

DCNE2006/3998/F - RECONFIGURATION OF EXISTING DWELLING INTO 3 UNITS AND ASSOCIATED WORKS TO INCLUDE A NEW VEHICULAR ACCESS AT STANLEY HILL COURT, BOSBURY, LEDBURY, HEREFORDSHIRE HR8 1HE

For: Dr. G & K Swinburne Gibson Associates Bank House Bank Crescent Ledbury Herefordshire HR8 1AA

Date Received:
18th December 2006

Ward: Hope End

Grid Ref:
67644, 43951

Expiry Date:
12th February 2007

Local Members: Councillor R Stockton & Councillor R Mills

1. Site Description and Proposal

- 1.1 The application seeks planning permission for the sub-division of the existing single dwelling into three residential properties at Stanley Hill Court, near Bosbury. The site is found at the junction of the B4124 and C1152 (Canon Frome Road) in open countryside.
- 1.2 The main frontage to the original house (unit 1) faces southeast, towards the main road. There are attached two-storey buildings to the side and rear, including a substantial slate covered building (unit 3) and a timber framed building, forming part of unit 2. A single storey building to the north and a further building against the roadside complete the courtyard. The plans do not indicate any proposal for the former, whilst the latter has been adapted to provide for storage and bat loft accommodation. A requirement for bat habitat enhancement was identified by the ecological survey commissioned by the applicants.
- 1.3 Two vehicular accesses are intended to serve the development. Unit 1 would be served by the upgraded existing field gate access direct from the B4214, whereas the remaining two units would be served via a new access taken from the Canon Frome Road between the existing junction and a large mature oak tree. It is largely the negotiation of safe vehicular accesses that has held up determination of this application.
- 1.4 Garden areas to the 3 units would be created from the subdivision of the land falling away to the southwest of the courtyard, parallel to the main road. Amended plans have been received in this regard, demonstrating a more generous apportionment of space to unit 3 and a simplification of the parking area dedicated to unit 1.
- 1.5 Units 1 and 3 would contain 3 bedrooms, whereas the larger unit 2 would provide 5 bedrooms.

2. Policies

2.1 Herefordshire Unitary Development Plan

- S1 – Sustainable development
- S2 – Development requirements
- DR1 – Design
- DR3 – Movement
- H14 – Re-using previously developed land and buildings
- H17 – Sub-division of existing housing

3. Planning History

- 3.1 DCNE2005/1719/F - Conversion of existing house and buildings to form six units of accommodation: Refused 6th July 2005

4. Consultation Summary

Statutory Consultations

- 4.1 None required.

Internal Council Advice

- 4.1 Traffic Manager – Has no objection to the revised access proposals, subject to the imposition of conditions relating to maintenance of visibility over the splay, positioning of access gates and the consolidation, surfacing and drainage of access, turning and parking areas.
- 4.2 Conservation Manager (Landscapes) – No objection providing conditions be imposed requiring details of driveway construction around the root area of the mature oak and boundary treatments/hedgerow planting.

5. Representations

- 5.1 Bosbury Parish Council – No objection is made to the reconfiguration of the dwelling and sub-division into 3 units. Concern is voiced, however, at the potential danger of the access onto the main road and particularly the prospect of lorries attending to the bio-disc. The parish asks that this access be used for maintenance and emptying of the bio-disc only and not for residential access and parking. Members will note, however, that this access is intended to serve unit 1.
- 5.2 Two letters of objection have been received from Mr B. Clutterbuck, 'Clissetts', Stanley Hill, Bosbury, Ledbury, Herefordshire HR8 1HE. One letter was received in response to the original submission and one in response to plans detailing amendments to the vehicular access arrangement.
- 5.3 The comments can be summarised as follows:

- The applicants have continued with development at the site irrespective of the refusal of application NE05/1719/F. This includes the enlargement of certain aspects, such as the replacement of a flat roof with a slate covered gable roof to allow for a second floor;
- The development should be considered as development in the open countryside and not the re-use of rural buildings;
- If considered against conversions policy the buildings would fail the test of worthiness;
- The visibility from both access points will be inadequate.

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

6. Officer's Appraisal

6.1 The key issues in the determination of this application are as follows:

- The principle of sub-division of a property in open countryside;
- The adequacy of the proposed vehicular accesses;
- The treatment of the external open spaces;

The principle of development

6.2 Policy H17 of the Unitary Development Plan (UDP) promotes the sub-division of suitable residential buildings provided that adequate parking, access and residential amenity can be achieved. Development must neither harm the character of the property, its curtilage and the wider area or the privacy of neighbouring dwellings. The preamble to the policy recognises that sub-division will take place pre-dominantly in the urban areas, but does not preclude sub-division in the open countryside.

6.3 In this instance it is proposed to create 3 dwellings utilising the existing buildings and notwithstanding the fact that the site is in open countryside, this is considered an acceptable form of development in this context. The scheme affords each dwelling appropriate standards of living accommodation and concern at the provision of garden area for unit 3 has been addressed through the submission of amended plans with the effect that the garden size is now commensurate to the size of the dwelling and not disproportionately small. The levels of amenity currently enjoyed by neighbouring development would remain unaffected.

Vehicular Access

6.4 The development proposes that unit 1 will be served via an access taken from the B4214. Subject to the imposition of conditions the traffic manager has no objection to this arrangement. The provision of an access to serve the remaining two units has been more problematic. The existing access is located right upon the junction between the B and C roads and is not considered suitable for intensified use.

6.5 Originally it was intended to create a new access from the Canon Frome road, through the cutting that flanks this highway. However, this was discounted owing largely to the negative impact that this would have upon the character of the lane and quality of the landscape. An alternative is the creation of an access point nearer to the junction. Subject to a condition requiring the maintenance of lines of sight across the visibility splay this is an acceptable means of securing vehicular access to units 2 and 3.

6.6 The existing access will be permanently closed off.

Treatment of external areas

6.7 The scheme has been subject to amendment in terms of the treatment of external areas, particularly the parking areas, gardens and boundary treatments. The parking area to unit 1 has been redesigned and scaled down so that it now sits within the curtilage to that property. Additional planting is proposed in order to soften the impact of the necessary engineering works.

6.8 The creation of a vehicular access through the cutting (as originally proposed) would have had major implications for the rural character of the lane. The removal of this element of the scheme is considered to represent a major improvement in terms of preservation of the rural landscape. Careful consideration has been given as to how the closure of existing accesses and provision of appropriate boundary treatments can be achieved. Where possible native species planting would be undertaken, although this is not desired against the B4214 (garden to unit 3), where a high quality 1.3m brick wall is the only viable option owing to a lack of width and the future difficulty of maintaining a hedge at this location.

6.9 To conclude, the development is considered to accord with the requirements of policy H17 – Sub-division of existing housing. Negotiations have resulted in the agreement of adequate vehicular access arrangements and the development would not have any demonstrable adverse impact upon neighbours or the quality of the rural landscape. The development is recommended for approval.

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 - C05 (Details of external joinery finishes)

Reason: To safeguard the character and appearance of this building of [special] architectural or historical interest.

3 - E16 (Removal of permitted development rights)

Reason: [Special Reason].

4 - H08 (Access closure)

Reason: To ensure the safe and free flow of traffic using the adjoining County highway.

5 - H01 (Single access - not footway)

Reason: In the interests of highway safety.

6 - H04 (Visibility over frontage)

Reason: In the interests of highway safety.

7 - H03 (Visibility splays) (B road 2.4 x 60 to north and 2.4 x 90 to south)

Reason: In the interests of highway safety.

8 - H05 (Access gates)

Reason: In the interests of highway safety.

9 - 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.

10 - G01 (Details of boundary treatments)

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

11 - G04 (Landscaping scheme (general))

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

12 - G05 (Implementation of landscaping scheme (general))

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

13 - Prior to the commencement of development details of a non-invasive method of driveway construction within the Root Protection Area of the oak tree adjacent to the vehicular access from the C1152 shall be submitted to and approved in writing by the local planning authority.

Reason: In order to protect this important specimen in the wider interests of visual amenity.

Informatives:

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

2 - N19 - Avoidance of doubt

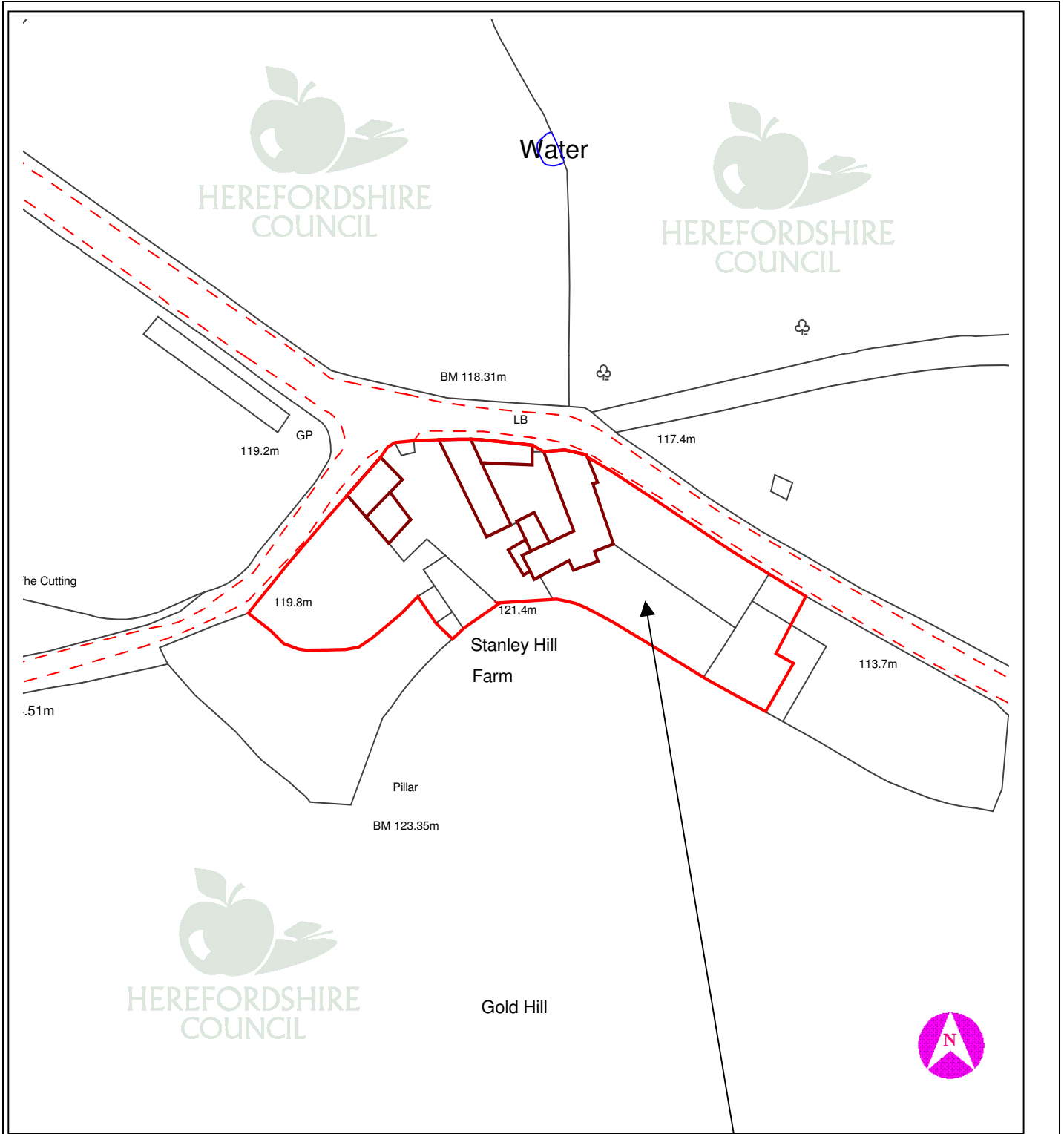
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCNE2006/3998/F

SCALE : 1 : 1250

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