

## SCHEDULE OF COMMITTEE UPDATES

- 7 DMCE/091754/F - Erection of free standing timber deck to front of Public House, deck to include ambulant stepped access. Provision of satellite dish to building frontage at New Inn, Bartestree, Hereford, HR1 4BX**
- DMCE/091755/L - Erection of free standing timber deck to front of Public House, deck to include ambulant stepped access. Provision of satellite dish to building frontage at New Inn, Bartestree, Hereford, HR1 4BX**
- For: Ms Bird per Ms Penny Bird, New Inn (Public House), Hagley Hill, Bartestree, Hereford, HR1 4BX**

### ADDITIONAL REPRESENTATIONS

The Historic Building and Conservation Officer has made the following comments on the amended plans:

‘This is a fine Victorian Villa which makes a major contribution to the character of the area. It has many features of historic interest internally including tiles and fireplaces. We advised that the proposal needed consent and suggested an appropriate location. This advice has been ignored. We would still strongly object and recommend refusal. The proposal has increased the impact due to the larger ramp which is now proposed. The proposal would therefore continue to have a major impact on the character of the building as stated previously.

The timber deck has a major detrimental impact on the main façade of this important listed building as it is completely alien, very visually intrusive and damaging to the character of the building. Its domestic, suburban appearance disrupts the entrance and is completely at odds with the high quality materials, detailing and finishing found on the rest of the façade. We therefore believe that the proposal is contrary to the Herefordshire UDP Policy HBA 4 which states that “Development proposals which would adversely affect the setting of a listed building will not normally be permitted.” It would be highlighted that we have discussed the hedge with the landscape team leader. She believes that the hedge mix would be completely out of keeping with the local area and would detract from the setting of the building. We also have major concerns about the principle of the hedge. Either the proposal should be of a high enough quality to preserve and enhance the building or it should be refused. The principle of planting the hedge accepts that this proposal would be detrimental to the appearance of the building and therefore there is a need to hide this extension behind planting. It would be highlighted that the planting could be removed after a relatively short period but the decking would be permanent.

We would strongly object and recommend refusal as the proposal has a most detrimental impact on the appearance and setting of the listed building. The team leader of landscape believes that the hedge mix is completely inappropriate and would make the situation worse rather than better. Therefore the proposal is contrary to policy. Should permission be granted contrary to our advice we would recommend that the hedge mix be changed and that an agreement be signed that the decking is removed if the business ceases to operate’.

### OFFICER COMMENTS

The consultation response from the Council’s Historic Building and Conservation Officer above reinforces the assessment and recommendation contained within the report to Committee.

### NO CHANGE TO RECOMMENDATION

**8 DMNE/092736/F - Proposed conversion of redundant mill to form live/work unit at Hazle Mill, Hazle Farm, Dymock Road, Ledbury, Hereford, HR8 2HT**

**For: Mr Lewis per Nigel Teale, Bramble Farm, Naunton, nr. Upton-upon-Severn, Worcestershire, WR8 0PZ**

## **ADDITIONAL REPRESENTATIONS**

I have received the following consultation response from the Council's County Land Agent:-

"I have looked at the proposals and make the following points:-

### **1. Area**

The area of the woodland at the centre of the proposed business is 9.5 acres and in itself will not produce enough materials to make sufficient profit to come up to the required level of minimum agricultural wage in the foreseeable future. Extra woodland is to be managed/rented, but no details are given.

### **2. Financial**

The proposal is for a permanent dwelling, conversion of an existing building to a live work unit rather than a temporary building, normally applied for at the start of a new business. The cash flows indicate that there is little probability of the business reaching the normally required level of profitability, which is minimum average wage at present £14,630.40, plus cost of capital on the permanent dwelling which is taken at 3% on £120,000 (£3,600) giving a total of £18,230.40.

Under PPS7, Annex A, Para 8 allows for subsistence basis financial acceptance in certain cases for example "encouraging attractive landscapes or wildlife habitats". In my opinion this would not be appropriate in this case. Therefore, in my opinion the financial case is not made.

### **3. Need**

There is no explanation of why there is a "need" to be on site full time, none of the enterprises would appear to demand it, therefore, it would appear to be convenient rather than essential.

### **4. The Business Plan**

Forestry report is lacking in substance/contents. There are no details of where the markets are, nor price nor cost of production, for any of the products.

There are no details of where the timber/coppice is to come from, which will start the business up and allow it to continue for the first 7 years.

There is a general shortage of necessary information with firm facts and figures.

### **Summary**

In my opinion the report leaves too many gaps for a proper opinion of the long term viability of the enterprise to be made. In my opinion a full report/business plan is required for a fully resourced opinion to be given."

## **OFFICER COMMENTS**

The consultation response above re-enforces the assessment and recommendation contained within the report to Committee.

## **NO CHANGE TO RECOMMENDATION**

**10 DMNE/092262/F - Change of use of land from agricultural to family travellers site, plus retrospective application for construction of barn and new access at Freeman's Paddock, Bromtrees Hall, Bishop's Frome, Herefordshire, WR6 3BY**

**For: Mr Michael Freeman, 6 Tinkers Corner Caravan Site, Bosbury, Herefordshire, HR8 1HZ**

#### **ADDITIONAL REPRESENTATIONS**

A further letter of representation has been received from Mr Glazzard, who is acting on behalf of an unspecified local resident. The letter further reemphasises the objector's opinion that the application should not have been validated given the 'poor technical quality' of the submission. The letter also goes on to emphasise the 'strength of feeling against the application' and that if approval is granted a legal challenge could follow.

#### **OFFICER COMMENTS**

The application was registered and validated, with additional information obtained from the applicant via their agent. This additional information was made public and an extra consultation period provided. The plans are to scale and accurate, and the Local Planning Authority considers that if approval is granted, the submitted plans are sufficient to ensure the recommended conditions can be enforced.

#### **NO CHANGE TO RECOMMENDATION**

**11 DMNE/100235/F - Erection of 11 KW masted wind turbine at Leadon Court, Fromes Hill, Herefordshire, HR8 1HT**

**For: Mr Morgan per Mr Julian Morgan, Leadon Court, Fromes Hill, Herefordshire, HR8 1HT**

#### **ADDITIONAL REPRESENTATIONS**

The Environmental Health Protection Manager advises:-

"I can confirm that I have had opportunity to look at the application for a Gaia 11kw wind turbine on land at Leadon Court Fromes Hill. The turbine is proposed to be located in a field north of the residential development known as the Uplands.

The noise data provided with the application follows the advice given in the British Wind Energy Association Small Wind Turbine Performance and Safety Standard (Feb 2008). Having considered the likely noise emissions as experienced at the nearest dwelling using the methodology of appendix A of the aforementioned standard I have formed the opinion that there is no reason to object to this proposal on the grounds of unacceptable noise levels."

#### **OFFICER COMMENTS**

#### **CHANGE TO RECOMMENDATION**

Amend to:-

Planning Permission be granted subject to conditions:

**12 DMCW/100454/FH - Single storey extension, new bay windows and hipped slate roof to replace existing flat roof at 8 Leigh Street, Hereford, Herefordshire, HR4 9PD**

**For: Mr R Cheasley, 8 Leigh Street, Westfields, Hereford, HR4 9PD**

#### **ADDITIONAL REPRESENTATIONS**

Welsh Water – advise that the proposed development site is crossed by a public sewer and that no development (including the raising or lowering of ground levels) will be permitted within the safety zone which is measured either side of the centre line.

#### **OFFICER COMMENTS**

It appears that the line of the public sewer passes close the proposed bay windows at the front of the house. It is recommended that the applicant be informed of Welsh Water's response by the inclusion of an informative note and a copy of Welsh Water's plan.

#### **NO CHANGE TO RECOMMENDATION**

Add Informative Note I39 and attach copy of the plan from Welsh Water to the decision notice

**13 DMSE/093151/F - Erection of six detached houses (Amendment to SH940997PF) at Caradoc, Sellack, Ross-on-Wye, Herefordshire, HR9 6LS**

**For: Mr H Bramer per Mr D F Baume, 41 Widemarsh Street, Hereford, HR1 9EA**

#### **ADDITIONAL REPRESENTATIONS**

6 further letters of objection from existing correspondents have been received. Issues raised are covered in the officer's report at paragraph 5.9 but focus upon the following:

- Concern that the proposed parking and access arrangements are unsatisfactory given the potential intensification of use when compared to the 1995 permission;
- Concern that the current proposal is more valuable to the developer than the 1995 permission, which would be contrary to guidance on enabling development;
- Concern at the impact of the proposal upon protected trees around the site periphery;
- The conditions of the listed building consent for the restoration of the Court have been breached, bringing into question the validity of the enabling development as a principle.

A further letter has been received from the applicant's consultant Arboriculturalist. He contends that the current application improves the situation in relation to the trees. There are no obligations upon the developer to use no-dig construction methods in implementing the extant scheme, whereas the current proposal would be subject to more control via planning conditions. He accepts that the "situation here is not ideal with regard to arboricultural impact" but considers that the present proposal does represent a significant improvement.

#### **NO CHANGE TO RECOMMENDATION**

**14 DMNW/092650/F - Proposed extension to existing building and change of use from B1 (Business use) to Live/Work unit at The Highlands Works, Stansbatch, Leominster, Herefordshire, HR6 9LL**

**For: Mr Lloyd per Mr C Campbell, 141 Bargates, Leominster, Herefordshire HR6 8QS**

#### **ADDITIONAL REPRESENTATIONS**

An objection has been received from A&T Thorpe Highland, Stansbatch, Leominster, on the following grounds: - No need to live on site, the applicant does not have to live so far away at Tenbury and there have been a number of houses for sale locally.

#### **OFFICER COMMENTS**

No further comment.

#### **NO CHANGE TO RECOMMENDATION**

**15 DMNC/100481/CD - Proposed removal of existing minor extensions, internal alterations and new extension to form offices and community rooms for rent (Amendments to previously approved planning application DCNC2009/0435/CD) at Grange Court, Pinsley Road, Leominster, Herefordshire, HR6 8NL**

**DMNC/100482/L - Proposed removal of existing minor extensions, internal alterations and new extensions to form offices and community rooms for rent (Amendments to previously approved planning permission DCNC2009/0436/L)**

**For: Mr Williams per Mr Frederick Gibson, 14 The Tything, Worcester, WR1 1HD**

#### **ADDITIONAL REPRESENTATIONS**

Transportation Manager – Raises concern about apparent use of the rear entrance onto Pinsley Road due to its poor visibility and insufficient manoeuvring space within the entrance. Numerical analysis shows that insufficient parking spaces are provided but the close proximity to Etnam Street and Bridge Street car parks as alternatives is acknowledged. Finally the comments advise that a temporary Traffic Regulation Order (TRO) has been proposed to create a temporary one way system along Pinsley Road/Church Street.

The Conservation Manager advises that provided the same conditions are imposed as previously there are no further comments.

Public Rights of Way Manager raises no objection.

Leominster Town Council – Recommends approval but asks that consideration is given to replacing the hedge bordering the southern office block.

3 letters of support has been received from  
Mr & Mrs Wingrave, 80 Etnam Street, Leominster  
Bill Jackson, Chairman of LARC.  
The Revd Michael Kneen team vicar

Seven letters expressing concern about the applications have been received from:  
 Ms F Butler, Tamarisk House, 2 Pinsley Road, Leominster  
 Mr J Gaunt, Pentwyn, Green Lane, Leominster  
 Mrs M Howells, Pilgrims Inn, 12 Pinsley Rd.  
 Mrs W Rulton, 20 Pinsley Rd.  
 Mrs V Smith, Holly Cottage, 1 Pinsley Rd.  
 Duncan James 37 High St Leominster.  
 Peter Draper Associates on behalf Mr I Gaskin.

In summary the points raised are as follows:

- Continued concern about increased traffic movements along Pinsley Road.
- The plans are detrimental to the setting of Grange Court.
- The need for additional community facilities is questioned.
- An alternative scheme to convert Grange Court to residential apartments or other uses should be considered.
- The accuracy of the information provided on the application form is queried.
- Plans appear to show that the ridge height of part of the north elevation is to be lifted. If so this is considered to be a major structural alteration affecting the integrity of the Grade II\* listed building.
- The main change is in the roof alteration making it higher and a long window overlooking the garden of No2. Pinsley Rd.
- The plans still show vehicular access off Pinsley Rd, with no mention of the proposed new one way system.
- There are 24 empty offices in Leominster, who will use it?
- Loss of trees resulting in detriment to both the setting and views of Grange Court.
- Additionally there are objections which relate to the original principles of the first application and the ignoring of advice of statutory consultees in the earlier decision.
- Loss of privacy due to window in end of south wing, although at high level its appearance over wall is invasive. Mr Gaskin requests that this end of the wing be amended to a hipped end with no window.

## **OFFICER COMMENTS**

The principle of Grange Court being converted and extended has been established through the earlier planning permission and listed building consent. Concerns raised about the principle of the development have already been carefully considered and addressed, particularly in respect of increased traffic movements along Pinsley Road, in terms of the impact upon the setting of Grange Court as a Grade II\* listed building and on the grounds of community need. The issue of alternative uses is not material to this proposal as the application simply requires the Council to consider the acceptability of the proposals before it.

The use of the rear access onto Pinsley Road is dealt with through the conditions recommended that advise the applicant that the proposal is an amendment to the original planning permission and all of the previously imposed conditions remain relevant. Condition 18 of planning permission NC09/0435/CD requires that the access is used only by pedestrians.

The changes proposed to the two single storey wings do not include an increase in their height. The increase in height relates to the parapet of the foyer element of the new build.

Since the plan was submitted the first floor window in the north elevation has been relocated to the east to avoid any chance of overlooking no2. Pinsley Rd.

The element referred to in the final bullet point has previously been approved and shows no amendment. Since this is a high level window providing additional light only if Members share the concern of the neighbour a condition can be added to require this window to be deleted from the gable.

## **NO CHANGE TO RECOMMENDATION**