and use of local materials, and in consequence is recommended favourably.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

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

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

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

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

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

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

- 4. 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. H10 (Parking - single house)

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

Decision:

Notes:

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Background Papers

Internal departmental consultation replies.

3 DCSW2003/2741/F - PROPOSED TWO STOREY EXTENSION, 2 CORONATION COTTAGE, KINGSTHORNE, HEREFORDSHIRE, HR2 8AL

For: Mr & Mrs G Turney, 2 Coronation Cottage, Kingsthorne, Herefordshire, HR2 8AL

Date Received: 10th September 2003 Ward: Pontrilas Grid Ref: 49855, 31990

Expiry Date: 5th November 2003

Local Member: Councillor G. W. Davis

1. Site Description and Proposal

- 1.1 The application site is on the southern side of the unclassified road (u/c 71609), also known as Forge Lane, nearly opposite Karapiro. The junction of Forge Lane and the north-south orientated C1263 road is 20 metres to the west of the site.
- 1.2 The dwelling the subject of this proposal was built in 1999, as a replacement dwelling for a semi-detached dwelling adjoining 1 Coronation Cottage.
- 1.3 It is proposed to build a two-storey extension onto the front of the dwelling, that is rendered under an artificial slate roof. The existing dwelling is 11½ metres back from the highway. It is 7.1 metres wide and 10.8 metres long. The proposed extension is 5 metres wide and will project 6.2 metres out towards the highway. It will provide a dining room on the ground floor and an additional bedroom, together with a study on the first floor.

2. Policies

2.1 Hereford and Worcester County Structure Plan

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

2.2 South Herefordshire District Local Plan

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

2.3 Unitary Development Plan

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

3. Planning History

- | | | | | |
|-----|------------|---|---|-------------------|
| 3.1 | SH980177PF | Demolition of existing cottage and erection of 4 bedroom dwelling | - | Refused 15.04.98 |
| | SS990188PF | Replacement of existing structurally unsound cottage with a new cottage | - | Approved 28.07.99 |

4. Consultation Summary

Statutory Consultations

4.1 Not applicable.

Internal Council Advice

4.2 The Head of Engineering and Transportation has no objection.

5. Representations

5.1 Much Birch Parish Council make the following observations:

"The Parish Council considers that the size of the proposed extension is out of keeping with the character of the existing dwelling, and the surrounding properties."

6. Officers Appraisal

6.1 The main issue is considered to be whether or not the scale and massing of the new extension is in keeping with the existing dwelling.

6.2 The issue of concern raised by the Parish Council is dealt with by Local Plan Policy SH.23. The requirements of this policy are that the materials should be in keeping and that the extension is in keeping in terms of mass and scale. The extended building should also not detract from the amenities of the locality in which it is located. The materials proposed and the design of windows will match those used in the existing dwelling. The height of the new extension is 1.3 metres lower than that of the main ridge, also it is narrower than the existing dwelling by 2.1 metres. The extension will project 6.2 metres which is more than half of the length of the existing dwelling, however, this is mitigated by the width and overall height of the extension. The extension constitutes a 40 per cent increase in the footprint of the building which is considered to be within tolerable limits.

6.3 The design of the extension as regards windows will need to be addressed, a larger window at first floor level in the north elevation, directly facing the unclassified road should be reduced in width to at least that of the ground floor windows. Also the design for the porch as viewed on the west elevation appears to comprise all glazing over a brick plinth. These aspects would need to be addressed before planning permission could be issued.

6.4 There are a variety of house types around Kingsthorpe, there are rendered, brick and stone faced dwellings of two-storeys and single-storey. It is not considered that the development proposed would detract from the amenity of the locality, the proposal is in accordance with Policies GD.1, C.8 contained in the Local Plan, and Policy SH.23 relating to extensions, as augmented by Policy H.20 contained in the Structure Plan. This is on the basis that satisfactory revisions to the fenestration can be achieved.

RECOMMENDATION

That subject to the receipt of suitably revised plans, the officers named in the Scheme of Delegation to Officers be authorised to approve the application subject to the following conditions and any further conditions considered necessary by officers:

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

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

- 2. **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. **Details of the revised means of access to serve the property following erection of the extension shall be the subject of the prior written approval of the local planning authority before development commences on site.**

Reason: In the interests of general highway safety and given the restricted area created between the access point and the garage.

Decision:

Notes:

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Background Papers

Internal departmental consultation replies.

4 DCSW2003/2396/F - CHANGE OF USE AND ALTERATIONS TO BARN/LAND TO PROVIDE DWELLING. ALTERATIONS TO ACCESS. BARN AT GRAIG FARM, NEWTON ST MARGARETS, VOWCHURCH, HEREFORDSHIRE, HR2 0QY.

**For: Mr & Mrs N. Prosser per Mr A S Wood,
The Beeches, North Road, Huntley, Glos. GL19 3DU**

Date Received: 6th August 2003 Ward: Golden Valley South Grid Ref: 3446 3392

Expiry Date: 1st October 2003

Local Member: Councillor J. B. Williams

1. Site Description and Proposal

- 1.1 The application site is reached off the eastern side of the unclassified road (u/c 74204) immediately to the north of The Griggs. An unclassified track leads eastward from an existing gateway opening in the roadside hedgerow for a distance of 80 metres, before leading a further 60 metres southward to the application site that comprises a stone barn and adjoining single storey building and modern farm buildings to the east of the main barn.
- 1.2 It is proposed to convert the north-south aligned stone barn and adjoining stone byre building adjoining the north-east corner of the building into one dwelling. The existing building will have rooflights on both roof slopes on the main barn. Existing openings in the main barn will be glazed at the cartway openings on both sides of the building, windows being introduced only into existing openings. The entrance on the east elevation will be recessed therefore enabling borrowed light to reach into the building.
- 1.3 An area of land in the ownership of a third party has been identified on the western side and southern gable end of the main barn.
- 1.4 This building has been the subject of marketing as required by the provisions of Government advice contained in PPG.7, and Policy C.37 contained in the South Herefordshire District Local Plan.

2. Policies

2.1 Planning Policy Guidance

PPG.7 - The Countryside – Environmental Quality & Economic & Social Development

2.2 Hereford and Worcester County Structure Plan

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

2.3 South Herefordshire District Local Plan

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

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

3. Planning History

- 3.1 SW2003/0443/S Implement/feed store - Prior approval not required 03.03.03

4. Consultation Summary

Statutory Consultations

- 4.1 The Environment Agency has no objections in principle subject to conditions being attached.

Internal Council Advice

- 4.2 The Head of Engineering and Transportation recommends that conditions be attached in the event that planning permission is granted.
- 4.3 The Public Rights of Way Officer has no objection.

5. Representations

- 5.1 The applicants' agent states:

- property has been marketed for over six months
- notice also served on adjoining landowner
- client will return to village he was born in
- barn in good condition, 450mm thick stone walls under a corrugated iron roof
- trusses will be reconstructed over the lounge area
- drainage will be via a Bio disc treatment plant
- existing access considered to be adequate. Track has gravel/tar plainings
- existing modern barns on the site will be removed including associate concrete flooring/block walls.

- 5.2 The Parish Council support this application.

- 5.3 One letter of representation has been received from:

Mr. J. L. Biggs, The Griggs, Newton St. Margarets, Vowchurch, HR2 0QY

The following main points are raised:

- assumption in plans that ground level can be reduced by approximately one metre on western and southern sides of barn. This land is in my ownership still

- object to openings with large windows
- object to infilling of existing window with a large window, why cannot wood panelling be used. Retains character, whilst not intruding on our privacy
- could number of rooflights be reduced, for reasons of privacy
- enjoyed 20 years of privacy and solitude at The Griggs. No objection in principle to conversion, just ask that the effects are minimised.

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

6. Officers Appraisal

- 6.1 It is considered that the main issues are considered to be whether or not the buildings have been marketed in accordance with PPG.7 and Development Plan policies, also whether or not it is a building that is capable of conversion and will retain those features following conversion. Also can a safe and environmentally acceptable access be provided for this site reached across a field. There is also the issue of the creation of a dwelling on this site and its relationship to residents in the vicinity of the site.
- 6.2 The barn conversion scheme has been the subject of preliminary discussions. The buildings have been the subject of a marketing exercise to determine whether or not an alternative use could be identified for the buildings. This has not been successful. Therefore residential use can be considered. The scheme utilises existing openings on the building including the open byre which will be infilled with vertical cladding. The conversion scheme satisfies the criteria of policies relating to the conversion of redundant rural buildings contained in Policies H.20 and CTC.9 of the Structure Plan, and Policies C.1, C.36, C.37 and SH.24 contained in the Local Plan. The means of access is satisfactory and the existing track serving the complex of buildings does not detract from the rural setting.
- 6.3 There are nine rooflights in the building providing the principle means for residents to view outside. This number should be reduced, and could be achieved by placing a window in the north gable end for bedroom 2. This should be a matter that could be resolved before planning permission is granted. The single storey byre that will provide limited accommodation has been altered such that a higher pitch roof has been proposed. This has a more traditional appearance and therefore given the merits of the overall scheme it can be supported.
- 6.4 The applicant has served notice as required by Article 7 of the Town and Country Planning (General Development Procedure) Order 1995, as required the use of additional land as curtilage for the converted barn. This issue can only be resolved by the two parties involved, it is considered that the proposal could still be supported whether or not additional land is provided as delineated in the plans submitted. It is not considered that there is an issue of overlooking of a private amenity area, as the area of ground that adjoins the barn is a paddock that would not normally be used as private amenity area that does not form part of the garden area that immediately adjoins The Griggs to the south and east. The main glazed area at first floor level provides only light, it is the rooflights that afford a view for residents. It is possible to introduce glazed areas onto boundaries, however the type of glazing required would be dependant upon the distance from the boundary required by the Building Regulations.

- 6.5 The proposal can be supported subject to the revisions referred to above. It is not considered that planning permission could reasonably be withheld.

RECOMMENDATION

That subject to receipt of acceptable revised plans with regard to the design of the conversion, the officers named in the Scheme of Delegation to Officers be authorised to issue planning permission subject to the following conditions and any additional conditions considered necessary by officers:

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

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

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

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

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

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

4. **E16 (Removal of permitted development rights)**

Reason: In order to protect the character and integrity of the original building.

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

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

6. **G01 (Details of boundary treatments)**

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

7. **H03 (Visibility splays)**

Reason: In the interests of highway safety.

8. **H05 (Access gates)**

Reason: In the interests of highway safety.

9. **H06 (Vehicular access construction)**

Reason: In the interests of highway safety.

10. **H10 (Parking - single house)**

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

Informative Notes

1. **HN01 - Mud on highway**

- 2. HN04 - Private apparatus within highway
- 3. HN05 - Works within the highway
- 4. HN24 - Drainage other than via highway system

Decision:

Notes:

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Background Papers

Internal departmental consultation replies.

5 DCSW2003/2839/F - VARIATION OF CONDITION 2 (SITING) AS ATTACHED TO CONSENT SW2002/1480/F, FOR REPLACEMENT DWELLING AND DOUBLE GARAGE, THE OLD BUNGALOWS, MINSTER FARM, MUCH BIRCH, HEREFORDSHIRE, HR2 8HS

**For: Mr O Beman per Three Counties Planning Ltd,
PO Box 69, Ross-on-Wye, Herefordshire, HR9 7WG**

Date Received: 17th September 2003 Ward: Pontrilas Grid Ref: 50506, 30563

Expiry Date: 12th November 2003

Local Member: Councillor G. W. Davis

1. Site Description and Proposal

- 1.1 The application site is on the northern side of the A40(T) directly opposite Birch Lodge on the opposite side of the Hereford - Ross road. St. Mary's Church is slightly to the south-west of Birch Lodge.
- 1.2 The proposal site has the benefit of an extant planning permission for one two-storey dwelling to replace a pair of semi-detached bungalows, this was granted planning permission under delegated powers in June 2002. The current application seeks to vary that planning permission in as much as the new dwelling will be sited a further 9 metres to the north-west, the previously approved double garage will also move the same distance. This proposed re-siting partially overlaps the siting of the approved siting and still covers part of the footprint of the pair of semi-detached bungalows that will be replaced.

2. Policies

2.1 Hereford and Worcester County Structure Plan

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

2.2 South Herefordshire District Local Plan

Policy GD.1	-	General Development Requirements
Policy C.1	-	Development within Open Countryside
Policy C.8	-	Development within Area of Great Landscape Value
Policy SH.11	-	Housing in the Countryside
Policy SH.21	-	Replacement Dwellings

2.3 Unitary Development Plan

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

3. Planning History

- 3.1 SW2002/1480/F Demolition of existing bungalows. - Approved 27.06.02
Erection of replacement dwelling and double garage

4. Consultation Summary

Statutory Consultations

- 4.1 The Highways Agency states that it does not propose to give a direction restricting the grant of planning permission.

Internal Council Advice

- 4.2 None consulted.

5. Representations

- 5.1 The applicant's agent states in a covering letter:

- trust the form of application is acceptable, as only the siting is changing
- plans attached, i.e. elevations, floor plans, are the same as approved.

- 5.2 Much Birch Parish Council make the following observations:

"The Parish Council is opposed to the change in siting, as it will inevitably lead to a further application for an additional dwelling on the site."

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

6. Officers Appraisal

- 6.1 There is considered to be only one issue, which is the acceptability of the re-siting of the replacement new two-storey house further north-westward on the plot.
- 6.2 Planning permission was granted for the replacement of two semi-detached bungalows by one dwelling. The footprint of the replacement dwelling was approximately the same width, but was shorter in length. There is only scope for one dwelling of a similar footprint. The previous planning permission provides the framework for the current proposal.
- 6.3 The proposal has been met with objections from the Parish Council on the basis that it affords the possibility of creating a building plot between the replacement dwelling and an existing dwelling adjacent to the building plot. The application has to be determined on its merits with regard to policies contained in the Development Plan, particularly those relating to replacement dwellings. The application falls within the remit of the criteria set out in Policy SH.21 contained in the Local Plan and Policy H.20 in the Structure Plan. The currently proposed dwelling is sited the same distance back from the A40(T) and utilises the same previously specified means of access. There is more room between the south-eastern gable end and the south-eastern boundary of the site,

nevertheless the previously approved dwelling was marginally off-centre, i.e. towards the south-eastern side of the plot.

- 6.4 There are considered to be no reasonable grounds for withholding planning permission for the reasons previously stated.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

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

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

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

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

Informative Note

- 1. **The applicant’s attention is drawn to conditions 3 – 11, and informative notes 1 – 4, attached to planning permission granted on 27th June, 2002 (SW2002/1480/F) that still relate to the current planning application.**

Decision:

Notes:

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Background Papers

Internal departmental consultation replies.

- Policy T.4 - Highway and Car Parking Standards
- Policy ED.3 - Employment Proposals within/adjacent to Settlements

2.4 Unitary Development Plan – Deposit Draft

- Policy S.2 - Development Requirements
- Policy S.11 - Community Facilities and Services
- Policy T.11 - Parking Provision
- Policy CF.2 - Foul Drainage
- Policy CF.7 - Residential Nursing and Care Homes

3. Planning History

- 3.1 SH950910PF Change of use of existing dwelling and annexe to form rest home for the elderly with ancillary works - Approved 12.10.95
- SE1999/1939/O Site for the erection of a single storey building to provide manager/staff dwelling unit - Refused 03.09.99
Subsequently allowed on Appeal 31.01.00 Ref: T/APP/W1850/A/99/103 0393/P8
- SE2000/0519/RM Erection of a single building to provide manager/staff dwelling unit - Approved 26.04.00

4. Consultation Summary

Statutory Consultations

- 4.1 Environment Agency observe: No objections. Applicant should ensure that existing foul drainage system and surface water drainage is satisfactory.

Internal Council Advice

- 4.2 The Chief Conservation Officer has no objections to the revised scheme.
- 4.3 Head of Engineering and Transportation recommends that any permission has parking provided at a standard of 0.5 spaces per bedroom plus one space for warden if appropriate.
- 4.4 Head of Environmental Health and Trading Standards has no objections.

5. Representations

- 5.1 The applicant's agent has submitted two letters of support. The main points being:
- care home has operated successfully since 1995 but due to demand in area a further 6 bedrooms are required
 - the extension will be modest in size, match existing building and have no impact on neighbouring dwelling

- do not propose any additional car parking facilities as existing provision should meet demand
- with reference to the comments of the neighbour and the Conservation Officer the extension height has been reduced and also moved approximately 1.2 metres from the common boundary with the neighbours
- there is a well established boundary with the neighbours and the scheme has been designed to ensure minimal effect on the neighbours
- applicant willing to accept conditions retaining existing boundary hedgerow and approval to any additional security lighting. The inward looking courtyard scheme should reduce any light pollution.

5.2 The Parish Council have no objections to this planning application, but would express concern over extra external lighting and trust that this will be the fullness of the development of the site.

Revised Scheme - The Parish Council have no objections to this planning application.

5.3 Two letters of objection have been received from:

Mr. P. J. Sanders and Mrs. M. A. Taylor-Sanders, The Old Police House, Llangarron, Ross-on-Wye, Herefordshire

The main points being:

- object to the development in this location
- do not desire to hinder owners of the care home from carrying out their business
- revised scheme - observations based on points in previous letter and suggestions to lessen impact of extension
- in short space of time property has changed from a reasonably sized domestic property to a medium sized commercial enterprise situated in open countryside
- increased traffic and associated disturbance
- increased noise levels from premises
- will be seen by adjoining properties and roads, etc.
- the revised scheme will still be out of keeping with nature and scale of the settlement (Policy ED.3)
- the revised scheme has addressed issue of overshadowing the neighbouring property, however the objectors are concerned that the siting and size of the new building will overshadow a considerable portion of their garden for over half of the day and for most of the year. This will prevent them from using a large part of their property for pleasure and for fruit and vegetable growing
- appeal decision for manager's/staff dwelling unit was granted without any conditions relating to security lighting and objectors' quality of life has been detrimentally affected by the lighting
- increased concern regarding light pollution. Powerful bright orange light on new bungalow lights up adjoining fields. Dovecote security lighting shines into objectors house infringing privacy
- do not object to security lighting in principle but request that any security lighting are of appropriately low intensity, diverted towards the property rather than away from it and in a few cases, where all other options are exhausted, that lighting attached to buildings is screened to prevent it illuminating the surrounding fields and neighbouring property
- access for builders should not be along path between the two properties to minimise disturbance
- extension should be re-sited to south west side of applicant's property

- central heating outlets be sited as far as possible from neighbouring property.

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

6. Officers Appraisal

- 6.1 This proposal is for the erection of a ground floor extension at the rear of the existing care home building to provide an additional 6 bedrooms, plus en-suite bathrooms, and a sitting room. As the land slopes downwards at the rear there will be a lower ground floor area created for storage purposes. The main issues in this case relate to the size and design of the extension, its impact on the surrounding countryside, the effect on the residential amenities of neighbouring properties, light pollution, traffic levels, access to local facilities and the need to meet the requirements of the health/social services authority.
- 6.2 The size and design of the proposed extension are considered to be acceptable. The ridge line of the roof of the proposed extension will be much lower than the ridge line of the existing main building and in terms of mass the extension will be subservient to the existing main building. The proposed external materials will be red brick and grey tiles to match the existing building. There are also existing trees at the bottom of the garden which will help to screen the extension. Consequently the proposed extension will be in keeping with the existing building and will not harm the visual amenities of the area.
- 6.3 Also it is considered that the proposed extension will not adversely affect the neighbouring residential property. The rear boundary between the two properties is comprised of a mature row of trees which will mask the extension from the neighbours dwelling. In any event the neighbours dwelling house is situated much closer to the road frontage and as such will not be directly affected by the proposed new extension at the rear of the care home building. Similarly, it is considered that the new terrace area, although in an elevated position will not adversely affect the residential amenities of the neighbouring property. The existing row of trees on the common boundary will prevent any adverse overlooking.
- 6.4 The existing care home will be increased in size by 6 additional bedrooms which in terms of numbers is only a small proportion when compared to the existing provision. Consequently the effect the proposed enlarged care home will have with respect to extra demand on local facilities will be minimal. Also the proposed extension will have the same floor level as the existing floor level (ground floor) of the care home building in order to cater for wheelchair access between the new and the old.
- 6.5 There is an existing parking area at the front of the premises which serves the needs of the care home and room for additional parking provision.
- 6.6 One of the main objections from the neighbour is the security lighting and light pollution in general. The neighbour has requested that any security lighting complies with certain provisos. The applicant has indicated that he is willing to accept any reasonable conditions imposed on a planning permission relating to external lighting.
- 6.7 Negotiations have resulted in the height of the proposed extension being reduced by approximately 1.2 metres and being moved away from the neighbours' boundary by approximately 1.2 metres. This revised scheme is considered to be acceptable and in accordance with planning policies, in particular CF.4 and GD.1.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

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

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

2. A09 (Amended plans)

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

3. Before the additional accommodation hereby approved is first brought into use an area shall be laid out within the curtilage of the property for car parking and turning. The parking area shall be properly consolidated, surfaced and drained in accordance with details to be submitted to and approved in writing by the local planning authority and that area shall not thereafter be used for any other purpose than the parking of vehicles.

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

4. G09 (Retention of trees/hedgerows)

Reason: To safeguard the amenity of the area.

5. F32 (Details of floodlighting/external lighting)

Reason: To safeguard local amenities.

6. F35 (Details of shields to prevent light pollution)

Reason: To minimise light overspill and to protect the amenity of neighbouring properties.

Informative Notes

1. With reference to condition No. 3, parking to serve the site shall be at a standard of 0.5 spaces per bedroom plus a minimum of one space for warden.

2. The Environment Agency advises:

It is noted that the applicant proposed to utilise the existing package sewerage treatment plant. 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:

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Background Papers

Internal departmental consultation replies.

**7 DCSE2003/3010/F - EXTENSION AND LOFT
CONVERSION. DETACHED GARAGE, HORNBEAM,
WESTON UNDER PENYARD, ROSS-ON-WYE,
HEREFORDSHIRE, HR9 7PA**

**For: Mr D Gardiner per Andrew Marcham & Co,
7 Church Street, Newent, Gloucestershire, GL18 1PU**

Date Received: 3rd October 2003

Ward: Penyard

Grid Ref: 63296, 23244

Expiry Date: 28th November 2003

Local Member: Councillor H. Bramer

1. Site Description and Proposal

1.1 Hornbeam is located on the west side of the lane that runs to the south from the A40 opposite Hunsdon Manor in Weston under Penyard. The property is a detached three bedroomed bungalow built in brick with a tile roof. The bungalow is set back from the lane and is within a large curtilage.

1.2 This proposal is primarily for the extension of the property to its rear. This involves a single storey extension to provide a lounge and a separate single storey extension to provide a bedroom and kitchen. In addition, the attic of the existing building, including that over the bedroom and kitchen extension would be converted to provide a bedroom and study. These rooms would have three rooflights, together with a dormer window in the rear elevation. In addition a separate double garage is proposed.

2. Policies

2.1 Department of the Environment

PPG.1 - General Policy and Principles

2.2 Hereford and Worcester County Structure Plan

Policy CTC.2 - Area of Great Landscape Value

Policy CTC.9 - Development Requirements

2.3 South Herefordshire District Local Plan

Policy GD.1 - General Development Criteria

Policy SH.23 - Extensions to Dwellings

Policy C.8 - Development within Area of Great Landscape Value

2.4 Unitary Development Plan

Policy S.2 - Development Requirements

Policy DR.1 - Design

Policy H.18 - Alterations and Extensions

3. Planning History

- | | | | | |
|-----|---------------|---|---|--------------------|
| 3.1 | SE2002/0319/F | Single storey extension to front of dwelling, loft conversion with rear extension and detached garage | - | Withdrawn 27.02.02 |
| | SE2002/0562/F | Single storey extension to front of dwelling, two single storey extensions to rear to provide additional living accommodation. Erection of detached double garage | | Approved 04.04.02 |
| | SE2003/2230/F | Extension and loft conversion to form additional living accommodation and garage | | Refused 08.09.03 |

4. Consultation Summary

Statutory Consultations

- 4.1 None required

Internal Council Advice

- 4.2 The Head of Engineering and Transportation has no objection.

5. Representations

- 5.1 Weston under Penyard Parish Council state:

"The Parish Council objects to this application as it is felt that the extension as proposed is excessive in size and therefore disproportionate to the existing building, also, the proposed loft conversion would result in different roof levels. Councillors noted that a number of trees have been removed from the grounds, therefore affecting screening of the property."

- 5.2 An objection has been received from:

J. Hercock, Weston Mews, Weston under Penyard, HR9 7NZ

The objection is that the proposed dormer window on the rear elevation would overlook their walled garden and affect its privacy.

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

6. Officers Appraisal

- 6.1 The main considerations in the determination of this application are the impact of the proposal on the existing dwelling, the adjoining dwellings and the character of the area.

- 6.2 An earlier proposal (SE2003/2230/F) was refused permission in September 2003 for the reason that the extensions would be harmful to the character and appearance of the dwelling. Since that time discussions have taken place and this revised proposal is the result.
- 6.3 In terms of the impact on the existing bungalow, the overall size of the extensions are fairly large. However they are divided into two separate extensions. The purely single storey element follows the scale and design of that which currently exists. The larger element which involves accommodation in the roof space also follows the design which exists but its ridge line is at a lower level. The introduction of the dormer window is not considered to be unacceptable in terms of the design. The proposal also involves the provision of a double garage, to be sited to the south of the bungalow. The design of this reflects that of the existing building and is acceptable. Overall the extensions are considered to meet the requirements of Local Plan Policies GD.1 and SH.23 and are not disproportionate in size or excessive.
- 6.4 With regard to the impact on the adjoining dwellings, concern has been raised from Weston Mews with respect to overlooking from the proposed dormer window. At present the distance from the rear of Hornbeam to the boundary is some 28 metres. The proposed extension will extend the property by 5 metres but the dormer will be set in the roof some 4 metres from the current rear wall. The distance between the dormer and the boundary would therefore be some 24 metres. At this distance it is unlikely that overlooking of Weston Mews, including its garden, to an unacceptable degree would occur.
- 6.5 The site is located within the Area of Great Landscape Value. It is considered that the proposal would not have an adverse impact on the landscape character and is of an appropriate design.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

- 1. **A01 (Time limit for commencement (full permission))**
Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990.
- 2. **A06 (Development in accordance with approved plans)**
Reason: To ensure adherence to the approved plans in the interests of a satisfactory form of development.

Decision:

Notes:

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Background Papers

Internal departmental consultation replies.

8 DCSE2003/2916/F - 2 STOREY EXTENSION TO SIXTH FORM AREA, JOHN KYRLE HIGH SCHOOL, LEDBURY ROAD, ROSS-ON-WYE, HEREFORDSHIRE, HR9 7ET

For: Herefordshire Council per Herefordshire Council Property Services, Franklin House, 4 Commercial Road, Hereford, HR1 2BB

Date Received: 25th September 2003

Ward: Ross-on-Wye West

Grid Ref: 6043 2525

Expiry Date: 20th November 2003

Local Member: Councillor G. Lucas

Councillor M. R. Cunningham

1. Site Description and Proposal

1.1 The John Kyrle High School is located on the north side of the Ledbury Road towards the north east outskirts of Ross-on-Wye. It comprises a variety of buildings both in their heights and designs. The buildings are grouped towards the western part of the site where they adjoin existing housing.

1.2 This proposal is for an extension to one of the more recent buildings, which is of two storeys and in brick with a flat roof. The extension would extend some 6.8 metres from the building and be almost as wide at 20.5 metres. It would be two storey in brick and with large glazed areas. The roof would be divided into two mono-pitched sections covered in standing seam aluminium, with one of these sections extending over part of the existing building.

2. Policies

2.1 Planning Policy Guidance

PPG.1 - General Policy and Principles

2.2 Hereford and Worcester County Structure Plan

Policy CTC.1 - Areas of Outstanding Natural Beauty

Policy CTC.9 - Development Requirements

2.3 South Herefordshire District Local Plan

Policy GD.1 - General Development Requirements

Policy C.5 - Development within Area of Outstanding Natural Beauty

Policy CF.1 - Community Facilities

2.4 Unitary Development Plan

Policy S.2 - Development Requirements

Policy DR.1 - Design

Policy S.11 - Community Facilities

3. Planning History

- 3.1 There have been a number of previous applications at the site but none are considered to be directly relevant to this application.

4. Consultation Summary

Statutory Consultations

- 4.1 None required.

Internal Council Advice

- 4.2 Head of Engineering and Transportation has no objection.

5. Representations

- 5.1 Ross-on-Wye Town Council have no objections.
- 5.2 A letter of objection has been received from 14 Wallhouse Road. The grounds are that pupils peer into their garden due to the lack of a proper fence and that the proposal will give pupils access to look into the bedroom window and the back garden.

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

6. Officers Appraisal

- 6.1 The main considerations in the determination of this application are the design of the proposal and its impact on residential amenity and the Area of Outstanding Natural Beauty.
- 6.2 There is no objection to the principle of additional extensions to the school nor to an extension in the proposed location. The existing buildings are utilitarian and bland in appearance. The proposed extension by reason of its design and in particular the use of glazing and the mono-pitched roof will give the structure variety and character. The extension is considered to be in scale with that existing and of an acceptable design.
- 6.3 The school on its west side adjoins existing housing in May Hill Road and Wall House Road. The boundary to these houses is planted with a row of conifers although adjacent to 14 Wall House Road they are fairly young. The existing building at its closest point is some 31 metres from the nearest boundary and this would reduce to some 24 metres with the extension. With respect to 14 Wall House Road the distance between the extension and the nearest point of its garden would be some 33 metres, compared to some 37 metres at present. It is considered that having regard to these distances, the presence of the conifers and the nature of the use, that overlooking to an unacceptable degree should not occur. The issue raised with regard to fencing along the boundary is not a material issue in this case.
- 6.4 The site, although within the urban area, is within the Area of Outstanding Natural Beauty. The proposed extension, particularly due to its roof design, will be more prominent than the existing buildings. However there should be no harm to the Area of Outstanding Natural Beauty.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

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

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

2. **A06 (Development in accordance with approved plans)**

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

Decision:

Notes:

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Background Papers

Internal departmental consultation replies.

9 DCSE2003/2628/F - CHANGE OF USE FROM BUTCHERS SHOP AND CAR PARKING TO OFFICE AND MACHINE REPAIR WORKSHOP, PHOCLE FARM, PHOCLE GREEN, ROSS-ON-WYE, HEREFORDSHIRE, HR9 7TW

For: D.J. Jones per Mr C Goldsworthy, 85 St Owen Street, Hereford, HR1 2JW

Date Received: 28th August 2003

Ward: Old Gore

Grid Ref: 62594, 26578

Expiry Date: 23rd October 2003

Local Member: Councillor J. W. Edwards

1. Site Description and Proposal

- 1.1 This site, located just to the north of Phocle Green, flanks the eastern side of the unclassified road No. 70005 which extends northwards from Phocle Green to the A449. The site forms part of Phocle farm complex, i.e. agricultural buildings and farm house which is situated immediately to the south. The application site itself consists of the front part of a metal clad building and a yard area to the front. There is an existing vehicular access onto the unclassified road from the yard. There is another vehicular access to the south which serves the existing farm.
- 1.2 Planning permission was previously granted in 2000 to convert part of an agricultural building to form a butchers shop and car parking area, Ref. No. SE2000/1115/F. A Section 106 Agreement accompanied the planning permission. This current application is to change the use of this site to a machine repair workshop, i.e. to maintain and service agricultural and commercial machinery and vehicles. There are no alterations to the building or to the access and parking area.

2. Policies

2.1 Planning Policy Guidance

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

2.2 Hereford and Worcester County Structure Plan

- Policy E.1 - Economic Growth
 Policy E.6 - Industrial Development in Rural Areas
 Policy E.8 - Industrial Development in Rural Areas
 Policy CTC.9 - Development Requirements

2.3 South Herefordshire District Local Plan

- Policy GD.1 - General Development Criteria
 Policy C.1 - Development within Open Countryside
 Policy ED.4 - Safeguarding Existing Employment Premises

- Policy ED.6 - Employment in the Countryside
- Policy ED.7 - Re-use and Adaptation of Rural Buildings for Employment/Tourism Use
- Policy ED.8 - Farm Diversification
- Policy T.1A - Environmental Sustainability and Transport
- Policy T.3 - Highway Safety Requirements

2.4 Unitary Development Plan – Deposit Draft

- Policy S.2 - Development Requirements
- Policy DR.5 - Planning Obligations
- Policy T.9 - Road Freight
- Policy E.5 - Safeguarding Employment Land and Buildings
- Policy E.8 - Design Standards for Employment Sites

3. Planning History

- | | | | | |
|-----|---------------|--|---|--|
| 3.1 | SS980907PF | Erection of a steel framed agricultural building | - | Approved 09.12.98 |
| | SE1999/3333/F | Change of use to part of building and adjacent land to form butchers shop and car parking | - | Refused 15.03.00 |
| | SE2000/1115/F | Change of use to part of building and adjacent land to form butchers shop and car parking area | - | Approved 06.12.00
(Section 106 Agreement) |

4. Consultation Summary

Statutory Consultations

- 4.1 None.

Internal Council Advice

- 4.2 Head of Engineering and Transportation has no objection, following the receipt of the additional information.
- 4.3 Head of Environmental Health and Trading Standards has no objection but suggests that hours of operation could be restricted in the interest of amenity.

5. Representations

- 5.1 The applicant's agent has submitted two letters of support. The main points being:
- the building/site was previously used by Meadowland Meat Co. who because of protracted planning problems and also foot and mouth crisis could not survive and the premises are now vacant
 - the applicant has now found another tenant
 - a lot of trade involves repairs to agricultural machines and also vehicle repairs, most of which take place off site
 - traffic movements will be greatly reduced
 - the proposed tenants are vehicle engineers who maintain and service agricultural and commercial machinery and vehicles
 - they employ 8 people

- storage of vehicles will be kept to a minimum. They will be located inside the workshops because security is of paramount importance
- parking is only required for the employees
- hours of business will be 8.00 am to 6.00 pm
- members of the public will not need to visit the site apart from delivery or collection of machinery
- traffic movements to and from the site will be considerably less than the previous use. Some HGV vehicles may require repair at the premises but this will be very occasionally
- there will be no alterations to the building
- all of the provisions detailed under the Section 106 Agreement have been implemented
- the tenants are predominantly an on-site service, which means that 80% of their work is carried out on customers premises. The change of use is mainly for offices and repair of equipment that cannot otherwise be accommodated off site. The noise levels will be less than that which the refrigeration motors created. There are no painting services being provided by this engineering company.

5.2 The Parish Council observe:

"Change of use from butchers and car parking to office and machine repair workshop. Councillors had received copies of submissions made by two residents: Mr. R. Moses and Ms. T. McLean. It was agreed that Mr. Moses had succinctly put the feelings of residents, and Council members supported all of his points.

Comment: It was resolved to support Mr. Moses petition, to object to the application, to make the following observations and to request that the Planning Committee check the compliance records for the applicant:

- access onto the main road at Phocle Green is dangerous
- access road surface is so poor as to be dangerous in parts
- Highways Authority to be consulted as priority and to survey road access as above
- insufficient detail on the application means that the level of noise and increase in vehicular traffic cannot be assessed
- existing condition routing traffic from A449 is consistently ignored and impossible to enforce."

5.3 Two letters of representation/objection have been received from:

R. W. Moses, Eastleigh, Phocle Green, Ross-on-Wye, Herefordshire

The main points being:

- no objection in principle to the change of use but following points should be considered:
- description vague, inconvenience to residents may be experienced depending on exact use
- narrow road unsuitable for any more commercial traffic. Damage done to verges
- junction at Phocle Green is inadequate
- noise from the site travels over the village
- if approved, all access to be from A449 and not through Phocle Green, work to be confined to normal working hours, and all work to be carried out inside the building

- planning conditions need to be enforced as they have been ignored in the past
- this could lead to a second industrial estate being created
- the road serves the farm and other private businesses and as such time has come to limit any further development accessed by this road
- all workshops of this type generate waste, e.g. oil, scrap parts, etc.
- Technicrop and other premises along the unclassified road route HGVs to approach site from A449. Signs have been erected to that effect at crossroads at Phocle Green. However 'white vans' still travel at speed visiting these premises via Phocle Green. No proper passing places on this road. Some places were provided by previous application but are now overgrown and too short for commercial vehicles
- Verges get chewed up and writer's entrance is regularly used and damaged. Used as a 'rat run'
- This application will generate more traffic. Already several accidents a year at Phocle Green crossroads
- During short period 'Meadowland' occupied the premises there was considerable noise and unacceptable increase in traffic causing inconvenience to local residents
- the site entrance is unsuitable and the road is too narrow for any further commercial traffic.

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

6. Officers Appraisal

- 6.1 The main issues relate to the use of this building as a machinery/vehicle repair shop in this rural location, its effect on the residential amenities of the area, noise, disturbance, traffic generated by the proposal and the suitability of the road to cater for it.
- 6.2 The use of this site as a base for the proposed repair and servicing of agricultural/commercial machinery and vehicles is considered to be acceptable. The site is fairly secluded and with the exception of the farm house there are no dwellings in the immediate vicinity of the site. The majority of the operations will be off-site with only a small part of any repair work undertaken at the premises.
- 6.3 The main concerns of the Parish Council and the letter of representation relate to the use of the unclassified road serving the site, in particular the narrowness of the road especially to the south of the site and the dangerous narrow junction with the B4221 at Phocle Green. The previous planning permission for the butchers shop was accompanied by a Section 106 Legal Agreement which essentially required various traffic measures to be put into operation, e.g. six passing bays to be inserted in the highway verge of the unclassified road to the north of the site (which have been provided) and measures to encourage vehicular traffic to proceed to and from the shop along the wider northern section of the unclassified road to the A449 and not towards Phocle Green.
- 6.4 After receiving further information relating to the use of the premises the Council's Head of Engineering and Transportation has no objections to the proposed use. Also he does not consider it necessary that the provisions of the 106 Agreement need to be implemented in this case. In any event the passing places had been provided and also it is difficult to enforce the use of the A449 approach to the site by visiting traffic.

In addition, it is considered that the proposed use will be likely to result in less traffic using the unclassified road than when the shop was in operation.

- 6.5 The proposed use is considered to be acceptable and in accordance with planning policies, in particular Policies ED.6 and ED.8 of the Local Plan which relate to employment in the countryside and farm diversification. The residential amenities of residential dwellings in the area should not be adversely affected by 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. 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. E06 (Restriction on Use)**
Reason: The local planning authority wish to control the specific use of the land/premises, in the interest of local amenity.
- 4. E05 (Restriction on hours of use (industrial))**
Reason: In order to protect the amenity of occupiers of nearby properties.
- 5. F32 (Details of floodlighting/external lighting)**
Reason: To safeguard local amenities.
- 6. F35 (Details of shields to prevent light pollution)**
Reason: To minimise light overspill and to protect the amenity of neighbouring properties.
- 7. No operations associated to the use hereby approved nor the storage of any plant, material, machinery or vehicles shall be carried out or stored outside of the existing building on the site unless otherwise first agreed in writing by the local planning authority.**
Reason: To protect the visual appearance, rural character and residential amenity of the surrounding countryside.
- 8. G04 (Landscaping scheme (general))**
Reason: In order to protect the visual amenities of the area.
- 9. G05 (Implementation of landscaping scheme (general))**
Reason: In order to protect the visual amenities of the area.

Decision:

Notes:

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Background Papers

Internal departmental consultation replies.

10 DCSE2003/2323/F - DEMOLITION OF FARM BUILDINGS. RE-DEVELOPMENT OF LAND FOR 66 HOUSES, CONVERSION OF BARN, PROVISION OF OFF-SITE DRAINAGE AND RE-ALIGNMENT OF FARM TRACK AT LAND FORMERLY PART OF VINE TREE FARM, WALFORD ROAD, ROSS-ON-WYE, HEREFORDSHIRE

For: Lovell Partnerships, River House, Ynysbridge Court, Gwaelod-y-Garth, Cardiff CF15 9YY

Date Received: 15th August 2003 Ward: Ross-on-Wye East Grid Ref: 59287, 22502

Expiry Date: 10th October 2003

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

1. Site Description and Proposal

- 1.1 The application site comprises a farm complex and adjoining agricultural land. It is situated on the west side of Walford Road opposite the Vine Tree Inn Public House and immediately to the south of Purland. The western boundary is formed by the former railway line, part of which is a special wildlife site. It is thus on the south-western edge of Ross on Wye. The farm complex occupies about half of this 2.8 ha site and includes a small stone barn and attached byre together with a range of modern buildings, which were last used as a dairy unit. The farmhouse is not included in the application site.
- 1.2 It is proposed to erect 66 houses of which 24 would be "affordable" and one created from the conversion of the stone barn. A new access would be formed off Walford Road at the south-east corner of the site, with the main estate road extending to the north. Short shared surface drives would extend off the main access road around which houses would be arranged informally. A longer shared surface access road would loop back to rejoin the estate road. The remaining houses would front the main estate road. Apart from a terrace of 4, 3-storey houses close to the access off Walford Road the units would be 2-storeyed. All would be of brick construction with tiled roofs. There would be 12 different house types but a more limited number of styles: narrow terrace houses, some with hipped end units, typical ridged roofed detached houses, and 3 with hipped roofs.
- 1.3 A landscaped strip, about 15 m wide would be formed along the southern boundary, which would include an "attenuation pond" as part of the surface water drainage system. The latter would involve the construction of a "swale", a drainage channel extending across the adjoining agricultural land. A small children's play area would also be provided within the estate. The applicant has confirmed that financial contributions would be made to the improvement of a public open space to the north-west of the site and to traffic calming along Walford Road.

2. Policies**2.1 Planning Policy Guidance**

PPG1	General Principles
PPG3	Housing
PPG7	The Countryside: Environmental Quality and Economic and Social Development
PPG13	Transport

2.2 Hereford and Worcester County Structure Plan

Policy CTC.1	Areas of Outstanding Natural Beauty
Policy H20	Housing in Rural Areas
Policy H16A	Housing in Rural Areas
Policy H18	Housing in Rural Areas
Policy A1	Development on Agricultural Land

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.9	Landscape Features
Policy C.11	Protection of Best Agricultural Land
Policy C.40	Essential Services
Policy SH.5	Housing Land in Ross on Wye
Policy SH.15	Criteria for New Housing Schemes
Policy SH.22	Public Open Space in Residential Areas
Policy GD.1	General Development Criteria
2 (Part 3, Chapter 37)	New housing developments in Ross on Wye

2.4 Unitary Development Plan – Deposit Draft

Policy S2	Development Requirements
Policy S3	Housing
Policy DR1	Design
Policy DR2	Land Use and Activity
Policy DR3	Movement
Policy DR4	Environment
Policy DR5	Planning Obligations
Policy H1	Hereford and the Market Towns: Settlement Boundaries and Established Residential Areas
Policy H2	Hereford and the Market Towns: Housing Land Allocations
Policy H3	Managing the Release of Housing Land
Policy H9	Affordable Housing
Policy H13	Sustainable Residential Design
Policy H15	Density
Policy H16	Car Parking
Policy H19	Open Space Requirements

3. Planning History

- | | | | |
|-----|------------|-----------------------|-------------------|
| 3.1 | SH931354OI | Residential housing | - Refused 2.2.94 |
| | SH940298O | Erection of 39 houses | - Refused 20.4.94 |

4. Consultation Summary

Statutory Consultations

- 4.1 The Environment Agency has no objections in principle but recommends conditions be imposed regarding surface water drainage.
- 4.2 Welsh Water recommend that conditions be imposed regarding surface water drainage.
- 4.3 The Forestry Commission confirms that there will be no effect on nearby semi-ancient woodland.

Internal Council Advice

- 4.4 Head of Engineering and Transportation recommends that conditions be imposed. Comments on the impact of the revised layout on public footpaths are awaited.
- 4.5 Chief Conservation Officer is generally pleased with the landscaping proposals and environmental management plan but has reservations regarding details of the landscaping scheme and of the conversion of the stone barn and byre. Evidence of bats using the farm buildings has been found and of nesting birds. A bat survey would be required and mitigation measures. (These matters are being discussed with the developer). It is also pointed out that the western part of the site is likely to be largely undisturbed. Roman finds have been recorded from Tudorville and pottery and flint artefacts from within the south-west quadrant of the application site. Accordingly an archaeological assessment and evaluation is necessary.
- 4.6 Strategic Housing Services support the application and in particular the provision of affordable housing. A registered social landlord has been selected and the number of affordable units agreed. However the mix, tenure and location need further negotiations.
- 4.7 Director of Education points out that there would be sufficient capacity at John Kyrle High School and Walford Primary School but temporary classrooms may be required at Ashfield Park Primary School. Nevertheless in view of falling school rolls does not object to the proposed development.
- 4.8 Head of Environmental Health has no objections to the proposal.

5. Representations

- 5.1 The applicant has submitted a detailed Supporting Statement which includes a traffic impact study, details of an environmental management plan and design principles. The following is a brief summary of the case for development set out in the statement:
- The planning application supported by this document covers the construction of 66 new homes ranging from new 2 bedroom to 5 bedroom homes and a barn conversion.
 - The application includes 24 new affordable homes.

- The proposal will provide just under 1 acre of new amenity land and includes a financial contribution to upgrade the Public Open Space at The Purlands.
- A safe new highway access will be provided with associated traffic calming measures.
- The proposal incorporates measures to protect the important ecological sites in the immediate locality but will also provide new wildlife habitats.
- The development will make a significant contribution to meeting the future housing need in Ross on Wye by 2006 if site construction works commence in January 2004

5.2 Town Council's observations are as follows:

"Originally this application was for approximately 25 dwellings. The proposal is considered to be an over-development of the site and considerable cramming. Also the 30 mph limit is too close to the entrance of the development."

5.3 Walford PC points out that:

"Although this development is not in Walford, it will impact directly on all parishioners accessing Ross on Wye, the nearest town. The Parish Council has the following concerns:

1. The access road to the estate joins the busy B4234 at a dangerous corner. There is no other access for emergency vehicles.
2. The proposed 'gateway' 30 mph posts met with derision. They look like guard posts, only lacking their sentries. They will not withstand the passage of many combine harvesters. The proposed chicaning met with approval.
3. The traffic circulation in Ross needs re-thought before another 100-odd cars are released onto the roads.
4. It is hoped that the drainage of storm-water is closely monitored to prevent any possible damage to Coughton Marsh SSSI and increased flooding down river.
5. The landscape buffer zone, especially to the south, should be planted early in the development.
6. The estate street lighting should not add to the light pollution from Ross.
7. The ridge height of the proposed three storey units should not exceed the actual ridge height of the Vine Tree Inn.
8. The materials used should be restrained in colour. In particular, the bricks should match those of the older small, dark-red bricked council-built houses in Tudorville.
9. That sufficient places in local schools will be available."

5.4 Ramblers Association state that the line of footpath WA3 must be maintained and request that a new path be created along the former railway line, as an extension to Betzdorf Walk.

5.5 Open Space Society object to the proposals as no diversion of footpath WA3 is shown and RA32 would be obstructed. Also the requirements of Circulars 2/93 and 5/95 regarding open aspects for paths, lighting and away from vehicular traffic.

5.6 A petition containing 214 signatories has been submitted by Tudorville Residents Association objecting to the proposal. The petition points out that there is almost unanimous support against any further development until effective traffic calming along the whole length of Walford Road carried out - residents are desperate for such measures. The Association held an open meeting on 27 August 2003 : the main concerns regarded Walford Road, in particular the volume of traffic, no traffic calming

and parking outside Post Office/store. An additional concern was the safety of elderly with disabilities and children who need to catch buses and go to the shop.

- 5.7 29 copies of a photocopied letter of objection have been received. The letter refers to (i) the large number of cars that would be generated (over 100 assuming 1.5 per dwelling) (ii) it is already dangerous for residents of Vine Tree Park Homes estate to enter Walford Road (iii) Walford Road is heavily used and majority of vehicles exceed speed limit on entering the town (iv) permission should be refused until adequate traffic calming i.e. raised traffic islands at entrance to site and near Roman Way or speed cameras.
- 5.8 Two letters of objection have been received. The following reasons are given:
- (1) Additional traffic would further congest town centre - traffic from southern part of Ross nearly all funnelled through Copse Cross bottleneck or adds to misery of residents of Alton Road/Alton Street.
 - (2) Walford Road is unsafe because of speed of traffic rounding bend at Vine Tree Public House and a roundabout is needed.
 - (3) Proposed traffic calming (pillars with 30 mph signs) are nonsense and access needs to be moved nearer Walford, before farm track access and with countdown markers preceding them.
 - (4) Dangerous moving farm track to unrestricted section of highway.
 - (5) Adequacy of parking is queried and whether it would result in cars parking on Walford Road.
 - (6) Building on farm land.
 - (7) Loss of footpath to Purland and also question temporary closure of other footpath (WA3).
 - (8) Questioned whether young or needy of Ross could afford the housing.
 - (9) Great concern regarding dust/dirt and noise and length of working day [presumably during construction].
 - (10) Concern over interruption to local electricity supply.
 - (11) Are 66 or 75 homes proposed - supporting document refers to latter.
- 5.9 Ross on Wye and District Civic Society has no overall objection but points out the need to maintain the public footpath (part of historic routway).

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 South Herefordshire District Local Plan shows this site as lying outside the settlement boundary and therefore in open countryside. Policy C1 of this plan seeks to protect the open countryside, only allowing small developments in exceptional circumstances ie developments related to agriculture, forestry, sustainable recreation/tourism development or for replacement dwellings or a re-use of a rural building. This policy of restraint outside the settlement boundary is repeated within Policy 2 of Part 3 of the plan at chapter 37 which focuses on Ross on Wye.

During the plan's preparation in the mid 1990's the Ross on Wye area had experienced high growth with the housing allocation for Ross being largely met. The policy for Ross on Wye was therefore one of general restraint with no new proposals identified and development limited to windfall opportunities (Policy SH5).

In light of the above this application is contrary to the current development plan principally due to its location outside the settlement boundary.

- 6.2 The Unitary Development Plan represents a new plan period with a requirement to find further land to meet the housing needs of the town up until 2011. As part of the preparation of the UDP a study was undertaken to identify all potential housing sites within the town boundary. Once this exercise was complete greenfield sites were considered to meet the town's housing land requirements. Ross is a constrained market town because of its landscape setting and flooding problems making it difficult to identify further development sites. It was considered that Vine Tree Farm would be a suitable greenfield opportunity for housing development and as such has been identified under Policy H2 as an allocation within the deposit Plan. The site is considered capable of delivering 60 units of which 35% (21) are to meet affordable housing needs in the town. The application is therefore in accordance with the deposit UDP.
- 6.3 Paragraph 48 of PPG1 states that planning applications should continue to be considered in the light of current policies in the adopted plan. However, account can also be taken of policies in emerging development plans which are going through the statutory procedures towards adoption. The weight to be attached to such policies depends upon the stage of plan preparation, increasing as successive stages are reached. The UDP has now progressed through deposit stage and increasing weight can be attached to its policies and proposals. A key question therefore is whether sufficient weight can be given to UDP regarding this site to override the conflict with current statutory policies. In making this assessment the following inter-related factors must be considered.
1. Prematurity
 2. UDP representations
 3. UDP Phasing of Housing Sites
 4. Housing Supply
 5. Housing Need
 6. Precedent

Prematurity

- 6.4 A key consideration regarding the principle of development is whether granting planning permission for the proposal would be premature in advance of the adoption of the Unitary Development Plan. Paragraph 47 of PPG1 states that questions of prematurity may arise where a development plan is in preparation or under review, and proposals have been issued for consultation, but the plan has not yet been adopted or approved. In some circumstances, it may be justifiable to refuse planning permission on grounds of prematurity. This may be appropriate in respect of development proposals which are individually so substantial, or whose cumulative effect would be so significant, that to grant permission would prejudice the outcome of the plan process by predetermining decisions about the scale, location or phasing of new development which ought properly to be taken in the development plan context. A proposal for development which has an impact on only a small area would rarely come into this category; but a refusal might be justifiable where a proposal would have a significant impact on an important settlement, or a substantial area, with an identifiable character.

- 6.5 Relating this to the application at Vine Tree Farm, it is considered that Ross on Wye is an important settlement and this is reflected in the settlement hierarchy of the plan, however, it is considered that the effect of developing the site would not have significant impact and would not undermine the overall strategy of the plan. 66 houses out of a total of 11,700 houses for the plan period represents only 0.5% of the total and even in Ross it is less than 10% of the overall total planned for the town during the plan period. It is therefore recommended that the issue around prematurity cannot be used as a reason for refusing this planning application.

UDP deposit representations

- 6.6 34 individual representations were made to this site during the deposit period of the UDP of which 21 were objecting to the site being identified in the plan. These objections centred mainly on landscape and traffic issues as well as the apparent unsustainable location of the site relative to the services and facilities of the town centre. In addition there were several strategic objections with individuals promoting alternative sites.
- 6.7 These are all valid objections. It is considered that several of those relating to landscape and access issues can be addressed through the planning application process. However the objections which hold the most weight in planning terms relate to developing in an Area of Outstanding Natural Beauty. The AONB designation places special emphasis on conserving and enhancing the landscape (Policy LA21 of the UDP). Whilst residential development in the countryside necessarily changes the character of that area in this case there are a number of mitigating factors. Although not brownfield land about half of the site is occupied by unattractive and partly derelict agricultural buildings. Furthermore the established planting on the western boundary and attractive stone buildings along the Walford Road frontage restrict views of the site. The southern boundary which is the most sensitive visually would be landscaped as part of the proposal which in time would significantly reduce the impact of the development. It forms a continuation of the town into the immediately adjoining countryside, rather than being surrounded by open land. In these circumstances and given the need for further housing (see paragraph 6.11 below) and the limited sites within the town, it is considered that being an AONB site is not sufficient per se to justify refusal. Nevertheless this needs to be weighed against alternative site identified by objectors.
- 6.8 Ten alternative housing sites have also been put forward in Ross on Wye for consideration at the deposit stage of the plan. Several of these were considered and not supported at the South Herefordshire District Local Plan inquiry. Two alternative sites are similar to Vine Tree Farm as they are of a comparable size, lie outside but adjoining the boundary and within the AONB. One of the sites, Land north of Brampton Road was considered at the local inquiry into the South Herefordshire Local Plan and not supported on landscape and access grounds and these objections are being continued through the UDP. The other site at Arbour Hill again has not been recommended for support through the UDP process again due to access and highway concerns. In light of this it is not considered that these sites provide serious alternatives to the Vine Tree Farm allocation.

Phasing

- 6.9 In relation to phasing the UDP identifies Vine Tree Farm as being developed in the first phase of the plan period 2001 - 2006. In order to meet this requirement the developers

argue that the development process needs to be started now in order for them to achieve an end date of 2006. This is accepted.

Housing Supply

- 6.10 During the period 2001 - 2006 it is anticipated that there will be 246 completions made up of 22 commitments, 54 windfalls and 170 from allocations. Allocations therefore make a significant contribution to overall land supply in Ross on Wye. Between 2001 and 2003 there were 57 actual completions in Ross on Wye which represents 23% of anticipated completions. The plan is half way through this phase period which means that completions should be nearer 50%. In addition as at 2003 there are only 75 commitments remaining. These figures demonstrate a significant shortage of land supply within the town. The current application site would add a further 66 to commitments which would then total 142 making a significant contribution to housing supply.

Housing Need

- 6.11 A Ross on Wye housing needs study has just been completed which clearly demonstrates the need for affordable housing. The final results show net need for 190 affordable homes in Ross on Wye over the next five years. Bearing in mind the land supply situation and the pressing need for affordable homes there is a case for releasing this site early, before the inspector's report, to assist in meeting this need. This site would meet approximately 25% of this overall need making an important contribution.

Precedent

- 6.12 Allowing this application to proceed would not set a precedent for other UDP sites. This is an exceptional case. The Housing Needs Study demonstrates a pressing need for affordable homes and the Housing Land Study illustrates a shortage of housing land in the town. Allowing this site to progress would go along way to meeting this housing need and would keep the land supply going until at least the publication of the inspectors report.

Conclusions

- 6.13 A careful weighing up exercise needs to take place to ensure the integrity of the development plan process is protected while still allowing the town of Ross to evolve allowing genuine housing needs to be met without at the same time creating a precedent which would allow other similar UDP sites coming forward. For the reasons given above it is considered that there are cogent reasons for accepting, in principle, that development of the site should proceed in advance of the adoption of the UDP.
- 6.14 A second set of issues relate to the merits of the submitted scheme. In general the layout and design of the houses are considered to be acceptable, providing some variety and interest. Detailed design concerns have been raised with the applicant and revised drawings will be submitted. Similarly the landscaping scheme, treatment of nature conservation issues and drainage scheme are acceptable and where further details are required or clarification is needed this can be effected by planning conditions.
- 6.15 Traffic issues are of particular concern to local residents. The revisions to the access have met the concerns of the Head of Engineering and Transportation who raises no

objection to the principle of additional housing in this location. It is understood that the question of traffic calming along the whole of Walford Road is being investigated by the Transportation Section and it is intended that the works would be completed by the end of 2004. The applicant has accepted that the proposed traffic calming would not be effective and has agreed therefore to make a financial contribution towards such measures. The concern of local residents is appreciated but it is anticipated that traffic calming measures will be in place before any of the proposed houses are occupied.

- 6.16 It is concluded that there are good reasons to treat this development as an exception to statutory policies and that subject to minor changes the detailed scheme is acceptable. The contributions towards POS and traffic calming and the provision of affordable housing need to be the subject of a planning agreement and this may also be necessary with regard to management of surface water drainage and nature conservation measures.

RECOMMENDATION

That subject to the receipt of acceptable revised drawings:

- 1) The County Secretary and Solicitor be authorised to complete a planning obligation under Section 106 of the Town and Country Planning Act 1990 with regard to financial contributions towards off-site provision of amenity facilities and traffic-calming measures and management of the surface water drainage arrangements, affordable housing and any additional matters and terms as considered appropriate.**
- 2) Upon completion of the aforementioned planning obligation that the officers named in the Scheme of Delegation to Officers be authorised to issue planning permission subject to the following conditions and any additional conditions considered necessary by officers:**
 - 1 A01 (Time limit for commencement (full permission))**

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990.
 - 2 B01 (Samples of external materials)**

Reason: To ensure that the materials harmonise with the surroundings.
 - 3 G01 (Details of boundary treatments)**

Reason: In the interests of visual amenity and to ensure dwellings have satisfactory privacy.
 - 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 G11 (Retention of hedgerows (where not covered by Hedgerow Regulations))**

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

7 F48 (Details of slab levels)

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

8 F20 (Scheme of surface water drainage)

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

9 H03 (Visibility splays)

Reason: In the interests of highway safety.

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

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

11 H17 (Junction improvement/off site works)

Reason: To ensure the safe and free flow of traffic on the highway.

12 H18 (On site roads - submission of details)

Reason: To ensure an adequate and acceptable means of access is available before the dwelling or building is occupied.

13 H21 (Wheel washing)

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

14 H27 (Parking for site operatives)

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

15 H28 (Public rights of way)

Reason: To ensure the public right of way is not obstructed.

INFORMATIVE NOTES

1 HN04 - Private apparatus within highway

2 HN05 - Works within the highway

3 HN08 - Section 38 Agreement details

4 HN09 - Drainage details for Section 38

- 5 **HN10 - No drainage to discharge to highway**
- 6 **HN13 - Protection of visibility splays on private land**
- 7 **HN19 - Disabled needs**

Decision:

Notes:

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Background Papers

Internal departmental consultation replies.

Document is Restricted

