

4 DCSW2003/1804/O - SITE FOR ERECTION OF A PAIR OF SEMI-DETACHED HOUSES ON EXISTING BEER GARDEN/CAR PARK, TEMPLE BAR INN, EWYAS HAROLD, HEREFORDSHIRE, HR2 0EU**For: Mr C J W Castle, Hazelwood, Ewyas Harold, Herefordshire, HR2 0EU****Date Received: 16th June 2003 Ward: Golden Valley South Grid Ref: 38788, 28632****Expiry Date: 11th August 2003**

Local Member: Councillor J. B. Williams

1. Site Description and Proposal

- 1.1 The application site is on the north-eastern side of the main thoroughfare, the Class III road (C1213) that leads through the core of the village. The site comprises part of the beer garden and car park connected with the Temple Barn Inn, which is immediately to the north-west of the site. Temple Bar Inn is a predominantly stone faced building. On the south-eastern boundary is Hazelwood, a modern rendered bungalow that is also in the ownership of the applicant. Hazelwood and the application site are predominantly above the level of the highway and footpath from which access would be gained. The rear boundary of the site adjoins the south-western boundary of the Primary School.
- 1.2 The proposal entails re-aligning the car park closer to the Temple Bar Inn and by utilising land closer to the boundary of the Primary School. The applicant has already sub-divided the site with the erection of a panel fence running the length of the north-western boundary of the site.
- 1.3 The proposal entails reserving all matters, i.e. means of access, siting, design, external appearance and landscaping for future consideration in the event that planning permission is granted.
- 1.4 The delay in determination has been due to Environment Agency concerns about possible flooding of the site.

2. Policies**2.1 Planning Policy Guidance**

PPG.1	-	General Policy & Principles
PPG.3	-	Housing
PPG.25	-	Development & Flood Risk

2.2 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 Outside the Green Belt

2.3 South Herefordshire District Local Plan

Policy GD.1	-	General Development Criteria
Policy C.8	-	Development within Area of Great Landscape Value
Policy SH.8	-	New Housing Development Criteria in Larger Villages
Policy SH.14	-	Siting and Design of Buildings
Policy SH.15	-	Criteria for New Housing Scheme
Policy T.3	-	Highway Requirements

2.4 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	SH960806PF	Conservatory/Restaurant Extension	-	Refused 02.10.96
	SH961233PF	Side extension to form conservatory/ restaurant including new toilets	-	Approved 10.04.97
	SW2000/0125/F	Location for mobile home for residential use	-	Approved 11.01.01

4. Consultation Summary

Statutory Consultations

- 4.1 The Environment Agency initially submitted a holding objection pending the receipt of further information, including a Flood Risk Assessment (FRA) in line with PPG.25. This has been submitted and the Environment Agency no longer object, however they do recommend that the floor levels of the dwellings are 600mm above the existing ground floor level of the site.
- 4.2 Hyder Consulting, on behalf of Welsh Water, recommends that conditions are attached that separate the foul and surface water discharges from the site.

Internal Council Advice

- 4.3 The Head of Engineering and Transportation recommends that conditions are attached to any planning permission granted.
- 4.4 The Chief Conservation Officer recommends that an archaeological site investigation is conducted prior to works commencing on site.

5. Representations

- 5.1 Ewyas Harold Parish Council make the following observations:

"The Parish Council does object to this application on the following grounds -

- it conflicts with UDP policies
- it is incompatible with existing planning permission
- it will leave insufficient parking space for the Public House
- it will be prejudicial to highway safety."

5.2 One letter of representation has been received from:

Mr. B. C. S. Wells, Stone House, Ewyas Harold, HR2 0EU

The following main points are made:

- development would not be incompatible with the largely residential part of the village centre
- if well designed could contribute to street scene.

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 issues are considered to be the suitability of the site for development in respect of flood risk, means of access, size of the site and loss of car parking to the Temple Bar Inn.

6.2 The site is within a Flood Plain. The main road, the Class III road (C1213) is at risk of flooding during the 1 in 100 year flood event. The Environment Agency support the application subject to the imposition of a condition increasing the floor level above the level of the site. This was following receipt of further information required from the applicant that included a Flood Risk Assessment as required by Government advice contained in PPG.25 "Development and Flood Risk."

6.3 The application has to be determined with regard to policies contained in the Development Plan, these are Policies GD.1, SH.8, SH.14, SH.15 and T.3 contained in the South Herefordshire District Local Plan and Policies CTC.2, CTC.9 and H.16A contained in the Hereford and Worcester County Structure Plan. The Unitary Development Plan is not at a sufficient advanced stage for policies contained within it to have a bearing on the determination of this proposal. The above-mentioned policies are concerned with sites being environmentally acceptable in the sense that services are available and or can be economically provided, that a safe means of access can be provided, and that the site in itself is environmentally acceptable. The latter requirement relates to whether or not the development complements the settlement, will not be visually intrusive and would not lead to cramming. It is considered that services can be provided, a safe means of access is available which is endorsed by the Head of Engineering and Transportation. The site is of sufficient width to enable a pair of semi-detached dwellings to be built on it. There is more than sufficient depth of rear garden area backing onto the Primary School for the benefit of residents, there is also no overlooking of the site by surrounding properties. It is stated that the facing materials will be brick, stone and slate, these are materials used in this part of the village. A pair of sympathetically designed dwellings would compliment the village and would reflect Temple Terrace, the other side of Hazelwood, an unprepossessing bungalow on the south-eastern boundary of the site. It is not considered that the development of the site could be construed as cramming as identified in Policy SH.8 contained in the South Herefordshire District Local Plan.

6.4 The final issue is one raised by the Parish Council and relates to the loss of car parking required for the efficient running of the Temple Bar Inn. It is understood that this issue has been the matter of pre-application discussions between the applicant and the Head of Engineering and Transportation. The former part of the car park that was on the proposal site did not cover it in its entirety. There was a beer garden between it and the main road. There is scope to increase the area available closer to

the public house by tidying up the site. It would require planning permission under a separate application to increase the area available further towards the Primary School. There is considered to be sufficient area available in the future for patrons and staff and proprietors of the Temple Bar Inn.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

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

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

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

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

3. A04 (Approval of reserved matters)

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

4. A05 (Plans and particulars of reserved matters)

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

5. D01 (Site investigation - archaeology)

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

6. E18 (No new windows in specified elevation)

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

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

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

8. Surface water discharges will only be permitted to discharge to the public surface water sewerage system.

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

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

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

10. F49 (Finished floor levels (area at risk from flooding))

Reason: To protect the development from flooding.

11. H01 (Single access - not footway)

Reason: In the interests of highway safety.

12. H03 (Visibility splays)

Reason: In the interests of highway safety.

13. H05 (Access gates)

Reason: In the interests of highway safety.

14. H06 (Vehicular access construction)

Reason: In the interests of highway safety.

15. H12 (Parking and turning - single house)

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

16. 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.

17. H27 (Parking for site operatives)

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

INFORMATIVES

1. N15 - Reason(s) for the Grant of Planning Permission

2. HN01 - Mud on highway

3. HN04 - Private apparatus within highway

4. HN05 - Works within the highway

Decision:

Notes:

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Background Papers

Internal departmental consultation replies.