

Ref. 1
FOWNHOPE
DCCE2003/2992/F

Provision of new W.C., alterations to porch and associated site works at:

ST. MARY'S CHURCH, FOWNHOPE, HEREFORDSHIRE

For: **ST. MARY'S PCC PER HOOK MASON, 11 CASTLE STREET, HEREFORD, HR1 2NL**

Councillor Mrs. J.E. Pemberton, the Local Member, felt that the proposal would have a detrimental impact on St. Mary's Church and on the Fownhope Conservation Area and proposed that the application be refused. Councillor Mrs. Pemberton also questioned whether a full audit had been carried out of the building in accordance with advice from English Heritage.

A number of Members expressed concerns about the location and the design of the proposal.

RESOLVED:

That planning permission be refused for the following reasons:

Having regard to policies GD1, C27B and C29 of the South Herefordshire District Local Plan the proposal is considered to have an adverse effect on this important listed building on its main elevation adjacent to the focal point and entrance to the church. The design and location of the extension is such that it would appear visually intrusive in a very sensitive location.

Also the proposal is within the Fownhope Conservation Area where the Local Planning Authority has a statutory duty to ensure development either preserves or enhances the area. Having regard to this the proposal would be contrary to South Herefordshire District Local Plan policies C22 and C23.

Ref. 2
CREDENHILL
DCCW2003/2973/F

Construction of three water storage tanks at:

LOWER VELDIFER FIELD, ROMAN ROAD, CREDENHILL, HEREFORDSHIRE

For: **WYEVALE CONTAINER PLANTS LTD., KINGS ACRE ROAD, HEREFORD, HR4 7AY**

Councillor R.I. Matthews, the Local Member, commented on the value of the site inspection that had been held. He noted the concerns expressed by the residents of an adjacent property but felt the proposals would not have an adverse impact.

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. 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.

Informative:

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

Ref. 3
HEREFORD
DCCE2003/3122/F

Demolition of existing building (Hatterall Hall) and erection of five detached dwellings with associated garaging, access road and drainage at:

LAND AT HATTERALL HALL, FOLLY LANE, HEREFORD, HR1 1LS

For: **K.W. BELL & SON LTD., WHIMSEY INDUSTRIAL ESTATE,
STEAM MILLS ROAD, CINDERFORD**

The Principal Planning Officer reported the receipt of two further letters of objection from the residents of 26 Belgravia Gardens.

In response to a question from Councillor W.J. Walling, the Central Divisional Planning Officer advised Members that English Heritage had given consideration to Listing the building but had concluded that the building did not merit Listing.

A number of Members felt it regrettable that the building was not considered worthy of retention and it was suggested that a statement be made about the importance of preserving and restoring buildings which contributed to the heritage of the City.

In response to a question about the possibility of retaining the conservatory, the Central Divisional Planning Officer advised the Sub-Committee that a salvage condition and informative note could be added to any planning permission granted.

In response to comments about the removal of trees, the Principal Planning Officer advised that the trees at the rear of the site were not considered to be of public amenity value. A view was expressed that the applicant should be reminded of the need to avoid damage to the roots of the trees to be retained. The Principal Planning Officer drew attention to the recommended conditions regarding landscaping.

RESOLVED:

That planning permission be granted subject to the following conditions:

- 1 The development hereby permitted shall be begun before the expiration of five years from the date of this permission.**

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

- 2 The development shall be carried out in all respects strictly in accordance with the approved plans (drawing nos. Folly 1C, Ashby.1, Hereford, Hertford, Gar.1), except where otherwise stipulated by conditions attached to this permission.**

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

- 3 No development shall take place until details or samples of materials to be used externally on walls and roofs 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.

- 4 During the construction phase no machinery shall be operated, no process shall be carried out and no deliveries taken at or despatched from the site outside the following times: Monday-Friday 7.00 am-6.00pm, Saturday 8.00 am-1.00 pm nor at any time on Sundays, Bank or Public Holidays.**

Reason: To protect the amenity of local residents.

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

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

- 6 There shall be no, direct or indirect, discharge of surface water or land drainage run off to the public foul sewer.**

Reason: To safeguard the public sewerage system and reduce the risk of surcharge flooding.

- 7 The side elevation windows serving "Bedroom 2" and "Guest Bedroom" in Plots 2 and 3 shall be glazed with obscured glass and fixed shut.**

Reason: To safeguard the amenities of adjoining properties.

- 8 No materials or substances shall be incinerated within the application site during the construction phase.**

Reason: To safeguard residential amenity and prevent pollution.

- 9 No development shall commence on site or machinery or materials brought onto the site for the purpose of development until a landscape design has been submitted to and approved by the local planning authority. The submitted design shall include drawings at a scale of 1:200 or 1:500 and**

a written specification clearly describing the species, sizes, densities and planting numbers. Drawings must include accurate details of all existing trees and hedgerows with their location, species, size, condition, any proposed tree surgery and an indication of which are to be retained and which are to be removed.

Reason: To ensure a satisfactory and well planned development and to preserve and enhance the quality of the environment.

- 10 The landscaping scheme approved under condition 9 above shall be carried out concurrently with the development hereby permitted and shall be completed no later than the first planting season following the completion of the development. The landscaping shall be maintained for a period of 5 years. During this time any trees, shrubs or other plants which are removed, die, or are seriously retarded shall be replaced during the next planting season with others of similar size and species unless the local planning authority gives written consent to any variation. If any plants fail more than once they shall continue to be replaced on an annual basis until the end of the 5 year maintenance period.

Reason: To ensure a satisfactory and well planned development and to preserve and enhance the quality of the environment.

- 11 This permission does not authorise any works to trees included in the Tree Preservation Order except that detailed on drawing no. Folly 1c. Any further work shall be the subject of an application for consent to the local planning authority, in accordance with the provisions of the Tree Preservation Order and the law on Tree Preservation Orders in force at the time of the application.

Reason: To ensure the proper care and maintenance of the trees.

- 12 In this condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of 1 year from the date of the occupation of the building for its permitted use.

(a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998 (Tree Work).

(b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the local planning authority.

- (c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought onto the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority.

Reason: In order to preserve the character and amenity of the area.

- 13 All existing boundary walls which define the boundaries of the site shall be permanently retained; the new boundary walls adjacent to No. 49 Folly Lane and adjacent to the highway shall be erected prior to the occupation of any of the dwellings hereby approved; the boundary wall adjacent to the highway shall not exceed 0.9m in height.

Reason: To clarify the terms of the permission and safeguard the amenities of the locality.

- 14 Prior to the occupation of any of the dwellings hereby approved, details of the treatment of the rear boundary of the site shall be submitted for approval in writing by the local planning authority and the approved details shall be implemented within 2 months thereafter.

Reason: The application contains insufficient detail for the satisfactory consideration of this detail at this stage.

- 15 Prior to occupation of any of the dwellings hereby approved, the double garage for No. 51 Folly Lane shall be completed to the satisfaction of the local planning authority in accordance with the agreed scheme.

Reason: To accord with the terms of the application.

- 16 Before any other works hereby approved are commenced, visibility splays shall be provided from a point 0.6 metres above ground level at the centre of the access to the application site and 2.4m x 90m metres back from the nearside edge of the adjoining carriageway (measured perpendicularly) for a distance of 90 metres in each direction along the nearside edge of the adjoining carriageway. Nothing shall be planted, erected and/or allowed to grow on the triangular area of land so formed which would obstruct the visibility described above.

Reason: In the interests of highway safety.

- 17 Notwithstanding the approved details, there shall be no gates across the access road to the development hereby approved.

Reason: To ensure the development is in keeping with the open character of existing housing in the locality.

- 18** Prior to the occupation of the development hereby approved the driveway and/or vehicular turning area shall be consolidated, surfaced and drained in accordance with details to be submitted to and approved in writing by the local planning authority at a gradient not steeper than 1 in 8.

Reason: In the interests of highway safety.

- 19** The development hereby permitted shall not be brought into use until the access, turning area and parking facilities shown on the approved plan have been properly consolidated, surfaced, drained and otherwise constructed in accordance with details to be submitted to and approved in writing by the local planning authority and these areas shall thereafter be retained and kept available for those uses at all times.

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

- 20** Development shall not begin until parking for site operatives and visitors has been provided within the application site in accordance with details to be submitted to and approved by the local planning authority and such provision shall be retained and kept available during construction of the development.

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

- 21** Prior to the commencement of the development hereby approved, details of the intended method of salvaging the existing conservatory at the rear/side of Hatterall Hall shall be submitted to the Local Planning Authority for approval in writing. The details shall include the name of the person or company employed to carry out the salvaging together with the intended location of its re-erection or storage prior to the re-erection.

Reason: To ensure that this important example of local architecture is preserved for future re-erection.

Informatives:

- 1** This planning permission does not authorise the applicant to carry out works within the publicly maintained highway and Mr. A.G. Culley, Divisional Surveyor (South), Unit 3, Thorn Business Park, Rotherwas, Hereford Tel: 01432-261955, shall be given at least 28 days' notice of the applicant's intention to commence any works affecting the public highway so that the applicant can be provided with an approved specification for the works together with a list of approved contractors.

- 2 Drainage arrangements shall be provided to ensure that surface water from the driveway and/or vehicular turning area does not discharge onto the public highway. No drainage or effluent from the proposed development shall be allowed to discharge into any highway drain or over any part of the public highway.
- 3 This permission does not imply any rights of entry to any adjoining property nor does it imply that the development may extend into or project over or under any adjoining boundary.
- 4 Your attention is drawn to Section 80 of the Building Act 1984 whereby no demolition may be carried out without proper notice to the local authority and a counter notice issued under Section 81.
- 5 Your attention is drawn to the Party Wall Act 1996. The Act will apply where work is to be carried out on the following:

Work on an existing wall or structure shared with another property

Building a free standing wall or a wall of a building up to or astride the boundary with a neighbouring property

Excavating near a neighbouring building.

The legal requirements of this Act lies with the building/site owner, they must find out whether the works subject of this planning permission falls within the terms of the Party Wall Act. There are no requirements or duty on the part of the local authority in such matters. Further information can be obtained from the DETR publication The Party Wall Act 1996 - explanatory booklet. Copies are available from the Planning Reception, Blueschool House, Blueschool Street, Hereford.

- 6 The decision to grant planning permission has been taken having regard to the policies and proposals in the Hereford Local Plan set out below, and to all relevant material considerations including Supplementary Planning Guidance:

Hereford Local Plan:

ENV14 - Design

ENV16 - Landscaping

H3 - Design of new residential development

H4 - Residential roads

H12 - Established residential areas - character and amenity

H13 Established residential areas - loss of features

H14 - Established residential areas - site factors

SC9 - Retention of local facilities

This informative is only intended as a summary of the reasons for grant of planning permission. For further detail on the decision please see the application report by contacting reception at Blueschool House, Blueschool Street, Hereford (Tel: 01432- 260342).

- 7 In relation to condition 21, the applicant shall use all best endeavours to salvage the conservatory and shall only demolish the conservatory and shall only demolish the conservatory with the written permission of the Local Planning Authority if it is agreed that its condition is too poor to render it salvageable. Prior to approval of the details to be submitted under the condition, the application shall ensure that the conservatory is made safe and secure.

Ref. 4
DINEDOR
DCCE2003/3867/F

Retrospective application for the erection of a car-port at:

DINEDOR COURT, DINEDOR, HEREFORD, HEREFORDSHIRE, HR2 6LG

For: **MR. & MRS. M.P. PARKIN OF THE SAME ADDRESS**

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

Councillor W.J.S. Thomas, the Local Member, noted the concerns of the local residents but felt that the application was acceptable.

RESOLVED:

That planning permission be granted subject to the following condition:

- 1 The garage hereby permitted shall be used solely for the garaging of private vehicles and for purposes incidental to the enjoyment of the dwelling house as such and not for the carrying out of any trade or business.

Reason: To ensure that the garage is used only for the purposes ancillary to the dwelling.

Informative:

1. The decision to grant planning permission has been taken having regard to the policies and proposals in the south herefordshire district local plan set out below, and to all relevant material considerations including supplementary planning guidance:

South Herefordshire District Local Plan

GD.1 - General development criteria

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

C.29 - Setting of a Listed Building

This informative is only intended as a summary of the reasons for grant of planning permission. For further detail on the decision please see the application report by contacting Reception at Blueschool House, Blueschool Street, Hereford (Tel: 01432-260342).

Ref. 5

SHELWICK

DCCW2003/3856/F

Proposed detached bungalow at:

SHELWICK FARM, SHELWICK, HEREFORD, HR1 3ALFor: **MR. J. STEWART OF THE SAME ADDRESS**

Councillor R.I. Matthews, the Local Member, drew attention to the comments of Holmer and Shelwick Parish Council and noted the need for a scheme of flood drainage.

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. F18 (Scheme of foul drainage disposal).

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

5. G01 (Details of boundary treatments).

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

6. G02 (Landscaping scheme (housing development)).

Reason: To ensure a satisfactory and well planned development and to preserve and enhance the quality of the environment.

7. G03 (Landscaping scheme (housing development) - implementation).

Reason: To ensure a satisfactory and well planned development and to preserve and enhance the quality of the environment.

8. 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.

Informatives:

1. **N14 - Party Wall Act 1996.**
2. **N15 - Reason(s) for the Grant of Planning Permission.**

Ref. 6
HEREFORD
DCCW2004/0231/F

Proposed first floor extension and erection of shed at:

11 YARLINGTON MILL, BELMONT, HEREFORD, HR2 7UB

For: **MR. & MRS. GWYNNE PER JOHN PHIPPS, BANK LODGE,
COLDWELLS ROAD, HOLMER, HEREFORD, HR1 1LH**

Councillor P.J. Edwards, a Local Member, felt that adequate off-street parking was required in the interests of highway and pedestrian safety. This view was supported by a number of Members.

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. **E18 (No new windows in specified elevation).**

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

5. **E19 (Obscure glazing to windows).**

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

6. **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.

Informatives:

1. **HN02 - Public rights of way affected.**

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

Ref. 7
MARDEN
DCCW2004/0034/F

Renewal of temporary permission to allow permanent permission and variation of condition 1 of planning permission CW2001/2639/F for use of welding and fabrication at:

AMBERLEY WORKSHOP, MARDEN, HEREFORD, HR1 3BS

For: **MR. J.A. ASHCROFT, 16 ORCHARD GREEN, MARDEN, HEREFORD, HR1 3ED**

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

Councillor J.G.S. Guthrie, the Local Member, noted the concerns of Marden Parish Council and of local residents and felt that a temporary permission would be appropriate this instance.

A number of Members commented on the need to support business diversification and employment in rural areas.

RESOLVED:

That planning permission be granted subject to the following conditions:

- 1. The premises shall be used for welding and fabrication only and for no other purpose (including any other purpose in Class B1 or B2 of the schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).**

Reason: The local planning authority wish to control the specific use of the land/premises, in the interest of local amenity.

- 2. This consent shall expire on 10th March 2006. Unless further consent is granted in writing by the local planning authority prior to the end of that period, the use hereby approved shall permanently cease.**

Reason: To enable the local planning authority to give further consideration of the acceptability of the proposed use after the temporary period has expired.

- 3. This permission shall enure for the benefit of Mr. John Ashcroft and his son only and not for the benefit of the land or any other persons interested in the land.**

Reason: The nature of the development is such that it is only considered acceptable in this location having regard to the specific nature of the business run by the applicant and his son.

4. When the premises cease to be occupied by Mr. John Ashcroft and his son or at the end of two years whichever shall first occur, the use hereby permitted shall cease and all materials and equipment brought on to the premises in connection with the use shall be removed.

Reason: The nature of the development is such that it is only considered acceptable in this location having regard to the specific nature of the business run by the applicant and his son.

5. No machinery shall be operated, no process shall be carried out and no deliveries taken at or despatched from the site outside the following times 8 am to 6 pm Monday to Friday and 8 am to 1 pm Saturday nor at any time on Sundays, Bank or Public Holidays.

Reason: In order to protect the amenity of occupiers of nearby properties.

6. There shall be no open air operation of plant, machinery or equipment within the application site.

Reason: To protect the amenities of nearby properties.

7. No goods, plant, material or machinery shall be deposited or stored outside the buildings subject of this application.

Reason: To protect the appearance of the locality.

8. Within one month of the date of this permission details shall be submitted to and approved in writing by the local planning authority of the type of machinery and equipment to be used within the building.

Reason: In the interests of the amenity of the area.

9. No power tools or machinery shall be used at the premises other than those approved in relation to Condition 8 of this planning permission.

Reason: In the interests of the amenity of the area.

10. There shall be no ancillary retail sales in association with the permitted business or sales of any other goods or materials from the application site.

Reason: The local planning authority wish to control the specific use of the land/premises, in the interest of local amenity.

Informative:

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

Ref. 8
HEREFORD
DCCE2004/0190/F

Three storey development of 16 no. 2 bed flats and 1 no. 1 bed flat at:

36 FOLLY LANE, HEREFORD, HR1 1LX

For: **RICHARD HARPER ESTATES PER PLANNING SOLUTIONS,
96 ROCK HILL, BROMSGROVE, WORCESTER, B61 7HX**

In accordance with the criteria for public speaking, Mr. Eley, an objector, spoke against the application.

In response to a comment, the Principal Planning Officer drew attention to recommended condition 6 which would require a scheme for the provision, prior to disposal, of refuse and all other waste materials.

Some Members felt it regrettable that this building had been allowed to fall into such a state of disrepair and also expressed concerns about parking.

Councillor A.C.R. Chappell proposed that a site visit be held as the settings and surroundings were fundamental to the determination or to the conditions being considered.

RESOLVED:

That consideration of planning application DCCE2004/0190/F be deferred for a site visit.

Ref. 9
HEREFORD
DCCW2004/0063/F

Provision of new cycleway from:

**THE GREAT WESTERN WAY AND BEAUFORT AVENUE TO
MARLBROOK ROAD, HEREFORD**

For: **HEREFORDSHIRE COUNCIL PER HALCROW GROUP
LIMITED, 11/12 CASTLE STREET, HEREFORD, HR1 2NL**

The Central Divisional Planning Officer reported the receipt of additional correspondence and commented that Haywood High School would need to address the issue of cricket balls etc. straying onto the public right of way if it became a problem in the future.

A number of Members spoke in support of the application. Comments were made that motorcycles should be restricted as much as possible and that the landscaping scheme should be engineered in way that would reduce the risk of crime.

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. 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. 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.

5. F32 (Details of flooding/external lighting).

Reason: To safeguard local amenities.

Informative:

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