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| MEETING: | PLANNING COMMITTEE |
| DATE: | 23 FEBRUARY 2011 |
| TITLE OF REPORT: | <p>DMS/103173/F - APPLICATION TO VARY CONDITION 9 OF PLANNING PERMISSION DMSE/093151/F TO ENABLE INSTALLATION OF DOMESTIC HEATING OIL TANKS AT CARADOC COURT, SELLACK, ROSS-ON-WYE, HEREFORDSHIRE, HR9 6LS.</p> <p>For: Mr H Bramer per Mr T Egan, M F Freeman, Ruardean Works, Varnister Road, Gloucestershire, GL17 9BH.</p> |

Date Received: 6 December 2010

Ward: Llangarron

Grid Ref: 355982,227273

Expiry Date: 11 March 2011

Local Member: Councillor JA Hyde

1. Site Description and Proposal

- 1.1 The application seeks to vary Condition 9 of planning permission S/093151/F to enable the introduction of domestic heating oil tanks within the curtilage of each of the six dwellings approved at Caradoc Court. The approved development comprises the erection of six detached dwellings and the construction of a new access point and driveway on land approximately 400 metres north east of The Court on land at the top of a steep, north-facing wooded slope, rising up from the River Wye. The application site falls within the Wye Valley Area of Outstanding Natural Beauty and within the unregistered historic parkland associated with Caradoc Court.
- 1.2 Development has commenced and the dwellings are currently under construction. The application seeks permission to install oil tanks through amending Condition 9, which acts to remove permitted development rights for extensions and other development within the domestic curtilage that would otherwise not require planning permission. Condition 9 was imposed upon the original planning permission in order that the local planning authority could retain control over future alterations sought by individual occupants in the interests of best preserving the character and appearance of the area.
- 1.3 The oil tanks are 1200 litre capacity and measure 1785mm x 1370mm x 925mm (height). One tank is located within the curtilage of each of the six dwellings at either the side or rear of each dwelling and enclosed by soft landscaping.

2. Policies

2.1 Planning Policy Statements:

- PPS1 - Delivering Sustainable Development
- PPS5 - Planning for the Historic Development
- PPS7 - Sustainable Development in Rural Areas

2.2 Herefordshire Unitary Development Plan 2007:

- S1 - Sustainable Development
- S2 - Development Requirements
- DR1 - Design
- H7 - Housing in the Countryside Outside Settlements
- H13 - Sustainable Residential Design
- H18 - Alterations and Extensions
- LA1 - Areas of Outstanding Natural Beauty
- LA2 - Landscaped Character and Areas Least Resilient to Change
- LA4 - Protection of Historic Parks and Gardens
- LA5 - Protection of Trees, Woodlands and Hedgerows

3. Planning History

- 3.1 SH940997PF Rebuild fire damaged house to original state as single residence with outbuildings and six houses on adjoining land at Caradoc Court, Sellack. Approved 24 February 1995.
- 3.2 DCSE206/1684/V Certificate of Lawfulness for six new houses (approved planning permission SH940997PF), Caradoc Court, Sellack. Approved 6 December 2006.
- 3.3 DMSE/093151/F Erection of six detached houses (amendments to SH940997PF). Approved 14 April 2010.
- 3.4 DMS/103179/F Variation of Condition 2 approved Planning Permission DMSE09/3151/F for amendments to house elevations. Approved 2 February 2011.

4. Consultation Summary

- 4.1 None required.

Internal Consultees

- 4.2 Conservation Manager (Landscapes and Biodiversity): No objection.
- 4.3 Public Rights of Way Manager: No objection.
- 4.4 Traffic Manager: No objection.

5. Representations

- 5.1 Sellack Parish Council: Comments awaited.
- 5.2 No third party responses have been received at the time of writing. These will be included on the Committee update.

Further information on the subject of this report is available from Mr E Thomas on 01432 260479

6. Officer's Appraisal

- 6.1 The application seeks to vary Condition 9 of planning permission S/093151/F which removed householder permitted development rights. The proposed variation of the condition would enable the introduction of the proposed heating oil tanks. It was originally intended that oil tanks be located underground, but permission is now sought for the use of more traditional above-ground tanks which can be used in conjunction with a typical internal boiler.
- 6.2 The key issue is the impact that the proposed tanks would have upon the character and appearance of the site as one which sits in an important, protected landscape. In this regard the Conservation Manager has no objection and is satisfied that the soft landscaping scheme will mitigate the visual impact of the tanks. There is also conflict between the proposed location of the individual tanks and the retention of the protected trees around the site's perimeter.
- 6.3 It has always been acknowledged that this is a difficult site upon which to design an 'appropriate' development. However, in the context of what has been approved, the introduction of the above ground oil tanks will have no wider implications for the protected landscape in which they are located. The application is recommended for approval accordingly.

RECOMMENDATION

Subject to no objections raising material planning considerations being received by the expiry of the statutory consultation period, Officers be authorised to grant planning permission subject to the following conditions:

- 1. **B04 Amendment to existing permission**
- 2. **B01 Development in accordance with the approved plans**

Informative:

- 1. **N15 Reason(s) for the Grant of PP/LBC/CAC**

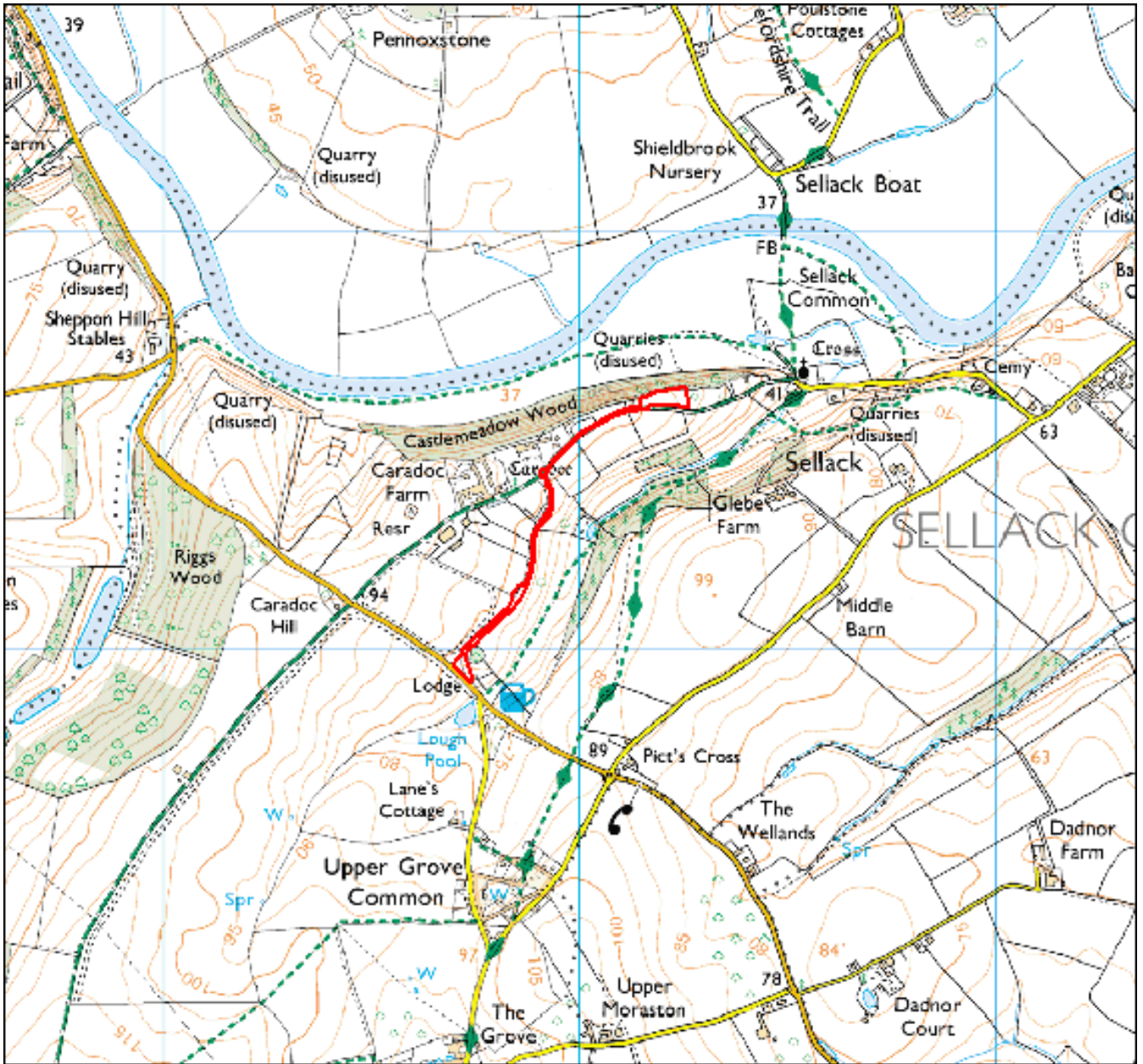
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DMS/103173/F

SITE ADDRESS : CARADOC COURT, SELLACK, ROSS-ON-WYE, HEREFORDSHIRE, HR9 6LS

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