

9 DCCE2007/1930/F - ERECTION OF A TERRACE OF 4 COTTAGES. AMENDMENT TO PARKING AREAS. (REVISED SCHEME) AT FROME COURT, (FORMER BARTESTREE CONVENT), BARTESTREE, HEREFORD, HEREFORDSHIRE, HR1 4BF

For: Strand Homes Ltd per Mr. P.H. Tufnell, Tufnell Town & Country Planning, Waverley Studio, Gloucester Road, Hartpury, Gloucester, GL19 3BG

Date Received: 20th June, 2007 **Ward: Hagley**

Grid Ref: 56843, 40632

Expiry Date: 15th August, 2007

Local Member: Councillor D.W. Greenow

1. Site Description and Proposal

- 1.1 This application seeks permission for the erection of a terrace of four, two-bedroom cottages at Bartestree Convent, Bartestree.
- 1.2 Bartestree Convent itself comprises a part Grade II, part Grade II* building currently in the process of being converted into flats. To the west of the main convent building is a new courtyard terraced development, with a further new terraced development to the north of the main building. To the north west of the Convent are two burial areas, between which is an open area originally designated for parking. This application seeks permission for the introduction of a terraced row of four dwellings in this location, with the associated loss of parking spaces.
- 1.3 The parking arrangements on site have evolved over the course of the complex history of this site. As a result of this development the number of residential units on site would increase from 63 dwellings to 67, while 15 parking spaces are lost in this corner position. However, there is some 'compensation' for this loss with the formation of an additional 12 spaces to the south of the application site and the use of a redundant turning head to form a further two spaces. Overall, parking ratios drop to fractionally below 1.5 spaces per unit from the 1.55 spaces per unit as originally approved for this site.
- 1.4 The application follows the refusal of application DCCE2006/1978/F at the Central Area Planning Sub-Committee meeting on 15th November, 2006. This sought permission for the erection of a terrace of 3 dwellings on the site. Development was refused, contrary to officer recommendation, for the following reason:

"The proposed development would, by reason of its siting and scale, result in the loss of an additional element of open space and the cumulative effect of further development would add to the sense of enclosure of the site. This would adversely impact upon the visual amenities of the locality and detract from the setting of Bartestree Convent, a Listed Building, contrary to Policies S2, S7 and HBA4 of the Herefordshire Unitary Development Plan (Revised Deposit Draft) and the guiding principles set out in PPG 15: Planning and the Historic Environment."

2. Policies

2.1 National Policy Guidelines:

PPS1	-	Delivering sustainable development
PPG3	-	Housing
PPG13	-	Transport
PPG15	-	Planning and the historic environment
PPG16	-	Archaeology and planning

2.2 Herefordshire Unitary Development Plan 2007:

S1	-	Sustainable development
S2	-	Development requirements
S3	-	Housing
DR1	-	Design
DR2	-	Land use and activity
DR3	-	Movement
H4	-	Main villages: settlement boundaries
H13	-	Sustainable residential design
H16	-	Car parking

3. Planning History

- 3.1 SH770422PF - Southwest wing Bartestree Convent change of use to single person residential accommodation. Approved 8th August, 1977.
- 3.2 SH891076PO - New convent. Approved 24th January, 1991.
- 3.3 SH891077PO - Sheltered housing. Approved 23rd April, 1991.
- 3.4 SH891078PO - Sheltered flats with social and recreational facilities. Approved 23rd April, 1991.
- 3.5 SH931577PF - Refurbishment and conversion of existing buildings to student accommodation and new build dwelling houses. Approved 13th June, 1994.
- 3.6 SH940016LD - Repairs, partial demolition of ground floor extension and change of use to form student accommodation. Not determined.
- 3.7 SH960193PF - Tennis Court Site - residential development. Refused 12th June, 1996.
- 3.8 CE2000/1143/F - Restoration, conservation and conversion of convent buildings to provide 23 dwellings. Demolition of incongruous alterations, additions and curtilage buildings. Erection of 17 mews cottages. Diversion of internal access road, landscaping and ancillary site works. Approved 2nd November, 2001.
- 3.9 CE2000/1146/L - Restoration, conservation and conversion of convent buildings to provide 23 dwellings. Demolition of incongruous alterations, additions and curtilage buildings. Erection of 17 mews cottages. Diversion of internal access road, landscaping and ancillary site works. Approved 2nd November, 2001.

- 3.10 CE2001/3244/F - Amendments to approved scheme for residential development, conversion to provide two additional lower ground floor apartments. Units 42 and 47. Approved 21st March, 2002.
- 3.11 CE2001/3245/L - Amendments to approved scheme for residential development, conversion to provide two additional lower ground floor apartments Units 42 and 47. Listed Building Consent 21st March, 2002.
- 3.12 CE2001/3246/F - Amendment to approved scheme for residential development for conversion to provide one additional second floor apartment (Unit 33). Withdrawn 11th February, 2002.
- 3.13 CE2001/3251/L - Amendment to approved scheme for residential development for conversion to provide one additional second floor apartment (Unit 33). Withdrawn 11th February, 2002.
- 3.14 CE2002/1750/F - Amended scheme for the conversion of convent and chapel - including new build development. (Scheme providing 17 additional dwellings comprising: 7 new conversions in Chapel/Hall, 8 additional remodelled conversions, 2 additional remodelled new build). Amended access arrangements and site layout. Approved 24th December, 2002.
- 3.15 CE2002/1754/L - Amended scheme for the conversion of convent and chapel - including new build development. (Scheme providing 17 additional dwellings comprising: 7 new conversions in Chapel/Hall, 8 additional remodelled conversions, 2 additional remodelled new build). Amended access arrangements and site layout. Approved 24th December, 2002.
- 3.16 CE2003/1283/F - Redesign of units 44, 45, 46 and 47 and 2 no. new units 45a and 47a. Undetermined.
- 3.17 CE2003/1285/F - Redesign of units 44, 45, 46 and 47 and 2 no. new units 45a and 47a. Undetermined.
- 3.18 CE2003/1537/F - Redesign of units 44, 45, 46 and 47 and creation of 1 no. new units 45a. Approved 26th January, 2004.
- 3.19 DCCE2003/1538/L - Redesign of units 44, 45, 46 and 47 and creation of 1 no. new units 45a. Approved 26th January, 2004.
- 3.20 DCCE2003/2390/G - Discharge of planning obligations under S106 dated 10th April 1991 and 28th June 1994. Approved 16th July, 2004.
- 3.21 DCCE2004/1266/F - Remodelling of approved apartment no. 43 to provide 2 single bedroom apartments. Approved 15th June, 2004.
- 3.22 DCCE2004/1297/L - Remodelling of approved apartment no. 43 to provide 2 single bedroom apartments. Approved 15th June, 2004.
- 3.23 DCCE2004/4097/L - Conversion of attic space into a studio apartment. Approved 5th January, 2005.

- 3.24 DCCE2004/1492/F - Conversion of attic space into a studio apartment. Approved 5th January, 2005.
- 3.25 DCCE2004/4272/L - Subdivision of apartment to provide two studio apartments. Approved 28th January, 2005.
- 3.26 DCCE2004/4270/F - Subdivision of apartment to provide two studio apartments. Approved 28th January, 2005.
- 3.27 DCCE2006/1978/F - Erection of a terrace of 3 cottages and formation of additional parking areas, including overspill parking. Refused 15th November, 2006 - Appeal to be heard at an Informal Hearing

4. Consultation Summary

Statutory Consultations

- 4.1 English Heritage: Any permission should be conditional upon the prior approval of all architectural details, materials and finishes, and of landscape design, details and materials.

Internal Council Advice

- 4.2 Conservation Manager: "The design of the cottages has followed the theme agreed as the design approach for buildings around the convent but with the variation being a terrace of cottages in this instance. We believe that this adds to the built environment of the general area as it shows the approach taken to designing a different house type but maintaining the theme of contemporary dwellings using the neo-gothic language and expressions of the convent."
- 4.3 Traffic Manager: No objection is raised to the resultant parking ratios, although some concern is expressed at the absence of a turning area for a refuse lorry adjacent to the southern-most bin store and the location and size of the cycle storage.
- 4.4 The comments of the Traffic Manager in relation to the previously refused application are still largely applicable and are reported below:

'Although the proposal results in a loss of parking spaces for the approved development, the level of parking (1.469 per dwelling) which remains is still very close to the Government guidelines of a maximum of 1.5 spaces per dwelling as set out in PPG3. As stated in the submitted supporting text there is a predominance of 1 and 2 bed apartments within the development, and all dwellings are allocated at least one parking space. As the proposed levels are within both the maximum set out in our Design Guide for new developments and Government guidelines, I have no objections to the proposal.'

5. Representations

- 5.1 Bartestree Parish Council: "The Parish Council strongly objects to this application as it is an increase in the number of properties from that requested in application DCCE2006/1978/F that was previously refused. The Council:

Was of the opinion that the current scheme could be considered over-development as it would result in a total of 67 dwellings on the site;

Considered that in this sensitive location between two burial grounds, that proposal would detract from Bartestree Convent, particularly as it would restrict views towards the Listed Buildings;

Considered that this area could be used to meet open space requirements in the UDP;

Considered that the sewerage system might not be able to accommodate four more dwellings;

Noted that a number of planning obligations had been discharged following amendments to the scheme but suggested that the retention of this area could provide some local amenity benefits as a public open space."

5.2 Local Residents: At the time of writing, 3 letters of objection have been received from local residents. The objections raised can be summarised as follows:

1. This site was developed on the basis that it would not be further developed;
2. The proposal will extend the building operations on site which continue to cause noise and disturbance;
3. Over development of the site;
4. Adverse impact upon visual amenities and landscape quality;
5. The development will detract from the setting of the Listed Building;
6. As revised the proposal will result in totally inadequate parking provision for this site;
7. The access, parking and manoeuvring arrangements on site are already inadequate, this will further degrade the situation of site;
8. Loss of privacy.

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

6. Officers Appraisal

6.1 It is considered that the following matters are relevant to this application:

- Principle of Development;
- Highways;
- Visual Amenities and Setting of Listed Buildings;
- Design and Scale;
- Residential Amenities.

Principle

6.2 The Convent and surrounding area is within a sub area of the Bartestree settlement boundary. Bartestree is defined as a main village and the principle of new residential development is accepted.

Highways

- 6.3 The original permission on this site was on the basis of 40 dwellings served by 62 parking spaces, a ratio of 1.55 spaces per unit. Application DCCE2004/1492/F identified 100 car parking spaces to serve 63 units, a ratio of 1.59 spaces. Under application DCCE2006/1978/F, 99 spaces were to serve 66 units, a ratio of 1.5 spaces per dwelling unit. Under this application 99 spaces would serve a total of 67 dwellings. As a result the dwelling to parking space ratio drops marginally to 1.48 spaces/dwelling. Herefordshire Unitary Development Plan policy advises that housing developments will be subject to a maximum parking provision of 1.5 spaces per dwelling. It is of note that the policy also states that off street parking provision should reflect the site location, the type of housing to be provided, and the availability of public transport. In this case public transport is available with a bus stop on the main A438 at the entrance to the Convent, and the units are principally one and two bedroom properties, though some three-bed units are found. Against this however, one must recognise the rural/urban fringe location of this site and the relative limitations of the public transport provision and lack of amenities/facilities. In this context it is suggested that a figure on or around the 1.5 spaces per unit level should be provided and in this case 1.48 spaces/dwelling is proposed.
- 6.4 The objections of local residents on the grounds of a lack of parking resulting from this development are understandable having regard to the relatively low level parking provision already on site and the relatively limited public transport and amenities/facilities availability. Ultimately, however, this scheme is in accordance with adopted planning policy and on this basis it is considered that this application cannot be resisted on the basis of the lack of parking provision issue.

Visual Amenities and Setting of Listed Buildings

- 6.5 The regularisation of the car parking is not considered to raise any issues in this regard and the Conservation Manager has liaised on these changes. The new dwellings are sited appropriately having regard to the Convent; its setting, and the development pattern approach on this site. The design is reflective of the other new build on site and as such the new development will integrate effectively into the development. The removal of Permitted Development Rights will ensure that the further extension of these dwellings is tightly controlled in the interests of the visual amenities of the locality and the setting of the Convent.

Design and Scale

- 6.6 The new dwellings are designed to reflect the existing new build dwellings on site with design features, materials and appearance all to match and will therefore relate effectively to the existing new build on site. Although four rather than three dwellings are now proposed, the footprint is only marginally larger. Additionally, the scale of the dwellings has been reduced significantly – the ridge height is now 8m as opposed to 9.5m. Allied to this it is proposed to reduce ground levels by a further 600mm with the effect that the building would be more than 2m lower than originally proposed.
- 6.7 The Conservation Manager is satisfied that the architectural detail is befitting of the wider context and maintains would not adversely affect the setting of the convent.

Residential Amenities

- 6.7 The siting and arrangement of the four new dwellings is such that no over bearing impact or light loss will result. The distances between these properties and the

properties to the north, south and east, together with the internal arrangement, are such that privacy will not be compromised unacceptably. To ensure the continued privacy of the neighbours to the north and south a condition will prevent the introduction of new openings in the side elevations.

- 6.8 The construction process involved in the construction of the proposed dwellings has the potential to cause disturbance to neighbouring properties. In response, the standard planning condition relating to hours of work is proposed.
- 6.9 To conclude, the erection of four dwellings in this location is considered acceptable in terms of the scale and design and the resultant impact upon the setting of the Convent and the parking provision on site.

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. **B01 (Samples of external materials).**

Reason: To ensure that the materials harmonise with the surroundings.

3. **C05 (Details of external joinery finishes).**

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

4. **C11 (Specification of guttering and downpipes).**

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

5. **D06 (Protective fencing).**

Reason: In order to protect [name of monument] during development.

6. **D01 (Site investigation - archaeology).**

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

7. **E16 (Removal of permitted development rights).**

Reason: [Special Reason].

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

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

9. **F18 (Scheme of foul drainage disposal).**

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

- 10. F39 (Scheme of refuse storage).

Reason: In the interests of amenity.

- 11. F48 (Details of slab levels).

Reason: In order to define the permission and ensure that the development is of a scale and height appropriate to the site.

- 12. G01 (Details of boundary treatments).

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

- 13. G04 (Landscaping scheme (general)).

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

- 14. G05 (Implementation of landscaping scheme (general)).

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

- 15. G08 (Retention of trees/hedgerows (outline applications)).

Reason: To safeguard the amenity of the area.

- 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.

Informatives:

- 1. N15 - Reason(s) for the Grant of PP/LBC/CAC.
- 2. N19 - Avoidance of doubt.

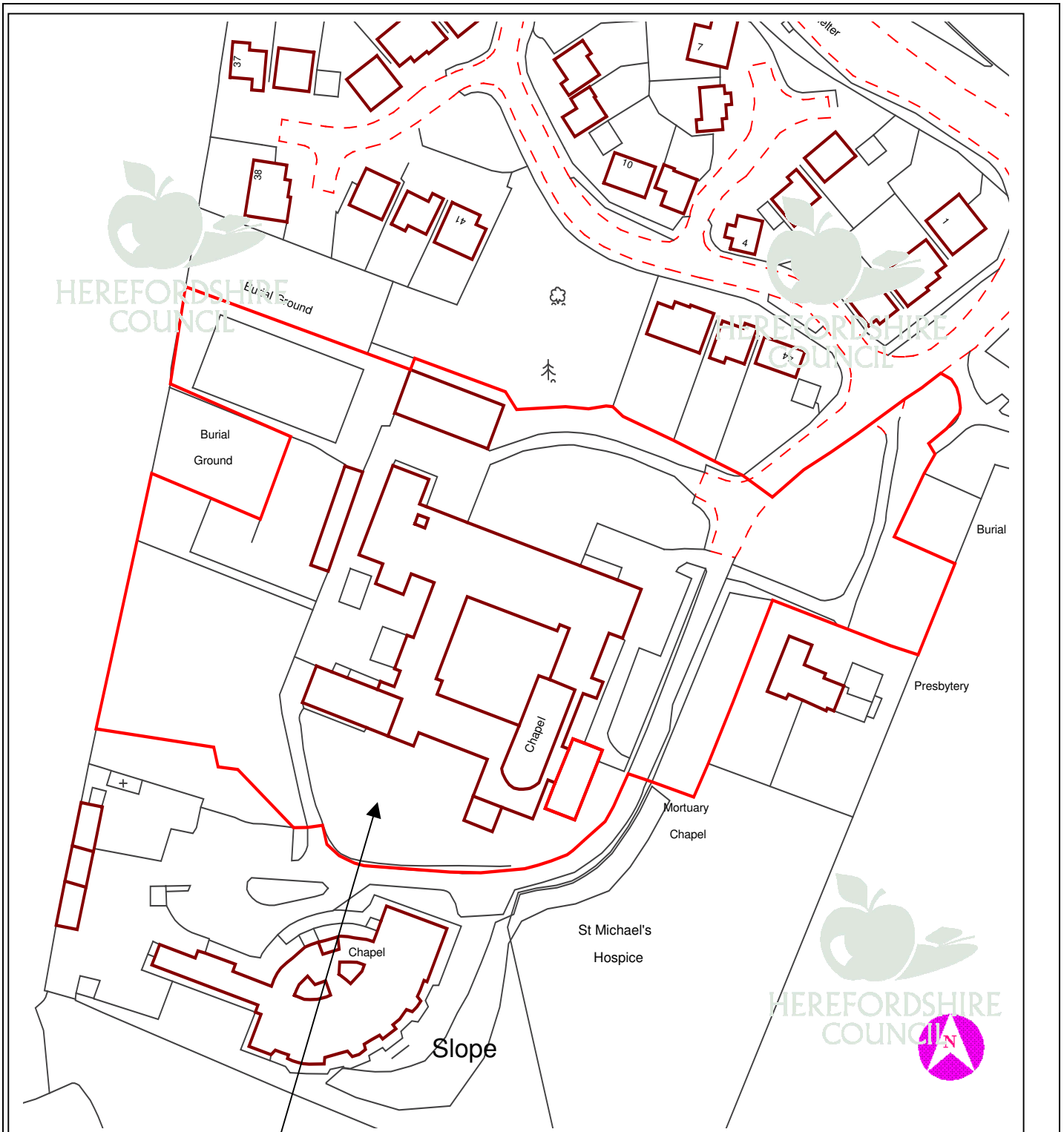
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCCE2007/1930/F

SCALE : 1 : 1250

SITE ADDRESS : Frome Court, (Former Bartestree Convent), Bartestree, Hereford, Herefordshire, HR1 4BF

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